

MINUTES
LEXINGTON COUNTY PLANNING COMMISSION
November 20, 2014

The Lexington County Planning Commission held its regular meeting on Thursday, November 20, 2014, at 9:00 a.m. in the Council Chambers on the second floor of the County Administration Building. Attendance for the meeting was as follows:

Members Present:

Keith Myhand
Rock Lucas
Robert Spires
Michael Shealy
Lee Mathews

Staff Present:

Charlie Compton
Sharon Willis
Synithia Williams
Rebecca Conway

Members Absent:

Andy White
Pat Dunbar
David Laird

Others Present:

Joey Privette
Betty Timmerman
Stuart Ford
Rosemarie Nuzzo
Kassie Judy
Robert Judy

The meeting for November 20, 2014, was called to order at 9:00 a.m. by Chairman Rock Lucas. Robert Spires gave the invocation for the meeting.

Minutes: Chairman Lucas stated that the first item on the agenda was the minutes from the October 16, 2014, meeting at Tab R. Michael Shealy made the motion to approve the minutes and Keith Myhand seconded the motion. There was no further discussion and the vote for approval of the October 16, 2014, minutes was as follows:

In Favor: Lucas
Spires
Myhand
Shealy
Matthews

Opposed: none

Not Present: Laird
White
Dunbar

Activity Reports: Chairman Lucas stated that the next items on the agenda were the Activity Reports at Tabs S, T, and U. Charlie Compton presented the chart for site-built and manufactured housing permits to the Commission. He stated that we had another strong permitting month for site-built permits with 115 issued. October was a little ahead of September even though slow sales and listings were down for Columbia area. Mr. Compton also stated that for the first fifteen days of November only 34 site-built permits were issued and 20 manufactured home permits were issued.

The pipeline chart showed no additional lots proposed for October; therefore the lot location map is the same as the previous month.

Floodway Encroachment Variance: Town of Lexington Wastewater Metering Station – Methodist Park Road (Town of Lexington/applicant) Chairman Lucas stated that the next item on the agenda was the Floodway Encroachment Variance at Tab V. Chris Stone presented this request to the Commission along with photos, aerials and maps. He also stated that Stuart Ford and Rosemarie Nuzzo from the Town of Lexington and Joey Privette of American Engineering were present for questions regarding the variance.

American Engineering Consultants, Inc., on behalf of the Town of Lexington, is requesting a variance to construct a wastewater flow metering station off Methodist Park Road near the intersection of Augusta Highway. The metering station is proposed to be built in the floodway of Six Mile Creek. According to the Lexington County Land Development Manual; (Section 6.10, Paragraph E.1.) “No encroachments, including fill, new construction, substantial improvements, or other development shall be permitted in the floodway.”

The Commission is being asked for a variance to the floodway ordinance to allow the metering station to be placed in the floodway. Variances of this nature are governed by Code 44 of Federal Regulations, Chapter 1, Section 60.0 (Latest Addition), otherwise known as the National Flood Insurance Program Regulations. A variance of this nature must be based on demonstration of the following: Good and sufficient cause; determination that failure to grant a variance would result in exceptional hardship to the applicant; a determination that the granting of the variance will not result in increased flood height, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud or victimization of public, or conflict with the existing local laws or ordinance; and a variance is the minimum necessary, considering the flood hazard, to afford relief.

American Engineering Consultants has submitted a “No Rise Certification” report to prove the proposed metering station would not result in any increase in the flood levels during the occurrence of the base flood discharge (100-year storm).

After a brief discussion Michael Shealy made the motion to approve the floodway encroachment variance for the Town of Lexington wastewater metering station. Lee Matthews seconded the motion. There was no further discussion and the vote for approval of the floodway encroachment variance was as follows:

<u>In Favor:</u> Lucas Spires Myhand Shealy Matthews	<u>Opposed:</u> none	<u>Not Present:</u> Laird White Dunbar
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Private Road Subdivision: Big “T” Estates – Phase 3 (Kassie Judy/applicant) Chairman Lucas stated that the next item on the agenda was the private road subdivision, Big “T” Estates, Phase 3, with Kassie Judy as the applicant at Tab W. Synithia Williams presented this to the Commission along with photos, aerials and maps. She also stated that Kassie Judy and Robert Judy were present for any questions regarding the subdivision.

Kassie Judy would like to purchase a 9.20-acre tract out of a 50-acre tract owned by Carolina Living, Inc. on Sonny Boy Poole Road, a privately maintained dirt road off of Fallaw Road, a paved State-maintained road (#SC 32-101). This subdivision was approved in 1982 with a Road

Maintenance Agreement for several phases of Big “T” Estates. This subdivision predates the Planning Commission’s current Private Road Policy which would have limited the number of lots to 10. The approval of this 9.20-acre tract will create the 16th lot using this private dirt road. Kassie Judy’s grandfather and cousins living along this road help maintain it. Kassie has obtained signatures from several of the property owners who do not object to the subdividing to allow Kassie to move her double-wide mobile home there. The road only has a 25-foot right-of-way where this proposed lot begins and the survey will need to be corrected to show the existing right-of-way.

The existing dirt road is passable with a few rough places and areas for water to pond. There are no sight distance issues at the intersection of Fallaw Road.

There is an existing Road Maintenance Agreement for Big “T” Estates which was recorded in 1981 prior to the Planning Commission’s Private Road Policy. In the agreement, there are no restrictions which prohibit further subdividing and no provisions for revising the agreement.

After a brief discussion Robert Spires made the motion to approve the private road subdivision request for Big “T” Estates, Phase 3, and Michael Shealy seconded the motion. There was no further discussion and the vote for approval of the private road subdivision request was as follows:

<u>In Favor:</u> Lucas Spires Myhand Shealy Matthews	<u>Opposed:</u> none	<u>Not Present:</u> Laird White Dunbar
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Subdivision Bonds: Chairman Lucas stated that the next item on the agenda was Subdivision Bonds at Tab Y. Synithia Williams indicated that this was for information only.

Adjournment: With no further business the meeting was adjourned at 9:20 a.m.

Respectfully submitted,

Approved,

(signature on file)
Charlie Compton
Secretary

(signature on file)
Rock Lucas
Chairman