



AGENDA

LAURENS COUNTY PLANNING COMMISSION MEETING LAURENS COUNTY ADMINISTRATION BUILDING CONFERENCE ROOM

100 Hillcrest Square, Laurens County, SC 29360

July 16, 2024 5:30 PM

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

July 16, 2024

1. Call to Order -Chairman Bobby Smith
2. Invocation- Commissioner Michael Floyd
3. Pledge of Allegiance- Chairman Bobby Smith
4. Approval of Agenda- July 16, 2024
5. Approval of Minutes- May 28, 2024
6. Introduction and swearing in of Duane Owens as a new Planning Commissioner
7. Old Business- N o n e
8. New Business-
 - a. Applicant **Lee Sprayberry for KRL Investments**, is requesting an appeal from Staff's decision to deny the establishment of thirteen (13) manufactured homes within an established, platted and designated subdivision within the Gray Court area based on the standard under Division XIII, Sec I of Ordinance #934 "Mobile Home Ordinance," and the definition of "Mobile Home Park" under the Division III of the same ordinance.
9. Discussion Item-
 - a. Updating Ordinance #934 "Mobile Home Ordinance"
10. Adjournment- Chairman



LAURENS COUNTY PLANNING COMMISSION

Tuesday, July 16, 2024

5:30 PM

**LAURENS COUNTY ADMINISTRATION
BUILDING CONFERENCE ROOM**

100 Hillcrest Square, Laurens County, SC 29360

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

**LAURENS COUNTY PLANNING COMMISSION MEETING
STAFF REPORT**

TO: LAURENS COUNTY PLANNING COMMISSION

FROM: PLANNING DEPARTMENT

HEARING DATE: TUESDAY, JULY 16, 2024

SUBJECT: APPEAL CONSISTENT WITH THE PROVISIONS OF DIVISION XI UNDER ORDINANCE #934, "MOBILE HOME ORDINANCE," FOR REVIEW AND INTERPRETATION OF THE STANDARD LISTED UNDER DIVISION XIII, SECTION I, FOR MANUFACTURED HOME SITING WITHIN THE UNINCORPORATED AREAS OF LAURENS COUNTY.

I. APPLICATION

- A. Application: Appeal by the Applicant to allow for the establishment of manufactured homes on thirteen (13) lots within the Woodhaven Phase I Subdivision located SE of the Gray Court City limits, on Heatherwood Drive and Tanglewood Way.
- B. Owner: KRL Investments, LLC
- C. Applicant: Lee Sprayberry
- D. Developer: TBD
- E. Engineer: TBD
- F. Agent: Lee Sprayberry
- G. Request: The Applicant, **Lee Sprayberry for KRL Investments**, is requesting an appeal from Staff's decision to deny the establishment of thirteen (13) manufactured homes within an established, platted and designated

subdivision within the Gray Court area based on the standard under Division XIII, Sec I of Ordinance #934 "Mobile Home Ordinance," and the definition of "Mobile Home Park" under the Division III of the same ordinance.

II. PROPERTY INFORMATION

A. Property Tax ID:

Lot 3, 290-00-00-040

Lot 4, 290-00-00-041

Lot 10, 290-00-00-047

Lot 11, 290-00-00-048

Lot 12, 290-00-00-049

Lot 21, 290-00-00-057

Lot 22, 290-00-00-058

Lot 23, 290-00-00-059

Lot 27, 290-00-00-063

Lot 28, 290-00-00-064

Lot 29, 290-00-00-065

Lot 30, 290-00-00-066

Lot 31, 290-00-00-067

B. Location: Approximately 2.2 miles SE of the Gray Court city limits and .78 miles east of Highway 14 off Bull Hill Road, on Heatherwood Way and Tanglewood Drive, Laurens County.

