# Pender County
# Planning and Community Development

**Planning Division**
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

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Foy Tract Development Information
Master Development Plan

**Case Number:** MDP 2022-44

**Application Type:** Master Development Plan

**Applicant:** Frank Braxton

**Owners:** Clayton Properties Group, INC.

**Location:** The property is located off HWY 17 North at the current entrance to the Abbey Nature Preserve. Another access will be off Scotts Hill Loop Rd.

**Property ID #(s):** 3270-59-1486-0000

**Description:** By-Right Master Development Plan and Preliminary Plat for 137 lot subdivision

**Current Zoning:** RP, Residential Performance

**Technical Review Committee**

- **TRC Meeting**
  - **December 1, 2022** at 7:00 PM in the auditorium at the Pender County Hampstead Annex, 15060 US HWY 17, Hampstead.

**Application Materials**

- Application Package
- Proposed Master Development Plan

**Staff Review**

- Staff Report for the Planning Board meeting to be uploaded once distributed to Planning Board members for review.

# APPLICATION PACKAGE

# Pender County
# Planning and Community Development

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## By- Right Master Development Plan Submission

Applications will be considered for the Technical Review Committee hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. ✓ **Pre-submittal Meeting**
   Date of Meeting _____
2. ✓ **Signed Application**
3. ✓ **Payment**
   $500 plus $10 per acre for the first 100 acres, $5 per acre thereafter
4. ✓ **Paper Plan Sets**
   One (1) 24 x 36, Fifteen (15) 11 x 17
5. ✓ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. ✓ **Adjacent Property List**
   A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the of the perimeter of the project bounds.
7. ✓ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage.
8. ✓ **Permits**
   Include any permits issued on the project including but not limited to: environmental, traffic analysis, utility, or other site specific conditions.
9. ✓ **Site Plan Requirements**
   A prepared site plan in accordance with the Unified Development Ordinance standards 6.1, Pender County Collector Street Plan, Pender County Transportation Plan, other approved State of Federal Transportation Improvement Plan, or any other adopted plan in Pender County.
   (See Master Development Plan Checklist)

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant _____ Date 11/9/2022

Printed Name Frank Braxton, RLA

Staff Initials: _____
Date: _____

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## MASTER DEVELOPMENT PLAN

Prior to submission of a preliminary master development plan for approval, the applicant shall request a pre-application review conference with the County staff.

1. The purpose of the pre-application conference shall be to discuss the proposal in relation to the requirements of the Land Use Plan and UDO and to obtain advice on the preparation of the master development plan.
2. At the pre-application conference, the applicant shall provide a land use plan describing the following:
    a. The general location of the site.
    b. The general location of proposed roads.
    c. The general location of proposed uses, environmental areas, housing types or open space.
    d. The uses on adjoining properties.
    e. Utility requirements.

The purpose of the master development plan (MDP) is to promote orderly and planned development of property within Pender County. It is the purpose of the MDP to ensure that such development occurs in a manner that suits the characteristics of the land, is harmonious with adjoining property, is in substantial compliance with the goals and policies of the adopted Land Use Plan, and is in the best interest of the general public. The MDP shall be used to illustrate the characteristics of the property proposed for development and of surrounding properties.

**See Figures 2 and 3 at the end of Section 3.4, Pender County UDO for an illustrative process*

1. The MDP shall at least include all contiguous land under single or common ownership in the above zoning districts.
2. A preliminary MDP may be submitted with an application for a conditional rezoning but shall not be considered binding until approval of a final MDP.

### Waivers to MDP – Residential Districts

The Administrator may waive the requirements of a MDP in the Residential Districts if the proposed development contains all of the following criteria:

1. Contains ten (10) or less traditional detached single-family dwelling units;
2. Is not an integral portion of a property proposed or planned for future development or subdivision;
3. Is planned to be developed in a manner that is harmonious with surrounding properties and land uses; and
4. Does not substantially affect the purpose and intent of its zoning district and the intent of this article.

