

**RICHLAND COUNTY PLANNING COMMISSION**  
**March 16, 2015**

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*[Members Present: Heather Cairns, Beverly Frierson (in at 1:09pm), Patrick Palmer, Stephen Gilchrist, Bill Theus, Christopher Anderson, Wallace Brown, Sr.; Absent: David Tuttle]*

Called to order: 1:03 pm

CHAIRMAN PALMER: Alright, so we're gonna go ahead and get started. You folks take your time signing in and that kinda stuff, we're going ahead and getting started. And so please allow me to read this into the Record. In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio and TV stations, newspapers, persons requesting notification, and posted on the bulletin board located in the lobby of the County Administration building. Do we have a motion on the February Minutes?

MS. CAIRNS: I make a motion that we approve the February Minutes.

MR. GILCHRIST: Second, Mr. Chairman.

CHAIRMAN PALMER: A motion and a second, all those in favor say aye?

*[Approved: Cairns, Palmer, Gilchrist, Theus, Anderson, Brown; Absent for vote: Frierson; Absent: Tuttle]*

CHAIRMAN PALMER: Any Agenda amendments?

MS. HEGLER: Good afternoon. We have a request to withdraw the third case that's No. 15-06 from the Applicant. You may choose to re-order your Agenda to move that to the front, or to number one because I believe that's who most of the citizens here are to speak to. So that's the only change I would propose, and you do need to accept that or not –

1 MR. ANDERSON: Do we have to make a motion on this?

2 MS. HEGLER: - at this stage of the withdrawal process.

3 MR. THEUS: We need a motion to move that?

4 CHAIRMAN PALMER: Just one second. A withdrawal, so they cannot come back  
5 for a year?

6 MS. LINDER: For 60 days.

7 CHAIRMAN PALMER: For a withdrawal?

8 MS. HEGLER: Yes.

9 MS. LINDER: For a withdrawal.

10 MS. HEGLER: The year's on a denial I think.

11 CHAIRMAN PALMER: Is there a reason for the withdrawal?

12 MS. HEGLER: She just visited us earlier, just before the meeting and said she  
13 wishes to withdraw.

14 CHAIRMAN PALMER: Okay.

15 MS. CAIRNS: That was #3?

16 MS. HEGLER: Um-hum (affirmative).

17 MR. ANDERSON: No, 4.

18 MS. HEGLER: Well, this is a revised Agenda.

19 MR. ANDERSON: Oh, okay, I'm sorry. My apologies.

20 MS. HEGLER: It's Case No. 15-06.

21 MR. GILCHRIST: 06?

22 MS. HEGLER: Um-hum (affirmative).

23 MR. THEUS: Then you got the old Agenda.

1 MR. ANDERSON: Yeah, see I'm working off the old Agenda, too.

2 MS. HEGLER: You only have two cases today.

3 CHAIRMAN PALMER: This is for the parcel on Shop Road?

4 MS. HEGLER: Yes. And you may choose not to reorder it, that was just a  
5 suggestion.

6 CHAIRMAN PALMER: Yeah.

7 MR. BROWN: If a motion is in order I so move.

8 MR. THEUS: Second.

9 CHAIRMAN PALMER: We have a motion to adopt the Agenda with the  
10 withdrawal of Case No. 15-06 MA.

11 MS. LINDER: Wait a minute, you're voting to reorder?

12 CHAIRMAN PALMER: No, no, we're just voting to – we're not gonna reorder it.

13 MS. LINDER: You're not gonna reorder.

14 CHAIRMAN PALMER: No.

15 MS. LINDER: Alright, well then you probably need to take that up when it comes  
16 up on your Agenda.

17 CHAIRMAN PALMER: We can't just remove it from the Agenda?

18 MS. HEGLER: You need to act on it, you need to accept the withdrawal, so  
19 wherever they can do that on the Agenda.

20 CHAIRMAN PALMER: We'll just do it as it sits in the Agenda. I'll let the folks  
21 know what's going on but let's just adopt the Agenda, then.

22 MS. HEGLER: Okay.

23 CHAIRMAN PALMER: We have a motion to adopt the Agenda?

1 MR. BROWN: So moved.

2 MR. GILCHRIST: Second, Mr. Chairman.

3 CHAIRMAN PALMER: We have a motion and a second, all those in favor say  
4 aye?

5 *[Approved: Cairns, Palmer, Gilchrist, Theus, Anderson, Brown; Absent for vote:*  
6 *Frierson; Absent: Tuttle]*

7 CHAIRMAN PALMER: Alright folks, if you're here for the case, the 1.22 acres on  
8 Shop Road at 1721 Shop Road, there is, we will hear that case as the third case, but  
9 the Applicant has asked to withdraw that from our Agenda. So more than likely that  
10 case will be withdrawn. You're more than welcome to stay if you'd like to, I'm not sure  
11 how long it'll take us to get there, there's two cases before that, but just to let you know,  
12 okay?

