



**TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
July 21, 2020  
6:30 PM**

**Live Viewing Online: Request Access by emailing before 5:00 pm on Tuesday, July 21<sup>st</sup>, 2020 to Penelope G. Karagounis, Planning Director at [pkaragounis@fortmillsc.gov](mailto:pkaragounis@fortmillsc.gov)  
Public Access by Phone: Dial (toll free) 1-877-309-2073  
and use access code 136-060-525**

**AGENDA**

1. Regular Meeting: May 19, 2020 [Pages 2-6]
2. Regular Meeting: June 16, 2020 [Pages 7-7]

**NEW BUSINESS ITEMS**

1. **Sketch Plan: West Hensley Road Subdivision** [Pages 8-17]  
Request from Philip Hayes to review a sketch plan for a proposed subdivision on West Hensley Road.

**ADJOURN**

*The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted at the entrance to Town Hall the required length of time and on the Town website.*

*The Town of Fort Mill is committed to assuring accessibility with reasonable accommodation, of Town services and facilities for all individuals, in compliance with federal law. Please contact the Town Manager's Office at 803-547 2116 if you need assistance.*

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
May 19, 2020  
112 Confederate Street  
6:30 PM**

Present: James Traynor, Tom Petty, Hynek Lettang, Matthew Lucarelli, Chris Wolfe, Ben Hudgins, Planning Director Penelope Karagounis, and Planner Alex Moore

Guests: Faye Lindsay and Brandon Colberg

Chairman Traynor called the meeting to order at 6:30 pm.

Chairman Traynor mentioned that on page 2 of the meeting minutes a phrase was written twice and needed to delete it. Planning Director Karagounis noted the change. After discussion and with no further questions or comments the Chairman asked for a motion. Mr. Wolfe made a motion to approve the minutes from April 21, 2020 Planning Commission meeting with the above change. Mr. Lucarrelli seconded the motion. The minutes were approved by a vote of 6-0.

**NEW BUSINESS ITEMS**

**1. Text Amendment: Lot Variance Request:**

Senior Planner Moore introduced a subdivision variance request from Ms. Faye Lindsay, owner of 137 Forrest Street and Mr. Brandon Colberg, owner of 311 Confederate Street. Both properties are zoned R-15, single-family residential. The minimum lot size for this zoning district is 15,000 square feet.

Moore noted that the specific request was to convey a portion of the legally non-conforming parcel at 311 Confederate Street to the parcel located at 137 Forrest Street. The area of conveyance was proposed to be approximately 1,290 square feet.

The current lot sizes included 9,583 square feet at 311 Confederate Street and 24,394 square feet at 137 Forrest Street. Upon conveyance, the parcel at 311 Confederate Street would consist of ±8,293 square feet and the parcel at 137 Forrest Street would then consist of ±25,684 square feet.

The parcel at 311 Confederate Street contains a legally, non-conforming duplex. Senior Planner Moore noted that York County land records indicated that the duplex has been in existence since at least 1947. Thus, it was constructed well before The Town of Fort Mill established zoning in 1969. In addition to the duplex use being nonconforming, the existing side-setbacks are also nonconforming, with approximately 4.77 feet and 8.75 feet respectively being observed via GIS measurement.

Moore then presented the existing and proposed setback configuration for the duplex at 311 Confederate Street. The only setback proposed for change would be the rear. This setback would

be approximately 38.47 feet after conveyance, thus still exceeding the minimum required R-15 rear setback of 35 feet.

Senior Planner Moore then presented the specific findings required for granting a variance from the Town of Fort Mill subdivision ordinance:

**Sec. 32-11. Variance.** Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the chapter would result in substantial hardship or inequity, the planning commission may vary or modify, except as otherwise indicated, requirements of design, but not of procedure or improvements, so that the subdivider may develop his property in a reasonable manner, but so, at the same time, the public welfare is protected and the general intent and spirit of this chapter is preserved. Such modification may be granted upon written request of the subdivider stating the reasons for each modification and may be waived by an affirmative vote of two-thirds of the membership of the planning commission.

