

# LANCASTER COUNTY PLANNING COMMISSION

August 18, 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 – July 09, 2015 Workshop Minutes & July 21, 2015 Regular Minutes		Chairman	
Chairman’s Report - Welcome		Chairman	
Director’s Report – DRC Cases and UDO rewrite update		Penelope Karagounis	
<b>RNC-015-007</b> – Road Name Change Application –Downing Street {Public Hearing} pgs. 1-8		Andy Rowe	
<b>RNC-015-008</b> – Road Name Change Application –Ferguson Lane {Public Hearing} pgs. 9-16		Andy Rowe	
<b>RNC-015-009</b> – Road Name Change Application –East Hartwell Pl {Public Hearing} pgs. 17-24		Nick Cauthen	
<b>RNC-015-010</b> – Road Name Change Application –West Hartwell Pl {Public Hearing} pgs. 25-32		Nick Cauthen	
<b>RZ-015-013</b> – Rezoning application of Steve Willis, Lancaster County Administrator to rezone ±15.58 acres from B-2, Community Business District, to I-1, Light Industrial District. {Public Hearing} pgs. 33-43 <b>Tax Map 0066-00-033.00</b>		Elaine Boone	
<b>RZ-015-014</b> – Rezoning application of Red Head Properties to rezone ±0.95 acres from R-15, Moderate Density Residential/Agricultural District to B-3, General Commercial District. The applicant is proposing a convenience store. {Public Hearing} pgs. 44-57  <b>TMS# 0086B-0M-016.00</b>		Nick Cauthen	

<p><b>RZ-015-015</b> – Rezoning application of Bradley J. Mullis to rezone a 1 acre portion of ±5.657 acres from R-45B, Rural Residential/Business/Agricultural District, to B-3, General Commercial District. The applicant proposes to build a 40' x 60' building for a auto machine shop. {Public Hearing} pgs. 58-73</p>	<p>Andy Rowe</p>
<p><b>Tax Map 36, Parcel 38.00</b></p>	
<p><b>Old Business:</b> UDO Rewrite Update</p>	

# Lancaster County Planning Department

101 N. Main St., Ste. 108

P.O. Box 1809

Lancaster, South Carolina 29721-1809

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Telephone (803) 285-6005

Fax (803) 285-6007

## Memo

**To:** Lancaster County Planning Commission Members

**From:** Penelope G. Karagounis, Lancaster County Planning Director

**Date:** August 11, 2015

**Re:** Director's Report for the August 18, 2015 Planning Commission meeting

## Message:

On August 11, 2015 we had two DRC cases, which were the "My Garage Suites" and the MPV II, LLC/CVS Pharmacy. On August 25, 2015, we have two more DRC cases, which is for a parcel located in the Edgewater Business Park and one for the Heritage Hall subdivision.

We are still diligently working on the rewrite of the Unified Development Ordinance with Kara Drane and staff. Our community meetings and focus groups will begin in September.

Thank you.

**RNC-015-007 – Road Name Change Application –Downing Street  
{Public Hearing} pgs. 1-8**

**Andy Rowe**

**PLANNING STAFF REPORT: RNC-015-007**  
**APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS**

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**I. FACTS**

A. GENERAL INFORMATION

**Proposal:** This is the road name change application for a proposed road name change for Downing Street.

**Property Location:** Downing Street is located in Lancaster County, S.C.

**Legal Description:** TMS # 0102O-0D-008.00, 0102O-0E-008.00, 0102O-0D-001.00, 0102O-0E-011.00, 0102O-0E-010.00, 0102O-0E-009.00, 0102O-0D-002.00, 0102O-0D-003.00, 0102O-0D-005.00, 0102O-0E-007.00, 0102O-0D-006.00, 0102O-0D-007.00, 0102O-0E-006.00, 0102O-0D-009.00, 0102O-0E-005.00, 0102O-0D-012.00, 0102O-0E-002.00, 0102O-0D-013.00, 0102O-0E-001.00, 0102O-0D-01.02, 0102O-0D-001.03, 0102O-0E-012.00

**Description of Plan:** Change the existing road name of Downing Street to Regency Road or Clayforest Road.

B. SITE INFORMATION

**Site Description:** Downing Street is located between Kirkover Drive and Suttle Road in Lancaster County, S.C.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification of Addresses from Trish Hinson – 1<sup>st</sup> letter sent out
4. Lancaster County Notification to the property owners
5. Downing Street Comments

**II. FINDINGS**

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name

choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change. When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

- a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.
- b. A change may simplify markings or giving directions to persons looking for an address.
- c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

### **III. CONCLUSIONS**

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that Downing Street is similar sounding or duplicate to others in Lancaster County. By

changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road names or duplicate road names. The facts and findings of this report show that the renaming of Downing Street to Regency Road or Clayforest Road should be approved.

**IV. RECOMMENDATION**

It is therefore the recommendation of the Planning Staff that the above road name change be **APPROVED.**

Andy = RNC - 015 - 007

Exhibit 1

LANCASTER COUNTY PLANNING COMMISSION

PO Box 1809

Lancaster, SC 29721

Phone: (803) 285-6005

Fax: (803) 285-6007

\*\*\*\* NEW ROAD NAME/CHANGE APPLICATION \*\*\*\*

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: August 4, 2015  
Name: Lanc. Co. Public Safety Address 1941 Pageland Hwy  
Communications  
City, State, Zip Code: Lancaster SC 29720  
Telephone (H): — Telephone (W) or (Cell): (803) 416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off Suttle Rd

Road name as it exists now (if applicable): Downing St

Proposed new road name (1<sup>st</sup> Choice): Regency Rd.

Proposed new road name (2<sup>nd</sup> Choice): Clayforest Rd

Will this be a private road? Yes  No

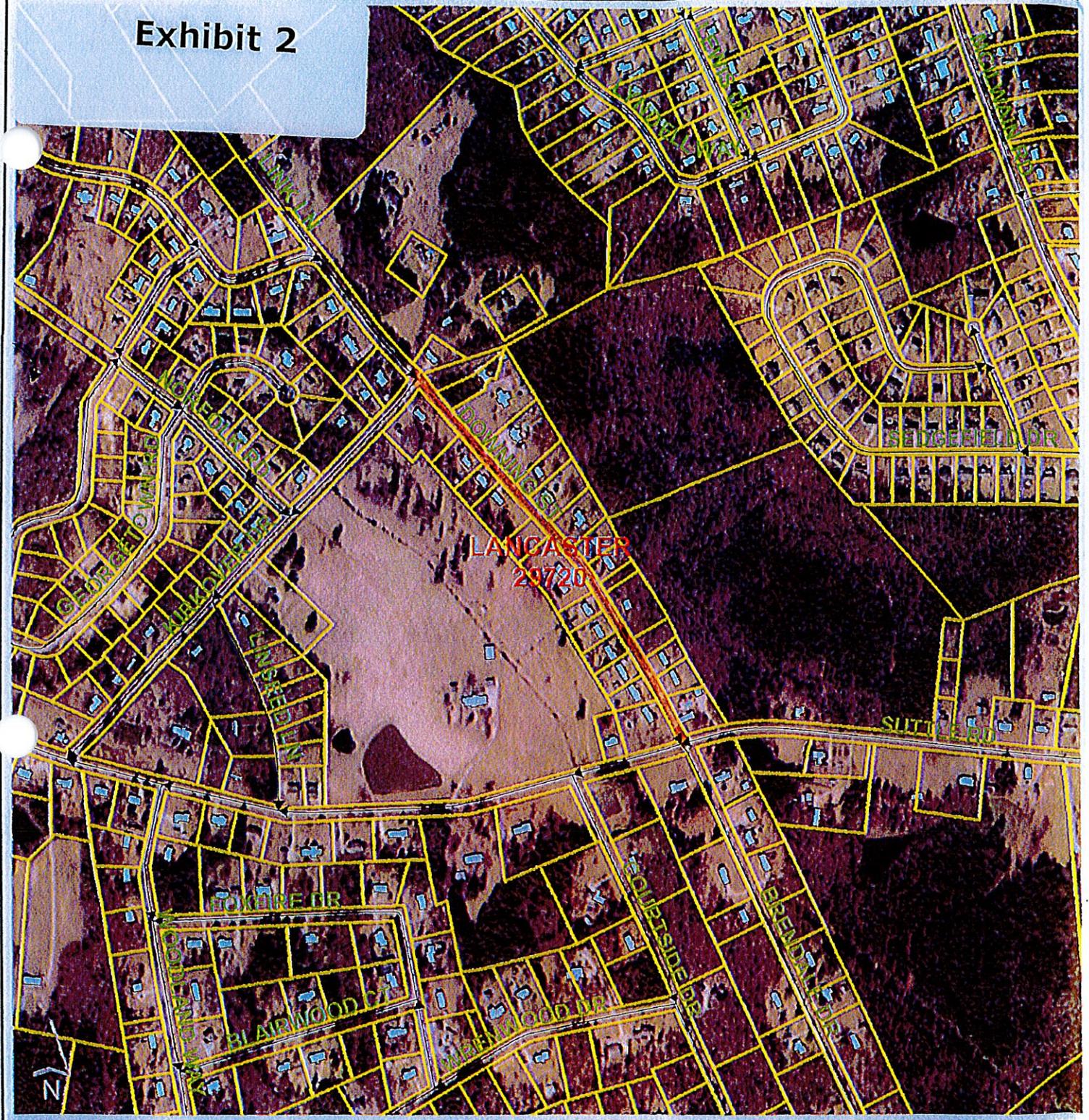
If applicable, do you plan on deeding this new road to the county in the future?  
Yes  No

Please attach the following items to this application:

- \*A map to approximate scale depicting the location of the new road.
- \*A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications

# Exhibit 2



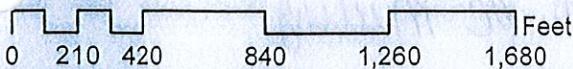
Address Info



## Public Safety Communications

### Address Slip

*Few Serving Many*



1 inch = 623 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.

In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 7/22/2015

# Exhibit 3

~~01020-0A-015-00~~  
~~GASTON W W & SHIRLEY~~  
~~2133 KIRKOVER DR~~  
~~LANCASTER, SC 29720~~

~~01020-0A-015-00~~  
~~GASTON W W & SHIRLEY~~  
~~2133 KIRKOVER DR~~  
~~LANCASTER, SC 29720~~

01020-0D-008.00 ✓  
INGRAM LEROY  
2793 DOWNING ST  
LANCASTER, SC 29720

01020-0E-008.00 ✓  
WATERS JOEL LEE &  
CATHERINE G  
2782 DOWNING ST  
LANCASTER, SC 29720

~~01020-0D-007.00~~  
~~FALLEN~~  
~~2419 DOWNING ST~~  
~~LANCASTER, SC 29720~~

01020-0D-001.00 ✓  
FOLSOM RICHARD  
PO BOX 3127  
LANCASTER, SC 29720

01020-0E-013.00 ✓  
BAYES VALERIE M ETAL  
2732 DOWNING ST  
LANCASTER, SC 29720

01020-0E-010.00 ✓  
HUDSON KIMBERLY L  
1807 BARDELL ST  
LANCASTER, SC 29720

01020-0E-009.00 ✓  
FAULKENBERRY WILSON A &  
DORIS S  
2780 DOWNING ST  
LANCASTER, SC 29720

01020-0D-002.00 ✓  
JEWETT RHONDA H  
JEWETT ALLAN ER  
2737 DOWNING ST  
LANCASTER, SC 29720

01020-0D-003.00 ✓  
SMITH WILLIAM TERRY  
SMITH BRENDA B  
2763 DOWNING ST  
LANCASTER, SC 29720

01020-0D-005.00 ✓  
WEST ETTA  
1775 DOWNING ST  
LANCASTER, SC 29720

01020-0E-007.00 ✓  
WATERS CATHERINE G  
2784 DOWNING ST  
LANCASTER, SC 29720

01020-0D-006.00 ✓  
GONZALEZ GABRIEL L  
2787 DOWNING ST  
LANCASTER, SC 29720

01020-0D-007.00 ✓  
INGRAM LEROY SHENISA  
2785 DOWNING ST  
LANCASTER, SC 29720

01020-0E-006.00 ✓  
LANEY LARRY DEAN  
2804 DOWNING ST  
LANCASTER, SC 29720

01020-0D-009.00 ✓  
TERRY LEAH M  
2809 DOWNING ST  
LANCASTER, SC 29720

01020-0E-005.00 ✓  
HARRIS KESSE  
PO BOX 2112  
LANCASTER, SC 29720

01020-0E-004.00  
HARRIS PINKEY A  
2820 DOWNING ST  
LANCASTER, SC 29720

01020-0D-012.00 ✓  
GRANATA KEVIN G  
GRANATA ILEAN J  
2888 DOWNING ST  
LANCASTER, SC 29720

01020-0E-002.00 ✓  
SCOTT JOHN R JR  
2858 DOWNING ST  
LANCASTER, SC 29720

01020-0D-013.00 ✓  
SCOTT NANCY B  
2841 DOWNING ST  
LANCASTER, SC 29720

~~01020-0E-001.00~~ 01020-0E-001.00 ✓  
BROUGHTON RONNIE T SR ETAL  
2848 DOWNING ST  
LANCASTER, SC 29720

01020-0D-001.02 ✓  
JEWETT ALLAN SCOTT & RHONDA H  
2737 DOWNING ST  
LANCASTER, SC 29720

Robert A. Faule ✓  
2719 Downing St ✓  
Lancaster SC 29720 ✓

TM# 01020-0D-001.03

Margaret C. Baker ✓  
2717 Kirkover Dr ✓  
Lancaster SC 29720 ✓

TM# 01020-0E-018.00

Downing St, Lancaster

Letters mailed: 6-24-15 for August 18th PC Meeting

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

**FILE COPY**

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

## Exhibit 4

### NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING

Meeting date is Tuesday, August 18, 2015

**TO:** Property Owners Adjacent to Downing Street  
**FROM:** Lancaster County Planning Department  
**SUBJECT:** Public Hearing on Road Name Change Application RNC-015-007  
**DATE**  
**MAILED:** Wednesday, July 29, 2015  
**MEETING**  
**DATE:** Tuesday, August 18, 2015  
**TIME:** 6:30pm  
**PLACE:** Lancaster County Administration Building  
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for Downing Street located in the Lancaster, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, August 18, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

## Exhibit 5

### DOWNING ST RNC-015-007:

- Downing St had the least number of affected owners in Comparison to Downey Dr
- 22 letters were mailed out to property owners on Downing St
- 7 responses from the 22 letters were mailed back by August 3rd deadline
- 1<sup>st</sup> & 2<sup>nd</sup> street names were submitted on the RNC Application; **Regency Rd & Clayforest Rd** as these were short, clear, Simple Street names, both submitted by homeowners
- Other street name suggestions were Wilson Faulkenberry St, Rustic Rd, Blossom Ln, Kool Aid St, Vargas St and Downing Rd. These were not allowed based on overuse in the county, proper names, phonics issues

**RNC-015-008 – Road Name Change Application –Ferguson Lane  
{Public Hearing} pgs. 9-16**

**Andy Rowe**

**PLANNING STAFF REPORT: RNC-015-008**  
**APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS**

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**I. FACTS**

A. GENERAL INFORMATION

**Proposal:** This is the road name change application for a proposed road name change for Ferguson Lane.

**Property Location:** Ferguson Lane is located in the Indian Land area of Lancaster County, S.C.

**Legal Description:** TMS # 0005P-0B-042.00, 0005P-0B-039.00, 0005P-0B-037.00, 0005P-0B-041.00, 0005P-0B-040.00, 0005P-0B-036.00, 0005P-0B-038.00, 0005P-0B-035.00, 0005P-0B-001.01

**Description of Plan:** Change the existing road name of Ferguson Lane to Broadway Court.

B. SITE INFORMATION

**Site Description:** Ferguson Lane is located off of Dartington Drive in the Arlington subdivision in the Indian Land area of Lancaster County, S.C.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification of Addresses from Trish Hinson – 1<sup>st</sup> letter sent out
4. Lancaster County Notification to the property owners
5. Ferguson Lane Comments

**II. FINDINGS**

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change.

