

Minutes
Regular Meeting of the Florence County Planning Commission
Tuesday, April 24, 2018 at 6:00 p.m.
County Complex, Room 803
180 N. Irby St., Florence, South Carolina 29501

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 County Complex and on the information board in the lobby of the Planning and Building Inspection Departments office.

The agenda was also mailed to the media.

I. Call to Order:

Chairman Lane called the meeting to order at 6:00 p.m.

II. Attendance:

Commissioners Present: Jody Lane, Chairman
Allie Brooks
Dwight Johnson
Doris Lockhart
Karon Epps
Jeffrey Tanner
Mark Fountain

Commissioners Absent: Cheryl Floyd, Vice-Chairman
Linda Borgman
Ted Greene

Staff Present: J. Shawn Brashear, Planning Director
Derrick Singletary, Senior Planner
Lisa Becoat, Secretary

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

Review and Motion of Minutes

• **Meeting of March 27, 2018**

Motion to approve minutes as presented – Commissioner Allie Brooks / Second – Commissioners Jeffrey Tanner and Karen Epps / Unanimously approved 7 to 0.

III. Public Hearing

Road Naming:

PC#2018-05 Request for the naming of a private road, Ward Farm Rd., located off Friendfield Rd., in Effingham, as shown on Florence County Tax Map No. 00254, Block 02, Parcel 004.

Mr. J. Shawn Brashear presented the staff report to the Commission. He also indicated that there had been no telephone comments and/or inquiries received regarding the road naming. Staff recommends approval of the naming of a private road as submitted.

(Copy of staff report available at the Florence County Planning Department)

Chairman Lane opened the floor up for questions/discussions. There were no questions or discussion by the Commission.

Chairman Lane inquired if there was any public who desired to speak in favor of the requested road naming.

Mr. Raleigh Ward, 3004 Ward Road, Effingham, SC 29541, was present and indicated that he wanted to name the road, because his residence is about 1,000 feet from the road and the house cannot be seen from the road. It is more for 911 reasons as peoples use the Friendfield Road address but my home cannot be located because it is not seen. It is more for 911 purposes and safety.

There was no public in attendance who desired to speak opposed to the requested road naming.

Commissioner Dwight Johnson made a motion that **PC# 2018-05** be approved as presented. / Second – Commissioner Allie Brooks / Unanimously approved 7 to 0.

Text Amendments:

PC#2018-06 Request for Text Amendments to the Florence County Code of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30.246. – Accessory buildings and uses.

Mr. J. Shawn Brashear presented the staff report to the Commission. He also indicated that there had been no telephone comments and/or inquiries received regarding the proposed text amendment to fences and walls. Staff recommends approval of the proposed text amendment.

(Copy of staff report available at the Florence County Planning Department)

Chairman Lane opened the floor up for questions/discussions. There were considerable questions by the Commission. The proposed text amendment does not seem to address home

owners associations' (HOA's) or other covenants. We want to ensure the public does not think that the text amendment overrides or supersedes the covenants of their neighborhoods or subdivisions. It would be great if the information were added to the application so that the applicant would know that the permit does not give them the right to supersede their covenants. We want to ensure that there is no misunderstanding as to what the roles are. Subparagraph 5 appears to be over reaching if an applicant must have an approved Engineer's design for fences/walls over 5' feet in height when it is made up of masonry or brick columns. There was further discussion from the commission about having a generic approved engineered structural design. The concern is having an applicant try to track down an engineer every time a structure like this is to be completed. If you get an engineer's design then it could be built to that engineer's design but if you don't; it would be nice if the codes office had a generic design like 3 x 3 x 8 inches with five pieces of rebar in it or go get an engineer.

Mr. J. Shawn Brashear indicated that some language for covenants and/or HOA's could be added to the proposed text amendment. Planning and building however, cannot enforce covenants but is required to inquire from the applicant if their construction conflicts with their covenants. When using masonry or brick columns for fences/walls over 5' feet in height, there should be some sort of engineered detail for the structure. That information can be amended but we have to come up with some standard that would be okay. The building code is not prescriptive enough that the structure is built X, Y, Z it is more of a performance based design. In those instances where you have a new subdivision entrance with a sign over 36 square feet, that has brick columns, those are permitted under signs and do have some engineer's designs for them. Staff could omit subparagraph number 5 and leave a little more discretion to the building official, depending on the design that is submitted. The opposite side of that is that funding is not available to hire an engineer to complete the generic design and then the design comes up questionable. Is it good for every code cycle, and so on. Additionally, staff and building officials will not design something of our own and provide it as that would bring to much liability on the county's part. The foundation can be prescriptive, it is the column itself that cannot be prescriptive. Unfortunately, for a pier or column in seismic "C", prescriptive by the code, it should have an engineer design.

