Town of Summerville
Planning Commission
The public and Town Council members are invited to attend
July 15, 2019 - 4:00 PM
Summerville Town Hall, Training Room
200 S. Main Street, Summerville, SC

For additional information regarding items on this agenda including any public hearings, please contact the
Planning Department at 843.851.5200. Applications and related documents for this meeting are available for
review at any time at www.summervillesc.gov; Public Notices: and, in the Planning Department during
regular business hours, Monday–Friday, 8:30–5:00 excluding Town of Summerville holidays.

I. APPROVAL OF MINUTES:

1. Approval of minutes from meeting on June 17, 2019.

II. PUBLIC HEARINGS:

1. Petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140
(approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-
Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached
Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of
Summerville’s municipal limits. (Council District 1)

III. OLD BUSINESS:

IV. NEW BUSINESS:

1. New Street Names (as needed)

2. Petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately
3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential
in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and
B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville’s municipal
limits. (Council District 1)

V. MISCELLANEOUS:

1. Comprehensive Plan & Master Transportation Plan update

VI. ADJOURNMENT:

_______________________________
Chairman or Vice Chairman

Posted July 9, 2019
This meeting of the Town of Summerville Planning Commission was attended by Commission Members, Jim Reaves, Chairman; Sarah Bares; Elaine Segelken; Betty Profit; Jonathan Lee; Tom Hart; and Kevin Carroll. Staff in attendance included Jessi Shuler, Director of Planning.

Jim Reaves, Chairman, called the meeting to order at 4:00 PM.

Approval of Minutes:
The Chairman asked if there were any edits or additions to the minutes from the meeting on May 20, 2019. Ms. Segelken made a motion for approval, and Mr. Carroll made the second. The motion passed unanimously.

Public Hearings:
There were no public hearings on the agenda.

Old Business
The first item under Old Business was the request to rezone TMS# 130-15-04-002, located at 602 W. 5th North Street, approximately 0.81 acres, and owned by Helen Morris Glenn Estate from R-1, Single-Family Residential, to B-1, Residential Business. Mr. Reaves introduced the request, and explained that it was tabled from the last meeting. Mr. Carroll made a motion to recommend approval of the rezoning, and Ms. Profit made the second. Ms. Segelken expressed that she felt there needed to be a clear line between business and residential in the area. Members of the public asked the Chairman if they could speak on the matter under consideration. Mr. Reaves explained that they had already held the public hearing last month, but he would allow them to speak briefly. Jimmy Myers of 505 N. Palmetto Street handed out a letter and map to the members. He stated that he believes that the primary reason people are looking to rezone to commercial on W. 4th North St. and W. 5th North St. between Pine and Bryan Streets is fear of the road widening of Highway 78 that would only make it conducive to business. However, he stated that the Town has a different concept for the widening that would be a three lane section with tree lined sidewalks that would be an asset to the residential use of the area. Mr. Myers compared the recent rezonings to business in the area to Sherman’s march and claimed the changes were detrimental to the entire neighborhood for reasons such as noise and traffic. Stan Glenn, representing the family that owns the property, emphasized that they are only asking for what is palatable to the neighborhood, and the existing house fronts Highway 78, not N. Palmetto Street. Michelle Mennetti of 506 N. Palmetto Street questioned what the Planning Commission would do with the Ayers property that goes the entire depth of the block if they approved this rezoning. She stressed that her biggest concern is cars parked on the side of the road. Ms. Segelken stated that they could require the Ayers to subdivide the property. Ms. Shuler clarified that the Planning Commission could not require the subdivision, but they could choose to deny a rezoning request for that property if it wasn’t subdivided first. Following the discussion, Mr. Reaves called for the vote, and the motion failed, with all members voting in opposition. Mr. Reaves explained that they did not have to give a recommendation, but that the request did need to be sent on to Council for consideration. Dr. Bares then made a motion to send the request on to Council without a recommendation. Mr. Hart made the second, and the motion passed unanimously.

New Business:
The first item under New Business was New Street Names (as applicable). Ms. Shuler explained that they did have street names for approval at Limehouse Village off of Dorchester Road, and the three Counties had no conflicts with the six names listed on the agenda and highlighted on the application. Ms. Segelken
made a motion to approve all of the names except Weathered Oak Drive as they had Aged Oak and Weathered Hickory as well, and Mr. Carroll made the second. The motion passed unanimously.

