

Chester County Planning Commission Minutes

April 18, 2023

1. **Call to Order** – Chairman Raines called meeting to order.
2. **Quorum Established:** Chairman Raines, Vice Chairman Azzie Lee Hill, Commissioners Carolyn Williams, Nancy Walley, Marvin Grant, Douglas Josey, with Commissioner Hough late and arriving at 6:37 PM.
Staff: Mike Levister, Jaime Chappell, and Kristen Davis
3. **Approval of Agenda** – Chairman Raines motioned to approve, second by Vice Chairman Hill. Vote 6-0 to approve.
4. **Approval of Minutes from February 28, 2023, Meeting**
Commissioner Grant motioned to approve, second by Commissioner Walley. Vote 6-0 to approve.
5. **New Business**

CCMA23-04 Robert L. Reid III request Tax Map #123-00-00-088-000 at 3458 Ernandez Rd, Richburg, SC 29729 to be rezoned from Limited Commercial District (LC) to General Commercial District (GC).

Robert Reed stated he's the owner of Blue Blast Equipment Sales and lives at 3458 Ernandez Rd. So, let me read this. This is from Gavin Owen. He's my commercial insurance agent. And he says given the NAICS code 423820 Farm and Garden machinery for your business insurance general commercial zoning would be applicable to the property in which you conduct business from.

Chairman Raines asked you currently have a business there?

Mr. Reed stated Yes, sir. So, I'm currently zoned limited commercial, which allows for retail sales and allows for used merchandise that according to something that I'm not aware of or wasn't previously aware of is your zone according to how you're insured.

Chairman Raines stated maybe insured by your zone.

Mr. Reed stated I'll tell you a little bit about my business. I still have a small business. I like the area, got my business in this area, and my business has continued to grow. And we're at a point where we want to expand and we want to stay here in Chester County, and I'm being told that I need to be zoned general commercial.

Chairman Raines asked if he was affiliated with any kind of dealership?

Mr. Reed stated absolutely no. We did around \$7 million in revenue last year.

Chairman Raines asked so you basically refurb equipment and resell.

Mr. Reed said yes sir.

Chairman Raines stated your access is off Hernandez Rd and you're not planning on changing to the physical layout and to make a more formal looking business.

Mr. Reed answered yes sir.

Chairman Raines stated let the record reflect that Mr. Hough is now present. Also told Mr. Hough that they just spoke to the first applicant and were going to see if there were any public comments.

Chairman Raines stated that I think since there's already a business there, I don't really see a need for reverter clause. We're not changing the zoning from agricultural to GC or anything like that.

Commissioner Grant motioned to approve, second by Commissioner Walley. Vote 7-0 to approve.

CCLDV23-3 Tim Helline requests a Street Access Easement off of Simpson Rd. for Tax Map #134-00-00-003-000 located on 4667 Harmony Church Rd., Edgemoor, SC 29712.

Chairman Raines motioned to approve, second by Commissioner Hill. Vote 7-0 to approve.

RNC23-02 Tim Helline request naming a Street Access Easement off of Simpson Rd. for Tax Map #134-00-00-003-000 at 4667 Harmony Church Rd., Edgemoor, SC 29712. The name requested is Squaw Lane and approved by the 911 Address Coordinator.

Chairman Raines motioned to approve, second by Commissioner Williams. Vote 7-0 to approve.

CCLDV23-4 Tim Helline requests a Street Access Easement off Harmony Church Rd. for Tax Map #134-00-00-003-000 located at 4667 Harmony Church Rd., Edgemoor, SC 29712.

Commissioner Grant motioned to approve, second by Commissioner Josey. Vote 7-0 to approve.

RNC23-03 Tim Helline request naming a Street Access Easement off Harmony Church Rd for Tax Map #134-00-00-003-000 at 4667 Harmony Church Rd., Edgemoor, SC 29712. The name requested is Settler Lane and approved by the 911 Address Coordinator

Chairman Raines motioned to approve, second by Commissioner Walley. Vote 7-0 to approve.

CCLDV23-4 Wayne Horne requests a Private Rural Community Drive for Tax Map #127-00-00-004-000 located behind 2262 Mountain Gap Rd., Richburg, SC 29729.

Mr. Horn was present but had no comment.

Commissioner Hough motioned to approve, second by Commissioner Walley. Vote 7-0 to approve.

RNC23-04 Wayne Horne request naming a Private Rural Community Drive on Tax Map #127-00-00-004-000 behind 2262 Mountain Gap Rd., Richburg, SC 29729. The name requested is Moonlight Rd and approved by the 911 Address Coordinator

Commissioner Walley motioned to approve, second by Commissioner Hough. Vote 7-0 to approve.

CCLDV23-6 Koniko Wright requests a Street Access Easement for Tax Map #069-04-02-032-000 located off Pinckney Street, Chester, SC 29706.

