

Minutes
Regular Meeting of the Florence County Planning Commission
Tuesday, December 20, 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 Cheryl Floyd, called the meeting to order at 5:02 p.m.

II. Attendance:

Commissioners Present: Cheryl Floyd, Chairman
Dwight Johnson, Vice-Chairman
Allie Brooks
Doris Lockhart
Linda Borgman
Glynn Willis

Commissioners Absent: Karon Epps
Mark Fountain
Jeffrey M. Tanner

Staff Present: J. Shawn Brashear, Planning Director
Ethan Brown, Deputy Director
Derrick Singletary, Senior Planner
Curt Whaley, Deputy Building Official
Brian Kennedy, Engineering
Corey Allen, Codes Enforcement Officer
McKenna McRoy, Planner III
Holly Smith, Planner II
Heather Windham, Code Enforcement Officer I
Lisa Becoat, Secretary

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

Chairman Cheryl Floyd led the Pledge of Allegiance to the American Flag and Commissioner Allie Brooks provided the invocation.

III. Review and Motion of Minutes

- Meeting of November 22, 2022

Motion to approve minutes – Commissioner Allie Brooks made a motion to approve the minutes of the Planning Commission meeting of November 22, 2022. / Second – Commissioner Glynn Willis / Unanimously approved 6 to 0 the minutes of the November 22, 2022 Planning Commission meeting.

IV. Public Hearing

Map Amendments:

PC#2022-61 Map Amendment Requested By Florence County To Change The Zoning Designation For The Property In Group Eight 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: 00101-01-024, 00101-01-513, 10108-01-001, 10108-01-002, 10108-01-003, 10108-01-004, 10108-01-005, 10108-01-006, 10108-01-007, 10108-01-008, 10112-01-021, 10112-01-022, 10112-01-023, 10112-01-024, 10112-01-025, 10112-01-026, 10112-01-027, 10112-01-028, 10112-01-029, 10112-01-030, 10112-01-031, 10112-01-032, 10112-01-033, 10112-01-034, 10112-01-035, 10112-01-036, 10112-01-037, 10112-01-038, 10112-01-039, 10112-01-040, 10112-01-041, 10112-01-042, 10112-01-043, 10112-01-044, 10112-01-045, 10112-01-046, 10112-01-047, 10112-01-048, 10112-01-049, 10112-01-050, 10112-01-051, 10112-01-052, 10112-01-053, 10112-01-054, 10112-01-055, 10112-01-056, 10112-01-057, 10112-01-058, 10112-01-059, 10112-01-060, 10112-01-061, 10112-01-062, 10112-01-063, 10112-01-064, 10112-01-065, 10112-01-066, 10112-01-067, 10112-01-068, 10112-01-069, 10112-01-070, 10112-01-071, 10112-01-072, 10112-01-073, 10112-01-074, 10112-01-075, 10112-01-076, 10112-01-077, 10112-01-078, 10112-01-079, 10112-01-080, 10112-01-081, 10112-01-082, 10112-01-083, 10112-01-084, 10112-01-085, 10112-01-086, 10112-01-087, 10112-01-088, 10112-01-089, 10112-01-090, 10112-01-091, 10112-01-092, 10112-01-093, 10112-01-094, 10112-01-095, 10112-01-096, 10112-01-097, 10112-01-098, 10112-01-099, 10112-01-100, 10112-01-101, 10112-01-102, 10112-01-103, 10112-01-104, 10112-01-105, 10112-01-106, 10112-01-107, 10112-01-108, 10112-01-109, 10112-01-110, 10112-01-111, 10112-01-112, 10112-01-113, 10112-01-114, 10112-01-115, 10112-01-116, 10112-01-117, 10112-01-118, 10112-01-119, 10112-01-120, 10112-01-121, 10112-01-122, 10112-01-123, 10112-01-124, 10112-01-126, 10116-01-001, 10116-01-002, 10116-01-003, 10116-01-004, 10116-01-005, 10116-01-006, 10116-01-007, 10116-01-008, 10116-01-009, 10116-01-010, 10116-01-011,