Additionally, Moore noted that Planning Commission could place conditions on a subdivision variance as granted:

**Sec. 32-12. Conditions of Modification.** In granting variations and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Subsequently, Senior Planner Moore presented the Planning Staff recommendation on the variance request:

The regulations which apply to the R-15 District are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots of at least 15,000 square feet, and to discourage any encroachment by commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

The applicant does not face a substantial hardship or inequity in being required to adhere to the current subdivision ordinance.

Conversely, though this proposal does not bring the parcel at 311 Confederate Street into conformity, the conveyance does not endanger the public welfare. The existing residential character of the neighborhood will remain intact. Thus, the general intent and spirit of the subdivision ordinance is upheld.

Therefore, Planning Staff recommends that this application for a lot variance be approved, with the condition that a minimum rear-setback of 35 feet be maintained for the lot at 311 Confederate Street. However, this request is ultimately at the discretion of the Planning Commission.

Senior Planner Moore opened the meeting up to questions from the applicants and Planning Commissioners.

Mr. Brandon Colberg, the owner of the property at 311 Confederate Street and one of the applicants, asked about the minimum rear-yard setback of 35.’

Moore then noted that the prepared exhibit within the packet indicated that there would be approximately 38’ from the existing duplex to the rear property line after the conveyance to the adjacent property at 137 Forrest Street.

Mr. Colberg then asked how the rear-yard setback would be measured in relation to a hypothetical uncovered deck.

Senior Planner Moore stated that the minimum 35’ rear-yard setback would be measured from the uncovered deck. However, subsequent to the meeting, Planning Staff determined that in the instance of an uncovered deck, the minimum rear-yard setback would be 5’ rather than 35.’ Senior Planner Moore promptly called Mr. Colberg to inform him that an uncovered deck could be a minimum of 5’ from the rear property line rather than a minimum of 35’.

Planning Commissioner Chris Wolfe then asked Senior Planner Moore about the variance request regarding who would be the appropriate applicant, and who applied for the variance.

Ms. Faye Lindsay responded that she applied for the variance.

Mr. Wolfe indicated that he believed that Mr. Colberg should be the applicant for the variance since the request specifically involved his property.

Ms. Lindsay responded that she and Mr. Colberg had agreed to the variance application after she had reached out to Mr. Colberg about selling a portion of his property. Ms. Lindsay then indicated that she then sent in the letter requesting the variance.

Mr. Colberg then responded and affirmed what Ms. Lindsay stated and noted that she had taken the lead on submitting the application materials.

Planning Commissioner Ben Hudgins then asked what the motivation behind the variance request was.

Ms. Lindsay responded that she simply wanted more of a rectangular rear yard that could be fenced in. She stated that she had no intent to sell or develop the property after purchasing this additional property to be conveyed.

Planning Commission Chairman James Traynor then asked Planning Staff if anything could happen on these lots that is different than is currently allowed, assuming the variance and subsequent property conveyance took place. Specifically, Mr. Traynor was inquiring about the nature of the existing non-conformity at 311 Confederate Street.

Senior Planner Moore responded that if the variance were approved that the duplex at 311 Confederate Street would remain legally, non-conforming. He also noted that the single-family residence at 137 Forrest Street must remain as single-family only.

Chairman Traynor then stated that he did not have any issues with the proposal, but also noted that a survey needed to be prepared to accomplish the conveyance.

Ms. Lindsay responded that she wanted to ensure that the variance would be granted before hiring a surveyor to prepare the survey for review and approval by the Town of Fort Mill.

Planning Commissioner Hynek Lettang stated that he agreed with Ms. Lindsay's desire to correct the geometry of her lot and additionally noted that it was a reasonable request in his opinion. Mr. Lettang stated that he had no issues with proposal as long as Mr. Colberg agreed.

Chairman Traynor asked if the surrounding properties were all zoned R-15.

Senior Planner Moore noted that the surrounding properties were indeed all R-15.

Planning Commissioner Hudgins asked about the zoning of the properties on the other side of Forrest Street adjacent to the Fort Mill Church of God.

Senior Planner Moore stated that these respective properties are also zoned R-15.

Chairman Traynor reiterated that the Planning Board anticipated there would be no subsequent rezoning requests resulting from the variance.