13 MR. THEUS: Why could we not move it to the top?

14 CHAIRMAN PALMER: Right, well we can. But that wasn't the motion. But we  
15 can, if y'all wanna move it to the top.

16 MR. THEUS: I move, I move that we move that case to number 1.

17 MR. GILCHRIST: Second.

18 MS. LINDER: You've already adopted the Agenda so you'll have to reconsider  
19 adopting the Agenda and then reorder.

20 MR. BROWN: I move to reconsider the Agenda and move the item on.

21 CHAIRMAN PALMER: We have a motion to reconsider the adoption of the  
22 Agenda. Do we have a second?

23 MR. GILCHRIST: Second.

1 CHAIRMAN PALMER: All those in favor say aye.

2 *[Approved: Cairns, Palmer, Gilchrist, Theus, Anderson, Brown; Absent for vote:*  
3 *Frierson; Absent: Tuttle]*

4 CHAIRMAN PALMER: Now, do we have a motion to move Case No. 15-06 MA  
5 to the front of the Map Amendments?

6 MR. GILCHRIST: So moved, Mr. Chairman.

7 MR. BROWN: Second.

8 CHAIRMAN PALMER: And a second, all those in favor say aye?

9 *[Approved: Cairns, Palmer, Gilchrist, Theus, Anderson, Brown; Absent for vote:*  
10 *Frierson; Absent: Tuttle]*

11 CHAIRMAN PALMER: Okay. Alright, Road Names.

12 MR. THEUS: Mr. Chairman, I move we accept the road names as listed.

13 MR. ANDERSON: Second.

14 *[No Road Names provided]*

15 CHAIRMAN PALMER: All those in favor say aye.

16 *[Approved: Cairns, Palmer, Gilchrist, Theus, Anderson, Brown; Absent for vote:*  
17 *Frierson; Absent: Tuttle]*

18 CHAIRMAN PALMER: Alright, first case, Case No. 15-06 MA, has requested to  
19 be withdrawn from the Applicant. Do we have a motion to that?

20 MR. BROWN: Mr. Chairman, could you explain to the audience what this means  
21 and when it can be brought back to us?

1 CHAIRMAN PALMER: If, if we vote to withdraw – the Applicant has asked for it  
2 to be withdrawn, if we vote in approval of that then this case cannot come back before  
3 us for 60 days. But it can after 60 days, for the same zoning classification.

4 MS. HEGLER: And they would start the process over again, new application,  
5 new –

6 MS. CAIRNS: New posting of information.

7 MS. HEGLER: - posting, yes it would be a whole new process if they should  
8 choose to do that.

9 CHAIRMAN PALMER: It would be posted again so the neighborhood would have  
10 notification of it again, but it would not move forward with the rezoning. It would be an  
11 end to this case but they could ask again in 60 days. Okay? So do we have a motion?  
12 Wanna withdraw it?

13 MR. THEUS: I move we accept the withdrawal. So moved.

14 MR. GILCHRIST: Second, Mr. Chairman.

15 CHAIRMAN PALMER: And a second, all those in favor to withdraw Case No. 15-  
16 06 MA say aye?

17 *[Approved: Cairns, Frierson, Palmer, Gilchrist, Theus, Anderson, Brown; Absent: Tuttle]*

18 CHAIRMAN PALMER: Okay, so it's withdrawn. We will not hear the case and it  
19 will not move forward to County Council. Yes, sir?

20 AUDIENCE: Mr. Chairman, I'm the spokesperson of Shop Road residents. The  
21 owner of the property, he can reconsider after 60 days.

22 CHAIRMAN PALMER: After 60 days he can do it all again.

23 AUDIENCE: Okay, thank you.

1 CHAIRMAN PALMER: Yes, sir.

2 AUDIENCE: Thank y'all very much.

3 CHAIRMAN PALMER: Yes, sir. Folks, if y'all could carry on the conversations  
4 outside we would appreciate it. Alright, next case, Case No. 15-03 MA.

5 **CASE NO. 15-03 MA:**

6 MR. LEGER: Thank you and good afternoon, Mr. Chairman and Members of the  
7 Planning Commission. The Applicant in this case is Mr. John Cooper. The property's  
8 located on Riding Grove Road off of Old National Road off of Two Notch Road in the  
9 northeastern part of Richland County. It is about seven acres in size, currently zoned  
10 RU, which is our Rural District, and Mr. Cooper is asking for the RS-MD, Residential,  
11 Single-Family, Medium Density District. The original zoning district was RU, our Rural  
12 District, from 1977. If you've driven out to the site and taken a look at the types of use  
13 and the characteristics of the area, to the north we've got property zoned RU similar to  
14 the subject property, occupied by residence. To the south we've got Planned  
15 Development District, part of Woodcreek Farms, it's their maintenance shed and some  
16 of their landscape material storage. To the east, part of the Planned Development  
17 District as well, Woodcreek Farms, it's basically undeveloped and golf course. And to  
18 the west the property's zoned Rural, occupied residentially and it looks like there's also  
19 some nursery or growing of plants on that property as well. The subject property is  
20 undeveloped, basically wooded. It's kind of got a moderate to general slope to it. There  
21 are no sidewalks or street lights in the vicinity. The road is asphalt and is mostly  
22 undeveloped, ditch to ditch in nature. Our Comprehensive Plan recommends suburban  
23 for this site in the northeast, looking for four to eight units per acre. The proposed district

1 would accommodate four to eight units per acre and as such the Staff felt that the  
2 request met the characteristics identified in the Comprehensive Plan. Because of the  
3 types of land use in the vicinity, the type of zoning, the characteristics of the area, and  
4 the Comprehensive Plan recommendation the Staff recommended approval of this  
5 application at this time.

