



1 **TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS**
2 **December 1, 2009**
3 **6:30 PM**
4 **PLANNING COMMISSION**
5 **MEETING MINUTES**
6
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8 **1. CALL TO ORDER**

9 Chairman Hanson called the Planning Commission meeting to order at 6:30 PM. In
10 attendance were: Chairman Hanson and Planning Commission members Cook,
11 Saunders, Smith and Livesay were present. Commission member Seibold was absent
12 and Commission member Culbertson had resigned. There was a quorum. Staff present:
13 Building, Planning and Zoning Director Donevant and Waccamaw Council of
14 Government Planner Britton.

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16 **2. PLEDGE OF ALLEGIANCE.**

17 Chairman Hanson led the pledge of allegiance.

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19 **3. AGENDA APPROVAL**

20 A motion to approve the agenda as submitted was made by Ms. Cook and seconded by
21 Mr. Smith All voted in favor. MOTION CARRIED.

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23 **4. MINUTES APPROVAL**

24 Chairman Hanson asked for a motion to approve the minutes from the November 3,
25 2009 meeting. Ms. Cook said she did not get the minutes. Chairman Hanson asked that
26 the minutes be amended at line 76. It should read higher not hire to Chairman then asked
27 for a motion to approve the amended minutes. Ms. Cook made a motion to table the
28 approval of the minutes until the next meeting it was seconded. All voted in favor.
29 **MOTION CARRIED.**

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31 **5. BUSINESS**

32 **A. *Plat Review***

33 Mr. Britton stated that he was asked to review the subdivision plat. He stated that in
34 talking to Jackie there has not been a subdivision review in some time, so what he
35 thought he would do is briefly go over the requirements for subdivisions and the review
36 process. As planning commission members you wear a lot of different hats and you have
37 different types of approvals, for instance text amendments your review is legislative and
38 when you consider an appeals case it is qua si judicial . For a subdivision plat review its
39 administrative, meaning in your approval is it meets requirements or it does'nt meet
40 requirements or it meets requirements with conditions. So the descrestionary review of
41 subdivision plats are not the same as text amendments or other items that come to you.
42 In looking at the subdivision plat we have a total of six lots, because there is no new
43 infrastructure, ie no new roadway construction, this is handled as a one step process,
44 where as if you have roadway construction for subdivision under your development
45 regulations it's a three step process. This is a somewhat condensed review because it is a
46 one step process. In looking at a plat of the lot it appears to meet all the requirements of
47 your zoning ordinance, lot size, lot width, and the layout conforms to the land
48 development regulations. There were seven items that we had listed, those are primarily
49 minor types of items; I think three of the seven deal with just the layout of the plat. Item
50 number seven which deals with the homesite that's on the property, I think that has since
51 been removed, so item seven is not applicable. In looking at the items that we had listed

