

Town of North Planning Commission Standard Agenda

Town Hall, Council Chamber, 9305 North Road (Highway 178), North, SC 29112
August 15th, 2024 7:00PM

The Town of North Planning Commission will conduct a called meeting on Thursday, August 15th, 2024 at 7:00PM, in the Town Hall Council Chamber. The meeting will be open to the public, and public comments may be provided in-person or by submission to the Town Clerk, no later than 12:00PM (noon) on Wednesday, August 14th, 2024.

AGENDA PUBLICATION

The Planning Commission will publish/post the Agenda on August 8th, 2024, physically in the message board located on the front of the Town Hall at 9305 North Road (Highway 178), North, SC 29112. The Planning Commission will also announce the meeting electronically using the Town electronic sign, posted across from the Town Hall.

CONSENT AGENDA

During regularly scheduled meetings, the Planning Commission will use a Consent Agenda to approve non-controversial or routine matters by a single motion and vote. Such items include approval of site plans, annexation requests, and assignment of street names for which no public discussion or comment is received or warranted. The meeting will then proceed through the items on the Regular Agenda, for which discussion or public comment is expected or requested.

If a Planning Commission member or a member of the general public wants to discuss an item on the Consent Agenda (from a request or disclosure received prior to the beginning of the meeting), that item will be removed from the Consent Agenda, placed at the end of the Regular Agenda items for consideration during the meeting.

REGULAR AGENDA

During called meetings, the Planning Commission will use a Regular Agenda to proceed through the items under discussion. The public will be permitted to bring items to the attention of the Planning Commission before the work session starts and may stay for the duration, but no formal discussion of any items brought forward will be permitted during the called meeting, nor will any votes on these items be taken.

COMMENT SUBMISSION

The general public and parties to any request who are unable to attend may submit comments and questions via e-mail to admin@townofnorth-sc.gov until 12:00PM (noon) the day before the meeting, (Wednesday, August 14th, 2024). Comments may be delivered to the Town Clerk at the Town Hall, 9305 North Road (Highway 178), North, SC 29112 or placed in the drop box at the Town Hall. Please include your name, contact information and the case information (from the

posted Agenda) with your comments and questions. The comments and questions will be provided to the Planning Commission members in advance of the meeting.

MEETING FORMATS

During a regularly scheduled meeting, applicants with a request before the Planning Commission will be allotted a fifteen-minute presentation time when their request is considered during the Regular Agenda portion of the meeting. During this fifteen-minute time, the applicant(s) or their agent(s) should present an overview of the request, a case history, and synopses of any pertinent meetings and/or discussions held regarding it.

All persons presenting information on behalf of the applicant, i.e. attorneys, engineers and architects are considered to be their agents for the purposes of the fifteen-minute presentation time. The fifteen-minute time limit does not include any questions asked by the Planning Commission regarding the request.

During a regularly schedule meeting, the general public will be given the opportunity to address their concerns in three-minute intervals when the item is under consideration. During a called meeting, the general public will be given three-minute intervals at the beginning of the meeting to bring items to the attention of the Planning Commission. At other times, when recognized by the Chair, the general public will be permitted to speak for three minutes on the topic under discussion or consideration. The Planning Commission reserves the right to amend these procedures on a case-by-case basis.

PUBLIC ACCOMODATION

It is the policy of the Town of North that all public meetings are publicly-accessible. If you need assistance to participate due to a disability as defined under the ADA, please call the Town Hall at (803) 247-2101 or e-mail the Town Clerk at admin@townofnorth-sc.gov no later than 48 hours before the scheduled meeting to request an accommodation.

REGULAR AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL / QUORUM CALL**
- III. REGULAR AGENDA**

Public Comments

- Each member of the public will have three minutes to present their issue(s) to the Planning Commission for later action in subsequent called and regularly schedule meetings.

