

Planning Commission Members

District 1: Alan Patterson
District 2: Tamecca Neely
District 3: Charles Deese, Chair
District 4: (Vacant)
District 5: James Barnett, Vice-Chair
District 6: Sheila Hinson
District 7: Ben Levine

**County Attorney**

Ginny L. Merck-Dupont

Clerk to Planning Commission

Jennifer Bryan

Development Services Director

Rox Burhans

January 5, 2023

5:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY PLANNING COMMISSION
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

Planning Commission Workshop AGENDA

1. Call to Order Regular Meeting and Roll Call Vote

2. New Business

a. RZ-2022-2335 McGinn-Cooper

Application by George Banks McGinn and Sallie Cooper to rezone approximately 2.9 acres located at 168 Fort Mill Highway (TM # 0008-00-007.00) from Mixed Use (MX) to General Business (GB) district, to develop as a commercial property.

b. RZ-2022-2317 Kershaw Depot

Application by Town of Kershaw to assign zoning designation for a parcel of approximately 0.31 acres, formerly part of the Norfolk Railroad right-of-way at 106 N. Cleveland Street, Kershaw, from unzoned to B3 General Business district, to allow use of old Depot as commercial office space. Parcel is part of decommissioned Norfolk ROW; adjacent to parcel 0156I-OR-008.00, fronting on Cleveland Street between W. Richland and E. Marion Streets.

c. CU-2022-2126 Corey Baker /aka Possum Hollow C-Store

a/k/a Possum Hollow C-Store

Conditional Use Permit application by Corey Baker to allow Vehicle Services: Minor Maintenance and Repair at 8857 Charlotte Highway (TM 0010-00-037.00), for a proposed Convenience Store with Gas Station.

d. UDO-TA-2022-2606 Chapters 2 and 4

Application by Lancaster County to amend Unified Development Ordinance Chapters 2 and 4 and related provisions regarding standards for Medium Density Residential (MDR) District and Cluster Subdivision Overlay (CSO) District.

e. UDO-TA-2022-2602 Section 6.4

Application by Lancaster County to amend Unified Development Ordinance Section 6.4, Connectivity, to modify standards pertaining to the maximum number of lots which take access from a road where one end is permanently closed.

f. Overview of next month's Agenda

g. Other

3. Adjourn

Agenda Item Summary

Ordinance # / Resolution #: RZ-2022-2335 McGinn-Cooper

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 1/5/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Application	1/3/2023	Exhibit
Plat	1/3/2023	Exhibit
Location Map	1/3/2023	Exhibit



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 1108 Fort Mill Hwy
City Indian Land (FM) State SC Zip 29707 Tax Parcel ID 0008-00-007.00
Current Zoning MX Current Use VACATED RESIDENTIAL DWELLING
Proposed Zoning GB Total Acres 4.29 AC
Project Description FUTURE COMMERCIAL DEVELOPMENT (TRD)

Surrounding Property Description RETAIL, APARTMENTS

CONTACT INFORMATION

Applicant Name GEORGE BARKS McGINN, Sallie Copen
Address 1825 SHADY PINE CIRCLE
City Fort Mill State SC Zip 29715 Phone 803-487-7150
Fax _____ Email BARKSMCGINN@GMAIL.COM

Property Owner Name GEORGE BARKS McGINN
Address 1825 SHADY PINE CIRCLE
City Fort Mill State SC Zip 29715 Phone 803-487-7150
Fax _____ Email BARKSMCGINN@GMAIL.COM

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

George Bark M. G.
Applicant

11/2/22
Date

George Bark M. G.
Property Owner(s)

11/2/22
Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$435.00
- Rezoning Application Fee – multi parcel \$610.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

2006000339



DEED
RECORDING FEES \$11.00
EXEMPT
PRESENTED & RECORDED:
01-09-2006 02:54 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE KIRKLEY DEPUTY
BK:DEED 316
PG:200-204

RECORDED THIS 13th DAY
OF JANUARY, 2006
IN BOOK O PAGE M-01

Cheryl Morgan
Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
0008 00 007 00

LE TO REAL ESTATE
ROBERT H. BREAKFIELD
Attorney at Law
DEED PREPARED ONLY
NO TITLE SEARCH

KNOW ALL MEN BY THESE PRESENTS, That I, **GRACE MCGINN** (hereinafter referred to as the "Grantor") in consideration of the sum of **Love and Affection** to me in hand paid at and before the sealing of these Presents by **SALLIE E. COOPER and GEORGE BANKS MCGINN** of 1825 Shady Pine Circle, Fort Mill, SC, 29715 (hereinafter referred to as the "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, their heirs and assigns, **RESERVING TO HERSELF A LIFE ESTATE**, the following described property, to wit:

PROPERTY DESCRIPTION

Please see attached legal description

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

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee, their heirs and assigns forever.

And the said Grantor hereby binds herself and her heirs and assigns, to warrant and forever defend all and singular the said Premises unto the said Grantee, their heirs and assigns against the Grantor and the Grantor's heirs and all other persons whomsoever lawfully claiming, or to claim the same, or any part thereof.

Witness my Hand and Seal this 5 day of Dec in the year of our Lord Two Thousand and Five and in the two hundred and twenty-ninth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Jammy D Ford
Chet H. Bunch

Grace B. McGinn
Grace McGinn

STATE OF SOUTH CAROLINA)
COUNTY OF)

PERSONALLY APPEARED before me the undersigned witness and made oath that _he saw GRACE MCGINN, sign, seal, and as her act and deed, deliver the within written Deed for the uses and purposes therein mentioned and that _he, with the other witness, whose signature appears above, witnessed the execution thereof.

Jammy D Ford
Witness

SWORN to before me this
5 day of Dec, 2005.

Chet H. Bunch
Notary Public for South Carolina

My Commission Expires: 08-01-2006

PROPERTY DESCRIPTION

All that interest in that certain parcel or land lying and being in Lancaster County, South Carolina and being more particularly described as follows: Lots 10, 11, 12, 13 and 14 on South Carolina Highway No. 160, in Pleasant Valley section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L. E. Carothers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

This being a portion of the entire property conveyed by Deed of S. E. Bailes and wife, Mrs. S. E. Bailes to W. C. McGinn, Jr. and wife, Grace McGinn dated March 16, 1950, recorded in Deed Book A-4, Page 602.

DERIVATION:

Deed of Sallie E. Cooper and George Banks McGinn to Grace McGinn, recorded January 9 2006 in Book 316 at Page 193 in the Office of the Clerk of Court for York County, South Carolina.

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF Lancaster

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

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located in Lancaster County, bearing Tax Map Number _____ and was transferred by Grace McGinn to Sallie E. Cooper + George Banks on December 5, 2005 McGinn
3. Check one of the following: The deed is

- (a) _____ subject to the deed recording fee as transfer for consideration paid or to be paid in money or money's worth in the amount of \$ _____.
- (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c) ☒ exempt from the deed recording fee because (See Information):
#8, Love & Affection
(If exempt, skip items 4-7 and go to item 8.)

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information):

- (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
- (b) _____ The fee is computed on the fair market value of the realty which is _____.
- (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$ _____
- (b) Place the amount listed in item 5 above here: \$ _____
(If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a): \$ _____

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ _____.

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

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

[Signature]

SWORN to before me this 9th
day of Jan, 2006
[Signature]
Notary Public for S.C.
My commission expires: 1-21-2009

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interest in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, partnership, or a trust in order to become, or as, a stockholder, partner or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantor's interest in the partnership or trust. A "family trust" is a trust in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by deed in lieu of foreclosure executed by the mortgagor or deed executed pursuant to foreclosure proceedings;
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791a) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

LANCASTER COUNTY ASSESSOR

Tax Map:

0008 00 007 00

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

IN THE MATTER OF:

GRACE B. MCGINN

(Decedent)

)
)
)
)
)
)
)

IN THE PROBATE COURT

DEED OF DISTRIBUTION

(Real Property Only)

NOT A WARRANTY DEED

CASE NUMBER: 2016ES2900511

RECORDED THIS 11th DAY

OF OCTOBER, 2017

IN BOOK 0 PAGE 0

Jessie D. Hunter McFall

Auditor, Lancaster County,

The undersigned states as follows:

Decedent died on SEPTEMBER 4, 2016; and probate of the Estate is being administered in the Probate Court for LANCASTER County, South Carolina, in File #2016ES2900511.

I/We was/were appointed Personal Representative (s) on OCTOBER 26, 2016.

Decedent owned real property described as follows:

Tax Map Number: 0008-00-007

Street/Property Address:

Legal Description: SEE ATTACHED LEGAL DESCRIPTION

2017014969

DEED OF DISTRIBUTION
RECORDING FEES

\$10.00

PRESENTED & RECORDED:

10-06-2017 03:29 PM

JOHN LANE

REGISTER OF DEEDS

LANCASTER COUNTY, SC

By: CANDICE PHILLIPS DEPUTY

BK: DEED 1087

PG: 274-276

☐ Additional sheet(s) for additional property(ies) is attached (check if applicable)

This transfer is made pursuant to:

☒ Decedent's Will

☐ Intestacy Statute: SCPC 62-2-103

☐ Private Family Agreement: SCPC 62-3-912

☐ Disclaimer by: _____

☐ Probate Court Order issued on _____

☐ Other: _____

In accordance with the laws of the State of South Carolina, the Personal Representative(s) does/do hereby release all of the Personal Representative's(s') right, title and interest, including statutory and/or testamentary powers, over the real property described to the beneficiaries named below:

Name: GEORGE BANKS MCGINN
Address: 1825 SHADY PINE CIRCLE
FORT MILL, SC 29715

Name: _____
Address: _____

Name: SALLIE COOPER
Address: 10 SHADED WAY
ROUND ROCK, TX 78664

Name: _____
Address: _____

☐ Additional sheet(s) for names of additional beneficiaries is attached (check, if applicable)

IN WITNESS WHEREOF the undersigned, as Personal Representative(s) of the above Estate, has executed this Deed of Distribution, on this 28 day of SEPTEMBER, 2017.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness:

Patricia Davis

Print Name: PATRICIA DAVIS

Witness:

Robert H. Breakfield

Print Name: ROBERT H. BREAKFIELD

Estate of: GRACE B. MCGINN

Signature of Personal

Representative: George Banks McGinn

Print Name: GEORGE BANKS MCGINN

If applicable,
Signature of Co-Personal
Representative: _____

Print Name: _____

STATE OF SOUTH CAROLINA)
)
)

ACKNOWLEDGMENT

COUNTY OF YORK

I, KELLY S. SUMWALT, Notary Public, a notary for the State of South Carolina do hereby certify that GEORGE BANKS MCGINN, as Personal Representative(s) of the Estate of GRACE B. MCGINN, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Distribution.

Witness my hand and seal this the 28 day of September, 2017.

Kelly S. Sumwalt (SEAL)
(Signature of Notary Public)
KELLY S. SUMWALT
(Print name of Notary Public)
Notary Public for State of S.C.
My Commission Expires: 1-16-2019

Note: It is recommended that an attorney prepare this document and determine if a title examination is necessary.

Legal Description

All that interest in that certain parcel or land lying and being in Lancaster County, South Carolina and being more particularly described as follows: Lots 10, 11, 12, 13, and 14 on South Carolina Highway No. 160, in Pleasant Valley Section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L.E. Carouthers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

This being a portion of the entire property conveyed by Deed of S. E. Bailes and wife, Mrs. S. E. Bailes to W. C. McGinn, Jr. and wife, Grace McGinn dated March 16, 1950, recorded in Deed Book A-4, page 602.

DERIVATION: This being the identical property conveyed to Grace McGinn by deed of Sallie E. Cooper and George Banks McGinn, recorded January 9, 2006 in Deed Book 316, page 193, Office of the Clerk of Court for Lancaster County, SC.

STATE OF SOUTH CAROLINA,
COUNTY OF LANCASTER.

