

# Anderson County Planning Commission

---

David Cothran, Chair, District #5  
Ed Dutton, District #1  
Brad Burdette, District #3  
Debbie Chapman, District #7

Jane Jones, Vice-Chair, District #6  
Lonnie Murray, District #2  
Jerry Vickery, District #4

October 9, 2018 Regularly  
Scheduled Meeting  
6:00 PM

Location Change: Civic Center

## AGENDA

1. Call to Order
2. Approval of Agenda
3. Special Recognition: Holt Hopkins
4. Approval of Minutes (from August 14<sup>th</sup> meeting)
5. Public Hearings
  - A. Request to rezone +/-2.0 acres at 2503 Midway Road from R-20 (Single-Family Residential) to R-M (Multi-Family Residential)
  - B. Request to rezone +/-1.0 acre at 284 Grate Road from R-20 (Single-Family Residential) to R-D (Residential Duplex District)
  - C. Request to rezone +/-0.33 acres at 3 Beaverdam Road from R-M1 (Mixed Residential Use) to C-2 (Highway Commercial)
  - D. Request to amend Section 38-311 of the Anderson County Code of Ordinances
6. Old Business
  - A. Planning Commission By-Laws Update
7. New Business
  - A. Preliminary Subdivision: Chimney Hill
    - i. Staff Report
    - ii. Public Comments (3 minute limit per speaker)
8. Public Comments, non-agenda items (3 minute limit per speaker)
9. Other Business
10. Adjournment

The Planning Commission meets on the second Tuesday of each month, unless otherwise noted. Meetings are held at 6:00 PM in the County Council Chambers, 2<sup>nd</sup> floor of the old courthouse, located at 101 South Main Street, Anderson.

---

Planning & Community Development Department  
401 East River Street  
Post Office Box 8002  
Anderson, South Carolina 29622  
864-260-4720 (Telephone)  
[Planning@andersoncountysc.org](mailto:Planning@andersoncountysc.org) (Email)

Anderson County Planning Commission  
Tuesday, August 14, 2018 • 6:00 PM  
County Council Chambers • Second Floor – Old Courthouse  
Anderson, South Carolina

Minutes

*In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, as amended and the Anderson County Ordinance #386, as adopted on September 21, 1993, the media was duly notified of the date, time, and place of the meeting.*

Members Present: Ed Dutton, Lonnie Murray, Brad Burdette, Jerry Vickery, David Cothran and Jane Jones

Members Absent: Debbie Chapman

Staff Present: Alesia Hunter, Tim Cartee, Jeff Parkey, Rhonda Sloan, Lisa Mann and Celia Boyd Myers

Call to Order: Chairman Cothran called the meeting to order at 6:00 PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

Approval of Agenda: Chairman Cothran called for any changes to the agenda. The agenda was unanimously approved with a motion by Mr. Vickery and a second by Mr. Dutton.

Approval of Minutes: Chairman Cothran called for any changes to the minutes from the July 9th regular Commission meeting. Hearing none, the minutes were unanimously approved, with a motion by Mr. Vickery and a second by Mr. Dutton.

Public Hearings:

*Request to rezone +/- 72.28 acres at the intersection of Crestview Road, Harriett Circle and Midway Road from PD (Planned Development) to IZD (Innovated Zoning District)*

Celia Boyd Myers presented the staff report for a rezoning at Crestview and Midway Roads. The applicant's stated purpose for the rezoning is to revise the existing statement of intent and site plan. The currently approved Planned Development permits a total of 176 residential lots (146 single-family detached and 31 single-family attached) and a 2 acre commercial component, allowing up to 10,000 square foot ground level, for a general store and shops. Approximately 6.95 acres are reserved for open space. The applicant is requesting a change to IZD, permitting no more than 180 residential lots (single-family detached) with no commercial component. The proposal includes approximately 25 acres reserved in open space, with maximum efforts to preserve existing vegetation/trees around the perimeter property line and along the creek. The proposal also includes a walking trail system, sidewalks on both sides of internal roads, and additional amenities within the common areas (fire pit area, dog run and tot lot playground). The owner will work with the Anderson County School District to provide pedestrian access to the property line adjoining Midway Elementary School. The owner will also work with the developer of the adjacent Bronson Ridge to provide pedestrian interconnectivity between the two developments. Staff recommended approval of the request based on compatibility with the future land use map, character of the area and merit of the Statement of Intent dated 8/1/18. Chairman Cothran called for questions from the Commission. Hearing none, Chairman Cothran then opened the public hearing and invited public comments. Mr. Paul Elrick, 312 Brittany Park, spoke in opposition to the request. He cited his concerns as an increase in traffic congestion and

lack of road improvements. Mrs. Nancy Dill, 107 Dewars Trail, also spoke in opposition. She cited traffic congestion and burdens on both emergency services and schools as concerns. Mr. Paul Harrison, applicant representative, gave the Commissioners a brief presentation of the development plans. Mr. John Hornbeck spoke of traffic concerns with the schools and new development. A Midway Ridge resident spoke in opposition. She cited school capacity, traffic and a decrease in property values due to smaller homes, as reasons. She concluded by thanking the developer for meeting with the community. Hearing no further comments, the public hearing was closed. Mr. Dutton moved to accept staff's recommendation of approval; and Mr. Vickery seconded the motion. The motion to recommend approval was passed 3-1-1, with Mrs. Jones opposing and Mr. Murray abstaining.

#### Variance Request: Frank P. Taylor

Ms. Alesia Hunter presented staff's evaluation of Mr. Taylor's variance request. The property is located at 213 Vinings Crossing, Belton. The variance would enable access by driveway off Motes Road for a detached garage, currently under construction. Staff recommended denial of the request, based on Chapter 38 Division 5 Design Standards, lack of permit for Motes Road and other reasons. Chairman Cothran opened the public hearing. Mr. Randy Moates, 122 Motes Road, spoke in opposition. He feared its use as a short-cut when Motes is supposed to be a dead-end road. Ms. Glenda Sanders, 3147 Old Williamston Road, spoke in opposition. Her concerns included traffic and stormwater issues. Mr. Jack Rouse, Stringer Road, spoke in opposition. He cited the 1 ½ lane wide road, safety and traffic as concerns. Mr. Frank Taylor, applicant, addressed the Commissioner. He stated that the garage would be for his boat and a workshop, not a road. He added that the foundation was already built and that as a county road, he should be able to access it. Mr. Jay Wright, 209 Vining Crossings, spoke in favor of the variance. He stated that an owner should have access to rear of property. Hearing no further comments, Chairman Cothran closed the public hearing. Mr. Vickery moved to approve the variance request; Mr. Dutton seconded the motion. The motion to approve was unanimously passed.

#### Old Business:

Prior to the next item, Mrs. Jane Jones asked to recuse herself from the Townhomes at Cravens Creek item.

#### *Preliminary Subdivision: Townhomes at Cravens Creek*

Mr. Cartee presented the proposed Townhomes at Cravens Creek. The proposal is located on Childers Circle in Council District #6 and would hold 51 lots on +/-5.50 acres. Staff recommended approval of the proposed subdivision, with conditions. Chairman Cothran called for any public comments. Ms. Kelly Pew, School District #1 representative, presented school capacity numbers, as requested. Mr. Don Hill, 103 Cravens Creek Ct, spoke in opposition. He cited traffic, safety and density as concerns. Mr. Jim Childers, 2 Debrahm Ct, Greenville, spoke in opposition. He stated that no road improvements have been made in 50 years and that it doesn't comply with road standards. Mr. David Raad, 212 Golden Willow Court and owner of 6&20 Distillery, cited concerns of stormwater runoff and asked for an environmental impact study prior to development. Mr. Gary Meek, 122 Cravens Creek Ct., spoke of density from the previous developments and River Road concerns. Mr. Thomas Ferguson, 119 Childers Circle, spoke in opposition, citing road concerns. Mrs. Amanda Latham, 121 Childers Circle, spoke in opposition. She discussed the school system, walkability and safety, stating that 51 homes on 5 acres will destroy the neighborhood. Mr. John Saunders, 118 Cravens Creek Ct., cited water pressure, school capacity, emergency services, the

market and neighbors not wanting the development as reasons for opposition. Ms. Carol Pittman, Charles Drive, cited school capacity and roads for reasons of opposition. Ms. Ashley Brock, 148 Charles Drive, listed fear, traffic and density as reasons for opposition. Ms. Shaye Dase, 105 Childers Circle, with her daughter spoke of learning to ride bicycles and stated that younger brother will not have the ability due to traffic. Mr. Lamar Cox, 107 Cravens Creek, mentioned traffic and cut-thru traffic as reasons for opposition. Mr. Ketal Patel, 125 Cravens Creek, echoed Mr. Raad stormwater concerns. Ms. Maxine Squillace, 139 Charles Drive, listed traffic on River and Cely Roads, speeders and inability to walk neighborhood as reasons for concern. Ms. Brenda Vance, 113 Childers Circle, echoed comments related to Charles Drive traffic. Mr. Joey Beeson, developer, addressed average daily trips and road capacity. He stated that roads standards were a concern no matter the development. He added that the comprehensive plan showed the area experiencing 34% growth, stating that it was a double standard for newer residents to now want no new growth. He also mentioned the new Ingles and whether there were traffic concerns for it. Hearing no further comments, Chairman Cothran called for a motion. Mr. Vickery moved to deny the preliminary subdivision plat; and Mr. Murray seconded. The motion to deny was passed 4-1, with Mr. Burdette opposing.

Mrs. Jones rejoined the meeting at this time.

#### New Business:

##### *Preliminary Subdivision: Ravens Hills*

Mr. Cartee presented the staff evaluation and recommendation for Raven Hills. This request includes 5 units on +/- 0.97 acres on Raven Hills Way. Staff recommended approval of the proposed subdivision, assuming the developer obtains the required permits. Mrs. Jones questioned the whether these were townhomes in a subdivision. Mr. Beeson noted that all homes within Raven Hills look like a single-family unit, but are classified as a townhome by staff. Mr. Dutton moved to accept staff's recommendation of approval; Mr. Vickery seconded. The motion passed 5-1, with Mrs. Jones opposing.

Public Comments, non-agenda items: Chairman Cothran invited comments related to non-agenda items. No one approached.

Chairman Cothran called for any other new business. None was presented. Mr. Beeson questioned the status of the by-laws amendment. Dr. Parkey and Chairman Cothran stated that it would be addressed at the next meeting.

Chairman Cothran called for any other business. Hearing no further business, Chairman Cothran adjourned the meeting at 7:40 pm.

Respectfully Submitted,

Celia Boyd Myers, AICP  
Planning Commission Secretary

**Anderson County Planning Commission  
Staff Report  
October 9, 2018**

Applicant: John M. Peterson  
Current Owner: John M. Peterson  
Property Address: 2503 Midway Road  
Precinct: Hammond School  
Council District: 1  
TMS #(s): 147-00-08-009  
Acreage: +/- 2.00  
Current Zoning: R-20 (Single-Family Residential, 20,000 Square Foot Minimum Lots)  
Requested Zoning: R-M (Multifamily Residential District)  
Surrounding Zoning: North: R-20 and City of Anderson  
South: R-20  
East: R-12  
West: R-20

Evaluation: This request is to rezone the parcel of property described above from R-20 (Single-Family Residential) to R-M (Multifamily Residential). The applicant would like to turn their home into a Residential Assisted Living facility to provide daily living assistance for 10 to 16 seniors in a comfortable assisted living situation. Under Chapter 70 Article 4 of the Anderson County Code of Ordinances, such use is considered a group care home.

Pending rezoning, the applicant will be required to obtain a special exception through the Board of Zoning Appeals in order to operate the property as a group care home.

The R-M district is established to provide for medium and high population density. The principal use of land is for two-family and multiple-family dwellings, and the recreational, religious, and educational facilities normally associated with residential development. The regulations for this district are intended to discourage any use which, because of its character, would interfere with the development of, or be detrimental to, the residential nature of the area included in the district.

The property is located at the corner of Midway Rd (State-minor arterial) and Harriett Cir (County – minor urban collector). This site is serviced by the County Sheriff's office, EMS Zone 9 and Broadway Fire Station 8 for emergency services.

The Future Land Use Map in the County's Comprehensive Plan (2016) identifies the area as residential.

Public Outreach:

Staff hereby certifies that the required public notification actions have been completed, as follows:

- September 21: Rezoning notification postcards sent to 343 property owners within 2,000' of the subject property;
- September 20: Rezoning notification signs posted on subject property;
- September 22: Planning Commission public hearing advertisement published in the *Anderson Independent-Mail*.

Public Feedback:

To date, staff has received three phone call for more information.

Staff Recommendation:

Due to the incompatibility with the character of the area, staff recommends denial of this request.

Zoning Advisory

Group Recommendation:

The District 1 Zoning Advisory Group did not meet on October 3, 2018 due to a lack of quorum. Pursuant to Chapter 70, Section 10.2 of the Anderson County Code of Ordinances, if the Zoning Advisory Groups fails to submit a report and recommendation after their first scheduled meeting, it is deemed to have approved the request.

Planning Commission

Recommendation:

The Anderson County Planning Commission met on October 9, 2018 and after a duly noted public hearing recommended \_\_\_\_\_ of a request to rezone from R-20 to R-M. The vote was \_\_\_\_\_ in favor, \_\_\_\_\_ opposed and \_\_\_\_\_ absent.



# Rezoning Application

9-11-18  
Date of Application Completion

\_\_\_\_\_  
Application Status (Approved or Denied)

### Applicant's Information

Name: John M. and Cynthia S. Peterson

Mailing Address: 2503 Midway rd Anderson, SC 29621

Telephone and Fax: 864-844-1041 E-Mail: Cynthia@upstatecommercialgroup.com

### Owner's Information

*(If Different from Applicant)*

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone and Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

[Signature]  
Owner's Signature

9/11/2018  
Date

### Project Information

Property Location: 2503 Midway rd Anderson, SC 29621

Parcel Number(s)/TMS: 147-00-08-009-000

County Council District: 1 School District: 5

Total Acreage: 2.0 Current Land Use: Residential

Current Zoning: R-20 Requested Zoning: RM

Purpose of Rezoning: To provide 10 seniors with a comfortable assisted living situation

Private Covenants or Deed Restrictions on the Property: Yes \_\_\_\_\_ No \_\_\_\_\_

If you indicated no, your signature is required.

Applicant's Signature

Date

9/11/2018

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: \_\_\_\_\_

Please attach an accurate plat (survey) of the property to this application.

\*A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council.\*

Please refer to the Anderson County Planning & Community Development Fee Schedule for amount due.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to the Planning & Community Development office.

Applicant's Signature

Date

9/11/2018

For Office Use Only:

Application Received By: Rhonda Sloan Date Complete Application Received: 9-11-18

Scheduled Advisory Public Meeting Date: 10-3-18 Zoning Advisory Recommendation: \_\_\_\_\_

Scheduled Commission Public Hearing Date: 10-9-18 Planning Commission Recommendation: \_\_\_\_\_

Scheduled Council Public Hearing Date: 11-6-18 County Council Decision: \_\_\_\_\_

Dear Planning Department,

We would like turn 2503 Midway Rd, into a Residential Assisted Living (RAL) facility. For this, we believe we need to have the property rezoned for multi-family.

We believe our RAL would be a good neighbor to the communities that have grown up around us in the last 23 years. The elderly residents create neither a disturbance nor menace to the many children that live in the area.

Our plan is to operate our RAL in compliance with the Regulation 61-84 Standards for Licensing Community Residential Care Facilities. Our goal is to be licensed to care for less than 16, and probably closer to 10 beds. It is our plan to enlarge the current home by adding a wing to left side of the home similar to the right side, and to dormer the back of the home. From the outside, we believe it will look the same, just bigger.

I am very thankful for the larger care facilities that our county currently has serving our elderly population. As in all things, different people need different accommodations to be comfortable. We hope that the home facility, with the small population, and familiar care-givers will bring a measure of peace to the residents and make the children of the residents more comfortable with their parent's placement. Just as Target and Wal-Mart can't meet everyone's needs, we hope to serve as a boutique among the larger care facilities.

The first of the baby boomers turned 71 this year. We would like to be part of the solution for caring for our aging population. However, we will not have skilled nursing care, just assistance with daily living activities.

Lastly, we feel that our location here on Midway Rd is particularly suited for this. It is ideally located to encourage visits from near-by family members. Also, it is very close to the AnMed Health Campus. We have the best of being in a rural setting and close to the medical infrastructure that makes Anderson such a great place to live.