### Waivers to MDP – Commercial and Industrial Districts

The Administrator may waive the requirement of a MDP in the Commercial and Industrial Districts if the proposed development contains all of the following criteria:

1. If the proposed subdivision or development is less than five (5) acres in size;
2. Includes no new streets, roads or rights-of-way, does not further extend any existing or dedicated street, road or rights-of-way and does not significantly change the layout of any existing or dedicated street, road or rights-of-way;
3. Is not an integral portion of a property proposed or planned for future development or subdivision;
4. That such development is limited to one individual parcel and one single use in accordance with Section 5.2.

# APPLICATION FOR MASTER DEVELOPMENT PLAN

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | **MDP** | **Date** | |
| **Application Fee** | **$** | **Invoice Number:** | |
| **Pre-Application Conference** | | **Hearing Date** | |

| SECTION 1: APPLICANT INFORMATION | | | |
|---|---|---|---|
| **Applicant's Name:** | Frank Braxton, CLD Engineering | **Owner's Name:** | Clayton Properties Group, INC |
| **Applicant's Address:** | PO BOX 1172 | **Owner's Address:** | 441 Western Lane |
| **City, State, & Zip** | Wilmington, NC 28402 | **City, State, & Zip** | Irmo, SC 29063 |
| **Phone Number:** | 910-254-9333 | **Phone Number:** | |
| **Email Address:** | fbraxton@cldeng.com | **Email Address:** | |
| **Legal relationship of applicant to land owner:** | | | |

| SECTION 2: PROJECT INFORMATION | | | |
|---|---|---|---|
| **Type of Master Development Plan** | ☑ **Residential** *RP, PD, RM MH District* | ☐ **Commercial** *GB, OI, IT, GI District* | |
| **Property Identification Number (PIN):** | 32705914860000 | **Total property acreage:** | 126.8 |
| **Zoning Classification:** | RP | **Acreage to be disturbed:** | ~64.1 |
| **Project Address :** | | | |
| **Description of Project Location:** | The property is located off HWY 17 North at the current entrance to the Abbey Nature Preserve. Another access will be off Scotts Hill Loop Rd. | | |
| **Describe activities to be undertaken on project site:** | Please refer to design narrative for this information. | | |

| SECTION 3: SIGNATURES | | | |
|---|---|---|---|
| **Applicant's Signature** | | **Date:** | 11/9/2022 |
| **Applicant's Printed Name** | Frank Braxton, RLA | **Date:** | 11/9/2022 |
| **Owner's Signature** | Tammy Spivey | **Date:** | 11/9/2022 |
| **Owner's Printed Name** | Tammy Spivey | **Date:** | 11/9/2022 |

## NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

## Office Use Only

| | | |
|---|---|---|
| ☐ | **MDP Fees: (***$500.00 plus $10/acre for the first 100 acres $5/acre thereafter)* | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y<br>☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y<br>☐ N |

| | | | |
|---|---|---|---|
| **Payment Method:** | **Cash :**<br>☐ **$_____** | **Credit Card:**<br>☐ Master Card<br>☐ Visa | **Check:**<br>☐ Check # _____ |

| | | |
|---|---|---|
| Application received by: | | Date: |
| Application completeness approved by: | | Date: |
| Date scheduled for public hearing: | | |

# Pender County
# Planning and Community Development

805 S. Walker Street
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## By- Right Preliminary Plat Submission (Major and Minor Subdivisions)

Applications will be considered for the Technical Review Committee hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. ✓ **Pre-submittal Meeting**
   Date of Meeting 9/8/2022
2. ✓ **Signed Application**
3. ✓ **Payment**
   $500 plus $10 per lot for the first 100 lots/units, $5 per lot thereafter
4. ✓ **Paper Plan Sets**
   Two (2) 24 x 36, Fifteen (15) 11 x 17
5. ✓ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. ✓ **Adjacent Property List**
   A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the of the perimeter of the project bounds.
7. ✓ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage.
8. _____ **Permits**
   Please include any permits issued on the project including but not limited to: environmental, traffic analysis, utility, or site specific conditions.
9. ✓ **Site Plan Requirements**
   A prepared site plan in accordance with the Unified Development Ordinance standards Section 6.4, Pender County Collector Street Plan, Pender County Transportation Plan, other approved State of Federal Transportation Improvement Plan, or any other adopted plan in Pender County.
   (See Preliminary Plat Checklist)