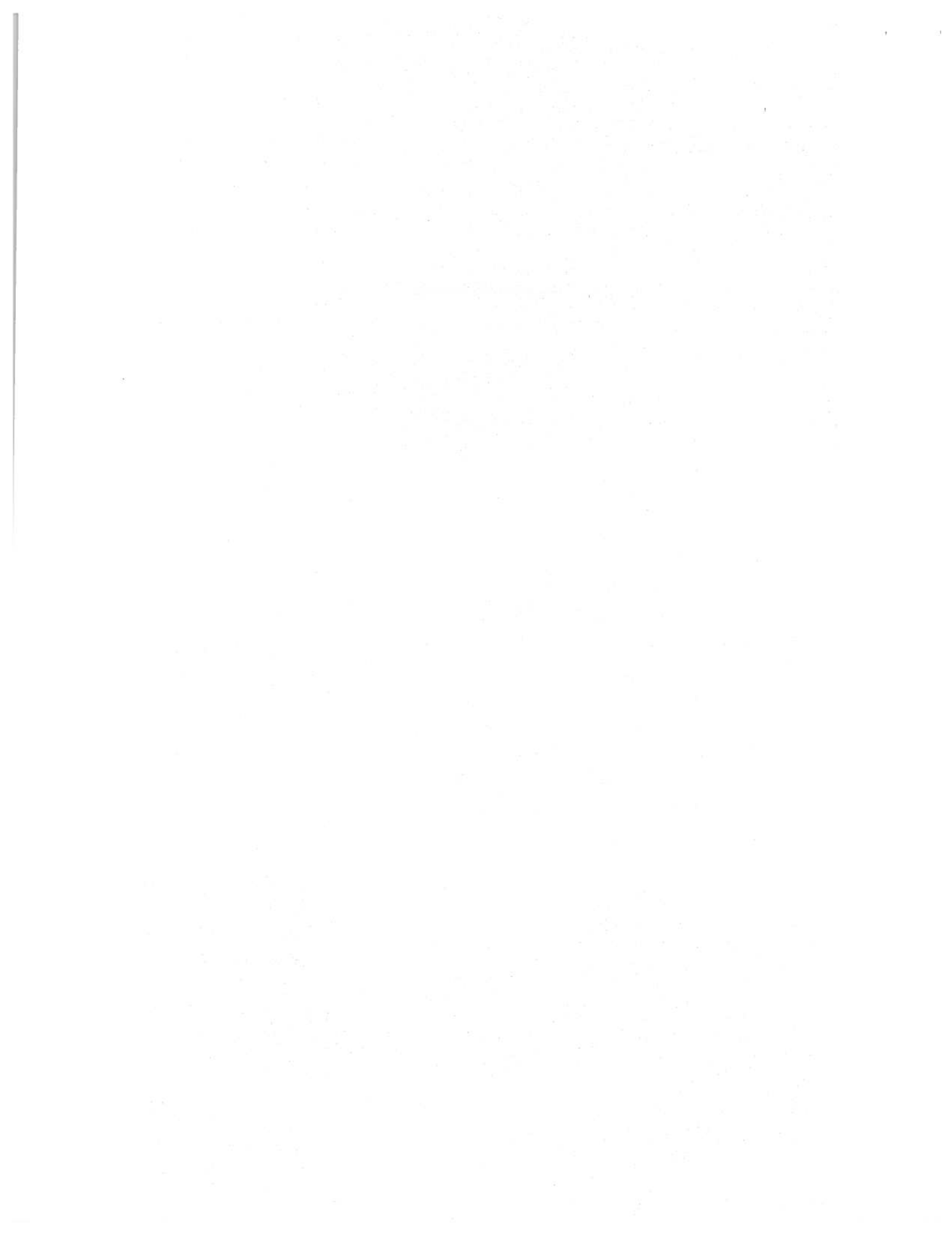
Work Session

- Petition to annex 549 Parkwood Avenue (Orangeburg County Tax Parcel / GIS

Reference: 0066-00-02-088.000, Owner: Tevarus Kennerly) to be included within the municipal boundaries of the Town of North.

