



# Folly Beach Planning Commission

**August 1, 2016**

7:00 PM Regular Meeting  
Council Chambers, 21 Center Street

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**Commission Members:** Beth Saunders, Chairman; Anton Dumars, Vice Chair; Kirk Grant; LaJuan Kennedy; Deana Coggin; Randy Carter; Greg Anderson; John Merritt; John Pence

## Regular Meeting 7:00pm

1: Call to Order; Roll Call

Present: Merritt, Kennedy, Coggin, Carter, Grant, Anderson, Saunders  
Absent: Pence

Ms. Saunders made a motion to move the discussion of the tree ordinance after the subdivision variance request. Ms. Kennedy seconded the motion. The motion passed without objection.

2: Freedom of Information Statement

3: Approval of Previous Minutes

Ms. Kennedy made a motion to approve the minutes of the July meeting, and Mr. Merritt seconded the motion. The minutes were approved without objection.

Ms. Saunders noted that Mr. Pence would like the ANSI standards A300 incorporated into the tree ordinance changes.

4: Personal Appearances

5: Citizen Comments

6: New Business

A. Preliminary Plat Lot 8 Mariners Cay: A request to subdivide 4 lots from the parcel at Lot 8 Mariners Cay (TMS 328-00-00-108). Current zoning is Corridor Commercial/Folly Road Corridor Overlay.

Mr. Pope reviewed the staff report distributed to the Commissioners with a recommendation for approval. He detailed the subdivision requirements for this request, noting all requirements have been met by the applicant. The one outstanding issue has to do with utilities permission, which is needed for final

approval. He suggested conditions for approval: “that the final plat not be approved until we got the utility connection issue worked out. I would also like to see lots 1 through 4 marked for single family use only.” Commissioners engaged the applicant, Mr. Gary Withers, in a discussion about the maintenance of the egress and sewer line. Mr. Withers’ counsel stated a draft of the HOA documents will be available for the September 12 Planning Commission meeting. Ms. Kennedy made a motion to approve and Mr. Merritt seconded the motion. A vote was taken with all in favor.

7: Old Business

A. Review of the Tree Protection Ordinance

Mr. Pope provided a mockup of an amended tree ordinance based on previous discussions of the topic. Discussion ensued as to how to address pine and whether or how to protect them. Mr. Grant made a motion “that pine trees be exempt from any sanctions on removal” and Mr. Carter seconded the motion. A vote was taken as follows:

Ayes: Carter, Anderson, Merritt, Grant, Kennedy  
Nays: Coggin, Saunders

The motion passed. There was discussion about tree removal and tree mitigation schedules. Mr. Grant made a motion to edit the tree mitigation schedule to read “12 trees/acre” and Mr. Carter seconded the motion. A vote was taken as follows:

Ayes: Anderson, Grant, Kennedy, Merritt, Carter  
Nays: Coggin, Saunders

Ms. Coggin made a motion to “that we double the mitigation” as part of the penalty for removing a protected tree without prior approval. The \$500 fine remains as the other part of the penalty. Ms. Saunders seconded the motion. A vote was taken as follows:

Ayes: Coggin, Carter, Anderson, Saunders  
Nays: Grant, Kennedy, Merritt

The motion passed. Mr. Anderson made a motion that the fine be \$500 with no minimum noted. Ms. Coggin seconded the motion. A vote was taken as follows:

Ayes: Anderson, Carter, Coggin, Kennedy, Saunders  
Nays: Grant, Merritt

The motion passed. Ms. Coggin noted some conflicting language in sections 162 and 166. She asked that the language be edited to compliment rather than conflict prior to the next meeting. There was a brief discussion about the culling of trees for the health of surrounding trees. Ms. Saunders stated it is not fair for someone to have to pay into the tree fund when removing trees that protect others.

Mr. Pope reviewed the changes made and suggested throughout the meeting. “We are going to make sure that the tree protection fine is a flat \$500 is assessed per tree and the mitigation for a tree removal violation is doubled. Pine trees will stay exempt. You have to have 12 shade trees or protected tree per acre post-development that does not include Palmettos. Check 162.03-10 and carry over what needs to be carried over and delete what needs to be deleted. We are going to move the language about tree permit fees onto the tree fund under the tree permit section....Check 93.99 for fee doubling. We are going to add an exemption for pruning for the health of other trees and a reference to ANSI300 standards for the utilities and other pruning. I am going to make sure that Item 3 says pine trees are exempt from mitigation. We are going to clarify what a protected barricade is in terms construction.” Ms. Coggin added “169.03-02(G) where it talks about the violation to remove a protected tree without permits, and let’s make sure that one matches our changes.” Mr. Pope added that the tree fund would be established in a resolution when the changes to the tree ordinance go before City Council.

8: Staff Comments

Mr. Pope reported that clearing work has begun on the Kings Flat property. He also reported that the property owner at 114 E. Indian has not met deadlines for moving forward with his proposed project.

Ms. Saunders stated that a Vice Chair is needed for the Commission now that Mr. Dumars is no longer a commissioner. Mr. Grant nominated Mr. Pence for the position of Vice Chair and Ms. Kennedy seconded the motion. There being no other nominations, a vote was taken with all in favor of Mr. Pence for Vice Chair.

9: Commission Comments

Mr. Grant shared an article with the Commission about new building regulations increasing the cost of home building around the country.

10: Adjournment at 8:28pm.