

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, October 12, 2004
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-359-8103 -- FAX 803-359-8101

3:30 p.m. - 3:45 p.m. - Planning and Administration

- (1) Request by the Atlantic Housing Foundation, Inc. to Refinance Stoney Creek Apartment Complex - Mr. Ray E. Jones, Esquire - Parker Poe Adams & Bernstein LLP **A**
- (2) Old Business/New Business
- (3) Adjournment

3:45 p.m. - 4:15 p.m. - Economic Development

- (1) Community & Economic Development - Tammy Coghill, Director
 - (a) Project Frame
 - (b) Abatement Requests
- (2) Old Business/New Business
- (3) Adjournment

Planning & Administration

B. Rucker, Chairman
J. Jeffcoat, V Chairman
J. Carrigg, Jr.
B. Derrick
T. Cullum
S. Davis

Economic Development

J. Jeffcoat, Chairman
B. Rucker, V Chairman
B. Derrick
J. Carrigg, Jr.
T. Cullum
S. Davis

A G E N D A
LEXINGTON COUNTY COUNCIL
Tuesday, October 12, 2004
Second Floor - Council Chambers - County Administration Building
212 South Lake Drive, Lexington, South Carolina 29072
Telephone - 803-359-8103 FAX - 803-359-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation
Pledge of Allegiance

Yard Machine - 3 in 1 Chipper/Shredder/Vacuum - Presented by Ms. Mary Pat Baldaus,
Executive Director of Keep the Midlands Beautiful

Employee Recognition - Art Brooks, County Administrator

Appointments B

Bids/Purchases/RFPs

- (1) Alarm System Monitoring and Maintenance - County Wide C**
- (2) Eight (8) Workstations - Solicitor's Office D**

Chairman's Report

- (1) Assistant Solicitor for Drug Court - The Honorable Donnie Myers, Solicitor, Eleventh
Judicial Circuit**

Administrator's Report

Budget Amendment Resolutions

Approval of Minutes - Meeting of September 20, 2004 E

Ordinance

- (1) Ordinance 04-02 - Conveyance of Approximately 40 Acres of Real Estate From the County of Lexington to the Lexington County Recreation and Aging Commission (Red Bank) - 3rd and Final Reading **F**

Economic Development Project - Pella Corporation

- (1) Resolution Authorizing an Inducement and Millage Rate Agreement Between Pella Corporation and Lexington County **G**
- (2) Ordinance 04-08 - Authorizing the Execution and Delivery of a Fee Agreement by and Between Lexington County, South Carolina, and Pella Corporation Providing for Payment of a Fee in Lieu of Taxes - 1st Reading **H**
- (3) Ordinance 04-09 - An Ordinance to Amend an Agreement Relating to the Joint County Industrial and Business Park of Lexington and Calhoun Counties - 1st Reading **I**

Committee Reports

Planning & Administration, B. Rucker, Chairman

- (1) Zoning Map Amendment M04-03 - 234 St. Andrews Road, Columbia, SC 29210 - 2nd Reading **J**

Public Works, B. Derrick, Chairman

- (1) "C" Fund Economic Development Request - Public Works **K**

Presentation

- (1) Mr. Clabie Edmond, 333 Brodie Road, Batesburg/Leesville, SC 29070 - Disposal of Residential and Commercial Waste

6:00 P.M. - Public Hearing

- (1) Zoning Map Amendment M04-05 - 1675 Lake Murray Blvd., Columbia, SC 29210 **L**

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

RESOLUTION

**AUTHORIZING THE EXECUTION AND DELIVERY OF AN
INTERLOCAL AGREEMENT WITH THE CAPITAL TRUST
AGENCY AND OTHER MATTERS RELATED THERETO.**

Incident to the adoption of this Resolution, the County Council of Lexington County, South Carolina (the "County Council"), the governing body of Lexington County, South Carolina (the "County"), has made the following findings:

WHEREAS, the Atlantic Housing Foundation, Inc. (the "Company") represents it is a non-profit corporation that has been formed for the purpose, among other things, of promoting affordable housing by acquiring, constructing, furnishing, equipping, owning and operating housing facilities; and

WHEREAS, the Company owns and operates a housing facility within the County (the "Facility"), as identified on Exhibit A hereto; and

WHEREAS, the Company also owns similar housing facilities in other South Carolina counties, the State of Texas and the State of Florida (collectively, the "Properties"); and

WHEREAS, the Company is seeking to refinance the Properties at a lower interest rate by pooling them and using the aggregate revenues to secure revenue bonds (the "Bonds") to be issued by the Capital Trust Agency, a public agency organized under the laws of the State of Florida (the "Issuer"); and

WHEREAS, because the Facility is located within the jurisdiction of the County, the Issuer is seeking the County's acknowledgement and approval of its issuance of the Bonds, the proceeds of which will be used in part to refinance the Facility; and

WHEREAS, the Issuer has requested that the County's acknowledgement and approval be evidenced by its execution and delivery of the attached Interlocal Agreement (the "Agreement") between the County and the Issuer (see Exhibit B); and

WHEREAS, under the terms of the Agreement it is clearly stated that the Bonds are obligations solely of the Issuer and do not constitute an indebtedness, an obligation, or a loan of the credit of the County. Furthermore, the Bonds do not create a moral obligation on the part of the County with respect to the payment thereof; and

WHEREAS, it is in keeping with the County's corporate powers to promote the availability of affordable housing for its citizens.

NOW THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. The Chair of the County Council and the County Administrator are hereby authorized and directed to execute the Agreement, the form of which is attached hereto, in the name of and on behalf of the County, subject to the approval of any revisions thereto by the County Administrator and the County Attorney, which revisions shall be deemed approved upon Chair's execution of the Agreement, and the Clerk of the County Council is hereby authorized and directed to attest the same; and the Chair is hereby further authorized and directed to deliver said executed Agreement to the Company.

Section 2. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This Resolution shall take effect and be in full force from and after its passage by the County Council.

Done in a meeting duly assembled this ____ day of _____ 2004

LEXINGTON COUNTY, SOUTH CAROLINA

Chairman of County Council,
Lexington County, South Carolina

ATTEST

Clerk to County Council,
Lexington County, South Carolina

Exhibit A

Description of Facility

Stoney Creek Apartments
18 Berryhill Road
Columbia, SC 29210

Exhibit B
Form of Interlocal Agreement

INTERLOCAL AGREEMENT

This AGREEMENT made and entered into this ___ day of _____, 2004, by and between the CAPITAL TRUST AGENCY, a legal entity duly created under Chapters 163, Part I and 617, Florida Statutes (hereinafter referred to as the "*Issuer*"), and Lexington County, South Carolina a body politic and corporate existing under the law of the State of South Carolina (hereinafter referred to as the "*Local Government*");

WITNESSETH:

WHEREAS, the Issuer is a public agency of the State of Florida, organized and existing under the provisions of Chapter 163, Part I, and Chapter 159, Part II, Florida Statutes, Ordinance 5-97 of the City of Gulf Breeze, Florida, and other applicable provisions of law (collectively the "*Act*"), and is empowered pursuant to the Act to issue revenue bonds for the purpose of providing funds to pay all or any part of the cost of any project (as defined in the Act); and

WHEREAS, Atlantic Housing Foundation, Inc. (the "*Company*"), a nonprofit corporation qualified to do business in Florida and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "*Code*") and exempt from federal income tax under Section 501(a) of the Code, has been formed for the purpose, among other things, of promoting affordable housing by acquiring, constructing, furnishing, equipping, owning and operating housing facilities, has requested that the Issuer issue its revenue bonds in one or more series and loan the proceeds of such bonds to the Company for the purpose of financing housing facilities, as described on Schedule I attached hereto (the "*Local Project*") within the jurisdiction of the Local Government and

WHEREAS, the Local Project is located within the jurisdiction of the Local Government and is intended to provide decent, safe, and sanitary housing at affordable prices for residents of the Local Government in furtherance of the public and corporate purposes of the Local Government; and

WHEREAS, the Company can realize economies of scale in having the Issuer finance the Local Project along with other Projects of the Company located in other jurisdictions, and the utilization of a single Issuer will decrease burdens upon administrative resources of other issuers located in the State of South Carolina and other states; and

WHEREAS, the Issuer intends to issue not exceeding \$540,000,000 Capital Trust Agency, Revenue Bonds, Series 2004 (Atlantic Housing Foundation Project) (the "*2004 Bonds*") from time to time in one or more series to provide the financing requested by the Company for the Local Project; and

NOW THEREFORE, the parties agree as follows:

Section 1. 2004 Bonds. The Local Government hereby acknowledges (i) that the Issuer intends to issue and apply sufficient proceeds of the 2004 Bonds from time to time for the purpose of financing the Local Project by making funds available to the Company for the Local

Project, (ii) that the Local Government is not considering nor does it intend to consider financing the Local Project through the issuance of bonds by the Local Government and (iii) that the financing of the Local Project by the Issuer will further the corporate and public purposes of the Local Government.

THE 2004 BONDS ARE OBLIGATIONS SOLELY OF THE ISSUER AND DO NOT CONSTITUTE AN INDEBTEDNESS, AN OBLIGATION, OR A LOAN OF THE CREDIT OF THE LOCAL GOVERNMENT. FURTHERMORE, THE BONDS DO NOT CREATE A MORAL OBLIGATION ON THE PART OF THE LOCAL GOVERNMENT WITH RESPECT TO PAYMENT OF THE 2004 BONDS.

Furthermore, it is expressly understood and agreed that neither the Local Government nor any of its directors, officers, employees or agents are acting as fiduciary or agent of the Issuer or any other party, and neither the Local Government nor any of its directors, officers, employees or agents shall be liable or responsible for (a) the payment of any amounts owing on or with respect to the 2004 Bonds; (b) the use or application by the trustee of any funds or earnings payable to the trustee under the financing documents; (c) any acts or omissions of the trustee with respect to the 2004 Bonds or under the indenture or any other document or agreement relating to the 2004 Bonds (collectively, the "*Bond Documents*"); (d) the validity or enforceability of the 2004 Bonds or any of the Bond Documents; and (e) the trustee's performance of its obligations under any of the Bond Documents. Without limiting the foregoing, the Local Government shall have no duty to comply with the terms of any of the Bond Documents or to ascertain whether the trustee is in compliance therewith.

