

Board of Zoning Appeals Members

- District 1: Beverly Williams
- District 2: Kemesha Lowery
- District 3: Keye Jones
- District 4: Gary Alden
- District 5: Sheresa Ingram
- District 6:
- District 7: Frances Liu, Chair



County Attorney
Ginny L. Merck-Dupont

Clerk to Board of Zoning Appeals
Jennifer Bryan

Development Services Director
Allison Hardin

July 2, 2024

6:00 PM

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

**LANCASTER COUNTY BOARD OF ZONING
APPEALS
Council Chambers, Administrative Building, 101 N.
Main Street, Lancaster SC**

AGENDA

1. **Call to Order Regular Meeting - Chair**
2. **Roll Call**
 - a. Election of 2024/2025 Officers
Election of 2024/2025 Officers
3. **Approval of the Agenda - Board of Zoning Appeals**
4. **Approval of Minutes**
 - a. April 2, 2024 Minutes
Training and review only. No cases were heard.
5. **Public Hearing Items**
 - a. VAR-2018-0238 Toll Southeast LP Co/ Sugar Creek
Application by Toll Southeast LP Company for a Variance from UDO Sec. 4.4.1.i.8.d Buffer Requirements, on the northernmost portion of TM 0003-00-001.00 facing Harrisburg Road.
6. **New Business**
7. **Adjourn**

Please note that the Board of Zoning Appeals makes the final decision on all items.

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Board of Zoning Appeals agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org

*Meetings are live streamed and can be found by using the following link:
<https://www.youtube.com/@LancasterCoSCGov/streams>*

Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Board of Zoning Appeals

Date Requested to be on Agenda: 7/2/2024

Issue for Consideration:

Points to Consider:

Recommendation:

Agenda Item Summary

Ordinance # / Resolution #:
Contact Person / Sponsor:
Department: Board of Zoning Appeals
Date Requested to be on Agenda: 7/2/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
April 2, 2024 Minutes	6/21/2024	Exhibit



MEMBERS OF LANCASTER COUNTY BOARD OF ZONING APPEALS
BEVERLY WILLIAMS, DISTRICT 1
KEMESHA LOWERY, DISTRICT 2
KEYE JONES, DISTRICT 3
GARY WAYNE ALDEN, DISTRICT 4
SHERESA INGRAM, DISTRICT 5
, DISTRICT 6
FRANCES LIU, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

April 2, 2024 at 6:00 PM

1. Roll Call

Board Members present: Quorum is present (4 Board Members)

Frances Liu Keye Jones
Gary Alden Beverly Williams

Absent: Kemesha Lowery, Sheresa Ingram

Staff: Allison Hardin, Development Services Director
Jennifer Bryan, Clerk and Recording Secretary
Gina Jackson, Administrative Assistant

Members of the press were notified in advance, but were not present. The Agenda was posted on the County website, and posted in the lobby of the administration Building one week prior to the meeting. A copy of the agenda is on file.

2. Call to Order

Chair Liu called the public meeting to order at 6:00 p.m.

3. Approval of Agenda

Beverly Williams moved to Approve the Agenda; 2nd by **Keye Jones**. The motion was approved by unanimous consent.

4. Approval of Minutes

a. Minutes of March 5, 2024

Chair Liu called for a motion to approve minutes.

Gary Alden made a Motion to approve the minutes. Seconded by Beverly Williams.

Vote: 4:0. Motion is approved unanimously.

5. New Business

a. Review and Revision of Rules & Procedures

Training review of Rules & Procedures by Allison Hardin, Development Services Director. See attached materials.

6. Adjournment:

With there being no further business, Gary Alden moved to adjourn; motion seconded by Keye Jones. The motion was approved by unanimous consent.

Adjourned at 7:48 PM.

ATTACHMENTS:

1. Clean copy of existing R & P
2. APPENDIX H, SCAC Guide to Planning : County Board of Zoning Appeals Rules of Procedures

Board of Zoning Appeals - Rules and Procedures

Article I Organization

Section 1. Rules. These rules and procedures are adopted pursuant to S.C. Code 6-29-790 and Chapter 9 of the Lancaster County Unified Development Ordinance (UDO) adopted November 28, 2016.

Section 2. Officers. The officers of the Board shall be a chair and vice-chair elected for one year terms at the first meeting of the Board in June of each calendar year. The zoning administrator or designee shall serve as secretary of the Board.

Section 3, Chair. The chair shall be a member of the Board and has the power to:

- a. Call meetings of the Board;
- b. Preside at meetings and hearings;
- c. Act as spokesperson for the Board;
- d. Sign documents for the Board;
- e. Decide all points of procedure; and
- f. Perform other duties approved by the Board.

Section 4. Vice-Chair. The vice-chair shall exercise the duties of the chair in the absence, disability, or disqualification of the chair. [In the absence of the chair and vice-chair, an acting chair shall be elected by the members present.

Section 5. Secretary. The secretary shall:

- a. Shall be assigned by the Zoning Administrator or their designee;
- b. Provide and publish all required notice of meetings and hearings;
- c. See that all required signage for a property is properly posted;
- d. Prepare written meeting agenda and meeting scripts - See Exhibit A;
- e. Swear-in participants and witnesses;
- f. Collect relevant evidence presented during meetings and hearings;
- g. Keep minutes of meetings and hearings;
- h. Serve written Board decisions to all affected parties;
- i. Transmit Board meeting minutes and records to the office of the Administrator of Lancaster County for filing as public records;
- J. Attend to Board correspondence;
- k. Perform other duties normally carried out by a secretary.

Article II Meetings

Section 1. Time and Place. Regular meetings shall be held on the second Tuesday of each month at 6:30 p.m. in County Council Chambers. The annual regular meeting schedule for the coming year shall be posted in December on the County's Website. Revisions and adjustments to regular meeting dates can be approved by a majority vote of the Board at least thirty (30) days prior to any scheduled meeting date. Special meetings may be called by the chair or by a majority vote of the Board. Public notice of all meetings of the Board shall be provided to the news media and posted according to prevailing County practices.

Section 4. Quorum. A majority of the Board's members shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling a meeting. To maintain the integrity of the Board and insure a quorum, members are expected to attend every meeting unless and an absence is declared at least thirty (30) days before the affected regular meeting. Board members shall make an immediate notification of their unexpected, unavoidable meeting absence so Board member polling can be made to verify a meeting quorum and/or initiate other actions or make adjustments. Also see section 9.1.5(B)(2) of the Unified Development Ordinance regarding a withdrawn Board member.

Section 3. Rules of Order. Robell's Rules of Order Newly Revised, latest edition, shall govern the conduct of meetings except as otherwise provided by these Rules and Procedures.

Section 4. Cancellation, Other than the scheduled first meeting of the year, whenever there are no appeals to be considered or other business to be transacted by the Board, the secretary shall notify each Board member of these cancellations as soon as it is known but not less than twenty-four (24) hours prior to the time of a regular meeting.

Section 5. Open to the Public. All meetings shall be open to the public, except that the Board may go into executive session in accordance with the provisions of the Code of Laws of South Carolina and the ordinances of the Lancaster County.

Article III Application Prehearing Procedure

Section 1. Form, Appeals from administrative decisions, applications for variances, and applications for special exceptions shall be filed on approved forms provided to applicants by the Zoning Office. The Board may require additional information deemed necessary. The failure to submit a completed application and required documentation necessary for the Board to address the matter may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest.

Section 2. Calendar and Docket. Appeals and applications shall be marked with the date of receipt, placed on the docket in the order in which received. Form shall be numbered serially, begin anew on January of each year and shall be hyphenated with the number of the year in which the appeal is filed.

Section 3. Time of Hearing. All completed appeal or hearing applications must be filed within thirty (30) days after the actual written notice of a decision with a deadline of thirty (30) days before the next regular scheduled Board meeting unless a different date is specifically set for such hearing by the Board.

Section 4. Withdrawal of Appeal or Application. An appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the Board. Withdrawn applications for variances and special exceptions may be re-filed after six (6) months and shall be placed on the calendar according to the date re-filed. An appeal from an administrative decision that is withdrawn may not be refiled after the thirty (30) day time for appeal has expired.

Section 5. Continuances and Deferrals. The Board may continue or defer an application for good cause shown upon its own motion or at the request of any applicant. An applicant's request for deferral must be in written signed document by the applicant or agent listing the specific reasons for a deferral. A deferral will be heard at the next regularly scheduled meeting and one only one such deferral will be allowed.

Section 6. Notice. Public notice of a hearing of the Board shall be published in a local newspaper, posted in the County Administrative Building, on the County's website, on or adjacent to the property affected at least fifteen (15) days prior to the hearing. Requesting persons and media on file with the Clerk of Council will receive at least a twenty-four (24) hours notification. Meeting agenda and information packet will be mailed to Board members at least seven (7) day before a scheduled meeting. In addition to any other matters required by law, the notice shall contain a description of each matter to be heard and identify the applicant and property affected. UDO Chapter 9 notice requirements will also be followed.

Article IV Hearing Procedure

Section 1. Appearances. The applicant or any party in interest may appear in person, by agent or attorney. The Board may postpone or proceed with disposing of a matter on record before it on behalf of an applicant or appellant even in the event of their absence from the proceedings.

Section 2. Equal Consideration. The Board shall make every effort to afford equal treatment to all appearing before it as well as other Board members with all due respect. It shall be the standard to address all males with the title "Mr." and all females with the title "Ms.". All evidence presented to the Board shall be given due consideration when weighting conclusions.

Section 3. Witnesses. Witnesses must present testimony under oath or affirmation. Witnesses may be compelled to attend by a subpoena, approved and signed by the Board chair, requested at least ten (10) days prior to a hearing. The Board may call its own witnesses when deemed appropriate. Each witness shall state their name and address for the record.

Section 4. Cross examination. No party shall have the right to cross-examine witnesses. Intimidation of witnesses will not be allowed. Contempt of the Board may certify this fact to circuit court pursuant to S.C. Code Section 6-29-810.

Section 5. Evidence. Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony which is not cumulative or hearsay will be received. The chair will rule on all evidentiary matters. Evidence will be placed in the record with an objection noted.

Section 6. Conduct of Hearing.

a. The following statement and oath/affirmation shall be administered by the secretary.

"Would the (applicant)/(county representative) please step forward and state your name. Please raise your right hand. Do you _(name)_ solemnly affirm that the testimony you are about to give is the truth and nothing but the truth?"

b. As a guideline, the order of hearing should be:

- (1) Statement by staff, secretary or chair of matter to be heard;
- (2) Presentation by applicant (eight (8) minute limit);
- (3) Presentation by zoning staff (eight (8) minute limit);
- (4) Citizen comments or presentation (four (4) minute limit per opponent);
- (5) Rebuttal applicant or appellant (three (3) minute limit);
- (6) The above, prior to speaking, the chair may grant a request for a stated amount of addition time.

c. All presenters after being recognized or called by the chair shall approach the podium; state their full name, address and whom they represent.

d. Chair shall call for citizen's comments. Upon being recognized by the chair, citizens shall approach the podium; state their full name, address and sign the appropriate sign-in sheet at the podium.

e. The Board may question participants at any point in the hearing. Matters in which additional time is granted may be moved to end of the agenda. No person shall speak at a Board meeting unless invited to do so by the Board.

f. Modification of Procedure.

