



BUILDING CODES COMMITTEE MEETING

MONDAY, JUNE 3, 2024 | 6:00 PM

1st committee meeting

The Committee will meet in the Council Chambers
at Mauldin City Hall at 5 East Butler Road



Building Codes (BDS) Committee AGENDA
June 3, 2024

1. **Call to Order** Chairperson Mark Steenback
2. **Public Comment** Chairperson Mark Steenback
3. **Reading and Approval of Minutes** Chairperson Mark Steenback
 - a. Building Codes Committee Meeting:
May 6, 2024 (*Pages 2-6*)
4. **Reports or Communications from City Officers** Chairperson Mark Steenback
 - a. BDS Department Report, David Dyrhaug
5. **Unfinished Business** Chairperson Mark Steenback
 - a. None
6. **New Business** Chairperson Mark Steenback
 - a. An Ordinance to provide for the annexation of a tract consisting of approximately 23.2 acre located at Conestee Road and Lakewood Drive (tax map parcels: M013.02-01-008.01 and M013.02-01-008.02) by one hundred percent petition method and to establish a zoning classification of S-1 for said tract (*Pages 7-19*)
 - b. Appointments to Planning Commission and Zoning Board of Appeals (*Page 20*)
7. **Public Comment** Chairperson Mark Steenback
8. **Committee Concerns** Chairperson Mark Steenback
9. **Adjourn** Chairperson Mark Steenback

Building Codes Committee Meeting



Minutes

Building Codes (BDS) Committee

May 6, 2024

2nd Committee Meeting

Committee Members present: Mark Steenback (Chair) and Taft Matney. Councilman Frank Allgood joined via Zoom.

Others present: David Dyrhaug, Business and Development Services Director and Seth Duncan, City Administrator

1. **Call to Order-** Chairman Mark Steenback

2. **Public Comment-** None

3. **Reading and Approval of Minutes**

a. Building Codes Committee Meeting: April 1, 2024

Motion: Councilman Matney made a motion to approve the minutes with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

4. **Reports or Communications from City Officers**

a. BDS Department Report, David Dyrhaug

Mr. Dyrhaug reported Neely Village is complete with 69 townhomes. Building inspection numbers have increased. Business license renewals are being finished up. The deadline was April 30. Nine new businesses moved into the City in April.

Mr. Duncan has been advised of some vacant properties that are becoming dilapidated. The department is going to look into ways that it can help the properties stay compliant with codes.

Councilman Allgood asked if committee could receive more information regarding the vacant properties. Mr. Duncan said in some instances there are known owners, some instances the owners may be out of town. The department is going to look at the International Property Maintenance Code to see if the City can use that to help properties come into compliance, or if there may be additional tools somewhere else.

5. **Unfinished Business-** None



6. New Business

- a. An Ordinance to rezone a property consisting of approximately 3.3 acres located at Miller Road (Tax Map Parcel #M002.01-02-002.00) and providing an effective date

The City of Mauldin has received a signed petition requesting the rezoning of a tract of land pursuant to Section 4:2 of the Mauldin Zoning Ordinance. This petition includes rezoning a 3.3-acre tract along Miller Road from the S-1 district to the RM district. The intent of the applicant is to develop this property for attached single-family homes.

This tract is presently a wooded undeveloped lot. It lies between a commercial strip center at 109 Miller Road that includes Tato's Pizza and Staten Plumbing Heating and Electrical, a telecommunication tower at 129 Miller Road, and the Summer Stone Townes 201 Miller Road.

Councilman Allgood asked Mr. Dyrhaug what the property could be used for if the zoning remained S-1. Mr. Dyrhaug answered an office for a contractor or something similar to that. The property is not large enough for a lot of things that would be allowed in the S-1 district.

Councilman Allgood asked about if the 25-foot buffer could be increased and if the site was going to be clear-cut. Developer Barrett Wood was present and said the plans can be altered. There is a cell tower fall zone, which gives a little bit of a challenge. The layout plans have not been finalized.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

- b. An Ordinance to provide for the annexation of property owned by the City of Mauldin and located at Adams Mill Road (Tax Map Parcel: M006.02-01-035.01) by one hundred percent petition method; and to establish a zoning classification of R-15, residential, for said property

The City of Mauldin has received signed petitions requesting the annexation of a tract of land (one parcels) pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 0.2 acres at Adams Mill Road and W. Golden Strip Drive.

