LANCASTER COUNTY PLANNING COMMISSION

February 17, 2015
6:30 PM
Lancaster Co.
Adm. Bldg.,
Room 224
(803) 285-6005

Type of meeting:	**General Business Meeting**	**Facilitator:**	**Planning Staff**
Clerk:	**Judy Barrineau**		
Please read:	**Agenda Packet**		
Please bring:	**Agenda Packet & UDO**		

Call To Order	Chairman
Roll Call	Chairman
Approve Agenda	Chairman
Citizen's Comments	Chairman
Approval of minutes – January 8, 2015 Workshop Minutes & January 20, 2015 Regular Minutes	Chairman
Chairman's Report	Chairman
Director's Report	Penelope Karagounis
RZ-015-004 – Rezoning application of Jimaki Witherspoon to rezone ±0.84 acres from R-15, Moderate Density Residential/Agricultural District, to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District. {Public Hearing} pgs. 1-35 **Tax Map 86, Parcel 8.01**	Andy Rowe
SD-015-004 – Deerfield Creek (formerly Providence Estates) – Subdivision application of Union Lancaster, LLC, for a proposed subdivision which will consist of 41 lots on a 59.45 acre tract of property. {Public Hearing} pgs. 36-78 **Tax Map 0014-00-012.01**	Elaine Boone
UDO-TA-015-002 – Proposed text amendment to the Lancaster County Unified Development Ordinance by Lancaster County to amend the text of Chapter 4 Conditional and Special Exception Uses, Section 4.1.7 Convenience Centers, Subsection 2. {Public Hearing} pgs. 79-83	Nick Cauthen
PDD-26 (U.S. Trust-Collins Road) and/or Ordinance 959 – Clarify issues with regard to Lancaster County Ordinance #959 and PDD-26 with respect to the 411 acres Collins Road development site, also known as the Queensbridge Development. {Public Hearing} pgs. 84-98	Penelope Karagounis
New Business: UDO Advisory Committee	
Old Business:	

RZ-015-004 – Rezoning application of Jimaki Witherspoon to rezone ±0.84 acres from R-15, Moderate Density Residential/Agricultural District, to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District. {Public Hearing} pgs. 1-35

Tax Map 86, Parcel 8.01

Andy Rowe

Date of 1st Reading: 2-12-15
__Approved __Denied ___ No Action

PLANNING STAFF REPORT

I. Facts

A. General Information

Proposal: Rezoning application of Jimaki Witherspoon to rezone ±0.84 acres from R-15, Moderate Density Residential/Agricultural District, to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District.

Property Location: The property is located ± 850 feet east of the intersection of SC HWY 200 and Highpoint Circle, Lancaster County, South Carolina.

Legal Description: Tax Map 86, Parcel 8.01

Zoning Classification: Current: R-15, Moderate Density Residential/Agricultural District, to R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District.

Voting District: **District 2- Charlene McGriff**

B. Site Information

Site Description: The parcel is wooded and undeveloped.

C. Vicinity Data

Surrounding Conditions: The property has four adjacent parcels zoned R-15, Moderate Density Residential/Agricultural District. One of two adjacent parcels to the south is zoned MHP, Manufactured Home Park, and one adjacent parcel to the north is zoned R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District. There are ±11 mobile homes that are located along Highpoint Circle. Two of the four adjacent parcels are already zoned for mobile homes.

Exhibits

1. Rezoning Application
2. Location Map
3. Map of Current Manufactured Homes
4. Future Land Use Map
5. Tax Inquiry Sheet
6. UDO – Section: 2.1.1 Residential Districts Established and Section 4.1.12 Manufactured Homes
7. Table of Uses

II. Findings

Code Considerations:

The R-15, Moderate Density Residential/Agricultural District, is designed to accommodate the most dense single-family residential developments (not including manufactured homes) in areas of the county which are either experiencing urban growth or which are expected to

experience urban growth in the near future. This type of development requires that both water and sewer lines be installed prior to construction beginning on the site. If water and sewer are not available to the site, the site shall be developed based on the regulations of the R-30 district (see below) The minimum lot size is 14,520 square feet and the minimum lot width is 90 feet.

The R-15S, Moderate Density Residential/Manufactured Housing/Agricultural District, contains the same regulations as the R-15 district except for the following:

a. Both single-wide and multi-wide manufactured housing units are allowed based on siting criteria (see section 4.1.12) in addition to site-built and modular homes.

b. This zoning district classification should be used to designate existing and future manufactured home subdivisions which do not/are not intended to consist of at least 50 percent multi-wide manufactured housing units.

c. This zoning district classification is appropriate adjacent to manufactured housing parks.

III. Conclusions:

The facts and findings of this report show that the property is designated as R-15, Moderate Density Residential/Agricultural District on the Lancaster County Zoning Map. The Future Land Use Map identifies this property as Transitional based on the *Lancaster County Comprehensive Plan 2014-2024.* Transitional by definition according to the *Lancaster County Comprehensive plan 2014-2024* identifies Transitional as "suburban single-family/multi-family residential and commercial." However, although the Future Land Use Map identifies this property as Transitional, it does not distinguish between site built homes and manufactured homes. Based on the current zoning, the property bordered to the north is zoned R-15S and one adjacent parcel to the south is zoned as a Manufactured Home Park. By rezoning this parcel to R-15S, the property will be consistent with majority of surrounding properties and would be appropriate for this location.

IV. Recommendation:

It is therefore the recommendation of the planning staff that the rezoning request for the property located ± 850 feet east of the intersection of SC HWY 200 and Highpoint Circle be **APPROVED.**

Exhibit 1

LANCASTER COUNTY
SOUTH CAROLINA

APPLICATION TO AMEND OR CHANGE THE TEXT OR MAP OF THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE

Do Not Write In This Box

Application No. RZ-015-004 Date Received 12-30-14 Fee Paid ✓

1. The application is for amendment to the: (check one)

   ☑ District Boundary Map (fill in all items #2,3,4,5,6,7,&9 only)

   ☐ Ordinance Text (fill in items # 8 & 9 only)

2. Give either exact address or tax map reference to property for which a district boundary change is requested: 0086-00-008.01

3. How is this property presently designated on the map? R15

4. How is the property presently being used? Residential - Vacant

5. What new designation or map change do you purpose for this property? R15S

6. What new use do you propose for the property? either a SWMH or DWMH

EXPLAIN UNDER ITEM #9 WHY THIS AREA SHOULD BE REDESIGNATED OR CHANGED.

7. Does the applicant own the property proposed for this change? ☐ YES ☐ NO If no, give the name and address of the property owner and attach notarized letter from property owner:

8. If this involves a change in the Ordinance text, what section or sections will be affected? n/a

9. Explanation of and reasons for proposed change: would like to place a single mobile home on lot

(use back of form if additional space is needed)

NOTE: *It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.*

APPLICANT'S NAME (PRINT)
Jimaki W Thompson

ADDRESS:
1708 White Fawn Ln
Rock Hill SC 29730

Phone: (843) 364-2612

Jimaki W Thompson
SIGNATURE

Exhibit 1

LANCASTER COUNTY ASSESSOR
Tax Map:
0043L 0A 012 00
0086 00 008 01
0068P 0H 002 00

2012016357
DEED
RECORDING FEES $10.00
STATE TAX $0.00
COUNTY TAX $0.00
PRESENTED & RECORDED:
12-05-2012 03:40 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY
BK:DEED 701
PG:43-46

RECORDED THIS 6th DAY
OF DECEMBER, 2012
IN BOOK 2012 PAGE W-1
Cheryl M. Morgan
Auditor, Lancaster County, SC

Drawn By and Mail To:
Philip E. Wright
Attorney at Law
408 N. Main Street
Lancaster, SC 29720

**DEED DRAWN ONLY--
NO TITLE SEARCH**

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, That **I, Jimmie Witherspoon, III,**

hereinafter referred to as grantor for and in consideration of the sum of Five and No/100 Dollars ($5.00), love and affection, to grantor paid by:

Jimaki T. Witherspoon
1708 White Fawn Lane
Rock Hill, SC 29730

hereinafter referred to as grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, sell and release unto the said grantee and grantee's heirs, successors and assigns, the following properties described, to wit:

TRACT ONE:

"All that piece, parcel or lot of land with the building thereon, situated on the South side of Meeting Street, in the City of Lancaster, State and County aforesaid, and fronting on Meeting Street about 75 feet and extending back a depth of 124 feet, more or less, to the line of John and C.S. King's lot and being bounded North by Meeting Street; East by lot of B.Y. Funderburk, formerly Parks, and lot now or formerly belonging to the estate of J.D. Hinson; South by lots of John and C.S. King and West by lot of Orin C. Blackmon and lot of J.C. Edwards and E.G. Lazenby, formerly L.C. Payseur."

Being a portion of the property conveyed to Jimmie Witherspoon, III by deed recorded August 2, 2011 in Deed Book 627, at Page 122 in the Office of the Register of Deeds for Lancaster County, South Carolina.

TMS# 0068P-0H-002.00

TRACT TWO:

"All that certain piece, parcel or lot of land, together with all improvements located thereon, lying, being and situate in the County of Lancaster, State of South Carolina, approximately three (3) miles southwest of Lancaster, fronting on High Point Circle and being more particularly shown, described and designated as 'Lots 110 through 116', containing 0.847 Acre, more or less, on Plat of Survey entitled, 'Plat of Survey for Edward Lee Chaney', prepared by Jack Smith, RLS, dated December 16, 1996 and recorded in the Office of the Clerk of Court for Lancaster County as Plat No. 97-277. Reference to said plat is craved for a more minute description."

Being a portion of the property conveyed to Jimmie Witherspoon, III by deed recorded August 2, 2011 in Deed Book 627, at Page 122 in the Office of the Register of Deeds for Lancaster County, South Carolina.

TMS# 0086-00-008.01

TRACT THREE:

"All those certain pieces, parcels or lots of land, together with any and all improvements thereon, lying, being and situate on the Wadesboro Road about five (5) miles Northeast of the City of Lancaster, Lancaster County, South Carolina, consisting of Lot Numbers Eleven (11) and Thirteen (13) and that certain Pond Lot containing 2.2 Acre, more or less, which pond lot is bounded as follows: North by Lots 6, 7, 8, 9, & 10; EAST and SOUTH by a unnamed street for a distance of 560 feet; and WEST by Lots 11, 12 & 13. See Plat of Survey made by Paul Clark, RLS, dated April, 1969, and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 18, at Page 231, reference to which said Plat is craved for a more minute description."

The within Quit-Claim Deed is given to correct certain discrepancies in the description of the property to make it more clearly under the Deed from William L. Harper to Jimmie Witherspoon, Jr. dated August 18, 1977 and recorded August 19, 1977 in the Office of the Clerk of Court for Lancaster County in Deed Book C-6, at Page 4515.

Being a portion of the property conveyed to Jimmie Witherspoon, III by deed recorded August 2, 2011 in Deed Book 627, at Page 122 in the Office of the Register of Deeds for Lancaster County, South Carolina.

TMS# 0043L-0A-012.00

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said grantee and grantee's Heirs, Successors and Assigns forever.

And grantor does hereby bind grantor's Heirs, Successors, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said grantee and grantee's Heirs, Successors and Assigns, against the grantor and whomsoever lawfully claiming or to claim, the same or any part thereof.

WITNESS the Grantor's hand and seal this 4th day of December, 2012.

Signed, Sealed and Delivered
in the Presence of:

Witness

Witness

Jimmie Witherspoon, III

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

I, the undersigned notary public, do hereby certify that the above named Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this the 4th day of December, 2012.

Notary Public for South Carolina
My Commission Expires: 10/27/2018

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred was transferred by Jimmie Witherspoon, III to Jimaki T. Witherspoon on November 8, 2012:

- 207 East Meeting Street, Lancaster TAM# 0068P-0H-002.00
- Highpoint Circle, Lancaster TAM# 0086-00-008.01
- South of Highway 28, Lancaster TAM# 0043L-0A-012.00

3. The deed is exempt from the deed recording fee because (See Information section of affidavit): Gift

3. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney for Grantee

4. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

By:_____
Responsible Person Connected with the Transaction

Philip E. Wright
Print or Type Name Here

SWORN to before me this
4th day of December, 2012.

_____
Notary Public for South Carolina
My Commission Expires: 10/27/2018

RECORDED THIS 24th DAY
OF SEPTEMBER, 2007
IN BOOK O PAGE W-1
Cheryl L. Morgan
Auditor, Lancaster County, SC

2007014793
DEED OF DISTRIBUTION
RECORDING FEES $15.00
PRESENTED & RECORDED:
09-20-2007 03:53 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE KIRKLEY DEPUTY
BK:DEED 423
PG:240-248

DRAWN BY AND MAIL TO:
PHILIP E. WRIGHT
ATTORNEY AT LAW
408 NORTH MAIN STREET
LANCASTER, SC 29720

DEED DRAWN ONLY--
NO TITLE SEARCH

Exhibit 1

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

PROBATE COURT

IN THE MATTER OF JIMMIE WITHERSPOON JR., DECEASED
CASE NUMBER: 2006ES2900340

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 25th day of November, 2005; and

WHEREAS, the Estate of the decedent is being administered in the Probate Court for Lancaster County, South Carolina in File No. 2006ES2900340, and

WHEREAS, the grantee herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

Grantees:

Margaret L. Witherspoon
2040 Emma Circle
Lancaster, SC 29720

Jimaki T. Witherspoon
2040 Emma Circle
Lancaster, SC 29720

Jimmie Witherspoon III
302 Clarendon Drive
Easley, SC 29642

Jimola W. Wade
3360 University Drive
Lancaster, SC 29720

Jimon W. Twitty
2040 Emma Circle
Lancaster, SC 29720

Jimko M. Witherspoon
2040 Emma Circle
Lancaster, SC 29720

LANCASTER COUNTY ASSESSOR
Tax Map:
0068F 0B 003 00
0069P 0A 007 00
0080B 0B 009 00
0032 00 004 05
0068J 0H 012 00
0068O 0G 001 00
0068O 0G 001 01
0068O 0G 006 00
0068P 0H 002 00
0080B 0B 004 00
0068J 0C 027 00
0068I 0L 007 01
0086 00 008 01
0043L 0A 012 00
0068I 0L 007 00

the following described properties:

TRACT ONE:

"All that certain piece, parcel or lot of land, with any and all improvements thereon, lying, being and situate approximately .3 miles northeast of the South Carolina Highway Nine By-pass, on the southerly side of Barr Street Extension, Lancaster County, South Carolina fronting on a dirt road known as Barr Street Extension for a distance of One hundred Fifty (150') feet, and being the identical property shown, described and designated as Tract Number Three (3), Club House Lot containing 1.068 acre, on plat of survey entitled 'PLAT SHOWING PROPERTY OF ROBERT L. WILLIAMSON' prepared by Jack Smith, RLS, dated January 16, 1981 and recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, as Plat Number 5077. For a more minute description, reference to said plat is craved."

Being the identical property conveyed to Jimmie Witherspoon and Grady Lockhart by deed of Security Federal Savings and Loan Association of South Carolina recorded April 28, 1988 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book P-7, at Page 299.

TMS# 0068F-0B-003.00

TRACT TWO:

"All that certain piece, parcel or lot of land, together with improvements thereon, lying, being and situate in the State of South Carolina, County of Lancaster, and being shown, described and designated as Lot Number Eighteen (18) on Plat entitled 'Lots of Blackmon Estate' made by Paul Clark, RLS in September, 1969 and recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 19, at Page 27, reference to which Plat is craved for a more minute description; also that certain East Portion of Lot Number Seventeen (17) as shown on said Plat."

Being the identical property conveyed to Jimmie Witherspoon by deed of Ellis L. Champion, Willie E. Champion and Pamela Elaine Champion recorded December 5, 1994 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book R-12, at Page 348.

TMS# 0069P-0A-007.00

TRACT THREE:

"All that certain piece, parcel or lot of land located approximately three and one-half miles (3½) east of the City of Lancaster, State of South Carolina, on the Southerly side of Emma Circle. Being more clearly delineated on a plat prepared for Melissa

Kirkland by Jack Smith dated July 18, 1994. Said tract containing 1.247 acres more or less."

Being the identical property conveyed to Jimmie Witherspoon by deed of Waddie Belk recorded September 4, 1996 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book F-14, at Page 333.

TMS# 0080B-0B-009.00

TRACT FOUR:

"All those pieces, parcels or tracts of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina:

North, 94.6 feet bound by Belk land, East, 88.45 feet bound by Myers land, South, 91.8 feet bound by Stover land, West 80.0 feet bound by South Miller Street. As recorded in the Office of the Clerk of the Clerk of Court for Lancaster County, South Carolina."

Being the identical property conveyed to Jimmie Witherspoon by deed of Willie and Ida Cunningham recorded January 11, 1995 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book U-12, at Page 199.

TMS# 0081G-0C-002.01

TRACT FIVE:

"All that certain piece, parcel or lot of land in Lancaster County, South Carolina, lying, being and situate about seven miles north of Lancaster, one-half mile west of U.S. Highway 521, north of a paved road between U.S. Highway 521 and S.C. Road #35, said lot being shown, described and designated as Lot No. Five (5) on plat of survey entitled, 'Sub-Divided Lands for Wheels of Peace,' dated August 30, 1983, made by Jack Smith, RLS, recorded as Plat No. 6442 in the Office of the Clerk of Court for Lancaster County, South Carolina, which plat is by reference made a part hereof."

Together with the right of ingress and egress along the "Proposed Street, 50' Right of Way" as shown on said plat.

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed recorded April 6, 1984 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book E-6, at Page 6152.

TMS# 0032-00-004.05

TRACT SIX:

"All those certain pieces, parcels or lots of land, together with any and all improvements thereon, lying, being and situate in the City of Lancaster, County of Lancaster, South Carolina, on the north side of East Meeting Street, and being shown, described and designated as Lots No. 7 and 8 on Plat of Survey made by M.V. Secrest, dated May 25, 1943 as found recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 2 at Page 78, reference to which plat is craved for a more minute description as to metes and bounds."

Excluded from the above conveyance is that portion of the described lands taken by the South Carolina Highway Department under condemnation proceedings.

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of G.H. Furse, Jr. recorded July 29, 1980 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book D-6, at Page 5175.

TMS# 0068I-0L-007.01

TRACT SEVEN:

"All that certain piece, parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, and being shown, described and designated as Lot 18, Block 8, as shown on map of Sinclair Heights, recorded in Deed Book Q, at Pages 220 and 221; and being further described as follows: commencing at iron stake on Gay Street and running thence S 66 W 33 feet to stake; thence N 24 W 190½ feet to stake on alley; thence along said alley N 66 E 33 feet to stake; thence S 24 E 190½ feet to the beginning corner. Being bounded on the North by an alley; on the East by Lot 17; on the South by Gay Street and on the West by Lot 19. Reference to said plat is craved for a more minute description."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of J. Reece Funderburk, Jr. as Personal Representative of the Estate of J. Reece Funderburk, Sr. recorded June 12, 1989 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book L-8, at Page 224.

TMS# 0068J-0H-013.00

TRACT EIGHT:

"All those certain pieces, parcels or lots of land situate, lying and being in the State of South Carolina, County of Lancaster, as shown on map of Sinclair Heights, which map is recorded in the Office of the Clerk of Court for Lancaster County in Deed Book Q, at Pages 220 and 221. Lots 5, 6, 7, 8, 9 in Block 8 commencing at stake at corner of Dunlap and Ferguson Streets and running E along said Dunlap Street 165

feet, more or less, thence S 190½ feet to stake, thence W. 165 feet, to said Ferguson Street, thence N. along Ferguson Street to the beginning point."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of Ben C. Hough recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book C-6, at Page 3060.

TMS# 0068J-0H-012.00

TRACT NINE:

"All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Lancaster, as shown on map of Sinclair Heights, which map is recorded in the Office of the Clerk of Court for Lancaster County in Deed Book Q, at Pages 220 and 221 and being designated on said map as Lot Number 19 in Block 8, having dimensions of 53½ feet x 190½ feet."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of Dr. J. Reece Funderburk, Sr. recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book C-6, at Page 3062.

TMS# 0068J-0H-013.01

TRACT TEN:

"All those certain pieces, parcels or lots of land, lying, being and situate in the City of Lancaster, Gills Creek Township, Lancaster County, South Carolina, in the Sinclair Heights Subdivision, being shown, described and designated as Lots Number Three (3), Four (4), Five (5) and Six (6), all in Block Nine (9) on plat of survey of Sinclair Heights as found recorded in the Office of the Clerk of Court for Lancaster County, South Carolina in Deed Book Q, at Pages 220 and 221. For a more minute description, reference to said plat is craved."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of Jenelle G. Rapier and Don B. Rapier recorded January 2, 1987 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book T-6, at Page 256.

TMS# 0068O-0G-001.00 and 0068O-0G-001.01

TRACT ELEVEN:

"All that piece, parcel or lot of land near the Eastern limits of Town of Lancaster, in the State of South Carolina, on what is known as 'Sinclair Heights' comprising Lots 1 and 2 in Block 9; commencing at a stake on Gay Street and running thence North 66 feet E to a stake on Gay Street and Gregory Streets; thence along Gregory Street

South 24 E 186 feet to a stake on alley; thence along said alley South 66 W 66 feet to a stake; thence North 24 W 186 feet to the beginning corner, all of which will more fully appear on map of Sinclair Heights recorded in Deed Book Q at pages 220 and 221."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of Malcolm N. Robinson and Joanne W. Robinson recorded January 16, 1987 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book U-6, at Page 116.

TMS# 0068O-0G-006.00

TRACT TWELVE:

"All that piece, parcel or lot of land with the building thereon, situated on the South side of Meeting Street, in the City of Lancaster, State and County aforesaid, and fronting on Meeting Street about 75 feet and extending back a depth of 124 feet, more or less, to the line of John and C.S. King's lot and being bounded North by Meeting Street; East by lot of B.Y. Funderburk, formerly Parks, and lot now or formerly belonging to the estate of J.D. Hinson; South by lots of John and C.S. King and West by lot of Orin C. Blackmon and lot of J.C. Edwards and E.G. Lazenby, formerly L.C. Payseur."