TITLE TO REAL ESTATE--A-4

KNOW ALL MEN BY THESE PRESENTS, THAT

We, S. E. Bailes and wife, Mrs. S. E. Bailes of Eustis, Florida
in consideration of the sum of
Six hundred and twenty-five and no/100
to US in hand paid at and before the sealing of these presents by W. C. McGinn, Jr. and Wife, Grace DOLLARS

of the State aforesaid 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
W. C. McGinn, Jr. and wife, Grace, the following described property, to wit:

All that certain parcel of land lying and being in Lancaster County, South Carolina and being more particularly described as follows: Lots 10, 11, 12, 13 and 14 on South Carolina Highway No. 160, in Pleasant Valley Section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L. E. Carothers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

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

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned, unto the said
W. C. McGinn, Jr. and wife, Grace, their
Heirs and Assigns forever.

AND We do hereby bind ourselves, our Heirs
Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said
W. C. McGinn, Jr. and wife, Grace, their
Heirs and Assigns, against ourselves and our Heirs, Executors, Administrators
and Assigns and all other persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS Our Hand and Seal this 4th day of February in the year of our Lord
one thousand nine hundred and Forty-eight and in the one hundred and Seventy-second year of the Sovereignty and
Independence of the United States of America.

Signed, sealed and delivered in the presence of

Ruth A. Wirth
J. R. Ashmore
S. E. Bailes (L.S.)
Mrs. S. E. Bailes (L.S.)

THE STATE OF SOUTH CAROLINA,
COUNTY OF LANCASTER.

PERSONALLY appeared before me Ruth A. Wirth
and made oath that she saw the within-named S. E. Bailes and Mrs. S. E. Bailes

sign, seal, and as their Act and Deed deliver the within-written Deed; and that
with J. R. Ashmore witnessed the execution thereof.

Sworn to before me, this 4th day of March, 19 48
Ruth A. Wirth (L.S.)
J. R. Ashmore

N. P. for Florida
Notary Public for South Carolina, Florida

THE STATE OF SOUTH CAROLINA,
COUNTY OF LANCASTER.

I, Ruth A. Wirth

RENUNCIATION OF DOWER

all whom it may concern, that Mrs. S. E. Bailes do hereby certify unto
the wife of the within-named S. E. Bailes
did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any
compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within-named
W. C. McGinn, and wife, Grace, their

Heirs and Assigns, all her interest and estate, and also all her right and claim of Dower of, in or to
all and singular, the premises within mentioned and released.

Given under my hand and seal, this 4th day of March, Anno Domini 19 48
Ruth A. Wirth (L.S.)
Mrs. S. E. Bailes (L.S.)
N. P. for Florida--My Comm. exp. Sept. 14, 1949
Recorded 16th day of March, 19 50
Lee O. Montgomery (L.S.)
Clerk.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness #1

George Bank McG
By: Sallie M Cooper
Its:

Laura F Kelber
Witness #2

STATE OF South Carolina ACKNOWLEDGMENT
COUNTY OF York)

I, Kelly M Clark, a Notary Public for the State of South Carolina do hereby certify that George B. McGinn + Sallie M. Cooper personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

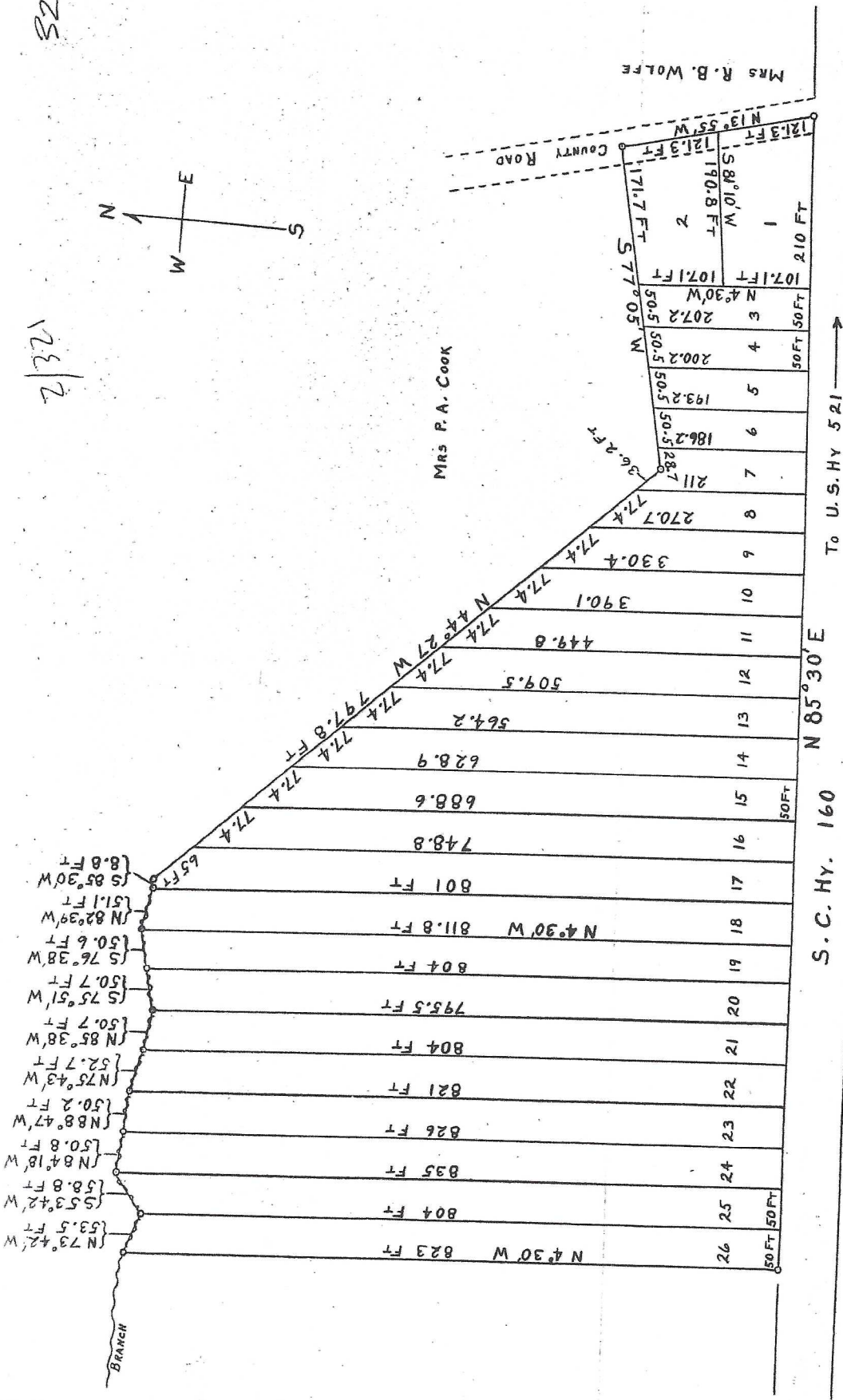
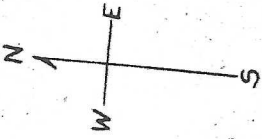
WITNESS my hand and seal this 9th day of Sept 2020.



Kelly M Clark (SEAL)
Notary Public for State of South Carolina
My commission expires: 4/28/2027

321

2321



THE ABOVE MAP REPRESENTS 26 LOTS, PROPERTY OF
MRS. S.E. BAILES
LOCATED IN THE PLEASANT VALLEY SECTION OF
INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
SCALE: 1"=100'. 29 DEC. 1947. L.E. CAROTHERS SURVEYOR



STATE OF SOUTH CAROLINA

REQUEST TO BE REMOVED FROM
ORDINANCE 2020-1686

COUNTY OF LANCASTER

AND RELEASE OF CLAIMS

L.B. ME

Same

The undersigned is the owner of real property identified by Tax Map No. 0008-00-007,00 (168 Four Mill Pond) and subject to Lancaster County initiated rezoning bearing Planning Commission Case No. RZ-020-1614 and Ordinance 2020-1686.

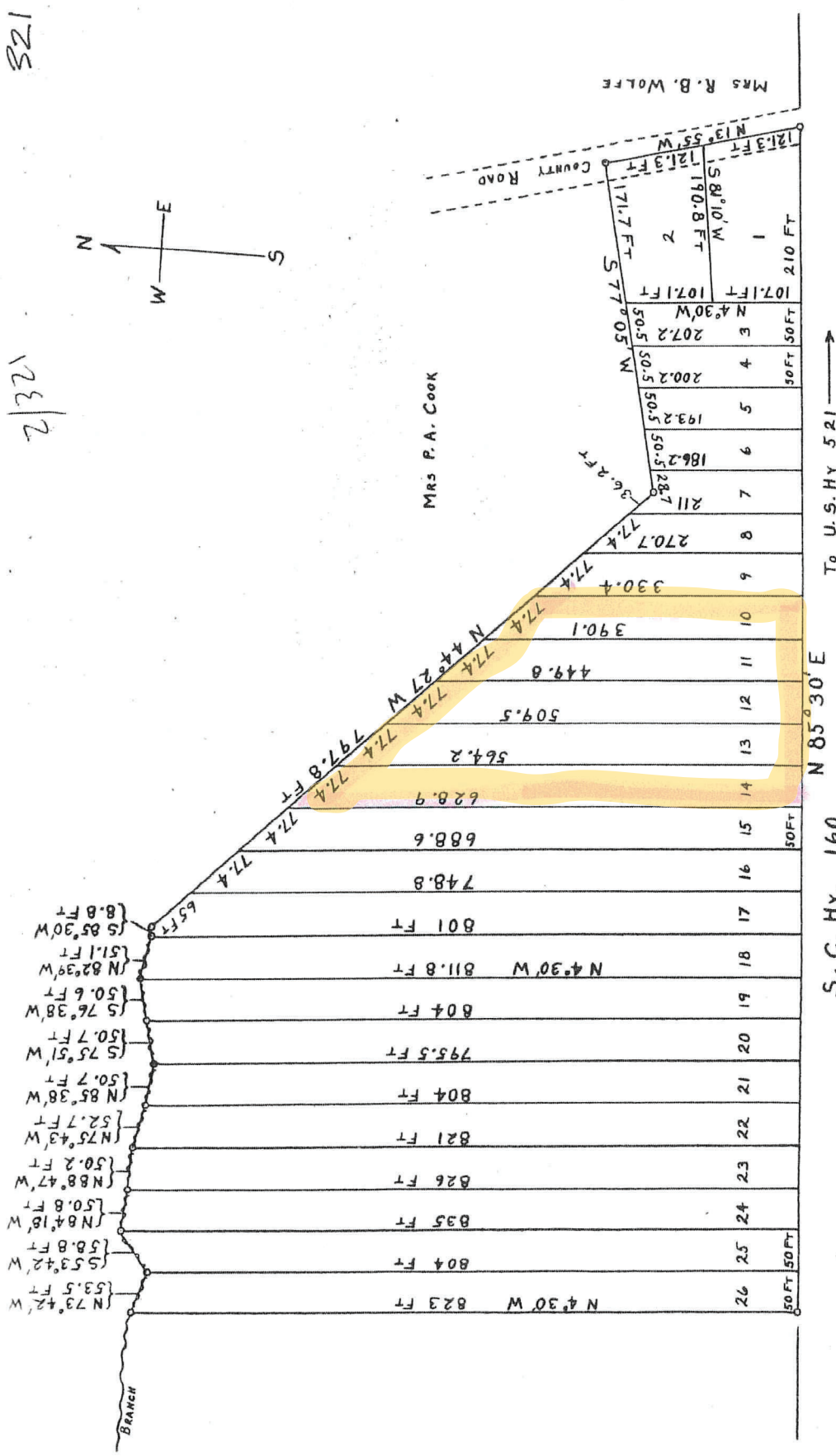
The undersigned acknowledges that their property currently has a mixed-use zoning designation, but the property does not meet the minimum acreage required for development of the property as a mixed-use property. The undersigned acknowledges that he/she/it has requested that Lancaster County remove the property from the aforesaid rezoning ordinance as the undersigned believes that there is a reasonable and foreseeable possibility that a developer will purchase the property and combine it with adjacent properties for a development project. The undersigned understands and acknowledged that, unless rezoned or combined with adjacent properties, the subject property is not capable of development as a mixed-use property with its current zoning designation. The undersigned acknowledges and agrees that the pending rezoning application by Lancaster County would remedy the nonconformity of the property and allow marketability and development under a new zoning designation.