When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.

b. A change may simplify markings or giving directions to persons looking for an address.

c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

### III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that Ferguson Lane is similar sounding or duplicate to others in Lancaster County. By changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road

names or duplicate road names. The facts and findings of this report show that the renaming of Ferguson Lane to Broadway Court should be approved.

#### IV. RECOMMENDATION

It is therefore the recommendation of the Planning Staff that the above road name change be APPROVED.

LANCASTER COUNTY PLANNING COMMISSION  
PO Box 1809  
Lancaster, SC 29721  
Phone: (803) 285-6005  
Fax: (803) 285-6007

\*\*\*\* NEW ROAD NAME/CHANGE APPLICATION \*\*\*\*

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: August 4, 2015  
Name: Lanc. Co. Public Safety Address 1941 Pageland Hwy  
Communications  
City, State, Zip Code: Lancaster SC 29720  
Telephone (H):                      Telephone (W) or (Cell): 803-416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off Dartington Dr.

Road name as it exists now (if applicable): Ferguson Ln., Indian Land

Proposed new road name (1<sup>st</sup> Choice): Broadway Ct.

Proposed new road name (2<sup>nd</sup> Choice):                     

Will this be a private road? Yes  No

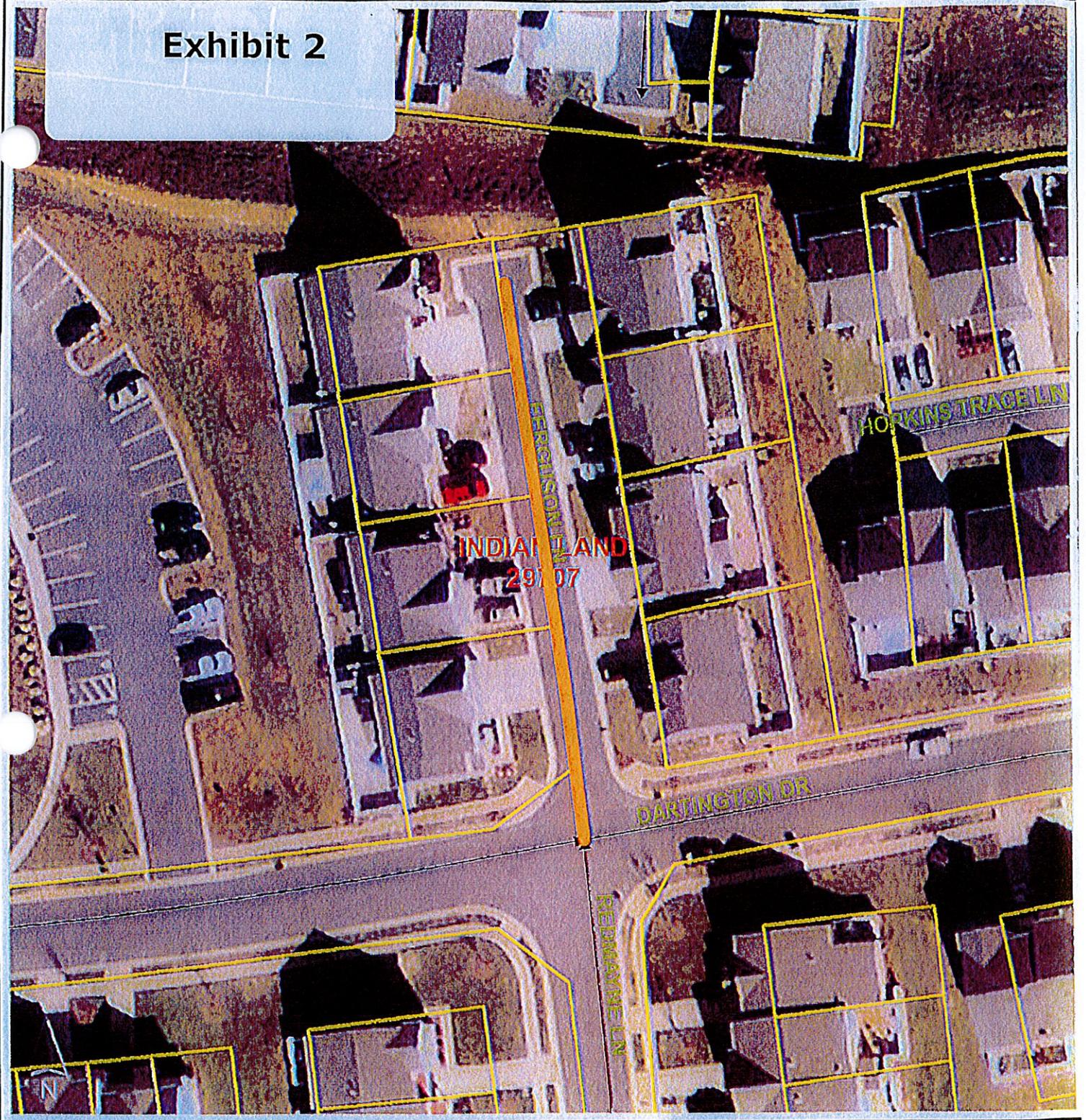
If applicable, do you plan on deeding this new road to the county in the future?  
Yes  No

Please attach the following items to this application:

- \*A map to approximate scale depicting the location of the new road.
- \*A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications

# Exhibit 2



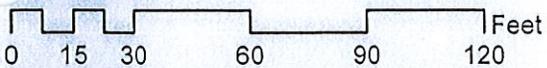
Address Info



*Now Serving Many*

## Public Safety Communications

### Address Slip



1 inch = 47 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.

In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 7/22/2015

0005P-08-035.00 ✓  
ARANT DAVID W  
ARANT LINDSEY MILTON  
5105 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-042.00 ✓  
MONROY OSCAR  
MONROY ANGELICA  
5159 FERGUSON LN  
INDIAN LAND, SC 29707

0005P-08-036.00 ✓  
CHACON MILTON G BYNEDA  
BYNEDA ADRIANA  
5162 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-043.00 ✓  
BERNAL SANKO  
5105 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-037.00 ✓  
SANTIAGO ALICE  
PETERS RICHARD B  
5158 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-040.00 ✓  
KOSTERB EDWARD  
KOSTERB JANET  
5171 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-038.00 ✓  
FRIDDLE DAVID C  
FRIDDLE NANCY B  
5174 FERGUSON LANE  
INDIAN LAND, SC 29707

0005P-08-039.00 ✓  
FREEMAN JESSE D  
FREEMAN STEPHANIE ANN  
5177 FERGUSON LANE  
INDIAN LAND, SC 29707

Arlington Residential HOA  
c/o Lancaster Regent Group  
P.O. Box 3340  
17 Mill SC 29707

Ferguson Ln., Indian Land

0005P-08-001.01

Letters mailed: 6-24-15 for August 18th PC Meeting  
HOA = Arlington Residential HOA

Exhibit 3

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

**FILE COPY**

**Exhibit 4**

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

**NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING**

**Meeting date is Tuesday, August 18, 2015**

**TO:** Property Owners Adjacent to Ferguson Lane  
**FROM:** Lancaster County Planning Department  
**SUBJECT:** Public Hearing on Road Name Change Application RNC-015-008

**DATE MAILED:** Wednesday, July 29, 2015

**MEETING DATE:** Tuesday, August 18, 2015

**TIME:** 6:30pm

**PLACE:** Lancaster County Administration Building  
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change Ferguson Lane located in the Indian Land area Lancaster, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, August 18, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

## Exhibit 5

### FERGUSON LN RNC-015-008:

- Ferguson Ln had the least number of affected owners in comparison to N/S Ferguson St
- 9 letters were mailed out to property owners on Ferguson Ln
- 4 responses from the 9 letters were mailed back by the August 3<sup>rd</sup> deadline
- Only a 1<sup>st</sup> name choice is submitted on the RNC Application of **Broadway Ct**
- Other street name suggestions were Falcon Ln (already on hold for use in another project), Ferguson Way (only suffix changed, still a duplicate), David Ln (overuse in county, example: Dave Williams, Davidson, Davis already exist), and Riddle Ln, (already have a Fiddle Dr)

RNC-015-009 – Road Name Change Application –East Hartwell Pl  
{Public Hearing} pgs. 17-24

Nick Cauthen

**PLANNING STAFF REPORT: RNC-015-009**  
**APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS**

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**I. FACTS**

A. GENERAL INFORMATION

**Proposal:** This is the road name change application for a proposed road name change for East Hartwell Place.

**Property Location:** East Hartwell Place is located off Reynolds Drive in the Indian Land area of Lancaster County, S.C.

**Legal Description:** TMS # 0011D-0A-057.00, 0011D-0A-052.00, 0011D-0A-051.00, 0011D-0A-059.00, 0011D-0A-056.00, 0011D-0A-053.00, 0011D-0A-050.00, 0011D-0A-055.00, 0011D-0A-058.00, 0011D-0A-054.00

**Description of Plan:** Change the existing road name of East Hartwell Place to Supreme Court or Cardinal Place.

B. SITE INFORMATION

**Site Description:** East Hartwell Place is a cul-de-sac located in the BridgeMill subdivision.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification of Addresses from Trish Hinson – 1<sup>st</sup> letter sent out
4. Lancaster County Notification to the property owners
5. East Hartwell Place comments

**II. FINDINGS**

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change.

successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.

b. A change may simplify markings or giving directions to persons looking for an address.

c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

### III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that East Hartwell Place is similar sounding or duplicate to others in Lancaster County. By changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road

names or duplicate road names. The facts and findings of this report show that the renaming of East Hartwell Place to Supreme Court or Cardinal Place should be approved.

**IV. RECOMMENDATION**

It is therefore the recommendation of the Planning Staff that the above road name change be APPROVED.

Nick = RNC - 015 - 009  
York county = OK for use

# Exhibit 1

LANCASTER COUNTY PLANNING COMMISSION  
PO Box 1809  
Lancaster, SC 29721  
Phone: (803) 285-6005  
Fax: (803) 285-6007

\*\*\*\* NEW ROAD NAME/CHANGE APPLICATION \*\*\*\*

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: August 4, 2015  
Name: Lanc. Co. Public Safety Address 1941 Angeland Hwy  
Communications  
City, State, Zip Code: Lancaster SC 29720  
Telephone (H): \_\_\_\_\_ Telephone (W) or (Cell): 803-416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off Reynolds Dr.

