

BUILDING CODES COMMITTEE MEETING

MONDAY, OCTOBER 2, 2023 | 6:00 PM

2nd committee meeting

The Committee will meet in the 2nd Floor Conference Room at Mauldin City Hall at 5 East Butler Road

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Building Codes (BDS) Committee AGENDA October 2, 2023

Committee Members: Diane Kuzniar (Chair), Taft Matney, Frank Allgood

1. <u>Call to Order</u> The Honorable Diane Kuzniar

2. <u>Public Comment</u> The Honorable Diane Kuzniar

3. Reading and Approval of Minutes The Honorable Diane Kuzniar

a. Special Called Building Codes Committee Meeting: September 5, 2023 (*Pages 4-5*)

4. Reports or Communications from City Officers The Honorable Diane Kuzniar

a. BDS Department Report, David Dyrhaug

5. Unfinished Business The Honorable Diane Kuzniar

None

6. New Business

The Honorable Diane Kuzniar

- a. Annexation and Zoning Assignment for 14.3 acres at 635-689 Log Shoals Road (*Pages 6-49*)
 - i. An ordinance to provide for the annexation of property consisting of approximately 12.0 acres owned by Lesley P. Corn, and located at 635 Log Shoals Road (Tax Map Parcel: 0573.01-01-005.06) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property
 - ii. An ordinance to provide for the annexation of property consisting of approximately 1.5 acres owned by Lesley P. Corn and Vicki H. Corn, and located at 635 Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.08) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property
 - iii. An ordinance to provide for the annexation of property consisting of approximately 0.03 acres owned by Emma Bonham and Joseph Love Bonham III, and located at 641

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Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.18) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential for said property

- iv. An ordinance to provide for the annexation of property consisting of approximately 0.8 acres owned by Ronald Spanton, and located at 689 Log Shoals Road (Tax Map Parcel: 0573.01-01-004.00) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property
- b. An ordinance amending the business license ordinance of the City of Mauldin to update the class schedule as required by Act 176 of 2020 (*Pages 50-56*)
- 7. Public Comment
- 8. Committee Concerns
- 9. Adjourn

The Honorable Diane Kuzniar

The Honorable Diane Kuzniar

The Honorable Diane Kuzniar

Minutes Special Called Building Codes (BDS) Committee September 5, 2023, 5:30 PM

Members Present: Chairwoman Diane Kuzniar. Committee members Taft Matney and Frank Allgood joined via Zoom.

Others present: David Dyrhaug, Business and Development Services Director

- 1. Call to Order- Chairwoman Kuzniar
- 2. Public Comment- None
- 3. Reading and Approval of Minutes
 - a. Special Called Building Codes Committee Meeting: August 7, 2023
 - b. Building Codes Committee Meeting: August 7, 2023

Motion: Councilman Matney made a motion to approve both sets of minutes. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

4. Reports or Communications from City Officers

a. BDS Department Report, David Dyrhaug

The department issued the most residential permits, single family permits, and conducted the most building inspections they ever have last month.

- 5. Unfinished Business- None
- 6. **New Business**
 - a. Planning Commission Applicant Interview

Dan Chism was present to interview.

After the interview was completed, Councilman Allgood recommended that Mr. Statom stay on the Zoning Board and Mr. Chism be appointed to the Planning Commission.

b. Appointment to the Planning Commission

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Motion: Councilman Allgood made a motion to send this item to Council with a recommendation to keep Mr. Statom on the Zoning Board and appoint Mr. Chism to the Planning Commission. Councilman Matney seconded the motion.

Vote: The vote was unanimous (3-0).

- 7. Public Comment- None
- 8. Committee Concerns- None
- 9. Adjourn- Chairwoman Kuzniar adjourned the meeting at 5:50 p.m.

Respectfully Submitted, Cindy Miller Municipal Clerk

BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: October 2, 2023

AGENDA ITEM: 6a

TO: Building Codes Committee

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Annexation of Property at Log Shoals Road

| | TRACT #1 (635 Log Shoals Rd) | TRACT #2 (p/o 635 Log Shoals Rd) | TRACT #3 (p/o 641 Log Shoals Rd | TRACT #4 (689 Log Shoals Rd) |
|---------------------------|-------------------------------------|--|---------------------------------------|-------------------------------------|
| AUTHORIZED REP(S): | | Bluewater Civil : STYO Develop | O . | |
| OWNER(S): | Lesley P. Corn | Lesley P. Corn Vicki H. Corn | Emma Bonham Joseph Bonham | Ronald Spanton |
| TAX MAP NUMBER(S): | 0573.01-01-005.06 | Portion of 0573.01-01-005.08 | Portion of 0573.01-01-005.18 | 0573.01-01-004.00 |
| LOCATION: | 635 Log Shoals Rd | 635 Log Shoals Rd | 641 Log Shoals Rd | 689 Log Shoals Rd |
| CURRENT ZONING: | R-S (County) | R-S (County) | R-S (County) | R-S (County) |
| REQUESTED ZONING: | R-10, Medium Density Residential | R-10, Medium Density Residential | R-10, Medium Density Residential | R-10, Medium Density Residential |
| SIZE OF PROPERTY: | Approx. 12 acres | Approx. 1.54 acres | Approx. 0.03 acres | Approx. 0.8 acres |
| CONTIGUITY: | | ctly contiguous to the reet on Log Shoals Ro | | sion, which is |

REQUEST

The City of Mauldin has received signed petitions requesting the annexation of tracts of land consisting of portions of four parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include various owners owning approximately 14.3 acres in total located along Log Shoals Road.

The applicant has requested that these tracts be zoned R-10, Medium-Density Residential, upon annexation into the City of Mauldin. STYO Development, LLC, intends to develop these tracts for approximately 101 attached single-family homes (townhomes) on this tract. Stanley Martin will reportedly be the builder for these townhomes. The price-point for these homes is projected to average in the mid- to high-\$200s.

HISTORY/BACKGROUND

Aside from the 12-acre tract which is currently undeveloped and wooded, the remaining tracts are occupied by single-family residences.

These tracts back up to a new subdivision, called Greenbriar Meadows, currently being developed in Greenville County. Greenbriar Meadows consists of 65 detached single-family homes on approximately 62 acres. That project was approved by Greenville County in 2017. The final plat for Greenbriar Meadows was recorded and the construction of new homes began in 2022. Stanley Martin Homes is the homebuilder for that community.

PROPOSED DEVELOPMENT

About STYO Development

STYO Development appears to be a development and construction team based out of Charleston. According to their LinkedIn profile, they focus on land assembly, permitting, and horizontal construction to deliver finished lots to homebuilders. Their profile states that they have successfully delivered over 2,500 lots.

About Stanley Martin Homes

Stanley Martin Homes is a homebuilder based out of Reston, Virginia. According to their website, they build homes in Virginia, West Virginia, Georgia, Florida, Maryland, North Carolina, and South Carolina. They are currently building homes in Mauldin in the Parkland community at Ridge Road and in the Meadow Springs community at Standing Springs Road. As noted above, Stanley Martin Homes is the homebuilder for the Greenbriar Meadows community which backs up to these tracts and is currently under construction.