Section 2. Administration. The Issuer hereby assumes responsibility for administering the financing of the Local Project by and through its employees, agents and officers; *provided, however,* that the Local Government retains and reserves its right to require reasonable reporting on programs operated within its jurisdiction. The Issuer and its agents shall provide the Local Government with such reports as may be necessary to account for funds generated by the Local Project, upon written request.

The Issuer shall have full authority and responsibility to negotiate, define, validate, market, sell, issue and deliver its 2004 Bonds, based upon the amounts required for the financing of the Local Project, and to take such other action as may be necessary or convenient to accomplish such purpose.

The issuance and administration costs and expenses related to the 2004 Bonds issued to finance the Local Project and administration of such program shall be paid from proceeds of the 2004 Bonds and revenues generated from the loan program.

Section 3. Reimbursement of Local Government. The fees and expenses of the Local Government, if any, shall be paid by the Company in the manner and to the extent mutually agreed upon by the officials of the Local Government and the Company at or prior to issuance of the 2004 Bonds.

Section 4. Term. This Agreement will remain in full force and effect from the date of its execution until such time as it is terminated by any party upon ten (10) days written notice to

the other party hereto. Notwithstanding the foregoing, it is agreed that this Agreement may not be terminated by the Local Government or by any party during any period that any 2004 Bonds issued pursuant to the terms hereof remain outstanding (or a purchase contract for such 2004 Bonds is in effect), or during any period in which the proceeds of such 2004 Bonds are still in the possession of the Issuer, the Company or its agents pending distribution, unless either (i) the parties to this Agreement mutually agree in writing to the terms of such termination or (ii) such termination, by its terms, only applies prospectively to the authorization to issue the 2004 Bonds and for which no purchase contract has been entered into.

Section 5. Indemnity. To the full extent permitted by law, the Issuer agrees to hold the Local Government harmless from any and all liability, including payment of all applicable costs and reasonable attorneys fees, pursuant to its involvement with the financing and/or operation of the Local Project, including but not limited to the repayment of principal of and interest or penalty on the 2004 Bonds, and the members and officials of the Local Government harmless from any and all liability, including payment of all applicable costs and reasonable attorneys fees, in connection with the approval rendered pursuant to applicable federal and Florida laws. The Issuer agrees that any offering, circular or official statement approved by and used in marketing the 2004 Bonds will include a statement to the effect that Bondowners may not look to the Local Government for payment of the 2004 Bonds and interest or premium thereon.

Section 6. No Joint Venture. This Agreement shall not constitute, create or in any way be interpreted as a joint venture, partnership or formal business organization of any kind. The parties shall perform activities under this Agreement only as independent contracts, and nothing contained in this Agreement shall be construed to be inconsistent with this relationship or status. Under no circumstances shall any personnel of either party be considered to be any employee or agent of the other party. Nothing in this Agreement shall be interpreted as granting either party the right or authority to make commitments of any kind for the other, implied or otherwise, without prior review and written agreement by the other party.

Section 7. Limited Liability. The 2004 Bonds, and all obligations of the Issuer undertaken in connection therewith, are limited and special obligations of the Issuer, and shall be payable solely from the revenues provided therefor under the loan program.

IN WITNESS WHEREOF, the parties to this Agreement have caused their names to be affixed hereto by the proper officers thereof as of the _____ day of _____, 2004.

CAPITAL TRUST AGENCY, the Issuer

By
Name: _____
Its: Chairman

ATTEST:

By _____
Name: _____
Its: _____

LEXINGTON COUNTY, SOUTH CAROLINA, the
Local Government

By
Name: _____
Its: _____

ATTEST:

By _____
Name: _____
Its: _____

LOCAL PROJECT

Stoney Creek Apartments
18 Berryhill Road
Columbia, SC 29210

A P P O I N T M E N T S - B O A R D S & C O M M I S S I O N S

October 12, 2004

BRUCE RUCKER

Assessment Appeals Board - Charles L. Goodwin - Term expired 9/21/04 - Eligible for reappointment

BILLY DERRICK

Board of Zoning Appeals - Ronnie E. Garner - Term expires 12/31/04 - Not eligible for reappointment

SMOKEY DAVIS

Assessment Appeals Board - James S. Cleckler - Term expired 9/21/04 - Eligible for reappointment

BOBBY KEISLER

Assessment Appeals Board - Barry Clonts - Term expired 9/21/04 - Eligible for reappointment,
however does not attend meetings

Museum Commission - Deborah J. Senn - Term expires 11/1/04 - Eligible for reappointment

JOHNNY JEFFCOAT

Planning Commission - Eddie Wilder - Term expired 8/26/04 - Eligible for reappointment

JOHN CARRIGG

Accommodations Tax Board - Vacant (Resigned) - Term expires 12/31/06

Children's Shelter - Vacant - Term expired 6/30/01

Library Board - Vacant (Resigned) - Term expires 9/26/07

JOE OWENS

Accommodations Tax Board - Vacant (Resigned) - Term expires 12/31/06

Museum Commission - Toni L. Greer - Term expires 11/01/04 - Eligible for reappointment

Board of Zoning Appeals - Robert N. Senn - Term expires 12/31/04 - Not eligible for reappointment

TODD CULLUM

Accommodations Tax Board - Vacant - Term expired 12/31/03

Assessment Appeals Board - Bill Power - Term expired 9/21/04 - Eligible for reappointment

Children's Shelter - Vacant - Term expired 6/30/03

Museum Commission - Carol R. Metts - Term expires 11/1/04 - Eligible for reappointment

BUILDING CODE BOARD OF APPEALS

Building - E. D. Sturkie - Term expired 8/13/04 - Not eligible for reappointment

Plumbing - Vacant - Term expired 08/13/03

Member at Large (new)

CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS

Melanie P. Ellerbe - At Large - Terms expired 06/15/04 - Eligible for reappointment

LEXINGTON/RICHLAND ALCOHOL & DRUG ABUSE COUNCIL

At-Large Appointments

Anida P. Mims - Vacant - Term expired 12/31/03 - Eligible for reappointment

Fred Steppe - Term expires 12/31/04 - Eligible for reappointment

William L. Rawl, Jr. - Term expires 12/31/04 - Not eligible for reappointment

TEMPORARY SIGN AND PERMITTING COMMITTEE

Vacant - District 7

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8319

(F) 359-2240

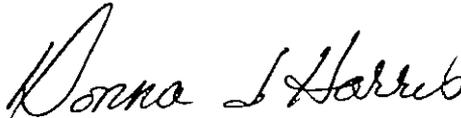
DATE: October 1, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Alarm System Monitoring and Maintenance - County Wide
BID NO. C05001-09/21/04H

Competitive bids were solicited and advertised for a term contract for Alarm System Monitoring and Maintenance for the County.

We received four (4) bids (see attached bid tabulation). Bids were evaluated by Ray Disher, Building Services Manager and Donna J. Harris, Procurement Officer. It is recommended that the award be made to Lowman Communications as the lowest bidder meeting specifications. The cost of this service is based on actual equipment to be serviced for a period of one (1) year. The annual value of this contract is \$11,358.90 including applicable sales tax. The term of the contract is for three (3) years making the initial value of this contract \$34,076.70.

It is our recommendation to award this term contract for the initial period of three (3) years with the option to extend the contract for two (2) additional one year periods if deemed to be in the best interest of the County.

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on October 12, 2004.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Ray Disher, Building Services Manager

COUNTY OF LEXINGTON

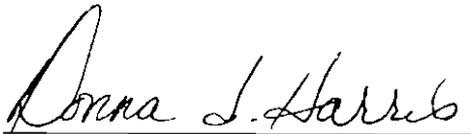
BID TABULATION SHEET

ALARM SYSTEM MONITORING AND MAINTENANCE C05001-09/21/04H

DATE: October 1, 2004

BIDDER	ANNUAL COST
Lowman Communications	\$10,818.00
Simplex Grinnell	\$65,625.00
ADT Security	\$76,658.00
Delta Systems	\$156,375.00

Bid opened: September 21, 2004 @ 3:00 p.m.



Donna J. Harris, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 359-8385

(F) 359-2240

DATE: October 1, 2004

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: (8) Workstations
Solicitor's Office

Competitive telephone bids were solicited for the purchase and installation of eight (8) workstations for the Solicitor's Office. We received three (3) bids (see attached bid tabulation). The bids were evaluated by Dayton Riddle, Deputy Solicitor and Janice Bell, Procurement Officer.

Currently there are twelve (12) Assistant Solicitors assigned to General Sessions Court and one (1) Assistant Solicitor assigned to Family Court. These attorneys are supported by 2.75 secretaries, no paralegals, no law clerks and no runners. The Solicitor's Office is in the process of hiring seven (7) paralegals. These workstations are required for these employees. We recommend award to Office Panel Systems as the low bidder meeting specifications. The total amount of this purchase is \$6,919.50 including applicable sales tax.

Funds are appropriated in the following account:

1000-141200-5A5118 (8) Cubicles Installed

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on October 12, 2004.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Donnie Myers, Solicitor
Dayton Riddle, Deputy Solicitor

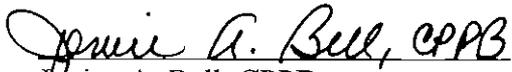
COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: October 1, 2004

WORKSTATIONS

BIDDER	(8) Workstations
Office Panel Systems	(1) \$990.00 each and (7) \$800.00 each/ \$6,590.00
McWaters, Inc.	\$995.00 each/ \$7,960.00
Lorick Office Products	\$1,958.00 each/ \$15,664.00



Janice A. Bell, CPPB
Procurement Officer

Minutes are left out intentionally until approved by Lexington County Council. Upon Council's approval, the minutes will be available on the internet.

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 04-02

AN ORDINANCE APPROVING THE CONVEYANCE OF REAL ESTATE FROM THE COUNTY OF LEXINGTON TO THE LEXINGTON COUNTY RECREATION AND AGING COMMISSION.

