

# PICKENS COUNTY PLANNING COMMISSION

## MINUTES

of

January 10, 2022

6:30pm

### PICKENS COUNTY ADMINISTRATION BUILDING Administration Building Auditorium

**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  
Phil Smith  
Bobbie Langley  
Jon Humphrey  
David Cox  
Matthew Kutilek

#### **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.

Mr. Ballentine asked for the members of the Commission to introduce themselves.

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

Mr. Ballentine called for corrections or for a motion regarding the minutes of the December 13, 2021 meeting.

Ms. Langley asked that Line 41, Page 2 be corrected to read "precedent" rather than "president".

Mr. Smith asked that staff and Planning Commission responses to Mr. McCormick's comments and questions be added to the minutes.

With no additional changes, Mr. Ballentine called for a motion.

Ms. Langley motioned that the minutes be approved with the noted corrections and additions. Mr. Cox seconded the motion.

Motion to approve the corrected minutes passed unanimously.

### ***Public Comments***

Mr. Phillip Davis of 117 Devon Court, Easley appeared before the Commission and spoke on growth happening in Pickens County; that he was not opposed to growth in the county but infrastructure is not catching up to the growth taking place; that there needs to be plans in place to add infrastructure to accommodate the growth taking place.

### ***Public Hearings***

Mr. Ballentine briefly went over the procedures that will be followed for the public hearings.

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

- 1. LU-21-0009 Land Use request for a Salvage, Junk, Scrap Yard as defined in Section 316 of the Pickens County Unified Development Standards Ordinance. The subject property is approximately 12 acres and is located at 2120 Farris Bridge Road, Easley. The applicant is Andrew Donald King. The property owner of record is King Land Holdings, LLC.  
TMS#s 5111-00-82-5899**

Mr. Rivers Stillwell, representing the applicant, appeared before the Commission and provided a brief introduction of the case regarding the use and how that use is defined in the county's development ordinance; that as defined by the county, the public has the perception that what is proposed is something that it is not; that the applicant is here to better provide background on the request.

Mr. Ron King, Andrew King, and Eric King, applicants, appeared before the Commission. Mr. Ron King gave a detailed introduction and explanation of the use and development being proposed; that, essentially, there are two separate uses being proposed on the property, one being an office building that will be for the operations of the businesses involved and then a separate area what will also have an office area with equipment repair buildings, warehouse and storage buildings for dry storage of goods as they are delivered to the site; that the property is approximately 24 acres in size but they propose only using about half, or 10 to 12 acres based on any wetlands identified.

Mr. Ballentine asked how does equipment come in or is proposed to be brought into the facility.

Mr. King stated that items may be brought in in a variety of ways, depending on what the item is; that they may come in an open trailer or some items may be palletized and come in closed trailers if the elements could further damage what is being delivered to them.

Ms. Langley asked about business ownership and if the facility will comply with Section 316 of the development ordinance.

Mr. King stated that he owns the business with his two sons; that each play a separate role being that Andrew handles the insurance claims and warehousing end of the business and his son Eric deals with the repair and refurbishment of any equipment and large trucks that come to them; that yes, the facility will meet all requirements established for them, including Section 316 of the UDSO; that all storage areas will be adequately distanced and buffered in addition to being located behind the buildings on the property.

Ms. Langley asked about ponds on the property.

Mr. King noted that there is an existing retention pond that was associated with the previous site development; that it is not a wet pond; that several additional stormwater ponds will be constructed as required by the county and the site engineers.

Mr. Humphrey asked about fencing for the site and where the fenced areas would be.

Mr. King identified fenced in areas, areas used for product display and items for sale as well as locations of where all the proposed buildings would be.

Mr. Cox asked if automobiles that have been wrecked or otherwise in-operable will be taken in and stored on site.

Mr. King stated that that is not their current business practice or interest but may be on a case by case basis.

Mr. Cox asked if salvaged items or cars would be received and then sold for parts.

Mr. King stated that that was not their intent; they repair items not sell parts from items they receive.

Ms. Langley asked about the collection of fluids from wrecked vehicles and trucks being repaired.

Mr. King stated that they would not be disassembling any vehicles but any fluids would be collected by the design of the repair areas and disposed of according to requirements.

Mr. Cox asked Mr. King to explain what 90% of his business entails.

Mr. King stated that sales of repaired and refurbished used trucks and equipment make up the majority of the business.

Ms. Langley asked how does the business fit into the community or serve the community as stated in the comprehensive plan character area designation.

Mr. King answered; that they would be selling items and goods to the community.