6 CHAIRMAN PALMER: John Cooper? Yes, sir, would you like to add anything?

7 MR. COOPER: Shall I come to the microphone?

8 CHAIRMAN PALMER: If you'd like to.

9 **TESTIMONY OF JOHN COOPER:**

10 MR. COOPER: Good afternoon. John Cooper with Woodcreek Development.  
11 And this is simply a small site that's adjacent and contiguous to our Woodcreek Farms  
12 PUD, as it was called when we did it. And we just wanted to incorporate this site into the  
13 development and instead of redoing our PUD we decided to apply for a rezoning of just  
14 this parcel for its intended use, medium-density, residential.

15 CHAIRMAN PALMER: Great, thank you. Any motions? That's all we have signed  
16 up to speak.

17 MR. THEUS: Mr. Chairman, I move we send this forward to Council with a  
18 recommendation for approval.

19 MR. GILCHRIST: Second, Mr. Chairman.

20 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?  
21 All those in favor say aye? Any opposed?

22 *[Approved: Cairns, Frierson, Palmer, Gilchrist, Theus, Anderson, Brown; Absent: Tuttle]*

1 CHAIRMAN PALMER: Mr. Cooper, we are a recommending Body to County  
2 Council. They'll hear this same case on January [sic] the 24<sup>th</sup> in these Chambers at  
3 7:00.

4 MR. ANDERSON: January?

5 CHAIRMAN PALMER: I'm sorry, March 24<sup>th</sup>.

6 [Laughter]

7 CHAIRMAN PALMER: Alright next case, Case No. 15-04 MA.

8 **CASE NO. 15-04 MA:**

9 MR. LEGER: Yes, sir, Mr. Chairman, the Applicant in this case is Mr. Arthur  
10 Thomas. The property's located at 448 Starling Goodson Road, which is off of Lower  
11 Richland Boulevard, to the north of Lower Richland High School. The property's a little  
12 over four acres in size, currently zoned RS-MD, which is Single-Family, Medium  
13 Density, and Mr. Goodson, I'm sorry, Mr. Thomas is asking for RU, which is our Rural  
14 District, so to go from RS-MD to Rural. The original zoning from 1977 was RS-2, and in  
15 2005 when the Land Development Code was readopted, that designation became RS-  
16 MD. Going out to the site, driving up Lower Richland Boulevard east and west on  
17 Starling Goodson Road, all the property in the vicinity is zoned RS-MD in all directions.  
18 Basically to the north, south, and west mostly undeveloped property, mostly wooded,  
19 some agricultural property. To the east we have undeveloped and residential in nature.  
20 Some of the photographs were taken on Starling Goodson Road, one of which, that one  
21 in particular, was taken on Lower Richland Boulevard to the south. The property is  
22 undeveloped basically, mostly cleared, a little bit of vegetation, generally flat, sloping  
23 characteristics in nature. There are really no sidewalks or street lights or any kind of

1 improvement of that nature. It is a hard surface road, really ditch to ditch. You have a  
2 subdivision located over to the west, I think it's called Quail Hills and it's pretty much  
3 mostly developed [inaudible]. For the most part you have undeveloped properties in the  
4 vicinity and residential development over to the west. Our Comprehensive Plan  
5 recommends suburban for this site, calling for four to eight units per acre. The request  
6 would not meet that characteristic because the RU District calls for much larger lots with  
7 a much lower density. Basically for that reason and the types of land use and zoning  
8 that's already in the area in the direction in our Comprehensive Plan and our new  
9 Comprehensive Plan is heading, the Staff could not support a rezoning back to a Rural  
10 District as it would not meet our Comprehensive Plan in be in keeping with the current  
11 zoning in the area. For that reason we recommended disapproval on this application.

12 CHAIRMAN PALMER: Any questions for Staff? Arthur Thomas? Yes, sir, if you  
13 would come down and take the podium if you'd like to say anything. And – yes, sir, if  
14 you'd like to come down and take the podium for us we'd appreciate it. If you could give  
15 us your name and address for the Record. And limit your comments to two minutes if  
16 you could for us, we'd appreciate it.

17 **TESTIMONY OF MR. SMITTY:**

18 MR. SMITTY: Good afternoon. My name is Smitty, I'm with, I'm actually with Mr.  
19 Thomas. The zoning that we're trying to get is to put a manufactured home on the  
20 property. The way it's zoned, it's zoned residential for a stick-built house or a modular  
21 home, and we're just needing the zoning so we can put a manufactured home on that  
22 property. And across the street from there, there's manufactured homes that are there. I  
23 don't see any reasoning why he couldn't put is house there, you know.

