



# Spartanburg County

## Planning and Development Department

### MINUTES

Planning and Development Commission  
County Council Chambers, 4:30 p.m.  
**January 07, 2020**

**Members Present:**

Whit Kennedy, Chairman  
Doug Brackett, Secretary  
Allen Newman  
Les Green  
Martial Robichaud  
Donna Turner Williams

**Members Absent:**

Toby McCall, Vice Chairman  
Jerry Gaines  
Stewart Winslow

**Staff Present:**

Joan Holliday, Interim Planning Director  
Leigh MacDonald, Senior Planner  
Rachel Dill, Development Coordinator I  
Ginny Dupont, County Attorney  
Richie Smith, Development Coordinator  
Azriel Gonzales, Engineering Coordinator

*NOTICE: Pursuant to Section 30-4-80 of the S.C. Code of Laws, the annual notice of meetings for this Commission was provided on or before January 1, 2015 via the County website. In addition, the Agenda for this Meeting was posted on the bulletin board at the entrance to the Administration Building as well as on the County's website and was emailed to all persons, organizations, and news media requesting notice.*

**1. Call to Order**

**2. Approval of Minutes (December 03, 2019 Regular Meeting) & (December 16, 2019 Special Meeting)**

Les Green made a motion to approve the December 03, 2019 minutes as submitted. Allen Newman seconded the motion. The motion carried with vote of 6 to 0.

Doug Brackett made a motion to approve the December 16, 2019 special meeting minutes as submitted. Martial Robichaud seconded the motion. The motion carried with a vote of 6 to 0.

**3. Old Business – None**

**4. New Business – None**

**5. Public Hearing –**

**a. Variance Request – The Villas at North Springs**

**Clark Rd., Boiling Springs, SC 29316**

**Tax Map Number: 2-36-00-092.05**

**Variance on setback.**

Leigh MacDonald presented the following staff report:

**1. Factual Dates**

a. Variance Applications Received	12/10/2019
b. Deadline for Variance	12/10/2019
c. Public Notice – Herald Journal	12/22/2019
d. Adjoining Property owners notified	12/20/2019
e. Variance Sign Posted on Property	12/23/2019
f. Planning Commission Meeting	01/07/2020

**2. Background Information**

A variance request has been submitted on two lots within The Villas at North Springs subdivision. The applicant has expressed a desire to dedicate right-of-way to the County as part of the Final Plat process. The Preliminary Plat showing a 20' rear setback from the designated right-of-way of Clark Rd. on lot #'s 8 and 9 was conditionally approved by the Planning Commission on November 07, 2017 and subsequently received Preliminary Plat approval by the Planning Department Staff. In the Unified Land Management Ordinance, Table 3a – Residential Setbacks and Other Requirements, Footnote (Z) states, “All setbacks on roads are front setbacks as required by the road classification except as in footnote (N).” When the Final Plat was submitted, it was discovered that this 20' rear setback should have instead been a 30' front setback from the designated right-of-way of Clark Rd. The applicant is therefore requesting to reduce the front setback on Clark Rd. to 20' from 30' as required in Section 2.02-1 Dimensional Standards, Table 3a – Residential Setbacks & Other Requirements.

**3. Staff Position**

The Planning Department Staff mistakenly recommended to the Planning Commission the approval of the project that did not meet required setbacks. The applicant has therefore proceeded with construction and design anticipating a larger building area, which will no longer support the expected building plans. All other requirements of the ULMO will be met.

Chairman Kennedy opened the public hearing.

Paul Harrison was sworn in. Mr. Harrison is an engineer with Bluewater Civil Design. He is speaking in favor of the variance. Mr. Harrison identified the property line and said that previous staff said the setback was different than the one stated in the ULMO. He also stated that previous jobs were approved with the same setback.

He said that the larger setback would be a hardship and cause extreme cost to the developer. Mr. Harrison said the Planning Commission had previously approved the project with the current setbacks.

Chairman Whit Kennedy addressed Joan Holliday and asked if she had any comments. Ms. Holliday recommended that we allow the setback to be 20 feet since it was an error by the previous staff.

Chairman Kennedy asked if this would impact the widening of the road in the future and Ms. Holliday said that it would not.

Chairman Kennedy asked if anyone else would like to speak.

Chairman Kennedy closed the public hearing.

