

*Jasper County Planning Commission
358 Third Avenue
Ridgeland, SC 29936
843-717-3650*

**Minutes of May 12, 2009
Regular Scheduled Meeting**

Members Present: Chairman Kim Thomas; Mr. Alex Pinckney; Mr. Theo Drayton; Mr. Bill Young; Dr. Bostick and Ms. Courtney Flexon.

Members Absent: Juanita White.

Staff Present: Mr. David Jirousek and Lisa Lamb.

Others Present: Mr. Glenn Brodie.

Call to Order: Chairman Thomas brought the meeting to order at 6:34 p.m.

Invocation & Pledge of Allegiance: The Invocation was given by Mr. Pinckney. The Pledge of Allegiance was done in unison.

Approval of Agenda: Mr. Drayton made a motion to accept the agenda as published, seconded by Mr. Young. The Commission voted unanimously in favor of the motion.

Approval of April 14, 2009 Minutes: Dr. Bostick made a motion to approve the minutes of April 14, 2009 as written, seconded by Mr. Pinckney. The Commission voted unanimously in favor of the motion.

NEW BUSINESS:

A. Road Name Change; Exley Plantation Road: Lisa Lamb explained to the Commissioners that Mr. Thomas Exley is the applicant who is requesting that a portion of the Mead Westvaco Road located off of Deerfield Road be renamed to Exley Plantation Road. She explained that there are two residents on this particular portion of the road and that there is a locked gate which enables Emergency Service to access the road all the way through. She also explained that Emergency Services has reviewed the application and has given their approval. After some discussion, **Mr. Young made a motion to approve the road name change, seconded by Mr. Drayton. The Commission voted unanimously in favor of the motion.**

Mr. Pinckney stated that he would like the staff to check the requirements of the road naming ordinance and see if there are a certain number of residents who need to live on the road in order to petition for a new road name. Mr. Jirousek stated that the staff will be happy to look into the requirements and report back to the Commissioners.

B. Accessory Structures; For Informational Only: Mr. Jirousek explained that the staff prepared some revisions to the Zoning Ordinance dealing with accessory structures

and the purpose of the draft was to receive comments and input from the Planning Commission. He pointed out that Section 9:6, Accessory Structures and Section 11:6, Temporary Accessory Dwelling Units had been included in their packages so that the Commissioners could see how it is currently handled in the Zoning Ordinance. He went through the revisions that were drafted and explained that General Standards have been created which will be applicable to all accessory structures. Additional standards have been created for accessory and dwelling units in the Residential District. An additional set of standards have been created for accessory structures in the Commercial, Industrial and Community Commercial District as well as a set of standards for the Resource Conservation and Rural Preservation Districts. Another set of standards have been created for Hunt Camps and Rural Accessory Seasonal Dwelling Units. Mr. Jirousek went through each set of standards. He explained that standards which would be applicable to accessory structures in the Residential Zone should not be applicable to accessory structures in the rural areas since lots are usually bigger in those areas. He also explained that these standards have been drafted due to public comments that have been received. He reminded the Commissioners about Matthew Creech who spoke to the Planning Commission several months ago regarding the Green Swamp Hunt Club. They had 700 acres and the Planning Department had to deny them a permit for an additional structure. He explained that the staff drafted standards using Article 11:6 Temporary Dwelling Accessory, to create standards for family accessory dwelling to allow an additional dwelling unit for family members. He stated that any of these suggestions can be revised.

Chairman Thomas suggested that the staff check with the fire department to see how they felt about six feet (6') between accessory structures and if that would be enough room because she thought the fire department would want enough room to get their trucks in between structures. Mr. Drayton asked if more than one accessory structure would be allowed on a lot. Mr. Jirousek suggested that it should be limited in the residential areas. Mr. Pinckney asked if there was a County that has a good zoning ordinance that we can look at and do a comparison. Dr. Bostick stated if there is a good ordinance that we could look at we should because there may be more things to consider than just the size of the lots. Mr. Jirousek told the Commissioners that he did look at Colleton County's Ordinance and that is how some of the suggestions were derived from. He said that some of these items are being brought forward because of public comments and public request. Mr. Pinckney pointed out that mobile homes are not considered a permanent structure and the County has limited it to one house per tract of land. Mr. Pinckney stated that it was the Commission's intention to allow two (2) mobile homes on one tract of land but for some reason it never made it into the ordinance prior to adoption. Mr. Pinckney also pointed out that there could be heir's property of 100 acres and a bunch of owners who are not allowed to put another home on their property. Mr. Jirousek suggested that the staff look at how other Counties handle heir's property to see if we can find an innovative way to address the heir's property issue and that we make it one of our goals for this fiscal year. Mr. Pinckney stated that he spoke to woman in Charleston who is going to put on a presentation regarding heir's property for Beaufort County and that Jasper County could possibly attend that presentation. Ms. Flexon stated that there are a lot of legal ramifications to heir's property. Chairman Thomas pointed out the verbage in Section 9:6.2 of the proposed draft. She thinks item number 2, "non-residential accessory" is confusing the way it is worded and she also does not agree with the accessory structure having to be placed in the back or rear yard because sometimes people want to have a court-yard

effect. Mr. Jirousek suggested defining accessory structures such as barns, garages, sheds and etc.