Darlene Greene with E on the end. We live at 733 Linden Drive. Right where this lady, Miss Gloria, is trying to get an access road right behind our house, right at our fence. We have three people in our family that work 12 hours and they sleep during the day. We've took care of that property right behind our fence and our neighbors too. Them for 30 something years, us 12 years, and that's my complaint. I don't mind the lady getting a trailer park put in there as long as it's behind the woods and it's not right up on us. Because they have to rest. We're a working family, and we believe in working and we don't have a problem with what they're wanting but we do with the road. Because they've got a road between their trailers already off of Pinckney that goes all the way back through that land behind way that's behind us and them. Okay, so that's my complaint.

Chairman Raines asked if the property she is speaking of behind your property, is it her property or your property?

Ms. Greene stated that's what they say. And don't you have to be so far away from somebody's fence? You can have a road up on someone's fence.

Chairman Raines stated property line is property line. And you know it's her property, she's just actually asking for access to her land so she can get to it.

Ms. Greene says she has access right through the middle of their trailers already up there. Where are they gonna put the trailers.

Chairman Raines stated that not a formalized access and this is a formal action and she's asking for this to be the official access and that's what the planning department has advised. I think because you can't just, you know, cut in anywhere. This is the most practical method of doing that, I think is the deal. You know, I mean, I understand what you're saying about sleeping and stuff.

Ms. Greene stated they are going to have a bunch of trailers there in a row.

Chairman Raines stated I don't know what their plans, were not we're not addressing what they're going to do. But you know if it's access to her property, she's entitled to it. I mean, I think that's the state.

Ms. Greene asked if there's nothing, we can do about it.

Chairman Raines stated not that I'm aware of. I mean, she has a legal right to access her property.

Ms. Greene asked if there will be another hearing on it.

Chairman Raines stated we won't have another hearing on it. This would just be approved. It doesn't go to Council or anything. When we approve it, then it's approved. It goes through.

Ms. Greene stated there is nothing we can do at all.

Chairman Raines stated it's her property and she entitled to do with it what she wants.

Ms. Greene stated we were told when we bought the place. That that was nobody's property. You know how the old mill hill used to have a bad back-alley way. Well, yes. And we took care of it for 30 something years.

Chairman Raines stated I have no knowledge of that, but it's her property. So, she's entitled. I just want you to understand you know what, what she's asking for, you know, it's not she's taking part of your property to do that or anything. I mean, it's just her access and her property.

Ms. Greene stated it comes all the way up to her fence which is not her property.

Chairman Raines stated well up to the line. I mean, one of the things shows a fence across the line. I think it's what it represents.

Ms. Greene stated that it's been there for years.

Chairman Raines stated that's yeah, that's so easy to do. You go put a fence up and your foot over the line. I'm not saying your property was that? I wouldn't think so. I mean, I can't speak to that for sure. But you know, neighborly people, usually good neighbors and they let that go. Yeah, because mistakes are made. I mean, 40 years ago, people have a different approach.

I'm Patricia Bates and I am at 741 Linden Dr. I've been there for 30 something years now. All of our property on the street from where they're asking for that to be an access road. There's one to four to five houses. All of those houses were built toward the back of that property. So, when she's saying that that road will butt up right up against us, it will. My main thing for not wanting the road there. Just last year, this group of families had a shooting there at their house. This shooting happened during the night. The people that did the shooting, scoped our neighborhood out and they gained access to that house through Pine Ridge. The only reason why they didn't gain access to that house from our street, which would have been shorter. There were woods there. From Pine Ridge there was just houses it was easy

for them to get to that house to shoot into that house and shot a little boy in that house. To me, that activity is still going on over there. That has not stopped, nor will it stop y'all know that gangs is a rising thing here in Chester. I asked that not to make that an access road for that purpose. That endangers all of our lives on all of those houses right there that street for work cheese wanting to do I don't know her situation, but I do know they're all related. They're in that little trailer community there. That's why I asked that the road not be put there because it is going to be basically in our backyard.

Chairman Raines stated you are stating there's a road already there.

Ms. Bates stated it used to be like an access of some sort. There's no road. There's a sign there. Like it was but it's not. It's all grass. There's no gravel. There's no asphalt or anything maybe years and years ago it may have been like were you some kind of something but it's not an actual road anymore. She's of course wanting to get into our property. I don't know if she'll put a house or trailer or whatever. But I do know there's other ways around it. Then putting that right in our backyard. So that is what I'm asking for.

Chairman Raines stated I understand your concern. I can't address the issues you're talking about. And the question here is illegal access to her property which she's entitled to. We don't want to sound like we are dismissing your concerns.

Ms. Bates stated she understands. But we didn't come, we don't know. The sign just said to come because it was, you know, a hearing on land development. That's why we're here to find out what is going on and if there's anything we can do, yeah. So, but you've answered our question. So, I appreciate it.

Commissioner Grant stated Mr. Chairman there is not a road down there.

Chairman Raines stated he didn't think there was.

Planning Director Mike Levister stated Mr. Chairman I would like to make a statement. If you pulled the old deeds to that property and the plat. There's already an existing 15-foot easement to that property, but not to the new parcel they want to cut out. So, they want to increase it to meet the current zoning a 25 foot. Yeah, but there's already a 15-foot easement, same location. That's why road signs up has never been used, but it's always existed.

Chairman Raines stated this just cleans this up from a legal perspective.