52 in the review we didn't see anything in here that should preclude approval, what I would
53 recommend is that any approval you give be contingent upon the six items, items one
54 through six that are listed in the memorandum. Mr. Britton stated that a couple of the
55 items deal with certification blocks that go on plats and every community is different, so
56 from going from one jurisdiction to another a surveyor will have to change certification
57 blocks. There were a couple of minor wording differences in the certification blocks,
58 which are just a minor correction and inserting a vicinity map is a minor correction. As
59 part of any review you would require a signature or sign-off from a water and sewer
60 provider; that's one of the punch list items as well as, if any, additional infrastructure is
61 required such as a fire hydrant placement that would posting with the town to guarantee
62 installation. Ms. Donevant had spoken with the fire department; there is one additional
63 fire hydrant placement that they asked for. Mr. Hanson asked if R-1 was going to stay
64 R-1. Mr. Britton confirmed that there is no zoning change involved; this just deals with
65 the platting or division of the property. Mr. Saunders asked for confirmation that this
66 was presented to the town on October 16th. Ms. Donevant stated that it was brought in
67 for a preliminary review and then the plats were brought back for the meeting at a later
68 date. Mr. Saunders asked why it was not presented at the Planning meeting November
69 3rd. Ms. Donevant stated that the plats were not ready at that time. Mr. Saunders stated
70 that this never came up. Ms. Donevant stated that it would not have been discussed until
71 it is presented and that it is now being presented. Ms. Donevant explained that the
72 developer did not bring the other plats until later; they were brought in time for the
73 December meeting. Mr. Britton explained that the process has been that the developer
74 brings in a sketch drawing of the plat which is what was submitted. There is a 10 day
75 provision; the administrative officer takes a 10 day review period, reports anything back
76 to the developer, the developer and the surveyor then comes in and submits the formal
77 formal plat and this is the process of the development regulation. Ms. Cook asked if
78 there a notification process to the public with this. Mr. Britton explained that under the
79 development regulations and under State law there is not a mandatory notification
80 requirement of adjoining property owners; there is a requirement that discussion,
81 deliberation be in a public meeting and there is a requirement for notification of the
82 owners whose property's being subdivided. It was confirmed that there is no change in
83 zoning. Mr. Smith asked which lot was smallest and which was the largest. Mr. Britton
84 state that the smallest lot appears to be 10,544 square feet and the largest lot appears to
85 be 14,266 square feet and this is R-1 so your minimum threshold requirement is 9,000
86 square feet; they are all above the minimum requirement. Ms. Livesay referred to
87 sections 15-4 and 15-13 and asked if the lot size included the setbacks. Mr. Britton and
88 Ms. Donevant confirmed. Ms. Livesay stated that "when you start taking setbacks and
89 subtracting them from the dimension of what's left after setbacks, that one little tiny lot
90 there has 16 feet in the back and it's kind of triangle and then the one on the corner has
91 got 28 feet in the back and then this one right here on the corner has got 28 feet left in
92 the back."

93
94 Mr. Saunders asked for a better copy. A larger copy was provided to Mr. Saunders. Ms.
95 Livesay stated that it just suggests that the lots in this diagram that the corner lots are too
96 narrow and that the corner lots should be a greater width than the interior. Ms. Livesay
97 stated that she had reviewed the comprehensive plan and would like to see the density
98 reduced. Ms. Livesay asked if the Commission has the ability to deny the six lots. Mr.
99 Britton explained that the standard of review is; does it meet the requirement of the
100 development regulations; the lot size requirement is specified by the zoning ordinance.

101 Ms. Livesay stated that it meets the requirement but that she feels that the building area
102 left on each of the are not desirable for R-1. Mr. Britton stated that “the purpose of the
103 statement in there about designing corner lots larger than interior lots as a general rule is
104 to insure that you have enough buildable area on your corner because you have increased
105 setbacks as a result of basically having 2 front yards. If you look at the plat, the surveyor
106 has illustrated what the setbacks would be so that gives you an indication of what your
107 buildable area would be for each lot and the question becomes with the lot layout is
108 based on the lot design, is the lot, in fact, buildable. If you had a situation where you’re
109 creating a lot that because of this configuration, because of the setbacks you’re creating
110 something that is unbuildable that would be a basis of denying or declining to approve.”
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112 Mr. Hanson stated that the town currently has R-1 lots that are much smaller than these
113 lots; they are 7,200 square feet. Ms. Livesay stated that those lots were predetermined
114 and that she realizes that dividing it would allow the ability to sell different lots but she
115 not agree that it was in the spirit of the comprehensive plan. Mr. Britton explained that
116 this goes back to the basis of the type of review. There are “legislative reviews, quasi
117 judicial reviews and administrative reviews which subdivision plats are primarily, except
118 in appeals cases, are when they’re asking for a modification from the requirement are
119 primarily administrative so the question is do they meet requirements or they don’t meet
120 requirements. If they meet requirements you’re more inclined to approve. If you say
121 they can meet requirements but there are some conditions we need to attach to this
122 because to make sure they comply, if you deny subdivision platting it needs to be based
123 on a specific criteria from the land developer regulations that they didn’t meet.”
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125 Ms. Livesay stated that she is not sure what could be built on those lots. Ms. Cook asked
126 if there are going to be matching cookie cutter houses on these lots or could individual
127 build whatever they wanted. Mr. Britton stated that “typically for a subdivision plat you
128 would not because your land development regulations don’t regulate the use of property.
129 That’s regulated by the zoning.”
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131 Ms. Livesay asked “why even bother with the spirit of the comprehensive plan in
132 controlling density if we have no say so.”
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134 Mr. Britton explained that the town sets requirements and land development regulations
135 “which are the rules of the game which are based on your comprehensive plan. In other
136 words, your land development regulations, the way they’re written, the way you put
137 them together, the way they’re adopted needs to comply with the comp plan so the
138 assumption is once you have adopted the plan development regulations, those
139 regulations conform to your comprehensive plan. From there you set the rules for the
140 game and when somebody wants to come in and subdivide property, if they meet the
141 rules that are set, they get approved. If they don’t meet the rules that are set you deny.”
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143 Mr. Saunders questioned why this was brought before the commission since Ms.
144 Donevant and Mr. Britton already “got this all worked out.”
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146 Mr. Britton explained that “because your land development regulations provide that the
147 subdivision plats are brought to the planning commission and a lot of jurisdictions at
148 staff level functions in Surfside Beach as well as a lot of small towns they’re a planning
149 commission function. The reason is, the thought process is that a planning commission