The undersigned, having requested removal from the rezoning ordinance that would remedy the property's nonconformity, on behalf of himself/herself/itself and its successors and assigns, hereby releases Lancaster County from all causes of action and claims for damages, whether present or future, know or unknown, that arise from the property's current zoning designation. The undersigned acknowledges that Lancaster County has agreed to remove the property from the pending rezoning ordinance at the undersigned's request and that the request is voluntarily made without duress or coercion.

The undersigned agrees and acknowledges that the zoning designation of the real property may be revisited periodically by Lancaster County and, if the property remains in non-conformity for a period of time greater than eighteen (18) months, Lancaster County may contact the undersigned to discuss a potential rezoning of the real property. The undersigned acknowledges that Lancaster County has agreed to waive rezoning fees associated with a future rezoning application of the subject property, if such rezoning is needed, to bring the subject property into compliance with applicable development standards.

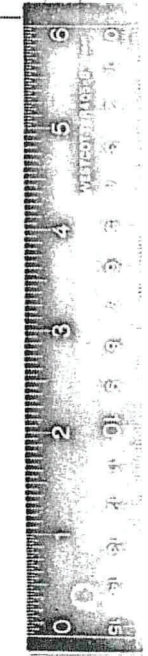
321

2/321

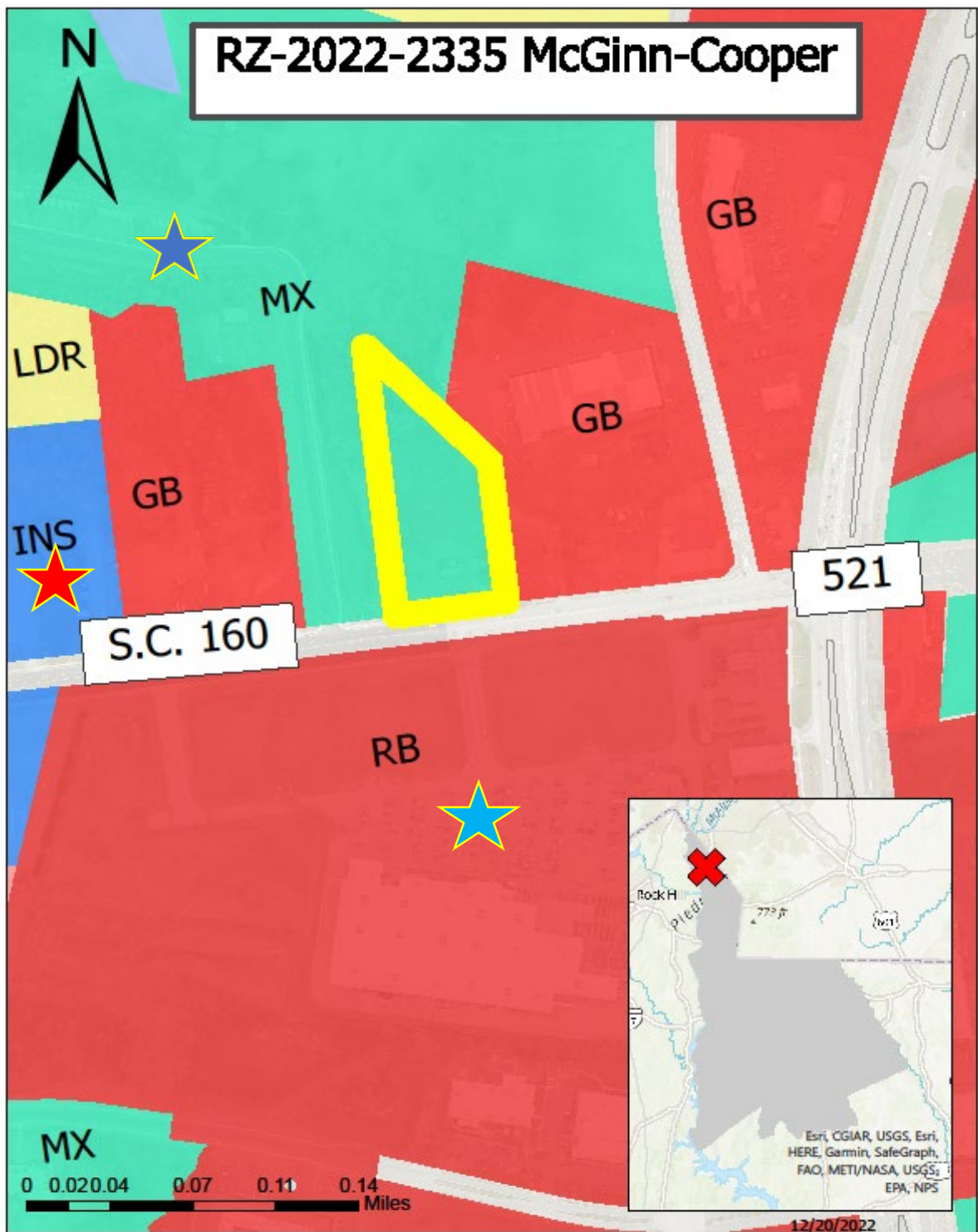


S. C. HY. 160 N 85° 30' E To U.S. Hy 521

THE ABOVE MAP REPRESENTS 26 LOTS, PROPERTY OF
MRS. S.E. BAILES
LOCATED IN THE PLEASANT VALLEY SECTION OF
INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
SCALE: 1"=100'. 29 DEC. 1947. L.E. Canthelver SURVEYOR



TAX PARCEL 008-00-007.00



Proposal:
Rezoning: MX to GB



Subject Property



Capital Club Apartments



Pleasant Hill Methodist Church



Lowe's

Agenda Item Summary

Ordinance # / Resolution #: RZ-2022-2317 Kershaw Depot

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 1/5/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Application	1/3/2023	Exhibit
Proposed Plat	1/3/2023	Exhibit
Location Map	1/3/2023	Exhibit



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 106 North Cleveland
City Kershaw State SC Zip 29067 Tax Parcel ID _____
Current Zoning None Current Use Haile Gold Mine Office
Proposed Zoning B1 Central Business Total Acres Unknown

Project Description This property is located between W. Marion St. and W. Richland St. and id housed by an old Train Depot which now serves purpose Oceana Gold/Haile Gold Mine Office space. This area has never been zoned. The Surrounding properties are zoned B1 Central Business to the rear, and B3 General Commercial to front of the property. The Town of Kershaw wishes to zone this area, B3 General Commercial.

Surrounding Property Description. The Surrounding properties are zoned B1 Central Business to the rear, which is Hampton St. and B3 General Commercial to front of the property Cleveland St.

CONTACT INFORMATION

Applicant Name Town of Kershaw
Address 113 S. Hampton St.
City Kershaw State SC Zip 29067 Phone 803-475-6065
Fax 803-475-4405 Email ryan.mclemore@townofkershawsc.gov
Property Owner Name Ocean Gold
Address 106 N. Cleveland St.
City Kershaw State SC Zip 29067 Phone _____
Fax _____ Email _____

January, 2017 1 **APPLICATION CERTIFICATIONS**

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Town of Kershaw / [Signature]
Applicant

10-27-2022
Date

Property Owner(s)

Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans. ☐
Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.

THE FOLLOWING NOTE IS REQUIRED ON ANY PLAT SUBMITTED FOR APPROVAL IN LANCASTER COUNTY: PLEASE CONTACT LANCASTER COUNTY ADMINISTRATOR AT 803-416-9300 FOR ANY CLARIFICATION REQUIRED AS TO THE INTENT OF THIS NOTE.

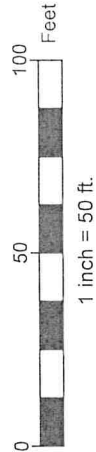
- All distances are Horizontal Grid unless otherwise noted.
- All areas computed by Coordinate Geometry Method unless otherwise noted.
- Horizontal Datum: SCSP NAD 27 (HGM Grid)
- Flood zone analysis was not performed as part of this survey.
- HSLJC has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, or any other facts that an accurate and current title search may disclose.

COUNTY NOTE:
AT THE TIME OF FINAL PLAT SUBMITTAL, ALL ROADS ON THE PLAT SHALL BE CLASSIFIED AS EITHER PUBLIC OR PRIVATE FOR MAINTENANCE PURPOSES. IF ROADS ARE INDICATED TO BE PUBLIC, THE ROAD WILL NOT BE ACCEPTED INTO THE COUNTY ROAD SYSTEM UNTIL THE ROAD IS ACCEPTED THROUGH THE ESTABLISHED COUNTY PUBLIC ROAD PROCEDURE.

NOTE:
ZONING INFORMATION FOR THIS PARCEL IS NOT AVAILABLE FROM LANCASTER COUNTY AND DOES NOT APPEAR IN THE TOWN OF KERSHAW ZONING MAP DATED APRIL 12th, 1999, AS REFERENCED IN THE UNIFIED DEVELOPMENT ORDINANCE OF TOWN OF KERSHAW.

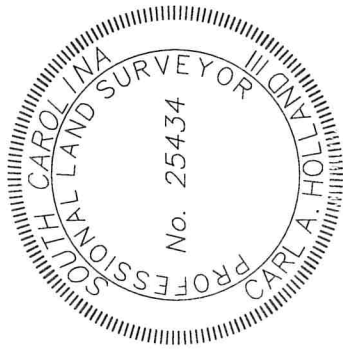
- DB 598 Pg. 57.
- Lease agreement between Norfolk Southern Railway Company, and Haile Gold Mine, dated February 1st, 2011.
- Norfolk Southern Railway Valmap: 42/6S - parcel 2A
- Norfolk Southern Railway approx. MP SB-59.6
- This survey is based strictly on field evidence, road r/w information as referenced, and adjoining property information obtained from Lancaster county. Subject property information is not available in public records at the Lancaster county register of deeds office. No additional property records, deeds, track plans, or railroad r/w information were provided upon request.

IRON PIN FOUND	
IRON PIN SET (#5 REBAR)	
CALCULATED POINT	
PK NAIL	
POWER POLE	
TELEPHONE PEDASTAL	
LIGHT POLE	
OVERHEAD ELECTRIC LINE	
RIGHT OF WAY LINE	
ADJOINER P/L LINE	
RAILWAY CLEARANCE LINE	
WIRE FENCE	
PAVED ROAD	



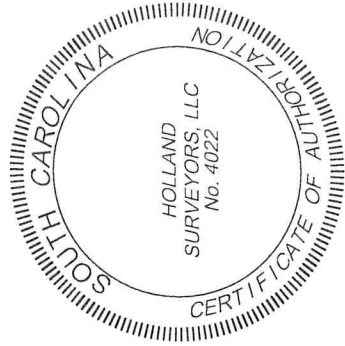
Line Table		
Line #	Length	Direction
L1	32.76'	N71° 28' 56"E
L2	32.57'	S71° 43' 52"W
L3	12.95'	N19° 06' 07"W

PORTION OF
TMS - 1561-R-008.0L
0.31 ac.
13,657 sf



I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "B" survey as specified therein.

Copyright © ILLIC All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed, transmitted in or by any computer or other system without the prior written permission of the surveyor. Copies of this plan without an original signature and impression seal are not valid.