- (1) The chair may modify the procedure of hearing.
- (2) Any Board member may move to modify the procedure or to overrule the chair's decision to modify the procedure. Both motions are debatable and require a majority vote in order to be adopted.

- (3) The intent of the rules is that the procedure at the hearing will reflect such concerns as fairness and the importance and complexity of the matter at issue. Therefore, modifications in procedure should be used where a change will substantially improve the decision process and should be made in terms of such concerns as the importance and complexity of the decision, repetition, agenda length and time spent as a result of questions from the Board, and fairness.

g. Following the conclusion of evidence presentation, the chair shall call for voting. The Board shall affirm (wholly or partly) or shall modify the order, requirement, decision, or determine or the determination appealed and shall make any order, requirement, decision or determination that in its opinion should be made in the matters brought before it. In the execution of its duties, the Board may subpoena witnesses in the case of contempt.

h. Board members will cast their evidence based votes considering the following guidelines:

- (1) The evidence presented does or does not meet the requirements and standards of the UDO
- (2) The evidence presented is or is not compatible with the current planned land uses or zoning
- (3) The evidence will or will not diminish the value of adjacent property or property in the general area.
- (4) The evidence presented will or will not have a positive impact on the general health, safety and welfare of the citizens of the area and Lancaster County.
- (5) Any guidelines or conditions the Board may approve by a simple majority.

Section 7. Voting and Disposition. A Board member must be present to vote and shall vote on every question unless member is recuse or is otherwise disqualified The Board may deliberate and make final disposition of a matter by majority vote of members qualified to vote. In the case of a tie vote the motion fails. The vote may be taken at the same or a subsequent meeting. A member may not vote on a matter which they have not heard. Deliberating and voting shall be done in public. Where the Board authorizes any variation or imposes any condition with respect to an appeal or application, such variation and condition shall be specifically stated in the motion.

Section 8. Adjournments. When all appeals and applications cannot be disposed of on a set day, the Board may adjourn and set a continuance date of the meeting with further notice not required.

Section 9. Form of Order. An order, signed by the chair or vice-chair, shall be issued disposing of a matter by granting or denying relief with such conditions as may be deemed necessary or by affirming, modifying, remanding, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. The final written decision must contain all the findings and conclusions and shall be stated in the document. The hearing transcript, record, and official minutes shall be considered as evidence and indications of findings and conclusions.

Section 10. Service of Order. The secretary shall deliver a copy of an order to the applicant and each party in interest by certified mail within ten (10) calendar days after the decision of the Board is rendered.

Section 11. Appeal. Appeals from the Board may be made to circuit court pursuant to S.C. Code of Laws Annotated Section 6-29-820, which provides:

"A person who may have a substantial interest in any decision of the Board of appeals or an officer or agent of the appropriate governing authority may appeal from a decision of the Board to circuit court in and for the county by filing with the clerk a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed thirty days after the decision of the Board is mailed. "

Section 12. Rehearing. Requests for rehearing shall be delivered to the Zoning Administrator in writing, setting forth plainly, fully, and distinctly why the decision of the Board is in error, and setting forth the new evidence. Unless the Zoning Administrator finds that the submitted and substantial new evidence could not reasonably have been presented at the previous hearing, or upon a finding of fraud, misrepresentation or other misconduct of a party, no request for a rehearing will be granted within twelve (12) months of a denial by the Board shall be entertained. Numerous requests for rehearing shall be denied. Once the request for rehearing is placed on the agenda, the party requesting the rehearing shall be notified to appear before the Board and the case shall be put on the calendar for a hearing. Rehearing shall be subject to the same notice as original hearings.

Article V Conduct and Communication

Section 1. Conduct. Board members shall avoid all situations, communications and circumstances that may lead to a bias or prejudice opinion upon matters presented to the Board. Also, Board members shall not issue individual opinions regarding matters to be considered by the Board prior to the hearing and until the effective date of the final decision.

Section 2. Contact. Any contact and communication with applicants, other parties of interest or opponents of any matter to come before the Board shall be reported to the chair. [t shall be the duty of each Board member to conduct themselves to discourage such contact and/or communication.

Article VI Records

Section 1. Minutes. The secretary or designee shall record all meetings and hearings of the Board electronically which shall be preserved in accordance with the records retention schedules as publicized by the South Carolina Department of Archives and History and as adopted by Lancaster County. The secretary or designee shall prepare minutes of each meeting for approval by the Board at the next regular meeting. Minutes shall be maintained as public records.

Section 2. Orders and Documents. The secretary or designee shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary evidence, orders and forms shall be maintained as public records.

Article VII Amendment and Adoption

Section 1. Adoption. These rules and procedures are adopted the members of the Board at a regular public meeting on _____. These rules and procedures may be amended at any regular meeting or at any special meeting of the Board by majority vote of the members of the Board.

Chair
Name typed

----- **Signature**

Vice-Chair
Name typed

----- **Signature**

Attested
Secretary
Name typed

----- **Signature**

Exhibit A

THE LANCASTER COUNTY BOARD OF APPEALS

Order of Meeting

1. THE BOARD OF APPEALS, PLANNING DEPARTMENT, AND THE BUILDING AND ZONING DEPARTMENT, WELCOME ALL OF YOU TO OUR MEETING TONIGHT.
2. BY ATTENDING OUR MEETING WE SINCERELY HOPE THE RESULTS ARE INFORMATIVE TO YOU ON HOW THE SYSTEM HANDLES EACH APPLICATION, BECAUSE ALL REQUESTS ARE DIFFERENT.
3. OUR BOARD MEMBERS ARE: #1 REID RUSHING, DON BROUWER, HARVEY CARNES, LAVILLA BREVARD, FRANCES LIU, WAYLON WILSON.
4. MADAM SECRETARY - WILL YOU PLEASE CALL THE ATTENDANCE ROLL?
5. AT TIDS TIME I WILL ASK ALL MEMBERS OF STAFF TO PLEASE STAND, STATE YOUR NAME AND YOUR DUTIES WITHIN THE COUNTY. PLEASE REMAIN STANDING, OUR SECRETARY WILL PLACE EACH OF YOU UNDER OATH.
6. IS THERE ANY BOARD MEMBER THAT HAS NOT RECEIVED A PACKET FROM THE PLANNING DEPARTMENT CONTAINING THE NECESSARY INFORMATION FOR OUR MEETING?
7. OUR FIRST ORDER OF BUSINESS IS TO APPROVE THE AGENDA. ARE THERE ANY CHANGES TO THE AGENDA? ASK FOR MOTION TO APPROVE, SECOND, DISCUSS, APPROVE.
8. THE NEXT ORDER OF BUSINESS IS TO APPROVE THE MINUTES. ARE THERE ANY CHANGES? ASK FOR MOTION TO APPROVE, SECOND, DISCUSS, APPROVE.
9. HAS PLANNING MADE IT POSSIBLE FOR ALL APPLICANTS TO RECEIVE INFORMATION OF THIS MEETING? HAVE ALL ADJACENT PROPERTY OWNERS BEEN NOTIFIED? WAS THERE A NOTICE OF THIS MEETING PUBLISHED IN THE

LOCAL NEWSPAPER TO INCLUDE THE MEETING PLACE, DATE,
TIME, AND THE AGENDA?
IS THERE A COPY ON FILE?

10. THE ZONING BOARD OF APPEALS DUTIES ARE WITHIN THREE SPECIFIC AREAS,
 - A. ADMINISTRATIVE REVIEW IS AN APPEAL OF AN ORDER, OR DECISION OF THE ADMINISTRATOR THAT HAS ALLEDGED ERROR.
 - B. THE POWER TO GRANT AV ARIANCE IS GIVEN TO THE BOARD OF ZONING APPEALS BY THE STATE OF SOUTH CAROLINA. VARIANCES MAY BE GRANTED WHEN STRICT APPLICATION OF THE ZONING ORDINANCE WOULD NOT CAUSE UNNECESARY HARDSHIP AND THE GRANTING OF THE VARIANCE WOULD NOT CAUSE SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTIES OR THE PUBLIC GOOD.
 - C. SPECIAL EXCEPTIONS ARE PERMITTED USES WITHIN A ZONING DISTRICT, BUT REQUIRES A PUBLIC HEARING PRIOR TO GRANTING FINAL APPROVAL.
12. A PUBLIC HEARING IS CONDUCTED TO REVIEW COMMENTS AND INFORMATION, BOTH FOR AND AGAINST THE PROPOSED APPLICATION. DURING THE PUBLIC HEARING PORTION OF THE MEETING, ALL INTERESTED PARTIES WILL BE GIVEN THE OPPORTUNITY TO SPEAK AND GIVE FACTUAL INFORMATION OR PRESENT FACTUAL DOCUMENTATION. ALL PERSONS SPEAKING WILL BE PLACED UNDER OATH. ALL PERSONS WISHING TO SPEAK WILL SIGN THE REGISTER PRIOR TO SPEAKING. ANYONE SPEAKING WILL COME FORWARD TO THE PODIUM, SPEAK INTO THE MICROPHONE AND STATE A) NAME, B) ADDRESS, C) TELEPHONE NUMBER. WE MUST RECORD ALL INFORMATION FOR THE RECORD. THE APPLICANT WILL SPEAK FIRST AND WILL HAVE AN OPPORTUNITY FOR A REBUTTAL. PLEASE, LIMIT YOUR COMMENTS TO NO MORE THAN 5 MINUTES.
13. A. STAFF WILL NOW READ THE STATEMENT OF MATTER.
 - B. IF THE APPLICANT AGREES WITH THE STATEMENT OF MATTER AS READ, PLEASE SIGN. IF AN AMENDMENT IS NEEDED, THEN CORRECT THE DOCUMENT AND SIGN IT.

14. I WILL NOW PROCLAIM THE PUBLIC PORTION OF OUR MEETING OPEN. CALL EACH SPEAKER TO THE PODIUM.

15. THE PUBLIC PORTION OF THE MEETING IS NOW CLOSED. ACKNOWLEDGE ANY CALLS OR LETTERS RECEIVED BY STAFF.

HAS A SITE CHECK BEEN MADE BY STAFF?

HAVE ALL MEASUREMENTS BEEN VERIFIED?

16. BOARD MEMBERS QUESTIONS TO APPLICANT.
BOARD MEMBERS QUESTIONS TO STAFF.
DISCUSSION

THE CHAIR WILL ENTERTAIN A MOTION TO: 1) APPROVE THE APPLICATION, 2) DENY THE APPLICATION, 3) APPROVE WITH ANY STIPULATIONS, OR 4) IF THE INFORMATION PROVIDED IS NOT SUFFICIENT FOR THE BOARD TO MAKE A DECISION, THEN A MOTION TO POSTPONE THIS APPLICATION UNTIL THE NEXT MEETING WOULD BE APPROPRIATE.

NEXT APPLICATION.

IF NO FURTHER BUSINESS, ADJOURN, PAUSE, ADJOURN.