150 can look at this and say ‘meets requirements here, here and here or does it meet
151 requirements?’”

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153 Mr. Hanson stated that could have come in as a PDD. Ms. Livesay asked of it was big
154 enough to be a PDD and Ms. Donevant stated that it was over an acre so it was. It was
155 confirmed again that the requirements for a lot are 9,000 square feet. Mr. Hanson stated
156 that R-1 is 9,000 square feet but the ordinance says that 80 percent of that can be
157 approved or the building. Ms. Donevant stated that there are exceptions and
158 modifications in the zoning ordinance. Ms. Livesay stated that after the setbacks are
159 subtracted the lots are not as large. Ms. Livesay added that she does not feel that this
160 was what the town and the council had in mind. Mr. Britton stated that the commission
161 can initiate an amendment to change the rules. Ms. Livesay commented that it would be
162 too late to change the rules for this subdivision. Ms. Livesay asked if the commission
163 could approve 4 lots instead of 6. Mr. Saunders commented that he just received this
164 information and cannot just approve something he has not had time to review.

165
166 Mr. Servant presented the request for the subdivision. Mr. Servant stated that he is with
167 Surfside Realty Company and explained that it is not his subdivision; he was there to
168 represent Winnie King. Ms. Kings’ father purchased the property years ago. He ran the
169 Exxon station at 5th Avenue North; the station is still presently there. Mr. King acquired
170 the properties in the 60’s. Mr. Servant stated that the lots were lined up with 3 lots
171 facing one street and 3 lots facing another street. When Mr. Brown built his original
172 house he consolidated 2 lots into 1 lot then he purchased 2 more lots. There are actually
173 4 lots being subdivided into 6 lots. Mr. Servant stated that it is also important to know
174 that it was looked at from a viewpoint of planning and development and in their opinion
175 it does not match well with the community. Surfside is a mix of different types of
176 housing and as long as they meet the zoning regulations one can build. This relate to
177 density. As far as aesthetic appearance or curb appeal; people built what they wanted to
178 build. Mr. Servant stated that they felt to go in the middle of an R-1 zone that has many
179 different types of curb appeal to many different facades would be bad for the
180 community; it would not be in keeping with what was already there. Deed restrictions
181 were also considered but this is not what the conforming use is for that part of Surfside
182 Beach. Mr. Servant stated that it is also important to realize that the building pads are
183 larger than some of the current R-1 lots. It is also in the flood zone and because a flood
184 zone has more stringent regulations on building heights as a practical matter the majority
185 of the houses will need to be built up. The majority of the existing houses built in the
186 last 20 years are built up. In order to afford flood insurance and meet town requirements
187 enforced by FEMA most individuals will construct homes with the built up beach house
188 style. Mr. Servant stated that at this point in time there is no intention on Mrs. Kings’
189 part to build with one developer; they will be open to individuals to buy much like the
190 neighborhood has previously been done. As long as they meet the requirements and
191 building regulations people can usually build whatever they want on these lots which
192 would be keeping in with the community.

