



## AGENDA

### LAURENS COUNTY PLANNING COMMISSION MEETING

Tuesday, May 28, 2024 5:30 PM

Laurens County Administration Building Conference Room

100 Hillcrest Square, Laurens, SC 29360

Bobby Smith, Chairman; Tom Robertson, Vice-Chairman  
Commission Members: Sylvester Grant, Casey Robinson,  
Abney Smith, and Michael Floyd

May 28, 2024

1. Call to Order -Chairman Bobby Smith
2. Invocation- Commissioner Michael Floyd
3. Pledge of Allegiance- Chairman Bobby Smith
4. Approval of Agenda- May 28, 2024
5. Approval of Minutes- April 16, 2024
6. New Business-
  - a. Application - Variance Request #V-2024-02 for the "Durham Estates" Proposed Development Site for Relief from the Strict Application of the **Sidewalk Requirements** under Ordinance 926, Appendix A, Section G.

Due to the steep topography of the development site, the Applicant, **Rob Childress**, requests a variance from having to construct sidewalks within a proposed residential subdivision located adjacent to the southwest Greenville County line, north of Prospect Church Road, Laurens County, SC.

7. Old Business/Discussion Item-
  - a. Review and Discussion of the Comprehensive Plan Draft
8. Adjournment- Chairman



**MINUTES**  
**LAURENS COUNTY PLANNING COMMISSION**

**April 16, 2024**

**5:30 PM**

**THE RIDGE AT LAURENS**

Bobby Smith, Chairman, Tom Robertson, Vice-Chairman

Commission Members: Sylvester Grant,

Casey Robinson, Ed Burns, Abney Smith, and Michael Floyd

April 16, 2024

Commissioners Present: Bobby Smith, Tom Robertson, Michael Floyd, Abney Smith, Casey Robinson, Sylvester Grant, and Ed Burns

Call to Order – Chairman Bobby Smith called the meeting to order at 5:30 PM.

Invocation- Commissioner Michael Floyd

Approval of Agenda – April 16, 2024—Chairman Bobby Smith added to the agenda the discussion of changing the Planning Commission Meeting Dates. Vice Chairman Tom Robertson first motioned to approve the agenda for April 16, 2024, with Commissioner Ed Burns seconding.

**Approved 7-0**

Approval of Minutes- February 20, 2024, and March 12, 2024. Vice Chairman first motioned to approve, followed by a second by Commissioner Casey Robinson.

**Approved 7-0**

New Business-

- a. The Applicant, Bruce Parris, is seeking approval of a Preliminary Plat/Plan for the development of a new Tiny Home/Cottage Home community named “The Timbers,” using permanent, tiny home RV park models, located at 3315 Metric Road, Laurens County.

Public Comment-

B Grady—Mr. Grady spoke for the project, expressed his excitement about the possibility, and believes it would be a great asset to the community.

Whitney Gibson- Mr. Gibson spoke to the fact that Mr. Parris always creates beautiful projects, and he loves the idea of getting Martha Franks retirement home involved to help the elderly in the possible community with aids, nurses, etc., so that they will be able to continue to live on their own for longer.

William Benson-Mr. Benson is concerned that the smell from surrounding farms will deter potential homeowners. He also worries about the amount of sewage put into septic tanks due to the number of tiny homes in such a small area.

Kenny Black- Mr. Black says his mother-in-law lives in a tiny home community, which has been wonderful for her. He had questions about security and subletting the properties.

Nancy Garrison was concerned about the ordinance under which this property type is regulated.

Building Codes Director Tor Ellstrom explains that it is commercial property, and they are treating it like an RV park because it has not been issued a VIN number. He says this is how three other counties handle this same type of project.

Justin Brant—He is concerned about more subdivisions being closer to the cities so that residents have more connectivity and do not necessarily have to use a vehicle to access the city's amenities.

Dickie Martin has concerns about the tiny homes being sublet and worries that if they can do that, then it will cause more traffic concerns.

Sara Hellam wanted to advocate for the tiny home project. She wants to remind the commissioners that quality people are looking for these communities, and she stands behind this project.

