

**Minutes**  
**Regular Meeting of the Florence County Planning Commission**  
**Tuesday, July 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 6:01 p.m.

**II. Attendance:**

**Commissioners Present:** Jody Lane, Chairman  
Allie Brooks  
Dwight Johnson  
Linda Borgman  
Doris Lockhart  
Karon Epps  
Jeffrey Tanner  
Ted Greene

**Commissioners Absent:** Cheryl Floyd, Vice-Chairman  
Mark Fountain

**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.

**III. Review and Motion of Minutes**

• **Meeting of June 26, 2018**

Motion to approve minutes as presented – Commissioner Allie Brooks / Second – Commissioner Jeffrey Tanner / Unanimously approved 8 to 0.

#### IV. Public Hearing

##### Zoning Map Amendments:

**PC#2018-08 Map Amendment requested by Chandler Reserve, LLC to change the zoning district designation for property located on Pisgah Rd., Florence, SC, as shown on Florence County Tax Map No. 00097, Block 01, Parcel 104 from Unzoned District (UZ) to Planned Development District (PD).**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that this requested map amendment sketch plan had appeared before the Planning Commission on June 26, 2018 with the recommendation that it go through a technical review prior to coming back to the Planning Commission. Mr. Brashear indicated that PC#2018-08 went before technical review on July 3, 2018, was approved and sent back to the Planning Commission. He additionally indicated that there had been no telephone comments and/or inquiries received regarding the requested map amendment. Staff recommends approval of the zoning map amendment.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence county website at: <http://www.florenceco.org/offices/planning/commission/>).

Chairman Lane opened the floor up for questions/discussions. The Commission thanked Staff for the time and effort put into the review of PC#2018-18 and for the checklist of items showing what had been reviewed regarding the requested zoning map amendment.

Mr. J. Shawn Brashear explained that the Enabling Act is vague on what is actually required in a PD. The County ordinance does not give detailed directions on commercial use within a PD it just says it is allowed. The Planning Commission should consider the nature of the community and does the type of development fit the need of the community and the surrounding uses of the community. The County Ordinance does not require commercial use and the enabling act is vague as it states allows mixed uses. The development is primarily a townhome subdivision that allows for mixed housing types (single family, duplex's and townhomes). The Planning Act allows PD's because it allows the different types of housing.

Chairman Lane inquired if there was any public who desired to speak opposed to the requested zoning map amendment.

Ms. Jane Farmer was present and spoke opposed to the requested zoning map amendment. She indicated that she was concerned about the effects of the housing development and the traffic by her farm land.

Mr. J. Shawn Brashear responded and indicated that the changing of this tract of land to a PD would have no effect or impact on how Ms. Farmer would use her property in the future unless she decided to do a similar development. He further explained to her the setback rules within property lines and how the developer is using the PD to allow some variances of those setbacks. He additionally

explained to her that since her property is unzoned there are many ways she could use her property even after the development is constructed.

Chairman Lane inquired if there was any public who desired to speak in favor of the requested zoning map amendment.

There was no public in attendance who desired to speak in favor of the requested zoning map amendment.

Commissioner Allie Brooks made a motion that **PC# 2018-08 be approved** as submitted. / Second – Commissioner Ted Greene / Unanimously approved 8 to 0 the map amendment for **PC# 2018-08**.

**PC#2018-14 Amendment requested by Leacon, Inc. to a previously approved PD for property located on Second Loop Rd. and S. Thomas Rd. in Florence, SC as shown on Florence County Tax Map No.'s 90019-01-003, 023, 024**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission and explained the original approved PD PC #2018-01 proposed four townhome units and now wishes to construct six townhome units. He further provided a breakout of the actual proposed structures for this proposed planned development. He additionally explained that there had been one office visit and one inquiry from Ms. Laura Poston concerning poor drainage issues which floods her property and that she feels will worsen with the structure of this development.