C. Property Size: Lots consist of from .6 acres to one (1) acre.

D. Proposed Density: 13 units

E. Current Land Uses: Platted subdivision, partially occupied by a mixture of site built, and modular homes.

F. Surrounding Current Land Uses:

North: Vacant rural lands

East: Timber lands

South: Timber Lands and Residential Estate platted subdivision

West: Rural land with a single-family home

G. Utilities: A waterline is present to serve the subdivision. Sewer lines are not present, the Applicant proposes the use of septic systems.

- H. Environmental Considerations: Two blue-line riparian streams with connection to a larger wetland and Flood Zone "A" traverse lots 12, 27, 28, and 29, requiring a minimum of a 35-foot undisturbed, water quality buffer on each side of the stream on those lots.
-

III. APPLICABLE STATE LAWS

**2023 South Carolina Code of Laws, Title 6 - Local Government - Provisions
Applicable to Special Purpose Districts and Other Political Subdivisions, Chapter
29 - South Carolina Local Government Comprehensive Planning Enabling Act Of
1994**

**SECTION 6-29-1150. Submission of plan or plat to planning commission; record;
appeal.**

- (C) Staff action, if authorized, to approve or disapprove a land development plan may be appealed to the planning commission by any party in interest. The planning commission must act on the appeal within sixty days, and the action of the planning commission is final.
- (D)(1) An appeal from the decision of the planning commission must be taken to the circuit court within thirty days after actual notice of the decision.

IV. APPLICABLE COUNTY CODES FOR REVIEW & DETERMINATION

Manufactured Home Ordinance #934 (updated December 13, 2022)

Division III. Definitions.

Designated Subdivision means a formally recognized parcel of land developed, subdivided, used, or set aside into two (2) or more lots.

Mobile Home means a housing unit defined as a manufactured home in South Carolina Code Reg. 79-1 certified to meet the June 1976 HUD standards for construction that is transportable in one (1) or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term "mobile home", as used in this Ordinance, shall not include modular, prefabricated, or unitized dwellings placed on a permanent foundation, nor shall it refer to campers or travel trailers not exceeding eight feet (8') in body width registered with DOT as a recreational vehicle and designed for recreation or short-term use

Mobile Home Park means any parcel of land five (5) acres or more in size being used for the purpose of supplying space on a rental or lease basis for five (5) or more mobile homes and which may include buildings, structures, vehicles, or enclosures used or intended for use as part of such mobile home park. Land subdivided and subsequently sold for the purpose of siting mobile homes is not considered a mobile home park under this Ordinance.

Division IV. APPLICATION; EXCEPTIONS.

- A. These regulations shall not apply to modular, prefabricated, or unitized dwellings permanently affixed to the property nor to campers or travel trailers not exceeding eight feet (8') in body width, registered with South Carolina Department of Transportation ("DOT") as a recreational vehicle and designed for recreation or other short term uses.

Divisions VII. MOBILE HOME PARK DEVELOPMENT PLAN APPROVAL.

- A. In order to construct or develop a mobile home park within the unincorporated areas of Laurens County, a developer must secure review and approval of the development plan by the Laurens County Technical Review Committee under regulations of this Ordinance. Mobile Home Parks shall be subject to the additional land use and environmental buffers and tree preservation standards of the County's Subdivision Ordinance #926. Appendices A, B, and C.

Division XIII. PERFORMANCE STANDARDS FOR INDIVIDUAL MOBILE HOMES.

Sec. I. Mobile homes shall be restricted from being placed in established Designated Subdivisions.

