

*Jasper County Planning Commission
358 Third Avenue
Ridgeland, SC 29936
843-717-3650 phone
843-726-7707 fax*

**Minutes of the July 11, 2023
Regular Scheduled Meeting**

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

Members Absent: Mr. Arthur Rothenberg

Staff Present: Ms. Lisa Wagner

Others Present: Mr. Ebrahim Nadji with Empire Engineering and Mr. Frederick and Shalonda Toomer.

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 online at: <https://www.youtube.com/@jcmedia6537/streams>

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

Invocation & Pledge of Allegiance: Invocation and the Pledge of Allegiance was given by Dr. Bostick.

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

Approval of June 20, 2023, Regular Scheduled Meeting Minutes: Mr. Waite moved to approve the Minutes of June 20, 2023, seconded by Mr. Jenkins. The Commission Members voted in favor of the motion.

New Business:

Major Subdivision – Conceptual Plan Review – Tillman Subdivision: Ms. Wagner read the Staff Report. She said she spoke to an adjacent property owner, Mr. Curtis Brantley, and he is violently opposed to having duplexes next to his residence. Mr. Nadji, engineer and representative for the applicant, said they would like to put a duplex on each 1-acre lot with adequate parking provided and they would comply with well and septic for each of the lots. Mr. Waite said he doesn't see any sidewalks on the preliminary plan, and he asked if this will be a rental community. Mr. Nadji said this will be a rental community and he doesn't see the need for sidewalks since there are no sidewalks on the existing roadway. Mr. Waite said if the duplexes are for rent, most likely children will be living in the duplexes, so he would like to see sidewalks for them to walk to the school bus, and he asked if the road within the subdivision would be paved. Mr. Nadji said he thinks the sidewalk would encourage children to walk to the main road where there is no sidewalk, which would be dangerous. He said the road and driveways will be paved. Mr. Waite asked if a sign should have been posted on property to let the neighboring community know about this request. Ms. Wagner said the ordinance does not require a public hearing for subdivisions and this request is for conceptual review only. Mr. Waite

asked if duplexes are allowed in the Residential Zoning District. Ms. Wagner said yes as a conditional use and the property meets the conditional use criteria. Mr. Waite asked how the rear of the property would be construed as a recreational area. Mr. Nadji said it is wetlands so it would be used for a walking path or bird watching. Mr. Waite asked if that is included in the project plan. Mr. Nadji said they will look into it and see what they can create.

Dr. Butler asked who will be responsible for the maintenance of the road. Mr. Nadji said the owner will be responsible for maintaining the road. Dr. Butler asked how we can ensure that. Ms. Wagner said the ordinance requires a road maintenance agreement to be filed as part of the subdivision approval process. Dr. Butler asked if there is a provision available to restrict the number of individuals residing in a dwelling unit at one time. Ms. Wagner said there are no provisions in the Zoning Ordinance or the Land Development Regulations limiting the number of people that live in a dwelling. Dr. Butler asked if the applicants have a plan of how to rent these units out. Mr. Nadji said there are conditions put in the lease dictating what the residents can and cannot do. Ms. Wagner said they can also create covenants for the subdivision. Dr. Butler asked if other structures would be allowed in the future. Ms. Wagner said in this scenario there is nothing left to build on without disturbing a wetland. Mr. Nadji asked if they were to implement a sidewalk, where would they want the sidewalk to end. Dr. Butler said at the highway property line.

Mr. Jenkins asked for clarification on the property size. Mr. Nadji said 6.8 acres are wetlands, 1.1 acres are upland at the very back of the property, 6 acres are 1-acre lots, and the rest is roadway. Mr. Jenkins asked what Mr. Brantley's objections were. Ms. Wagner said Mr. Brantley didn't think twelve units belong between the single-family residence he has and the single-family residence on the other side of the proposed subdivision. Mr. Jenkins asked how far the residences are from the neighboring property lines. Mr. Waite said approximately 113 feet from Mr. Brantley's property line and approximately 60 feet from Mr. Toomer's property line. Mr. Jenkins said he is concerned about water runoff on the neighboring properties. Mr. Nadji said there would not be runoff on the adjacent properties because they will have swells to direct the water along the back of the lot and grass the entire area.

Dr. Bostick said reference was made to another similar project, and he asked where that project is located and if the Planning Commission approved that project. Mr. Nadji said on Plantation Drive in Hardeeville they have a plan for 15 duplexes, totaling 30 units. Ms. Wagner said the property is adjacent to the City of Hardeeville and it was permitted as a commercial site plan and not as a subdivision. Dr. Bostick asked if recreational uses are allowed in the wetlands, including a playground. Ms. Wagner said as long as the wetland is not disturbed it can be used as green space and passive open space. Ms. Wagner said playground equipment could be allowed as long as no concrete is used. Dr. Bostick asked if the plans included a playground. Mr. Nadji said he will look at the recreational area to see what they can do. Dr. Bostick asked about the setbacks from the property lines. Mr. Nadji said according to the ordinance, the side setbacks are 10 feet, the highway setback is 35 feet, and the rear setback is 25 feet. Dr. Bostick asked where the bus stops on Tillman Road. Mr. Nadji said he expects the school bus to come down the private road to the cul de sac. Dr. Bostick asked if the units will be modular homes and Mr. Nadji said the units will be stick built homes. Dr. Bostick asked if they had figured in the maintenance costs of the road and if they put in sidewalks, would that take away from the acreage of the homes. Mr. Nadji said they had not looked at the cost of the road maintenance yet and he said the sidewalks can be placed along the front of the lots since the road will be private.

