

Minutes
Regular Meeting of the Florence County Planning Commission
Tuesday, June 28, 2022 at 5:00 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 lobby 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 Jody Lane, called the meeting to order at 5:38 p.m.

II. Attendance:

Commissioners Present: Jody Lane, Chairman
Cheryl Floyd, Vice-Chairman
Allie Brooks
Dwight Johnson
Karon Epps (Via Telephonically)

Commissioners Absent: Doris Lockhart
Linda Borgman
Jeffrey M. Tanner
Mark Fountain

Staff Present: J. Shawn Brashear, Planning Director
Malloy McEachin, Esq, County Attorney
Ethan Brown, Planning Manager
Derrick Singletary, Senior Planner
Woody Powell, Stormwater Engineering Technician
Corey Allen, Codes Enforcement Officer
McKeena McRoy, GIS Technician
Holly Smith, Planner II
Heather Windham, Code Enforcement Officer I
Lisa Becoat, Secretary III

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

III. Review and Motion of Minutes

• **Meeting of May 24, 2022**

Motion to approve minutes – Vice-Chairman Cheryl Floyd made a motion to approve as presented the minutes of the Planning Commission meeting of May 24, 2022. / Seconded – Commissioner Dwight Johnson /

Unanimously approved 5 to 0 the minutes of May 24, 2022. (Commissioner Karon Epps approved the minutes telephonically.)

IV. Public Hearing

Sketch Plan:

PC#2022-14 Sketch Plan Approval Requested By Pee Dee Electricom Inc., For Commerce City West Industrial Park, Located Off Of North Williston Rd., Florence, SC As Shown On Florence County Tax Map Number 00202, Block 01, Parcel 004.

(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 owner and applicant of record was Pee Dee Electricom and the property was approximately 101.3 acres. The property is located off N. Highway 327 across from the existing Pee Dee Electric Park and water and sewer are provided by the City of Florence. The property is unzoned and the project is broken up in several phases. The applicant is requesting a variance from the 28-foot wide pavement for a small section of an interior road to be 26 feet versus 28 feet. The information for the public hearing regarding the sketch plan request was properly advertised and the property posted per the County Ordinance.

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There were no questions and or comments from the Commission and Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed sketch plan approval.

There was no public in attendance who desired to speak against the proposed sketch plan.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed sketch plan approval.

Mr. Bill Erving with Erving Engineering Company was present in the meeting and spoke in favor of the proposed sketch plan. He indicated that the variance request was for a small section of the road which is to the North of the property and would only serve two parcels with 26 feet wide paving vice 28 feet wide paving. The 26 feet wide paving is the standard paving for all of the paving within the Pee Dee Electricom Industrial Park located off Highway 327.

There were no further questions, comments and or discussion and Commissioner Dwight Johnson made a motion that the proposed sketch plan PC #2022-14 be approved as presented. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0 the proposed sketch plan **PC #2022-14**. (Commissioner Karon Epps approved the proposed sketch plan telephonically.)

Text Amendment:

PC#2022-15 Request for Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION I. – GENERALLY, Sec. 30-29. – Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts.

(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 county staff was recommending the proposed change to the ordinance as staff had discovered that within the table RU-1A did not line up with the Comprehensive Plan Enabling Act (CPEA). The CPEA required that a modular home be allowed in any zoned district where a single-family conventional stick home is allowed. That is the only change that was taking place in the proposed text amendment as the change did not impact any other zoning districts within the ordinance.

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There were no questions and or comments from the Commission and Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed recommended text amendment.

There was no public in attendance who desired to speak against the proposed recommended text amendment.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed recommended text amendment.

There was no public in attendance who desired to speak in favor of the proposed recommended text amendment.

There were no further questions, comments and or discussion and Commissioner Allie Brooks made a motion that the proposed recommended text amendment PC #2022-15 be approved as presented. / Second – Vice-Chairman Cheryl Floyd / The Commission approved 5 to 0 the proposed recommended text amendment **PC #2022-15**. (Commissioner Karon Epps approved the proposed recommended text amendment telephonically.)

Prior to the remaining items being presented to the Commission and the public Mr. J. Shawn Brashear indicated that there were quite a few zoning recommendations that would be presented at the meeting. That many property owners and representatives of property owners were present in the room and others were waiting patiently in the overflow room on the 11th floor. He thanked the Commission for their service and everyone for coming out to the public hearing. He further stated that prior to presenting the proposed map amendments he wanted to provide some brief comments for the edification of the public and the Commission.

He indicated that the Comprehensive Plan Project was underway and it included a full land use study of Florence County including creating and recommending new and updated land use maps. He stated that it was important not to make any significant and important decisions regarding the land use maps while the study was presently underway. The study is well underway and anything that is recommended could possibly affect some of the completed study. Staff was making sure as they make zoning recommendations that they run them by the consultant in an effort to make sure the recommended changes were reviewed by the consultant and represented a strong consideration comparison with the proposed new land use maps. There are some concerns and will always be concerns when large numbers of properties and parcels are being zoned per their land use. There will be and are some properties that are being recommended for zoning that will be non-conforming use properties. They do not conform to the particular zoning district that is being recommended for that parcel. Those parcels or properties uses are defined as legally non-conforming and are grandfathered in. Meaning the property can continue its current zoning use without hindrance and further guidance is within the Florence County Code of Ordinance of how to replace that property if necessary. Staff is doing their best not to

recommend properties that are legally non-conforming but in some cases has no other choice and spot zoning is not allowed. In that consideration staff must also be mindful of the neighboring properties surrounding the parcels including the City of Florence zoning. All the properties being recommended are unzoned and when zoning staff are making recommendations for the parcels zoning staff must ensure that the properties conform to the comprehensive plan land use designation.

He further indicated that Florence County is involved with several impactful endeavors. The Comprehensive Plan Review is nearly 60 percent complete and staff anticipates completion by the Fall of 2022 and hopefully adopted by the end of 2022. The MPO's Long Range Transportation Plan and FLATS which extends out beyond 2045 should be updated and completed by the end of August. Another major endeavor is the 76 Gateway Study which had several different components one being an overlay and zoning district from the City of Florence out to Francis Marion University and that is being considered with the Highway 327 Williston Road from Highway 76 all the way to the Interstate. Plans are being made to conduct a market analysis to help determine economic drivers and what is going to trigger growth in a particular area along those two corridors. Ultimately, Florence County hopes to install an overlay district and zoning for both of the areas. Several Industrial Parks are under consideration and several more industrial projects are being considered. These were a sample of things he indicated that Florence County is doing to better future generations of the residents that currently reside in Florence County. He further stated that in the many town hall meetings staff has had with the public they have commented repeatedly that they desire for Florence County to be a place where their children and their grandchildren chose to live, where they can thrive and have a healthy, vibrant and enjoyable life.