1 CHAIRMAN PALMER: Okay.

2 **TESTIMONY OF ARTHUS THOMAS:**

3 MR. THOMAS: And where I'm trying to put it, it's in the middle of family property,  
4 it's 72 acres all around me and I'm in the middle of it. There's no houses around that  
5 part.

6 CHAIRMAN PALMER: Alright.

7 MR. SMITTY: And I do think he does follow under a grandfather clause, too, from  
8 '05 I believe, or something like that? To be able to put the house there?

9 CHAIRMAN PALMER: I think that's an issue for the Staff. We're just here with  
10 the zoning matter at this point. And what we have to look at are the, the uses that are  
11 allowed in the Rural category and see if that's appropriate for this zoning, for this piece  
12 of property.

13 MR. THOMAS: But he's saying I can't put a home on four acres?

14 CHAIRMAN PALMER: Not a manufactured home, not under that zoning  
15 classification. No, sir. Which is why you're here asking for the Rural classification.  
16 Right? Okay.

17 MR. SMITTY: Or what about, what about at least his lot, I mean, that he's got for  
18 his self, cause he did what they told him to do far as the plat goes, far as getting it cut  
19 off into certain tracts.

20 CHAIRMAN PALMER: Right.

21 MR. SMITTY: He's done that. And if they could do, you know, at least do an  
22 exception with his lot cause it is cut off on the four acres, on one – yeah, he's got, I  
23 mean, he's cut all of his property into –

1 MR. THOMAS: Four acres.

2 MR. SMITTY: In four acre –

3 MR. THOMAS: They told me I couldn't do it the other way, I have to have it cut  
4 in, in lots.

5 CHAIRMAN PALMER: Right, and so, so you're looking to rezone the 4.3 acre  
6 tract?

7 MR. THOMAS: Just that, just that one acre.

8 MR. SMITTY: Just the one acre tract.

9 CHAIRMAN PALMER: Well, what's in front of us is four acres.

10 MR. THOMAS: Ain't nothing.

11 MS. CAIRNS: No, the request that we have is to rezone four acres. That's our,  
12 that's what we have as the request.

13 CHAIRMAN PALMER: 4.3.

14 MS. CAIRNS: Yeah. And you're saying you only wanna rezone one acre.

15 MR. THOMAS: Yeah.

16 MR. SMITTY: Just one acre. He, he actually had them cut off, I think he was  
17 confused when he did that.

18 MS. CAIRNS: Sure.

19 MR. SMITTY: But he had a, he had them resurveyed, this is his old one, he's got  
20 the – you got the one that's –

21 MR. DELAGE: And you have to have a minimum of two acres to rezone unless  
22 you're contiguous to an existing zoning or it meets the other criteria, so that's the reason

1 why it'd have to be a minimum of two. So as one acre it technically under the Code  
2 wouldn't be able to be proposed.

3 MR. SMITTY: Well, he could have it resurveyed and do two acres.

4 MS. CAIRNS: The plat shows pretty much the subdivision that's on the map.

5 MR. THOMAS: I've had it [inaudible].

6 MS. CAIRNS: Yeah, it's the same plat.

7 CHAIRMAN PALMER: So it's still the four acres?

8 MR. THOMAS: I had it done twice. I had to pay to have it, have it –

9 CHAIRMAN PALMER: If you could take the podium for us we'd appreciate it,  
10 cause we're –

11 MR. SMITTY: Yes, he's had it resurveyed twice. It's all split up now.

12 CHAIRMAN PALMER: Right, and I would imagine under what, maybe the heirs  
13 category, this is for family members or something I hear you say?

14 MR. THOMAS: No, on my part.

15 CHAIRMAN PALMER: On your part.

16 MR. THOMAS: On my part.

17 CHAIRMAN PALMER: So you own the four acres.

18 MR. THOMAS: Right. They approve it when I had it done the first time, and when  
19 I went back to say I probably will give my daughter an acre on it, then they told me I  
20 couldn't do that. They told me I have to get it surveyed all over again and cut all of it off  
21 in, into acres. So that's what I did, I, I done paid for it twice, to have it, you know.

22 MR. SMITTY: I think he was confused when they told him residential he didn't  
23 understand that residential means site built or modular home and not a manufactured

1 home. And he thought residential means he could reside there. Which it's his property  
2 so, I mean, if he had to and resurveyed two acres off and they could approve just two  
3 acres that would be fine as well.

4 CHAIRMAN PALMER: I, I'm not sure if the recommendation would be different  
5 based on two acres or four acres. I mean, I don't know that for sure but, but I think what  
6 we've got to view in front of us, unless he would like to defer it or withdraw it or  
7 whatever he'd like to do, what's in front of us today is to evaluate this site based on the  
8 4.3 acres that was submitted to us. And that's what's gone through the process to get to  
9 us, that's what we, that's all we can evaluate. We can't evaluate a one acre tract or a  
10 two acre tract, what's been posted and what goes through the process is what, is what  
11 we have in front of us to evaluate today.