WHEREAS, the County of Lexington (hereinafter "the County") owns a tract of land consisting of forty and thirty-hundredths (40.30) acres, more or less, located on Buck Corley Road and Nazareth Road in the County of Lexington and shown as Tract A on a Plat prepared by Donald H. Rumbaugh, P.L.S., dated June 9, 2004, and attached hereto as Exhibit B; and

WHEREAS, the Lexington County Recreation and Aging Commission has previously deeded three (3) acres of property located on Oak Drive to the County of Lexington, where the County has built a Magistrate's Office; and

WHEREAS, in return for the conveyance of the three (3) acres, the Lexington County Recreation and Aging Commission has requested that the County deed the forty and thirty-hundredths (40.30) acres set forth herein to the Lexington County Recreation and Aging Commission; and

WHEREAS, the County of Lexington has completed its use of the existing forty and thirty-hundredths (40.30) acre tract which was used as a borrow pit for purposes of mining clay for use in various County projects; and

WHEREAS, the County has no current need for the forty and thirty-hundredths (40.30) acre tract; and

WHEREAS, the County finds that it would serve a proper public purpose to provide the forty and thirty-hundredths (40.30) acre tract to the Lexington County Recreation and Aging Commission;

NOW, THEREFORE, be it ordained and enacted by the Lexington County Council as follows:

Section 1. The Lexington County Council hereby approves the Deed attached hereto and the conveyance of the subject property to the Lexington County Recreation and Aging Commission.

Section 2. The Chairman of the Lexington County Council is hereby authorized and directed to execute and deliver the Deed in substantially the form attached hereto as Exhibit A and shall include any changes that are approved by the Chairman after consulting with the County Attorney and to further execute any and all other appropriate documents for the conveyance of such property.

Enacted this _____ day of _____, 2004.

George H. Davis, Chairman

ATTEST:

Dorothy K. Black, Clerk

First Reading: _____

Second Reading: _____

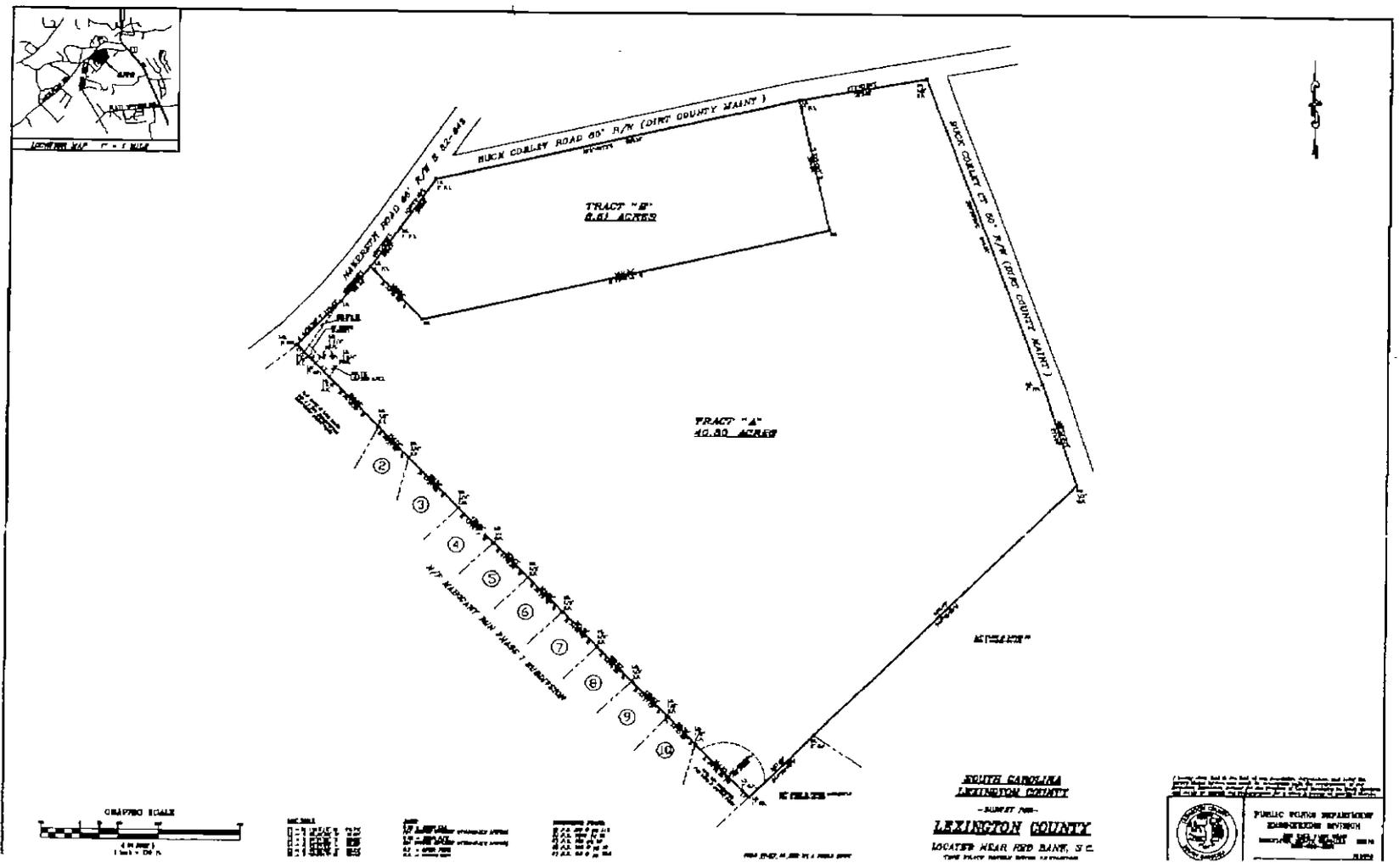
Public Hearing: _____

Third & Final Reading: _____

Filed w/Clerk of Court: _____

Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT B



On the advice from the County Attorney, this section has been omitted.

On the advice from the County Attorney, this section has been omitted.

On the advice from the County Attorney, this section has been omitted.

COMMITTEE REPORT

RE: Zoning Map Amendment M04-03

DATE: September 30, 2004

COMMITTEE: Planning & Administration

MAJORITY REPORT: Yes

The Planning and Administration Committee convened on Tuesday, September 28, 2004 to discuss Zoning Map Amendment M04-03. The applicant, Jack Parker, requested that 234 St. Andrews Road, Columbia, SC be reclassified from Low Density Residential (R1) to Neighborhood Commercial (C1) in order to improve marketability.

A public hearing was held on August 24, 2004, at which time a number of residents and property owners expressed their opposition to the request.

The Planning Commission considered the application on September 16, 2004 and recommended that it be denied.

It is the recommendation of the Planning and Administration Committee that based on all the information submitted that Zoning Map Amendment M04-03 be denied.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M04 - 03

Address and/or description of property for which the amendment is requested:

234 St. Andrews Road, Columbia, S. C. 29210 TMS #2822-03-001

Zoning classifications: R-1 (current) C-1 (proposed)

Reason for the request (use the back of this application form if necessary):

I have had several inquires about using my house for an office and because of the R-1 zoning I am unable to sell or rent the house for this type of use. I am request this change to improve marketability.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 5-25-04

Signature [Handwritten Signature]

(x) Owner?
() Agent?

Name(print) Jack Parker

Telephone # 331-6028

Address 1216 Old Road

Chapin, S.C. 29036

- 1. 5/25/04 Application Received
2. 5/25/04 Fee Received
3. 8/5/04 Newspaper Advertisement

- 4. 8/2/04 Property Posted
5. 7/30/04 Notices Sent

9/16/04 Planning Commission Recommendation: RECOMMEND DENIAL

VOTE: 6 yes / 0-NO

7/27/04 First Reading 8/24/04 Public Hearing / / Second Reading / / Third Reading

Results:

STAFF SUMMARY

ZONING MAP AMENDMENT #M04-03

Description of the Amendment: This map amendment request is for a change in zoning classification from “Low Density Residential (R1)” to “Neighborhood Commercial (C1)”. The applicant has had several inquiries regarding using the property for commercial office use and is requesting the change to improve marketability.

Character of the Area: There is a mix of commercial and residential property use in the immediate area. The subject property is bordered on the north by St. Andrews Road, on the east by The Clusters of Whitehall shopping center, the south by single family residential and on the west by single family residential. There is a bank, medical & office buildings and an apartment complex in the immediate area along St. Andrews Road. The property is approximately 1/3 acre.

Zoning History: This property is in the Seven Oaks Planning Area zoned in 1971. A request for a change from C1 to C2 for what is now know as the Clusters of Whitehall was approved in 1997.

In 1986 a request for change in zoning from R1 to C1 was denied for the subject property as well as several other parcels in the immediate area. The amendment was tabled by County Council until deed restrictions could be cleared up. Whitehall’s deed restrictions do not allow any commercial use on this property. Should Council approve the rezoning, commercial use would still be prohibited based on the current Whitehall deed restrictions.

The proposed change in zoning for the Dutch Fork/Seven Oaks Planning Areas would leave this parcel zoned as R1(Low Density Residential).

Council District: Seven - Councilman John W. Carrigg, Jr.

Attachments: Location Map
 Political Boundaries Maps
 Restrictive Covenants - Whitehall
 Permitted Uses by District

COUNTY OF LEXINGTON, SOUTH CAROLINA
Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

Memorandum

DATE: June 8, 2004
TO: File
FROM: Joyce Munsch 
REF: Map Amendment #M04-03

Spoke with applicant, Jack Parker, regarding deed restrictions on TMS# 2822-03-001. Even though he is aware of such restrictions he wanted to proceed with Map Amendment request #M04-03. I advised him that until there was a modification of Whitehall deed restrictions allowing commercial activity on his property he could not sell or lease his property for commercial use even if the amendment request were approved. He indicated his understanding of the issue and verified that he could still lease his property for residential use.