Overview of Proposed Development

At present, STYO Development is proposing to develop 101 townhomes on these tracts. Their conceptual design includes the following:

- The townhomes will be approximately 1,500 square feet with 3 bedrooms, 2 bathrooms, and a single-car garage.
- The exterior building finish materials will consist of vinyl with stone water tables. Some units may have full stone on the first floor.
- The primary subdivision entrance will be on Log Shoals Road and will line up directly across from the primary subdivision entrance for the Alston Chase community.
- They will tie into a stub street, Laurelton Place, at the Greenbriar Meadows subdivision.
- Amenities may include a dog park, open air pavilion, and fire pit area.
- A 20-foot landscape buffer will be provided along the adjacent existing residences.
- A 50-foot landscape buffer will be provided along the Southern Connector (Interstate Highway 185).
- A stormwater management detention area will be located at the back of the property adjacent to the Southern Connector.
- Sewer will incorporate a lift station that will pump the sewer across Log Shoals Road and tie into the gravity sewer at Alston Chase.

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UTILITIES AND SERVICES

As noted above, Bluewater Civil Design is proposing to incorporate a lift station that will pump the sewer across Log Shoals Road and tie into the gravity sewer at Alston Chase. MetroConnects is the sewer provider for this general area, including Alston Chase. Bluewater Civil Design is currently working on obtaining preliminary approval from MetroConnects. It is not yet known if MetroConnects will approve the sewer design for this project.

This tract is currently located in the Mauldin Fire Service Area. The City of Mauldin will continue to provide fire protection services to this tract upon annexation.

ZONING ASSIGNMENT

About the R-10 District

The R-10 zoning designation is a medium-density residential district intended to provide single-family living and related facilities such as recreational, religious, and educational facilities. This district allows both detached single-family dwellings and attached single-family dwellings (townhomes). Detached single-family dwellings are required to be built on lots that are at least 10,000 square feet, although smaller lots may be allowed in cluster housing developments.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

| Direction | Zoning District(s) | Existing Use(s) |
|-----------|---------------------------|--------------------------------|
| North | R-S (County) | Rural residential |
| South | N/A | Southern Connector |
| East | R-10 (City) | Alston Chase subdivision |
| West | R-S (County) | Greenbriar Meadows subdivision |

STAFF FINDINGS

Consistency with the Comprehensive Plan and the general character of the area

This property is designated for low-density residential in the future land use map of the comprehensive plan. In the comprehensive plan, low-density residential areas are envisioned to consist of single-family homes, typically on lots of ¼-acre or larger. The density of the proposed development of these tracts is planned at roughly 7.1 units per acre. In comparison to other nearby new communities including Alston Chase (3.4 units per acre), Greenbriar Meadows (1.3 units per acre), Shoally Ridge (3.3 units per acre), and Cottages at Shoally Ridge (3.5 units per acre), the density of this project will be considerably higher than the general character of development in the surrounding area, as well as higher than what was envisioned in the comprehensive plan.

Suitability of the site's physical, geological, hydrological and other environmental features

There are no apparent floodplains, wetlands, or topographic constraints on the site. The property appears to slope toward the Southern Connector, which is where their stormwater detention facility is proposed. According to Greenville County GIS, the elevation of the site falls by about 34 feet over a distance of about 1,200 feet. This represents a grade of just under 3 percent.

Compatibility and impact of the proposed zoning

As noted above, the density of the proposed development of these tracts (7.1 units per acre) is considerably higher than that of other development in the surrounding area. Townhomes are not a common land use in the surrounding area. The only other townhomes in this area are in the Baldwin Chase subdivision at Baldwin Road. The Baldwin Chase consists of a mix of townhomes (60 homes) and detached single-family homes (87 homes).

Additionally, with a projected price-point in the mid- to high-\$200's, the price points for these homes appear to be lower than the average value of homes in surrounding communities. See below.

| | 2021 | | 2022 | | 2023 | |
|---------------|-----------------|------------|-----------------|------------|-----------------|------------|
| Community | No. of Sales | Avg. Price | No. of Sales | Avg. Price | No. of Sales | Avg. Price |
| Alston Chase | 0 | N/A | 0 | N/A | 19 | \$332,720 |
| Greenbriar | 0 | N/A | 4 | \$415,281 | 28 | \$423,197 |
| Meadows | | | | | | |
| Shoally Ridge | 6 | \$304,900 | 2 | \$422,000 | 2 | \$434,500 |
| Cottages at | 10 | \$344,409 | 13 | \$409,234 | 14 | \$440,154 |
| Shoally Ridge | | | | | | |

Capacity of public infrastructure and services

As noted above, it is not yet known if MetroConnects will approve the sewer design and capacity for this project. In terms of traffic, the prospective development is projected to generate about 46 to 57 vehicle trips during peak hours using the Institute of Transportation Engineers (ITE) trip generation rates (Trip Generation Manual, 10th Edition).

TIMELINE

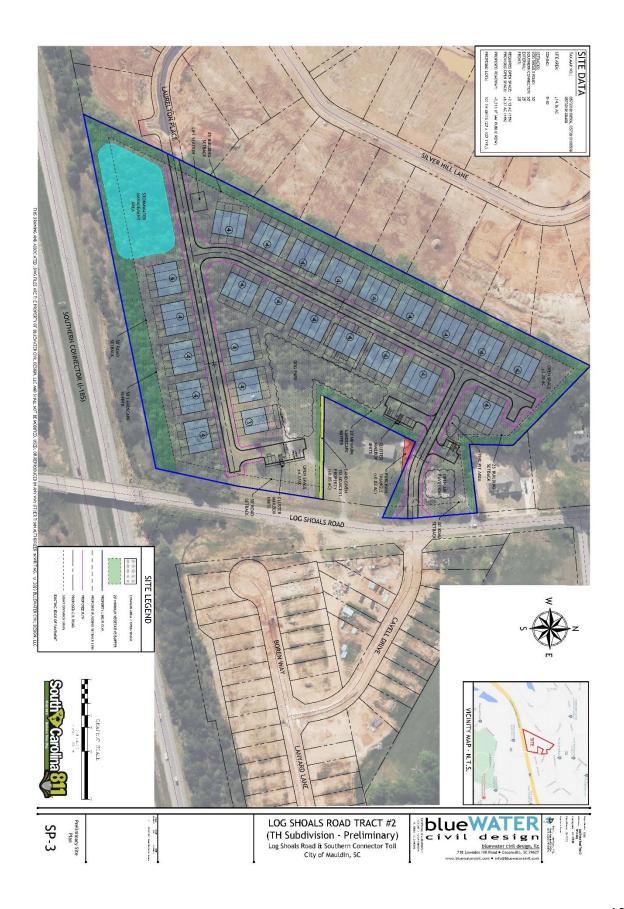
In September, 2023, staff received the signed petitions for the annexation of these tracts.

ATTACHMENTS

Conceptual Layout

Annexation Ordinances (maps and petitions attached therein)

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ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 12.0 ACRES OWNED BY LESLEY P. CORN, AND LOCATED AT 635 LOG SHOALS ROAD (TAX MAP PARCEL: 0573.01-01-005.06) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Lesley P. Corn is the sole owner of record title of a parcel of real property containing 12.0 acres, more or less, located at 635 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Vicki H. Corn, who has been appointed as Mr. Corn's agent as provided in Exhibit 3, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Lesley P. Corn constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Lesley P. Corn, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

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- 2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road and I-185 along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.
- 3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

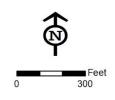
| | Terry Merritt, Mayor |
|-------------------------------|----------------------|
| ATTEST: | |
| Cindy Miller, Municipal Clerk | |
| | |
| First Reading: | |
| Second Reading: | |
| Approved as to Form: | |
| City Attorney | |

EXHIBIT 1 – ANNEXATION MAP

12 acres at 635 Log Shoals Rd ANNEXATION MAP







Created on September 27, 2023

Reproduction of this map is prohibited without permission from the City of Mauldin.

