

# PICKENS COUNTY PLANNING COMMISSION

## MINUTES

of

December 13, 2021

6:30pm

### PICKENS COUNTY ADMINISTRATION BUILDING Main Conference Room

**NOTICE OF MEETING AND PUBLIC HEARING:** Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's meetings was provided by January 1, 2021 via the Pickens County Website and posted next to the Offices of the County Planning Department. In addition, the agenda for this meeting was posted outside the meeting place (Pickens County Administration Building Bulletin Board) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the *Pickens County Courier*, posted on the properties subject of public hearing(s), and emailed to all persons, organizations, and news media requesting notice pursuant to Section 1205(d)(1) of the Pickens County Unified Development Standards Ordinance.

#### **MEMBERS PRESENT:**

Bobby Ballentine, Chairman  
Gary Stancell  
Phil Smith  
Michael Watson  
Bobbie Langley  
Jon Humphrey

#### **STAFF PRESENT:**

Ray Holliday, County Planner  
Chris Brink, Community Development Director

#### ***Welcome and Call to Order***

Mr. Ballentine, the Presiding Official, called the meeting to order at 6:30 p.m.

Mr. Ballentine asked those in attendance to join in a moment of silence and for the recital of the Pledge of Allegiance.

#### ***Approval of Minutes***

Mr. Ballentine called for a motion regarding the minutes of the November 8, 2021 meeting.

Ms. Langley motioned to approve the minutes. Mr. Stancell seconded the motion. The motion to approve the minutes passed unanimously.

#### ***Public Comments***

Mr. Frank McCormack, 210 Falcon Crest Way, appeared before the Commission and spoke regarding an issue related to a RV Park and Campground that was approved in his community; that the project developer has not sited the RVs where they were approved; that one site is across a dedicated road ROW; that one unit has had a resident living in the unit past the permitted 180 days; that the developer, Mr. Anders, is not following the rules set out by council or the Planning Commission.

Mr. McCormick asked who was responsible for approving the RV Park and who would be responsible for ensuring that what Mr. Anders did complied with what was approved, and who he could speak with regarding the issues he has brought up.

Mr. Brink stated that staff was responsible for the approval and would also be responsible for ensuring that the use met the requirements of the ordinance and the permit that was issued; that he could come by the planning office and staff would speak further about Mr. Ander's project.

### ***Public Hearings***

Mr. Ballentine briefly went over the procedures that will be followed for this evening's public hearings.

Mr. Ballentine opened the public hearing portion of the meeting and called for the 1st case being heard.

- 1. SDV-21-0004 Diane Hutton requesting a subdivision variance from the Pickens County development standards regarding the minimum lot size of a parcel when served by septic and public water; to create a tract with less than 0.50 acres. The property is located at 101 Homeland Road, Pickens. The property owner of record is Edgar O Holder Revoc Trust/ Diane Holder Trustee, et. al.  
TMS# 4191-09-16-4970**

Mr. Ed Hutton appeared before the Commission and presented his request to split the three existing homes onto their own parcels so that he can give one to each of his daughters; that one lot will not meet minimum size requirements of ½ acre; that all the homes are served by city water (Pickens) and individual septic systems.

With no additional presentation, Mr. Ballentine called for anyone else in favor or for anyone in opposition.

No one appeared to speak for or against the request.

Ms. Langley asked about the location of the septic systems relative to the home locations.

Mr. Hutton indicated that the septic systems and field lines were all located on the tracts that have been surveyed for each home; that there was no definitive record showing exact locations but felt confident that they were located on the tracts for each house.

With no additional presentation, comments, or questions, Mr. Ballentine closed the public hearing for this item and opened the floor for a motion.

Mr. Smith motioned that the request be approved with a condition that Mr. Hutton provide a report on the location of each septic system.

Mr. Watson seconded the motion.

Ms. Langley expressed her concerns with the .37 acre tract and setting a precedent that could be used by adjacent property owners.

Ms. Langley offered an amendment to the motion made by Mr. Smith; that, rather than a report provided, the tanks must be located on each lot and within the boundaries of each tract.

Mr. Stancell seconded the motion to amend.

Mr. Ballentine called for a vote on the motion to amend. The motion passed unanimously.

Mr. Ballentine called for a vote on the original motion to approve, as now amended.

The motion to approve, as amended, passed unanimously.

Mr. Ballentine opened the public hearing for the next case to be heard.

**2. SDV-21-0005 Jared Grochowski requesting a subdivision variance from the Pickens County development standards regarding the maximum number of dwellings permitted on a single parcel. The property is located at 156 Chippewa Drive, Pickens. The property owner of record is H.E.A.A. Living Trust.  
TMS# 5105-00-89-5226**

Mr. Grochowski appeared before the Commission and presented his request to add one additional single family home on his property for a family member; that his property is approximately 84 acres and this home would be located between his primary residence and the one occupied by his in-laws; that this home would be for his mother; that he is not wanting to divide the property as required when adding a third home.

Members of the Commission asked about the maintenance of the roadway, Chippewa Drive, and how many homes currently have access.