**I certify that all information presented in this application is accurate to the best of my knowledge.**

Signature of Applicant _____ Date 10/7/2022

Printed Name Frank Braxton, RLA

Staff Initials: _____
Date: _____

# APPLICATION FOR SUBDIVISION

| THIS SECTION FOR OFFICE USE | | | |
|---|---|---|---|
| **Application No.** | SUB | **Date** | |
| **Application Fee** | $ | **Invoice Number:** | |
| **Master Plan Hearing Date** | | **Preliminary Plat Hearing Date** | |

| SECTION 1: APPLICANT INFORMATION | | | |
|---|---|---|---|
| **Applicant's Name:** | Frank Braxton, CLD Engineering | **Owner's Name:** | Clayton Properties Group, INC |
| **Applicant's Address:** | PO BOX 1172 | **Owner's Address:** | 441 Western Lane |
| **City, State, & Zip** | Wilmington, NC 28402 | **City, State, & Zip** | Irmo, SC 29063 |
| **Phone Number:** | 910-254-9333 | **Phone Number:** | |
| **Email Address:** | fbraxton@cldeng.com | **Email Address:** | |
| **Legal relationship of applicant to landowner:** | | | |

| SECTION 2: PROJECT INFORMATION | | | |
|---|---|---|---|
| **Preliminary Plat** | ☑ **Residential** *RP, PD, RM, MH District* | ☐ **Mixed Use** *PD* | |
| **Subdivision Type** | ☑ Major (11 lots or more) | ☐ Minor (10 lots or less) | |
| **Number of Lots** | ~~129~~ 137 Lots | | |
| **Property Identification Number (PIN):** | 32705914860000 | **Total property acreage:** | 126.8 |
| **Zoning Classification:** | RP | **Acreage to be disturbed:** | ~64.1 |
| **Water Provider:** | PENDER COUNTY | **Wastewater Provider:** | PLURIS |
| **Additional Information:** | | | |
| | | | |
| | | | |
| | | | |

| SECTION 3: SIGNATURES | | | |
|---|---|---|---|
| **Applicant's Signature** | | **Date:** | 10/7/2022 |
| **Applicant's Name Printed** | Frank Braxton, RLA | **Date:** | 10/7/2022 |
| **Owner's Signature** | | **Date:** | |
| **Owner's Name Printed** | | **Date:** | |

## NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

## Office Use Only

| | | |
|---|---|---|
| ☐ | **Subdivision Fees:** *$500 + $10/lot-unit for the first 100 lots/units; $5/lot-unit thereafter (Major Subdivision)* *$150 + $10 per lot (Minor Subdivision)* | **Total Fee Calculation: $** |

**Attachments Included with Application: (Please include # of copies)**

| | | | | | | |
|---|---|---|---|---|---|---|
| CD /other digital version | ☐ Y ☐ N | Plan Sets | # of large | # of 11X17 | Other documents/Reports | ☐ Y ☐ N |

| **Payment Method:** | **Cash :**<br>☐ **$_____** | **Credit Card:**<br>☐ Master Card<br>☐ Visa | **Check:**<br>☐ Check # _____ |
|---|---|---|---|