Reference 1

ROBERTS RULES CHEAT SHEET


To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	!No	!No	Majority
Recess	"I move that we recess until..."	No	Yes	!No	Yes	Majority
Complain about noise, room emp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	!No	No	Majority
End debate	"I move the previous question"	No	Yes	No	!No	2/3
Postpone consideration of something	"I move we postpone this matter until... "	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by... "	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	!No	Chair decides
Request information	"Point of information"	Yes	No	No	!No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	!No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	!No	No	No	2/3
Take up matter previously abled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to... "	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	!No	Yes	!No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	!No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

January 2017



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**
Local Leaders. Statewide Strength.®


Legal & Ethical Considerations

Conducting Meetings of Local Governments

PART 1

Objectives for Part I

- Discuss the importance of rules of procedure for meetings
- Discuss the statutory requirements for conducting meetings of public bodies
- Discuss procedures relevant to different types of public meetings
- Discuss potential ethical issues that arise during meetings



Creating Rules of Procedure

- Brig. Gen. Henry M. Robert
- Born in Robertville, SC
- U.S. Army 1857-1901
 - Chief of Engineers
- 1876 created Roberts Rule of Order after presiding over a disastrous church meeting!
- Now in its 11th edition

PURPOSE OF RULES OF PROCEDURE

- To set expectations for the conduct of all public meetings of a governmental body
- To ensure for the fair exchange of information and the proper resolution to issues before the body
- To govern the conduct of members and the public during meetings

Governing Documents

Constitution
Statutes
Ordinance
Court rulings
Parliamentary
Authority

Statutes:
Freedom of Information
Act (FOIA)
Ethics Act



Parliamentary Basics

Local public bodies are statutorily required to adopt their own rules of business – SC Code 4-9-110 or other authorizing statutes

- o 1. NOTICE (to the members & public)
 - o Agenda & meeting materials
- o 2. QUORUM
- o 3. MOTIONS
- o 4. DEBATE/DISCUSSION
- o 5. VOTING
- o 6. RECORDS OF ACTIONS TAKEN (minutes)

Notice

- Statutorily required
 - SC Code 30-4-80(A)
- Annual notice of regularly scheduled meeting calendar
- 24 hour minimum notice of individual meetings to public & media
- Post of notice:
 - at the location of meeting,
 - media outlets requesting notice and
 - County maintained Website if site is regularly maintained (Act 70 of 2015)

Agenda & Amendments

- Agendas are now required at all public meetings
- Agendas can be amended to add items only in the following cases!
 - **Before the meeting**
 - items may be added so long as a new 24 hour notice is provided
 - **Once the Meeting has begun**
 - an item for which action can be taken may be added with a 2/3 vote.
 - Final action item added must have 2/3 vote and a finding by the chair that an emergency or exigent circumstance exists.
 - AG opinion: has to be a circumstance beyond the body's control

Quorum

- No official action can be taken without a quorum present
- Majority of meeting require a simple majority of members – 50% plus 1
 - Governing document may set quorum
- Absent a quorum?
 - Adjourn
 - Recess and try to get a quorum
 - Fix the time to adjourn

Motions

- Substantive motions (main/principal)
 - Puts a question before the council
 - Only one motion at a time
- Subsidiary motions
 - Acts upon a substantive motion
 - Multiple motions at the same time
 - Order of precedence
 - Most common is the motion to amend

Other less common motions

- *Incidental motions*: motions which generally relate to the conduct of business or rules of order, and need to be considered immediately
- *Privileged motions*: motions which are not related to the current business, but relate to special matters

Debate

- The Chair is responsible for controlling the flow of debate – ensure all members have the opportunity to speak
 - Member who raised the issue should speak first
 - First-in-line v. alternate viewpoint
 - Maintain decorum/courtesy
- Should the Chair participate in debate?
 - If the Chair participates - Another member should preside temporarily
- Ending debate
 - by motion of a member
 - Can't interrupt a speaker
 - 2/3 vote to cutoff debate
 - by the chair when debate exhausted

Postponing & Reviving Matters

- Postpone/carry-over:
 - no-limit (majority vote)
 - time certain (2/3 vote)
- Table/lay on the table – postpones until a later time in the meeting
 - dies if not taken from the table by the end of the meeting
- Reconsider – reconsider an action made at the same or immediately proceeding meeting.
 - Motion must be made by a member originally voting on the prevailing side of the issue

Voting

- Generally by voice/show of hands
- Passage – commonly by simple majority
 - Majority: (simple-majority) 50% + 1
 - 2/3 Majority: (super-majority)
 - S.C. Code requirements: amend agenda, over-ride county supervisor actions
 - Actions affecting rights of members: amending agenda; call the question; postpone to time certain
- Tie vote – considered to have failed, retains the status quo
- Does the Chair vote?

Misc. Rules of Procedure Issues

- Provisions for alternate attendance
 - A.G. opinion: *Town of Tega Cay*
 - Ability to hear and be heard
 - Questionable use in quasi-judicial hearings
- Removal from a meeting for Disruption
 - Removal of members of the public
 - SCAG: discipline is a legislative action granted to the body

Ethical Issues

- SC Code 8-13-700: Member can't use their office to obtain an economic benefit for the member, family, or business/associates
 - Must file a conflict letter with the chair – published in the minutes
 - Can't take any part in debate or vote
 - avoid even the perception of participation
 - Note on leaving the room
- Difference between **Conflict** and **Bias**
 - Abstention vs. recusal

Quasi-Judicial Hearing

- Individual application/appeal
- Members sit in a judicial capacity
- Constitutional due process and equal protection issues
 - **Impartiality is essential!**
 - Decisions are to be based on presented evidence only – avoid ex parte issues
 - Potential for appealable error
- Applicant has the burden of proof

Public Hearings

- Statutorily required for certain actions
- Publically announce rules for public input
 - Time limits; for/against; number of speakers
- Follow the agenda
- Maintain decorum and public safety
 - Don't allow speakers to attack other speakers or members
- Goal is for members to receive information
 - Members should refrain from personal comments or remarks to speakers

Executive Sessions

- Limited to 6 specific reasons provided for in SC Code 30-4-70(a)
- Body must publically announced sufficient information for reasons for calling the session and vote in open session
- No votes or polling may occur during the session

Records/Minutes

- Statutorily required for all public meetings
 - SC Code 30-4-90
- Must record official actions: dates/times, quorum, motions, votes & conflict recusals
- Must be maintained permanently & microfilmed for security
 - SC County Records Retention schedule maintained by SC Dept. of Archives & History

??Questions??



Email: jdeloache@scac.sc

Part II: Tuesday January 15, 2019 – Advanced topics in Parliamentary Procedure.

Agenda Item Summary

Ordinance # / Resolution #:
Contact Person / Sponsor:
Department: Board of Zoning Appeals
Date Requested to be on Agenda: 7/2/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/25/2024	Exhibit
Location Map	6/25/2024	Exhibit
Application	6/12/2024	Exhibit
Plat of affected area	6/12/2024	Exhibit
Deed	6/25/2024	Exhibit
Approved Preliminary Plat: Overall View	6/25/2024	Exhibit
Approved Civil Plan: Landscape Plan	6/25/2024	Exhibit

REQUEST: Application by Paul Wallace Jr, requesting a variance from Unified Development Ordinance Sec. 4.4.1.1.8.d Site Planning Review Standards