DISCLAIMER: The information contained herein is for reference purposes only. The City of Mauldin makes no warranty, express or implied, nor any guarantee as to information provided herein. The City of Mauldin explicitly disclaims all presentations and warranties. The City of Mauldin assumes no liability for any errors, omissions, or inaccuracies in the information provided herien.

EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 12 ACRES OF REAL PROPERTY OWNED BY LESLEY P. CORN, AND LOCATED ALONG LOG SHOALS ROAD AT INTERSTATE HIGHWAY 185 INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Lesley P. Corn is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 12 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioner hereby petitions to annex their property consisting of approximately 12 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this <u>11th</u> day of <u>September</u>, 20<u>23</u>, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

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Corn Witness

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EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 1," containing 11.98 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-005.06

SEE SURVEY ON NEXT PAGE



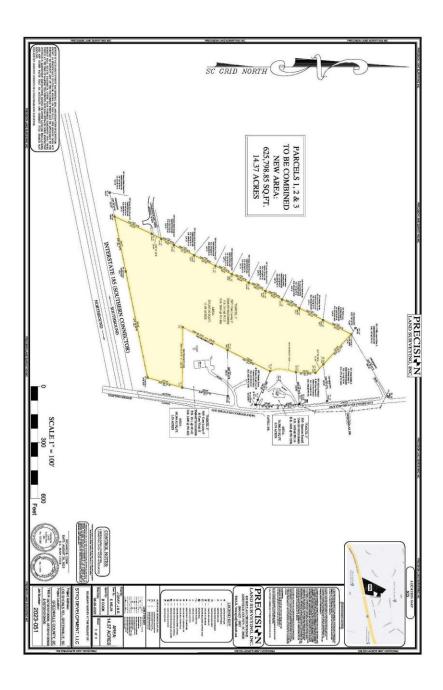


EXHIBIT 3 – LESLEY P. CORN POWER OF ATTORNEY

| | P/ATTY Book: DE 2681 Page: 1131 - 1137 7 Pg February 21, 2023 11:08:49 AM |
|-------------------------|--|
| | Rea: \$25.00 |
| | FILED IN GREENVILLE COUNTY, SC Just of Many |
| STATE OF SOUTH CAROLINA |) DURABLE POWER OF ATTORNEY |
| COUNTY OF GREENVILLE |) |
| | , appoint <u>VICKI H. CORN</u> as my serve, I appoint <u>Colby and Kenzi Corn</u> as substitute or |

I hereby revoke any and all Powers of Attorney previously executed by me.

ARTICLE I Durability

This power of attorney shall not be affected by physical disability or mental incompetence of the principal which renders the principal incapable of managing principal's own estate. By this instrument, I intend to create a Durable Power of Attorney under the law of the state of South Carolina.

ARTICLE II Authorities Granted

I authorize my Agent to do the following on my behalf.

- A. <u>Financial Accounts</u>. My Agent may maintain any financial accounts, including checking, savings, or credit union accounts presently in my name, establish new financial accounts in my name, and deposit money into, withdraw money from, and draw checks on these accounts.
- B. <u>Commercial Paper</u>. My Agent may receive, endorse, and collect any currency or commercial paper, including, but not limited to, any checks or drafts payable to me.
- C. <u>Investments</u>. My Agent may invest and reinvest my funds in any type of investment, including corporate obligations of every kind, preferred or common stocks, securities of any regulated investment trust, partnership interests, and every other type of investment.
- D. <u>Location of Assets</u>. My Agent may move any of my property to any place, whether or not within the United States.
- E. <u>Purchase and Sale of Assets.</u> My Agent may purchase every kind of property, real, personal, intangible and/or mixed, on such terms and conditions as my Agent shall deem appropriate. My Agent may sell or otherwise transfer any of my property, real, personal, or mixed, tangible or intangible, on such terms and conditions as my Agent may deem advisable, and to

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execute any instruments and give any warranties or indemnifications that my Agent may deem useful in effecting such sale or transfer.

- F. <u>Businesses</u>. My Agent may participate in the operation of any business or other enterprise, including voting any stock, and may incorporate, dissolve, or otherwise change the form of such business.
- G. <u>Stock</u>. My Agent may vote in person or by proxy, sell or otherwise dispose of, cause to be registered in the name of a nominee selected by my Agent; transfer, redeem, convert, or exchange any stock or other security that now belongs to me, or may belong to me in the future or in which I may have an interest, and make, execute, and deliver any endorsement, assignment, certification, or other document in connection with any security.
- H. <u>Loans and Mortgages</u>. My Agent may use credit cards (including obtaining cash advances) and borrow and lend money on such terms, including, but not limited to, interest rates, security, and loan duration, and may mortgage and encumber any property, real, personal or mixed, tangible or intangible, as my Agent may deem advisable. Such powers shall include the power to modify, extend and renew loans.
- I. <u>Insurance Policies</u>. My Agent may apply for and own any policies of insurance on my life, on any of my property, and against any liabilities or damages my Agent may deem advisable; pay any premiums or other charges required to maintain such policies; and exercise any incident of ownership over such policies, including, but not limited to, any right to change beneficiaries, cancel any policy, borrow against any cash values, or make any elections with respect to the policies.
- J. <u>Property Management</u>. My Agent may improve, develop, manage, lease, or abandon any of my property, real, personal or mixed.
- K. <u>Nominees</u>. My Agent may hold any of my property in the name of any trustee, custodian, or nominee, without disclosing this relationship.
- L. <u>Motor Vehicles</u>. My Agent may lease or terminate an existing lease of any motor vehicle, may apply for or transfer any certificate of title on any motor vehicle and may represent that such vehicle is free and clear of all liens and encumbrances not otherwise noted in the transfer documents.
- M. <u>Legal Actions</u>. My Agent may prosecute or defend any action to protect me or my property, or to protect my Agent in the performance of the duties under this instrument, and may pay, contest, or settle any claim by or against me or my Agent in the performance of the duties under this instrument.

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- N. <u>Employees.</u> My Agent may employ persons, even if they are associated with my Agent, to advise or assist in the performance of the duties under this instrument.
- O. <u>Tax Returns</u>. My Agent may prepare, sign, and file any returns of tax, refund claims, requests for extension of time to file or pay; petition any court with respect to any tax, offers, waivers, consents, powers of attorney, and other documents relating to any type of federal, state, local, or foreign tax; and execute any elections I may have under any such tax laws. I waive any privileges I may have against disclosure of any confidential tax information to my Agent.
- P. Revocable Trust. My Agent may transfer any of my assets to any revocable trust I have created, to be administered under the terms of such trust, and may withdraw assets from any such trust for any proper purpose, even if my Agent is a trustee.
- Q. <u>Disclaimer</u>. My Agent may disclaim all or part of any transfers to me if my Agent deems it probable that no gift taxes will be imposed on my account of such disclaimer.
- R. <u>Safe Deposit Boxes</u>. My Agent may have access to all safe deposit boxes in my name or with respect to which I am an authorized signatory. My Agent may add to and remove from the contents of the box, close out the box, and open any new safe deposit boxes in my name.
- S. <u>Retirement Benefits</u>. My Agent may select the method and time of payments from and the beneficiaries of any of my pension, profit sharing, stock ownership, or other retirement plans; elect to participate in and make investment selections and give investment directions under such plans; amend or terminate any of my individual retirement accounts or other retirement or deferred income arrangements; and make selections of optional benefits offered by my employer and exercise continuation rights as to any benefits.
- T. Representation Before Governmental Agencies. My Agent may represent me before the United States Social Security or Veteran's Administrations, any Medicaid agency, or any other governmental agency (both state and federal); make applications for benefits or entitlements from any governmental agency (both state and federal); and appeal any denial, reduction, or discontinuance of benefits or entitlements.
- U. <u>Mail</u>. My Agent may receive, accept, open, read, respond to and redirect all mail addressed to me and any packages sent through the United States Postal Service, private carriers or delivery services addressed to me; may represent me before such agencies and companies and shall have authority to open, maintain or close post office boxes in my name at any United States Post Office or private postal facility.
- V. Other. My Agent may do any other thing that my Agent may deem advisable, necessary, or desirable for the management of my affairs or for my health, comfort, or welfare, including, but not limited to, changing my state of domicile.