Bruce Parris—He responded to the public's questions. He stated that the tiny homes would not be subleased. Also, he said that one of the security features would be to have a gate only to which owners would have access, and the roads would be inspected by emergency services to ensure they have adequate room and turnaround space. He mentioned fire pits and said they would plumb water spigots so users could completely put the fire out after use. The last question he answered was about septic systems. He said they will use an engineered septic system, and DHEC will sign off on the project.

Commissioner Casey Robinson first made a motion to approve, which Commissioner Michael Floyd followed with a second motion.

### **Approved 7-0**

- b. The Applicant, A Thousand Hills Properties, LLC, through Agent Matthew Christian, is seeking approval of a Preliminary Plat/Plan for the development of a new RV Park named "Water Oak RV Park" located on the northeast side of Highway 76 East, south of the City of Clinton in Laurens County.

### **Public Comment-**

Vice Chairman Tom Robertson motioned to approve, followed by Commissioner Abney Smith with a second.

**Approved 7-0**

- c. Discussion to change Planning Commission meeting dates- Chairman Smith discussed with the other Commissioners the possibility of changing the date of the Planning Commission meetings so that Commissioner Ed Burns could attend. Mr. Chairman asked staff for any input on whether this would be feasible. Staff explained that it could be changed, but the Technical Review Committee calendar would need to be changed. It was also explained that the date could cause disruption and confusion for the committee members if changed. It was decided to keep the date of the third Tuesday of each month. Commissioner Ed Burns reinstated his resignation letter to the Commissioners and Laurens County Council member Kemp Younts. Mr. Burns then respectfully and graciously left the meeting.

Old Business-

- a. Discussion Item- Stakeholder Input Regarding Comprehensive Plan. Chairman Bobby Smith discussed the Comprehensive Plan with the Commissioners and stakeholders, and Mr. Blake Sanders explained the revised Comprehensive Plan to them. He encouraged the commissioners to review the Comprehensive Plan until the next Planning Commission meeting before it was voted on in May 2024.

Adjournment—Chairman Bobby Smith adjourned the meeting at 7:02 p.m. on a motion from Vice Chairman Tom Robertson and a second from Commissioner Casey Robinson.

**Approved 6-0**

Respectfully Submitted,



Cortni Motes, Clerk 3  
Laurens County Public Works



LAURENS COUNTY PLANNING COMMISSION

May 28, 2024

5:30 PM

LAURENS COUNTY ADMINISTRATION BUILDING  
CONFERENCE ROOM

LAURENS COUNTY PLANNING COMMISSION MEETING  
STAFF REPORT

TO: LAURENS COUNTY PLANNING COMMISSION

FROM: PLANNING DEPARTMENT

HEARING DATE: TUESDAY, MAY 28, 2024

SUBJECT: VARIANCE REQUEST #V2024-02, FOR THE "DURHAM ESTATES"  
PROPOSED DEVELOPMENT SITE FOR RELIEF FROM THE STRICT  
APPLICATION OF THE SIDEWALK REQUIREMENTS UNDER  
ORDINANCE #926, APPENDIX A, SECTION G.

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I. APPLICATION

- A. **Application:** Variance Request for relief from the County's sidewalk code in order to approve a proposed conventional residential subdivision, "Durham Estates."
- B. **Owner:** Joseph Baldassarra, Joseph Benjamin, Inc.
- C. **Applicant:** Rob Childress
- D. **Developer:**
- E. **Engineer:** Paul Talbert
- F. **Agent:** Martin and Robert Childress, Kayla Joiner
- G. **Request:** Due to the steep topography of the proposed development site, the Applicant is requesting relief from having to install sidewalks within the project boundaries.