LAW OFFICES
ROBERT C. CLAWSON

441 Western Lane
Irmo, South Carolina
29063

August 17, 2004

Telephone
(803) 749-5880

Please Reply To:
P.O. Box 477
Irmo, S.C. 29063

Zoning Office
Dept. of Community & Economic Development
212 South Lake Drive
Lexington, South Carolina 292072

Re: 234 ST. ANDREWS ROAD
TMS: 2899-03-001
04.49

Dear Sir or Madam,

I represent Michael J. Mungo of 201 St. Andrews Road, and he has asked that I reply on his behalf with respect to the request by Jack Parker to change the zoning classification of the above from "Low Density Residential (R1)" to "Neighborhood Commercial (C1)."

My client respectfully asserts that such a change in zoning would be inappropriate because, in addition to zoning, the subject property is encumbered by RESTRICTIVE COVENANTS, a copy of which is enclosed herein for your convenient reference. I direct your attention to paragraph 2 which says in part that, "No use shall be made of the property, or of any right or privilege appurtenant thereto, other than for private residential purposes of a single family."

I also direct your attention to paragraph 8 which says in part that, "No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood."

Obviously, a change in zoning for this property to Neighborhood Commercial, with a subsequent change in use, would violate paragraph 2 referenced above. Additionally, because the subject property and my client's property are both in the Whitehall Community, use of the subject property as Neighborhood Commercial would be an annoyance or nuisance to the very residents the Restrictions were intended to protect.

Further, a change in zoning would only encourage the above mentioned violations, and the public policy of the County should not be to facilitate violation of private Restrictive Covenants.

For these reasons my client respectfully urges the Zoning Office to dismiss the application for this re-zoning for lack of merit, and should this matter go to public hearing, we ask that the issues raised in this letter be brought to the attention of the Planning Commission and County Council.

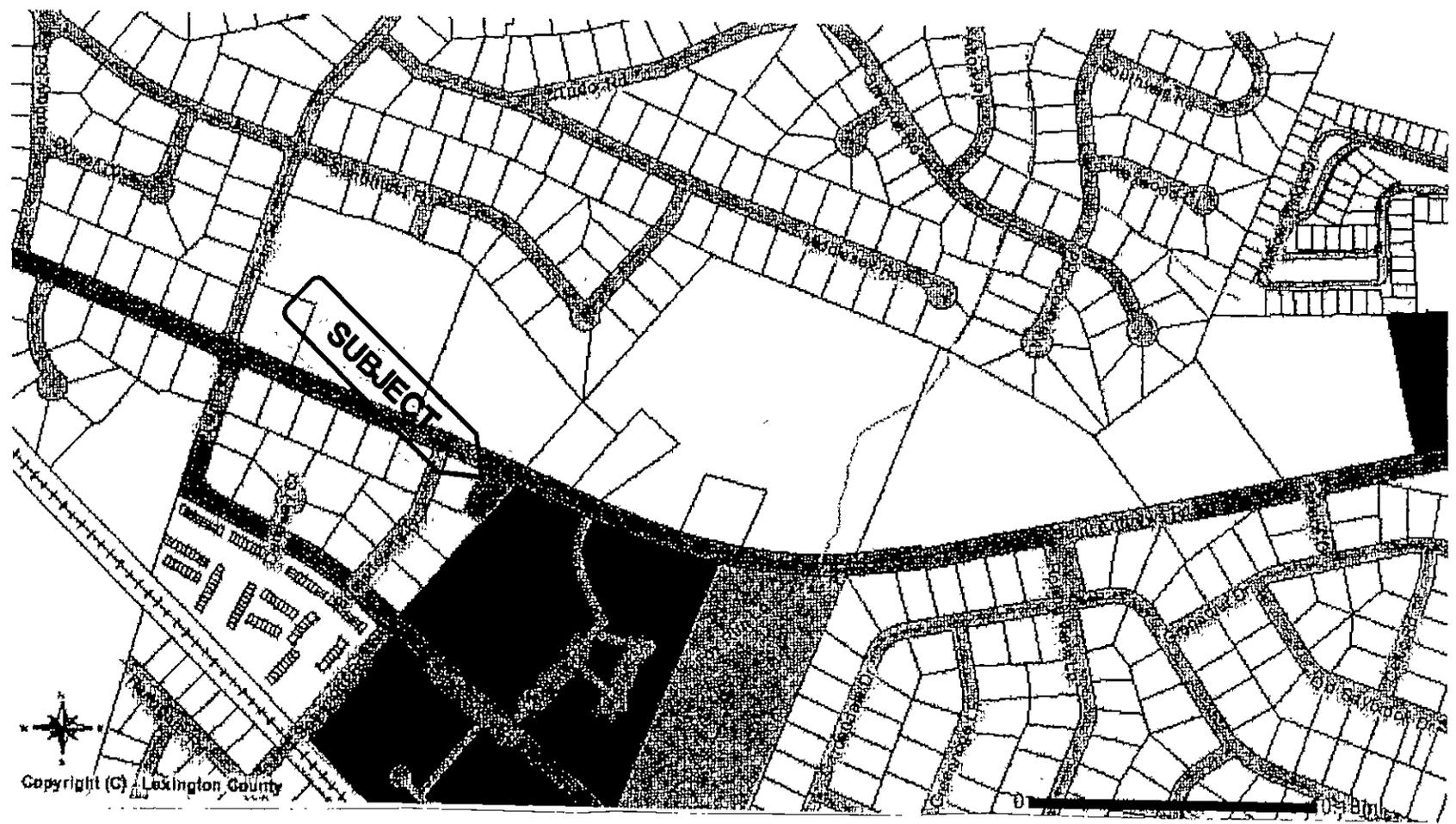
I am

Sincerely Yours

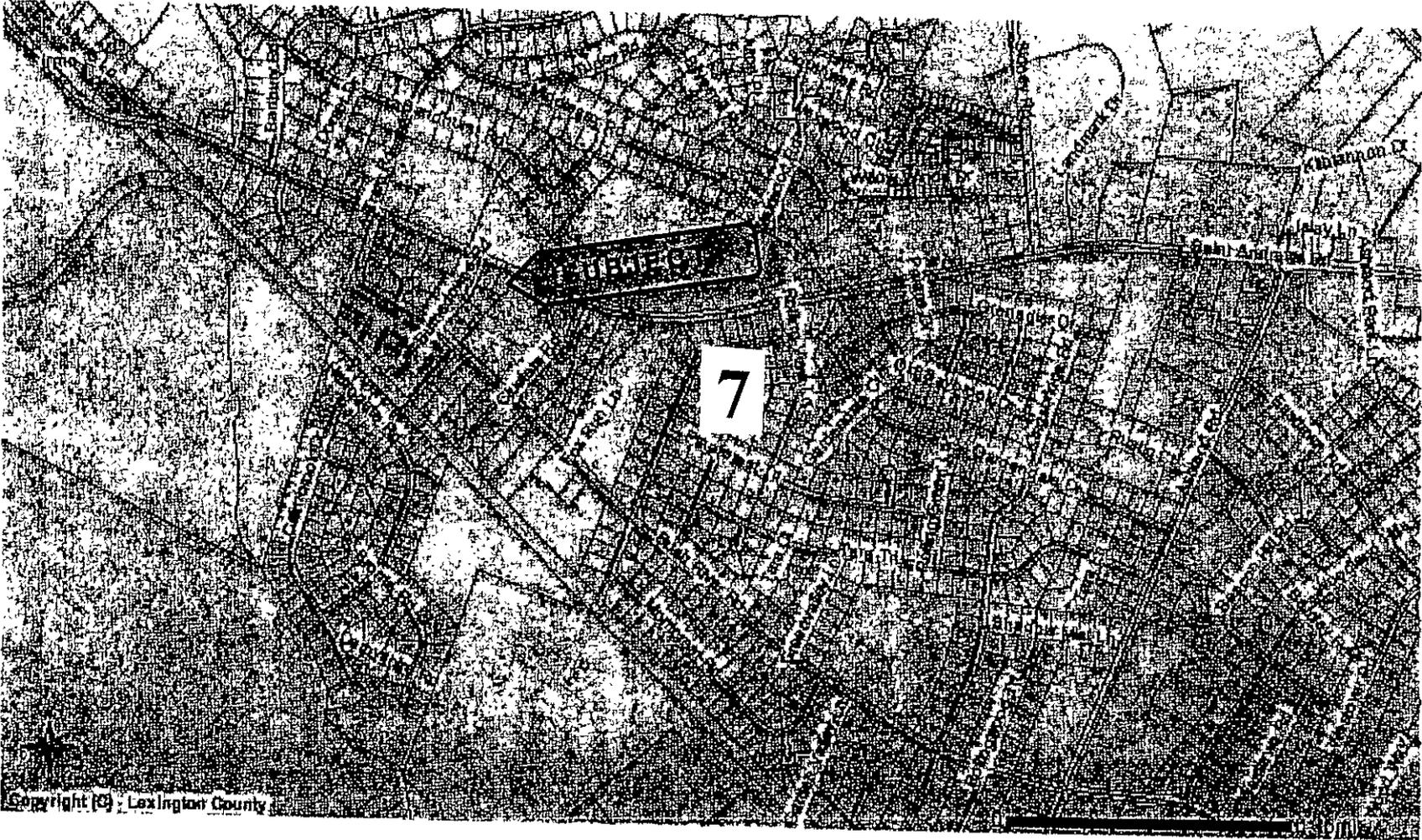


Handwritten signature of Robert C. Clawson, consisting of stylized initials 'RC' followed by a long horizontal stroke.

ROBERT C. CLAWSON



MAP AMENDMENT #M04-03



COUNTY COUNCIL DISTRICT MAP

For modification of restrictions, see R.E. Deed Bk. 16-9, Page 74 15/6
For Amendment to Restrictive Covenants, see R.E. Deed Bk. 15-7, Page 279, 15-1
For Partial Release & Modification of Restrictions relative to the within
See Deed Bk. 382, Page 305, 5/29
For Release & Alteration of Restrictions, see Deed Bk. 449, page 303
For Release of Restrictions, see Deed Bk. 789, page 328, 4/10/61

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
RESTRICTIVE COVENANTS
WHITEHALL PLAZA 10 08 AM '60

WHEREAS, Michael J. Mungo, is the owner of a certain tract of land Northwest of the City of Columbia, South Carolina, in Lexington County; said tract being shown and delineated on a plat of suggested subdivision, property of Michael J. Mungo, prepared by William Wingfield, Registered Surveyor, dated September 25, 1959 recorded in the office of the Clerk of Court for Lexington County in Plat Book 476 at page 65.