Florence County Council hears and agrees with these sentiments. As Florence County looks to expand its economic opportunities, industrial and economic investors into the county one thing that is measured is predictability within the community. Can anyone with any certain degree determine what is going to occur with the neighboring property or the neighboring streets. No industry wants to go and plant there new facility right in the middle of a neighborhood as well as a developer would not want to develop his subdivision right beside an industrial complex, as it would discourage people from buying a home in that location. Zoning protects these types of things from happening as it places some layer of predictability and proper planning can help steer development in a more predictable manner. Investors want to know that there is some predictability that they can forecast to some level or degree of what is going to happen. As it presently stands Florence County has many donut holes of parceled properties that are unzoned pocketing within the municipalities like the City of Florence and others around the county. This leaves a question mark in peoples mind. These same investors that economic development entertains and other investors looking at all areas of the state, Charleston, Greenville, they are big competitions for Florence County, even neighboring areas like Sumter where the entire county may be zoned. That puts Florence County and its future generations at a disadvantage where there are components there that we are dealing with and not addressing. Florence County Council has directed staff to study the donut holes and clusters of donut holes within the county, and present those findings to the Planning Commission for their recommendation of proper zoning and forward them to County Council for their consideration and action. This along with so many other things that leadership is working towards will assist in making Florence County an enjoyable and prosperous place for future generations. A place where our children and grandchildren will chose to live. With that said Mr. Brashear then presented the zoning map amendments for Study Group Two to the Planning Commission.

Map Amendments:

**PC#2022-16 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties in Group Two Of The Zoning Study From Unzoned To R-1 Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As:
90003-01-001, 90003-01-002, 90003-01-003, 90003-01-004, 90003-01-005, 90003-01-006, 90003-01-007, 90009-04-020, 90009-04-021, 90009-04-022, 90009-04-012, 90009-01-002, 90009-01-003, 90009-04-003, 90009-03-014, 90009-04-001, 90009-04-013, 90009-04-014, 90009-04-016, 90009-01-006, 90009-03-006, 90009-03-008, 90009-03-009, 90009-03-010, 90009-03-011, 90009-01-008, 90008-03-002, 90008-03-010, 90008-01-003, 90008-01-004, 90008-03-007, 90009-01-012, 90009-02-005, 90009-02-007, 00099-01-023, 90018-03-002, 90018-03-005, 90018-03-006, 90018-03-007, 90018-03-008, 01221-01-108.**

(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 properties were located in County Council Districts three, eight and nine and that all properties were unzoned and in the western section of Florence County. He stated that the properties had been properly posted and letters sent to adjacent property owners notifying them of the public hearing. Notifications were also sent to property owner's weeks in advance as the study was being conducted and within the letters were the recommended zoning recommendations for the property including sample uses and a list of tax map numbers with corresponding known addresses that might be affiliated with the property.

Chairman Jody Lane inquired if there were any questions and or comments from the Commission. He additionally thanked staff for adding the information regarding the addresses affiliated with the parcel numbers to the letters for the property owners as that inquiry was mentioned in a previous meeting and how helpful that information would be to the general public.

Mr. Brashear provided the comments, inquiries and read an email received from Mr. Robert L. Weaver for the proposed map amendment PC#2022-16. (A copy of the comments, inquiries and email are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There was no question or comments by the Commission.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment request.

Mr. Pierce Campbell 433 S. Cashua Drive, Florence, was present in the meeting and spoke in favor of the proposed map amendment. He thanked the Commission for their presence and thanked staff for all their hard work with the zonings, as he no knowledge of the magnitude of the unzoned properties and donut holes throughout the County. He further indicated that he lived in one of the neighborhoods that is affected by the zoning studying and most of his block was affected by the study. He encouraged the Commission to trust the recommendations of staff and to protect their neighborhoods and keep them where their families can be safe

where they live. Residents do not want or need industry in neighbors, non-conforming properties and or spot zoning. He has lived in Florence County his entire life, this is home and where he intends to stay. The zoning is important to him and his family and for the properties off Hoffmeyer Road and Cashua Drive, R-1 is the proper proposed zoning and he hopes it remains residential. He strongly encouraged the Commission to recommend that the proposed parcels be zoned residential.

Ms. Johnnie Hewitt 2508 Hoffmeyer Road, Florence, was present in the meeting and indicated that her property was surrounded by the school property in Florence County School District One. She indicated that she did not see the point in her property being rezoned as nothing was around it that could interfere in her small lot remaining unzoned.

Mr. Walter Willcox 519 Fairway Drive, Florence the neighborhood across from Cashua Drive was present in the meeting and spoke in favor of the proposed map amendment. He indicated that the County has done these studies before and each time that have concluded that the area should be zoned R-1. He has lived in his neighborhood for approximately fifteen years and he has seen nothing that has indicated that it should change. He stated that Five Points is a two-lane road and does not see how the road could be anything but two lanes nor could sidewalks be added. Daily people are walking in people yards as they walk on Cashua Drive. At different times of the day you are not even able to turn on Cashua Drive due to the heavy traffic. Additionally on the Palmetto side of Five Points there are no crosswalks and it is dangerous trying to cross there. There are also drainage water and sewer problems around that area. He wants the Commission to trust that study. Five Points is already a congested traffic danger area with vehicles speeding and cutting through neighborhoods. Harris Teeter is on one side of the street but the majority of the area is single family residential and that is the best zoning for the area.

There were questions and comments by the Commission.

In response to questions and comments by the Commission Mr. Willcox indicated that he lived at 519 Fairway Drive, Florence and that his property was not a part of the zoning study. He indicated that he wanted the Commission to know that as an adjacent property owner to the study he desired that the area remain R-1 single family residential.

Ms. Susan Cantey 503 S. Cashua Drive, Florence was present in the meeting and spoke in favor of the proposed map amendment. She indicated that her property is on the corner of Cashua and Shandon Drive in Florence. She indicated that she loves her neighbors and would not want any businesses in their neighborhood. She would like for the property area to remain residential.

Mr. Lou Klucharick 423 S. Cashua Drive, Florence was present in the meeting and spoke in favor of the proposed map amendment. He indicated that he would be in favor of the proposed zoning as it made sense for residential properties to stay in residential zoning. He indicated that from the comments he learned about legally non-conforming property. (Mr. Klucharick provided a map and packet of information to the Commission. A copy of the documents are maintained at Florence County Planning and Building.) His property is commercial and has been commercial for well over thirty years of which he has owned for approximately eighteen years. He indicated that presently his property is unzoned in the County and being recommended zoned R-1 but it has been a commercial business for a long time. Mr. Klucharick asked several questions regarding his property. Will the property stay in the County or be annexed into the City? Will he pay City taxes and or County taxes? Will the use of the building be restricted?