Being the identical property conveyed to Jimmie Witherspoon Jr. by deed of Nelson Williams recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book B-6, at Page 2758.

TMS# 0068P-0H-002.00

TRACT THIRTEEN:

"All that piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Lancaster, about two miles East of the City of Lancaster, fronting on street a distance of 430 feet and being designated as Lot "B" as shown on plat of Paul Clark, RLS, dated July 21, 1969, recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 19, at Page 34. For a more complete description reference to said plat is craved."

Being the identical property conveyed to Jimmie Witherspoon Jr. and Margaret L. Witherspoon by deed of E.B. McBride, W.K. Melton, E.M. Melton, Michael G. Williams and William L. Harper recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book Z-5, at Page 2860.

TMS# 0080B-0B-004.00

TRACT FOURTEEN:

"All that piece, parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, fronting eighty-one (81) feet on the Southside of East Dunlap Street and being designated as Lot No. Ten (10) on Plat of property of E.W. Caskey Estate by Jack Smith, RLS, dated January 28, 1980, containing approximately 11,813 square feet."

Being the identical property conveyed to Jimmie Witherspoon by deed of Jerry Cunningham and Lillie M. Cunningham recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book Q-9, at Page 208.

Subject to a twenty (20) foot right of way in favor of Lot No. Nine (9).

TMS# 0068J-0C-027.00

TRACT FIFTEEN:

"All that certain piece, parcel or lot of land, together with all improvements located thereon, lying, being and situate in the County of Lancaster, State of South Carolina, approximately three (3) miles southwest of Lancaster, fronting on High Point Circle and being more particularly shown, described and designated as 'Lots 110 through 116', containing 0.847 Acre, more or less, on Plat of Survey entitled, 'Plat of Survey for Edward Lee Chaney', prepared by Jack Smith, RLS, dated December 16, 1996 and recorded in the Office of the Clerk of Court for Lancaster County as Plat No. 97-277. Reference to said plat is craved for a more minute description."

Being the identical property conveyed to Jimmie Witherspoon by deed of Linda S. Chaney and Edward Darrell Chaney recorded April 16, 1997 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book Y-14, at Page 26.

TMS# 0086-00-008.01

TRACT SIXTEEN:

"All those certain pieces, parcels or lots of land, together with any and all improvements thereon, lying, being and situate on the Wadesboro Road about five (5) miles Northeast of the City of Lancaster, Lancaster County, South Carolina, consisting of Lot Numbers Eleven (11) and Thirteen (13) and that certain Pond Lot containing 2.2 Acre, more or less, which pond lot is bounded as follows: North by Lots 6, 7, 8, 9, & 10; EAST and SOUTH by a unnamed street for a distance of 560 feet; and WEST by Lots 11, 12 & 13. See Plat of Survey made by Paul Clark, RLS, dated April, 1969, and recorded in the Office of the Clerk of Court for Lancaster

County, South Carolina, in Plat Book 18, at Page 231, reference to which said Plat is craved for a more minute description."

The within Quit-Claim Deed is given to correct certain discrepancies in the description of the property to make it more clearly under the Deed from William L. Harper to Jimmie Witherspoon, Jr. dated August 18, 1977 and recorded August 19, 1977 in the Office of the Clerk of Court for Lancaster County in Deed Book C-6, at Page 4515.

Being the identical property conveyed to Jimmie Witherspoon, Jr. by deed of William L. Harper recorded in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book C-6, at Page 5788.

TMS# 0043L-0A-012.00

TRACT SEVENTEEN:

"All those certain pieces, parcels or lots of land, together with any and all improvements thereon, lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, on the North side of East Meeting Street, and being shown, described and designated as Lots Nos. Four (4), Five (5), and Six (6) on Plat of Survey made by M.V. Secrest, dated May 25, 1943, as found recorded in the Office of the Clerk of Court for Lancaster County, South Carolina, in Plat Book 2 at Page 78, reference to which said plat is craved for a more minute description as to metes and bounds."

Excluded from the above conveyance is that portion of the described lands taken by the South Carolina Highway Department under condemnation proceedings.

Being the identical property conveyed to Jimmie Witherspoon, Jr. by deed of J.W. Chitwood Associates, Inc. recorded July 29, 1980 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book D-6, at Page 5174.

TMS# 0068I-0L-007.00

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises/Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Margaret L. Witherspoon, Jimola W. Wade, Jimaki T. Witherspoon, Jimon W. Twitty, Jimmie Witherspoon III, and Jimko M. Witherspoon, their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent has executed this Deed, this 14th day of September, 2007.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness

Witness

ESTATE OF JIMMIE WITHERSPOON JR.

By:
Jimola W. Wade
Personal Representative

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that he/she saw the within-named Personal Representative sign, seal, and as her act and deed, deliver the within written Deed of Distribution, and that he/she with the other witness above, witnessed the execution thereof.

SWORN to before me this
10th day of September, 2007.

Notary Public for South Carolina
Commission expires: 11/4/08

Exhibit 1

RECORDED THIS 4th DAY
OF AUGUST, 2011
IN BOOK 2011 PAGE W-1
Cheryl H. Morgan
Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
0068I 0L 007 00
0043L 0A 012 00
0086 00 008 01
0068P 0H 002 00
0068J 0H 012 00
0068I 0L 007 01
0032 00 004 05
0080B 0B 009 00

2011008400
DEED
RECORDING FEES $13.00
STATE TAX $0.00
COUNTY TAX $0.00
PRESENTED & RECORDED:
08-02-2011 04:02 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE KIRKLEY DEPUTY
BK:DEED 627
PG:122-128

Drawn By and Mail To:
Philip E. Wright
Attorney at Law
408 N. Main Street
Lancaster, SC 29720

DEED DRAWN ONLY--
NO TITLE SEARCH

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF LANCASTER)

KNOW ALL MEN BY THESE PRESENTS, That **We, Margaret L. Witherspoon, Jimola W. Wade, Jimon W. Twitty, Jimaki T. Witherspoon and Jimiko M. Witherspoon.**

hereinafter referred to as grantors for and in consideration of the sum of Five and No/100 Dollars ($5.00), love and affection, to grantor paid by:

Jimmie Witherspoon, III
302 Clarendon Dr.
Easley, SC 29642

hereinafter referred to as grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, sell and release unto the said grantee and grantee's heirs, successors and assigns, the following property described, to wit:

Tract One:

"All that certain piece, parcel or lot of land located approximately three and one-half miles (3½) east of the City of Lancaster, State of South Carolina, on the Southerly side of Emma Circle. Being more clearly delineated on a plat prepared for Melissa Kirkland by Jack Smith dated July 18, 1994. Said tract containing 1.247 acres more or less."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 3.
TMS# 80B/B9

Tract Two:

"All those pieces, parcels or tracts of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina:

North, 94.6 feet bound by Belk land, East, 88.45 feet bound by Myers land, South, 91.8 feet bound by Stover land, West 80.0 feet bound by South Miller Street. As recorded in the Office of the Clerk Lancaster County, South Carolina."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 4.

TMS# 81G/C2.01

Tract Three:

"All that certain piece, parcel or lot of land in Lancaster County, South Carolina, lying, being and situate about seven miles north of Lancaster, one-half mile west of U.S. Highway 521, north of a paved road between U.S. Highway 521 and S.C. Road #35, said lot being shown, described and designated as Lot No. Five (5) on plat of survey entitled, 'Sub-Divided Lands for Wheels of Peace,' dated August 30, 1983, made by Jack Smith, RLS, recorded as Plat No. 6442 in the Office of the Clerk of Court for Lancaster County, South Carolina, which plat is by reference made a part hereof."

Together with the right of ingress and egress along the "Proposed Street, 50' Right of Way" as shown on said plat.

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 5.

TMS# 32/4.05

Tract Four:

"All those certain pieces, parcels or lots of land, together with any and all improvements thereon, lying, being and situate in the City of Lancaster, County of Lancaster, South Carolina, on the north side of East Meeting Street, and being shown, described and designated as Lots No. 7 and 8 on Plat of Survey made by M.V. Secrest, dated May 25, 1943 as found recorded in the Office of the Clerk of Court for Lancaster County in Plat Book 2 at Page 78, reference to which plat is craved for a more minute description as to metes and bounds."

Excluded from the above conveyance is that portion of the described lands taken by the South Carolina Highway Department under condemnation proceedings.

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office

of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 6.

TMS# 68I/L7.01

Tract Five:

"All that certain piece, parcel or lot of land lying, being and situate in the City of Lancaster, Lancaster County, South Carolina, and being shown, described and designated as Lot 18, Block 8, as shown on map of Sinclair Heights, recorded in Deed Book Q, at Pages 220 and 221; and being further described as follows: commencing at iron stake on Gay Street and running thence S 66 W 33 feet to stake; thence N 24 W 190½ feet to stake on alley; thence along said alley N 66 E 33 feet to stake; thence S 24 E 190½ feet to the beginning corner. Being bounded on the North by an alley; on the East by Lot 17; on the South by Gay Street and on the West by Lot 19. Reference to said plat is craved for a more minute description."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 7.

TMS# 68J/H13

Tract Six:

"All those certain pieces, parcels or lots of land situate, lying and being in the State of South Carolina, County of Lancaster, as shown on map of Sinclair Heights, which map is recorded in the Office of the Clerk of Court for Lancaster County in Deed Book Q, at Pages 220 and 221. Lots 5, 6, 7, 8, 9 in Block 8 commencing at stake at corner of Dunlap and Ferguson Streets and running E along said Dunlap Street 165 feet, more or less, thence S 190½ feet to stake, thence W. 165 feet, to said Ferguson Street, thence N. along Ferguson Street to the beginning point."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 8.

TMS# 68J/H12

Tract Seven:

"All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Lancaster, as shown on map of Sinclair Heights, which map is recorded in the Office of the Clerk of Court for Lancaster County in Deed

Book Q, at Pages 220 and 221 and being designated on said map as Lot Number 19 in Block 8, having dimensions of 53½ feet x 190½ feet."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 9.

TMS# 68J/H13.01

Tract Eight:

"All that piece, parcel or lot of land with the building thereon, situated on the South side of Meeting Street, in the City of Lancaster, State and County aforesaid, and fronting on Meeting Street about 75 feet and extending back a depth of 124 feet, more or less, to the line of John and C.S. King's lot and being bounded North by Meeting Street; East by lot of B.Y. Funderburk, formerly Parks, and lot now or formerly belonging to the estate of J.D. Hinson; South by lots of John and C.S. King and West by lot of Orin C. Blackmon and lot of J.C. Edwards and E.G. Lazenby, formerly L.C. Payseur."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 12.

TMS# 68P/H2

Tract Nine:

"All that certain piece, parcel or lot of land, together with all improvements located thereon, lying, being and situate in the County of Lancaster, State of South Carolina, approximately three (3) miles southwest of Lancaster, fronting on High Point Circle and being more particularly shown, described and designated as 'Lots 110 through 116', containing 0.847 Acre, more or less, on Plat of Survey entitled, 'Plat of Survey for Edward Lee Chaney', prepared by Jack Smith, RLS, dated December 16, 1996 and recorded in the Office of the Clerk of Court for Lancaster County as Plat No. 97-277. Reference to said plat is craved for a more minute description."

Being a portion of the property conveyed to grantors by Deed of Distribution in the Estate of Jimmie Witherspoon, Jr. recorded September 20, 2007 in the Office of the Register of Deeds for Lancaster County, South Carolina in Deed Book 423, at Page 248, being designated on the Deed of Distribution as Tract 15.

TMS# 86/8.01

Tract Ten:

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said grantee and grantee's Heirs, Successors and Assigns forever.

And grantor does hereby bind grantor's Heirs, Successors, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said grantee and grantee's Heirs, Successors and Assigns, against the grantor and whomsoever lawfully *claiming or to claim, the same or any part thereof.*

WITNESS the Grantor's hand and seal this 29 day of July, 2011.

Signed, Sealed and Delivered
in the Presence of:

Witness

Witness

Margaret L. Witherspoon

Jimbla W. Wade

Jimon W. Twitty

Jimiko M. Witherspoon

Jimaki T. Witherspoon

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

I, the undersigned notary public, do hereby certify that the above named Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this the 29 day of July, 2011.

Notary Public for South Carolina
My Commission Expires: 5/5/16

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

The property being transferred bears TAM TMS# 68I/L7, 43L/A12, 86/8.01, 68P/H2, 68J/H13.01, 68J/H12, 68J/H13, 68I/L7.01, 32/4.05, 81G/C2.01, 80B/B9, and was transferred by Margaret L. Witherspoon, Jimola W. Wade, Jimon W. Twitty, and Jimiko M. Witherspoon to Jimaki T. Witherspoon.

3. The deed is exempt from the deed recording fee because (See Information section of affidavit): Mother and siblings to sibling

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney for Grantee

5. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

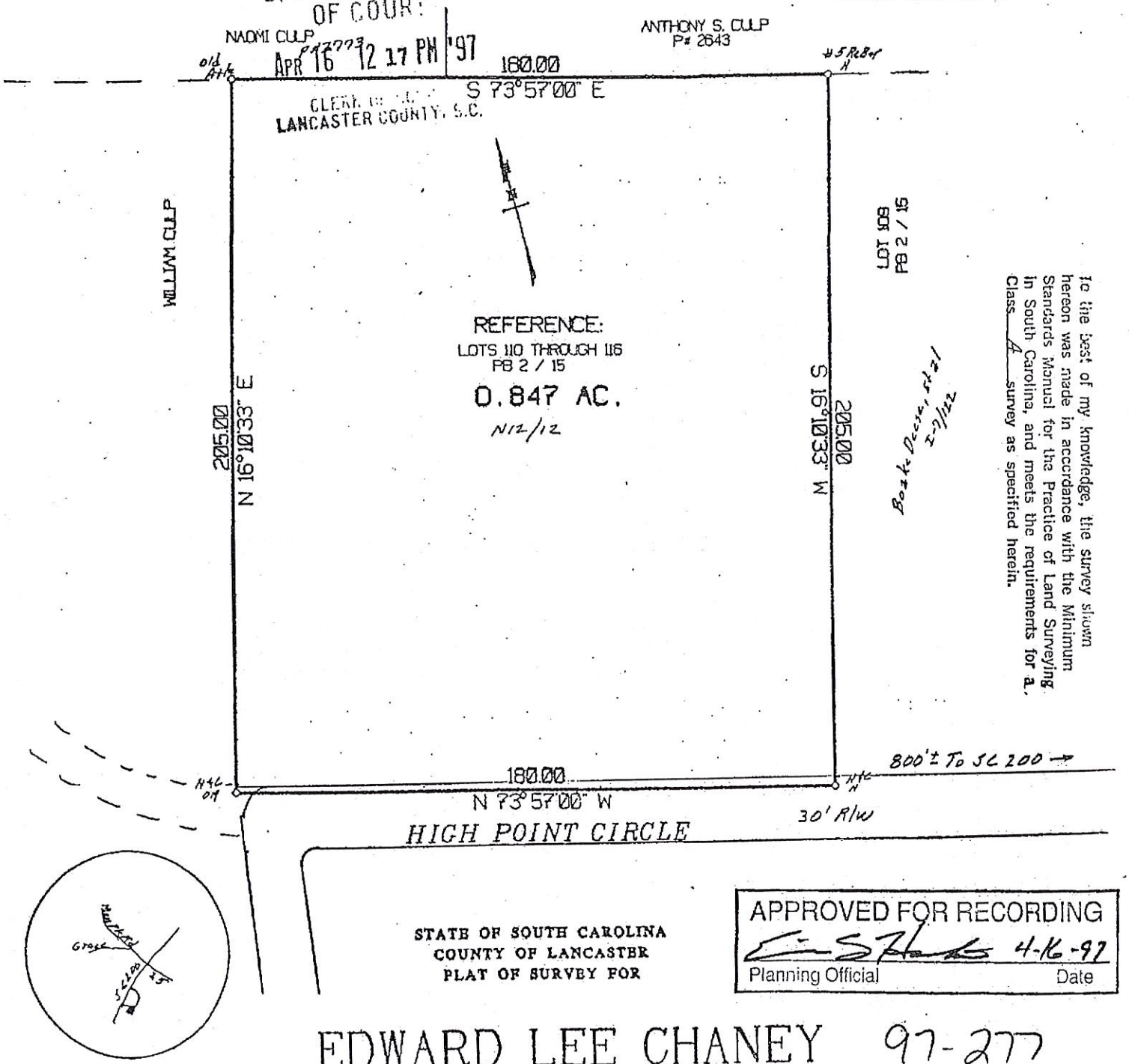
Responsible Person Connected with the Transaction
(Print or Type name here)

Sworn to before me this
29 day of July, 2011.

Notary Public for South Carolina
My Commission Expires: 10-4-2017

Exhibit 1

FILED
OFFICE OF CLERK
OF COURT
APR 16 12 17 PM '97
CLERK OF COURT
LANCASTER COUNTY, S.C.



To the best of my knowledge, the survey shown hereon was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets the requirements for a Class A survey as specified herein.

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER
PLAT OF SURVEY FOR

APPROVED FOR RECORDING
4-16-97
Planning Official Date

EDWARD LEE CHANEY 97-277

20277

LOCATED ABOUT 3 MILES SOUTHWEST OF LANCASTER ON HIGH POINT CIRCLE.

10' 0 40' 80' 120' 160'

JACK SMITH SURVEYING CO.