Thank you for considering our request,

Cynthia Peterson

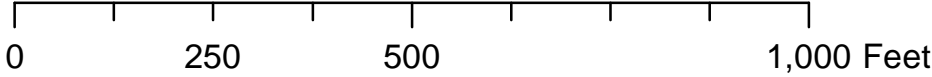


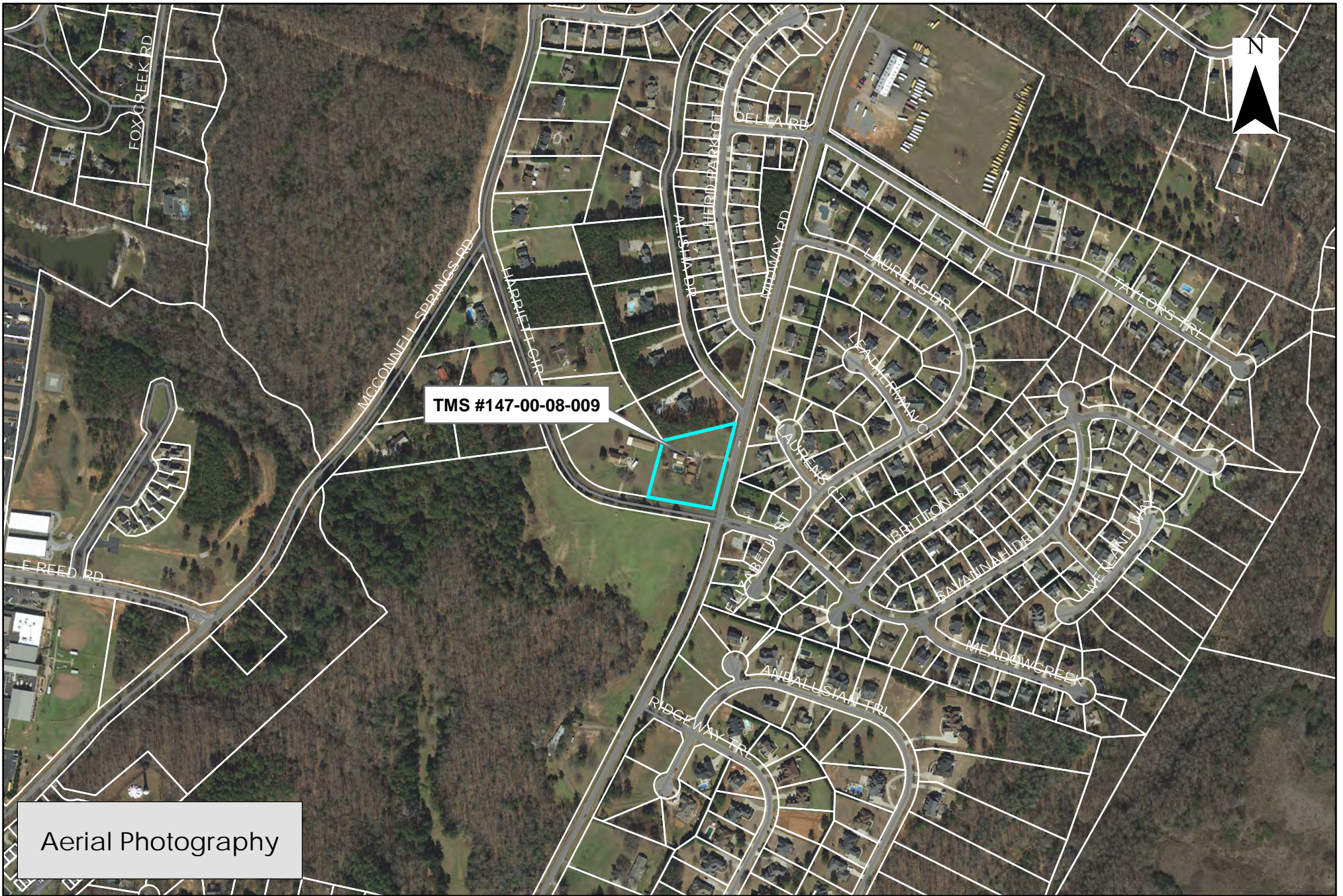


TMS #147-00-08-009

Aerial Photography

Rezoning Rezoning  
2503 Midway Road  
R-20 to R-M



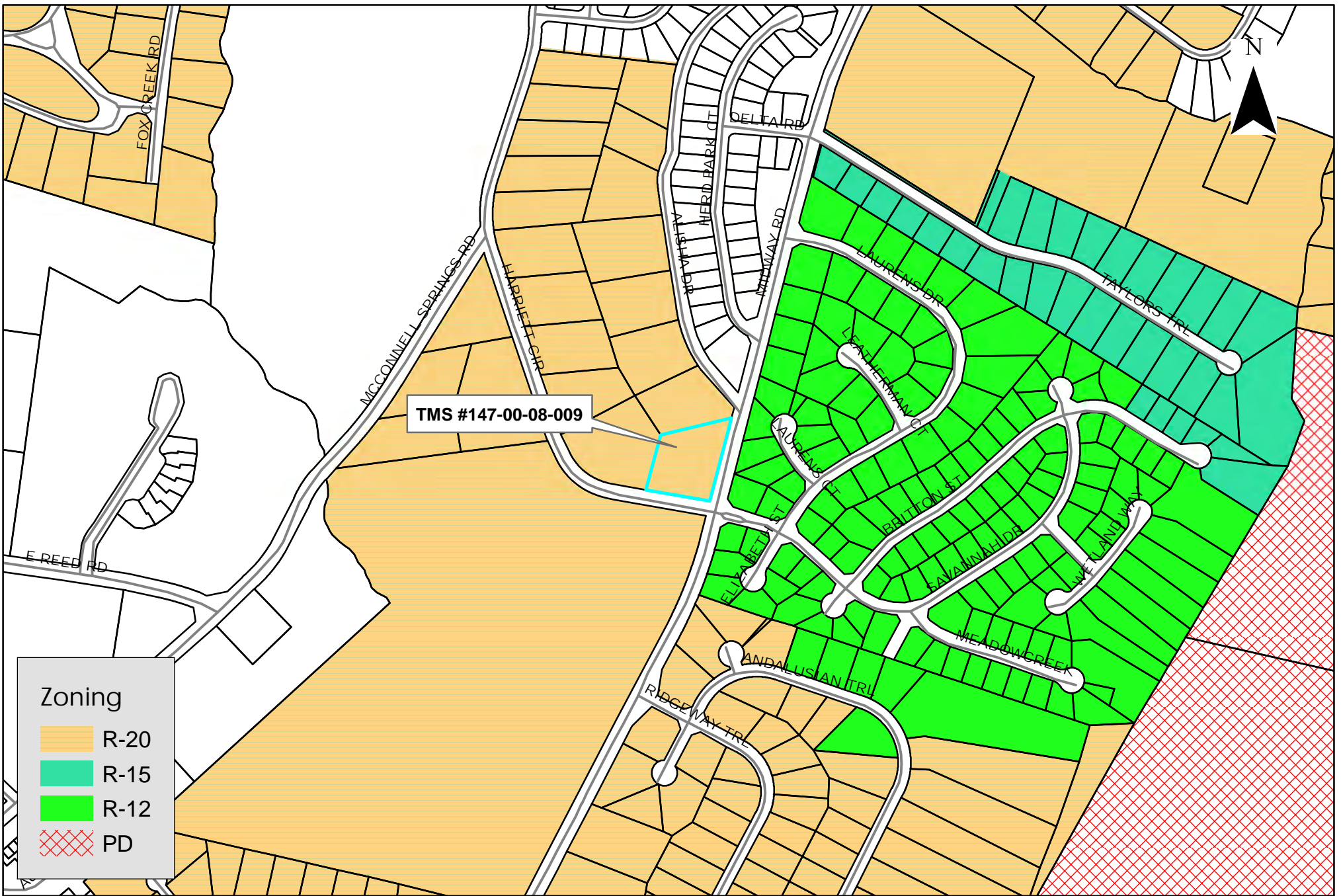


TMS #147-00-08-009

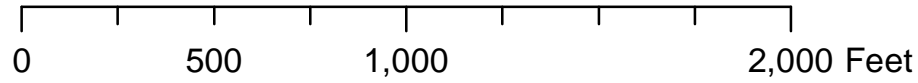
Aerial Photography

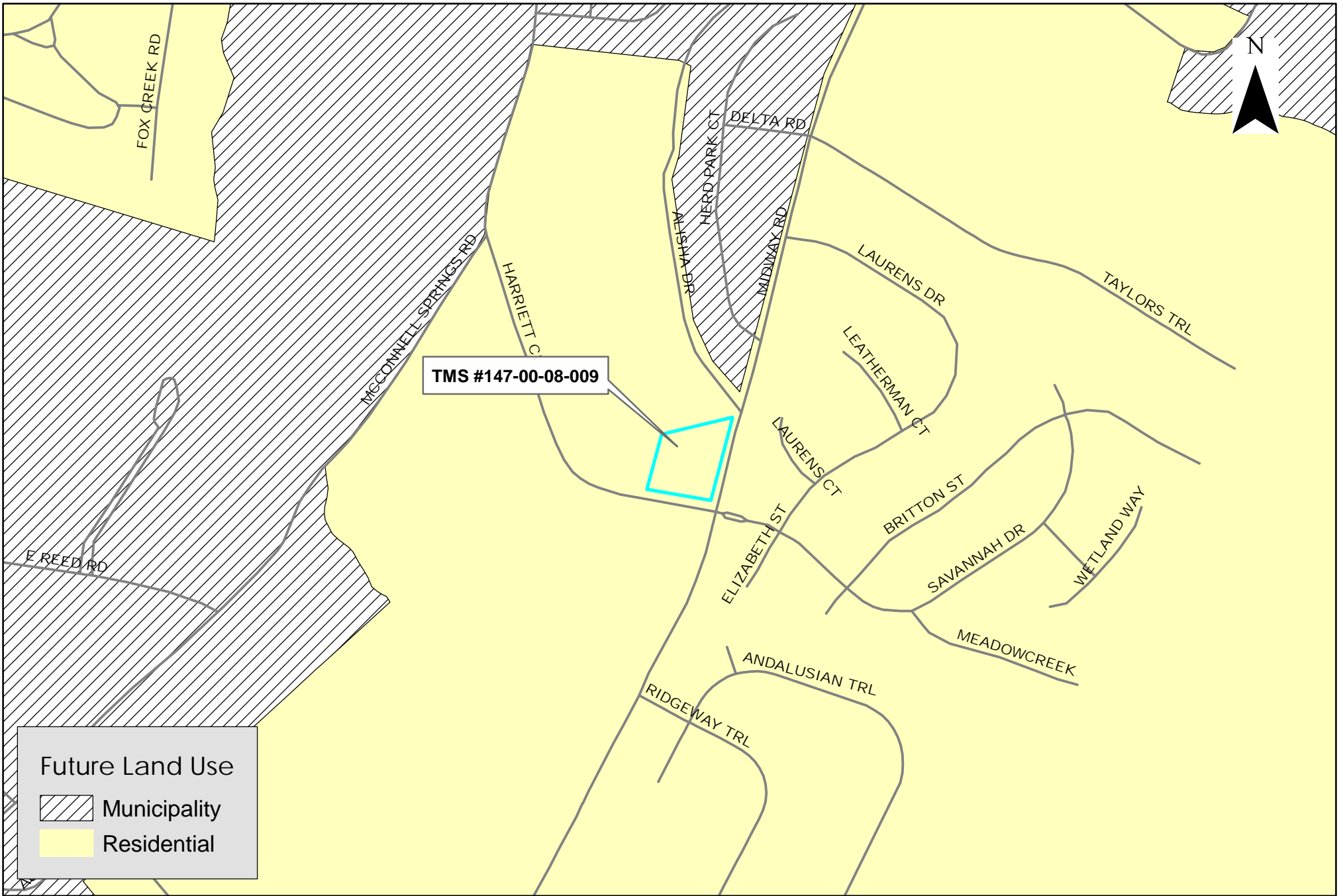
Rezoning Rezoning  
2503 Midway Road  
R-20 to R-M

0 500 1,000 2,000 Feet

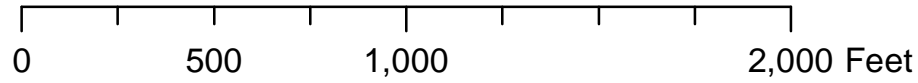


Rezoning Request  
 2503 Midway Road  
 R-20 to R-M





Rezoning Request  
 2503 Midway Road  
 R-20 to R-M





9/20/18



REZONING PUBLIC HEARING NOTICE  
09-14-2018-10:20

9/20/18



APPROXIMATE PUBLIC  
HEARING NOTICE

9/20/18



9/20/18



RESERVATION OF RIGHTS  
BY SELLER  
9/20/18

STOP

9/20/18



RECYCLING PERMITS  
PLACING NOTES  
914-234-4733

9/20/18



9/20/18

ANDERSON COUNTY  
PLANNING & COMMUNITY DEVELOPMENT  
**REZONING PUBLIC  
HEARING NOTICE**  
864-260-4720

9/20/18

**Anderson County Planning Commission  
Staff Report  
October 9, 2018**

Applicant: Randy M. Williams  
Current Owner: Randy M. Williams  
Property Address: 284 Grate Road  
Precinct: Mount Tabor  
Council District: 4  
TMS #(s): 044-01-01-009  
Acreage: +/- 1.00  
Current Zoning: R-20 (Single-Family Residential, 20,000 Square Foot Minimum Lots)  
Requested Zoning: R-D (Residential – Duplex District)  
Surrounding Zoning: North: R-20  
South: R-20  
East: R-20  
West: R-20

Evaluation: This request is to rezone the parcel of property described above from R-20 (Single-Family Residential) to R-D (Residential - Duplex District). The applicant’s stated purpose for the rezoning is to “construct a duplex.”

The R-D district is established to provide for one- and two-family dwellings, and the recreational, religious, and educational facilities which are normally found in residential areas. The district is primarily intended for areas which represent a transition between low-density, single-family development and high-density, multifamily development and for sites which are located in predominantly low-density areas but contain a mix of uses such as single-family manufactured, modular, and multifamily residential units.

The Future Land Use Map in the County’s Comprehensive Plan (2016) identifies the area as agricultural. The surrounding area is rural in nature with single-family (low-density) homes in the vicinity.

Public Outreach: Staff hereby certifies that the required public notification actions have been completed, as follows:

- September 21: Rezoning notification postcards sent to 106 property owners within 2,000' of the subject property;
- September 20: Rezoning notification signs posted on subject property;
- September 22: Planning Commission public hearing advertisement submitted in the *Anderson Independent-Mail*.

Public Feedback: To date, staff has received three phone calls for more information.

Staff Recommendation: Due to the compatibility with the character of the area, staff recommends approval of this request.

Zoning Advisory

Group Recommendation: The District 4 Zoning Advisory Group attempted to meet on October 3, 2018, but couldn't due to a lack of quorum. Pursuant to Chapter 70, Section 10.2 of the Anderson County Code of Ordinances, if the Zoning Advisory Groups fails to submit a report and recommendation after their first scheduled meeting, it is deemed to have approved the request.

Planning Commission

Recommendation: The Anderson County Planning Commission met on October 9, 2018 and after a duly noted public hearing recommended \_\_\_\_\_ of a request to rezone from R-A to R-M1. The vote was \_\_\_ in favor, \_\_\_ opposed and \_\_\_ absent.



# Rezoning Application

September 13, 2018

Date of Application Completion

Application Status (Approved or Denied)

### Applicant's Information

Name: Randy M. Williams

Mailing Address: 1101 Burns Bridge Rd

Telephone and Fax: 864-520-4382 E-Mail: RWilliams26050@yahoo.com

### Owner's Information

*(If Different from Applicant)*

Name: Randy Williams

Mailing Address: 1101 Burns Bridge Rd

Telephone and Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

Randy Williams  
Owner's Signature

9/12/18  
Date

### Project Information

Property Location: 284 grate Rd 29625

Parcel Number(s)/TMS: 047-01-01-009

County Council District: 4 School District: 4

Total Acreage: 1 Acre Current Land Use: open land/vacant

Current Zoning: R20 Requested Zoning: Rd

Purpose of Rezoning: I wish change to Rd to construct a Duplex.

Private Covenants or Deed Restrictions on the Property: Yes \_\_\_\_\_ No

If you indicated no, your signature is required.

Randy Williams  
Applicant's Signature

9/13/17  
Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: This would enhance the community growth and property value in the near future

Please attach an accurate plat (survey) of the property to this application.

\*A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council.\*

Please refer to the Anderson County Planning & Community Development Fee Schedule for amount due.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to the Planning & Community Development office.