There being no additional questions from the Commission or presentation from the applicant, Mr. Ballentine asked if there was anyone wishing to speak in opposition.

Mr. Patrick Smurlo spoke in opposition to the request regarding:

- Proposed use is practically in his back yard and will be visible to everyone in the community
- The proposed uses will not be able to fit on the property and be able to meet the setbacks designated for junkyards
- That the proposed use will bring too much traffic and increase heavy truck traffic
- That the use could pose environmental issues if allowed
- That the Planning Commission should consider moving any storage area away from SC 135 and Connelly Road.

Mr. Phillip Davis spoke in opposition.

- The entrance onto SC 183 should be prohibited but also no access onto SC 135 due to those roads already having too much traffic
- That turn lanes need to be installed into the property
- That the project and business needs to look good and fit into the area

With no additional individuals signed up or otherwise wanting to speak in opposition, Mr. Ballentine opened the floor to the applicant for any rebuttal.

Mr. Eric King appeared before the Commission and provided some rebuttal specifically related to his particular operations; that he runs the truck storage and repair side of the business, K-Tec which is currently located on Jones Street/Belfast Lane in Pickens; that most, if not all of the trucks awaiting repair to then be sold will be stored inside the shop/warehouse area; that very rarely do they have to keep anything outside; that the building size would accommodate everything being kept in the building.

Mr. Smith asked about the number of employees.

Mr. Ron King stated that they currently employ 20 people but hope to increase that to 40 or 60 with the new facility.

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

Mr. Smith motioned that the use be approved with conditions, the conditions being:

1. All outside storage areas for materials defined by the UDSO as junk, junked vehicle, or commercial junk, or other items which otherwise places the proposed use under the standards of Section 316 of the UDSO, must meet all siting and buffer requirements of that section. If those requirements cannot be met or otherwise elected not to be met by the applicant, then outside storage of any kind will not be permitted.
2. Applicant to consider moving the storage buildings to another location.
3. Applicant to consider adding turn lanes into the facility.

Mr. Cox seconded the motion to approve with conditions.

Mr. Ballentine called for a vote.

Mr. Humphrey asked for clarification regarding the conditions for the moving of the buildings and the turn lanes.

Ms. Smith clarified that the added conditions was to have the applicant consider alternatives and asking SCDOT for turn lanes; that he understands SCDOT will dictate if turn lanes would be installed or not required.

Ms. Langley asked about a traffic study.

Mr. Ballentine indicated that he understood that the use does not require a study but that SCDOT may require one.

With no additional discussion or questions, Mr. Ballentine called for a vote on the motion to approve with the stated conditions.

The motion to approve with the stated conditions passed unanimously.

Mr. Ballentine called for the next item and public hearing.

- 2. LU-21-0010 Land Use request for a 240 unit, multi-family residential development on Calhoun Memorial Highway (US 123), Easley. The proposed development is located on approximately 15.1 acres. The applicant is Evolve Companies, LLC. The property owner of record is The Truck Farm of Easley, LLC.  
TMS# 5049-14-44-3222**

Mr. Andrew Allen, Seamon Whiteside, project engineers and Mr. John McDonald, applicant appeared before the Commission but made no presentation; that they stood ready to answer any questions.

Ms. Langley asked about the mix of units within the project.

Mr. McDonald stated that they still haven't settled on an overall offered mix but that all sizes would be provided, from single bedroom to three and possibly some four bedroom units based on demand.

Ms. Langley asked about rents and overall project design.

Mr. McDonald stated that rents would be market based and project design would be very similar to the Bend at Prince Perry project directly behind Wal-Mart in Easley.

Ms. Langley asked about the 2<sup>nd</sup> access going through Grace Office park.

Mr. McDonald explained that during project design, SCDOT indicated to them that they would not be permitted a full access onto US 123, only a right in-right out concept; that to make the project as accessible as possible from both Easley and Greenville, they needed to find an alternative to provide a secondary or additional access; that they approached the owner of Grace Office Park and are currently working out the details and agreements for that additional access; that they are currently undertaking a traffic study, as required by SCDOT to further address the limited access of the site.

Mr. Humphrey asked about impact to the local schools and if contact was made with the district relative to anticipated attendance numbers.

Mr. McDonald stated that they had not spoken with the district but that they would and get a letter presented to staff.

Ms. Langley asked about US 123 and widening plans and setbacks to the building located at the entrance.

Mr. Allen stated that SCDOT did not provide any widening plans or concerns; that the ROW for US 123 seems fairly substantial; that the building as sited now meets minimum setbacks.

