

Minutes
Florence County Planning Commission Meeting
Tuesday, June 22, 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 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 Knoller called the meeting to order at 6:30 p.m. and declared a quorum of members present.

Chairman Knoller explained to those present the procedures for the public hearing portion of the meeting.

II. Attendance:

Commissioners Present: Peter M. Knoller, Chairman
Bill Lockhart, Vice-Chairman
Linda Borgman
Ted Greene
David Hobbs
Roger Kirby
Jody Lane
Doris Lockhart
King Lowery
Virginia Talbert

Commissioners Absent: Cecil Cunha

Staff Present: J. Kevin Griffin, Planning Director
Pearlie D. McDaniel, Development and Zoning Services Officer
Scott Park, Planning Services Officer
Tripp Ward, Planner II
Derrick Singletary, Planner II
Angela C. Thomas, Secretary

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

III. Review and Motion of Minutes:

Comm. Kirby made a motion to approve the minutes of the May 25, 2010 meeting. Comm. Lowery seconded the motion. The vote carried unanimously.

IV. Public Hearings:

Comprehensive Plan Map Amendments/Zoning Map Amendments:

PC#2010-08 **Comprehensive Plan Map Amendment to change the Land Use Map designation for properties in Florence County located on Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St., Pamplico shown more specifically on Tax Map No. 376, Block 2, Parcels 8, 14, 15, 17-19, 22-25, 27-34, 39-41, 56, 58-60, 63, 64, 66, 72-77, 79, 81-86, 95-97; Tax Map No. 377, Block 2, Parcel 3; Tax Map No. 60006, Block 9, Parcels 2-5, 7-15, 27-30; Tax Map No. 60006, Block 10, Parcels 11-14, 26; Tax Map No. 60006, Block 11, Parcels 1-3, 5-10, 12; Tax Map No. 60006, Block 12, Parcels 1-7; Tax Map No. 60006, Block 13, Parcels 1-10; Tax Map No. 60007, Block 12, Parcels 1-3, 5-9, 14-18; Tax Map No. 60007, Block 13, Parcels 1-6, 8, 11; Tax Map No. 60007, Block 17, Parcels 1-4, 6-8; Tax Map No. 60007, Block 18, Parcel 1; Tax Map No. 60007, Block 19, Parcels 1-9, 12, 13; Tax Map No. 60007, Block 20, Parcels 1-12; Tax Map No. 60010, Block 2, Parcels 1-23; Tax Map No. 60010, Block 3, Parcels 1-11, 13-15; Tax Map No. 60010, Block 4, Parcels 1, 3-12, 14, 16-21; Tax Map No. 60010, Block 5, Parcels 1-4; and Tax Map No. 60010, Block 6, Parcels 2-7, 9-12 from Residential Preservation and/or Variable Residential to Suburban Development.**

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Chairman Knoller opened the floor for public comments.

Mayor of Pamplico, Gene Gainey, came forward and made the following comments:

- Pamplico had zoned R-3 for the area that we just talked about and it had been in place for many years; when Florence County took over, their codes were different than ours and we didn't realize that and we had some complications with several folks that wanted to put singlewide trailer homes in and Florence County codes would not allow it.
- Pamplico Town Council approved this request for the Florence County Planning Commission to take a look at it and return back to the R-3 codes that we had; this would be the same thing that we've been doing for many years; there will actually be no change.
- We've never really had any major complaints; we've had some over the years and I was on the council for about 22 or 23 years and have been the mayor now for five years.
- All we're asking is to go back to the previous zoning.

Ms. Sharon Graham came forward and made the following comments:

- My house is located on Oak Street.
- I want to know if you have a house and these trailers come in, does it lower the value of your house.

Chairman Knoller responded it depends on the houses in the area; it depends on many things; if somebody is a good property owner and looks after their property everything is fine; it mainly depends on if there is a house next door to you and they don't keep it up and its falling apart, your house will then have lower value.

Comm. Lane made a motion to approve the request. Comm. Kirby seconded the motion. The vote carried unanimously.