V. STAFF'S REVIEW & FINDINGS

Staff considered the following in their interpretation of the codes and their determination:

- Most manufactured home parks are platted, having individual home lots, but they are not required to be platted. Even manufactured home parks that are not subdivided are required to be reviewed by the County's Technical Review Committee for compliance with Ord. #934 for Manufactured Homes and the appendices of Ordinance #926.
- Currently, mobile and modular homes are permitted on other platted and vacant lots throughout the County, however, Div. XIII Sec I restricts manufactured homes that are not HUD approved from being established in previously platted, designated subdivisions, and the Woodhaven Phase I Subdivision is a designated subdivision.
- Sec I under Division XIII (*Mobile homes shall be restricted from being placed in established Designated Subdivisions*) was added as part of the December 2022 updates to the Manufactured Home Ordinance primarily to avoid the creation of "Manufactured Home Subdivisions" within platted neighborhoods. The term "manufactured subdivision" is not something that is recognized, defined or regulated within the County's codes and there are no provisions for establishment of such outside of the Manufactured Home Park standards, which were meant to cover the establishment of 5 or more manufactured homes at the same time in an area.
- The Applicant purchased all 13 of the lots within the designated subdivision at the same time in May of 2024, and has plans to establish only manufactured homes on all of the lots purchased. This is not a case of previously subdivided lots outside of a designated subdivision, being purchased by an individual, the new homeowner having ownership of the lot, and placing a manufactured home on the lot, which is permitted.

- It is Staff's opinion and determination that the method of purchasing multiple lots and establishing (5 or more) manufactured homes within a designated subdivision is not in compliance with the County's current code Div. XIII Sec I prohibiting them in designated subdivisions.
- It is Staff's opinion and determination that the Applicant (among other land management companies) are circumventing the Manufactured Home Park review process by purchasing multiple lots for the establishment of 5 or more manufactured homes (which constitutes a "manufactured home park"), assisting in the permitting, and setting up of each home on each lot, and utilizing this method to avoid review by the County's Technical Review Committee and what is ordinarily required by Manufactured Home Parks through the Ord. #926 Appendices, such as tree surveys and mitigation, landscaping requirements, land use buffers, sidewalks, common open space recreational features and natural open space.
- Regardless of the decision made by this Planning Commission in its interpretation of the stated County codes, a thirty-five (35) foot water quality buffer is required on both sides of the "blue line" riparian streams located on lots 12, 27, 28, and 29, as per State and County codes. This requirement and review are often lost under this method of manufactured home establishment due to the lack of review and approval by the County's Technical Review Committee.

V. STAFF RECOMMENDATION

In accordance with SECTION 6-29-1150. Submission of plan or plat to planning commission; record; appeal,

- (C) Staff action, if authorized, to approve or disapprove a land development plan may be appealed to the planning commission by any party in interest. The planning commission must act on the appeal within sixty days, and the action of the planning commission is final.

Staff recuses itself from a recommendation.

Exhibit Attachments:

- A. Minutes
- B. Applicant's Appeal Request
- C. Vicinity Map
- D. Property Location Aerial Map



MINUTES
LAURENS COUNTY PLANNING COMMISSION
May 28th, 2024
5:30 PM
LAURENS COUNTY ADMINISTRATION BUILDING
Bobby Smith, Chairman, Tom Robertson, Vice-Chairman
Commission Members: Sylvester Grant,
Casey Robinson, Vacant, Abney Smith, and Michael Floyd

May 28th, 2024

Commissioners Present: Bobby Smith, Tom Robertson, Michael Floyd, Abney Smith, and Casey Robinson.

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

Invocation- Commissioner Michael Floyd

Approval of Agenda – May 28, 2024—Chairman Bobby Smith called for a vote to approve the agenda. Vice Chairman Tom Robertson first motioned to approve the May 28, 2024, agenda, with Commissioner Abney Smith seconding. The agenda was approved unanimously.

Approved 5-0

Approval of Minutes- April 16, 2024. Commissioner Robinson first motioned to approve, followed by a second by Commissioner Floyd. The motion was approved.

Approved 5-0

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.

Commissioner Floyd motioned to approve, followed by Commissioner Smith with a second. The motion was approved.