**6. Discussion Items – None**

**7. Unified Land Management Ordinance (No. O-99-015)**

**A. Subdivisions**

**1. Major (Preliminary Plats) –**

**a. Hawk Ridge**

Leigh MacDonald presented the following Staff Report:

**1. Factual Dates**

a.	Plats and Application received	12/11/2019
b.	Planning Commission deadline date	12/17/2019
c.	Planning Commission Meeting	01/07/2020

**2. Background Information**

Upstate Land Investment has submitted an application for a single-family residential subdivision. This development is located in Cowpens, SC and the site is currently vacant. The developer is proposing 41 single-family lots on 29.28 acres. The subdivision will have 0.35 miles of new road, which will be dedicated to Spartanburg County for maintenance.

**3. Staff Recommendation**

Staff recommends that the Planning Commission conditionally grant the preliminary plat approval for Hawk Ridge, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, Spartanburg County Building Codes (fire hydrant location), and LCF (water).

Ms. MacDonald presented an Aerial View and said that a street view was unavailable.

Chairman Kennedy asked if there were any questions.

Douglas Brackett made a motion to grant conditional preliminary plat approval for Hawk Ridge, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, Spartanburg County Building Codes (fire hydrant location), and LCF (water). Donna Turner Williams seconded the motion. The motion carried with a vote of 6 to 0.

**b. New Cut Meadows**

Leigh MacDonald presented the following Staff Report:

**1. Factual Dates**

- a. Plats and Application received 12/16/2019
- b. Planning Commission deadline date 12/17/2019
- c. Planning Commission Meeting 01/07/2020

**2. Background Information**

ECS Development, LLC has submitted an application for a single-family residential subdivision. This development is located in Inman, SC and the site is currently vacant. The developer is proposing 62 single-family lots on 41.88 acres. The subdivision will have 0.54 miles of new road, which will be dedicated to Spartanburg County for maintenance.

**3. Staff Recommendation**

Staff recommends that the Planning Commission conditionally grant the preliminary plat approval for New Cut Meadows, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, Spartanburg County Building Codes (fire hydrant location), and submittal of an encroachment permit to SCDOT.

Leigh MacDonald presented the Commission with an aerial view, site plan, and street view of the property. She stated that Building Codes had given their approval prior to the meeting.

Chairman Kennedy asked if the site would be using septic and Ms. MacDonald said yes.

Donna Turner Williams made a motion to grant conditional preliminary plat approval for New Cut Meadows, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater and the submittal of an

encroachment permit to SCDOT. Les Green seconded the motion. The motion carried with a vote of 6 to 0.

**c. Huckleberry Cove on Lake Blalock Ph. 1**

Leigh MacDonald presented the following Staff Report:

**1. Factual Dates**

d.	Plats and Application received	12/16/2019
e.	Planning Commission deadline date	12/17/2019
f.	Planning Commission Meeting	01/07/2020

**2. Background Information**

ECS Development, LLC has submitted an application for a single-family residential subdivision. This development is located in Chesnee, SC and the site is currently vacant. The developer is proposing 138 single-family lots on 95 acres. The subdivision will have 1.39 miles of new road, which will be dedicated to Spartanburg County for maintenance.

**3. Staff Recommendation**

Staff recommends that the Planning Commission conditionally grant the preliminary plat approval for Huckleberry Cove on Lake Blalock Ph. 1, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, Spartanburg County Building Codes (fire hydrant location), and submittal of an encroachment permit to SCDOT.

Leigh MacDonald presented the Commission with an aerial view, site plan, and street view of the property.

Chairman Kennedy asked if anyone had any questions.

Allen Newman made a motion to grant conditional preliminary plat approval for Huckleberry Cove on Lake Blalock Phase 1, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, Spartanburg County Building Codes (fire hydrant location approval), and submittal of an Encroachment Permit to SCDOT. Les Green seconded the motion. The motion carried with a vote of 6 to 0.

**2. Major (Final Plats) \* -**

Leigh MacDonald requested the following be read into the record as approved:

- a. The Traces**
- b. Glen Meadows Ph. 2**
- c. Christian Creek**
- d. Brockman Farms Ph. 1-A**
- e. Copperleaf Sec. 3**

Les Green made a motion to read The Traces, Glen Meadows Ph. 2, Christian Creek, Brockman Farms Ph. 1-A, and Copperleaf Sec. 3 into the record as approved Major Final Plats. Douglas Brackett seconded the motion. The motion carried with a vote of 6 to 0.

