

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

March 14, 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, 2022 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
Bobbie Langley
Jon Humphrey
David Cox
Matthew Kutilek

STAFF PRESENT:

Les Hendricks, County Attorney
Chris Brink, Community Development Director
Ray Holliday, County Planner

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.

Mr. Kutilek motioned that tonight's agenda be amended to move the public hearing for LU-22-0001 to be the 1st item under the Public Hearing agenda section. Mr. Stancell seconded the motion. The motion to amend the order of the agenda; moving LU-22-0001 to be the 1st Public Hearing item under the Public Hearing section of the agenda passed unanimously (7-0).

Approval of Minutes

Mr. Ballentine called for corrections or for a motion regarding the minutes of the February 14, 2022 meeting.

Mr. Stancell motioned that the minutes be approved as presented. Ms. Langley seconded the motion.

The motion to approve the February 14, 2022 minutes passed unanimously (7-0).

Public Comments

Mr. Ballentine briefly went over the procedures that will be followed for both the public comment period as well as for the public hearings.

Ms. Karen Martinez appeared and spoke on the importance in preserving SC HWY 11.

- People are moving to the upstate primarily along Highway 11
- The additional people bring the need for businesses in the area
- With new businesses, there is too a need for security lighting for those businesses
- That consideration needs to be made in future ordinances for night lighting that does not shine or be harmful to animals
- Such lighting carries no additional costs

Public Hearings

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

- 1. LU-22-0001 Land Use approval for a 15 site RV Park and Campground on approximately 5 acres of a larger 7.10 acre tract. The subject property is located at 107 Country Creek Road, Pickens. The applicant is Teresa Lewis. The property owners of record are James and Teresa Lewis. TMS# 4197-00-90-6443**

Mr. Brink asked Mr. Ballentine if he could take a few moments to address potential action on this case; that Ms. Lewis had proposed to withdraw her land use request at this time and eliminate the need for a public hearing on the proposed RV Park and Campground; that while the application was submitted and accepted, the recent moratorium placed on development along the SC 11 Corridor would prohibit any action being taken on the request; that it would be better suited that the case allowed to be withdrawn and to be resubmitted after the development moratorium is lifted.

Mr. Hendricks also provided members of the Commission with some guidance regarding the withdrawal and acceptance of public comment if warranted.

Ms. Teresa Lewis, applicant and property owner, appeared before the Planning Commission to request that her application be withdrawn but that she be permitted to reapply after the moratorium is lifted by council.

Mr. Ballentine asked for a motion to accept Ms. Lewis's request to withdraw her application from consideration.

Mr. Stancell provided a motion to accept Ms. Lewis's request to withdraw her application and this withdrawal be without prejudice.

Ms. Langley seconded the motion to allow the withdrawal. The motion passed unanimously (7-0).

Mr. Ballentine offered to reopen the public comment period recognizing the audience in attendance and that this should be at least an additional 15 minutes of public comment but to limit time devoted to each speaker to 1 minute each.

Mr. Ballentine asked for a motion to reopen public comment period.

Mr. Kutilek motioned that the public comment period be reopened; allowing for a minimum of 15 minutes for such comment period or until such sufficient time has been permitted allowing for the topic to be properly discussed.

Ms. Langley seconded the motion to re-open the public comment period. The motion passed unanimously (7-0).

Mr. Ballentine called for the 1st signed up speaker; working off the public hearing sign in sheet.

Mr. Steve Lorch appeared to speak but withdrew his time.

Ms. Elizabeth Myers appeared.

- She has lived on SC 11 for 22 years
- The area is unique, a hidden jewel
- The Commission needs to take a close look at what needs to be protected in the area.
- That the Council is currently working on a plan for SC 11

Mr. Steve Watson appeared and spoke on the proposed RV Park.

- He lives behind Aunt Sues but is fearful of losing his peace and solitude
- That traffic will be a big issue, especially at the intersection with Highway 11

Ms. Karen Martinez spoke to members of the Commission.

- Not in favor of a RV park or campgrounds in the area or along HWY 11

Mr. Kevin Keller spoke to members of the Commission on the RV park.

- Appreciative of the Lewis's withdrawing their request for the park
- The location of the proposed park was not ideal

Mr. Ballentine asked for anyone else that had signed up to speak that hadn't yet been heard.

There being none, Mr. Kutilek asked that anyone that hadn't signed up to speak be allowed an opportunity to be heard.

Mr. Ballentine asked for those that would like to speak.

Ms. Amy Barker spoke to the Commission.