There was further discussion by the Commission.

Mr. J. Shawn Brashear further explained that a permit is only required once the fence hits seven (7') feet. It is at that time that the question of an engineer's design is required for a 7' foot tall masonry fence that could fall over and kill the child next door because there was no oversight, no design and you realize there were no building inspections to say that was good enough. The building code is not prescriptive, in that it does not tell you how to build these columns in our seismic zone. It is a performance based design that only Engineers' are qualified to do based on American Society of Civil Engineer's (ASCE) testing which they are examined and licensed to do.

There was further discussion by the Commission that they would like to see the text amended and the fencing issues pointed back to the foundation issues that are addressed in the code book, as they would be for a house; and, to change subparagraph 5, column information from 5' feet to

7' feet. This would address most residential generic fencing and unless it is something extreme above 7' feet then you should get an Engineer or additional building assistance.

There was further discussion by the Commission.

There was no public in attendance to speak in favor or against the proposed text amendment.

Commissioner Allie Brooks made a motion that **PC#2018-06** be deferred. / Second – Commissioner Dwight Johnson / Unanimously approved 7 to 0 to defer the proposed text amendment.

PC#2018-07 Request for Text Amendments to the Florence County Code of Ordinances, Chapter 28.5, SIGNS, ARTICLE II. OUTDOOR ADVERTISING STRUCTURES, Sec. 28-5-24. – Spacing requirements, and Chapter 30, ZONING ORDINANCE, ARTICLE V. – SIGN REGULATIONS, Sec. 30-202. – Signs on private property., Table VIII Number, Dimensions and Location of Permitted Signs, By Zoning District.

Mr. J. Shawn Brashear presented the staff report to the Commission. He also indicated that there had been no telephone comments and/or inquiries received regarding the proposed text amendment to Signs. Staff recommends approval of the proposed text amendment.

(Copy of staff report available at the Florence County Planning Department)

Chairman Lane opened the floor up for questions/discussions. The City is within the County and based on this the City agrees with County Ordinance.

Mr. J. Shawn Brashear indicated that a verbal conversation with Jerry Dudley, Planner for the City of Florence, indicates that he would measure the billboard the same way we are. If someone came into his office in the City of Florence, requesting to put up a billboard, he would measure his required distance to the nearest billboard. When I spoke with him approximately a month ago, they had a brand new ordinance and he was not sure if that number had changed from 1,200 feet or not, but he is certain that he would measure it the same way; to the nearest billboard, regardless if it were City or County. The measurement may be somewhat different between the City and the County; but, using the billboard measurement regardless of jurisdiction is the way the City would enforce it.

There was no public in attendance to speak in favor or against the proposed text amendment.

Commissioner Doris Lockhart made a motion that **PC# 2018-07** be approved as presented. / Second – Commissioner Mark Fountain / Unanimously approved 7 to 0.

The Public Hearing was closed.

IV. Director's Report:

Mr. Brashear's comments were as follows:

Though Staff is not required, we wanted to update the Commission on **PC# 2018-02** that was deferred back to Staff. The applicants petitioned the Board of Zoning Appeals regarding their request and did show that they had an unusual burden that did allow their property request to be approved through the Board of Zoning Appeals.

- **Summary Plat Reports for (March 2018)**
- **Building Reports for (March 2018)**

The summary plats and building reports were attached and presented; and, staff was available to answer any questions.

Chairman Lane inquired if there were any further questions or discussion.

There were no further questions or discussion and Chairman Lane called for a motion to adjourn the meeting.

V. Adjournment:

Motion to adjourn – Commissioner Allie Brooks / Second – Commissioner Mark Fountain / Unanimously approved 7 to 0.

The Meeting adjourned at 6:40 p.m.

Lisa M. Becoat
Secretary

Approved by:

J. Shawn Brashear
Planning Director

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