193
194 Mr. Servant stated that they did submit a really rough drawing which met what needed to
195 be met as far as the zoning regulations were concerned as set forth by the town. It was a
196 rough draft and they hoped to have it available for the November meeting but there were
197 some problems with the plat; the way it was done; the setbacks they were not satisfied
198 with. Mr. Servant stated that he did not get it until almost the middle of November to

199 get it into the town for this meeting. It was confirmed that these were all flood zone lots.
200 Mr. Servant stated individuals would be required to meet the elevation requirements
201 which he believes would 14 to 16 feet. Ms. Donevant stated that it is in the
202 memorandum. Ms. Livesay stated that she would like to see bigger more desirable lots
203 with more green space and have people ask the price they need to ask to get the land
204 rather than make 6 smaller lots. Ms. Livesay stated that she understands that people
205 want to get their property value out of this but argued that she feels 4 lots would leave
206 more side space and more room for decks. Ms. Livesay stated that she wishes the
207 aesthetics of the entire neighborhood would be taken into consideration. Mr. Servant
208 stated that he grew up in that neighborhood and this is just what that particular
209 neighborhood dictates. Ms. Livesay stated that she did not know that 6 lots were being
210 considered she was hoping it was going to be 4. Mr. Servant stated that it is technically
211 4 at the present time. Mr. Servants stated that Mrs. King does care about Surfside and
212 some of her motivation is dictated on what people can afford in this economy. Mr.
213 Hanson stated that the sketch was available in October; it was reviewed by himself, Ms.
214 Donevant and Mr. Britton. Mr. Hanson explained that they meet once a month to plan
215 the agenda and invited other members to attend. Mr. Hanson stated that he apologized
216 that this was the first time the members were seeing the sketch. Mr. Smith made a
217 motion to approve the plat with the stipulations in Mr. Britton's memorandum. Ms.
218 Livesay asked what happens from here if there is no second. Mr. Britton stated that
219 there is a statutory requirement that a plat has to be disposed of by the Planning
220 Commission within 60 days; if it is moved to be approved the commission can set
221 conditions. If it is moved to deny it there needs to be a reason stated for denial. Mr.
222 Hanson stated that if there is no second and the motion dies it will be approved after 60
223 days. It was confirmed that there would be no stipulations allowed at that time. Ms.
224 Cook seconded the motion with the stipulation Mr. Britton had stated to approve the
225 plat. Ms. Cook asked if Mr. King decides to sell this to a developer could it be made
226 into a PDD. Mr. Hanson stated that it would need to be resubmitted and come back to
227 the Planning Commission and then it would need final approval by council. Mr. Britton
228 stated that with a PDD the density could be altered. A PDD would be subject to
229 additional review. Ms. Donevant stated that the Harbor Lights lots are in R-1 and the
230 lots are smaller than the lots being presented. Mr. Saunders asked of this could be tabled
231 until the next meeting adding that this would allow them to have more time to get better
232 informed or would this cause undue hardship. Ms. Livesay asked Mr. Saunders what he
233 had in mind specifically that the commission did not currently have. Mr. Saunders
234 stated that he has the same question that she has concerning this. Mr. Britton stated that
235 there is a 60 day provision beginning the day the plat was submitted for consideration;
236 the 60 days can be extended by mutual agreement in most ordinances if the developer,
237 owner or sub-divider is agreeable to extending this. Mr. Britton stated that he is not sure
238 if this specific language is in the town ordinance. Mr. Smith stated that he feels that the
239 6 lots would fit in the area. Ms. Livesay stated that this was the point she was trying to
240 make in that she is not sure what additional information the commission could get that
241 would make a difference in allowing this. Mr. Smith, Ms. Cook and Mr. Hanson voted
242 for and Mr. Saunders and Ms. Livesay voted against. **MOTION PASSED.**
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B. Discussion

