

**MINUTES**  
**LAURENS COUNTY PLANNING COMMISSION**  
**TUESDAY, MAY 19, 2015 - 6:30 P.M.**  
**CHURCH STREET OFFICE COMPLEX**

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**ATTENDANCE:**    **MEMBERS PRESENT** - Commission Vice Chairman Bob Brewington; Commission Members, David McDannald, Michael Smith and Kay Weeks.

**MEMBERS ABSENT:** Commission Members Ernie Whiteford and Copeland; Commission Members Randy Bishop and Billy Abercrombie (both resigned).

**COUNTY STAFF:** Ernest Segars, County Administrator; Chuck Bobo, Laurens County Building Codes Official and Betty Walsh, Laurens County Clerk to Council.

**PRESS** – None present.

**PROGRAM PARTICIPANTS:** Jim Royer, Steven Marbry and Sabrina Marbry.

**SCHEDULED AGENDA ITEMS** – 1.) Call to Order; 2.) Invocation and Pledge of Allegiance; 3.) Approval of Agenda May 19, 2015; 4.) New Business: A.) Introduction of new appointee; B.) Variance Request – Setback lines for a covered arena on a residential street; 5.) Old Business; A.) Continued discussion of merging / amending existing ordinances; 6.) Commission Member Comments; 7.) Future Agenda content for discussion / review; 8.) Adjournment.

**CALL TO ORDER** – Vice Chairman Brewington then called the meeting of the Planning Commission to order at 6:30 P.M. in the Conference Room of the Church Street Office Complex on May 19, 2015.

Vice Chairman Brewington provided the invocation and was followed by the Pledge of Allegiance by everyone.

Vice Chairman Brewington noted the new appointee – Kay Weeks – from County Council District #2. Formal introductions were made from all.

Vice Chairman Brewington informed all that Mr. Abercrombie had resigned due to taking another Board position with a state agency.

Referring to the election process for the Chairman and Vice Chairman seats, Vice Chairman Brewington asked that the procedure be postponed until a full membership of the Commission was appointed. There was a COMMISSION CONSENSUS to do so.

**APPROVAL OF AGENDA** – The May 19, 2015 agenda was approved upon a MOTION from COMMISSIONER SMITH and a SECOND by DAVID MCDANNALD; VOTE 4-0

**DEMOLITION FUNDS CARRYOVER – APPROVAL OF LETTER TO COUNCIL** – Vice Chairman Brewington reviewed the letter asking County Council, during the 2015 – 2016 budget deliberations to approve and carry forward the funds remaining in the demolition and clean up line item fund. The Commission Members approved BY CONSENSUS; 4-0.

**VARIANCE REQUEST – SETBACK LINES FOR A COVERED ARENA ON A RESIDENTIAL STREET** –





## Laurens County Building Codes

P.O. Box 815, Laurens, S.C. 29360, (864) 984-6659, Fax (864) 984-1502



### APPLICATION FOR VARIANCE

Office Use: Received \_\_\_\_\_ Plan Com \_\_\_\_\_ Hearing \_\_\_\_\_

Owner Steven and Sabrina Marby  
Address 284 Lakeview Drive  
Gray Court, SC 29645  
Phone 864-608-2133

OR

#### Authorized Representative of Owner

Name Jim Royer  
Address 913 Bardette Rd  
Gray Court, SC 29645  
Phone 864-449-6733

I hereby authorize the above person to represent me in any and all actions pertaining to this application and project.

Owner [Signature] Date 4/10/15  
Notary [Signature] Commission 2/17/2021

Property Tax ID Number 008 and 255-00-00-099

Address of Subdivision Property 284 Lakeview Drive, Gray Court, SC 29645

Gross Acreage of Property 16.81 Number of parcels 2

#### Adjacent land Uses:

North Residential with Printing Business on property.  
South Vacant land owned by MRR Highway 92 LLC (proposed Construction Landfill)  
East Additional property for Marby use.  
West Residential with Auto Repair.

6. Without the variance the arena structure would need to be shortened which is not an option for this type of horse training. A structure of less than 200 feet is less than ideal for training for real world situations.