**Miscellaneous:**
Ms. Shuler stated that the next Comprehensive Plan Advisory Committee (CPAC) meeting would be July 23, 2019, and they would be considering the Issues and Opportunities Memo drafted by the consultant. The CPAC meeting will be followed by a public visioning workshop on the same date. She will send out additional information in the next couple of weeks.

**Adjourn**
With no further business for the Commission, Dr. Bares made a motion to adjourn with Mr. Carroll making the second, and Mr. Reaves adjourned the meeting at 4:24 PM.

Respectfully Submitted,

Jessi Shuler  
Director of Planning

Date: ______________________________

Approved: _________________________________________________
Jim Reaves, Chairman or Elaine Segelken, Vice Chairman
TMS#: 136-00-00-140  
Location: 111 W. Butternut Rd.  
Description: In process of subdividing into two lots totaling 3.82 acres  
Request: Annexation and zoning to B-2 (Lot 1) and R-3 (Lot 2)

The property owner, Iron Gate Homes, LLC, is requesting for the above referenced parcel to be annexed and zoned to R-3, Single-Family Residential (attached buildings) and B-2, Neighborhood Business Center. The owner is in the process of subdividing the property into two lots.

This property is included in the Town’s ‘Rural Residential Neighborhood’ area as identified within the Town’s 2009-2011 Comprehensive Plan and Update as well as on the accompanying Future Land Use Map; however, it also fronts a community-oriented corridor and falls just outside a commercial activity center node.

While the rural residential neighborhood area promotes low-density residential neighborhoods with limited infrastructure, the proposed B-2 zoning as stated on the application for this site falls within the description of land uses included along community-oriented corridors and in the commercial activity center node. Townhouses, as allowed in the R-3 zoning, are also recommended along community-oriented corridors. In addition, this property is immediately adjacent to other properties outside of the Town limits that are zoned R-4 in Dorchester County, which would allow for similar or more intensive uses. Based on these findings this request is interpreted by staff to be in conformance with the Town’s Comprehensive Plan and is recommended for approval.
1. **OWNER INFORMATION:** Please complete the following application to request that your property be incorporated into the municipal limits of the Town of Summerville. Phone numbers will not be published. All owners of the property sign page two and submit it to the Planning Department.

   *Required

   *Property Owner(s): **IRON GATE HOMES, LLC**

   *Mailing Address: **P.O. Box 2499**  
   *Telephone: **843-813-5550**

   *City: **MT. PLEASANT**  
   *State: **SC**  
   *Zip: **29465**  
   Email: **CHRIS_CALABRESE@HOTMAIL.COM**

2. **PROPERTY INFORMATION:** Municipalities must provide the U. S. Justice Department with the population demographics and the land use of each property added to the Town. Write “None” if the property is vacant. Population data is used to create voting districts and does not impact the decision to approve your annexation.

   *Property Address: **11 W. BUTTERNUT**  
   Tax Map Number: **136-00-00-140**

   *Number of Current Residents: **0**  
   *Race of Current Residents: **N/A**

   Current Land Use: **VACANT**  
   (i.e. home, bank, carwash, etc.)

   Future Land Use: **SALON/GOLF CART STORAGE (LOT 1)**
   (i.e. home, bank, carwash, etc.)

   Current County Zoning Classification: **R-4**

   Requested Zoning Classification: **R-2 (LOT 1) / R-3 (LOT 2)**

3. **SUBMIT APPLICATION:** Please submit signed* application and a copy of the recorded plat and recorded deed to:

   **MAIL:** Town of Summerville, 200 S. Main Street, Planning Department

   **PICKUP:** Call the Planning Department at 843.851.4214
STATE OF SOUTH CAROLINA  )
COUNTY OF DORCHESTER  )

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF SUMMERVILLE

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an
area or property which is contiguous to a Town by filing with the municipal governing body a petition signed
by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located at 111 W. BUTTERNUT SUMMERVILLE (approximately 3.8 acres) to be annexed
is identified by the DORCHESTER County Assessor’s Office as Property Identification Number:
TMS # 136-00-00-140 to include, if necessary to establish contiguity, any road,
waterway, easement, railroad track, marshland or utility line that intervenes between this property and the
municipal limits of the Town of Summerville.