Senior Planner Moore stated that there were no plans to his knowledge for this. Moore additionally noted that such a request would not receive a favorable recommendation.

Ms. Lindsay interjected that she had no desire to make a rezoning request. Ms. Lindsay reiterated that her only desire was to create a uniform property and yard.

Chairman Traynor then stated that this request seemed to be reasonable and inconsequential in nature.

Planning Commissioner Hudgins echoed Chairman Traynor's sentiment.

Chairman Traynor then offered the opportunity for Planning Commissioners to make a motion if there were no further comments.

Planning Commissioner Lettang made a motion to approve the variance request as submitted which would result in the continuance of a non-conforming lot and a conforming lot that will remain conforming provided that there is commercial agreement between the buyer and seller of the property in question.

Senior Planner Moore thanked Planning Commissioner Lettang for the motion and noted that Planning Staff had also recommended that a minimum rear yard of 35' be maintained on the parcel at 311 Confederate Street.

Planning Commissioner Lettang agreed to include this within his motion to approve the variance request.

Chairman Traynor interjected that there needed to be a survey prepared to actuate the conveyance of property.

Senior Planner Moore stated that this would indeed need to be done.

Planning Commissioner Tom Petty seconded the motion.

Chairman Traynor then asked if there were any other questions or comments. There being none, Chairman Traynor started the roll call vote. This resulted in the subdivision variance request passing by a vote of 6-0.

The applicants thanked the Planning Commission members for the consideration of the request.

## **INFORMATION/DISCUSSION**

### **1. Planning Commission Appointments**

Planning Director Karagounis mentioned that Chris Wolfe and Hynek Lettang were reappointed by the Town Council to serve another term (3 years). Their term will expire on April 24, 2023. We look forward to continue working with the Commissioners on the Planning Commission.

Planning Director Karagounis reminded the Planning Commission the responsibility and duties for the Planning Commission. Chairman Traynor also mentioned the policy of recusing yourself from an item discussion during a Planning Commission if you have a conflict of interest with a particular case. Planning Director Karagounis mentioned to the Planning Commissioners that she has the recusal form with her, and they can email her a request if needed since we are conducting the Planning Commission meeting virtually during the COVID-19 pandemic.

There being no further business, the meeting was adjourned at 7:00 PM.

Respectfully submitted,  
Penelope G. Karagounis, MA  
Planning Director  
June 25, 2020

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
June 16, 2020  
112 Confederate Street  
6:00 PM**

Present: James Traynor, Tom Petty, Hynek Lettang, Andy Agrawal, Chris Wolfe, Ben Hudgins, Planning Director Penelope Karagounis, Planner Alex Moore and Planner Zach Driggers

Chairman Traynor called the meeting to order at 6:00pm.

**INFORMATION/DISCUSSION**

**1. Recognition of Service: Planning Commissioner Tom Petty**

Planning Director Karagounis recognized Planning Commissioner, Tom Petty of 14 years of service. He has resigned from his position because he will be moving from the Town of Fort Mill. Planning Commissioners and staff recognized him for his professionalism and expertise he served on the Planning Commission. Everyone will miss his expertise on the Planning Commission, and we all wished him well in his future endeavor.

There being no further business, the meeting was adjourned at 6:11 PM.

Respectfully submitted,  
Penelope G. Karagounis, MA  
Planning Director  
June 25, 2020



Meeting Information	
<b>Meeting Type</b>	Planning Commission
<b>Meeting Date</b>	July 21 <sup>st</sup> , 2020

Request Summary						
<b>Request Type</b>		Action (Old Bus.)	<b>X</b>	Action (New Bus.)		Info/Discussion
		Public Hearing		Executive Session		Other

Case Summary						
<b>Case Type</b>		Annexation		Rezoning		Text Amendment
	<b>X</b>	Subdivision Plat (Sketch Plan)		Appearance Review		Other

Property Information	
<b>Applicant</b>	Design Resource Group (DRG) for Land Investment Resources
<b>Property Owners</b>	Teresa Patterson Weyeneth and Patricia C. Patterson
<b>Property Location</b>	W. Hensley Road
<b>Tax Map Number</b>	020-11-01-195 020-11-01-196 020-11-01-197 020-11-01-198
<b>Acreage</b>	± 8.2 acres
<b>Current Zoning</b>	R-5
<b>Existing Use</b>	Vacant

### Title

Request from **Design Resource Group (DRG)** submitted on behalf of **Land Investment Resources** to review and approve a sketch plan for a proposed single-family detached project consisting of ± 8.2 acres located on W. Hensley Road within the Town of Fort Mill.