This property was conveyed to the City of Mauldin in 1967 and is largely wooded with a creek that bisects the property. It is not inside the city limits presently, but this ordinance would remedy that.



Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

- c. An Ordinance to provide for the annexation of property owned by the City of Mauldin and located at Fowler Circle (Tax Map Parcel: M007.03-01-011.04) by one hundred percent petition method; and to establish a zoning classification of R-20, residential, for said property

The City of Mauldin has received signed petitions requesting the annexation of a tract of land (one parcels) pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 10.6 acres at Fowler Circle.

This property was conveyed to the City of Mauldin in 2014 and is directly contiguous to Sunset Park, which is a City-owned park. At that time the back portion of the tract consisting of approximately 6.9 acres was already inside the City limits. The front portion of this tract consisting of approximately 10.6 acres was not in the City limits and has remained outside the City limits to this day.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

- d. An amendment to the Mauldin Land Development Regulations establishing procedures for subdivisions and to invoke the pending ordinance doctrine

The City of Mauldin currently regulates the subdivision of land through its Land Development Regulations which were originally adopted in 1967 and were last amended in 2018. When these regulations were last amended in 2018, the City at the time copied and pasted select sections of Greenville County's Land Development Regulations, but not all sections of their regulations. This has contributed to context and standards missing from the City's current Land Development Regulations.

Among these missing elements, the City's Land Development Regulations are presently void of any criteria to guide the decision of the Planning Commission as it reviews preliminary plats for new subdivisions except to say that the Planning Commission simply considers the recommendations of the Greenville County Subdivision Advisory Committee and the staff of the City.

The primary impetus for this text amendment is to introduce review criteria on which the Planning Commission can base its decisions as it reviews preliminary plats for new subdivisions. This will add strength and defense to decisions made by Planning

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Commission if their decisions are ever appealed through circuit court. Additionally, it provides more predictability for applicants to know the criteria that will be considered by the Planning Commission.

In addition to the introduction of these review criteria for preliminary subdivision plats, this proposed amendment to the Land Development Regulations also provides greater clarity, context and organization to the procedures for reviewing and approving new subdivisions.

The pending ordinance doctrine is attached to this ordinance as well because there are some pending subdivisions going through the process right now.

Councilman Matney asked Mr. Dyrhaug if he has talked with the Home Builders Association or the Association of Realtors and asked for their thoughts on this. Mr. Dyrhaug said he has talked with some developers to make sure they understand the process.

Councilman Matney asked if there would be a moratorium on new developments until this is dealt with. Mr. Dyrhaug answered no.

Councilman Allgood asked the difference between a public and private provision. Mr. Dyrhaug answered a public provision would be State, County or City Laws. The higher standard between our LDR and any governing laws prevails. Private provisions would be HOA covenants. Again, the more stringent law will apply.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

7. **Public Comment-** None

8. **Committee Concerns-**

Councilman Allgood asked about the public meeting on the property on Miller Road. He asked why the meeting was held in a private events space instead of at a public property. Mr. Dyrhaug answered the meeting is normally held at the library or a similar space, but none were available. A private space was used.

Councilman Allgood said he was concerned about the distance of the venue from the project.

9. **Adjourn-** Chairman Steenback adjourned the meeting at 6:39 p.m.

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Respectfully Submitted,
Cindy Miller
Municipal Clerk



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: June 3, 2024

AGENDA ITEM: 6a

ITEM TYPE: Annexation

TO: Building Codes Committee

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Annexation of 23.2 acres at Conestee Rd and Lakewood Dr

OWNER(S):	MetroConnects
TAX MAP #(S):	M013.02-01-008.01 & M013.02-01-008.02
LOCATION:	At Conestee Road and Lakewood Drive
CURRENT ZONING:	S-1/R-S (County)
REQUESTED ZONING:	S-1, Trades and Commercial Services
SIZE OF PROPERTY:	Approx. 23.2 acres
CONTIGUITY:	This tract touches the City at the intersection of Lakewood Drive and Plant Drive Extension.