Road name as it exists now (if applicable): East Hartwell Pl

Proposed new road name (1<sup>st</sup> Choice): Supreme Ct

Proposed new road name (2<sup>nd</sup> Choice): Cardinal Pl

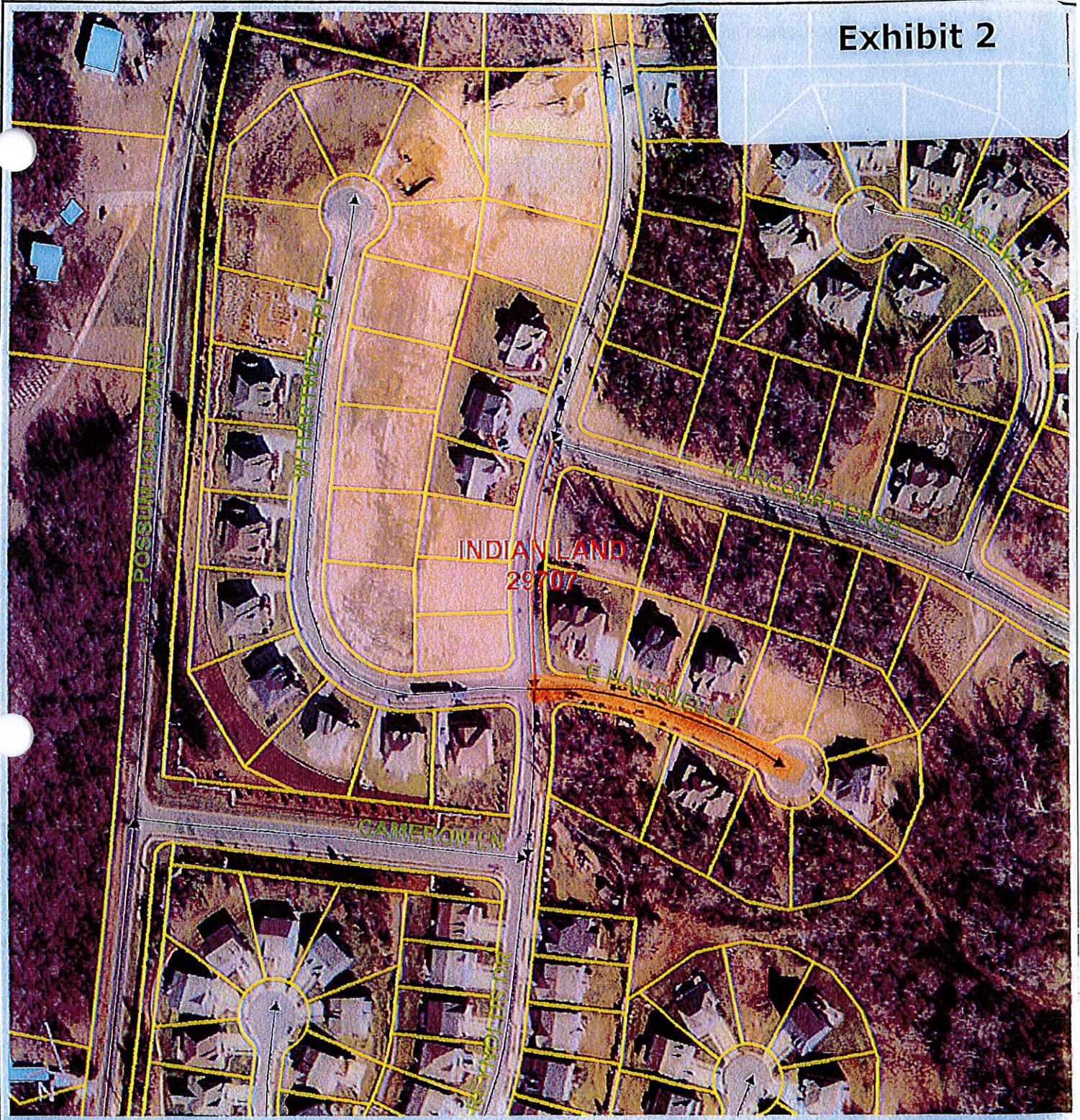
Will this be a private road? Yes \_\_\_\_\_ No

If applicable, do you plan on deeding this new road to the county in the future?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Please attach the following items to this application:

- \*A map to approximate scale depicting the location of the new road.
- \*A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications



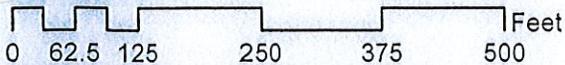
Address Info



# Public Safety Communications

## Address Slip

Now Serving Many



1 inch = 189 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.

In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 7/22/2015

00110-0A-039.00 ✓  
HERMANS BRIGHT H TRUST  
2600 EAST HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-050.00 ✓  
MALDEFO EKKEHARD  
2601 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-038.00 ✓  
DIMALANTA ANTONIO S  
DIMALANTA ANGELA R  
2610 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-051.00 ✓  
PAQUETTE CARLTON J  
PAQUETTE KATHLEEN H  
2617 EAST HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-052.00 ✓  
EADY BRIAN C  
GUDIN ANNE M  
2627 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-057.00 ✓  
SOBOTA JOHN F  
HOLLES-SOBOTA STACIE MARIE  
2632 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-053.00 ✓  
BOURGEOIS JARED M  
BOURGEOIS SHARON D  
2635 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-056.00 ✓  
TOMPRINS BERTRAM E  
TOMPRINS LISA W  
2640 EAST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-055.00 ✓  
TAKACH THOMAS W  
TAKACH JULIE G  
2644 E HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-054.00 ✓  
THEODORE MICHAEL  
THEODORE CATHI  
2648 EAST HARTWELL PLACE  
INDIAN LAND, SC 29707

East Hartwell Pl

Letters mailed: 6-24-15 for August 18th PC Meeting.

HOA? County road?

Telephone (803) 285-6005

Fax (803) 285-6007

**NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING**

**TO:** Property Owners Adjacent to East Hartwell Place

**FROM:** Lancaster County Planning Department

**SUBJECT:** Public Hearing on Road Name Change Application RNC-015-009

**DATE**

**MAILED:** Tuesday, July 28, 2015

**MEETING**

**DATE:** Tuesday, August 18, 2015

**TIME:** 6:30pm

**PLACE:** Lancaster County Administration Building  
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for East Hartwell Place located in the Indian Land area of Lancaster County, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, AUGUST 18, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

## Exhibit 5

### EAST HARTWELL PL RNC-015-009:

- East Hartwell PI & West Hartwell PI had the least number of affected property owners in comparison to Hartwell Ln, 122 homes (Sun City)
- 1<sup>st</sup> and 2<sup>nd</sup> street names were submitted on the RNC Application of **Supreme Ct** and **Cardinal PI** as these were short, clear, simple street names, both submitted by homeowners
- 10 letters were mailed out to property owners on East Hartwell PI
- 7 responses from the 10 letters were mailed back by the August 3<sup>rd</sup> deadline
- Other street name suggestions were Vino Cir & Kona Ct (one property owner in opposition of the use of this name); I also polled the 911 Dispatchers, they stated they would either be asked to repeat the names or spell the names when dispatching the calls multiple times). Dunhill Point, (overuse in county, example: Dunbar, Duncan, Dundee, Dunipace, Dunlin, Dunrobin), Barnstable Way, (one property owner in opposition of the use of this name), Harmony Ct, (existing Harmon Ln)

RNC-015-010 – Road Name Change Application –West Hartwell Pl  
{Public Hearing} pgs. 25-32

Nick Cauthen

**PLANNING STAFF REPORT: RNC-015-010**  
**APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS**

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**I. FACTS**

A. GENERAL INFORMATION

**Proposal:** This is the road name change application for a proposed road name change for West Hartwell Place.

**Property Location:** West Hartwell Place is located off Reynolds Drive in the Indian Land area of Lancaster County, S.C.

**Legal Description:** TMS # 0011D-0A-046.00, 0011D-0A-033.00, 0011D-0A-037.00, 0011D-0A-034.00, 0011D-0A-045.00, 0011D-0A-036.00, 0011D-0A-039.00, 0011D-0A-042.00, 0011D-0A-032.00, 0011D-0A-043.00, 0011D-0A-041.00, 0011D-0A-047.00, 0011D-0A-040.00, 0011D-0A-044.00, 0011D-0A-049.00, 0011D-0A-035.00, 0011D-0A-048.00, 0011D-0A-031.00, 0011D-0A-038.00

**Description of Plan:** Change the existing road name of West Hartwell Place to Royal Place or Disney Place.

B. SITE INFORMATION

**Site Description:** West Hartwell Place is a cul-de-sac located in the BridgeMill subdivision.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification of Addresses from Trish Hinson – 1<sup>st</sup> letter sent out
4. Lancaster County Notification to the property owners
5. West Hartwell Place comments

**II. FINDINGS**

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name

choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change. When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

- a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.
- b. A change may simplify markings or giving directions to persons looking for an address.
- c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

### III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that West Hartwell Place is similar sounding or duplicate to others in Lancaster County. By

changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road names or duplicate road names. The facts and findings of this report show that the renaming of West Hartwell Place to Royal Place or Disney Place should be approved.

#### IV. RECOMMENDATION

It is therefore the recommendation of the Planning Staff that the above road name change be **APPROVED.**

Nick = RNC-015-010

York county = OK to use

Exhibit 1

LANCASTER COUNTY PLANNING COMMISSION

PO Box 1809  
Lancaster, SC 29721  
Phone: (803) 285-6005  
Fax: (803) 285-6007

\*\*\*\* NEW ROAD NAME/CHANGE APPLICATION \*\*\*\*

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: August 4, 2015  
Name: Lanc Co. Public Safety Communications Address: 1941 Pageland Hwy  
City, State, Zip Code: Lancaster SC 29720  
Telephone (H):                      Telephone (W) or (Cell): (803) 416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off Reynolds Dr.

Road name as it exists now (if applicable): West Hartwell Pl

Proposed new road name (1<sup>st</sup> Choice): Royal Pl

Proposed new road name (2<sup>nd</sup> Choice): Disney Pl

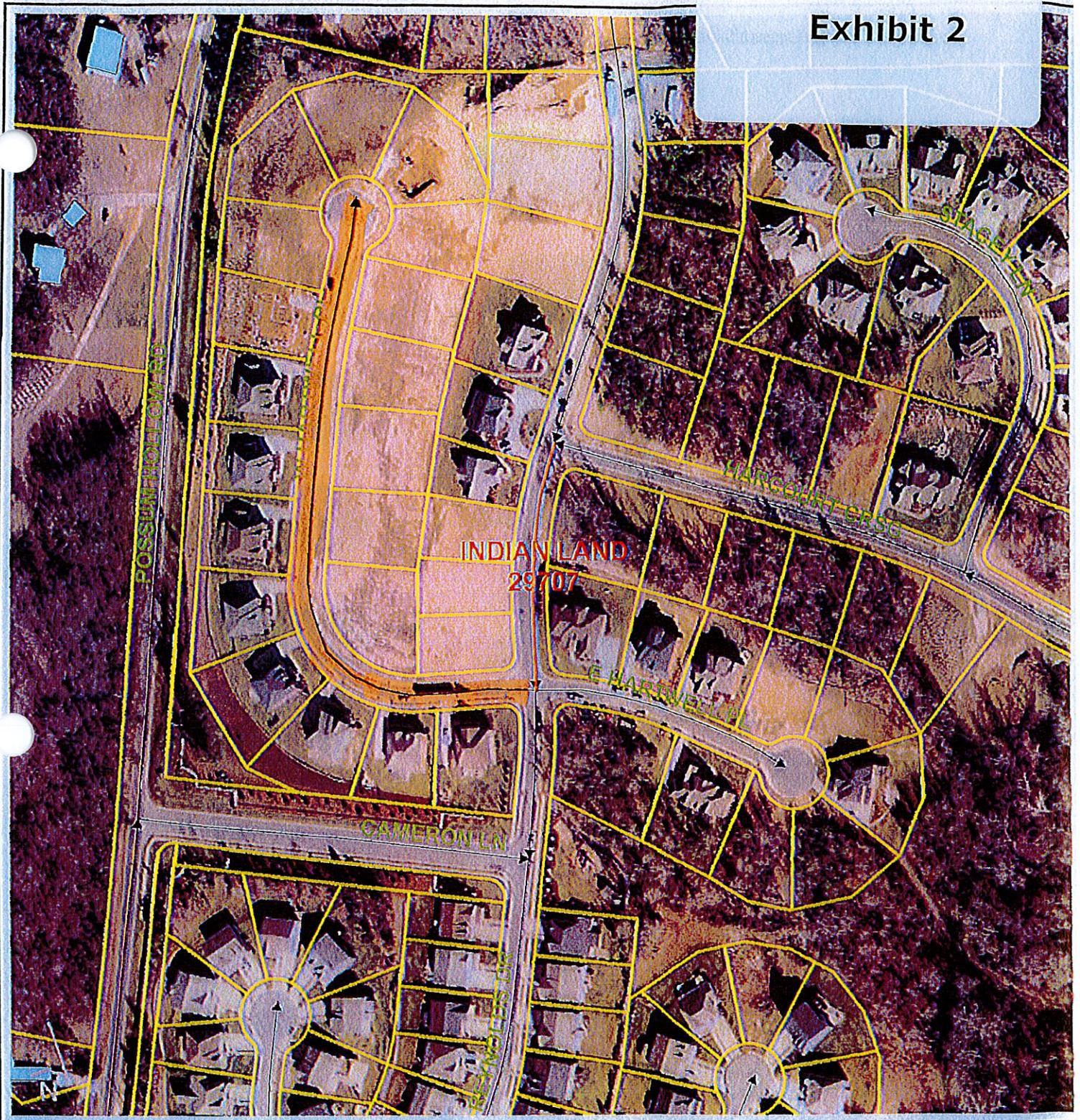
Will this be a private road? Yes            No   ✓  

If applicable, do you plan on deeding this new road to the county in the future?  
Yes            No           

Please attach the following items to this application:

- \*A map to approximate scale depicting the location of the new road.
- \*A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications



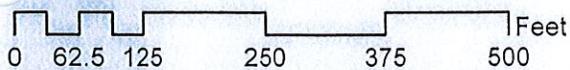
Address Info



# Public Safety Communications

## Address Slip

*Now Serving Many*



1 inch = 189 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.

In no way should this map be used for exact locations.

Author: Langston County SC

Date: 7/22/2015

00110-0A-049.00 ✓  
POLLINGER KEVIN R  
POLLINGER CHARBINE T  
2701 WEST HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-048.00 ✓  
DUDLEY ANDREW TRAVIS  
DUDLEY TANYA  
2718 W HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-047.00 ✓  
WAGER JEFFREY R  
WAGER NICOLE M  
2731 W HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-046.00 ✓  
FEHR JEFFREY H  
FEHR MARIE D  
2729 WEST HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-051.00 ✓  
J W HOMES LLC  
8125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-045.00 ✓  
SPITZ VOLKER  
SPITZ WENDY  
2737 W HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-052.00 ✓  
J W HOMES LLC  
4125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-044.00 ✓  
STANFIELD WADE  
ANDERSON DONNA  
2747 W HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-038.00 ✓  
J W HOMES LLC  
4125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-043.00 ✓  
NOYES THOMAS L II  
NOYES GENA R  
2755 WEST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-034.00 ✓  
J W HOMES LLC  
4125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-042.00 ✓  
LANIRO NICHELANGELO  
MAZZONNA ROSA A  
2769 WEST HARTWELL PLACE  
INDIAN LAND, SC 29707

00110-0A-035.00 ✓  
J W HOMES LLC  
4125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-041.00 ✓  
HAIGHT GARY T III  
HAIGHT CHERYL M  
2771 W HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-036.00 ✓  
J W HOMES LLC  
4125 ATLANTA RD SE  
SMYRNA, GA 30080

00110-0A-040.00 ✓  
BROWN ROD L  
BROWN CARLA J  
2781 WEST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-037.00 ✓  
ROTH WENDELL P III  
ROTH CINDY L  
2784 WEST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-039.00 ✓  
GLUTH JUAN C  
GLUTH ANDREA G  
2785 WEST HARTWELL PL  
INDIAN LAND, SC 29707

00110-0A-033.00 ✓  
DIEMER STEPHEN T  
DIEMER SUSAN S L  
2789 WEST HARTWELL PL  
INDIAN LAND, SC 29707

West Hartwell Pl

Letters mailed: on 6-24-15 for August 18th Planning Comm.  
Letters were dated July 20th; giving 10 business days to respond. Mailed earlier to give property owners plenty of time to respond.