(Copy of staff the report and presentation are available at the Florence County Planning Department and on the Florence County Website at: <http://www.florenceco.org/offices/planning/commission/>).

Chairman Lane opened the floor up for questions/discussions.

Mr. J. Shawn Brashear explained that the planned development is less than one acre of disturbed land which ties county's hand as to what is required concerning a retention pond. If there are issues going further with drainage from this development onto the adjoining properties, it will be a civil matter between the property owners, the county's hands are tied concerning the development as long as it stays less than one acre.

Chairman Lane inquired if there was any public who desired to speak opposed to the requested amendment.

Mr. Jan Bays was present and spoke opposed to the amendment. He indicated that he lives across the street at 422 Thomas Road by Legacy Lane the houses in the cul-de-sac. For the last two years 2015 and 2016 his property has flooded. FEMA has provided assistance two years in a row and he has requested assistance from the City and was forwarded to other departments. Finally he had a drain put in his front yard that drains some of the water. (He showed the commission on the provided drawing of the location of his residence. Two doors East of the property and across the street to the North.) (He further showed the locations of where the State placed drains and ran pipes

across some of the properties which drain the water into a ditch or swell.) He further explained that since the construction has started the ditch has now been filled in and he has not seen any pipes or anything that will drain the water now that the ditch has been filled in. He was concerned if they will still have drainage now that the ditch has been filled. He also had a large pump drainage system installed in his back yard. He further explained that the French drains put in at the cul de sac floods and then flows over onto his property. He has been dealing with flooding since 1999. The road has been built up high so even though his home sits high the water still flows and floods his property. The City has put asphalt in to aid in the drainage but his home still floods every year.

There were questions and discussion by the Commission

Mr. Bays also indicated that he wanted to make sure that whatever is built there is not detrimental to their property value and community. There are already apartment homes and condo's in the area and it has been okay. He mentioned that he is getting a little too old to move and just wanted to voice his concerns. He is concerned and worried about more flooding in the area, especially in the low area where the homes are going to be built. The drains were put in sometime around the beginning of 2017. A contractor filled the ditch in on yesterday July 23, 2018.

There were questions and discussion by the Commission.

Mr. Bruce Smith was present and spoke regarding the amendment. He indicated that he was not opposed to the development and that he lives on Burris Road which Thomas Road runs into. He indicated that on Mr. Bays' lot his mailbox is the highest point on his lot. The road goes up but the lots do not follow that grade. He has lived in the neighborhood since the 1980s and there was a natural ditch there and as the land began to be graded the ditch had been slightly filled in. Early on the land was handling draining the water and soon after Mr. Bays moved into his property he started having flooding problems. He believes the water has saturated into the ground from the empty lot area and/or continued across Woodland and down into Jefferies Creek. Over the years it appears that the water has been backing up more and more. The ditch in question was in the area where the proposed road in the plan developed is supposed to go. The ditch was very distinct two to three feet deeper than it has been in the last two or three years. The neighbors on Thomas Road, Country Club Forest subdivision are all concerned about the impact of this development.

There were questions and discussion by the Commission.

Mr. Smith indicated that the storm sewer system that was put in was just great it went across the street stopped and within a month or year time it was all filled in and you can't even find where it's supposed to be going, it is just dumping there. Mr. Bays lot pitches to the North away from the road and that is where the water comes from. Historically, no one has ever put anything down to relieve the water on the lots as well as the properties on Fearnleaf; they have always had water problems.

There were questions and discussion by the Commission.

Mr. Earl Dawkins a resident of Thomas Road was present and spoke regarding the amendment. He indicated that he is concerned about the possible additional flooding that may be there once the development is built and the property value of their homes. He was also concerned about the

additional traffic that may be in the area as Thomas Road is used as a cut thru from Cashua Drive to Second Loop. When the widening of Cashua Drive is completed in the next year, Thomas Road could possibly be a thoroughfare and the increasing traffic from a development will be a detriment to the children in the area and the people walking their animals or just walking for exercise.