3732 800 FOREST DR. LANCASTER, SOUTH CAROLINA

DRAWN BY	SCALE	COMPUTED BY	APPROVED	DATE
PS	1" = 40'	PS	JS	16 DECEMBER 1996

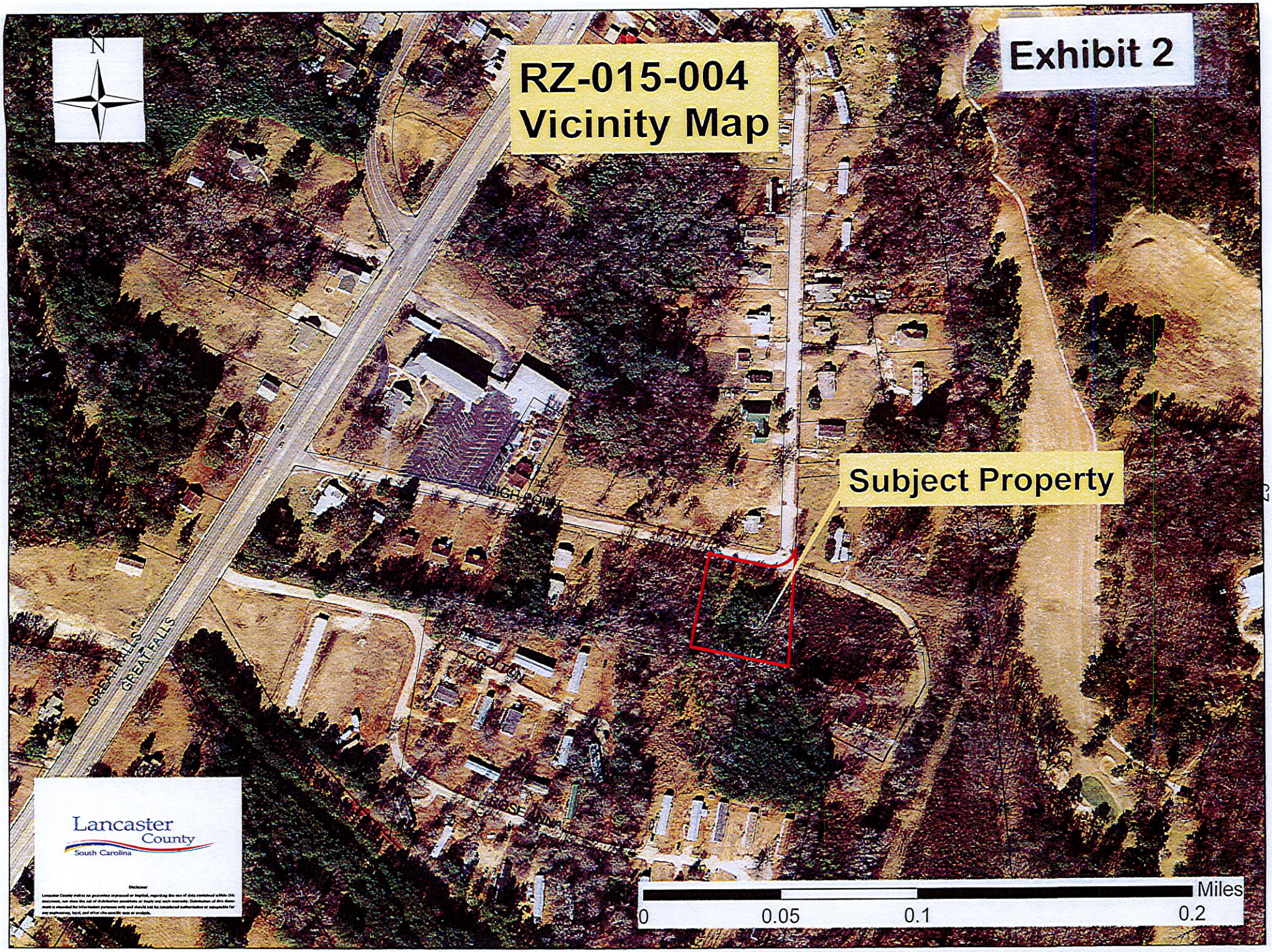
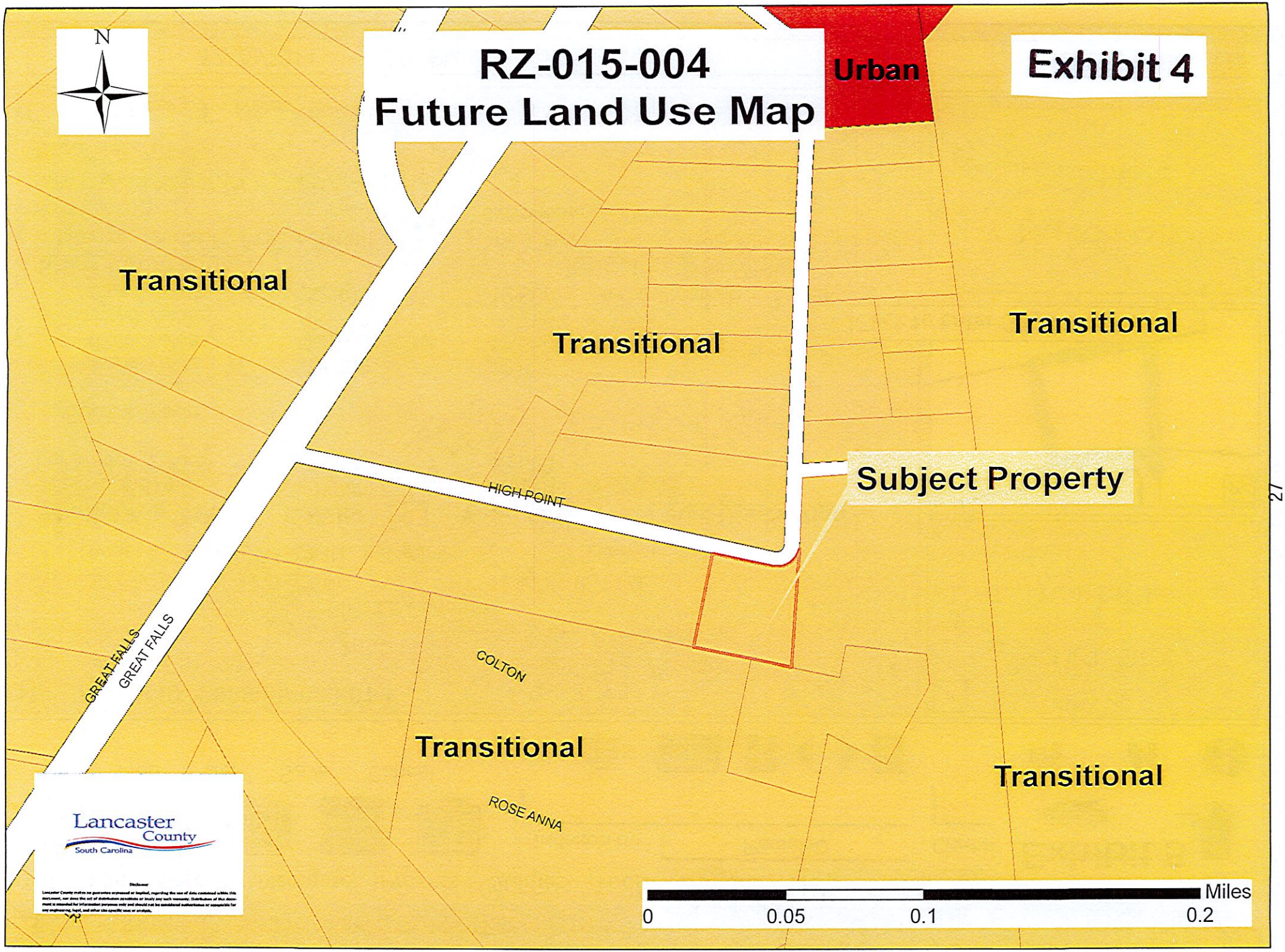
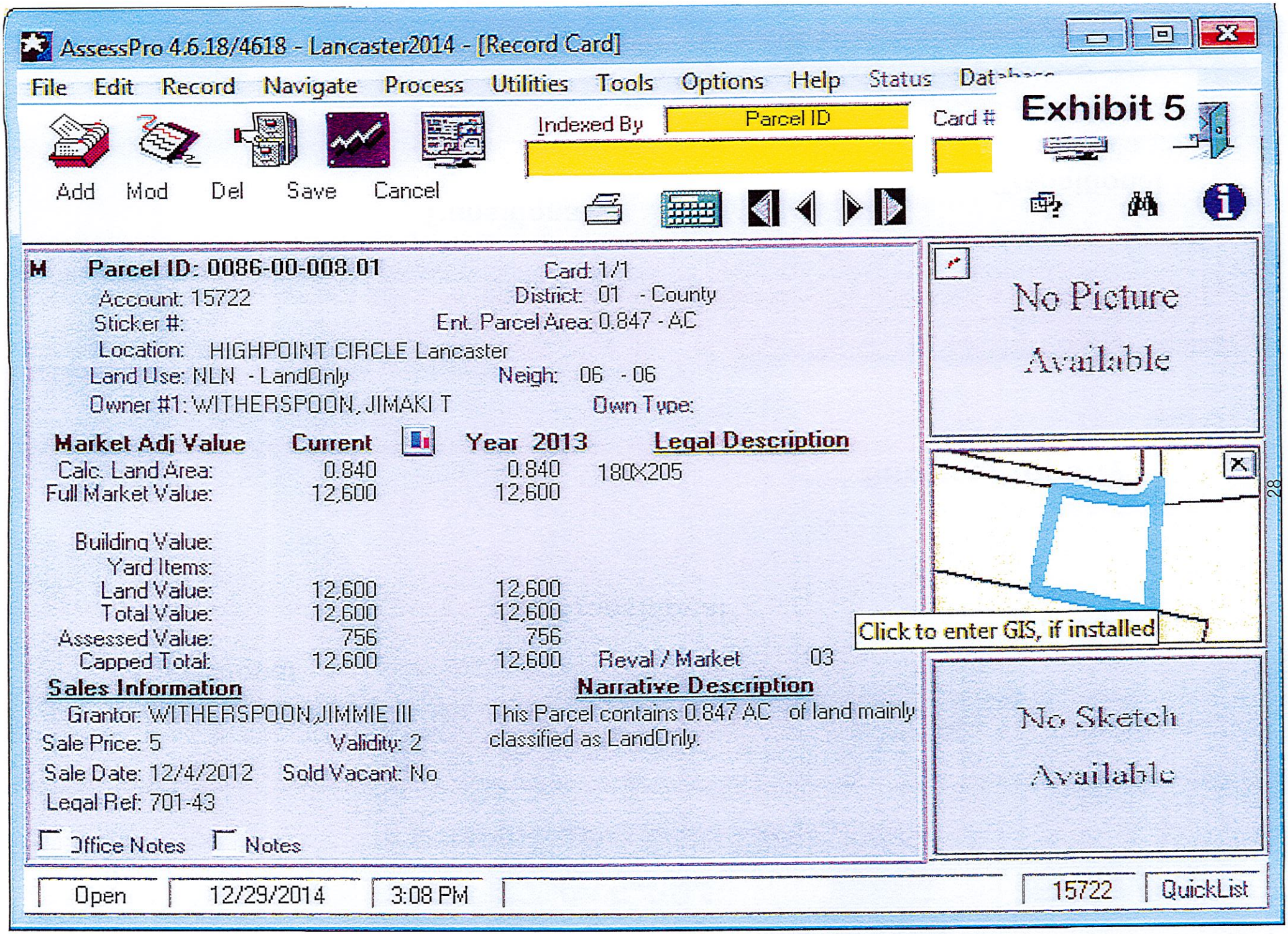


Exhibit 2
RZ-015-004
Vicinity Map
Subject Property
N
GREAT FALLS
GREAT FALLS
HIGH POINT
COLTON
ROSE
Lancaster County
South Carolina
Disclaimer
Lancaster County makes no guarantee expressed or implied, regarding the use of data contained within this document, nor does this act of distribution constitute or imply any such warranty. Distribution of this document is intended for information purposes only and should not be considered authoritative or acceptable for any engineering, legal, and other site-specific uses or analysis.
Miles
0
0.05
0.1
0.2

RZ-015-004
Existing Mobile Homes Map
Exhibit 3
N
GREAT FALLS
Legend
Existing Mobile Homes
Existing Mobile Home Park Zoned MHP
Subject Property
Miles
0
0.075
0.15
0.3
Lancaster County
South Carolina
Disclaimer


RZ-015-004
Future Land Use Map
Exhibit 4
N
Urban
Transitional
Transitional
Transitional
Subject Property
HIGH POINT
GREAT FALLS
GREAT FALLS
COLTON
Transitional
ROSE ANNA
Transitional
Lancaster County
South Carolina
Miles
0
0.05
0.1
0.2


AssessPro 4.6.18/4618 - Lancaster2014 - [Record Card]
File Edit Record Navigate Process Utilities Tools Options Help Status
Exhibit 5
Add Mod Del Save Cancel
Indexed By
Parcel ID
Card #
M Parcel ID: 0086-00-008.01
Card: 1/1
Account: 15722
District: 01 - County
Sticker #:
Ent. Parcel Area: 0.847 - AC
Location: HIGHPOINT CIRCLE Lancaster
Land Use: NLN - LandOnly
Neigh: 06 - 06
Owner #1: WITHERSPOON, JIMAKI T
Own Type:
Market Adj Value
Current
Year 2013
Legal Description
Calc. Land Area: 0.840 0.840 180X205
Full Market Value: 12,600 12,600
Building Value:
Yard Items:
Land Value: 12,600 12,600
Total Value: 12,600 12,600
Assessed Value: 756 756
Capped Total: 12,600 12,600 Reval / Market 03
Sales Information
Grantor: WITHERSPOON,JIMMIE III
Sale Price: 5
Validity: 2
Sale Date: 12/4/2012
Sold Vacant: No
Legal Ref: 701-43
Narrative Description
This Parcel contains 0.847 AC of land mainly classified as LandOnly.
Office Notes
Notes
No Picture Available
Click to enter GIS, if installed
No Sketch Available
Open
12/29/2014
3:08 PM
15722
QuickList

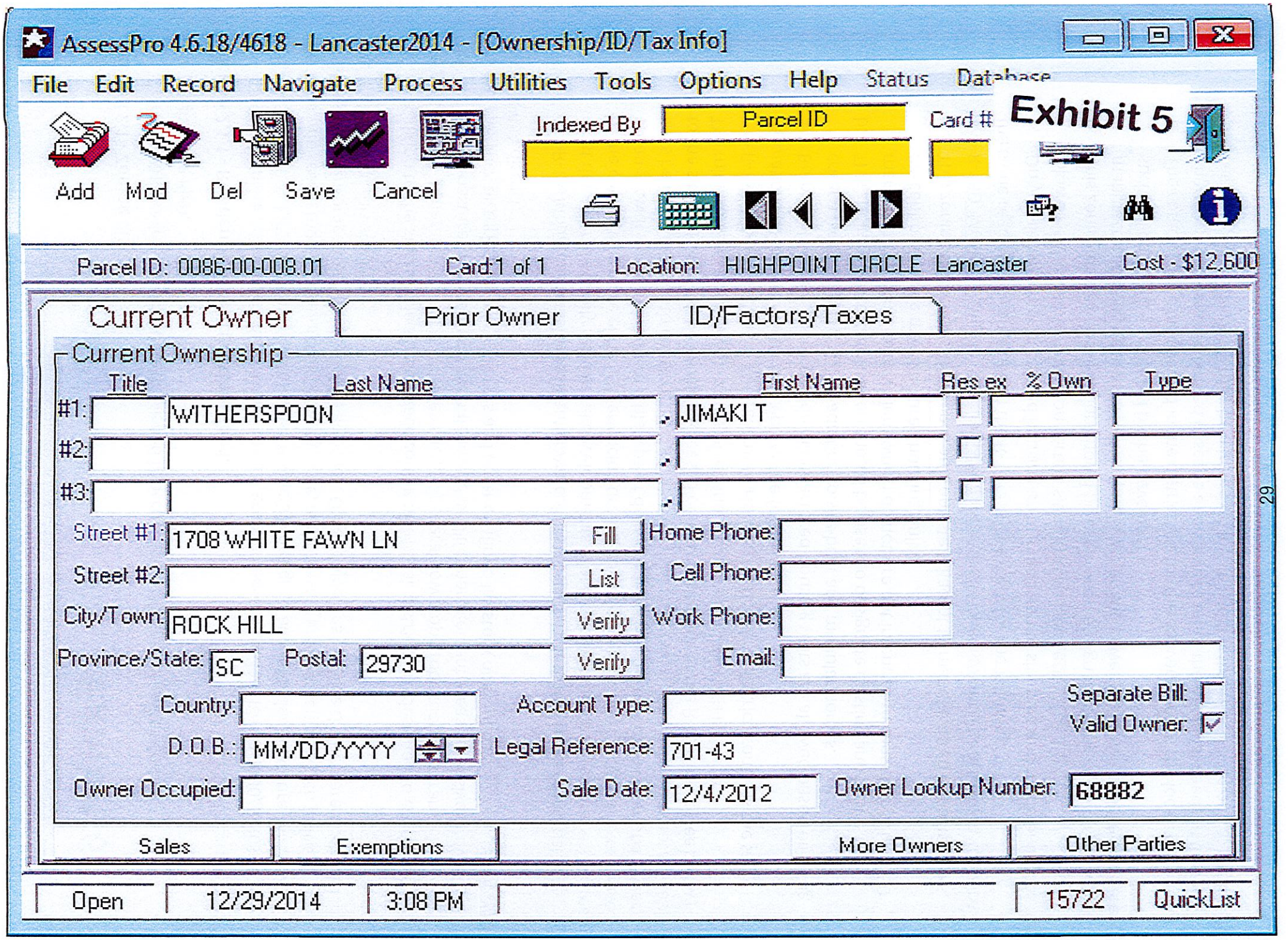

AssessPro 4.6.18/4618 - Lancaster2014 - [Ownership/ID/Tax Info]
File Edit Record Navigate Process Utilities Tools Options Help Status Database
Exhibit 5
Add Mod Del Save Cancel
Indexed By
Parcel ID
Card #
Parcel ID: 0086-00-008.01
Card:1 of 1
Location: HIGHPOINT CIRCLE Lancaster
Cost - $12,600
Current Owner
Prior Owner
ID/Factors/Taxes
Current Ownership
Title
Last Name
First Name
Res ex
% Own
Type
#1: WITHERSPOON JIMAKI T
#2:
#3:
Street #1: 1708 WHITE FAWN LN
Street #2:
City/Town: ROCK HILL
Province/State: SC
Postal: 29730
Country:
D.O.B.: MM/DD/YYYY
Owner Occupied:
Fill
List
Verify
Verify
Home Phone:
Cell Phone:
Work Phone:
Email:
Account Type:
Legal Reference: 701-43
Sale Date: 12/4/2012
Separate Bill:
Valid Owner:
Owner Lookup Number: 68882
Sales
Exemptions
More Owners
Other Parties
Open
12/29/2014
3:08 PM
15722
QuickList

Exhibit 6

Section 2.1 - Zoning districts.

The following zoning districts are established in accordance with the Lancaster County Comprehensive Plan.

Section 2.1.1 - Residential districts established.

The following residential use districts are hereby established: R-15, R-15S, R-15D, R-30, R-30S, R-30D, R-45, R-45A, R-45B, MF, and MHP. Each of these districts is designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities. Other objectives of these districts are explained in the remainder of this section.

In addition to the stated objectives of each zoning district, all districts are designed to encourage the perpetuation of general agricultural activities such as general row crop production, free-range livestock operations and pasture land, hay land, woodland and wildlife management areas. Intensive agricultural enterprises such as turkey barns, hog farms and other confined livestock operations shall only be allowed in the R-45A district.

1. The R-15, Moderate Density Residential/Agricultural District, is designed to accommodate the most dense single-family residential developments (not including manufactured homes) in areas of the county which are either experiencing urban growth or which are expected to experience urban growth in the near future. This type of development requires that both water and sewer lines be installed prior to construction beginning on the site. If water and sewer are not available to the site, the site shall be developed based on the regulations of the R-30 district (see below) The minimum lot size is 14,520 square feet and the minimum lot width is 90 feet.
2. The R-15S, Moderate Density Manufactured Housing/Agricultural District, contains the same regulations as the R-15 district except for the following:
   a. Both single-wide and multi-wide manufactured housing units are allowed based on siting criteria (see section 4.1.12) in addition to site-built and modular homes.
   b. This zoning district classification should be used to designate existing and future manufactured home subdivisions which do not/are not intended to consist of at least 50 percent multi-wide manufactured housing units.
   c. This zoning district classification is appropriate adjacent to manufactured housing parks.
3. The R-15D, Moderate Density Residential/Manufactured Housing/Agricultural District, contains the same regulations contained in the R-15 district except for the following:
   a. Only multi-wide manufactured housing units in addition to site-built and modular homes are allowed in this district based on certain siting criteria (see section 4.1.12).
   b. This zoning district classification should be used when designating new areas for allowing manufactured housing in areas where public water and sewer are either in place or where such utilities can be extended by the developer.
   c. The commercial uses allowed in the district are for the convenience of the local residents. Therefore, the uses are limited in scope and serve to meet the essential needs of the local resident. Such uses shall only be allowed on lots located at the intersection of two roads. One

Exhibit 6

Section 4.1.12 - Manufactured homes.

The setup, location, and movement of a manufactured home not in a manufactured home park shall meet the following requirements:

1. As used in this ordinance, the term "mobile home" or "manufactured home" shall be interpreted to mean a vehicle or structure that is designed to be movable on its own chassis for conveyance on public thoroughfares and designed without a permanent foundation. A manufactured home may consist of one or more components that can be disassembled for towing purposes or two or more units that can be towed separately, but designed to be attached as one (1) integral unit. All manufactured homes produced since June 15, 1976, must be inspected by the Department of Housing and Urban Development during the manufacturing process and display an emblem of approval on the manufactured home. No manufactured home produced before June 15, 1976, shall be brought into and located in the county. The manufactured home dimensions shall be a minimum of 32 feet in length and eight feet in width. Placement of this type of dwelling/residence on a permanent foundation does not constitute a change in its classification. For the purpose of this ordinance, a manufactured home used for business purposes or classrooms are subject to the requirements of subsection 6. of this section.
2. Scope and jurisdiction.
   a. Sworn law enforcement personnel of the county shall assist the building and zoning department in the enforcement of all applicable requirements of this section and ordinance upon reasonable request and notification.
   b. Upon notice from the building and zoning official, placement of a manufactured home contrary to the provisions of this section shall be immediately ceased. Such notice shall be in writing and shall be transmitted to the mover of the manufactured home in violation. Notice shall state the violation and the conditions under which the violation shall be corrected. Written notice shall be sufficient if mailed by registered mail, hand delivered, or accepted by an agent or relative of the owner of the manufactured home in violation.
   c. It shall be unlawful for any public utility to provide service to any manufactured home where a permit is required under this ordinance prior to the issuance of required permit(s) or to maintain any such service upon notification by the building and zoning official that such violation was made against the provisions of this ordinance. This service restriction includes temporary connections for installation purposes.
3. Permit administration.
   a. It shall be unlawful for any person to place a manufactured home on a lot without filing an application with the building and zoning department and obtaining the necessary permit. Each application for a permit shall be made on a form required by the building and zoning department. Part of this process includes a site inspection and a verification of the assigned 911 address. Such a permit shall be valid for six months from the day it is issued.
   b. The building and zoning department shall make every reasonable effort to assist an applicant in completing the application forms; however, the applicant for such a permit is fully responsible for supplying and entering complete and accurate information on the application forms. If the application is deemed incomplete, inaccurate, or nonconforming to the

provisions of this or other pertinent ordinances, the building and zoning department may reject such application in writing and indicate what action the applicant must take to comply with these regulations.

c. Upon approval of a manufactured home permit involving placement, the building and zoning department shall issue a placement decal or card which shall be permanently affixed to the manufactured home by the owner. Upon approval of a manufactured home involving movement within or from Lancaster County, the building and zoning department shall issue a moving permit which shall be conspicuously displayed on the rear of the manufactured home while it is being moved.

4. Permit fees.

a. No permit shall be issued by the building and zoning department until the appropriate fee for the placement/setup/moving of any manufactured home or the appropriate fee for moving any manufactured home, out of the county, has been paid in full.

b. When, as a result of incomplete applications, violations, or errors of permit holder/applicant, additional inspections must be performed, the permit holder/applicant shall pay an additional fee of $25.00 for each additional inspection thereafter.

c. Where any activity regulated by this ordinance is commenced prior to issuance of the required permits, the applicable permit fee shall be doubled.

d. The Lancaster County School District shall be exempt from paying the fees established by this subsection only.

e. If a manufactured home is located on a parcel without meeting all the regulations contained in this ordinance, then the mover of the manufactured home (not the property owner) shall be fined accordingly and it shall be the responsibility of the mover to correct the situation. Such a mover may also be fined for any other reason the building and zoning official believes is the responsibility of the mover.

5. Requirements.

a. Such structures shall be occupied as residences unless otherwise specified by this ordinance.

b. One (1) manufactured home and one (1) single-family detached home shall be allowed to occupy the same lot provided one (1) of the homes shall be owner occupied and each home shall have separate and independent utility (i.e., electric, gas, water, sewer) facilities situated on a minimum lot size of 1.5 acres (65,340 square feet). One of the two (2) units shall be maintained as an owner occupied unit and only one (1) of these two (2) structures shall be a manufactured home. At no time shall both units become rental units.

c. The manufactured home shall not be located within the required yard space of the single-family dwelling and at least 20 feet from the other dwelling or manufactured home.

d. All tires and rims shall be removed from the manufactured home. The only exception to this requirement shall be for a manufactured home which is used for a temporary dependent care residence, or for a temporary emergency, construction or repair structure. To receive this exemption, the conditions for either a temporary dependent care residence or a temporary emergency, construction, or repair structure shall be met prior to any permits being issued.

e. Manufactured homes shall be supported, properly tied down and underpinned as specified by the Uniform Standards Code for Manufactured Housing and Regulations (SC Code Ann. Section 40-29-10 et seq., at amended) and (23 SC Code Ann. Regs. 19-425 et seq.).