Randy Williams  
Applicant's Signature

9/13/18  
Date

For Office Use Only:

Application Received By: CB Myers Date Complete Application Received: 9-13-18

Scheduled Advisory Public Meeting Date: 10-3-18 Zoning Advisory Recommendation: \_\_\_\_\_

Scheduled Commission Public Hearing Date: 10-9-18 Planning Commission Recommendation: \_\_\_\_\_

Scheduled Council Public Hearing Date: 11-6-18 County Council Decision: \_\_\_\_\_



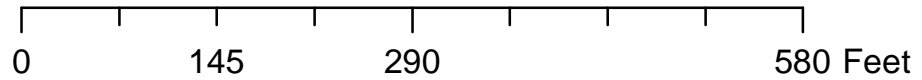


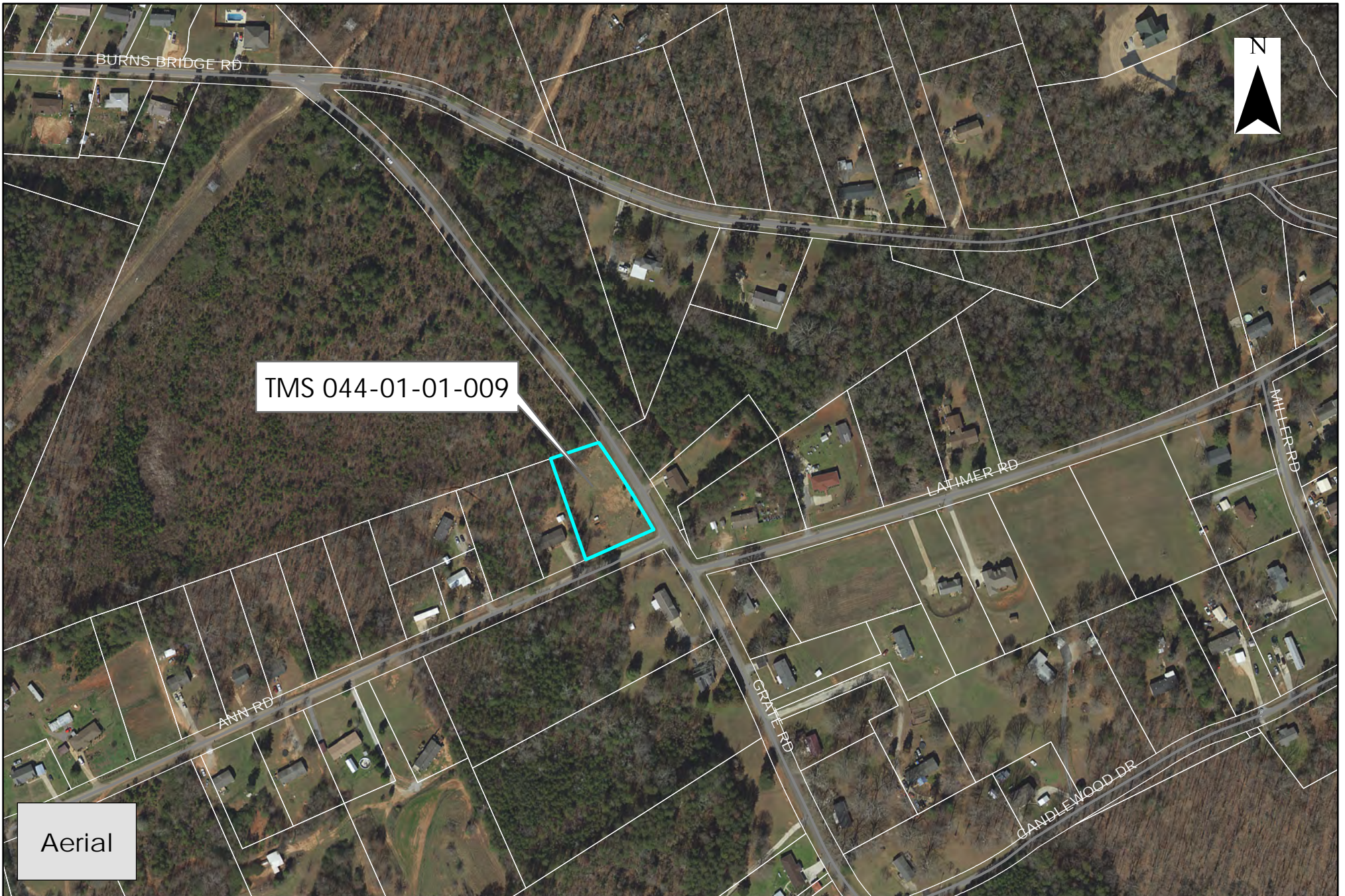
TMS 044-01-01-009



Aerial

Rezoning Request  
284 Grate Road  
R-20 to R-D



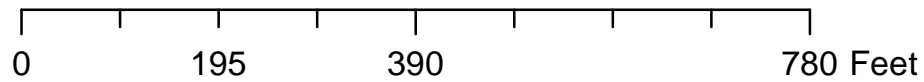


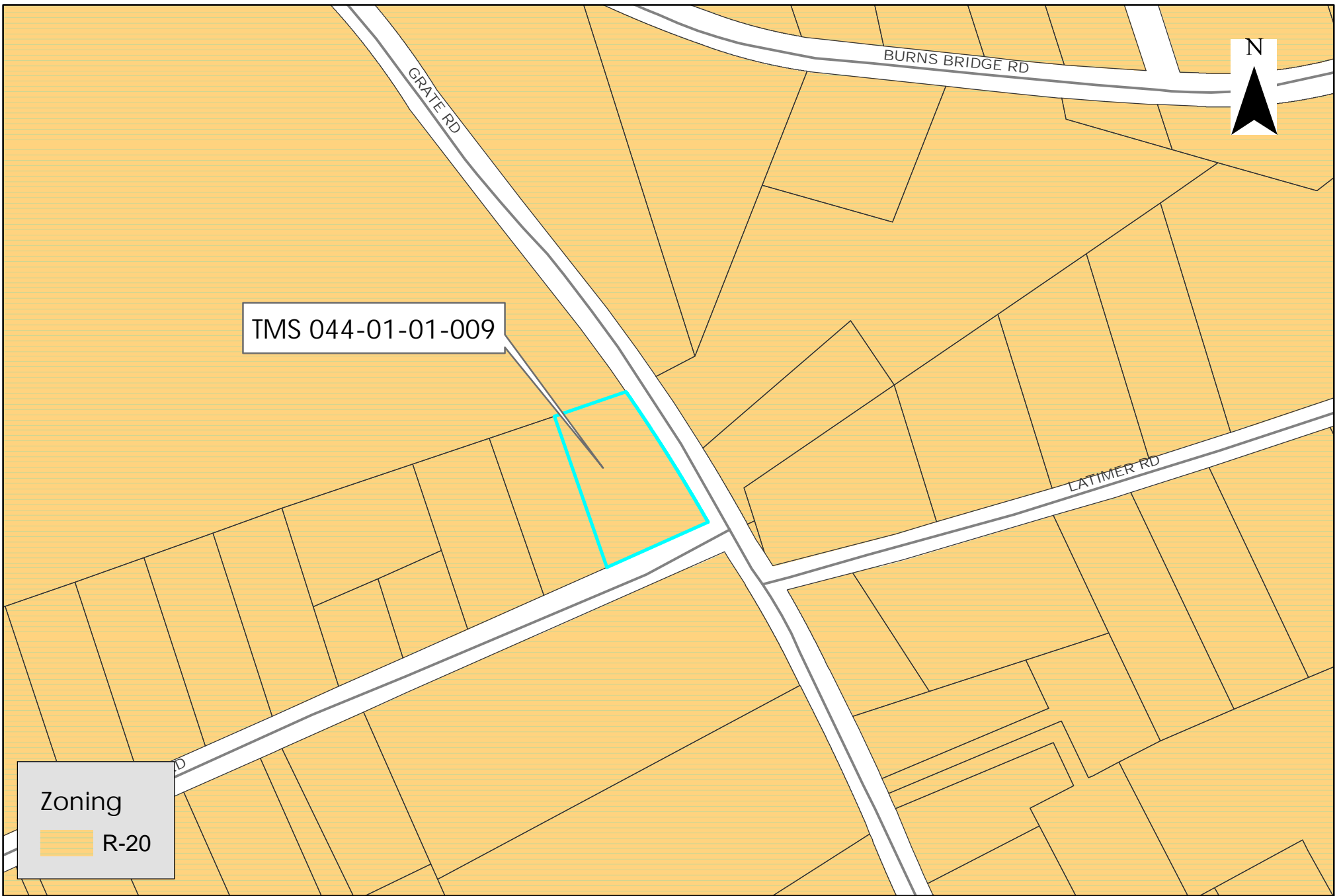
Rezoning Request  
284 Grate Road  
R-20 to R-D

0 287.5 575 1,150 Feet

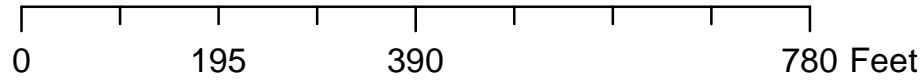


Rezoning Request  
284 Grate Road  
R-20 to R-D





Rezoning Request  
284 Grate Road  
R-20 to R-D





REZONING PUBLIC  
HEARING NOTICE  
864-260-4720

9/20/18

ANDERSON COUNTY  
PLANNING & COMMUNITY DEVELOPMENT  
**REZONING PUBLIC  
HEARING NOTICE**  
864-260-4720

9/20/18



9/20/18

**Anderson County Planning Commission  
Staff Report  
October 2018**

Applicant: Mouris Mekhaeil  
Current Owner: Mouris Mekhaeil and Hany Nashed  
Property Address: 3 Beaverdam Road  
Precinct: Williamston Mill  
Council District: 7  
TMS #(s): 221-06-04-001  
Acreage: +/- .33  
Current Zoning: R-M1 (Mixed Residential District)  
Requested Zoning: C-2 (Highway Commercial)  
Surrounding Zoning: North: Town of Williamston  
South: R-M1 and C-2  
East: C-2  
West: R-M1

Evaluation: This request is to rezone the parcel of property described above from RM-1 (Mixed Residential District) to C-2 (Highway Commercial). The applicant's stated purpose for the rezoning is for a car lot.

The purpose of the C-2 district is to provide for commercial uses on major thoroughfares which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and for the convenience of local residents.

Residential and commercial uses are adjacent to the subject parcel. The Future Land Use Map in the County's Comprehensive Plan (2016) identifies the area as residential.

Public Outreach: Staff hereby certifies that the required public notification actions have been completed, as follows:

- September 20: Rezoning notification signs posted on subject property;
- September 21: Rezoning notification postcards sent to 171 property owners within 2,000' of the subject property;

- September 22: Planning Commission public hearing advertisement published in the *Anderson Independent-Mail*.

Public Feedback: To date, staff has received three phone calls for more information.

Staff Recommendation: Due to the compatibility with the character of the area, staff recommends approval of this request.

#### Zoning Advisory

Group Recommendation: The District 7 Zoning Advisory Group attempted to meet on October 3, 2018, but couldn't due to a lack of quorum. Pursuant to Chapter 70, Section 10.2 of the Anderson County Code of Ordinances, if the Zoning Advisory Groups fails to submit a report and recommendation after their first scheduled meeting, it is deemed to have approved the request.

#### Planning Commission Recommendation:

The Anderson County Planning Commission met on October 9, 2018 and after a duly noted public hearing recommended \_\_\_\_\_ of a request to rezone from RM-1 to C-2. The vote was \_ in favor, \_ opposed, and \_ absent.



# Rezoning Application

Date of Application Completion

Application Status (Approved or Denied)

### Applicant's Information

Name: Mouri's Mekhaeil

Mailing Address: 100 plum orchard ct simpsonville SC 29681

Telephone and Fax: 864 517 0761 E-Mail: moresmekhaeil@gmail

### Owner's Information *(If Different from Applicant)*

Name: Mouri's Mekhaeil & Harry nashed

Mailing Address: 100 plum orchard ct simpsonville SC 29681

Telephone and Fax: 864-517-0761 E-Mail: moresmekhaeil@gmail

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

mouri's mekhaeil - Harry nashed  
Owner's Signature

8-13-18  
Date

### Project Information

Property Location: 3 Beaverdam Road

Parcel Number(s)/TMS: -2210604001

County Council District: -7 School District: -1

Total Acreage: .33 Current Land Use: Residential

Current Zoning: R-M1 Requested Zoning: Commercial C-2

Purpose of Rezoning: car lot

Called  
applicant  
8/21/18  
JRP

Private Covenants or Deed Restrictions on the Property: Yes \_\_\_\_\_ No ✓  
If you indicated no, your signature is required.

Mauris McPhail  
Applicant's Signature

8-13-18  
Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach an accurate plat (survey) of the property to this application.

\*A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council.\*

Please refer to the Anderson County Planning & Community Development Fee Schedule for amount due.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to the Planning & Community Development office.

Mauris McPhail  
Applicant's Signature

8-13-18  
Date

Page 2 of 2

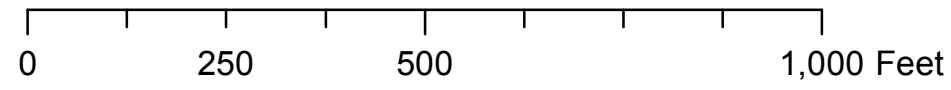
For Office Use Only:

Application Received By: \_\_\_\_\_ Date Complete Application Received: \_\_\_\_\_  
Scheduled Advisory Public Meeting Date: \_\_\_\_\_ Zoning Advisory Recommendation: \_\_\_\_\_  
Scheduled Commission Public Hearing Date: \_\_\_\_\_ Planning Commission Recommendation: \_\_\_\_\_  
Scheduled Council Public Hearing Date: \_\_\_\_\_ County Council Decision: \_\_\_\_\_