REQUEST

The City of Mauldin has been petitioned to annex two parcels of land pursuant to South Carolina Code of Laws Section 5-3-150. The petition for one of these parcels has been signed while the petition for the other parcel is pending the closing on the sale of the property which will transpire prior to the upcoming City Council meeting. This prospective annexation includes approximately 23.2 acres at Conestee Road and Lakewood Drive. The applicant is proposing to use the property consistent with the uses allowed in the S-1 district.

PLANNING AND ZONING

About the S-1 District

The S-1 district is established to provide a transition between commercial and industrial districts while restricting any noxious odor, fumes, smoke, dust, or noise. The types of uses that are allowed in this district include service-related uses, warehousing uses, and light industries.



Comprehensive Plan Designation

This tract is designated for multi-family residential on the Future Land Use Map in the Comprehensive Plan. This designation consists of apartments and condominiums. This tract is also located along a regional corridor depicted on the Future Land Use Map of the Comprehensive Plan. The Comprehensive Plan indicates that regional corridors are appropriate for the most intense commercial uses.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

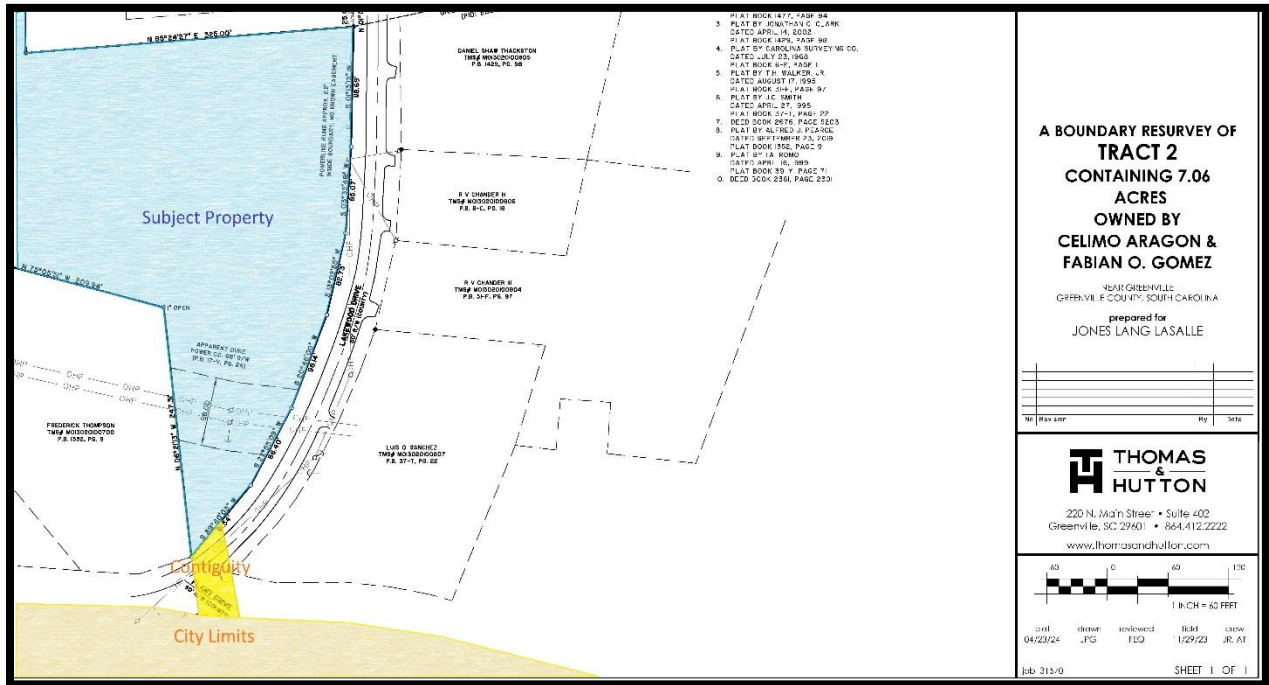
Direction	Zoning District(s)	Existing Use(s)
North	S-1 (County)	Warehouse park, warehouse uses
South	R-S (County)	Rural residential
East	S-1/R-S (County)	Warehouse uses, rural residential
West	R-S (County)	Reedy River Missionary Baptist Church