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ARTICLE III No Gifting

My Agent shall have no power or authority whatsoever to make gifts, grants, or other transfers without consideration. Further, my Agent shall be prohibited from (a) appointing, assigning, or designating any of my assets, interests, or rights directly or indirectly to my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (b) exercising any power of appointments I may hold in favor of my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (c) disclaiming assets to which I would otherwise be entitled if the effect of such disclaimer is to pass assets directly or indirectly to my Agent or his or her estate, or (d) using my assets to discharge any of my Agent's legal obligations, including any obligation of support which my Agent may owe to others, excluding those whom I am legally obligated to support.

ARTICLE IV Miscellaneous

- A. <u>Real Property</u>. This power of attorney specifically gives my Agent the power to manage, deal with, lease, sell, mortgage and/or encumber any real property owned by me and any fixtures attached to my real property, and personal property used in connection with my real property, and any policies of casualty insurance on my real property.
- B. Revocation of Power. I may revoke this power of attorney by a written instrument recorded in the Register of Deeds Office in the county aforesaid. However, all persons, corporations, organizations or entities shall recognize my Agent's authority to manage my affairs and transact my business under this instrument until receipt of a written notice of revocation or actual knowledge of my death. No one shall be liable to me or my estate for losses resulting from the good faith recognition of the authority of my Agent prior to receipt of a written notice of revocation or actual knowledge of my death.
- C. <u>Ratification</u>. I hereby ratify and confirm all and whatsoever my Agent shall lawfully do or cause to be done in and about the premises by virtue of these presents, including anything which shall be done between the revocation of these presents by my death or in any other manner and notice of such revocation reaching my Agent; and I hereby declare that as against me and all persons claiming under me, everything which my Agent shall do or cause to be done in pursuance hereof after such revocation shall be valid and effectual in favor of any person claiming the benefit thereof who before the doing thereof shall not have had notice of such revocation.
- D. <u>No Inventory or Bond Required</u>. No Agent hereunder shall be required to prepare or file any inventory of deposits, chose in action or personal property with any court, and no Agent hereunder shall be required to post a surety bond hereunder.

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- E. <u>Conservator and Guardian</u>. If protective proceedings for my person or my estate are hereafter commenced, I hereby nominate my Agent to serve as the conservator of my estate and as the guardian of my person. Nothing in this section shall be construed as a direction that such a petition be filed, or such appointment be made, and it is my express wish that such action be taken only when and if absolutely necessary, and I direct that any such action shall not revoke this Power of Attorney.
- F. <u>Counterparts</u>. Anyone may rely fully, completely, and equally on the following: (1) the original of this power of attorney; (2) a duly executed counterpart; or (3) a copy certified by my Agent to be a true copy of the original power of attorney.
- G. <u>Purchasers</u>. Anyone who purchases any of my property from my Agent is not obligated to see to the application of the purchase money or other consideration paid for such property.
- H. Governing Law. This instrument shall be governed by the laws of the State of South Carolina in all respects, including its validity, construction, interpretation, and termination. To the extent permitted by law this instrument shall be applicable to all property of mine, real, personal, intangible or mixed, wherever and in whatever state of the United States or foreign country the situs of such property is at any time located, and whether such property is now owned by me or hereafter acquired by me or for me by my Agent.
- I. Number. Whenever the context of this power of attorney requires, the singular number includes the plural and vice versa.
- J. <u>Fiduciary Powers</u>. My Agent shall be prohibited from exercising any fiduciary powers that I now hold or may hereafter acquire.
- K. <u>Reimbursement of Agent</u>. My Agent shall be entitled to reimbursement for all reasonable costs and expenses, including reasonable attorney's fees, actually incurred and paid by my Agent on my behalf at any time under any provision of this instrument. My Agent shall not be entitled to compensation for services rendered hereunder.
- L. <u>Severability</u>. If any part of any provision of this instrument shall be invalid or unenforceable under applicable law, such part shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provision or the remaining provisions of this instrument.
- M. This Instrument Unaffected by Lapse of Time. I intend that this power of attorney be legally unaffected by reason of lapse of time or staleness.
- N. <u>Binding Effect</u>. This instrument and actions taken by my Agent properly authorized hereunder shall be binding upon me, my estate, and my personal representative.

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| IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this fluiday of, 2023. | | | |
|---|--|--|--|
| Sop P. Con | | | |
| Lesler P. Corn (SEAL) Lesley P. Corn | | | |
| Lesley P. Corn | | | |
| The foregoing Power of Attorney, consisting of six typewritten pages, was signed, sealed, published and declared by the said Principal as and for his or her Power of Attorney in the presence of us, who have hereunto subscribed our names as witnesses hereto. | | | |
| 9> | | | |
| Witness | | | |
| mes | | | |
| Witness | | | |
| | | | |
| STATE OF SOUTH CAROLINA) PROBATE | | | |
| COUNTY OF GREENVILLE) | | | |
| PERSONALLY, appeared before me, the undersigned witness, and made oath that (s)he | | | |
| saw the within-named <u>Lesley P. Corn</u> , Principal, sign, seal and as her act and deed deliver the foregoing Power of Attorney, and that (s)he is not a party to or a beneficiary | | | |
| of the above transaction, and that (s)he, with the other witness whose signature appears above, witnessed the execution thereof. | | | |
| witnessed the execution thereof. | | | |
| | | | |
| [ADD WITNESS NAME], Witness | | | |
| Sworn to before me this 9th | | | |
| day of KERWAY, 2023. See Acknowledge-et | | | |
| (NOTARY'S NAME) Roby M. PAUL Notary Public for South Capolina Greenville Cty | | | |
| My Commission Expires: 17 Fest 2031 | | | |
| Page 6 of 6 | | | |

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

ACKNOWLEDGEMENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2

NOTARY PUBLIC FOR SCHOOL SCHOO

2023009242 DE BK 2681 PG 1137 (LAST PAGE)

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 1.5 ACRES OWNED BY LESLEY P. CORN AND VICKI H. CORN, AND LOCATED AT 635 LOG SHOALS ROAD (PART OF TAX MAP PARCEL: 0573.01-01-005.08) BY ONE HUNDRED PERCENT METHOD; **PETITION** AND TO **ESTABLISH** Α **ZONING** CLASSIFICATION \mathbf{OF} R-10, RESIDENTIAL, **FOR** SAID **PROPERTY**