Approved 5-0

Old Business-

a. Discussion Item- Review and Discussion of the Comprehensive Plan Draft

Chairman Smith called for a vote to approve the Comprehensive Plan Draft. Vice Chairman Robertson motioned to approve, followed by a second by Commissioner Robinson. The motion was approved unanimously.

Approved 5-0

Adjournment—Chairman Bobby Smith adjourned the meeting at 5.57 p.m. on a motion from Vice Chairman Robertson and a second from Commissioner Robinson.

Approved 5-0

Respectfully Submitted,

Cortni Motes

Cortni Motes, Clerk 3
Laurens County Public Works

DRAFT



Laurens County
Planning Department

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

Planning Commission Variance Request Application

Appeal

Date Applied: _____ Variance Case #: _____

Project Name: KRL Investments

Project Address: See Attachment A

Tax Map #: See Attachment A Subdivision: Woodhaven Lot #: See Attachment A

Information for: [] Owner [X] Contact Person [] Applicant (Person to be Notified of Meeting)
Name: Lee Sprayberry
Address: 403 Splendid Place
Simpsonville, SC. 29680
Phone: (864) 584-8542
Signature(s): [Signature]

NOTE: We accept original signatures only - no faxed copies. The owner/developer must have submitted a project with all required documentation fees before a 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? ordinance

Yes [X] No [] Explain: The current recorded ordinance wording is causing permitting issues for manufactured homes.

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. Yes, every single home currently in the subdivision is a manufactured home. It is only feasible to put manufactured homes at this time.

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. Some but it is even more restricted due to it being an existing subdivision. The make up of the subdivision would restrict market value

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, Half of subdivision is already developed and 100% of the current homes are manufactured.

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. No An application will not be accepted with "yes" or "no" only responses. They will be set on a permanent foundation and detitled making them real property there for the county will be collecting more tax revenue.

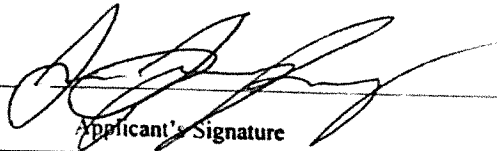
I hereby certify and agree that all the information provided in this application is true and correct. I understand that falsifying any information on this application will result in the automatic denial of this application and nullification of any action applied herein.

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):

Lee Sprayberry

Applicant's Printed Name



Applicant's Signature

6-17-24

Date

For Staff Use Only:

Date Plat/Site Plan/Sketch Plan submitted: _____ Date Project Application Completed: _____

Variance Hearing Date: _____ Variance Granted: YES NO

Project Addresses

104, 105, 106, 107, 108, 110, and 112 Heatherwood Drive.

206, 208, 210, 213, 215, and 217 Tanglewood Way.