Summary

One of the subject parcels is already zoned S-1. This is consistent with majority of properties that front this section of W. Butler Road/Mauldin Road. The petitioner is requesting that the second parcel be zoned S-1 just like the current zoning of the other subject parcel.

CONTINUITY

This tract is contiguous to the City of Mauldin at the intersection of Lakewood Drive and Plant Street Extension. See illustration on boundary survey below. The applicant’s attorney has opined that this tract is contiguous to the City limits at the intersection of Lakewood Drive and Plant Street Extension. The City Attorney has concurred with this opinion.





TIMELINE

In May of 2024, staff received the signed petition for the annexation of this parcel.

STAFF RECOMMENDATION

This annexation presents an opportunity to extend the City’s footprint to Conestee Road. Staff recommends approval of this annexation petition.

ATTACHMENTS

Annexation Ordinance (maps and petitions attached therein)



ORDINANCE ____-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A TRACT CONSISTING OF APPROXIMATELY 23.2 ACRES LOCATED AT CONESTEE ROAD AND LAKEWOOD DRIVE (TAX MAP PARCELS: M013.02-01-008.01 & M013.02-01-008.02) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF S-1 FOR SAID TRACT

WHEREAS, an Annexation Petition, attached hereto as Exhibit 3, has been filed with the City of Mauldin requesting that two parcels of real property containing 23.2 acres, more or less, located at Conestee Road and Lakewood Drive, which is more particularly depicted in Exhibit 1 attached hereto, be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed as depicted in Exhibit 1, is contiguous to the City of Mauldin, which contiguity is more particularly depicted in Exhibit 2 attached hereto; and,

WHEREAS, the petitioner constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of S-1, Trades and Commercial Services, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Mauldin that:

1. ANNEXATION: The real property depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of W. Butler Road, Conestee Road and Lakewood Drive along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

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3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned S-1, Trades and Commercial Services.

4. STORMWATER MANAGEMENT STANDARDS: Whereas the petitioner has already commenced the design for the development of this tract in accordance with Greenville County stormwater management requirements and standards for construction in unincorporated areas, the petitioner is authorized to continue to design to these standards for any land disturbance permit issued within twelve (12) months of annexation.

Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

First Reading: _____

Second Reading: _____

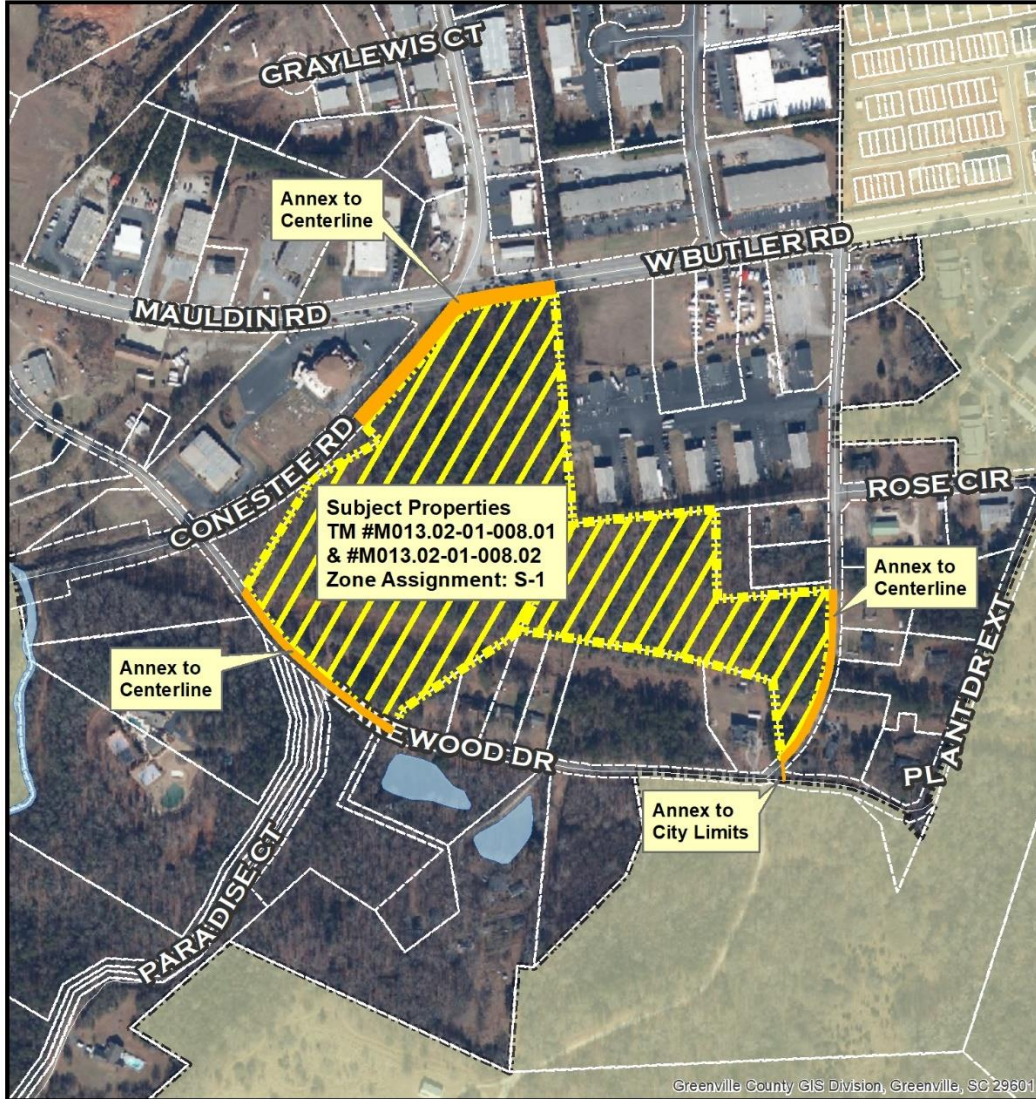
Approved as to Form:

City Attorney



EXHIBIT 1 – ANNEXATION MAP

Annexation of Property at Conestee Road



Legend

- Tax Parcel selection
- Tax Parcel
- Municipal Boundary

0 200 400 Feet

Created on May 29, 2024

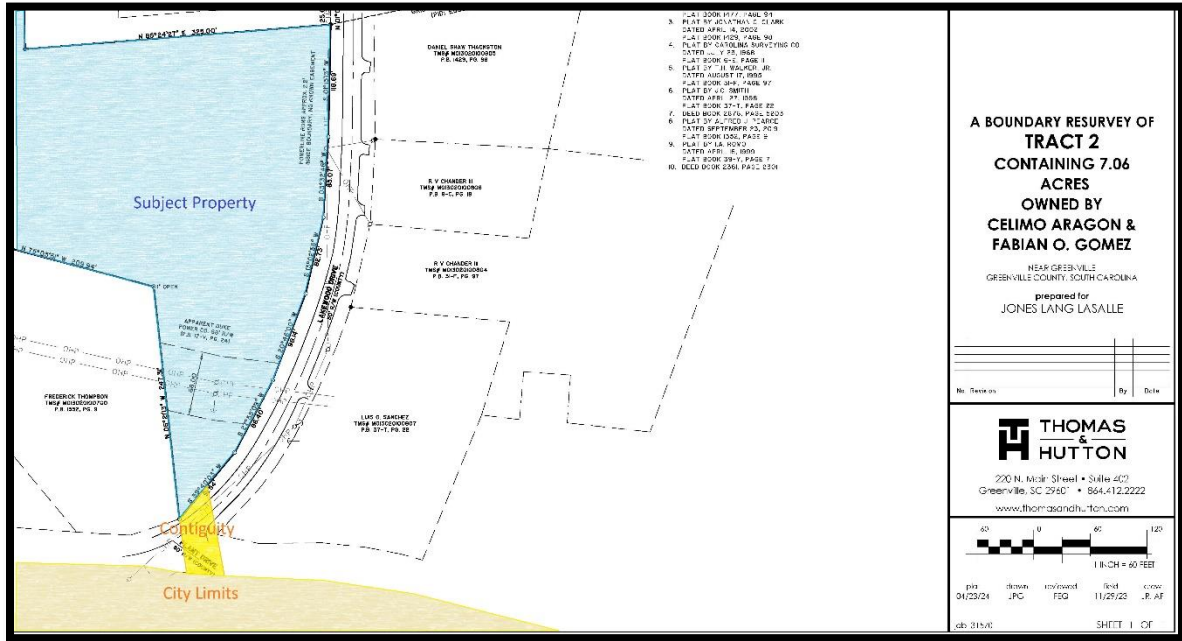
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EXHIBIT 2 - CONTIGUITY

