

**Minutes**  
**Regular Meeting of the Florence County Planning Commission**  
**Tuesday, July 27, 2021 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:**

Vice-Chairman Cheryl Floyd, called the meeting to order at 6:00 p.m.

**II. Attendance:**

**Commissioners Present:** Cheryl Floyd, Vice-Chairman  
Linda Borgman  
Karon Epps  
Jeffrey M. Tanner  
Mark Fountain

**Commissioners Absent:** Jody Lane, Chairman  
Dwight Johnson  
Allie Brooks  
Doris Lockhart

**Staff Present:** J. Shawn Brashear, Planning Director  
Nickolas Ammons, Planning Manager  
Derrick Singletary, Senior Planner  
Ethan Brown, Senior Planner  
Teresa Edwards, Zoning Technician  
Holly Smith, Secretary III  
Lisa Becoat, Secretary III

**Public Attendance:** See electronic and sign in sheets on file with the Florence County Planning Department.

**III. Review and Motion of Minutes**

• **Meeting of June 22, 2021**

Motion to approve minutes as presented – Commissioner Linda Borgman / Second – Commissioners Jeffrey Tanner and Karon Epps / Unanimously approved 5 to 0 the minutes of June 22, 2021.

#### **IV. Public Hearing**

##### **Sketch Plans:**

**PC#2021-09 Sketch Plan Approval Requested By Robert L. Weaver, PE, On Behalf Of Highgate, LLC For Smith's Field Subdivision Located Off Of Smith Drive, Florence, SC As Shown On Florence County Tax Map Number 00100, Block 01, Parcels 093 and 263.**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the proposed Smith Field Subdivision is in Council District 9 and the owner of record is Sharpe Lillian Smith. The proposed unzoned land area is 37.283 acres with water and sewer available from the City of Florence. The applicant proposes to develop 152 lots with the average lot size being 0.17 – 0.45 of an acre. He further indicated that road names of Smith Field Drive, Fincher Drive, Suzanne Drive, O'Henry Drive and Sharpe Drive were reviewed by E911 addressing and proposed for the subdivision. The sketch plan was reviewed by a technical review committee and comments for stakeholders in attendance were addressed and satisfied. (Minutes of the technical review meeting are available at the Florence County Planning and Building Department.) Mr. Brashear showed a picture of the proposed sketch plan and mentioned that the plans showed an ingress and egress off of Smith Street and Woodbine Avenue. Public notice signs were posted and Mr. Brashear read through the inquiry call log and inquired of anyone that was present if they had questions and if they wanted him to read, the comments associated with their respective names. (A copy of the inquiry call log is available and retained at the Florence County Planning and Building Department.)

(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/>).

In response to the inquiry log questions Mr. Brashear responded that there would be an entry and exit point to the subdivision on Smith Street and also on Woodbine Avenue. He reiterated that the lot sizes would be 0.17 to 0.45 of an acre. To staff's knowledge the Department of Transportation does not intend to place a traffic light at the intersection of Smith Drive and Palmetto Street. The applicant will have to obtain a storm water permit through the Department of Health and Environmental Control (DHEC) which will also be reviewed by the County Engineer prior to DHEC's approval of and issuance of a permit. Staff is not aware of a traffic study being conducted onto the state roads. He further explained that the Commissions have gone back to live meetings but wanted to still keep social distancing to avoid the spread of COVID and that the room would only hold so many people so staff placed as many people in the room as possible and also opened up an electronic format to get and have as many people as possible to be able to attend the meeting. Preliminary discussions concerning where the storm water will be drained to have been discussed but no formal plans have been submitted and/or reviewed. The County Engineer and the developer will work together to create utility and storm water drainage plans. Those plans are then reviewed by the County Engineer and forwarded to DHEC for further review, prior to DHEC actually issuing the storm water permit. No more water can leave the site post construction than what is leaving the site presently. DHEC and the County Engineer must consider all the calculations, factoring in the housing, the footprints and all the impervious surface ratio totals and post construction it cannot exceed what the calculation is of water leaving the site today at the same rate. The water may be diverted to be more channelized, in the likes of a pond or pipes or something similar.

Commissioner Mark Fountain indicated on the record that he wanted it noted that he as a Planning Commission member had not received any telephone calls and/or inquiries from the public opposed to the requested sketch plan for the Smith's Field Subdivision.

There was discussion concerning a traffic study and/or traffic light on Smith Drive and W. Palmetto Street. Mr. Brashear indicated that to staff's knowledge Department of Transportation (DOT) had not requested a traffic study on proposed traffic from Smith Drive dumping onto W. Palmetto Street. The street width determines when and if sidewalks are required. For this subdivision, sidewalks were required but the ordinance provided for an exception if the roads were widen.