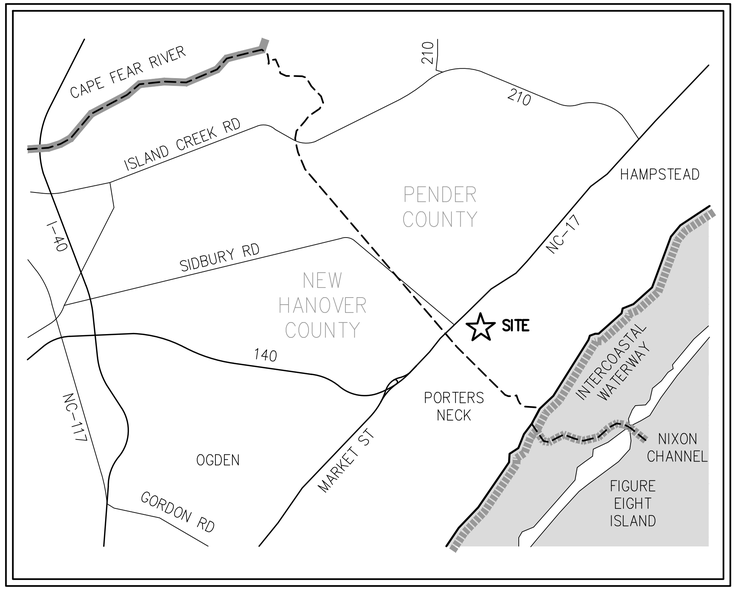
| | | |
|---|---|---|
| Application received by: | | Date: |
| Application completeness approved by: | | Date: |
| Date scheduled for public hearing: | | |

# FOY TRACT
## Section A - Master Development Plan
### PENDER COUNTY, NC

OWNER:
CLAYTON PROPERTIES GROUP, INC
441 WESTERN LANE
IRMO, SC 29063

ENGINEER:
CLD Engineering, PLLC
P.O. Box 1172
Wilmington, NC 28402

SURVEYOR:
ESP & ASSOCIATES, INC.
211 RACINE DRIVE SUITE 101
WILMINGTON, NC 28403
LIC# F-1407
P: 910-444-3899




VICINITY MAP
NOT TO SCALE

CONTENTS


| SHEET | NAME |
|---|---|
| COVER | COVER |
| EX-1 | EXISTING CONDITIONS |
| SP-01 | PRELIMINARY SITE PLAN |
| SP-02 | PRELIMINARY UTILITY PLAN |


| REVIEW AGENCY | APPROVAL DATE | PERMIT NUMBER |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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CLD Engineering, PLLC
Civil Engineering / Landscape Architecture
Land Planning / Construction Management
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Wilmington, NC 28402
Phone: 910-254-9333
Fax: 910-254-0502
www.cldeng.com


FOY TRACT Section - A
Master Development Plan

COVER

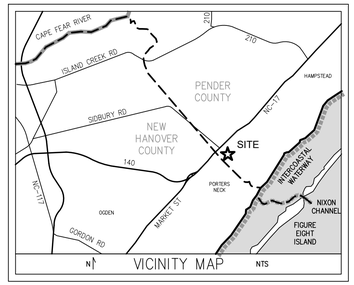
| REV | DATE | DESCRIPTION | INIT |
|---|---|---|---|
| A | 4 NOV 2022 | INITIAL PRELIMINARY PLAT SUBMISSION | SL |

| | |
|---|---|
| APPROVED: JP | PROJECT: 178-07 |
| CHECKED: JFB | SCALE: NTS |
| DESIGNED: NAA | RELEASE: PRELIM |

SHEET
COVER

SITE DATA

| | | | |
|---|---|---|---|
| CURRENT OWNER: | FOY FAMILY LIMITED PARTNERSHIP | CONSERVATION AREA: | 31.69ac DB 3307 PG 220<br>31.01ac DB 3307 PG 244<br>62.70ac TOTAL |
| DEVELOPER: | CLAYTON PROPERTIES GROUP, INC<br>441 WESTERN LANE<br>IRMO, SC 29063 | ZONING:<br>WETLANDS:<br>EX USE:<br>PRO USE: | RP – RESIDENTIAL PERFORMANCE<br>6.87 ACRES APPROX.<br>WALKING TRAILS<br>SINGLE FAMILY RES. AND MUNICIPAL PARK |
| PARCEL: | 3270-59-1486-0000<br>DB 1542 PG 45<br>PB 30 PG 89 | | |
| AREA: | (126.8ac)<br>INCL 62.7 AC CONSERVATION | | |