## Background Information

### Site Characteristics

This subdivision is proposed to include 24 single-family lots on ± 8.2 acres on the north side of W. Hensley Road. The property contains approximately 150 linear feet of road frontage on W. Hensley Road and is located ± 548' from N. Doby's Bridge Road and ± 1,770' from the Fort Mill Parkway. The property abuts the existing Savannah Place residential subdivision to the east.

### ZONING SUMMARY

The property is currently zoned R-5. The use, development and dimensional requirements are as follows:

- Proposed Use: Single-Family, detached residential
- Min. Lot Area: 5,000 square foot minimum lot size
- Min. Lot Width: 50 feet
- Front Setback: 10 feet
- Side Setback: 5 feet
- Side Corner Setback: 10 feet
- Rear Setback: 15 feet
- Max. Height: 35 feet
- Min. Open Space: 20% gross
- Buffer Requirement: 35-foot natural or replanted buffer along parcels zoned for residential use as required by development agreement.
- Sidewalk Requirement: Sidewalks are required on both sides of all internal streets. Additionally, sidewalk will be required along W. Hensley Road, but must be located out of the right-of-way per SCDOT.

## **PROJECT HISTORY**

It should be noted that the R-5 zoning designation for the properties which comprise the area for this project means that it is a “legacy district.” No new legacy districts will be added to the Official Zoning Map, nor shall any boundary of an existing legacy district be expanded.

Planning Staff began engaging with the applicant in early May of this year on this proposed project. We worked through a couple of iterations with the developer and his design professionals to come up with a plan that would comply with the Town of Fort Mill R-5 zoning standards. Thus, the original schematic was amended to include sidewalks on both sides of all internal streets, open space, appropriate cul-de-sac and street design, and appropriate ADA ramp and mail kiosk placement.

This sketch plan review is the first portion of the Town of Fort Mill process to grant subdivision approval. The overall Town of Fort Mill subdivision process is enumerated below:

1. **SKETCH PLAN REVIEW**

Planning Commission action is required for sketch plan approval. The sketch plan review phase allows the applicant to become familiar with the town’s subdivision regulations. The sketch plan stage will also include a somewhat informal review of a concept plan. The concept plan will typically indicate the general layout of lots, street rights-of-way, open space, etc.

2. **PRELIMINARY PLAT REVIEW**

Planning Commission action is also required for final preliminary plat approval. The preliminary plat will include more detailed site features including topography, streams, ponds, and any existing flood hazard areas. Additionally, more specific information on individual lots is generally provided, such as the proposed dimensions. Another important component includes street and right-of-way layout and dimensions. A cornerstone of the preliminary plat will also include the type, size, and placement of public improvements such as water and sewer infrastructure.

3. **CIVIL CONSTRUCTION PLAN REVIEW**

This involves staff review by the Planning, Utilities, Stormwater, and Fire Departments. Planning Commission action is not required for final civil construction plan approval. The civil construction drawings build upon the preliminary plat with critical components including detailed engineering plans indicating the placement of utilities, street cross-sections, erosion control plans, stormwater control plans, street striping, signage, etc.

4. **FINAL PLAT REVIEW**

Planning Commission action *is* required for final plat approval. The final plat includes precise drawings prepared by registered surveyors which fixes the locations and boundaries of lots and streets. Ultimately, these plats are recorded with the county land records division. Upon recordation of final plats, individual residential lots may be sold by the developer to builders or to individual homebuyers.

**Sketch Plan  
Details**

This sketch plan indicates a total of 24 single-family, detached lots on  $\pm$  8.2 acres for a proposed density of 2.96 dwelling units per acre. The maximum permitted density in the R-5 zoning district is 3 dwelling units per acre. Additionally, 20% of the gross acreage is required to be set aside as dedicated open space. The sketch plan indicates that the minimum amount of open space has been provided.