There was much discussion about the DSR's discretion in the Zoning Ordinance. Mr. Pinckney stated that everyone should be treated the same and that we should establish regulations that everybody can live with. There was some discussion about the size of accessory structures in the rural areas. Chairman Thomas suggested only counting vertical construction and not horizontal construction for the purpose of square footage. Dr. Bostick pointed out that in a rural area where tractors and farm equipment are used sheds will usually be bigger than the houses. The Commissioners agreed that the size of accessory structures should depend on the lot size. There is no limit on accessory structures for approved accessory uses as defined in Article 4. Chairman Thomas suggested changing number 4 (four) of Section 9:6.2 of the proposed draft to read "Where an accessory building is erected in the required **side** yard on a corner lot , it shall not be located closer to any street than the required front yard distance". There was some discussion about whether or not the size of accessory structures should be limited to 1500 in the RC and RP zone since these are usually larger tracts of land in the rural areas as proposed in the draft under Section 9:6.4.

There was discussion about Section 9:6.5 of the proposed draft concerning hunt camps. Mr. Pinckney stated that large land owners should be thought of as well as hunt camps. Mr. Jirousek pointed out that this proposed set of standards was proposed for seasonal dwelling units in the rural areas. Dr. Bostick asked about the non-compliant hunt clubs such as 20 campers on one acre of land like what you see at the corner of Highway 321 and 601. He also stated that he thought that land owner had been given a letter and he would like an update on that next month. He would like to know when they should be expected to come into compliance.

There was some discussion about Section 11.7 of the proposed draft pertaining to Family Accessory Dwelling Units. Mr. Jirousek explained that these suggestions came from Colleton County's Ordinance. Dr. Bostick asked why we had it limited to two homes. Mr. Jirousek stated that he wanted to check with the Assessor's Office but he also thinks that access issues and other things need to be addressed. Mr. Pinckney asked why large lots are being limited to one structure. Mr. Pinckney pointed out that you used to be able to buy one acre of land for a thousand dollars (\$1000.00) and now one acre of land costs ten-thousand dollars (\$10,000.00) Ms. Flexon pointed out that if you own land you are allowed to subdivide and build a house on each new parcel, which provides an avenue. Mr. Pinckney stated that if there is a road on heir's property and the heir's can meet the setbacks he doesn't know what the problem is. Mr. Jirousek suggested seeing how other Counties handle heir's property. He stated the Beaufort County allows family compounds if the property has been owned for 50 years or more and that Colleton County only allows two (2) structures on a lot. Chairman Thomas pointed out that the Planning Commission's intention was to allow two (2) mobile homes on one (1) piece of property but it did not make it into the ordinance. Chairman Thomas asked Mr. Jirousek to look at the wording of the DSR in the proposed draft of Section 11:7 and see what can be taken out and what should stay in. She suggested if a judgment call was made then give an example and bring back to the Commission for discussion. Mr. Jirousek asked if the Planning Commission would like this to come back before them before addressing the heir's property issue since the heir's property is going to require a lot of research and possibly hiring an outside consultant. Chairman Thomas suggested adding a stipulation to it that you must have clear deed or title to the land. Mr.

Pinckney pointed out that if we don't allow people to live on their family land then they are going to run extension cords and do it anyway because they are going to live. Chairman Thomas suggested. Chairman Thomas suggested that the staff bring back the family compound draft that was taken out of the zoning ordinance prior to its adoption for their review. Ms. Flexon suggested that the Commission receive some education on heir's property. The Commissioners agreed that heir's property does need to be addressed.

C. Planning Commission Annual Report: Mr. Jirousek explained that the ordinance requires that an annual report be given to County Council. He pointed out that the staff put together a report of the Planning Commission's accomplishments regarding projects or action that they took over the past year as well as the goals of the Planning Commission and the goals of the Planning Department staff. He suggested that the Chairman present the report to County Council at their next meeting. He also suggested that heir's property be added to the top of paragraph under goals. Dr. Bostick asked if these items have been prioritized or should they be prioritized. Mr. Pinckney stated that he wanted stormwater to be added to their goals. Mr. Jirousek asked if it was drainage issues or water quality. Mr. Pinckney stated that he found out that stormwater falls under purview of the Planning Commission. He also stated that he knows of some areas that have bad drainage problems. Mr. Jirousek explained that capital projects do come under the Planning Commission and we don't have a capital projects list. He stated that he will talk to the County Attorney about it because stormwater falls under capital improvement projects. Chairman Thomas suggested putting heir's property first and stormwater second on their list of goals and include it as a discussion item for June. Chairman Thomas also suggested looking at procedures for the Planning Commission. Mr. Pinckney suggested revisiting Affordable Housing since there were so many mobile homes in the County.

Planning Commission Discussion

A. Open Discussion: Dr. Bostick asked how the excavation ordinance was coming and if it had been adopted by Council yet. Mr. Jirousek stated that the Excavation Ordinance passed third reading on May 04, 2009 without any problems. Dr. Bostick asked if the staff could request of Council to place a clock on the back wall. Ms. Flexon inquired about the River Port project and the plan for I-95, Exit 3. Mr. Jirousek explained that River Port is a Hardeeville project. Mr. Pinckney asked about the fee associated with Developer Agreements regarding the school fees. He also asked why the Planning Commission doesn't get to see plans such as the new County Annex Building. Mr. Jirousek stated that he will comment on the Planning Commission having the opportunity to look at such projects.

ADJOURN: Bill Young motioned to adjourn seconded by Ms. Flexon. The meeting adjourned at 9:05 pm.

Respectfully Submitted,

Lisa Lamb