EXISTING SITE ACCESS FROM NC-17 (EGRESS: RIGHT TURN ONLY)
SIDBURY ROAD 50' ROW
US HIGHWAY 17 (100' PUBLIC RIGHT-OF-WAY)
TO WILMINGTON
TO HAMPSTEAD
EXISTING 20" WATER
EXCEPTION TO TITLE-ITEM 15 SOUTHERN BELL TELEPHONE CO. RIGHT-OF-WAY EASEMENT DEED BOOK 778 PAGE 188
EXISTING GRAVEL PARKING LOT
20' WIDE ESMT CENTERED ON POLE
61.4 ACRES OUTSIDE OF CONSERVATION
404 WETLAND
SCOTTS BRANCH
SCOTTS HILL LOOP ROAD 60' PUBLIC RIGHT-OF-WAY
CONSERVATION EASEMENT BOUNDARY/ PROPOSED PROJECT BOUNDARY
PARENT PARCEL BOUNDARY
ABBEY NATURE PRESERVE
EXISTING NATURE TRAIL
EXISTING FARM ROAD
AREA DEDICATED FOR CONSERVATION CWMTF EASEMENT (31.69 ACRES)
AREA DEDICATED FOR CONSERVATION NCCLT EASEMENT (31.01 ACRES)
EXCEPTION TO TITLE-ITEM 13 DOT TEMPORARY DEED OF ESMT. DEED BOOK 2054 PAGE 126 SEE DETAIL
EXISTING FIRE HYDRANT
EXISTING 6" WATER
EXISTING POND
EXISTING SITE ACCESS FROM SCOTTS HILL LOOP ROAD
AE FLOODWAY
404 WETLAND
N 49°37'37"W 1231.00'
N 40°18'40"W 1074.81'
N 17°59'57"E 1317.74'
N 17°59'57"E 1317.74'
N 17°59'57"E 1317.74

SITE DATA

| | |
|---|---|
| CURRENT OWNER: | FOY FAMILY LIMITED PARTNERSHIP |
| DEVELOPER: | CLAYTON PROPERTIES GROUP, INC<br>441 WESTERN LANE<br>IRMO, SC 29063 |
| PARCEL: | 3270-59-1486-0000<br>DB 1542 PG 45<br>PB 30 PG 89 |
| ZONING: | RP – RESIDENTIAL PERFORMANCE |
| AREA: | (126.8ac) INCL 62.7 AC CONSERVATION |
| PROJECT AREA: | 64.1 Ac. |
| CONSERVATION AREA: | 31.69ac DB 3307 PG 220<br>31.01ac DB 3307 PG 244<br>62.70ac TOTAL |
| WETLANDS: | 6.87 ACRES – APPROX, TO BE CONFIRMED BY SURVEY |
| EX USE: | PUBLIC WALKING TRAILS |
| PRO USE: | SINGLE FAMILY RESIDENTIAL AND MUNICIPAL PARK |

DEVELOPMENT DATA

| | |
|---|---|
| PERIM. BUFFER: | 20' |
| TOTAL LOTS: | 137 PHASE A |
| DENSITY: | 2.13 (137 LOTS /64.1 AC) |
| TYP LOT AREA: | 9,000sf* (TYP 65'x150')<br>*25% REDUCTION ALLOWED.<br>SEE NOTE 7.14 LOW IMPACT DEVELOPMENT |
| TYP PAD: | 45'x70' |
| MAX HEIGHT: | 35' |
| LARGEST LOT: | 23,149 SF |
| SMALLEST LOT: | 9,686 SF |
| AVERAGE LOT: | 12,047 SF |