PC#2010-09 Zoning Map Amendment requested by the Town of Pamplico to amend the zoning district designation for properties located on Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St., Pamplico shown more specifically on Florence County Tax Map No. 376, Block 2, Parcels 8, 14, 15, 17-19, 22-25, 27-34, 39-41, 56, 58-60, 63, 64, 66, 72-77, 79, 81-86, 95-97; Tax Map No. 377, Block 2, Parcel 3; Tax Map No. 60006, Block 9, Parcels 2-5, 7-15, 27-30; Tax Map No. 60006, Block 10, Parcels 11-14, 26; Tax Map No. 60006, Block 11, Parcels 1-3, 5-10, 12; Tax Map No. 60006, Block 12, Parcels 1-7; Tax Map No. 60006, Block 13, Parcels 1-4; Tax Map No. 60007, Block 12, Parcels 1-3, 5-9, 14-18; Tax Map No. 60007, Block 13, Parcels 1-6, 8, 11; Tax Map No. 60007, Block 17, Parcels 1-4, 6-8; Tax Map No. 60007, Block 18, Parcel 1; Tax Map No. 60007, Block 19, Parcels 1-9, 12, 13; Tax Map No. 60007, Block 20, Parcels 1-12; Tax Map No. 60010, Block 2, Parcels 1-11, 16-19, 21, 23; Tax Map No. 60010, Block 3, Parcels 1-11, 13-15; Tax Map No. 60010, Block 4, Parcels 1, 3-12, 14, 16-21; Tax Map No. 60010, Block 5, Parcels 1-4; and Tax Map No. 60010, Block 6, Parcels 2-7, 9-12 from R-5, Multi-Family Residential District to RU-1, Rural Community District.

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Comm. Borgman stated remind me again when this took place with the Town of Pamplico.

Mr. Griffin responded September of 2009.

Comm. Hobbs asked you mentioned one group of commercial property, do you know what block that's in?

Mr. Griffin responded it's on Main Street.

Comm. Hobbs stated the reason I'm asking is there are two differences in the first one we did and this one; block 13 and block 2 as far as on the parcels.

Mr. Griffin stated we'll double check that to make sure it's correct.

Chairman Knoller opened the floor for public comments.

Mayor Gene Gainey came forward and made the following comments:

- I'd just like to say on behalf of Town Council and myself that we recommend this change be made.

Mr. Griffin stated I want to clarify Mr. Hobbs' question; the prior land use change, the land use does change on the commercial parcels but it still allows the same commercial zoning district and its commercial zoning will remain.

Ms. Shirley Timmons came forward and made the following comments:

- Based upon your preamble I commend the zoning department for formally addressing this issue.
- I rely upon your knowledge and insight regarding the implications of rezoning a historically African American community from an R-5, Multi-Family Residential District to an RU-1, Rural Community District.
- I oppose this rezoning plan; my rationale for the opposition is based in part upon the following four primary factors.
- One, the intent of zone R-5 is incompatible with that of RU-1, there are no identified commercial, service, social or agricultural needs of nearby rural residents that would be met and that would benefit the current residents of this area.
- Two, compared to site built homes, mobile homes allowed by an RU-1 designation typically depreciate in value at a relatively accelerated rate; this depreciation directly affects property values of all homes within the district.
- Specifically, Pamplico has a total population of approximately 1,139 residents; of this total, over ½ is African American; African Americans in Pamplico experience poverty at levels almost five times greater than Caucasian residents; ironically, the majority of African Americans in the Town of Pamplico reside in the area planned for rezoning; these factors alone can only facilitate increased poverty related to deflated property values and further social and political segregation that are also known to promote financial disadvantage.
- Three, mobile home settlements that are situated within mobile home parks where the resident does not own the land on which the home sits depreciates surrounding home values even more drastically.
- Four, mobile homes are not taxed as equitably on their value as traditional site built homes.

Mr. John Graham came forward and made the following comments:

- I have a house in Pamplico in the area that they're talking about.
- Why do they have to go and place trailer houses in this area because I do know for a fact that it's going to lower the value of my property?
- They can look at other areas besides that area.

Ms. Rosalyn Graham came forward and made the following comments:

- I am a property owner on Sixth Ave. in the area in which they are speaking.
- I am opposed to the change in zoning.

Comm. Lane asked can you clarify the difference between RU-1 and R-5?

Mr. Griffin responded basically the RU-1 is a bit broader in its uses; the R-5 does allow mobile homes but it currently only allows doublewide manufactured homes, it does not allow singlewide manufactured homes; the primary difference is that in itself; with the exception of the properties to the south, most manufactured homes are on the interior.