In response to the questions by Mr. Klucharick, Chairman Jody Lane indicated that the property is in the County and the proposed zoning did not have anything to do with annexation into the City of Florence.

In response to the remaining questions by Mr. Klucharick, Mr. Brashear indicated that staff did not have the power to annex properties into the City of Florence. He further stated that zoning did not affect taxes but uses and value of property did. He explained that legally non-conforming properties would be grandfathered into the recommended zoning and how it would have to comply with the Florence County Ordinance to be replaced if damaged or destroyed to be used for the same zoning use at the time it was damaged and or destroyed. He further explained that there would be some restrictions to the use of the property and the owner would have to check with the Zoning Department of Planning and Building who could assist them with information regarding the zoning uses.

There was discussion regarding land use and the study of the Comprehensive Land Use Designations and Maps.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment request.

Mr. Will Tallevast addresses 331, 401, and 415 S. Cashua Drive, Florence, SC, was present in the meeting and spoke opposed to the proposed map amendment. He thanked the Commission for allowing him to speak and indicated that he was the owner of the three addresses and parcel numbers 90018-03-006, 90018-03-007 and 90018-03-008. He stated that Florence County Planning had recommended the parcels be zoned single-family residential and he was opposed to the recommendations. He stated that the current use of the parcels 006 and 008 would be considered B-3 general commercial and have been that way well over a hundred years. He is the fifth generation to inherit the land. He stated that 007 is a residential parcel that is sandwiched between the two commercial parcels. The parcels together have roughly five sides with one bordering Cashua Drive, three borders being heavy commercial, Harris Teeter, McAlister's Deli, one border being four houses and the adjacent neighborhood behind it with no access to the parcels. The parcels are currently under contract to sell to Schaumber Development who plans to develop the property into multi-family affordable residential housing that would need R-5 and or R-5A zoning. The development has become a political hot potato as Florence County Council and Florence County Planning department both supported the development in the beginning. It was after a ninth minute meeting with the adjacent neighborhood that the Council and Planning staff pulled their support. He further indicated that he supports the project and recommends to the Commission that the properties be zoned R-5 or R-5A. He further provided information to the Commission of why the proposed zoning should allow for multi-family housing and how it assists and helps the County provide affordable housing based on the income received for entry-level positions within Florence County.

There was questions and discussion by the Commission.

In response to questions and discussion by the Commission Mr. Tallevast indicated that the parcels were presently under contract to be sold to Schaumber Development Group. They were looking to build a sixty unit affordable two-story town house complex with first floor entrances and green space. A great project that would help and support citizens of Florence County.

Mr. Drew Schaumber was present in the meeting and indicated that he was the developer and was currently a partner with his father-in-law with the contract. He further indicated that he was present as staff was recommending R-1 zoning for the parcels. (He provided a map and packet of information to the Commission. A copy of the documents are maintained at Florence County Planning and Building.) He explained that the aforementioned parcels were surrounded by the City of Florence zoning and those properties were zoned C-1 commercial properties. He further mentioned that they felt the Florence County Zoning Study was an illegal study to stop and prevent what had been proposed for the three aforementioned parcels. He contacted staff regarding the proposed zoning of R-1 and was informed that it was based on the comprehensive comp plan which called for residential preservation. Residential preservation per the comp plan also allows planned developments and stated that the intent of the planned development was to encourage flexibility in the

development of the land in order to promote its most appropriate use; and to do so in a manner that would enhance public health, safety, morals, and general welfare. There was no minimum lot area for the zoning district. There are six acres of property by right that have been under contract since February of 2021.

He further provided information regarding meetings with planning staff regarding the proposed unzoned properties. He stated that the proposed homes were two story attractive homes that would be within close proximity of 9,000 jobs within two miles of the location where owners would qualify to live. They have currently filed a lawsuit in Federal Court against Florence County regarding the zoning study. They are not in favor of an R-1 recommendation and desire to have a recommended zoning of R-5, R-5A or Planned Development.

Mr. Will Tellevast was present in the meeting and provided additional comments on the purpose of the meeting. He commented on the proposed recommendations of the Commission to the Florence County Council. He wanted to make sure that his and all other citizens comments, inquiries regarding the proposed map amendments were heard and considered prior to the Planning Commission making a decision on the items. He felt that the Commission was just going to move forward with staff's recommendation. He stated that all the properties around his parcels were commercial properties with the exception of four parcels and because the neighborhood did not want affordable housing near them Florence County had come up with a ninth hour zoning study. He thought the public hearing was to allow public comments of why the citizen's opposed the proposed R-1 zoning map designation.

Chairman Jody Lane indicated that the Planning Commission was there to hear public comments regarding all the proposed zonings. The Commission was not there to hear about a proposed development as that was not an item on the agenda for consideration.

Mr. Will Tellevast continued to make comments regarding the affordable housing and wanted to know when did he get the opportunity to make public comments regarding the presentation of his case of why the parcels should not be zoned R-1.

There was discussion by the Commission of how they are appointed to the Commission and that they have been appointed and have served for many years. They are citizens of the community and receive no compensation for their services. They are there to hear from the public and make recommendations to the Florence County Council. The Commission further indicated that they had heard and listened to all the concerns of the citizens regarding the R-1 zoning including the recommended desire for them to have their property zoned R-5, R-5A or a planned development.

Mr. Will Tellevast continued to make comments as to when he would be allowed to plead what he believed regarding the proposed zoning outside of going to court. He continued to state that he would be losing half of his property value all because the neighborhood did want affordable housing. He further stated that he felt that the Commission was going to vote favorably for the R-1 zoning and make that recommendation to County Council who would then approve it because the Planning Commission made a favorable recommendation. He spent years trying to figure out what was the best use for his property and decided on multi-family. He turned down commercial proposals even though they would have brought him more money. He grew up in the area neighborhoods, played and went to school with the friends he has here and would not put anything in the neighborhoods they would not want.

