

# MINUTES

## TOWN OF LEXINGTON PLANNING COMMISSION MEETING SEPTEMBER 21, 2011

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The Planning Commission met in the Town Hall at 8:00 a.m. with the following members present: Vice-Chairman Frank Berry, Brian Amick, John Bartlett, Roscoe Caughman, Edwin Gerace and Sammy Hendrix. The following members were absent: Chairman Keith Frost and Carl Berry (excused). Mike Anderson submitted his resignation on September 2, 2011 (copy attached).

Others in attendance were Council Liaison Richard Thompson, Town Administrator Britt Poole, Town Attorney Brad Cunningham, Director of Planning, Building & Technology John Hanson, Director of Parks, Streets & Sanitation Dan Walker, Building Inspector Charly Thomas, Assistant Municipal Clerk Beverly Moore, and Network Administrator Darrell Pritchard. No citizens were in attendance. No one was present from the news media.

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**CALL TO ORDER & INVOCATION:** Vice-Chairman Frank Berry called the meeting to order, led in the Pledge of Allegiance and gave the invocation.

**MINUTES:** Commissioner Bartlett made a motion to approve the August 17, 2011 Planning Commission minutes and was seconded by Commissioner Gerace. The minutes were unanimously approved as submitted.

### **NEW BUSINESS:**

1. **Recommendation on Zoning District & Road Classification for 216 Pilgrim Point Drive:** Charles and Kathleen Herald own approximately .19 acres of property at 216 Pilgrim Point Drive (TMS #3420-01-063), and are petitioning for annexation of the property. The property is residential as are surrounding properties. Properties in the Town limits located in this area are Protected Residential (PR) and Pilgrim Point Drive is classified as a Residential Local Six (RL6) road.

Due to the surrounding conditions and the use of the property the requested zoning district for this parcel is Protected Residential (PR). The recommended road classification for this portion of Pilgrim Point Drive is a Residential Local Six (RL6) road.

Commissioner Gerace made a motion recommending Council approve annexation of 216 Pilgrim Point Drive with a zoning district of Protected Residential and road classification as Residential Local Six. Commissioner Amick seconded the motion and it was unanimously carried.

2. **Recommendation on Rezoning 800 Hendrix Street:** Mr. Sherrill Harris has requested to rezone a property located at 800 Hendrix Street from Protected Residential Two (PR2) to Limited Commercial (LC). Mr. Harris would like to operate a boarding house on the property. Temporary group housing is only allowed in Limited Commercial or General Commercial zones. Since this parcel is currently zoned Protected Residential Two, it may be used only for residential

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uses or for other uses that are inherently compatible with a residential setting. If the property was rezoned to Limited Commercial, it could be used for many commercial uses, provided that the intended commercial use could meet all the associated land development requirements. Earlier this year Mr. Harris received a variance modifying the setbacks on the property to construct a new modular home on the site. During the variance hearing no mention was made about the property being used for a boarding house or a community care facility. After the variance hearing Mr. Harris stated on the building permit that the home would be used to assist veterans. This type of use is allowed in a PR2 zoning district if the facility is licensed by SCDHEC as a community care facility. Since the facility has not been licensed, the property will need to be rezoned to a commercial zoning to operate as a boarding house. Finally, in order for the current structure to be used commercially, even if the parcel were zoned to a commercial zoning district, the property owner would need to obtain a variance from the Board of Zoning Appeals regarding buffers and possibly parking. Copies of Mr. Harris' variance application, business license application and rezoning application are included with the packet.

The property is bordered by Hendrix, Thompson and Grey Streets. Hendrix Street is classified as a Collector road, Thompson Street is classified as a Local road and Grey Street is classified as a Residential Local Six road.

No one was present to address the request. Vice-Chairman Berry asked if the residence met the Town's setback requirements. The Director of Planning, Building & Technology stated that the owner had received a variance from the Town's Board of Zoning Appeals modifying the setbacks on the property; however no mention was made at the time that the purpose of the building was for anything other than a single family dwelling. Notification is posted on the property.

Due to information from Staff and the change of use after a variance was given Commissioner Hendrix made a motion recommending Council deny rezoning of 800 Hendrix Street from Protected Residential Two to Limited Commercial. Commissioner Caughman seconded the motion and it was unanimously carried.

**OTHER BUSINESS: INFORMATION ONLY**

The Director of Planning, Building & Technology reminded Commission members of the Continuing Education class to be held at 6:00 pm on October 26<sup>th</sup> at the Palmetto Collegiate Institute.

Council Liaison Thompson stated that Oktoberfest will be celebrated in Town on October 22<sup>nd</sup> and reminded everyone to get out and vote in the Municipal Election on November 6<sup>th</sup>.

The Director of Parks, Streets & Sanitation stated that the 3<sup>rd</sup> annual Big Thursday will be held on October 20<sup>th</sup> at Town Hall. The event is a fundraiser for the Town's Gibson Pond Park.

**ADJOURNMENT:** There being no further business to come before the Planning Commission, Commissioner Gerace made a motion to adjourn and was seconded by Commissioner Bartlett. The motion was unanimously carried and the meeting adjourned at 8:15 a.m.

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Respectfully Submitted,

Beverly Moore  
Assistant Town Clerk

APPROVED:

Frank Berry  
Vice-Chairman