10116-01-012, 10116-01-013, 10116-01-014, 10116-01-015, 10116-01-016, 10116-01-017, 10116-01-018, 10116-01-019, 10116-01-020, 10116-01-021, 10116-01-022, 10116-01-023, 10116-01-024, 10116-01-025, 10116-01-026, 10116-01-027, 10116-01-028, 10116-01-029, 10116-01-030, 12509-01-001, 12509-01-002, 12509-01-003, 12509-01-004, 12509-01-005, 12509-01-006, 12509-01-007, 12509-01-008, 12509-01-009, 12509-01-010, 12509-01-011, 12509-01-012, 12509-01-013, 12509-01-014, 12509-01-015, 12509-01-016, 12509-01-018, 12509-01-019, 12509-01-020, 12509-01-021, 12509-01-022, 12509-01-023, 12509-01-024, 12509-01-025, 12509-01-026, 12509-01-027, 12509-01-028, 12509-01-029, 12509-01-030, 12509-01-031, 12509-01-032, 12509-01-033, 12509-01-034, 12509-01-035, 12509-01-036, 12509-01-037, 12509-01-038, 12509-01-039, 12509-01-040, 12509-01-041, 12509-01-042, 12509-01-043, 12509-01-044, 12509-01-045, 12509-01-046, 12509-01-047, 12509-01-048, 12509-01-049, 12509-01-050, 12509-01-051, 12509-01-052, 12509-01-053, 12509-01-054, 12509-01-055, 12509-01-056, 12509-01-057.

(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 unzoned single-family residential properties were in the Monticello Subdivision off of South Cashua Drive, Florence in County Council Districts eight and nine. He further stated that the properties had been examined in their current relationships regarding current uses, lot sizes, set-backs, comprehensive plan and surrounding zonings and that staff was recommending an R-1 zoning designation for the aforementioned tax map numbers.

Mr. Brasher provided the comments and inquiries received pertaining to the proposed map amendment request PC#2022-61. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

Chairman Cheryl Floyd 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.

There were no further questions, comments and or discussion and Commissioner Glynn Willis made a motion to approve the proposed map amendment PC#2022-61 for R-1 zoning designation / Second - Commissioner Allie Brooks / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-61**.

PC#2022-62 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight 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: 00125-01-102, 00125-01-103, 00125-01-104, 00125-01-105, 00125-01-106, 00125-01-107, 00125-01-108, 00125-01-134, 00125-01-135, 00125-01-136, 00125-01-137, 00125-01-138, 00125-01-139, 00125-01-140, 00125-01-141, 00125-01-142, 00125-01-143, 00125-01-144, 00125-01-145, 00125-01-146, 00125-01-147, 00125-01-148, 00125-01-174, 00125-01-175, 00125-01-176, 00125-01-177, 00125-01-178, 00125-01-179, 00125-01-180, 00125-01-181, 00125-01-182, 00125-01-183, 00125-01-184, 00125-01-185, 00125-01-186, 00125-01-187, 00125-01-188, 01221-01-023, 01221-01-181, 01221-01-212, 01252-01-001, 01252-01-002, 01252-01-003, 01252-01-004, 01252-01-005, 01252-01-006, 01252-01-007, 01252-01-008, 01252-01-009, 01252-01-040, 01252-01-041, 01252-01-042, 01252-01-043, 01252-01-044, 01252-01-045, 01252-01-046, 01252-01-047, 01252-01-048, 01252-01-049, 01252-01-051, 01252-01-052, 01252-01-053, 01252-01-054, 01252-01-055, 01252-01-056, 01252-01-057, 01252-01-058, 01252-01-059, 01252-01-061, 01252-01-062, 01252-01-063, 01252-01-064, 01252-01-065, 01252-01-066, 01252-01-067, 01252-01-070, 01252-01-071, 01252-01-072, 01252-01-073, 01252-01-074, 01252-01-075, 01252-01-076, 01252-01-077, 01252-01-078, 01252-01-079, 01252-01-080, 01252-01-081, 01252-01-082, 01252-01-083, 01252-01-084, 01252-01-085, 01252-01-086, 01252-01-087, 01252-01-088, 01252-01-089, 01252-01-090, 01252-01-091, 01252-01-092, 01252-01-093, 01252-01-094, 01252-01-095, 01252-01-096, 01252-01-097, 01252-01-098, 01252-01-099, 01252-01-100, 01252-01-101, 01252-01-102, 01252-01-104.