HOA? County road?

**NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING**

**TO:** Property Owners Adjacent to West Hartwell Place  
**FROM:** Lancaster County Planning Department  
**SUBJECT:** Public Hearing on Road Name Change Application RNC-015-010

**DATE**

**MAILED:** Tuesday, July 28, 2015

**MEETING**

**DATE:** Tuesday, August 18, 2015

**TIME:** 6:30pm

**PLACE:** Lancaster County Administration Building  
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for West Hartwell Place located in the Indian Land area of Lancaster County, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, AUGUST 18, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

## Exhibit 5

### WEST HARTWELL PL RNC-015-010:

- East Hartwell PI & West Hartwell PI had the least number of affected property owners in comparison to Hartwell Ln, 122 homes (Sun City)
- 1<sup>st</sup> & 2<sup>nd</sup> Street name choices were submitted on the RNC Application of **Royal PI & Disney PI** as these were short, clear, simple street names, both submitted by homeowners
- 19 letters were mailed out to property owners on West Hartwell PI
- 2 responses from the 19 letters were mailed back by the August 3<sup>rd</sup> deadline
- Other street name suggestions were West Mount Royal PI (too long, shortened to Royal PI)

**RZ-015-013 – Rezoning application of Steve Willis, Lancaster County Administrator to rezone ±15.58 acres from B-2, Community Business District, to I-1, Light Industrial District. {Public Hearing} pgs. 33-43**

**Elaine Boone**

## PLANNING STAFF REPORT

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### **I. Facts**

#### A. General Information

*Proposal:* Rezoning application of Steve Willis, Lancaster County Administrator to rezone ± 15.58 acres from B-2, Community Business District, to I-1, Light Industrial District.

*Property Location:* The property is located at 3888 Chester Highway.

*Legal Description:* Tax Map 0066-00-033.00

*Zoning Classification:* Current: B-2, Community Business District.

***Voting District:* District 4 – Larry Honeycutt**

#### B. Site Information

*Site Description:* The parcel currently has a commercial building on site formerly known as the Springs Employee Store and also used as a temporary Magistrate Court. The building was constructed in 1983.

#### C. Vicinity Data

*Surrounding Conditions:* The property has one large adjacent parcel to the northwest zoned I-1, Light Industrial District, also to the northeast a large tract of R-30, Low Density Residential Agricultural District. Parcels to the south are all zoned B-2, Community Business District with larger tracts of I-1, Light Industrial District surrounding the B-2, Community Business properties.

#### D. Exhibits

1. Rezoning Application
2. Lancaster County Assessor Map
3. Future Land Use Map
4. Lancaster County Vicinity Map
5. Tax Inquiry Sheet
6. UDO – Section: 2.1.3 - Industrial Districts
7. Table of Uses

## II. Findings

### Code Considerations:

**The R-30, Low Density Residential/Manufactured Housing/Agricultural District**, is designed to accommodate single-family residential developments (not including manufactured housing units) in areas of the county that are appropriate for development at a slightly higher density than is permitted in the R-45, R45A and R-45B districts. This district should serve as a transitional district between the lower density residential districts (R-45, R-45A, and R-45B) and the higher density residential districts (R-15, R-15S and R-15D). The minimum lot size is 29,040 and the minimum lot width is 130 feet if a septic system is used or 100 feet if on central water and sewer.

**The I-1, Light Industrial District**, is designed to accommodate industries that do not tend to have adverse impacts on surrounding properties. The following industrial districts are hereby established: I-1 and I-2. These districts are designed to accommodate businesses engaged in the manufacturing, processing, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. 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.

### III. Conclusions:

The facts and findings of this report show that the property is designated as Special District Industrial on the Future Land Use map. Special District Industrial is defined as an Industrial Center that includes both heavy and light manufacturing, from clean and green data handling complexes to manufacturing/extraction/distribution processes or power plants that require careful environment management. The uses usually require considerable land areas and are set aside from other development for environmental or security concerns, or for reasons of heavy truck traffic flow. This definition is from the *Lancaster County Comprehensive Plan 2014-2024*. Considering the property is within this district an industrial site is ideal for this area. Multiple adjacent parcels are already zoned I-1, Light Industrial District and this would bring jobs to an area that is lacking employment opportunities.

### IV. Recommendation:

It is therefore the recommendation of the planning staff that the rezoning request for the property located at 388 Chester Highway be **Approved**.

LANCASTER COUNTY

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

Do Not Write In This Box
Application# RZ-015-013 Date 6-23-15 Paid n/a

- 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: 3888 CHESTER HIGHWAY TMP 2066-00-033.00
3. How is this property presently designated on the map? B-2
4. How is the property presently being used? VACANT
5. What new designation or map change do you purpose for this property? I-1
6. What new use do you propose for the property? INDUSTRIAL - LCEDC PROJECT

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?

- 9. Explanation of and reasons for proposed change: FOR ECONOMIC DEVELOPMENT PROJECT
(attach another page if additional space is needed)

- 10. Applicant's can request a 5 minute PowerPoint presentation at County Council to be given during the ordinance reading time and at 1st reading only. You will be allowed 5 slides or less. This information must be given to the Clerk to Council by the Friday prior to the Monday Council meeting. Please check the appropriate box to indicate whether or not you will be giving a PowerPoint presentation. [ ] YES [ ] NO

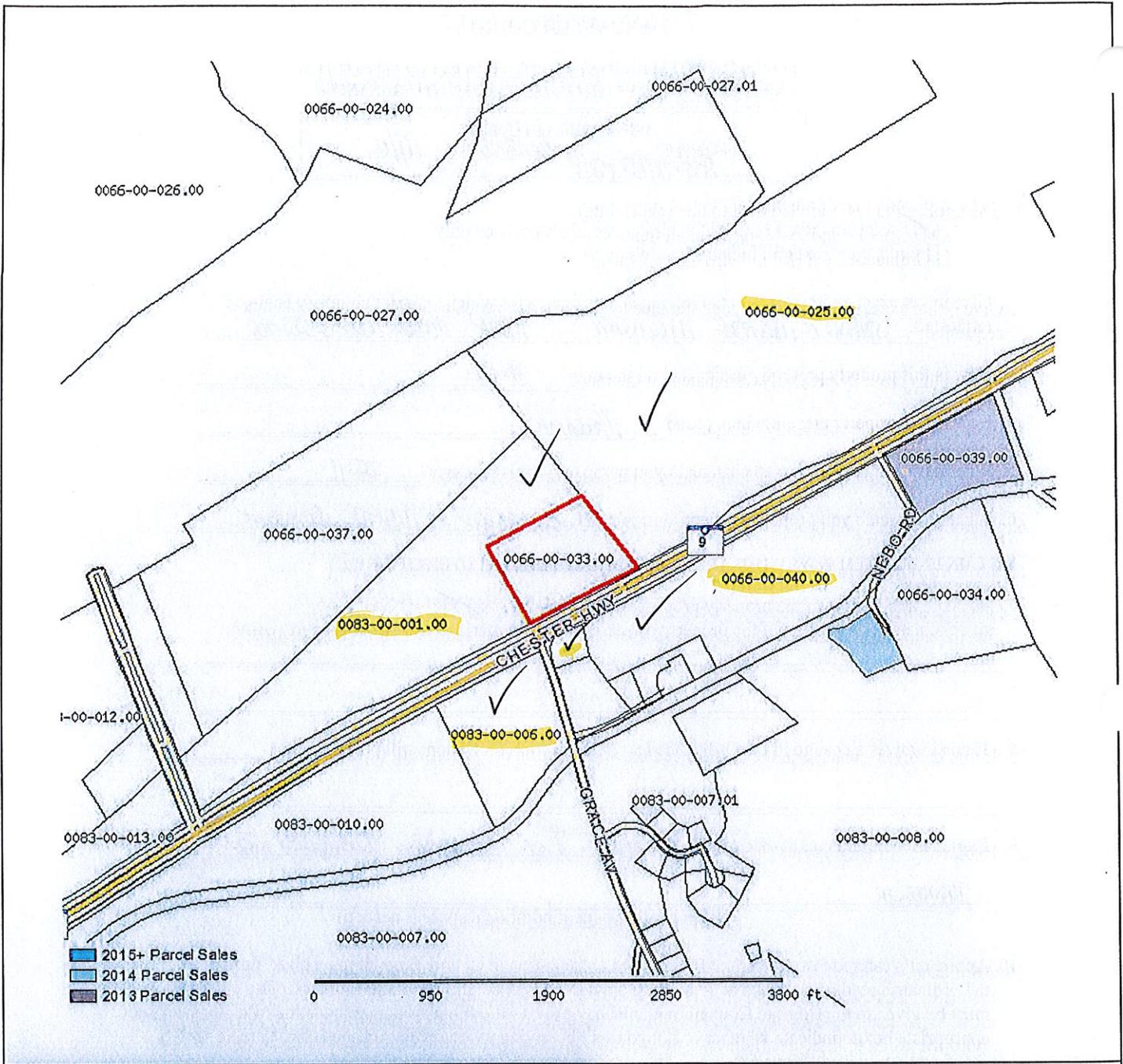
NOTE: It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

APPLICANT'S NAME (PRINT) LANCASTER COUNTY

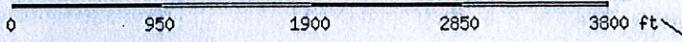
ADDRESS: PO Box 1809 LANCASTER, SC 29721-1809

Phone:

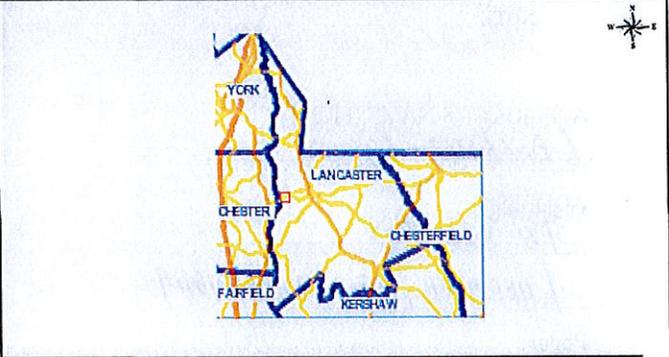
[Signature] SIGNATURE
PER VOTE BY COUNTY COUNCIL ON 6-22-15



- 2015+ Parcel Sales
- 2014 Parcel Sales
- 2013 Parcel Sales



Lancaster County Assessor			
Parcel: 0066-00-033.00 Acres: 15.58			
Name:	LANCASTER COUNTY	Land Value	\$186,200.00
Site:	3888 CHESTER HWY	Improvement Val	\$727,400.00
Sale:	\$\$10 on 06-2012 Vacant= Qual=1A	Accessory Value	\$4,000.00
Mail:	PO BOX 1809 LANCASTER, SC 29721-0000	Total Value	\$917,600.00



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 Date printed: 08/04/15 : 09:02:50

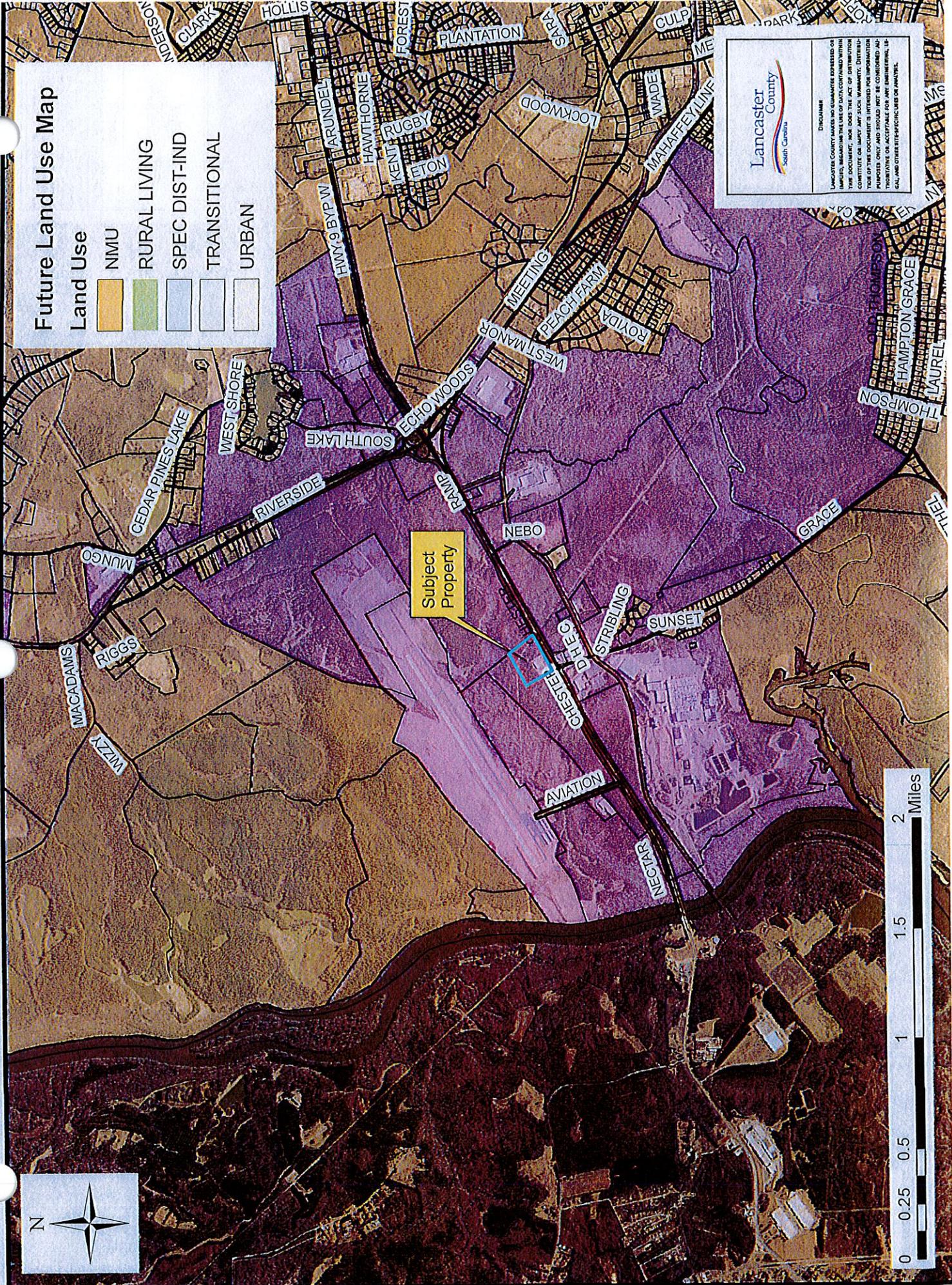
# Future Land Use Map

## Land Use

-  NMU
-  RURAL LIVING
-  SPEC DIST-IND
-  TRANSITIONAL
-  URBAN

**Lancaster County**  
South Carolina

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# RZ-015-0133 Vicinity Map



Subject Property

**Lancaster County**  
South Carolina

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Add  Mod  Del  Save  Cancel  Print  Keyboard  Left  Right  Home  End  Help

