

**Minutes**  
**Florence County Planning Commission Meeting**  
**Tuesday, March 23, 2010 at 6:30 p.m.**  
**City/County Complex, Room 803**  
**180 N. Irby St., Florence, South Carolina**

**The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City/County Complex and on the information board at the entrance of the Planning, Zoning, and Building Inspections Department building.**

The agenda was also mailed to the media.

**I. Call to Order:**

Chairman Peter Knoller called the meeting to order at 6:30 p.m. and declared a quorum of members present.

**II. Attendance:**

**Members Present:** Peter M. Knoller, Chairman  
Bill Lockhart, Vice-Chairman  
Linda Borgman  
Cecil Cunha  
Ted Greene  
David Hobbs  
Jody Lane  
Doris Lockhart  
King Lowery  
Virginia Talbert

**Members Absent:** Roger Kirby

**Staff Present:** J. Kevin Griffin, Director, Planning and Building Inspection Department  
Pearlie D. McDaniel, Development and Zoning Services Officer  
Angela C. Thomas, Secretary

**Public Attendance:** See sign-in sheet on file with the Florence County Planning Department.

**III. Review and Motion of Minutes:**

Mr. Jody Lane made a motion to approve the minutes of the February 23, 2010 meeting. Mr. Ted Greene seconded the motion. The vote carried unanimously. Mr. Cecil Cunha was not present for this vote.

**IV. Public Presentation:**

**Mrs. Teresa Ervin (West Sumter Street Community Association) – West Sumter Street Zoning**

Mrs. Teresa Ervin came forward to speak and her comments were as follows:

- I'm from the Northwest Florence neighborhood community area.
- I'm here to speak to you today on behalf of our community members.
- We came here in reference to the property located at the corner of W. Sumter St. and also Alexander.
- This property has been vacant for years and we are seeking to get a zoning for this property of R-3A so that anything built on this property would be a single-family home to keep in with the characteristics of the present homes located there.
- We desire this zoning because we do not want somebody in the future to come in and place a multi-family unit or either a patio duplex.
- This is the consensus of the community and we did collect over a hundred signatures of people who support having that zoning.

Chairman Knoller asked did you say the property is in the county.

Mrs. Ervin responded it is in the county.

Chairman Knoller asked it's not zoned.

Mrs. Ervin responded it's not zoned.

Chairman Knoller responded we'll let you and your group go to staff and they'll put it up for us for consideration probably next month.

Ms. Linda Borgman asked who owns the property.

Chairman Knoller responded all these different people own the property.

Ms. Borgman asked it's a community owned property.

Mr. Kevin Griffin responded Mrs. Ervin has spoken with staff about this and suggested to us that she did have the support of the community and brought a petition to us last week; state law would require in instances such as this that the planning commission would need to sponsor the rezoning request which you would actually defer it back to staff for us to review and look at the zoning assignment and then we would bring it back because you have multiple properties here; by state law it can only be brought up by planning commission, council, or the property owner so that's why she's bringing it to planning commission.

Chairman Knoller asked Mrs. Ervin, how many property owners are there for what you are trying to rezone.

Mrs. Ervin responded its one piece of property.

Mr. Griffin responded the way we understood it when you came in was that you wanted a zoning assigned to the entire community.

Mrs. Ervin responded we really want the whole area going down Sumter Street where the properties are vacant.

Chairman Knoller responded if that's the case then what Mr. Griffin says is what we'll have to do; and you want it R-3A, no mobile homes.

Mrs. Ervin responded right.

Chairman Knoller asked do we need to discuss it.

Mr. Griffin responded yes sir, someone will need to make a motion to defer it back to staff and that the planning commission is willing to sponsor the rezoning and we would work with Mrs. Ervin to put the application together.

Ms. Doris Lockhart made a motion to defer the request to staff to proceed with a zoning request for the next planning commission meeting. Mr. King Lowery seconded the motion. The vote carried unanimously.

Ms. Borgman asked does she own the property.

Mrs. Ervin responded my property is already zoned.

Ms. Borgman responded I know you said that the gentleman bought the piece of property and he's going to put a single-family home on there but the lot that you're really talking about, is that a community lot?

Mrs. Ervin responded right now it's a vacant lot.

Ms. Borgman asked but who owns that piece of property.

Mrs. Ervin responded I would have to pull the records to see who owns that but its not going to be just that property, we want all of that coming down Sumter Street as much as we can.

Ms. Borgman asked don't you have to have permission from the property owner.

Chairman Knoller responded we're going to do that; that's what staff is going to do.

Mr. Jody Lane responded this is very similar to what we did for the Town of Quinby.

Mr. Griffin stated council put a moratorium on any new permits in this area back in August and they have been working with the City on a similar situation.

## **V. Public Hearings**

### **Comprehensive Plan:**

None

### **Map Amendments:**

None

**Text Amendments:**

None

**VI. Requests for Plat/Plan Approval:**

**PC#2010-02 Request by Jon Senseney on behalf of OM Ships International for a change to the approved PD, Planned Development District in accordance with Section 30-48. (4) c. & f. for property located at 781 St. Andrews Rd., Florence shown on Florence County Tax Map No. 74, Block 1, Parcel 12.**

Mr. Kevin Griffin presented the staff report to the commission.  
(copy available at the Florence County Planning Department)

Chairman Knoller asked on your print out you used to write whether staff recommends approval or not and that is not on this.

Mr. Griffin responded staff does recommend approval.