The manufactured home shall be completely underpinned at the time the last inspection is conducted and prior to the final power permit being issued. If this is not complete, the certificate of completion shall not be issued by the building and zoning department.

Manufactured homes shall be oriented on the site so that the front door faces the road from which the site has its access. This requirement shall apply to all lots located in manufactured home parks and subdivisions.

Exception to the above is:

f. Manufactured homes placed in the floodplain shall meet the floodplain ordinance requirements.

g. Properly constructed steps and landings with minimum dimensions of three (3) feet by three (3) feet of masonry or weather resistant material shall be installed at each entrance and exit (as per section 1012.1.6 or 1997 SBC). If a manufactured home is installed at a height that any portion of the land or deck is more than thirty (30) inches above finished grade, handrails and guardrails of weather resistant material must be provided with a minimum height of thirty-six (36) inches and no more than four (4) inches between pickets (as per 1997 SBC).

h. Manufactured homes shall be connected to properly installed sewage disposal systems, potable water supply, approved electric service supply as per the most recent edition of SCDHEC regulations, Standard Plumbing Code, National Electric Code, etc. All utilities shall be either overhead or underground.

i. All existing manufactured homes, including those that do not meet the formal definition of such, shall meet the requirements specified by this section within 180 days of the effective date of this ordinance.

j. Manufactured homes shall not be used for storage space.

k. Manufactured homes built prior to June 15, 1976 shall not be disconnected from power and then reconnected. Therefore, such manufactured homes shall not be moved from one site in the county to another.

6. Modular units as special occupancies.

   a. Modular units may be used for temporary offices provided the owner or lessee obtains a "temporary certificate of zoning compliance" and "certificate of occupancy" from the building and zoning department and is registered with the county. The placement and installation of modular homes for temporary use shall meet the requirements of such use as per the standard applicable codes or ordinances.

   b. Provided the use or location does not violate provisions of this ordinance and the owner or lessee obtains a "certificate of occupancy" signed by the building and zoning department, a modular unit, intended and used as an office or other relevant approved use, may be used for said purposes and must be registered with Lancaster County and meet all applicable standard codes for use. Said use shall meet all applicable standard codes for occupancy.

   c. A modular unit may be used as a classroom by a school or religious institution, provided it is registered with Lancaster County and meets all applicable requirements of the standard codes and ordinances of the county.

7. Moving permits required.

   a.

Moving permits shall be filed on forms provided by the building and zoning department. The moving permit shall be issued when all taxes due on the manufactured home have been paid. The permit shall be valid for 15 days with an extension approved by the building and zoning department for just cause; however, any such extension shall not exceed 15 days.

b. The manufactured home moving permit shall accompany the manufactured home while it is being moved. The permit shall be displayed on the rear of the manufactured home in a conspicuous place. It shall be the duty of the transporter that the requested moving permit is properly displayed and accompanies the manufactured home while in transport.

c. A manufactured home dealer or other agency repossessing a manufactured home under a security agreement, or upon receipt of a legal repossession document from the principal of the security agreement, may move a manufactured home from where it is located and relocate it to a secure location within Lancaster County until a moving permit can be obtained, not to exceed 15 days. Under no circumstances shall the manufactured home leave the boundaries of the county until all taxes and other county liens are satisfied and a moving permit is issued.

d. When a dealer moves a manufactured home for rental purposes.

8. Permits not required.

a. A manufactured home dealer brings a Class A or Class B manufactured home into Lancaster County for resale purposes. No Class C manufactured homes shall be allowed to be moved into and located in the county.

b. A manufactured home dealer delivers a manufactured home that is sold from the sales lot.

(Ord. No. 323, 2-1-99; Ord. No. 362, 1-31-00; Ord. No. 412, 12-18-00; Ord. No. 561, 8-25-03; Ord. No. 1023, 4-12-10; Ord. No. 1035, 6-7-10)

Exhibit 6

RESIDENTIAL R-15S

Exhibit 7

USES PERMITTED:

1. Site Built Single-Family Detached House
2. Modular Single-Family Detached House (Meets CABO Building Code)
3. Religious Institution
4. Telephone Communications Facilities
5. Park or Playground
6. Golf Course (public or membership)
7. Nature Preserve or Wildlife Sanctuary
8. Botanical or Zoological Garden
9. Cemetery/Mausoleum
10. Other Designated Community Open Space Area
11. Livestock Facility (except commercial meat production centers)
12. General Agricultural Activities (i.e.) general row crop production, free range Livestock, etc.
13. Forest Production – Including Christmas Trees

CONDITIONAL USES:

1. Double-Wide
2. Single-Wide
3. Class "B" Manufactured Home (meets HUD specifications)
4. Manufactured Home Subdivision
5. Primary Residence and Manufactured Home (provided one unit is owner occupied)
6. Temporary Dependent Care Residences
7. Temporary emergency, construction, and repair residence
8. Home Occupation
9. Private or Commercial Horse Stables
10. Wireless Communication Towers (i.e. Cellular Communications)

USES REQUIRING REVIEW BY THE PC:

1. Elementary or Secondary School
2. College, University or Professional School
3. Library
4. Police Station
5. Fire Station
6. Ambulance Service/Rescue Squad
7. United States Postal Service Facility

SPECIAL EXCEPTION USES:

1. *Recycling Facilities, Convenience Centers and Resource Recovery Facilities*

SD-015-004 – Deerfield Creek (formerly Providence Estates) – Subdivision application of Union Lancaster, LLC, for a proposed subdivision which will consist of 41 lots on a 59.45 acre tract of property. {Public Hearing} pgs. 36-78

Tax Map 0014-00-012.01

Elaine Boone

Date of Meeting: Tuesday, February 17, 2015
_____Approved _____Denied _____ No Action

PLANNING STAFF REPORT

I. Facts

A. General Information

Proposal: Subdivision application of Mr. ~~Tom~~ Bill Waters with Union Lancaster Land Development, LLC., for a proposed subdivision Deerfield Creek a/k/a "Providence Estates" for approval of a proposed 41 lot subdivision to be built on a 59.45 acre tract of property . The applicant will require a variance on the connectivity index from 1.40 to .80. The proposed subdivision will be serviced by Lancaster County Water & Sewer District for water and will be on individual septic systems. The applicant will have a density of 1.61 dwelling units per acre. Sidewalks will be provided on both sides of the main entrance road into the development and on one side of the development on the other two roads. The roads in the development will be public. The proposed subdivision will not have a Development Agreement.

Property Location: The proposed subdivision is located along Legacy Park Blvd., behind the Legacy Park Subdivision. The property is accessed by Legacy Park Blvd., and Vance Baker Roads both of which are County maintained per the Public Works Department. The property also abuts the North Carolina state line with no access to North Carolina. This property is a portion of the Providence Estates Subdivision approved in 2008, but never developed.

Legal Description: TMS # 0014-00-012.01

Zoning Classification: R-45, Rural Residential Agricultural District

B. Site Information

Site Description: The project contains ± 59.45 acres and is proposed to consist of ± 37 single family lots. The property is being developed by right under the R-45, Rural Residential Agricultural District with a 1.0 acre minimum.

C. Vicinity Data

Surrounding Conditions: The site is surrounded by properties zoned as Rural Residential/Agricultural District **(R-45)**, Moderate Density Residential/Agricultural Panhandle District **(15P)** and this abuts property that is zoned **(B-3)** General Commercial District that fronts on Jim Wilson Rd.

D. Exhibits

1. Subdivision Application
2. Location Map
3. Tax Parcel Map
4. Tax Inquiry Sheet
5. Minutes from previous meeting
6. Deerfield Creek Preliminary Plan Comments:
   Stephen Blackwelder – Fire Marshal

3) The connectivity index will require a variance from 1.40 to the revised .80 on the resubmitted plan.
4) No LOC will be required for Bonding of roads being damaged during the construction of the proposed subdivision (Cedar Terrace, Legacy Park Blvd. and Vance Baker Road.) and the established construction road. See memo from Brent Cowan, P.E. with the Isaac's Group.(August 29, 2014)

The Commission recommended that a TIA, Traffic Impact Analysis be done to see what could possibly be done to improve the access to the proposed subdivision. Mr. Waters had requested from our Director, Penelope Karagounis to ask the Commission if the TIA, not be a requirement since all access points to the proposed subdivision are County maintained roads. The Commission did come back with the possibility of using a Technical Memorandum instead of the TIA, but as of this date the Planning Department has not received a Technical Memorandum.

V. Recommendation

It is therefore the recommendation from the Planning Department that the subdivision application for the Deerfield Creek a/k/a Providence Estates be approved contingent that all comments are addressed from the local agencies.

02/05/2015

Jeff Catoe, Lancaster County Public Works Director
J. Elaine Boone, Planner II, Lancaster County
Trish Hinson, E-911 Addressing Coordinator

II. Findings

The applicant submitted the Deerfield Creek Preliminary Plan electronically to the following departments for review and comment:

- Lancaster County Building Department, Steve Yeargin
- Lancaster County EMS, Clay Catoe
- Lancaster County Economic Development Corporation, Keith Tunnell,
- Lancaster County Natural Gas, Seth Rodgers
- Lancaster County Water and Sewer District, James Hawthorne
- Lancaster County Parks and Recreation, Hal Hiott
- Lancaster County School District, Dr. Gene Moore; David Small, and Bryan Vaughn
- Lancaster County Sheriff, Barry Faile
- SCDOT, John McKay; Daniel Hopkins, and Mike Bagley
- Lancaster County Fire Marshal, Stephen Blackwelder

The Planning Department distributed paper copies of the Deerfield Creek Preliminary Plan to the following agencies for review and comment:

- Lancaster County Public Works, Jeff Catoe
- Lancaster County Zoning Department, Kenneth Cauthen,
- Lancaster County E-911 Addressing Coordinator, Trish Hinson

III. Conclusions

The plan distributed at the Lancaster County Planning Workshop had addressed most of the comments from the DRC on July 29, 2014 with the exception of the following:

1) Connectivity Index links/nodes variance, 2) Roads had originally been requested to be private since Lancaster County is no longer accepting roads into the County Road System after December 31, 2015, Brent Cowan P.E. with the Isaacs Group stated that he felt that they could complete this project prior to non acceptance of roads therefore requesting that the roads would be public, 3) We also need an LOC for Bonding of roads being damaged during the construction of the proposed subdivision(Cedar Terrace, Legacy Park Blvd. and Vance Baker Roads) and an established construction road, 4) Sidewalks will be provided on both sides of the main access road (Providence Bridge Drive), Shoal Creek Drive and E.V. Roberts Lake Drive sidewalks will be provided on one side only. 5) No access will be provided to the North Carolina per Ordinance 1191 approved on February 11, 2013, 5) The Commission requested that a TIA be done to see what could possibly be done to improve the access to the proposed subdivision.

IV.Recommendation

It is therefore the recommendation from the Planning Department that the subdivision application for the Deerfield Creek a/k/a Providence Estates be approved contingent that all comments are addressed from the local agencies.

LANCASTER COUNTY
SOUTH CAROLINA
LAND DEVELOPMENT REGULATIONS

PRELIMINARY PLAN APPLICATION
(Refer to Article 5, Section 5.1)

Do Not Write In This Box
Application No. SD-015-004 Date Received 1-2-15 Fee Paid ✓

INSTRUCTIONS:

PLEASE COMPLETE THIS APPLICATION AND THE ATTACHED CHECKLIST. RETURN THESE TWO FORMS, YOUR SITE PLAN DRAWING, AND SUPPORTING INFORMATION TO THE LANCASTER COUNTY PLANNING DEPARTMENT. INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PLANNING DEPARTMENT AT (803) 285-6005.

Subdivision Name: Deerfield Creek

Project Type: Single Family Residential

Property Location: (one) ☑ Unincorporated area of County ☐ City of Lancaster

☐ Town of Heath Springs ☐ Town of Kershaw

Tax Map Number: 0014-00-012.01

Area in Acres: 59.45

Number of Lots: 37

Number of Sections/Phases: 1

Existing Land Use District Classification:

CONTACTS:	PROPERTY OWNER	SURVEYOR/ENGINEER
NAME	Union Lancaster, LLC	The Isaacs Group, P.C.
ADDRESS	7620 Baltusrol Ln.	8720 Red Oak Blvd, Suite 420
CITY/STATE/ZIP	Charlotte NC 28210	Charlotte NC 28217
PHONE NUMBER	Contact: Bill Waters 704-451-1020	Contact: Brent Cowan 704-527-3440

Waster Supply: ☐ Wells ☑ Central Lancaster County Waster and Sewer District
Name of Provider

Water Treatment: ☑ Septic ☐ Central Private
Name of Provider

Are you requesting a variance to any provision of the land development regulations? ☐ Yes ☑ No
If yes, attach a statement identifying which regulation section(s) is affect and explain.

LANCASTER COUNTY
SOUTH CAROLINA
LAND DEVELOPMENT REGULATIONS

PRELIMINARY PLAN APPLICATION CHECKLIST
(Refer to Section 13.8)

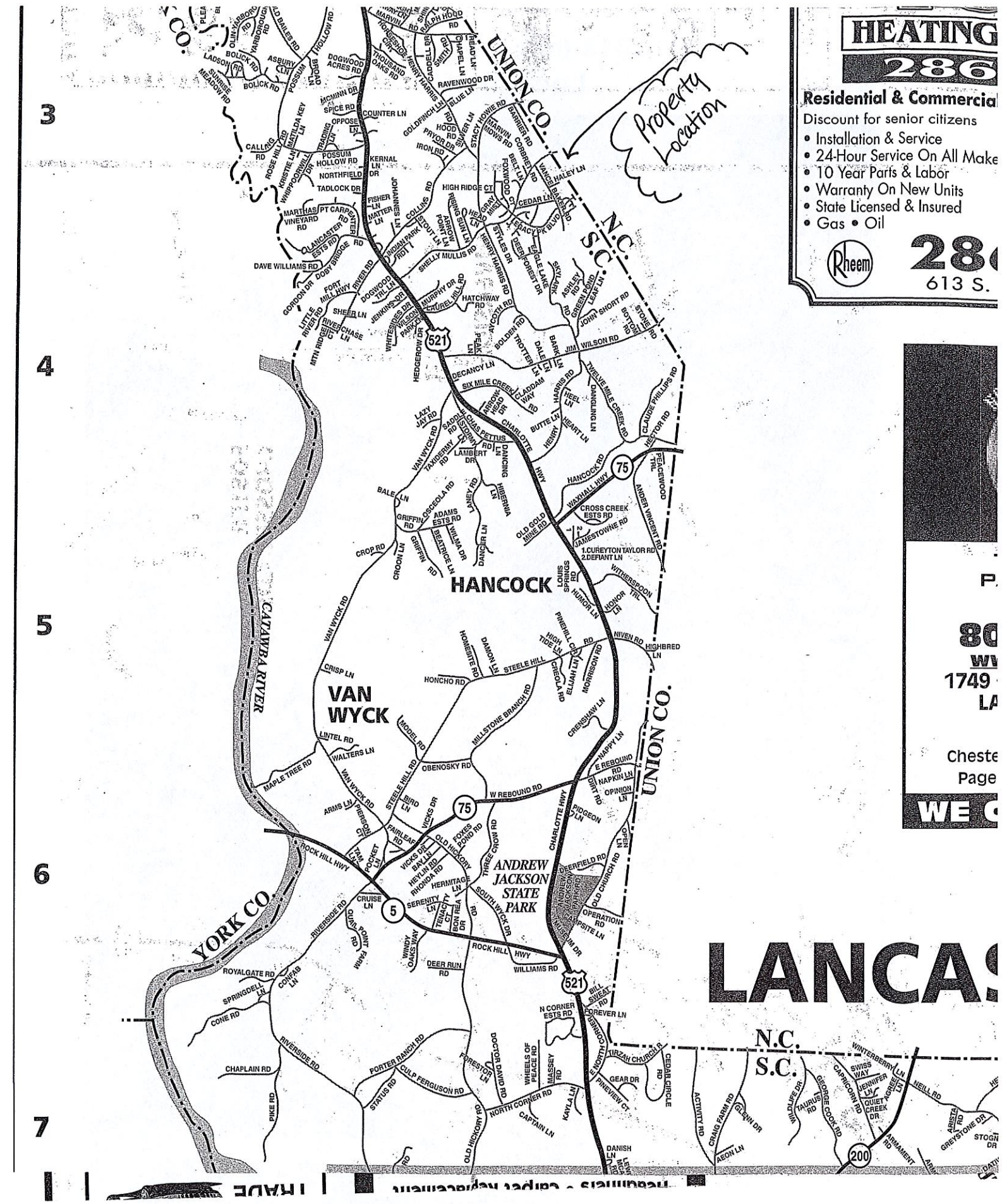
Are the following items included with your preliminary plan application? Check yes or no.

1- General Information:	YES	NO
Vicinity map and aerial photograph	X	
Graphic scale, north arrow and date	X	
Total acreage of land to be subdivided	X	
Boundaries of tract to be subdivided with all bearings & distances indicated	X	
Existing and proposed use of all lots	X	
Fifteen (15) digital copies of the preliminary plan and Six (6) hard copies (see contact list)	X	
2- Existing Conditions:		
Zoning classification of proposed subdivision and adjacent areas	X	
Deed record names of adjoining property owners	X	
Location of streams, lakes, and land subject to 100 year flood	X	
Location of adjoining property lines	X	
Location of existing buildings on the site	X	
Location of right-of-ways for existing roads, railroads, and utility lines on or adjacent to the site	X	
Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within any road right-of-way on or adjacent to the site	X	
Acreage of each drainage area affecting the proposed subdivision		X
Topography at intervals of not more than ten (10) feet (Topography may be included on a separate map)	X	
Location of city & county boundary lines (if applicable)	X	
Location of all central water and sewer lines within 1000 feet of the site	X	
3- Proposed Conditions:		
Proposed road layout (road right-of-ways) and public crosswalk locations	X	
Proposed road names	X	
Road cross-sections	X	
Profile of proposed roads showing natural and finished grades		X
Layout of all lots, including: area, setback lines, scaled dimensions, lot and block numbers, and utility easements with width and use	X	
Preliminary letter of approval for septic waste disposal from DHEC		X
Construction plans for water supply, storm drainage, and sanitary sewer systems (if applicable)		X
Designation of all land to be reserved for public use	X	
Proposed major contour changes in areas where substantial cut and/or fill is to be done		X
Number of proposed lots	X	
Total length of proposed roads	X	
Traffic Impact Analysis – Refer to SCDOT ARMS Manual	X	

If any of the above items are not included in your proposal, please explain why: This plan is for sketch plan approval only. Detailed design will be completed upon Lancaster County approval of sketch plan. Items checked NO above will be included on construction drawing plans that will be submitted for approval by Lancaster County.

(use back of form if additional space is needed)

NOTE: Submission of this application does not constitute the granting of preliminary plan approval. All applicable requirements must be met before the proposal is presented to the planning commission. Lancaster County reserves the right to request additional information other than that specified in this checklist when deemed necessary for the complete review of the proposal


