

Kershaw County Planning and Zoning Commission
Minutes - Regular Session
August 14 2008, 5:30 p.m.
County Council Chambers, 515 Walnut Street
Camden, SC 29020

Members Present: Lewis Shaw, Charles Cottingham, George Gibson, and Richard Simmons

Members Absent: David Brown, Karen Eckford, and Dan Matthews

Staff Present: Carolyn Hammond and John Newman

Call to Order

Chairman, Lewis Shaw, called the meeting to order at 5:35 p.m.

Public Comment Period

There were no comments from the public.

Public Hearing and Discussion on Rezoning Request of Davis and Dinkins, Inc.

Davis and Dinkins, Inc., applicant, requesting a change in the classification of approximately 8.5 acres from RD-2 Rural to R-15 Residential zoning. The property is located on 2097 White Oak Road, Camden, SC approximately 12.6 miles NW of the City of Camden. TMS# 128-00-00-002 (Portion).

During the public hearing, the applicants stated that they had an option on a ±130 acre tract of land currently zoned RD-2. Their only intentions are to create four lakefront lots, the smallest being approximately a half acre in size (.52 acre), and the largest being 5.44 acre. As two of the lots in their desired configuration were less than one acre, the minimum required lot size for RD-2, they requested that the ±8.5 acres that would contain the proposed four lots be re-zoned to R-15. They stated that they were going to sell the lots, and were not going to develop (build houses) the lots themselves. They have no plans for the remainder of the 130 acre track and are not seeking a re-zoning for it.

Seven people signed up to speak in opposition to the re-zoning. Most of the objections were fears of the lots being clear-cut and causing further degradation of the water quality through siltation. One person thought they were going to discharge sewage directly into the lake. Another was concerned that the developers would build a 'high rise.'

Having heard from all who wished to speak on the rezoning, Chairman Lewis Shaw closed the public hearing and opened the Planning Commission discussion by asking the developers about wastewater disposal. Mr. Davis stated that SCDHEC had conducted soil tests and determined that lot 1 (the smallest lot - .52 acres) was suitable for a conventional septic tank, and the other three lots would require an engineered septic system. There was a general discussion on the engineered systems. Engineered systems provide enhanced treatment of the wastewater in the 'tank' portion of the system before the wastewater is discharged into the drain field (tile field) which is much the same as that of a conventional system. Mr. Davis stated that SCDHEC requires the engineered systems to be designed and certified by a professional engineer, and inspected annually. He added that they were widely thought of by his SCDHEC contacts as being superior to a conventional septic tank system.

John Newman pointed out that with an engineered system, as with a conventional septic tank, the treated wastewater is distributed through the drain field and is percolated into the ground. There would be no direct discharge into the lake.

Richard Simmons stated that it would not be possible to build a high rise in an R-15 zoning district as only single family housing was allowed. He also pointed out that all of the other lakefront lots were zoned R-15 and that they were of similar size and configuration as the proposed lots.

Lewis Shaw pointed out that R-15 afforded better protection of property values because, were the lakefront lots to be developed under their current RD-2 zoning, manufactured housing would be allowed. He and John Newman also pointed out that there are Duke Energy, SCDHEC, and County regulations in place to ensure that the lots would not be clear cut during development and that proper sediment and erosion controls are required.

The motion to accept the request to rezone the property was made by Richard Simmons and seconded by George Gibson. There being no further discussion, the Planning and Zoning Commission voted unanimously to recommend approval of the re-zoning request of the subject site from RD-2 to R-15.

Approval of Minutes

Charles Cottingham motioned that the minutes of the July 10, 2008 regular meeting be approved. Richard Simmons seconded. The vote to approve was unanimous.

George Gibson motioned that the minutes of the July 24, 2008 work session be approved. Richard Simmons seconded. All voted in favor.

Staff Report on County Council Actions at their July 8, July 22, and August 12, 2008 Meetings

July 8, 2009

- Second reading on an Ordinance to adopt Appendix E, Kershaw County Public Sewer, of the Kershaw County Five Year Capital Improvement Program was approved 5-2
- Second Reading of an Ordinance to establish a capital project impact fee for sewer was deferred

July 22, 2009

- Third reading on an Ordinance to adopt Appendix E, Kershaw County Public Sewer, of the Kershaw County Five Year Capital Improvement Program was approved 5-2
- Second Reading of an Ordinance to establish a capital project impact fee for sewer was approved 7-0

August 12, 2009

- Third reading on an Ordinance to adopt Appendix E, Kershaw County Public Sewer, of the Kershaw County Five Year Capital Improvement Program was re-done to meet public notice and hearing requirements. It was approved 5-0
- Third Reading of an Ordinance to establish a capital project impact fee for sewer was approved 5-0.

Confirmation of ZLDR Work Sessions

Work sessions are scheduled for August 28 and September 25, 2008. The October 23, 2008 work session will have to be rescheduled because two members of the Commission will be unable to attend. John Newman will contact the Commission about alternate October dates.

Discussion of ZLDR Sign Ordinance

The group viewed a brief Power Point presentation of various local signs while Carolyn Hammond explained the characteristics of each.

John Newman said Blake Ballentine of Lamar Signs had contacted him concerning the proposed sign regulations. After referring the draft regulations to Lamar's attorney for review, Mr. Ballentine said the only part of the entire draft that he took exception to was in Section 3:5.10, Existing Nonconforming

Signs, Item E dealing with the replacement of destroyed and damaged nonconforming signs. Because of this, the Commission decided to delete the following words from the draft text: *except that after seven (7) years from the date of adoption of this Ordinance, a sign is deemed to have zero value remaining.*

Other Items

John Newman told the group that he had been receiving feedback from customers at the Planning and Zoning counter and from Allan Hutto of the Manufactured Housing Board. They feel that the cost of the required masonry underpinning makes the installation of a manufactured home, especially a singlewide, too expensive for some to afford. Mr. Newman went on to add that sheets of plain cement fiber board are an approved underpinning material, but it has been found that when they are cut to fit the home, moisture wicks into the board, causing it to rot. He asked the Commission to consider changing the regulations for masonry underpinning requirements and the use of sheets of plain cement fiber board. Lewis Shaw asked Mr. Newman to draft language for alternative regulations.

Adjournment

Richard Simmons motioned to adjourn. Charles Cottingham seconded and all voted in favor. The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Carolyn B. Hammond

Carolyn B. Hammond
Secretary