#### Provide any other information in support of your request.

1. See attached documents.
2. Laurens County Public Works – Both former Director of Public Works Mr. Scott Holland and Current Director Mr. Rob Russian do not object to the variance. Per Mr. Russian, "...the Department of Public Works would not object to the setback variance as described in the attachment as long as the proposed building does not encroach any more upon the roadway than the current fence. The current setback of approximately 14 feet from the edge of ROW allows for our normal maintenance activities. In addition, should the ROW ever be increased to our county standard of 25 feet from the centerline of the road, the fence and therefore proposed building would still be located off of ROW and allow for normal maintenance."



Permit Cost \$25.00 Check \_\_\_\_\_ Cash \_\_\_\_\_

The undersigned hereby certifies that the information contained in this request is true and correct. Permit holder is to comply with all County, State, and Federal Laws and Ordinances.

Signature [Signature] Date 4/10/15

#### Which section of The Laurens County Ordinance is subject to this request?

Only one ordinance variance allowed per application. One fee for multiple variances of same property.

Section # See 8-653. Setback lines. (a) Residential streets. Setbacks for residential streets shall be as follows: (1) The front setback shall be 30 feet.

#### What is the specific relief sought?

We are requesting a variance to install the covered arena in the existing location where the riding arena is now located.

This variance will allow both the access of longer vehicles (expanding roadway, explanation below) and the covered arena. Without the expansion of the road and the covered arena, access to the property is substantially restricted and horse training during inclement weather is seriously limited. All of this has a negative impact and limits the grow of the business.

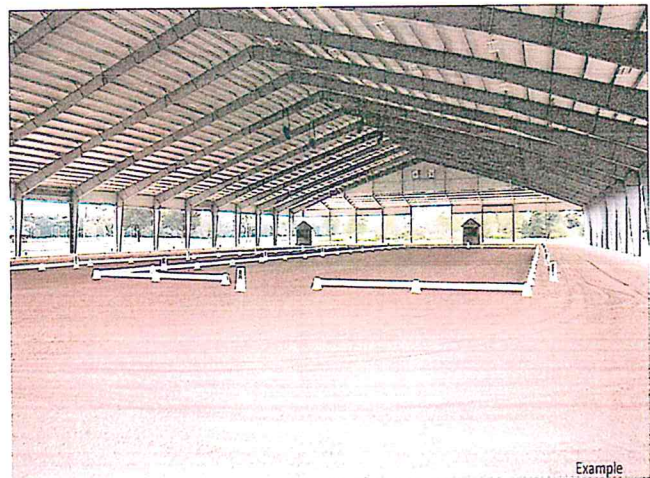
In order for a Variance to be granted by the Laurens County Planning Commission there must be determined a unique physical feature or extraordinary condition of the property that would result in an unreasonable hardship under the application of Laurens County Regulations Ordinances.

#### Describe any unique feature or extraordinary condition pertaining to the subject parcel.

1. The subject property is sloped from the street to the rear of the property. As shown on the attached documents the existing riding arena has been graded and leveled. There is approximately a 5 foot grade difference from the front of the arena to the back of the arena (closest to the barn).
2. The rear of the property is wet and will not support this type of structure.
3. The existing structures on the property consist of a 40' x 80' barn, 55' x 60' training round pen with additional horse stalls, outbuilding for trailer parking and storage.
4. Hard surfaced road enters the property, circles the barn and connects with the entry road for exit.
5. Existing circle road will be restricted in use if the 30 foot setback is required because of the needed retaining wall.

#### Explain how the features or conditions above create an unreasonable hardship on the subject property.

1. As shown by the attached documents the existing riding arena is 14 feet off the ROW. The proposed covered arena would sit on the existing arena footprint. A retaining wall will be erected on the barn side of the arena to accommodate the new structure. This placement also allows the construction of the retaining wall and the expansion of the current road.
2. Placing the arena at 30 feet off the ROW will place the retaining wall on the current road. The retaining wall will interfere with the current road and impede vehicle use that drive around the barn.
3. The 30 foot ROW will cause the structure to impede into the proposed roadway expansion around the barn to accommodate larger and longer horse trailers.
4. Expansion of the circle road on the front of the barn is necessary to allow access of longer horse transport vehicles. The expanded road will not be possible and would interfere with the covered arena and retaining wall if the 30 foot ROW is required.
5. Even if the road is not expanded, the placement of the new retaining wall will interfere with the existing road use by reducing the turning area on the front side of the barn.