HEATING
286
Residential & Commercial
Discount for senior citizens
• Installation & Service
• 24-Hour Service On All Make
• 10 Year Parts & Labor
• Warranty On New Units
• State Licensed & Insured
• Gas • Oil
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28
613 S.
Property Location
UNION CO.
N.C.
S.C.
HANCOCK
VAN WYCK
CATAWBA RIVER
YORK CO.
ANDREW JACKSON STATE PARK
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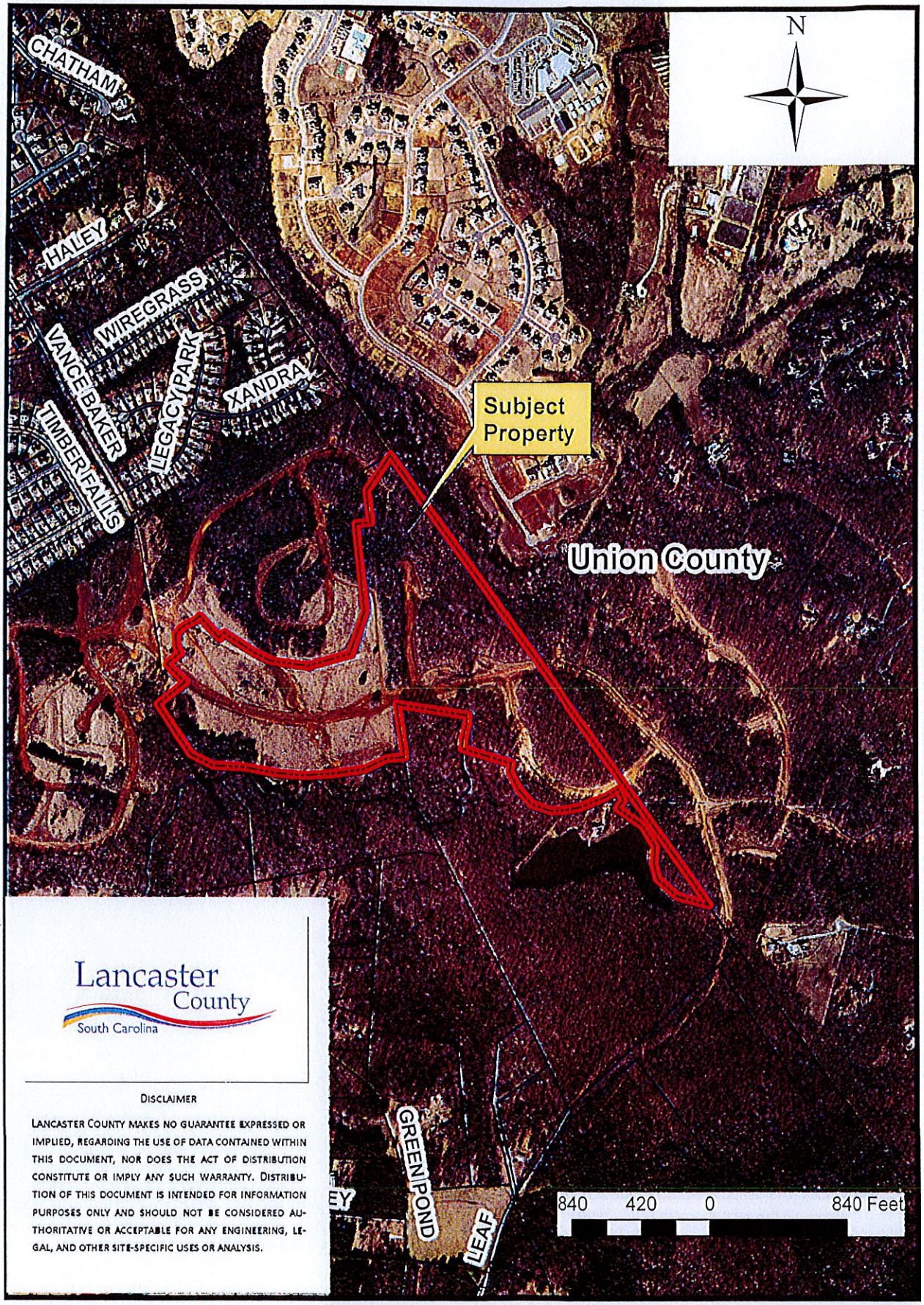
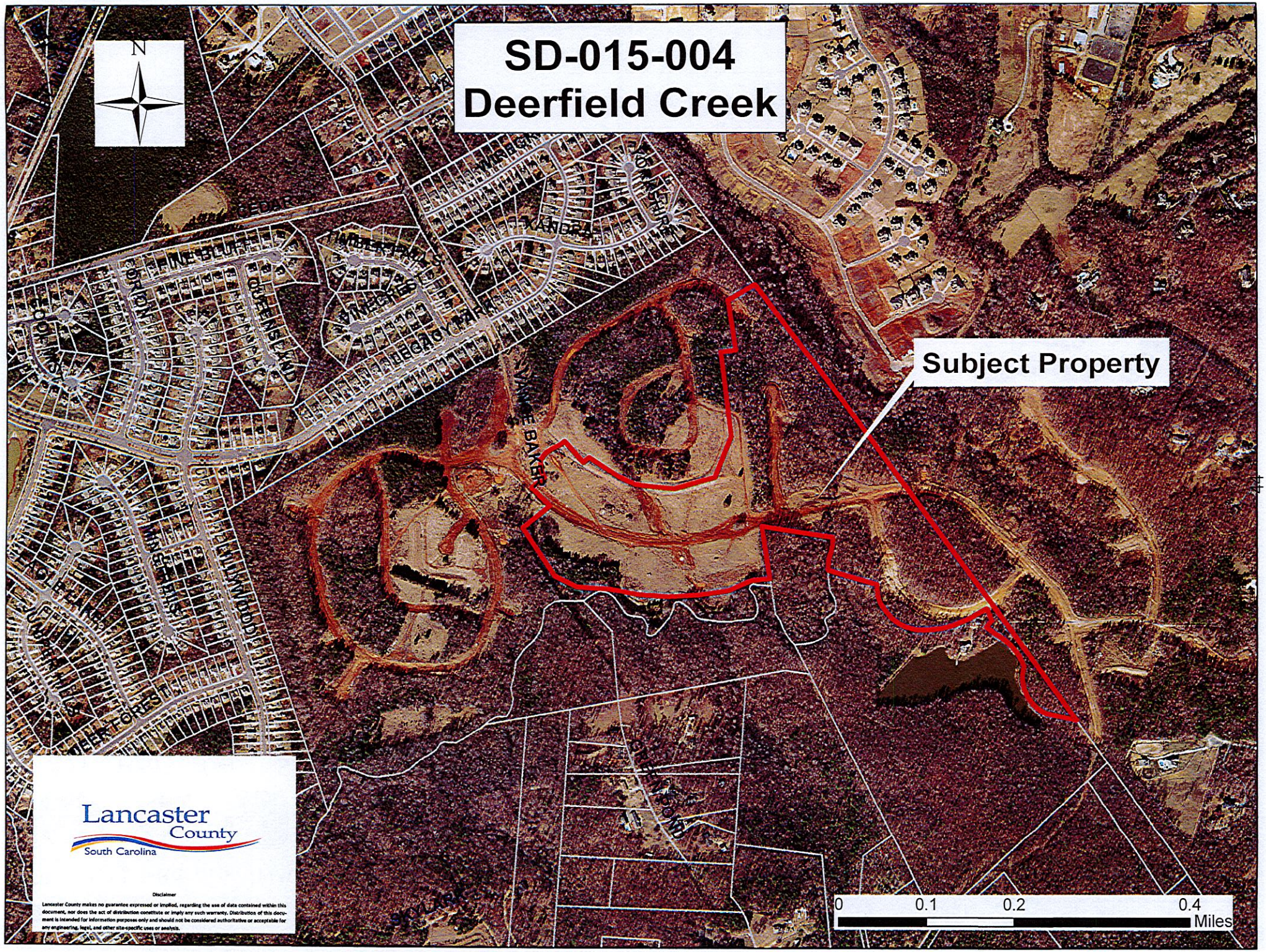
Page

SD 2014-005: Deerfield Creek
Location Map




SD-015-004
Deerfield Creek
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Subject Property
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Miles
Lancaster County
South Carolina
Disclaimer
Lancaster County makes no guarantee expressed or implied, regarding the use of data contained within this document, nor does the act of distribution constitute or imply any such warranty. Distribution of this document is intended for information purposes only and should not be considered authoritative or acceptable for any engineering, legal, and other site-specific uses or analysis.

AssessPro 4.6.18/4618 - Lancaster2014 - [Record Card]

File Edit Record Navigate Process Utilities Tools Options Help Status Database

Add Mod Del Save Cancel

Indexed By Parcel ID Card #

App

Parcel ID: 0014-00-012.01 Card: 1/1

Account: 85348 District: 01 - County

Sticker #: Ent. Parcel Area: 59.449 - AC

Location: STATE LINE Lancaster

Land Use: NLN - LandOnly Neigh: 01 - 01

Owner #1: UNION LANCASTER LAND LLC Own Type:

Market Adj Value	Current	Year 2013
Calc. Land Area:	59.449	59.449
Full Market Value:	2,295,700	2,295,700
Building Value:		
Yard Items:		
Land Value:	2,295,700	2,295,700
Total Value:	2,295,700	2,295,700
Assessed Value:	137,742	137,742
Capped Total:	2,295,700	2,295,700

Legal Description

Reval / Market 01

Sales Information

Grantor: BANK OF COMMERCE,

Sale Price: 700,000 Validity: 1

Sale Date: 6/3/2013 Sold Vacant: No

Legal Ref: 734-207

Narrative Description

This Parcel contains 59.449 AC of land mainly classified as LandOnly.

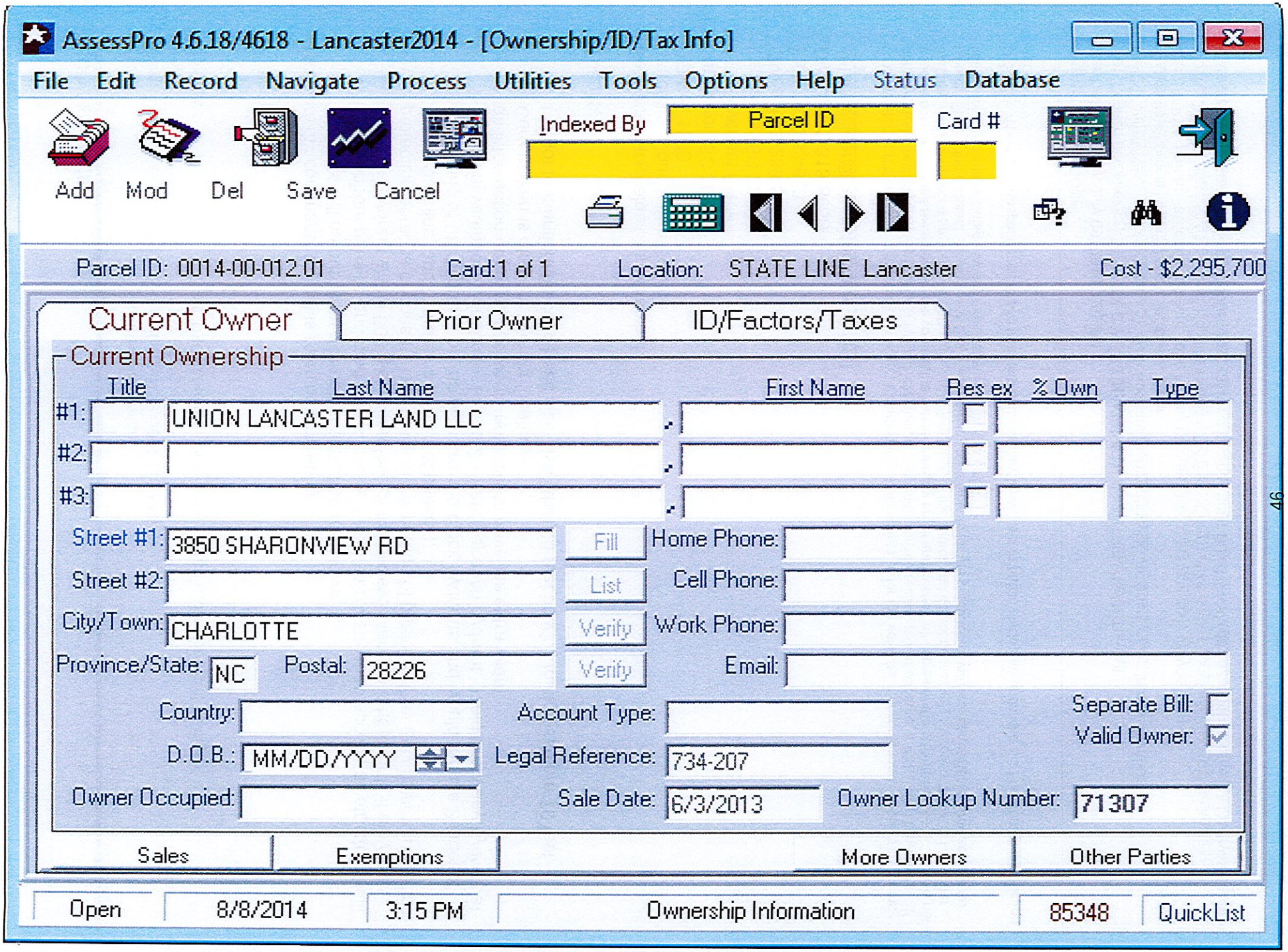
Office Notes Notes

No Picture Available

Click to enter GIS, if installed

No Sketch Available

Open 8/8/2014 3:15 PM 85348 QuickList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Indexed By
Parcel ID
Card #
Parcel ID: 0014-00-012.01
Card:1 of 1
Location: STATE LINE Lancaster
Cost - $2,295,700
Current Owner
Prior Owner
ID/Factors/Taxes
Current Ownership
Title
Last Name
First Name
Res ex
% Own
Type
#1:
UNION LANCASTER LAND LLC
#2:
#3:
Street #1:
3850 SHARONVIEW RD
Fill
Home Phone:
Street #2:
List
Cell Phone:
City/Town:
CHARLOTTE
Verify
Work Phone:
Province/State:
NC
Postal:
28226
Verify
Email:
Country:
Account Type:
Separate Bill:
Valid Owner:
D.O.B.:
MM/DD/YYYY
Legal Reference:
734-207
Owner Occupied:
Sale Date:
6/3/2013
Owner Lookup Number:
71307
Sales
Exemptions
More Owners
Other Parties
Open
8/8/2014
3:15 PM
Ownership Information
85348
QuickList

JUDY E BOONE

From: Stephen Blackwelder
Sent: Tuesday, July 29, 2014 11:22 AM
To: JUDY E BOONE
Subject: RE: DRC - Meeting - Providence Estates (Note Name will Change)

Elaine,

Here are my comments from this morning's meeting:

- Hydrants will be public on privately maintained roadways.
- I asked about phasing and made them aware if phased construction occurs, no structure built without a hydrant within 500 feet regardless of the phased plan. In other words if a hydrant protecting portions of phase 1 is actually in the portion of phase 2, they may have to place the road, water line, and hydrants as a part of phase 1.
- All but one of the hydrants on the plan are mid-block hydrants and would require 26 feet of pavement width for 20 feet prior to and 20 feet after each hydrant. I told Brent any hydrant at an intersection or cul-de-sac would not have to have the extra width.
- Current plan is okay for hydrant locations.
- I forgot to mention the cul-de-sac size. Isn't that 80 feet now? I think these are 70 feet.

Thanks,

Stephen Blackwelder, Fire Marshal
Lancaster County Fire Service
PO Box 1809
Lancaster, SC 29721
111 Covenant Place
Lancaster, SC 29720
Office: 803-283-8888
Fax: 803-283-6333
Direct: 803-313-8056
sblackwelder@lancastercountysc.net

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From: JUDY E BOONE
Sent: Wednesday, July 09, 2014 2:53 PM
To: Stephen Blackwelder; STEPHEN C YEARGIN; KENNETH C CAUTHEN; Keith Tunnell (keith.Tunnell@lancasterscworks.com); Seth Rodgers (sethrodgers@comporium.net); James Hawthorne (james.hawthorne@LCWASD.org); Jeffery D. Catoe
Cc: BARRY S FAILE; Patricia T. Hinson; John McKay (McKayJD@dot.state.sc.us); Wayne Joyner (JoynerJW@dot.state.sc.us); Daniel Hopkins (hopkinsDM@scdot.org); Mike Bagley (BagleyMR@dot.state.sc.us); bcowan@isaacsgrp.com; Gene Moore (gene.moore@lcsdmail.net); David Small (david.small@lcsdmail.net); Bryan Vaughn

(bryan.vaughn@lcsdmail.net)
Subject: DRC - Meeting - Providence Estates (Note Name will Change)
Importance: High

Hello Everybody,

We'll be having a DRC meeting on **Tuesday, July 22, 2014** at 11:15 a.m.- 12:00 noon in the County Council Chambers upstairs. This is to accept comments for the preliminary plan for Providence Estates located directly behind Legacy Park. Please note that the name will be changing for this project. If you can't attend please send any comments to eboone@lancastercountysc.net. I hope that you all have a great day.

Thanks,

J. Elaine Boone
Plannner II
Lancaster County Planning Department
101 N. Main Street
P.O. Box 1809
Lancaster, S.C. 29721
Phone: (803) 416-9396 Direct
Phone: (803) 285-6005 Main
Fax: (803) 285-6007

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JUDY E BOONE

From: KENNETH C CAUTHEN
Sent: Tuesday, July 29, 2014 9:20 AM
To: JUDY E BOONE
Cc: Amy Bowers; Dwight Witherspoon
Subject: comments - Providence estates

Follow Up Flag: Follow up
Flag Status: Completed

Elaine,
Got everything straight with Brent. Ordinance requirements refer to areas of Special Flood Hazard in every case. This parcel is not in a Special Flood Hazard Area. This area is well over ¼ mile downstream.
Please convey our concerns about street yard trees. Some builders plant them between the Back of Curb and Sidewalks while others plant them in the front yard. If planting between BOC and sidewalk encourage them to leave room where roots and the trunk will not bust the curb or the sidewalk. Sorry for the delay.
Thanks,
Kenneth

JUDY E BOONE

From: Jeffery D. Catoe
Sent: Friday, August 08, 2014 1:58 PM
To: JUDY E BOONE; bcowan@isaacsgrp.com
Cc: Penelope Karagounis
Subject: RE: Deerfield Creek a/k/a Providence Estates

Elaine,

I agree with all stated below. Public Works does have more concern over the condition of Vance Baker, Cedar lane, and Legacy Park Boulevard once construction begins, than the TIA, but I agree the TIA would be very helpful. Some type of arrangement will need to be made because from past experience, communication can break down when/if areas of our roads start tearing up, and repetitive heavy loads like dump trucks, concrete trucks, etc. can do just that. It wouldn't hurt if the developer contacts the Legacy Park HOA and makes them aware when construction is scheduled to start, if they haven't already. Just some general comments I'm sure we will be addressing. Thanks Elaine.

Jeff Catoe
Lancaster County
Public Works Director
P.O Box 1809
Lancaster, SC 29721
(803) 416-9692 Phone
(803) 285-3835 Fax

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NOTICE: All email correspondence to and from this address may be subject to public disclosure under the SC Freedom of Information Act.

From: JUDY E BOONE
Sent: Friday, August 08, 2014 1:08 PM
To: bcowan@isaacsgrp.com
Cc: Jeffery D. Catoe; Patricia T. Hinson; Penelope Karagounis
Subject: Deerfield Creek a/k/a Providence Estates

Brent,

I hope you're having a good day. I'll need a drawing(map) showing the connectivity index links/nodes also, after you left last night and the meeting resumed the Commission thought that maybe a TIA should be done since this property has

all county maintained roads for access. I asked Jeff Catoe if he had ever had a TIA done on any County maintained roads he said no, but stated it probably wouldn't be a bad idea. Also, I sent an e-mail to Trish Hinson concerning the proposed roads names, do you have anything from her in writing? Or if they'll be changed. Another thing we need to address is some type of LOC for any road improvements due to damage by construction from this subdivision. (Cedar Lane, Legacy Park Blvd., and Vance Baker Roads). You may want to set up a time when you and the developer can meet Jeff Catoe at the site for an inspection.

Thanks,

J. Elaine Boone
Plannner II
Lancaster County Planning Department
101 N. Main Street
P.O. Box 1809
Lancaster, S.C. 29721
Phone: (803) 416-9396 Direct
Phone: (803) 285-6005 Main
Fax: (803) 285-6007

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JUDY E BOONE

From: JUDY E BOONE
Sent: Friday, August 08, 2014 1:08 PM
To: bcowan@isaacsgrp.com
Cc: Jeffery D. Catoe; Patricia T. Hinson; Penelope Karagounis
Subject: Deerfield Creek a/k/a Providence Estates

Brent,

I hope you're having a good day. I'll need a drawing(map) showing the connectivity index links/nodes also, after you left last night and the meeting resumed the Commission thought that maybe a TIA should be done since this property has all county maintained roads for access. I asked Jeff Catoe if he had ever had a TIA done on any County maintained roads he said no, but stated it probably wouldn't be a bad idea. Also, I sent an e-mail to Trish Hinson concerning the proposed roads names, do you have anything from her in writing? Or if they'll be changed. Another thing we need to address is some type of LOC for any road improvements due to damage by construction from this subdivision. (Cedar Lane, Legacy Park Blvd., and Vance Baker Roads). You may want to set up a time when you and the developer can meet Jeff Catoe at the site for an inspection.

Thanks,

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JUDY E BOONE

From: Patricia T. Hinson
Sent: Thursday, July 10, 2014 2:56 PM
To: JUDY E BOONE; Stephen Blackwelder; STEPHEN C YEARGIN; KENNETH C CAUTHEN; Keith Tunnell (keith.Tunnell@lancasterscworks.com); Seth Rodgers (sethrodgers@comporium.net); James Hawthorne (james.hawthorne@LCWASD.org); Jeffery D. Catoe
Cc: BARRY S FAILE; John McKay (McKayJD@dot.state.sc.us); Wayne Joyner (JoynerJW@dot.state.sc.us); Daniel Hopkins (hopkinsDM@scdot.org); Mike Bagley (BagleyMR@dot.state.sc.us); bcowan@isaacsgrp.com; Gene Moore (gene.moore@lcsdmail.net); David Small (david.small@lcsdmail.net); Bryan Vaughn (bryan.vaughn@lcsdmail.net); Chris Nunnery
Subject: RE: DRC - Meeting - Providence Estates (Note Name will Change)

Follow Up Flag: Follow up
Flag Status: Flagged

Elaine,

In looking at the sketch submitted for Providence Estates (subdivision name to be changed), below are my comments:

- **Creek Ridge Ct** is not an approved road name for use (**should be Shoal Creek**). The suffix choice they currently have for Shoal Creek is **CT**, this will need to change. (See section 14.1.3 of the LCUDO for suffix choices based on the length of a road**). Providence Bridge Dr and Ev Roberts Lake Dr are both approved for this project and on hold for use.**
- The subdivision name will also need to be changed; I am waiting on Brent to submit another name to be cross referenced for use.

Section 14.1.3 Road name standards.

1. Any road in excess of one thousand (1,000) feet in length shall be designated as either "road" "street," "avenue" or "drive." The acceptable abbreviations for these suffixes are "Rd", "St", "Ave" and "Dr".
2. Any road less than one thousand (1,000) feet in length or any road that is cul-de-sac or any road that begins and ends on the same road shall be designated as "court, way, place, terrace, or lane." The acceptable abbreviations for these are "Ct., Way, Pl., Ter. and Ln."
3. Any previously unnamed road or new road with center line offsets at intersections of less than one hundred (100) feet shall be given the same name, except in a subdivision. The roads will be allowed two (2) separate road names under the discretion of the approval of the Lancaster County Addressing Coordinator. Excluding roads with in an approved subdivision or PDD.
4.

Any continuous road shall have the same name over its entire length even though its direction may change.

5. No road name hereafter established, regardless of suffixes or directionals, shall duplicate either phonetically or by spelling, another road name in the unincorporated area of the county.

6. No road name hereafter established shall exceed fifteen (15) characters, including spaces and suffix abbreviations. (IF SUBDIVISION PROVIDES THEIR OWN SIGNS, THIS DOES NOT APPLY) pth

7. No special characters, such as hyphens, apostrophes, periods, or decimals, shall be used.

8. Areas of surrounding counties, which share Postal Service zip codes or multi-jurisdictional emergency services agreements with areas of Lancaster County, shall be considered when determining duplicates.

9. The E-911 addressing department will not allow use of words which in its opinion are overused, either in the immediate area or county-wide, as such overuse is likely to cause confusion.

10. Directional names (N, S, E, W or combination thereof) shall not be allowed.

11. Proposed road names, which are intentionally misspelled, obscene, derogatory or other offensive words shall not be permitted.

