

**ORDINANCE O19-09**

**AN ORDINANCE TO AMEND THE OFFICAL ZONING MAP OF THE CITY OF LANCASTER, SC AS TO REZONE SIX PROPERTIES INDENTIFIED AS TAX MAP# 0067-00-034.00, 0067-00-035.02, 0067C-0F-001.00, 0067C-0F-002.00, 0067C-0F-003.00 & 0067C-0F-004.00 OWNED BY WILLIAM L. HARPER & CANE MILL ASSOCIATES OF ELGIN, LP; RUTH MELTON; RUTH M. MELTON, TRUSTEE; AND FUNDERBURK INVESTMENTS, LLC FROM INTERIM ZONING R-10 TO R-10, RESIDENTIAL**

**WHEREAS**, Article XIII of Chapter 31 of the City of Lancaster Code of Ordinances provides for the official zoning map to be amended from time to time; and

**WHEREAS**, on May 28, 2019 the Lancaster City Council, through Ordinance O19-05 annexed the abovementioned properties, and provided this tract of land with an interim zoning classification of R-10; and

**WHEREAS**, NVR, Inc., acting as agent for William L. Harper & Cane Mill Associates of Elgin, LP; Ruth Melton; Ruth M. Melton, Trustee; and Funderburk Investments, LLC, applied to rezone 60.14 acres located near Highway 9 Bypass West from interim zoning R-10 to R-10, Residential; and

**WHEREAS**, On July 2, 2109, the Lancaster City Planning Commission held a public hearing on the proposed rezoning, and unanimously recommended approval of the rezoning to City Council.

**NOW, THEREFORE, BE IT ORDAINED**, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the property described herein below is hereby rezoned from Interim R-10 to R-10, Residential.

BEING ALL THAT CERTAIN parcel of land, lying in Lancaster County, South Carolina and being previously described in Deed Book (DB)707 Page(Pg) 107, DB S012 Pg 272, DB 760 Pg 247, and DB 535 PG 269 and Plat 9607 and Plat Book (PB)2001 Pg 178 (Lancaster county register of deeds), and being more particularly described as follows;

Commencing at a NGS monument "EA 22" having South Carolina Geodetic coordinates of North=1,054,529.08' and East=2,056,986.22', thence S59°48'27"E fad of 2,305.58' to #5 rebar found, the common corner to William L. Harper & Cane Mill Associates of Elgin LP (DB 707 Pg 107) and William L. Harper & Cane Mill Associates of Elgin LP (DB 707 Pg 97), said point being the POINT OF BEGINNING (POB),

Thence from the POB, and with the aforementioned line of William L. Harper & Cane Mill Associates of Elgin LP (DB 707 Pg 97)N08°04'13"W for a distance of 1,292.58' to a #5 rebar found, thence N08°04'13"W for a distance of 182.05' feet to a point in the center of a creek, a common corner to The Mary Cauthen Tucker Estate (DB 1102 Pg 285) and Gregory Richards (DB 871 Pg 169), thence leaving said creek and following the aforementioned line of Gregory Richards the following 6 calls 1)S48°05'26"E for a total distance of 785.93' and passing a #5