Mr. Pierce Campbell was present in the meeting and requested to make further comments. He indicated that he lived right by the parcels and it would do him wonders to have special needs housing right by him as he had a special needs child that he was wondering what he will do for the rest of his life. He felt it was incorrect to say that a political train was driving the zoning study and that R-1 residential was the correct recommendation for the proposed zoning area. He further stated that affordable housing could be built and rented in an R-1

zoned property designation. It is six and half acres to work with build the affordable housing. He stated that they also needed the other parcel to build a pond on the side of Cashua Drive in the middle of a neighborhood and that they were being sneaky about it. He has looked at the plans and where his house sits it appears that the pond would be about twelve miles from it when in fact it would be much closer. That is why the owner does not want R-1. Placing affordable housing on the parcels would be fine with him, as long as it did not change the character of the neighborhood by putting in parking lots, retention ponds and the likes. R-1 is the most appropriate residential zoning designation for the area and neighborhood.

There were comments by the Commission and Chairman Jody Lane commented to the public that whenever there were future developments of any size, there would always be engineering development, approvals and retention ponds. He requested that the public be respectful and courteous of each other and ensure that all comments were directed towards the Commission.

Chairman Jody Lane inquired if there was any other public in attendance who desired to speak in favor of, against or to make comment regarding the proposed map amendment.

Ms. Loretta Hicks 233 North Lakewood Drive, Florence was present in the meeting and indicated that she was not for or against the proposed zoning. She indicated that this was all new to her and that she wanted clarification as to the process of the donut holes and whether others within her neighborhood and other areas of the county would have their properties rezoned and would the Commission be making that decision tonight. She also wanted to know the timeline of when the changes would take effect, when the properties would be rezoned to R-1 if the item were approved. She additionally wanted to know how the R-1 zoning designation affected properties where there were home based businesses. Everyone wants Florence County to be that enjoyable and prosperous community for which property values increase, taxes stay low and neighbors are great people to live next door to. She indicated that she hoped the R-1 zoning designation was a positive step for all but not just a financial investment that the public had not planned on.

Chairman Jody Lane in response to the inquiry indicated that the section of parcels being discussed and other sections of the parcel maps of Florence County were being studied and that the process would be ongoing for the next several months. He further explained that the Commission would be making a recommendation to Florence County Council based on the information from staff, public comments from the meeting and the comprehensive's land maps. If the item is recommended for approval those parcels numbers will get forwarded to Florence County Council for review and recommended readings prior to final action. Residences that have home based businesses would remain the same in the R-1 zoning designation but would have to be approved for future uses if something changed.

Mr. Shawn Brashear in response to the inquiry indicated that once the recommended item was forwarded to Florence County Council it required three readings beyond the recommendation of the Planning Commission to be approved and would typically take approximately three months.

Terry McCall legal counsel for Schaumber Development Group was present in the meeting and indicated that he was against the proposed R-1 zoning designation. He further indicated that the Florence County maps have not changed since 2009. That the zoning districts permitted in the 2017 review of the comprehensive plan included and allowed for a planned development and that he hoped that the Commission also considered the maps, the plans and the housing and land elements prior to their decision and recommendation for the proposed zoning.

Ms. Susan Cantey was present in the meeting and requested to make further comments. She indicated that if anyone had ever been to Harris Teeter prior to the meeting then they already knew how hard it was getting in and out of the parking lot. The neighborhood does not need any more vehicles between 5:30 and 6:00 p.m. daily she can barely get out of her driveway due to the heavy traffic and when schools are in session it takes

even larger in the mornings to get onto the road. The community does not need any more traffic. Single family homes would only produce one or two more cars at best but a multi-family complex would add even more heavy traffic and only add to the existing drainage problems. She did not agree with the R-5 requested zoning.

Mr. Gary Finklea was present in the meeting and requested to make comments either way. He stated that later on in the agenda he had an item similar to the Tallevast's issue and he believed that the property was zoned correctly and he would like clarification of how the Commission can make their recommendations. He further stated that he understood that the Commission could vote up or down on the zoning recommendations but could also remove certain tax map numbers from consideration and not make a recommendation at that time. He also stated that he wished the Commission could make a different recommendation regarding the proposed zoning that was not publically advertised and or recommended by staff. He wanted the Commission to know that he had a similar zoning issue coming up and wanted to make sure that his client was not treated any differently in the recommended process. He wanted to make sure that the process was consistent throughout as they made their recommendations regarding the proposed zoning recommendations.

There was discussion by the Commission and Chairman Jody Lane indicated that the Commission could do a variety of things regarding the proposed items on the agenda. He stated that the Commission could recommended that certain parcels be removed from the recommended zoning as part of their recommendation.

There were questions and discussion by the Commission with staff regarding the vote of the recommended items and whether certain parcels and or addresses of properties could presently be removed and or deferred or if they had to vote straight up or down regarding the proposed zonings.

In response to the Commissions discussions and inquiries staff indicated that they could remove certain parcels and or addresses of properties from their recommendation but reminded the public and the Commission that a moratorium existed on the properties and until they get through recommended zoning and approval by Florence County Council nothing could happen for the properties.

There was further questions and discussion by the Commission regarding the properties and the removal of certain parcels from recommended consideration until further research could be conducted. There was also discussion of the comprehensive plan, land use maps and the authority of the zoning ordinance and planning enabling act.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion that the residential properties that were on Hoffmeyer Road, West Palmetto and in the subdivision move forward with the R-1 zoning designation. All the properties on Cashua Drive be deferred and reflection completed by staff to review the commercial aspects of those properties. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0 the proposed map amendment **PC #2022-16** indicating that all residential properties that are on Hoffmeyer Road, West Palmetto and in the subdivision move forward with the proposed R-1 zoning designation. That all properties on Cashua Drive be deferred and reflection completed by staff to review the commercial aspects of those properties. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

**PC#2022-17 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To R-2 Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As:
90003-01-008, 90003-01-009, 90003-01-010, 90003-01-011, 90003-01-012, 90003-01-013, 90003-01-014, 90003-01-015, 90003-01-016, 90003-01-017, 90003-01-018, 90003-01-019, 90003-01-021, 90003-01-022, 90003-01-023, 90003-01-024, 90003-**

01-025, 90003-01-026, 90003-01-027, 90003-01-028, 90003-01-029, 90003-01-030, 90003-01-031, 90003-01-035, 90003-02-001, 90003-02-002, 90003-02-003, 90003-02-004, 90003-02-006, 90003-02-007, 90003-02-008, 90003-02-009, 90003-02-010, 90003-02-011, 90003-03-001, 90003-03-002, 90003-03-003, 90003-03-004, 90003-03-005, 90003-03-006, 90003-03-007, 90003-03-008, 90003-03-009, 90019-04-003, 90019-04-004, 90019-04-006, 90019-04-007, 90011-03-008, 90011-03-009, 90011-03-010, 90011-03-011, 90011-03-012, 90011-03-014, 90011-05-001, 90011-05-002, 90011-05-003, 90011-05-004, 90011-05-005, 90011-05-006, 90011-05-007, 90011-06-002, 90011-06-003, 90011-06-004, 90011-06-005, 90011-06-006, 90011-06-007, 90011-06-008, 90011-06-009, 90019-01-007, 90019-01-008, 90019-01-009, 90019-01-010, 90019-01-011, 90019-01-012, 90019-01-013, 90019-01-014, 90019-01-015.