PROPERTY LOCATION: Harrisburg and Gant Road

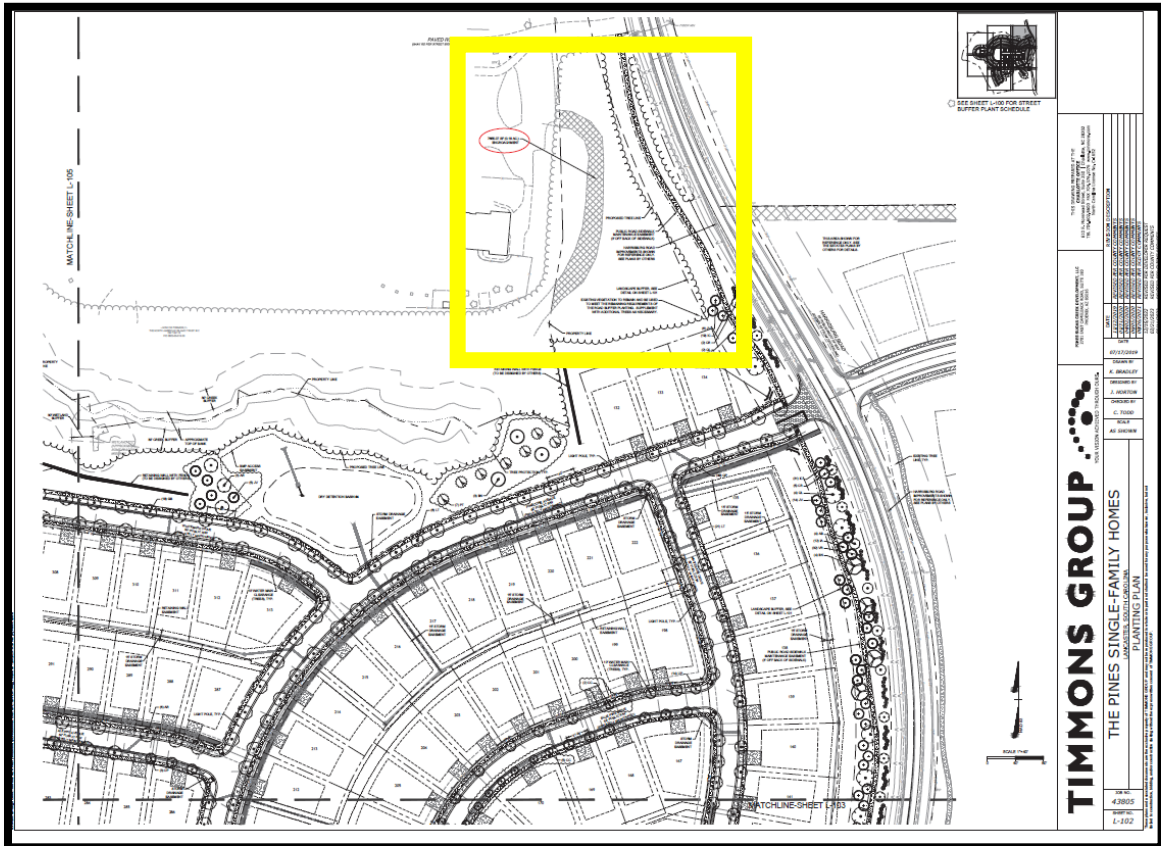
TAX MAP NUMBER: TM# 0003-00-001.00

ZONING DISTRICT: Medium Density Residential (MDR) District

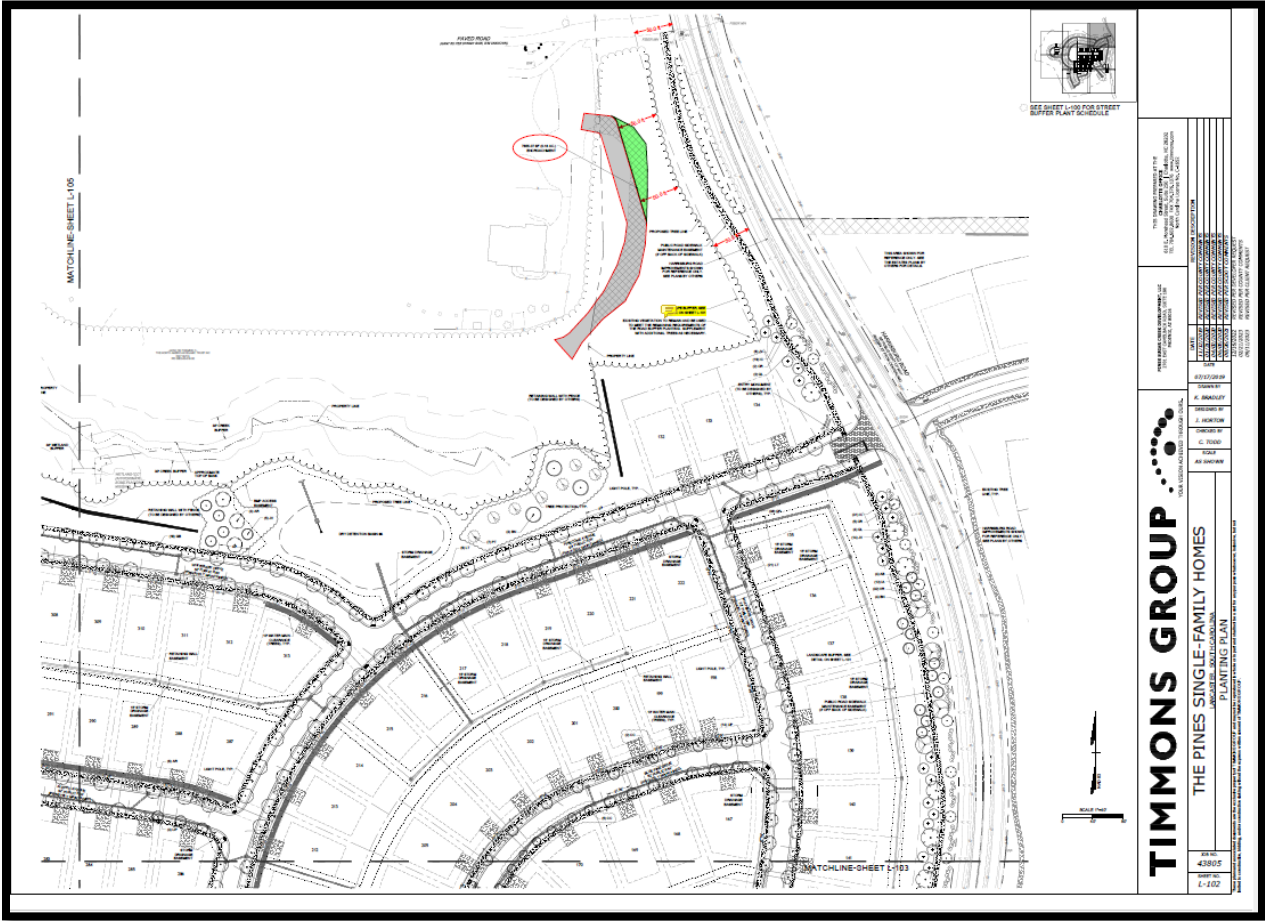
HEARING NOTICES: Published The Lancaster News 6/15/2024
Notices mailed 6/14/2024
Signs posted 6/20/2024
Agenda posted online and in Administration Building Lobby 6/25/2024

OVERVIEW:

The applicant is requesting a variance from Unified Development Ordinance (UDO) Section 4.4.1.1.8.d Site Planning Review Standards: "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".



Map of Sugar Creek Development showing the location of new easement and buffer



Map of Sugar Creek Development depicting the location of new easement and buffer and how it has taken the existing buffer out of compliance

Background

1. The subject property is a portion of a larger 146.9 acre tract that makes up the required openspace and buffer area of the Sugar Creek development. The property is zoned Medium Density Residential (MDR).
 2. The applicant discovered that the neighboring Islamic Community Center of South Charlotte had constructed a new access driveway to their parking lot. In building this drive, the community center built across the property line between the Islamic Community Center of South Charlotte and Sugar Creeks property.
 - a. The Islamic Community Center owns two properties under the name North American Islamic Trust Inc.
 - i. Tax Map number 0002-00-019.00 is a tract that includes a portion of the Islamic Community Center and an access way from Harper Keeffe Rd. (Harper Keeffe Rd is located across Harrisburg Rd from PCI Group). The access way is crossed by the private road named Gant Rd.
 - ii. Tax Map number 0002-00-022.00 is a landlocked parcel that has access to Harrisburg Rd via Gant Rd, which crosses Sugar Creek property before reaching property owned by the Islamic Community Center.
 - iii. Adjacent to both Islamic Community Center parcels is a parcel (TM 0002-00-19.01) owned by Modesta Angeles Callejas.
 3. The Islamic Community Center attempted to create a drive that would parallel Harrisburg Rd and then turn west to circle the Callejas property.
 - a. The construction process included removal of tree material, grading, and ground work to create an access drive around an existing building to the Islamic Community Center.
 - b. During construction, the Islamic Community Center project crossed the property line between their property TM 0002-00-019.00 and the property owned by Sugar Creek (listed under Toll Southeast LP).
 - c. The Islamic Community Center of South Charlotte did not secure a permit prior to commencing work on the driveway.
 4. The Sugar Creek property that was impacted involved a required 50 foot buffer on Sugar Creeks property along Harrisburg Road.
 5. Sugar Creek is working with the community center in trying to obtain a variance from the required buffer so the center does not have to relocate their driveway.
-

Findings of Fact - Property:

- The applicant is the representative of property located at Tax Map Number 0003-00-001.00, in the Sugar Creek subdivision. (Source: Application; Lancaster County Assessor's Office).
- o The majority of Sugar Creek subdivision is primarily located between Society Lane, and Gant Rd.
- The Sugar Creek property is zoned MDR (Medium Density Residential). (Source: Lancaster County Official Zoning Map)

- o The minimum lot size in Medium Density Residential is 10,000 square feet (Source: Lancaster County UDO)
- Sugar Creek is a Cluster Subdivision which has additional requirements outlined in section 4.4 of the Unified Development Ordinance.
- Several of these additional requirements include Site Planning Review Standards
- o Additional Buffer Requirements are included .
- o UDO section 4.4.1.1.8.d states 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.

Variance location photo:



Facing sign of subject parcel off Harrisburg Road

Summary of Adjacent Zoning and Uses

	Zoning District	Use
North	MDR, LDR	Sugar Creek Open Space, existing neighborhood
South	MDR	Sugar Creek Development
East	MDR, LI	Sugar Creek, PCI Group
West	INS	Islamic Community Center of South Charlotte

Public Comment:

Staff have received several phone calls inquiring about the variance with no clear opposition or support.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

4.4.1.1.8

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 4 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.

UDO Section 9.2.12, Variances - Standard of Review

A. PURPOSE/LIMITATIONS

- 1. Purpose:** The variance process administered by the Board of Zoning Appeals is intended to provide limited relief from the requirements of this ordinance in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of the land in a manner otherwise allowed under this ordinance.
- 2. Financial Hardship Not Sufficient Ground for Variance:** It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general or to increase the profitability of a proposed development.

3. Use Variances Not Permitted: In no event shall the Board of Zoning Appeals grant a variance which would allow the establishment of a use which is not otherwise allowed in a land development district or which would change the land development district classification or the district boundary of the property in question. Nor shall the Board grant a variance which would allow the establishment of a use set forth herein as requiring certain conditions or standards under conditions or standards less than those minimums.

4. Authority Limited to this Ordinance/ Conflicts with other Laws Prohibited: In no event shall the Board of Zoning Appeals grant a variance which would conflict with the International Building Code, as amended, or any other state code unless otherwise authorized by duly enacted applicable laws and regulations.

C. FORMAL REVIEW

1. Action by the Board of Zoning Appeals

- a. Upon receipt of the request for a variance from the Administrator, the Board of Zoning Appeals shall hold a quasi-judicial hearing on the request.
- b. After conducting the hearing, the Board of Zoning Appeals may: deny the application; conduct an additional public hearing on the application; or grant the application. It shall take a majority vote of the Board to grant a variance.
- c. A decision by the Board of Zoning Appeals shall be made within 30 days of the date of the hearing.
- d. The Board of Zoning Appeals, as established by Lancaster County, shall hear and decide requests for variances from the requirements of the standards for the Flood Damage Prevention standards located in Chapter 8.

2. Standard of Review

- a. **General Variance Requests:** The Board of Zoning Appeals shall not grant a variance unless and until it makes all of the following findings:
 - i. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this ordinance;
 - ii. That if the applicant complies with the provisions of the ordinance, the property owner seeking the variance can secure no reasonable return from, or make no reasonable use of his property;
 - iii. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings located in the same land development district;
 - iv. That the variance will not materially diminish or impair established property values within the surrounding area;
 - v. That the special conditions and circumstances referenced in iii, above, result from the application of this ordinance and not from the actions of the applicant;
 - vi. That the variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit;
 - vii. That the variance is the minimum necessary to afford relief; and
 - viii. That the public health, safety and general welfare have been assured and substantial justice has been done.

UDO Section 1.1.4, Purpose and Intent

The regulations contained in the UDO have been adopted in accordance with the Comprehensive Plan for Lancaster County, South Carolina, as adopted, in order to:

- A. Promote a strong, diverse economy that supports a wide variety of businesses and enterprises.
- B. Provide sustainable, well-managed growth that maintains quality of life, protects open space and environmental quality, retains the natural character of the region, and maximizes the efficiency of the infrastructure investments.
- C. Promote a safe and healthy environment with good air and water quality.
- D. Support increased collaboration among jurisdictions on issues that transcend boundaries, including growth management, transportation, and environmental concerns, in a manner that recognizes both regional and local needs.
- E. Promote community leadership and cooperative volunteerism for all residents.
- F. Create high quality educational opportunities that are available to all residents.
- G. Encourage community and stakeholder collaboration in development decisions, which are predictable, fair, and cost effective.
- H. Preserve open space, farmland, natural beauty, and critical environmental areas.
- I. Strengthen and direct development towards existing communities.
- J. Encourage mix of land uses with compact building design and walkable neighborhoods.
- K. Create a range of housing opportunities and choices.
- L. Foster distinctive, attractive communities with a strong sense of place