Example



Building Codes Official Chuck Bobo said, “The request for a setback variance is by Marbry Performance Horses for a one hundred foot (100’) by two hundred foot (200’) covered riding arena. The property location is 284 Lakeview Drive, Gray Court, South Carolina. The arena will be used for training horses in the western style competition. The issues at hand is that the current Subdivision Ordinance restrictions call for a thirty foot (30’) setback from the property right-of-way. The current open arena fence sits fourteen (14) feet off of the property line pin and has been used since the facility was open. This puts the arena at thirty feet (30’) off the right-of-way and will interfere with the current road that goes around the barn and will cause the structure to impede into the proposed expanding roadway around the barn so as to accommodate larger and longer horse trailers. By expanding the circle road on the front of the barn will allow access of longer horse transport and the expanded road will interfere with the covered arena if the thirty foot (30’) right of way is required. Without the variance, the barn will need to be shortened and anything less than two hundred feet (200’) for training purposes is not what they need”.

Commission Smith asked if the full easement was needed or was there a middle point? Mr. Royer asked to address the Commission by saying, “The right of way is fifty foot (50’) with twenty five (25) from the center of the road. Right now the current open arena fence sits fourteen (14) feet off of the property line pin not the right of way. We are only asking for a thirty foot (30’) right of way”.

Vice Chairman Brewington asked how far is it going to be from the edge of the road? Mr. Royer replied twenty five feet (25’) from the center of the road and from the edge of the road approximately twenty five feet (25’).

Commissioner Weeks informed the Commission Members that she actually rode out to the property and talked with Rob Russian in the Public Works Department.

Continuing, Commissioner Weeks said, “Mr. Russian did sign off on the this project with Scott Holland and as far as they were concerned, in our lifetimes, where this particular farm is at, they could see no changes in this road and did not see any problems with it. Although he did say that there was like one hundred twenty five feet (125’). The way the arena stands now, it could be turned another way allowing more road frontage. This is a hard packed arena and has to be packed and repacked and settled for a long time. The lay of the land has a sixty foot (60’) drop off on the right hand corner. It would take two (2) years to get a solid foundation. His whole business would be lost in time to produce the arena area. These people spend a lot of money to come and ride and train here.”

Vice Chairman Brewington asked about the traffic on the roadway there. Mr. Royer replied that the roads are small and in a rural area.

Codes Officer Bobo reiterated that that he sees no impact on the area but the true issue is, that the ordinance states setback requirements. We have to determine what are the extraordinary circumstances to offer the variance. Once we start doing that we give away our ordinances.

Commissioner Weeks said, “I appreciate Mr. Bobo’s opinion and concerns. This is a fairly big business to be personal. We are trying to bring businesses into Laurens County and if we make him move it and he loses his customers, the business is gone”.

Commissioner Smith said, “In my opinion, the ordinances are written to be enforced. The Planning Commission was established to hear variances and requests of this nature. With us making an exception, the ordinance is not going away. We have to be pro-business and for the people. In some circumstances some things have to be changed based on facts. In this case I feel we need to offer the setback allowing them to keep their business”.

COMMISSIONER SMITH made the MOTION to approve the variance request as presented with  
COMMISSIONER WEEKS SECONDDING; VOTE 4-0.

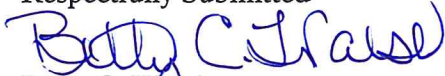
**OLD BUSINESS:** Overall the Commission Members discussed the many ordinances that need to be updated. Those included the Mobile Home Parks, Roads, Junkyards and Racetracks.

COMMISSONER COMMENTS:

- Commissioner Smith made the MOTION for the Commission to move the time for the meetings to an earlier time of 5:30 P.M. instead of 6:30 P.M. COMMISSIONER WEEKS SECONDING; VOTET 4-0.

ADJOURNMENT - Having no further business, there was a CONSENSUS to adjourn at 7:50 P.M.

Respectfully Submitted



Betty C. Walsh

Laurens County Clerk to Council