



Oconee County Planning Commission

415 S. Pine Street, Walhalla, SC

29691

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Minutes

Planning Commission Meeting

February 8, 2010

The Oconee County Planning Commission held a rescheduled regular meeting on February 8, 2010 at 6:30 PM in Council Chambers at the Oconee County Administrative Building, 415 S. Pine St., Walhalla, SC 29691.

Members Present: Tommy Abbott (Chairman)
Howard Moore, (Vice Chairman)
Randy Abbott
Ryan Honea
Andy Heller
Rex Ramsay
Bill Evatt

Art Holbrooks (Planning Director)
Aaron Gadsby (County Planner)
Carol Harvey (Planner)

Media Present:
Carlos Galarza, Daily Journal

Item 1: Chairman Abbott called the meeting to order.

Item 2: Approval of Minutes – Mr. Moore made a motion to approve the minutes from the January 11, 2010 meeting as written. Mr. Honea seconded the motion. The motion passed unanimously.

Item 3: Public Comment -

Ms. Donna Linsin – questioned the legality of any provisions in the Unified Performance Standards and Zoning Enabling Ordinance that would adversely impact group homes, citing the U.S. Justice Department Fair Housing Act that prohibits exclusion or discrimination against protected persons. She expressed concern that the stipulation that group homes only be allowed by special exception is discriminatory and that wording in the two ordinances seems to conflict.

Tom O’Neal – expressed concern about the Petty/Luther Land rezoning request, stating that allowing two different zoning types in the same subdivision is inconsistent and could create inconsistency in tax valuation.

Robert Royer – presented a summary of how the Petty/Luther Land rezoning request was conducted and the petitions that were collected. He informed everyone that there

was no problem in changing the zoning type for the Keowee parcels. He said the most frequent questions that he heard from property owners were whether the zoning would affect property tax values and how the zoning would affect adjacent properties.

Joshua Ward – presented the following questions and concerns about the Petty/Luther Land rezoning request:

1. He spoke for a group of property owners who had no knowledge of the proposed rezoning before receiving the first letter from the Planning Department.
2. Why select Lakefront Residential, then just include a few parcels outside, without including additional parcels on the other side of Petty and Frenge Branch Roads.
3. He concludes that the objective of the rezoning is to exclude long time residents interests.
4. He suggested that some of the parcels qualify more as Traditional Rural, to insure that uses such as home gardens, are not restricted.
5. He stated that the property owners he was speaking for would have no problem with a rezoning to Traditional Rural
6. He expressed concern that the Lakefront Residential zoning would prevent restaurants, etc.
7. He cited one individual that was included in the list of petitions for rezoning but had not signed a petition.

Jerry Barnett – stated concerns about who has the right to say what is “affordable” in housing and who should dictate what size affordable houses should be.

Linda Lovely – in reference to the Petty/Luther Land rezoning, noted that existing land uses are grandfathered, that zoning does not change them. She also pointed out that, since 60+% were in favor of the rezoning, the majority was not silent on the issue. She said the zoning objective was not to change lifestyles but rather to allow property owners to protect their own property against the unknown. She also stated that zoning will not affect property taxes.

Jim Codner – representing the Advocates for Quality Growth group, outlined the process that was used to collect petitions, describing how ten areas around Keowee were defined, each representing neighborhoods who had indicated interest in rezoning. He described how the 30+ rezoning requests that have been submitted may be reduced to around 17 by combining some of them in the ten defined areas. He referred to the Parkview request, suggesting that the 54% in favor of rezoning did not necessarily mean that the remaining 37% was against rezoning.

Item 4: Consideration of Luther Land and Petty Roads Rezoning Request, Ordinance 2010-03 – Mr. Holbrooks briefed the Commission on the Petty/Luther Rezoning request, stating that 62% of the property owners in the 371 parcel rezoning area submitted petitions in favor of the rezoning. The submitted request listed a total of 347 parcels as Lake Residential and the remaining 24 parcels as Residential. Mr. Holbrooks displayed a map showing the parcel zoning of the submitted request, then displayed a map showing the parcel zoning that the Planning Staff recommends. He explained that parcels not directly on the lake and not part of existing subdivisions would be more appropriately zoned as Residential, not Lake Residential, in keeping with the Future Land Use Map.

Mr. Honea expressed concern that some of the parcels included in the request are not part of the subdivisions, which comprise a large part of the rezoning area. He suggested that there could be

a problem in combining subdivisions and communities in the same request. He stated that it would be difficult for parcel owners in local communities to share the same desires of the subdivision parcel owners and vice versa.

Commission members discussed the pros and cons of combining base zoning types in one request, with some disagreement on how boundaries of the request should be defined. Some property owners in the audience expressed concern that they were not made aware of the rezoning plans earlier. Ms. Heller explained that their presence at this meeting confirmed that the rezoning procedure was working correctly, that the letters mailed by the Planning staff were intended to inform all the affected property owners and get them involved, and she thanked them for their attendance and input. After some discussion by Commission, about the requirements in the Zoning Enabling Ordinance for notifying property owners, Howard Moore made a motion to table any decisions on the rezoning request until the Planning Commission can meet on the issue again. Ryan Honea seconded the motion and, with all other members in favor, the motion carried. Mr. Holbrook agreed to review the meeting calendar to suggest a possible meeting date.

Item 5: Briefing and Discussion Related to Review of Adopted Performance Standards-

Mr. Holbrooks referred to the Communication Tower section of the Unified Performance Standards as the first of the standards for the Commission to review. He highlighted several points in the existing standard that could be revised, updated, and asked Commission members for their input.

Item 6: Old Business- Mr. Holbrooks asked Commission members to clarify when the Commission will meet for regular meetings, describing some confusion about whether a second meeting was added to the original meeting day