

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, August 27, 2013  
PC#2013-12**

**SUBJECT:** Request for Sketch plan approval for West Lake Phase II Subdivision

**LOCATION:** Off Lake Wateree Drive

**TAX MAP NUMBER:** 00053, Block 01, portion of Parcel 001

**COUNCIL DISTRICT(S):** 4; County Council

**ENGINEER:** Davis & Brown Engineering

**APPLICANT:** West Florence Holdings, LLC

**ZONING/ LAND AREA:** Unzoned/ Approximately 14 acres/ Average lot size 0.33 acres

**WATER /SEWER AVAILABILITY:** The City of Florence will provide water and the Town of Timmons ville will provide sewer services.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The properties are not located in a flood zone.

**STAFF ANALYSIS:**

1. Surrounding Land Use and Zoning:

North: Vacant/Unzoned/Florence County  
South: Single-Family Residential/Unzoned/Florence County  
West: Vacant/Unzoned/Florence County  
East: Vacant/RU-1, Rural Community District/Florence County

2. Background:

The subdivider desires to subdivide property along an extension of Lake Wateree Drive. The new subdivision will be known as West Lake Phase II Subdivision.

On August 12<sup>th</sup>, 2013, staff and attendees of the Development Review Committee met with the subdivider to do a preliminary review of the sketch plan submittal.

Staff notified the subdivider, in writing, on August 16<sup>th</sup>, 2013 that the plan review had been completed and that Staff had determined that the sketch plan, with minor changes, will conform with the applicable codes and ordinances.

On August 14<sup>th</sup>, 2013, the subdivider submitted a written variance request to: 1.) exempt the proposed subdivision from the Ordinance requirement, per Sec. 28.6-77, to provide sidewalks for pedestrian access and movement and 2.) in lieu of newly planted street trees, provide, an alternate to the requirements of Sec. 28.6-70 (b) (3), landscaping as part of a site plan and subdivision design and as described in the item 'III. RESTRICTIONS (s)

Trees’ and ‘(t) Sod’ sections of the DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENTS OF WEST LAKES SUBDIVISION PHASE II, otherwise referred to as the restrictive covenants for the homeowners of property purchased in Phase II of the proposed subdivision.

Section 28.6-77 was added to Chapter 28.6-Land Development and Subdivision Ordinance June 7, 2007. The developer is requesting a variance to not comply with the sidewalk requirement added in 2007 because sidewalks were not required for West Lake Phase IA as constructed in 2005/2006.

In accordance with Section 28.6-77.-Sidewalks shall be installed for all subdivisions that involve the construction of new streets. Section 28.6-77 (a) states: **“In accordance with this regulation, sidewalks shall be installed for all subdivisions that involve the construction of new streets. Such sidewalks shall be installed in the following locations and widths, and shall be constructed in accordance with the criteria of the South Carolina Department of transportation Standard Specifications. If physical condition(s) exists, or alternate means of pedestrian access and movement are provided, which render sidewalks impractical or unnecessary, an exception may be specifically granted by the planning commission upon recommendation of Florence County Planning Staff. Where it is deemed necessary by the planning commission, additional sidewalks or wider sidewalks than those listed below may be required. The planning commission is required to specify in the minutes of the meeting the reason(s) for any exception/change to the sidewalk requirement.”**

Section 28.6-77 was added to Chapter 28.6-Land Development and Subdivision Ordinance the year after the completion of West Lake Subdivision, Phase IA on June 7, 2007. The developer is requesting a variance to exempt them from compliance with the sidewalk requirement, added in 2007, because sidewalks were not required for West Lake Phase IA constructed in 2005/2006.

West Lake Phase IA represents approximately 23% of the total proposed West Lake Subdivision development of 302 lots.

In accordance with Section 28.6-70.-Street trees shall be provided in proposed subdivisions in order to enhance the appearance of the community. Section 28.6-70 (b) states: **“In lieu of newly planted street trees, one of the following three alternatives may be used to comply with the street tree requirements.”** The subdivider has requested a variance to not comply with the requirements of Section 28.6-70. Instead, the subdivider has proposed an alternate that is similar, but not in conformance, with the alternate method of compliance outlined in Section 28.6-70 (b) (3).

3. Transportation Access and Circulation:  
Present access to this property is from Lake Wateree Drive.
4. Traffic Review:  
Based on the applicant’s request to develop 40 residential lots, the additional traffic would have a minimal impact on the current traffic flow on West Palmetto Street
5. Florence County Comprehensive Plan:

The subject property is currently designated as Rural Preservation as established by the Land Use Element of the Comprehensive Plan. The request does comply with the Comprehensive Plan.

**STAFF RECOMMENDATION:**

Staff does not recommend granting the variance request to exempt the subdivider from the sidewalk requirement of Section 28.6-77 because staff cannot find physical conditions that exist that would prevent the installation of sidewalks and no alternate means of pedestrian access and movement have been provided or proposed by the subdivider in lieu of meeting the sidewalk requirement.

Staff does not recommend granting the variance request to meet the alternate requirement for street trees outlined in Section 28.6-70 (b) (3) via adoption of restrictive covenants for Phase II of the proposed subdivision. Restrictive Covenants apply to the end user of the individual properties and does not meet the standards set for subdivision completion by a subdivider/developer prior to recordation of a final plat for sale to an end user.

Staff recommends approval of the proposed Sketch Plan with the following contingency:

- The Subdivider shall include sidewalks in the development plan submittal.
- The Subdivider shall include a Site Plan and Subdivision Landscaping Design in conformance with Chapter 28.6, 28.6-70 (b) (3) or conform with Section 28.6-70, Street Trees requirements in the development plan submittal.

**TECHNICAL REVIEW MEETING-AUGUST 12, 2013:**

The Technical Review Committee recommends that the Planning Commission give general approval to the development of the proposed phase of West Lakes Subdivision, referred to as West Lakes Subdivision, Phase II, based on the sketch plan and its' compliance with the ordinance and the Comprehensive Plan.

The Applicant requested a variance to not comply with the sidewalk requirement during the meeting.

**ATTACHMENTS:**

**Copies of the following are attached:**

1. Aerial Map
2. Sketch Plan
3. West Lakes Master Subdivision Plan
4. Variance Request