(Ord. No. 916, 6-2-08)

If you need anything further from me or have any questions, please let me know.

Thanks,
Trish

From: JUDY E BOONE
Sent: Wednesday, July 09, 2014 2:53 PM
To: Stephen Blackwelder; STEPHEN C YEARGIN; KENNETH C CAUTHEN; Keith Tunnell (keith.Tunnell@lancasterscworks.com); Seth Rodgers (sethrodgers@comporium.net); James Hawthorne (james.hawthorne@LCWASD.org); Jeffery D. Catoe
Cc: BARRY S FAILE; Patricia T. Hinson; John McKay (McKayJD@dot.state.sc.us); Wayne Joyner (JoynerJW@dot.state.sc.us); Daniel Hopkins (hopkinsDM@scdot.org); Mike Bagley (BagleyMR@dot.state.sc.us); bcowan@isaacsgrp.com; Gene Moore (gene.moore@lcsdmail.net); David Small (david.small@lcsdmail.net); Bryan Vaughn (bryan.vaughn@lcsdmail.net)
Subject: DRC - Meeting - Providence Estates (Note Name will Change)
Importance: High

Hello Everybody,

We'll be having a DRC meeting on **Tuesday, July 22, 2014** at 11:15 a.m.- 12:00 noon in the County Council Chambers upstairs. This is to accept comments for the preliminary plan for Providence Estates located directly behind Legacy

Park. Please note that the name will be changing for this project. If you can't attend please send any comments to eboone@lancastercountysc.net. I hope that you all have a great day.

Thanks,

J. Elaine Boone
Plannner II
Lancaster County Planning Department
101 N. Main Street
P.O. Box 1809
Lancaster, S.C. 29721
Phone: (803) 416-9396 Direct
Phone: (803) 285-6005 Main
Fax: (803) 285-6007

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JUDY E BOONE

From: Patricia T. Hinson
Sent: Friday, August 08, 2014 11:59 AM
To: JUDY E BOONE
Subject: Re: Roads name for Deerfield Creek - a/k/a Providence Estates

Elaine

I'm not at work. Joel planned a surprise 25th anniversary weekend trip. Planned my day off and all. I can't go from memory on the road names, sorry!

Sent from my iPhone

On Aug 8, 2014, at 11:23 AM, "JUDY E BOONE" <eboone@lancastercountysc.net> wrote:

> Trish,
>
> Did you approve the names on the plan Brent submitted? The names are Providence Bridge Drive, Shoal Creek Drive and EV Roberts Lake Drive.
>
> J. Elaine Boone
> Plannner II
> Lancaster County Planning Department
> 101 N. Main Street
> P.O. Box 1809
> Lancaster, S.C. 29721
> Phone: (803) 416-9396 Direct
> Phone: (803) 285-6005 Main
> Fax: (803) 285-6007
>
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>
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JUDY E BOONE

From: Brent Cowan <bcowan@isaacsgrp.com>
Sent: Thursday, August 07, 2014 2:54 PM
To: JUDY E BOONE
Subject: Deerfield Creek Link-Node Ratio

Follow Up Flag: Follow up
Flag Status: Completed

Elaine,

I count 6 links and 7 nodes, which give a link node ratio of less than 1.0, which does not meet your requirement of 1.40. I don't see, however, how this development can achieve this requirement with the shape of the property, state line, Tarkhill Creek and the history of the development having been partially constructed.

Thanks,

Anthony Brent Cowan, P.E., LEED® AP
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

JUDY E BOONE

From: Brent Cowan <bcowan@isaacsgrp.com>
Sent: Thursday, August 21, 2014 1:33 PM
To: JUDY E BOONE
Subject: RE: Deerfield Creek

Follow Up Flag: Follow up
Flag Status: Flagged

OK. The TIA cannot be completed in two weeks. I assume that's OK, correct?

I've got a call into Jeff Catoe to resolve the bonding of existing access road issue.

Thanks,

Anthony Brent Cowan, P.E., **LEED® AP**
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

From: JUDY E BOONE [mailto:eboone@lancastercountysc.net]
Sent: Thursday, August 21, 2014 1:27 PM
To: Brent Cowan
Subject: RE: Deerfield Creek
Importance: High

Hey Brent,

15 days starting on Wednesday, August 20, 2014.

Thanks,

J. Elaine Boone
Plannner II
Lancaster County Planning Department
101 N. Main Street
P.O. Box 1809
Lancaster, S.C. 29721
Phone: (803) 416-9396 Direct
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From: Brent Cowan [mailto:bcowan@isaacsgrp.com]
Sent: Thursday, August 21, 2014 8:24 AM
To: JUDY E BOONE
Subject: Deerfield Creek

Good morning Elaine,

I have a call into Jeff Catoe to begin discussions on how to either bond or monitor condition of existing roads leading to this project. I also have requests for proposals out to traffic engineers for the TIA. What is our timeframe to get all of these items buttoned up? Do we have a deadline?

Thanks,

Anthony Brent Cowan, P.E., LEED® AP
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

JUDY E BOONE

From: Brent Cowan <bcowan@isaacsgrp.com>
Sent: Thursday, August 21, 2014 2:14 PM
To: Jeffery D. Catoe
Cc: JUDY E BOONE
Subject: RE: Deerfield Creek a/k/a Providence Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff,

Please give me a call when you are free so we may discuss the bonding issue with this project.

Thanks,

Anthony Brent Cowan, P.E., **LEED® AP**
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

From: Jeffery D. Catoe [mailto:jcatoe@lancastercountysc.net]
Sent: Friday, August 08, 2014 1:58 PM
To: JUDY E BOONE; Brent Cowan
Cc: Penelope Karagounis
Subject: RE: Deerfield Creek a/k/a Providence Estates

Elaine,

I agree with all stated below. Public Works does have more concern over the condition of Vance Baker, Cedar lane, and Legacy Park Boulevard once construction begins, than the TIA, but I agree the TIA would be very helpful. Some type of arrangement will need to be made because from past experience, communication can break down when/if areas of our roads start tearing up, and repetitive heavy loads like dump trucks, concrete trucks, etc. can do just that. It wouldn't hurt if the developer contacts the Legacy Park HOA and makes them aware when construction is scheduled to start, if they haven't already. Just some general comments I'm sure we will be addressing. Thanks Elaine.

Jeff Catoe
Lancaster County
Public Works Director
P.O Box 1809
Lancaster, SC 29721
(803) 416-9692 Phone
(803) 285-3835 Fax

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From: JUDY E BOONE
Sent: Friday, August 08, 2014 1:08 PM
To: bcowan@isaacsgrp.com
Cc: Jeffery D. Catoe; Patricia T. Hinson; Penelope Karagounis
Subject: Deerfield Creek a/k/a Providence Estates

Brent,

I hope you're having a good day. I'll need a drawing(map) showing the connectivity index links/nodes also, after you left last night and the meeting resumed the Commission thought that maybe a TIA should be done since this property has all county maintained roads for access. I asked Jeff Catoe if he had ever had a TIA done on any County maintained roads he said no, but stated it probably wouldn't be a bad idea. Also, I sent an e-mail to Trish Hinson concerning the proposed roads names, do you have anything from her in writing? Or if they'll be changed. Another thing we need to address is some type of LOC for any road improvements due to damage by construction from this subdivision. (Cedar Lane, Legacy Park Blvd., and Vance Baker Roads). You may want to set up a time when you and the developer can meet Jeff Catoe at the site for an inspection.

Thanks,

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Penelope Karagounis

From: Brent Cowan <bcowan@isaacsgrp.com>
Sent: Wednesday, August 27, 2014 5:29 PM
To: don spence
Cc: Penelope Karagounis; JUDY E BOONE
Subject: Deerfield Creek - TIA vs. Technical Memorandum

Don,

It sounds like Penelope is agreeable on the use of a Technical Memorandum instead of a TIA for this project. She would, however, like to notify her planning board and get their approval b/f saying for certain that this approach will be allowed. Could you please email to her some explanations on why a Technical Memorandum is more appropriate than a TIA for this particular project? She intends on forwarding your reasons to the board for their approval.

Please let me know if you have any questions or comments.

Thanks,

Anthony Brent Cowan, P.E., LEED® AP
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

Penelope Karagounis

From: don spence <donspence@progressivedesigngrp.com>
Sent: Wednesday, August 27, 2014 7:59 PM
To: Penelope Karagounis; Brent Cowan
Subject: Revised text

Ms. Karagounis,

I made one change to my text:

Ms. Karagounis,

It has been our experience that a Traffic Impact Analysis with Level of Service (LOS) calculations is unnecessary for a development comprised of 42 building lots:

- US 521 is already signalized at Shelley Mullis Road with appropriate turning lanes
- 42 homes generate approximately 420 trips daily , with 42 trips in the am peak hour and likewise in the PM peak hour; it is unlikely such a low number of additional single family dwellings will noticeably affect the LOS numbers for the intersection of US 521 & Shelley Mullis Road
- We suggest a thorough assessment of the road infrastructure be inventoried, compiled and reported in the form of a Technical Memorandum along with an Access Evaluation, a trip generation chart and the use of available traffic counts from the files of SCDOT. This would allow for any road deficiencies to be documented and accounted for.

Please let me know you need further information.

Donald W. Spence, PE, PLS

PROGRESSIVE
DESIGN GROUP, INC.

ENGINEERS • CONSULTANTS

9736 Bartlett Road
Charlotte, NC 28227
Office: 704.573.3003
Mobile: 980.254.5371

Penelope Karagounis

From: don spence <donspence@progressivedesigngrp.com>
Sent: Wednesday, August 27, 2014 7:30 PM
To: Penelope Karagounis; Brent Cowan
Subject: Deerfield Creek-TIA vs. Technical Memorandum

Ms. Karagounis,

It has been our experience that a Traffic Impact Analysis with Level of Service (LOS) calculations is unnecessary for a development comprised of 42 building lots:

- US 521 is already signalized at Shelley Mullis Road
- Vance Baker Road is provided a left turn lane on Shelley Mullis Road
- 42 homes generate approximately 420 trips daily , with 42 trips in the am peak hour and likewise in the PM peak hour; it is unlikely such a low number of additional single family dwellings will noticeably affect the LOS numbers for the intersection of US 521 & Shelley Mullis Road
- We suggest a thorough assessment of the road infrastructure be inventoried, compiled and reported in the form of a Technical Memorandum along with an Access Evaluation, a trip generation chart and the use of available traffic counts from the files of SCDOT. This would allow for any road deficiencies to be documented and accounted for.

Please let me know you need further information.

Donald W. Spence, PE, PLS

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Mobile: 980.254.5371

JUDY E BOONE

From: Brent Cowan <bcowan@isaacsgrp.com>
Sent: Tuesday, September 02, 2014 2:04 PM
To: JUDY E BOONE; Jeffery D. Catoe
Subject: Deerfield Creek - Notes from Thursday 8/28/14 meeting with LC Public Works
Attachments: Deerfield Creek-8-28-14 Meeting with Public Works.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff and Elaine,

Attached is a pdf of my notes and summary of our meeting last Thursday (8/28/14) at Deerfield Creek.

Thanks,

Anthony Brent Cowan, P.E., LEED® AP
The Isaacs Group, P.C.
8720 Red Oak Blvd., Ste. 420
Charlotte, NC 28217
P: 704-227-9402 F: 704-227-9403
Web: www.isaacsgrp.com

THE ISAACS GROUP
CIVIL ENGINEERING DESIGN & LAND SURVEYING
8720 RED OAK BOULEVARD, STE. 420
CHARLOTTE, N.C. 28217
PHONE (704) 527-3440 FAX (704) 527-8335

August 29, 2014

Re: Deerfield Creek Subdivision
8/28/2014 Meeting with Lancaster County Public Works

Attending:	Mr. Bill Waters	-	Union Lancaster LLC (Developer)
	Mr. Jeff Catoe	-	Lancaster County Director of Public Works
	Mrs. Elaine Boone	-	Lancaster County Planning Department
	Mr. Brent Cowan	-	The Isaacs Group

On Thursday, August 28, 2014, The Isaacs Group attended a meeting with those listed above at the entrance of the Deerfield Creek on Vance Baker Road. The meeting had been scheduled to review and discuss with the county the best route for construction traffic access, and to resolve how to address the planning department comment to provide a bond for the damage of existing county roads during construction.

It was determined that the best route for construction traffic would be via Cedar Lane to Vance Baker rather than to use Vance Baker alone. Cedar Lane is a better route because it is of a sufficient width, has less driveways and less traffic than Vance Baker, and the pavement structure was observed to be in good shape.

The county agreed to allow a process of monitoring rather than bonding for any construction traffic damage. Since the amount of damage due to construction traffic is unknown, it is difficult, if not impossible, to assign a monetary value for a bond. It was agreed that the developer's engineer will walk both Cedar Land and Vance Baker before construction begins with Lancaster County Public Works and take visual documentation on the structural state of the roadways. Upon completion of construction, the roadways will be walked again to note damage and to prepare a punch list of corrective actions required by the developer. Jeff Catoe did say that if any major issues arise that could cause damage to vehicles occurred during construction, the county would require immediate repairs.

Please contact me at 704.227.9402 or bcowan@isaacsgrp.com should you have any question

Sincerely,

Anthony B. Cowan, P.E.
The Isaacs Group, PC

KENNETH C CAUTHEN

From: KENNETH C CAUTHEN
Sent: Tuesday, July 29, 2014 9:20 AM
To: JUDY E BOONE
Cc: Amy Bowers; Dwight Witherspoon
Subject: comments - Providence estates

Elaine,
Got everything straight with Brent. Ordinance requirements refer to areas of Special Flood Hazard in every case. This parcel is not in a Special Flood Hazard Area. This area is well over ¼ mile downstream.
Please convey our concerns about street yard trees. Some builders plant them between the Back of Curb and Sidewalks while others plant them in the front yard. If planting between BOC and sidewalk encourage them to leave room where roots and the trunk will not bust the curb or the sidewalk. Sorry for the delay.
Thanks,
Kenneth

Penelope Karagounis

From: Ramey Kemp <rkemp@rameykemp.com>
Sent: Wednesday, November 19, 2014 2:29 PM
To: Penelope Karagounis
Subject: RE: Deerfield Creek Subdivision aka Providence Estates Subdivision in Indian Land

After I read Don Spence's recommendations to you on August 27, I recommended to Mr. Waters that he contact Summit Engineering to start the evaluation process of the roads leading to his development. A traffic engineer may be the best person to put all of the information together that Don recommended, but it appeared to me that a geotechnical firm would have to evaluate the pavement. Mr. Waters does not want to spend any money doing anything. I had recommended to him that he pay us to sit down with you to develop a scope of work for the Technical Memorandum. He wanted us to just write some type of report and let him carry it to you instead. He is treating this without any respect to the process and hoping that you just give up on it. My advice to you is to tell him he needs to hire a traffic engineer to meet with you to develop the scope of work for getting his approval. IF he hires us we will be glad to assist, but it is not about who he hires, it is about respecting the process and your due diligence responsibility.

Ramey F. Kemp, Jr., P.E., PTOE
Principal
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS
8307 University Executive Park Dr.
Suite 260
Charlotte, NC 28262
Ph: 704-549-4260 Cell: 919-302-2215

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From: Penelope Karagounis [mailto:pkaragounis@lancastercountysc.net]
Sent: Tuesday, November 18, 2014 5:36 PM
To: Ramey Kemp
Subject: RE: Deerfield Creek Subdivision aka Providence Estates Subdivision in Indian Land

Ramey,

Mr. Waters is arguing with me that he does not want to pay for a technical memorandum because the cost is $4,000. Is he confusing this with a Traffic Impact Analysis Study?

Penelope

Penelope G. Karagounis
Lancaster County Planning Director
P.O. Box 1809
Lancaster, SC 29721
(803) 285-6005 –Main Line
(803) 285-6007 – Fax Number

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From: Ramey Kemp [mailto:rkemp@rameykemp.com]
Sent: Thursday, November 13, 2014 1:59 PM
To: wwwaters@aol.com
Cc: Brent Cowan; Penelope Karagounis
Subject: FW: Deerfield Creek Subdivision aka Providence Estates Subdivision in Indian Land

Penelope was kind enough to provide me the information below. I imagine Brent has this already. I have recommended that you contact Summit Engineering to prepare the Technical Memorandum. If you need further assistance we will be glad to provide you with a proposal.

Ramey F. Kemp, Jr., P.E., PTOE
Principal
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS
8307 University Executive Park Dr.
Suite 260
Charlotte, NC 28262
Ph: 704-549-4260 Cell: 919-302-2215

Proudly serving the Southeast since 1992

From: Penelope Karagounis [mailto:pkaragounis@lancastercountysc.net]
Sent: Thursday, November 13, 2014 11:07 AM
To: Ramey Kemp
Subject: Deerfield Creek Subdivision aka Providence Estates Subdivision in Indian Land

Ramey,

The conditions that the Planning Commission Approved on Tuesday, August 19, 2014 for the Deerfield Creek Subdivision aka Providence Estates:

1. Connectivity Index links/nodes variances
2. Roads had originally been requested to be private since Lancaster County is no longer accepting roads into the County Road system after December 31, 2015, Brent Cowan P.E. with the Isaacs Group stated that he felt that they could complete this project prior to non acceptance of roads therefore requesting that the roads would be public
3. We also need an Letter of Credit for Bonding of roads being damaged during the construction of the proposed subdivision (Cedar Terrace, Legacy Park Blvd, and Vance Baker Roads) and an established construction road

4. Sidewalks will be provided on both sides of the main access road (Providence Bridge Drive). Shoal Creek Drive and E.V. Roberts Lake Drive sidewalks will be provided on one side only
5. No access will be provided to the NC side per Ordinance 1191 approved on February 11, 2013
6. The Commission requested that a TIA be done to see what could possibly be done to improve the access to the proposed subdivision. **(Planning Staff went back and got permission from Planning Commissioner that a Technical Memorandum would be acceptable).**

Hope this information helps.

Thank you,

Penelope

Penelope G. Karagounis
Lancaster County Planning Director
P.O. Box 1809
Lancaster, SC 29721
(803) 285-6005 –Main Line
(803) 285-6007 – Fax Number

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Jon Hardy – My name is Jon Hardy and I live at 3434 Millstone Creek Road, Lancaster SC. I represent Lennar Carolinas, LLC. There is one thing that Penelope said that I would like to clarify. This is for the enjoyment of the back yard. In addition, I was requested when we rezoned this by the Planning Commission and the Council to save as many trees as we can. As you enter the community and the trees are actually shown on this shot; to the left there are grand trees that we hope to keep in the front yards of these lots. One of the reason we want to be able to encroach into the rear yard setback, I would like to be able to vary where I put the home on the home site. I believe I can save considerably more grand trees in the front yard if I can also allow the structure, either a deck, a screened porch, a sunroom, which would be considered part of the structure; and or the structure itself into that rear yard setback. I have a sunroom on the back of my house and in many cases because of the 45 foot rear yard setback; they won't be able to put that sunroom on. Or they can do a screened porch and they can't put the windows in and heat and air condition that space; so I would like it to be under consideration when requested that the way it is written is more than acceptable to Lennar Carolinas and it doesn't limit it to just screen porches. I would request that any portion of the structure can encroach into the 45 rear setback.

Jerry Holt – So you are recommending that it be approved as stated?

Jon Hardy – As stated, yes sir.

Vedia Hatfield made a motion to go into Public Hearing and Jerry Holt seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Ronald Pappas made a motion to go out of Public Hearing and Vedia Hatfield seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Ronald Pappas made a motion to approve and Jerry Holt seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

SD-014-005 – Deerfield Creek a/k/a "Providence Estates" – Subdivision application of Mr. Tom Waters with Union Lancaster Land Development, LLC., for a proposed subdivision Deerfield Creek a/k/a "Providence Estates" for approval of a proposed 41 lot subdivision to be built on a 59.45 acre tract of property. The applicant will require a variance on the connectivity index from 1.40 to less than 1.0.
Elaine Boone – Presented the report.

Brent Cowan – My name is Brent Cowan with The Isaacs Group. We have addressed all the comments with the exception of some of the things that Elaine mentioned. The one thing we haven't really got our hands around yet is the bonding of the construction road. By construction road I mean the primary access that construction vehicles will come into the site. I haven't been able to talk with Jeff Catoe. I need to discuss with him how we will do that. I don't know how you can bond something that we can't forecast. I know the intent is to protect the county road. The developer has committed to restrict his contractors from coming through Legacy Park and to only access the project through Shelley Mullis down Vance Baker. If that is not desirable we could come in Cedar Lane. The idea is not to come through Legacy Park. How do we bond something that we don't know is going to happen? What is the benchmark? Do we bond the whole road? That doesn't seem quite fair. We had an idea that we would catalog the state of the road today, whether it's Cedar or Vance Baker. We could video tape it and make some paint markings before the project starts and then after the project starts see how the roads deteriorate. The developer is committed to repair the damage that occurs between A and Z.

0Charles Deese – I think this is something you would have to work out with Jeff Catoe.

Elaine Boone – He is on vacation today but he will be back tomorrow and we can get with him on that.

Brent Cowan – In regards to the variance, as you can see the project was previously designed permitted and started construction. The roads and storm drainage is in, we would just be finishing up what's there. So we left the roads in the same place, the lots that were there with the original design were denser and much narrower. We lost our zoning and the zoning defaulted back to the R-45 so now we have much bigger lots. The roads are there and with the way that the project was carved up by the banks and the ownership entities when it went into default; I would claim that there is no way we can meet that 1.4 node to link ratio, connectivity ratio.

Jerry Holt – There were comments regarding the radius or the width of the cul-de-sac, do those meet code now? There is a comment in here indicating that it looks like the proposal was 70 feet and the requirement is 80 feet.

Brent Cowan – I don't recall that comment but if the quote is 70 or 80 feet, we will meet it.

Jerry Holt – It was email to you Elaine from Stephen Blackwelder on July 29th.