12 MR. BROWN: Mr. Chairman?

13 CHAIRMAN PALMER: Yes, sir?

14 MR. BROWN: Is it possible for us to defer this matter and allow them to get back  
15 with the Staff and clarify this? Cause there seems to be some confusion here. You have  
16 an heirs issue, if I understood it, all the property around it is 72 acres of family owned,  
17 secondly the issue of four acres as opposed to two acres as opposed to one acre, and  
18 simply let them clarify the whole matter and see if it can be cleared up to bring this back  
19 at our next meeting.

20 MR. SMITTY: Put a manufactured home there so he can live there.

21 MR. HEGLER: Maybe Mr. Price, we do have a lengthy history, which is probably  
22 leading to some of this confusion, so maybe Mr. Price can clarify that.

1 MR. PRICE: This property was, the zoning, the RS-MD was [inaudible] zoning for  
2 this property. And it was subdivided using the heir property, which allowed them to  
3 subdivide it for family members only. I think what may have been missed was even  
4 though the intent was to subdivide for [inaudible] and maybe family members to put a  
5 manufactured home on the property, that was never discussed with us as far as the  
6 subdivision itself. So we never knew what the intent was other than to subdivide for  
7 family. So when it came in to put a manufactured home, of course, that was denied.

8 MS. CAIRNS: But, I'm just curious, cause it seems to me, I mean, obviously I  
9 don't know for sure what the original tract was, but that I don't see anything in the nature  
10 of that subdivision that would've require it be family land cause it's all got frontage. I  
11 mean, so if they had just, I mean, I don't really see this as an heirs subdivision, it's just a  
12 straight subdivision.

13 MR. THOMAS: It's not a subdivision.

14 MS. CAIRNS: Well, any time you take something and divide it it's called a  
15 subdivision, that's sort of a weird –

16 MR. PRICE: They would not have met the minimum lot, lot width and road  
17 frontage to, in order to subdivide that into a number of lots.

18 MS. CAIRNS: Well but they, I mean, into that, into the four lots, each of them  
19 has sufficient frontage and they're each bigger than what RS-MD requires.

20 CHAIRMAN PALMER: Seems like we have a flag lot on there now, doesn't it? Is  
21 that part of the original? It doesn't really matter.

22 MS. CAIRNS: Yeah, but it's got a 50', the flags got a 50' access.

23 MS. FRIERSON: I have a question. If this can be clarified [inaudible].

1 MR. PRICE: What you don't have before you [inaudible].

2 MS. CAIRNS: But it's not part of our discussion either, correct?

3 MR. PRICE: No.

4 MS. CAIRNS: No, right.

5 MR. PRICE: No, what you have is a four acre tract that you have before you that  
6 was actually subdivided [inaudible] four separate tracts. And based on the parent track  
7 of 121, you know, [inaudible] that's why it couldn't be subdivided [inaudible].

8 MS. CAIRNS: Right.

9 MR. PRICE: That's why it had [inaudible].

10 MS. CAIRNS: So, so in other words the, the zoning request that we have for this  
11 four acre tract is actually now four lots.

12 MR. PRICE: Correct, yes.

13 MS. FRIERSON: I have a question. If this misunderstanding can be clarified can  
14 it be done so without there being further expense to Mr. Thomas?

15 MR. PRICE: I think the clarification is simply can a manufactured home go on, on  
16 this parcel; whether it be the four acre tract or the one acre tract. And the answer is no  
17 due to the current zoning. In order for him to be able to put a manufactured home on the  
18 property a rezoning would be required.

19 MS. HEGLER: In other words separate the issue of subdivision, that is, that is not  
20 before you. What is before you is the zoning in question. So we've already determined  
21 how the subdividing of the parcels could occur.

22 MS. CAIRNS: Right, I follow you there. We're not approving or disapproving the  
23 subdivision *per se*, but we now have basically four, one acre lots that are looking to get

1 rezoned to RS [sic], which would allow manufactured homes to be placed on a one acre  
2 lot.

3 MR. PRICE: RU.

4 MS. CAIRNS: RU, sorry. Alphabet soup sometimes.

5 MS. FRIERSON: But I thought the gentleman on the end said it had to be two  
6 acres and not one.

7 CHAIRMAN PALMER: That's two acres total.

8 MR. PRICE: That's the criteria for rezoning unless you abut a particular zoning  
9 district.

10 CHAIRMAN PALMER: So what's before us is to whether or not the Planning  
11 Commission perceives that that site, whether it be one acre, two acres, but what's in  
12 front of us is four acres to be rezoned from the RS-MD to the RU.

13 MR. THEUS: Is every lot owned by the Applicant?

14 CHAIRMAN PALMER: Yes.

15 [Inaudible discussion]

16 MS. CAIRNS: That's okay. I mean, I gotta admit, I mean, we're just open for  
17 discussion, I mean, when I saw this in the package I was very curious to see what the  
18 rationale was for downzoning cause we so rarely see it. But it seems, I mean, I  
19 understand about wanting the density that the Comp Plan calls for, but it seems very  
20 strange to force someone to do stick-built when we accept manufactured housing as  
21 acceptable housing.