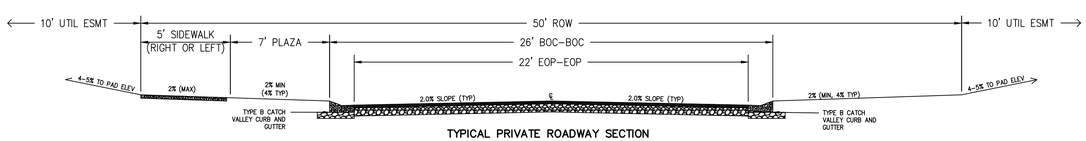
| SETBACKS: | PROPOSED |
|---|---|
| FRONT | 15' |
| REAR | 12.5' |
| SIDE | 5' |
| CORNER | 7.5' |

*50% REDUCTION ALLOWED.
SEE NOTE 7.14 LOW IMPACT DEVELOPMENT

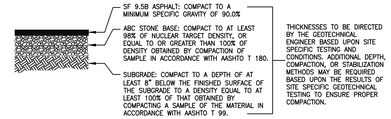
| | |
|---|---|
| OPEN SPACE: | 4.11 AC REQUIRED @ 0.03 AC PER LOT<br>17.50ac PROPOSED (INCL OS, BUFFER + PONDS)<br><br>2.05ac REQUIRED ACTIVE OS @ ±50% OS<br>10.60ac PROPOSED ACTIVE OS (INCL MUNICIPAL PARK) |
| COMMON SPACE: | 27% OF PROJECT AREA |
| ROADS: | |
| ROW WIDTH: | 50' LOCAL STREETS |
| OWNERSHIP: | PRIVATE |
| UTILITIES: | |
| SEWER: | PLURIS |
| WATER: | PENDER COUNTY |

7.14 LOW IMPACT DEVELOPMENT

1. Residential LID Projects in the RA and RP zoning districts shall be allowed a 25% reduction in the "Lot Size" and "Lot Size Duplex" dimensional standards found in Section 4.14.
2. LID Projects in the RA, RP, GB, OI, and IT zoning districts shall be allowed a 50% reduction in the Minimum Lot Width, Minimum Chord Length at ROW Line for "cul de sac's", Minimum Front, Side, and Rear Yards, and Minimum Required Structure Separation.
An LID Project meeting the criteria defined in Section 7.14.A shall be allowed the following variations from the Dimensional Standards:




TYPICAL PRIVATE ROADWAY SECTION




INTERNAL ROADWAY PAVEMENT SECTION
NOT TO SCALE

ISSUED FOR AGENCY REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

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North Carolina 811
www.nc811.org


CLD Engineering, PLLC
Civil Engineering / Landscape Architecture
Land Planning / Construction Management
NCBELS Firm License P-0369
P.O.Box 1172 Wilmington, NC 28402
Phone: 910-254-9333 Fax: 910-254-0502
www.cldeng.com