(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 all properties were in Council Districts eight and nine. That all properties were unzoned and that staff had considered all the surrounding zoned properties adjacent to the City of Florence that impacted the adjacent property owners zoning. He indicated that staff had additionally considered the lot sizes and land use designations considered by the comprehensive plan. The properties were primarily on the western side of the municipality of Florence, Hillside, Second Loop and intersection of South Irby Street. He indicated that the properties were properly posted and asked the public not to remove or take up the signs, as staff would be out the next day to remove the posted signs from the properties.

Mr. Brashear provided the comments, inquiries and read a letter with photos received from Ms. Judith Gore pertaining to the proposed map amendment PC#2022-17. (A copy of the comments, inquiries and letter are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There being no questions and or comments from the Commission. Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

Mr. Walt Barefoot 2210 W. Driftwood Avenue, Florence was present in the meeting and indicated that he was opposed to the proposed R-2 zoning designation. He indicated that his property was a duplex that is used for rental purposes. Next to his home is the home of Ms. Gore, behind their respective homes are duplexes. If anyone stood and looked to the left of the properties at the houses they would see a home that was being used as a business with a salon and an insurance agency. He indicated that the area he was referring to was behind the Toyota dealership on W. Palmetto Street and at the end of the area was a small street named Thomas Street. He continued to list the businesses within the neighborhood such as the Advanced Dental Office, Palmetto Cars, Professional Tinting and Graphics all within a rock throw of his duplexed property. At the other end of Driftwood Avenue was Lockhaven which has other duplexes, quadplexes and other. To say that the neighborhood was a single family neighborhood is flat out wrong. His property was built in 1977 and was purchased in 1991 as a business and an investment. He lived there for awhile and then moved on and presently owns the property with his mother and uses it as rental property. The area is a duplex, business type of area and labeling it single family residential is just incorrect. He inquired and further asked about replacing property after it had been damaged and whether he could rebuild the property as a duplex. He is strongly opposed to the recommended R-2 zoning designation. He did not feel that the grandfather clause pertaining to legally

nonconforming property would guarantee that if something happened to the duplexed property that they homeowners would be able to replace the property as it is today.

There was discuss by the Commission and Chairman Jody Lane indicated that when property was grandfathered into zoning and is destroyed and or damaged as long as the applicant applied for the proper permits, submitted proper plans and all other paperwork were all submitted to the Planning Department within the required time frame the permits should be granted to replace the legally nonconforming property to what it was.

Ms. Denise and Rodney Godwin 2310 Lockhaven Drive, Florence was present in the meeting and indicated that they were opposed to the recommend map amendment of R-2 zoning. They wanted to know what would be allowed in a R-2 residential zoning district and did the grandfathering of the property stay with the property or did it just apply to the present owners.

In response to questions and inquiries Chairman Jody Lane explained that the use of the property is what is grandfathered in the zoning designation and that it stayed with the property regardless of the owners. He further stated that information regarding what was allowed/not allowed in an R-2 zoning district could be obtained from staff at the planning and building department.

Mr. Rodney Godwin further stated that R-2 did not appear to be the conforming zoning for the area as eighty percent of the properties were made up primarily of businesses and duplexes and R-2 did not appear to fit the zoning.

Ms. Denise Godwin additionally stated that some of the neighbors who could not be there for the meeting wanted to express and voice their concerns against the proposed R-2 zoning. They were Ms. Marlene Askins who also called and Christoper McJunkin off of Holly Circle.

Mr. Allen Prosser 2506 West Hillcrest Terrance, Florence was present in the meeting and indicated that he was opposed to the recommended map amendment of R-2 zoning and was opposed to zoning the entire area. He stated that Hillcrest is single family dwellings and is over fifty year old. He stated that the area was under a covenant that restricted what property owners could do with their properties within that area. He did not understand the necessity of zoning the properties when they were already protected themselves against what property owners could or could not do with their properties.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

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

Ms. Laura Poston 2605 Second Loop Road, Florence was present in the meeting and indicated that she desired to speak and that she was opposed to the recommended map amendment of R-2 zoning. She indicated that the area contained a pool of everything and a residential zoning just did not fit.

Mr. Ernest Strickland 102 Hillcrest Drive, Florence was present in the meeting and indicated that he was unsure if he was opposed or in favor of the recommended zoning map amendment. He stated that he was trying to get some questions answered and wanted to find out what was going on. Zoning some of the properties across the County was a good thing because it limited what neighbors could or could not do to avoid to avoid damaging other neighbors. His property backs up to the properties on West Palmetto where the new garage and Goosie Ganders are located. It does not have a retention pond and because it is all asphalt and concrete the run off from their properties runs onto his property and he does not know where to go to get relief for that. He agrees with zoning because it forces people to comply and follow the rules but he is concerned about what

all is happening on West Palmetto Street, with continued commercial properties and their retention ponds. Where will the homeowners go for relief from all the stormwater runoff.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion to approve the R-2 zoning other than the area by the Toyota Dealership where the duplexes are located. The area should be deferred from the proposed zoning for additional analysis and zoning reclassification to accommodate for duplexes. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0 the proposed map amendment **PC #2022-17** indicating that the R-2 zoning was approved except for the area by the Toyota Dealership (West Palmetto, Second Loop and Holly Circle) that it should be deferred from the proposed zoning for additional analysis and zoning reclassification which would accommodate for duplexes. Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

PC#2022-18 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To R-3 Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As:

90104-10-014, 90104-10-015, 90104-10-016, 90104-10-017, 90104-10-018, 90104-10-019, 90104-10-020, 90104-10-021, 90104-10-022, 90104-10-023, 90104-10-024, 90104-10-025, 90104-10-030, 90104-11-001, 90104-11-002, 90104-11-011, 90104-11-012, 90104-12-001, 90104-12-002, 90104-12-003, 90104-12-008, 90119-03-004, 90119-03-005, 90119-03-008, 90119-03-009, 90119-03-010, 90119-03-011, 90119-03-012, 90119-03-013, 90119-03-014, 90119-03-015, 90119-03-016, 90119-03-017, 90119-03-018, 90119-03-019, 90119-04-006, 90119-04-007, 90119-07-009, 90119-07-010, 90119-07-011, 90119-07-013, 90119-07-014, 90119-07-015, 90119-07-016, 90119-07-017, 90119-07-018.