There was member of the public Mr. Edward Cintron who lives in Botany Acres who asked if there could be another planning meeting so that elderly residents could attend.

In response to his inquiry, Mr. Brashear indicated that planning and building received an application and it is staff's duty and responsibility to get the application before the board. He further explained that County Council had modified the ordinance last year that allowed staff to post the property and notify the community of the sketch plan review. Prior to that ordinance change there had been no notice to the community of the upcoming sketch plan review by the Planning Commission. This was done so that the community could have a voice regarding sub-divisions coming into their neighborhoods, that is why the yellow posted signs where placed on and near the property. Staff does not have the legal authority to put the meeting off until another date and time. Staff has done all they can to ensure that any and everyone who wanted to attend the meeting could attend including having a webinar access portal open for anyone online to have live access to the meeting. Staff has met their legal obligation to the public as well as the applicant in this case.

There was questions and discussion by the Commission.

Mr. Brasher indicated and explained to the public that if the sketch plan were approved it started the window of time for the developer to begin and complete their project. They would submit to planning and building staff, engineering and utility departments the development plans that would show all the infrastructure that would be used to begin building, so that staff could engage to determine how everything would work. The sketch plan provides the initial overall view of the subdivision. This item does not go before county council. Once the development plans are reviewed and approved by staff this item will not come back before the Commission. This is the definitive decision regarding the proposed sketch plan for the proposed subdivision per the Florence County Code of Ordinance. The only reason this sketch plan and unzoned property is before the Planning Commission is because of the public roads.

Vice-Chairman Cheryl Floyd opened the meeting up to the public and inquired if there was anyone in attendance who desired to speak in favor or opposed to the proposed sketch plan. She asked that when the public came up to the platform that they indicate who they are, where they live and whether they are in support of or against the proposed sketch plan.

Mr. John Curl was present and spoke in favor of the proposed sketch plan. He indicated that he is one of the owners and developer of the property. He is from Florence and has lived here his entire life. He grew up on Ridgecrest Circle and has developed a number of neighborhoods in and around Florence. He has dealt with the Smith Family quite a few times, specifically Ms. Suzanne Smith, where he bought land and developed the Monticello subdivision. He developed Rutledge Manor, Jefferson and completed approximately 13 different neighborhoods in Florence. The three sisters inherited the land from their mother and has had many different people inquire and talk to them about the property; including offering

to build 400 apartments on the property. The Smith sisters' were familiar with him, as they remembered he had done business with their mother and they reached out to him. They met and discussed doing a nice neighborhood with homes that would compliment that area. They mentioned that they knew people who do not necessarily want to be in the City and presently, they have not applied nor intended on annexing the property into the City. The development is being planned and developed within the County. There are no sidewalks on the sketch plan as they were not required but they are going to widen the streets and possible put in some sidewalks. A lot of thought has gone into the process as they are trying to be respectful to the communities. They are not trying to hurt the way people live or their home values. The three Smith sisters house faces Palmetto Street and the field was left on purpose, as it was the Smith's backyard hence the title Smith's Field Subdivision. This is the last 40 acres of land that the sisters have inherited and they think the houses will be a great fit for the neighborhood. He provided/showed pictures of homes in the Highgate subdivision that are presently being built and indicated that the homes would be similar. They would be about 1,700 to 2,500 square feet with two car garages. Nice homes, which will sell for approximately \$240,000 to \$300,000 dollars.

There was questions and discussion by the Commission.

In response to questions by the Commission Mr. Curl stated, that 0.210 of an acre nowadays is about the average lot size as lot sizes have shrunk over the years. People do not desire to have large yards as they have had in the past. Most of the homes are one and/or one-half stories high.