(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. Brasher provided the comments and inquiries received pertaining to the proposed map amendment request PC#2022-62. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that all the properties were currently unzoned in County Council District nine. He further stated that the properties had been examined in their current relationships regarding current uses, lot sizes, road frontage, comprehensive plan and surrounding zonings and that staff was recommending an R-1 zoning designation for the aforementioned tax map numbers. Some of the subject areas are adjacent to the Monticello Subdivision on Parkland Drive and Heathway Drive. There is one property that would be in a non-conforming use within the group and also two residential property lots that are a

part of the Windsor Forest Subdivision that were not picked up when that area was previously presented for proposed zoning. He stated that the properties had been properly posted, letters sent out to property owners and adjacent property owners and advertised as per the Florence County Ordinance.

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

Chairman Cheryl Floyd 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.

There were no further questions, comments and or discussion and Commissioner Allie Brooks made a motion to approve the proposed map amendment PC#2022-62 for R-1 zoning designation / Second - Commissioner Glynn Wills / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-62**.

PC#2022-63 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight 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: 01011-01-002, 01011-01-024.

(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 stated that the unzoned properties were located in County Council District nine. He stated that the properties had been examined according to current usage, size and adjacent zonings. One of the properties tax map number 01011-01-002 would be considered legally non-conforming. It is a commercial business that has been at the current location for a long time; however the comprehensive plan restricts the recommendation of a business in that zoning district. Additionally, everything below the parcel is residential and everything to the left of the property zoned within the City of Florence is also zoned residential. There is a business use in front of the commercial property and if the owner desires to have the parcel changed in the future staff would do their best to assist them with a zoning change. To date staff has not heard anything from the property owner regarding the proposed zoning recommendation. The other parcel 01011-01-024 is a single family home.

Mr. Brasher provided the comments and inquiries received pertaining to the proposed map amendment request PC#2022-63. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department).

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

Chairman Cheryl Floyd inquired if was any public in attendance who desired to speak in favor of the proposed may amendment

Ms. Patricia Webster 1615 Hazel Drive, Florence, SC was present in the meeting and spoke in favor of the proposed map amendment. She indicated that she would recommend that the Commission approve the proposed recommendation of the R-2 Single Family Residential zoning designation.

There was no further questions, comments and or discussion and Commissioner Glynn Wills made a motion that the proposed map amendment PC# 2022-63 be approved for R-2 zoning designation. / Second - Commissioner Allie Brooks / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-63**.

PC#2022-64 Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight 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: 00175-01-194, 90029-02-005, 900113-01-055, 90113-01-114, 90118-05-012, 90118-06-001.

(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 current unzoned properties were in County Council Districts seven and eight. The properties were examined by staff for current usage, size, road frontage. surrounding zoning and the comprehensive plan and that staff was recommended an R-3A zoning designation for the parcels. Mr. Brashear provided a description of the recommended properties and their locations within Florence County. There were no public comments and or inquiries received regarding the proposed map amendment.

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

Chairman Cheryl Floyd 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.

There was no further questions, comments and or discussion and Commissioner Allie Brooks made a motion that the proposed map amendment PC# 2022-64 be approved for R-3A zoning designation. / Second - Commissioner Glynn Willis / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-64**.

PC#2022-65 Map Amendment Requested By Florence County To Change The Zoning Designation For The Property In Group Eight Of The Zoning Study From Unzoned To R-4 Multi-Family Residential, Limited Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90104-08-003.

(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 unzoned parcel was located in County Council District seven. He further stated that staff had examined the vacant parcel according to usage, comprehensive plan, size, road frontage and adjacent zoning designations. The vacant property is located off of Ervin Street and has multi-family property directly behind it. There were no public comments and or inquiries received regarding the proposed map amendment.

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

Chairman Cheryl Floyd 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.

There were no further questions, comments and or discussion and Commissioner Linda Borgman made a motion that the proposed map amendment PC# 2022-65 be approved for R-4 zoning designation. / Second - Commissioner Allie Brooks / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-65**.