WHEREAS, Lesley P. Corn and Vicki H. Corn are the sole owners of record title of a parcel of real property containing 1.5 acres, more or less, located at 635 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Vicki H. Corn, who has been appointed as Mr. Corn's agent as provided in Exhibit 3, requesting that a portion of the aforementioned property be annexed into the City of Mauldin as described in Exhibit 2; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Lesley P. Corn and Vicki H. Corn constitute one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Lesley P. Corn and Vicki H. Corn, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

• • •

- 2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.
- 3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

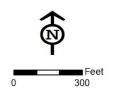
| | Terry Merritt, Mayor |
|-------------------------------|----------------------|
| ATTEST: | |
| | |
| Cindy Miller, Municipal Clerk | |
| | |
| First Reading: | |
| Second Reading: | |
| Approved as to Form: | |
| | |
| City Attorney | |

EXHIBIT 1 – ANNEXATION MAP

1.5 acres at 635 Log Shoals Rd ANNEXATION MAP







Created on September 27, 2023

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EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 1.5 ACRES OF REAL PROPERTY OWNED BY LESLEY P. CORN AND VICKI H. CORN, AND LOCATED AT 635 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Lesley P. Corn and Vicki H. Corn are the sole owners [freeholders owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 1.59 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioners hereby petition to annex a portion of their property consisting of 1.54 acres which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. This 1.54-acre portion of their property consists of the majority of their 1.59-acre property, less 0.05 acres along the northern edge of their property, as depicted in Exhibit A. Petitioners also hereby petition to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 11th day of September, 2023, before the first signature below is attached.

The Petitioners request that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

Date

Niliki H Ann An Sele D Re

Witness

Witne

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EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 2," containing 1.59 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

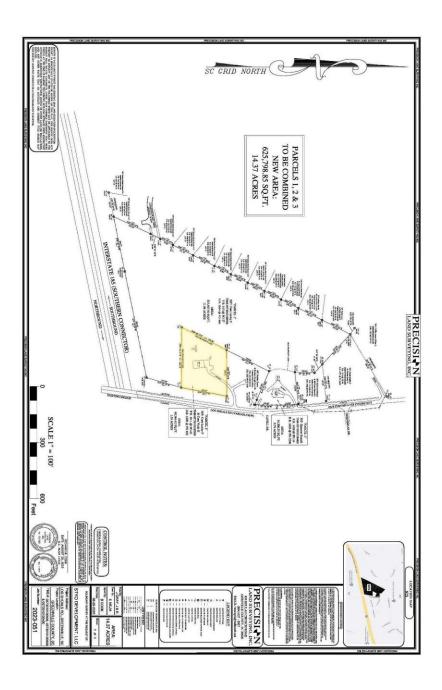
-- LESS --

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel B," containing 0.05 acres, more or less, on Log Shoals Road, upon a survey for Emma and Joseph Bonham, dated September 6, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-005.08

SEE SURVEYS ON NEXT PAGES





-- LESS --

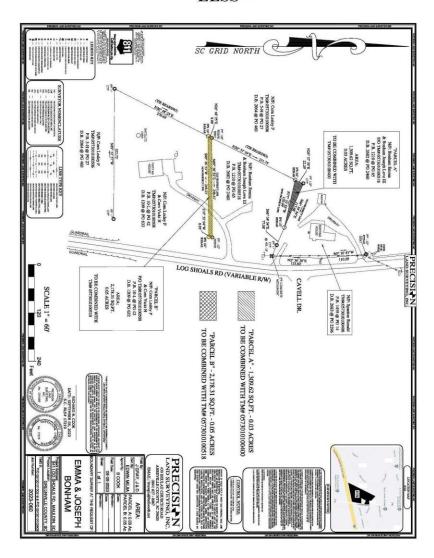


EXHIBIT 3 – LESLEY P. CORN POWER OF ATTORNEY

| | P/ATTY Book: DE 2681 Page: 1131 - 1137 |
|-------------------------|--|
| | February 21, 2023 11:08:49 AM Rec: \$25.00 |
| | FILED IN GREENVILLE COUNTY, SC July of Among |
| STATE OF SOUTH CAROLINA |) DURABLE POWER OF ATTORNEY |
| COUNTY OF GREENVILLE |) |
| | , appoint <u>VICKI H. CORN</u> as my serve, I appoint <u>Colby and Kenzi Corn</u> as substitute or |

I hereby revoke any and all Powers of Attorney previously executed by me.

ARTICLE I Durability

This power of attorney shall not be affected by physical disability or mental incompetence of the principal which renders the principal incapable of managing principal's own estate. By this instrument, I intend to create a Durable Power of Attorney under the law of the state of South Carolina.

ARTICLE II Authorities Granted

I authorize my Agent to do the following on my behalf.

- A. <u>Financial Accounts</u>. My Agent may maintain any financial accounts, including checking, savings, or credit union accounts presently in my name, establish new financial accounts in my name, and deposit money into, withdraw money from, and draw checks on these accounts.
- B. <u>Commercial Paper</u>. My Agent may receive, endorse, and collect any currency or commercial paper, including, but not limited to, any checks or drafts payable to me.
- C. <u>Investments</u>. My Agent may invest and reinvest my funds in any type of investment, including corporate obligations of every kind, preferred or common stocks, securities of any regulated investment trust, partnership interests, and every other type of investment.
- D. <u>Location of Assets</u>. My Agent may move any of my property to any place, whether or not within the United States.
- E. <u>Purchase and Sale of Assets.</u> My Agent may purchase every kind of property, real, personal, intangible and/or mixed, on such terms and conditions as my Agent shall deem appropriate. My Agent may sell or otherwise transfer any of my property, real, personal, or mixed, tangible or intangible, on such terms and conditions as my Agent may deem advisable, and to

Page 1 of 6

• • •

execute any instruments and give any warranties or indemnifications that my Agent may deem useful in effecting such sale or transfer.

- F. <u>Businesses</u>. My Agent may participate in the operation of any business or other enterprise, including voting any stock, and may incorporate, dissolve, or otherwise change the form of such business.
- G. <u>Stock</u>. My Agent may vote in person or by proxy, sell or otherwise dispose of, cause to be registered in the name of a nominee selected by my Agent; transfer, redeem, convert, or exchange any stock or other security that now belongs to me, or may belong to me in the future or in which I may have an interest, and make, execute, and deliver any endorsement, assignment, certification, or other document in connection with any security.
- H. <u>Loans and Mortgages</u>. My Agent may use credit cards (including obtaining cash advances) and borrow and lend money on such terms, including, but not limited to, interest rates, security, and loan duration, and may mortgage and encumber any property, real, personal or mixed, tangible or intangible, as my Agent may deem advisable. Such powers shall include the power to modify, extend and renew loans.
- I. <u>Insurance Policies</u>. My Agent may apply for and own any policies of insurance on my life, on any of my property, and against any liabilities or damages my Agent may deem advisable; pay any premiums or other charges required to maintain such policies; and exercise any incident of ownership over such policies, including, but not limited to, any right to change beneficiaries, cancel any policy, borrow against any cash values, or make any elections with respect to the policies.
- J. <u>Property Management</u>. My Agent may improve, develop, manage, lease, or abandon any of my property, real, personal or mixed.
- K. <u>Nominees</u>. My Agent may hold any of my property in the name of any trustee, custodian, or nominee, without disclosing this relationship.
- L. <u>Motor Vehicles</u>. My Agent may lease or terminate an existing lease of any motor vehicle, may apply for or transfer any certificate of title on any motor vehicle and may represent that such vehicle is free and clear of all liens and encumbrances not otherwise noted in the transfer documents.
- M. <u>Legal Actions</u>. My Agent may prosecute or defend any action to protect me or my property, or to protect my Agent in the performance of the duties under this instrument, and may pay, contest, or settle any claim by or against me or my Agent in the performance of the duties under this instrument.