(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 all properties were unzoned and were in Florence County District seven. The recommendations were based on the comprehensive plan land use designation maps and staff could not make any recommendations for use outside of those designation maps. Staff considered the size of the properties to ensure that they fitted within the recommended zoned designation and that it would be allowed in that designation. They considered the surrounding zoned properties including the current used of the properties. He stated that staff could not recommend a different zoning for the properties because of one or more of the above factors. He further indicated that the properties were properly posted and letters sent to property owners and adjacent property owners.

Mr. Brashear provided the comments and inquiries received pertaining to the proposed map amendment PC#2022-18. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

In response to questions and comments from the Commission Mr. Brashear indicated that the VA offices were being recommended for R-3 zoning as staff could not recommend a zoning designation for a property that was not allowed in that area by the comprehensive plan. He stated that had been the situation with many of the properties that were presented at the meeting. In an R-3 zoning designation doublewide manufactured homes

were allowed but singlewide's were not allowed. All the singlewide manufactured homes in the proposed zoning areas would be considered legally non-conforming and would fall under the grandfather clause of the Florence County Ordinance.

There was further discussion and comments from the Commission regarding the proposed zoning of the properties. The Commission understood that things were changing and developing and they are in favor of following the rules and regulations but were having issues digesting proposed zonings for parcels and properties where things have been in existence for a long period of time and now staff is recommending zoning where the parcels and properties will be considered legally nonconforming.

In response to questions and comments by the Commission Mr. Shawn Brasher indicated and explained how the Florence County Ordinance provided for replacement of damaged and or destroyed property under the grandfathered legally nonconforming rules of the use of property. He stated that staff understood the undertaking and concerns of the Commission regarding the recommended proposed zonings but that staff had a narrow view and window of things that they could recommend.

There was further comments and discussion from the Commission concerning the proposed zoning of the presently unzoned properties and the recommendations that would cause them to be zoned in a legally nonconforming zoning designation.

In response to comments and discussion by the Commission Mr. Shawn Brashear explained that if one of the properties were zoned and it became legally nonconforming and was historically used as a lot for a singlewide manufactured home. The use of having the singlewide manufactured home on the property would remain but it would be restricted because of the zoning. Without a zoning there would be limited protections for the property. It could possibly cause it to be used for other uses that would not be conducive to that residential environment and that would apply in a business district as well. By not putting a zoning on the property/parcels it leaves it open to whatever.

There was further comments and discussion from the Commission regarding zoning of properties and also the review of the comprehensive plan.

In response to comments and discussion from the Commission Mr. Shawn Brashear indicated that staff was keeping a record of all properties that were resulting in a nonconformity. Additionally, once the comprehensive plan review was completed planning staff intends to go back and review those properties to clean up as many nonconformities as they possibly can. Some properties/parcels will not be able to be changed but all of the nonconformities will be reviewed and new recommendations for zonings changes recommended, if possible.

There being no further questions, comments and or discussion from the Commission. Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

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

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

There was no public in attendance who desired to speak against the proposed map amendment.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion to approve the map amendment as presented but removing all parcels/properties with singlewide manufactured homes and that they remained unzoned including the Veteran's Administration Office until a better classification could be applied. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0

the proposed map amendment **PC #2022-18** indicating that the R-3 zoning was approved as presented but removing all parcels/properties with single-wide manufactured homes and that they remained unzoned including the Veteran's Administration Office until a better classification could be applied. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

There was some discussion and questions by the Commission.

After some discussion and questions from the Commission Vice-Chairman Cheryl Floyd withdrew her previous motion. / The withdrawal of the motion was seconded by Commissioner Allie Brooks. / The Commission approved 5 to 0 to withdraw and discard the previous motion. (Commissioner Karon Epps approved the withdrawn motion telephonically)

Vice-Chairman Cheryl Floyd made a motion to approve as presented the R-3 proposed zoning deferring the proposed zoning for the Veteran's Administration Office and leaving it unzoned at the present time. / Second Commissioner Allie Brooks / The Commission Approved 5 to 0 the proposed map amendment **PC#2022-18** indicating that the R-3 zoning was approved as presented but deferred the proposing zoning for the Veteran's Administration Office leaving it unzoned at the present time. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

PC#2022-19 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To R-3A Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As: 90019-01-015, 90118-05-009.

(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 all properties were unzoned and in County Council District seven. He indicated that the parcels were completely surrounded by the City of Florence and they were vacant lots. Mr. Brashear indicated that staff had received no comments and or inquiries pertaining to the proposed map amendment PC#2022-19.

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There were no comments and or questions from the Commission and Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

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

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

There was no public in attendance who desired to speak against the proposed map amendment.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion that the proposed map amendment PC #2022-19 be approved as presented. / Second – Commissioner Allie Brooks. / The Commission approved 5 to 0 the proposed map amendment **PC #2022-19** as presented. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

PC#2022-20 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To R-4 Multi-Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As: 00123-01-080, 90104-06-006, 90104-06-013, 90104-08-002, 90104-09-001, 90104-09-013, 90104-08-004, 90104-08-006, 90104-08-009, 90104-09-002, 90104-09-003, 90104-09-004, 90104-09-005, 90104-09-006, 90104-09-007, 90104-09-008, 90104-09-009, 90104-09-010, 90104-09-011, 90104-09-012, 90104-09-014.

(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 all properties were unzoned and existed in County Council Districts three and seven. He further indicated that the properties were east and west of Florence. There were some multi-family properties on National Cemetery Road, some by Gaillard Street, and lastly some multi-family housing behind McLeod Fitness Center by Bintree Lane. The proposed zoning was recommended based on the land use maps and with some uses that presently exist for properties in the area.

Mr. Brashear provided the comments and inquiries received pertaining to the proposed map amendment PC#2022-20. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

There were no questions and or comments from the Commission and Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

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

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

There was no public in attendance who desired to speak against the proposed map amendment.

There were no further questions, comments and or discussion and Commissioner Allie Brooks made a motion that the proposed map amendment PC #2022-20 be approved as presented. / Second – Commissioner Dwight Johnson / The Commission approved 5 to 0 the proposed map amendment **PC #2022-20**. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

PC#2022-21 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To RU-1A Rural Community Consisting Of The Following Properties As They Are Reflected On The Tax Maps As: 90003-01-033, 90003-01-034, 90012-01-044, 90019-08-003, 90019-08-006, 90019-08-008, 90019-08-009, 90020-01-010, 00177-01-060.

(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 all properties were unzoned and existed in County Council Districts seven, eight, and nine. He further stated that the properties were on the east and west sides of Florence. The properties were on Second Loop Road, West Palmetto Street and National Cemetery Road and are recommended for RU-1 and the properties had varied uses.