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

There was no public in attendance to speak in favor of the requested amendment.

There were further questions and discussion by the Commission.

Mr. J. Shawn Brashear indicated that the original setback on the previous sketch plan for the NW corner of the development was 14 feet. The amended plan's setback for the NW corner of the development is 5 feet.

There were further questions and discussion by the Commission.

Mr. J Shawn Brashear indicated that the site is less than 1 acre and thus the County has no legal authority to require engineered site plans to determine calculations of retention, runoff or things of such. The planning office does not have them and cannot require them. There has been a site plan provided to planning by a licensed surveyor and that is all that has been provided to planning. If in fact a ditch has been covered in and it can be proven, it would be a storm water issue that planning would have to investigate and look further into to confirm if there was a ditch there or vice versa. Either way, it would not have affected the checklist of items for the amendment, but it would impact the planning department from a different aspect as they look to ensure no disruption of storm water issues for the County. The land area is the entire planned development, but the actual disturbance of land is less than one acre. If planning can verify and prove that there was natural conveyance that has been disturbed, then planning can address that with the developer. If it can't be proven then planning cannot address it and because it is less than 1 acre being disturbed there is no Engineer on the project to discuss the development with, so it would become a civil matter between the neighbors and the developer.

There were further questions and discussion by the Commission.

Mr. J. Shawn Brashear indicated that based on the constructive notice presented at the meeting, he would send the Engineering staff out to investigate the site and get with the gentlemen present in the meeting to get a definite location of what was there and then check the historical record data to see if planning can verify if in fact there was or was not a ditch at the location in question. Planning will also check with the Department of Transportation since it was mentioned that they completed some work in 2017 in that area. The information mentioned tonight does appear to require staff to conduct some further investigation.

Chairman Lane inquired if there were any other comments and/or if anyone present desired further comment.

Mr. Bruce Smith further commented that the road going down on the sketch plan was just one section that is being requested developed. He further mention that the future potential he thought, was on down the road it is going to be revealed that further development is going to be requested and it will be more than 1.5 acres disturbed. He indicated that the area before was just an opened field with a ditch or swell going through it. He further stated that Drew Griffin had been out there and could be asked about what was there before. He further indicated that once all the roadways, roofs and driveways are in there is going to be a lot of water that is not going to soak into the ground and drainage is going to be larger issue than it is now and everyone already has huge concerns.

There were further questions and discussion by the Commission.

Mr. J. Shawn Brashear indicated that only less than 1 acre of land is being disturbed, and the total tract of land area in the development is 1.535 acres. If the developer in the future wanted to come back and do some work on the corner where there is empty land, the total area of development today, plus that would exceed 1 acre and he would then have to provide planning with the Engineering and calculations and the checklist items that would go with it. Five years from now if they would decide to increase the acreage development it would still be considered one development and all requirements would be in place.

Chairman Lane inquired if there were any other comments and/or if anyone present desired further comment.

Mr. Jan Bays further discussed and showed the commission a goggle map on his cell phone of the property that floods and then a view of Thomas Road with the lot showing the indentation of a natural swell or ditch. He further showed the end of the pipe that DOT put in and showed how they covered the area and where the two drains were put in. He further showed the cul de sac and the French drains that flood every time it rains. He also showed where the water settles after it goes through the drains and where the pipes stopped. He indicated that water from his property goes through the drains and is piped across the street into a ditch or swell. Everyone is pumping water onto somewhere else and he just desires that it be addressed because he doesn't want his property, the property of neighbors and/or the new development to flood. He is concerned about it all.

There were further questions and discussion by the Commission.

Mr. Derrick Singletary, Senior Planner for Florence County stated that on the NW and South sides of the property, there is a distance between the properties that require a buffer. This is a planned development and the surrounding properties are unzoned.

