



**APPROVED MINUTES  
PLANNING COMMISSION  
CAYCE CITY HALL  
1800 12<sup>th</sup> Street Extension  
Monday, February 27, 2023  
6:00 PM**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 p.m., by Chair Ed Fuson. Members present were Patty Foy, Richard Boiteau, Robert Power, Michael Wuest, Michael Mahoney and Nancy Stone-Collum. Staff present were Assistant City Manager Michael Conley and Zoning Administrator Monique Ocean.

**II. WELCOME TO NEW PLANNING COMMISSION MEMBER, NANCY STONE-COLLUM**

Nancy Stone-Collum was welcomed as a new member to the Planning Commission.

**III. APPROVAL OF MINUTES**

Robert Power made a motion to approve the minutes of January 23, 2023, meeting. Patty Foy seconded the motion. All were in favor.

**IV. STATEMENT OF NOTIFICATION**

Zoning Administrator Monique Ocean confirmed that the public and media were notified of the meeting and public hearing.

**V. MAP AMENDMENT 001-23**

A request, by the owner, Cynthia Heathington, to rezone a property from C-4 (Highway Commercial) to RS-3 (Single Family Residential). The property is located at 1235 Frink Street (Tax Map Number 005727-02-027).

**a. Opening Statement**

Monique Ocean stated to the Planning Commission that the applicant requested to change the zoning of the property from C-4 (Highway Commercial) to RS-3 (Single Family Residential). Ms. Ocean stated that the property is the site of a dilapidated structure which has not been occupied for 10 years or more. Ms. Ocean stated that the requested RS-3 zoning designation is not in compliance with the Comprehensive Plan. Ms. Ocean stated that staff does not recommend approval of the rezoning request because it is not in compliance with the Comprehensive Plan and a residential zoning would be intrusive to the commercial zoning on Frink Street. Robert Baker, the son of the applicant, came before the Planning commission to discuss the rezoning request. Mr. Baker stated that the property was sold to them as a residential use. Mr. Baker stated they did not discover the property was zoned for commercial use until later. He stated the house on the property has a lot of damage and he wishes to repair it so that his mom may live in it. Mr. Baker stated that the house on the property has no commercial value.

**b. Public Comment**

Daniel Tubbs, Susan Ron, Isola Calhoun, and Frances Hopkins spoke in favor of the rezoning request. They all believe it would be beneficial for the property to be used for a home.

**c. Adjourn Public Hearing**

With no further comment, the public hearing was closed.

**d. Motion**

Richard Boiteau made a motion to recommend that Council deny the request. Mr. Boiteau stated the request is not compatible with the Comprehensive Plan and the area is commercially zoned. Michael Mahoney seconded the motion. A roll call vote was then taken. Patty Foy, Nancy Stone-Collum, Ed Fuson, Robert Power, and Michael Wuest voted against the motion. The reasons given for voting against the motion were that the area is in need of beautification, the subject property is adjacent to residences, the residential zoning does not cause undue burden to the area, and it would be a good idea to turn the structure in to a home. So, by a majority vote of 5 to 2, Mr. Boiteau's motion failed.

A motion to recommend approval of the rezoning was made by Michael West and seconded by Patty Foy. The Planning Commission decided by a majority vote of 5 to 2 to recommend Council approve the request to rezone 1235 Frink Street from C-4 (Highway Commercial) to RS-3 (Single Family Residential).

**VI. NEW BUSINESS**

**a. Discussion on light trespass for residential properties**

Mr. Boiteau presented a model ordinance regarding light nuisances for review by the Planning Commission and Staff. Mr. Boiteau stated he believed the model ordinance would be a good starting point to write a similar ordinance for Cayce. Staff assured the Planning Commission that the proposal for the light nuisance ordinance would be presented to the City Manager for further review.

**b. Discussion with Assistant City Manager Mike Conley**

Mike Conley spoke to the Planning Commission about the vote at the January Planning Commission meeting. Mr. Conley stated that Council had instructed him to get information about why the Planning Commission voted to deny a withdrawal request from the applicant regarding the rezoning application. Mr. Conley stated that Council thought denial of the withdrawal in the applicant's absence may not present good customer service for the City. Michael Wuest stated the Planning Commission had ample discussion on the matter and then decided to vote on it instead of approving a withdrawal. Richard Boiteau asked if Staff could get more data on pertinent information that may help the Planning Commission make their vote, in the future. Mr. Conley stated if the Planning Commission wanted more data on something, please make the request to Staff. Mr. Conley stated all discussions before a public hearing must remain politically correct.

**VII. ADJOURNMENT**

Nancy Stone-Collum made a motion to adjourn the meeting. Michael Wuest seconded the motion. All were in favor.