**SUBDIVISION SURVEY
PORTION OF**

TMS# 1561-R-008.0L
OLD SOUTHERN RAILROAD
PASSENGER DEPOT

FOR
OCEANA GOLD - HAILE OPERATION

LOCATED ON
N. CLEVELAND ST.
IN THE TOWN OF KERSHAW
LANCASTER COUNTY

REFERENCES: SEE PLAT

NO.	REVISION/ISSUE	DATE



HSLC PROJ. NO.: NA

CADD FILE:
FINAL-031022-RR-DEPOT.dwg

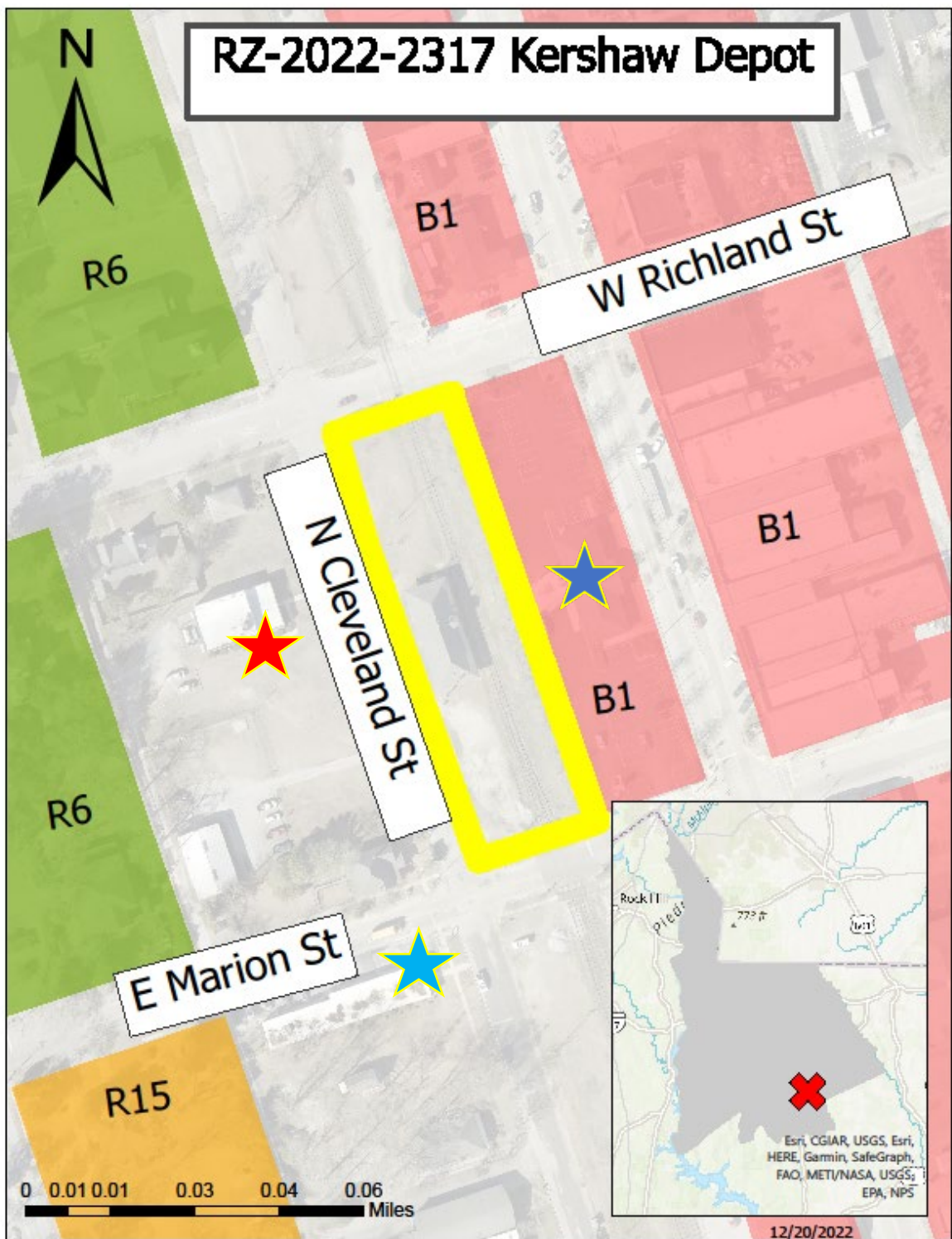
DATE: 3/1/22

SCALE: 1" = 50'

DRAWN BY:

SHEET NO.:

SHEET NO.:



Proposal:
Rezoning: Unzoned to B1



Subject Property



Kershaw Town Hall



Kershaw Telephone Co.



Thomas Drug Store

Agenda Item Summary

Ordinance # / Resolution #: CU-2022-2126 Corey Baker

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 1/5/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Application	1/3/2023	Exhibit
Project Narrative	1/3/2023	Exhibit
Site Plan	1/3/2023	Exhibit
Location Map	1/3/2023	Exhibit



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721

Phone: 803.285.6005, planning@lancastercountysc.net

www.mylancastersc.org

CONDITIONAL USE APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- All items noted on the Conditional Use Plan Checklist
- Fees associated with review

GENERAL INFORMATION

Property Address 8857 Charlotte Highway

City Indian Land State SC Zip 29707 Tax Parcel ID 0010-00-037.00

Current Zoning GB Current Use Vacant houses

Total Acres 11.95 Acres Surrounding Property Description Mixed Use to the East

Church to the West, Vacant to the North & Townhomes to the South

Proposed Conditional Use Vehicle Services - Minor Maintenance/Repair (C-Store with Gas, and Minor Auto Repair/Oil Change)

CONTACT INFORMATION

Applicant Name Corey Baker

Address 801 East Blvd

City Charlotte State NC Zip 28203 Phone _____

Fax _____ Email cbaker@csere.com

Property Owner Name M R Ross Estate

Address 8502 Possum Hollow Rd

City Indian Land State SC Zip 29707 Phone 803-504-7356

Fax _____ Email sanamullis@msn.com

APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.



Applicant

11/28/2022

Date



Property Owner(s)

dotloop verified
11/29/22 11:04 AM EST
WXPA-YIXQ-45YL-XOYH

Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Conditional Use Application Fee - \$325.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires a resolution for approval.
- Subsequent to County Council action, notice of action will be provided to the applicant,

CONDITIONAL USE PLAN CHECKLIST

- ☒ The size of the plan and number of copies should conform to the following: Eight copies that are 24" x 36" (full size) and Two copies that are 11" x 17" (reduced size).
- ☒ A descriptive location of the property and vicinity map at a scale of not less than one inch equals one mile.
- ☒ Proposed name of the development.
- ☒ The date of the survey or plan.
- ☒ All plans shall be embossed with the seal and signature of the engineer/surveyor responsible for the work.
- ☒ A graphic scale and numerical scale shall be shown on the plan.
- ☒ The North arrow shall be shown and be accurately correlated with the courses with indications as to whether it is true, magnetic or grid.
- ☒ Total acreage and boundaries of the development shall be shown on the plan.
- ☒ All existing and proposed uses of land throughout the tract shall be shown on the plan.
- ☒ Topography of the site with a contour interval of not more than 5 feet shall be shown on plan.
- ☒ Typical arrangement of existing and proposed buildings and structures, including dimensions, elevations, uses, and setbacks shall be shown on the plan.
- ☒ Location of adjoining property lines and existing buildings shall be shown on the plan.
- ☒ The names of adjacent landowners, lot and/or block numbers, highways, streets, and named waterways shall be shown.
- ☒ All property lines shall be defined by course and horizontal distance. All property lines shall be plotted to the scale shown in the title.
- ☒ All easements and rights-of-way of existing and proposed buildings and structures shall be shown and shall include their widths and center lines.
- ☒ All existing street intersections shall be shown on the plan.
- ☒ Proposed parking areas and traffic circulation shall be shown on the plan.
- ☒ Exact ratio of impervious surfaces to lot area shall be shown.
- ☒ At a minimum the plan shall include basic landscape information such as the location and dimension of required buffer yards.

owner, and adjacent property owners.

- **Please note that upon approval of a conditional use, the applicant shall subsequently submit a site plan to The Lancaster County Planning Department for review. This site plan shall conform to the site plan process as enumerated in UDO Section 9.2.9 (Site Plan Process Chart)**

PROJECT NARRATIVE

Located at the intersection of Possum Hollow Rd and Charlotte Highway (SC 521) the Harrisburg Elementary School entrance drive, within Indian Land, Lancaster County, South Carolina, is the proposed development known as C-Stores – Possum Hollow Rd. The existing site consists of areas of woods and a few residential building structures. Proposed development on this site will consist of the construction of a gas station with convenience store, a minor vehicular maintenance/repair service store and an outparcel for future development. Along with associated roads/driveways, sidewalks, utility improvements and a stormwater control measure which will provide the required detention and treatment for the stormwater runoff.

C-STORES - POSSUM HOLLOW RD

8857 CHARLOTTE HIGHWAY (SC 521)
INDIAN LAND, SOUTH CAROLINA 29707

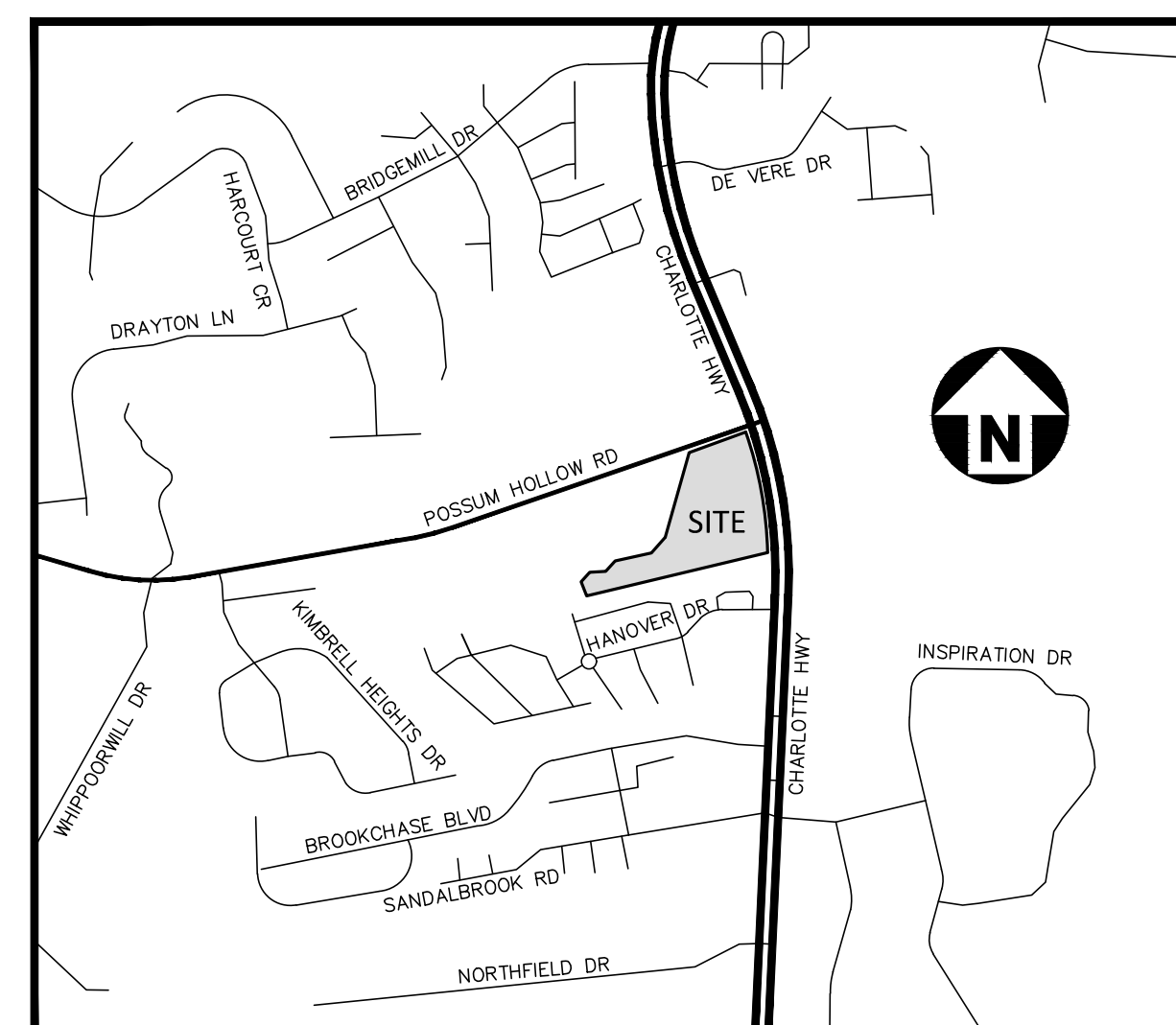
CONDITIONAL USE PLAN

PROJECT NUMBER: CPR22010

DATE: DECEMBER 02, 2022

SHEET INDEX

1 OF 2	ALTA/NSPS LAND TITLE SURVEY
2 OF 2	ALTA/NSPS LAND TITLE SURVEY
EX.00	CONDITIONAL USE PLAN



VICINITY MAP
N.T.S.



