

Planning Commission
February 22, 2005
Minutes

Present: Blaine Ewing, Alice O'Dell, Nona Hastie, Scott Parker and Hal Currey
Absent: Bobby Thompson, Billy Craver
Also Present: Kent Prause, Zoning Administrator

Scott Parker called the meeting to order. Mr. Parker asked Kent Prause to give his opinion of what his concerns are with the changes to the new zoning ordinance.

A motion was made by Alice O'Dell to approve the minutes from the February 9, 2005 meeting, seconded by Blaine Ewing. Carried unanimously.

Kent Prause began his discussion regarding Non-conformities. Currently we allow nonconformities to be rebuilt if damaged beyond a certain extent. His view is that you want to protect the property rights by allowing them to keep their nonconformity, but once it is destroyed it should not be allowed to be rebuilt. The Town of Mt. Pleasant does not allow for nonconformity to be rebuilt after it is destroyed. The new zoning ordinance breaks nonconformities into 3 separate groups, non-conforming use, non-conforming structure and non-conforming lots. The way Sullivan's Island differs from Mt. Pleasant is that Sullivan's Island allows for a non-conforming structure to be rebuilt within 2 years; Connie Cooper has changed this to 3 years. Kent's suggestion would be, if damaged more than 50% you loose your nonconforming use. Blaine Ewing was in agreement that if nature takes it away it should not be given back. He is not in favor of the 3 years. Ms. Nona Hastie would like for non-conforming structures if destroyed for any reason it could not be rebuilt.

With respect to residential it is the consensus of the Planning Commission that if more than fifty percent is destroyed they loose their non-conforming structure no matter what the cause and must be rebuilt in accordance with the current zoning ordinance. All members present were in agreement.

With respect to commercial use the consensus of the Planning Commission is that if more than fifty percent is destroyed, they loose their non-conforming structure no matter what the cause and must be re-built in accordance with the current zoning. All members present were against this wording.

With regards to the commercial district if non-conforming structure is damaged by any cause the same structure may be rebuilt in accordance with its pre-existing footprint, square footage, setbacks and lot coverage. The Zoning Administrator shall rely on all credible information provided by owner. A permit must be obtained within twelve

months and completed within two years. All members present were in favor of this wording.

The following changes were made with the majority of Planning Commission in agreement

Section 21-151 B (2) recommend to delete

Section 21-151 D (3) use the word repaired rather than reconstructed

Section 21-152 add number (4) two or more non-conforming lots: combination of non-conforming lots could be combined, to become more conforming

Section 21-152 add number (5) non-conforming lots combined pursuant to above cannot be resubdivided unless to provide a conforming lot

Planning Commission went through each article of the Cooper Consulting proposal that had not previously been addressed at the public hearings

Article I- all in favor as is

Article II- insert wording regarding PDD-Planned Development district (vote 3 to 2)

- Larry and Kent to add wording regarding submission of plans after ratification of new ordinance.

Article XIII-all in favor as is

Article XVII- all in favor as is

Article XX-all in favor as is

It is the consensus of the Planning Commission that new members of all Boards and Commissions attend at least one meeting of each of the other commissions or boards.

21-198 - all plans must be drawn to scale with graphic and verbal description of the scale

Article XXI- all in favor as is

Article XXII- all in favor as is

Article XXIII - Kent and Town Attorney should review

A motion was made by Hal Currey to adjourn the meeting, seconded by Blaine Ewing. Motion carried unanimously.

Respectfully submitted,
Sara Smith