WHEREAS, for the purpose of protecting said tract of land as a residential development, the undersigned desires to impose certain restrictive covenants upon said tract.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Michael J. Mungo, hereby declares certain conditions and restrictions upon the aforesaid tract, as follows:

1. These restrictions shall apply to all lots in the subdivision as shown on said plat.
2. No structure shall be erected on any of said lots other than one simple family dwelling and attached or detached garage or carport of similar design. No use shall be made of the property, or of any right or privilege appurtenant thereto, other than for private residential purposes of a single family. No building, fence or other structure of any kind shall be erected or placed on any of the lots on the above tract until the building plans, specifications, design and plat plan showing the location of such building, fence or structure on the lot in question have been approved by Michael J. Mungo or a person or persons designated by him, in writing as to conformity in size, type and quality, and as to harmony of design with proposed or existing structures in the area, and as to location of the building, fence or structure with respect to topography and ground elevation; also, all plans for landscaping any lot in question has to be approved in writing by Michael J. Mungo, or a person or persons designated by him.
3. No dwelling shall be erected on any lot having less than 2200 square feet of floor space on the lake front lots and 2000 square feet of floor space on other lots excluding carports and garages.
4. No building shall be located nearer than fifty (50) feet to any front lot line. No building shall be located on any lot nearer than 10 feet to any interior lot line. No dwelling shall be located on any interior lot nearer than 35 feet to the rear lot line. Provided, however, that a garage or outbuilding located on the rear half of a lot maybe located not closer than 5 feet to the property line. For the purposes of this covenant, eaves and steps shall not be considered as a part of a building, provided, however, that this shall not be constructed to permit any portion of a building on a lot to encroach upon another lot.
5. No dwelling shall be erected or placed on any lot having a width of less than 100 feet at the minimum set back line, nor shall any dwelling be erected or placed on any lot having an area of less than 15,000 square feet.
6. No lot maybe subdivided without the written consent of Michael J. Mungo, or a person or persons designated by him.
7. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
- 7a. That no docks or rafts or walkways or other structures be built or put into any of the lakes without the written consent of Michael J. Mungo, his heirs or assigns.

GEORGE W. ALLY
ATTORNEY AT LAW
COLUMBIA, S. C.

17/60
36.421 Pg. 212, 19/6
163 page 244, 4/5
at pg. 488 page 172, 3/6
41 page 172, 3/6
For Amendment to Restrictive Covenants see R.E. Deed Bk. 16-9, Page 74 15/6
For Amendment to Restrictive Covenants, see R.E. Deed Bk. 15-7, Page 279, 15-1
For release of restrictions on to date 4, Part of 13 pg. 4, see R.E. Deed Bk. 17-10, Page 314
For release of restrictions relative to within, see R.E. Deed Bk. 17-9, Page 377

For Release & Modification of Restrictions relative to the within, see Deed Bk. 571, Page 213, 10/61

For Release & Mod/R. see Deed Bk. 914 Pg. 134

7b. That Michael J. Mungo, his heirs and assigns, reserve the right to withdraw water from the lakes for purposes of watering shubbrey along dams or for other purposes so long as such withdrawal does not seriously interfere with the rights and privileges of the persons owning lots adjacent to the lake. 229

8. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No hogs, goats, poultry, cows, or horses which shall constitute a nuisance or cause unsanitary conditions, or any undesirable situation to any neighboring property shall be maintained on any lot.

9. An easement is reserved unto the undersigned herein over 5 feet along each side line of each lot and over the front 5 feet and rear 10 feet of each lot for utility installations, utility rights of way and maintenance thereof.

10. All sewerage disposal shall be by septic tank, meeting approval of the State Board of Health, until such time as municipal sewage is made available.

11. No lot or any part of a lot can be used as a street without the written consent of Michael J. Mungo or his heirs or assigns.

12. No billboards or signs shall be erected on any lot or posted on any buildings thereon except "For Sale" or "For Rent" signs may be placed thereon, provided that their size shall not exceed 2" x 3".

13. That no one shall have the right to alter the physical structure of any portion of the lakes or dams.

14. That no boats with motors are to be allowed in any of the lakes.

15. That no pollution of lakes is to be allowed.

16. That no water shall be withdrawn from the lakes without the written consent of Michael J. Mungo, his heirs or assigns.

17. Property owner around lake must maintain their property in keeping with the neighborhood.

18. That there shall be no discharging of guns or other firearms on the lake or surrounding border lands.

19. That there shall be no commercialization of fishing rights or privileges.

20. All lot owners are required to open a trench for telephone cable to their house from their lot line and to back fill same.

21. Michael J. Mungo, his heirs or assigns, reserves the right to change the restrictions contained in Paragraph Numbered 4, for the unintentional violation of same, but such change shall not exceed fifteen (15%) of such marginal requirements or building line restrictions.

22. Invalidation of anyone of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

In witness whereof, Michael J. Mungo has set his hand and seal this

Michael J. Mungo
Michael J. Mungo

Witnesses:
George I. Alley
George I. Alley

Nancy A. Alley
Nancy A. Alley

GEORGE I. ALLEY
ATTORNEY AT LAW
COLUMBIA, S. C.

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and five of this Ordinance.
- b. The provisions of Chapters 2, 3, and four of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

- Extremely Hazardous Materials as regulated by Article 3
- Mining Operations as regulated by Article 8
- Mobile Home Parks as regulated by Article 7
- Sexually Oriented Businesses as regulated by Article 9

21.31 Chart of Permitted Activities by District

Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Planning Appeals as outlined in Article 11 of this Ordinance.

R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
			XX	XX	XX				XX	XX	Animal Raising
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Child or Adult Day Care
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Churches
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)

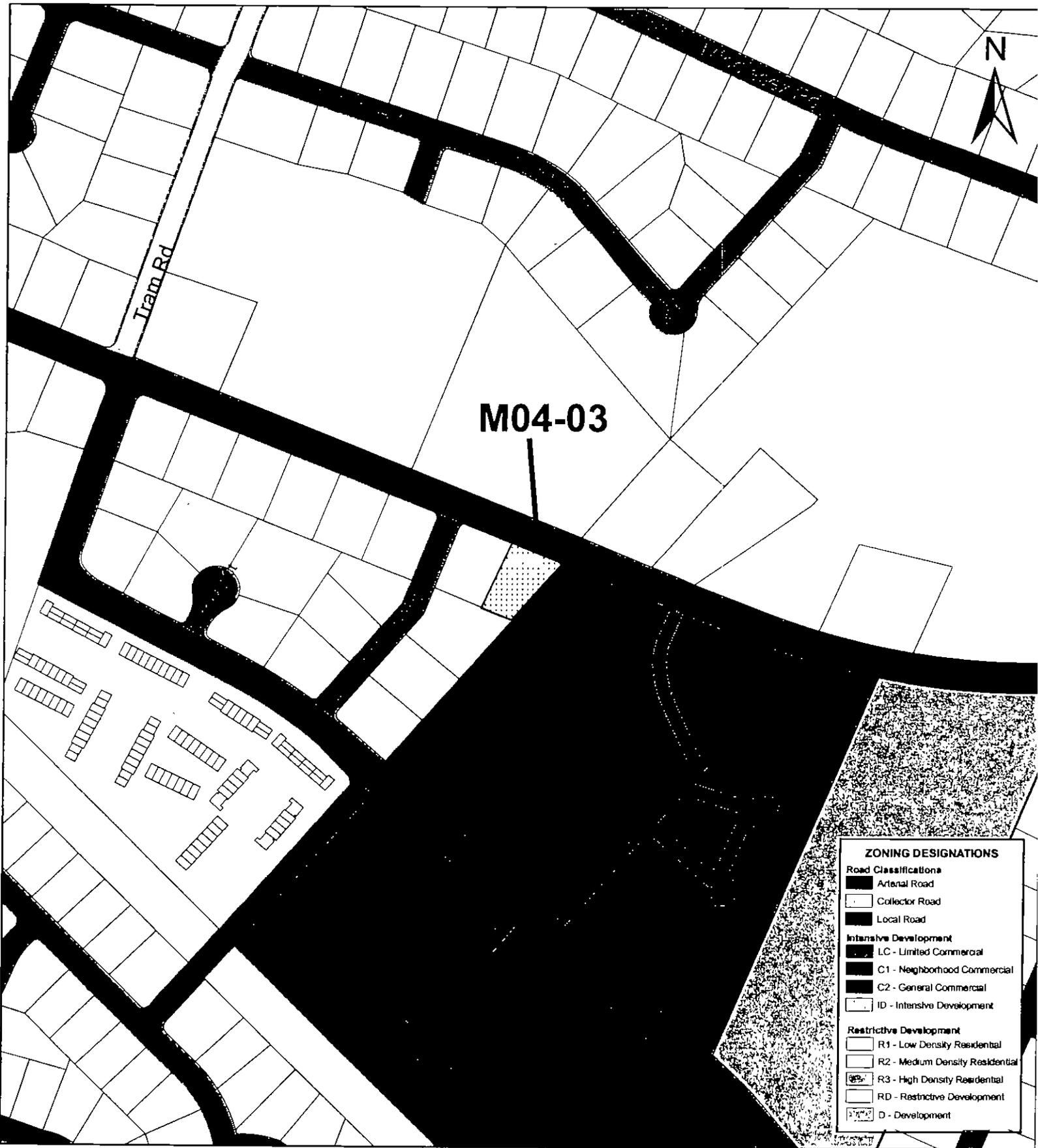


R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
		XX	Group Housing								
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX				XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	Mini-Parks										
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	Natural Reserves										
				XX	Non-Assembly Cultural						
	XX	Nursing Homes									
				XX			XX	XX	XX	XX	Personal Convenience Services
			XX	Plant Nurseries							
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	Residential Detached										
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations
					XX		XX	XX	XX	XX	Business Parks
					XX			XX	XX	XX	Shopping Centers
											Speculative Development