McADAMS

The John R. McAdams Company, Inc.
3430 Toringdon Way
Suite 110
Charlotte, NC 28277
phone 704. 527. 0800
fax 919. 361. 2269
license number: C-00552

www.mcadamsco.com

CONTACT

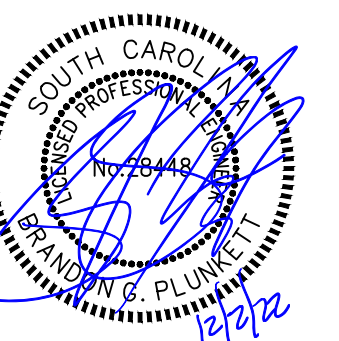
CARLOS GUERRERO
guerrero@mcadamsco.com
PHONE: 980. 729. 6004

CLIENT

C4 CSTORE HOLDINGS, LLC
121 WEST TRADE STREET, SUITE 2550
CHARLOTTE, NORTH CAROLINA 28202
PHONE: 704. 414. 7472



PROJECT DIRECTORY



REVISIONS

NO. DATE

CONSTRUCTION DRAWINGS FOR:

C-STORES
POSSUM HOLLOW RD
INDIAN LAND, SC 29707
PROJECT NUMBER: CPR22010

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

UTILITY INFORMATION

WATER AND SEWER:
LANCASTER COUNTY
(800) 832-2126

ELECTRIC:
DUKE ENERGY
(800) 777-9898

GAS:
LANCASTER COUNTY NATURAL GAS
(803) 285-2045

TELEPHONE:
AT&T 956-4223
CABLE:
SPECTRUM
(833) 267-6094

ZONING DATA

ZONED: (GB) GENERAL BUSINESS

SETBACK LINES:
FRONT: 50'
SIDE: 15'
REAR: 15'

MAXIMUM BUILDING HEIGHT: 35'

FLOOD INFORMATION

FLOOD ZONE "X" (MINIMAL FLOOD HAZARD)
PER FEMA MAP NO. 45057C0078E
EFFECTIVE DATE: 5/16/2017

PARKING

REGULAR = N/A
HANDICAP = N/A

LOCATION MAP

SCALE: 1"=2,000'

27454

NO. 27454

SURVEY MATTERS, LLC

LAND SURVEYING SERVICES

107 Hillcrest Avenue

Simpsonville, South Carolina 29681

(864) 451-0176

nick@survey-matters.com

REVISIONS

07/07/2022 ADDITIONAL TOPO

09/12/2022 TITLE COMMITMENT

11/29/2022 WETLANDS

ALTA/NSPS LAND TITLE SURVEY

PREPARED FOR:
C4 INVESTMENTS, LLC

PROPERTY OF:
M. R. ROSS ESTATE
8857 CHARLOTTE HIGHWAY
LANCASTER COUNTY, SOUTH CAROLINA

DRAWN
NMR

CHECKED
NLM

SCALE: 1" = 50'

0 25' 50'

DATE OF SURVEY:
6/10/2022

DATE OF PLAT:
6/21/2022

PROJECT NO. 22-095

1 of 2

SHEET NO.

32

UTILITY INFORMATION

WATER AND SEWER:
LANCASTER COUNTY
(800) 832-2126

ELECTRIC:
DUKE ENERGY
(800) 777-9898

GAS:
LANCASTER COUNTY NATURAL GAS
(803) 285-2045

TELEPHONE:
AT&T
(844) 956-4223

CABLE:
SPECTRUM
(833) 267-6094

ZONING DATA

ZONED: (0B) GENERAL BUISNESS

SETBACK LINES:
FRONT: 50'
SIDE: 15'
REAR: 15'

MAXIMUM BUILDING HEIGHT: 35'

FLOOD INFORMATION

FLOOD_ZONE "X" (MINIMAL FLOOD HAZARD)
PER FEMA MAP NO. 45057C0076E
EFFECTIVE DATE: 5/16/2017

PARKING

REGULAR = N/A
HANDICAP = N/A

LOCATION MAP

SCALE: 1"=2,000'

NOTES:

- NORTH ARROW, BEARINGS, AND COORDINATES ARE BASED UPON SC GRID NAD 83 ESTABUSHED BY VIRTUAL REFERENCE STATION REAL TIME NETWORK GPS OBSERVATION.
- ELEVATIONS ARE BASED UPON NAVD 88 ESTABLISHED BY VIRTUAL REFERENCE STATION REAL TIME NETWORK GPS OBSERVATION.
- REFERENCE IS HEREBY MADE TO THE FOLLOWING MAPS:
 - PLAT BOOK 2015, PAGE 918 RECORDED IN THE LANCASTER COUNTY REGISTER OF DEEDS OFFICE.
- THIS SURVEY MEETS THE REQUIREMENT FOR A CLASS "A" SURVEY (1:10,000) AS DEFINED FOR THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF SOUTH CAROLINA.
- THE AREA WAS DETERMINED BY DMD METHOD.
- ALL HORIZONTAL DISTANCES ARE GROUND DISTANCES.
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THE PROPERTY APPEARS TO BE IN FEMA_ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), PER MAP #45057C0076E; EFFECTIVE 05/16/2017.
- ZONING PROVIDED BY LANCASTER COUNTY TO BE USED FOR INFORMATIONAL PURPOSES ONLY.
- TOTAL AREA = 518,661 S.F. = 11.907± ACRES
- NO EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION, STREET OR SIDEWALK CONSTRUCTION WAS OBSERVED ON SITE.
- THE SITE DOES NOT APPEAR TO HAVE BEEN USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- FLAGGING OF POTENTIAL WETLANDS WERE PLACED BY WETLANDS & WATERS, INC. AND LOCATED BY SURVEY MATTERS, LLC ON 11/18/2022.

Exceptions to Title, Schedule B, Part II
Chicago Title Insurance Company
File No. 9941971/12866.2528
Effective Date: August 25, 2022 at 8:00 AM

1-2. (NOT A SURVEY MATTER)

3. Any encroachment, encumbrance, violation or adverse circumstances affecting the title that would be disclosed by an accurate and complete land survey of the Land. {May be deleted upon receipt of current survey;} (CURRENT SURVEY SHOWN HEREON)

4-8. (NOT A SURVEY MATTER)

9. No insurance is afforded as to the exact amount of acreage contained in the property described herein. (CURRENT ACREAGE SHOWN HEREON)

10. Plot of survey prepared for _____ by _____, dated _____ (the "Survey"), discloses the following, together with any appropriate easements: {A new and current survey read will be completed upon receipt of a new survey;}

a. TBD

b. All those matters as shown on that ALTA/ASCM Survey of Property of Tract "B" for Garage Investors-I, LLC by J.C. Crumpler dated January 28, 2015 and recorded in the Office of the Register of Deeds for Lancaster County in Plat Book 2015 at Page 918 Easement to Duke Power Company dated April 22, 1988 and recorded July 13, 1988 in Book T-7 at Page 258 in the Office of the Register of Deeds for Lancaster County, South Carolina.(AFFECTS THE SUBJECT PARCEL AS SHOWN HEREON)

c. Title to the portion of Possum Hollow Road within the bounds of the Land and rights of others to use said Road. (CURRENT RIGHT-OF-WAY SHOWN HEREON)

11. Easement to Duke Power Company dated April 22, 1988 and recorded July 13, 1988 in Book T-7 at Page 258 in the Office of the Register of Deeds for Lancaster County, South Carolina (AFFECTS THE SUBJECT PARCEL, BLANKET IN NATURE OVER ELECTRIC LINES)

12. General Permit to Fort Mill Telephone Company dated February 2, 1982 and recorded May 28, 1982 in Book E-6 at Page 2833 in the Office of the Register of Deeds for Lancaster County, South Carolina. (AFFECTS THE SUBJECT PARCEL, BLANKET IN NATURE OVER UTILITY LINES)

13. Right of Way to Duke Power Company dated April 27, 1937 and recorded September 13, 1937 in Book G-3 at Page 611 in the Office of the Register of Deeds for Lancaster County, South Carolina (AFFECTS THE SUBJECT PARCEL, BLANKET IN NATURE OVER ELECTRIC LINES)

14. Sign License Agreement to Garage Investors-I, LLC dated November 24, 2015 and recorded on April 1, 2016 in Book 956 at Page 254 in the Office of the Register of Deeds for Lancaster County, South Carolina. (AFFECTS THE SUBJECT PARCEL AS SHOWN HEREON)

PARCEL DESCRIPTION:

ALL THAT CERTAIN PIECE, PARCEL, OR TRACT OF LAND LYING AND BEING IN LANCASTER COUNTY, SOUTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL ON THE CORNER FORMING THE INTERSECTION OF THE CENTERLINE OF POSSUM HOLLOW ROAD (66 FOOT RIGHT-OF-WAY EASEMENT) AND THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF CHARLOTTE HIGHWAY (U.S. HIGHWAY 521) (172 FOOT PUBLIC RIGHT-OF-WAY) HAVING SC GRID COORDINATES OF N 1,142,415.09. E 2,043,706.66; THENCE ALONG THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF CHARLOTTE HIGHWAY (FOR THE FOLLOWING FOUR CALLS) (1) S16°31'49"E A DISTANCE OF 197.81 FEET TO AN IRON PIN, (2) THENCE S12°40'04"E A DISTANCE OF 199.99 FEET TO AN IRON PIN, (3) THENCE S08°51'12"E A DISTANCE OF 200.14 FEET TO AN IRON PIN, (4) THENCE S05°14'04"E A DISTANCE OF 200.62 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF HANOVER HOMEOWNERS ASSOCIATION (FOR THE FOLLOWING FOUR CALLS) (1) S76°15'11"W A DISTANCE OF 190.90 FEET TO A SOLID ROD, (2) THENCE S76°17'49"W A DISTANCE OF 855.49 FEET TO AN IRON PIN, (3) THENCE S75°59'50"W A DISTANCE OF 72.41 FEET TO AN IRON PIN, (4) THENCE S76°22'02"W A DISTANCE OF 60.55 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF GARAGE INVESTORS-I, LLC, N13°26'03"W A DISTANCE OF 102.40 FEET TO A POINT, THENCE ALONG THE COMMON LINE OF FIRST BAPTIST CHURCH OF INDIAN TRAIL, NORTH CAROLINA (FOR THE FOLLOWING TWELVE CALLS) (1) N40°31'56"E A DISTANCE OF 74.74 FEET TO A POINT, (2) THENCE N82°36'02"E A DISTANCE OF 111.27 FEET TO A POINT, (3) THENCE N40°35'32"E A DISTANCE OF 71.10 FEET TO A POINT, (4) THENCE N78°36'19"E A DISTANCE OF 96.86 FEET TO A POINT, (5) THENCE N75°27'31"E A DISTANCE OF 147.92 FEET TO A POINT, (6) THENCE N39°56'47"E A DISTANCE OF 107.50 FEET TO A POINT, (7) THENCE N16°55'20"E A DISTANCE OF 166.09 FEET TO A POINT, (8) THENCE N13°29'06"E A DISTANCE OF 123.94 FEET TO A POINT, (9) THENCE N20°23'50"E A DISTANCE OF 53.05 FEET TO A POINT, (10) THENCE N15°34'06"E A DISTANCE OF 110.08 FEET TO A POINT, (11) THENCE N17°11'06"E A DISTANCE OF 97.98 FEET TO AN IRON PIN, (12) THENCE N19°21'14"W A DISTANCE OF 45.46 FEET TO A NAIL, THENCE ALONG THE CENTERLINE OF POSSUM HOLLOW ROAD N70°59'38"E A DISTANCE OF 389.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 518,661 S.F. OR 11.907 ACRES MORE OR LESS.