PC#2022-66

Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight 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: 00075-01-219, 00123-01-082, 90117-23-003, 90104-06-002, 90104-02-030; And A Portion Of 90020-02-002.

(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 in County Council Districts three, seven and eight. He provided a description and location of where the properties were located within Florence County.

Mr. Brasher provided the comments and inquiries received pertaining to the proposed map amendment request PC#2022-66. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department).

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

Ms. Debbie McCracken 3119 Land Grand Drive, Florence was present in the meeting and spoke opposed to the proposed map amendment. She stated that she did not live in Cypress Point but was the President of the Homeowners Association and they are opposed to the rezoning as is. She further stated that they had noticed that resurveying had been done and it appeared that it was encroaching on their property and they are working to get that resolved. They will work with the church on anything they desire to do. They have also had continuous issues with the mall that abuts their property on Second Loop Road, where all of their drainage water was allowed to drain onto their properties without any drainage and the neighborhood is still trying to recover from that. All of their roads are private so all the drainage is private. All of the water that comes through the store mall area comes down the main road and into their community. They have been working with the City of Florence for years about the situation. The City of Florence did have the mall personnel put up a fence but the community has to continually work with Code Enforcement because all of their trash still comes into the back of their community also. Zoning the properties for certain types of business will cause similar problems on their side of the community that they have already been dealing with for years on the other side and have not found a resolution to any of the issues.

In response to the comments by Ms. McCracken, Mr. Brashear provided an explanation to the Commission of the portion of the parcel 90020-02-002 that was being recommended for zoning. He indicated that the remainder and majority of the parcel resided within the City of Florence and is already zoned. He further indicated that the majority of the property and the property that abuts Ms. McCracken's community is already zoned within and by the City of Florence. Staff is only recommending zoning for a small portion of the parcel that is under the jurisdiction of Florence

County and the recommended zoning is similar to the already zoned property that is under the jurisdiction of the City of Florence.

There was discussion and questions by the Commission.

Ms. McCracken further stated that they are questioning the lines of the survey as the surveying appears to be encroaching on their lots and does not match the surveying that was completed back in the early 1970's.

Chairman Cheryl Floyd 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.

There were no further questions, comments and or discussion and Commissioner Allie Brooks made a motion that the proposed map amendment PC# 2022-66 be approved for B-3 zoning designation. / Second - Commissioner Glynn Willis / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-66**.

PC#2022-67

Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight Of The Zoning Study From Unzoned To B-5 Office and Light Industrial Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 00147-01-021.

(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 unzoned 14.25 acre property was located in County Council District seven and its current use was storage and warehousing which met the proposed recommended zoning for the property and area. There were no public comments and or inquiries received regarding the proposed map amendment but staff had spoken with Mr. Gary Finklea several times regarding the property as he represents the owner's interest of the property.

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

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

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

Mr. Gary Finklea, Esquire an attorney at the law firm of Finklea, Hendrick & Blake, LLC was present in the meeting and spoke in favor of the proposed map amendment for a B-5 zoning designation. (He provided a packet of photos of the property to the Commission. A copy of the photos are maintained at the Florence County Planning and Building Department). He stated that he was excited about what the pictures revealed regarding the property and thanked staff for working with them to get a proper zoning designation for the property. The recommended zoning designation of B-5 closely resembled what his client is doing and desires to do with the property. Mr. Matthews is in the used car business but also has an infinity for specialty and antique cars. His vision and dream is to convert the building into a museum but also to sell vehicles out of it. According to staff Mr. Matthews can sell the vehicles inside the building but not outside of the building. As such a B-5 zoning designation fits what Mr. Matthews desires to do; and, they hope the Commission and County Council agree with the recommendation so that Mr. Matthews can continue with his vision and dream for the property. Mr. Matthews' property is meticulously well kept and he gets along with all of his neighbors. Although the property is beside a residential area, it has a history of being an industrial facility and this is not such a significant intrusion upon that area. They encourage a favorable vote for a B-5 zoning designation.

There were no further questions, comments and or discussion and Commissioner Allie Brooks made a motion that the proposed map amendment PC# 2022-67 be approved for B-5 zoning designation. / Second - Commissioner Glynn Willis / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-67**.

