

MINUTES
LEXINGTON COUNTY PLANNING COMMISSION
February 16, 2012

The Lexington County Planning Commission held its regular monthly meeting on Thursday, February 16, 2012, at 8:00 a.m. in the Council Chambers on the second floor of the County Administration Building. Attendance for the meeting was as follows:

Members Present:

Rock Lucas
Warren Cope
Michael Shealy
Pat Dunbar
Lee Matthews
Robert Spires

Staff Present:

Jack Maguire
Chris Folsom
Sharon Willis
Janet Turner
Walt McPherson
Kimberly Brown
Chris Stone
Rebecca Conway

Members Absent:

Andy White
Keith Myhand
David Laird

Others Present:

Pat Jackson
Carol Plexico
Jean Beard
Michael Fox
Art White
Allen Wise
Charles Crosby
David Parr

The meeting for February 16, 2012 was called to order at 8:00 a.m. by Chairman Rock Lucas. Robert Spires gave the invocation for the meeting.

Chairman Lucas announced that Zoning map Amendment #M11-05 (The Palms at Rocky Point Phase II) was withdrawn the previous night so it would not be presented as listed on the agenda. He stated that any who were there for that item were certainly welcome to stay for the remainder of the meeting.

Election of Officers: Chairman Lucas stated that the first item on the agenda would be the election of officers. He stated that the position of Secretary was held by a staff member and asked for any recommendations for appointment. Warren Cope made a motion to re-appoint Charlie Compton as Secretary and Robert Spires seconded the motion. Mr. Lucas stated that the next position to select would be Vice Chairman. Pat Dunbar made a motion to re-elect Andy White as Vice Chairman and Warren Cope seconded the motion. Mr. Lucas stated that the next position would be Chairman. Michael Spires made a motion to re-elect Rock Lucas as Chairman. Pat Dunbar seconded the motion. There was no discussion and a single vote was taken to cover all motions as follows:

<u>In Favor:</u>	Dunbar Matthews Shealy Cope Lucas Spires	<u>Opposed:</u> none	<u>Not Present:</u> Laird Myhand White
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Minutes: Chairman Lucas stated that the next item for approval would be the minutes at Tab B. Pat Dunbar made the motion to approve the December 2011 minutes and Warren Cope seconded the motion. There was no further discussion and the vote for approval of the minutes was as follows:

<u>In Favor:</u>	Dunbar Matthews Shealy Cope Lucas Spires	<u>Opposed:</u> none	<u>Not Present:</u> Laird Myhand White
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Activity Reports: Chairman Lucas stated that the next items on the agenda were the Activity Reports at Tab C, D, E, and F. Jack Maguire stated that there were a couple of introductions to be made. He introduced Chris Folsom who came to Community Development from Animal Services and has now accepted the position of Development Administrator that was held by Bruce Hiller. Mr. Maguire also introduced Kimberly Brown who is now with Stormwater Management at Public Works. Both new staff members were welcomed by the Commission and Rock Lucas added that Chris Folsom has big shoes to fill due to the excellent job that Bruce Hiller had done.

Mr. Maguire continued with the Activity Reports noting that the 2011 Annual Report will be updated with more information. He stated that December 2011 through the first 14 days of February are very encouraging. December 2011 showed 34 site-built homes and 25 mobile homes. January 2012 showed 98 site-built homes compared to a very low number in January 2011. For the first 14 days of February there were 37 site-built home permits. He noted that all of these numbers are still not great but it is a definite sign of improvement.

Mr. Maguire stated that Economic Development is continuing to bring in new industry. Nephron, which was announced last fall, is now in the process of putting up their building and will soon be hiring. This will be located in the Saxe Gotha Industrial Park.

Private Road Subdivision -- Frye Road Extension (J. W. Hendrix/applicant): Chairman Lucas stated that the next item on the agenda was the Frye Road Extension at Tab G. Janet Turner and Chris Stone presented the request for the private road subdivision and stated that Art White, David Parr, and Mrs. Black were present at the meeting. Mrs. Turner’s presentation included aerial maps, plats, and ground photography.

James W. Hendrix owns two lots containing a total of 15.39 acres off the end of Frye Road, a County-maintained dirt road off Corley Mill Road near Lexington accessed by a 30-foot wide easement across the property of William and Dawn Creasman at 262 Frye Road (TMS #03698-03-038). Mr. Hendrix wants to subdivide the 15.39 acres into four lots by constructing a new

private road. He will dedicate the right-of-way when the road gets to his property up to the required 50 feet as needed, but is unable to obtain right-of-way for the 30-foot easement from the Creasmans or the adjoining Black property (TMS#03696-03-037). He will be creating two flag lots sharing a 20-foot wide driveway, which requires a variance from the 50-foot wide driveway required by the Planning Commission’s Access Policy for accessing lots over two acres. Also a variance is required for the 30-foot right-of-way portion of the private road.

During the discussion Pat Dunbar asked if staff supported the request. Ms. Turner stated that Ms. Brown reviewed the engineering plans and they showed that they did meet County minimum requirements. Pat Dunbar moved to approve the request the way it was applied for with staff support of the request. There was more discussion with Mr. Dunbar amending his motion making it subject to changing the 50-foot flag lot driveway. Robert Spires seconded the motion.