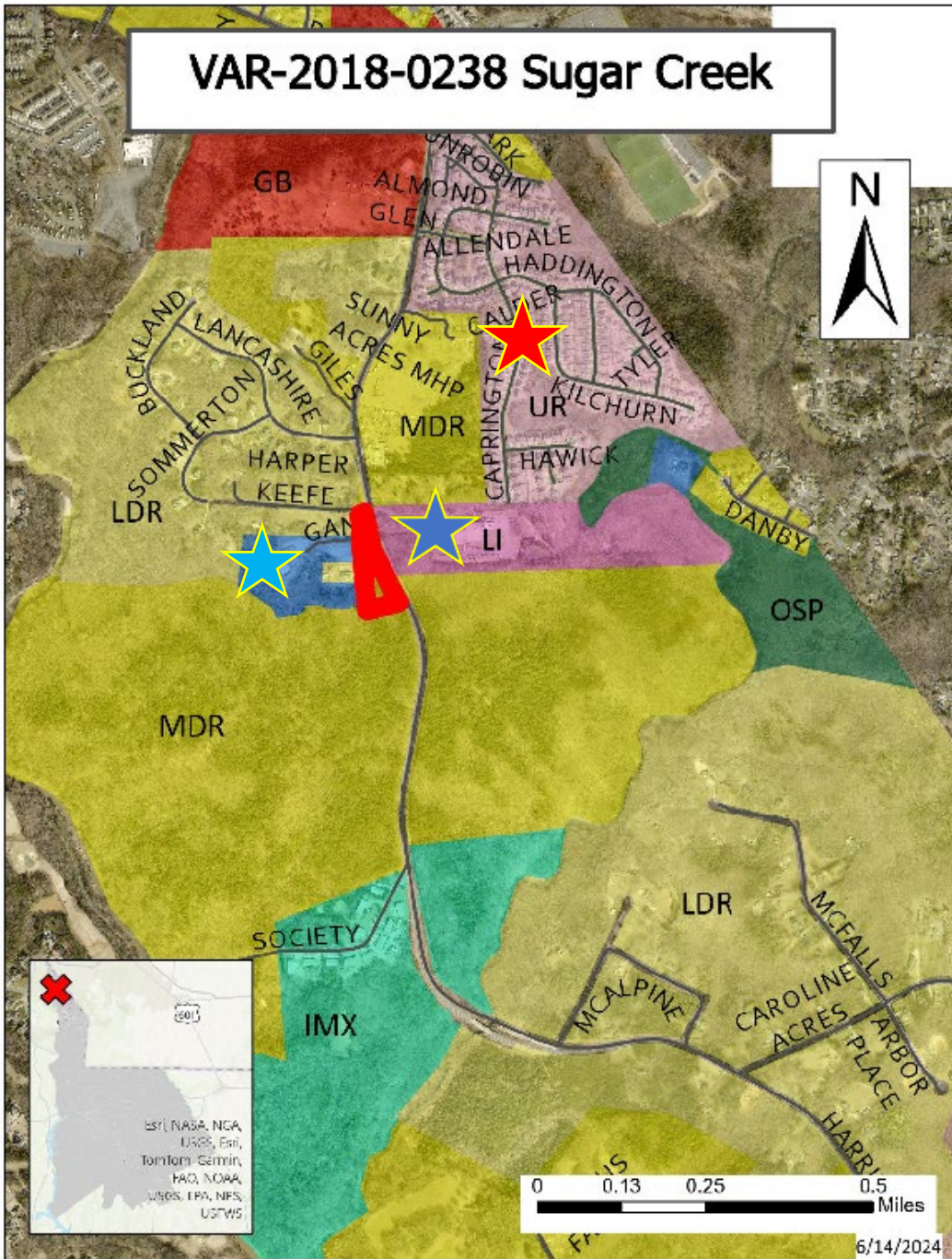
ATTACHMENTS:

1. Variance Application
2. Location Map
3. Deed
4. Approved Preliminary Plat
5. Details showing buffer and easement

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380

VAR-2018-0238 Sugar Creek



Proposal:

Variance Request UDO Sec. 4.4.1.i.8.d Buffer Requirements



Subject Property



PCI Group



Almond Glen Subdivision



N. American Islamic Trust

6/14/2024



**BOARD OF ZONING APPEALS
VARIANCE APPLICATION**

IF YOU REQUIRE ASSISTANCE WITH THIS APPLICATION, PLEASE CONTACT THE PLANNING OFFICE AT 803-285-6005. THE COMPLETED APPLICATION, THE APPLICATION FEE OF \$275.00 SF RESIDENTIAL/ \$375.00 COMMERCIAL AND ALL ADDITIONAL SUPPORTING DOCUMENTS ARE REQUIRED TO BE SUBMITTED.

THE FOLLOWING INFORMATION MUST BE PROVIDED FOR THE REQUEST:

PROPERTY INFORMATION:

TAX MAP NUMBER: 0003-00-001.00

STREET ADDRESS: HARRISBURG ROAD

CITY/ STATE/ ZIP CODE: INDIAN LAND, SC 29707

LOT DIMENSIONS/ LOT AREA: 146.901 ACRES PLAT BOOK/PAGE: P/2187

CURRENT ZONING

CLASSIFICATION: MDR

PROPERTY OWNER OF RECORD:

NAME: TOLL SOUTHEAST LP COMPANY INC (ROBERT PRICE, VP LAND DEVELOPMENT)

ADDRESS: 9130 KINGS PARADE BLVD.

CITY/STATE/ZIP CODE: CHARLOTTE, NC 28273 TELEPHONE 980.722.6715

EMAIL ADDRESS: RPRICE1@TOLLBROTHERS.COM

SIGNATURE OF OWNER/ DATE:  05.14.2024

I HAVE APPOINTED THE INDIVIDUAL OR FIRM LISTED BELOW AS MY REPRESENTATIVE IN CONJUNCTION WITH THIS MATTER RELATED TO THE BOARD OF ZONING APPEALS.

AGENT OF OWNER:

NAME: CHRIS TODD, PE (TIMMONS GROUP)

ADDRESS: 610 EAST MOREHEAD STREET, SUITE 250

CITY/STATE/ZIP CODE: CHARLOTTE, NC 28202 TELEPHONE: 704.602.8600

EMAIL ADDRESS: CHRIS.TODD@TIMMONS.COM

SIGNATURE OF AGENT/ DATE:  05.14.2024

SIGNATURE OF OWNER/ DATE:  05.14.2024

VARIANCE APPLICATION

DATE FILED: _____ APPLICATION NO. _____

1. APPLICANT HEREBY APPEALS TO THE BOARD OF ZONING APPEALS FOR A VARIANCE FROM THE STRICT APPLICATION TO THE PROPERTY DESCRIBED IN THE NOTICE OF APPEAL (FORM 1) OF THE FOLLOWING PROVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE:

Minimize the requirement for a 50' buffer along Harrisburg Road to ±26' to allow for a gravel access road to the property owner of PID 0002-00-019.00.

SO THAT A ZONING PERMIT MAY BE ISSUED TO ALLOW USE OF THE PROPERTY IN A MANNER SHOWN ON THE ATTACHED PLOT PLAN, DESCRIBED AS FOLLOWS:

A ±7,655SF graveled access road to the parking area of PID 0002-00-019.00.

FOR WHICH A ZONING OFFICIAL HAS DENIED A PERMIT ON THE GROUNDS THAT THE PROPOSAL WOULD BE IN VIOLATION OF THE CITED SECTION (S) OF THE UNIFIED DEVELOPMENT ORDINANCE.

Section 4.4.1.1.8.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".

2. THE APPLICATION OF THE ORDINANCE WILL RESULT IN UNNECESSARY HARDSHIP, AND THE STANDARDS FOR A VARIANCE SET BY STATE LAW AND THE ORDINANCE ARE MET BY THE FOLLOWING FACTS:

- i. THAT THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THIS ORDINANCE;

The difficulties for carrying out a variance to the ordinance are financial. The owner of PID 0002-00-019.00, removed existing trees within the approved buffer of Harrisburg Road from our property, mistaking it for their own. The requirement of replanting the buffer would be a huge financial burden to the mosque and their congregation.

- ii. THAT IF THE APPLICANT COMPLIES WITH THE PROVISIONS OF THE ORDINANCE, THE PROPERTY OWNER SEEKING THE VARIANCE CAN SECURE NO REASONABLE RETURN FROM, OR MAKE NO REASONABLE USE OF HIS PROPERTY;

No monetary gain would come from this variance. The property in question would not be able to be developed in the future and the gravel path would remain to help with congestion to access the parking lot.

- iii. THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS LOCATED IN THE SAME LAND DEVELOPMENT DISTRICT;

This area of the property would be the only location where the mosque could provide relief of congestion to the access of parking lot. The approved subdivision will provide the required 50' landscape buffer as required in all other areas of the development.

- iv. THAT THE VARIANCE WILL NOT MATERIALLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREA;

The removal of these trees and addition of the gravel access path will have no effect to the property values of the proposed development or existing developments in the area.

- v. THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES REFERENCED IN III, ABOVE, RESULT FROM THE APPLICATION OF THIS ORDINANCE AND NOT FROM THE ACTIONS OF THE APPLICANT;

The special conditions and circumstances referenced above resulted from an adjacent property owner removing trees from our property.

- vi. THAT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE AND PRESERVES ITS SPIRIT;

The approved subdivision will provide the required 50' landscape buffer as required in all other areas of the development. The gravel area within the buffer will still be surrounded by trees which meet the intent and spirit of the ordinance.

- vii. THAT THE VARIANCE IS THE MINIMUM NECESSARY TO AFFORD RELIEF; AND

This variance would only affect the ±7,655 sf of gravel access path for the mosque. No additional variances or adjustments to the variance would be required.

- viii. THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE

The gravel path would provide relief of the parking area for the mosque and would allow for better access to the site if an emergency would occur.

3. THE FOLLOWING DOCUMENTS ARE SUBMITTED IN SUPPORT OF THIS APPLICATION: (A PLOT PLAN MUST BE SUBMITTED)
The Pines - Landscaping Plan Sheet with Encroachment.pdf

Date: 5/14/24

Applicant Signature: 

LANCASTER COUNTY ASSESSOR

Tax Map:

0003 00 002 00
0003 00 003 00
0003 00 001 00
0003 00 002 01

RECORDED THIS 7th DAY
OF DECEMBER, 2021
IN BOOK 00 PAGE 00

Stephanie C. Knight

Auditor, Lancaster County, S

Prepared by (solely in representation of Grantee)
and upon recording return to:

Toll Bros., Inc.
19775 Belmont Executive Plaza
Ashburn, VA 20147
Attn: Michael R. Macaninch

LANCASTER COUNTY, SC	
2021024492	DEED
RECORDING FEES	\$15.00
STATE TAX	\$0.00
COUNTY TAX	\$0.00
PRESENTED & RECORDED	
12-06-2021	01:38:25 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: STEPHANIE KNIGHT	
BK:DEED 1496	PG:265-270

QUITCLAIM DEED

THIS QUITCLAIM DEED is made as of the 3rd day of December, 2021 by and between PINES SUGAR CREEK DEVELOPMENT LLC, a Delaware limited liability company, whose address is 2701 East Camelback Road, Suite 180, Phoenix, Arizona 85016 ("Grantor") and TOLL SOUTHEAST LP COMPANY, INC., a Delaware corporation whose address is 19775 Belmont Executive Plaza Ashburn, VA 20147 ("Grantee").

WITNESSETH:

That Grantor for and in consideration of Ten Dollars (**\$10.00**), receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, its heirs, successors, and assigns all that certain tract or parcel of land lying and being in Lancaster County, South Carolina and being more particularly described on **Exhibit A** attached hereto and by reference made a part hereof (the "Property").