Mr. Robert Weaver was present and spoke in favor of the proposed sketch plan. He indicated that he lives at 1913 Pine Wood Avenue, in Florence and has lived in Florence 40 plus years. He stated that he wanted to address some of the questions that were raised. He further stated that the main question regarding storm drainage was addressed with great care with the team who worked on the subdivision project. They do not desire for any storm water to go to any of the entrances. They are aware of the storm water problems on Smith Drive and do not intend to add any more water to the 4-acre pond as it cannot handle any additional water. The water will go to a large pond that will be in the middle of the subdivision and an outfall going towards highway 76. They have already met and spoken with DOT and have received preliminary approval to install the outfalls going into the DOT right of way. Significant storm water flows are being reduced on the two, ten, twenty-five and hundred year storm waters. Water quality is also being installed; where the first half inch of rainfall is stored for at least 24 hours and then released slowly into the storm drainage system. There will be no water being discharged towards Woodbine Avenue. There is a ditch to the east side of the property where there are large trees and woods that will stay intact. Mr. Curl will only own half of the ditch as the neighborhood behind it will own the rest of the ditch. There has been storm water problems with that ditch as well as blockages. They will be spot cleaning the ditch and removing all the blockages without cutting down, any trees. There will be no street water released into that ditch. When there are over 30 lots being developed at one time, the subdivision must have two entries and exits from the property, that will be Smith Drive and onto Woodbine Avenue for emergency use. When the Smith's developed Botany Acres they left only one access onto Woodbine and they plan to use that access. The development will be completed in three phases. The first phase will have 48 lots and Woodbine Avenue will only be used for emergency vehicles during that phase. The ground surface will have a grassed reinforcement surface so that emergency trucks will be able to drive onto it and get in and out of the subdivision during the phases once development starts. This was agreed and worked out with the West Florence Fire Department. The developers indicated they do not intend to use Woodbine Avenue for any construction traffic. The road was constructed a while ago and most likely has sand clay under it instead of rocks; so it cannot withstand a lot of traffic. It also has asphalt swells and the developer does not intend to cause any additional damage to Woodbine Avenue.

In response to questions by the Commissions Mr. Curl indicated that unless something unforeseen happens there are no plans to annex the property into the City of Florence.

Mr. Weaver made one additional comment that street trees would be added to the neighborhood on every lot and that the neighborhood would have lights.

Mr. Robert L. Player was present and spoke against the proposed sketch plan. He indicated that he lived at 3023 Larkspur Road and has been there for well over forty years. He had the pleasure of knowing the Smith's as they walked the neighborhood often. Looking at the upcoming neighborhoods and streets, most houses have more than one or two vehicles. If they build 150 additional houses and it dumps three to four hundred cars on Woodbine or Smith Drive's it is going to cause a traffic mess. Woodbine is presently known as raceway and has as many vehicles as it can stand. It would be better if an access were placed on highway 76 and the engineer needs to rethink the traffic issue. There is land there for sale that could be used to direct this access. We are not happy about the project. Where the fire department is being built on Smith Street after a rain the road is blocked with water and you cannot go through.

In response to Mr. Player's comments Mr. Curl indicated that there was no access to the lot by highway 76. There is land to be purchased but it is not economically feasible with the project. They are trying to do what they feel is best for and will compliment the neighborhoods that are already established. If another developer would have gotten to it before them and built the proposed apartment homes, it would have been a lot more traffic than what the homes they are purposing will bring. They are aware of the water after a rain on Smith Street and are not directing any water towards that street and hopefully what they will be doing will make the water situation in that area better.

Mr. Robert Weaver indicated that the pond was designed in the preliminaries to make sure that it would work and lower the water tables and not take any water to Smith Drive. They reviewed all elevations, surveyed all of highway 76 to ensure that the pond was the best solution for storm water.

Mr. Neil Alford was present and spoke that he was not against the neighborhood but he was against all the traffic that it would bring. He indicated that he lived at 813 Merrill Hall, Florence, and that he had a problem with 150 houses going into their neighborhood. Bringing three hundred or more vehicles onto Smith Street. The traffic is bad enough as it is. If the proposed subdivision could come in off of highway 76 Palmetto Street that would cut down on a lot of the traffic off Woodbine and Smith Roads.

Dr. Morris Anderson was present and spoke against the proposed sketch plan. He stated that he lives at 4250 Blitzgel Drive, Florence and building 150 homes onto the lot would decrease the value of the homes that are there. He indicated you could not build that many homes and keep the value of the homes that are presently there. Most of the people there have been there thirty or forty years. His daughter lives at 836 Smith Drive and he does not think she would be able to rent her home. He thanked the Board Commission for what they do and indicated that he served on County Council for eight years and he knows their job is not easy. He asked the Commission to take into consideration the people that have lived there for a long time.