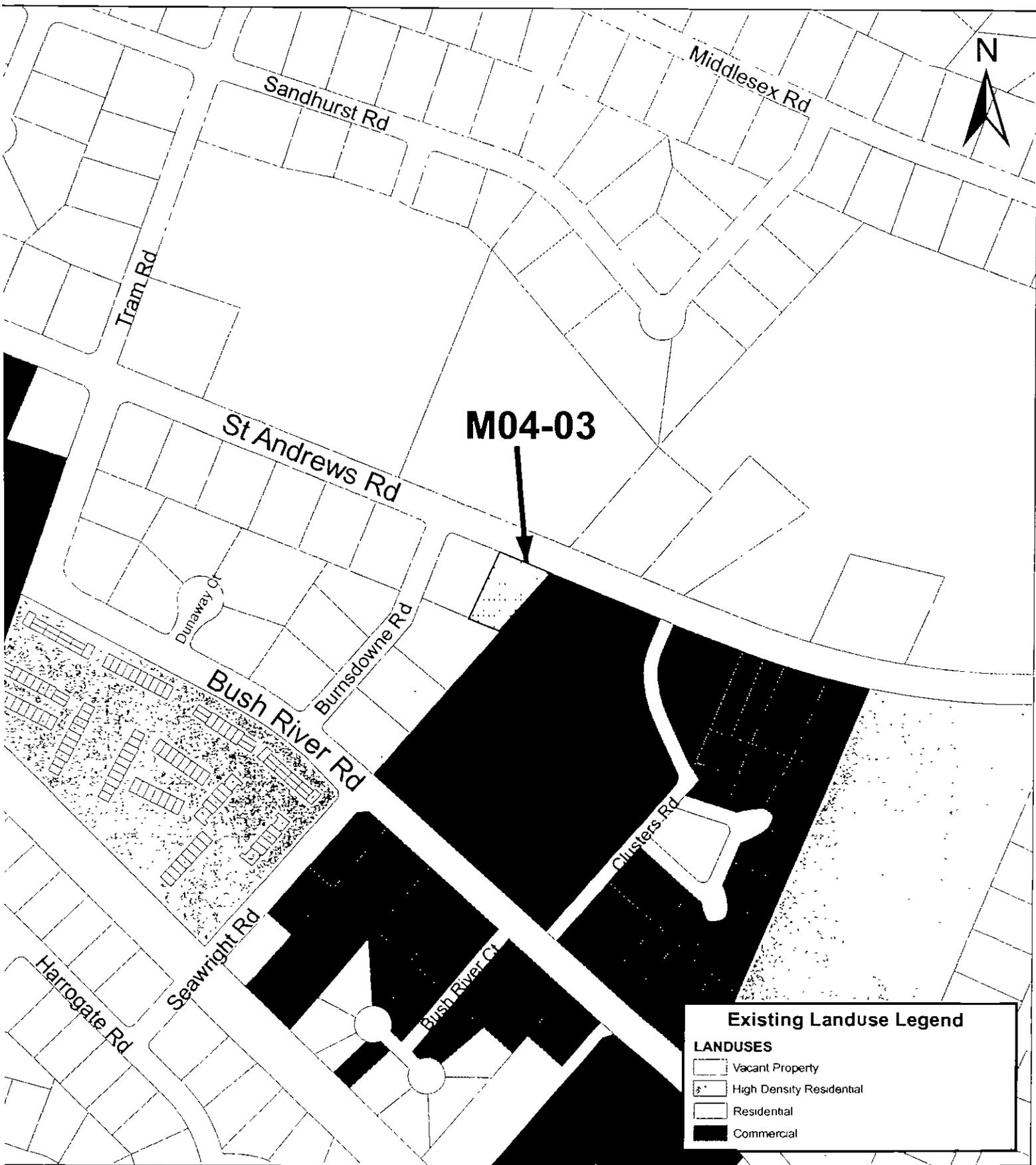


R1	R2	R3	D	RA	RD	LC	CT	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Industrial Parks
					XX			XX	XX	XX	Towing and Impoundment Lot
					XX			XX	XX	XX	Trade Enterprises
					XX			XX	XX	XX	Transient Habitation
					XX			XX	XX	XX	Transport and Warehousing (Limited)
					XX				XX	XX	Transport and Warehousing (Extensive)
					XX		XX	XX	XX	XX	Transport Services
					XX			XX	XX	XX	Undertaking
XX	Utilities										
					XX			XX	XX	XX	Vehicle Parking
					XX			XX	XX	XX	Vehicle Repair
					XX			XX	XX	XX	Vehicle Sales
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)
					XX			XX	XX	XX	Vehicle Servicing (Extensive)
				XX	XX			XX	XX	XX	Veternarian
				XX	XX			XX	XX	XX	Zoos

The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established



Existing Zoning
 Zoning Map Amendment M04-03



Existing Landuse
Zoning Map Amendment M04-03

COMMITTEE REPORT

RE: "C" Fund Economic Development Request

DATE: September 30, 2004

COMMITTEE: Public Works

MAJORITY REPORT: Yes

The Public Works Committee met on Tuesday, September 28, 2004 to consider a recommendation from the Public Works Department to pave Harvey Berry Road.

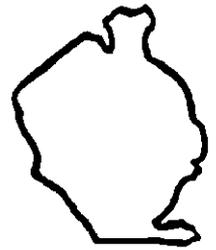
Mr. John Fechtel, Director of Public Works, stated Mr. Wayne P. Rawl, President of Walter P. Rawl & Sons, Inc. had requested that Harvey Berry Road be paved which will provide a more direct access to Rawl's distribution center. This will eliminate the truck traffic presently going through downtown Pelion. The road is 5,795 feet in length.

Mr. Fechtel recommended to the committee that Public Works be allowed to undertake the project. Funding will be allocated from the Economic Development "C" Fund. The project would include approximately \$8,500 in sand-clay, \$56,000 in asphalt, and \$28,500 in power pole (19) relocation for a total of \$93,000.

The Public Works Committee voted to recommend that Council approve staff's recommendation and that Public Works be allowed to proceed with the project with funding allocated from the Economic Development portion of "C" funds.



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: September 17, 2004
TO: Art Brooks, County Administrator
FROM: John Fecht, Public Works Director
Asst. County Administrator 
RE: "C" Fund Economic Development Request

Attached is a letter from Wayne P. Rawl, President of Walter P. Rawl & Sons, Inc. requesting Harvey Berry Road be paved. I have also had discussions with the Mayor of Pelion reference this project and he indicated that the truck traffic presently going through downtown to the Rawl's Farm would be greatly reduced and safety improved if this road was paved.

This road is a little over a mile long (5,795 feet) and would be a good Public Works project if approved. We would typically budget about \$400,000.00 to engineer and construct this by contract. If Public Works does the project, we would need approximately \$8,500.00 in sand-clay, \$56,000.00 in asphalt and \$28,500.00 in power pole (19) relocation for a total of \$93,000.00.

Walter P. Rawl & Sons has been a major economic farming concern in Lexington County and continues to expand its production. This project would enhance the safety in Pelion and also provide a more direct access to Rawl's distribution center.

If County Council agrees with this recommendation, funds are available in the "C" Fund Economic Development Account (2700-121301).

518 Walter Rawl Road
Gilbert, S.C. 29054



Phone: Lexington
(803) 359-3645

WALTER P. RAWL & SONS

August 19, 2004



Mr. John Fechtel
Director Lexington County Public Works
440 Ballpark Road
Lexington, SC 29072

Dear Mr. Fechtel,

I would like to request that Lexington County pave Harvey Berry Road in Pelion. It is my understanding that all of the landowners along that road have signed documents agreeing to give the necessary right of way. The reasons I am requesting that this road be paved are:

A number of school buses use this road daily.

It has a dangerous curve with very poor sight lines in both directions. There have been numerous wrecks along this route due to the poor sight lines and overall poor condition of this road.

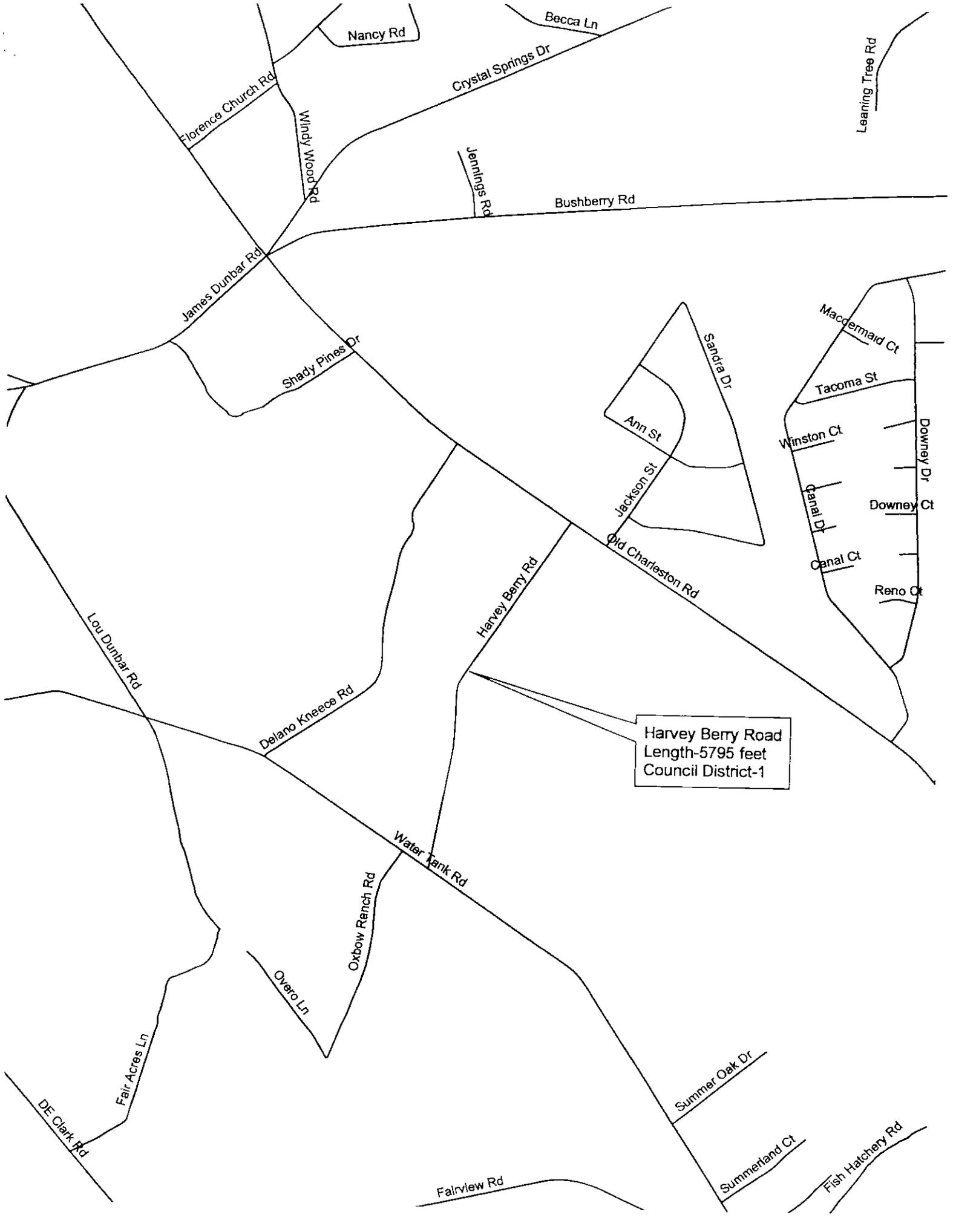
Our company has approximately 75 vehicles that travel this route daily.

