



Oconee County Planning Commission

415 S. Pine Street, Walhalla, SC

29691

Telephone: 864-638-4218

Minutes

Planning Commission Meeting

May 3, 2010

The Oconee County Planning Commission held a regular meeting on April 19, 2010 at 6:00 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)
Ryan Honea
Andy Heller
Rex Ramsay
Bill Evatt

Staff Present: Aaron Gadsby (County Planner)
Carol Harvey (Planner)

Media Present: Carlos Galarza, Daily Journal
Ray Chandler, Anderson Independent

Item 1: Chairman Abbott called the meeting to order.

Item 2: Approval of Minutes - Mr. Evatt made a motion to approve the April 5th meeting minutes; Mr. Ramsay seconded the motion. The motion passed unanimously.

Item 3: Public Comment

Mrs. Donna Linsin- Mrs. Linsin thanked the Commission for implementing a moratorium on rezoning requests, citing issues that she feels should be addressed in the current ZEO.

Mr. Jerry Barnett- Mr. Barnett spoke out against the ZEO and stated that real citizens will be heard, that property has been taken, and the real citizens want it back.

Mr. Jim Codner- Mr. Codner favored the Agricultural Residential District and spoke against charging a fee or sending notices by certified mail.

Mr. Berry Nichols- Mr. Nichols spoke concerning Planning Commissioner Ethics.

Mr. Stave MacLeod- Mr. MacLeod spoke against the 75% petition with 75% of property owner's recommendation.

Ms. Linda Lovely- Ms. Lovely spoke against changing the contiguous standard to remove water bodies.

Mr. B.J. Littleton- Mr. Littleton spoke against the ZEO and taking of property rights.

Item 4: Consideration of Ordinance 2010-09 and Ordinance 2010-10 – Mr. Holbrooks briefed the Commission on the status of the two ordinances. The Commission discussed the ordinances and spoke briefly with the developer. Mr. Evatt made a motion to approve tentatively the draft ordinances, pending the public hearing. Mr. Moore seconded the motion. The motion passed unanimously.

Chairman Abbott called for a motion to amend the agenda to allow Mr. Tom Markovich to speak regarding zoning-related issues. Mr. Moore made a motion to amend the agenda to add Mr. Markovich. Mr. Abbott 2nd the motion. The motion passed unanimously.

Tom Markovich thanked the Commission for allowing him this opportunity to speak and for amending the agenda to allow him to clear up some confusion on the small area rezoning mechanism. Mr. Markovich stated that there is no correlation between this and annexation and that by implying such it only confuses the issue. Mr. Markovich urged the Commission to look at what constitutes and adjacent property, and the method of connecting properties. In order to bring action one has to have standing. Mr. Markovich asked the Commission to bring in legal counsel so that proper advice could be given. Mr. Markovich also stated that he had grave concerns about the step slope language in the proposed overlay standards and that the proposed language is not needed because it is part of the Building Code. Furthermore, the Commission needed to recommend to Council a Planned Development District is added to the ZEO.

Item 5: Consideration of recommendation to Council regarding adding the Agricultural Residential and the Public and Recreational District to be included into the Zoning Enabling Ordinance - Mr. Holbrooks presented the Agricultural Residential District to the Planning Commission, noting the changes made after the workshop. Mr. Honea made a motion to move commercial campsites of more than five units as a special exception. Ms. Heller seconded the motion. The motion passed unanimously.

Mr. Holbrooks presented the Public and Recreational District to the Commission. Mr. Honea made a motion to approve the draft of the Public and Recreational District. Ms. Heller seconded the motion. The motion passed unanimously.

Mr. Honea made a motion to send both the Agricultural Residential, as amended, and the Public and Recreational District to County Council to be included into the ZEO. Ms. Heller seconded the motion. The motion passed unanimously.

Item 6: Discussion and Consideration of Zoning Enabling Ordinance Changes. – Mr. Holbrooks stated that Duke Power had been contacted in regards to making a presentation on the Shoreline Management Plan. Mr. Holbrooks then presented draft changes to the Small Area Method as discussed at the Workshop on the 28th. The Commission considered the draft and the following changes to the draft were recommended:

Mr. Moore made a motion to remove the language, “and no more than 10% of the total number parcels contained within the boundary shall be comprised of parcels smaller than 1 acre” from the 1st paragraph of the Small Area Method. Mr. Honea seconded the motion. The motion passed unanimously.

Mr. Honea made a motion to keep the language requiring the petition sponsor to present a boundary map to the Commission for approval. Mr. Evatt seconded the motion. The motion passed unanimously.

The Commission took up the Small Area method again. Mr. Honea made a motion that the language requiring a certified mailing be removed and replaced with wording requiring an official envelope, stating on outside “Important Information Pertaining to Your Property, Enclosed”. Ms. Heller seconded the motion. The motion passed unanimously.

Mr. Evatt made a motion to remove the 75 % of property owners of 75% of the landmass are removed and replaced with 65% of the property owners of 65% of the landmass. Discussion followed. The motion passed 5-2. Mr. Honea and Ms. Heller opposed.

Mr. Evatt made a motion to forward the small area rezoning draft changes to Council, as amended. Mr. Moore seconded the motion. The motion passed 5-2. Mr. Ramsay and Ms. Heller opposed.

Mr. Holbrooks presented a cost estimate of rezoning cost per parcel to the Commission. Discussion followed. Mr. Evatt made a motion to recommend to County Council that a \$5 dollar per parcel fee be included as part of the rezoning requirements. Mr. Abbott seconded the motion. The motion passed 6-1. Mrs. Heller opposing.

Mr. Holbrooks presented the Commission a draft of the Overlay Standards for commercial development. Mr. Moore questioned the intent of the refueling stations. Mrs. Heller stated that the refueling situation applied only to commercial projects. Mr. Moore stated that is why the Commission wanted Duke Power to come in and also asked that the Commission consider asking DNR to come and explain those things Duke has not meet in the original FERC agreement.

Mr. Gadsby explained changes to the buffer as discussed by the Commission. Mr. Moore said that the draft represented the ideas he had discussed. However, he was not sure what the County Attorney would say.

Ms. Heller made a motion to forward the draft changes to the county attorney. Mr. Moore seconded the motion. The motion passed unanimously.

Item 7: Old Business – Mr. Honea made a motion to recommend to County Council that those zoning requests with 100% agreement and little known controversy be moved to the front and processed accordingly. Mr. Ramsay seconded the motion. The motion passed unanimously.

Mr. Holbrooks stated that the 2 requests referred by Council remained before them. The Commission members indicated consensus that they needed to move forward with considering these requests prior to the 30-day deadline established by Council, and agreed to hold a special meeting as soon as it could be scheduled. Mr. Holbrooks stated that he would schedule the meeting.

Ms. Heller stated that she failed to mention a correction to the minutes of the April 19th meeting. The bottom of the second page needed to be corrected to state 51% instead of 15%. Mrs. Heller

made a motion to correct the minutes. Mr. Ramsay seconded the motion. The motion passed unanimously.

Item 8: New Business – Mr. Holbrooks informed the Commission that the Planning Department has received an appeal to a staff decision to correct an addressing error. The Commission agreed to hear the appeal at the May 17th meeting, provided the applicant could attend.

Chairman Abbott addressed the crowd and the media in matters related to the actions of the Planning Commission and his representation of all citizens of Oconee County.

Item 10. Adjourn