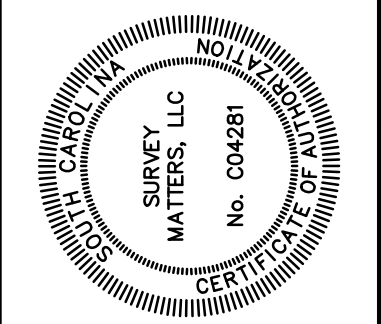
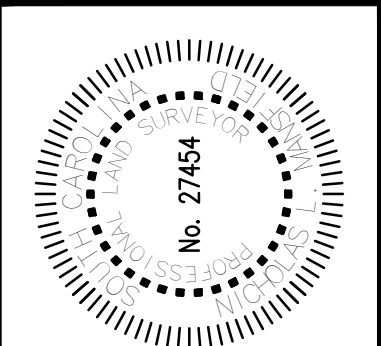
ALSO BEING DESCRIBED AS FOLLOWS:

All that certain piece parcel or lot of land with the improvements thereon, situate, lying and being in the County of Lancaster, State of South Carolina, being more particularly shown and designated as Tract A, containing approximately 11.951 acres on a plat prepared for ALTA/ASCM Survey of Property of Tract "B" for Garage Investors-I, LLC by J.C. Crumpler dated January 28, 2015 and recorded in the Office of the Register of Deeds for Lancaster County in Plat Book 2015 at Page 918. Reference is made to said plat for a more complete and accurate description.

TO: C4 INVESTMENTS, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY
CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7B1, 7C, 8, 9, 10, 11A, 11B, 13, 14, 15, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 10, 2021.

NICHOLAS L. MANSFIELD DATE: 11/29/2022 REGISTRATION #27454
* THE WORDS "CERTIFY", "CERTIFICATES" OR "CERTIFICATION" AS USED HEREON ARE UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, BASED UPON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AS SUCH, DO NOT CONSTITUTE A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.



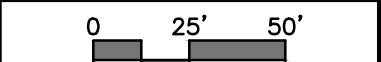
- SURVEY MATTERS -
LAND SURVEYING SERVICES
107 Hillcrest Avenue
Simpsonville, South Carolina 29681
(864) 451-0176
nick@survey-matters.com

REVISIONS
07/07/2022 ADDITIONAL TOPO
09/12/2022 TITLE COMMITMENT
11/29/2022 WETLANDS

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR:
C4 INVESTMENTS, LLC
PROPERTY OF:
M. R. ROSS ESTATE
8857 CHARLOTTE HIGHWAY
LANCASTER COUNTY, SOUTH CAROLINA

DRAWN NMR	CHECKED NLM
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SCALE: 1" = 50'



DATE OF SURVEY:
6/10/2022

DATE OF PLAT:
6/21/2022

PROJECT NO. 22-095

2 of 2
SHEET NO.



The John R. McAdams Company, Inc.
3430 Toringdon Way
Suite 110
Charlotte, NC 28277
phone 704. 527. 0800
fax 919. 361. 2269
license number: C-00552

www.mcadamsco.com

CLIENT

C4 CStore Holdings, LLC
121 WEST TRADE STREET, SUITE 2550
CHARLOTTE, NORTH CAROLINA 28202
PHONE: 704.414.7472



C-STORES - POSSUM HOLLOW RD

PRELIMINARY DRAWINGS

8857 CHARLOTTE HIGHWAY (SC 521)



REVISIONS

NO.	DATE
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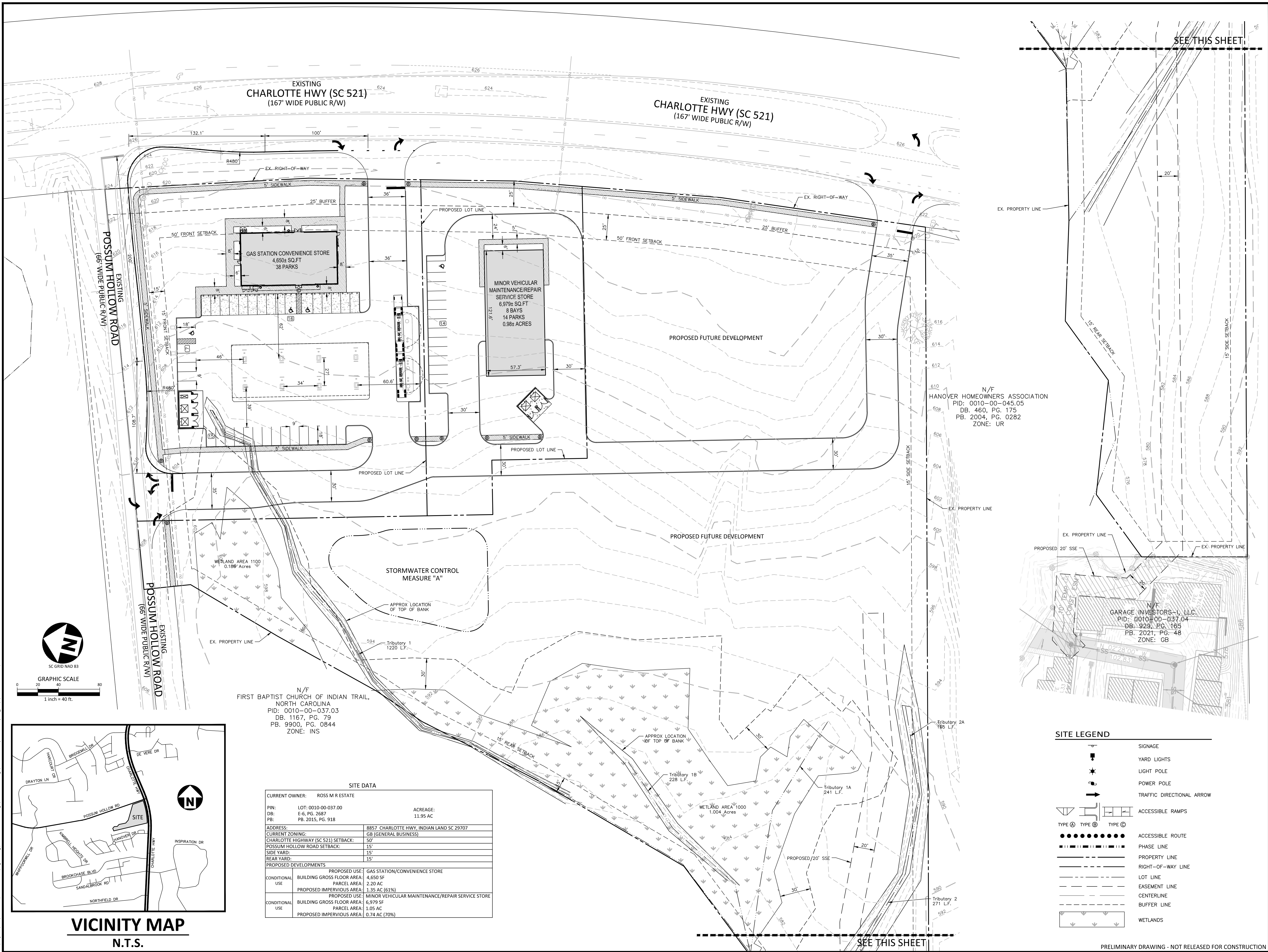
PLAN INFORMATION

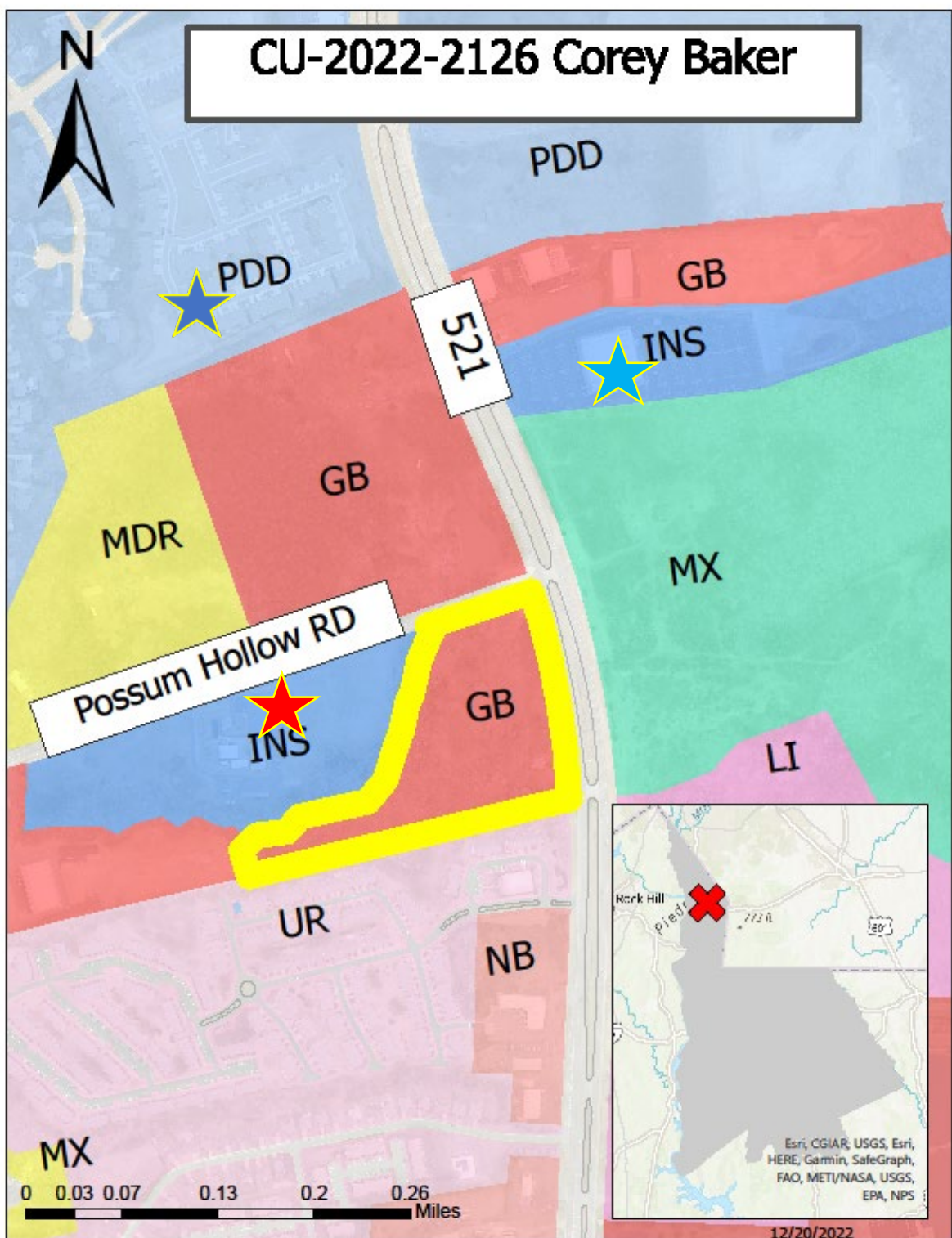
PROJECT NO.	CPR22010
FILENAME	CPR22010-S1 (ALT - Mavis)
CHECKED BY	MDD
DRAWN BY	CEG
SCALE	1"=40'
DATE	12. 02. 2022