Mr. Hanson stated that he attended the council meeting where Planning Commission recommendations for zoning ordinance discussion items were presented. The technical list of 40 items was approved by consensus of council to move ahead. The changes can be made; the changes would then go through the commission for approval and then they would go before council for final approval. The policy items will be addressed by council at a workshop; council asked to have the workshop with Tom Britton to go over the policy items before they approve any for a rewrite. Mr. Hanson stated that the workshop would be held in January. Ms. Donevant stated that she was in contact with the town clerk Ms. Pinnell to go over possible dates. Ms. Livesay asked when the Commission would be addressing the sign and setbacks on 17 ordinances. Mr. Hanson stated that it would be discussed at the January meeting. Ms. Donevant is currently reviewing some issues on banners and yard signs.

6. PUBLIC COMMENTS

There were no public comments.

7. COMMITTEE COMMENTS

Ms. Cook: “I was giving a lot of thought after our last meeting and I was one of the people who was not in favor of adding the mixed use portion to our changes that were submitted to town council and I’ve given a lot of thought and after recent, I guess the best word would be shenanigans of the town advertising things in the Horry Independent which is not local newspaper, it’s a county paper but not one that is well read in Surfside and the past comments by a town official who said that we would get away with whatever we could get away with I would ask the public for due diligence and very good people actually attend our meetings and follow what’s going on here and with the town council. It’s public in the past (SIC) the town meetings voted down the mixed use on Surfside Drive, they were pretty adamant about it and I just, I don’t want to feel like this is a way to slide it in the back door.”

Mr. Hanson: “Well that’s a policy issue and we have a, we don’t know what the council, whether they’re going to say go forth or strike it out and I have a feeling that some things on that list of 20 are going to get scratched and that may be one of them. I don’t know.”

Mr. Saunders: “At our last P&Z meeting I asked for you to put on the agenda Ms. Janet Gainey’s situation with her property right here at Surfside Drive and North Poplar. I see that it’s not on the agenda and I promised Ms. Gainey that we would take this up tonight. I see she’s here to see what we’re going to do about it. I’d like to know why it’s not on that agenda and then I want to make a motion but first I want to know why it’s not on the agenda.”

Mr. Hanson: “I can’t answer that. I asked Jackie to put it on the agenda. Can you address that Jackie?”

Ms. Donevant: “No sir, I wasn’t here at the last meeting sir. I didn’t know that was . . .”

Mr. Hanson: “I called you.”

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Ms. Donevant: “No you said that I should be prepared for it, not to put it on the agenda. We discussed it last week at our meeting. I think I was supposed to call Mrs. Gainey was the thing. I misunderstood you Bob, I’m sorry if you said put it on the agenda. I’ll go back and look at my notes.”

Mr. Hanson: “OK.”

Ms. Donevant: “But I did e-mail Mrs. Gainey and I’ll be glad to answer your question.”

Mr. Hanson: “Would you please?”

Ms. Donevant: “The Planning Commission in 2003 held a public hearing for a rezoning for Mr. McQuiddy and for Mrs. Gainey. The Planning Commission voted in favor to recommend that rezoning to council. There it stopped. I’ve been through the records all day today looking to see. Council never approved it. Didn’t bring it up. It just never and that’s their discretion; they don’t have to do that but the Planning Commission did their due diligence. They had a public hearing and they approved the rezoning but council . . . The recommendation to council.”

Mr. Hanson: “McQuiddy’s lots?”

Ms. Donevant: “For McQuiddy and Mrs. Gainey and I’ve got a copy of it right here where that happened so it’s not a Planning Commission item.”

Mr. Hanson: “It was a town council item and they just ignored it, or . . .?”

Ms. Donevant: “I don’t know Bob I wasn’t even here. I don’t know but it was never brought back up to council.”

Mr. Hanson: “And it was never approved?”

Mr. Saunders: “This lady has come to more meetings than I can remember in an attempt to get something. We owe her an answer and now you’re telling me that this not even anything we can put on our agenda?”

Mr. Donevant: “I gave her an answer today. I e-mailed her and I am telling you it’s not a Planning Commission decision. It’s already been brought to the Planning Commission. It’s been recommended to council.”

Mr. Saunders: “So, she brings it up again we can’t ever talk it?”