Indexed By: \_\_\_\_\_ Parcel ID: \_\_\_\_\_ Card #: \_\_\_\_\_

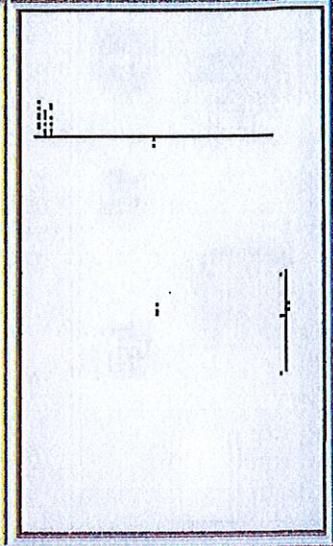
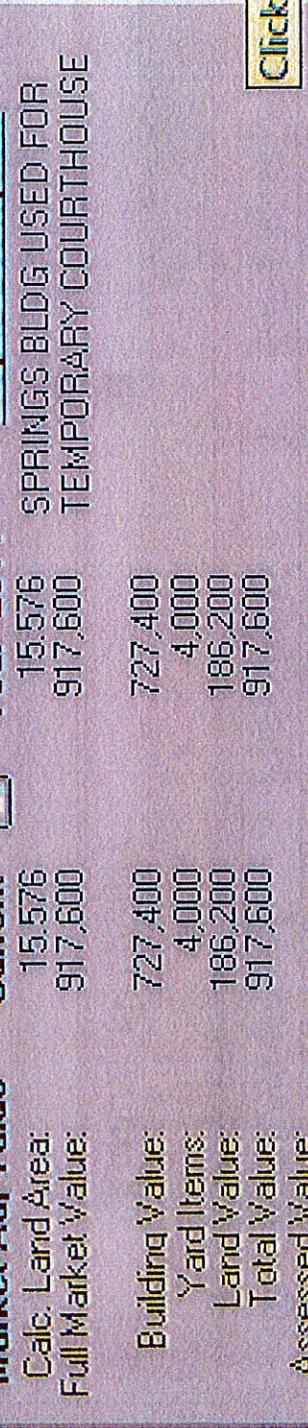
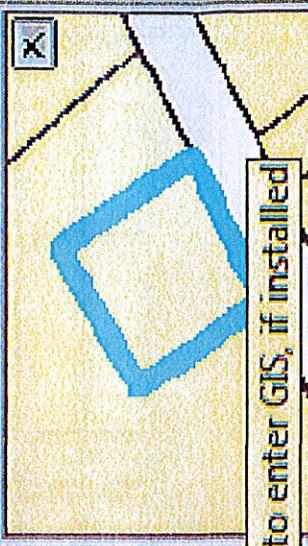
**M Parcel ID: 0066-00-033.00**  
 Account: 7255  
 Sticker #: \_\_\_\_\_  
 Location: 3888 CHESTER HWY Lancaster  
 Land Use: EX - Exempt  
 Owner #1: LANCASTER COUNTY

Card: 1/1  
 District: 01 - County  
 Ent. Parcel Area: 15.576 - AC  
 Neigh: 15 - 15  
 Own Type: \_\_\_\_\_

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	15.576	15.576	SPRINGS BLDG USED FOR
Full Market Value:	917,600	917,600	TEMPORARY COURTHOUSE
Building Value:	727,400	727,400	
Yard Items:	4,000	4,000	
Land Value:	186,200	186,200	
Total Value:	917,600	917,600	
Assessed Value:			
Capped Total:	917,600	917,600	Reval / Market 01

**Sales Information**  
 Grantor: LANCASTER COUNTY, Validity: 1A  
 Sale Price: 10  
 Sale Date: 6/7/2012 Sold Vacant: No  
 Legal Ref: 671-267

**Narrative Description**  
 This parcel contains 15.576 AC of land mainly classified as Exempt with a Discount Sto Building built about 1983, having primarily Brick Exterior and 27180 Square Feet, with 0 Unit, 0 Bath, 0 3/4 Bath, 0 Half Bath, 0 Rooms, and 0 Bdrm.





The B-4, Restricted Commercial District, is designed to accommodate business operations which tend to have adverse impacts on adjacent properties. All commercial uses which are not permitted in any other district shall require a special exception permit.

Some of the uses allowed in this district have separation requirements from other uses (see Chapter 4). The separation requirements contained in Chapter 4 between a proposed commercial use not permitted in any other district and an existing residential structure shall only apply when the existing residential structure is located in a zoning district other than a B-4 District. All other separation requirements shall be followed.

Outdoor storage is permitted if a Type I buffer yard is installed around the outside of the storage area when the area is adjacent to a nonresidential district. A Type 3 buffer yard is required around the storage area when it is adjacent to a residential district or use and all such areas shall be located completely behind the building. No storage areas shall be located in any required or not required front or side yard.

(Ord. No. 323, 2-1-99; Ord. No. 330, 4-26-99; Ord. No. 871, 12-3-07)

### **Section 2.1.3 - Industrial districts.**

The following industrial districts are hereby established: I-1 and I-2. These districts are designed to accommodate businesses engaged in the manufacturing, processing, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. 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.

The use of vinyl, tin, metal and masonry block except split face/decorative masonry shall be prohibited on the exterior walls of any building located on a parcel that has frontage on U.S. Highway 521 from the southern right-of-way line of S.C. Highway 75 northward to the state line or frontage on S.C. Highway 160 from U.S. Highway 521 westward to the county line. All sides of the building shall comply with this requirement with the exception of any side of a building that is not visible from any point on an adjoining road(s) right-of-way. Sides of the building that are screened with landscaping, a fence or some combination of the two shall be considered to be visible from an adjoining street. This requirement is being added to these regulations for aesthetic purposes only and has nothing to do with the enforcement of building code requirements or standards.

1. The I-1, Light Industrial District, is designed to accommodate industries that do not tend to have adverse impacts on surrounding properties.
2. The I-2, Heavy Industrial District, is designed to accommodate industries that tend to have adverse impacts on surrounding properties.
3. All uses allowed in these districts shall comply with the regulations contained in section 4.1.17 [applicable regulations of Chapter 4].

(Ord. No. 871, 12-3-07)

### **Section 2.1.4 - Planned Development District.**

**INDUSTRIAL I-1 / UPDATED 12/03/07/Ord.#876**

**USES PERMITTED:**

1. Support Activities for Crop Production
2. Veterinary Service w/outdoor pens
3. Support Activities for Animal Production: Breeding Services for Animals
4. Boarding Horses
5. Dairy Herd Improvements
6. Livestock Spraying
7. Sheep Dipping and Shearing
8. Landscape and Horticultural Service
9. Retail Store-Home Furniture, Furnishings and Appliances
10. Restaurants
11. Fast Food with drive through window
12. Funeral Service and Crematories
13. Automotive Rental and Leasing Agency
14. Automobile Parking
15. Miscellaneous Repair Services
16. Drive-In Movie Theater
17. Motion Picture Production and/or Distribution Services
18. Amusement and Recreation Facilities (Non-Public)
19. Medical or Dental Laboratory
20. Miscellaneous Health or Allied Service
21. Building Construction-General Contractors Facility (no outdoor storage)
22. Building Construction-General Contractors Facility with outdoor storage
23. Heavy Construction Contractors Facilities(other than building construction)
24. Construction-Special Trade Contractors
25. Public Warehousing and Storage Facility
26. Durable Goods-Wholesale/Distribution Facility
27. Nondurable Goods-Wholesale/Distribution Facility
28. Vocational School
29. Religious Institution
30. Taxi Company Facility
31. Intercity and Rural Bus Transportation Facility
32. Charter Bus Service Facility
33. Independent Motor Vehicle Terminal, Service, or Maintenance Facility
34. Trucking and Courier Service Facility (except air)
35. Motor Freight Transportation Terminal and Maintenance Facility
36. Air Transportation Terminal
37. Telephone Communications Facilities
38. Telegraph or Other Message Communications Facilities
39. Radio or Television Broadcasting Facilities
40. Park or Playground
41. Botanical or Zoological Garden
42. Other Designated Community Open Space Area

**INDUSTRIAL I-1 / UPDATED 12/03/07Ord.#876**

43. Livestock Facility (except Commercial Meat Production Centers)
44. General Agricultural Activities (i.e.) general row crop production, free-range Livestock operations, pasture land, hay land, woodland and wildlife Management areas
45. Forest Production-Including Christmas Trees
46. General Office

**CONDITIONAL USES:**

1. Home Occupation
2. Automotive Repair Shop
3. Food Processing Plant
4. Tobacco Processing Plant
5. Textiles Dye/Finish Processing Plant (Fabric, Knitting, Carpet, etc.)
6. Apparel and Other Finished Products Factory
7. Lumber, Logging, and Wood Products Mill/Factory (except furniture)
8. Furniture and Fixtures Plant (Residential and Non-Residential Products)
9. Paper, Paperboard, Pulp, and Allied Products Mill
10. Printing, Publishing and Allied Industries Plant
11. Chemical/Allied Products Plant
12. Industrial and Commercial Factories
13. Manufacturing of Hi-Tech Products
14. Mini-Warehouse Facilities
15. Recycling Facilities, Convenience Centers and Resource Recovery Facilities
16. Wireless Communication Towers (i.e. Cellular Communications)
17. Nature Preserve or Wildlife Sanctuary

**USES REQUIRING REVIEW BY BOARD OF ZONING APPEALS:**

1. Automotive Wrecking, and/or Junk, Salvage Yard (Shall comply with the Regulations of (See Section 4.2.1)
2. Special Events (See Section 4.2.9)
3. Motorized Race and Testing Tracks (See Section 4.2.5)
4. Construction, Demolition and Land Clearing Debris (See Section 4.2.3)
5. Sanitary Landfills (See Section 4.2.7)
6. Solid Waste Storage and Transfer Facilities, Waste Tire Treatment Sites And Composting Facilities (See Section 4.2.8)
7. Solid Waste Collection, Treatment and/or Disposal Facility
8. Recoverable Waste Collection and Recycling Centers

**USES REQUIRING REVIEW BY PLANNING COMMISSION:**

1. United States Postal Service Facility
2. Police Station
3. Fire Station
4. Ambulance Service/Rescue Squad
5. School Bus Facility

RZ-015-014 – Rezoning application of Red Head Properties to rezone ±0.95 acres from R-15, Moderate Density Residential/Agricultural District to B-3, General Commercial District. The applicant is proposing a convenience store. {Public Hearing} pgs. 44-57

Nick Cauthen

## PLANNING STAFF REPORT: RZ-015-014

### I. FACTS

#### A. GENERAL INFORMATION

**Proposal:** This is a rezoning application of Red Head Properties to rezone ± 0.95 acres from R-15, Moderate Density Residential/Agricultural District To B-3, General Commercial District. The applicant is proposing a convenience store.

**Property Location:** The property is located at 100 East Grace Avenue.

**Legal Description:** TMS # 0086B-0M-016.00

**Zoning Classification:** Current: R-15, Moderate Density Residential/Agricultural District

**Voting District:** District 4, Larry Honeycutt

#### B. SITE INFORMATION

**Site Description:** The property consists of ±0.95 acres and is located at the corner of East Grace Avenue and Franklin Street. A vacant building currently occupies the property.

#### C. VICINITY DATA

**Surrounding Conditions:** The surrounding properties are zoned R-15, Moderate Density Residential/Agricultural District, and R-30, Low Density Residential/Agricultural District. White Springs Baptist Church is adjacent to the subject property along with a number of single family homes.

#### D. EXHIBITS

1. Rezoning Application
2. Plat of Property
3. Location Map
4. Future Land Use Map
5. Tax Inquiry Sheet
6. Table of Uses – B3

### 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 B-3, General Commercial District**, is designed to accommodate a wide variety of general commercial uses characterized primarily by retail, office and service establishments which are oriented primarily towards major traffic corridors and/or extensive areas of predominantly commercial usage and characteristics. Commercial uses encouraged in this district are generally patronized in single purpose trips and emphasize large general merchandise establishments, sale of large or bulky items, commercial services, repair services, automobile related sales and repair, various types of convenience stores, restaurants, and other recreational and entertainment uses. This district is also suited to accommodate travel oriented uses such as hotels and motels and gas stations. Outdoor storage is permitted if a Type 1 Buffer yard is installed around the outside of the storage area when the area is adjacent to a nonresidential district. A Type 3 Buffer yard is required around the storage area when it is adjacent to a residential district or use and all such areas shall be located completely behind the building. No storage areas shall be located in any required or not required front or side yard. Automobile dealerships are allowed to park automobiles in the front or side yard of the property.