Aerial Photography

# Rezoning Request 3 Beaverdam Road R-M1 to C-2



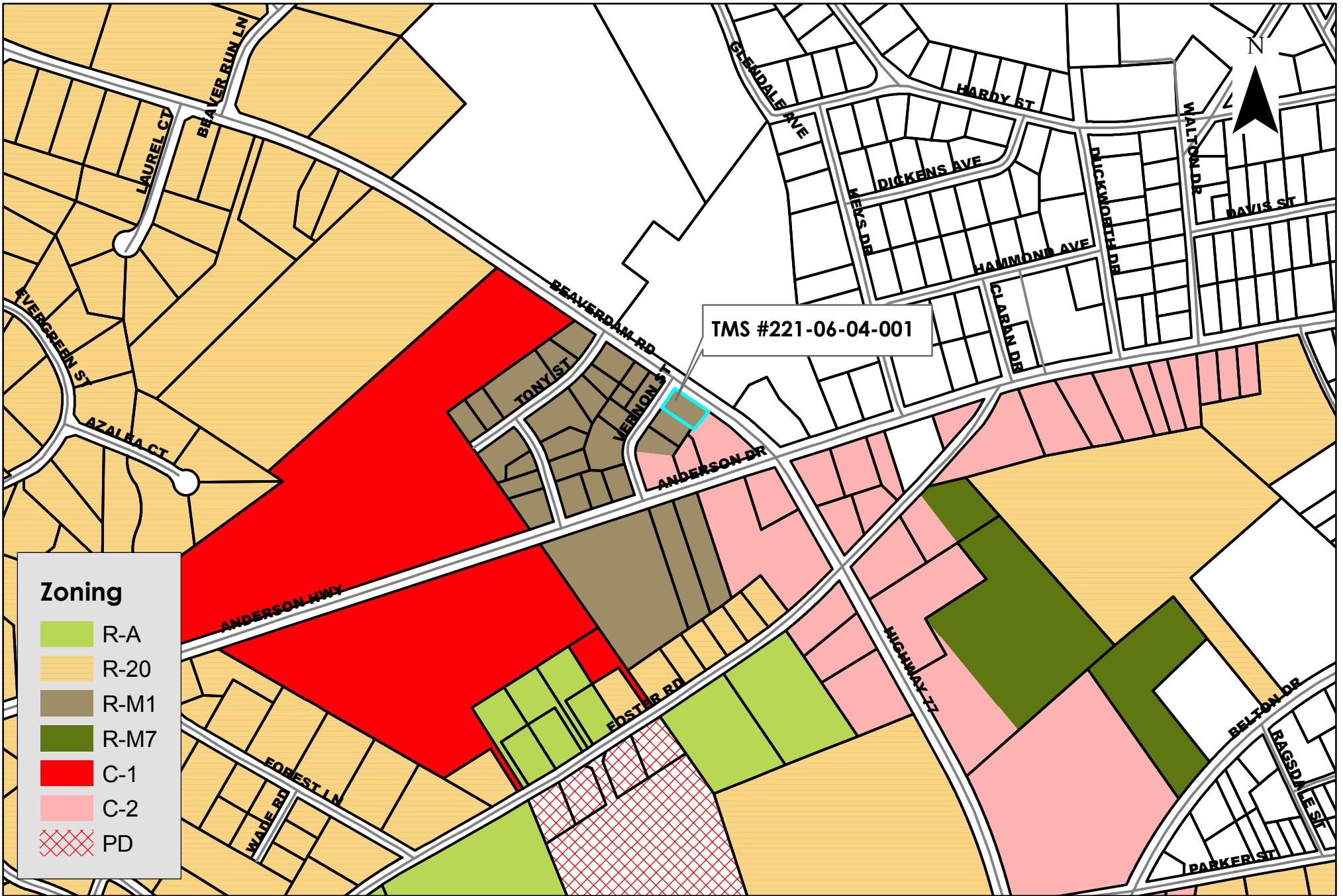


TMS 2210604001

Aerial Photography

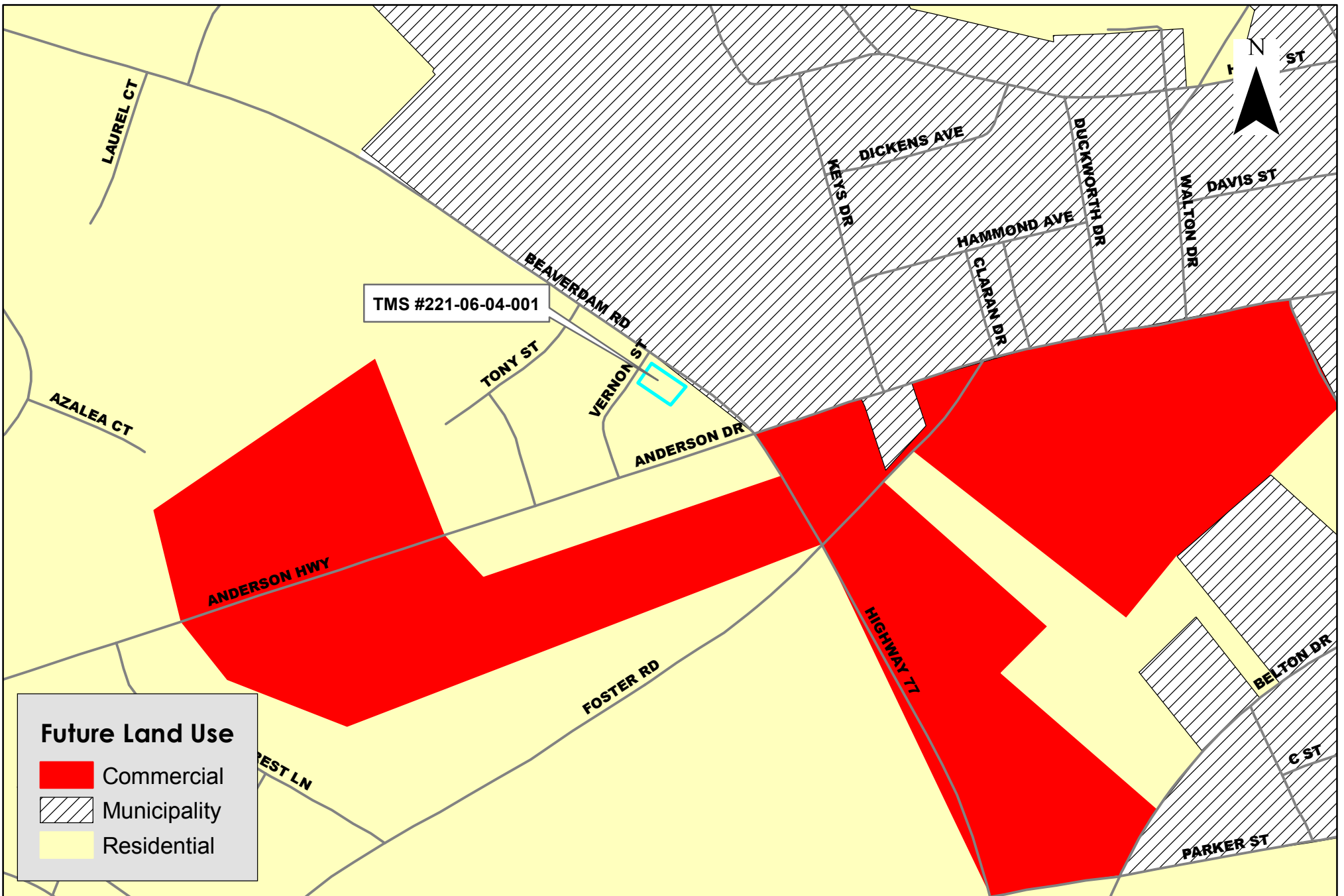
**Rezoning Request**  
**3 Beaverdam Road**  
**R-M1 to C-2**

0 500 1,000 2,000 Feet

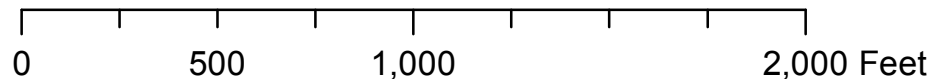


**Rezoning Request**  
**3 Beaverdam Road**  
**R-M1 to C-2**

0 500 1,000 2,000 Feet



**Rezoning Request**  
**3 Beaverdam Road**  
**R-M1 to C-2**





REZONING PUBLIC HEARING NOTICE  
864-293-4720

9/20/18



WILLIAMSON  
PLAZA

PAPA JOHN'S

This That  
& More  
Thrift Store

MISSING PUBLIC  
HEARING NOTICE  
914-264-4720

9/20/18



9/20/18

ANDERSON COUNTY  
PLANNING & ZONING DEPARTMENT  
REZONING PUBLIC  
HEARING NOTICE  
864-260-4720

9/20/18



9/20/18



9/20/18



STOP

ZONING PUBLIC  
HEARING NOTICE

9/20/18



# PLANNING DEPARTMENT

September 27, 2018

**MEMO TO: Planning Commission**

**CC: Rusty Burns, County Administrator; Leon Harmon, County Attorney; Holt Hopkins, Deputy County Administrator; Alesia Hunter, Development Standards Manager**

**FROM: Jeff Parkey, Planning Director**

**RE: Preliminary subdivision matters**

**Dear Chairman Cothran and Commissioners,**

This memorandum concerns (1) the decision-making process used by the Planning Commission when determining acceptance or rejection of preliminary subdivision proposals, and (2) the recording and notification process following these decisions. Review of these matters comes at the direction of the County Council from its meeting of September 4, 2018. The comments made here and the suggested new ordinance language are submitted for the Commission's review.

## 1. Decision-making Process

As a part of its duties, the Planning Commission makes decisions to approve or reject preliminary subdivision proposals. To clarify the basis for this decision-making, it is suggested that Chapter 38 of the Anderson County Code of Ordinances be amended to add the following language under section 311(c):

38-311 (c) (3)

*In addition to the standards set forth in this chapter and the recommendations of staff, the Planning Commission will also take into consideration the following criteria when making its decision to reject or approve a preliminary subdivision plat:*

- i. public health, safety, convenience, prosperity, and the general welfare;*
- ii. balancing the interests of subdividers, homeowners, and the public;*
- iii. the effects of the proposed development on the local tax base; and,*
- iv. the ability of existing or planned infrastructure and transportation systems to serve the proposed development.*



# PLANNING DEPARTMENT

These four decision criteria are further elaborated below.

## Public Health, Safety, Convenience, Prosperity, and the General Welfare

In describing the function, powers, and duties of local Planning Commissions, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 directs these bodies to

. . . undertake a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the area within its jurisdiction. The plans and programs must be designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of its area of jurisdiction (Sec. 6-29-340).

The public's health, safety, and welfare should always be taken into consideration by the Planning Commission when conducting any business that comes before it.

## Balancing the Interests of Subdividers, Homeowners, and the Public

Section 38-286 (b) (6) of the Anderson County Code of Ordinances indicates that a specific objective of the County's subdivision regulations is to balance the interests of the homeowner, the public, and the subdivider. Because the subdivision of land affects the environment, appearance, and character of Anderson County, residents and property owners, in addition to subdividers of land, have a legitimate interest in subdivision development. For this reason, the balance of interests in subdivision development should be considered by the Planning Commission when making decisions on preliminary subdivision proposals.

## Effects of the Proposed Development on the Local Tax Base

Section 38-286 (b) (2) of the Anderson County Code of Ordinances indicates that a specific objective of the County's subdivision regulations is to discourage inferior developments which might adversely affect the local tax base. Potential adverse effects on the tax base could arise in a number of instances, e.g. from the increased demands new development places on local infrastructure, facilities, or services.



# PLANNING DEPARTMENT

Conversely, potential favorable effects on the tax base may arise from the additional property tax revenues generated by new development. The aggregate effects of development on the tax base should be considered by the Planning Commission when making decisions on preliminary subdivision proposals.

## Ability of Infrastructure and Transportation Systems to Serve the Proposed Development

New development generates increased service demands on facilities, infrastructure, and other systems. Roadways, water supply, sewer systems, and utilities are among the most common types of infrastructure and facilities of concern. The capacity for existing and future facilities and systems to accommodate the demands of new development should be considered by the Planning Commission when making decisions on preliminary subdivision proposals.

### 2. Recording and Notification

The South Carolina Local Government Comprehensive Planning Enabling Act indicates that the governing authority must maintain a

record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action . . . In addition the developer must be notified in writing of the actions taken (Sec. 6-29-1150 (B)).

In fulfilling this obligation, it is suggested that Chapter 38 of the Anderson County Code of Ordinances be amended to adjust the language under section 311(c) as follows:

#### *38-311 (c) (1)*

*If the planning commission votes to reject the plat, it shall make its grounds for such rejection known for the public record, and shall notify the subdivider of such rejection, including the grounds for rejection, in writing. The subdivider may then submit a corrected preliminary plat, which will be considered in the same manner as a newly submitted preliminary plat.*



# PLANNING DEPARTMENT

The above draft ordinance language is subject to the review of the Planning Commission, the Planning and Public Works Committee, and the County Council. Revisions will be made accordingly.

Once any ordinance change has been adopted, administrative procedures will be adjusted accordingly.

We appreciate the Commission's attention to these matters. Please reach me at 864-260-1057 with any questions or comments.

**Respectfully,**

**Jeff Parkey**



## **ARTICLE I – AUTHORIZATION**

1. This Planning Commission is established pursuant to and in conformance with Title 6, Chapter 29 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-66 of the Anderson County Code.
2. The official title of the commission shall be the “Planning Commission”, hereinafter referred to as the “Commission”.

## **ARTICLE II – PURPOSE**

1. The Commission shall perform all those functions assigned to it by Title 6, Chapter 29, Section 6-29-340 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-67 of the Anderson County Code.

## **ARTICLE III – MEMBERSHIP**

1. The Commission shall consist of seven (7) members appointed by County Council. County Council shall consider members based on their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the jurisdiction.
2. Members shall serve terms of three years and may be replaced at will by County Council.
3. Terms of office of the Commission shall run from July 1 through June 30 of the respective years of the term.
4. The Commission shall annually elect a Chairperson and Vice-Chairperson, hereinafter referred to as Chair and Vice-Chair, from among the regular members and a Secretary, who may be a member or may be a County employee.

## **ARTICLE IV – DUTIES OF OFFICERS**

1. The Chair shall preside at all meetings of the Commission and at other meetings and public hearings called by the Commission. The Chair shall call special meetings of the Commission when required and shall transmit reports, plans, and recommendations of the Commission to the appropriate governing authority, and in general, shall act as spokesperson for the Commission. The Chair shall appoint all committees. The Chair shall certify all official documents involving the authority of the Commission and certify all minutes as true and correct copies. The Chair shall rule on all procedural questions, subject to reversal by majority vote of members present.
2. The Vice-Chair, in the absence of the Chair, shall serve as Chair, and perform the duties of the Chair as outlined above. In the event of some misfortune or resignation of the Chair, the

## Anderson County Planning Commission By-Laws

---

Vice-Chair shall perform the Chair's duties until such time as the Commission shall elect a new Chair.

3. The Secretary shall record or supervise the recording of all minutes of the Commission meetings; assist the Chair in the preparation of the agenda; shall make all postings and notifications to comply with Article VI.4; shall prepare and distribute minutes of the Commission meetings; if the Secretary is a member, she/he may delegate any or all of these duties to County staff.

### **ARTICLE V – COMMITTEES**

1. The Chair may create Special Committees, not to exceed three (3) members, to study matters which in his/her judgment would best be handled by a Committee as opposed to the general Commission. The Chair shall designate one member of each Special Committee as its Committee Chair.
2. Any Committee shall meet at the call of its Committee Chair, subject to the provisions of Article VI.4.
3. A majority of its members shall constitute a quorum of any Committee. There shall be no Committee meeting without a quorum.
4. The Commission Chair shall be an ex officio member of every Committee.

### **ARTICLE VI – MEETINGS**

1. Regular meetings of the Commission shall be held on the second Tuesday of each month at 6:00 P.M. Special meetings shall be called as needed. When a meeting date falls on a legal holiday as recognized by the State of South Carolina, the meeting shall be held the previous business day, unless otherwise designated by the Commission.
2. Special meetings may be called at any time upon the written request of the Chair or acting Chair or any three members of the Commission.
3. The Commission shall conduct its meetings in accordance with procedure set forth in Robert's Rules of Order except where amended by the Commission's By-Laws.
4. The Commission and each of its committees shall comply with the provisions of the South Carolina Freedom of Information Act and the requirements set forth in Anderson County Ordinance #342 and subsequent ordinances concerning freedom of information and the conduct of public meetings.
5. The Commission shall function by making recommendations in its area of responsibility to County Council. Recommendations from the Commission shall be submitted in writing to County Council or formally presented at County Council meetings. The Commission or any of its members may seek information and assistance from and work with any County staff in accomplishing its purpose.

## Anderson County Planning Commission By-Laws

---

6. The Commission may hold public hearings on any matter which it deems to be in the public interest, in addition to those required by law or County Council. An accurate, written record shall be made of the proceedings and maintained as a part of the Commission's files.
7. All records of the Commission shall be a public record.

### ARTICLE VII – NOTICE OF MEETINGS

1. All Commission members shall be given notice of the date, time, and place of any meeting at least twenty-four hours in advance. Commission members shall be notified in writing, telephone, email, or other means.

### ARTICLE VIII – QUORUM

1. Four members shall constitute a quorum of the Commission for transacting business and taking official action. No official Commission business will be conducted without a quorum.

### ARTICLE IX – VOTING

1. Unless otherwise provided in these By-Laws, voting at all meetings of the Commission shall be by the raising of hands and abstentions shall be recorded by name. No proxy votes shall be accepted.
2. No members shall vote or participate in discussion on any issue in which he/she has a personal conflict of interest, a direct professional interest, or a financial interest. Any member who is unsure whether a particular issue that comes before the Commission poses a conflict of interest may seek a legal opinion.
3. No Commission member shall miss three consecutive meetings without due cause. Absence from three consecutive meetings shall be considered appropriate cause for dismissal of the member from the Commission by County Council, upon the recommendation of the Chair.

### ARTICLE X – ORDER OF BUSINESS

1. The order of business at all regular meetings shall be as follows:
  - a. Call to Order/Determination of a Quorum
  - b. Approval of agenda
  - c. Approval of Minutes
  - d. Conduct Public Hearings
  - e. Report of Standing Committees
  - f. Report of Special Committees
  - g. Old Business
  - h. New Business
  - i. Other Business
  - j. Adjournment

# Anderson County Planning Commission By-Laws

---

## ARTICLE XI – FISCAL YEAR

1. The fiscal year of the Commission shall begin on the first day of July and terminate on the 30th day of June as per Chapter 38, Section 38-66 of the Anderson County Code.

## ARTICLE XII – AMENDMENTS

1. These By-Laws may be amended by a majority vote of Commission’s membership after thirty days prior notice.
2. By-Law changes must be kept in accord with Ordinance #370 whereby County Council established the Anderson County Planning Commission.

## ARTICLE XIII – EFFECTIVE DATE

1. These By-Laws shall take effect and be in full force from and after their adoption by the Commission.

## ARTICLE XIV – ADOPTION

1. Adoption by the Planning Commission at a meeting held in Anderson County, South Carolina on the 23<sup>rd</sup> day of March, 1993 as amended on April 9, 2002, March 8, 2016 and October 9, 2018.