Comm. Lane asked what is the lot size?

Mr. Griffin responded R-5 is actually 6,000 and RU-1 would allow 15,000; it's a more rural zoning so it's a larger lot size.

Comm. Lane responded this seems to be a move in the right direction, more restrictive; wouldn't that actually help property values.

Mr. Griffin responded it would be more restrictive on the lot size.

Comm. Lane responded it would essentially take out multi-family houses and small properties and increase it for the neighborhoods and lot sizes.

Mr. Griffin responded that is possible.

Comm. Borgman asked in RU-1 are mobile home parks not allowed?

Mr. Griffin responded R-5 allows manufactured home parks and RU-1 would not.

Chairman Knoller asked how many singlewides are there already in that area?

Mr. Griffin responded 64 according to the assessor's records.

Chairman Knoller asked and there are approximately 140 lots?

Mr. Griffin responded 205.

Chairman Knoller responded at least 30% with mobile homes on them.

Mr. Griffin responded yes sir.

Comm. D. Lockhart asked Mayor Gainey, in your deliberation and recommendation coming from the Town of Pamlico Council, was there opposition to this extent when you recommended changing the zoning to RU-1?

Mayor Gainey responded there was no opposition; we were trying to get it back to where it was before the consolidation; the RU-1 was the only way we could go to better suit the whole situation to give everybody the opportunity to put singlewides or houses.

Comm. Kirby made a motion to approve the request. Comm. Borgman seconded the motion. The vote was 9 to 1 with Comm. D. Lockhart voting in opposition to the request.

PC#2010-10 Withdrawn per note on following agenda item.

PC#2010-11 Withdrawn per County Attorney opinion and State Law Section 6-29-1145.

Chairman Knoller stated that both of these requests have been withdrawn.

Mr. Griffin stated it was a case on Redbud Lane that had applied for a rezoning and land use change; as part of the discovery process it was brought to staff's attention that there were restrictive covenants on the property; state enabling legislation does not allow us to proceed if there are known restrictive covenants that would not allow the use that's being requested; we forwarded this to the county attorney, Mr. Jim Rushton who concurred the applicant must resolve the civil issue with the restrictive covenants; once remedied, then they may go through due process with the rezoning and the land use amendment request.

PC#2010-12 Zoning Map Amendment requested by the Florence County Planning Commission on behalf of the West Sumter Street Community to amend the zoning district designation for properties located on Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., and N. Alexander St., Florence shown on Florence County Tax Map No. 90044, Block 2, Parcels 2-11; Tax Map No. 90044, Block 3, Parcels 2, 4-6, 8-10, 12-15; Tax Map No. 90044, Block 4, Parcels 1-3, 5-21; Tax Map No. 90044, Block 6, Parcels 1-3, 5; Tax Map No. 90044, Block 8, Parcels 2-6, 10; Tax Map No. 90044, Block 9, Parcels 1-21, 25, 26; Tax Map No. 90044, Block 10, Parcels 1-14, 17, 19, 21, 24, 29-43, 45-66; Tax Map No. 90045, Block 2, Parcels 4, 7; Tax Map No. 90059, Block 8, Parcels 7, 10; Tax Map No. 90059, Block 9, Parcels 12, 17; Tax Map No. 90060, Block 8, Parcels 1, 2, 7-11; Tax Map No. 90060, Block 13, Parcels 3, 5, 6; and Tax Map No. 122, Block 1, Parcel 97 to R-3A, Single-Family Residential District.

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Chairman Knoller opened the floor for public comments.

Mr. Wallace McInville came forward with the following question:

- I own a lot in that area and it presently has a singlewide mobile home; if they annex it in, what's going to happen if the mobile home burns or if I want to upgrade?

Chairman Knoller responded it was not an annexation; we are designating a zoning district; if you have a mobile home there and you are replacing it, you have six months to replace with a like mobile home.

Mr. McInville asked so I can replace it?

Chairman Knoller responded so long as you do it within a six month period.