DERIVATION: This being a portion of the real property conveyed by the following deeds:

1. Limited Warranty Deed from Rodrick J. McAllister, Sr. and Rodrick J. McAllister, Jr. to Pines Sugar Creek Development, LLC, a Delaware limited liability company dated November 23, 2020 and recorded on December 2, 2020 with the Register of Deeds for Lancaster County, South Carolina in Book 1387 at Page 335.
2. Limited Warranty Deed from Rodrick J. McAllister, Sr. to Pines Sugar Creek Development, LLC, a Delaware limited liability company dated November 23, 2020 and recorded on December 2, 2020 with the Register of Deeds for Lancaster County, South Carolina in Book 1388 at Page 1.
3. Limited Warranty Deed from Jean H. Cumberworth (A/K/A Jean Holley Cumberworth), Individually and as Trustee of the Jean Holley Cumberworth Revocable Trust dated June 9, 1997, Colin C. Cumberworth, and Jean Holley Cumberworth, as Trustee of the Jean Holley Cumberworth Charitable Remainder Unitrust U/A dated October 23, 2019 to Pines Sugar Creek Development, LLC, a Delaware limited liability company dated November 16, 2020 and recorded on November 20, 2020 with the Register of Deeds for Lancaster County, South Carolina in Book 1384 at Page 298.
4. Limited Warranty Deed from Page Distributing Company, Inc., and Deborah Crafton Mackie, as Trustee of the Morris L. Crafton Revocable Trust Agreement dated August 29, 2011, as

amended by First Amendment of Trust Agreement dated February 24, 2012, as further amended by Second Amendment to Trust Agreement dated March 6, 2018, as further amended by Third Amendment to Trust Agreement dated March 27, 2018 to Pines Sugar Creek Development, LLC, a Delaware limited liability company dated November 16, 2020 and recorded on December 3, 2020 with the Register of Deeds for Lancaster County, South Carolina in Book 1388 at Page 110.

TO HAVE AND TO HOLD all and singular the Property quitclaimed without warranty above unto the Grantee, the successors and assigns of the Grantee, forever, so that neither the Grantor, successors and assigns of the Grantor, nor any other person or persons claiming under the Grantor shall at any time hereafter, by any way or means, have, claim or demand any right or title to the Property or any part or parcel thereof, forever.

[signature appears on the following page]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by proper authority duly given.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

GRANTOR:

PINES SUGAR CREEK DEVELOPMENT, LLC,
a Delaware limited liability company

[Signature]
Witness #1
[Signature]
Witness #2

By: _____
Name: Sean Cooney
Its: Authorized Signatory

STATE OF Arizona
COUNTY OF Maricopa

I, a Notary Public for Maricopa County, Arizona, do hereby certify that Sean Cooney, Authorized Signatory of Pines Sugar Creek Development, LLC, a Delaware limited liability company, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal this the 1st day of December 18th, 2021.

Kathleen Cerelia Vizcarra
Notary Public for Arizona

My Commission Expires:
August 13, 2022

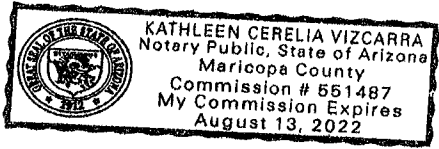


Exhibit A

Legal Description

Lying and being situate in Lancaster County, South Carolina, and being more particularly described as follows:

COMMENCING AT A CONTROL NAIL LOCATED ON THE WESTERN MARGIN OF HARRISBURG ROAD AS SITUATED IN LANCASTER COUNTY, SOUTH CAROLINA SAID POINT HAVING THE SOUTH CAROLINA STATE PLANE CORRDINATES OF N:1,171,768.34 AND E:2,031,354.64 (NAD83) WITH A COMBINED SCALE FACTOR OF:1.00005665 THENCE WITH A BEARING OF S12°44'17"E AND A DISTANCE OF 552.31' TO A POINT IN THE CENTERLINE OF SAID ROAD AND BEING THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE WITH SAID ROAD THE FOLLOWING TEN (10) CALLS:

- 1) THENCE WITH A BEARING OF S 11°22'38" E AND A DISTANCE OF 153.89' TO A POINT;
- 2) THENCE WITH A BEARING OF S 13°07'33" E AND A DISTANCE OF 98.04' TO A POINT;
- 3) THENCE WITH A BEARING OF S 13°07'33" E AND A DISTANCE OF 23.32' TO A POINT;
- 4) THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1432.30' AND AN ARC LENGTH OF 254.15', AND BEING CHORDED BY A BEARING OF S 21°24'07" E AND A DISTANCE OF 253.81' TO A POINT;
- 5) THENCE WITH A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1432.30' AND AN ARC LENGTH OF 106.05', AND BEING CHORDED BY A BEARING OF S 28°36'22" E AND A DISTANCE OF 106.03' TO A POINT;
- 6) THENCE WITH A BEARING OF S 30°43'37" E AND A DISTANCE OF 182.30' TO A POINT;
- 7) THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 954.88' AND AN ARC LENGTH OF 680.80', AND BEING CHORDED BY A BEARING OF S 10°18'08" E AND A DISTANCE OF 666.47' TO A POINT;
- 8) THENCE WITH A BEARING OF S 10°07'23" W AND A DISTANCE OF 773.54' TO A POINT;
- 9) THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1434.87' AND AN ARC LENGTH OF 432.70', AND BEING CHORDED BY A BEARING OF S 01°27'02" W AND A DISTANCE OF 431.06' TO A POINT;
- 10) THENCE WITH A BEARING OF S 08°57'10" E AND A DISTANCE OF 200.59' TO A POINT;

THENCE LEAVING SAID ROAD WITH THE COMMON LINE OF THE (NOW OR FORMERLY) LYNDELL THOMPSON BUILDERS LLC PROPERTY AS RECORDED IN DEED BOOK 721, PAGE 51 WITH A BEARING OF S 66°47'41" W AND A DISTANCE OF 1088.54' TO A FOUND STONE (PASSING AN IRON PIPE FOUND AT 38.94'); THENCE CONTINUING WITH A BEARING OF S 03°39'15" E AND A DISTANCE OF 274.98' TO A IRON PIPE FOUND IN A GRAVEL ROADBED (KNOWN AS SOCIETY LANE); THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) JERRY MCALISTER PROPERTY AS RECORDED IN DEED BOOK A006, PAGE 1478 A BEARING OF S 77°28'33" W AND A DISTANCE OF 295.06' TO AN IRON FOUND; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) TEDDY PANGLE PROPERTY AS RECORDED IN DEED BOOK 479, PAGE 298 A BEARING OF S 77°28'33" W AND A DISTANCE OF 176.10' TO AN IRON FOUND; THENCE WITH A BEARING OF S 77°28'33" W AND A DISTANCE OF 26.41' TO AN IRON FOUND; THENCE WITH A BEARING OF S 77°28'33" W AND A DISTANCE OF 13.59' TO AN IRON FOUND; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) TRAVIS PANGLE PROPERTY AS RECORDED IN DEED BOOK 940, PAGE 13 A BEARING OF S 77°28'33" W AND A DISTANCE OF 200.00' TO A POINT; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) JERRY MCALISTER PROPERTY AS RECORDED DEED BOOK A006, PAGE 1478 A BEARING OF S 77°28'33" W AND A DISTANCE OF 307.28' TO A POINT IN SUGAR CREEK; THENCE WITH SAID CREEK THE FOLLOWING TWENTY FIVE (25) CALLS:

- 1) THENCE A BEARING OF N 04°20'38" W AND A DISTANCE OF 80.39' TO A POINT;
- 2) THENCE WITH A BEARING OF N 35°12'38" W AND A DISTANCE OF 596.47' TO A POINT;
- 3) THENCE WITH A BEARING OF N 26°36'48" W AND A DISTANCE OF 112.02' TO A POINT;
- 4) THENCE WITH A BEARING OF N 21°46'17" W AND A DISTANCE OF 201.68' TO A POINT;
- 5) THENCE WITH A BEARING OF N 25°11'48" W AND A DISTANCE OF 200.00' TO A POINT;
- 6) THENCE WITH A BEARING OF N 24°49'41" W AND A DISTANCE OF 200.00' TO A POINT;
- 7) THENCE WITH A BEARING OF N 28°40'37" W AND A DISTANCE OF 199.75' TO A POINT;
- 8) THENCE WITH A BEARING OF N 50°56'08" W AND A DISTANCE OF 49.63' TO A POINT;
- 9) THENCE WITH A BEARING OF N 50°33'33" W AND A DISTANCE OF 111.45' TO A POINT;
- 10) THENCE WITH A BEARING OF N 67°38'08" W AND A DISTANCE OF 212.94' TO A POINT;
- 11) THENCE WITH A BEARING OF N 63°26'41" W AND A DISTANCE OF 237.13' TO A POINT;

- 12) THENCE WITH A BEARING OF N 75°58'57" W AND A DISTANCE OF 162.88' TO A POINT;
- 13) THENCE WITH A BEARING OF S 89°57'38" W AND A DISTANCE OF 133.15' TO A POINT;
- 14) THENCE WITH A BEARING OF N 47°46'59" W AND A DISTANCE OF 92.77' TO A POINT;
- 15) THENCE WITH A BEARING OF N 02°16'59" E AND A DISTANCE OF 137.38' TO A POINT;
- 16) THENCE WITH A BEARING OF N 13°20'58" E AND A DISTANCE OF 211.11' TO A POINT;
- 17) THENCE WITH A BEARING OF N 17°06'44" E AND A DISTANCE OF 131.12' TO A POINT;
- 18) THENCE WITH A BEARING OF N 39°11'34" E AND A DISTANCE OF 141.90' TO A POINT;
- 19) THENCE WITH A BEARING OF N 49°09'10" E AND A DISTANCE OF 172.10' TO A POINT;
- 20) THENCE WITH A BEARING OF N 28°48'54" E AND A DISTANCE OF 217.54' TO A POINT;
- 21) THENCE WITH A BEARING OF N 16°58'16" E AND A DISTANCE OF 178.00' TO A POINT;
- 22) THENCE WITH A BEARING OF N 27°21'05" E AND A DISTANCE OF 128.84' TO A POINT;
- 23) THENCE WITH A BEARING OF N 49°43'58" E AND A DISTANCE OF 198.70' TO A POINT;
- 24) THENCE WITH A BEARING OF N 53°48'50" E AND A DISTANCE OF 121.11' TO A POINT;
- 25) THENCE WITH A BEARING OF N 21°34'23" E AND A DISTANCE OF 58.50' TO A POINT;