### III. CONCLUSIONS

The facts and findings of this report show that the property is designated as Urban on the Future Land Use map. Urban is defined as a walkable neighborhood with additional intensity by the *Lancaster County Comprehensive Plan 2014-2024*. Lancaster County is currently in the midst of a Unified Development Ordinance rewrite, but at the present time the county does not have zoning districts to support the Future Land Use map. Additionally this case brings up the issue of spot zoning. The South Carolina Supreme Court has defined spot zoning as the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, *for the benefit of the owners of that property* and to the detriment of other owners. Although a convenience store has been located on the property before, based on the zoning map a B-3 parcel does not conform to the area.

### IV. RECOMMENDATION:

It is therefore the recommendation of the planning staff that the rezoning request for the property located at 100 East Grace Avenue be **DENIED**.

LANCASTER COUNTY

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

Do Not Write In This Box	
Application#	Date: <u>7/20/15</u> Paid <input checked="" type="checkbox"/>
<u>RZ-015-014</u>	

- 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)
- Give either exact address or tax map reference to property for which a district boundary change is requested: 100 East Grace Ave 0086B. OM - 016.00
- How is this property presently designated on the map? R-15
- How is the property presently being used? FOR SALE/BUSINESS / RENTAL
- What new designation or map change do you purpose for this property? B-3
- What new use do you propose for the property? CONVENIENCE STORE

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

- 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:
   
\_\_\_\_\_
   
\_\_\_\_\_
- If this involves a change in the Ordinance text, what section or sections will be affected? \_\_\_\_\_

9. Explanation of and reasons for proposed change: PROPERTY HAS CONTRACT FOR SALE

(attach another page if additional space is needed)

10. Applicant's can request a 5 minute PowerPoint presentation at County Council to be given during the ordinance reading time and at 1<sup>st</sup> reading only. You will be allowed 5 slides or less. This information must be given to the Clerk to Council by the Friday prior to the Monday Council meeting. Please check the appropriate box to indicate whether or not you will be giving a PowerPoint presentation.  YES  NO

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)  
RED HEAD PROPERTIES

ADDRESS:  
1982 SHANKILL AVE  
LANCASTER, SC 29720

[Signature]  
SIGNATURE  
AS AGENT FOR  
RED HEAD PROPERTIES

Phone:



# Exhibit 1

## NOTICE OF ENTRY UPON LAND

Section 6-29-340(A) of the Code of Laws of South Carolina 1976, as amended, provides, in part, that "[t]he planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom."

This notice is dated 7/20/15 and serves as written notice to the owner of record of the following property: 100 EAST GRACE AVE (the "Property") that the employees of the Lancaster County Planning Department and the members of the Lancaster County Planning Commission may enter upon the Property at any time after ten days from the date of this notice for the purpose of making examinations, surveys and to perform their respective official duties, without consent or further notice to the owner of record.

### ACKNOWLEDGMENT OF RECEIPT OF NOTICE

By signing below, I acknowledge receipt of the above Notice of Entry Upon Land.

[Signature]  
Signature  
AS AGENT FOR REDWOOD PROPERTIES  
Printed Name  
7/20/15  
Date

If the owner of record refuses to acknowledge receipt of the Notice of Entry Upon Land, then the Planning Director, or a person authorized by the Planning Director, shall sign and date the area below:

\_\_\_\_\_  
Planning Director or Authorized Person Signature

\_\_\_\_\_  
Planning Director or Authorized Person Printed Name

\_\_\_\_\_  
Date





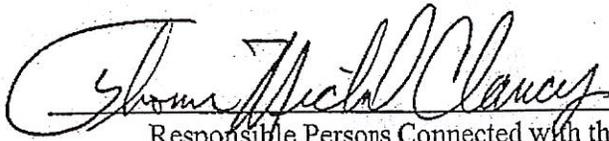
**Exhibit 1**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LANCASTER )

**AFFIDAVIT**

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

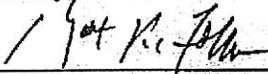
1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at Lots Number 11 and 12 bearing Lancaster County Tax Map Number 86B-M-16 transferred by Thomas Michael Clancy to Red Head Properties, LLC dated February 20, 2007.
3. The deed is exempt from the deed recording fee because:  
See Exemption #1(Code Section 12-24-40)
4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor.
5. I understand that a person required to furnish this affidavit who wilfully 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 Persons Connected with the Transaction

Thomas Michael Clancy

SWORN to before me this 20<sup>th</sup>  
day of February, 2007.



Notary Public for South Carolina  
My Commission Expires: 6/21/11



Lancaster County Assessor			
Parcel: 0086B-0M-016.00 Acres: 170			
Name:	RED HEAD PROPERTIES LLC	Land Value	\$15,300.00
Site:	100 EAST GRACE AVE	Improvement Value	\$53,500.00
Sale:	\$55 on 02-2007 Vacant= Qual=2	Accessory Value	\$0.00
Mail:	PO BOX 1854 LANCASTER, SC 29721-0000	Total Value	\$68,800.00



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Date printed: 07/29/15 : 11:27:38

# RZ 015-014 Aerial Map

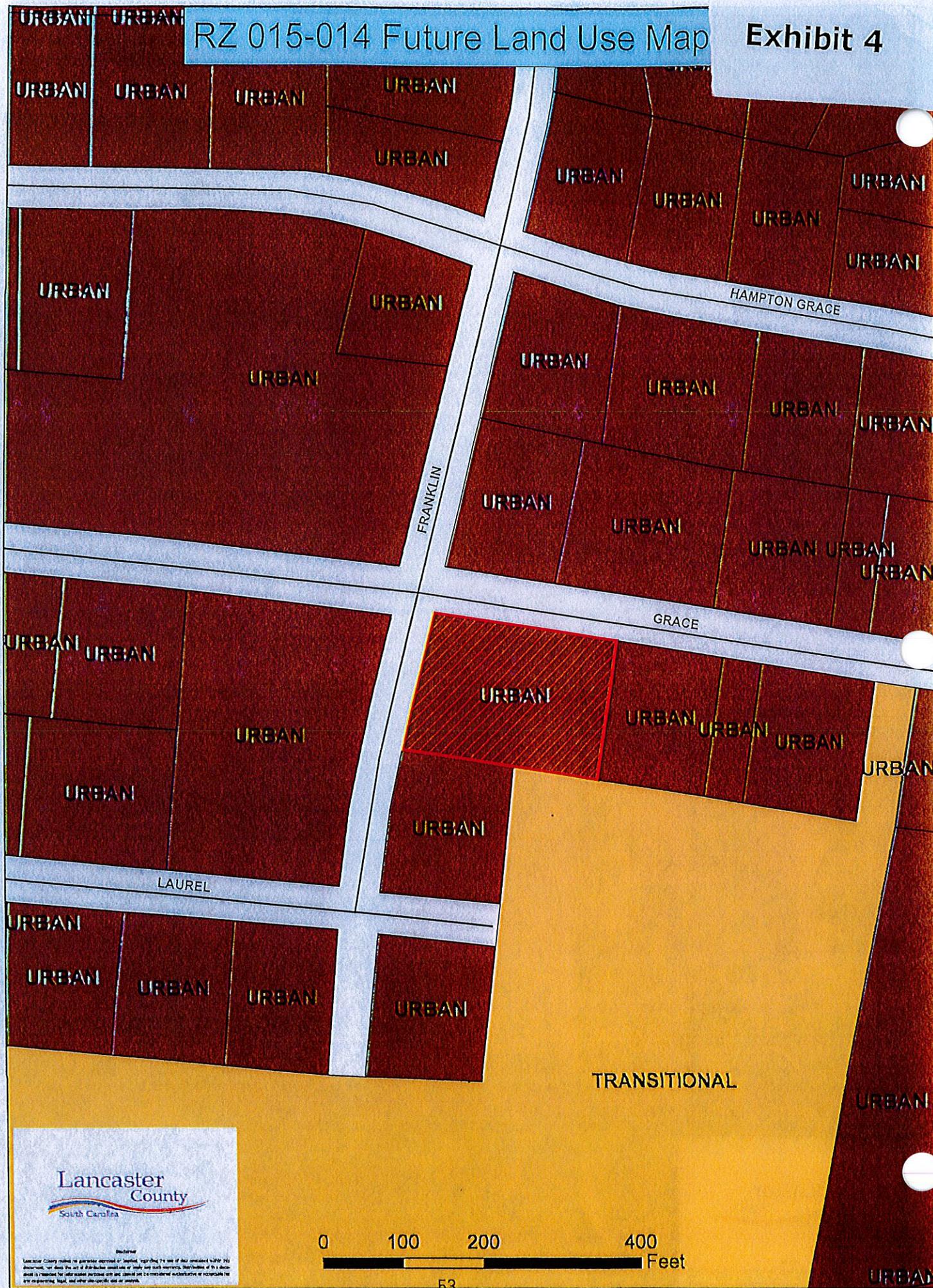
# Exhibit 3



Lancaster  
County  
South Carolina

0 100 200 400 Feet

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**Lancaster County**  
South Carolina

Incorporated 1792

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Indexed By  Parcel ID  Card #

Add Mod Del Save Cancel

**Parcel ID:** 0086B-0M-016.00  
 Account: 16198  
 Sticker #:   
 Location: 100 EAST GRACE AVE Lancaster  
 Land Use: NCOM - Comm  
 Owner #1: RED HEAD PROPERTIES LLC  
 Card: 1/1  
 District: 01 - County  
 Ent. Parcel Area: 170 - FF  
 Neigh: 29 - 29  
 Own Type:

**Market Adj Value**  **Year 2014** **Legal Description**

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	170,000	170,000	170X255X141X270
Full Market Value:	68,800	68,800	
Building Value:	53,500	53,500	
Yard Items:	15,300	15,300	
Land Value:	68,800	68,800	
Total Value:	4,128	4,128	
Assessed Value:	68,800	68,800	
Capped Total:			

**Sales Information**

Grantor: CLANCY THOMAS MICHAEL,  
 Sale Price: 5  
 Sale Date: 2/20/2007  
 Legal Ref: 383-248

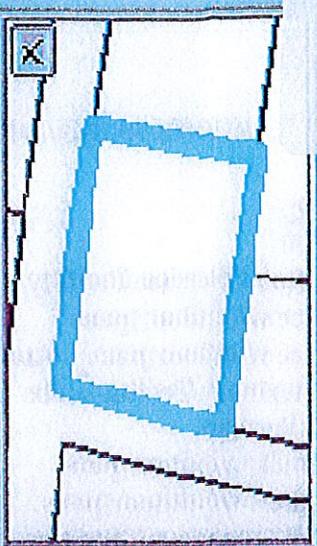
Validity: 2  
 Sold Vacant: No

**Narrative Description**

This parcel contains 170 FF of land mainly classified as Comm with a Retail Store Building built about 1955, having primarily Concrete Blk Exterior and 5152 Square Feet, with 0 Unit, 0 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.

Rewal / Market

No Picture Available



Office Notes  Notes

Open 7/28/2015 1:44 PM

16198

**USES PERMITTED:**

1. Bed and Breakfast
3. Service – Agricultural Service Facility
4. Veterinary Service w/outdoor pens
5. Veterinary Service w/indoor pens – Animal Hospital, Veterinarian Office/Clinic, Veterinary Testing Labs
6. Pedigree Record Services
7. Commercial Kennels w/indoor pens
8. Commercial Kennels w/outdoor pens
9. Farm Labor and Management Service
10. Landscape and Horticultural Service
11. Liquor Stores
12. Lumber and/or Other Building Materials Dealer
13. Paint, Glass or Wallpaper Store
14. Hardware Store
15. Retail Nurseries, Lawn and Garden Supply Store
16. Manufactured Home Dealer
17. Retail Trade Store/Center – General Merchandise – Large Scale
18. Retail Store-Food (Including Grocery Stores)
19. Open Air Market (farm, crafts, produce),etc.)
20. Motor Vehicles Dealer (new and/or used)
21. Auto Supply Store
22. Boat and Marine Supplies Dealer
23. Recreation Vehicle Dealer
24. Motorcycle Dealer
25. Automobile Dealers, not elsewhere classified
26. Retail Store – General – Small Scale (i.e.) Clothing, Shoe, Antiques
27. Retail Store – Home Furniture, Furnishings and Appliances
28. Bars and Taverns
29. Nightclubs with alcohol
30. Restaurants
31. Fast Food with drive through window
32. Car Wash (Full Service)
33. Car Wash (Self Service)
34. Convenience Store with Fuel
35. Convenience Store without Fuel
36. Office/Banks, Savings & Loans and Credit Unions
37. General Office
38. Hotels and Motels (Except Casino Hotels)
39. Travel Arrangement and Reservation Services
40. Freight Transportation Arrangement Agency
41. Miscellaneous Incidental Transportation Service
42. Personal and Laundry Services

**BUSINESS B-3 / UPDATED 1/22/07**

43. Florist Shop
44. Funeral Service and Crematories
45. Automotive Rental and Leasing Agency
46. Automobile Parking
47. Automotive Service (except repair)
48. Miscellaneous Repair Services
49. Drive-In Movie Theater
50. Motion Picture Production and/or Distribution Services
51. Motion Picture Theater
52. Video Tape Rental Store
53. Amusement and Recreation Facilities (Non-Public)
54. Offices and Clinics of Doctors, Dentists, & Other Health Practitioners
55. Nursing and Personal Care Facility
56. Medical or Dental Laboratory
57. Miscellaneous Health or Allied Service
58. Building Construction – General Contractors Facility (no outdoor storage)
59. Construction – Special Trade Contractors
60. Durable Goods – Wholesale/Distribution Facility
61. Nondurable Goods – Wholesale/Distribution Facility
62. Museums and Art Galleries
63. Job Training and Vocational Rehabilitation Service
64. Child Day Care Service or Facility
65. Adult Day Care Service or Facility
66. Residential Care Service or Facility (i.e.) Children's Home, Halfway House
67. Intermediate Care Institution
68. Nursing Care Institution
69. Membership Organization Facilities (i.e.) Business, Civic, Social
70. Religious Institution
71. Taxi Company Facility
72. Intercity and Rural Bus Transportation Facility
73. Charter Bus Service Facility
74. Independent Motor Vehicle Terminal, Service, or Maintenance Facility
75. Trucking and Courier Service Facility (except air)
76. Motor Freight Transportation Terminal and Maintenance Facility
77. Telephone Communications Facilities
78. Telegraph or Other Message Communications Facilities
79. Radio or Television Broadcasting Facilities
80. Cable or Other Pay Television Facilities
81. Park or Playground
82. Recreation Facility (except golf courses)
83. Golf Course (public or membership)
84. Botanical or Zoological Garden
85. Cemetery/Mausoleum
86. Other Designated Community Open Space Area