Gray Court, S.C. 29645

Tax Map and Lot Numbers

Lot 3, 290-00-00-040

Lot 4, 290-00-00-041

Lot 10, 290-00-00-047

Lot 11, 290-00-00-048

Lot 12, 290-00-00-049

Lot 21, 290-00-00-057

Lot 22, 290-00-00-058

Lot 23, 290-00-00-059

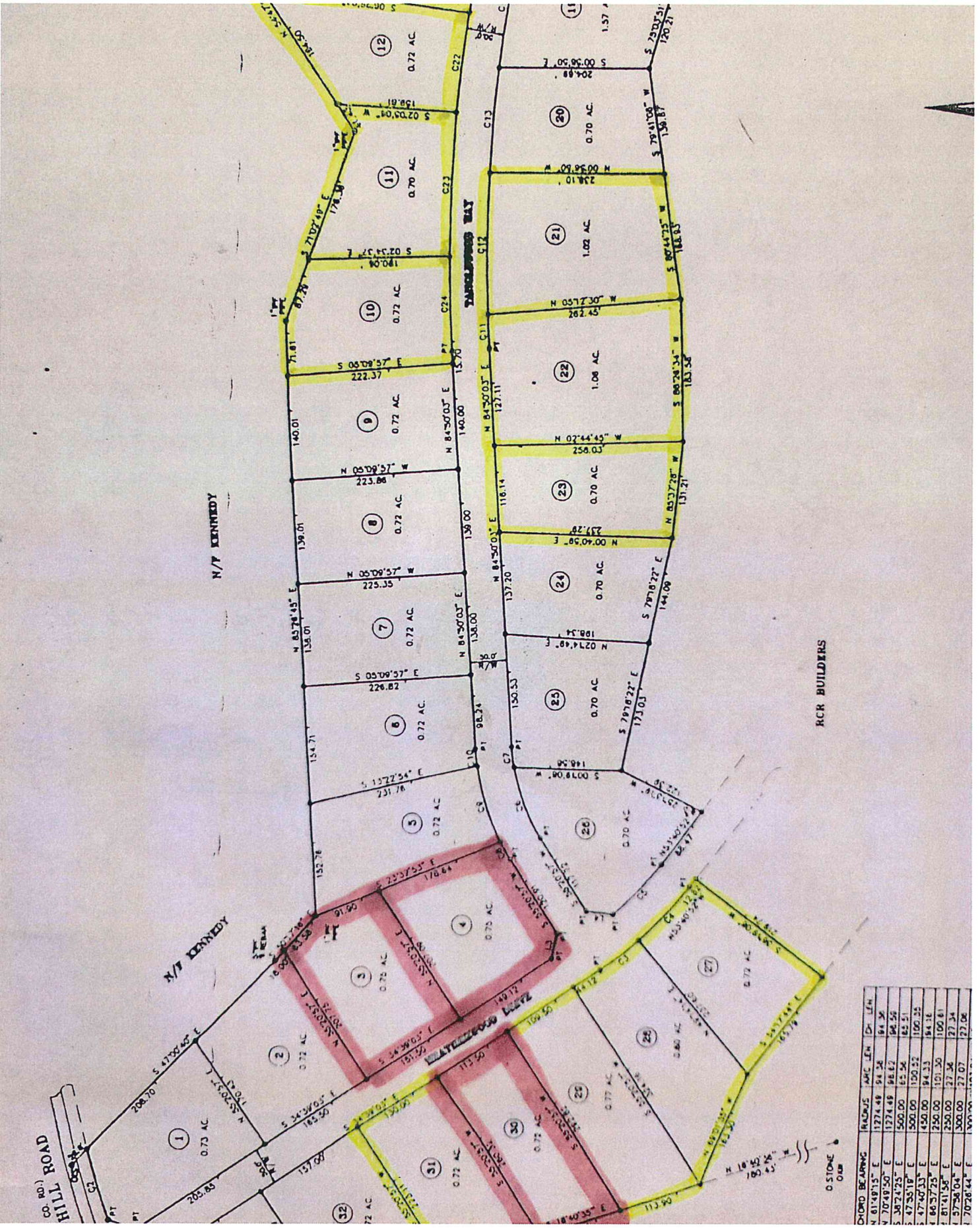
Lot 27, 290-00-00-063

Lot 28, 290-00-00-064

Lot 29, 290-00-00-065

Lot 30, 290-00-00-066

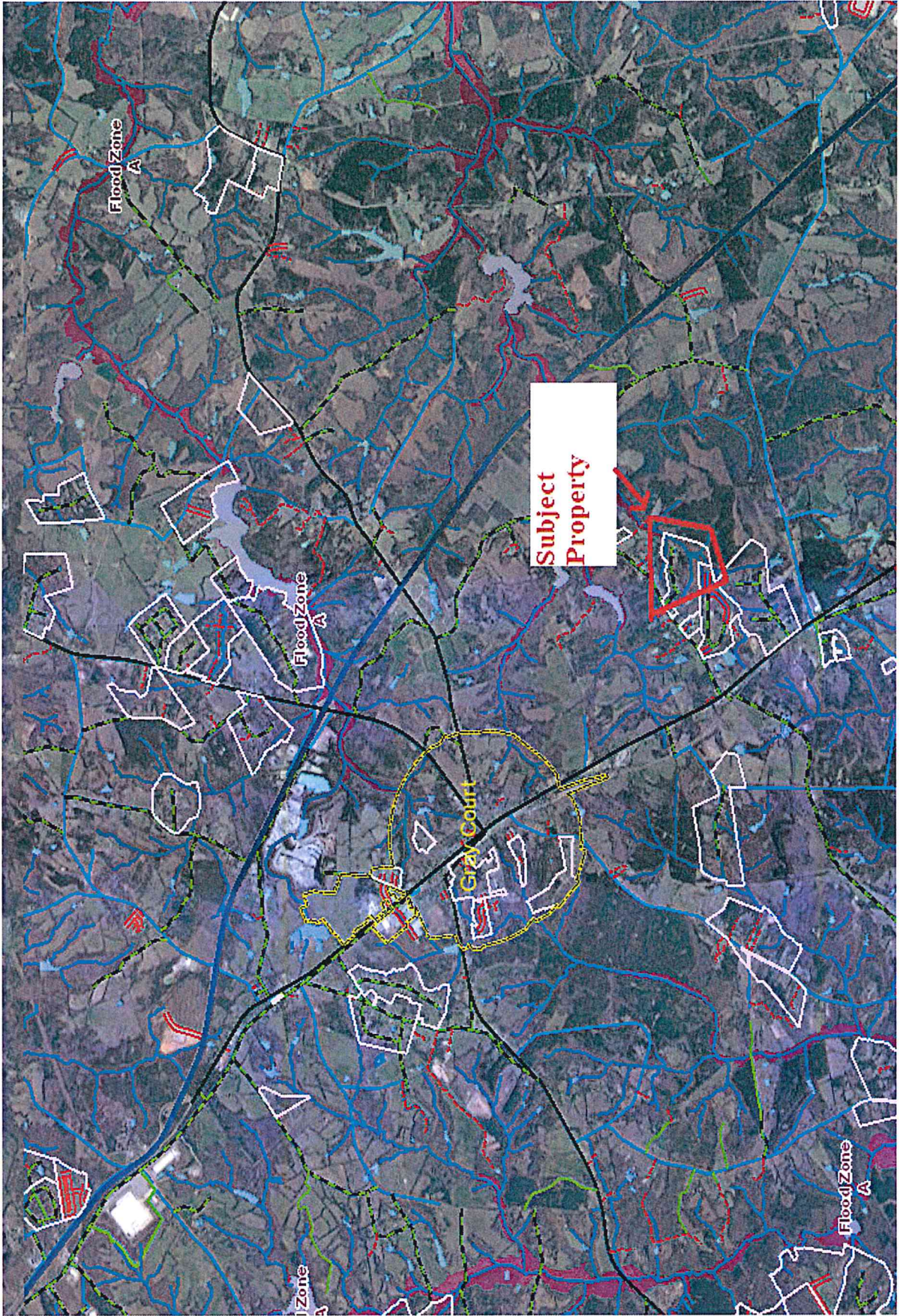
Lot 31, 290-00-00-067



CHORD BEARING	RADIUS	ARC LEN	CH LEN
N 61°49'15" E	1274.49	94.38	84.39
S 70°49'50" E	1274.49	94.67	94.56
S 30°24'25" E	500.00	125.36	125.51
S 47°35'18" E	500.00	150.52	150.25
S 47°40'33" E	450.00	144.33	144.18
S 64°37'29" E	250.00	101.30	100.81
S 71°41'56" E	250.00	101.30	100.81
S 73°36'04" E	300.00	127.07	127.08
S 70°28'44" E	300.00	127.07	127.08

0 STONE
0 OR

General Vicinity



Subject 14 Lots