THENCE LEAVING SAID CREEK WITH THE COMMON LINE OF THE (NOW OR FORMERLY) BRYAN RIBELIN PROPERTY AS RECORDED IN DEED BOOK 1134, PAGE 332 WITH A BEARING OF S 69°02'26" E AND A DISTANCE OF 74.15' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 11°13'48" E AND A DISTANCE OF 30.47' TO AN IRON FOUND; THENCE CONTINUING WITH A BEARING OF S 86°08'51" E AND A DISTANCE OF 612.08' TO AN IRON FOUND; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) THE REMNANT OF ISRAEL INC PROPERTY AS RECORDED IN DEED BOOK 1111, PAGE 148 A BEARING OF N 81°30'25" E AND A DISTANCE OF 67.13' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 86°57'06" E AND A DISTANCE OF 82.71' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 82°29'06" E AND A DISTANCE OF 319.09' TO AN IRON FOUND THENCE CONTINUING WITH A BEARING OF N 71°40'55" E AND A DISTANCE OF 76.72' TO AN IRON FOUND; THENCE CONTINUING WITH A BEARING OF S 79°37'17" E AND A DISTANCE OF 25.09' TO AN IRON FOUND; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) LAL SHAIK PROPERTY AS RECORDED IN DEED BOOK 823, PAGE 31 A BEARING OF N 89°22'58" E AND A DISTANCE OF 22.66' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 67°40'11" E AND A DISTANCE OF 66.27' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 89°16'03" E AND A DISTANCE OF 154.71' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 03°57'46" W AND A DISTANCE OF 35.73' TO AN IRON FOUND; THENCE WITH THE COMMON LINE OF THE (NOW OR FORMERLY) THE NORTH AMERICAN ISLAMIC TRUST INC PROPERTY AS RECORDED IN DEED BOOK 718, PAGE 115 A BEARING OF S 44°26'17" E AND A DISTANCE OF 2.38' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 81°13'42" E AND A DISTANCE OF 10.15' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 53°19'45" E AND A DISTANCE OF 49.88' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 52°41'37" E AND A DISTANCE OF 28.21' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 57°26'12" E AND A DISTANCE OF 79.37' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 58°52'59" E AND A DISTANCE OF 64.02' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 70°15'05" E AND A DISTANCE OF 28.50' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 50°56'32" E AND A DISTANCE OF 50.90' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 77°12'44" E AND A DISTANCE OF 24.07' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 05°01'47" E AND A DISTANCE OF 28.26' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 37°17'47" E AND A DISTANCE OF 20.91' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 81°31'52" E AND A DISTANCE OF 93.35' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 83°24'58" E AND A DISTANCE OF 34.14' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 81°52'37" E AND A DISTANCE OF 34.44' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 64°55'22" E AND A DISTANCE OF 39.52' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 02°48'13" E AND A DISTANCE OF 22.15' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 62°35'22" E AND A DISTANCE OF 17.12' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 77°54'03" E AND A DISTANCE OF 45.96' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 73°25'27" E AND A DISTANCE OF 50.61' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 88°09'53" E AND A DISTANCE OF 70.99' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 58°07'39" E AND A DISTANCE OF 49.50' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 72°24'54" E AND A DISTANCE OF 72.84' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 24°56'30" E AND A DISTANCE OF 28.82' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 57°10'12" E AND A DISTANCE OF 33.85' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 67°10'56" E AND A DISTANCE OF 47.70' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 82°40'30" E AND A DISTANCE OF 39.64' TO A POINT; THENCE CONTINUING WITH A BEARING OF S 69°44'17" E AND A DISTANCE OF 57.85' TO AN IRON FOUND; THENCE CONTINUING WITH A BEARING OF N

11°20'41" W AND A DISTANCE OF 147.63' TO AN IRON PIPE; THENCE CONTINUING WITH A BEARING OF N 09°13'06" E AND A DISTANCE OF 123.72' TO AN IRON PIPE; THENCE CONTINUING WITH A BEARING OF N 01°34'48" W AND A DISTANCE OF 202.79' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 03°00'58" W AND A DISTANCE OF 88.58' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 03°05'52" W AND A DISTANCE OF 107.40' TO A BENT IRON PIPE; THENCE CONTINUING WITH A BEARING OF N 10°18'45" W AND A DISTANCE OF 153.95' TO A POINT; THENCE CONTINUING WITH A BEARING OF N 89°38'02" E AND A DISTANCE OF 113.83' TO THE POINT OF BEGINNING, HAVING AN AREA OF 187.802 ACRES, MORE OR LESS.

DERIVATION: THIS BEING THE IDENTICAL PROPERTIES CONVEYED UNTO TOLL SOUTHEAST LP COMPANY, INC., A DELAWARE CORPORATION BY DEED OF PINES SUGAR CREEK DEVELOPMENT, LLC, A DELWARE LIMITED LIABILITY COMPAMY DATED DECEMBER 3, 2021 AND RECORDED SIMULTANEOUSLY HEREWITH IN THE OFFICE OF THE CLKER OF COURT FOR LANCASTER COUNTY, SOUTH CAROLINA.

STATE OF SOUTH CAROLINA)
)
COUNTY OF Lancaster)

DEED AFFIDAVIT OF CONSIDERATION

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, South Carolina, located on Harrisburg Road, Indian Land, SC 29707 Tax Maps 003-00-002.00, 0003-00-003.00, 0003-00-001.00 and 0003-00-002.01, was transferred by Pines Sugar Creek Development, LLC, a Delaware limited liability company, LLC on 12/6/2021 to Toll Southeast LP Company, Inc, a Delaware corporation, by deed dated: 12/03/21.

3. Check one of the following: The Deed is

- (a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (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) X _____ exempt from the deed recording fee because (See Information section of affidavit):
1
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

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

- (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 X 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:

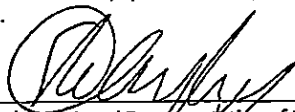
- (a) _____ Place the amount listed in item 4 above here: \$ _____
- (b) _____ Please the amount listed in item 5 above here: _____
- (c) _____ Subtract Line 6(b) from Line 6(A) and place result here: _____

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ 00.00.

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

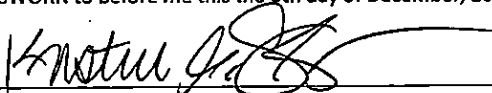
Settlement Agent

9. 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.



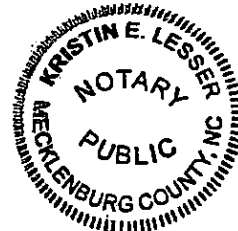
Purchaser, Legal Representative of the Purchaser, or other Responsible Person Connected with the Transaction

SWORN to before me this the 6th day of December, 2021.



the undersigned Notary Public for North Carolina, MECKLENBURG

My Commission Expires: 5.21.24





Shaping the Environment
 Building the Communities
 Land Planning
 Landscape Architecture
 Civil Engineering
 Urban Design
 200 South Travis Street, Suite 1400
 Charlotte, NC 28202
 P: 704.375.5555 F: 704.377.9851
 www.colejenest.com

SUNCREST REAL ESTATE & LAND
 2701 EAST CAMELBACK ROAD
 #180 BILTMORE PARK
 PHOENIX, AZ 85016
 602-481-4301

SUGAR CREEK RESIDENTIAL - MDR PRELIMINARY PLAT

HARRISBURG ROAD
 LANCASTER COUNTY, SC 29307
PRELIMINARY PLAT - OVERALL

Project No. 4566
 Issued 12/07/18
 Revised 01/04/2019 - PER COUNTY COMMENTS

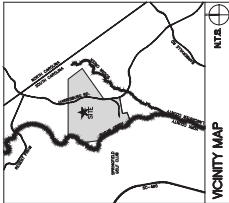


SCALE: 1" = 150'

C-200

The drawings, the project manual and the design team's report are to be used only for the project and not for any other project without the written consent of Cole Jenest & Stone, P.A. as prepared.

Cole Jenest & Stone, P.A. 1/18 ©



VICINITY MAP

DEVELOPMENT SUMMARY
 DEVELOPER: SUNCREST REAL ESTATE AND LAND
 SITE ADDRESS: 2701 EAST CAMELBACK ROAD
 TOTAL ACRES: 3.88 ACRES (TOTAL ADJACENT)
 TOTAL ACRES: 3.88 ACRES (TOTAL ADJACENT)
 TOTAL ACRES: 3.88 ACRES (TOTAL ADJACENT)
 TOTAL ACRES: 3.88 ACRES (TOTAL ADJACENT)

EXISTING ZONING: MEDIUM DENSITY RESIDENTIAL (MDR) (CLUSTER SUBDIVISION (CONCAT))
EXISTING USE: VACANT
PROPOSED USE: RESIDENTIAL - MDR (RESTRICTED)
ALLOWABLE DENSITY: 2.50 DUA
PROPOSED DENSITY: 1.77 DUA
LOT SIZES: 931 LOTS PROPOSED
 171 LOTS (0.2333 AC)
 76 LOTS (0.2333 AC)
 100 LOTS (0.2333 AC)
MAX. BUILDING HT.: AS ALLOWED BY THE ORDINANCE
 56' WITH X 120' DEPTH
 70' WITH X 120' DEPTH
FRONT SETBACK: 30'
REAR SETBACK: 30'
SIDE SETBACK: 10'
SEE EXHIBIT 10 FOR REQUIRED (M.A.)

OTHER NOTES:
 1. THE PART OF THE PARCEL TO BE ADJACENT TO THE HIGHWAY SHALL BE PART OF THE COMMUNITY. THE ORDINANCE SHALL REQUIRE THE DEVELOPER TO PROVIDE A PUBLIC TRAIL OR WALKWAY THAT SHALL BE CONNECTED TO THE PUBLIC TRAIL OR WALKWAY THAT IS PROVIDED BY THE COUNTY. THE DEVELOPER SHALL PROVIDE A PUBLIC TRAIL OR WALKWAY THAT SHALL BE CONNECTED TO THE PUBLIC TRAIL OR WALKWAY THAT IS PROVIDED BY THE COUNTY. THE DEVELOPER SHALL PROVIDE A PUBLIC TRAIL OR WALKWAY THAT SHALL BE CONNECTED TO THE PUBLIC TRAIL OR WALKWAY THAT IS PROVIDED BY THE COUNTY.

PLANTING NOTES

1. STREET TREES TO BE PLANTED ACCORDING TO THE LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
2. SIZE AND SPACING STANDARDS OF PLANT MATERIAL SHALL CONFORM TO THE LATEST EDITION OF "USA TREE SELECTION GUIDE".
3. HEIGHT AND WIDTH SPECIFICATIONS INDICATED ON PLANT SCHEDULE SHALL TAKE PRECEDENCE OVER CONTRACT USE AND CATALOG.
4. CONTRACTOR SHALL REEVALUATE PLANTING DUE TO PLANT MATERIAL INSTABILITY.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION OR LOCAL TRANSPORTATION DEPARTMENT.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION OR LOCAL TRANSPORTATION DEPARTMENT.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION OR LOCAL TRANSPORTATION DEPARTMENT.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION OR LOCAL TRANSPORTATION DEPARTMENT.