Mr. John Rushing was present and spoke against the proposed sketch plan. He stated that he lives at 2821 W. Woodbine Avenue and he knows that everyone is talking about traffic. He and Mr. Boykin live on Woodbine Avenue and many people walk in their neighborhood and they are concerned about that. He wanted to add to the traffic issues by saying there is a house for sale right across Celebration Blvd and that property goes back almost to the proposed property. He understands that it would be money out of the developers pocket but it would be nice to have a four way cross road at that light. He would encourage

anyone to attempt to come out of Botany Acres at 7:30 on a school morning. Most people will go out onto Smith Street and go right. Others who are coming out to go into town will come out and try to turn left and it gets all backed up. He would rather not have apartments near them and thanked the developers for what they are trying to do. There are also leaks constantly in the water lines in Botany Acres and he hopes that the new subdivision will not be drawing off the existing water lines. He knows many people are concerned about water and flooding. He did have some questions concerning the meeting and indicated that he found it interesting that there were no pictures of the Woodbine entrance into the subdivision. There were signs of the Woodbine entrance but there were no pictures. There were pictures of the Smith Street entrance but not Woodbine. They were told that you had to call before coming to the meeting due to limited access, but felt that was false information because others came and did not call. They do not have a homeowners association but do have neighbors that get together and discuss their issues, which they did that last night. Someone at the meeting indicated that someone on the Commission was related to either the developer or the Engineer and if that was so, they ought to recuse themselves. He wasn't sure if it were true but wanted to mention it since it came out in their meeting.

Vice-Chairman Cheryl Floyd indicated and explained to the public the training and protocol that the Commission members attend after being appointed and the yearly ethics training that is required. She also indicated that if any member was related to the developer and/or engineer, she requested that they recuse themselves and not vote on the item.

Commissioner Mark Fountain stated that he is not related to Mr. John Curl but has worked with him in the past developing a subdivision. He felt that it would be best since he had done business with him in the past to recuse himself from voting on the item. He stated he did not want any concerns for the Board and/or the Commission.

Commissioner Linda Borgman stated that she would also mention that Dr. Morris Anderson was the one that appointed her to the Planning Commission.

Mr. Shawn Brashear requested of the Chairman for a brief recess to confer with the County Attorney regarding an issue of voting on the item since there were only five members of the board present. He wanted to make sure that even though Mr. Fountain was recusing himself from voting on the item if it still maintained the proper quorum for the Board.

The Vice-Chairman allowed Mr. Robert Weaver to continue with his answer regarding the water system and then Staff could research the inquiry regarding quorum and voting.

In response to the inquiry about the water lines, Mr. Robert Weaver indicated that the water system would be designed later. He stated that there are two water lines that will connect to the City's water system across Smith Drive where the Fire Station is being built that is there primary source. There is also a 12" inch water line on highway 76 that feeds that 6" inch line. The only reason they would connect to the 4" inch water line on Woodbine is to give good circulation but that is not the primary connection.

The Vice-Chairman Cheryl Floyd recessed the meeting at 7:13 p.m., July 27, 2021.

The Vice-Chairman Cheryl Floyd called the meeting back to order at 7:21 p.m., July 27, 2021.

The issue regarding the quorum and voting was addressed and the meeting continued.

Mr. Brashear indicated that was all the names from the community members physically present that had signed up to speak. He indicated that additional people were on line in the webinar who would like to address the Commission.

Vice-Chairman Cheryl Floyd inquired of personnel in the room who had not signed up to speak but desired to address the Commission to come forward. Given the concerns and many questions of the neighborhood, Vice-Chairman Cheryl Floyd asked of staff if it were appropriate for the Commission to ask and give a deferment on the item so that Mr. Curl and Mr. Weaver and other investors could meet with the neighborhood in order to answer their questions directly.

In response to the question by the Commission, Mr. Shawn Brashear indicated that the Commission could defer the item, but could not mandate, but could request that Mr. Curl, Mr. Weaver and other investors meet with the neighborhood regarding the project.

There was discussion within the meeting.

Commissioner Linda Borgman made a motion that the item be tabled, if possible to achieve what is requested to be achieved. There was no second to the motion and the Vice-Chairman indicated that the meeting and inquiries would continue and begin with the personnel on line in the webinar and then come back to the public in the room.

Ms. Mary Stone was present in the webinar and indicated she lived at 2930 Larkspur Road and her home was purchased twenty-five years ago. She walks daily in her neighborhood and is concerned for her safety with the increase of the volume of vehicles on Woodbine Avenue. There are no sidewalks in the neighborhood and when walking in the street, she has to move over for the vehicles. She indicated with the increase of vehicles in the neighborhood walking may become impossible.

Mr. Larry Jackson was present in the webinar and indicated that he lived at 2949 Boxwood Avenue and that he was a concerned resident of Botany Acres for over 35 years. He stated that their neighborhood is peaceful and additional traffic entering and exiting the area was going to be a fiasco including the water issues. As a senior citizen, he is concerned for people walking, entering and exiting the neighborhood.

Mr. David Shinault was present in the webinar and indicated that he lived at 2926 Boxwood Avenue. He is against the proposed sketch plan as there is not enough information he believes to move forward with the project. He has the same concerns regarding traffic and water flow as the other residents.