Mr. Brashear provided the comments and inquiries received pertaining to the proposed map amendment PC#2022-21. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

In response to questions and comments from the Commission regarding some of the proposed zonings, Mr. Brashear indicated that the land use maps followed property lines, roads and uses. One side of the road could be residential and the other side could be businesses, the recommended zonings were based on the land use maps for the proposed areas. The tax map number 00177-01-060 by National Cemetery Road was a wooded parcel surrounded by the City of Florence zoning designation of outdoor special use reservation.

There was no further questions, comments or discussion by the Commission. Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

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

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

Mr. Gary Finklea was in attendance at the meeting and indicated that he was there on behalf on one of the property owners. (Mr. Finklea provided a packet of information to the Commission. A copy of the documents are maintained at Florence County Planning and Building.) He indicated that his comments were specifically related to the tax map number 90003-01-033 and provided a photograph of what currently resided at the property. He indicated that the property was an annexed portion of property from the car dealership across the street where the owner used the property for minor service, maintenance, detail, cleaning of vehicles and car sales. He further indicated that a building permit was issued in 2021 for improvements to the property contractual amount of nine hundred thousand dollars. He indicated and identified the properties surrounding the proposed zoned property as the City of Florence zoned AC on Palmetto Street, Sonic, then the Bicycle Shop or Bean Shop, the Doggie Daycare, Goosie Ganders, the Butler's Men Shop and beside that was the newly constructed nine hundred thousand dollar building. The area is a general business criteria and the Doggie Daycare which parcel number was coming up in the next item was existing as B-3 zoning designation and being proposed a B-3 zoning designation. Looking at the comprehensive plan, the immediate area around the Doggie Daycare was designated as rural preservation and thus they understood why the proposed use was recommended as a RU use rather than a business use. They understand that spot zoning is not allowed so because of the comprehensive plan the recommendations for the next two properties is RU-1 which will cause both properties uses to be legally nonconforming. He further reviewed and went over a section of the Zoning Ordinance Sec. 30-29 Table II that he provided to the Commission explaining what would be allowed and not allowed in a B-3 and a RU-1A zoning designation. He further explained how hard it would be to replace property damaged and or destroyed within six months. He stated that if your property were burned and you received a check from the insurance company within six months you would be doing good as most time checks weren't received within that time. You may receive a partial check but not a full check so you would not be sure what you could replace. Within six months' time most insurance claims may either be denied or maybe still being disputed. There was discussion earlier about mobile homes and presently if you order a mobile home now you would be lucky if you received your home within six months. He indicated that the six month

rule was dangerous at best. He further explained if his client had to replace his commercial property the probably problems he would run into trying to meet the six month replacement ordinance requirements. He indicated that if the Commission adopted the proposed zoning recommendation that they would be creating a legally nonconforming use for his client which could possibly cost him the loss of his over a million dollar property investment. He requested that the Commission make a recommendation to zone parcels 90003-01-033 and 90003-01-034 with a B-3 zoning. If not then possibly pull the parcel numbers from consideration prior to making their recommendation. He indicated that the properties were already in use and that the property owners were not changing the uses and or expanding the uses. He indicated that he saw no harm or danger in delaying the proposed zoning designations to further study the properties to determine if a better zoning designation were appropriate.

There was discussion by the Commission.

There being no further questions, comments and or discussion Vice-Chairman Cheryl Floyd made a motion to approve the RU-1A on East Florence off National Cemetery Road. The unzoned properties off of Second Loop Road are to be deferred for further study and the properties on West Palmetto Street and major corridors are also to be deferred. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0 the proposed map amendment **PC #2022-21** indicating that RU-1A was approved for properties on East Florence off National Cemetery Road and the unzoned properties off of Second Loop Road and West Palmetto Street and major corridors were to be deferred for further zoning study. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

PC#2022-22 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Two Of The Zoning Study From Unzoned To B-3 General Commercial Consisting Of The Following Properties As They Are Reflected On The Tax Maps As: 00099-01-176, 00099-01-177, 00100-01-002, 00100-01-147, 00100-01-255, 00099-01-046, 00099-01-097, 00099-01-104, 90017-01-002, 90017-01-019, 90025-01-003, 90025-01-001, 90025-01-006, 90025-01-013, 90025-01-015, 90025-01-023, 90024-06-002, 90024-06-008, 90024-06-011, 90024-01-002, 90024-01-017, 90011-01-003, 90011-03-001, 90011-03-002, 90011-03-003, 90011-03-004, 90011-05-008, 90011-05-009, 90011-05-010, 90019-01-001, 90019-01-002, 90019-01-004, 90019-01-005, 90019-01-006, 90020-01-011, 90020-02-003, 90020-02-004, 90020-02-005, 90020-02-006, 90020-02-088, 90028-01-001, 90028-01-002, 90029-01-001, 90029-01-024, 90104-02-014, 90104-02-015.

(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 all properties were unzoned and existed in County Council Districts three, seven, eight and nine. He indicated that the properties were on the east and west of Florence. He further stated that staff considered the land use maps and the existing use of the properties. The properties were located on Second Loop Road, some multi-family properties and some businesses. The property backs up to the swamp and is in a flood district. Staff was able to place some relief on the properties in this item as they resided in a flood hazard district which allows all zoning designations. He indicated that single family housing was allowed in a B-3 designation. He further stated and provided some of the uses that would be allowed in a B-3 zoning district.

There was discussion and questions by the Commission relating to the area of the zoning study and previous items that were reviewed and recommended on the agenda. They also discussed the comprehensive plan review study and when the proposed completion of it would be completed and presented.

Mr. Brashear provided the comments and inquiries received pertaining to the proposed map amendment PC#2022-22. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and or comments from the Commission.

In response to questions and discussion by the Commission Mr. Brashear indicated that the area cemeteries in the proposed zonings were recommended for B-3 designations and were allowed in that designation.

There being no further questions and or discussions by the Commission Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

Mr. Raymond Moses 504 Prince Street, Florence was present in the meeting and indicated that he owned the lot at 711 Church Street, the area next to the cemetery and also the next lot. He indicated that the property was being proposed as B-3 zoning designation which is commercial and that all the other lots were zoned residential.

There was questions and discussion by the Commission and in response to their questions Mr. Moses indicated he did not have any businesses on the parcels and that the parcels were presently vacant.

Chairman Jody Lane in response to the proposed zoning of Mr. Moses' property explained that the comprehensive land maps were dictating the proposed zoning of the property. Mr. Moses inquired and wanted to know why his property could not be recommended for a residential zoning.