Mr. Gary Dauksch came forward and made the following comments:

- I'm a real estate broker and I'm also a property owner in this area.
- I bought a piece of property that's on the corner of Sumter St. and Alexander St. in June of 2009.
- All the property around my property is either zoned R-4, it's unzoned or it's being used as commercial; there is a funeral home across from my property.
- I bought the property specifically because it was unzoned and it would give me the flexibility to do what I wanted to do; my intent was to put a multi-family property on there.
- I had a builder lined up, I had financing lined up, I had plans, I had a survey done and two months after I purchased the property a moratorium was put on the whole area; I had not heard about it coming so it kind of caught me blind.
- It stopped about a half a million dollar investment in the local community; it stopped us from doing an investment that would generate tax dollars, water tap fees, sewer fees and provide local contractors with work; it does have an economic impact.

- As a property owner, obviously I oppose this measure because its costing me money, its costing me a delay; economic conditions have changed and I don't know if the financing that I had been able to secure last year is going to be as good whenever this issue is worked out or if this issue is zoned R-3A, I may not be able to do anything with the property and so I've wasted my money investing in it.
- I feel it's a little unfair that a group of people can get together and dictate how my property is used if they don't own or even live in the area.
- As a real estate agent I also have issues with this type of moratorium and rezoning a blanket area; it devalues the property for the property owners; it infringes upon the property rights of the owners; it stifles growth and development in the area.
- I don't think it's a marketable area for a developer to go in and build single-family homes and sell them.
- I think this will set a bad precedence going forward; I think it will give Florence the image of being unfriendly to developers or investors.
- As a realtor I'm going to have to say, "Well, I'd like to sell you this property, its unzoned, but I can't guarantee you that County Council won't just come in and put a block on what you want to do."; for me it kind of puts a bad taste in the mouth of the investor when they are looking at Florence as a possible place to do a project.
- I'm opposed to this proposal but I'm not opposed to making Florence a better area or the West Sumter St. area a better area.
- I would never build anything that was going to be a nuisance property or bring down the value of the properties around me.

Chairman Knoller stated we had two public hearings at R.N. Beck Learning Center.

Mr. Dauksch responded I went to one.

Chairman Knoller asked did you say anything?

Mr. Dauksch responded I spoke to two gentlemen and I wrote a letter which I turned in to the lady that was working; I went to the one on June 10th; you were tied up talking to some other people so I couldn't talk to you.

Comm. Lane asked Mr. Dauksch, I have read over your letter and everything concerning this packet but I didn't see in here which zoning would let you use the property for the intent that you had purchased the property for?

Mr. Dauksch responded R-4 would allow me to do what I want to do and it would match everything that's around where my property is.

Comm. Talbert asked where is your lot again?

Mr. Dauksch responded it's on the corner of Sumter and Alexander St.

Chairman Knoller responded it should be right across the street from the R.N. Beck Learning Center.

Comm. Lane asked Mr. Dauksch, could you point to your property please?

Mr. Dauksch referenced it on the map.

Comm. D. Lockhart asked would it be unreasonable to aggregate that part out of the request and allow the other properties to be R-3A because it is adjacent to the property that is already R-4 on that corner; also, you mentioned that you were looking at putting a duplex on that property, how many units?

Mr. Dauksch responded eight to twelve; I don't think twelve would work so probably eight units or four duplexes; the property is over an acre.

Comm. D. Lockhart asked Mr. Griffin, could you answer that first question for staff?

Mr. Griffin responded this request is sponsored by the Planning Commission so there is some leeway to change the assignments if you deem necessary.

Comm. D. Lockhart responded and let the other ones be R-3A and aggregate that since it's adjacent to the other ones that are R-4 in the city.

Chairman Knoller responded the reason we are sponsoring this, when we got the petition, someone had to do it; we can leave that one out as its going to be comparable to all the surrounding area.

Comm. Borgman asked what if we have another one that's in the middle?

Chairman Knoller responded not in the middle; that would be spot zoning.

Comm. D. Lockhart responded it needs to be adjacent.

Chairman Knoller asked it's within our jurisdiction that we can do this right?

Mr. Griffin responded yes sir.

Mr. Steve Creedman came forward and made the following comments:

- I need to know the distinction between R-3A and R-4; we bought this property with the idea of putting a mobile home in that area; our plans were stopped with the moratorium.
- I understand that this R-3A would not allow mobile homes.

Chairman Knoller responded that is correct.