PC#2022-68

Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Eight 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: 00075-01-053, 00125-01-267.

(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 unzoned properties were located in County Council Districts four and nine and that staff had examined the properties with the comprehensive plan, lot size, road frontage and adjacent zoning designations. He provided descriptions of the properties out by Forest Lake and the rural property out on W. Palmetto Street, Florence. Letters were sent to the property owners, adjacent property owners, notices were published in the newspaper and posted in public facilities. There were no public comments and or inquiries received regarding the proposed map amendment.

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There were no questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

Mr. Barron Erving was present in the meeting and stated that he represented Asset Holdings Trust, LLC the owner of tax map number 00075-01-053. He further stated that Asset Holdings was the

owner of the single property and the adjacent properties behind, in front and across from the proposed property. The adjacent properties are all in the City of Florence; and are zoned commercial general (CG); which is commercial, office, retail and institutional service uses. They feel that the parcel should be zoned as B-3 as that County's zoning would be equal to what the adjacent City's CG zoning presently is. He further stated that he had reviewed the proposed 2022 Draft Comprehensive Plan on the Florence County Website and that review revealed that the tax map number 00075-01-053 under the draft plan would fall under the Variable District One (VD1) which would include RU-1, RU-1A, R-3, R-3A, PD and B-3. Under the 2022 draft they feel the B-3 zoning designation would be the most appropriate designation for the parcel.

There was questions and discussion by the Commission.

In response to questions and discussion by the Commission Mr. Brashear stated that staff was being consistent in their recommendation of the proposed zoning and that recommendation was based on the current comprehensive plan and the current usage of the property. He further stated that Mr. Irvin was correct that the surrounding property was a CG City zoning designation which is akin to both with some variables of a B-2 and B-3 zoning district. According to the 2022 Draft Comprehensive Plan a B-3 zoning designation would be satisfactory for the proposed tax map number 00075-01-053.

There was further questions and discussion by the Commission.

In response to the questions and discussion by the Commission Mr. Erving stated that tax map number 0075-01-053 was acquired later and not at the same time as the adjacent parcels that is why it was not annexed into the City of Florence. There are presently no concrete plans for the property and they believe that it is highly unlikely that the property will be used as a residence besides just an historical home in the Palmetto Community.

There were no further questions, comments and or discussion and Commissioner Glynn Willis made a motion that the proposed map amendment PC# 2022-68 tax map number 00075-01-053 be approved for a B-3 zoning designation under the 2022 Draft Comprehensive Plan. / Second - Commissioner Allie Brooks / The Commission voted 6 to 0 to approve the proposed map amendment **PC#2022-68 tax map number 00075-01-053 for a B-3 zoning designation under the 2022 Draft Comprehensive Plan.**

Commissioner Allie Brooks made a motion that the proposed map amendment PC# 2022-68 tax map number 00125-01-267 be approved for an RU-1A zoning designation. / Second - Commissioner Glynn Willis / The Commission voted 6 to 0 to approve the proposed map amendment **PC# 2022-68 tax map number 00125-01-267 for RU-1A zoning designation.**

PC#2022-69

Map Amendment Requested By Florence County To Change The Zoning Designation For Properties In Group Four 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: 90002-02-009, 90002-04-002.

(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 unzoned properties were located in County Council District nine and that staff was bringing the properties back as they were a portion of previously zoned properties that were already before County Council but were split from them and thus required a new PC number. The properties are located on Sunset Acres Lane and the comprehensive plan recognizes the properties as commercial growth and preservation. Based on that staff recommended a B-3 zoning designation for the properties. There are single family dwellings presently located on the parcels. Information pertaining to the proposed zoning was properly posted on the properties, letters sent out to the property owners and adjacent property owners, and posted per the Florence County Ordinance.

Mr. Brasher provided the comments and inquiries received pertaining to the proposed map amendment request PC#2022-69. (A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department).

Chairman Cheryl Floyd inquired if there were any questions and or discussion from the Commission.

There was questions and discussion by the Commission regarding the background and history of the properties.