A perimeter buffer, 35' in width, is required for all new developments within R-5 zoning districts. The zoning ordinance requires that this buffer be a natural, undisturbed wooded area whenever possible. This buffer shall be allowed to count toward the minimum open space requirement. When there is no existing natural, undisturbed wooded area, a planted buffer shall be required. If a planted area is then implemented, it shall contain a minimum of 9 evergreen trees and 20 evergreen shrubs for each 100 linear feet of buffer area.

There is an option to reduce the required 35' buffer by 25% provided that a minimum 6' tall opaque wall is constructed upon the project boundary. The applicant intends to use this option on a portion of the project's perimeter as indicated on the sketch plan.

As noted within the Town of Fort Mill Zoning Ordinance, impacts on the existing transportation system are a very important consideration for our community when a development is proposed. Thus, a Transportation Impact Analysis (TIA) is a tool that the Town of Fort Mill has adopted to evaluate such impacts. The minimum threshold for requiring a TIA is 400 total trips or more in a 24-hour period, and/or 100 total trips during either the AM or PM peak hours.

However, in this instance, the proposed W. Hensley Road project does not meet the minimum threshold numbers for requiring a TIA. When TIA thresholds are not reached, a Transportation Technical Memorandum (TTM) is required. Thus, Kimley-Horn, the Town's traffic engineering consultant, was engaged to produce a TTM for this project. The completed TTM is attached to this report.

Alternatives	
1.	Approve the sketch plan as submitted.
2.	Approve the sketch plan with modifications.
2.	Do not approve the sketch plan.

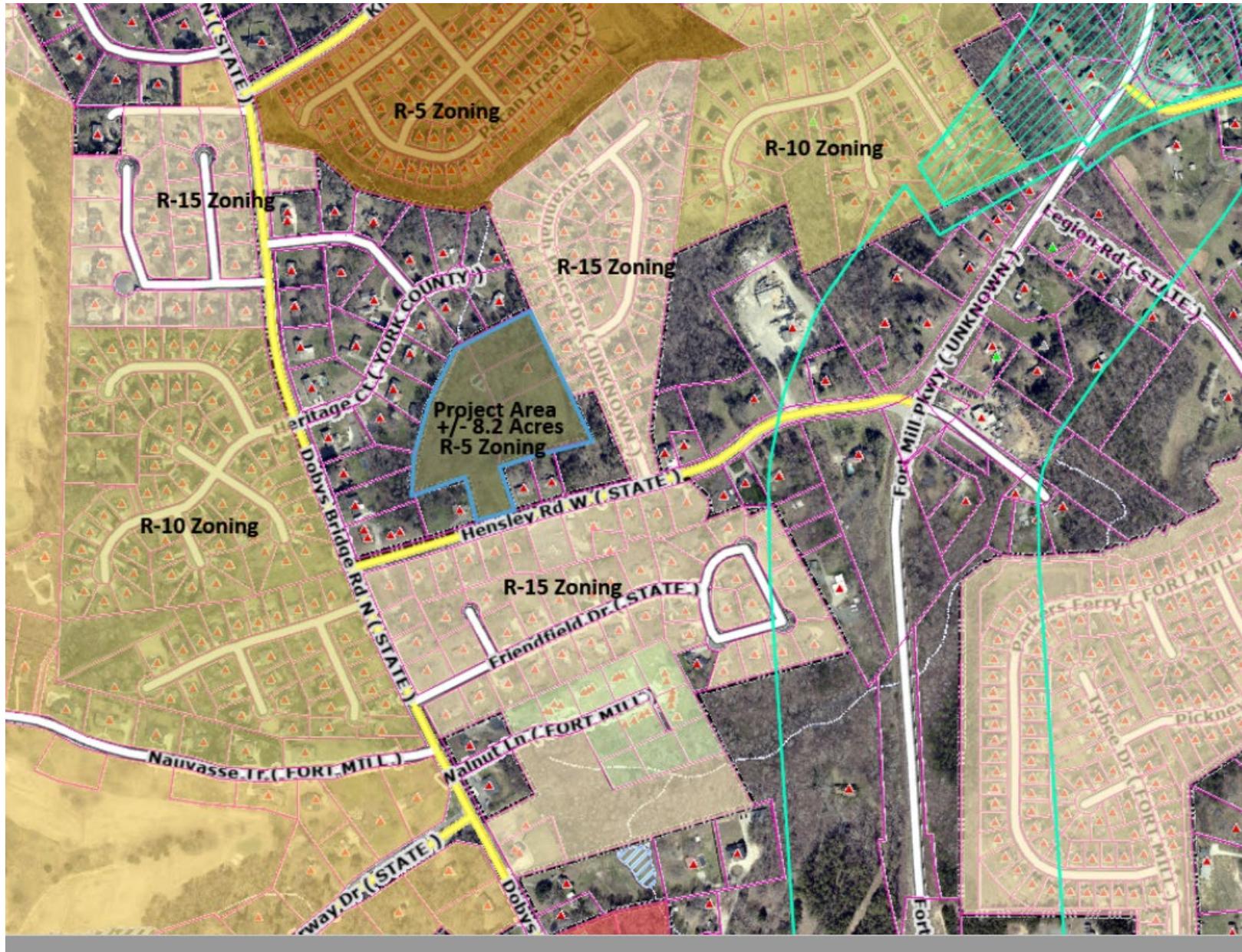
Staff Recommendation	
Recommendation	Staff recommends in favor of APPROVAL of the sketch plan for the proposed W. Hensley Road project. The next step is for the applicant to submit the preliminary plat which must also be reviewed by Planning Commission.
Name & Title	Alex J. Moore, AICP – Senior Planner
Department	Planning Department
Date of Request	July 21 <sup>st</sup> , 2020