Mr. Donevant: “She may resubmit her application.”

Ms. Gainey spoke stating she applied in 2003. **Ms. Gainey** spoke from the audience some of her comments were not legible.

Mr. Saunders: “What is this citizens recourse?”

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Ms. Livesay: “Go to council.”

Mr. Hanson: “Resubmit.”

Ms. Gainey: “Why should I resubmit when I’ve never been answered on it . . .”

Ms. Donevant: “That’s a council question. It’s not a Planning Commission question and you certainly can ask council. I promise you.”

Mr. Saunders: “I know a couple of councilmen and I will ask them.”

Ms. Donevant: “That’s exactly what needs to be done. I have no idea. I wasn’t . . .”

Mr. Hanson: “Ok, let’s settle down here. This is the McQuiddy lots which are now the town lots that have been voted on twice by this commission and both times they were turned down as far as being rezoned and some of you here voted, we voted on it last summer. That was the second time so because her lot is not contiguous it’s my contention that she has received an answer and the answer is ‘no, that it’s not contiguous and unless the park and parking lot is rezoned as commercial and becomes contiguous that she has no recourse at this time. If she wants to resubmit, I believe the fee could be waived, I don’t see why not, but I think what we’re trying to do is put this thing to bed.”

Mr. Saunders: “That’s what I’m trying to do. It needs to be. At a minimum, owe her an answer, some answer but if we were entitled to meet here, vote here, on the town’s lot, which I believe you just, she just said was already voted on and no answer was given but it was ok for us to meet on it again, the lot adjoining it, we can’t vote on it, we can’t do anything with it but we could for the . . .”

Mr. Hanson: “We can’t vote on it because it is not contiguous, it would be spot zoning.

Mr. Saunders: “How could we have . . . we did it, we voted on what the town could do . . .”

Mr. Hanson: “That is contiguous. That lot is contiguous with the commercial.”

Mr. Saunders: “Do you follow what I am saying? We were entitled to authorize to, meet, discuss and vote on what the town could do with that lot that is now going to be a park and parking lot. We did that, we voted on that.”

Mr. Hanson: “Yes, it’s contiguous, yes.”

Mr. Saunders: “In the same document that was in front of town council, that piece of property was in the same document.”

Ms. Donevant: “No sir, that was submitted by Mr. Kirk McQuiddy back in ’03 and Mrs. Janet Gainey.”

Mr. Saunders: “On the same pieces of land.”

391 **Ms. Donevant:** “The one piece of land that the town purchased and then the town
392 brought it to the Planning Commission. It was resubmitted, again, by the town. Not by
393 Mr. McQuiddy and not by Mrs. Gainey.”
394

395 **Mr. Saunders:** “Well, and in commission meetings on know on four or five occasions
396 she has stood up and asked us to make a ruling on it.”
397

398 **Ms. Donevant:** “It’s not a Planning Commission decision at this point.”
399

400 **Ms. Cook:** “But if it came before us we would say no because it would be non
401 contiguous.”
402

403 **Mr. Hanson:** “It would be spot zoning, yes.”
404

405 **Mr. Britton:** “That would be a problem. The only thing I would caution about is
406 forming an opinion on a case that you don’t have.”
407

408 **Ms. Livesay:** “Then we’d be making a subdivision.”
409

410 **Mr. Britton:** “Right now you don’t have an application before you. The application you
411 had was disposed of apparently by the Planning Commission and forwarded to council
412 so the ball was in the council’s court, whatever they did with it obviously we don’t
413 know. There are three options potentially available. You can initiate a rezoning
414 application one of three ways. The property owner can submit and application which
415 would come to you for public hearing with the recommendation for or against the
416 council be submitted to council. Number two Ms. Gainey can go talk with council and
417 the council could initiate a zoning amendment,s ending it back to the Planning
418 Commission for a recommendation on the matter or the Planning Commission could
419 initiate a zoning amendment for consideration. The only drawback with a Plannign
420 commission initiated, if you vote it down that doesn’t necessarily forward it to council
421 because it was your application. In other words, if you vote down and decide not to
422 pursue your own application that’s where it dies. So right now you apparently had a
423 hearing that took place six years ago, six and a half years ago, the problem for the
424 council when considering that application is they’ve got a hearing from six years ago
425 with adjoininging property owner notifications from six years ago and it would become a
426 due process issue probably for the council to act because the adjoining neighbors would
427 probably have a substantial grievance by being notified six and a half years ago. The
428 cleanest way to do it would be one of those three ways. If she resubmits an application
429 she goes and talks with the town council, the town council intiates (SIC), you hold a
430 public hearing, you make a recommendation to the council for or against and the council
431 finally makes the decision. That’s the cleanest way to do it at this point because the
432 application is six years old.”
433