- Annex 187 Arabia Road (Orangeburg County Tax Parcel / GIS Reference:, Owner: Town of North) to be included within the municipal boundaries of the Town of North.
- Petition to rezone 514 Main Street (Orangeburg County Tax Parcel / GIS Reference: 0060-08-11-006.000, Owner: LAVEER-NSC LLC) from CC Core Commercial to NC Neighborhood Commercial.
- Petition to place a secondary, manufactured home on the property located at 619 Livingston Avenue (Orangeburg County Tax Parcel / GIS Reference: 0060-11-03-006.000, Owner: Michael Casey Bolin.
- Annex multiple parcels east on Highway 178 to Slab Landing Road (list provided in the packets).
- Annex multiple parcels south on Highway 321 (list not yet provided).
- Annex multiple parcels west on Highway 178 and Salley Road to the intersection of Jones Wire Road (list not yet provided).
- Annex multiple parcels north on Highway 321, specifically the areas near the second water tower and the surrounding properties on Parkwood Avenue and Catalina Boulevard (list not yet provided).
- Annex multiple parcels northwest between the Middle/High School and Highway 178 (list not yet provided).
- Planning Commission functions absent a Zoning Administrator and Code Enforcement Officer; specifically responding to zoning and rezoning requests, and ordinance clarification requests.
- Rework of the Comprehensive Plan for 2025.
- Preparation of a Capital Improvement Plan.
- Zoning map corrections and previously-recorded exceptions, specifically to the requests currently received and the housing which should have covered by exception in the CC zones.
- Historical architecture protection zoning, specifically utilization of the -H amendment to the existing properties identified in the Comprehensive Plan as of historical interest. (Question has been submitted to the MASC, re application extension use by property individually instead of by zone.)
- Comparable municipality studies and requests for information.