NOW, THEREFORE, the undersigned petition the Town Council of Summerville to annex the above described
area into the municipal limits of the Town of Summerville.

Dated this 18TH day of JUNE, 2019.

FREEHOLDERS (OWNERS) SIGNED

(Signature)

DATE OF SIGNATURE

6-18-19

(Date)

CHRISTOPHER J. CALABRESE

(Print Name) MEMBER, IRON GATE HOMES, LLC

(Date)

(Signature)

(Print Name)
STATE OF SOUTH CAROLINA  )
COUNTY OF DORCHESTER  )

MASTER'S DEED
CASE NO.: 2018-CP-18-00785

After Recording Return to
Weeks & Irvine, LLC
8086 - B Rivers Avenue
North Charleston, SC 29406

TO ALL TO WHOM THESE PRESENTS SHALL COME OR BE MADE KNOWN OR WHOM THE
SAME MAY IN ANYWISE CONCERN, I, James E. Chellis, as Master-In-Equity for the County of
Dorchester, State of South Carolina, Send Greetings:

WHEREAS on or about the 2nd day of May, 2018, WBL SPE II, LLC., did exhibit its
Complaint in the Court of Common Pleas in the County of Dorchester, State of South Carolina,
against Stat Medical X-Ray Tubes, Inc.; Scudder Properties & Leasing LLC,

WHEREAS the Cause, being at issue before the Honorable Court aforesaid, came on to
be heard January 10, 2019 when the said Court, after a full hearing thereon, made mature
deliberation in the Premises, Did Order, Adjudge and Decree that the premises hereinafter
mentioned and described, should be sold at public auction on the terms and for the purposes
mentioned in said Decretal Order as by reference thereto, on file in the said Court, will appear;

WHEREAS, James E. Chellis, as Master-In-Equity for Dorchester County, after having
duly advertised the said premises for sale by Public outcry, on 5th day of February, 2019 did
then, openly and publicly, and according to the custom of auction, sell and dispose of the said
premises below described, unto Iron Gate Homes, LLC, for the sum of Two Hundred Twenty-
Five Thousand One Hundred and No/100ths Dollars ($225,100.00), being, at that price, the
highest bidder for the same.

WHEREAS, Iron Gate Homes, LLC has now complied with its bid; NOW, THEREFORE,

KNOW ALL MEN AND WOMEN, That I, James E. Chellis, as Master-In-Equity for
Dorchester County, for and in consideration of the recitals, and also in consideration of the sum
of Two Hundred Twenty-Five Thousand One Hundred and No/100ths Dollars ($225,100.00),
paid to me by Iron Gate Homes, LLC, the receipt whereof is hereby acknowledged, have granted,
bargained, sold and released, and by these Presents, do grant, bargain, sell and release unto:

Iron Gate Homes, LLC

ALL that lot, piece, or parcel of land, situate, lying and being in the County of Dorchester,
Dorchester Township, State of South Carolina and as more particularly shown on "PLAT OF
LAND OWNED BY HARRY HERBERT PENDARVIS, JR. DORCHESTER TOWNSHIP," by
C.D.S. Land Surveying and Mapping, Hager E. Metts R.L.S., Starting at a point of beginning as
shown on said plat as point a, being on the Southwestern right-of-way of road No. S-18-13, from
said point beginning, south 06 37, west, 80.43 feet to point B, thence South 63 03 West, 24.5 feet
to Point C, thence South 77 37 West, 439.79 feet thence North 04 46" East, 219.78 feet, thence

[Type here]

Iron Gate Homes, LLC 19-01196JH
2018-CP-18-00785
South 77 37 West, 219.78 feet to the land of Bruce Brown, as shown on said plat, thence North 04 44 East, 101.6 feet, thence South 71 53' East 140.0 feet, thence North 04 44, East 313.70 feet to the Southwestern boundary of road S-10-58, thence South 64 47 East, 47.9 feet to a pin, thence south 62.78: East, 48.34 feet to a pin, thence South 59 24 East 48.30 feet to a pin, thence south 56 25 East, 48.29 feet to a pin, thence South 53 28, East 48.50 feet to a pin, thence South 51 12, East 49.14 feet to a pin, thence South 50 29, East 49.62 feet to a pin, thence South 50 03 East, 269.08 feet back to the point of beginning said plat recorded January 12, 1983 in plat Cabinet D, slide 247, in the office of the Clerk of Court for Dorchester County.