Mr. Brashear in response to the discussion indicated that in a B-3 zoning designation single-family, multi-family and modular dwellings were allowed in that zoning district. Staff explained to Mr. Moses that with the proposed B-3 zoning he could build a home and or business on his property.

There were questions and discussion by the Commission in response to Mr. Moses request that his parcel be recommended for residential zoning instead of commercial zoning.

In response to the questions, discussion and inquiry Mr. Brashear indicated that that parcel was a true donut hole all around. The parcel is surrounded by City of Florence all around. On three side is commercial and to the left of the property west was railroad tracks and the other side of the railroad tracks was residential within the City of Florence. So it would not be spot zoning but the land use designation list it as a commercial district that is why staff recommended a B-3 zoning designation.

In response to the questions, discussion and explanation Mr. Moses indicated that he was still opposed to the B-3 zoning recommendation for his property.

Ms. Barbara Mellen 318 Somerset Place, Florence was present in the meeting and she indicated that she owned the purple house on Second Loop Road, The Earring Lady. She indicated that she was not opposed or in favor of the proposed recommended map amendment but was concerned as her business was unique and did not fit in any of the pigeon holes. She was concerned because she does not know what is allowed in a B-3 zoning designation and was concerned when she could no longer run her unique business what other uses would be allowed and or prohibited. She contacted staff but the staff she spoke with could not give her any of the answers she needed.

Chairman Jody Lane in response to the questions and inquiry indicated to Ms. Mellen that she could get something in detail and in writing regarding what was allowed in a B-3 zoning from the Planning and Building Department Staff, specifically Derrick Singletary who could assist her with the information to which she was requesting.

Mr. Shawn Brashear provided Ms. Mellen with a document which provided some of the characteristics of allowable uses, accessory uses, conditional uses and uses not allowed in a B-3 zoning district per the Florence County Ordinance. (A copy of the document is maintained at Florence County Planning and Building).

Mr. Mark Hyatt 2209 and 2211 Second Loop Road, Florence was present in the meeting of indicated he was neither for or against the proposed map amendment. He further stated that he felt the zoning would not help him either way in his business. He indicated that he had a gun store that also tested firearms which was not allowed in the City. There were no houses close to his business but some manufactured homes were across the street from his properties. His other property is a private bar where there is smoking but he does not have many issues on that property. He stated that he understood the donut holes but would prefer to wait until everything else was zoned before he committed to being zoned. He indicated that he would prefer his property stayed in the County and remain unzoned. He has water and trash pick up set up and doesn't have city water or trash pickup. His property taxes are high but paid and up to date. He would desire to be left out of the recommended zoning at this time.

There was discussion and questions by the Commission and Chairman Jody Lane indicated to Mr. Hyatt that the proposed zoning of B-3 for his property would not remove his property from within the jurisdictional limitations of Florence County and assured him that his property was not being annexed into the City of Florence.

Mr. Brashear additionally stated that the bar was allowed in a B-3 zoning district and that the gun shop was considered sporting goods and was also allowed in a B-3 zoning district designation.

In response to the comments Mr. Hyatt indicated that he would prefer to be unzoned and requested that his properties be removed from the proposed recommended zoning designation and reviewed at a later time.

Chairman Jody Lane inquired if there were any additional public in attendance who desired to speak in favor or against the proposed map amendment.

There was no additional public in attendance who desired to speak in favor or against the proposed map amendment.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion to defer the around Woodland Drive. (She indicated that it was the same area that the Commission had been looking at in other recommended zoning proposals. The area where the Earring Lady's business was around Second Loop. She was staff to look at and determine what was commercial and what was residential. She further indicated that the areas were given concern in several classifications.) Everything else is approved. She further stated that the cemetery be recommended for B-3 zoning but that the two lots beside it be deferred. / Second – Commissioner Allie Brooks / The Commission approved 5 to 0 the proposed map amendment **PC #2022-22** indicating that B-3 was approved for all properties but to defer the properties around Woodland Drive where the Earring Lady's business was and around Second Loop Road and also defer the two lots beside the cemetery off of Church Street. (Commissioner Karon Epps approved the motion and proposed map amendment telephonically.)

The Public Hearing was closed.

Chairman Jody Lane inquired if there was any other business, there being no other business Mr. Brashear provided the director's reports to the Commission.

V. 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 (May 2022)**
- **Building Reports for (May 2022)**

Mr. J. Shawn Brasher indicated to the Commission that the month of July's meeting had approximately 253 proposed properties for rezoning. That being the case, he inquired of the Commission if they wanted to consider a vote to start the meeting earlier as staff would have to make sure that the time change was properly advertised to the public.

There was discussion by the Commission.

There were no further questions, comments and or discussion and Vice-Chairman Cheryl Floyd made a motion that the Planning Commission Meeting for July 26, 2022 be moved to 5:00 p.m. / Second – Commissioners Allie Brooks and Dwight Johnson. / **The Commission approved 5 to 0 that the Planning Commission meeting for July 26, 2022 be moved to 5:00 p.m.** (Commissioner Karon Epps approved the motion and proposed time change for the meeting telephonically.)

Chairman Jody Lane stated that the Commission appreciated the addition of the address information to the packet and letters and requested that staff make available to the Commission in future meetings comprehensive plan maps for information during the presentations. They would also like to have an exploded map view of the properties in the donut holes to be able to better view the parcels of properties.

Mr. Brashear inform the Commission that staff sends out letters to the property owners at least five weeks in advance of the meeting to provide advance notice of what is being recommended. On the back of the letter it provides information as to what the proposed zoning means and some samples of what uses are allowed, accessory uses, conditional uses and uses not allowed. He indicated there was also a dedicated telephone line number and email provided to the citizens just to use to inquire about the information they are receiving regarding the proposed zonings. He further stated that staff monitors the telephone line and email daily and returns calls daily to answer any concerns citizens may have.

There was discussion by the Commission and they commended staff on all the efforts put in to conduct the study and recommending the zoning map recommendations. They know that it is not easy but thanked staff for all that they are doing and the effort they are putting it to complete the arduous task. Many thanks went out to Commissioner Epps for her sacrifice of being available telephonically and for all the Commissions efforts to be available for the lengthy meetings.

VI. Adjournment:

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

Commissioner Allie Brooks made a motion that the meeting be adjourned / Second – Commissioner Dwight Johnson / Unanimously approved 5 to 0 to adjourn the Planning Commission meeting. (Commissioner Karon Epps approved the motion to adjourn the meeting telephonically.)

The meeting adjourned at 9:38 p.m.

Lisa M. Becoat
Secretary

Approved by:

J. Shawn Brashear
Planning Director

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