434 **Ms. Livesay:** “Let me ask you when Mr. McQuiddy sold this to the town that made this
435 application null. They didn’t act on it or they didn’t decline it. He just sold it to the city,
436 is that right? “
437

438 **Mr. Hanson:** “They declined it, didn’t they? Town Council?”
439

440 **Ms. Donevant:** “Nothing ever became of it as far as I can find.”

441

442 **Mr. Britton:** “The State statute, to throw this out, the State statute requires a disposition
443 from the Planning Commission ie. you have so many days to make a recommendation or
444 it’s deemed to be a favorable recommendation. There is no such provision that I’m
445 aware of in the State statute that says once it goes to council they have to do anything
446 with it. In other words that could be pigeonholed and never see the light of day, now if
447 that’s what happened six and a half years ago I don’t know whether there was ball
448 dropped, don’t know but . . .”

449

450 **Ms. Donevant:** “I don’t know. I really don’t. There’s been a lot of turnover. I can tell
451 you I didn’t find any record where it was brought.”

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453 **Mr. Britton:** “But right now I think that issue potentially is mute from the standpoint,
454 you can’t make a recommendation; you’ve already made a recommendation. Council’s
455 probably not going to be inclined to act because they haven’t held a public hearing; they
456 did six and half years ago but they haven’t held once recently. The cleanest way to do
457 this is Planning Commission initiate a text amendment or, excuse me, a rezoning to city
458 council, town council do it or the applicant resubmit. Now whether there’s fees to be
459 waived or whatever would be a town call.”

460

461 It was confirmed the parking lot is zoned R-2.

462

463 **Mr. Smith:** “So if we did it we’d have to zone that commercial also so it would be
464 contiguous.”

465

466 **Ms. Donevant:** “Uh huh.”

467

468 **Mr. Hanson:** “But we voted that down last summer.”

469

470 **Mr. Smith:** “I understand that, but I’m just trying to understand the process.”

471

472 **Mr. Saunders:** “And I understand I’m not saying do it or don’t do it. I’m saying we owe
473 her an answer. That’s terrible to do that to a resident of this town. Whether it was six
474 years ago or six minutes ago, we owe her an answer.”

475

476 **Mr. Smith:** “But I think the Planning Commission gave her an answer six years ago.”

477

478 **Ms. Donevant:** “They did.”

479

480 **Ms. Livesay:** “It seems that it’s in the council’s court and she can suggest they throw it
481 back to us to get an answer, I guess, but . . .”

482

483 **Mr. Hanson:** “Did the Commission six years ago approve it or disapprove it?”

484

485 **Ms. Donevant :** “They approved recommending it to council.”

486

487 **Mr. Saunders:** “They either inadvertently never got it . . .”

488

489 **Mr. Hanson:** “Well McQuiddy never built so he never got permission.”

490
491 Other comments made commission members talking over each other.

492
493 **Ms. Donevant:** “I don’t know, I wouldn’t want to speculate because there was a lot of
494 turnover and a lot of people in and out of here and whether the ball got dropped or what
495 happened, I have no idea.”

496
497 Ms. Gainey made some comments could not be made out.

498
499 **Ms. Gainey:** “. . . so what I was told basically hold on it’s going to be put in the
500 comprehensive plan. I was continuously told by council ‘hold on, we’ll put it in the
501 comprehensive plan and then we’re going to do something with it, so it was never
502 answered.”