In response to the questions and discussion Mr. Brashear stated that the properties under the current comprehensive plan could be a B-4 or B-3 zoning designation and that single family dwellings were allowed in a B-3 zoning district. Under the 2022 draft comprehensive plan the properties would be recognized under the Variable District 1 (VD1) and would permit zoning designations of B-3, RU-1, RU-1A, R-1, R-3, R-3A and PD. Mr. Brashear further provided some historical court ordered information regarding the properties and the removal of restrictive covenants that designated the properties as solely residential use.

There were no further questions and or discussion from the Commission and Chairman Cheryl Floyd inquired if there was any public in attendance who desired to speak opposed to the proposed map amendment.

Mr. Leonard Bass 1000 South Hanover Road, Florence, SC was present in the meeting and spoke opposed to the proposed zoning of a B-3 zoning designation. He stated that his objection was to the bottleneck that Sunset Acres Lane poses to the neighborhood. Having the B-3 zoning designation assigned to the properties that sit on Sunset Acres Lane the main road that leads into the neighborhood could open the neighborhood up to more traffic impeding the ability for residence to get in and out of their neighborhood.

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

Mr. Randy Deaton 921 South Sunset Acres Lane, Florence, SC was present in the meeting and spoke in favor of the proposed map amendment. He stated that he wanted to stand in support of staff's third

recommendation of a B-3 zoning designation for the properties in compliance with the current comprehensive plan. He further stated he was also in agreeance with the minutes of the October 20, 2022 Planning Commission meeting that indicated that County Council recommended referring the ordinance back to the Planning Commission with a directive to recommend a zoning district that conformed to the comprehensive plan. That County Council further noted that assigning a zoning designation for properties that are not in agreeance to the comprehensive plan may create a violation of the comprehensive planning act which is a state statute. Sunset Acres Lane although a narrow road is a full width state road with a restriction of about a twelve foot entry that was completed by the Department of Transportation during the widening of Palmetto Street to four lanes many years ago. That is the only area of the road that has any restrictions. He indicated that during that last Planning Commission meeting he observed all the properties that came before the proposed properties and two things were of major concern one being no zoning designation be placed on a property that would create a nonconforming property. The second that no zoning designation be placed on a property that would be in conflict with the comprehensive plan. Based on that same criteria he requested that the Commission give the present parcels the same consideration and respect.

There was questions and discussion by the Commission.

In response to questions and discussion by the Commission Mr. Deaton stated that both of the properties belonged to him. Tax map number 90002-04-002 is a residential home where his mom lives that backs up to apartments and a commercial property. The other parcel 90002-02-009 has three residential multi-family homes on it that have always been rental property.

Mr. Daniel Jackson 2505 Rainford Road, Florence, SC was present in the meeting and spoke in favor of the B-3 zoning designation for the proposed map amendment. He stated that he owns property that is adjacent to the proposed properties. He further stated that the homes in the area are older homes. The home that he owns in the front of Sunset Acres is seventy-two (72) years old. The home behind it he has applied for a demolition permit for. He stated that things have been changing since 1945 when Parker Place was designed. Out of the thirty (30) Parker Place properties, sixteen (16) of those properties have been removed by court order from single family residences and the court judgement recognized them as commercial designations. This was done because of the changes that occurred on or about 2005 when Highway 76 became a five (5) lane road. There are problems with the front entrance of Sunset Acres and they have had discussions with staff at the Planning Department and the Department of Transportation in hopes of getting something done about it. They understand the concerns of the residents in the neighborhood but the 12th Circuit Court has issued the order and the proposed zoning falls within the guidelines of the comprehensive plan. Additionally, in the State of South Carolina the court order has precedence and if violated presents a violation. He stated that he was not a lawyer but a lawyer could explain all the particulars. The court order was issued in 2005 and it removed seventeen properties from the residential designation in Sunset Acres, along Palmetto Street and other commercial buildings placed on those properties. He stated that he was in favor of the 12th Circuit Court's order, the Planning Staff and Planning Commission's duties and the comprehensive plan which supports a B-3 zoning designation.