Mr. Creedman responded in that regard, I would have to oppose it; I think on the adjoining lots, there is a mobile home on one side of me and an abandoned property with an empty concrete structure on the other side; I think to exclude mobile homes is wrong because you can have nice mobile homes that can help people out; the lot is a narrow lot, I don't know what size of a site or stick built structure would fit on it; the design of a mobile home would fit perfectly on that lot.

Ms. Debbie Eaddy came forward and made the following comments:

- If I own property and pay taxes in that area, I think I ought to have as much voice as anyone who lives in that area.
- I am 100% opposed to this rezoning.

Mr. Bryan Dowd came forward and made the following comments:

- I own a substantial amount of property in this area; more than any one individual that lives in that area.
- I am very much opposed to this; seeing the map up here with everything around it being R-4 leads me to believe that if you want congruency in your zoning, then R-4 should be the correct zoning.
- Also, I attended one of those meetings; one of the major complaints from people in that area is they think crime comes out of these duplexes; I can promise you that is not the case; I welcome for you to check with the Sheriff's Department with all the properties that I own to see how many times they have to go; out of the five years that I've owned property there, I can only remember one time.

Ms. Geraldine Timmons came forward and made the following comments:

- I live in West Florence and we have a lot of crime; it's right from Carver St., Ingram St., Alexander St., Dixie St. and Sumter St.
- They're packing so many people on these small lots that the crime has grown.
- I live at 1200 Dixie St.; I can sit and look out my window; the police stay over there because of fighting, crime and drugs.
- You're talking about putting a duplex on the corner of Alexander and Sumter St.; that's piling in more people; West Florence really needs building up but build some decent homes where people can buy them from you.
- They're not putting anything but apartments in there; the people move in and only stay two or three months.
- On the 1100 block of Dixie St. there is about 50 apartment houses; just take a ride and look; every other month people are being put out of the houses.
- You said there is no crime; you need to check with the police department and find out what's going on because they're selling drugs like candy.
- Don't push all these homes in there.

Ms. Teresa Ervin came forward and made the following comments:

- If you live in the community you would understand that when you come down Alexander St. you have part of the area that's actually in the city; the city has a problem with the present R-4 being zoned that way and that's why we're fighting in the city trying to get the zoning changed there.
- The R.N. Beck Center is the original Carver school, it's historical; this is a precious site in the community; then you've got Dimery Rogers Funeral Home that's been there since I was a little girl; that's a part of the historical part of the community.
- When you go down Sumter St., you say the people don't own the property but they are paying the money to live there; some of these homes are single-family homes that are being rented.
- I firmly do not want to drive down Alexander and see eight houses packed on a corner; when you go down Sumter St. now, turn over to your left; you've got a development right now that has duplexes in it; when it comes to crime, you may not see it in the city but you'll see it on the part of the Sheriff's having to come out and they have to come out so regular that you have people moving in and then they want to get out; there is a big problem with crime.
- I own my home there, I don't plan to move and I don't want to be chased out by somebody who's going to come rent a home for a short time.
- These duplexes will bring down the property value.

Mr. Joey McMillan came forward and made the following comments:

- I'm the immediate past chair of the Pee Dee Realtors Association.
- The concern that I have with this is a blanket moratorium where if a broker sells a piece of property to somebody and says it is zoned for this and you can do this with it and all of the sudden there is a moratorium and he can't do with the property what he bought it for.
- This is a great concern to our brokers because if we have somebody coming in from out of town and they buy a piece of property that is zoned to do a certain thing and we sell it to them and the next day its not and they can't do it and then we have to wait for the moratorium; they're going to come back to us or the commission and say that you told us we could do this and now we can't do it; are they going to sue us; its not right to sell somebody a piece of property and say you can do one thing with it and the next day you can't do something with it.
- If it's okay with the Chairman, can the people that are opposed stand up?

Chairman Knoller responded in the affirmative.

Approximately eight people stood up in opposition to the request.

Comm. Borgman stated I went to the first Sumter St. meeting and there were many homeowners or people that live in that area that asked why don't they have an opportunity to buy the property; they said that they don't even know property is for sale and all the sudden its sold; I'm wondering how that could be.

Mr. McMillan responded I'm wondering how that could be myself because I spend about \$2,000 a month letting people know that property is for sale.