rebar found at 21.08', to a #5 rebar found 2)S48°07'01"E for a distance of 287.61' to a #5 rebar set 3)N51°54'32"E for a distance of 100.01' feet to a #5 rebar set 4)N52°31'34"E for a distance of 203.29' feet to a #5 rebar set 5)N52°35'20"E for a distance of 600.36' to a #5 rebar found 6)N52°22'11"E for a distance of 34.20' to a #5 rebar found, a common corner to Builder's Supply Company (DB B005 Pg 122), thence with the aforementioned line of Builder's Supply Company the following 4 calls 1)S29°11'14"E for a distance of 262.01' to a #5 rebar found, 2)N60°52'44"E for a distance of 416.37' to a #5 rebar found, 3)N60°52'44"E for a distance of 131.78' to a #5 rebar found 4)N70°39'15"E for a distance of 186.52' a #5 rebar found in the rear of lots 21-12 on Plat Book 9 Page 243, thence along the rear of said lots the following 6 calls 1)S63°11'10"E for a distance of 75.33' to a #5 rebar found 2)S63°12'31"E for a distance of 182.54' to a #6 rebar found 3)S59°31'40"E for a distance of 167.84' to a #5 rebar set 4)S59°35'05"E for a distance of 409.72' to a #5 rebar found 5)S67°52'20"E for a distance of 171.52' to a #5 rebar found 6)S62°42'10"E for a distance of 157.23' to a #5 rebar found, a common corner to HD Development of Maryland Inc. (DB 253 Pg 133), thence with the line of aforementioned HD Development of Maryland Inc., the following 4 calls 1)S54°53'18"W for a distance of 61.45' to a 2" Pipe found 2)S16°24'17"E for a distance of 190.31' to a #5 rebar set 3)S82°10'06"W for a distance of 168.28' to a #5 rebar set 4)S82°10'58"W for a distance of 169.91' to a #5 rebar found, a common corner to P and R Properties, LLC (DB 1088 Pg 347), thence S82°09'54"W for a distance of 169.98' to a #5 rebar found, a common corner to Anhang Dong & Xiao Lu Dong (DB 225 Pg 115) thence S82°10'18"W for a distance of 170.09' to a #5 rebar found on the Right of Way of Hollis Place Drive (66' City of Lancaster maintained Right of Way), said point on the beginning of a non-tangential curve, thence with said Right of Way the following 4 calls 1)said curve turning to the right through 40° 53' 27", having a radius of 20.00', and whose long chord bears N12°46'33"E for a distance of 13.97' to a #5 rebar set on the beginning of a non-tangential curve 2)said curve turning to the left through an angle of 131°22'43", having a radius of 50.00', and whose long chord bears N32°13'27"W for a distance of 91.13' to a #4 rebar found on the beginning of a non-tangential curve 3)said curve turning to the left through an angle of 131°07'15", having a radius of 50.00', and whose long chord bears S16°39'59"W for a distance of 91.04' to a #5 rebar set on the beginning of a non-tangential curve 4)said curve turning to the right through an angle of 40°23'15", having a radius of 20.00', and whose long chord bears S28°32'49"E for a distance of 13.81' to a #5 rebar set, a common corner to Cane Mill Associates of Elgin LP, & William L. Harper (DB 1177 Pg 337), thence S82°03'43"W for a distance of 234.32' to a #5 rebar found, a common corner to BVC Lancer, LLC (DB 1002 Pg 21), thence, with the aforementioned line of BVC Lancer, LLC the following 4 calls 1)S82°08'39"W for a distance of 243.43' to a #5 rebar found 2)S82°08'34"W for a distance of 512.77' to a #5 rebar found 3)S82°10'19"W for a distance of 522.87' to a #5 rebar found 4)S07°50'31"E for a distance of 238.75' to a #5 rebar found, a common corner to Siddhi Vinayak Lancaster, LLC (DB 982 Pg 150) thence S82°08'07"W for a distance of 230.00' to a #5 rebar set on the Right of Way of Commerce Boulevard (City of Lancaster Variable Width Maintained Right of Way), thence, with said Right of Way, the following 3 calls 1)S82°07'40"W for a distance of 50.00' to a #5 rebar set 2)S07°52'20"E for a distance of 225.00' to a #5 rebar set 3)S16°40'43"E for a distance of 14.30' to a #5 rebar set, a common corner to Cornerstone Investments, Inc.(DB 43 Pg 10), thence with the line of aforementioned Cornerstone Investments, Inc. the following 2 calls 1)S82°09'29"W for a distance of 171.35' to a #5 rebar set 2)S07°50'31"E for a distance of 85.02' to a #5 rebar set, a common corner to Abbott Real Estate,

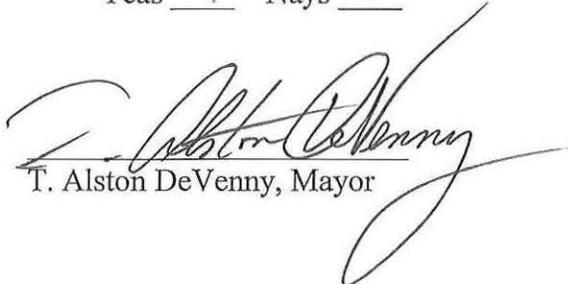
LLC (DB 931 Pg 95) thence, with the aforementioned line of Abbott Real Estate, LLC, the following 2 calls 1)S81°46'41"W for a distance of 60.60' to a #5 rebar set 2)S08°08'20"E for a distance of 40.11' to a #5 rebar set, a common corner to Andrew J. Walker, Jr. (DB I-11 Pg 78), thence with the line of aforementioned Andrew J. Walker, Jr., the following 2 calls 1)S81°48'34"W for a distance of 50.19' to a #5 rebar found 2)S81°48'34"W for a distance of 19.81' to a #5 rebar found, a common corner to William L. Harper & Cane Mill Associates of Elgin, LP (DB 707 Pg 107), thence, with the line of aforementioned William L. Harper & Cane Mill Associates of Elgin, LP, the following 5 calls 1)N07°30'29"W for a distance of 36.29' to a #5 rebar found 2)N45°40'41"W for a distance of 265.11' to a #5 rebar found 3)N45°34'45"W for a distance of 22.73' to a #5 rebar found 4)N45°39'26"W for a distance of 159.39' to a point on a Sanitary Sewer Manhole 5)S81°57'19"W for a distance of 97.48' POB, containing 60.007 acres, more or less.

**DONE IN MEETING ASSEMBLED** on the 23<sup>rd</sup> day of July 2019, and to become effective July 23<sup>rd</sup>, 2019.

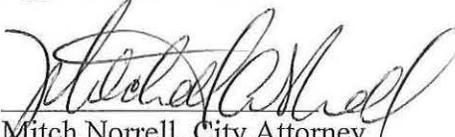
Yeas 7 Nays 0

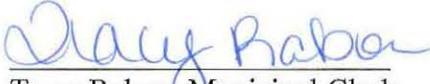
Requested by:

NVR, Inc.

  
T. Alston DeVenny, Mayor

Approved as to Form:

  
Mitch Norrell, City Attorney

  
Tracy Rabon, Municipal Clerk

First Reading: July 9, 2019  
Second Reading: July 23, 2019