Ms. Debra Picinich was present in the webinar but did not speak.

Ms. Delaine Martin was present in the webinar and indicated she lived at 3023 W. Woodbine Avenue. She stated that her concerns had been asked and answered. She inquired and wanted to confirm if the subdivision would have city sewer and it was indicated that it would.

Mr. Kevin Hastings was present in the webinar and indicated that he lived at 3018 W. Woodbine Avenue. He stated that he was against the proposed sketch plan but was satisfied with the representation of the questions and answers regarding the construction vehicles not being utilized on West Woodbine Avenue, and about the storm water runoff.

Mrs. Robin Johnson spoke on behalf of herself and Mr. Paul Johnson. She indicated that she lives at 3026 W. Woodbine Avenue., and although the issue had been brought up previously during the discussion; she

did not hear the response of why it was not pursued. There is a piece of property that is for sale, that if purchased by the developer could possibly allow access onto highway 76 because she believes it backs up to the proposed subdivision. She wanted to know if there was a procedure and/or process to which that could happen, as she believed it would alleviate some of the traffic concerns but not the water runoff.

In response to the question concerning adjacent property that would provide access to Palmetto Street, Mr. Curl stated that there are several different properties that are for sale or have been for sale and the least expensive property is approximately \$300,000. He further indicated that it is not economically feasible to purchase a property at that price simply as an entry and exit way to the property. Additionally, there are other issues besides just the cost. There is also a very large old ditch that separates that property from the proposed subdivision and it would require an enormous amount of work to make it accessible and for the two pieces of land to be connected. It just would not work. There is a much larger piece of property that has been set aside for commercial use and that six acres cost almost as much as the forty acres that were purchased for the Smith Field Subdivision. It is just not feasible for residential development purposes.

There were no other persons on line who desired to speak on this item.

Mr. Edward Cintron was present and spoke concerning the proposed sketch plan. He indicated that he is against the proposed subdivision and lives at 613 S. Botany Drive. He thanked the Commission members for their selfless work for the County and the developers for entertaining the thought of meeting with the residents of Botany Acres and addressing their concerns. He indicated that he had nothing wrong with the development of the proposed subdivision but wanted the elderly residents of the neighborhood to have an opportunity to be heard. The elderly residents do have an issue with traffic and speeding in the neighborhood which has no sidewalks. It would be nice just to keep the neighborhood comfortable for them as most of them are retired and just want to live their lives peacefully.

Mr. Hal Boykin was present and spoke concerning the proposed sketch plan. He indicated that he lives at 2901 West Woodbine, Florence. He thanked the Commission for their service and he understood that they volunteer their time for the community and its service to them. He wanted to know if this was the first time that the Commission had heard about the development. He indicated that the property is in an unzoned area and rural agriculture area and should follow the enabling legislature from 1996 that indicated there would be a development plan. He stated that it appeared to be a lovely development and that the legislature indicated that there would be a plan and it would be developed in an orderly fashion and that those things would be considered pertaining to the neighborhoods and with the developments there. He indicated that the property was sold on June 22<sup>nd</sup> and that it is no longer Smith's property. He felt that the neighboring communities were brought in too late to provide comments and he felt there must have been a reason for that and he wanted the Commission to take that into consideration.

Vice-Chairman Cheryl Floyd in response to Mr. Boykin indicated that the Planning Commission members were allowed to be present at the technical review meetings with the other departments that come in to do sketch plan review. She further indicated that the Commission members are not allowed to have input regarding the review. She also stated that the County does have a comprehensive plan for plan development and that plan is reviewed every 10 years.

Mr. Brashear indicated that Florence County does have a Comprehensive Plan and has had it for a number of years. The enabling act is what allows the county to perform zoning and zoning does exist within Florence County. The Comprehensive Plan is mandated by the state and it is reviewed by staff and the Planning Commission every five years and is updated every ten years. It is currently in the ten-year update



period cycle and the County has hired a consultant to assist with the review and update. The Comprehensive Plan is a guide, it can't be enforced, but it does help leadership put into focus the regulations that we have, updating, changing, taking away and modifying them to help guide the future of the County as a whole. It is simply a guide.

The public discussion was closed and Vice-Chairman Cheryl Floyd indicated that she would entertain a motion.

Commissioner Linda Borgman indicated that the property had been purchased and is unzoned. She additionally indicated that the proposed sketch plan is proposing and showing a nice development of homes not apartments. She made a motion that the proposed sketch plan **PC# 2021-09** be approved as presented. / Second – Commissioner Jeffrey Tanner / Motion approved 4 to 0 the proposed sketch plan **PC#2021-09**. Commissioner Mark Fountain recused himself from voting on **PC#2021-09**.