22 MR. SMITTY: And they're actually right across the street, there's a ton of them, I  
23 mean, just right there.

1 CHAIRMAN PALMER: Well, we don't allow –

2 MR. SMITTY: I mean, that's undeveloped property, there's –

3 MS. CAIRNS: Right, in that density we don't allow it, but if, but you know, to  
4 knock the density down and allow the property owner to put residential on it on larger  
5 lots.

6 MR. THEUS: Where are the other, right across Starling Goodson Road? Directly  
7 across?

8 MR. SMITTY: Yes, off of, right off of that Starling Goodson's, his property, all that  
9 is wooded. Most of that whole tract is wooded. Across the road, what road is that, is that  
10 Starling Goodson?

11 MR. THOMAS: Yeah, that's Starling Goodson.

12 MR. SMITTY: Yeah, on the other side of Starling Goodson there's manufactured  
13 homes [inaudible] Lower Richland Boulevard.

14 MS. CAIRNS: Yeah, on Lower Richland, not on Starling Goodson.

15 MR. SMITTY: Right.

16 CHAIRMAN PALMER: In that RU zoning, I would imagine.

17 MR. SMITTY: Well I'm sure I don't, I don't know the zoning.

18 MS. CAIRNS: Yeah, but in the general vicinity there's mobile homes.

19 MR. SMITTY: Right.

20 MS. CAIRNS: Already.

21 MS. FRIERSON: I have a question for Staff. On page 10 at the bottom when it  
22 talks about noncompliance, it says "The proposed zoning district would not meet the

1 recommended density recommendations for the suburban area of four to eight dwelling  
2 units per acre.” What density does it meet? How close to the recommendation is it?

3 MS. CAIRNS: It’s be like one unit per acre. It’s not even close.

4 MS. HEGLER: So a quarter of, of the, less than a quarter of the character that  
5 we’re going for. You know, the density is a measure in some ways of the character of  
6 developments you’re attempting to achieve.

7 CHAIRMAN PALMER: One technical question for Staff. Has the four lots been  
8 subdivided and approved?

9 ? : It’s been approved but I don’t know if it’s been recorded.

10 CHAIRMAN PALMER: So then for us the, the tax map sheet numbers are  
11 incorrect?

12 MS. HEGLER: Yeah, I don’t know when that all changed. You know, we based  
13 this submission on the application.

14 MR. THEUS: Right, that’s why we now have four tax map numbers.

15 MR. SMITTY: He was just following the footsteps on what he was told to do, and  
16 like I said, with the understanding, he didn’t understand residential, that meaning he  
17 could reside there. He was told that he had to split those lots up in order to put the  
18 house there. So he went ahead and did that. The only expense he would be incurred is  
19 the expense to get the manufactured home permit with Richland County and then I can  
20 deliver his house.

21 MS. HEGLER: Well, you know, we also still have the issue, Geo, at that one  
22 acre, it’s not large enough to even request a rezoning.

23 [Inaudible discussion]

1 CHAIRMAN PALMER: Is that a technical issue for Staff to have it advertised as a  
2 different tax map sheet number in the package and then on the postings? Is that a  
3 technical mess for you guys?

4 MS. HEGLER: It would just, we're presenting to you what the application has, so  
5 we could redo the application potentially with whichever parcels the applicant would  
6 choose to use. I think these are probably going at a concurrent pace.

7 CHAIRMAN PALMER: But you can't pull one out.

8 MS. HEGLER: I couldn't pull one out, yeah, it would not be our decision to make,  
9 correct.

10 CHAIRMAN PALMER: But you can move forward with all of them based on what  
11 was in place at the time.

12 MS. HEGLER: I think so.

13 CHAIRMAN PALMER: Okay.

14 MS. HEGLER: But if he should choose to only want to do two then we would  
15 probably need to do a new application. Two of those four lots to meet the two acre  
16 minimum.

17 MS. CAIRNS: That would make more sense.

18 CHAIRMAN PALMER: Okay. I think we got it, gentlemen. Appreciate it. If we've  
19 got any more questions we'll ask you. Okay? What do y'all think? I mean, this is the  
20 same thing that occurs, it's just the converse of it, when we look at what, how it affects  
21 the adjoining properties, the different property owners that are out there have this  
22 surrounding mentality that they will not have manufactured homes next to them or in  
23 their neighborhood, because they bought a lot or a house in these neighborhoods that

1 are zoned RS-MD. And so allowing the downzoning to allow for a manufactured home  
2 or anything else that's allowed in the RU zoning that folks that live out there have the  
3 expectation with them being surrounded by the RS-MD that they won't have that.