Mr. C. Richmond Wilhoit, Jr. 3004 West Palmetto Street, Florence, SC was present in the meeting and spoke in favor of the B-3 zoning designation for the proposed map amendment. He stated that he would second what Mr. Jackson stated. In 2005 a group of property owners went into a lawsuit to

take the residential restrictions off from the Parker Place subdivision. It was done in an effort to allow the properties to be zoned with a business designation.

There were questions and discussion by the Commission.

In response to questions and discussion by the Commission Mr. J. Shawn Brashear stated that staff had spoken with the County Attorney, Mr. Malloy McEachin several times regarding the court documents and the proposed zoning. The court ordered that the restrictions imposed upon the property owners within the deeds, restricting the property solely for residential uses be removed. The judgement order bears no impact upon the County's ability to zone the property one way or the other. The court did not make the recommendation regarding zoning residential and or business. It simply removed the owner's restrictions of using the property only for residential use. The B-3 zoning designation is the most restrictive business zoning that staff could apply to the properties. The current comprehensive plan identifies the properties as commercial growth and preservation which allows three zoning districts B-3, B-4 and PD. The B-3 and B-4 zoning designations are basically the same except that B-3 requires on-site parking where the B-4 zoning designation does not. B-4 zoning designations are reserved more for down town areas where you have parking garages and or parking on the streets and a restaurant zoned as B-3 would have their parking on their site.

The two properties in front of Sunset Acres on Palmetto Street to the left is Southern Hops which is zoned B-3 and the two properties on the other side of the road that are owned by Mr. Jackson were previously zoned B-3. Everything else below those properties are zoned R-1 residential. The current comprehensive plan indicates that the aforementioned properties should be zoned B-3 and or B-4. B-4 is not applicable as the properties do not have off-site parking available. Staff has spoken to the Department of Transportation local engineering department regarding the road conditions that were discussed and they were supposed to provide him a copy of the letter that would go to Mr. Jackson regarding the road, the condition of the road and width of the road and how they would strongly recommend the development of the road should more commercial uses be introduced. Staff has not received that letter of record. The future land use 2022 comprehensive plan identifies the area as a Variable Development District (VD1) which allows one commercial district B-3, RU-1 and RU-1A allows some flexibility in commercial properties but they are limited in size, however that would be spot zoning as there is very little land in this scenario. It allows an R-1 which is conducive to everything below it and then R-3 and R-3A and there is nothing in the area that would allow that zoning designation. At the corner of Sunset Acres Lane and W. Janice Terrace is a residential home and to the right of that is a church which was previously zoned RU-1 and or RU-1A. Single family homes are allowed in a B-3 zoning district.

There was no further questions, comments and or discussion and Commissioner Glynn Willis made a motion that the aforementioned properties in PC #2022-69 be approved for a B-3 zoning designation based on the current comprehensive plan. / Second - Commissioner Allie Brooks / The Commission voted 6 to 0 for the properties identified in PC #2022-69 be recommended for B-3 zoning designation for the **proposed map amendment PC #2022-69.**

The Public Hearing was closed.

V. Director's Report:

Mr. J. Shawn Brashear presented the Draft 2023 Planning Commission Meeting Schedule to the Commission for review and adoption. He further stated and explained to the Commission how the agenda approved items information and deadline worked. That items submitted by the 3rd Tuesday of the previous month must be approved by the 3rd Tuesday of the previous month in order to be placed on the next month's agenda for presentation to the Planning Commission.

There was discussion and comments from the Commission.

There was no further questions, comments and or discussion and Commissioner Allie Brooks made a motion the draft 2023 Planning Commission Meeting Schedule dates be approved. / Second - Vice-Chairman Dwight Johnson / The Commission voted 6 to 0 to approve the Draft 2023 Planning Commission Meeting Schedule.

Mr. J. Shawn Brashear presented the summary plat and building reports and they were also attached and presented for the Commissions review.

- **Summary Plat Reports for (November 2022)**
- **Building Reports for (November 2022)**

VI. Adjournment:

There were no further questions and or discussion Chairman Cheryl Floyd called for a motion to adjourn the meeting.

Vice-Chairman Dwight Johnson made a motion that the meeting be adjourned / Second – Commissioner Glynn Willis / The Commission voted 6 to 0 to adjourn the Planning Commission meeting.

The meeting adjourned at 6:23 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.