Our company's tractor trailers could utilize this route. This would prevent them from making dangerous right hand turns at the intersections of Hwy 302 & Old Charleston and Hwy 302 & Hwy 178. These two intersections are very busy and our trucks cannot make those turns without invading oncoming lanes of traffic.

I look forward to hearing from you soon concerning this matter.

With kindest regards,

Wayne P. Rawl, President
Walter P. Rawl & Sons, Inc.





COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community & Economic Development
County Administration Building (803) 359-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M 04 - 05

Address and/or description of property for which the amendment is requested:

1675 Lake Murray Blvd. Columbia 29210 (Just outside of Irmo) TMS# 001998-02-010 P/O

Zoning classifications: R1 Low Density Residential (current) C1 Neighborhood Commercial (proposed)

* Majority of property is already C1; small portion of property is R1;

Reason for the request (use the back of this application form if necessary):

For future sales, it would be better for the entire parcel to be zoned the same rather than have part of the parcel commercial and part of the parcel residential.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 9/7/2004

Owner?
 Agent?

Telephone # 803-781-9153

Signature Willie H. Weed Jr.

Name(print) Willie H. Weed, Jr.

Address 1473 Fork Ave.

Irmo, SC 29063

- 1. 9 / 7 / 04 Application Received
- 2. 9 / 7 / 04 Fee Received
- 3. 9 / 23 / 04 Newspaper Advertisement

- 4. 9 / 22 / 04 Property Posted
- 5. 9 / 27 / 04 Notices Sent

10 / 21 / 04 Planning Commission Recommendation: _____

9 / 28 / 04 First Reading 10 / 12 / 04 Public Hearing / / Second Reading / / Third Reading

Results: _____

STAFF SUMMARY ZONING MAP AMENDMENT #M04-05

Description of the Amendment: This map amendment request is for a change in zoning classification from “Low Density Residential (R1)” to “Neighborhood Commercial (C1)” for a small portion of the applicants property. The majority of the property is already zoned “Neighborhood Commercial (C1).” The applicant believes having the entire parcel zoned “Neighborhood Commercial (C1)” would improve marketability.

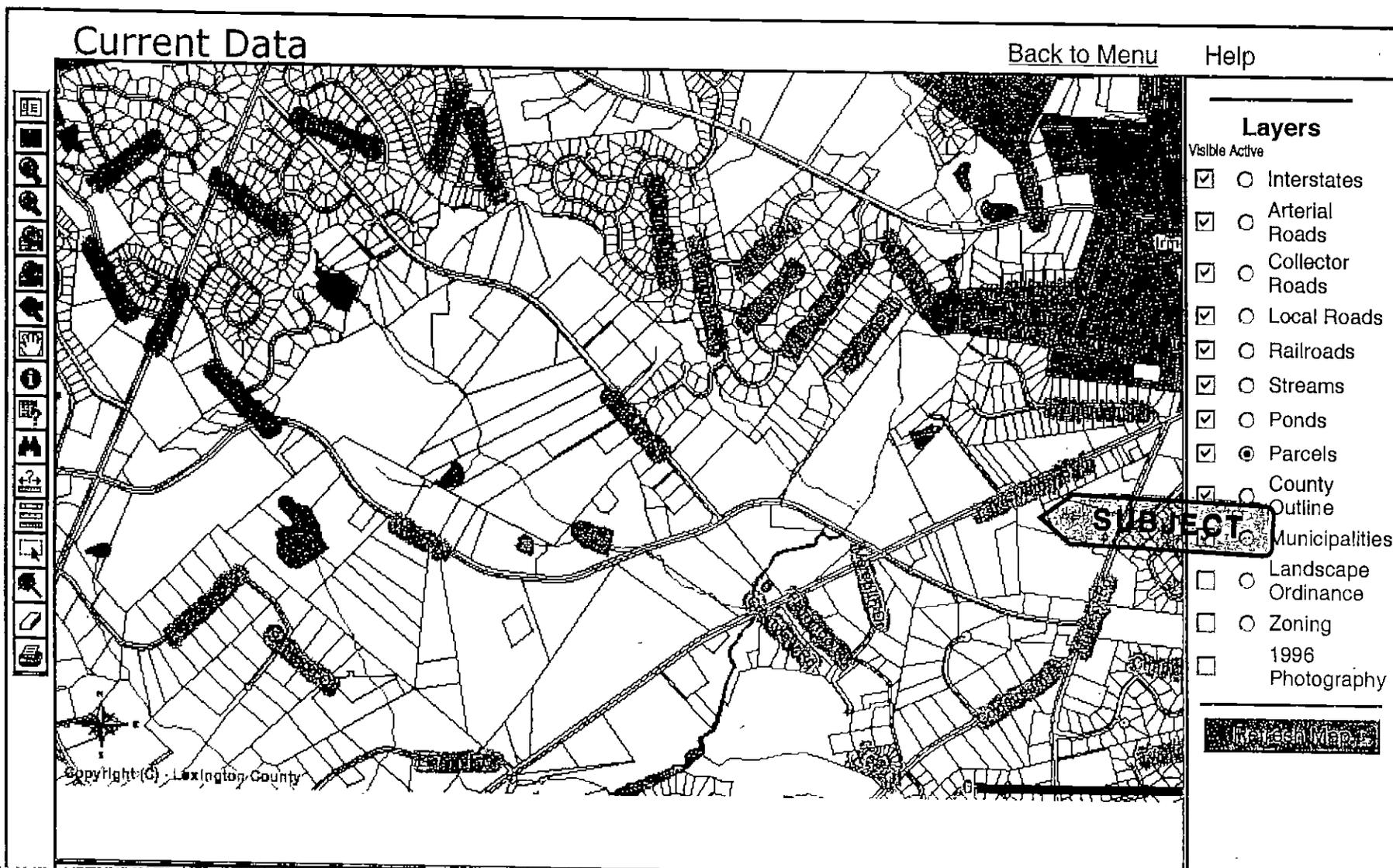
Character of the Area: There is a mix of commercial and residential property use in the immediate area. The subject property is bordered on the north by Lake Murray Blvd., on the east by an equipment sales business & single family residential, the south by single family residential and on the west by a 10.8 acre vacant parcel & single family residential. Commercial use in the immediate area includes a garage, office buildings, warehouses, daycare, plant nursery, animal supply house, convenience store, auto wholesaler, tool repair service, landscape supply and landscape contractor. Property sizes vary from as low as 0.12 acres to 11.85 acres. The subject property is approximately 3 acres and the area of proposed change is approximately 0.38 acres.

Zoning History: Since 1979 there have been 14 requests for a change in zoning classification for the immediate area. Of the 13 approved, two were changed to ID, two to C2, one to C1, one to R2 and one to D. The only denial was a request for a change in zoning classification from R1 to R2. This property is in the Dutch Fork Planning Area zoned in 1974.

The proposed change in zoning for the Dutch Fork /Seven Oaks Planning Areas would change this parcel from “Neighborhood Commercial (C1)” and “Low Density Residential (R1)” to “General Commercial (C2).”