IV. ADJOURNMENT

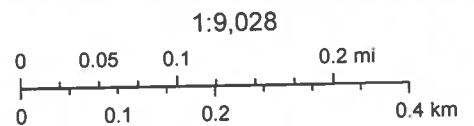


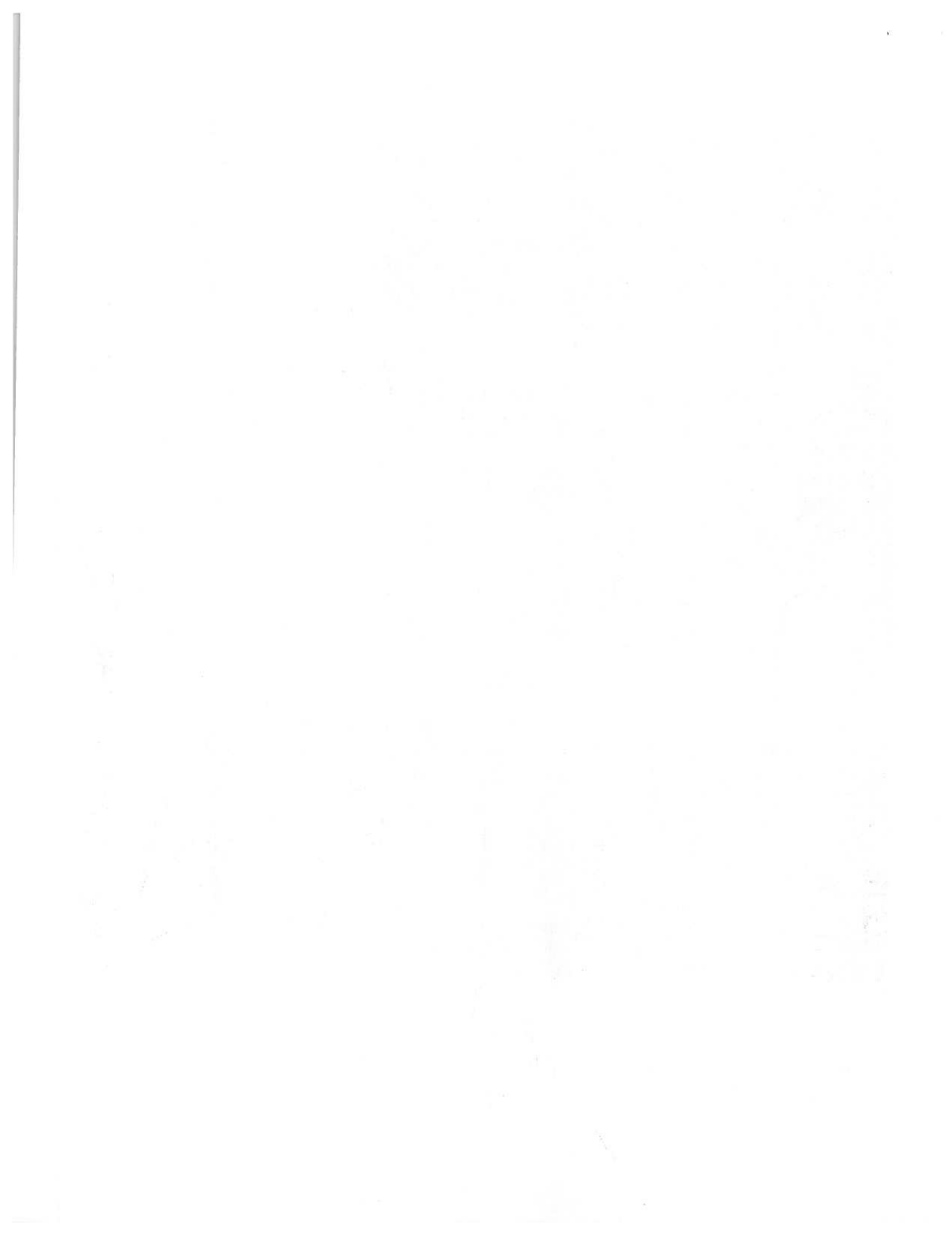
Orangeburg County GIS



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|-----------------------|-------------------|----------------|
| City Limits | Secondary Roads | Parcels |
| Road Network 1:70,000 | County Roads | Property Lines |
| Interstates | Other Roads | Property Lines |
| Major Roads | Interior Lot Line | bill, Maxar |





Orangeburg County GIS



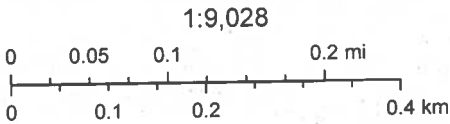
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-  City Limits
- Road Network 1:70,000
-  Interstates
-  Major Roads

-  Secondary Roads
-  County Roads
-  Other Roads

-  Parcels
- Property Lines
-  Property Lines
-  Interior Lot Line

bill, Maxar





Michael Hughes <michaelfhughesjr@gmail.com>

Zoning issues - 514 Main St., - Request to rezone from CC to NC

Fri, Aug 9, 2024 at 4:05 PM

Michael Hughes <michaelfhughesjr@gmail.com>

To: ladson <mail@beachlawoffice.com>

Cc: Town Clerk <admin@townofnorth-sc.gov>, johngleaton54@yahoo.com, mrs miles1978@icloud.com, Nancy Erny <nancy.erny@yahoo.com>, iamablu3@gmail.com, jeffwashington1956@gmail.com

Mr. Beach,

The Planning Commission will be holding a called working session on August 15th, 2024 at 7PM in the Council Chamber - this will not be a meeting where formal action is taken on any items. Its purpose is to bring the new members up to speed, to have basic discussions on the items which are outstanding before the Commission, and to ask questions among ourselves to determine where we need information or where investigation is required -- all of which will allow us to better serve the Town's citizens. One of these items is the property on Main Street.

The members were provided with the limited data available (the submitted form and e-mail). That prompted a question, which Lisa asked at the end of her response, specifically: could you or your client provide basic detailed information regarding the changes to the intended use which are the reasons for rezoning?

Since the residential structure has been used for business purposes, presumably since before zoning took place, the Town and property owners should have documented the non-conforming use(s) which would exist under the CC zoning, and the use(s) should be able to continue as long as the structure is not enlarged or significantly altered and there is no change to the use(s) which would invalidate the non-conforming use documentation. Since the structure appears to be unchanged, is there some change to the use(s) which would do so?

There is no existing NC district to which this single property could be connected, rezoning would effectively be creating a new district. The text in § 2-100 states: "No amendment shall be initiated which would create a new zoning district with an area of less than two (2) acres. The minimum requirement does not apply to extension of an existing district, or addition of a residential district adjacent to an existing residential district, or addition of IND districts to HC or CC districts."

I requested clarification of both the Ordinance and my initial interpretation with the few details at hand from both the MASC and the LSCoG. MASC's response provided a link to spot zoning, said that the "two-acre minimum" was inserted into the Ordinances to limit spot-zoning, and suggested that the existing CC zoning be continued. No response has been received from LSCoG.

