



PLANNING COMMISSION

Regular Meeting

Minutes

6278 Hwy 162 / PO Box 519
Hollywood, SC 29449

843.889.3222
843.889.3636 Fax
www.townofhollywood.org

Thursday, 10 August 2017

6:30 PM

Council Chambers

This meeting's notice was published in the Post and Courier newspaper.

I. Call to Order

This meeting was called to order by Commissioner Stewart at 6:32PM.

II. Roll Call

In attendance were Commissioners Moore, Prioleau, Smalls, Stewart, Wolf and Planner/Zoning Administrator Holton. Clerk-Treasurer White, Commissioners Rhonda Heyward and Robert Heyward were absent.

III. Invocation/Pledge of Allegiance

Invocation was given by Commissioner Prioleau; followed by the Pledge of Allegiance.

IV. Adoption of Agenda

Commissioner Moore made the motion to adopt the agenda as prepared; Commissioner Smalls seconded and all voted in favor.

V. Public Comments

Jim Aiken, Poplar Grove, stated that he wanted to speak against the use of the real estate office and Home Owner's Association (HOA) community building. He lives directly across from the community building which the residents refer to as the boat house. It is a residential community and there are only 2-3 lots left in this stage to be built by the developer. He feels that there is no need to have a real estate office with the constant traffic and speeding at this location. The developer has a model home in a newer section called "The Landing" which is still under construction and where the majority of the new homes are being built. The real estate company, which is in the developer's name, has a broker and two agents. Just today, he was run off the road by the broker who was not paying attention while driving. He has verified through the Real Estate Commission that the broker, who is a resident, is also licensed under Premier One Real Estate and is conducting business out of her home with six agents. He has checked with the Town Clerk, Tynetta White and was told that Premier One Real Estate is not licensed by the Town. He said there is plenty room in the model home and it was built specifically for this purpose. He asked the Commission to consider his request to have the broker and agents use the model home and not the boat house to conduct business.

VI. Minutes

Commissioner Wolf made the motion to accept the minutes of July 13, 2017 as prepared; Commissioner Moore seconded and all voted in favor.

VII. Old Business

None

VIII. New Business

Request of permit renewal to use the boat house at Poplar Grove (and model home) to sell real estate, Planner/Zoning Administrator Holton explained to the Commission that there had been a complaint filed by the Town of Hollywood against the applicant, Southeastern Family Homes and after the settlement from the lawsuit, Southeastern Family Homes was required to renew their permit yearly and be granted approval by the Planning Commission to use the boat house and model home to sell real estate. Staff recommends the approval of the request for one year. Commissioner Prioleau asked when the renewal date was. Planner/Zoning Administrator Holton answered that the renewal was due in April but there had been an oversight and he is bringing it to the attention of the Commission at this time. Commissioner Wolf asked how many lots were left to be sold. Commissioner Prioleau answered that he thought he heard from Jim Aiken's public comment that there were three lots. Commissioner Wolf commented that the intent was to allow the applicants to use the facility until they have no use for it. He thinks it is reasonable to let them continue to use it until all lots are sold, however, because it is not zoned properly, a long term solution needs to be addressed. Commissioner Smalls asked if both the boat house and the model home in "The Landing" are being used to sell real estate. Planner/Zoning Administrator Holton answered that both are being utilized to serve different areas of the subdivision. Commissioner Moore suggested that the developer transfer the real estate office from the boat house to the model home. He stated that since there are only two lots left it would make sense to do it this way. Troy Lucas, who works for the developer, stated that he has been working with the developer for about three weeks and this is the first time he has heard about this settlement. He wanted to clarify a few points by stating that both the boat house and the model home are used for sales. The boat house is a community amenity and is owned by the POA. Regardless of the decision, the realtors would still be inclined to take prospective buyers through the boat house as part of the tour and he does not think that the traffic would change. He said the sales there not only benefit the developer but also re-sales for owners that have decided to move elsewhere. Commissioner Wolf commented that it would be in the best interest of the residents to go to the Homeowner's Association (HOA) and vote to determine what needs to be done. This is a non-conforming use and it does not make sense to have this debate every year. Mr. Lucas stated that he is working on figuring out a plan for the remainder of the community and one concept is to centralize sales. There was some discussion from the Commission on permanent ways this issue could be resolved. Steve Cebulka, resident of Poplar Grove stated that it is an inconvenience to the residents that the boat house is used as a permanent sales center and the home owners are not allowed to use the boat house unless a \$250 fee is paid along with \$150 cleaning fee. His solution would be to allow the use of the boat house for sales and allow residents to use the facility. Commissioner Wolf stated that this was an HOA issue and the Commission has no jurisdiction. Tim Blackwelder, resident of Poplar Grove, commented that the provisions in the covenants give the developer permanent control and the members of the Board of Directors are not nominated by the home owners. All members are picked by the developer. There is no democratic solution and this is why they end up here. Commissioner Wolf made the motion to approve for one year with the condition that in six months the developer present a solid plan of how they will proceed with a new model home to conduct the real estate business in the new phase which will exclude the boat house. If the applicant does not appear to the Planning Commission in six months, the offer will be null and void and they will no longer be able to use the boat house for real estate purposes. Commissioner Moore seconded. Commissioner Prioleau added another condition to the motion which states that if the remaining lots are sold before the year has ended the boat house can no longer be used. Commissioner Smalls seconded and all voted in favor.

Request for approval of road name change for ingress/egress easement off of Chaplins Landing Road,

Planner/Zoning Administrator Holton explained that there about five lots on the Stono River that are accessed via an easement which is unnamed. The applicants are present and have selected a name on reserve with the Charleston County Planning Department. "Elcid Way" is the road name approved by all but one of the property owners who would not agree to anything other than having the name "Chaplin" within the new road name. This is not possible because unique names are required for submittal. Staff recommends approval of the name "Elcid Way." Commissioner Moore made the motion to approve; Commissioner Prioleau seconded and all voted in favor.

Request for a Temporary Use Permit at TMS #191-00-00-357, 5305 Salters Hill Road, Planner/Zoning Administrator Holton stated that the applicants, Steve and Jackie Henderson were not present. He explained that the applicants want to convert an office trailer to a mobile home. It is his understanding that the structure would have to be certified a livable home by an engineer at the point of manufacture to be a certified HUD home. Since the Town's Code of Ordinances does not address, staff interpretation of this is a recreational vehicle (RV). RV's are not allowed for permanent dwelling. Staff recommendation is to deny the request. Commissioner Wolf stated that the parcel is zoned Rural Agriculture (RA) and asked if a special use permit would be needed for a mobile home. Planner/Zoning Administrator Holton answered that the applicants started the mobile home procedure process but did not complete it. Commissioner Wolf made the motion to deny; Commissioner Smalls seconded and all voted to deny.

Commissioner Wolf commented on the procedure of the "Public Comments" section of the Agenda and how it is confusing as to when someone should comment on an agenda item. Planner/Zoning Administrator Holton explained that it is by design that the agenda is done this way. Public comments should be just that and not back and forth discussion. The Commission discussed putting a statement on the sign in sheet and/or having Clerk Treasurer White make a general statement before the meeting that would advise that this is the only time comments from the public will be heard unless the Commissioners had a question.

VII. Adjournment

The meeting was adjourned at 7:32 PM.

**Prepared by:
Tynetta White
Clerk-Treasurer**