503
504 **Mr. Saunders:** “Well, we’ve got it in our policy.”

505
506 **Mr. Hanson:** “If they approve it, yeah.”

507
508 **Mr. Saunders:** “I had one other thing I wanted to say, I don’t know if I’ve got a five
509 minute time limit or not but . . . the other question I have and this (SIC) more comments
510 and calls about people who live in this town about this thing that came up at the last
511 town council meeting about advertising, and you just mentioned this, advertising in the
512 Horry Independent newspaper and I keep . . .”

513
514 **Ms. Livesay:** “What are we advertising?”

515
516 **Ms. Cook:** “Closing of 1st Avenue, I think.”

517
518 **Mr. Saunders:** ‘Public notices are . . . when we closed it down at the Fire Station and
519 then we’re closing it down at the other end (SIC) I don’t get it but is that Jackie . . .”

520
521 **Mr. Hanson:** ‘Ron, I appreciate your comment but this is not our affair.”

522
523 **Mr. Saunders:** “It is our affair because we have public notices posted in newspapers too
524 and I think we need to make sure that ours are posted in a newspaper that gets to our
525 constituents here.”

526
527 **Mr. Hanson:** “I’ve got one here that was in the Sun News for our last public hearing
528 and I don’t think we had once since then. Sharon is going to, we have a vacancy and
529 Sharon said she was going to put that in the paper. I don’t know which paper.”

530
531 **Ms. Donevant:** “The Sun News.”

532
533 **Ms. Livesay:** “Did you have to run an ad to close that street?”

534
535 **Ms. Donevant:** “I don’t anything, that’s not my . . .”

536
537 **Ms. Livesay:** “It’s not zoning? Oh.”

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Mr. Saunders: “I want and answer on that.”

Ms. Donevant: “Who are you asking sir? What are you asking me?”

Mr. Saunders: “Are you placing ads in that Horry Independent?”

Ms. Donevant: “I have not placed any ads in the Horry Independent.”

Mr. Saunders: “Do you have any intentions to do so?”

Ms. Donevant: “Is this a trial or something?”

Mr. Saunders: “I want to know if we’re going to be doing that. It’s an underhanded way of doing business and I want to get ...”

Ms. Donevant: “Are you calling me underhanded? I don’t have anything to do with that ad in the Horry Independent.”

Mr. Hanson: “The town clerk takes care of that and it’s up to the council and the town clerk. This is not our . . . how they advertise. This is not a setback or a zoning issue.”

Mr. Saunders: “If we give notice of a public hearing it should be done in a paper that is well circulated in this area not one in Aynor . . .”

Mr. Hanson: “Ok, fine, thank you.”

8. ADJOURNMENT

Mr. Smith motioned to adjourn. Ms. Cook seconded the motion. Meeting adjourned at 7:25 PM.

Jackie Donevant,
Director of Planning, Building and Zoning

Bob Hanson, Chairman

Lynn Livesay, Commission Member

Ron Saunders, Commission Member

John Culbertson, Commission Member

Carol Cook, Commission Member

APPROVED

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Charles Seibold, Commission Member

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Rod Smith, Commission Member

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NOTE: BE ADVISED THAT THESE MINUTES REPRESENT A SUMMARY OF THE PLANNING COMMISSION MEETING AND ARE NOT INTENDED TO REPRESENT A FULL TRANSCRIPT OF THE MEETING. THE TAPE(S) OF THE MEETINGS ARE AVAILABLE UPON REQUEST, TO BE HEARD IN THE OFFICE OF THE SECRETARY TO THE PLANNING DEPARTMENT. AN AGENDA OF THIS MEETING HAS BEEN EITHER MAILED OR MADE AVAILABLE TO PERSONS, ORGANIZATIONS AND LOCAL NEWS MEDIA AS PER THEIR REQUEST. THE AGENDA GIVES THE DATE, TIME AND PLACE OF THE MEETING AS WELL AS THE ORDER OF BUSINESS. THIS DISCLOSURE IS IN COMPLIANCE WITH THE SOUTH CAROLINA CODE OF LAWS OF 1976, SECTION 30-4-80(E).