Legislative History	
Planning Commission	N/A
Effective Date	Upon approval

### Attachments

- **Vicinity Map**
- **Transportation Technical Memorandum (TTM)**
- **Project Narrative – Submitted by Applicant**
- **Sketch Plan**

# VICINITY MAP



## TRANSPORTATION TECHNICAL MEMORANDUM

June 26, 2020

**TO:** Penelope Karagounis  
Town of Fort Mill

**FROM:** Amy Massey, PE  
Kimley-Horn and Associates, Inc.

**SUBJECT: HENSLEY ROAD RESIDENTIAL DEVELOPMENT  
TRIP GENERATION AND SITE ACCESS REVIEW**



Kimley-Horn was retained to perform a Trip Generation analysis and site access review based on the site plan prepared by Design Resource Group (attached) and provided by the Town of Fort Mill. The resulting projected trips generated by the proposed development's land use were compared with the Town of Fort Mill's *TIA Ordinance* thresholds, along with the South Carolina Department of Transportation (SCDOT) standards, to determine whether a Transportation Impact Analysis (TIA) would be required. This memorandum also reviews the proposed site access along Hensley Road (S-212) in comparison to SCDOT minimum spacing standards.

### PROJECT DESCRIPTION

The proposed development consists of 24 single family homes located along the north side of Hensley Road between N Dobys Bridge Road and Savannah Place Drive in Fort Mill, South Carolina. The development would be expected to be completed within the 2022-2023 horizon.

The most recent (2019) average daily traffic (ADT) volume on Hensley Road is 1,050 vehicles per day according to available SCDOT on-line count data. Hensley Road is a two-lane undivided roadway classified by SCDOT as a major collector and has a posted speed limit of 35 miles per hour.

### SITE ACCESS REVIEW

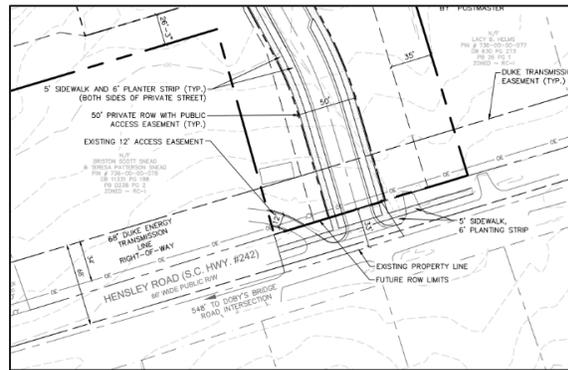
Based on the site plan, a full-movement driveway is proposed along Hensley Road approximately 600 feet east of N Dobys Bridge Road and 650 feet west of Savannah Place Drive. There is an existing driveway serving the property. The proposed access appears to align with an existing driveway.