SHEET

CONDITIONAL USE PLAN

EX.00





Lancaster
County
South Carolina



Subject Property



Proposal:
Conditional Use: Minor
Maintenance & Repair
Bridgemill Development



Restoration Church



Transformation Church

Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-2022-2606 Chapters 2 and 4

Contact Person / Sponsor: R. Burhans

Department: Planning

Date Requested to be on Agenda: 1/5/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Draft UDO Chapter 2	1/3/2023	Backup Material
Draft Chapter 4 CSOD	1/3/2023	Backup Material

STANDARD	Low Density Residential (LDR)	Medium Density Residential (MDR)	Professional Business (PB)	Neighborhood Business (NB)	General Business (GB)	Regional Business (RB)
1. DEVELOPMENT STANDARDS						
A. District/Development Area (min)	n/a	n/a	n/a	n/a	n/a	n/a
B. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a	n/a
C. Density (max)	1.5 unit/acre	2.5 2.0 units/acre (6)	n/a	n/a	n/a	n/a
D. Open Space (min)	10%	20% (7)	n/a	n/a	n/a	n/a
E. Park Space (min)	5%	5%	n/a	n/a	n/a	n/a
2. LOT STANDARDS						
A. Lot Area (min)	29,040 sf	40,000 12,000 sf	5,000 sf	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	90 ft Water/Sewer OR 130 ft Septic See Below (5)	70 ft Water/Sewer OR 130 ft Septic See Below (5)	100 ft	100 ft	100 ft	100 ft
C. Pervious Surface (min)	45%	45%	24%	24%	24%	24%
3. PRINCIPAL BUILDING						
A. Principal Front Setback (min)	40 ft	30 ft 40-ft (8)	10 ft	25 ft	50 ft	50 ft
B. Street Side/Secondary Front Setback (min)	20 ft	15 ft	10 ft	10 ft	15 ft	15 ft
C. Side (from adjacent lot) Setback (min)	20 ft	10 ft	10 ft	10 ft	15 ft	15 ft
D. Rear Setback (min)	25 ft	25 ft	10 ft	10 ft	15 ft	15 ft
E. Other Standards	n/a	n/a	See Below (4)	See Below (4)	See Below (4)	See Below (4)
4. ACCESSORY STRUCTURE						
A. Side Setback	5 ft	5 ft	40 ft	40 ft	50 ft	50 ft
B. Rear Setback	5 ft	5 ft	30 ft	30 ft	30 ft	30 ft
C. Other Standards	See Below (1,3)	See Below (1, 2)	See Below (1, 2)	See Below (1,2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION						
A. Parking Location per Section 7.2.3	See Chart 7.2	See Chart 7.2		Per building type	Per building type	Per building type
B. Parking in Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT						
A. Principal Building (max)	35 ft	35 ft	35 ft	35 ft or 3 stories (whichever is greater)	35 ft or 3 stories (whichever is greater)	50 ft
B. Accessory Structure (max)	2 stories	2 stories	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	n/a	n/a	n/a	n/a	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

- Accessory structures over 600 sf must comply with principal setback requirement.
- No accessory structures may be located on corner lots between the street and wall line of the principal structure.
- No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.
- For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
- Any development/ subdivision connected to both public water and sewer shall utilize the alternate dimensional standards given in the table.
- Major subdivisions in the MDR District shall comply with the Maximum Density requirements of UDO Chapter 4: Cluster Subdivision Overlay District.

7. 40-ft front setback for front and side loaded garages.
8. Major subdivisions in the MDR District shall comply with the Open Space Requirements of UDO Chapter 4: Cluster Subdivision Overlay District.

4 OVERLAY DISTRICTS

4.4 CHARACTER PROTECTION OVERLAYS

4.4.1 CLUSTER SUBDIVISION OVERLAY DISTRICT (CSO)

The Cluster Subdivision Overlay District, is hereby established. Cluster subdivisions are residential developments which offer an alternative to traditional subdivision design, with the principle purpose being to encourage open space in medium density residential districts. Cluster subdivisions shall be designed using a site planning technique that concentrates buildings and structures to the most buildable areas of a site in order to preserve the remaining area as open space for recreation and preservation of significant site features. Reductions below the minimums otherwise required by the UDO for lot area, lot width, and setbacks are allowed within a CSO, and such reductions are only permissible within a CSO. By preserving open space, a cluster subdivision will provide another tool by which the County shall preserve its rural character. Cluster subdivisions are permitted in moderate density single family residential districts, specifically, Medium Residential District. Cluster subdivisions are not permitted in any other zoning districts. Development of a Cluster Subdivision requires submission of a Development Agreement (see UDO 9.2.18). (Ord. No. 2019-1623, 12.9.19) The following general provisions apply to the Cluster Subdivision Overlay District:

A. MINIMUM ACREAGE

The minimum tract area for a cluster subdivision shall be 30 gross acres [unless a larger minimum acreage is required as part of the Development Agreement Process (i.e. 25-acres of highland)], shall consist of contiguous parcels, and must adjoin or have direct access to at least one collector street. (Ord. No. 2019-1623, 12.9.19)

B. MINIMUM LOT AREA

The minimum lot area (in square feet) per dwelling unit within a cluster subdivision shall be ~~5,000~~ 7,000 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of 50 -feet, as defined in Section C below. The minimum lot area per dwelling unit shall increase proportionately with an increase in lot width.

C. MINIMUM LOT WIDTH

In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be 50-feet.

D. VARIETY OF LOT SIZES

Individual lots in a cluster subdivision shall vary in size and layout. No more than ~~34~~ 51-percent of the lots in a cluster subdivision shall have a single designated lot width. The following shall also apply:

1. The minimum separation between any two designated lot widths shall be ~~40~~ 20-feet. For example, if ~~34~~ 51-percent of the total number of lots has a lot width of 50-feet, ~~34~~ 49-percent could have a lot width of ~~60~~ 70 feet, and the remaining could have a lot width of ~~70~~ 75-feet or greater.
2. The Planning Commission may allow a developer to vary the width of individual lots to accommodate site restrictions (i.e., easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.

E. SETBACKS

The following minimum setbacks are required for individual lots within a cluster subdivision:

1. **Front Yard:** The minimum front yard setback for the principal structure shall be 20 feet. The minimum front yard setback for any principle front or side loaded garages shall be 40-ft. The front yard setback for a corner lot shall be as set forth in Chapters 2 and 3 of the UDO;
2. **Rear Yard:** The minimum rear yard setback shall be 30 feet;
3. **Side Yard:** The minimum side yard setback shall be 7 ½ feet.

F. OPEN SPACE REQUIREMENT

For a cluster subdivision, no less than 25 percent of the site acreage, not including primary conservation areas as defined in Item 3 below, shall be set aside in perpetuity as open space. No more than 50% of the set-aside open space may consist of floodplain. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:

1. Open space may include, but is not limited to, passive recreation, natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas. Structures, swimming pools, and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment, or play structures (Ord. No. 2019-1623, 12.9.19);
2. The amount of open space required to be set aside shall be determined by the following formula:

~~Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas~~

$$TO = ((TP - PC) \times OSP) + PC \quad TO = TP \times OSP*$$

*TO may not include PC and may only include up to 50% floodplain.

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Improvable Area)

3. Primary Conservation area includes those areas that cannot otherwise be built upon or improved and therefore would be preserved in a conventional development. Such areas specifically include wetlands, surface waters, and intermittent stream channels;
4. To fulfill the requirements of this item (f), the following shall be included in the required open space where practicable:
 - a. Wooded areas;
 - b. Scenic vistas;
 - c. Streams, ponds, wetlands, and floodplains (up to 50%);
 - d. Buffers, including landscaped, perimeter, river, and stream;
 - e. Areas containing slopes in excess of 25 percent;

- f. Other areas containing unusual natural site features (such as major rock formations); and
 - g. Other environmentally, historically, or archaeologically significant or unique areas;
5. Open space shall be contiguous to the extent practicable when not restricted by topography, existing water body, and other natural features;
 6. Pedestrians shall have access to open space;
 7. Open space shall be deed restricted and shall not be developed for use other than open space;
 8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowners association or similar organization. The person or entity identified as having the right of ownership and control over such open space shall be responsible for the continuing upkeep and proper maintenance of the open space. The County shall have no responsibility for the maintenance of open space areas. If open space location meets a need in the County comprehensive plan, the County and developer may consider conveyance of completed open space to the County, upon Planning Commission and Council approval.

The person or entity having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing upkeep and proper maintenance of the same. It shall not be the responsibility of the County to maintain these areas.

9. A cluster subdivision shall include provisions for the protection of trees and other natural amenities within the area or areas designated for open space. The removal of trees and natural vegetation in designated open space is strongly discouraged, though it is permitted during the development phases for the purpose of trails and other such recreational improvements as approved by planning staff. All open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Trees over 24 inches in diameter (DBH) shall be preserved and incorporated in designated open space where practicable, and upon the request of planning staff such trees existing within areas designated for trails and other such recreational improvements may also need to be shown and labeled. Upon completion of development phases, no person or entity shall remove or destroy any trees or natural vegetation from designated open space without approval from the Administrator. However, normal maintenance and removal of dead or fallen trees are permitted and recommended, and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in Item 8 above.
10. A maximum of 10-residential lots may be located on a single block face when not interrupted by an intersecting street (excluding alleys) or a useable open space set-aside. Open space set-asides used to interrupt the block face shall be meet or exceed the minimum lot width and area of the smallest lot on the block face and have landscaping and active and/or passive amenities incorporated within it. A block face is defined as the portion of a block or tract of land facing the same side of a single street and located between the closest intersecting streets, railroad ROW, and/or lake or pond.

G. MAXIMUM DENSITY

The maximum number of dwelling units allowed per acre for a cluster subdivision shall not exceed the maximum for the residential use district in which it is located, as set forth in Chapter 2 of the UDO, where the total number of dwelling units allowed shall be based on the gross developable acreage of the site and up to 50 percent of the primary conservation open space acreage and up to 50% of the floodplain acreage. For example, when the CSO is located within

the MDR, Medium Density Residential, where the maximum density is two dwelling units per acre, a 100 acre parcel of land with 80-acres of developable land and 20 acres of primary conservation land and floodplain shall be allowed to have no more than ~~200~~ 180 dwelling units built on the site.