Vice-Chairman Cheryl Floyd thanked everyone for their attention to the request and reminded Mr. Curl of his consent to meeting with residents of the neighbor. Although not required they wished he would still follow through with his word and agreement to meet with them.

Mr. J. Shawn Brashear asked Mr. Cintron to contact the Planning and Building Office and they would assist him with contact information for Mr. Curl.

The Vice-Chairman Cheryl Floyd recessed the meeting at 7:50 p.m., July 27, 2021.

The Vice-Chairman Cheryl Floyd called the meeting back to order at 7:54 p.m., July 27, 2021.

**PC#2021-10 Sketch Plan Approval Requested By Robert L. Weaver, PE, On Behalf Of MGL Development Co. Inc For The Colony At Forest Lake – Phase II Located Off Of South Stanley Drive, Florence, SC As Shown On Florence County Tax Map Number 00075, Block 01, Parcel 009.**

(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 presented the staff report and presentation to the Commission. He indicated that the proposed Phase II for the Colony at Forest Lake is in Council District 9 and the owner of record is MGL Development Co. Inc. The proposed unzoned land area is 29.11 acres with water and sewer available from the City of Florence. The applicant desires to subdivide the vacant property in the proposed Colony Phase II. He further indicated that this was a previously approved development that stalled out during construction. The invested rights expired and the applicant is before the Commission again requesting that this previously approved development be approved. The average lot size is .46 to .50 acres and is on the corner of South Cashua and West Palmetto Street. There is a new connecting road that is going to be joined in the subdivision and a member of the homeowners association is present to speak in the meeting.

Vice-Chairman Cheryl Floyd opened the meeting up to questions/discussions by the Commission.

There were no further questions and/or comments by the Commission.

Vice-Chairman Cheryl Floyd opened the meeting up to the public and inquired if there was anyone in attendance who desired to speak in favor or opposed to the proposed sketch plan.

Mr. Bob Weaver was present and spoke in favor of the proposed sketch plan. He stated that he lives at 1913 Pine Wood Avenue, in Florence. He stated that he had received a couple of telephone calls from the existing homeowners concerning a ditch behind their houses. Louie Hopkins' office contacted him about two houses that are under construction. He indicated that the developer would be piping the ditch as part of this project. He indicated that a grading and drain plan had been submitted to staff with the sketch plan showing how the developer plans to put the pipes on the lots. There are pipes proposed in the dirt and several catch basins at the lot corners behind lots 39, 40, 41, 42, 43 and 44 where their back yard water will drain into the catch basins. When the plans are submitted for the requested permits, the plans will show the piping and catch basins. He indicated that this was a resubmittal of what was presented and approved in the past. The fire department has signed off on the second entrance for Phase II since they are completing more than 30 lots in this phase.

Vice-Chairman Cheryl Floyd inquired if there was anyone in attendance who desired to speak against the proposed sketch plan.

Frank McIntyre was present and spoke that he had some comments. He indicated that he was not for or against the proposed sketch plan. He stated that he lives at 3341 Lakeshore Drive, in Forest Lake. He stated that he was there representing the homeowners association. He indicated their responsibility goes from Cashua Drive to Alligator Road. That all the subdivisions are managed and showed a map of the areas of the original Forest Lake, Forest Lake Pointe, Forest Lake Shores, Forest Lake West and the Colony. He stated that there is a covenant that was enacted in 1964. There is a specific agreement with the developer NGO development that only single-family residences can be in the subdivisions with the exception of the first 200 feet butting Cashua and butting Alligator Road, which are allowed to be commercial.

In response to the comments made by Mr. McIntyre, Mr. Weaver indicated that he is aware of the covenant with Forest Lake and that the lots have to be a minimum size to meet the covenant. He stated that they propose to build 28 single-family residential homes.

Mr. Buddy Nysschen was present online in the webinar he indicated that he resides at 3413 Old Ivey Lane in the Colony. He stated that he was not certain but did not believe that the Colony was a part of Forest Lake Subdivision homeowners association. He further indicated that he has a substantial amount of large trees on the ditch, and he wanted to know if he would lose his trees. He indicated that the massive trees was one of the primary reasons he purchased his property and he wanted to ensure that the trees would remain by the ditch.

Mr. Weaver in response to Mr. Nysschen's inquiry stated that it appeared he has approximately 42 feet of property along the ditch. He indicated they planned to put the pipes on the other side of his property line and it should not affect his property. He indicated that to his knowledge the residents of the proposed subdivision would join whatever association is presently a part of the Colony.