Council District: Six - Councilman Johnny W. Jeffcoat

Attachments: Location Map
 Political Boundaries Maps
 Permitted Uses by District



MAP AMENDMENT REQUEST #04-05

Current Data Back to Menu Help

Layers

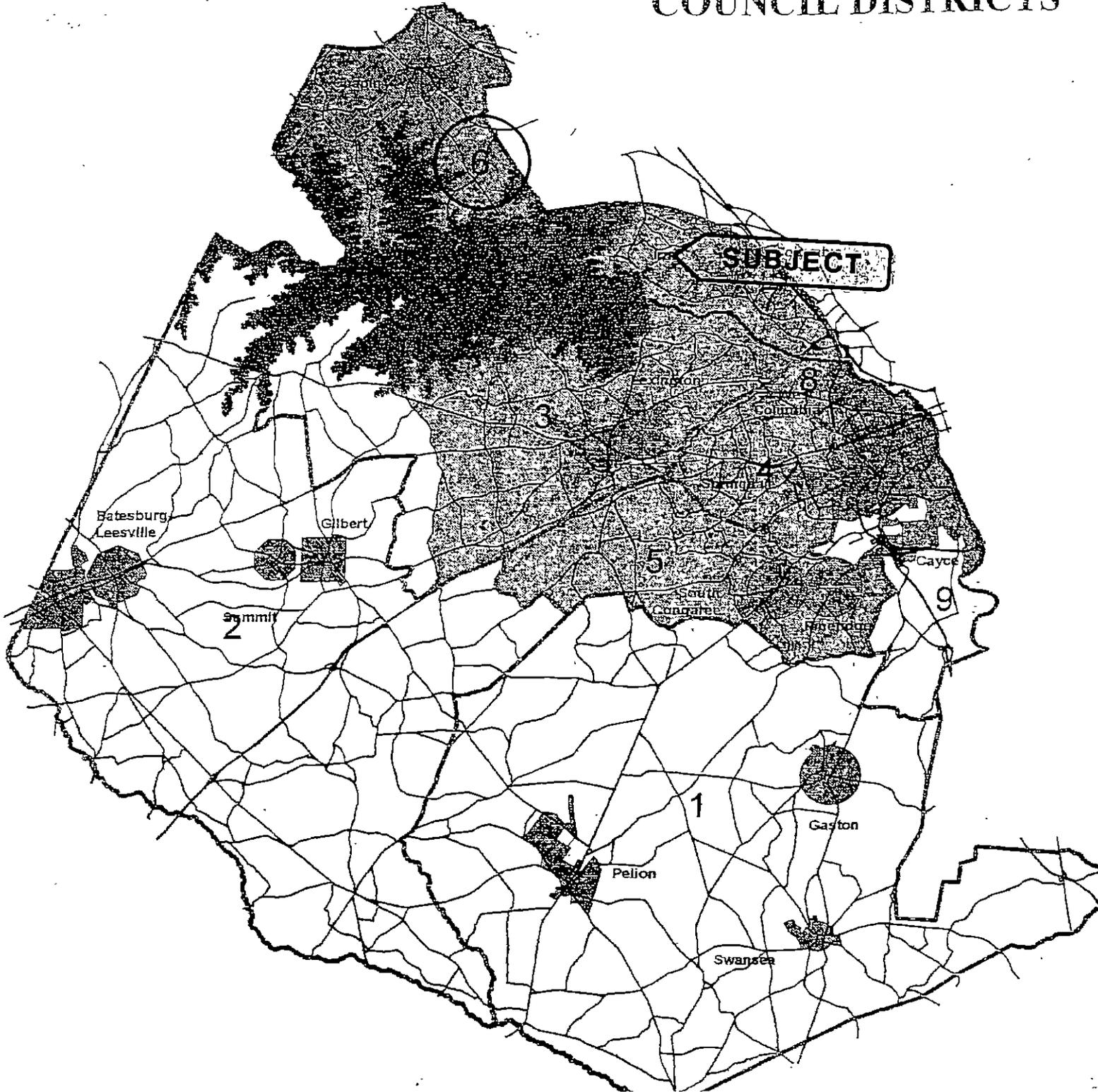
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	Arterial Roads
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Collector Roads
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Roads
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Railroads
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Streams
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ponds
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Parcels
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Outline
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipalities
<input type="checkbox"/>	<input type="checkbox"/>	Landscape Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Zoning
<input type="checkbox"/>	<input type="checkbox"/>	1996 Photography

Refresh Map

Copyright (C) Lexington County

MAP AMENDMENT REQUEST #04-05

COUNCIL DISTRICTS



MAP AMENDMENT # M04-05

21.30 Permitted Uses by District

The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and five of this Ordinance.
- b. The provisions of Chapters 2, 3, and four of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

- Extremely Hazardous Materials as regulated by Article 3
- Mining Operations as regulated by Article 8
- Mobile Home Parks as regulated by Article 7
- Sexually Oriented Businesses as regulated by Article 9

21.31 Chart of Permitted Activities by District

Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Planning Appeals as outlined in Article 11 of this Ordinance.

RT	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	Airports						
			XX	XX	XX				XX	XX	Animal Raising
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Child or Adult Day Care
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Churches
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services
			XX	XX	XX				XX	XX	Crops
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)

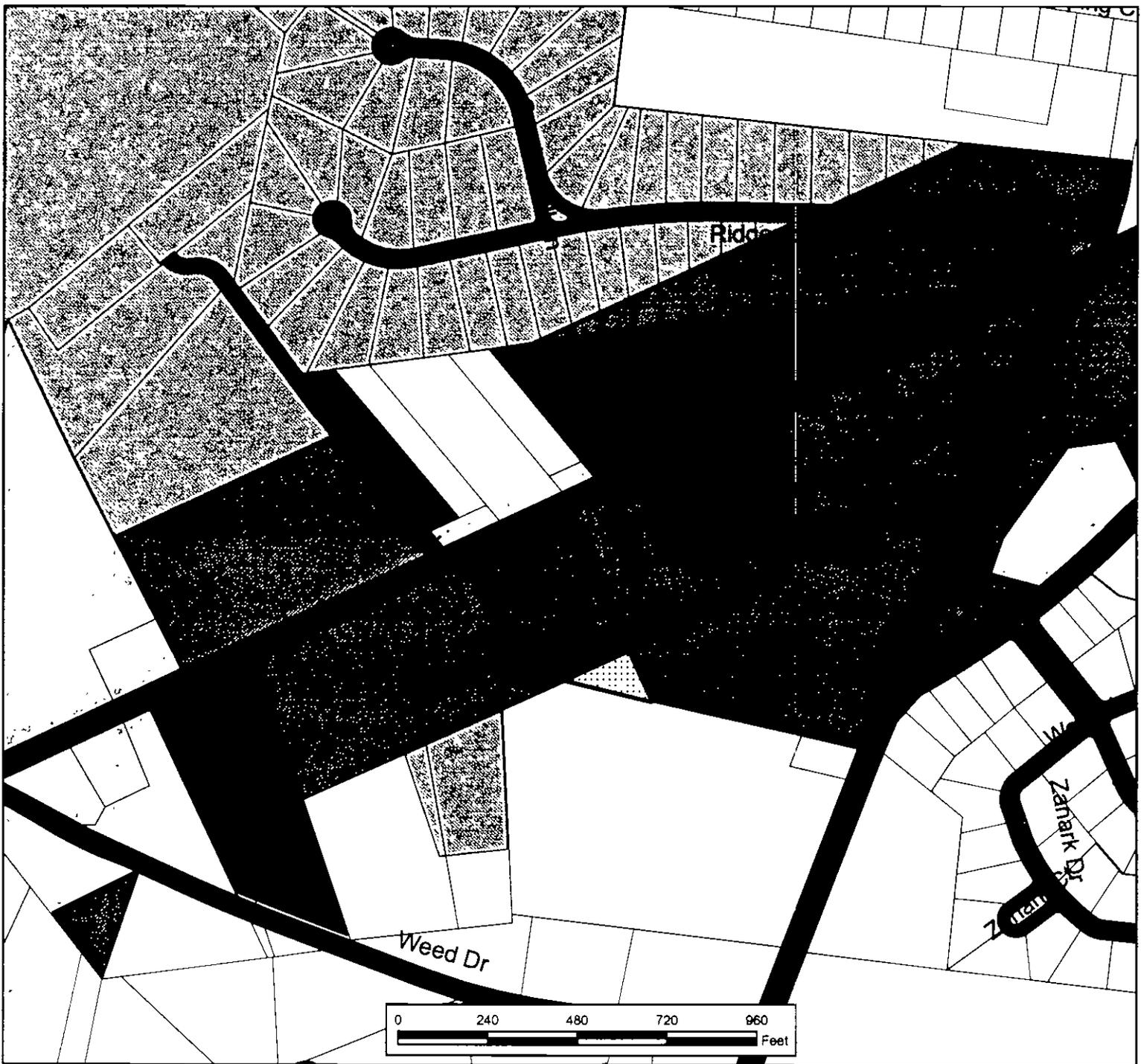


RT	R2	R3	D	RA	RD	LC	CT	CZ	ID	LR	ACTIVITIES
		XX	Group Housing								
					XX		XX	XX	XX	XX	Hospitals
		XX	XX	XX					XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	Mini-Parks										
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	Natural Reserves										
				XX	Non-Assembly Cultural						
	XX	Nursing Homes									
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	Plant Nurseries							
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	Residential Detached										
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations
					XX		XX	XX	XX	XX	Business Parks
					XX		XX	XX	XX	XX	Shopping Centers
											Speculative Development



R1	R2	R3	D	RA	RD	EC	C1	C2	ID	LR	ACTIVITIES
					XX				XX	XX	Industrial Parks
					XX			XX	XX	XX	Towing and Impoundment Lot
					XX			XX	XX	XX	Trade Enterprises
					XX			XX	XX	XX	Transient Habitation
					XX			XX	XX	XX	Transport and Warehousing (Limited)
					XX				XX	XX	Transport and Warehousing (Extensive)
					XX		XX	XX	XX	XX	Transport Services
					XX			XX	XX	XX	Undertaking
XX	Utilities										
					XX			XX	XX	XX	Vehicle Parking
					XX			XX	XX	XX	Vehicle Repair
					XX			XX	XX	XX	Vehicle Sales
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)
					XX			XX	XX	XX	Vehicle Servicing (Extensive)
				XX	XX			XX	XX	XX	Veterinarian
				XX	XX			XX	XX	XX	Zoos

The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



ZONING MAP AMENDMENT #M04-05

TMS #001998-02-010

Zoning Legend	
	I - Interstates
	A - Arterial Road
	C - Collector Road
	L - Local Road
	LL - Limited Local Road
	RL4 - Residential Local 4
	RL5 - Residential Local 5
	RL6 - Residential Local 6
	LC - Limited Commercial
	C1 - Neighborhood Commercial
	C2 - General Commercial
	D - Development
	ID - Intensive Development
	PD - Planned Development
	R1 - Low Density Residential
	R2 - Medium Density Residential
	R3 - High Density Residential
	RA - Recreational/Agricultural
	RD - Restrictive Development





ZONING MAP AMENDMENT #M04-05
TMS #001998-02-010
EXISTING LANDUSE

-  VACANT PROPERTY
-  COMMERCIAL PROPERTY
-  RESIDENTIAL PROPERTY