---

**CHAIR**

---

**ATTEST**

# Anderson County Planning Commission

October 9, 2018

6:00 PM

## Staff Report – Preliminary Subdivision

---

**Preliminary Subdivision Name:** Chimney Hill

**Intended Development:** Single Family Residential

**Applicant:** Mark III Properties, Inc.

**Surveyor/Engineer:** Bluewater Civil Design

**Location:** Barr Circle (County Maintained)

**County Council District:** 6

**Surrounding Land Use:**  
North – SFR/Vacant  
South – Commercial  
East – Commercial/Vacant  
West – Residential

**Zoning:** Property Unzoned

**Tax Map Number:** 236-00-02-026,-035,-037,-039,-078,-080

**Extension of Existing Dev:** No

**Existing Access Road:** Robins Drive & Barr Circle (County Maintained)

**Number of Acres:** +/- 25.22

**Number of Lots:** 77

**Water Supplier:** Powdersville

**Sewer Supplier:** Anderson

**Variance:** No

**Traffic Impact Analysis:**

This new subdivision is expected to generate 770 new trips per day along with 70 ADT for the residential homes that already exist for a total of 840 ADT. Barr Circle and Robin Drive is classified as a Major Local road with 1,600 maximum average vehicle trips per day. The developer will be required to meet or exceed construction plans that are approved by Anderson County Roads and Bridges.

**Staff Recommendation:**

**Sec. 38-311.**

**(c) At the planning commission meeting during which the plat is scheduled to be discussed, the subdivision administrator shall present his recommendation to the planning commission.**

**(Ord. No. 03-007, § 1, 4-15-03)**

August 8, 2018

Alesia Hunter  
Anderson County Planning Division  
Development Standards  
401 East River Street  
Anderson, SC 29624  
864.260.4352

RE: Chimney Hill  
"Preliminary Plat Submittal Package"  
Robbins Drive - Anderson County, SC

Dear Alesia,

Please see below for a list of items being submitted for preliminary plat for the above referenced project. I have also listed some comments below to address some of the questions within the preliminary plat application packet. Please feel free to contact me ([paul@bluewatercivil.com](mailto:paul@bluewatercivil.com) or 864-735-5068) if you have any comments or questions concerning this submittal.

**Application Responses:**

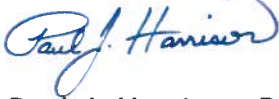
- Section 7 - Anderson County Roads and Bridges has been contacted regarding the proposed development. I have attached email confirmation of this and can obtain a formal letter if needed.
- Section 8 - There is no evidence of soil contamination on the property. Wetlands areas are shown on the preliminary plat and the site does not contain any floodplain. The development will comply with Article IV in relation to flood hazard prevention. The existing soils on this site have been identified and a copy of the soil data has been provided. Madison soils have been identified on our site, but the slopes do not exceed 15%. Pacolet soils have also been identified on our site but are mostly within the area for the proposed detention pond and pump station - only a small amount falls within the lot areas. Further soil investigation will be conducted prior to land disturbance permit submittals. These soil tests and submittals will be done prior to final plat recording.

**Items Included in Submittal:**

- (2) 8.5" x 11" Copies of the Preliminary Plat
- (2) 24" x 36" Copies of the Preliminary Plat
- Completed Subdivision Application
- (1) Check for \$177.00 for Preliminary Plat Review Fee
- (1) Copy of E-911 Subdivision & Road Name Approval
- (1) Copy of Soils Map & Data
- (1) Copy of all Availability Letters from Utility Providers
- (1) CD with all Files Mentioned Above

Regards,

Bluewater Civil Design, PLLC



Paul J. Harrison, P.E., LEED® AP  
Partner



Scheduled Public Hearing Date: 9-11-18  
Application Received By: AD  
Date Application Received: 8-9-18  
Amount of Fee Paid: 177.<sup>00</sup> Check # 3205

*Chimney Hill 18-105 A*  
**Subdivision Plat  
Application Checklist**

Anderson County Code of Ordinance Chapter 38  
Land Use

Thank you for your interest in Anderson County, South Carolina. This packet includes the necessary documents for review of subdivision development plans to be reviewed by county staff.

Should you need further assistance, please feel free to contact Development Standards between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday at (864) 260-4719



**DEVELOPMENT STANDARDS REVIEW APPLICATION**

**Note:** All plats must first be submitted to Development Standards. After submittal, plats will be distributed to the proper departments for review.

Date of Application 8-9-18

DS Number 18-105A

*Chimney Hill*

**INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED AND THE SUBMITTED PLANS WILL NOT BE REVIEWED UNTIL THE APPLICATION/SUBMITAL IS COMPLETE**

1. Name of Applicant Mark III Properties, Inc. - John Beeson

Address of Applicant 170-C Camelot Drive, Spartanburg, SC 29301

Telephone Number(s) 864-595-1735 Email john@markiiiproperties.com

2. Property Owner(s) Beeson Development, LLC

Owner(s) Address 2156 River Road, Piedmont, SC 29673

Telephone Number(s) 864-660-9689 Email beesondevelopment@gmail.com

**Project Information**

3. Project Location: 6 Barr Circle, Powdersville, SC 29611

Parcel Number/TMS: 2360002026, 035, 037, 039, 078, 080 County Council District: 06 School District: 01

Total Acreage: 25.22 Number of Lots: 77 Intended Development: Single Family Residential

Current Zoning: Unzoned Surrounding Land Uses: North: SFR/Vacant South: Commercial East: Comm./Vacant West: Residential

4. **Utility Agreement Services Letter of Approval**, Please attach to application.

Water Supplier: Powdersville Water Sewer Supplier: Anderson County Septic: \_\_\_\_\_

Electric Company: Duke Power Gas Company: Fort Hill Natural Gas Telecommunication Company: AT&T

5. Have any changes been made since this plat was last before the Planning Commission? N/A

If so, please describe: \_\_\_\_\_

6. Is there a request for a variance? No if so, please attach the description to this application.

7. **SCDOT/ Roads & Bridges** must be contacted for this development prior to Planning Commission review, please attach conformation letters.

A traffic impact study shall be required along the County road-network when a development will generate 100 or more trips per hour during the peak hour of the adjacent street, see section 38 - 118 Intensity Standards in the Anderson County Code of Ordinances. This study must be submitted with the application before it goes to the Planning Commission if applicable. Yes \_\_\_ or No X

Label the point of curvature (PC), point of tangency (PT), and curve radius of each horizontal curve on the preliminary plat.

**8. Site Analysis:**

- a. Is there any evidence of soil contamination on property?
- B. If there is soil contamination, has the type of contamination been identified and if so what is the finding?
- c. Has the EPA been notified of the contamination? If not, why not?

**Sec. 38-91. - Purpose.**

Good development begins with an analysis of the natural and environmental features of a site. These factors include land forms, wetlands, soils, slopes, floodplains, etc., and they differ from site to site. Each is critical to, and must be addressed by the development process. The purpose of this division, therefore, is to mitigate the impact of development where it might adversely disturb or be adversely affected by these natural features.

**Sec. 38-92. - Natural features analysis.**

As part of the required site analysis, each site shall include an identification of any and all of the following natural features:

- (1) Floodplains.
- (2) Soils, with severe limitations to development.
- (3) Wetlands.

Where such features are identified, sound engineering solutions shall be required to reduce or eliminate any negative effects of the proposed development, or such features shall remain undisturbed.

**Sec. 38-93. - Floodplain requirements.**

Where floodplains are identified by the analysis, and shown on the flood hazard boundary maps for the county, latest edition, all development shall comply with Article IV of this Chapter relating to flood hazard prevention.

**Sec. 38-94. - Soils analysis.**

(a) Soils may and often do pose significant constraints to development. However, these constraints often may be overcome by sound engineering solutions, making use of such soils possible if proper steps are taken. Such steps might include the removal of these soils from construction areas, use of additional fill dirt, use of extra thick subbase, pilings, elevated first floors or other such measures. (b) The following soils are identified in a soil survey prepared for the county by the USDA Soil Conservation Service, as presenting severe limitations to development: Cartecay, Gwinette, Madison (where slopes exceed 15%), Pacolet and Toccoa. Where such soils have been identified on a site proposed for development, a soils analysis report shall be submitted together with the preliminary plat or site plan. The report shall describe the extent of the soil and how its limitations are to be overcome. The proposed method of dealing with the soils shall be approved by the staff of the planning commission, prior to the issuance of a building permit.

**Sec. 38-95. - Wetlands requirements.**

Where wetlands are identified by the analysis, the applicant shall contact the U.S. Army Corps of Engineers to determine if such wetlands are jurisdictional wetlands, and if so, secure the necessary permits and/or clearance before a building or use permit shall be issued by the county.

---

9. Proposed road names pre-approved by E-911 Addressing Office for the county.

---

10. Are there any current Covenants in effect for this proposed development? Yes \_\_\_ No X If Yes, please attach document.

---

# Subdivision Plat Application Check List

The following checklist is to aid the applicant in providing the necessary materials for submittal.

## 1. Application Submittal Requirements and Process

To submit a Subdivision Plat Application, you must provide the following to the Development Standards Office:

- Two (2) 8 1/2 x 11 sized copies of the Preliminary Plat  Two (2) 17 x 24 (or larger) copies of the Preliminary Plat
- Completed Subdivision Application  Check made payable to Anderson County for Preliminary Plat Review

(Fee for Preliminary Plat Review is \$100 plus \$1 per lot.)

## Sec. 38-312. - Preliminary plat.

The preliminary plat shall contain the following information:

- (1) Location of subdivision on a map indicating surrounding areas at an appropriate scale sufficient to locate the subdivision.
- (2) Map of development at a scale of not less than one inch equals 200 feet and not more than one inch equals 50 feet.
- (3) Name of subdivision, name and address of the owner(s), name of engineer or surveyor and the names of the owners of abutting properties.
- (4) A boundary survey of the area to be subdivided, showing bearings measured in degrees, minutes and seconds and distances measured in feet and decimals thereof.
- (5) Present land use of land to be subdivided and of the abutting property and/or properties.
- (6) Acreage of land to be subdivided.
- (7) Contour maps of the proposed subdivision, with maximum contour intervals of ten feet or three meters.
- (8) Tax map number of original parcel or parcels prior to subdivision.
- (9) Location of existing and proposed easements with their location, widths and distances.
- (10) Location of existing water courses, culverts, railroads, roads, bridges, dams, and other similar structures or features.
- (11) Location of utilities and utility easements on and adjacent to the tract, showing proposed connections to existing utility systems.
- (12) Proposed lot lines, lot numbers, lot dimensions and lot acreages.
- (13) North arrow.
- (14) Proposed road names pre-approved by E-911 Addressing Office for the county.
- (15) Certification by licensed surveyor stating that all lot sizes meet minimum size standards.
- (16) Designation of any areas that fall within any flood plain indicating the high water mark for same.

SIGNATURE OF APPLICANT & Property Owner:

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

Signature of Applicant

Date

8/9/18

Signature of Owner

Date

8/9/18

**2. After the Planning Commission approves the Preliminary Plat, the applicant must submit the following to the Development Standards Office.**

- DHEC approval letter for stormwater and erosion control
- Anderson County approval letter for stormwater and erosion control
- DHEC approval letter for the use of septic tanks or a letter verifying sewer service availability
- SCDOT or the Anderson County Roads & Bridges Department Encroachment Permit
- Subdivision plan approval letter from the Anderson County Roads & Bridges Department
- Form from E911/Addressing Office verifying the subdivision and road names have been approved
- Verification of water line service and layout plan (This is reviewed to determine if water pressures and volumes exist for the installation of fire hydrants within 1,000 feet of all lots.)

When these items have been **Approved**, the applicant may request a Grading Permit from Development Standards. A fee of **\$625** check made payable to Anderson County, the Grading Permit will be sent to the Anderson County Storm Water Department, they will contact the applicant to schedule a preconstruction meeting with design professionals and any utilities involved is required prior to land disturbance of one (1) acre or larger or part of a common plan. The applicant is also responsible for contacting the Roads & Bridges Department (260-4190) to schedule the required road inspections.

---

**3. To obtain a Final Plat Approval, you must provide the following to the Development Standards Office:**

- A **Bond Estimate** must be submitted Fifteen (15) days prior to the final plat and **Approved** by our office.
- Seventeen (17) 11 X 17 copies of the Final Plat (Four (4) 24 X 36 of these must have raised seal and landowner's signature)
- Digital copy of the plat (Floppy disk or CD)
- Check made payable to Anderson County for Final Plat Review (Fee for Final Plat Review is \$100)
- A performance bond, letter of credit, or certified check posted to Anderson County for a period of not less than eighteen (18) months to cover all remaining infrastructure improvements, including: roads, stormwater/erosion control, sewer and water – if not pre-paid through provider. The bond, letter of credit or certified check must be 125% of the requirement improvements, and should be accompanied by the contractor's cost estimates.

**Please allow five (5) to ten (10) business days for review.** After submittal, the applicant must then record the Final Plat at the Register of Deeds Office. When the roads within the subdivision have passed final inspection, County Council may vote to accept the roads into the County Road System; and the roads may be deeded over to Anderson County.

---

**Sec. 38-332. - Final plat.**

All final plats submitted for approval must contain, in addition to all requirements for preliminary plats, the following information:

- (1) A fully delineated plat of the subdivision accurately plotted to a scale of one inch equals 200 feet or larger and meeting or exceeding the minimum requirements of the South Carolina Department of Labor, Licensing and Regulation "Minimum Standards Manual for the Practice of Land Surveying in South Carolina."
- (2) Bearings and distances for all lines on the plat, with distance measured in feet and decimals thereof and bearings measured in degrees, minutes and seconds.
- (3) Lot numbers for each lot to be created by the division.
- (4) A statement on the plat stating, "There exists a 5 foot drainage and utility easement along all side and rear lot lines."
- (5) All easements for water mains or sanitary sewers not located in public road right of ways and serving more than one user. Such easements shall show location, width and conditions, together with a statement identifying the purpose or use of same.
- (6) Dimensions and locations of all public road right of ways and any existing easements or rights-of-ways evidencing special conditions that cross the property and are not located in the right-of-way of a public road, together with a statement identifying the purpose or use of same.
- (7) A statement clarifying whether any property line is in the center of any stream or creek.
- (8) A title block containing the following information: subdivision name; name of owner; name, address, registration number and seal of engineer or surveyor registered in South Carolina; date survey was made; certificate of authorization (unless surveyor is sole practitioner); certificate of accurate survey; certificate of ownership; certificate of approval for recording; TMS number and miles of new road. (See appendix A)
- (9) If the development is drawn in two or more sections, each section shall be accompanied by a key map indicating the location of the several sections.
- (10) The names of all abutting land owners, together with tax map numbers for abutting properties shall be shown and verified by the surveyor.

**CERTIFICATIONS MUST BE PLACED ON THE PRELIMINARY PLAT**

**THIS CHECKLIST IS NOT TO BE CONSIDERED AS EXCLUSIVE OF ALL REQUIREMENTS.**

**DESIGN PROFESSIONAL  
CERTIFICATION**

It is hereby certified that this [preliminary plat] was prepared using a survey of the property prepared by Justin Rupert, RLS, and dated May 1, 2018; And further that the proposed [subdivision] [development] meets all requirements of the Anderson County Development Standards Ordinance, as applicable to the property.

By Name: Paul J. Harrison P.E.

Signed: 

Registered Professional No. 24224

Address: 718 Lowndes Hill Road, Greenville, SC 29607

Telephone Number: 864-735-5068

Date: 08/09/18

**OWNER'S CERTIFICATION**

As the owner of this land, as shown on this [preliminary plat] or his agent, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereto.

Date: 8/9/18

[Owner][Agent] [Name]: 

Signed: Joseph A. Beeson

**CERTIFICATE OF PROJECT APPROVAL**

All applicable requirements of the Anderson County Development Standards Ordinance relative to Project Approval having been fulfilled, approval of this [preliminary plat] is hereby granted by the Manager or the Subdivision Administrator, subject to further compliance with all provisions of said development regulations.

Manager or Subdivision Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

**This approval does not constitute approval of a Final Subdivision Plat.  
(NOT FOR RECORDING)**



# MEMORANDUM

## ANDERSON COUNTY ROADS AND BRIDGES

**DATE:** August 10, 2018

**TO:** Tim Cartee  
Subdivision Administrator

**FROM:** Bill Rutledge  
Assistant Principal Engineer

**Cc:** Thulasi Vinayagam  
Principal Engineer

**SUBJECT:** Chimney Hill Subdivision

I have reviewed the preliminary plat for Chimney Hill Subdivision. A traffic impact study is not required since there are only 77 single family units planned. The proposed access location may be acceptable but I will need to review the final plans before an encroachment permit can be issued.