**3. Minor (Summary Plats) \* -**

Leigh MacDonald requested the following to be read into the record as approved:

- a. Bella Casa Ph. 3**
- b. Mt. Lebanon Orchards**

Douglas Brackett made a motion to read Bella Casa Ph. 3 and Mt. Lebanon Orchards into the record as approved Minor Summary Plats. Allen Newman seconded the motion. The motion carried with a vote of 6 to 0.

**4. Minor (Private Road Developments) \* - None**

**5. Minor (Family Property) \* - None**

**B. Land Development**

**1. Major (Preliminary Plats) –**

**a. Simmons Town**

Leigh MacDonald presented the following Staff Report:

**1. Factual Dates**

g.	Plats and Application received	12/16/2019
h.	Planning Commission deadline date	12/17/2019
i.	Planning Commission Meeting	01/07/2020

**2. Background Information**

Residents Developers LLC has submitted an application to develop a townhome project. The parcels that will contain the proposed townhome development are approximately 14.13 acres and are located on Anderson Mill Rd. in Moore, SC. The developer is proposing to build 20 buildings that will contain a total of 139 units. Common open space required for the proposed townhome development at 10% of the 14.13 acres is 1.41 acres, and the developer is proposing 3.56 acres or approximately 25.23%. A 25' Type 4 Bufferyard is required along all property lines adjacent to single family residential. The proposed development will have 0.52 total miles of new road that will remain private. The proposed internal streets indicate a 40' right-of-way on the plat; however, under Section 3.02(3) of the ULMO, it states that internal streets shall consist of a 50' right-of-way. It further states that the Planning Commission may adjust the requirements of this section, as appropriate, with reference to Appendix B, which depicts a 40' right-of-way. The total building square footage for all units will be 179,100 sq. ft.

### **3. Staff Recommendation**

If the Planning Commission finds it appropriate to approve the 40' right-of-way, then Staff recommends that the Planning Commission grant conditional preliminary plat approval for Simmons Town, contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, SSSD (sewer), submittal of a landscape plan, and submittal of a plat subdividing and combining the parcels in question, which will result in the parcel meeting all requirements in the ULMO.

Chairman Whit Kennedy asked if the existing structures on the property would be removed. Ms. MacDonald said yes.

Les Green made a motion to approve the 40' right-of-way. Allen Newman seconded the motion. The motion carried with a vote of 6 to 0.

Allen Newman made a motion to grant preliminary plat approval contingent upon receiving approvals from Spartanburg County Engineering and Stormwater, SSSD (sewer), submittal of a landscape plan, and submittal of a plat subdividing and combining the parcels in question, which will result in the parcel meeting all requirements in the ULMO. Les Green seconded the motion. The motion carried with a vote of 6 to 0.

- 2. Major (Final Plats) \* - None**
  - 3. Major (Site Plan) – None**
  - 4. Minor (Summary Plats) \* - None**
  - 5. Major (Summary Plats) \* - None**
  - 6. Preliminary Extension Request - None**
- 8. Proposed Amendments & Action Items –**
- A. Vote on Variance Request – The Villas at North Springs**  
Clark Rd., Boiling Springs, SC 29316  
Tax Map Number: 2-36-00-092.05  
Variance on setback.

Douglas Brackett made a motion to grant the variance request for the Villas at North Springs to reduce the front setback on Clark Rd. to 20' from 30' as required in Section 2.02-1 Dimensional Standards, Table 3a – Residential Setbacks & Other Requirements due to extraordinary circumstances. Martial Robichaud seconded the motion. The motion carried with a vote of 6 to 0.

## **B. Subdivision Regulations Policies and Procedures**

Donna Turner Williams made a motion to approve the Subdivision Regulations Policies and Procedures as written with the caveat that certain items will be amended next month. Douglas Brackett seconded the motion. The motion carried with a vote of 6 to 0.

## **C. PZO Policies and Procedures**

**Donna Turner Williams made a motion to approve the PZO Policies and Procedures as written with the caveat that certain items will be amended next month. Allen Newman seconded the motion. The motion carried with a vote of 6 to 0.**

## **9. Other Business**

### **a. Monthly Subdivision and Land Use Report**

## **10. Adjournment**

There being no other business, Donna Turner Williams made a motion to adjourn. Douglas Brackett seconded the motion. The motion carried with a vote of 6 to 0.

By: \_\_\_\_\_

Doug Brackett, Planning Commission Secretary

Prepared by: Planning and Development Department Staff

**\* These items require no action other than being read into the minutes.**