Page 2 of 6

• • •

- N. Employees. My Agent may employ persons, even if they are associated with my Agent, to advise or assist in the performance of the duties under this instrument.
- O. <u>Tax Returns</u>. My Agent may prepare, sign, and file any returns of tax, refund claims, requests for extension of time to file or pay; petition any court with respect to any tax, offers, waivers, consents, powers of attorney, and other documents relating to any type of federal, state, local, or foreign tax; and execute any elections I may have under any such tax laws. I waive any privileges I may have against disclosure of any confidential tax information to my Agent.
- P. Revocable Trust. My Agent may transfer any of my assets to any revocable trust I have created, to be administered under the terms of such trust, and may withdraw assets from any such trust for any proper purpose, even if my Agent is a trustee.
- Q. <u>Disclaimer</u>. My Agent may disclaim all or part of any transfers to me if my Agent deems it probable that no gift taxes will be imposed on my account of such disclaimer.
- R. <u>Safe Deposit Boxes</u>. My Agent may have access to all safe deposit boxes in my name or with respect to which I am an authorized signatory. My Agent may add to and remove from the contents of the box, close out the box, and open any new safe deposit boxes in my name.
- S. <u>Retirement Benefits</u>. My Agent may select the method and time of payments from and the beneficiaries of any of my pension, profit sharing, stock ownership, or other retirement plans; elect to participate in and make investment selections and give investment directions under such plans; amend or terminate any of my individual retirement accounts or other retirement or deferred income arrangements; and make selections of optional benefits offered by my employer and exercise continuation rights as to any benefits.
- T. <u>Representation Before Governmental Agencies</u>. My Agent may represent me before the United States Social Security or Veteran's Administrations, any Medicaid agency, or any other governmental agency (both state and federal); make applications for benefits or entitlements from any governmental agency (both state and federal); and appeal any denial, reduction, or discontinuance of benefits or entitlements.
- U. <u>Mail</u>. My Agent may receive, accept, open, read, respond to and redirect all mail addressed to me and any packages sent through the United States Postal Service, private carriers or delivery services addressed to me; may represent me before such agencies and companies and shall have authority to open, maintain or close post office boxes in my name at any United States Post Office or private postal facility.
- V. Other. My Agent may do any other thing that my Agent may deem advisable, necessary, or desirable for the management of my affairs or for my health, comfort, or welfare, including, but not limited to, changing my state of domicile.

Page 3 of 6

ARTICLE III No Gifting

My Agent shall have no power or authority whatsoever to make gifts, grants, or other transfers without consideration. Further, my Agent shall be prohibited from (a) appointing, assigning, or designating any of my assets, interests, or rights directly or indirectly to my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (b) exercising any power of appointments I may hold in favor of my Agent, my Agent's estate, my Agent's creditors, or the creditors of my Agent's estate, (c) disclaiming assets to which I would otherwise be entitled if the effect of such disclaimer is to pass assets directly or indirectly to my Agent or his or her estate, or (d) using my assets to discharge any of my Agent's legal obligations, including any obligation of support which my Agent may owe to others, excluding those whom I am legally obligated to support.

ARTICLE IV Miscellaneous

- A. <u>Real Property</u>. This power of attorney specifically gives my Agent the power to manage, deal with, lease, sell, mortgage and/or encumber any real property owned by me and any fixtures attached to my real property, and personal property used in connection with my real property, and any policies of casualty insurance on my real property.
- B. Revocation of Power. I may revoke this power of attorney by a written instrument recorded in the Register of Deeds Office in the county aforesaid. However, all persons, corporations, organizations or entities shall recognize my Agent's authority to manage my affairs and transact my business under this instrument until receipt of a written notice of revocation or actual knowledge of my death. No one shall be liable to me or my estate for losses resulting from the good faith recognition of the authority of my Agent prior to receipt of a written notice of revocation or actual knowledge of my death.
- C. <u>Ratification</u>. I hereby ratify and confirm all and whatsoever my Agent shall lawfully do or cause to be done in and about the premises by virtue of these presents, including anything which shall be done between the revocation of these presents by my death or in any other manner and notice of such revocation reaching my Agent; and I hereby declare that as against me and all persons claiming under me, everything which my Agent shall do or cause to be done in pursuance hereof after such revocation shall be valid and effectual in favor of any person claiming the benefit thereof who before the doing thereof shall not have had notice of such revocation.
- D. <u>No Inventory or Bond Required</u>. No Agent hereunder shall be required to prepare or file any inventory of deposits, chose in action or personal property with any court, and no Agent hereunder shall be required to post a surety bond hereunder.

Page 4 of 6

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- E. <u>Conservator and Guardian</u>. If protective proceedings for my person or my estate are hereafter commenced, I hereby nominate my Agent to serve as the conservator of my estate and as the guardian of my person. Nothing in this section shall be construed as a direction that such a petition be filed, or such appointment be made, and it is my express wish that such action be taken only when and if absolutely necessary, and I direct that any such action shall not revoke this Power of Attorney.
- F. <u>Counterparts</u>. Anyone may rely fully, completely, and equally on the following: (1) the original of this power of attorney; (2) a duly executed counterpart; or (3) a copy certified by my Agent to be a true copy of the original power of attorney.
- G. <u>Purchasers</u>. Anyone who purchases any of my property from my Agent is not obligated to see to the application of the purchase money or other consideration paid for such property.
- H. Governing Law. This instrument shall be governed by the laws of the State of South Carolina in all respects, including its validity, construction, interpretation, and termination. To the extent permitted by law this instrument shall be applicable to all property of mine, real, personal, intangible or mixed, wherever and in whatever state of the United States or foreign country the situs of such property is at any time located, and whether such property is now owned by me or hereafter acquired by me or for me by my Agent.
- I. Number. Whenever the context of this power of attorney requires, the singular number includes the plural and vice versa.
- J. <u>Fiduciary Powers</u>. My Agent shall be prohibited from exercising any fiduciary powers that I now hold or may hereafter acquire.
- K. <u>Reimbursement of Agent</u>. My Agent shall be entitled to reimbursement for all reasonable costs and expenses, including reasonable attorney's fees, actually incurred and paid by my Agent on my behalf at any time under any provision of this instrument. My Agent shall not be entitled to compensation for services rendered hereunder.
- L. <u>Severability</u>. If any part of any provision of this instrument shall be invalid or unenforceable under applicable law, such part shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provision or the remaining provisions of this instrument.
- M. This Instrument Unaffected by Lapse of Time. I intend that this power of attorney be legally unaffected by reason of lapse of time or staleness.
- N. <u>Binding Effect</u>. This instrument and actions taken by my Agent properly authorized hereunder shall be binding upon me, my estate, and my personal representative.