That brings the question back to the reasons to rezone the parcel from CC to NC. Is there some use which is not covered in the non-conforming use(s) or that invalidates the existing CC zoning?

I understand this has been a long process, complicated by the lack of a Planning Commission and I thank you for your patience with us as we study and take up this matter.

Michael F. Hughes, Jr.
(803) 707-3454

[Quoted text hidden]



Michael Hughes <michaelfhughesjr@gmail.com>

Zoning issues - 514 Main St., - Request to rezone from CC to NC

Ladson <mail@beachlawoffice.com>

Tue, Aug 13, 2024 at 4:30 PM

To: Michael Hughes <michaelfhughesjr@gmail.com>

Cc: Town Clerk <admin@townofnorth-sc.gov>, johngleaton54@yahoo.com, mrsmls1978@icloud.com, Nancy Erny <nancy.erny@yahoo.com>, iamablu3@gmail.com, jeffwashington1956@gmail.com

Mr. Hughes: Thank you for your response. We appreciate your request for additional input on the requested re-zoning change. Historically, the property at 514 Main Street was residential. It began its current use as a financial services office in 2007 and has been the office of Ameriprise Financial continuously since then. It appears that the Town of North adopted its zoning ordinance in March of 2015 and this property was placed in the CC zone. Since the location is currently being used as commercial office space, there is no issue regarding a grandfathered non-conforming use.

The property owner wishes to sell the property and has been advised that the property needs to be marketed as residential in order to attract buyers. Since the current CC zoning classification does not list residential as a permitted use, a request for re-zoning was submitted. We chose the NC zoning classification since it allows both residential and commercial uses and is the most appropriate classification for this property.

§ 2-100 appears to be a limitation imposed to avoid "spot zoning". I do not wish to make legal arguments here on whether our re-zoning request would in fact be spot zoning and would reference the MASC Comprehensive Planning Guide for a brief summary of that issue. The subject property is adjacent to other CC property on two sides, R-1 on one side and RMH on another side, therefore it is adjacent on two sides to property zoned for residential use. Note that a request to re-zone the subject property to R-1 would appear to satisfy the § 2-100 requirement, however that would limit the use of the property and does not reflect the historical, and most probable future use of the subject property as either residential or commercial. In order to meet the 2 acre requirement under § 2-100, the entire block would have to be re-zoned NC, which actually would more accurately reflect the current uses of the properties in this block.

I am aware of other property owners in the same position as my client and there are multiple properties in the CC zoning district that are currently used as residential properties. Unless the subject property is re-zoned to allow residential use, or unless the CC zoning ordinance classification is amended to allow residential use, the property owner will be unable to market the property effectively. Please let me know if you or the other members would like more information regarding this Application. I will be glad to appear at your working session if you wish, and we welcome any suggestions for alternative procedures which may accomplish the goal of allowing residential use of the residential structure located at 514 Main Street.

Ladson H. Beach, Jr.
BEACH LAW OFFICE, LLC
1220 Broughton Street
Orangeburg, South Carolina 29115

Phone (803) 531-3029

Fax (803) 531-0921

Email mail@beachlawoffice.com

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Michael Hughes <michaelfhughesjr@gmail.com>

Zoning issues - 514 Main St., - Request to rezone from CC to NC

Wed, Aug 14, 2024 at 12:35 PM

Michael Hughes <michaelfhughesjr@gmail.com>

To: ladson <mail@beachlawoffice.com>

Cc: Town Clerk <admin@townofnorth-sc.gov>, johngleaton54@yahoo.com, mrsmls1978@icloud.com, Nancy Erny <nancy.erny@yahoo.com>, iamablu3@gmail.com, jeffwashington1956@gmail.com

Mr. Beach,

Thank you for your prompt response.

I'll address your last point first. The Planning Commission will review all properties within the CC zoning district, specifically the residential ones. Grandfathered, non-conforming use establishments should have been made when the zoning ordinances were enacted; finding none, correcting any resulting issues is a Planning Commission priority.

The Planning Commission is charged to review the entire Zoning Map, and must complete the bulk of the work so that the Town of North Comprehensive Plan can be published next year. Inconsistencies in the original 2015 zoning have been identified. They do not appear to have ever been addressed by subsequent Planning Commissions. The original zoning appears to have been in bulk, block-by-block in nature. Several CC, HC, R-1 and RMH blocks contain properties that do not comply with their district's stated uses.