Commissioner Jeffrey Tanner made a motion that **PC#2018-14 be accepted** as presented with the understanding that the County Engineering team at the least review the storm water and drainage issues that would and could have a negative impact to the adjacent parcels. / Second – Commissioner Allie Brooks / Motion approved 7 to 1 to approve the amendment for **PC#2018-14**.

7 – Approved – Chairman Jody Lane and Commissioners Jeffrey Tanner, Linda Borgman, Allie Brooks, Dwight Johnson, Karon Epps and Doris Lockhart.

1 – Opposed – Commissioner Ted Greene.

The Public Hearing was closed.

## V. Plat/Plan Approval

**PC#2018-15 Sketch Plan Approval requested by South Florence Development, LLC for Summit At Meadors subdivision located off Meadors Rd., Florence, SC as shown on Florence County Tax Map No. 00052, Block 01, Parcel 049.**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He additionally indicated that there had been no telephone comments and/or inquiries received regarding the requested sketch plat/plan. That the plat/plan had been reviewed at a Technical Review Committee on July 3, 2018 and was recommended for approval. Staff recommends approval of the plat/plan sketch.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County Website at: <http://www.florenceco.org/offices/planning/commission/>).

Mr. J. Shawn Brashear further explained to the Commission and public the sketch plat/plan approval process and how it is reviewed and considered by staff and all other agencies. He explained that the plan approval provides the Commission with an idea of what is being developed in the community and in their opinion does it meet the requirements for a development of a sketch plan within the county.

There were questions and discussion by the Commission.

Mr. J. Shawn Brashear explained that the sidewalks shown on the sketch plat/plan are not a requirement on the review, but they are a requirement for the development plan. The developer in this case had them on his sketch plan and it just helps to make staff aware that there are going to be sidewalks. The sidewalks are and will be a requirement whether they are in the exact location on the presented sketch plat/plan or not.

There were questions and discussion by the Commission.

Commissioner Jeffrey Tanner made a motion that **PC#2018-15 be approved** as submitted. / Second – Commissioner Dwight Johnson / Unanimously approved 8 to 0 the sketch plat/plan for PC#2018-15.

## VI. **Other Business:**

Mr. J. Shawn Brashear presented to the Commission for review a form labeled Florence County Sketch Plan Submittal Requirements. He explained to the commission that through trial and error there have not been adequate checklists for the benefit of staff, developers, and land owners who

wish to develop projects. He further explained that there will be some differences in the checklist based on the project whether commercial/residential or subdivision/planned development and as staff moves forward if items on the checklist require amending they will be amended. He also indicated that he would provide the Commission members with a copy of Article III of the Florence County Ordinance that was used to develop the checklist of items. He further explained that the checklist in summary provides what is required for a subdivision, sketch plan, development plan, final plat/plan approval, etcera based on Florence County Ordinance. He additionally explained that the checklists will be used for the different projects that are being developed and will assist the developer in knowing what is required for their particular project. It is presented so that the Commission is aware of the requirements and what will be presented to the developers. He also recommended that the Commission review the documents and consider taking a motion at the next meeting regarding voting on items by Planning Review members at the Technical Review Committee Boards. It is staff's recommendation that Planning Review members participate in Technical Review Committee Boards but do not take an active vote on any items during that review.

There were further discussion and questions regarding the checklist and the Technical Review Committee and the Planning Commissions participation in those reviews and also notice of the reviews by mailing and/or emailing of the agenda for the Technical Review Committee Boards.

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

Mr. Brashear's comments were as follows:

- **Summary Plat Report for (June 2018)**
- **Building Report for (June 2018)**

The summary plat 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 and thanked everyone for their time and attention to the meeting.

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

## **VIII. Adjournment:**

Motion to adjourn – Commissioner Allie Brooks / Second – Commissioner Ted Greene / Unanimously approved 8 to 0.

The Meeting adjourned at 7:38 p.m.

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Lisa M. Becoat  
Secretary

Approved by:

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J. Shawn Brashear  
Planning Director

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