Page 5 of 6

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| IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this <u>quantous</u> |
|---|
| day of |
| Lesley P. Corn (SEAL) Lesley P. Corn |
| Lesley P. Corn |
| The foregoing Power of Attorney, consisting of six typewritten pages, was signed, sealed, published and declared by the said Principal as and for his or her Power of Attorney in the presence of us, who have hereunto subscribed our names as witnesses hereto. |
| 3) >> |
| Witness |
| ne. |
| Witness |
| |
| STATE OF SOUTH CAROLINA) |
| COUNTY OF GREENVILLE) PROBATE |
| PERSONALLY, appeared before me, the undersigned witness, and made oath that (s)he |
| saw the within named <u>Lesley P. Corn</u> , Principal, sign, seal and as her act and deed deliver the foregoing Power of Attorney, and that (s)he is not a party to or a beneficiary |
| of the above transaction, and that (s)he, with the other witness whose signature appears above, |
| witnessed the execution thereof. |
| |
| [ADD WITNESS NAME], Witness |
| Sworn to before me this 9th |
| day of <u>FEBRUARY</u> , 2023. |
| (NOTARY'S NAME) ROLAM. PAUC Notary Public for South Carolina Greenville Cty |
| Notary Public for South Carolina Greenville Cfy My Commission Expires: 17 FEE 2031 |
| / |
| Page 6 of 6 |

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

ACKNOWLEDGEMENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2

NOTARY PUBLIC FOR & Creence ! 1/e, 5 C MY COMMISSION EXPIRES: 4/16/28

2023009242 DE BK 2681 PG 1137 (LAST PAGE)

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 0.03 ACRES OWNED BY EMMA BONHAM AND JOSEPH LOVE BONHAM III, AND LOCATED AT 641 LOG SHOALS ROAD (PART OF TAX MAP PARCEL: 0573.01-01-005.18) BY ONE HUNDRED PERCENT METHOD: PETITION AND TO **ESTABLISH** Α **ZONING** CLASSIFICATION \mathbf{OF} R-10, RESIDENTIAL, FOR SAID **PROPERTY**

WHEREAS, Emma Bonham and Joseph Love Bonham III are the sole owners of record title of a parcel of real property located at 641 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Emma Bonham and Joseph Love Bonham III, requesting that a portion of the aforementioned property consisting of 0.03 acres be annexed into the City of Mauldin as described in Exhibit 2; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Emma Bonham and Joseph Love Bonham III constitute one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Emma Bonham and Joseph Love Bonham III, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

• • •

2.

ZONING ASSIGNMENT: The above referenced property owned is

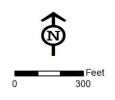
| hereby zoned R-10, Residential. | | |
|---------------------------------|----------------------|--|
| | | |
| | Terry Merritt, Mayor | |
| ATTEST: | | |
| | | |
| Cindy Miller, Municipal Clerk | | |
| | | |
| First Reading: | | |
| Second Reading: | | |
| | | |
| Approved as to Form: | | |
| | | |
| City Attorney | | |

EXHIBIT 1 – ANNEXATION MAP

0.03 acres at 641 Log Shoals Rd ANNEXATION MAP







Created on September 27, 2023

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EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 0.03 ACRES OF REAL PROPERTY OWNED BY EMMA BONHAM AND JOSEPH LOVE BONHAM III, AND LOCATED AT 641 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Emma Bonham and Joseph Love Bonham III are the sole owners [freeholders owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioners hereby petition to annex a portion of their property consisting of 0.03 acres, as depicted in Exhibit A, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioners also hereby petition to assign this portion of their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this <u>11th</u> day of <u>September</u>, 2023, before the first signature below is attached.

The Petitioners request that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

| 09/16/2023 , 20 23 | |
|------------------------|-----------------------|
| Date | |
| amma Bonham | Joseph Love Banham II |
| Emma Bonham | Witness |
| Doseph Love Bonham III | Emma Bonnam Witness |

• • •

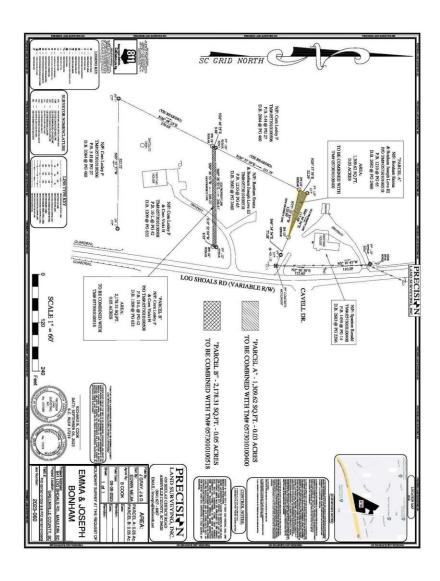
EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel A," containing 0.03 acres, more or less, on Log Shoals Road, upon a survey for Emma and Joseph Bonham, dated September 6, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

SEE SURVEY ON NEXT PAGE

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ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 0.8 ACRES OWNED BY RONALD SPANTON, AND LOCATED AT 689 LOG SHOALS ROAD (TAX MAP PARCEL: 0573.01-01-004.00) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Ronald Spanton is the sole owner of record title of a parcel of real property containing 0.8 acres, more or less, located at 689 Log Shoals Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Ronald Spanton, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Ronald Spanton constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-10, Residential, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordered and ordained by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

1. ANNEXATION: The real property owned by Ronald Spanton, and more particularly depicted in the map attached hereto marked as Exhibit 1 and the petition marked as Exhibit 2, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

• • •

- 2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Log Shoals Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.
- 3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned R-10, Residential.

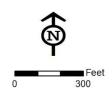
| | Terry Merritt, Mayor |
|-------------------------------|----------------------|
| ATTEST: | |
| Cindy Miller, Municipal Clerk | |
| First Reading: | |
| Second Reading: | |
| Approved as to Form: | |
| City Attorney | |

EXHIBIT 1 – ANNEXATION MAP

0.8 acres at 689 Log Shoals Rd ANNEXATION MAP







Created on September 27, 2023

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EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF APPROXIMATELY 0.8 ACRES OF REAL PROPERTY OWNED BY RONALD SPANTON, AND LOCATED AT 689 LOG SHOALS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Ronald Spanton is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 0.8 acres, more particularly described in the property description and survey attached hereto marked as Exhibit A.

Petitioner hereby petitions to annex their property consisting of approximately 0.8 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of R-10, Residential, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this <u>11th</u> day of <u>September</u>, 20<u>23</u>, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of R-10, Residential.

9-11, 2023

Ronald Spenter

Ronald Spanton

Witness

Witness

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EXHIBIT A

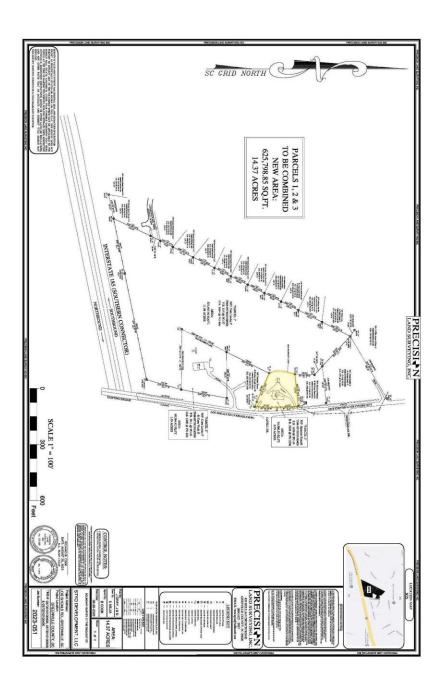
PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown as "Parcel 3," containing 0.79 acres, more or less, on Log Shoals Road, upon a survey for Styo Development, LLC, dated August 29, 2023, prepared by Precision Land Surveying, Inc.; reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0573.01-01-004.00

SEE SURVEY ON NEXT PAGE

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BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: October 2, 2023

AGENDA ITEM: 6b

TO: Building Codes Committee

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Business License Standardization Ordinance

Amendment

BACKGROUND

South Carolina's Act 176, the Business License Standardization Act, requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year to go into effect the following year. As such, 2023 is a time to update the City's licensing practices to remain in compliance with state law.