- She lives on South Saluda road and that the traffic from the recycling center and Aunt Sues and now the proposed RV park would increase traffic in the area
- That so much traffic will be unsafe

Ms. Amanda Myers appeared and spoke to the Commission.

- The neighborhood and community will be negatively impacted by the RV Park
- Peace and quiet would be lost and harmed

Mr. Byron Myers also spoke to members of the Commission.

- That SC 11 is beautiful and additional RV parks are not needed
- That the proposed park would not be hidden
- He is afraid that Pickens County wants SC 11 opened up to development and stores

Ms. Deborah Hudson appeared and spoke to the Commission.

- There is a hidden agenda by ACOG
- That ACOG provides training to members of the Commission and such training is coming directly from Washington, D.C.

Ms. Pauline Keller spoke and provided comments to the Commission.

- SC 11 is now noisy and there needs to be some noise standards
- Any commercial development would be disruptive to the area
- That signage along SC 11 are not being properly enforced
- Traffic has become terrible and unsafe

Mr. Mark Keel appeared and provided comments.

- If approved, RV parks on SC 11 would spring up everywhere if you tell one yes what do you also tell the rest that want to come
- There are no design standards for RV parks

Mr. David Kolber spoke to Commission members.

- The S. Saluda, Country Creek Road, New Hope Road, SC 11 intersection is very dangerous now and will be worse when RV parks come in.

Ms. Keel spoke to the Commission.

- Ms. Lewis's letter of intent spoke to the desire to make her RV park just like the state park.

Ms. Robin Billingsley spoke to the Commission.

- That Pickens County wants SC 11 to be like Pigeon Forge but is that what the citizens want?
- All for property rights but no development should be permitted along SC 11

Mr. Jay Slone spoke to the members of the Commission.

- That proper notification was not given regarding this meeting
- The county must do a better job at providing notifications of important meetings

Mr. Kutilek addressed the public and spoke on the importance of SC 11 to Pickens County and what the responsibilities of the Planning Commission are.

Ms. Elizabeth Allen offered her comments to the Commission

- SC 11 is a fun road for some cars but it seems like it would not be for the big RVs that would now travel the highway
- The Commission should consider impact on all roads

Mr. Kevin Snyder appeared and spoke.

- He lives on Castle Creek Road
- SC 11 and Pickens County should be really proud of the corridor
- The county needs to be really careful with development along the road

Ms. Lisa (?) appeared and spoke to the Commission.

- Thankful for the withdrawal and for planning staff recognizing the moratorium
- Appreciative for the 6 months to have something put in place

There being no additional comments, Ms. Lewis asked if she could have a few moments to also provide some comments.

Ms. Lewis stated that she and her husband bought Aunt Sue's in 2012 and also lives along SC 11; that her RV park was previously approved by the Planning Commission in 2012 but agreed with county staff that a new application would be wise and agreed to reapply; that she and her husband have felt attacked by members of the community, the same members of the community which she serves and will continue to serve.

Ms. Langley provided notice to the public present of the upcoming Public Meeting on the SC 11 Plan on March 31st at 6:00pm at Holly Springs School; that she encouraged everyone to attend.

Mr. Cox provided some background on open development allowed along SC 11 and that the lack of true public utilities has been what has kept SC 11 like it has been for so long; that he felt it wasn't the intent of the Planning Commission, county staff, or the County to bring uncontrolled growth to SC 11.

Mr. Clayton Kerr spoke to the fact that the lack of utilities may have slowed growth and that that was the same pitch Jim Anthony sold the public in the 1990's when he 1st developed his Cliffs projects that is now driving a lot of growth on SC 11.

Mr. Ballentine called for any additional public comments.

There being none, Mr. Ballentine thanked everyone for their comments and reminded everyone of the March 31st meeting.

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

**2. SDV-22-0001 John Galivan requesting a subdivision variance from the Pickens County development standards regarding division of property on a substandard private residential access classified as a private road. The property is located on Roanoke Ridge Road, Liberty. The property owner of record is Samuel D. Neely and Martha F. Neely.
TMS# 4089-00-14-4131**

Mr. John Galivan appeared before the members of the Commission and provided a very general background on the variance request; that he, his father, and brother went in together to purchase the property for their future home sites; that in order to obtain mortgages to build their own dwellings, the property would need to be subdivided; that the proposed division was the easiest and less impactful to the adjacent neighbors and property owners.

Mr. Chad Neely, adjacent property owner, 351 Roanoke Road, appeared before the Commission and spoke in favor of the variance and that he had no concerns with what was being proposed.