Regarding 514 Main Street, if the intent is to market the property as residential, then a residential re-zoning to R-1 is easily possible, as it abuts the existing R-1 zoned properties across Bedford Street. That R-1 district can be extended without affecting the two-acre minimum for the existing CC district. However, this would severely limit the commercial use of 514 Main Street.

If the intent is to market 514 Main Street as residential, but to preserve the limited commercial use, the Planning Commission has more work to do. The Planning Commission will either need to recommend establishing an NC zone which meets the minimum size requirements (that will require a property review within the existing CC and RMH zones, which is already underway) or amendment of the minimum size requirements within the zoning ordinance itself. Both actions will require recommendation to, and approval of, the Town Council.

You may either respond to this e-mail or you, or your designee, can come to our working session meeting tomorrow evening with your response. The re-zoning of 514 Main Street is the fourth item on our working session agenda.

I thank you for your patience so far, and your continued patience with the new Planning Commission. Our goal is to address issues quickly, while serving the current and future best interests of the citizens and the Town.

Respectfully,

Michael F. Hughes, Jr.

(803) 707-3454

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Michael Hughes <michaelfhughesjr@gmail.com>

Zoning issues - 514 Main St., - Request to rezone from CC to NC

ladson <mail@beachlawoffice.com>

Wed, Aug 14, 2024 at 4:34 PM

To: Michael Hughes <michaelfhughesjr@gmail.com>

Cc: Town Clerk <admin@townofnorth-sc.gov>, johngleaton54@yahoo.com, mrsmls1978@icloud.com, Nancy Erny <nancy.erny@yahoo.com>, iamablu3@gmail.com, jeffwashington1956@gmail.com

Mr. Hughes, you and the Commission obviously have a great deal of work to do regarding the statutory 10 year review. We do not wish to add to the complexity of that task. The property owners of 514 Main Street have agreed to submit a new Application requesting re-zoning to the RS-1 designation since that will be the quickest way to address our immediate objective. I will deliver the Application to you at the your working session meeting tomorrow evening. Thanks again for your assistance.

Ladson H. Beach, Jr.
BEACH LAW OFFICE, LLC
1220 Broughton Street
Orangeburg, South Carolina 29115

Phone (803) 531-3029

Fax (803) 531-0921

Email mail@beachlawoffice.com

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Michael Hughes <michaelfhughesjr@gmail.com>

Zoning issues - 514 Main St., - Request to rezone from CC to NC

Michael Hughes <michaelfhughesjr@gmail.com>

Wed, Aug 14, 2024 at 4:59 PM

To: ladson <mail@beachlawoffice.com>

Cc: Town Clerk <admin@townofnorth-sc.gov>, johngleaton54@yahoo.com, mrsmls1978@icloud.com, Nancy Emy <nancy.emy@yahoo.com>, iamablu3@gmail.com, jeffwashington1956@gmail.com

Mr. Beach,

You are quite welcome. The Commission will deliver the application with our recommendation to the Town Council. We will keep you informed of the progress on the reassessment and re-zoning of the 300 through 500 blocks of Main Street, as several properties have to be addressed. Please feel free to reach out to the Commission with any issues, comments or concerns you may have. We welcome and appreciate the participation of the citizens in our processes for the growth and prosperity of the Town. Again, my thanks and appreciation.

Michael F. Hughes, Jr.

(803) 707-3454

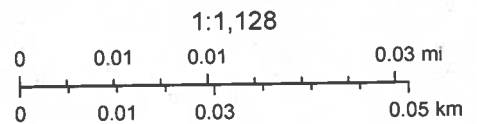
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Orangeburg County GIS

