

**MINUTES**  
**LAURENS COUNTY PLANNING COMMISSION**  
**TUESDAY, OCTOBER 20, 2015 – 5:30 P.M.**  
**CHURCH STREET OFFICE COMPLEX**

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

**MEMBERS ABSENT:** Commission Members Posey Copeland, Sam Peden and Randy Bishop (resigned).

**COUNTY STAFF:** Chuck Bobo, Laurens County Building Codes Official, Betty Walsh, Laurens County Clerk to Council.

**COUNTY COUNCIL MEMBERS PRESENT:** None

**GUESTS:** William Long, Mountville Community.

**PRESS** – No Press

**SCHEDULED AGENDA ITEMS** – 1.) Call to Order; 2.) Invocation and Pledge of Allegiance; 3.) Approval of Agenda October 20, 2015; 4.) Approval of minutes from September 19, 2015; 5.) New Business: A.) Election of Officers (Chairman and Vice Chairman); B.) Proposed Developing “Policy and Procedure” for Planning Commission; 6.) Old Business; A.) Discussion / Review of proposed amendments to the amending Junkyard Ordinance; B.) Mobile Home Ordinance Discussion (if time permits); 7.) Commission Member Comments; 8.) Adjournment.

**CALL TO ORDER** – Vice Chairman Brewington called the meeting of the Planning Commission to order at 5:30 P.M. in the Conference Room of the Church Street Office Complex on October 20, 2015.

Vice Chairman Brewington welcomed all to stand for the invocation and was followed by the Pledge of Allegiance by everyone.

**APPROVAL OF AGENDA** – Vice Chairman Brewington stated that due to two (2) absences at tonight’s meeting the scheduled election of Chair and Vice Chair would be omitted.

The October 20, 2015 agenda was approved (4-0) upon a MOTION from COMMISSIONER WEEKS and SECONDED by COMMISSIONER SMITH.

**APPROVAL OF MINUTES** – The September 15, 2015 minutes were approved (4-0) upon a MOTION from COMMISSIONER SMITH and SECONDED by COMMISSIONER WEEKS.

**NEW BUSINESS:**

- A.) **ELECTION OF OFFICERS (CHAIR AND VICE CHAIR)** – There was a CONSENSUS to omit this from the agenda due to two (2) Commission Member absences.
- B.) **PROPOSED DEVELOPING “POLICY AND PROCEDURE” FOR PLANNING COMMISSION** – This was taken as information and is to be discussed at another upcoming meeting.

**OLD BUSINESS:**

- A.) **DISCUSSION / REVIEW OF PROPOSED AMENDMENTS TO THE JUNKYARD ORDINANCE** - Codes Officer Bobo introduced Mr. William Long from the Mountville Community who previously was included on the 1997 roster of individuals that owned a junkyard.

Mr. Long said, “I have a request of the Commission as I closed my car business in 2008. I do own many collectable vehicles that I have collected over the years. I have a lot of money invested in these vehicles. However, I out of compliance because they do not have tags and no insurance on them. They are valuable to me and my son. I already have six (6) vehicles insured and tagged, along with five (5) motorcycles. I would like to request a clause in this ordinance that relates to “Collectors” that we all can live with”.

Vice Chairman Brewington stated that that was a good point.

Commissioner Weeks stated that during her visits to the listed junkyards, Mr. Longs property poses no problem, actually looks good and he has cleaned it up.

Codes Officer Bobo added that Mr. Long had even agreed to plant evergreens in the sports that were bare on the property to help conceal.

Commissioner Holmes asked why the business was still on the list when it has actually closed. Mrs. Walsh stated that the list is a working list that was created in 1997 when the Ordinance was actually introduced as an ordinance code for Laurens County. Officer Bobo stated that Kellett’s Auto Salvage will be another that is listed on the list because his business has closed and it only has his car collections on the property.

Vice Chairman Brewington thanked Mr. Long for coming by and sharing his suggestions.

Regarding the proposed Ordinance, Vice Chairman Brewington opened the floor for any questions and comments from the members of the Commission.

#### DISCUSSION - SECTION 3 – DEFINITIONS:

k.) Screening - All junkyards shall be enclosed on all sides by a visual screen consisting of a fence or a combination of a fence and approved vegetation (See Exhibit A).

- Commissioner Holmes said that she did not agree to leaving the listing open ended and that there was a very extensive listing of vegetation in exhibit A. If Clemson Extension does not know it, then who does. Officer Bobo stated that Exhibit A refers to those plants that are recommended by both the Forestry Commission as well as Clemson University.