## II. PROPERTY INFORMATION

- A. **Property Tax ID:** 021-00-00-001 (partial), 020-01-00-001, 020-01-00-002
- B. **Location:** Located adjacent to the Southwest Greenville County line, north of Prospect Church Road, Laurens County, SC.
- C. **Property Size:** 262.83 acres
- D. **Proposed Density:** Thirty-two (32) lots.
- E. **Current Land Use:** Vacant Land.
- F. **Surrounding Current Land Uses:**
  - North:** Agriculture (Hickory Tavern Hunt Club lands)
  - East:** Agriculture (New Prospect Hunt Club lands)
  - South:** Vacant agriculture
  - West:** Primarily vacant rural lands
- G. **Utilities:** No utilities are present; the Applicant proposes the use of private wells and septic systems.

## III. PROJECT BACKGROUND

The Applicants are proposing the construction of a thirty-two (32) lot conventional residential subdivision consisting of thirty-two (32) single family homes on larger lots consisting of two (2) to five (5) acres per lot. The Applicant and Staff are concerned that the slopes on the proposed development site are too steep to safely construct sidewalks within the project and are requesting a variance from the sidewalk requirements of the County's Subdivision Ordinance #926.

## IV. STAFF REVIEW

Staff calculated the slope percentages and determined that the slopes ranged from 10 - 12.5% across the entire parcel. According to the AASHTO (American Association of Highway and Transportation Officials) and ADA (Americans with Disabilities Act) guidelines, the maximum slope suggested for the construction of safe sidewalks is 5%. The Applicant will be required to provide streetlights within the development to promote the safety of the homeowners, in accordance with Appendix A, Section M of the County's Subdivision Ordinance #926 during the Construction Site Plan submittal stage.

The Variance is being requested in conjunction with an application for Preliminary Plat/Plan approval from the County's Technical Review Committee as project #2023-4. The project was reviewed by the County's Technical Review Committee from December 2023 to May 10<sup>th</sup>, 2024, and the Committee members have no objections to

the variance request. The Applicant and the Preliminary Plan/Plat has met the requirements of the Laurens County Code of Ordinances except for the sidewalk requirements. The Technical Review Committee is prepared to approve the Preliminary Plan/Plat upon approval of the variance request by the County's Planning Commission.

#### V. REQUIREMENTS FOR APPROVAL OF A VARIANCE BY THE PLANNING COMMISSION

In accordance with Title 6, Chapter 29 of State of South Carolina Code of Laws, 1976 as amended, and the Laurens County Subdivision Ordinance #926, Division 9, Section B, the Planning Commission must find that all of the following factors have been met to recommend approval of the variance:

1. There are extraordinary and exceptional conditions pertaining to the piece of property.

*Staff's findings: The proposed building footprint consists of slopes from 10% to 12.5% which are considered unsafe by AASHTO (American Association of Highway and Transportation Officials) and ADA (Americans with Disabilities Act) standards.*

2. These conditions do not generally apply to other property in the vicinity.

*Staff findings: The slopes do occur on the surrounding properties within the vicinity, however, since this is an issue of safety that affects the future homeowners, Staff is concerned about the impact of the sidewalk requirements on the proposed development site and will be required to be diligent in the review of future projects in the surrounding area.*

3. Because of these conditions, the application of the ordinance to the piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

*Staff findings: Sidewalks constructed within the development could be detrimental to the safety of citizens utilizing wheelchairs and needing assistance, and children at play.*

4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

*Staff findings: Staff does not believe that the variance would be detrimental to the adjacent property, the public good, nor the character of the district if approved.*

The following does not constitute grounds for granting a variance:

1. The fact that land may be utilized more profitably should a variance be granted.

The Planning Commission has the option of the following in making their decision:

1. Approve Staff's recommendation.
2. Approve Staff's recommendation with conditions.
3. Approve Staff's recommendation with additional or changed conditions recommended by the Commission.
4. Recommend denial of the Applicant's request.

## **VI. STAFF RECOMMENDATION**

Staff recommends **approval** of the Applicant's request for a variance and relief from the strict application of the sidewalk requirements of Ordinance #926, Appendix A, Section G, due to the steep topography of the site within the building footprint.

The approval of the Preliminary Plat/Plan for the development will be conditioned upon the Applicant receiving the required approvals and permits from all State agencies and County departments throughout the Construction Site Plan review and approval stages.