This tract is contiguous to the City of Mauldin at the intersection of Lakewood Drive and Plant Street Extension.



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EXHIBIT 3 – PETITION

PETITION FOR ANNEXATION OF REAL PROPERTY OWNED BY METROPOLITAN SEWER SUBDISTRICT, AND LOCATED AT CONESTEE ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioner, Metropolitan Sewer Subdistrict, is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 16.15 acres, more particularly described in the property description attached hereto marked as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex their property consisting of 16.15 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of S-1, Trades and Commercial Services, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 24th day of May, 2024, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of S-1, Trades and Commercial Services.

May 28, 2024
Date

METROPOLITAN SEWER SUBDISTRICT

The undersigned represents that he/she has authority to bind this entity to this petition, and no other signatures are needed.

By: Carol C. Elliott

Name: Carol C. Elliott

Title: General Manager

[Signature]
Witness

Christie Whitmore
Witness

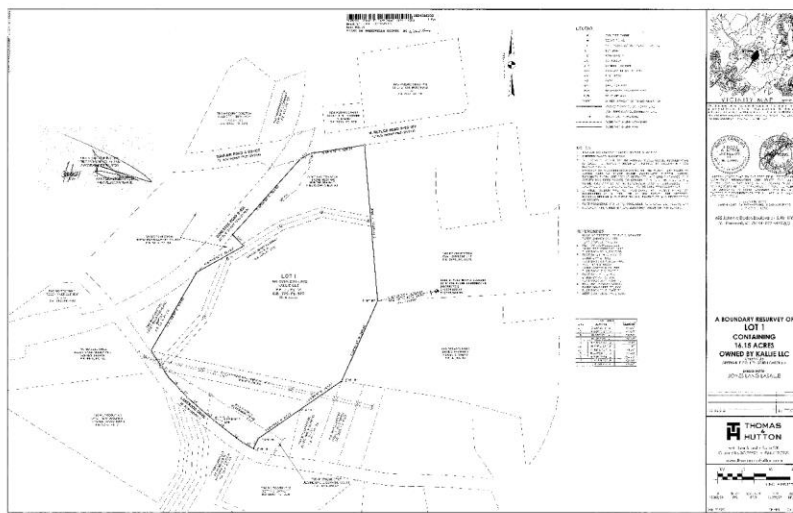
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EXHIBIT A

PROPERTY DESCRIPTION

ALL THAT CERTAIN piece, parcel or tract of land, situate, lying, and being in the State of South Carolina, County of Greenville, containing 16.15 acres, more or less, on Conestee Road, shown upon a boundary survey prepared by Thomas & Hutton, dated December 5, 2023, and recorded in the Office of the Register of Deeds for Greenville County in Plat Book 1485 at Page 23. Reference to said plat hereby made for a metes and bounds description thereof.