CONTINUED DISCUSSION – PROPOSED JUNKYARD ORDINANCE – Vice Chairman Brewington asked all to start with the Ordinance from page one and discuss in sequence.

- Page 1 – Section 1 - no discussion.

- Page 2 – Section 3 – Definitions: Commissioner Smith asked what the reasoning was behind the striking out of the Planning Commission and adding Building Official. Mrs. Walsh replied that the Codes Officer would be inspecting the properties not the Planning Commission.

Vice Chairman Brewington referred to d.) Fencing and the noted six foot (6’) screening requirement versus eight feet (8’) being used in other places of the Ordinance. Offices Bobo replied that six feet (6’) from the barrier with eight feet (8’) used for height piling.

Questioning if a discussion needed to be held regarding a required compliance time, Commissioner Holmes referred to - Section 3 Definitions, d.) and k (page 3). Vice Chairman Brewington quoted previous conversations noting two (2) years instead of ninety (90) days for new junkyards and all existing to have ninety (90) days to comply. Mrs. Walsh referred to – Page 5 - Section 6 (d) as being an added part of the ordinance and it does refer to two (2) years.



Referring to the existing roster of Junkyards from 1997, Commissioner Smith asked if there was any way to update the roster prior to putting the Ordinance in place. Mrs. Walsh replied that research of those listed was already in motion and it could very well possibly be completed by that time. Codes Officer Bobo replied that it would be a work in progress for a while but it can be done.

SECTION 3 – CHANGES TO BE NOTED:

- 1.) *The definition of Grandfathered would be added.*
- 2.) *The definition of Collectors would be added.*
- 3.) *To change throughout the Ordinance the word “Existing” to “Grandfathered”*

DISCUSSION – SECTION 4 – GENERAL PROVISIONS: Referring to Section 4 – d.), Commissioner Holmes questioned the strike thru of the Planning Commission and the rekeyed Building Official; “I just know from the past how it has been stated that there is not enough manpower to do all of these things within the Codes Department, and now we are adding more such as permits and fees, it is concerning to me to see that keep coming up. If you can’t handle what you got now how will you handle this extra detail?” Codes Officer Bobo replied, “The junkyards are not a high intensity item. These same junkyards have been on for years. I was trying to make things simpler for all. Special meetings of the Planning Commission would need to be called and sometimes these projects need a quick turnaround for answers”.

SECTION 4 – NO CHANGES TO BE NOTED:

DISCUSSION - SECTION 5 – OPERATION: Vice Chairman Brewington asked if anything had been determined regarding the content of entrances and parking areas for the junkyards. Codes Officer Bobo agreed that nothing had been discussed.

Commissioner Smith quoted that this was a deleted and added item with the proposed Ordinance: “Adequate off-street customer parking must be provided, and must be graveled or paved as per the County Building Official.”

SECTION 5 – CHANGES TO BE NOTED:

- b.) *FROM - No junk shall be stacked, stored or maintained for an extended period of time at a height greater than eight (8) feet above the adjacent grade.*  
*TO - No junk shall be stacked, stored or maintained ~~for an extended sixty (60) day period of time~~ at a height ~~no~~ greater than eight (8) feet above the adjacent grade.*
- c.) *FROM - Adequate off-street customer parking must be provided, and must be graveled or paved in an acceptable manner*  
*TO - Adequate off-street customer parking must be provided, and must be graveled or paved ~~in an acceptable manner~~ per the County Codes Department.*
- g.) *FROM - All junkyards shall be maintained to protect the public from health nuisances and safety hazards. The Laurens County Health Department may inspect each junkyard to determine that the junkyard does not create a nuisance or safety hazard. Should a nuisance or safety hazard be identified, the owner, operator, or maintainer shall submit satisfactory evidence to the Health Department and Building Codes Department that the nuisance or safety hazard has been eliminated. Failure to comply with this provision shall result in revocation of permit as well as other penalties and remedies for violation of this section*  
*TO - All junkyards shall be maintained to protect the public from health nuisances and safety hazards. The Laurens County ~~Health Department~~ Codes Department may inspect each junkyard to determine that the junkyard does not create a nuisance or safety hazard. Should a nuisance or safety hazard be*

*identified, the owner, operator, or maintainer shall submit satisfactory evidence to the Health Department and Building Codes Department that the nuisance or safety hazard has been eliminated. The County has the right to defer to the South Carolina Department of Health and Environmental Control as needed. Failure to comply with this provision shall result in revocation of permit as well as other penalties and remedies for violation of this section*