There was questions and discussion by the Commission.

Mr. Daniel Dynan was present online in the webinar he indicated that he resides at 1659 Rugby Lane. He indicated that he just wanted to know and see what the plan was for the property and it appeared to be the same as the original plans besides the piping of the ditch.

Mr. Brashear in response indicating that it was the same as the original plan the developer presented. The sketch plan had to come back to the Commission because it timed out and had to be presented and approved again.

The public discussion was closed and Vice-Chairman Cheryl Floyd indicated that she would entertain a motion.

Commissioner Jeffrey Tanner made a motion that the proposed sketch plan **PC# 2021-10** be approved as presented. / Second – Commissioner Mark Fountain / Motion approved 5 to 0 the proposed sketch plan **PC#2021-10**.

### **Map Amendments:**

**PC#2021-11 Map Amendment Requested By Wendell Cain To Change The Zoning Designation For The Property Of Tax Map Number 00211, Block 01, Parcel 106 Located At 2320 East Broach Street, Florence From B-3, General Commercial District, to R-5, Multi-Family Residential District.**

(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 presented the staff report and presentation to the Commission. He indicated that the property is in Council District 5, and the land area is 1.514 acres with water and sewer available through the City of Florence. He indicated that staff recommended disapproval of the request because the property is accessed by an undeveloped road East Broach Street. The zoning district does allow multi-family residential and if developed could greatly increase the traffic onto that graveled road. That does not mean that a developer could not come in and develop the road to withstand the traffic; the disapproval is just a recommendation from staff. The property is just South of Greenwood school and is zoned B-3.

There was questions and discussion by the Commission.

In response to questions by the Commission Mr. Brashear indicated that the property was zoned as part of the South Florence zoning many years ago.

Vice-Chairman Cheryl Floyd inquired if there was anyone present to speak in favor of the requested map amendment.

Mr. Wendall Cain was present and indicated that he lived at 2320 East Broach Street. He indicated he purchased the property about a year ago but has lived there for about five years. When he purchased the property, he was not aware that the property was zoned commercial and he is requesting the property be rezoned to residential. He indicated the property is about an acre and a half and he wants to be able to put at least two more single family homes on the property. He indicated that he comes from a large family and he is the sixth of thirteen children and wants to have something for his family when he is no longer alive.

There was questions and discussion by the Commission.

In response to questions by the Commission Mr. Cain indicated that he presently has a septic tank on the property. He indicated that he believes he could place another septic tank on the property, as there is

presently a second one there from a previous home that was on the lot. When he purchased the property, the owner of the other residence moved his property from the lot. There is one well on the property that took care of the two homes that was there. City sewer and water are also available and could be connected and tapped into. He stated he would be looking into manufactured homes for the property.

Vice-Chairman Cheryl Floyd inquired if there was anyone present to speak in opposition of the requested map amendment.

There was no public in attendance who desired to speak opposed to the requested map amendment.

Everyone on line in the webinar had logged off and no other public was on the webinar for the remainder of the meeting.

There was question and discussion by the Commission.

In response to the questions Mr. Brashear indicated that the requested zoning designation change allows the lot to be subdivided and manufactured homes placed on the lots. It also allows the opportunity to build multi-family units to put a large amount of traffic onto the unpaved road. It presents a maintenance problem for the County should it occur and that is not good for the community. Staff has had other developments such as this and has requested the developers to pave the road. It could be subdivided out to approximately three or four lots and the zoning would allow one doublewide per parcel. Adjacent to the property are other manufactured homes. In a B-3 zoning no manufactured homes are allowed. The one that is there today is legally non-conforming. It could stay there and if something were to happen to it, he could replace it with another one provided it was replaced within a window of time.

There was discussion by the Commission.

The discussion was closed and Vice-Chairman Cheryl Floyd indicated that she would entertain a motion.

Commissioner Linda Borgman made a motion that the requested zoning map amendment **PC# 2021-11** be approved as presented. / Second – Commissioner Jeffrey Tanner / Motion approved 5 to 0 the proposed zoning map amendment **PC#2021-11**.

Vice-Chairman Cheryl Floyd explained to the applicant that the Planning Commission was a recommending body and that the item would be presented to Florence County Council at the next meeting and that staff would let him know information regarding the process of the request.