Ms. Langley asked about the project entrance from Easley; that as designed and if the second entrance does not happen, someone coming from Easley would have to make a U-turn and the nearest median and then come back to the project entrance.

Mr. McDonald stated that that is why they began to look for a secondary access point.

With no additional questions or presentation, Mr. Ballentine called for any opposition.

Mr. Brink stated that staff received an email from Mr. Norm Sharpe stating his opposition.

With no additional opposition and no need for rebuttal, Mr. Ballentine closed the public hearing portion and opened the floor for a motion.

Commission members discussed the traffic study and the additional entrance and the lack of something from the school district regarding attendance impacts.

Mr. Smith motioned that the item be tabled until such time the Traffic Study could be provided, the second entrance could be agreed upon and addressed, and that the applicant could provide the Commission something from the school district.

Mr. Cox seconded the motion to table.

The motion passed unanimously.

Mr. Ballentine called for the next item and public hearing.

**3. SD-21-0013 Subdivision Land Use request for a one (1) lot addition to an existing development served by a private road (Overlook Drive). The subject tract being divided is approximately 8.60 acres. The applicant is Debra G. Nichols. The property owner of record is the Estate of Marcus Nichols.  
TMS# 5103-00-50-5481**

Ms. Debra Nichols, applicant and property owner, appeared before the Commission and presented her request to subdivide her property; that due to the fact that it is on a private road, Planning Commission approval is required for her to subdivide; that due to her current situation and her living alone, she wishes to subdivide her existing 8 acres, sell the larger tract, and build her something much smaller on the smaller tract; that she can no longer keep up or need the home she currently has.

Ms. Langley asked about the access to her property and the shared drive serving her home and her neighbor's property.

Ms. Nichols stated that there is a shared drive between her current property and her neighbors and this will also be used for her additional parcel; that this drive comes off of Overlook Drive.

With no additional presentation or questions, Mr. Ballentine opened the floor up for anyone to speak in opposition.

Ms. Angela Powell, 116 Briar Patch Road, spoke in opposition.

- Water runoff is and will be an issue if additional homes are allowed
- There are ongoing issues in the subdivision with erosion and drainage due to the properties being on a mountain.

Steve Gilland stated that he was in opposition to the request to subdivide.

Ms. Dianne Kirk spoke in opposition to the request to subdivide.

- That this subdivision would bring too much traffic into the neighborhood
- That the road is private
- That undesirable neighbors would be brought into the neighborhood
- That drainage and erosion is an issue

There being no additional individuals wishing to address the Commission in opposition to the request, Mr. Ballentine asked if Ms. Nichols wished to offer a rebuttal.

Ms. Nichols stated that her property or future plans will not have any impact on drainage issues in the neighborhood; that she has lived in her home for over 30 years and this is the first time she has ever met the neighbors speaking in opposition to her wanting to subdivide.

Mr. Kutilek asked what her future plans were or what she is proposing to build.

Ms. Nichols stated that she is a widow and she can no longer care for the large home she currently lives in; that she wants to stay in the area; that she is wanting to build a much smaller home, about 1200 square feet.

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

Mr. Smith made a motion to approve the subdivision request with a condition. The condition being:

1. That the applicant must work with the county stormwater staff on run-off and drainage issues.

Mr. Cox seconded the motion.

Ms. Langley asked for a friendly amendment with the shared drive be in as easement.

Mr. Smith agreed to add that to his motion.

Mr. Kutilek and Mr. Cox asked for clarification on who currently uses the shared driveway.

Ms. Nichols stated that currently she and her neighbor utilize the shared driveway; that the dividing property line runs down the middle of the drive and her new tract will also use that drive.

Mr. Ballentine called for a vote on the motion to approve with the conditions:

1. That the applicant must work with the county stormwater staff on run-off and drainage issues. Mr. Smith asked if there were any agreements for the use and maintenance of Gossett Lane.
2. The shared driveway must be placed in an easement

The motion to approve with the stated conditions passed unanimously.

Mr. Ballentine called for the next item and public hearing.

- 4. SD-21-0014 Subdivision Land Use and Variance request for a five (5) lot addition to an existing Major Subdivision (Laurel Ridge S/D) served by a roadway defined as a minimum maintenance road (Laurel Ridge Drive, Pickens). The subject tract is approximately 21.5 acres. The applicants and property owners of record are Orestes R. Rodriguez and Ada M. Rodriguez. TMS# 4196-00-77-9903**

Mr. Orestes Rodriguez and Ms. Ada Rodriguez appeared before the commission to present their request to add 5 additional lots to the Laurel Ridge neighborhood; that they understand that the road does not meet minimum county requirements; that they wish to have places for themselves as well as their children to build homes and be close together; that the additional lot will be a safety net in case they ever need to sell it; that they have plans to plant a small orchard and vineyards but not for commercial reasons.

