



OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

MINUTES

6:00 PM, MONDAY, NOVEMBER 17, 2014

COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

Members Present: Ms. Heller
Mr. Honea
Mr. Lyle
Ms. McPhail
Mr. Richards

Staff Present: Josh Stephens, Deputy Director of Community Development
Matthew Anspach, Planner
Tom Martin, Esq., County Attorney

Media Present: Ray Chandler, Anderson Independent
Stephen Bradley, The Journal

1. Call to Order

Mr. Lyle called the meeting to order. 6:00 PM

2. Approval of Minutes for Monday, October 27, 2014

Mr. Honea motioned to approve the minutes.

Mr. Richards seconded the motion. The motion was approved 4-0 with Mr. Lyle abstaining.

3. Public Comment for Agenda and Non-Agenda Items (3 minutes)

None.

4. Discussion and Consideration of Variance Request (286-01-01-007)

Mr. Stephens presented the matter before the Commission.

Mr. Chad Cromer explained the conditions for his need of a request for a variance.

Mr. Honea motioned to approve the variance of a total of 10' into the rear setback of the property and 5' total into the side setback of the property, based on the following criteria:

- a. Based on the evidence presented to the Commission, there are extraordinary and exceptional conditions pertaining to the particular piece of property.**
- b. Based on the evidence presented to the Commission, these conditions do not generally apply to other property in the vicinity.**
- c. Based on the evidence presented to the Commission, and because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.**
- d. Based on the evidence presented to the Commission, the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.**

Ms. Heller seconded the motion. The motion passed unanimously.

5. Discussion and Consideration of Variance Request (056-03-01-009)

Mr. Anspach presented the matter before the Commission.

Mr. Lee Wiseley commented on his reasoning for requesting a variance.

Ms. Joanne Reddick discussed her position against the granting of a variance.

Mr. Hugh Reddick discussed his position against the granting of a variance.

Mr. Richard Harper discussed his position in support of granting a variance.

Mr. Paul Albert discussed his position against the granting of a variance.

Ms. Heller motioned to deny the variance based on the following criteria:

- a. Based on the evidence presented to the Commission, there are not extraordinary and exceptional conditions pertaining to the particular piece of property.**
- b. Based on the evidence presented to the Commission, these conditions do generally apply to other property in the vicinity.**
- c. Based on the evidence presented to the Commission, and because of these conditions, the application of the ordinance to the particular piece of property would not effectively prohibit or unreasonably restrict the utilization of the property.**

d. Based on the evidence presented to the Commission, the authorization of a variance will be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Mr. McPhail seconded the motion. The motion passed 4-1 with Mr. Richards dissenting.

6. Discussion and Consideration of the Capital Improvement Program List

Mr. Stephens presented the Commission with the most recent Capital Improvement Program list.

Mr. Honea suggested the Commission consider adding appropriate projects from Capital Project Sales Tax list to the Capital Improvement Program list.

The Commission discussed the various projects on the Capital Improvement Program.

Ms. Heller suggested the Commission wait until after the Capital Project Committee (CPAC) meets again. She then motioned to table the consideration and recommendation of the list until after CPAC's next meeting.

Mr. Richards seconded the motion. The motion passed 3-2 with Mr. Lyle and Mr. Honea dissenting.

7. Discussion and Consideration of Ordinance 2014-28 Industrial Height Provisions

Mr. Stephens discussed the Industrial Height Provision Ordinance under consideration.

Ms. Heller mentioned she would like for the ordinance to stipulate the new height rule to be designated only for areas that are zoned industrial.

Mr. Martin clarified that even if the property is not zoned, it would have to be County owned. He added that in order for a property owned by the County to be certified industrial, a major attraction for industry, they are required to be zoned industrial. He acknowledged that if the Commission wished to recommend the language Ms. Heller mentioned, that was their purview.

Mr. Richards motioned to recommend that County Council approve Ordinance 2014-28 as proposed.

Mr. Honea seconded the motion. The motion passed unanimously.

8. Recommendation for At-Large Planning Commission Seat

Mr. Stephens presented the protocol for the at-large nomination in consideration. He explained that the purpose of the item was for the Commission to simply forward the

nomination presented from the Soil and Water Conservation District to County Council for consideration.

Mr. Richards mentioned that he would like to recommend someone to the at-large seat up for consideration.

Mr. Honea informed Mr. Richards that it was not the correct time for the Planning Commission to nominate candidates.

Mr. Stephens also commented that anyone who wished to serve on a Board, Committee or Commission, per procedure, could fill out a questionnaire and turn it in to the Clerk to Council for review and consideration by County Council.

Ms. Heller motioned to forward the recommendation from SWCD for Ms. McPhail to maintain a seat as an at-large member on the Planning Commission on to County Council.

Mr. Honea seconded the motion. The motion passed unanimously.

Mr. Richards made a motion to nominate Richard Marcengill on to County Council as a potential candidate for the at-large Planning Commission seat in consideration.

The motion died for lack of a second.

9. Old Business

Mr. Stephens gave an update on the idea of an Agricultural Advisory Committee, which received a motion for recommendation at the previous meeting. He added that after talking with administration that the Planning Commission should consider guidance on creating a subcommittee of the Planning Commission, commissioned as an Agricultural Advisory Committee.

After discussion between Commission members, Mr. Stephens was tasked with adding research of the creation of an Agricultural Advisory Subcommittee to the next meeting's agenda.

10. New Business

Mr. Stephens presented staffs desire to assist the Commission with taking advantage of opportunities for first-hand experiences regarding planning and development issues; in the form of site visits and meetings with constituents. He informed the Commission of an upcoming trip available regarding food systems planning.

Mr. Honea requested staff clarify setbacks, particularly by combining setbacks in the development standards, found in Chapter 32 of the Code of Ordinances, to the Control Free District description, found in Chapter 38 of the Code of Ordinances.

Mr. Honea motioned for staff to draft a more user friendly reference for setbacks, particularly with the Control Free District in relation to the other County districts.

Ms. McPhail seconded the motion. The motion passed unanimously.

The next meeting date was tentatively set for Monday, December 8, supposing there would be a need to meet.

11. Adjourn

Mr. Honea motioned to adjourn the meeting.

Mr. McPhail seconded the motion. The motion passed unanimously. 7:49 PM

Anyone wishing to submit written comments to the Planning Commission can send their comments to the Planning Department by mail or by emailing them to the email address below. Please Note: If you would like to receive a copy of the agenda via email please contact our office, or email us at: jstephens@oconeesc.com.