### **Exhibit Attachments:**

- A. Applicant's Variance Application
- B. Vicinity Map
- C. Property Location Aerial Map
- D. Applicant's submitted Preliminary Plan
- E. Property Topographic Maps
- F. Laurens County Sidewalk Code





# Laurens County Planning Department

100 Hillcrest Square Laurens, SC 29360 Phone: (864) 681-3178

## Planning Commission Variance Request Application

Date Applied: 04-05-2024

Variance Case #: \_\_\_\_\_

Project Name: Durham Estates

Project Address: Prospect Church Road, Laurens, SC 29360


Tax Map #: 021-00-00-001 (partial), 020-01-00-001, 020-01-00-002 Subdivision: Durham Estates Lot #: 32

Information for:  Owner  Contact Person  Applicant (Person to be Notified of Meeting)

Name: Rob Childress

Address: 891 Latimermill Road Honea Path SC 29654

Phone: (864) 313-5227

Signature(s): 

*NOTE: We accept original signatures only - no faxed copies. The owner/developer must have submitted a project with all required documentation fees before variance application will be accepted.*

### FACTORS RELEVANT TO GRANTING A VARIANCE

The Planning Commission may not grant a variance which would result in the extension of a structure or use that is already considered non-conforming and does not meet the current Code of Ordinances and was grandfathered in, if the variance would expand or intensify the nonconforming status of the structure or use.

The fact that property may be utilized more profitably may not be considered grounds for granting a variance.

The fact that the strict application of the County's Code of Ordinances would result in additional costs in the development or construction of a site, or are inconvenient in the desired design of a structure or the layout of a project or lot does not automatically warrant the approval of a variance. The request or application for a variance prior to the final review of a major subdivision or commercial project by the County's Technical Review Committee will not be accepted by the County's application in-take staff.

Applicants must keep in mind that a "hardship" refers to an unusual irregularity in the land itself (shape, topography, steep slope) and not to the personal circumstances of, or mere inconvenience imposed upon, the applicant or owner.

If the Planning Commission has previously denied or revoked a variance request, an Applicant may not apply for the same or a similar Variance for the same project for a period of 12 months from the date of the determination.

A. Under the South Carolina Local Government Comprehensive Planning Enabling Act (Section 6-29-1145 of the South Carolina Code of Laws), is this tract or parcel restricted by any recorded covenant, restriction, easement, etc., that is contrary to, conflicts with or prohibits the proposed activity?

Yes  No

Explain: \_\_\_\_\_

B. Under the South Carolina Local Government Comprehensive Planning Enabling Act (Section 6-29-800 of the South Carolina Code of Laws), the Board/Commission is required to base their consideration for a variance on the following four (4) criteria found below.

§ 18.134.050

1. The proposed variance will not be materially detrimental to the purposes of this title, conflict with the policies of the comprehensive plan, to any other applicable regulations of the County's Code of Ordinances, to any other applicable policies and standards, and to other properties in the vicinity.
2. There are special circumstances that exist which are peculiar to the lot size or shape, topography, or other circumstances over which the applicant has no control, and these conditions do not generally apply to other neighboring properties in the vicinity.
3. The use proposed will be the same as permitted under the County standards will be maintained to the greatest extent possible, while permitting some economic use of the land.
4. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land form, or parks will not be adversely affected any more than would occur if the development were located as specified in the title; and
5. The hardship is not self-imposed, and the variance requested is the minimum variance which would alleviate the hardship.

Please provide the facts as you intend present them to make the case that your request meets these criteria. Please complete all the questions fully in order to give the Planning Commission and staff an accurate account of the situation. (Attach a separate sheet, if necessary). This application will be made available to the Planning Commission members prior to the hearing.