Ms. Borgman stated I remember this; I know that when the books come in and go out they're going to use semi's and I'm a little concerned about them turning onto St. Andrews Road; I live in that area and I know its not going to be very backed up but in order for the semi's to turn left or turn right that's really going to be a difficult thing.

Mr. Griffin responded you can look at that two different ways; we did check and if you look at the staff report we looked at the level of service on St. Andrews Road and we calculated in that use in the trips per day; it did not change the level of service.

Ms. Borgman responded I'm thinking about the distance a semi has to turn.

Mr. Griffin responded as far as that goes it's going to be safer and they're actually going to have a wider turn radius if they're coming off of St. Andrews than if they were coming directly out of their property onto Southborough Road.

Vice-Chairman Bill Lockhart made a motion to approve the request. Ms. Doris Lockhart seconded the motion. The vote carried unanimously.

**PC#2010-03 Request for Subdivision Waiver Approval by Lillie Ann Timmons for property located off of Woodview Rd., Timmons ville shown on Florence County Tax Map No. 57, Block 4, Parcel 51.**

Mr. Kevin Griffin presented the staff report to the commission.  
(copy available at the Florence County Planning Department)

Vice-Chairman Lockhart asked is that an existing trailer right there on that line almost.

Mr. Koenigsmann responded that's a home.

Mr. Griffin responded Technical Review Committee did meet on March 8<sup>th</sup> on this and did recommend approval of the summary plat as did staff considering the current conditions that it was tying into a 25 foot access easement.

Chairman Knoller asked the applicants if they would like to come forward to speak.

Mr. Robert Koenigsmann came forward and his comments were as follows:

- I am the husband of Ms. Timmons; we got married about two years ago.
- The reason we are looking to divide this, there are three mobile homes out there and they each have their own electricity, well, and septic system.
- We've had this up for sale for over a year; we cannot sell the property as is; we've had three people try to buy it and we were told by all the lending institutions that they will not finance a mobile home with more than five acres in our economy today.
- Nothing is going to change on the property; it's just going to be three pieces of property instead of the same one; there is not going to be an addition of any homes; it would probably deter a contractor from coming in and making a mobile home park.
- We now live in Townville and I pastor a small church and there is no way we can come back to live here so we want to sell the property.

Ms. Borgman asked do people live in those homes.

Mr. Koenigsmann responded yes ma'am.

Ms. Borgman asked are those the people that are going to purchase the property.

Mr. Koenigsmann responded one is; they are going to buy the first one.

Chairman Knoller asked what about the other two.

Mr. Koenigsmann responded the middle one is the one that is ours and that's the main one we want to sell; it is a double wide; the third one, her son and his wife and child live there.

Chairman Knoller asked are they going to buy it.

Mr. Koenigsmann responded we're not sure yet; it depends on their finances.

Ms. Borgman asked how old are these homes.

Mr. Koenigsmann responded one is a '94 and one is a '96; I'm not sure what the other one is.

Mr. David Hobbs asked if we decide to subdivide it this way, the easement is owned by who.

Mr. Griffin responded it's a private road easement.

Mr. Hobbs asked who is it owned by though.

Mr. Griffin responded it would be owned by the property owners of that development.

Mr. Hobbs asked so we are essentially making flag lots out of it.

Mr. Griffin responded no sir; it would be an easement; they wouldn't each own their individual strip into their property; it would be an access easement across the top of each property.

Mr. Hobbs asked they're going to share the cost of the maintenance of it.

Mr. Griffin responded yes sir, in theory they would but the ordinance does allow for that if they had a 50 foot wide easement.

Mr. Hobbs responded normally what we used it for was family situations.

Mr. Griffin responded the ordinance says small developments and family situations.

Mr. Cecil Cunha made a motion to approve the request. Ms. Doris Lockhart seconded the motion. The vote was 6 to 4 with Vice-Chairman Bill Lockhart, Mr. David Hobbs, Mr. Jody Lane, and Ms. Virginia Talbert voting in opposition.

## **VII. Other Business:**

None

## **VIII. Director's Report:**

Mr. Griffin's comments were as follows:

### **➤ Summary Plats**

We had 24 lots that covered 341 acres in February.

### **➤ Building Report**

New residential permits were up by about 50% from January; everything else held fairly steady; new commercial building permits were up by 75% from January.

### **➤ Supreme Court Case**

There was a supreme court case that was decided last week on the 15<sup>th</sup> of March; it has to do with Planned Development Districts; it was based on a case in Charleston County; the applicant had applied for a rezoning to planned development for residential property; they rezoned it still residential but they changed the lot sizes; the adjoining property owners took them to court and the circuit court found that it was an illegal zoning because it was not a mixed use development; from there it was appealed to the court of appeals and they reversed the decision and said it was up to the county councils themselves to make that decision; it was appealed again to the state supreme court and they found that you could not do that; it did not meet the intent of the law, it was not a mixed use development and all they were doing was trying to circumvent the bulk lot requirements of the base zoning district; that's significant because we have seen a number of these type planned developments; we had one just recently, two meetings ago, that was on Claussen Road that was very similar to this; we have met with that property owner and made him aware of the situation and the state law; he would like to amend his to ad some mixed use so most likely you will see that project again at the next meeting.

**IX. Adjournment:**

Chairman Peter Knoller declared the meeting adjourned at 7:03 p.m.

Respectfully submitted,

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Angela C. Thomas  
Secretary

Approved by:

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J. Kevin Griffin  
Director, Planning and Building Inspections

Approved by:

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Peter M. Knoller  
Chairman, Florence County Planning Commission

\*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.