**BUSINESS B-3 / UPDATED 1/22/07**

87. Livestock Facility (except Commercial Meat Production Centers)
88. General Agricultural Activities (i.e.) general row crop production, free-range livestock operations, pasture land, hay land, woodland and wildlife management areas
89. Forest Production – Including Christmas Trees

**CONDITIONAL USES:**

1. Site Built Single-Family Detached House
2. Modular Single-Family Detached House (Meets CABO Building Code)
3. Temporary Dependent Care Residences
4. Temporary emergency, construction, and repair residence
5. Temporary Structure used in connection with the construction of a Permanent building or for some non-recurring purpose
6. Home Occupation
7. Manufactured Home Storage Lot
8. Gasoline Service Station
9. Automotive Repair Shop
10. Manufacturing of Hi-Tech Products
11. Mini-Warehouse Facilities
12. Recycling Facilities, Convenience Centers and Resource Recovery Facilities
13. Wireless Communication Towers (i.e. Cellular Communications)
14. Nature Preserve or Wildlife Sanctuary
15. Deer Processing

**USES REQUIRING REVIEW BY BOARD OF ZONING APPEALS:**

1. Special Events
2. Motorized Race and Testing Tracks
3. Chemical Dependency Treatment Center
4. Recoverable Waste Collection and Recycling Centers

**USES REQUIRING REVIEW BY PLANNING COMMISSION:**

1. Hospital
2. United States Postal Service Facility
3. Elementary or Secondary School
4. College, University or Professional School
5. Library
6. Vocational School
7. Schools and Educational Service Facility (not elsewhere classified)
8. Coliseum, Stadium, or Arena designed for capacity greater than 1000 people
9. Government Offices
10. Courthouse
11. Police Station

**RZ-015-015 – Rezoning application of Bradley J. Mullis to rezone a 1 acre portion of ±5.657 acres from R-45B, Rural Residential/Business/Agricultural District, to B-3, General Commercial District. The applicant proposes to build a 40' x 60' building for a auto machine shop. {Public Hearing} pgs. 58-73 .**

**Andy Rowe**

**PLANNING STAFF REPORT**

*RZ-015-015*

**I. Facts**

A. General Information

*Proposal:* Rezoning application of Bradley J. Mullis to rezone a 1 acre portion of a ± 5.657 acres from R-45B, Rural Residential/Business/Agricultural District, to B-3, General Commercial District. The applicant proposes to build a 40' x 60' building for an auto machine shop.

*Property Location:* The property is located ± 550 feet south of the intersection of Whittle Street and Shiloh Unity Road in Lancaster County, South Carolina.

*Legal Description:* Tax Map 36, Parcel 38.00

*Zoning Classification:* Current: R-45B, Rural Residential/Business/Agricultural District

***Voting District: District 3- Bob Bundy***

B. Site Information

*Site Description:* The parcel is undeveloped.

C. Vicinity Data

*Surrounding Conditions:* The property is surrounded by R-45B Rural Residential/Business/Agricultural District. There is one parcel located ± 1,100 feet south of the subject property on Whittle Street zoned B-3, General Commercial District.

Exhibits

1. Rezoning Application
2. Location Map
3. Zoning Map
4. Future Land Use Map
5. Tax Inquiry Sheet
6. Table of Uses

**II. Findings:**

**Code Considerations:**

**UDO – Section: 2.1.1 Residential Districts Established**

The R-45B, Rural Residential/Business/Agricultural District, contains the same district regulations as those contained in the R-45A district with the only exception being that stockyards, slaughter houses, commercial poultry barns and swine lots are not allowed under any circumstance. The commercial uses allowed in this district are the same as those allowed in the R-45A district, and are specified in the Table of Permissible Uses.

**The R-45A, Rural Residential/Intense Agricultural District**, is designed to accommodate a wide range of use including low density residential development, low intensity commercial uses and high intensity agricultural uses. The minimum residential lot size, minimum residential lot width and maximum residential density of the district are the same as for the R-45 district. However, both single-wide and multi-wide manufactured housing units are allowed on individual lots based on certain siting requirements. See section 4.1.22. Stockyards, slaughter houses, commercial poultry houses and swine lots are only allowed as conditional uses.

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 residents and agricultural businesses. Such uses shall only be allowed on lots located at the intersection of two roads. One of the two roads shall be part of the state highway system and the other shall be a collector street. No commercial uses shall be allowed on lots having frontage on any local street. The commercial uses allowed in this district are the same as those allowed in the R-45B district, and are specified in the Table of Permissible Uses.

All commercial buildings in this district are limited to 6,000 (gross) square feet except for buildings constructed or used for a "Retail Store Food" which are allowed to be 12,000 (gross) square feet. Stockyards, slaughterhouses, commercial poultry houses and swine lots need only to comply with the conditions contained in Chapter 4.

**The B-3, General Commercial District**, is designed to accommodate a wide variety of general commercial uses characterized primarily by retail, office and service establishments which are oriented primarily towards major traffic corridors and/or extensive areas of predominantly commercial usage and characteristics. Commercial uses encouraged in this district are generally patronized in single purpose trips and emphasize large general merchandise establishments, sale of large or bulky items, commercial services, repair services, automobile related sales and repair, various types of convenience stores, restaurants, and other recreational and entertainment uses. This district is also suited to accommodate travel oriented uses such as hotels and motels and gas stations.

Outdoor storage is permitted if a Type 1 Buffer yard is installed around the outside of the storage area when the area is adjacent to a nonresidential district. A Type 3 Buffer yard is required around the storage area when it is adjacent to a residential district or use and all such areas shall be located completely behind the building. No storage areas shall be located in any required or not required front or side yard. Automobile dealerships are allowed to park automobiles in the front or side yard of the property.

### **III. Conclusions:**

The facts and findings of this report show that the property is designated as R-45B, Rural Residential/Business/Agricultural District on the Lancaster County Zoning Map. The Future Land Use Map identifies this property as Rural Living based on the *Lancaster County Comprehensive Plan 2014-2024*. The Future Land Use Map does not distinguish between residential and commercial uses. Based on the current zoning, the property is surrounded by R-

45B. The property is within  $\pm$  1,100 feet of an existing B-3 zoned parcel. The applicant is only requesting a 1 acre portion of the property to be rezoned to B-3 for a small scale 40' x 60' foot building for an auto machine shop. The applicant will be required to provide a survey identifying the proposed B-3 area if County Council approves the rezoning request. The County will need the survey platted and recorded before 3<sup>rd</sup> reading.

**IV. Recommendation:**

It is therefore the recommendation of the planning staff that the rezoning request for the property located  $\pm$  550 feet south of the intersection of Whittle Street and Shiloh Unity Road be **Denied**.

LANCASTER COUNTY

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

Do Not Write In This Box		
Application#	Date	Paid
RZ-015-015	7-21-15	✓

- 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)
- Give either exact address or tax map reference to property for which a district boundary change is requested: P0 0036-00-038.00 - 1 acre
- How is this property presently designated on the map? R-45B
- How is the property presently being used? Vacant Land
- What new designation or map change do you propose for this property? B-3
- What new use do you propose for the property? Auto Machine Shop 40x60 Building

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

- 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: \_\_\_\_\_

- If this involves a change in the Ordinance text, what section or sections will be affected? N/A

- Explanation of and reasons for proposed change: Plan to build a Auto Machine Shop (40' x 60' Building)  
(attach another page if additional space is needed)

- Applicant's can request a 5 minute PowerPoint presentation at County Council to be given during the ordinance reading time and at 1<sup>st</sup> reading only. You will be allowed 5 slides or less. This information must be given to the Clerk to Council by the Friday prior to the Monday Council meeting. Please check the appropriate box to indicate whether or not you will be giving a PowerPoint presentation.  YES  NO

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) Bradley J. Mullis

ADDRESS: 3116 Whitfire St.  
Lancaster SC 29720

Bradley J. Mullis  
SIGNATURE

Phone:



# Exhibit 1

## NOTICE OF ENTRY UPON LAND

Section 6-29-340(A) of the Code of Laws of South Carolina 1976, as amended, provides, in part, that "[t]he planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom."

This notice is dated 7/21/15 and serves as written notice to the owner of record of the following property: 0036-00-038.00 (the "Property") that the employees of the Lancaster County Planning Department and the members of the Lancaster County Planning Commission may enter upon the Property at any time after ten days from the date of this notice for the purpose of making examinations, surveys and to perform their respective official duties, without consent or further notice to the owner of record.

### ACKNOWLEDGMENT OF RECEIPT OF NOTICE

By signing below, I acknowledge receipt of the above Notice of Entry Upon Land.

Brad J. Mullis  
Signature

Brad J. Mullis  
Printed Name

7-21-15  
Date

If the owner of record refuses to acknowledge receipt of the Notice of Entry Upon Land, then the Planning Director, or a person authorized by the Planning Director, shall sign and date the area below:

\_\_\_\_\_  
Planning Director or Authorized Person Signature

\_\_\_\_\_  
Planning Director or Authorized Person Printed Name

\_\_\_\_\_  
Date

LANCASTER COUNTY ASSESSOR

TITLE NOT EXAMINED  
DEED DRAWN BY  
TRIMNAL & MYERS, LLC

Tax Map:  
0036 00 038 00

RECORDED THIS 9th DAY  
OF JUNE, 2015  
IN BOOK 2015 PAGE M-1

*Cheryl Morgan*

Auditor, Lancaster County, SC

State of SOUTH CAROLINA )  
 )  
County of LANCASTER )

TITLE TO

2015007601

DEED  
RECORDING FEES \$10.00  
STATE TAX \$13.00  
COUNTY TAX \$5.50  
PRESENTED & RECORDED:  
05-22-2015 02:23 PM  
JOHN LANE  
REGISTER OF DEEDS  
LANCASTER COUNTY, SC  
By: CANDICE PHILLIPS DEPUTY  
BK: DEED 877  
PG: 275-276

Know All Men by These Presents, That

JULIE M. PATTERSON

hereinafter referred to as grantor for and in consideration of the sum of Five Thousand and no/100ths (\$5,000.00) Dollars-----

to grantor paid by **BRADLEY J. MULLIS**  
3116 Whittle St.  
Lancaster, SC 29720

**Exhibit 1**

hereinafter referred to as grantee, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said grantee and grantee's heirs, successors and assigns, **all my right, title, and interest** in and to the following described property, to wit:

All that certain piece, parcel or tract of land, lying, being and situate in Buford Township, Lancaster County, South Carolina, fronting on the south side of S.C. Highway 28 and the east side of Public Road (Dirt), containing 5.657 acres and being shown, described and designated as Tract 3 on plat of survey entitled "Boundary Survey and Subdivision of the Jack Leo Mullis and Avis H. Mullis Property" dated September 12, 2002 revised January 8, 2003 made by S.M. Sandy Surveying and recorded as Plat No. 2003-66 in the Office of the Register of Deeds for Lancaster County, South Carolina, which plat is incorporated herein and by reference made a part hereof.

Being the identical property conveyed to Julie M. Patterson by deed of Jack Leo Mullis recorded February 18, 2003 in Book 185 at Page 286 with the Register of Deeds for Lancaster County, South Carolina.

TMS# 36-38

This conveyance is made conveyance is made subject to all easements, restrictions and rights of way, if any, appearing of record in the chain of title of the subject property or visible upon an actual, physical inspection of the subject property.

