

**Kershaw County Planning and Zoning Commission
Regular Session Minutes – October 10, 2016, 5:30 PM
County Council Chambers
515 Walnut Street, Camden, SC 29020**

Members in Attendance: Curtis Blackmon, Kate Denton, Claude Eichelberger, and Beth Smith

Members Absent: Richard Simmons, Henry Walker, and Gary Whitlock

Staff in Attendance: Michael Conley, Carolyn Hammond, and Rhonda Darity

Call to Order

The Vice Chairman, Claude Eichelberger, called the meeting to order at 5:30 PM.

Approval of Minutes

Curtis Blackmon made a motion that the minutes of the September 12, 2016 regular meeting be approved. The motion was seconded by Beth Smith, and all voted in favor.

Public Comments

Four speakers addressed the Commission concerning the rezoning request for 411 Friends Neck Road. The concerns addressed the existing road, increase in traffic, drainage issues, and lot size. A petition containing signatures opposing the rezoning request was presented to the Commission.

Rezoning Request of Harold Pickrel – 411 Friends Neck Road from RD-1 to R-15

The Vice Chairman opened the public hearing. In giving his staff report, Planning Director, Mike Conley informed the Commission that the applicant, Harold Pickrel of Two Parks, LLC requested the rezoning of this parcel to R-15, low density, Single-Family Residential District, because he wished to develop the property into a single family residential housing development. The property at present is zoned RD-1, Rural Resource District. Mr. Conley said this 93.6-acre parcel had been recently subdivided out of an approximate 1100-acre parcel and that R-15 was an appropriate zoning for the subject parcel. He continued by stating that the request met rezoning criteria in that it was contiguous to existing R-15 zoning, and because it was also in compliance with the goals of the Comprehensive Plan and Future Land Use Map. He closed by stating that staff recommended that the Planning Commission approve the rezoning request. After a brief discussion Curtis Blackmon made a motion that the Planning Commission recommend to County Council that the property be rezoned from RD-1 to R-15. Kate Denton seconded the motion. Curtis Blackmon, Kate Denton, Claude Eichelberger, and Beth Smith voted in favor. No one was opposed.

Administrative Appeal by Jim Podell

Zoning Administrator, Carolyn Hammond, informed the Commission that Mr. Jim Podell, representing Country Properties, LLC as owner of property at 139 Highway 601 South in Lugoff, was requesting an appeal of an administrative decision made by then Kershaw County Senior Planner, Michael Conley. Mr. Podell's surveyor, Henry Walker, presented a property plat to the Planning and Zoning Department for their approval. Mr. Conley ruled that the proposed plat did not meet the standards established in Table 3-6, Schedule of Lot Area, Yard Setback, Height, Density Floor Area, and Impervious Surface Requirements by District for Non-Residential Uses as established in the Kershaw County Zoning and Land Development Regulations (ZLDR). Mr. Podell disagreed and filed an appeal. The purpose of the plat was Bell South's desire to purchase 373 square feet (0.009 acre) of property out of a 4.87 acre parcel owned by Country Properties. Bell South's intent was to locate telecommunication equipment on the site. Because the ZLDR in Table 3-6, states that the minimum

lot size in General Development zoning districts is 6,000 square feet (.13 acre), Mr. Conley had to deny approval of the proposed subdivision. Understanding that provisions needed to be made for situations such as this when utilities need to purchase only small pieces of property, Mr. Conley researched and discovered that other jurisdictions had such provisions in their land development regulations. At the Commission's August 8, 2016 meeting, Mr. Conley proposed amendments to the ZLDR to allow utilities to become exempt from such restrictive requirements. The amendments were approved by the Planning Commission on August 8, 2016, and were already on Kershaw County Council's agenda for their approval. The Commission's task was to determine if Mr. Conley was correct in his interpretation at the time the plat was disapproved. After a brief discussion, the Vice Chairman called for a motion. Kate Denton made a motion that Mr. Coley's interpretation at the time was correct. Curtis Blackmon seconded, and all voted in agreement.

Adjournment

At 6:18 PM, the Vice Chairman called for a motion to adjourn. The motion was made by Kate Denton, seconded by Curtis Blackmon, and all voted in favor.

Respectfully submitted,

Rhonda Darity

Rhonda Darity
Secretary