Comm. Borgman responded I heard that more than once.

Chairman Knoller responded we heard that several times from several people and I know you realtors like to put signs out there but they have obviously never seen a sign.

Mr. McMillan responded I just get the sense that you think the realtors are out there to bring down communities and I can tell you that is not the case; we want Florence to raise up and be the city it can be; we're not going to get people to come in from other areas to buy property to improve it if they're not sure what they're going to get.

Comm. Hobbs stated it is true that you possibly sold something to somebody and told them you can do this, that and the other with that property but it was never zoned; none of these properties were zoned and we're changing the zoning.

Mr. McMillan responded but you put a moratorium where they couldn't do anything to it until it was zoned.

Comm. Hobbs responded I understand that but when you bought it and you told anybody anything about the property, it has never been zoned.

Comm. Lane made a motion for a continuance until we can get the property owners to identify their property and what they would like to see their current unzoned property zoned to and to see if we can get a consensus of people being satisfied with property they currently own; maybe it would be

adjacent to and we could suffice everyone; this has gone on long enough and its important enough to the community that we do it right and I think if you own property that you need to have that say so.

Vice-Chairman Lockhart asked if you own property in that unzoned district, can you option out of the new zoning?

Mr. Griffin responded that's up to Planning Commission for recommendation.

Comm. Talbert asked what are the setbacks on R-3A?

Mr. Griffin responded it's the same as R-3; lot width would be 50 feet, front yard setbacks 25, side yard would be 5, the rear yard is 25 and then 50 for non-residential in that area.

Chairman Knoller asked I have a motion, do I have a second?

Comm. Greene seconded the motion.

Chairman Knoller stated the motion is made that we take a continuance on this and we ask staff to get in touch with all of the property owners in this area.

Comm. Borgman asked about what we discussed with the one property owner who is on that corner, is that going to be any consideration at all?

Comm. Hobbs responded he'll be on that list.

Chairman Knoller responded he could say I don't want to be in there, which is perfectly legal.

Vice-Chairman Lockhart asked anybody can do that?

Chairman Knoller asked if we option to let that one property owner opposite of the R.N. Beck Center get out of this, can any other property owner get out of it if they don't want to be zoned?

Mr. Griffin responded that would be up to Planning Commission; this is the scope of the request that we had earlier and if we do adjustments to the map, the way we'll likely do it is to notify that the property has been proposed for zoning to an R-3A and if you would like to make comments or propose a different district then you can come in and do such.

Chairman Knoller asked if half a dozen property owners say they don't want to be zoned, are we allowed to approve that because that's almost like spot zoning isn't it?

Mr. Griffin responded Planning Commission is sponsoring this zoning assignment, this is actually not a rezoning but a zoning assignment because there currently is not a zoning on the property so you have broad deference there as to how you want to handle this request.

Vice-Chairman Lockhart asked so you're going to defer it anyway?

Mr. Griffin responded with the current motion we would have to.

Comm. Hobbs responded I agree with Jody, I know what the residents and property owners are trying to accomplish; maximize the money for the owners of the property and of course the people that live

there, they don't want certain things to go on in that area; two differences in the properties that we're talking about, that biggest piece of property, I don't see anybody that would buy that piece of property and put one house on it; the smaller properties, they probably can't do anything else with the property; what Jody's proposing I think is the best alternative; not that we would necessarily agree with all of them but just to throw a blanket over that one area, it doesn't fit.

Comm. Kirby asked in the notification process that was done for this public hearing and for the previous public meetings, were the property owners not notified?

Mr. Griffin responded each one was notified within the community and the petitioners; signs were also placed in the community.

Comm. Kirby asked what are we proposing to do now?

Chairman Knoller responded we're now proposing to actually send letters to the people asking them to please tell us what they want.