THIS BEING the same property conveyed to Scudder Properties & Leasing LLC by deed of Wavey Van Meter, dated April 12, 2012 and recorded May 11, 2012 in the ROD Office for Dorchester County in Book 8292 at Page 283.

TMS# 136-00-00-140

ADDRESS: 111 W Butternut, Summerville SC 29483

Grantee's Address: PO Box 2499 Mt Pleasant, SC 29465

TOGETHER with all and singular rights, members, hereditaments and appurtenances whatsoever, to the said premises belonging, or in anywise appertaining, and the reversion and remainders, rents, issues and profits thereof; and also all the estate, right, title, dower, possessions, property, benefit, claim and demand whatsoever, both at law and in equity, of the said Stat Medical X-Ray Tubes, Inc.; Scudder Properties & Leasing LLC; and of all the parties to the said suit and of all other persons rightfully claiming or to claim the same, or any part thereof; by from or under all the parties to the suit, or any of them.

Subject to assessments, taxes, easements, conditions and restrictions of record and otherwise affecting the property.

TO HAVE AND TO HOLD, the said premises with its hereditaments, privileges and appurtenances unto the said Iron Gate Homes, LLC, its Successors and/or Assigns forever.

[Type here]
IN WITNESS WHEREOF, I, the said James E. Chellis, as Master-In-Equity for Dorchester County, under and by virtue of the said Decree, have hereunto set my Hand and Seal at St. George, South Carolina

Sealed and Delivered in
The Presence of:

[Signatures]

James E. Chellis
Master-In-Equity for Dorchester County

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named James E. Chellis, Master-In-Equity for Dorchester County, sign, seal, and as his act and deed, deliver the within written Deed; and that (s)he with the other witness whose signature appears above witnessed the execution thereof.

[Signature]

SWORN to before me -February 28, 2019

[Signature]
Notary Public for South Carolina
My Commission Expires: 12/31/2023

[Signatures]

[Type here]

Iron Gate Homes, LLC 19-01196JH
2018-CP-18-00785
STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER  

AFFIDAVIT  

Date of Transfer of Title  
February 15, 2019  

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

1. I have read the information on this Affidavit and I understand such information.

2. The property being transferred is located at 111 West Butternut Road, Summerville, SC 29483, bearing County Tax Map Number 136-00-00-140, was transferred by Master in Equity for Dorchester County TO Iron Gate Homes, LLC on February 28, 2019.

3. Check one of the following: The deed is:
   a. [ ] subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth $225,100.00.
   b. [ ] subject to the deed recording fee as a transfer between a corporation, a partnership or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   c. [ ] EXEMPT from the deed recording fee because _____________________. (Explanation, if required: n/a if exempt, please skip items 4-6 and go to Item No. 7 of this affidavit.

If exempt under exemption #14, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No

4. Check one of the following if either Item 3(a) or Item 3(b) above has been checked.
   a. [ ] The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $225,100.00.
   b. [ ] The fee is computed on the fair market value of the realty, which is $__________________
   c. [ ] The fee is computed on the fair market value of the realty as established for property tax purposes which is $__________________.

5. Check YES [ ] or NO [x] to the following: A lien or encumbrance existed on the land, tenement or realty before the transfer and remained on the land, tenement or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract agreement between the lien holder and the buyer existing before the transfer.) If "YES", the amount of the outstanding balance of this lien or encumbrance is $__________________.

6. The DEED Recording Fee is computed as follows:
   a. Place the amount listed in Item 4 above here: $225,100.00
   b. Place the amount listed in Item 5 above here: $0.00
   c. Subtract line 6(b) from line 6(a) and place result here: $225,100.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: $834.35.

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

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

SWORN to before me this the ______ day of March, 2019.

MARK W. WICKS
Personal Representative

Notary Public
My Commission Expires: 6/28/28
(Seal)
Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.