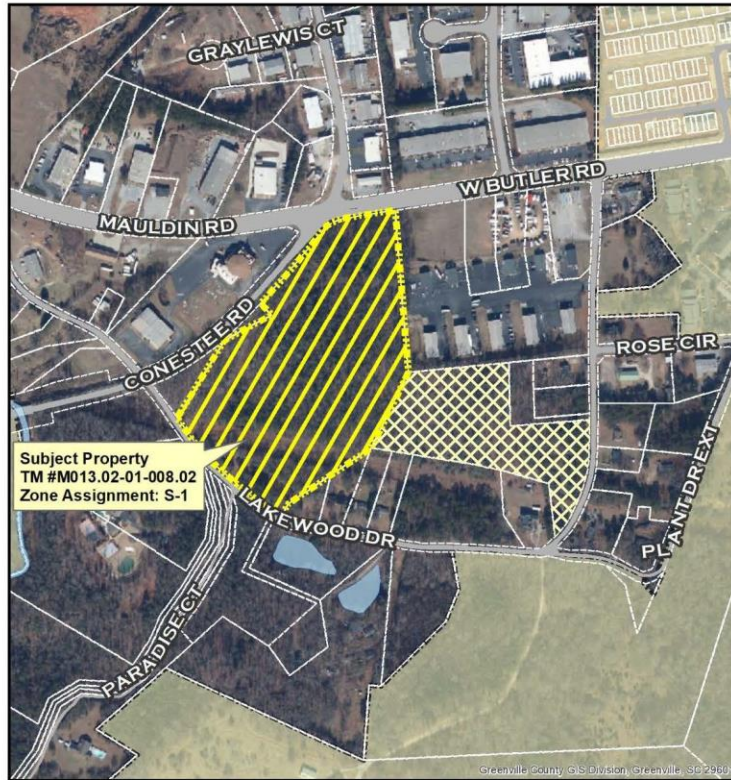


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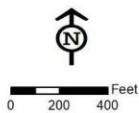
EXHIBIT B

Annexation of Metro Property at Conestee Road



Legend

- Subject Property
- Pending Annexation
- Tax Parcel
- Municipal Boundary



Created on May 24, 2024

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PETITION FOR ANNEXATION OF REAL PROPERTY OWNED BY METROPOLITAN SEWER SUBDISTRICT, AND LOCATED AT LAKEWOOD DRIVE INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioner, Metropolitan Sewer Subdistrict, is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 7.06 acres, more particularly described in the property description attached hereto marked as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex their property consisting of 7.06 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of S-1, Trades and Commercial Services, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this _____ day of _____, 2024, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of S-1, Trades and Commercial Services.

_____, 2024
Date

METROPOLITAN SEWER SUBDISTRICT

The undersigned represents that he/she has authority to bind this entity to this petition, and no other signatures are needed.

By: _____
Name: _____
Title: _____

Witness

Witness

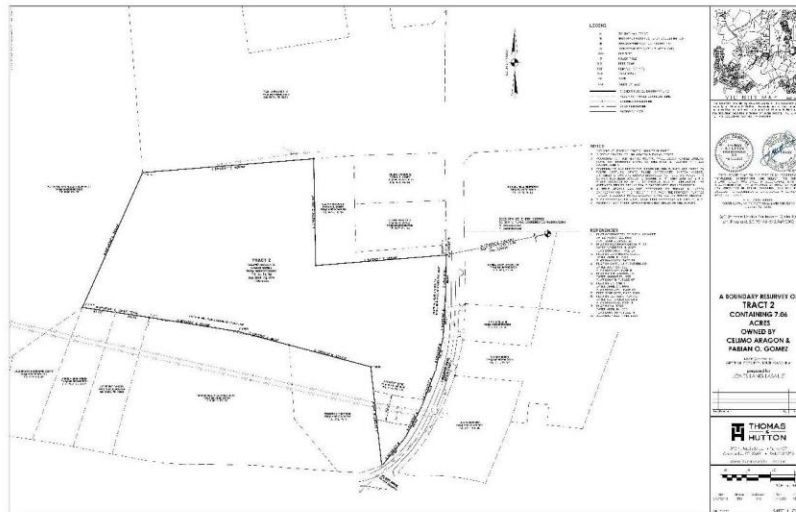
Building Codes Committee Meeting



EXHIBIT A

PROPERTY DESCRIPTION

ALL THAT CERTAIN piece, parcel or tract of land, situate, lying, and being in the State of South Carolina, County of Greenville, containing 7.06 acres, more or less, on Lakewood Drive, shown upon a boundary survey prepared by Thomas & Hutton, dated April 23, 2024. Reference to said plat hereby made for a metes and bounds description thereof.