1. Are there extraordinary and exceptional conditions pertaining to the particular piece of property? (Does your property have extraordinary conditions such as size, shape, natural topography, drainage, street widening, lakefront setback lines; or other conditions that warrant relief from the standard in question? The difficulty or hardship would result from these conditions and from no other cause, including the actions of the owner or previous owners of the property.) **Please explain each answer thoroughly. An application will not be accepted with "yes" or "no" only responses.** The property contains a significant amount of floodplain and wetland as well as very steep topography throughout. In an effort to preserve the natural character of the site, the client is proposing estate lots (3+ acres) where large amounts of vegetation and natural resources will remain untouched. In order to access the rear portion of the site, a creek crossing will be required - any additional sidewalks or roadway infrastructure required will entail additional grading and a larger disturbed area within the floodplain.
2. Do the extraordinary conditions that exist on your property apply generally to other properties in the area? **Please explain each answer thoroughly. An application will not be accepted with "yes" or "no" only responses.** No - our property contains interior creeks/wetlands and is bordered by the Reedy River to the South. The on-site topography is also uniquely challenging and warrants large estate lots. The presence of these natural resources greatly restrict the developable area as well as provide opportunity to present a development with rural character that avoids any unnecessary land disturbance.

3. Because of the extraordinary conditions identified in #1 above, will applying the requirements of the County's Code of Ordinances to this particular piece of property effectively prohibit or unreasonably restrict the utilization of the property? **Please explain each answer thoroughly. An application will not be accepted with "yes" or "no" only responses.** Yes - due to the natural resources present and difficult topography on site we are attempting to restrict our disturbed area as much as possible. We are creating a private, rural community and hope to avoid some of the traditional suburban infrastructure that will take away from the natural character of the site. Additionally, because we are proposing very large lots, the typical infrastructure you would see in a neighborhood with higher density will not be supported by the number of residents on-site. The 32 homes span an area of roughly 150 acres.
4. Will the authorization of a variance be of substantial detriment to adjacent property or to the public good? Will the character of the area be harmed by the granting of the variance? **Please explain each answer thoroughly. An application will not be accepted with "yes" or "no" only responses.** No - in fact, we hope the approval will help preserve the natural, rural nature of the area without adding additional impervious area. Mulched walking trails will be provided throughout the development to provide passive recreation opportunities for residents while avoiding any further disturbance of the land.

**I hereby certify and agree that all the information provided in this application is true and correct. I understand that falsifying any information on this application will result in the automatic denial of this application and nullification of any action applied herein.**

I hereby petition the **Laurens County Planning Commission** for a variance from the terms of the County's Subdivision Ordinance #926 when strict application of the provisions of this Ordinance would result in an unnecessary hardship; and understand that the fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

I request a variance from the following provisions of the Ordinance. (List all relevant sections or articles of the Subdivision Regulations that apply and attach any necessary drawings):

Ordinance 926 - Appendix A - Section F (Regarding Curb and Gutter Requirement - our roadways are proposed to utilize shoulder drainage and roadside swales)

Ordinance 926 - Appendix A - Section G (Regarding Sidewalk Requirement - our development is proposing alternate pedestrian systems (mulch trails) in accordance with the alternative approach described in Ordinance 926 - Appendix A - Section G.2 that applies to developments with large lots)