## SECTION 6 – EXISTING JUNKYARD PROCEDURES:

### SECTION 6 - CHANGES TO BE NOTED:

FROM: EXISTING JUNKYARD PROCEDURES  
TO: ALL GRANDFATHERED JUNKYARD

(a) FROM: *All existing junkyards that are in operation and existence at time of the effective date of this ordinance shall be exempt. The determination of existence shall be based upon the issuance of a permit letter pursuant to Section 6 (c) below and wish to continue their non-conforming use status of this Ordinance need to be enclosed with screen plantings that screens the operations of the junk yard from all property lines.*

TO: *All grandfathered junkyards that are in operation and existence at time of the effective date of this ordinance; and, those that wish to continue their non-conforming use status of this Ordinance need to be enclosed with screen plantings that screens the operations of the junk yard from all property lines. The determination of existence shall be based upon the issuance of a permit letter pursuant to Section 6 (c) below.*

(b) FROM: *Any non-conforming junkyard will be in accordance with the standards and criteria for effective screening set forth in these regulations. For non-conforming junkyards, the owner/operator responsible will have two (2) year to have an approved screening in place surrounding the property.*

TO: *Any non-conforming junkyard will be in accordance with the standards and criteria for effective screening set forth in these regulations. For non-conforming junkyards, the owner/operator responsible will have one (1) year to have an approved screening in place surrounding the property.*

## DISCUSSION - SECTION 7 - JUNKYARD PROCEDURES:

Codes Officer Bobo provided the following research relating to set back requirements for consideration:

COUNTY	ZONING	JUNKYARD SETBACK SINGLE FAMILY	JUNKYARD US HIGH/SCENIC
Abbeville	yes	only in Basic Ind / District 100 '	only in Basic Ind / District 100'
Anderson	yes, citizen based	1000	1000
Cherokee	no	500	1000
Greenville	yes	500	500
Greenwood	yes	500	500
Lancaster	yes	screen only	screen only
Newberry	yes	by zone	by zone
Spartanburg	no	500	1000
Union	no	None, 6 foot fence	None, 6 foot fence

Extensive discussions were held regarding the fee structures with no true decision made.

## DISCUSSION - SECTION 8 - EXEMPTIONS:

Vice Chairman Brewington noted his concerns with noise and if this should be stipulated. Codes Officer Bobo questioned who would inforce this part? It was concluded that the Noise Ordinance would be reviewed to make what determinations could be made.



Commissioner Weeks addressed #4): Wrecker, towing and impoundment services, as defined herein, are exempt from the five (5) acre requirement under this ordinance. Codes Officer Bobo stated that he thought the exemption part was mimicked from the State Codes on wrecker and towing services; and that it is either a wrecker service or a junkyard.

CHANGES - SECTION 8 - EXEMPTIONS:

- 1.) *It was concluded that the Noise Ordinance would be reviewed to make what determinations could be made.*
- 2.) *It was concluded that the Codes Office would research this matter and to report back to the Planning Commission as to his findings regarding a certain existing wrecker / junkyard business.*

CHANGES - SECTION 9 - LIEN IMPOSED:

*FROM: The charge for compelling the owner or occupier to abate the violation or for the County's abatement of the violation shall constitute a lien upon the property. The County Administrator shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The County Administrator shall also file a statement of the lien against the owner of the property in the office of the County Clerk of Court. Such lien shall be indexed in the mortgage books, as maintained from time to time for the County, and the statement shall contain the following: a legal description of the property; a statement of the violation of this Ordinance; the date of the County's action for abatement; the expenses and costs incurred, including attorney fees, for the abatement proceedings; and a statement that the costs and expenses ascertained shall bear interest at the statutory legal rate.*

*TO: The charge for compelling the owner or occupier to abate the violation or for the County's abatement of the violation shall constitute a lien upon the property. The County Codes Officer with the consent of the County Administrator shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The County Administrator shall also file a statement of the lien against the owner of the property in the office of the County Clerk of Court. Such lien shall be indexed in the mortgage books, as maintained from time to time for the County, and the statement shall contain the following: a legal description of the property; a statement of the violation of this Ordinance; the date of the County's action for abatement; the expenses and costs incurred, including attorney fees, for the abatement proceedings; and a statement that the costs and expenses ascertained shall bear interest at the statutory legal rate.*

MOBILE HOME ORDINANCE DISCUSSION (if time permits) – This item was put on hold until a further date.

COMMISSIONER COMMENTS: No further dialogue was presented.

ADJOURNMENT - Having no further business, there was a CONSENSUS to adjourn at 6:54 P.M.

Respectfully Submitted



Betty C. Walsh

Laurens County Clerk to Council