Comm. Kirby responded I have several concerns; many of my concerns have to do with precedent; this is obviously a very emotional issue for a lot of people; we have certain sets of protocol we follow through all of our planning and zoning requests; based on what our staff reports have been, those have been followed to this point; it doesn't make it a less emotional issue; we've got two sides, both pitting against each other and really everybody wants the same thing; everybody wants a better community; we are trying to handle law enforcement issues with zoning; that in my opinion is misguided; we take community issues in this case that are obviously very heartfelt from both sides and put a moratorium on development; I don't really understand that process; it takes away the public hearing side of people's opinions and arguments; this is a very complicated issue that everybody has chosen to draw a line in the sand on and we have an opportunity to either move forward with what's been placed in front of us or walk away from it; I don't see us as a commission, taking this or any other situation and creating special circumstances for ourselves in order to resolve it; every volatile issue we'll have going forward we would say "well, we've had our public hearings and now we're going to write letters to people that some did or didn't respond"; I just think we're setting a very bad precedent to do that.

Comm. D. Lockhart responded obviously the opposition came up and said no we do not want it and I will go along with the recommendation of staff with that regard.

Comm. Talbert asked when was the moratorium put on building and who approves that?

Mr. Griffin responded the Planning Commission cannot place a moratorium on property; that was done August of this past year; County Council put a moratorium on the property for one year and remanded it to the Planning Commission to study for a zoning assignment; primarily from my understanding was because of complaints of the type development that was being proposed in the community.

Vice-Chairman Lockhart stated I don't see having a third meeting when we've already gone through this twice and if they don't show up for the third meeting are we going to have another meeting.

The vote was four yeas and six nays, with Commissioners Jody Lane, Ted Greene, David Hobbs and King Lowery voting in favor of the motion. Chairman Peter Knoller, Vice-Chairman Bill Lockhart,

Commissioners Linda Borgman, Doris Lockhart, Roger Kirby and Virginia Talbert voted against the motion. Motion failed.

Comm. D. Lockhart made a motion to approve the request.

Comm. Borgman seconded the motion.

Comm. Lane stated I just don't see how we can move forward zoning it as staff has proposed it with the opposition that we've seen and not truly knowing what the property owners want to do with their property; I understand we need to move forward, I just think we're not moving forward with the consensus of the property owners.

Comm. Hobbs stated I believe we're going to be right back in here again with the ones that do oppose it if we do it that way, so either way you're going to be spending time on this in my opinion.

Comm. D. Lockhart stated I think that we have allowed staff to do due diligence in providing enough forum for opposition as well as support over the course of the moratorium; if we ask staff again, will we still be at a limbo stage without making a decision; at this point we need to move forward; if we look at the list of who showed up in opposition and staff did say that everybody was notified, so what do we do, we ask them to notify them again and we still don't get a balance.

Comm. Talbert asked the petition that initiated all of this, are they the ones that requested the R-3A or did you recommend the R-3A?

Mr. Griffin responded the original petition requested the R-3A.

The vote was four yeas and six nays, with Chairman Peter Knoller, Commissioners Doris Lockhart, King Lowery and Linda Borgman voting in favor of the motion. Vice-Chairman Bill Lockhart, Commissioners David Hobbs, Roger Kirby, Jody Lane, Ted Greene and Virginia Talbert voted against the motion. Motion failed.

Chairman Knoller stated that the request would go forward to County Council with a recommendation of disapproval.

Text Amendments:

None

V. Requests for Plat/Plan Approval:

None

VI. Other Business:

PC#2010-07 Adoption of a Resolution recommending the new Transportation Element of the Comprehensive Plan.

Mr. Scott Park stated nothing has changed since the last presentation; I received a list of grammatical updates from Vice-Chairman Lockhart; other than that, there have been no additional comments. Staff recommends approval of the request.
(copy available at the Florence County Planning Department)

Comm. Borgman made a motion to approve the request. Comm. Lane seconded the motion. The vote carried unanimously.

VII. Director's Report:

Mr. Griffin's comments were as follows:

➤ Summary Plats

We had a total number of 27 plats for the month of May; total number of lots was 42; total acreage was 119.

➤ Building Report

Permits have been steady; we have a few rather large commercial projects on the horizon.

➤ Priority Investment Element

We will begin review on this element shortly.

➤ Portable Sign Meeting

The Public Services and County Planning Committee will have a meeting on July 20th.

VIII. Adjournment:

Comm. Lane made a motion to adjourn the meeting. Comm. Hobbs seconded the motion. The vote carried unanimously. Chairman Knoller declared the meeting adjourned at 8:12 p.m.

Respectfully submitted,

Angela C. Thomas
Secretary

Approved by:

Pearlie D. McDaniel
Interim Planning Director

Approved by:

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.