Chairman Pinckney asked if the lots have already been approved for septic tanks. Mr. Nadji said they have contacted DHEC, but it will be a month before they come and check the soil. Chairman Pinckney said septic tanks on twelve units would be devastating to the neighbors. He said Jasper County is pushing to keep Jasper rural and this project doesn't fit the character of that area. Mr. Nadji said they are doing soil testing and every lot will have to comply with DHEC regulations. He said this is just a conceptual review and they will have more details at the next stage. Chairman Pinckney said this project needs to be in an area where city water and sewer are available and there needs to be land dedicated for recreational purposes outside of the wetlands. Chairman Pinckney asked how many bedrooms each unit would have. Mr. Nadji said two or three and they could reduce the size of the units and number of bedrooms if needed.

Mr. Waite asked if the road could be included in the acreage set aside for each lot. He pointed out that the acreage of each area adds up, but the road area is included in the acreage for the lots. Ms. Wagner said each lot would have to be 1 acre in size and the road can not be included in the lot sizes. Mr. Waite suggested putting in a central mailbox location at the cul de sac with a sidewalk. Mr. Nadji said in his opinion this will be a good subdivision with covenants, sidewalks, and an adequate recreational area will be provided, so he doesn't feel it's necessary to have a central mailbox location for a 6-lot subdivision.

Ms. Wagner gave an overview of the additional information that the Planning Commission would like to see, which includes sidewalks, a central mailbox station, a road maintenance agreement, ensure each lot is 1-acre in size excluding road, more information about the recreational area, covenants & restrictions to include limiting the number of unrelated individuals living in the home, and septic information. Mr. Waite said there is a property in the area on Tillman Road just before Floyd Road that looks like a dump. Ms. Wagner said she would contact code enforcement. Dr. Butler said that she doesn't see anything getting done with code enforcement. Chairman Pinckney said he doesn't think duplexes in with the surrounding residential area, so he doesn't think a motion is needed. Dr. Butler asked why this was not a commercial development, but the other project was. Ms. Wagner said the other project was not a subdivision, it's on one lot and they will never be able to sell or condominiumize the units without first getting subdivision approval. Mr. Nadji said that they can remove the lot lines and provide a linear drain field in the back if the Planning Commission wishes. Mr. Waite asked if the other project on Plantation Drive has city sewer. Ms. Wagner said it does. Mr. Waite said this type of project is more designed for an area with city sewer.

Open Discussion: Chairman Pinckney said there has been some concern about the way the Planning Commission does the invocation and Pledge of Allegiance. He said the way he understands it, there are no written rules, but the Planning Commission follows the format of the County Council, and they always have invocation and Pledge of Allegiance so he would like to know how the other Commissioners feel about this. It was the consensus of the Commissioners that the Planning Commission should continue to have invocation and the Pledge because it provides formality and respect, and they each felt that the invocation and Pledge of Allegiance is important to continue.

Chairman Pinckney said duplexes should be in areas where there is city water and sewer. He suggested reviewing the County's Zoning Ordinance requirements for duplexes. Ms. Wagner said she will bring something back next month for the Planning Commission to look at.

Dr. Butler said we have a lot of workers coming into our county who need housing, which creates a problem that is being pushed to the rural areas and there needs to be something in place to protect the people that live here now. Ms. Wagner said she will look into the legality of limiting the number of people who dwell in a housing unit, and she will also follow up with the Fire Marshal. She said the County is fixing to kick off the review of the Comprehensive Plan and that will include looking at the land use element. She said it would be helpful if the Planning Commission could keep notes of things that need to be addressed as we go through that process. Dr. Butler said the county doesn't enforce covenants, so limiting the number of people that live in a dwelling unit needs to be adopted in the Zoning Ordinance for it to be effective. Dr. Butler asked if a business license is required for rental property. Ms. Wagner said yes. Ms. Ferguson said it should be a requirement for there to be sidewalks in these types of developments. Mr. Waite said we should be a sounding board for County Council. Ms. Wagner said the Zoning Ordinance lays out the actions that require a public hearing, which includes re-zoning, appeals, variances, zoning text amendments, but the land development regulations do not have public hearing actions. Applications for commercial and subdivisions must meet all requirements of the land development regulations. She said that is the way the ordinances are set up.

Chairman Pinckney said he reviewed material from Berkley County, and they limited the number of building permits that were issued per year so that they can catch up the infrastructure. He suggests that Jasper County may want to look into that.

Mr. Toomer asked if there is a prohibition on this becoming subsidized housing under Section 8. Ms. Wagner said there is not a prohibition on that. Chairman Pinckney pointed out that the applicant said this would be rental property. Mr. Toomer asked if there would be a dumpster on site. Ms. Wagner said they would not be required to have a dumpster on site unless it is a commercial site plan, but the Planning Commission can ask for anything additional that they think is needed. Mr. Toomer said there is a park across the street and asked if the sidewalk would extend across the street to the park. Ms. Wagner said the applicant would not be responsible for anything outside of their property. Mr. Toomer asked if the applicant would be allowed to tamper with the branch that feeds into the pond on his property. Ms. Wagner said their post-development must meet or exceed pre-development standards and their stormwater and drainage would require a permit. Mr. Toomer said he is concerned about the number of people that may be living in this community and the waste and traffic that creates. He said renters would not be concerned about preserving the character of the area as homeowners would be. Chairman Pinckney said they will look into the guidelines for duplex and rental property in the county and thanked Mr Toomer for his comments.

Adjourn: Mr. Jenkins moved to adjourn, seconded by Mr. Waite. The Commission Members voted unanimously in favor of the motion. The meeting adjourned at approximately 8 p.m.

Respectfully Submitted,

Lisa Wagner