**Tommy Dunn**  
Chairman, District 5

**Craig Wooten**  
Council District 1

**Tom Allen**  
Council District 4

**Cindy Wilson**  
Council District 7

**ANDERSON COUNTY**  
SOUTH CAROLINA

**Ray Graham**  
V. Chairman, District 3

**Gracie Floyd**  
Council District 2

**Ken Waters**  
Council District 6

**Lacey Croegaert**  
Clerk to Council

**Rusty Burns** | County Administrator  
rburns@andersoncountysc.org

# SITE DATA

TAX MAP NO.: 2360002026, 2037, 2039, 2078, & 2080

TOTAL AREA: ±25.22-ACRES

ZONING: \*UNZONED

LAND USE: RESIDENTIAL/VACANT

TOTAL LOTS: 77 LOTS (60' WIDE TYP.)

PROPOSED ROADWAY: ±2,840 LF (50' R.O.W.)

SETBACKS  
 BARR CIRCLE: 20'  
 FRONT SETBACK: 20'  
 SIDE SETBACK: 8'  
 SECONDARY SIDE: 10'  
 REAR SETBACK: 10'

**DIMENSION NOTE:**  
 ALL DIMENSIONS SHOWN ON ROADWAY ARE MEASURED FROM E.O.P. TO E.O.P. UNLESS OTHERWISE SPECIFIED.

# SITE LEGEND

- ASPHALT PAVEMENT SECTION
- OPEN SPACE
- PROPERTY LINE/R.O.W.
- PROPOSED BUILDING SETBACK LINE
- PROPOSED LOT LINE
- PROPOSED E.O.P./CURB LINE
- EXISTING E.O.P.
- PROPOSED C/L ROAD

- GENERAL NOTES:**
- ALL NEW LOTS TO HAVE INTERNAL ACCESS ONLY.
  - 5' DRAINAGE AND UTILITY EASEMENTS SHALL BE ESTABLISHED ALONG ALL SIDE AND INTERIOR REAR PROPERTY LINES; 10' EASEMENTS SHALL BE ESTABLISHED ALONG EXTERIOR BOUNDARY OF THE SUBDIVISION UNLESS ADJOINING PROPERTY OWNERS HAVE ESTABLISHED EASEMENTS.
  - A "STORM WATER MANAGEMENT AND SEDIMENT REDUCTION PLAN HAS BEEN PREPARED FOR THIS PROPERTY AND WILL BE APPLIED FOR LAND DISTURBING ACTIVITIES. EACH PROPERTY OWNER WILL COMPLY WITH THIS PLAN UNLESS AN INDIVIDUAL PLAN IS PREPARED AND APPROVED FOR THAT PROPERTY."
  - ALL NEW ROADWAYS WITHIN DEVELOPMENT WILL HAVE A 50' (MIN.) PUBLIC R.O.W.
  - PUBLIC WATER IS AVAILABLE ALONG BARR CIRCLE PROVIDED BY POWDERSVILLE WATER SYSTEM.
  - ANDERSON COUNTY IS NOT RESPONSIBLE FOR THE OWNERSHIP & MAINTENANCE OF STORMWATER MANAGEMENT/QUALITY PONDS OR DEVICES.

**NOTE:**  
 ALL EXISTING FIELD CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT SITE ENGINEER AND OWNER IMMEDIATELY IF ANY DISCREPANCIES ARE NOTICED.

**LOT NOTE:**  
 ALL LOTS MEET THE MINIMUM SIZE STANDARDS PER SECTION 38-371 OF THE LAND USE AND DEVELOPMENT STANDARDS.



**OWNER'S CERTIFICATION:**  
 AS THE OWNER OF THIS LAND, AS SHOWN ON THIS PRELIMINARY PLAT, OR HIS AGENT, I CERTIFY THAT THIS DRAWING WAS MADE FROM AN ACTUAL SURVEY AND ACCURATELY PORTRAYS THE EXISTING LAND AND ITS FEATURES AND THE PROPOSED DEVELOPMENT AND IMPROVEMENTS THERETO.

DATE: 9/10/18  
 NAME: Joseph A. Beeson  
 SIGNED: Joseph A. Beeson

**DESIGN PROFESSIONAL CERTIFICATION:**  
 IT IS HEREBY CERTIFIED THAT THIS PRELIMINARY PLAT WAS PREPARED USING A SURVEY OF THE PROPERTY PREPARED BY Justin Rupert, RLS, AND DATED May 1, 2018; AND FURTHER THAT THE PROPOSED SUBDIVISION MEETS ALL REQUIREMENTS OF THE ANDERSON COUNTY DEVELOPMENT STANDARDS ORDINANCE, AS APPLICABLE TO THE PROPERTY.

BY NAME: Paul J. Harrison P.E.  
 SIGNED: Paul J. Harrison  
 REGISTERED PROFESSIONAL NO.: 24224  
 ADDRESS: 718 Lowndes Hill Road, Greenville, SC 29607  
 TELEPHONE NUMBER: 864-735-5068  
 DATE: 09/10/18

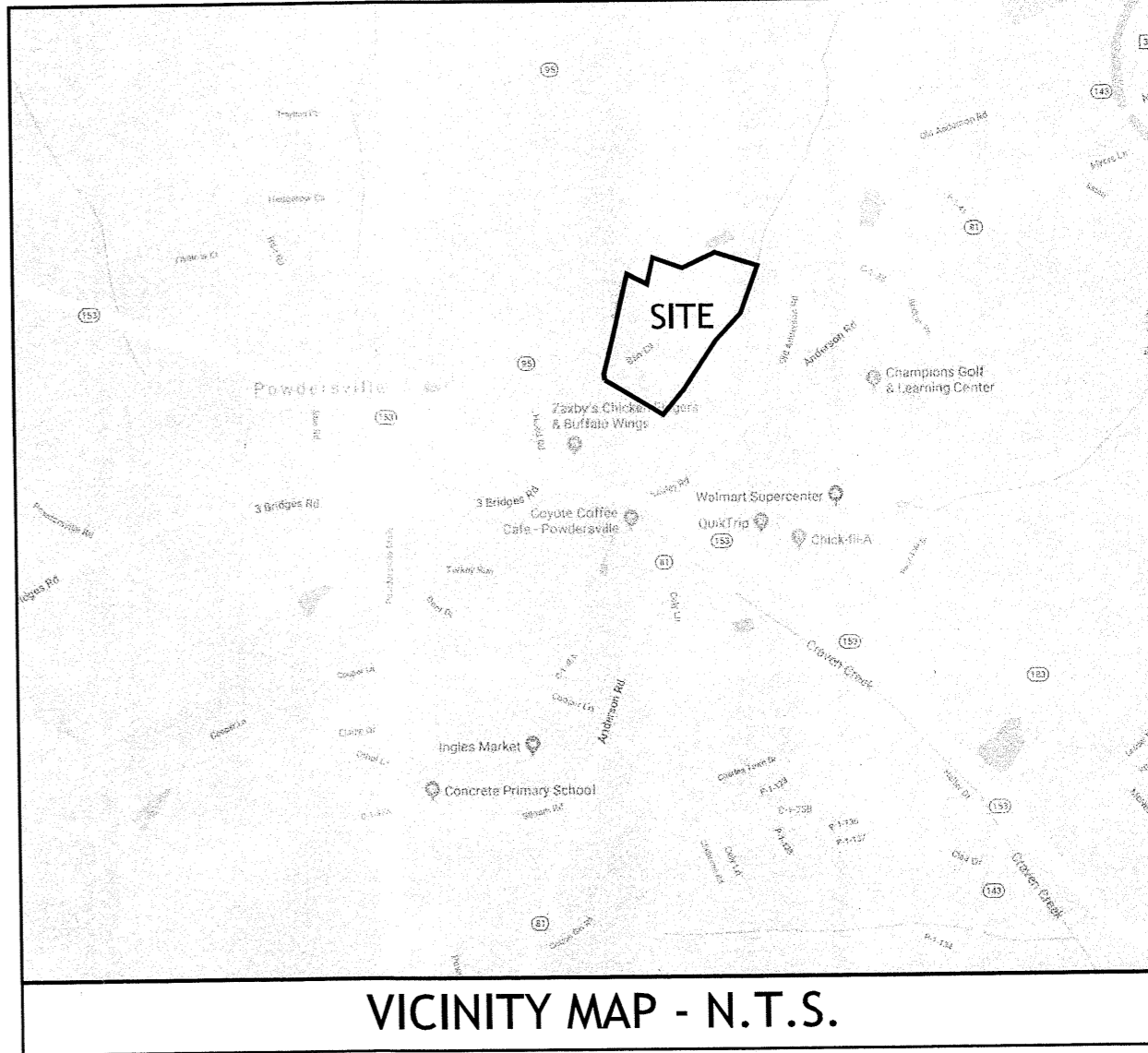
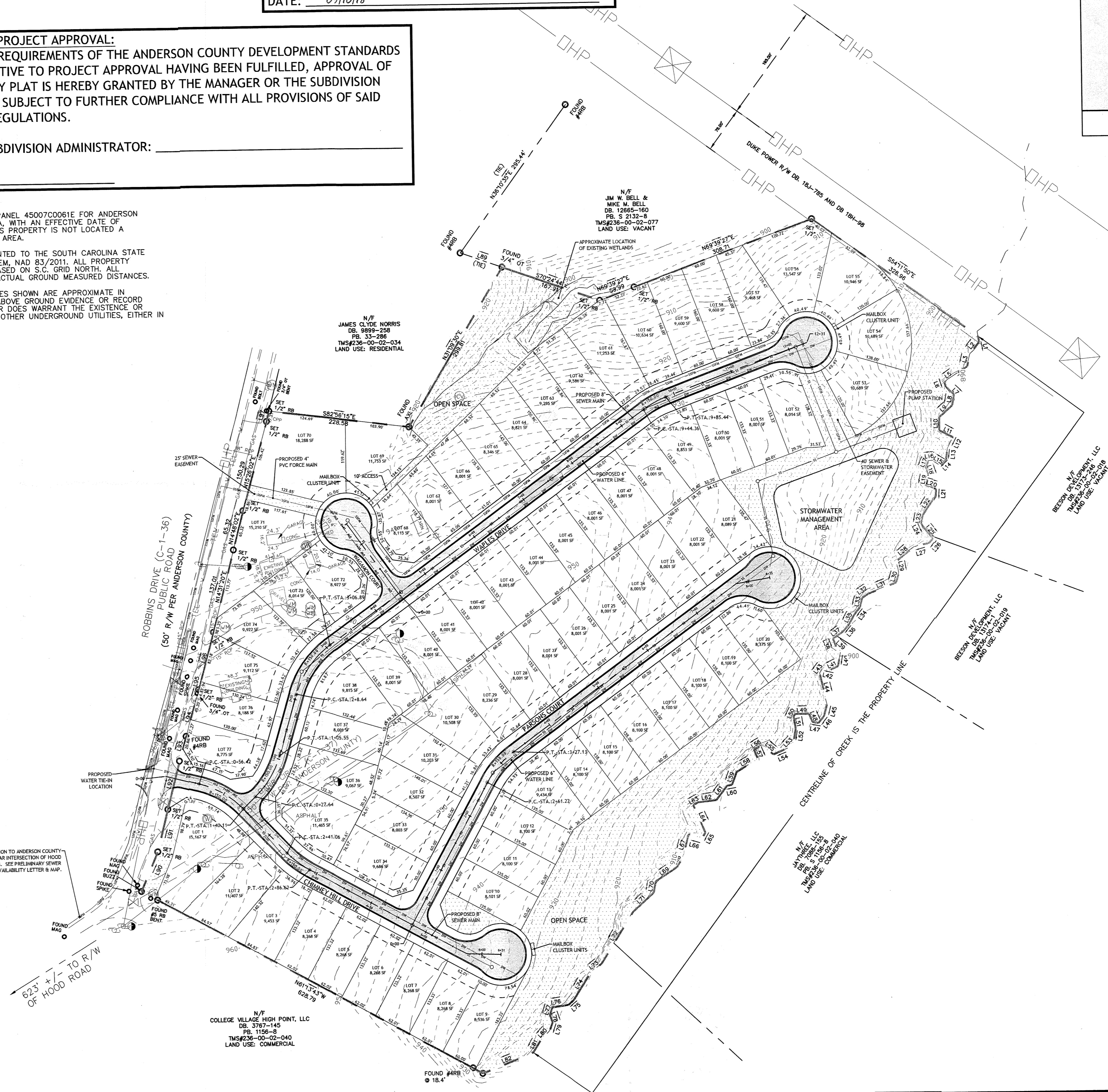
**TRAFFIC NOTE:**  
 CONTRACTOR SHALL INSTALL ALL TRAFFIC STRUCTURES, CALMING DEVICES, PEDESTRIAN MARKINGS, & TRAFFIC PAVEMENT MARKINGS PER THE MOST RECENTLY APPROVED SCDOT ARMS MANUAL AND U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION SPECIFICATIONS.

**R.O.W. NOTE:**  
 ALL WORK WITHIN THE EXISTING R.O.W. (BARR CIRCLE & ROBBINS DRIVE) SHALL BE DONE IN ACCORDANCE WITH APPROVED ENCROACHMENT PERMIT.

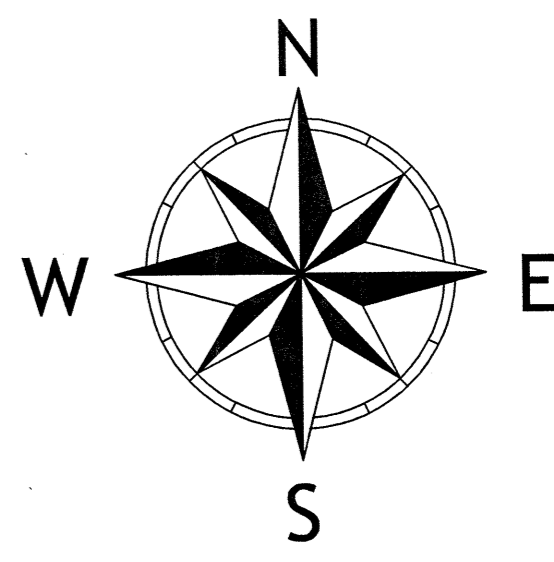
**CERTIFICATE OF PROJECT APPROVAL:**  
 ALL APPLICABLE REQUIREMENTS OF THE ANDERSON COUNTY DEVELOPMENT STANDARDS ORDINANCE RELATIVE TO PROJECT APPROVAL HAVING BEEN FULFILLED, APPROVAL OF THIS PRELIMINARY PLAT IS HEREBY GRANTED BY THE MANAGER OR THE SUBDIVISION ADMINISTRATOR, SUBJECT TO FURTHER COMPLIANCE WITH ALL PROVISIONS OF SAID DEVELOPMENT REGULATIONS.

MANAGER OR SUBDIVISION ADMINISTRATOR: \_\_\_\_\_  
 DATE: \_\_\_\_\_

- 1.) ACCORDING TO FIRM PANEL 45007C00016E FOR ANDERSON COUNTY, SOUTH CAROLINA, WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011, THIS PROPERTY IS NOT LOCATED A DESIGNATED FLOOD ZONE AREA.
- 2.) THIS SURVEY IS ORIENTED TO THE SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83/2011. ALL PROPERTY BEARINGS SHOWN ARE BASED ON S.C. GRID NORTH. ALL DISTANCES SHOWN ARE ACTUAL GROUND MEASURED DISTANCES.
- 3.) UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE IN LOCATION BASED UPON ABOVE GROUND EVIDENCE OR RECORD DRAWINGS. THE SURVEYOR DOES WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY OTHER UNDERGROUND UTILITIES, EITHER IN SERVICE OR ABANDONED.