Charles Deese – They had increased the radius of the cul-de-sac sometime back due to the size of the emergency equipment that needed to turn.

Brent Cowan – We will certainly do that.

Jerry Holt – There was also a comment from Kenneth Cauthen regarding the location of the trees. He wants to see the trees behind the sidewalk rather than between the curb and the sidewalk.

Brent Cowan – My understanding of the comment was he didn't care where they went so long as we showed it and there was no uncertainty on where they would go; rather they were between the curb and sidewalk or behind it. We made the decision and on my cross section of the plans, I'm showing them behind the sidewalk.

Jerry Holt – So in the front yards?

Brent Cowan – Yes sir.

Jerry Holt – On the issue whether the roads are public or private. Obviously we've all seen situations where the developer had good intentions but due to economic or whatever other factors; have not been able to complete it in time. There is a statement in here indicating that the roads would be public but that needs to be a conditional statement because the council has taken the position that after December 31, 2015, they will not accept any other roads. I don't think we should accept anything right now that says definitively that they would be public; that has a time constraint with it, agreed.

Penelope Karagounis – That is correct.

Elaine Boone – Just go ahead and list them as private?

Jerry Holt – I don't think that we should take their expectation as the condition for determining right now that they would be public. If they are not completed and accepted by December 31, 2015, then they are going to be private. That way they know they are working with a clock and we are in conformance with the path that council seems to be on.

Penelope Karagounis – It did pass on August 11th, first reading.

Charles Deese – I think that's the way council's ordinance that they are working on states; any roads not complete by December 31, 2015 will be private roads.

Elaine Boone – You said something about the traffic impact analysis, Mr. Pappas?

Ronald Pappas – I would be looking for the follow up and the satisfactory resolution of all your comments, everybody's comments. You have it here to be approved contingent that all comments are addressed from local agencies, which includes us.

Penelope Karagounis – Just remember with your motion, this board can add conditions. If that is a condition then the board needs to make a motion and a second stating the condition. It is very important to state it in the motion.

Elaine Boone – Will this be continued then?

Penelope Karagounis – You do have the right to continue for another 30 days in order to hear back from Jeff Catoe regarding the bonding of the construction. That is up to the board.

Ronald Pappas – I think we are looking for resolution to our satisfaction from you guys. Whether the street is public or not; it's essentially out of our hands if in fact we place the conditions as the recommendation states. Then it's out of our hands and its back into yours.

Jerry Holt – The traffic impact analysis includes the issue regarding bonding or is that a separate point?

Elaine Boone – Brent did mention they could record a video of those roads and mark them all to show what is existing now. If approved and they get everything done, go back and take another video of those roads and see what kind of improvements need to be done.

Penelope Karagounis – In regards to the traffic impact analysis, we follow the ARMS Manual – South Carolina Department of Transportation. So with 41 lots based on that manual they were not required to have a traffic impact analysis but this board can request that if you are concerned with Vance Baker Road and Cedar Lane. That is stated in Chapter 13 of the UDO that this board has the right to ask for a traffic impact analysis. It has to be stated in the motion.

Jerry Holt made a motion to go into Public Hearing and Ronald Pappas seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Frank Traficante – I live in the Chastain Village at 5015 Monacan Way, Indian Land SC. I'm concerned about this development and its effect on the roads, both Vance Baker Road and Cedar Lane. Those are two narrow roads that are used by communities of Chastain Village and Legacy Park for recreation; people walk their dogs, ride their bikes and people take their kids out in strollers for walks. I'm concerned that construction traffic generated by this development will impact these people to the point where they won't be able to carry on these activities. These are two very narrow roads, especially Vance Baker. In some places two vehicles are unable to get by at the same time. Dump trucks and cement trucks coming down that road would present a danger to anybody else, including other vehicles. I would like for that situation be addressed before an approval is given for this development.

Ronald Pappas made a motion to go out of Public Hearing and Vedia Hatfield seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Ronald Pappas made a motion to approve contingent upon satisfactory resolution of all the comments made by all the local agencies including our planning staff, listed on page 125 of the documents that we have Section 3 (Conclusions & Recommendations); Jerry Holt seconded the motion.

Penelope Karagounis – That is including Page 125, the conclusions you stated?

Ronald Pappas – Conclusions and recommendations, it's all the same, include all of the letter recommendations from all of the local agencies.

Jerry Holt – Are there any viable alternatives for access to that property with the construction vehicles?

Elaine Boone – It would have to be Cedar Lane or Vance Baker one. It will be one of the two.

Ronald Pappas – Is there an opportunity from the North Carolina side?

Penelope Karagounis – There is a gated community.

Ronald Pappas – On this portion there is a roadway already; is there an opportunity for them to create a temporary construction access?

Penelope Karagounis – I believe that is private because……
That is something beyond my control. That is a private property owner.

Ronald Pappas – Certainly that is already stated to resolve this in these documents?

Penelope Karagounis – If you don't mind Mr. Pappas if you can read for the record, the conclusions so we all know.

Ronald Pappas – The plan distributed at the Lancaster County Planning Workshop had addressed most of the comments from the DRC on July 29, 2014 with the exception of the following:

1) Connectivity Index links/nodes variance 2) Roads had originally been requested to be private since Lancaster County is no longer accepting roads into the County Road System after December 31, 2015. I guess we go to number 3. 3) We also need an LOC for Bonding of roads being damaged during the construction of the proposed subdivision naming the streets (Cedar Terrace, Legacy Park Blvd., and Vance Baker Road) and a established construction road. 4) Sidewalks will be provided on both sides of the main access road (Providence Bridge Drive. Shoal

Creek Drive, and E.V. Roberts Lake Drive) sidewalks will be provided on one side only. 5) No access will be provided to the North Carolina per Ordinance 1191 approved on February 11, 2013. 6) The Planning Commission requested that a TIA be done to see what could possibly be done to improve the access to the proposed subdivision.

Penelope Karagounis – Everything else has pretty much been met, it's basically the traffic impact analysis. Mr. Cowan will be talking with Jeff Catoe for the bonding of the roads. Number 1, is a variance request that is submitted with this application; just remember with that motion, you have to approve the variance tonight because that is something that was submitted with the application.

Elaine Boone – Right.

Ronald Pappas – Improving the variance vs. us requesting the variance to be done by council.

Elaine Boone – This stops here.

Penelope Karagounis – This does not go to county council, this is a preliminary plan; so the one that they are requesting tonight is a connectivity index variance from this board. I understand your motion, you want them to follow all the conclusions and the recommendations but part of their application requested a variance for the connectivity index.

Charles Deese – Once the original request is approved, then we will have another motion to approve the variance to go with it. Is that not correct? We've got a variance request along with a subdivision preliminary plan application. If we approve the preliminary plan application with the stipulations so stated, then we can approve the variance on the connectivity for that subdivision. Do we not need to separate motions to do that?

Steve Willis – I would think so. Whichever is the subsidiary, if motion A is contingent upon motion B, then you would motion B first because there is no use doing A. I'm not sure under the planning rules which one is subsidiary……

Penelope Karagounis – We have a motion on the table and a second, so I guess the actual variance needs to go first?

Ronald Pappas – I would say the variance might need to go first.

Charles Deese – Can you give a variance to something that you have not already approved? You would approve the subdivision plan first and then approve the variance to go with it, would you not?

Ronald Pappas – I would like to.

Charles Deese – Would you not do it in that order?

Ronald Pappas – We can do it in that order.

Charles Deese – Thank you, Mr. Willis. We already have a motion on the table that did not mention the variance. That motion has a second and has been discussed.

Jerry Holt – I would like to clarify that has motion did include the requirement for the 80 foot radius in a cul-de-sac, because it referred to it as the other attachments from the other departments; also the trees in the front yard.

Charles Deese – As Brent stated, he talked with Kenneth Cauthen and Kenneth said he didn't care where he put the trees as long as he showed them on the map; and they are there behind the sidewalk. Do we need that in the motion if he has already done that?

Jerry Holt – OK

Penelope Karagounis – The preliminary plan that was submitted is with the connectivity index that you are asking for the variance. The design of the preliminary plan shows less than 1.4.

Brent Cowan – Yes.

Penelope Karagounis – Ok, if that being said, you have to approve that variance first so that we can then approve that plan. The actual preliminary plan does not work without the variance. Can you remove the motion?

Charles Deese – Let's remove the motion.

Ronald Pappas – Mr. Chairman, I would like to withdraw my motion.

Charles Deese – The second withdraws also.

Jerry Holt – Second.

Charles Deese – That motion has been withdrawn.

Penelope Karagounis – That is why we need a county attorney to be at all the planning commission meetings.

Charles Deese – Question now is connectivity, the developer has asked for a variance on the connectivity for less than 1. I think that's stated and do I have a motion?

Jerry Holt made a motion to approve the variance and Ronald Pappas seconded the motion.

Ronald Pappas made a motion to approve contingent upon satisfactory resolution of all the comments made by all the local agencies including our planning staff, listed on page 125 of the documents that we have Section 3 (Conclusions & Recommendations); Jerry Holt seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

Penelope Karagounis – This was an approval for the variance for the connectivity index for the preliminary plan for Deerfield Creek.

Charles Deese – Now we will go back to the preliminary plan. Do I have a motion?

Ronald Pappas made a motion to approve contingent as stated in the conclusions and recommendations page 125 of our study document that Deerfield Creek, aka Providence Estates be approved contingent to the county's satisfactory resolution of all comments that are addressed from the local agencies; Vedia Hatfield seconded the motion.

Charles Deese – Would you like to restate the motion before we vote? Does everyone understand the motion?

Ronald Pappas – I make the motion for approval for Deerfield Creek aka Providence Estates to be approved contingent upon all of the comments that are addressed from the local agencies as in the report given to us on page 125 and all of the inclusive documents in our workbook.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

Time is 8:18pm – Break – Start back at 8:25 pm

DA-014-006 – Bonterra Builders (Barber Rock South) has submitted an application to enter into a development agreement with Lancaster County. The site is located in the panhandle area of the County along Barberville Road (Tax Map 6, Parcels 53, 53.01, and 53.02). The site contains a total of 83.82 acres.
Penelope Karagounis – Presented the report.

Ronald Pappas – We are not voting on anything tonight, we are sending comments back.

Charles Deese – It's a recommendation to accept or exclude…..

Penelope Karagounis – If there are comments, then with your motion you need to state them with your recommendation. We are voting tonight.

Charles Deese – A public hearing also.

UDO-TA-015-002 – Proposed text amendment to the Lancaster County Unified Development Ordinance by Lancaster County to amend the text of Chapter 4 Conditional and Special Exception Uses, Section 4.1.7 Convenience Centers, Subsection 2. {Public Hearing} pgs. 79-83

Nick Cauthen

Date of P.C. Meeting: 2-17-15
__Approved __Denied __No Action

PLANNING STAFF REPORT: TA-015-002

I. FACTS

A. GENERAL INFORMATION

The following is a proposed text amendment to the Lancaster County Unified Development Ordinance by Lancaster County to amend the text of Chapter 4 Conditional and Special Exception Uses, Section 4.1.7 Convenience Centers, Subsection 2.

Section 4.1.7 Subsection 2

OLD TEXT: Facilities shall be located a minimum of 500 feet away from any religious institution, school, historical place, public park, day care center, or existing residential use or district.

PROPOSED TEXT: The active waste handling area of a convenience center shall not be located within one hundred (100) feet of any property line. The active waste handling area of a convenience center shall not be located within two hundred (200) feet of any residence, school, hospital, religious institution, day care center, or recreational park area.

B. EXHIBITS

1. UDO – Chapter 4 Section 4.1.7 (Convenience Centers)
2. UDO – Chapter 4 Section 4.2.8 (Solid waste storage and transfer facilities, waste tire treatment sites, and composting facilities) (Resource for text amendment)

II. FINDINGS

The text amendment is to amend Chapter 4 Conditional and Special Exception Uses, Section 4.1.7 Convenience Centers, Subsection 2. The proposed text amendment if adopted would give Lancaster County a wider array of options in regards to siting a Convenience Center Facility. The current language in the ordinance severely restricts the locations in which such a facility is possible. The proposed text places the same location restrictions on Convenience Facilities as there currently are on Solid Waste Transfer Facilities. The definitions for the two as found in the Lancaster County Unified Development Ordinance are cited below:

CONVENIENCE CENTER: The combination of structures, machinery, or devices utilized to separate, process, and store collected solid waste and recyclables so that component materials or substances or recoverable resources may be used later as a raw material or energy source. Operation is limited to the public disposal and

deposition of solid waste and recyclables. Municipal and industrial disposal is excluded.

SOLID WASTE TRANSFER FACILITY: A combination of structures, machinery, or devices at a central collection place or facility where solid waste is taken from municipal and private industrial collection vehicles and placed in other transportation units, with or without volume reduction, for movement to another solid waste management facility.

By approving the text amendment it would help the county plan for future convenient center locations. The restriction of a minimum of 500 feet away from a residential district makes it difficult to find a location. We believe the amendment will not unfairly infringe upon adjacent residents in the area.

III. RECOMMENDATION

It is the recommendation of the planning staff that the above text amendment be **APPROVED.**

LANCASTER COUNTY
SOUTH CAROLINA

APPLICATION TO AMEND OR CHANGE THE TEXT OR MAP OF THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE

Do Not Write In This Box

Application No. UDO-TA-015-002 Date Received 1-20-15 Fee Paid —

1. The application is for amendment to the: (check one)

   ☐ District Boundary Map (fill in all items #2,3,4,5,6,7,&9 only)

   ☑ Ordinance Text (fill in items # 8 & 9 only)

2. Give either exact address or tax map reference to property for which a district boundary change is requested: _____

3. How is this property presently designated on the map? _____

4. How is the property presently being used? _____

5. What new designation or map change do you purpose for this property? _____

6. What new use do you propose for the property? _____

EXPLAIN UNDER ITEM #9 WHY THIS AREA SHOULD BE REDESIGNATED OR CHANGED.

7. Does the applicant own the property proposed for this change? ☐ YES ☐ NO If no, give the name and address of the property owner and attach notarized letter from property owner:

   _____

   _____

8. If this involves a change in the Ordinance text, what section or sections will be affected? _____

   4.1.7 CONVENIENCE CENTERS

9. Explanation of and reasons for proposed change: CONFORM TO SECTION 4.7.8 DUE TO PROBLEMS WITH SITING SUCH A FACILITY.

   (use back of form if additional space is needed)

NOTE: *It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.*

APPLICANT'S NAME (PRINT)
LANCASTER COUNTY

ADDRESS:
PO Box 1809
LANCASTER, SC 29721-1809

Phone: 416-9300

SIGNATURE

Section 4.1.7 Convenience centers.

1. *Reserved.*
2. ~~Facilities shall be located a minimum of 500 feet away from any religious institution, school, historical place, public park, day care center, or existing residential use or district.~~ The active waste handling area of a convenience center shall not be located within one hundred (100) feet of any property line. The active waste handling area of a convenience center shall not be located within two hundred (200) feet of any residence, school, hospital, religious institution, day care center, or recreational park area.
3. All buildings and structures involved in the operation of this type of facility shall be a minimum of 75 feet from the centerline of any public road. All recyclable materials shall be kept behind all buildings and structures involved in the operation. Such parcels shall have direct access to a collector or arterial street. Access roads/easements shall maintain a minimum travel surface of 18 feet and have a width of 30 feet at the entrance intersection with a collector or arterial street so as to accommodate truck traffic.
4. Facilities shall be screened by a Type 4 buffer yard, as defined in Chapter 12. Where the required buffer yard is to be installed adjacent to a residential district or use, all plants used to meet this requirement shall be evergreens.
5. All exterior storage of material shall be in sturdy containers or enclosures which are secured and maintained in good condition, or shall be baled or palletized. Storage containers for flammable material shall be constructed of nonflammable material. Materials such as woodchips or other large bulky items shall be exempt from having to be placed in containers or enclosures.
6. Sites shall be maintained free of litter and all other undesirable materials, shall be cleaned of loose debris on a daily basis, and shall be secured from unauthorized entry and removal of materials when attendants are not present.
7. Space shall be provided on-site for customers to circulate, park and deposit recyclable materials and solid waste.
8. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.
9. All applicable permits shall be obtained from the SCDHEC and any other permitting agency.

(Ord. No. 1073, § 1, 12-29-10)

Section 4.2.8 Solid waste storage and transfer facilities, waste tire treatment sites, and composting facilities.

All solid waste transfer facilities must meet the following requirements unless otherwise approved by the county:

1. *Reserved.*
2. *Reserved.*
3. The active waste handling area of a transfer facility shall not be located within one hundred (100) feet of any property line. The active waste handling area of a transfer facility shall not be located within two hundred (200) feet of any residence, school, hospital or recreational park area.
4. The solid waste transfer facility shall be located on a parcel containing a minimum of five (5) acres.
5. A Type 4 Buffer yard shall be installed along all property boundaries. All plants used to meet this requirement shall be evergreens.
6. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. Storage containers for flammable material shall be constructed of nonflammable material.
7. The site shall be maintained free of litter and all other undesirable materials, and shall be cleaned of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present.
8. Space shall be provided on site for vehicles to circulate, park, and deposit materials and solid waste.
9. All applicable permits shall be obtained from the SCDHEC and any other permitting agency and all the agency regulations shall be followed.
10. The solid waste transfer facility shall have direct access to either a collector or arterial street. Access roads/easements shall maintain a minimum travel surface of 18 feet and have a width of 30 feet at the entrance intersection with a collector or arterial street, so as to accommodate truck traffic.
11. *Reserved.*
12. *Reserved.*
13. *Reserved.*

(Ord. No. 1018, 2-22-10; Ord. No. 1073, § 5, 12-29-10)

PDD-26 (U.S. Trust-Collins Road) and/or Ordinance 959 – Penelope Karagounis

Clarify issues with regard to Lancaster County Ordinance #959 and PDD-26 with respect to the 411 acres Collins Road development site, also known as the Queensbridge Development. {Public Hearing} pgs. 84-98

Lancaster County Planning Department
101 N. Main St., Ste. 108
P.O. Box 1809
Lancaster, South Carolina 29721-1809

Telephone (803) 285-6005
Fax (803) 285-6007

January 27, 2015

RE: PDD-26 (U.S. Trust-Collins Road.) and/or Ordinance 959

To whom it may concern:

As you may be aware, Lancaster County has undertaken to clarify certain issues with regard to Lancaster County Ordinance Number 959 and PDD-26 with respect to the four hundred and eleven (411) acre Collins Road development site, also known as the Queensbridge Development. By way of background, it came to the attention of Lancaster County that this ordinance, which was originally approved through third reading with the Lancaster County Council in December 2008, and was subsequently recorded by Scrivener's Error on August 27, 2012, contained discrepancies between the ordinance recorded in 2012 and the original ordinance which was approved in third reading by County Council in 2008. As such, in consultation with several interested parties, we have prepared and proposed a new ordinance to clarify this issue and ultimately record the version of the aforementioned ordinance which was approved through third reading by County Council in 2008. A copy of that proposed ordinance, with an explanatory preface, is enclosed herewith for your review.

As is the customary practice, this new proposed ordinance will be reviewed at the Lancaster County Planning Commission Workshop and open to public comment at the upcoming Lancaster County Planning Commission Meeting and Public Meeting, as well as three readings by Lancaster County Council. The dates are the following: Planning Workshop on Thursday, February 5, 2015 at 5:00 p.m.; Planning Commission Meeting with Public Hearing on Tuesday, February 17, 2015; and the tentative County Council meetings will be on Monday, March 9, 2015, Monday, March 23, 2015, and Monday, April 13, 2015, however, it should be noted that this proposed ordinance is solely to clarify the original language in the 2008 version of PDD-26 which was approved in the third reading by the Lancaster County Council in 2008.

Thank you in advance for your attention to this matter and please do not hesitate to contact the Lancaster County Planning Department if you have any questions or need any additional information at this time.

Very truly yours,

Penelope G. Karagounis
Lancaster County Planning Director

Enclosure

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

Ordinance No. _____

AN ORDINANCE

TO ESTABLISH THE 411 ACRE COLLINS ROAD SITE PLANNED DEVELOPMENT DISTRICT (PDD-26); TO APPROVE THE MASTER PLAN FOR THE DEVELOPMENT; AND TO APPROVE THE REGULATIONS FOR THE DEVELOPMENT OF THE PROPERTY AND OTHER MATTERS RELATED THERETO.

WHEREAS, LANCASTER COUNTY ORDINANCE 959, WHICH ORIGINALLY ESTABLISHED PDD-26, RECEIVED THIRD READING FROM THE LANCASTER COUNTY COUNCIL ON DECEMBER 1, 2008, AND WAS PASSED ON THAT DATE, HOWEVER, NOT RECORDED; AND

WHEREAS, A DIFFERENT VERSION OF LANCASTER COUNTY ORDINANCE 959 WAS SUBSEQUENTLY ORDAINED BY THE LANCASTER COUNTY COUNCIL BY SCRIVENER'S ERROR ON AUGUST 27, 2012, AND RECORDED; AND

WHEREAS, THE LANCASTER COUNTY COUNCIL SEEKS TO CLARIFY PDD-26 BY ADOPTION AND RECORDING OF THIS ORDINANCE, WHICH SHALL SUPPLANT AND REPLACE THE AFOREMENTIONED PRIOR VERSIONS OF ORDINANCE 959 AND PDD-26 NOT CONSISTENT HEREWITH, HOWEVER, THIS CLARIFICATION DOES NOT CONSTITUTE AN AMENDMENT OR REZONING OF THE SUBJECT PROPERTY; AND

WHEREAS, THIS CLARIFICATION DOES NOT AFFECT THE ORIGINAL ENACTMENT DATE FOR THE PLANNED DEVELOPMENT DISTRICT AND DEVELOPMENT AGREEMENT REFERENCED HEREIN; AND

WHEREAS, THE CLARIFICATION OF PPD-26 AND ADOPTION AND RECORDING OF THIS ORDINANCE SHALL NOT OTHERWISE AFFECT THE DECISION OF THE LANCASTER COUNTY PLANNING COMMISSION DECISION ON JANUARY 21, 2014.