Ms. Langley asked about the planned agricultural use and areas of the property.

Mr. Rodriguez indicated that areas have been set aside for the family to have some agricultural areas for personal use and enjoyment and for potential future use.

Ms. Langley stated she has concerns with the ponds on the property and all the agricultural chemicals and erosion that could impact them.

Mr. Rodriguez stated that they would not do anything to impact the waterways on the property; that they are the reason they purchased the property many years ago and wish to make it their permanent residence.

Mr. Ballentine asked about the minimum maintenance of the roadway and if there were plans to upgrade the road.

Mr. Rodriguez stated that he would not be able to afford to upgrade the roads by himself and that he has no plans to do so.

With no additional presentation by the applicant and no additional comments or questions from the Commission, Mr. Ballentine called for anyone wishing to speak in opposition.

Mr. John Weirlock spoke in opposition.

- That the road needs to be re-paved by the county, not the residents in the neighborhood
- That the roads are very narrow
- That he has concerns with the lack of erosion control measures and run-off oversight after a rain
- That mailboxes need to be relocated
- All utilities in the neighborhood need to be underground to protect from snow and ice
- That the ponds in the neighborhood are drying up
- That the neighborhood has no covenants or restrictions keeping the property owner from doing what they want to do

Mr. Ballentine moved to applicant rebuttal.

Mr. Rodriguez offered no rebuttal but stressed his family's desire to subdivide the property to provide home sites for each child.

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

Mr. Smith motioned that the request be approved with conditions. The conditions being:

1. The County must upgrade Laurel Ridge Drive.
2. No more than 5 lots shall be added without additional Planning Commission approval.

Mr. Cox seconded the motion.

Motion passed 3-2, with three members in favor and two members in opposition.



Mr. Ballentine called for the final public hearing.

5. **SDV-21-0007 John Michael Murphree 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 Lakeside Drive, Six Mile. The property owner of record is Murphree Farm, LLC  
TMS# 4141-00-23-7048**

Mr. Mike Murphree appeared before the Commission and presented his request to add an additional lot, being the 4<sup>th</sup>, onto the shared drive located at the end of Lakeside Drive; that his family owns the property and several family members reside there; that his mother has agreed to give him a small tract to build a small cabin that he will live in as his primary residence.

Mr. Smith asked who lives in the homes currently on the property.

Mr. Murphree stated that family members reside in the three existing homes and a tenant resided in the additional.

Ms. Langley asked about the number of dwellings currently on the property; that she counts at least 4 dwellings on the property but he has indicated there are only three.

Mr. Murphree stated that the 4<sup>th</sup> is the small cabin that he resides in; that it is a converted accessory building but does not have its own power, water, or septic connection; that technically it is not a separate dwelling.

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

Mr. Smith motioned that the request be approved as presented. Ms. Langley seconded the motion. The motion to approve as presented passed with 4 members for the approval and 1 member in opposition (Ms. Langley).

Mr. Brink asked for clarification on the motion to approve and the action taken; that the second made on the motion was not identified as a second for discussion but rather a common second; that for memorialization purposes and to accurately capture positions by the Commission; that Ms. Langley voted against her own second to approve; that perhaps, to clean the record, a new motion would be in order.

Mr. Smith motioned that the request be approved as presented. Mr. Cox seconded the motion. The motion to approve as presented passed with 4 members (Cox, Humphrey, Smith, Kutilek) in favor and 1 member (Langley) in opposition.

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

Staff updated the Commission on the Comp Plan and presented the official draft plan that will be considered on January 27<sup>th</sup>, along with the resolution to recommend adoption by County Council.

### ***Adjourn***

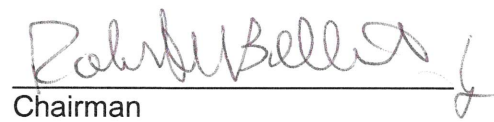
There being no additional matters to be taken up by the Commission, Mr. Cox motioned that the meeting be adjourned. Mr. Smith seconded the motion to adjourn. The meeting was adjourned at 9:15pm

Submitted by:

  
Secretary

2/14/22  
Date

Approved by:

  
Chairman

2-14-2022  
Date