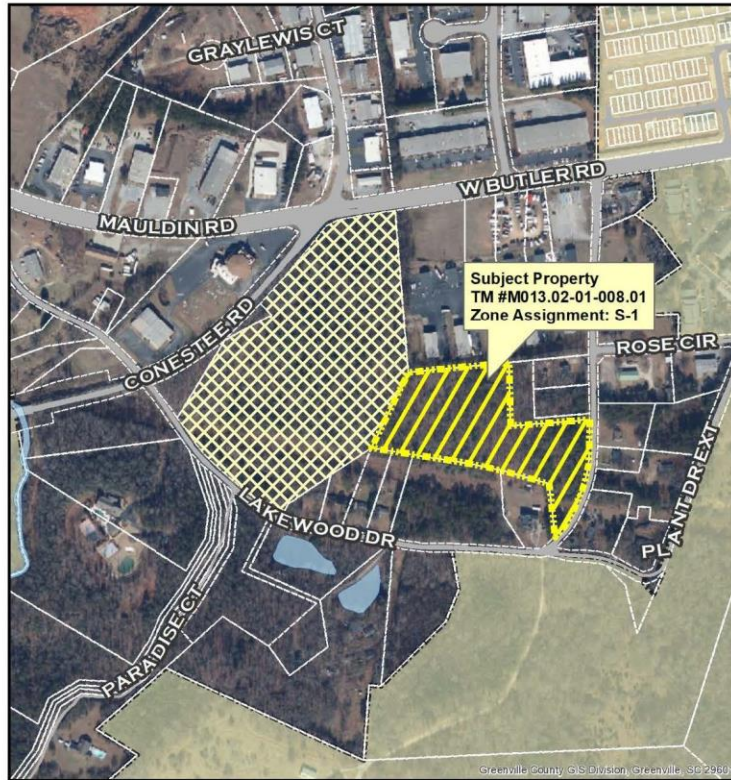


Building Codes Committee Meeting



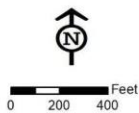
EXHIBIT B

Annexation of Metro Property at Lakewood Drive



Legend

- Subject Property
- Pending Annexation
- Tax Parcel
- Municipal Boundary



Created on May 24, 2024

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BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: June 3, 2024

AGENDA ITEM: 6b

TO: Building Codes Committee
FROM: Business & Development Services Director, David C. Dyrhaug
SUBJECT: Appointments to Planning Commission
and Zoning Board of Appeals

EXPIRING TERMS

The terms of two members of the Planning Commission (Randy Eskridge and Lyon Bixler) and two members of the Zoning Board of Appeals (Joe Sentelle and William Parks) will be expiring at the end of June. All four of these volunteer citizens have requested that their appointments be extended for an additional term of three years.

- Mr. Eskridge (seat #3) was most recently appointed to fill a mid-term vacancy on the Planning Commission in April 2022. At the time, Mr. Eskridge was serving on the Zoning Board of Appeals and had previous turns on the Planning Commission.
- Mr. Bixler (seat #6) was appointed to fill a mid-term vacancy on the Planning Commission in May 2022. To date, he has served on the Planning Commission for two years.
- Mr. Sentelle (seat #1) has been serving on the Zoning Board of Appeals since at least 2009. He is currently the Chairman of this Board.
- Mr. Parks (seat #2) was appointed to the Zoning Board of Appeals in 2021. He is wrapping up his first term on this Board.

Recommended Action: It is the recommendation of staff that the appointments of Mr. Eskridge and Mr. Bixler to the Planning Commission be extended by an additional 3-year term and the appointments of Mr. Sentelle and Mr. Parks to the Zoning Board of Appeals be extended by an additional 3-year term.