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



# Exhibit 1

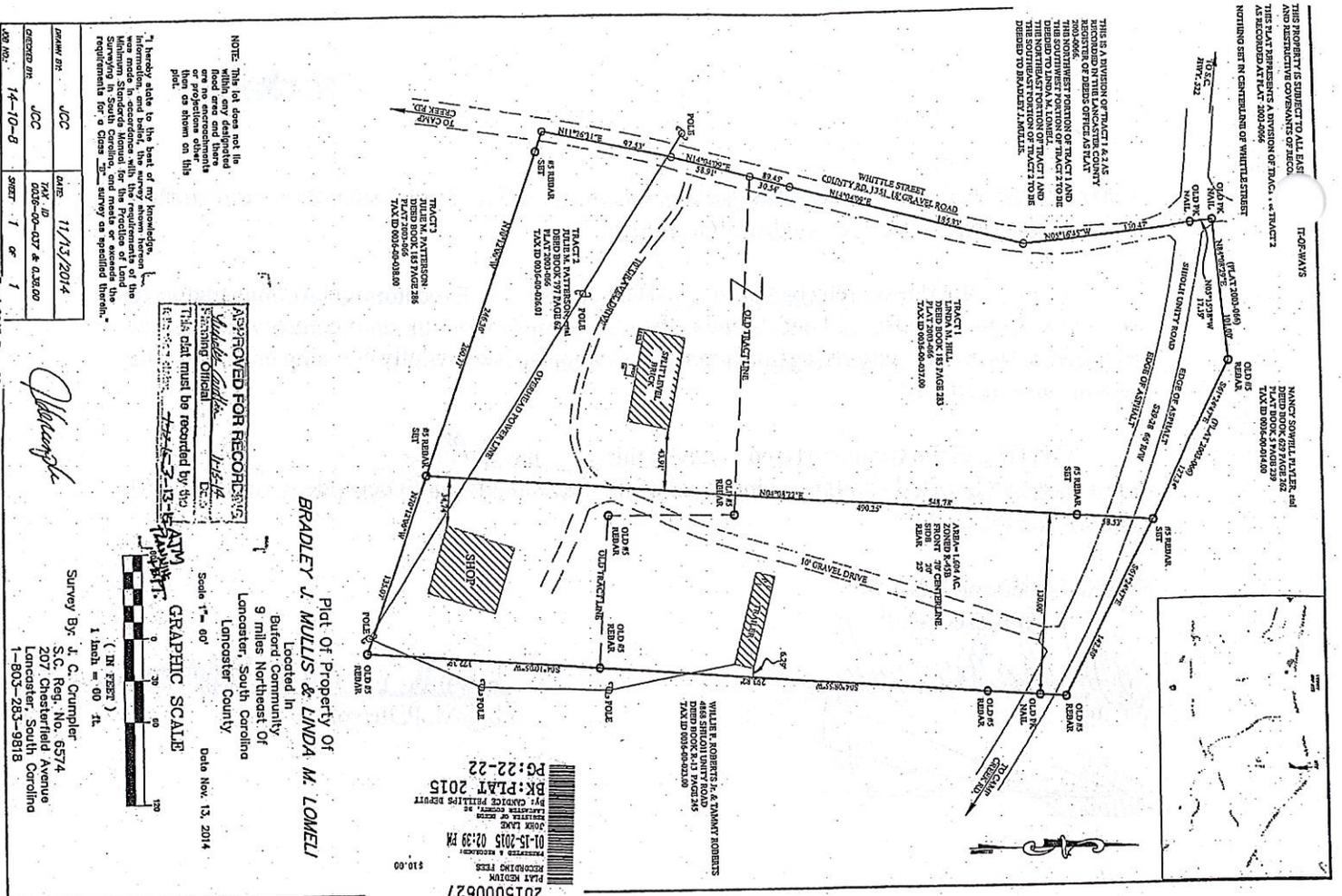


Exhibit 2

RZ-015-015  
Vicinity Map

Subject Property

0.2 Miles

0.1

0.05

0



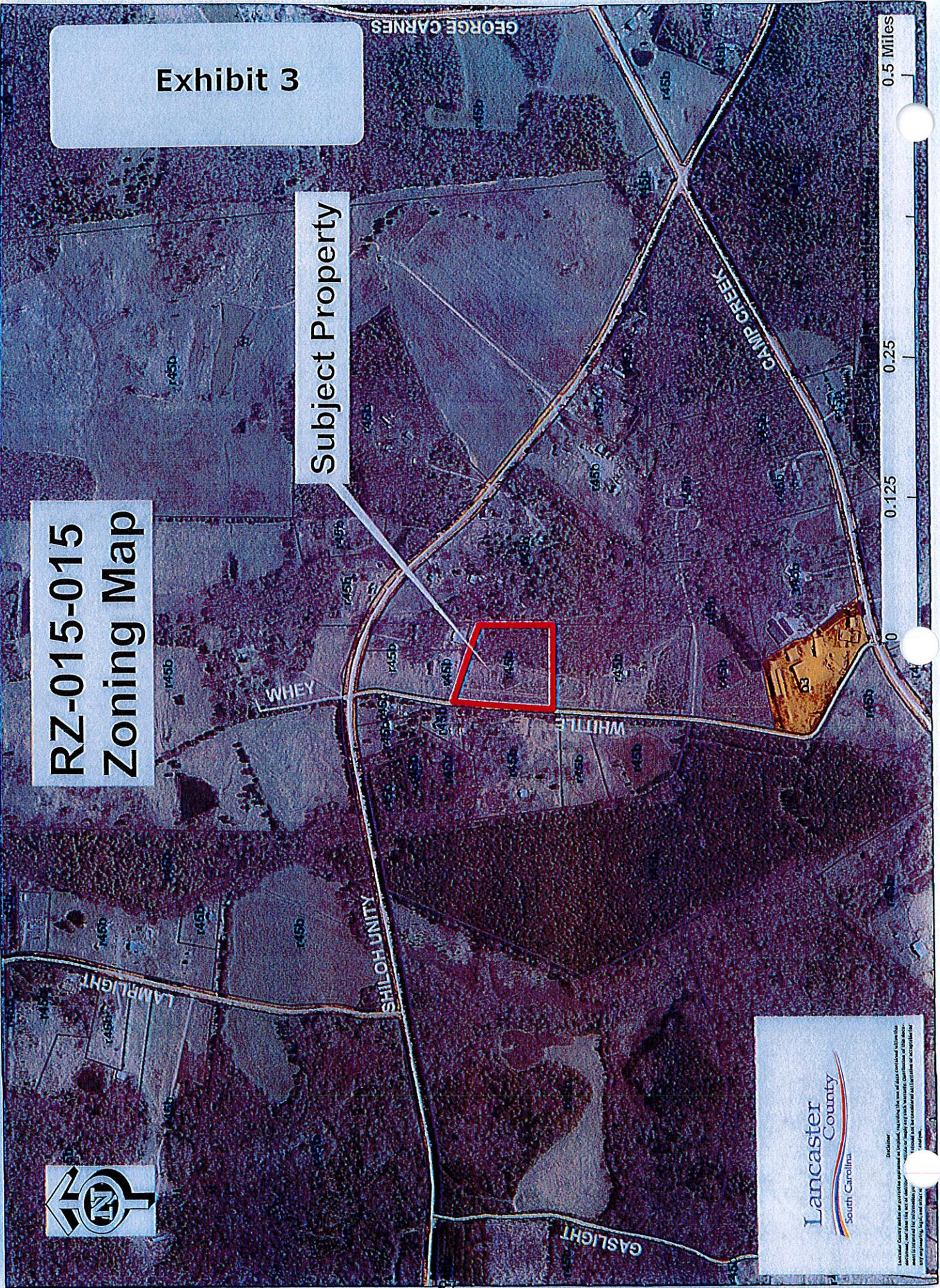
Lancaster County  
South Carolina

Copyright © 2015 Lancaster County, South Carolina. All rights reserved. This map is provided for informational purposes only. It is not intended to be used for legal or financial purposes. The information on this map is subject to change without notice. For more information, please contact the Planning and Zoning Department at (803) 781-1234.

# Exhibit 3

## RZ-015-015 Zoning Map

Subject Property



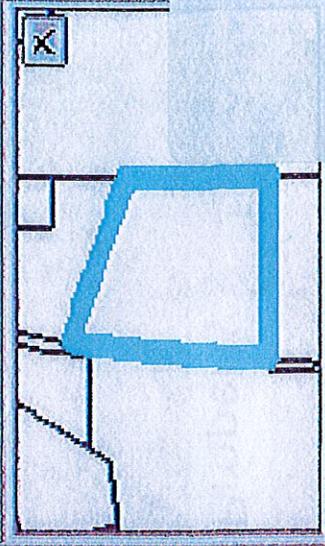
**Lancaster County**  
South Carolina

Disclaimer:  
Lancaster County makes no warranties expressed or implied, regarding the use of this computerized map. The user assumes all liability for any errors or omissions in the data. The user agrees to hold the County harmless for any damages or losses resulting from the use of this map.



Indexed By:  Parcel ID:  Card #:

**Parcel ID:** 0036-00-038.00      **Card:** 1/1  
**Account:** 77937      **District:** 01 - County  
**Sticker #:**      **Ent. Parcel Area:** 5.657 - AC  
**Location:** WHITTLE ROAD Lancaster  
**Land Use:** NLN - LandOnly      **Neigh:** 04 - 04  
**Owner #1:** MULLIS, BRADLEY J      **Own Type:**



Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	5.650		
Full Market Value:	34,400		
Building Value:			
Yard Items:			
Land Value:	34,400		
Total Value:	2,064		
Assessed Value:	34,400		
Capped Total:			
			Reval / Market 02

**Sales Information**  
**Grantor:** PATTERSON JULIE M.      **Validity:** 1  
**Sale Price:** 5,000      **Sold Vacant:** No  
**Sale Date:** 5/5/2015  
**Legal Ret:** 877-275

Exhibit 5

Indexed By:  Parcel ID:  Card #:

Add Mod Del Save Cancel

Parcel ID: 0036-00-038.00 Card: 1 of 1 Location: WHITTLE ROAD Lancaster Cost: \$34,400

Current Owner | Prior Owner | ID/Factors/Taxes

**Current Ownership**

Title	Last Name	First Name	Res ex	% Own
#1:	MULLIS	BRADLEY J	<input type="checkbox"/>	
#2:			<input type="checkbox"/>	
#3:			<input type="checkbox"/>	

Street #1: 3116 WHITTLE ST Home Phone:

Street #2:  Cell Phone:

City/Town: LANCASTER Work Phone:

Province/State: SC Postal: 29720 Email:

Country:  Account Type:

D.O.B.: MM/DD/YYYY Legal Reference: 877-275

Owner Occupied:  Sale Date: 5/5/2015 Owner Lookup Number: 82771

Separate Bill:  Valid Owner:  Private Infor:

Sales Exemptions Other Parties

Open 7/28/2015 10:03 AM More Owners 77937 QuickList

Exhibit 5

**USES PERMITTED:**

1. Bed and Breakfast
3. Service – Agricultural Service Facility
4. Veterinary Service w/outdoor pens
5. Veterinary Service w/indoor pens – Animal Hospital, Veterinarian Office/Clinic, Veterinary Testing Labs
6. Pedigree Record Services
7. Commercial Kennels w/indoor pens
8. Commercial Kennels w/outdoor pens
9. Farm Labor and Management Service
10. Landscape and Horticultural Service
11. Liquor Stores
12. Lumber and/or Other Building Materials Dealer
13. Paint, Glass or Wallpaper Store
14. Hardware Store
15. Retail Nurseries, Lawn and Garden Supply Store
16. Manufactured Home Dealer
17. Retail Trade Store/Center – General Merchandise – Large Scale
18. Retail Store-Food (Including Grocery Stores)
19. Open Air Market (farm, crafts, produce),etc.)
20. Motor Vehicles Dealer (new and/or used)
21. Auto Supply Store
22. Boat and Marine Supplies Dealer
23. Recreation Vehicle Dealer
24. Motorcycle Dealer
25. Automobile Dealers, not elsewhere classified
26. Retail Store – General – Small Scale (i.e.) Clothing, Shoe, Antiques
27. Retail Store – Home Furniture, Furnishings and Appliances
28. Bars and Taverns
29. Nightclubs with alcohol
30. Restaurants
31. Fast Food with drive through window
32. Car Wash (Full Service)
33. Car Wash (Self Service)
34. Convenience Store with Fuel
35. Convenience Store without Fuel
36. Office/Banks, Savings & Loans and Credit Unions
37. General Office
38. Hotels and Motels (Except Casino Hotels)
39. Travel Arrangement and Reservation Services
40. Freight Transportation Arrangement Agency
41. Miscellaneous Incidental Transportation Service
42. Personal and Laundry Services

43. Florist Shop
44. Funeral Service and Crematories
45. Automotive Rental and Leasing Agency
46. Automobile Parking
47. Automotive Service (except repair)
48. Miscellaneous Repair Services
49. Drive-In Movie Theater
50. Motion Picture Production and/or Distribution Services
51. Motion Picture Theater
52. Video Tape Rental Store
53. Amusement and Recreation Facilities (Non-Public)
54. Offices and Clinics of Doctors, Dentists, & Other Health Practitioners
55. Nursing and Personal Care Facility
56. Medical or Dental Laboratory
57. Miscellaneous Health or Allied Service
58. Building Construction – General Contractors Facility (no outdoor storage)
59. Construction – Special Trade Contractors
60. Durable Goods – Wholesale/Distribution Facility
61. Nondurable Goods – Wholesale/Distribution Facility
62. Museums and Art Galleries
63. Job Training and Vocational Rehabilitation Service
64. Child Day Care Service or Facility
65. Adult Day Care Service or Facility
66. Residential Care Service or Facility (i.e.) Children's Home, Halfway House
67. Intermediate Care Institution
68. Nursing Care Institution
69. Membership Organization Facilities (i.e.) Business, Civic, Social
70. Religious Institution
71. Taxi Company Facility
72. Intercity and Rural Bus Transportation Facility
73. Charter Bus Service Facility
74. Independent Motor Vehicle Terminal, Service, or Maintenance Facility
75. Trucking and Courier Service Facility (except air)
76. Motor Freight Transportation Terminal and Maintenance Facility
77. Telephone Communications Facilities
78. Telegraph or Other Message Communications Facilities
79. Radio or Television Broadcasting Facilities
80. Cable or Other Pay Television Facilities
81. Park or Playground
82. Recreation Facility (except golf courses)
83. Golf Course (public or membership)
84. Botanical or Zoological Garden
85. Cemetery/Mausoleum
86. Other Designated Community Open Space Area

**BUSINESS B-3 / UPDATED 1/22/07**

87. Livestock Facility (except Commercial Meat Production Centers)
88. General Agricultural Activities (i.e.) general row crop production, free-range livestock operations, pasture land, hay land, woodland and wildlife management areas
89. Forest Production – Including Christmas Trees

**CONDITIONAL USES:**

1. Site Built Single-Family Detached House
2. Modular Single-Family Detached House (Meets CABO Building Code)
3. Temporary Dependent Care Residences
4. Temporary emergency, construction, and repair residence
5. Temporary Structure used in connection with the construction of a Permanent building or for some non-recurring purpose
6. Home Occupation
7. Manufactured Home Storage Lot
8. Gasoline Service Station
9. Automotive Repair Shop
10. Manufacturing of Hi-Tech Products
11. Mini-Warehouse Facilities
12. Recycling Facilities, Convenience Centers and Resource Recovery Facilities
13. Wireless Communication Towers (i.e. Cellular Communications)
14. Nature Preserve or Wildlife Sanctuary
15. Deer Processing

**USES REQUIRING REVIEW BY BOARD OF ZONING APPEALS:**

1. Special Events
2. Motorized Race and Testing Tracks
3. Chemical Dependency Treatment Center
4. Recoverable Waste Collection and Recycling Centers

**USES REQUIRING REVIEW BY PLANNING COMMISSION:**

1. Hospital
2. United States Postal Service Facility
3. Elementary or Secondary School
4. College, University or Professional School
5. Library
6. Vocational School
7. Schools and Educational Service Facility (not elsewhere classified)
8. Coliseum, Stadium, or Arena designed for capacity greater than 1000 people
9. Government Offices
10. Courthouse
11. Police Station