Additional discussion continued including David Parr of Power Engineering, Art White (attorney and land surveyor) and Ms. Joan Black, an adjacent property owner on Frye Road. After this additional discussion, Pat Dunbar stated that he would withdraw his motion and Michael Shealy made a motion to approve the request agreeing to the 30-foot easement with the condition that there be an agreement with Mr. Parr and those he represents as well as Ms. Black to shift the easement over to her property which she agreed to this morning for a reasonable amount plus the 50-foot driveway on Mr. Hendrix’s property. Lee Matthews seconded the motion. There was no further discussion and the vote for approval of the Frye Road Extension Private Road Subdivision was as follows:

<u>In Favor:</u>	Dunbar Matthews Shealy Cope Lucas Spires	<u>Opposed:</u> none	<u>Not Present:</u> Laird Myhand White
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Private Road Subdivision – Lolita Lane (Pat Jackson/applicant): Chairman Lucas stated that the next item on the agenda was Lolita Lane (Pat Jackson/applicant) at Tab H. Janet Turner and Chris Stone presented the request for the private road subdivision and stated that Ms. Jackson was present for the meeting. Mrs. Turner’s presentation included aerial maps, plats, and ground photography.

Pat Jackson is the original developer of the Pat Jackson Subdivision, a seven-lot private dirt road subdivision located off of the paved State-maintained Calks Ferry Road. Ms. Jackson obtained approval from the Planning Commission in 2005 to further subdivide three of the lots into two lots each for a total of ten lots using the private road. However, there were conditions for this approval, which have not been met and the five-year limit for the approval has passed. According to the minutes from the March 17, 2005 meeting, the following items were required: 1) install a turn-around 2) reshape and add gravel to the road 3) amend the Road Maintenance Agreement to include signatures of a majority of all previous property owners who signed the original Agreement and owners of the new lots. The current residents of Lot D, Kathy and Ronald Riley, are close to paying off the owner-financed loan for about .5-acre with Ms. Jackson and would like to be able to have the property deeded to them with a survey of their lot.

There was discussion of the request and Michael Shealy made the motion to approve the request bringing it back to standard requirements and complete the items requested. Mrs. Turner explained that Ms. Jackson is requesting to have it approved as is now. Mr. Shealy withdrew his motion. There was continued discussion including Ms. Jackson. Lee Matthews made a motion to require her to come into compliance with the cul-de-sac she has on the end and to approve again the ten lots that were approved in 2005. The discussion continued with Ms. Jackson.

Mr. Matthews then clarified his motion with the additional information requiring Pat Jackson to maintain a 50-foot right-of-way down Lolita Lane and create a 100-foot cul-de-sac in a deeded right-of-way back to the property owners to bring it up to County requirements. Pat Dunbar seconded the motion. There was no further discussion and the vote for approval of Lolita Lane private road subdivision was as follows:

<u>In Favor:</u>	Dunbar	<u>Opposed:</u>	none	<u>Not Present:</u>	Laird
	Matthews				Myhand
	Shealy				White
	Cope				
	Lucas				
	Spires				

Private Road Subdivision – Virginia Pine Lane (Michael E. Fox/applicant): Chairman Lucas stated that the next item on the agenda was the Virginia Pine Lane (Michael E. Fox/applicant) at Tab I. Janet Turner and Chris Stone presented the request for the private road subdivision. Mrs. Turner’s presentation included aerial maps, plats and ground photography.

Michael Fox is representing the Fox family in this request to give two acres to another family member out of the 8.89 acres tract remaining in the family property located off Virginia Pine Lane, a privately-maintained dirt road off of Dickert Drive, a State paved road. They propose to access the new two-acre lot by sharing an existing 50-foot wide access easement from Virginia Pine Lane across the family estate tract to an existing two-acre lot. Sharing this 50-foot wide access easement would also require two variances since the Planning Commission’s Access Policy does not allow two lots to share an easement and the easement would be going over two parcels of land.

There was discussion from several members before making a motion. Michael Shealy made the motion to approve the request for Virginia Pine Lane and Robert Spires seconded the motion. There was an additional short discussion including comments from Michael Fox. The vote for approval of Virginia Pine Lane private road subdivision was as follows:

<u>In Favor:</u>	Dunbar	<u>Opposed:</u>	none	<u>Not Present:</u>	Laird
	Matthews				Myhand
	Shealy				White
	Cope				
	Lucas				
	Spires				

Subdivision Bonds: Chairman Lucas stated that the next item was Zoning Map Amendment #M11-05 (The Palms at Rocky Point Phase II) which was removed from the agenda; therefore the Commission will move to the Subdivision Bonds at Tab M. Janet Turner shared that

Lexington County collected on three different subdivisions. She went through all of the subdivisions that are coming up for the renewal of bonds, noting that if they are basically finished the County gives them deadlines to finish. Some have and some have not but the developers are still working with the County to finish the subdivisions and it does not look like the County will have to step in and finish these. The items that need to be finished are mostly minor punch list issues.

Road Classifications: Chairman Lucas stated that the next item on the agenda was the month of January and February Road Classifications at Tab N and Tab O. Robert Spires made the motion to approve the Road Classifications as recommended and Warren Cope seconded the motion. With no further discussion the vote for the road classifications was as follows:

<u>In Favor:</u>	Dunbar Matthews Shealy Cope Lucas Spires	<u>Opposed:</u> none	<u>Not Present:</u> Laird Myhand White
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Adjournment: With no further business or discussions the meeting was adjourned at 9:05 a.m.

Respectfully submitted,

Approved,

(signed copy on file)
Jack Maguire for
Charlie Compton
Secretary

(signed copy on file)
Rock Lucas
Chairman