4 MR. SMITTY: They are surrounded by it though.

5 MS. CAIRNS: Yeah, I mean, I sort of think that's a stretch of the concept of  
6 expectation of neighboring property. I mean, cause it also –

7 CHAIRMAN PALMER: Oh, okay.

8 MS. CAIRNS: - the fact that our current – huh?

9 CHAIRMAN PALMER: Okay.

10 MS. CAIRNS: No, I do. I mean, cause it's not, I mean, I understand where you're  
11 coming from but I don't –

12 MR. SMITTY: [Inaudible]

13 MS. CAIRNS: Yeah, it just, but I mean –

14 [Inaudible discussion]

15 MS. CAIRNS: Well no, I mean, but over on Lower Richland you have some  
16 mobile homes so there's mobile homes in the area. This isn't –

17 MS. SMITTY: Actually it's Hopkins is where he's at.

18 MS. CAIRNS: And what's interesting is that just when we have, just like when we  
19 have applicants come in who say, this is exactly what I plan to do and it sounds really  
20 good and rosy, we have to sit there and say, no it's what could happen. Well, basically  
21 what he's in essence saying is, I've taken this four acre tract, it's not four, one acre lots,  
22 well there's no saying that they won't get four big stick-built homes on them. I mean, all  
23 he's done is basically say it won't get subdivided into little lots by zoning it up to RS.

1 You know, the fact that he's offering a mobile home doesn't mean that we should block  
2 it, just like we don't go all, you know, all in when somebody's offering some use that we  
3 find capable. So I mean, you know, and blocking downzoning's always an oddity. I  
4 mean, I get it, I get why we want density, it's land that supports it, it's a region that  
5 supports it, we need density where it exists. At the same time, I mean, how's, how –

6 CHAIRMAN PALMER: But is also allows for everything else in the RU, the  
7 animal production, support services, crops, fish hatchery, forestry -

8 MS. CAIRNS: Well this, I mean, this area, I mean, these –

9 CHAIRMAN PALMER: - veterinary services.

10 MS. CAIRNS: - what, 70 acres or something, still look pretty rural. It's interesting  
11 that they've been zoned [inaudible] subdivided out. I mean, even just ignoring the one  
12 acre subdivision, we've already got land that's been subdivided into multiple owners  
13 where it's not gonna be, it's, I mean, probably none of this will go into RS-MD because  
14 the lots are too small already. I mean, this four acre tract plus the two next to it are a  
15 little under two acres each. You know, so – I mean, the ones to the right obviously could  
16 go into subdivision design, but the ones to the left they aren't gonna get put into RS-MD.

17 MS. FRIERSON: And didn't the other, you, you just say that the property right  
18 across the street from it?

19 MR. SMITTY: On, yeah on Lower Richland Boulevard, there's manufactured  
20 homes all, I mean, that's –

21 MS. FRIERSON: I mean, that is within the characteristic of what already exists.

22 MS. CAIRNS: But, I mean, you know, if, you know, if the applicant stood here  
23 and said, listen I wanna downzone it to, to RU and build, you know, into four, one acre

1 tracts and not offer what the intended use, to build big homes and make sure that, you  
2 know, those four homes get the protection. We'd be, we'd be saying, oh that's good,  
3 you know. I just, I –

4 MR. THEUS: Are surrounding property owners notified by mail?

5 MS. CAIRNS: They're notified as required under law, which is posting.

6 MS. HEGLER: Yeah, we just post the site.

7 MR. THEUS: Post it?

8 MS. HEGLER: No, we did have this discussion a few months ago. We do send  
9 letters within 100' radius of the property lines. So immediate neighbors do get letters.  
10 And then there's signs posted.

11 [Inaudible discussion]

12 MR. THOMAS: Right.

13 MR. SMITTY: And there's obviously nobody here to, you know, against it, so.

14 CHAIRMAN PALMER: Does anybody wanna make a motion? Any further  
15 discussion?

16 MS. FRIERSON: I do. I so move that we allow the request that this be changed  
17 from RS-MD to RU.

18 CHAIRMAN PALMER: Is there, you have to name some reasons for going  
19 against Staff recommendation.

20 MS. FRIERSON: Oh, okay. And my rationale is that after listening to the  
21 discussion and realizing that there are manufactured homes in that area, it's really not  
22 out of character and there should not be a problem with allowing this change.

1 CHAIRMAN PALMER: So we have a motion to send Case No. 15-04 MA forward  
2 to Council with a recommendation of approval. Do we have a second?

3 MS. CAIRNS: I'll second.

4 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?  
5 All those in favor of the motion raise your hand. All those opposed?

6 *[Approved: Cairns, Frierson, Gilchrist, Theus, Anderson; Opposed: Palmer, Brown;*  
7 *Absent: Tuttle]*

8 CHAIRMAN PALMER: So the case will move forward to Council with a  
9 recommendation of approval. And so we will, you will be in these same Chambers if  
10 you'd like to show up on the, what was it, the 24<sup>th</sup>? The 24<sup>th</sup> of March, 7:00, so.