**PC#2021-12 Map Amendment Requested By Wallace L. Fryar, Jr. and Susan T. Fryar To Change The Zoning Designation For The Property Of Tax Map Number 00168, Block 31, Parcel 050 Located At 743 South Morris Street, Lake City From R-1, Single Family Residential District, to RU-1, Rural Community District.**

(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 presented the staff report and presentation to the Commission. He indicated that the property is in Council District 1, and the land area is approximately 7.475 acres with water and sewer available through the City of Lake City. He indicated there had been one inquiry regarding the map

amendment from Mr. David Green who indicated he would be at the meeting but was not present. Staff recommended disapproval of the request as the property fronts Morris Street and all the adjacent properties along Morris Street are zoned R-1. He further indicated that Florence County inherited the split zoned property which is RU-1 to the rear and the front is zoned R-1. Staff recommended disapproval as all the adjacent and contiguous properties are all R-1 and that is considered block busting. Block busting is not illegal and can be done but it takes away the preservation of maintaining that particular zoning district. The owner and applicant indicated that they intend to place a manufactured home on the property but they do not want to put the home in the zoned wooded area that allows it, they want to put it further up in the R-1 zoned area. In the large wood line area of the property older aerial maps show that a manufactured home previously was in that area.

There was questions and discussions by the Commission.

In response to questions by the Commission Mr. Brashear indicated that the manufactured home that was there was removed and has been gone for some time.

Vice-Chairman Cheryl Floyd inquired if there was anyone present or online to speak in favor of the requested map amendment.

Mr. Wallace L. Fryar, Jr. was present and spoke in favor of the requested zoning map amendment. He indicated that he lives at 743 South Morris Street, Lake City, and that the property had been split twice already. He has four sisters and the land was separated between them. At one time there was a trailer on the property about 380 feet off the road, it belonged to his brother-in-laws mother and she passed away and they moved the trailer. He has a granddaughter now and she needs a place to stay. They want to place a mobile home in the same spot where the septic tank is and in order to do that the property has to be rezoned. They presently farm the back part of the property and if they go any further back they will have to cut down trees and go into the farm part of the property. Their home sits up front and the way the home sits if you are passing the road you would not be able to see the mobile home in the back of the property. The road goes by his son's house, which used to be his mother's house until she passed is the road that would be used to access the home.

There was questions and discussion by the Commission.

In response to questions by the Commission Mr. Fryar indicated that the building to the right is a shed. The property to the left of their home is where his son lives and on the other side of that is his sister's home. Just beyond the trees, the property is used for farming.

Mrs. Susan T. Fryar was present and spoke in favor of the requested zoning map amendment. She indicated that she is the spouse of Wallace Fryar and just wanted to make a statement. She indicated that the granddaughter they want to move on their property just had their first great grandchild and they would like to keep them as close as possible.

Vice-Chairman Cheryl Floyd inquired if there was anyone present or online to speak opposed to the requested map amendment.

There was no public in attendance who desired to speak opposed to the requested map amendment. There was questions and discussion by the Commission.

In response to questions by the Commission Mr. Brashear indicated that lines on plats had been adjusted in the past. Contingent upon the motion that is made staff would be required to inform the applicant to provide a plat performed by a licensed surveyor that would identify where the definitive split line of zoning would be. The Commission at their discretion can make that a part of their motion.

The discussion was closed and Vice-Chairman Cheryl Floyd indicated that she would entertain a motion.

Commissioner Jeffrey Tanner made a motion that the requested zoning map amendment **PC# 2021-12** be approved to adjust the split zoning with the contingency of having the applicants present a surveyed plat by a licensed surveyor that showed a definitive split line of what is R-1 and RU-1 on the property to staff. / Second – Karon Epps / Motion approved 4 to 1 the proposed zoning map amendment **PC# 2021-12**. Commissioner Mark Fountain opposed the requested zoning map amendment **PC#2021-12**.

Mr. Brashear informed the applicant that staff would be in contact with them regarding the plat and that the item would be forwarded with the recommendation to County Council once all requirements are met. He also explained that the item would take three readings at County Council before being approved.

The Public Hearing was closed.

#### **V. Other Business:**

Mr. Shawn Brashear indicated that there was no other business to discuss and that the Planning and Building Department had been extremely busy and putting in extra hours just to keep up. He then presented the director's report.

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

Mr. J. Shawn Brashear comments were as follows:

The summary plat and building reports were attached and presented for review.

- **Summary Plat Reports for (June 2021)**
- **Building Reports for (June 2021)**

#### **VII. Adjournment:**

There were no further questions and/or discussion Vice-Chairman Floyd requested a motion to adjourn.

Commissioner Mark Fountain made a motion that the meeting be adjourned. / Second – Commissioner Mark Tanner / Unanimously voted 5 to 0 to adjourn the meeting.

The meeting adjourned at 8:34 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.