Mr. Grochowski indicated that only one other owner utilizes Chippewa Drive; that all maintenance is done by himself; that there isn't a standing agreement other than he has agreed to maintain the road himself.

With no additional questions, presentation or comments, either for or against, Mr. Ballentine closed the public hearing for this case and called for a motion.

Mr. Stancell motioned that the request be approved provided the applicant has drafted a maintenance agreement outlining maintenance responsibilities for the road.

Mr. Watson seconded the motion.

The motion to approve with the stated condition passed unanimously.

Mr. Ballentine opened the public hearing for the next case to be heard.

**3. SDV-21-0006 Juventino Cabrera requesting a subdivision variance from the Pickens County development standards regarding the maximum number of lots/dwellings permitted on a Private Residential Access classified as a shared driveway. The property is located on Gossett Lane, Central. The property of record is Juventino Cabrera.  
TMS# 4075-06-27-6960**

Mr. Omar Cabrera, speaking and translating on behalf of the applicant Mr. Juventino Cabrera, briefly presented their request to add an additional lot onto Gossett Lane; that they are requesting only one, 1.2 acre lot and not the three that are presented on the plan; that the tract will be for Mr. Cabrera's uncle.

Mr. Smith asked if there were any agreements for the use and maintenance of Gossett Lane.

Mr. Cabrera stated that they have found no such agreements for maintenance but felt that they had a right to use the drive.

Mr. Watson asked about ownership of the larger 19 acre tract.

Mr. Cabrera confirmed that he owns the entire tract.

The Commission continued to ask questions of the applicant relative to permitted use or right to use Gossett Lane.

Mr. Cabrera indicated to the Commission that the previous owner indicated to them that they had access to Gossett and did not provide any documentation stating otherwise.

The Commission asked questions regarding the exact location and placement of the proposed tract and the manufactured home proposed.

Mr. Cabrera stated that the home would be located behind 102 Gossett Lane, also owned by Mr. Cabrera; that the plan was to split 3 tracts for family but now they only plan to divide the one parcel.

With no additional presentation by the applicant, Mr. Ballentine opened the floor for anyone wishing to speak in opposition.

Mr. Brink reminded the Commission of the written opposition received from Mr. Harris (email), which will become part of the record, as well as from Mr. Alexander, who is present.

Mr. Jim Alexander appeared on behalf of the adjacent property owners in opposition to the request. Mr. Alexander stated that the easement was only drafted in 2020 by the surveyor and has no documentation as to its existence prior to the plat being drawn; that the plan presented has not been recorded; that easement consent was only provided by the previous owner of 103 Gossett Lane and that consent has been rescinded.

Mr. Alexander went over the written material provided to the Commission by him earlier.

Mr. Alexander stated that Mr. Cabrera has access to both 111 Gossett Lane and the rest of his property, including the proposed 1.2 acre tract, from Turkey Nob Road and direct access to Simms School Road via 102 Gossett Lane.

Mr. Alexander went over the standards enumerated in the UDSO in section 1205(f).

Mr. Humphrey and Mr. Watson asked questions and made comments regarding the use and access to Gossett Lane.

Mr. Ballentine called for others that wished to speak in opposition.

Mr. Hodges, 143 Quail Circle, spoke in opposition; that any additional lots/homes in the area would impact already low water pressure.

With no one else wishing to speak in opposition, Mr. Ballentine provided a time for applicant's rebuttal.

Mr. Cabrera stated that they believe that access is allowed from Gossett Lane but would be ok utilizing Turkey Nob for access but were not prepared to go that route just yet. He had questions regarding approval of an access from Turkey Nob.

Staff stated that it would have to be approved through the normal process; that they couldn't provide an affirmative approval without reviewing a proposal first.

With no additional comments, questions, or presentations, Mr. Ballentine closed the public hearing and called for a motion.

Mr. Stancell motioned that the request not be approved.

Mr. Watson seconded the motion.

Ms. Langley indicated that she would not vote to approve due to questions relative to the right of access by the applicant to Gossett Lane and that he has adequate access elsewhere.

The motion to not approve the request passed unanimously.

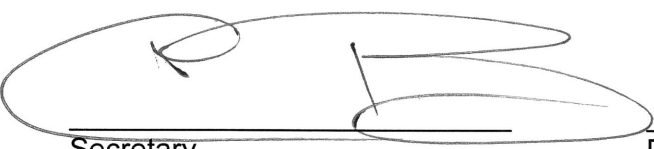
### ***Commissioners and Staff Discussion***

Staff updated the Commission on the Comp Plan.

### ***Adjourn***

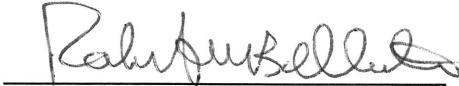
There being no additional matters to be taken up by the Commission, Mr. Stancell motioned that the meeting be adjourned. Mr. Watson seconded the motion to adjourn. The meeting was adjourned at 7:46 pm.

Submitted by:

  
Secretary

1/10/22  
Date

Approved by:

  
Chairman

Jan 10, 2022  
Date