11 MR. SMITTY: Seven am?

12 MR. PRICE: PM.

13 [Laughter]

14 CHAIRMAN PALMER: It would be difficult to get Council out here at 7:00.

15 MS. CAIRNS: Yeah.

16 MR. SMITTY: Thank you.

17 CHAIRMAN PALMER: Make a motion to strike my last comment from the  
18 Record.

19 [Laughter]

20 MS. CAIRNS: I second.

21 CHAIRMAN PALMER: Alright. Director's Report, Zoning Public Hearing Report.  
22 Is that it?

23 MS. HEGLER: [Nods yes]

1 CHAIRMAN PALMER: Alright, real quick before we go. I wanted to throw it out to  
2 see if we wanted to change our time or our date of our meeting at any point. The 1:00  
3 o'clock timeframe was put in place quite some time ago but our meetings used to last  
4 four or five hours, six hours sometimes. And so that was the reason for the 1:00 o'clock  
5 start. We typically don't have those kind of marathon meetings anymore, so if we could,  
6 I'm open to whatever you guys wanna do. I, I can fit any time in, but it would make  
7 sense if we would move it till maybe a 3:00 start time, that way you can finish up the  
8 rest of your day here and go home and you don't have a gap in the day. Don't know  
9 what Staff thinks about that or what the Planning Commission thinks about it, but just  
10 throwing it out there. And also didn't know if Monday's was the best day to do it on for  
11 folks. So is there any thoughts on that subject or? I'm okay with 3:00, I'm okay with a  
12 Tuesday, Wednesday, Thursday, Monday, doesn't matter to me. Does Staff have any  
13 thoughts on it, what days work best for you guys?

14 MS. HEGLER: I would only suggest that late Tuesday is going to be difficult with  
15 –

16 CHAIRMAN PALMER: Right.

17 MS. HEGLER: - Council meetings.

18 CHAIRMAN PALMER: Council's on Tuesdays so no Tuesdays. Any other  
19 thoughts?

20 MR. THEUS: Is the Monday date for Planning Commission line up with certain  
21 dates that we got to get in before Council?

22 MS. HEGLER: No, cause you just need 15 days between line up of Council –

23 MS. CAIRNS: If we shifted it to, like Wednesday will it cut off –

1 MS. HEGLER: You're really trying to meet the Council zoning public hearing at  
2 the end of the month, so as long as it was still within the first week I think you'd be  
3 within the – no? Yes, you could hold it the day before cause we get the advertisements  
4 out before –

5 [Inaudible discussion]

6 CHAIRMAN PALMER: So you got any time between the first week and the third  
7 week to do it. So we don't have to meet the first Monday. If we move the date back, let's  
8 say we go till the second week, does that move the application deadline with it as well,  
9 from the beginning of the last month, we can move that back?

10 MR. PRICE: No.

11 MS. HEGLER: For the first one I guess it would, they'd have like two extra  
12 weeks.

13 CHAIRMAN PALMER: Yeah. So what do y'all think?

14 MS. CAIRNS: I like the idea of moving the time back, but in terms of what week  
15 and what day of the week it's random to me. Just not Friday.

16 CHAIRMAN PALMER: Yeah.

17 MS. FRIERSON: It doesn't matter to me either.

18 CHAIRMAN PALMER: Well, why don't we, it's easy for me to keep in my head  
19 the first Monday of the month, so why don't we keep it the first Monday of the month.  
20 And y'all wanna move it back to 3:00?

21 MR. THEUS: Yeah, if we start to have long meetings we might move it again.

22 CHAIRMAN PALMER: Right.

23 MR. BROWN: Mr. Chairman, 1:00 o'clock works best for me, but.

1 CHAIRMAN PALMER: Okay.

2 MR. BROWN: I'll try to adjust to the other Members.

3 CHAIRMAN PALMER: Well let me know cause you signed up for a 1:00 o'clock.

4 MR. BROWN: Yeah, 1:00 works best for me.

5 CHAIRMAN PALMER: I don't wanna change anything if anybody's got an issue  
6 with it, then. Cause that's what they signed up for.

7 MR. THEUS: We all came on with that understanding but if it doesn't suit  
8 someone's schedule don't change it.

9 CHAIRMAN PALMER: So we're just gonna keep it the same? Alright, anything  
10 else? Any other thoughts? Do I have a motion to adjourn?

11 MS. CAIRNS: So moved.

12 MR. GILCHRIST: Second.

13 MS. HEGLER: Quickly, I will just let you know as well that there are nine cases  
14 so far for next month?

15 CHAIRMAN PALMER: How is the advertisement come for our other slot?

16 MS. HEGLER: They posted or notified four openings, which is some of you are,  
17 are repeats, two weeks ago, and I don't see any on tonight's agenda so they must not  
18 have done, or tomorrow night's agenda so they must have done the interviews yet. So  
19 you're now into April before somebody's seated.

20 CHAIRMAN PALMER: Okay. We have a motion and a second to adjourn, all  
21 those in favor say aye.

22 *[Approved: Cairns, Frierson, Palmer, Gilchrist, Theus, Anderson, Brown; Absent: Tuttle]*

23

*[Meeting Adjourned at 1:45pm]*

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