

*Jasper County Planning Commission
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**Minutes of the June 08, 2021
Regular Scheduled Meeting**

Members Present: Chairman, Alex Pinckney; Vice-Chairman, Randy Waite; Dr. Earl Bostick; Mr. Thomas Jenkins; Mr. Randy Smith; Dr. Debora Butler; and Ms. Sharon Ferguson

Staff Present: Ms. Lisa Wagner and Ms. Sharon Durst

Others Present: Mr. William Galloway, Mr. Renty Kitty, and Ms. Antoinette Daniels

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased. The recorded version is available in the Office of the Planning and Building Services Department.

Call to Order: Chairman Pinckney brought the meeting to order at approximately 6:00 p.m.

Invocation & Pledge of Allegiance: Invocation was given by Mr. Jenkins and Pledge of Allegiance was led by Mr. Jenkins.

Approval of Agenda: Mr. Waite motioned to approve the Agenda as published, seconded by Dr. Butler. The Commission Members voted unanimously in favor of the motion.

Approval of Minutes: Mr. Smith motioned to approve the Minutes of the **May 11, 2021** meeting as written, seconded by Mr. Waite. The Commission Members voted unanimously in favor of the motion.

New Business:

Zoning Map Amendment – Community Commercial Request, Tax Map Number #087-00-03-011: Ms. Wagner said the subject property consists of 2.4 acres and is located at 8881 Coosaw Scenic Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential and was developed as a funeral home in 2006. The county-wide re-zoning project made this business non-conforming. The applicant would like to expand the use of his business to add a crematory. Non-conforming uses are not allowed to expand without approval by the Planning Commission. Crematories are an allowed use in the Community Commercial Zoning District. The 2018 Jasper County Comprehensive Plan's Future Land Use Map identifies this area as a "Hamlet," which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design. The adjacent parcels are zoned Residential, Rural Preservation, and Community Commercial. Adjacent land uses are residential, commercial, and vacant property. The subject property is accessed by Coosaw Scenic Drive, which is a two-lane state-maintained highway, classified as

an arterial road. From a land use perspective, staff recommends approval of the request to have the property designated as Community Commercial.

There was some discussion on where the crematory would be located and if it would meet the setbacks. There was also discussion about whether the property in the rear may need to be re-zoned. Mr. Galloway said the crematory would be located immediately behind the funeral home on the same parcel. He said the building is 30 x 40. Ms. Wagner said the setbacks in Community Commercial are 10' from the rear property line. She said the applicant has not submitted a site plan yet, but that will be addressed during the site plan review. She said another option is to reconfigure the lot lines.

There was more discussion about whether a zoning sign was posted on the property and if any public comments were received. Ms. Wagner was not sure if the sign was posted or not. She said no comments have been received. There was some concern expressed about the public having an opportunity to comment on the re-zoning request. Chairman Pinckney said a public hearing will be held at Council level. Ms. Wagner said letters will be sent to the property owners located within 500 feet of the property, an ad will be placed in the paper and a sign with the public hearing date and time will be posted on the property.

Mr. Jenkins motioned to forward a favorable recommendation to County Council to change the zoning of tax map #087-00-03-011 from Residential to Community Commercial, seconded by Mr. Smith. The Commission Members voted unanimously in favor of the motion.

Zoning Map Amendment – Community Commercial Request, Tax Map Number #084-00-02-065: Ms. Wagner said the subject property consists of .90 acres and is located at 358 Chippa Willow Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a commercial property in 1975 and has served as a store and as night club. The Countywide Re-zoning Project made this business non-conforming. The applicant would like to establish a non-profit social club. Non-conforming uses are not allowed to expand without approval by the Planning Commission. Social Clubs are an allowed use in the Community Commercial Zoning District. The 2018 Jasper County Comprehensive Plan's Future Land Use Map identifies this area as a "Hamlet," which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design. The adjacent parcels are zoned Residential, with Community Commercial nearby. Adjacent land uses are residential and vacant property. There are several commercial businesses nearby which includes two churches, store, restaurant, and fire protection business. The subject property is accessed by Chippa Willow Road, which is a two-lane state-maintained road, classified as a limited local road. From a land use perspective, staff recommends approval of the request to have the property designated as Community Commercial.

The applicant Ms. Antoinette Daniels addressed the Commission. She said she has no plans to expand or do any renovations to the building, she just wants to use the building as a non-profit social club. Dr. Butler asked what a social club is. Ms. Daniels said it would be a non-profit, members only establishment. She said they would get together and do fun things and have events to raise money for the community. Dr. Butler asked if it is like a night club. Ms. Daniels said no not necessarily, she does not intend to stay open late, or cater to a younger generation and she wants to raise money to help the children in the community and work with the churches for food and clothes give away. Dr. Butler asked Ms. Wagner if this property is far enough away from the churches to allow alcohol sales. Ms. Wagner said she believes so because it has been a night club in the past. The church is a little more than 1,000 feet away from the property, but an alcohol license is permitted by the state. Dr. Butler said her concern is a night club in a residential community. She said this is primarily a residential community and asked Ms. Wagner how commercial zoning would not be

considered spot zoning. Ms. Wagner said if the Comprehensive Plan supports the request, it is not considered spot zoning, but if the Comprehensive Plan does not support the request, it is considered spot zoning. Ms. Wagner showed the Future Land Use Map and the Old House Hamlet. Ms. Daniels said Mr. Decosta owns several properties adjacent to the subject property and majority of the people in the neighborhood are Mr. Decosta's relatives. Ms. Wagner said it is her understanding that Ms. Daniels intends to operate the establishment as a social club opposed to a night club.

Mr. Renty Kitty, Jasper County Business License Coordinator addressed the Commission. He said the building has existed in the community for more than 50 years. He said the lights have remained on and the owner did not let the business license expire. He said Ms. Daniels and Mr. Decosta have always been responsible. He said this gives the community members a chance to socialize within the community and he thinks this is a good thing for the community.

There was some discussion about the difference between drinking places and social clubs in accordance with the North American Industry Classification System (NAICS) and what Sectors each one falls under (Drinking Places, Sector 72 and Social Clubs, Sector 813). Chairman Pinckney asked Ms. Wagner to display the Use Chart so that all the Commissioners can see what uses are allowed in Community Commercial. Ms. Wagner went through the uses allowed in the Community Commercial Zone. She pointed out drinking places are allowed in General Commercial but not in Community Commercial and social clubs are allowed in both General Commercial and Community Commercial, but not in Residential.

Mr. Smith motioned to forward a favorable recommendation to County Council to change the zoning of tax map #084-00-02-065 from Residential to Community Commercial, seconded by Mr. Jenkins. The motion passed by majority with Commissioners Smith, Jenkins, and Ferguson voting in favor of the motion, while Commissioners Waite and Butler opposed the motion.

Open Discussion:

There was some discussion about Continuing Education. Ms. Wagner said the continuing education training can be taken online or she can see about renting a DVD from the SC Association of Counties schedule a day and time so that everyone can participate. Mr. Pinckney asked Ms. Wagner to see about borrowing the training material and setting up a training session for the Commissioners.

Mr. Waite made a motion to send a letter to County Council requesting that the Council recognize Mr. Bill Young with a service award for all his years of service as a Planning Commission Member, seconded by Dr. Butler. The Commission Members voted unanimously in favor of the motion.

Adjourn: Dr. Bostick motioned to adjourn, seconded by Mr. Jenkins. The Commissioners voted unanimously in favor of the motion. The meeting adjourned at approximately 7:11 p.m.

Respectfully Submitted,

Lisa Wagner