BE IT ORDAINED BY THE COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA:

Section 1. Citation. This ordinance may be cited as the 411 Acre Collins Road Site Planned Development District (PDD-26) Ordinance or as the PDD-26 Ordinance.

Section 2. Purpose; PDD-26.

(a) The purpose of this ordinance is to establish the 411 Acre Collins Road Site Planned Development District (PDD-26), to approve the Master Plan for the development and to provide for the regulations that apply to the development of the property.

(b) The 411 Acre Collins Road Site development is a mixed use master planned community, comprised of a combination of residential, employment, flex office/retail, institutional,

and open space uses organized around an integrated development concept that utilizes a series of villages or components that support the various land uses (the "Development" or "PDD-26").

Section 3. Authority. This ordinance is enacted pursuant to the authority of Chapter 29, Title 6 of the Code of Laws of South Carolina 1976, as amended, and the Unified Development Ordinance of Lancaster County, as amended (the "UDO").

Section 4. Jurisdiction. This ordinance applies to the property known as the 411 Acre Collins Road Site development which consists of approximately 411 acres (the "Property"). The Tax Map Number for the property is 0010-00-00-061.

Section 5. Official Zoning Map. The Official Zoning Map is amended to show the Property as a Planned Development District (PDD-26).

Section 6. Master Plan. The master plan, attached hereto as Exhibit A and incorporated into this ordinance by reference, is approved (the "Master Plan").

Section 7. Master Plan Amendments.

(a) Unless otherwise provided in this ordinance, all amendments to the Master Plan shall be made in accordance with the UDO.

(b) Development depicted on the Master Plan is intended to reflect a generalized arrangement of proposed land uses on the site, but the exact configuration, placement or size of the individual site elements may be altered or modified within the limits prescribed by this ordinance during the design and development and construction phases.

(c) Changes in land use from those depicted on the Master Plan may be made subject to the following conditions:

(1) Lot sizes and mixtures may be adjusted and moved throughout villages, provided, that, the minimum lot size is not less than 7,800 square feet and the lot width is not less than 60 feet for single family residential lots or 20 feet for multi-family lots. The total lot count shall not exceed 510 for Villages A, B, C, D, & E.

(2) Village F may be developed with a combination of either one or more of the following uses: multi-family housing, apartments, and/or flex/office/retail space. The mixtures of uses in Village F may be adjusted, provided, that Village "F" shall not contain more than 150 multi-family housing units, and/or 300 apartments and/or 250,000 square feet of flex/office space.

(3) Village G may be developed with flex/office/commercial/retail space, provided, that the total combined building floor area shall not exceed 500,000 square feet.

(4) Village H may be developed with a combination of either one or more of the following uses: hospital or medical institutional living and/or office space. The mixture of uses may be adjusted, provided, that, Village H shall not contain more than 150 dwelling units and/or 150,000 square feet.

(5) Areas designated for recreational or open space use for any Component may be increased or decreased in size up to twenty percent (20%) of any Component, provided, that a decrease in one Component shall be offset by an equivalent or greater increase in one or more other Components in recreational area or open space.

(6) Park/Recreation or Civic uses may be developed anywhere within the boundaries of Village D, provided, that the location of the Park/Recreation or Civic use shall not cause a decrease in the overall number of lots allowed within Village D.

(d) Alterations may be made to lot lines and dimensions, roadway alignments, and other configurations as necessary to implement the changes in land use authorized in subsection (b) of this section.

(e) Land use changes authorized by this section are effective upon the property owner filing with the Planning Department a document showing the change.

Section 8. Land Uses.

(a) The land uses authorized for the Development are as follows:

(1) Villages A, B, C, D, & E: Single-family residences and multifamily residences including duplexes.

(2) Village F: Multifamily residences including duplexes and apartments and flex office/commercial/retail.

(3) Village G: Flex office/commercial/retail.

(4) Village H: Hospital or medical institutional living or associated office space.

(b) Each Village may be developed with any land use allowed in the Table of Permissible Uses as contained in the UDO for the respective land use district designation (residential, commercial) unless otherwise provided in this ordinance.

(c) The following land uses are prohibited in PDD-26:

(1) Adult entertainment;

(2) Auto business, etc.;

(3) Automobile wrecking and/or junk, salvage yard;

(4) Commercial kennels;

(5) Industrial mining;

(6) Livestock auction house;

(7) Lumber and/or building materials dealer;

(8) Manufactured home type units;

(9) Modular housing;

(10) Motorized race and testing track;

(11) Pistol, rifle, skeet range or turkey shoot;

(12) Private or commercial horse stables; and

(13) Rooming and boarding houses.

(d) In areas designated for flex office/commercial/retail use, residential uses are allowed on ground floors of the office, commercial or retail building and on floors above the office, commercial or retail use. Office, commercial or retail uses are allowed on any floor of an office, commercial or retail building.

Section 9. Definitions. In this Ordinance, each of the following terms shall have the meaning assigned to it:

Apartment Housing - Multiple for rent dwelling units which are attached vertically or horizontally with shared access, parking, and open space.

Attached Housing - A single dwelling unit attached to another dwelling unit on one or more sides.

Civic Use - Police stations, libraries, daycare facilities, fire stations, emergency medical service stations, meeting halls, recreational facilities, government buildings, museums, schools, performing arts centers, religious buildings, picnic areas, recreation centers, public park or any other cultural, civic or social use.

Commercial Use - Business and retail establishments providing consumer services and products.

Cul-de-sac- Cul-de-sac length shall be measured from the first point of intersection with an existing street, to the center radius of the cul-de-sac bulb.

Detached Housing - A single dwelling unit not attached to any other dwelling unit, with an open yard on all sides of the structure.

Flex Office / Commercial / Retail - Hybrid of mixed office, flex office, and commercial I retail uses included on the commercial sites on 411 Acre Collins Road Site that are allowed per PDD-26 ordinance.

Flex Office- A mixture of office space, showrooms, light assembly, distribution, and/or warehouse uses within a building.

Institutional Use - Schools, religious buildings, hospitals or other care facilities, and other private or public facilities that support the community.

Land Use Designations- the use to which a particular area of the Property may be put as shown on the Master Plan and described more particularly in Section 10.

Master Developer - UHF Development, Coleman & Associates, The Tuttle Company or a successor owner to whom UHF Development, Coleman & Associates, The Tuttle Company sells the entire Property, and not just a portion of such Property.

Master Plan- the conceptual master plan for the development of the Property.

Multi-Family Housing- Any group of attached housing containing two or more dwelling units on a single lot. Multi-family housing may include but not be limited to the following: duplexes, quadraplexes, townhouses, apartments, and condominiums.

Office Use- Business, professional, service, or governmental occupations, and institutions and commercial activities not involved with the sale of merchandise.

Open Space - any open space designated for use as Park Amenity Center Site/ Facilities Floodway, Floodplain and/or Open Space on the Master Plan.

Property - all of the land comprising the 411 Acre Collins Road Site (PDD-26) development.

Property Owner - The Master Developer of the Property or, as to a particular Component, any single sub-developer the Property Owner designates in an Assignment of Property Owner Rights.

Residential - any residential land use permitted in the Unified Development Ordinance.

Retail Use - Any use associated with the sale of consumer goods, products or merchandise.

Villages- any one of the Components depicted on the Master Plan.

Section 10. Development Regulations.

(a) Unless otherwise provided in this ordinance, the development of the Property must comply with the UDO. To the extent that this ordinance may contain zoning and development standards which conflict with zoning and development standards contained in the UDO, the standards contained in this ordinance control and supersede the UDO provision.

(b) The provisions of the Carolina Heelsplitter Overlay District (Section 2.1.2 of the UDO, as added by Ordinance No. 901, and as may be amended) apply to the Property.

(c) Notwithstanding the applicable provision of the UDO, the following development regulation applies to the development of the property:

(1) Block and Roadway Configuration- Block lengths, block widths, and cui-de-sacs may vary, provided, that it does not exceed 800 feet and adequate fire protection criteria is maintained.

(2) Sidewalks and Public Crosswalks -- Connectivity shall be provided through the use of sidewalks to link various areas of the site. Sidewalks will be provided on one side of the secondary streets and along both sides of all major roads in the community and the entrance road.

(3) Driveways- No restriction applies to the location of driveways for non-residential uses, provided, that all access roads into the subdivision or commercial areas from U.S. 521, Collins Road, Shelley Mullis Road, and other surrounding roads are subject to approval by the South Carolina Department of Transportation ("SCDOT").

(4) Buffers - Buffers and setbacks, for the perimeter of the development, shall be in accordance with Section 13.12 of the UDO unless otherwise specifically provided in this ordinance. An internal Type 3 25' buffer, meeting the requirements of Section 12.9 of the UDO, shall be provided between the internal residential and commercial uses of the development.

(5) Parking- Parking shall be provided in accordance with Section 17 of this ordinance.

(6) Open Space requirements- For purposes of applying Section 17.1(2)(b)(l) of the UDO to the development, the narrow strip of common area must be at least twenty-five feet (25') in width.

(7) Open Space requirements- For purposes of applying Section 17.1(2)(a) of the UDO to the development, sidewalk and utility crossings and any associated improvements required to construct and maintain such crossings, encroachments or facilities may be included in the areas designated for incorporation into the development's Open Space calculations.

(8) Flood way Restrictions - In addition to the uses allowed by Section 16.1.3.2 of the UDO for land within a floodway, the following uses are allowed: (i) Open Space and non-buildable portions of single family residential lots; and (ii) roadway crossings, utility crossings and any associated improvements necessary to develop such crossings.

(9) Floodplain restrictions -- In lieu of the provisions of Section 16.1.4 of the UDO, the following requirement shall apply: No building or fill material shall be located within a distance of the stream bank equal to five (5) times the width of the stream at the top of the bank area unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(10) Submission Requirements -- Environmental Characteristics of the Site - When submitting flood frequency information as a part of the subdivision approval process, the person seeking subdivision approval is required to submit only one hundred (100) year frequency flood information, provided, however, buildings or fill material shall not be placed within a FEMA one hundred (100) year floodplain without a LOMR-F.

(11) Connectivity-- The minimum connectivity index for PDD-26 is 1.0.

Section 11. Density/Intensity.

(a) Development intensity for a particular use shall not exceed the following use densities:

Land Use	Density/Intensity	Total Number of Acres/Units/ Facilities
Single Family Village Villages A, B, C and D	4 Dwelling Units/ acre, on average	Up to 350 Units
Multifamily Village E	8 Dwelling Units/ acre, on average	Up to 160 Units
Mixed Use Village F		
Multifamily	150 Units	Up to 47 Acres
Apartments	300 Units	Up to 47 Acres
Flex/Office	250,000 square feet	Up to 47 Acres
Flex/Office/Commercial/ Retail Village G	500,000 square feet	Up to 73 Acres
Hospital or Medical	150,000 square feet	Up to 15 acres
Institutional Living/ Office Village H	150 Units	Up to 15 acres

(b)(1) The Property Owner may vary the intensity of development within any Component or any use category of any Component on one or more occasions by up to thirty percent (30%) without further approval, provided, that the total number of overall units of residential housing and the number of total acres of retail commercial within the overall development does not increase from the maximums stipulated on the Master Plan.

(2) Density calculations for the Development apply only to Villages A, B, C, D, & E. Density for Village F is in addition to the density for Villages A, B, C, D and E, provided, that the density for Village F must not exceed 150 units if developed as multi-family, 300 units if developed as apartments, or 250,000 square feet if developed as Flex/Office space or a combination of the three uses.

(c)(1) The Property Owner may transfer development uses or intensity (the number of residential units or the number of acres devoted to any particular use) within the Property by transferring density or portions of the commercial square footage from any component or area within the Property to any other Component or area within the Property, so long as the total intensity of development within the Property as a whole (measured in total number of residential units or acreage, as applicable) does not increase. If any density (total number of dwelling units or building area of commercial property) allocated to a Component by an Assignment of Property Owner Rights is not utilized, as determined with reference to approved site plans for all areas within the Component, the unused density shall revert to the Master Developer for allocation to any other Component.

(2) As used in this subsection, "Assignment of Property Owner Rights" means a written instrument in recordable form by which the property owner assigns its rights as property owner under this ordinance to another person or entity with respect to a particular Component designated in the Assignment of Property Owner Rights. The Assignment of Property Owner Rights may include such limitations on the assignee as the property owner desires including, without limitation, restrictions on the type of units that may be constructed within a Component, the location where those units may be constructed within the Component, the number of units of a particular type that may be constructed within the Component, the minimum lot requirements for the Component (including requirements for setback, lot area, building height, lot width, buffers, and number of units per lot). All restrictions contained within the Assignment of Property Owner Rights are binding on the assignee and each person who ultimately owns any real estate within the designated Component. Any such limitations shall be in addition to any private contractual restrictions placed upon all or any part of any Component by the property owner.

(3) The Property Owner shall issue a certificate stating the maximum development intensity allowable on any tract within the Property consistent with this ordinance prior to the sale of any such parcels or before building permits are issued for that specific area of the property. The certificate will state the number of dwelling units and/or the amount, in acres, of Commercial, Retail, or Office uses, as applicable, that may be developed on the applicable various tracts. The property owner must file a copy of the certificate with the Planning Department. The County shall be responsible for creating and maintaining a record of the number of dwelling units and/or acres allocated to each tract as well as the total number of dwelling units or floor area actually constructed on each tract.

Section 12. Setbacks and Yards. (a) All lots within PDD-26 shall meet or exceed the following setback and yard requirements from a public right of way:

Land Use	**Min. Setback**	**Min. Side Yard**	**Min. Rear Yard**
Single Family Village "A, B, C, & D"	20'	7'	25'
Multi-Family Village "E"	20'	7'	25'
Mixed Use Village "F"	25'	5'	15"
Flex/Office/ Commercial/ Retail Village "G"	25'	5'	15'
Hospital or Medical	25'	5'	15'
Institutional Living/ Office Village "H"	25'	5'	15'
Park/Open Space	20'	10'	20'

(b) The setbacks on internal private roads and parking within a commercial, office, or institutional use development will have no setback requirements.

(c) Eaves, cornices, chimneys, gutters, vents and other minor architectural features may project up to 24" into the setback area.

(d) HVAC equipment may encroach 4' into side or rear yards. HVAC units shall be located on opposite sides of the lots for adjacent homes, in prevention of HVAC units being located next to each other.

(e) Alley product is allowed in Village "D" with the 60 min lot width. If alley loaded product is utilized in Village D than the rear yard shall be 10' from the edge of the alley for those lots.

(f) Setbacks along a private road within a residential/ multi family use shall be measured from the back of curb.

Section 13. Building Height. (a) Maximum building heights must comply with the UDO unless otherwise authorized in this item:

Land Use	**Maximum Building Height**
Single Family Village "A, B, C, & D"	35'
Multi-Family Village "E"	35'
Mixed Use Village "F"	50'
Flex/Office/Commercial/Retail Village "G"	50'
Hospital or Medical Institutional Living/ Office Village "H"	50'
Park/Open Space	N/A

(b) A sprinkler system is required for non-residential structures greater than 35 feet in height. No structure may be over 50' in height unless approval is obtained from the emergency preparedness department and the building and zoning department.

Section 14. Lot Size. (a) All lots shall have the minimum number of square feet (sf) indicated in the following table:

Land Use	**Minimum Lot Size***
Single Family Village "A, B, C, & D"	7,800 S.F. (detached)
Multi-Family Village "E"	1,000 S.F. (attached)
Mixed Use Village "F"	
Office/Retail	7,000 S.F

Multifamily	1,000 S.F. (attached)
Apartments	600 S.F. (attached)
Flex/Office/Commercial/Retail Village "G"	7,000 S.F.
Hospital or Medical Institutional Living/ Office Village "H"	7,000 S.F.
Park/Open Space	No Minimum

(b) Lot size excludes road right-of-way, common open space, easements, 100 year floodplain, and other areas within a subdivision that typically are not controlled or developed by the lot owner.

Section 15. Lot Width. All lots shall meet or exceed the minimum widths indicated in the following table:

Land Use	**Minimum Lot Width**
Single Family Village "A, B, C, & D"	60' (detached)
Multi-Family Village "E"	20' (attached)
Mixed Use Village "F"	
Office/Retail	20'
Multifamily	20'(attached)
Apartments	20'(attached)
Flex/Office/Commercial/Retail Village "G"	60'
Hospital or Medical Institutional Living/ Office Village "H"	60'
Park/Open Space	No Minimum

Section 16. Buffers.

(a) A perimeter buffer is not required where the uses are adjacent to an existing or proposed road. The border of the proposed PDD that is not adjacent to a road must be buffered by a minimum of 40 foot buffer. Where steep topography is present, pedestrian/vehicular access, utility easements, or sidewalks are needed, grading will be allowed in these buffers. The buffer yards are to remain as open space, except to the extent necessary to accommodate berms, walls, fences, signs and graphics, lighting fixtures, access points, drainage easements, utility lines and other facilities, and other uses identified in the UDO. Where there is an insufficient natural buffer, plantings may be installed by

the developer at the developer's discretion. If the use is adjacent to a similar use, on an adjacent tract, this perimeter buffer may be removed with approval of the Planning Department.

(b) There shall be an internal buffer between residential and commercial uses consisting of a 25' Class 3 buffer in accordance to Section 12.9 of the UDO.

(c) If the Property Owner can demonstrate to the Planning Director that the topography or elevation of a development site, the size of the parcel to be developed, or the presence of a greenway, buffer or screening on adjacent property would make strict adherence to the buffer requirements of the UDO serve no meaningful purpose, then the Planning Director shall waive the buffer requirements for that site.

(d) Along the property line of the PDD that is adjacent to Lancaster County Tax Map Number 0010-00-060.04 and Lancaster County Tax Map Number 0010-00-060.02, there shall exist a fifty foot (50') undisturbed buffer.

Section 17. Parking.

(a) All uses within the PDD may utilize on street and/or alley parking to meet the requirements of Section 11.2 of the UDO. If parking is allowed on any road within this development regardless of which section it is allowed in, the road must be wide enough to allow the parking of vehicles on the street and the travel width of the road must be at least 24 feet excluding the parking areas. Multi level / commercial parking garages are an allowed use in Villages "H", "G", and "F" of the PDD.

(b) For commercial and retail uses and institutional uses, one parking space must be provided for each 300 square feet of gross acreage.

Section 18. Roadways and Traffic.

(a) The number, location and alignment of the internal roadways shown on the Master Plan may be modified, provided that they are constructed in conformance with the roadway design and construction standard set forth in this section.

(b) All internal roadways shall be built to the County's construction standards set forth in the UDO except as otherwise specified in (c) through (e) of this section.

(c) Any portion of the Property may have private roads.

(d) All internal roads will be constructed with curb and gutter.

(e) All internal roadways will be constructed in accordance with the following minimum standards:

	Street Standards	**R/W Width**
1. Local Limited Res Street	20' Asphalt 24' BC/BC	40' r/w

2. Local Residential	22' Asphalt 26' BC/BC	50' r/w
3. Residential Collector Street	32' Asphalt 36' BC/BC	60' r/w
4. Private Street/Drive Townhomes/Commercial/ Office/Institutional)	20' Asphalt 23' BC/BC (Standard 1' – 6" Curb)	30' Clear Zone

(t) All connections to SCDOT roadways must meet SCDOT regulations and be approved by SCDOT.

(g) Alleys per Lancaster County Standards are allowed in Village "D".

Section 19. Street Lighting.

(a) Community street lighting shall be provided within the Property, and shall be designed and constructed in accordance with the requirements of this section and the UDO.

(b) All community street lighting within each Component shall be of uniform design and all lighting throughout the Property shall be complementary.

(c) The community street lighting shall be part of an overall street lighting program for the Property. The street lighting shall be maintained and operated by the appropriate electric utility, a property owners association, or some other non-profit entity.

(d) Nothing in this section shall be construed to limit or otherwise impair the ability of any individual resident or lot owner to construct or install lighting anywhere on such resident's or owner's lot. Such lighting, however, shall be appropriately shielded so that it does not interfere with the reasonable enjoyment of neighboring properties.

Section 20. Model Homes and Other Buildings. Prior to the installation of water and sewer for the development or any of its components, the developer may be issued not more than ( ) building permits of which ( ) may be for model single family residences for sale ("Model Homes"), one (1) may be for a welcome center and ( ) for sales office. The Model Homes may be connected to temporary water and sewer services, including septic tanks, provided, that the Model Homes shall be connected to central water and sewer services as soon as the central services are available. Prior to issuing the building permits for the Model Homes, the developer shall provide the County with proof of applicable approvals by other government entities, including, but not limited to the South Carolina Department of Health and Environmental Control. Except for the water and sewer connections, the Developer must comply with all ordinary requirements for the issuance of building permits including, but not limited to, any then applicable county-wide building, housing, electrical, plumbing, and gas codes. A certificate of occupancy for the Model Homes shall not be issued until the Model Homes are connected to central water and sewer service and must meet otherwise applicable requirements. The absence of a

certificate of occupancy does not prevent developer from using the Model Home for Model Home purposes.

Section 21. **Mass Grading and Timber Harvesting.** The Property Owner may mass grade all or any portion of the Property, sell or relocate excess soils resulting from such mass grading, and harvest and process timber within the Property, provided, that, the Property Owner complies with section 12.11 of the UDO.

Section 22. **Open Space.** Storm water detention facilities may be included as Open Space.

Section 23. **Severability.** If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 24. **Controlling Ordinance.** To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 25. **Effective Date.** This ordinance is effective upon third reading.

AND IT IS SO ORDAINED THIS _____ DAY OF _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Chair, County Council

_____
Secretary, County Council

Approved as to form:

_____
County Attorney

ATTEST:

_____
Debbie Hardin, Clerk to Council

1st reading:
2nd reading:
3rd reading:

EXHIBIT A

411 Acre Collins Road Site

Planned Development District (PDD-26)

Master Plan

See attached.

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