As required by Act 176, the class schedule updates are based on the latest statistical data on business profitability from the IRS, which then receives approval from the SC Revenue and Fiscal Affairs Office.

Each local government must adopt these updates by December 31, 2023, to address those licensing renewals that will take place for the license year running from May 1, 2024 – April 30, 2025.

AMENDMENT SUMMARY

This amendment to entails the following:

- 1. The NAICS codes for Class 8.3, Telephone Companies, have been corrected.
- 2. Class 8.6 for Billard or Pool Tables has been updated as follows: A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business license pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table long than that.
- 3. The NAICS codes for Class 9.41, Regular Peddlers, and Class 9.42, Season Peddlers, have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

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4. The rate class schedule in Appendix B has been replaced. Some of the business sectors have been reassigned to new rate classes. These include:

| NAICS Code | Industry Sector | Old Rate | New Rate |
|------------|--|----------|----------|
| | | Class | Class |
| 11 | Agriculture, forestry, hunting and fishing | 2 | 1 |
| 21 | Mining | 4 | 2 |
| 48-49 | Transportation and warehousing | 2 | 1 |
| 56 | Administrative and support and waste | 4 | 3 |
| | management and remediation services | | |
| 61 | Educational services | 4 | 3 |
| 721 | Accommodation | 3 | 1 |
| 81 | Other services | 5 | 4 |

In all the above reassignments, the industry sectors were reassigned to classes with lower rates. This means that the business license revenue collected by the City from these industry sectors may go down.

STAFF RECOMMENDATION

In order to be compliant with South Carolina's Act 176, staff recommends approval of the attached ordinance.

ATTACHMENT

Ordinance

AN ORDINANCE

AMENDING THE BUSINESS LICENSE ORDINANCE OF THE CITY OF MAULDIN TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

WHEREAS, the City of Mauldin (the "Municipality") is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

WHEREAS, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the "<u>Standardization Act</u>"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

WHEREAS, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the "Association") and adopted by the Director of the Revenue and Fiscal Affairs Office;

WHEREAS, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 989 on November 15, 2021, in order to comply with the requirements of the Standardization Act (the "Current Business License Ordinance");

WHEREAS, the City Council of the Municipality (the "<u>Council</u>") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association;

NOW, THEREFORE, BE IT ORDERED AND ORDAINED by the City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

SECTION 1. Amendments to Appendix A. Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows (*language that is struck through* is language proposed to be deleted, <u>underlined language</u> is language proposed to be add, language that is not struck through or <u>underlined</u> is not to be changed, and *** represents sections of the ordinance that have been skipped and remain unchanged):

APPENDIX A: BUSINESS LICENSE RATE SCHEDULE

8.3 NAICS 517311, 517312 517111, 517112, 517122 – Telephone Companies.

8.6 NAICS 713990 Code Varies – Billiard or Pool Tables Rooms, all types.

A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition,

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the billiard or pool tables shall require their own separate business license pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that.

(A) Pursuant to SC Code § 12-21-2746, license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that; PLUS (B) with respect to gross income from the entire business in addition to the tax authorized by state law for each table:

| Minimum on first \$2,000 | | \$47.00 PLUS |
|-----------------------------|-------------|--------------|
| Per \$1,000, or fraction, o | ver \$2,000 | \$3.50 |

9.4 NAICS 454390 - Peddlers, Solicitors, Canvassers, Door-to-Door Sales.

Direct retail sales of merchandise. [Non-resident rates apply]

9.41 Regular activities [more than two sale periods of more than three days each per year]

| Minimum on first \$2,000 | \$200.00 PLUS |
|---------------------------------------|---------------|
| Per \$1,000, or fraction, over \$2,00 | 0\$1.90 |

9.42 Seasonal activities [not more than two sale periods of not more than three days each year, separate license required for each sale period]

| Minimum on first \$2,000 | | \$200.0 | |
|--|-----|---------|---------------------|
| Per \$1,000, or fraction, over \$2,000 | 000 | | . \$1.90 |

Applicants for a license to sell on private property must provide written authorization from the property owner to use the intended location.

SECTION 2. Amendments to Appendix B. Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," is hereby amended as follows:

- (a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," are hereby amended and restated as set forth on the attached <u>Exhibit A</u>.
- (b) Class 9 in Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," shall remain in full force and effect as set forth in the Current Business License Ordinance.
- [(c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to

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apply and pay for a business license in their natural class.

SECTION 3. Repealer, Effective Date. All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2024.

| ENACTED IN REGULAR MEETING , this | _ day of, 20 |
|--|--------------|
| | Mayor |
| | ATTEST: |
| | Clerk |
| First reading: | |
| Final reading: | |

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Exhibit A: Amendment to Classes 1 – 8 in Appendix B of the Current Business License Ordinance

APPENDIX B

Classes 1 – 8: Business License Class Schedule by NAICS Codes

| NAICS | | |
|------------------|--|-------|
| Sector/Subsector | Industry Sector | Class |
| 11 | Agriculture, forestry, hunting and fishing | 1 |
| 21 | Mining | 2 |
| 22 | Utilities | 1 |
| 31 - 33 | Manufacturing | 9.8 |
| 42 | Wholesale trade | 1 |
| 44 - 45 | Retail trade | 1 |
| 48 - 49 | Transportation and warehousing | 1 |
| 51 | Information | 4 |
| 52 | Finance and insurance | 7 |
| 53 | Real estate and rental and leasing | 7 |
| 54 | Professional, scientific, and technical services | 5 |
| 55 | Management of companies | 7 |
| 56 | Administrative and support and waste management and remediation services | 3 |
| 61 | Educational services | 3 |
| 62 | Health care and social assistance | 4 |
| 71 | Arts, entertainment, and recreation | 3 |
| 721 | Accommodation | 1 |
| 722 | Food services and drinking places | 2 |
| 81 | Other services | 4 |
| Class 8 | Subclasses | |
| 23 | Construction | 8.1 |
| 482 | Rail Transportation | 8.2 |
| 517111 | Wired Telecommunications Carriers | 8.3 |
| 517112 | Wireless Telecommunications Carriers (except Satellite) | 8.3 |
| 517122 | Agents for Wireless Telecommunications Services | 8.3 |
| 5241 | Insurance Carriers | 8.4 |
| 5242 | Insurance Brokers for non-admitted Insurance Carriers | 8.4 |
| 713120 | Amusement Parks and Arcades | 8.51 |
| 713290 | Nonpayout Amusement Machines | 8.52 |
| 713990 | All Other Amusement and Recreational Industries (pool tables) | 8.6 |
| 423930 | Junk or Scrap Dealers | 9.1 |
| 522298 | Pawn Brokers | 9.2 |

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| 4411 | Automobile Dealers | 9.3 |
|--------|--|-----|
| 4412 | Other Motor Vehicle Dealers | 9.3 |
| 713290 | Bingo Halls, Parlors | 9.5 |
| 711190 | Carnivals and Circuses | 9.6 |
| 722410 | Drinking Places, Bars, Lounges, Cabarets | 9.7 |