

MINUTES
Planning Commission
July 12, 2005

Members Present: Whit Kennedy, Chairman
Doug Brackett, Secretary
David Burnett
John Campbell
Phillip Lawson
Jerry Gaines

Absent: Purnell Morris
Donna Turner Williams
Marion Gramling

Staff Present: Emory Price
Joan Holliday
Mike McGrath
Sherry Dull
Allison Ezell
Winston Anderson
Savannah Sabo
Freelance Reporting Services, Transcriptionist

1. Call to Order

Whit Kennedy called the meeting to order.

Doug Brackett made a motion to amend the July 12th agenda. Item 4. B. was removed from the agenda and item 7.A. 2. d. added Section 1A on to Shaftsbury. John Campbell seconded the motion. The vote carried unanimously.

2. Approval of Minutes of June 7, 2005

Doug Brackett made a motion to approve the June 7, 2005 minutes as amended. On Item 5. C., p.6 change the motion to read the vote carried unanimously with Marion Gramling abstaining from the vote. John Campbell seconded the motion. The vote carried

unanimously.

3. Old Business

None

4. Discussion Items

A. Upward Unlimited – Site Plan/Road Design discussed by Russ Easler

Russ Easler, speaking on behalf of the property owner, requested advice from the Planning Commission members. He presented a site plan to the Commission of the new proposed commercial property. He stated that this was to be a private road and would always remain as a private road to serve Upward Unlimited only. Mr. Easler stated that there were wetlands on the property and that the road would need two areas with radii less than the standard 450-foot. They also want to construct one-way roads at the entry, but would have a paved width of 20 feet for each entry and exit lane, which Mike McGrath, from Roads and Bridges, was in agreement on.

Mr. Easler stated that they would bring the project to the August 2, 2005 Planning Commission meeting for a variance on the road radii. Russ Easler also stated that they would place a note on the plat that the intent is for the company to keep the road privately maintained and for the county to never take over the road maintenance.

5. Public Hearings

A. Variance Requests – Unified Land Management Ordinance #0-99-015

1. Holden Park Estates

Allison Ezell briefed the Planning Commission on Holden Park Estates. She stated that the developer was requesting an 8 foot variance on the front setback for one lot, which will not be a part of the subdivision since it has access onto Holden Road. The area between the side of the house and the new road right-of-way is 12 feet, whereas the Unified Land Management Ordinance requires 20 feet. Russ Easler was present at the meeting to represent Mendel Hawkins, the owner, and to answer any questions.

Chairman Whit Kennedy opened the public hearing.

No one was present at the meeting to speak for or against the variance.

Whit Kennedy closed the public hearing.

Phillip Lawson made a motion to grant an 8 foot variance on the front setback for one lot. John Campbell seconded the motion. The vote carried unanimously.

2. Heritage Creek, Lot 53

Winston Anderson briefed the Planning Commission on Heritage Creek, Lot 53. Tower Homes is requesting a 7.6 foot rear setback instead of the required 20 foot. This would be a variance of 12.4 feet. This home is almost complete. Mr. Calvin Kinnunen with Tower Homes was present to answer any questions.

Chairman Whit Kennedy opened the public hearing.

Michelle S. Mangum, a property owner, was sworn in and stated that she was not in favor of the deck addition at the side of the home. She stated that other neighbors could see the deck from the road. Therefore, this would reduce the value of other homes in the neighborhood.

Whit Kennedy stated that since it was a corner lot, it was allowable.

Ms. Mangum stated that the covenants say the decks have to be out of sight.

Jerry Gaines commented that the covenants were something to be addressed by the neighborhood and not the Commission.

Emory Price stated that public bodies could not regulate nor review the covenants.

The next person to speak before the Commission was James W. Wilkins of 111 Heritage Creek Drive. He was sworn in and stated that he was against the variance. He felt that the value of this home would never go up because of the location and position of this home. He recommended that Tower Homes build a sunroom or brick foundation to the side of the home.

Jerry Gaines questioned why the home was not built facing Landstone Terrace.

Mr. Wilkins and the Commission looked over the site plan for the home.

Next to speak was Mr. Calvin Kinnunen with Tower Homes, who was sworn in and stated that the property owners in that subdivision were not aware of the new floor plan. He stated that the side door and deck would no longer be between lots #53 and #54. The deck would be placed to the side of the garage, which would make it visible from Landstone Terrace. He also stated that all homeowners are

promised a 12 foot x 12 foot deck, and that they were all laid out by a professional landscape person.

Whit Kennedy closed the public hearing and opened the meeting up for discussion among the commissioners.

For the record, Mr. Kennedy asked the builder if he would be willing to build a buffer to hide the deck from adjoining property owners. He suggested to the builder that he work this out with the homeowners. The builder stated that he would.

Jerry Gaines made a motion to grant the variance as requested. Phillip Lawson seconded the vote. The vote carried unanimously.

6. Subdivision Regulations Ordinance #429

A. Final Plats

None

B. Preliminary Extension Requests

None

7. Unified Land Management Ordinance #0-99-015

A. Subdivisions

1. Major (Preliminary Plats)

a. Holden Park Estates

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from the Public Works Engineering Division and the Department of Health and Environmental Control and to label the common area and add an easement.