LINE	LENGTH	BEARING
L1	9.54'	S09°46'42"E
L2	24.35'	S38°42'10"W
L3	20.69'	S13°25'14"W
L4	21.79'	S56°25'23"W
L5	23.15'	S44°32'05"W
L6	7.26'	S11°15'25"W
L7	17.82'	S45°32'22"E
L8	17.67'	S09°35'18"W
L9	28.43'	S48°12'30"W
L10	21.67'	S01°38'32"W
L11	24.77'	S62°21'25"E
L12	19.25'	S27°31'54"W
L13	18.83'	S07°28'33"W
L14	13.89'	S47°01'18"W
L15	13.68'	N56°51'51"W
L16	11.84'	S65°27'28"W
L17	11.83'	S20°35'28"W
L18	12.79'	S17°25'28"E
L19	18.88'	S12°00'41"W
L20	16.38'	S75°22'02"E
L21	11.53'	S03°11'08"W
L22	38.18'	S33°32'41"W
L23	13.05'	S12°13'50"W
L24	6.39'	S26°38'24"E
L25	24.87'	S39°12'01"E
L26	9.29'	S38°34'33"W
L27	26.13'	S73°35'27"W
L28	30.37'	S51°14'21"W
L29	19.35'	S09°58'11"E
L30	16.46'	S18°27'30"W
L31	48.85'	S68°47'08"W
L32	11.72'	S58°38'01"W
L33	15.61'	S12°28'14"W
L34	15.78'	S38°18'44"W
L35	17.81'	S29°00'30"W
L36	15.33'	S41°02'44"W
L37	19.71'	S54°27'15"W
L38	11.79'	S42°35'27"W
L39	11.58'	S40°48'55"E
L40	25.77'	S10°49'22"W
L41	17.43'	S82°13'30"W
L42	10.17'	N78°58'16"W
L43	7.20'	S37°42'27"W
L44	51.71'	S12°28'14"W
L45	19.35'	S14°48'14"W
L46	14.89'	S36°36'18"W
L47	9.89'	N23°02'30"W
L48	14.10'	N42°29'30"W
L49	22.84'	S80°02'12"W
L50	4.50'	S28°45'10"W
L51	19.61'	S08°44'30"E
L52	21.71'	S29°12'56"W
L53	14.00'	S43°41'00"W
L54	23.46'	S60°41'13"W
L55	24.22'	N49°17'25"W
L56	15.40'	S28°45'11"W
L57	18.55'	S22°42'24"E
L58	40.89'	S20°24'38"W
L59	22.15'	S20°38'23"W
L60	8.00'	S78°02'48"W
L61	26.78'	S37°45'11"W
L62	30.28'	S83°18'12"W
L63	12.85'	S18°48'18"W
L64	48.94'	S23°31'31"E
L65	10.63'	S30°18'34"W
L66	23.05'	S41°39'45"W
L67	38.40'	S14°09'14"W
L68	18.85'	S32°26'35"W
L69	41.22'	S47°38'53"W
L70	18.65'	S11°03'38"W
L71	48.32'	S47°38'53"W
L72	87.93'	S32°01'32"W
L73	24.73'	S82°21'57"W
L74	52.22'	S32°01'32"W
L75	12.87'	S50°09'08"W
L76	26.33'	S83°18'12"W
L77	12.85'	S18°48'18"W
L78	12.54'	S18°39'33"E
L79	14.33'	S18°46'30"W
L80	23.82'	S43°15'31"W
L81	22.80'	S31°34'45"W
L82	83.17'	S68°02'12"W
L83	49.85'	N02°36'53"E
L84	49.89'	N45°30'50"W
L85	25.54'	N69°25'23"W
L86	73.43'	N69°25'23"W
L87	50.68'	N32°24'48"W
L88	100.12'	S78°24'13"E
L89	71.67'	N70°25'31"W
L90	86.89'	N23°17'32"E
L91	70.80'	N14°32'40"E
L92	80.51'	N14°22'33"E
L93	41.48'	N15°56'10"E
L94	72.47'	N16°24'28"E
L95	4.82'	N19°24'28"E
L96	85.10'	N15°00'02"E
L97	17.21'	N14°18'54"E



**OWNER**  
 COMPANY: BEESON DEVELOPMENT LLC  
 ADDRESS: 2156 RIVER RD, PIEDMONT, SC 29673  
 PHONE: 864-704-4415  
 CONTACT: JOSEPH BEESON  
 EMAIL: BEESONDEVOPMENT@GMAIL.COM

**CIVIL ENGINEER**  
 COMPANY: BLUEWATER CIVIL DESIGN, LLC  
 ADDRESS: 718 LOWNDES HILL ROAD, GREENVILLE, SC 29607  
 PHONE: 864-735-5068  
 CONTACT: PAUL HARRISON, P.E.  
 EMAIL: PAUL@BLUEWATERCIVIL.COM

**SURVEYOR**  
 COMPANY: 3D LAND SURVEYING  
 ADDRESS: 10 CENTURY DRIVE, GREENVILLE, SC 29607  
 PHONE: 864-272-0274  
 CONTACT: JUSTIN RUPERT, P.L.S.  
 EMAIL: JUSTIN@3DLS.NET

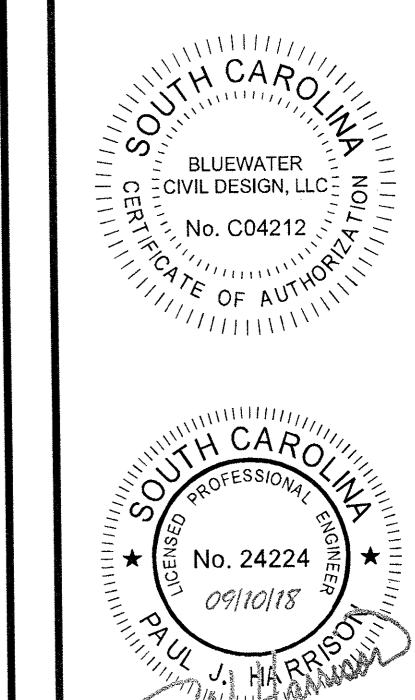
**LOT NOTE:**  
 ALL LOTS MAINTAIN A MINIMUM WIDTH OF 60' BETWEEN SIDE LOT LINES AT THE FRONT SETBACK LINE PER SECTION 38-371 OF THE LAND USE AND DEVELOPMENT STANDARDS.

Project Number: 2018-047  
 DWG Name: Chimney Hill PP.dwg  
 Drawing Scale: 1" = 100'  
 Date of Project: 08/2018  
 Engineer of Record:  
 Paul J. Harrison, P.E.  
 South Carolina PE# 2424  
 North Carolina PE# 038271

**bluewater civil design, llc**  
 bluewater civil design, llc  
 718 Lowndes Hill Road • Greenville, SC 29607  
 www.bluewatercivil.com • info@bluewatercivil.com

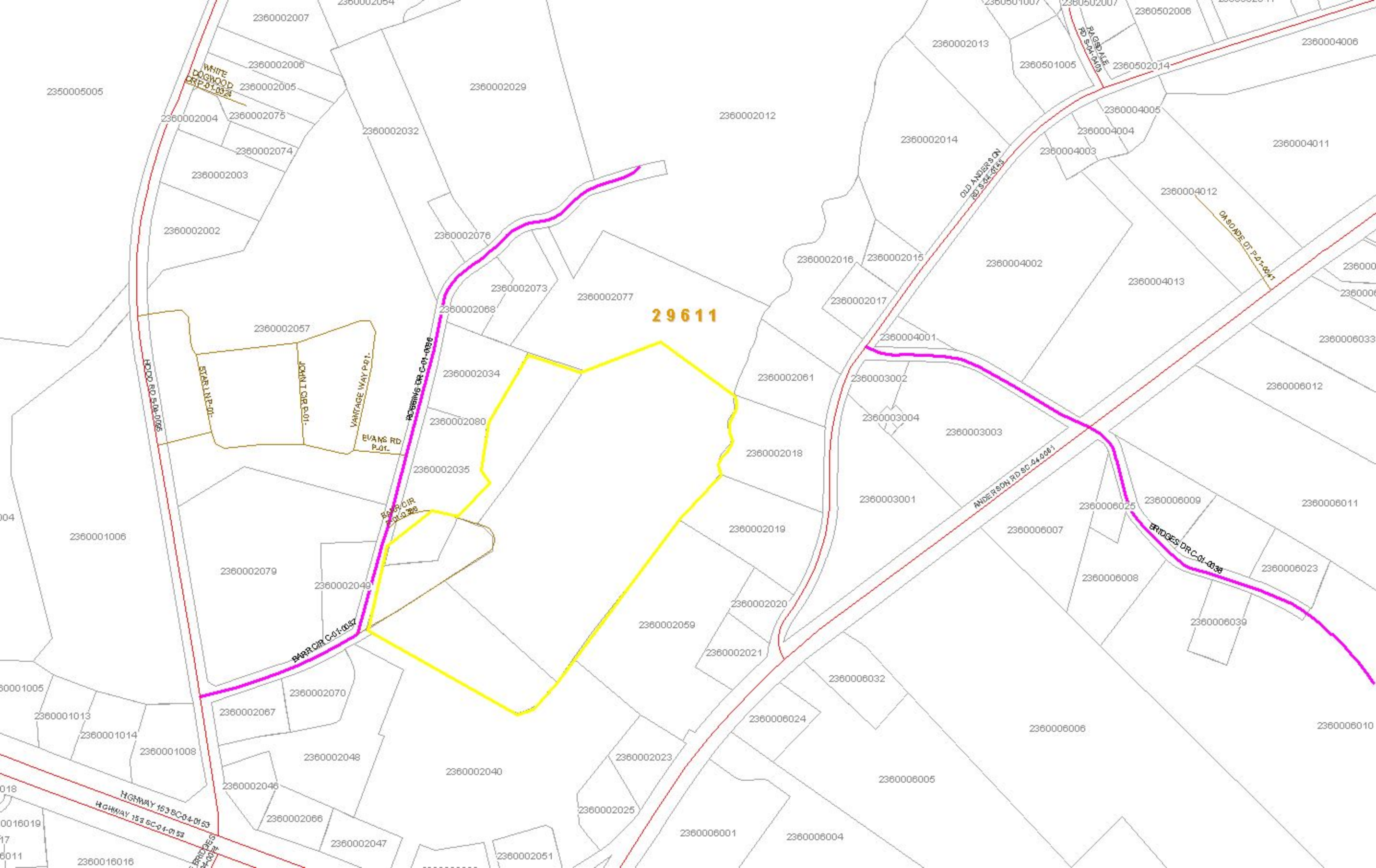
Certificates of Authorization:  
 SC 04212 - GA PEP005865  
 NC P0888 - AL CA4095E

**CHIMNEY HILL**  
 (SFR Subdivision - Preliminary)  
 Barr Circle & Robbins Drive  
 Powdersville, SC 29611



NO.	DATE	DESCRIPTION
A	02/09/2018	Issued Preliminary Plat
B	09/05/2018	Revised Preliminary Plat

PRELIMINARY PLAT  
**PP-1**



29611

WHITE DOGWOOD CDP-01-0324

STARLINE P.O.I.

JOHN I CIR P.O.I.

VANTAGE WAY P.O.I.

EVANS RD P.O.I.

BERRY CIR P.O.I.-0329

REARING DR C-01-0066

OLD ANDERSON RD SC-04-0034

ANDERSON RD SC-04-0061

BRIDGES DR C-01-0038

GASPAR DR P.O.I.-0041

Hwy 153 SC-04-0153  
Hwy 153 SC-04-0154

BRIDGES DR C-01-0038



STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF ANDERSON	)	TENTH JUDICIAL CIRCUIT
Beeson Development, LLC, and William Madison Golden, Jr.,	)	Civil Action No. 2018-CP-04-00764
	)	
Petitioners/Plaintiffs,	)	
	)	ORDER
vs.	)	Permanent Road Closure
	)	Non-Jury
County of Anderson, South Carolina,	)	
	)	
Respondent/Defendant.	)	
	)	

---

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure, the above-entitled road closure action was referred to me for the purpose of conducting a hearing on the same, taking testimony, determining all issues of fact and law, and entering a final judgment thereon. This matter is before me at a hearing on the merits of the Petition filed in this matter seeking the permanent closure of that portion of Bar Circle in the County of Anderson, South Carolina, described in the Petition.

A hearing was held before me on July 17, 2018, at 10:30 a.m., at the Anderson County Courthouse. Present were D. Sean Faulkner, Attorney for the Petitioners, and Joey Beeson on behalf of Petitioner Beeson Development, LLC. Joey Beeson testified on behalf of the Petitioners in this action.

From the testimony and evidence presented at the hearing and from the affidavits and any other pleadings in file with the Clerk of Court in this matter, I find that it is in the best interest of all parties involved and the general public that the portion of Barr Circle which is the subject of the Petition filed in this matter be perpetually closed and abandoned. Specifically, my findings

are as follows:

1. The real property (“Bar Circle”) which is the subject of this action is located in Anderson County, South Carolina, and is identified as follows:

The portion of Bar Circle to be closed hereunder extends 1044 feet from Barr Circle to Robbins Drive (C-01-0036) and extends through six parcels of property identified as Anderson County tax map numbers 236-00-02-026, 236-00-02-035, 236-00-02-037, 236-00-02-039, 236-00-02-078 and 236-00-02-080, as shown on map prepared by Anderson County Roads and Bridges Department on May 17, 2017, attached hereto and incorporated herein as **Exhibit A** (the “Map”), and all portions of Barr Circle along said route that may not conform to boundaries found on the recorded plats of record based upon imprecise measurements and other ambiguities of the metes and bounds for Barr Circle found in the land records for Anderson County, South Carolina, and the official records for the County of Anderson, South Carolina.

2. Bar Circle is located within the County of Anderson and is identified as a portion of Anderson County Road Number C-01-0037 on the records for Anderson County, South Carolina.

3. Petitioners own fee simple title to the real property which abuts each portion of Bar Circle to be closed hereunder. Petitioner Beeson Development, LLC owning Anderson County tax map parcels 236-00-02-026, 236-00-02-037, 236-00-02-039, 236-00-02-078 and 236-00-02-080, and Petitioner William Madison Golden, Jr., owning Anderson County tax map parcel number 236-00-02-035.

4. The Respondent County of Anderson is the governmental entity charged with maintaining the roads within the County of Anderson, South Carolina, which is a party to this action because it may claim, for the public, some right, title or interest in the portion of Barr Circle which is the subject of this action.

5. Petitioners have instituted this action in accordance with the procedures described in §57-9-10 through §57-9-40 of the South Carolina Code of Laws (1976, as amended) for the purpose of formally closing the portion of Anderson County Road C-01-0037 identified herein above, and establishing record title to the real property which underlies the portion of the Barr Circle to be abandoned and closed.

6. Petitioners have caused a Notice of Intent to File a Petition to be published once a week for three consecutive weeks in the Anderson Independent, a newspaper of general circulation published in Anderson County, South Carolina, as evidenced by the Affidavit of Publication on file with this Court.

7. Respondent County of Anderson has adopted Resolution No. 2018-021 expressing the consent of Anderson County to the judicial closure of that portion of Barr Circle described hereinabove, a copy of which is attached hereto as **Exhibit B**.

8. Respondent has caused signs with Notice of Pending Closure to be posted at each terminus of the portions of Barr Circle to be closed in compliance with the requirements of Regulation §63-1000, of the South Carolina Code of Laws (1976, as amended).

9. The closure of the portion of Barr Circle described above is appropriate and necessary to allow the productive development of the real property owned by Petitioners and will not adversely effect the ability of owners surrounding the portion of Barr Circle or the general public to have access to or travel upon other public roads located nearby or upon the remaining portion of Barr Circle which is to remain open.

10. The continued maintenance and operation of that portion of Barr Circle to be closed constitutes an unnecessary expense to the Respondent Anderson County and it is not in the best interest of the public for the road to continue to be maintained as a public road by Respondent Anderson County.

11. The portions of Barr Circle to be closed serve no public purpose in that it does not provide a quicker and more efficient route from Hood Road to Robinson Drive and is not used by school, fire or police traffic except as it pertains to the property of the Petitioners.

12. The best interest of all parties involved and the general public is for the portion of Barr Circle described hereinabove and shown on the Map be ordered closed and abandoned.

13. That fee simple title to those portions of Barr Circle described on **Exhibit C** attached hereto is and be vested in Petitioner Beeson Development, LLC, said Petitioner owning fee simple title to the property underlying said road bed by virtue of (i) Deed from J and E Holdings, LLC to Beeson Development, LLC, dated June 13, 2016, and recorded in Deed Book 12358, at Page 153, and (ii) Deed from Christopher G. Holliday to Beeson Development, LLC, dated March 16, 2017, recorded in Deed Book 12758, Page 159, and (iii) Deed from Blanche E. Pelfrey and Donna Sue Landreth to Beeson Development, LLC, dated October 7, 2016, recorded in Deed Book 12543, at Page 180.

14. That fee simple title to those portions of Barr Circle described on **Exhibit D** attached hereto is and be vested in Petitioner William Madison Golden, Jr., said Petitioner owning fee simple title to the property underlying said road bed by virtue of Deed from Andrea Barr White, as Personal Representative of the Estate of William Larry Barr, dated November 15, 2013, and recorded in Deed Book 11185, at Page 122.