- H. COMMERCIAL REQUIREMENT:** There shall be no required commercial within a cluster subdivision.
- I. SITE PLANNING REVIEW STANDARDS:** A cluster subdivision shall follow the site plan review standards and procedures as set forth in Chapter 9 of the UDO, including but not limited to Section 9.2. Furthermore, planning staff shall also include the following in their review:
1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships;
 2. The site layout shall accommodate and preserve any features of historic, cultural, archaeological, or sensitive environmental value. Individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure shall be designed and sited to minimize the alteration of natural features, vegetation, and topography;
 3. Where practicable, individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure should be designed and sited to be compatible with surrounding development patterns;
 4. Where practicable, open space shall be located on a site in such a manner so that view sheds from existing public right-of-way are not obstructed, but are enhanced by the open space;
 5. Private streets are permitted in a cluster subdivision, provided such streets meet the construction standards of Chapter 6 and Appendix C of the UDO. The following shall apply:
 - a. As required in Chapter 6 of the Lancaster County Code, as amended, the minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	22
Local (open drainage)	66	22
Collector	66	24

- b. On-street parking is permitted in a cluster subdivision where adequate right-of-way and pavement width is provided in accordance with standards of the South Carolina Department of Transportation; and
 - c. To ensure adequate clearance for emergency vehicles in a cluster subdivision, the Planning Commission may require signage and/or pavement markings to clearly indicate areas where on-street parking is prohibited;
6. Installing sidewalks on both sides of local streets in a cluster subdivision is encouraged. At a minimum, a sidewalk will be required on at least one side of every local street, with a sidewalk required on both sides of arterial and collector streets. Local, arterial, and collector streets shall be clearly labeled as such on any preliminary or final plat submitted for review;

7. In general, landscaping requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO. However, the Planning Commission may vary such requirements in response to applications demonstrating alternative landscaping based on creative site planning. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the landscaping requirements;
8. The following buffer requirements shall apply for a cluster subdivision:
 - a. In general, buffer requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO where a buffer yard may be required between adjacent zoning districts;
 - b. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the buffer requirements;
 - c. Ingress/egress to the property shall be allowed within a buffer, as well as utility easements and sidewalks;
 - d. A 50 foot buffer shall be required on the frontage of all existing public streets. Where there is insufficient natural vegetation to provide a visual buffer for principal structures, plantings shall be installed by the developer. A minimum of 25 percent of the trees and 75 percent of the shrubs shall be evergreens;
 - e. The Planning Commission may allow a developer to vary the buffer requirement to preserve view sheds from existing view sheds, as required in Item 4 above.
 - f. Buffer requirements within a cluster subdivision shall count as open space where it is contiguous with other areas designated as open space.
9. Variety in architecture and building materials shall be encouraged within a cluster subdivision. It is encouraged that buildings are constructed using quality finish materials (i.e., brick, masonry, stone, concrete siding, or stucco). Vinyl siding is permissible if in combination with other building materials.

J. OTHER ZONING REQUIREMENTS

The Cluster Subdivision Overlay District, may contain zoning and development standards and requirements that are inconsistent with or conflict with zoning and development standards and requirements contained elsewhere in the UDO. The standards and requirements contained in the Cluster Subdivision Overlay District supersede all other zoning and development standards and requirements. The Cluster Subdivision Overlay District is deemed controlling. If the Cluster Subdivision Overlay District is inconsistent with or conflicts with zoning and development standards and requirements contained elsewhere in Chapter 4, then the zoning and development standards and requirements contained in Chapter 4 supersede the standards and requirements contained in the Cluster Subdivision Overlay District and the provisions contained in Chapter 4 are deemed controlling.

K. EXAMPLES OF APPLYING FORMULAS

Below are examples of applying formulas to determine the total number of dwelling units allowed and the amount of the site acreage to be set aside as open space within a Cluster Subdivision Overlay District.

Example: Assume that a 50 acre parcel is being developed. The residential use district is MDR, Medium Density Residential District, where the maximum density is ~~2.5~~ 2.0 dwelling units per acre. Assume that there are 5 acres of Primary Conservation area. The open space percentage is 25 percent (or as a decimal, .25).

1. The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP) (DUA)$$

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

$$TU = (50) (2.5)$$

$$TU = 125 \text{ Total Lots or Dwelling Units Allowed}$$

- The following formula would be used to determine the amount of the site acreage to be set aside as open space:
Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

$$TO = \text{Total Open Space Set Aside}$$

$$TP = 50 \text{ acres Total Parcel}$$

$$PC = 5 \text{ acres Primary Conservation Areas}$$

$$OSP = 25\% \text{ (or .25) Open Space Percentage}$$

$$TO = ((50 - 5) .25) + 5$$

$$TO = ((45) .25) + 5$$

$$TO = (11.25) + 5$$

$$TO = 16.25 \text{ acres of Total Open Space Set Aside}$$

4.4.2 EQUESTRIAN ORIENTED SUBDIVISION OVERLAY DISTRICT (EOSO)

Equestrian Oriented Subdivision Overlay District is hereby established. Equestrian oriented subdivisions are residential developments which are designed with particular emphasis placed on equestrian activities and which provide such facilities as community stables, riding rings, pastures, and riding trails. In addition, private stables may be located on individual residential lots. Equestrian oriented subdivisions are permitted in all agricultural and residential zoning districts except for the MH, Manufactured Housing District, subject to the following provisions:

A. BUILDING AND STRUCTURE

All buildings and structures related to the care or housing of horses and to the operation of the riding facilities on the common property shall be located at least 100 feet from any exterior property line of the development.

B. PRIVATE STABLES

Private stables on individual residential lots shall be located at least 5 feet, but not more than 60 feet, from any rear property line or horse trail; 20 feet from any interior property line; 40 feet from any corner yard property line, and in the front yard it shall be located behind the front facade of the principal building. However, along the exterior property line of the development, the setback shall be 100 feet unless a horse trail separates the property from the land located outside the development. In such a case, the setbacks shall be as stated above.

C. MINIMUM LOT SIZE

If a horse or miniature horse is to be kept on a lot which is located within this designation, the minimum lot size shall be ½ acre. The number of horse(s) allowed is one horse or two miniature horses per ½ acre. The owner of a lot which contains less than ½ acre shall not be allowed to keep a horse on that lot. Otherwise, the minimum lot size shall be the same as is required by the underlying zoning district. The minimum lot width and setback requirements shall be the same as is required by the underlying zoning district.

D. RIDING TRAILS

Riding trails shall generally be located in the interior of the development. However, if a riding trail is to be located along the exterior property line of the development, it shall be set back 30 feet from the exterior property line of the development.

E. STABLES

The lots with stables located on them shall be designed and maintained to drain so as to prevent ponding, the propagation of insects, and the pollution of adjacent streams and other water bodies.

F. MAINTENANCE

The premises shall be maintained in a sanitary condition through the proper use of lime and pesticides.

G. HORSES IN CONTAINED AREAS

If the horses are in a contained area, all manure shall be removed at least twice a day from the confined area so as to prevent the propagation of flies and the creation of odors. Owners of horses kept in a confined area are encouraged to use a Rabon supplement as this will reduce the propagation of flies.

H. STORAGE OF GRAIN

All grain on the lot shall be stored in rodent-proof containers.

I. EXERCISE AND TRAINING AREAS

All exercise and training areas shall be dampened so as to prevent dust.

J. COMMUNITY RIDING FACILITIES

All proposed community riding facilities, including community stables, riding rings, pastures, and riding trails shall be indicated on the plans. As part of the information submitted when applying for an Equestrian Oriented Subdivision Overlay District, a written statement describing the proposed means of ownership and proposed program for maintenance of these facilities shall be included. A copy of this information shall be kept on file in the Planning Department and the Building and Zoning Department.

Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-2022-2602 Section 6.4

Contact Person / Sponsor: A. Davis

Department: Planning

Date Requested to be on Agenda: 1/5/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Proposed Language	1/4/2023	Exhibit

6.3 REQUIRED IMPROVEMENTS FOR ALL DEVELOPMENT

All development which does not qualify as a Minor Subdivision according to the criteria in Chapter 9 shall be required to install or construct the improvements specified in the table below. The developer shall be responsible for the installation and construction of required improvements according to the provisions of this ordinance and the South Carolina Department of Transportation (SCDOT) Access and Roadside Management Standards (ARMS) manual, except as may otherwise be specifically provided herein or by County policy or agreement.

Required Improvements	Zoning Districts														
	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	LI	HI	All Others
Underground Drainage*	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Curb and Gutter*	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Public Water and Hydrants	-	-	-	-	-	-	X	X	X	X	X	X	X	X	X
Public Sewer	-	-	-	-	-	-	X	X	X	X	X	X	X	X	X
Street Lights	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Street Trees	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Paved Streets	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Street Signs (All)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Underground Wiring	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Park/Open Space	X	-	-	-	X	X	X	-	-	-	-	X	-	-	X
Sidewalks (also see 6.7.1)*	-	-	-	-	-	X	X	X	X	X	X	X	-	-	X

* Administrator may wave required improvements with use of approved Low Impact Development Infrastructure.

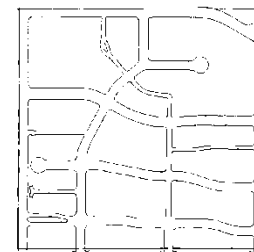
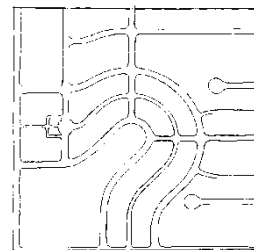
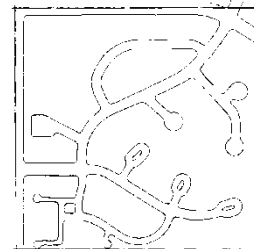
6.4 CONNECTIVITY

6.4.1 GENERAL

The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. The proposed street system shall be designed to provide vehicular interconnections in order to facilitate internal and external traffic movements in the area, improve access/egress for neighborhoods and communities, provide faster response time for emergency vehicles, and improve the connections between neighborhoods and communities. Street arrangements shall not be such as to cause hardship to the owner of adjoining property in platting their own land and providing convenient access to it.

All roads constructed prior to the adoption of this ordinance (adoption date: 11-28-2022) are exempt from the regulations found in sections 6.4.1.A through 6.4.1.D.

In the event that an existing road is extended in conjunction with new development all of the following standards shall apply.



The images at left illustrate three conceptual subdivision layouts. The top image is an example of a poor layout with too few connections and many dead ends. The lower two images show improved street layouts with the required connections and a network of streets. (Diagrams courtesy of Fort Collins, Colorado)

- A. Block Lengths:** Block lengths shall adhere to the standards in the following table:

	Minimum Block Length	Maximum Block Length
Rural & Transitional Districts*	240 feet	1,000 feet
Neighborhood Mixed Use Districts*	240 feet	600 feet

**District classifications are outlined in Chapter 2.*

- B. Block Width:** Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.
- C. Through-Block Connections:** A pedestrian/bicycle accessway shall be required near the center and entirely across any block in excess of 800 feet in length where deemed essential by the Administrator to provide adequate access to any school, shopping center, church, park, or transportation facility (such as a greenway, sidewalk, or bike lane). Such connections shall be owned and maintained by an approved homeowner's association.
- D. Cul-de-Sac:** In general, streets with one end permanently closed shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area clearly indicates that a through street is not essential at the location of the proposed cul-de-sac. In instances where permanent dead-end streets or cul-de-sacs are permitted, they must adhere to the following requirements:
1. **Maximum Length:** 800 feet, measured from the point of street centerline intersection to the center point of the cul-de-sac, and no more than 20 lots.
 2. **Turnaround Dimensions:** The closed end of such streets shall be designed with turnaround dimensions in accordance with Appendix C, MSSD.
 3. **Cul-de-sac Connections:** For the purposes of meeting the connectivity index requirements in Section 6.4.3.A, credit for 1 additional segment shall be given when a pedestrian/bicycle accessway is provided between the following:
 - a. Two permanent cul-de-sacs, or
 - b. A cul-de-sac and any school, shopping center, church, park, or transportation facility (such as a greenway, sidewalk, bike lane, etc.)
- E. Street Jogs Prohibited:** Street jogs with centerline offsets of less than 150 feet shall not be permitted.
- F. Reserve Strips Prohibited:** Reserve strips and non-access easements adjoining street rights-of-way for the purpose of preventing access to or from adjacent property, and half-streets, except those required to prevent access to thoroughfares, shall not be permitted.
- G. Street Width Transition:** Where a proposed street extends an existing street of a different width than what is required by this section, the width transition shall be made within the first block of the proposed development, but in no instance less than the distance specified by the standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials (AASHTO).
- H. Access to Major or Minor Thoroughfares:** Where a subdivision borders an existing or proposed Major or Minor Thoroughfare, no direct driveway access shall be permitted to such facilities from the lots within the subdivision.