David Burnett made a motion to grant conditional preliminary approval subject to review and approval from the Public Works Engineering Division and the Department of Health and Environmental Control. Jerry Gaines seconded the motion. The vote carried unanimously.

b. South Tyger Farms (Revision)

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from the Public Works Engineering Division and the Department of Health and Environmental Control.

Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from the Public Works Engineering Division and the Department of Health and Environmental Control. Jerry Gaines seconded the motion. The vote carried unanimously.

c. Blackberry Farm

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from the Public Works Engineering Division, the Department of Health and Environmental Control and Addressing 911.

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from the Public Works Engineering Division, the Department of Health and Environmental Control and Addressing 911. Jerry Gaines seconded the motion. The vote carried unanimously.

2. Major (Final Plats)

- a. Laurel Crest, Phase III
- b. Carey Plantation, Phase III
- c. Magnolia Park Estates
- d. Shaftsbury, Section 1A
- e. Fox Hill Plantation
- f. Montgomery Meadows

Joan Holliday recommended that Laurel Crest, Phase III, Carey Plantation, Phase III, Magnolia Park Estates, Shaftsbury, Section 1A, Fox Hill Plantation and Montgomery Meadows be read into the record as approved.

Jerry Gaines made a motion to read Laurel Crest, Phase III, Carey Plantation, Phase III, Magnolia Park Estates, Shaftsbury, Section 1A, Fox Hill Plantation and Montgomery Meadows into the record as approved. Doug Brackett seconded the motion. The vote carried unanimously.

3. Minor (Summary Plats)

- a. Campbell Acres (Revised)
- b. Potter Shoals, Resubdivision of Lot 2
- d. Kota Corners
- e. Roseberry Hill
- f. Genesis Acres

Ms. Holliday recommended that Campbell Acres (Revised), Potter Shoals, Resubdivision of Lot 2, Kota Corners, Roseberry Hill and Genesis Acres be read into the record as approved.

Doug Brackett made a motion to read Campbell Acres (Revised), Potter Shoals, Resubdivision of Lot 2, Kota Corners, Roseberry Hill and Genesis Acres into the record as approved. Jerry Gaines seconded the motion. The vote carried unanimously.

- c. River Falls, Phase VI, Section II
- g. Karlie Creek

Ms. Holliday recommended that River Falls, Phase VI, Section II and Karlie Creek be read into the record as approved.

David Burnett made a motion to read River Falls, Phase VI, Section II and Karlie Creek into the record as approved. Doug Brackett seconded the motion. The vote carried unanimously with Jerry Gaines abstaining from the vote.

4. Minor (Private Road Developments)

None

5. Minor (Family Property)

- a. Charles B. Hunter

Ms. Holliday recommended that Charles B. Hunter Family Property be read into the record as approved.

John Campbell made a motion to read Charles B. Hunter family Property into the record as approved. Phillip Lawson seconded the motion. The vote carried unanimously.

6. Preliminary Extension Request

a. Timm Creek, Phase 2

Winston Anderson recommended that Timm Creek, Phase 2 be granted a 12-month preliminary extension until July 16, 2006. There was some discussion due to the change in State Law for Vested Rights.

David Burnett made a motion to grant an 18-month preliminary extension until January 16, 2007. Phillip Lawson seconded the motion. The vote carried unanimously.

B. Land Development

1. Major (Preliminary Site Plans)

None

2. Major (Final Plats)

- a. Hawk Creek North, Phase 1
- b. Glenlake, Phase 2A
- c. The Arbours Commons

Ms. Holliday recommended that Hawk Creek North, Phase 1, Glenlake, Phase 2A and The Arbours Commons be read into the record as approved.

Jerry Gaines recommended that Hawk Creek North, Phase 1, Glenlake, Phase 2A and The Arbours Commons be read into the record as approved. David Burnett seconded the motion. The vote carried unanimously.

3. Minor (Summary)

None

4. Preliminary Extension Requests

None

8. Other Business

A. Monthly Report for Subdivision Activity for June.

The subdivision activity report for June was sent to the Planning Commissioners along with their PC Packets. No discussion occurred.

B. Amendment Update.

Joan Holliday briefed the Planning Commission on the Land Use Committee meeting that was held earlier in the day. She told the Commissioners that they had discussed limiting developments off substandard minor roads. The Land Use Committee has asked for input from the Planning Commission on this topic. She asked Mr. Kennedy and Mr. Burnett if they wanted to add anything since they had also attended the meeting.

Ms. Holiday informed the Commission that there were a few amendment updates ready, but rather than meeting on amendments, she would like to go ahead and schedule a class for the state-mandated training. The South Carolina Association of Counties will have a live broadcast on August 23rd from 9:00 a.m.–12:15 p.m., but there were problems in finding a location to view it. Mr. Brackett offered to find out if Spartanburg Technical College could accommodate the Planning Commissioners, the Board of Appeals Members and the Staff to view the broadcast. Mr. Price said that he would also check with the USC-Upstate. Mr. Kennedy instructed staff to set up a time to watch a tape of the first training class in Conference Room 6.

9. Adjournment

Doug Brackett made a motion to adjourn. Jerry Gaines seconded the motion, and the vote carried unanimously. The Meeting was adjourned at 6:09 p.m.

By: _____
Doug Brackett, Planning Commission Secretary

Prepared by:
Planning Department Staff