15. Petitioners own the property abutting and underlying the boundaries of the portion of Barr Circle to be closed and abandoned as a paved open public street and therefore have complied with the notice requirements of §57-9-10 *et seq.* of the South Carolina Code of Laws (1976, as amended).

IT IS THEREFORE ORDERED, that the portions of Barr Circle described hereinabove on the Map be judicially closed and permanently abandoned as a paved open public street;

IT IS FURTHER ORDERED, that fee simple title to those portions of Barr Circle described on **Exhibit C** attached hereto is and be vested in Petitioner Beeson Development, LLC, who shall be entitled to the quiet and peaceful possession thereof, and that Petitioner William Madison Golden, Jr., Respondent, and all persons claiming under them, have no estate, right, title, lien, or interest in or to any part of it;

IT IS FURTHER ORDERED, that fee simple title to those portions of Barr Circle described on **Exhibit D** attached hereto is and be vested in Petitioner William Madison Golden, Jr., who shall be entitled to the quiet and peaceful possession thereof, and that Petitioner Beeson Development, LLC, Respondent, and all persons claiming under them, have no estate, right, title, lien, or interest in or to any part of it;

IT IS FURTHER ORDERED, that Petitioners and each Respondent, and all persons claiming under them, are enjoined from asserting any adverse claim to title to the property as established by this Order;

IT IS FURTHER ORDERED, that the office of the Register of Deeds for Anderson County be directed to record the Order issued by this Court in the records of said office, indexed in the Book of Deeds to real estate maintained in said office in the name of the Petitioners and

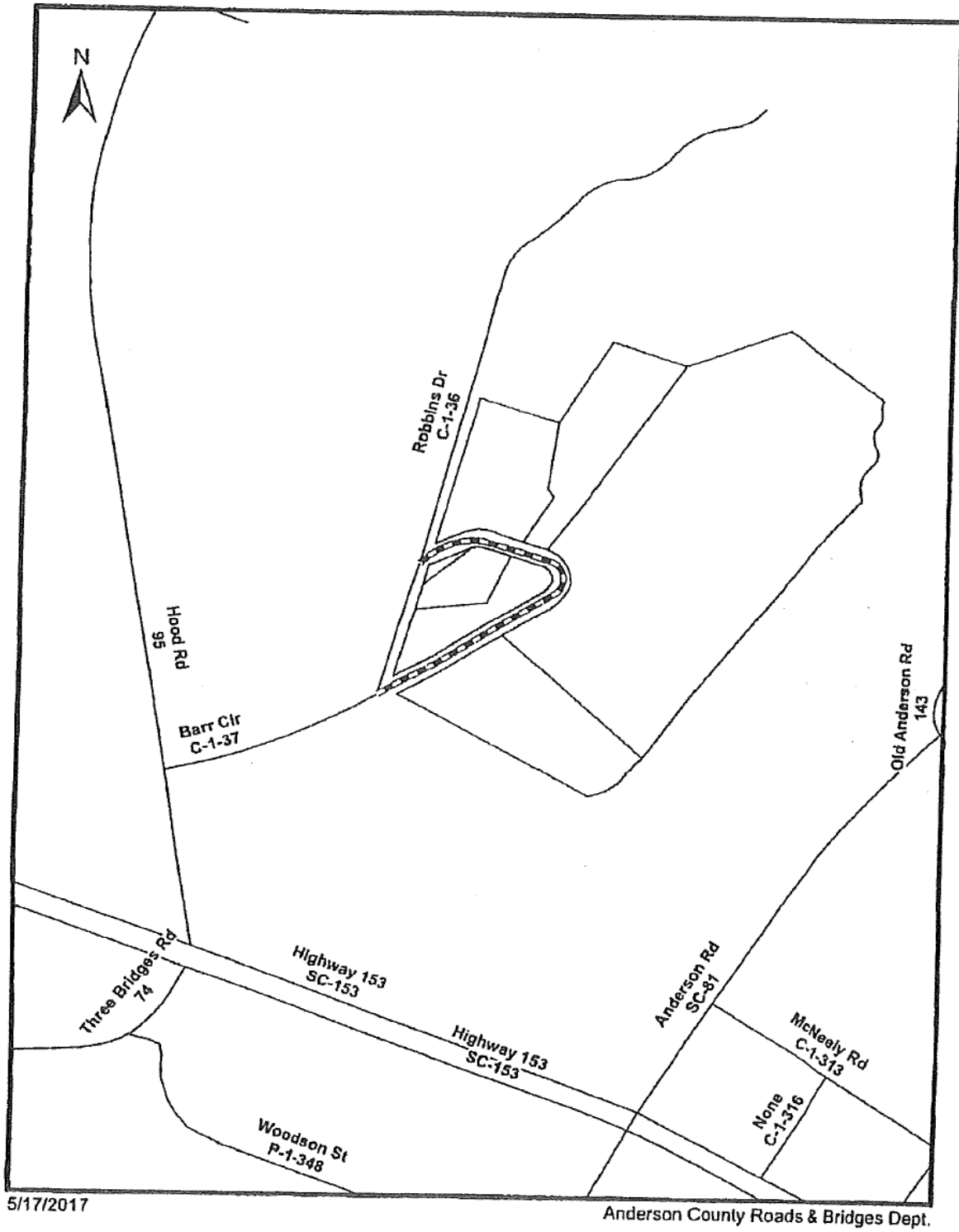
the Respondent in the Grantor Index and in the name of the Petitioners and the Respondent in the Grantee Index;

IT IS FURTHER ORDERED that upon filing of this Order, the Court will issue Master's Deeds confirming Petitioners' hold fee simple title in the property underlying those portions of Bar Circle closed hereunder as set forth hereinabove;

AND IT IS SO ORDERED.

[JUDGE'S ELECTRONIC SIGNATURE PAGE FOLLOWS]

Exhibit A



**Exhibit B**

**RESOLUTION R2018-021**

**A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON AND TO AUTHORIZE COUNTY CONSENT TO JUDICIAL ABANDONMENT AND CLOSURE OF A PORTION OF BARR CIRCLE DESIGNATED AS C-01-0037; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Barr Circle (the "Road") is currently an asphalt Anderson County (the "County") public road, designated as Anderson County Road C-01-0037 and,

**WHEREAS**, the Road extends 1044 feet from Barr Circle to Robbins Drive, C-01-0036 and exists on six parcels of property identified as Anderson County tax map numbers 236-00-02-026, 236-00-02-035, 236-00-02-037, 236-00-02-039, 236-00-02-078, 236-00-02-080, all of which have common ownership, as shown on the map prepared by Anderson County Roads and Bridges Department on May 17, 2017 attached hereto as **Exhibit A** and incorporated herein by reference;

**WHEREAS**, the property owners (hereinafter collective the "Petitioners") have requested that the County abandon said Road for future development. The Petition is attached hereto as **Exhibit B** and incorporated herein by reference;

**WHEREAS**, the County has complied with all of its Ordinances and Regulations pertaining to cessation of County maintenance and County consent to judicial abandonment and closure of County public roads, in the case of the above referenced Road;

**WHEREAS**, none of the procedures undertaken by the County have revealed or reflected a need for said Road to remain under County maintenance or to remain a public road, and the County staff have recommended that the County consent to the requested abandonment and judicial closure;

**WHEREAS**, Anderson County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the "County Council") desires to express its intent to cease County maintenance on, and to authorize County consent to judicial abandonment and closure of the Road;

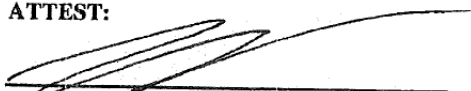
**NOW, THEREFORE**, be it resolved by Anderson County Council in meeting duly assembled that:

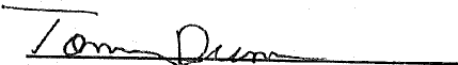
1. Anderson County, acting by and through its County Council, consents to the judicial abandonment and closure of a portion of Barr Circle (C-01-0037), as shown on Exhibit A, by the property owners.
2. In the event Barr Circle is closed by a Judicial Order, the county shall immediately cease all maintenance of this Road.

3. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.
4. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.
5. This resolution shall take effect and be in force immediately upon enactment.

**RESOLVED** this 20th day of March, 2018, in meeting duly assembled.

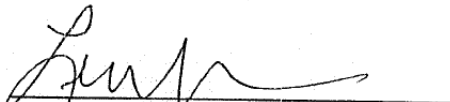
**ATTEST:**

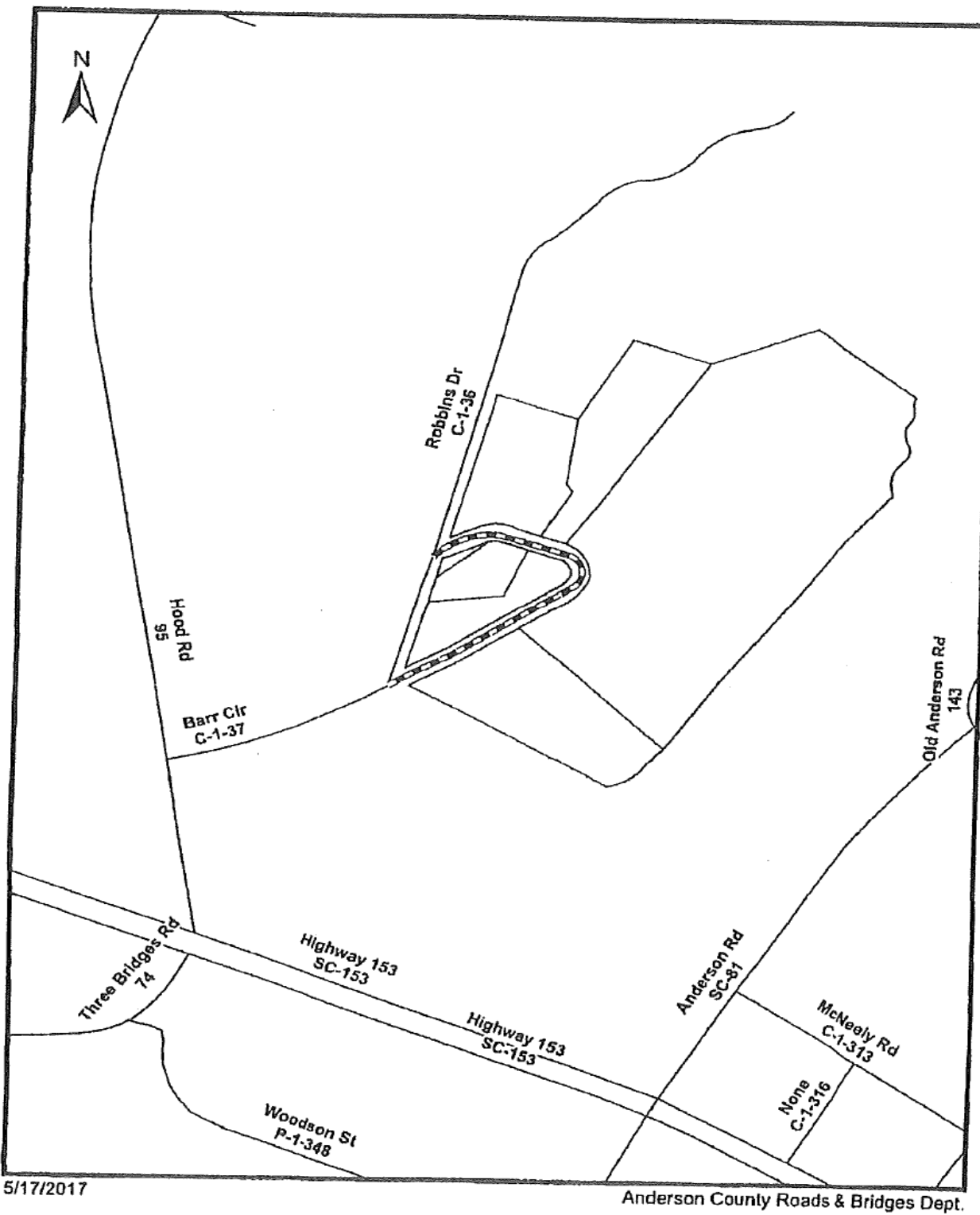
  
\_\_\_\_\_  
Rusty Burns  
Anderson County Administrator

  
\_\_\_\_\_  
Tommy Dunn, Chairman

  
\_\_\_\_\_  
Lacey A. Croegaert  
Clerk to County Council

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Leon C. Harmon  
County Attorney



### **Exhibit C**

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as being those portions of Tract "P-1" located within the right-of-way of Barr Circle on plat entitled "Boundary Survey of Two Parcels of Land (23.84 acres) Located on Barr Circle, Designated as Tract P-1 and P-2 Surveyed at the request of Christopher G. Holiday" prepared by Glenn Surveyors, LLC, dated October 5, 2014, and recorded in Plat Book 2132, at Page 8 in the Office of the Register of Deeds for Anderson County, South Carolina.

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as being those portions of Tract "P-2" located within the right-of-way of Barr Circle on plat entitled "Boundary Survey of Two Parcels of Land (23.84 acres) Located on Barr Circle, Designated as Tract P-1 and P-2 Surveyed at the request of Christopher G. Holiday" prepared by Glenn Surveyors, LLC, dated October 5, 2014, and recorded in Plat Book 2132, at Page 8 in the Office of the Register of Deeds for Anderson County, South Carolina.

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as those portion of "Lot P-1" being located within the right-of-way of Barr Circle on plat entitled "Boundary Survey of Three Parcels of Record Located on Barr Circle, Designated as Lots "P-1", "P-2", "A & B" Surveyed at the request of Christopher Holiday" prepared by Glenn Surveyors, LLC, dated February 25, 2017, and recorded in Plat Book 2348, at Page 5 in the Office of the Register of Deeds for Anderson County, South Carolina.

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as those portion of "Lot P-2" being located within the right-of-way of Barr Circle on plat entitled "Boundary Survey of Three Parcels of Record Located on Barr Circle, Designated as Lots "P-1", "P-2", "A & B" Surveyed at the request of Christopher Holiday" prepared by Glenn Surveyors, LLC, dated February 25, 2017, and recorded in Plat Book 2348, at Page 5 in the Office of the Register of Deeds for Anderson County, South Carolina.

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as those portion of "Lot A & B" being located within the right-of-way of Barr Circle on plat entitled "Boundary Survey of Three Parcels of Record Located on Barr Circle, Designated as Lots "P-1", "P-2", "A & B" Surveyed at the request of Christopher Holiday" prepared by Glenn Surveyors, LLC, dated February 25, 2017, and recorded in Plat Book 2348, at Page 5 in the Office of the Register of Deeds for Anderson County, South Carolina.

DERIVATION: Deeds to Beeson Development, LLC from (i) J and E Holdings, LLC, dated June 13, 2016, and recorded in Deed Book 12358, at Page 153, and (ii) Christopher G.

Holliday, dated March 16, 2017, recorded in Deed Book 12758, Page 159, and (iii) from Blanche E. Pelfrey and Donna Sue Landreth, dated October 7, 2016, recorded in Deed Book 12543, at Page 180.

TMS: 236-00-02-026, 236-00-02-037, 236-00-02-039, 236-00-02-078 and 236-00-02-080

**Exhibit D**

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Anderson, Brushy Creek Township, shown as being those portions of a 2.351 acre tract located within the right-of-way of Barr Circle on plat entitled "Survey for William M. Golden" prepared by Ray Dunn Land Surveyor, dated November 14, 2013, and recorded in Plat Book 2059, at Page 1 in the Office of the Register of Deeds for Anderson County, South Carolina.

DERIVATION: Deed to William Madison Golden, Jr. from Andrea Barr White, as Personal Representative of the Estate of William Larry Barr, dated November 15, 2013, and recorded in Deed Book 11185, at Page 122.

TMS: 236-00-02-035-000



236-00-02-026, 236-00-02-035, 236-00-02-037, 236-00-02-039, 236-00-02-078 and 236-00-02-080

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**  
**E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.**

\_\_\_\_\_  
**Circuit Court Judge**

\_\_\_\_\_  
**Judge Code**

\_\_\_\_\_  
**Date**

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
D. Sean Faulkner

\_\_\_\_\_  
Leon C. Harmon

\_\_\_\_\_  
**ATTORNEY(S) FOR THE PLAINTIFF(S)**

\_\_\_\_\_  
**ATTORNEY(S) FOR THE DEFENDANT(S)**

\_\_\_\_\_  
**CLERK OF COURT**

**Court Reporter:**

**E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.**



Anderson Common Pleas

**Case Caption:** Beeson Development, Llc , plaintiff, et al VS County Of Anderson, South Carolina

**Case Number:** 2018CP0400764

**Type:** Master/Order/Other

And it is so ordered

s/ Steven C. Kirven, Master in Equity, #3081