Rob Childress



04-05-2024

Applicant's Printed Name

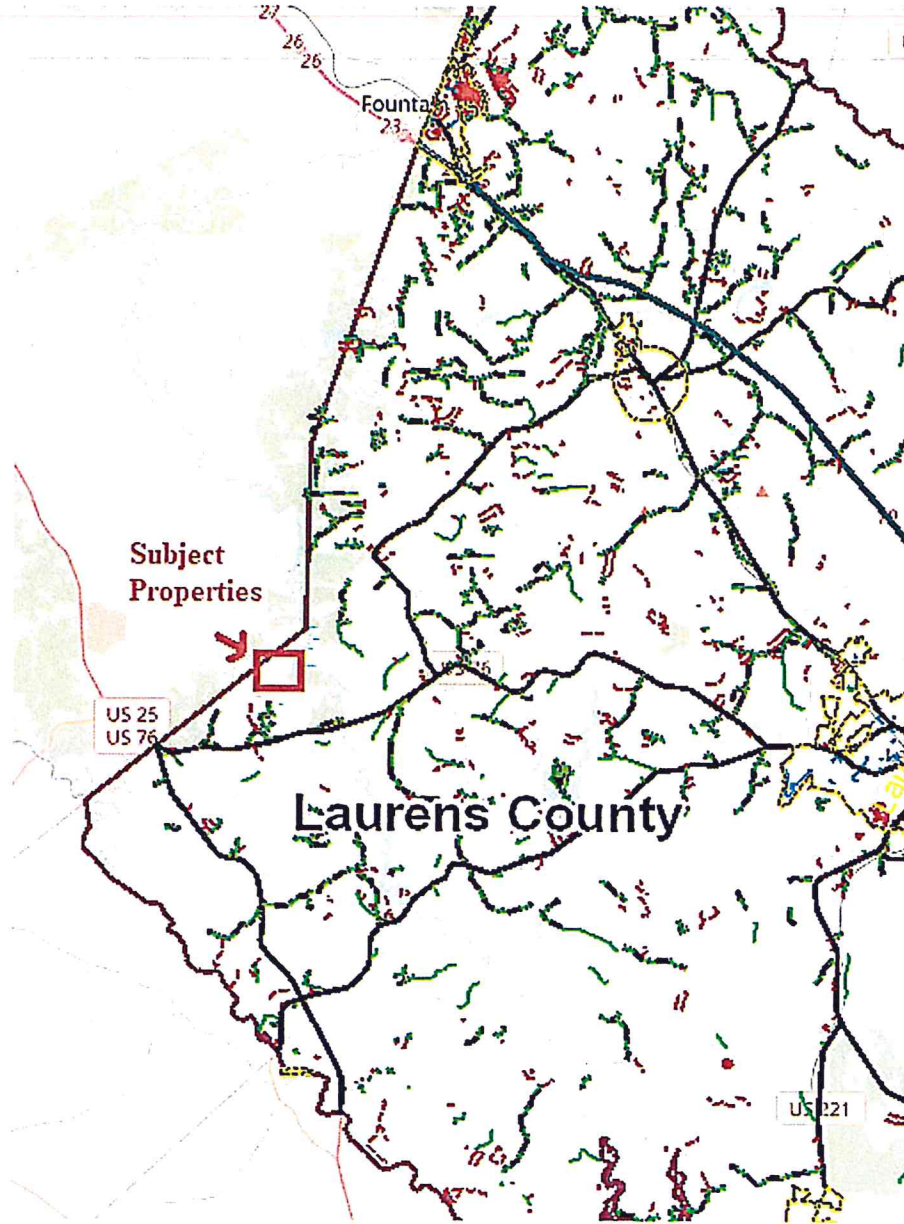
Applicant's Signature

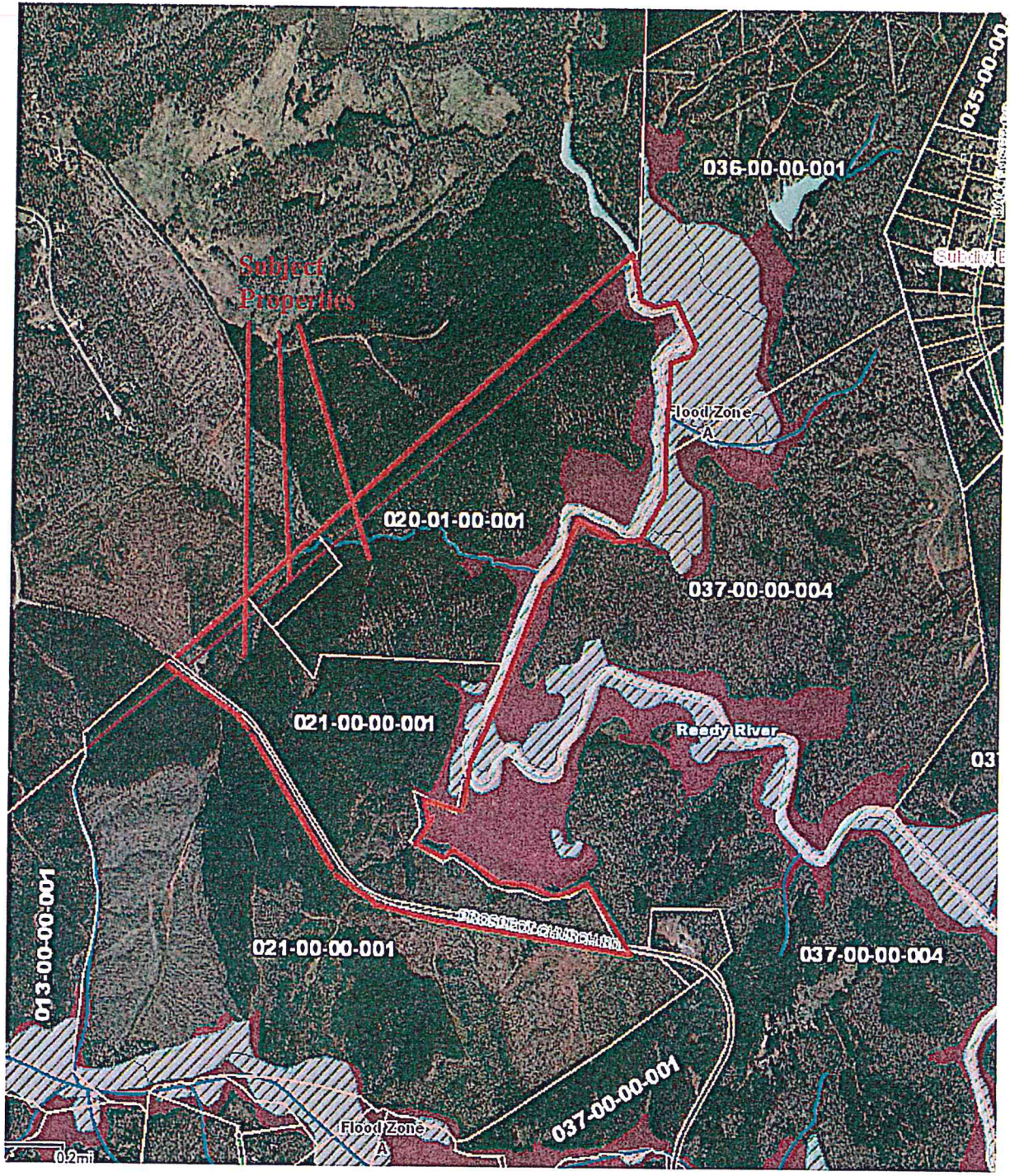
Date

For Staff Use Only:

Date Plat/Site Plan/Sketch Plan submitted: \_\_\_\_\_ Date Project Application Completed: \_\_\_\_\_

Variance Hearing Date: \_\_\_\_\_ Variance Granted:  YES  NO









**Ordinance #926, Appendix A, Section G. Sidewalk Requirements.**

- 1) Sidewalks will be required on any subdivision with ten (10) lots or more or where the Planning Commission deems required for safety, i.e., safety of pedestrians, access from residential areas to recreational and educational facilities.
- 2) In areas where alternative pedestrian systems are provided or subdivisions with large tracts/Lots and road frontage, the elimination of any sidewalks must be approved by the Planning Commission.
- 3) At a minimum, sidewalks will be required on at least one side of the street where homes are on both sides and will terminate at the entrance of a cul-de-sac.
- 4) *Sidewalk Design Specifications.*
  - a) Sidewalks shall be installed in accord with the Standard Specifications for Highway Construction Manual, latest edition, as amended.
  - b) Sidewalks shall be not less than four (4) feet wide and placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety.
- 5) Except in unusual circumstances, sidewalks must be located outside of the road right-of-way and contained within the platted lot as follows:
  - a) With Curb and Gutter-the sidewalk shall be located a minimum of two (2) feet from the back of curb.
  - b) No Curb and Gutter - the sidewalk shall be located a minimum of two (2) feet from the edge of pavement/street or right of way, whichever is greater.
- 6) No mailboxes or other structures may be located within the sidewalk.