Planning Director Mike Levister stated makes it more compliance to the current zoning with the county. But the new parcel they are cutting don't have that easement that's there doesn't go all the way up, but they made the agreement that they would make the current easement to meet this current zoning requirements.

Commissioner Grant motioned to approve, second by Commissioner Williams. Vote 7-0 to approve.

RNC23-05 Koniko Wright request naming a Street Access Easement on Tax Map #069-04-02-032-000 off Pinckney Street, Chester, SC 29706. The name requested is Gloria Drive and approved by the 911 Address Coordinator.

Chairman Raines motioned to approve, second by Commissioner Josey. Vote 7-0 to approve.

CCMA23-05 Allison and Gerald Timmons request Tax Map #166-01-04-016-000 at 975 Jackson Rd, Fort Lawn, SC 29714 to be rezoned from Rural One District (R1) to Rural Two District (R2).

Gerald Timmons stated he lives at 1241 East Creek Road, Fort Lawn, South Carolina. We are requesting to change R-1 to R-2. The house has been demolished. There was a house there, you know old, I lived there in 1998. I moved in there and um I was 23 - 24 or something like that, and moved out and had a family. Got four boys now. My mom lived right beside me. My mom and dad, my sister and brother-in-law still live on East creek right across the street and on the backside of it. I don't see the problem when we're trying to put a new manufactured home there in the middle of a bunch of trailers, old trailers. I've got pictures of like the neighborhood if you want to see them. Like the house is directly beside me and around me on the road. I just don't see it have been a problem there and if you could change it, that'd be great. I can move on with our plans. I do have a building there already as a big size building is a 24 by 40 building on the back of the lot.

Chairman Raines stated if you look at the current zoning there's several properties in there that already are two is well around you.

Mr. Timmons stated there are several around me, that's R-2. I don't know that there is. I'm not gonna put it in the middle of a you know, \$300 per house neighborhood, you know, trying to put a manufactured home in it, and like I say I got the pictures. I don't know if you need to see them or not.

Commissioner Hough motioned to approve, second by Commissioner Williams. Vote 7-0 to approve.

Chairman Raines stated as I stated earlier, check with the staff. The county council will have to hear three different readings and approve it.

Allison Timmons asked from the audience when the council hears it, how often does that happen. Like once a month.

Chairman Raines stated I think they meet every two weeks.

Planning Director Mike Levister stated it was the first and third Monday of every month.

CCLDV23-7 Brian and Paige Donatello requests a Street Access Easement for Tax Map #057-00-00-033-000 located at 3630 Armenia Rd., Chester, SC 29706.

Francis Atkinson stated they call me Lannie and I live at 3630 Armenia Road. The house I live in is 1500 feet off Armenia road. And we have a rock gravel drive that's 1500 feet all the way down to my house. And I'm giving my daughter some property to build a house on, hopefully in the near future. And that we're going to rename that 3630 Armenia Road to Rosneath Drive. Where my house splits off is going to become a 911 and the new row to their house would be 911 address. So, we go make a drive out of it and give it two 911 addresses. So, the big box trucks can get in and out of there with their mail. It's not basic, basically we're going to rezone the three-acre plot. Three acres in series against the back property line.

Chairman Raines stated so the easement is gonna run from the end of your property back to the new three acres.

Mr. Atkinson stated correctly halfway to my property we already split on the main drawings for that property. Leave is 50-foot-wide easement down to right about my house and then it stops right near my house but we're gonna extend that easement on down to the split off.

Chairman Raines stated to the 3 acres on the backside.

Mr. Atkinson stated its 1853 property and kids are getting older. The property was brought into Chester County in 1853.

Vice Chairman Hill motioned to approve, second by Commissioner Grant. Vote 7-0 to approve.

RNC23-06 Brian and Paige Donatello request naming a Street Access Easement on Tax Map #057-00-00-033-000 located at 3630 Armenia Rd., Chester, SC 29706. The name requested is Rosneath Drive and approved by the 911 Address Coordinator

Chairman Raines stated we may need help because he didn't catch the pronunciation of this road.

Mr. Atkinson stated it was Rosneath.

Chairman Raines stated he saw it on the original form and there was a little question about the spelling.

Mr. Atkinson stated that was the original name of the old 1953 property.

Chairman Raines asked how many acres that was.

Mr. Atkinson stated well back then it reaches halfway to Chester from Lowrys. In the family there's probably around 150 acres left.

Chairman Raines motioned to approve, second by Commissioner Walley. Vote 7-0 to approve.

6. Comments/Discussion

Chairman Raines said we are glad to have two new voting members.

Vice Chairman Hill asked if there was a meeting next month.

Planning Director Mike Levister said yes ma'am.

Commissioner Hough asked when the deadline was for the next months meeting.

Staff member Jaime Chappell stated the deadline was last Friday.

7. Adjourn Chairman Raines motioned to approve, second by Commissioner Walley. Vote 7-0 to approve. Time 7:12 PM.

Notice of Meeting: Public Notices providing time, date, and place for this meeting were posted in the Chester County Government Complex, Chester County Court House, and published in the **March 29, 2023,** News and Reporter. All properties were also posted.