With no additional comments or presentation of the applicant and no one else present to speak in favor, Mr. Ballentine opened the floor to anyone wishing to speak in opposition.

Mr. Kevin Keller of 116 Dorothy Lane, appeared and spoke to the issue with substandard roads in Pickens County and the continued development along these roads; that there is no maintenance agreement for Roanoke Ridge; that a lawsuit would need to be filed just to get a private road maintained without one.

Mr. Galivan confirmed that there is no maintenance agreement along the road.

Ms. Langley reaffirmed that a maintenance agreement is required by county standards.

Mr. Stancell stated that he visited the site and there are some very large pot holes along the road; that he met an oncoming car that was having trouble navigating the narrow road and the pot holes.

Mr. Kutilek asked what was the intent of the proposed tracts.

Mr. Galivan stated that each family member would own their individual tract for personal use and to build personal homes in the future.

Ms. Langley asked had they considered building their own private road or shared road.

Mr. Galivan stated that the only location suited for such a road would put it up against the neighbor's property and they would have to cross a creek.

With no further questions or comments, Mr. Ballentine closed the public hearing.

Mr. Smith motioned that the variance be granted, provided:

- A maintenance agreement be provided and established for the roadway.

Mr. Stancell seconded the motion.

Members of the Commission discussed how to make all property owners along the road, some in the back of the roadway, to participate and agree to maintenance and if someone said no that would prohibit the division of property as requested.

Mr. Smith agreed to a friendly amendment to his motion to require a maintenance agreement between only the family members proposing to divide their tract and to only be responsible for maintaining their portion of the road.

Mr. Stancell seconded the amended motion.

Commission members again discussed the motion and maintenance agreement with Mr. Cox asking how would any such condition be enforced.

Mr. Smith withdrew his motion to approve.

Mr. Stancell also withdrew his second.

Mr. Smith motioned to approve the variance as presented.

Mr. Stancell seconded the motion. The motion to approve the variance request as presented passed unanimously (7-0).

Mr. Ballentine called for the final case and public hearing.

**3. SDV-22-0002 David Merck requesting a subdivision variance from the Pickens County development standards regarding division of property on a substandard private residential access classified as a common drive. The property is located on Kelly Merck Road, Central. The property owner of record is David E. Merck.
TMS# 4047-00-60-7886**

Mr. Rick Merck and his father David Merck appeared before the Commission and offered to answer any questions they may have; that his father is wanting to divide the balance of the family estate to provide to family members in the future; that there is currently only one home on the entire tract and that home would be located on one for the proposed parcels; that there is no plan, in the immediate future, to place any additional homes on the property. That there is a maintenance agreement, recorded, for maintenance of Kelly Merck Road.

Mr. Ballentine asked about the location of the proposed additional tracts.

Mr. Merck stated that the 3 additional parcels would be located at the end of Kelly Merck Road and be accessed by a shared drive coming off of Kelly Merck.

Mr. Smith asked about the number of proposed lots and the new total.

Mr. Merck stated they only intend to create the 3 additional tracts, bringing the total on Kelly Merck to approximately 10 parcels.

With no additional comments or questions and no one present to either speak in favor or in opposition, Mr. Ballentine closed the public hearing and called for a motion.

Mr. Stancell motioned that the variance request be approved.

Mr. Cox seconded the motion. The motion to approve the variance request passed unanimously (7-0).

Commissioners and Staff Discussion

Staff provided updates on the Comprehensive Plan process as well as the SC 11 Corridor Study and Planning Commission participation and action moving forward.

Mr. Smith asked that from now on, public comment be limited to 3 minutes rather than the 1 minute allowed this evening.

Mr. Smith also asked that we not make dark sky lighting a blanket requirement on all development; that if those restrictions are needed that they be on a case by case basis.

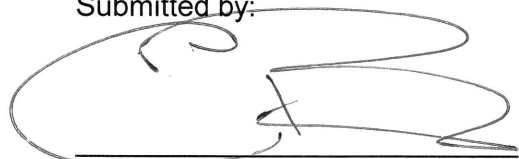
Mr. Kutilek asked about the election of officers; that he noted that officers are elected in March or April each year.

Staff provided the election of officer provision from the Bylaws; that election of officers takes place at the 1st regular meeting after May 31st.

Adjourn

There being no additional matters to be taken up by the Commission, Ms. Langley motioned that the meeting be adjourned. Mr. Cox seconded the motion to adjourn. The meeting was adjourned at 8:12pm

Submitted by:



Secretary

4/11/2022
Date

Approved by:



Chairman

4/11/2022
Date