The SCDOT *Access and Roadside Management Standards (ARMS)* Manual requires a minimum driveway spacing of 125 feet on roadways with less than 2,000 vehicles per day and a posted speed limit of 35 mph. As noted above, the proposed full-movement driveway is located more than 125 feet from the adjacent streets.

There are also individual driveways adjacent to and across from the proposed full-movement driveway located approximately:

- 110 feet to the east (adjacent to the proposed driveway)
- 50 feet to the west (adjacent to the proposed driveway)
- 125 feet to the east (across from the proposed driveway)
- 90 feet to the west (across from the proposed driveway)

It should be noted that a portion of the adjacent residential driveway west of the proposed site access appears to be located within the boundaries of the proposed site, as shown in the attached site plan and the images below. This driveway is referenced on the site plan as a 12-foot access easement. Given the proximity of the existing driveway to the proposed site access and that a portion of the existing driveway is located within the proposed site, the eastern portion of the existing loop driveway may need to be removed while maintaining the western portion. The western portion of the loop driveway is located approximately 225 feet from the proposed access.



**TRIP GENERATION ANALYSIS**

The traffic generation potential of the proposed development was determined using the trip generation data published in *Trip Generation* (Institute of Transportation Engineers, 10th Edition). Land use code 210 (Single-Family Detached) was used to calculate the site trips. **Table 1** summarizes the projected trip generation for the proposed development.

Table 1 - Trip Generation								
Land Use	Intensity	Daily	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Single-Family Homes	24 DU	280	22	6	16	26	16	10

SCDOT ARMS requires a TIA to be conducted for any site that is expected to generate 100 or more peak-hour trips, and the Town of Fort Mill TIA Ordinance requires a TIA to be conducted for any site that is expected to generate 400 daily trips or 100 peak-hour trips.

As shown in Table 1, the proposed development is projected to generate 280 daily trips, 22 AM peak hour trips, and 26 PM peak hour trips which is below the identified thresholds for both agencies; therefore, a TIA is not warranted based on trip generation.

Please contact me with questions.

Cc: SCDOT- Allison Love and David Gamble

Attachment: Site plan



June 4, 2020

Penelope Karagounis and Alex Moore  
Town of Fort Mill - Planning Department  
200 Tom Hall St.  
Fort Mill, SC 29715

Re: Hensley Road – Sketch Plan Submittal  
(Land Investment Resources)

Penelope/Alex,

The following documents are for the Hensley Road – Sketch Plan submittal made by Land Investment Resources. This submittal is a follow-up to our pre-submittal meeting with Fort Mill staff on 05/08/20 and our continued coordination to establish site requirements.

The proposed site is approximately 8.20 Acres with existing R-5 zoning located on the north side of Hensley Road (West of the Hensley Road and Savannah Place Drive intersection). This sketch plan proposes 24 total single-family detached lots (2.96 DUA) and will meet the R-5 lot standards of the Fort Mill Zoning Ordinance. Internal streets are proposed to be private with a public access easement showing a typical width of 50' which includes a 6' planter strip and 5' sidewalk on each side of all streets. 35' minimum width perimeter buffers are applied to all property boundary edges with the option to reduce by 25% (8.75') when a screen wall is provided. Cul-de-sacs meeting the minimum Fort Mill fire truck movements have been incorporated to the two dead end areas that exceed 150' in length.

The following documents are included with this submittal for review:

<u>Quantity</u>	<u>Description</u>
1	Cover Letter Narrative (Transmittal)
5	Sketch Plan – Hard Copies (24"x36")
1	Check for Fees (\$250)

We will send an electronic pdf version of the plan submittal via email. Please contact us if you have any questions or require additional information for review.

Sincerely,

Nick Bushon, PLA  
Principal

cc: Land Investment Resources – Philip Hayes