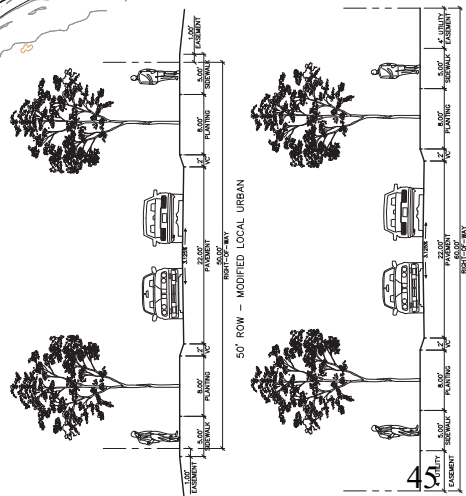
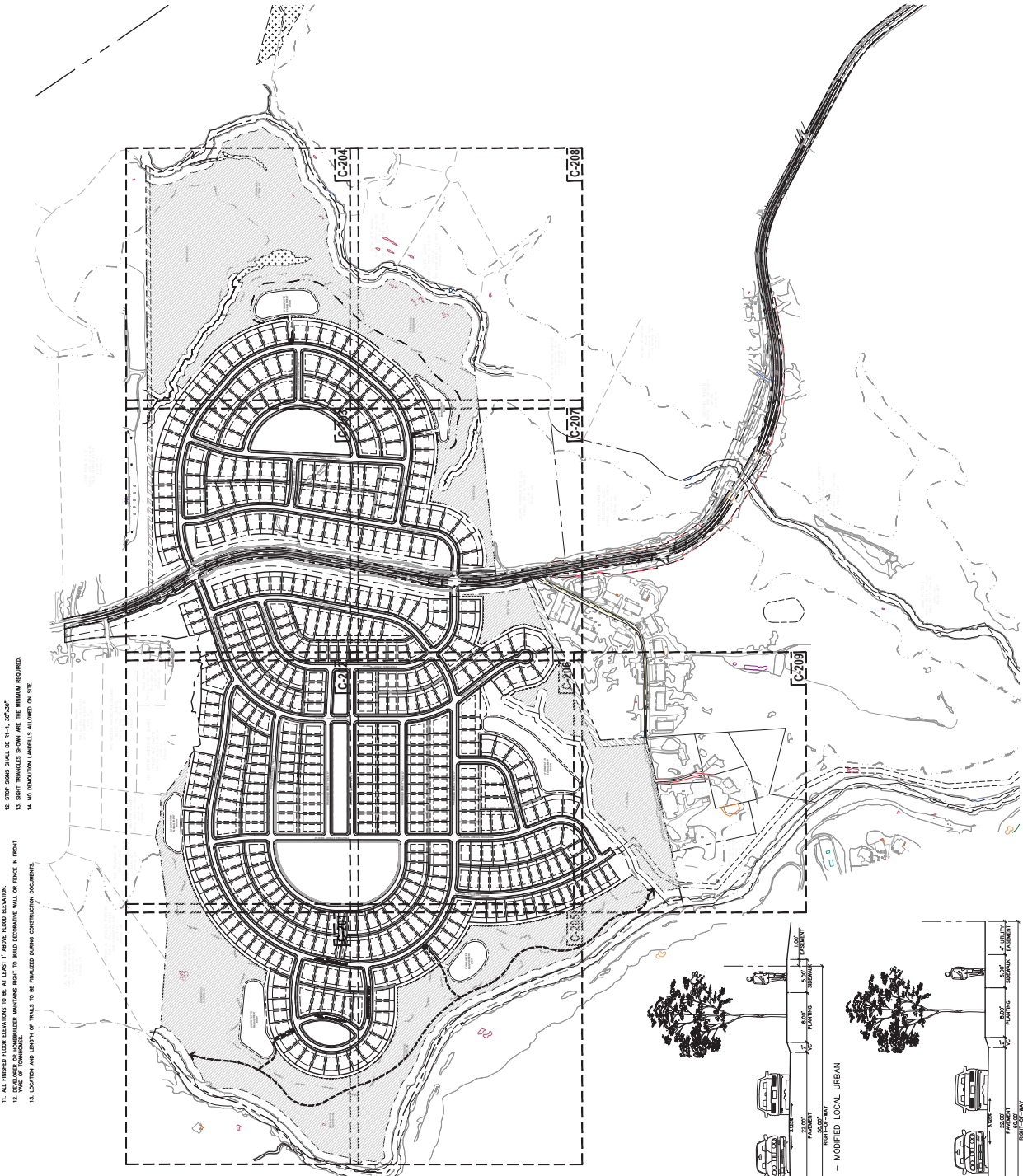
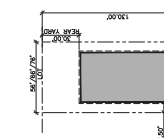
STAKING AND MATERIALS NOTES

1. ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING, OR CENTERLINE UNLESS OTHERWISE NOTED.
2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL BACK OF CURB MARKS AT ROADWAY INTERSECTIONS SHALL BE 20-FOOT UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS BETWEEN THE CONTRACT DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
6. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
7. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
8. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
9. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
10. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
11. ALL PARKING STALL STRIPING SHALL BE 4-INCH WHITE LINES UNLESS OTHERWISE NOTED.
12. STOP SIGN SHALL BE 18" X 24" UNLESS OTHERWISE NOTED.
13. STOP TRIANGLES SHALL BE 18" X 12" UNLESS OTHERWISE NOTED.
14. NO DIMENSIONS UNLESS OTHERWISE NOTED.

GENERAL NOTES

1. PRELIMINARY PLAN IS SUBJECT TO WORK REVISIONS DURING THE DESIGN PROCESS AS MAY BE REQUIRED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
3. DEVELOPER TO PROVIDE AND INSTALL ROAD SIGNS FOR THIS SUBDIVISION.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
7. ALL WORKS TO BE WITHIN 500' OF A WORKING FIRE HAZARD AS MEASURED BY HOSE LENGTH TO THE FIRE HAZARD.
8. HYDRANTS TO BE INSTALLED AND OPERATIONAL PRIOR TO VERTICAL CONSTRUCTION COMMENCEMENT.
9. STORMWATER MANAGEMENT SYSTEMS ARE SHOWN IN THESE AREAS. FINAL SIZE AND LOCATION TO BE DETERMINED BY THE CONTRACTOR.
10. ALL TRANSPORTATION IMPROVEMENTS, IF REQUIRED, SHOULD BE COMPLETED PER THE FINAL TRAFFIC IMPACT ANALYSIS.
11. ALL FINISHED FLOOR ELEVATIONS TO BE AS SHOWN UNLESS OTHERWISE NOTED.
12. ALL FINISHED FLOOR ELEVATIONS TO BE AS SHOWN UNLESS OTHERWISE NOTED.
13. LOCATION AND LENGTH OF TRAILS TO BE FINISHED DURING CONSTRUCTION DOCUMENTS.

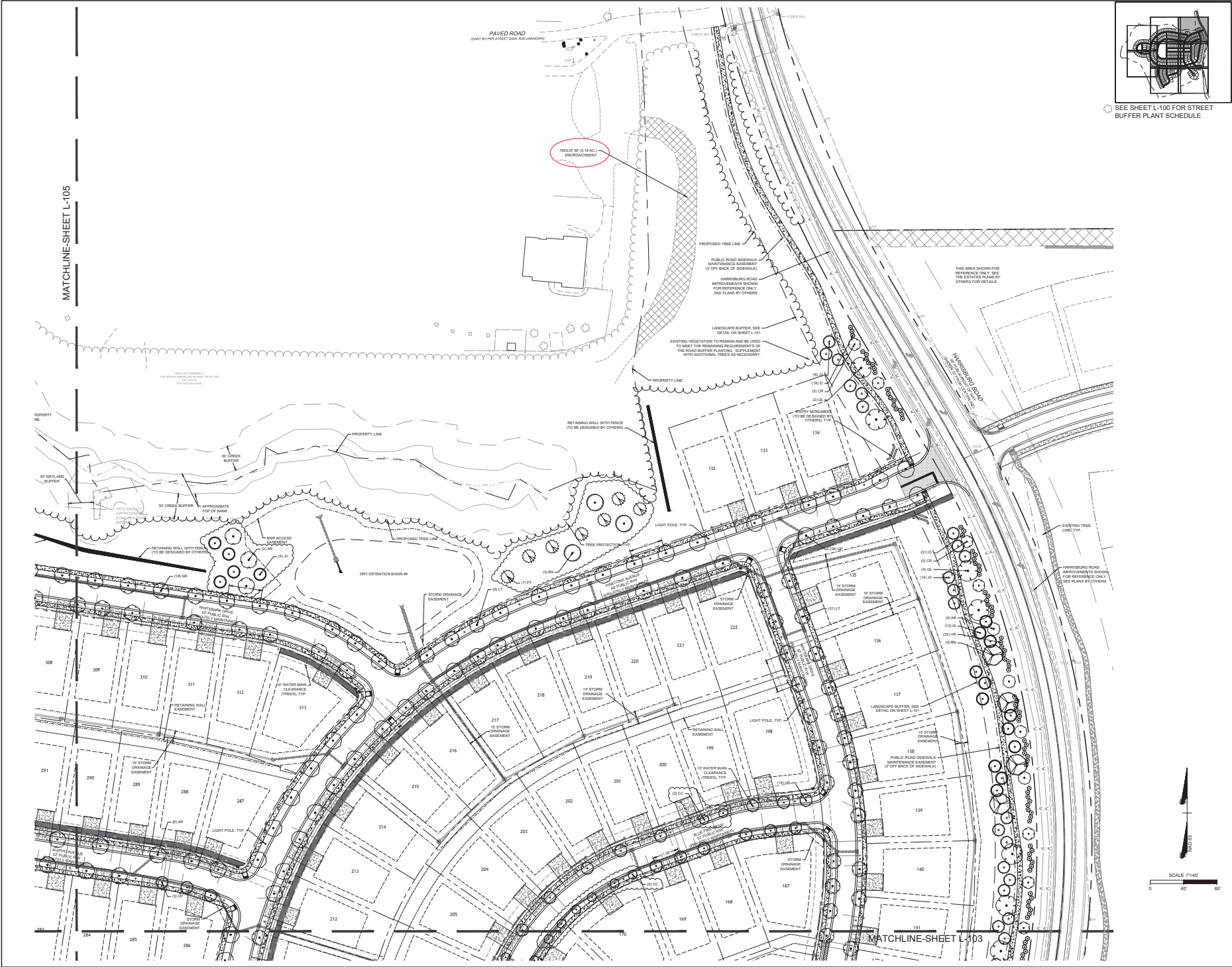
TYPICAL LOT LAYOUT:



50' ROW - MODIFIED LOCAL URBAN

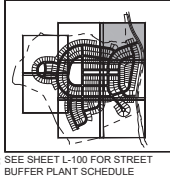
60' ROW - MODIFIED LOCAL URBAN

EXHIBIT: See Plan File: P:\Projects\43805\43805\Drawings\Site\43805\Site\43805_SitePlan.dwg (Printed on 02/20/2024 10:58 AM) by: NWC-DWY



MATCHLINE-SHEET L-105

MATCHLINE-SHEET L-103



TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH QUIET.

THE PINES SINGLE-FAMILY HOMES
LANCASTER, SOUTH CAROLINA

PLANTING PLAN

THIS DRAWING PREPARED BY THE
CHARLOTTE OFFICE
631 E. Main Street, Suite 100
Charlotte, NC 28202
TEL: 774.402.8800 FAX: 774.374.0776 www.timmons.com
North Carolina License No. C-162

PINES SINGLE CREEK DEVELOPMENT, LLC
2511 Lenoir Street, Suite 100
Raleigh, NC 27605

DATE	REVISION DESCRIPTION
07/17/2019	REVISED PER COUNTY COMMENTS
07/17/2020	REVISED PER COUNTY COMMENTS
06/05/2021	REVISED PER COUNTY COMMENTS
08/26/2021	REVISED PER SCOTT COMMENTS
02/21/2023	REVISED PER CLIENT REQUEST

DATE: 07/17/2019
DRAWN BY: K. BRADLEY
DESIGNED BY: J. HORTON
CHECKED BY: C. TODD
SCALE: AS SHOWN

JOB NO.: 43805
SHEET NO.: L-102

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