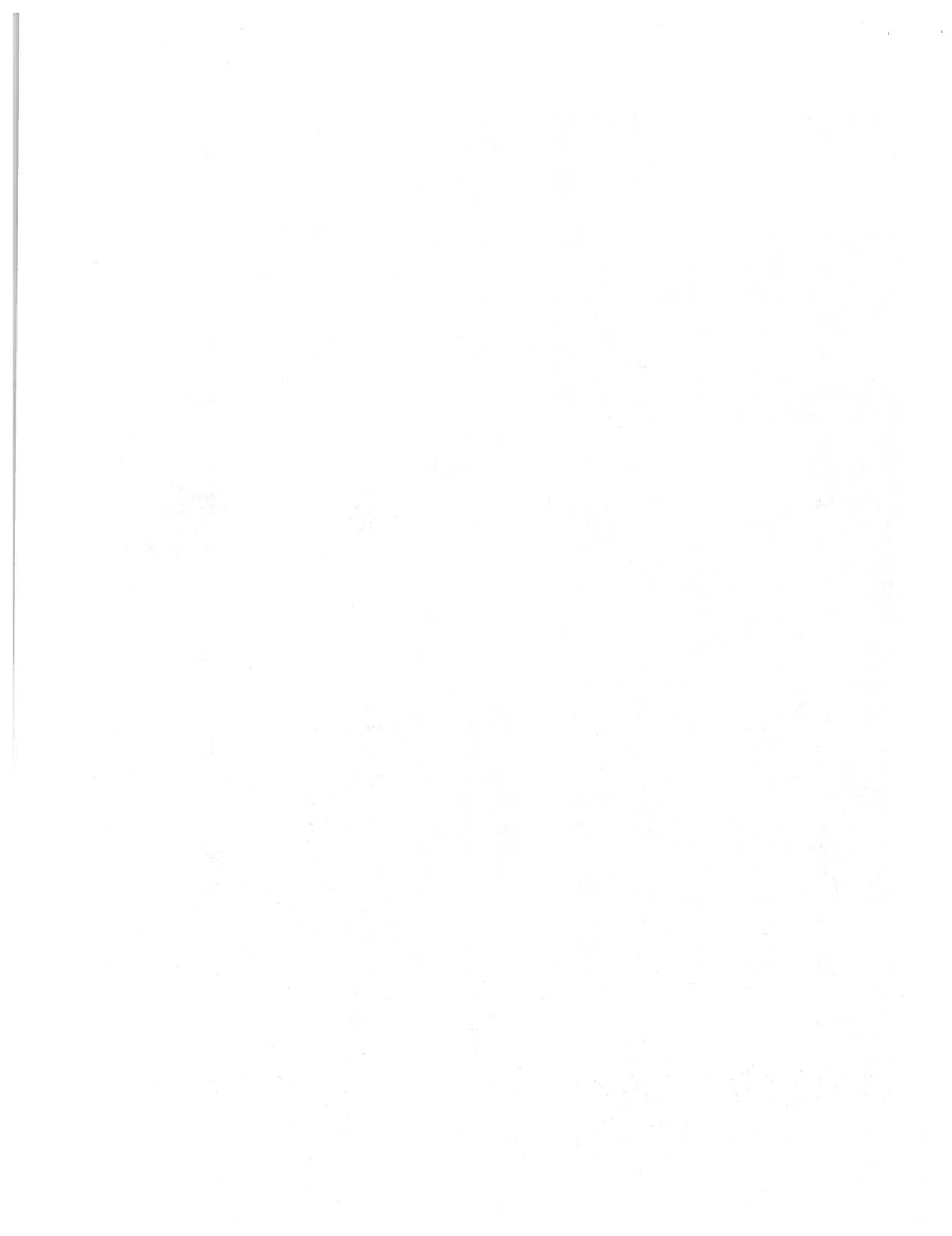


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| Site Addresses | | Retired | | Parcels |
| | Active | | Review | Property Lines |
| | Deleted | | Unknown | Property Lines |
| | Inactive | | Verified | Interior Lot Line |
| | New | | | |



Maxar, Microsoft



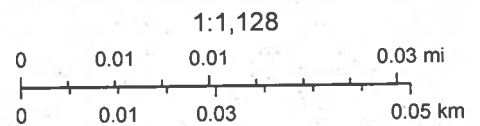
Orangeburg County GIS



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Road Network 1:70,000

- Interstates
- Major Roads
- Secondary Roads
- County Roads
- Other Roads
- Parcels
- Property Lines
- Interior Lot Line



Maxar, Microsoft, bill

On-Line Mapping Site
Orangeburg County, South Carolina