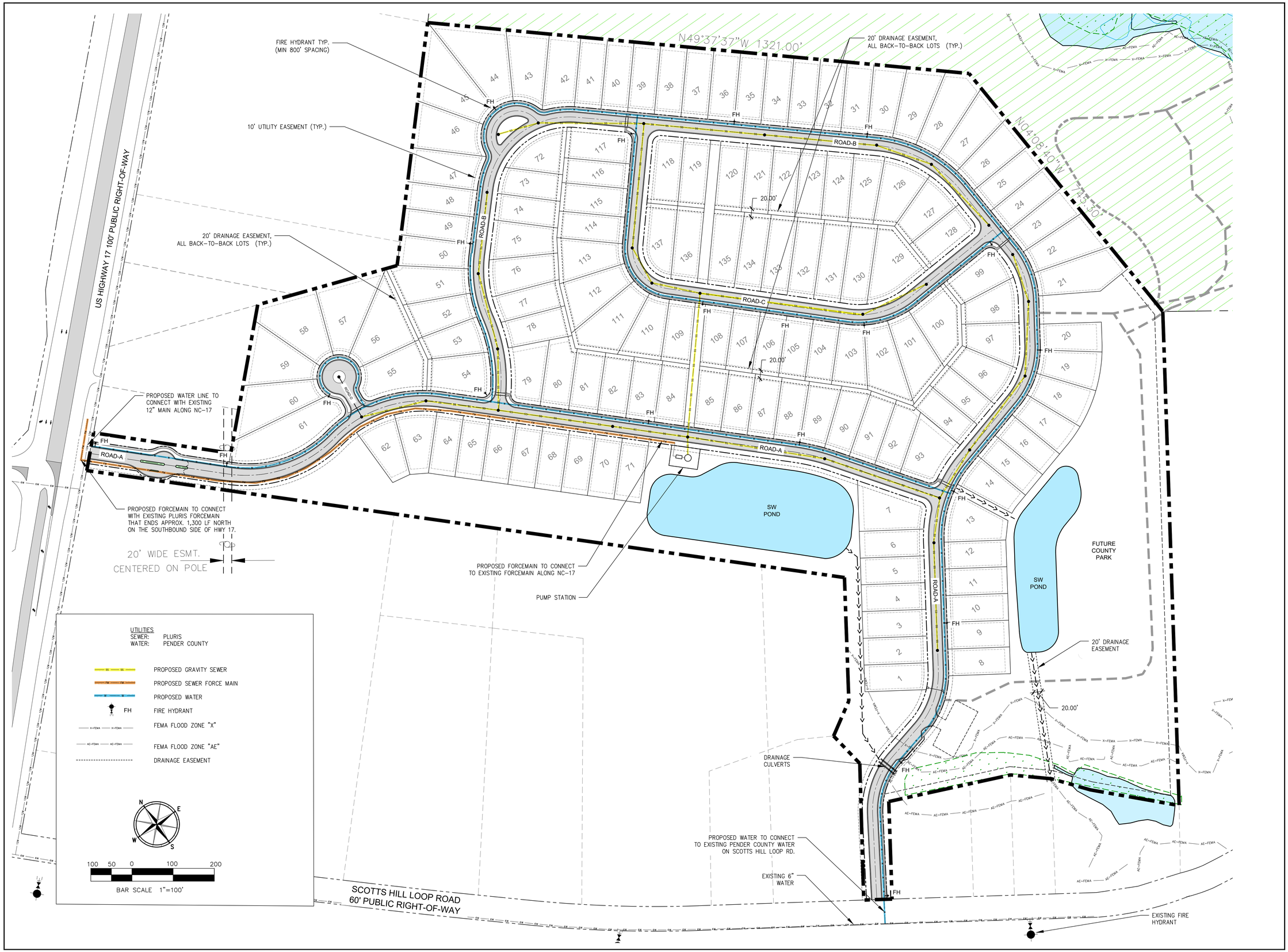

# FOY TRACT SECTION-A Master Development Plan

## Preliminary Site Plan

| REV | DATE | DESCRIPTION | INIT |
|---|---|---|---|
| B | 12 DEC 2022 | TRC REVIEW #2 MASTER DEVELOPMENT PLAN | NAA |
| A | 4 NOV 2022 | INITIAL PRELIMINARY PLAT SUBMISSION | SL |

| | | | |
|---|---|---|---|
| APPROVED: | JP | PROJECT: | 178-07 |
| CHECKED: | JFB | SCALE: | 1" = 200' |
| DESIGNED: | NAA | RELEASE: | PRELIM |

SHEET
SP-01

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Civil Engineering / Landscape Architecture
Land Planning / Construction Management
NCBELS Firm License P-0369
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Wilmington, NC 28402
Phone: 910-254-9333
Fax: 910-254-0502
www.cldeng.com

# FOY TRACT SECTION-A Master Development Plan

## Preliminary Utility Plan

| REV | DATE | DESCRIPTION | | |
|---|---|---|---|---|
| B | 12 DEC 2022 | TRC REVIEW #2 MASTER DEVELOPMENT PLAN | NAA | |
| A | 4 NOV 2022 | INITIAL PRELIMINARY PLAT SUBMISSION | SL | |

ISSUED FOR AGENCY REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

BEFORE YOU DIG, CALL
North Carolina 811
www.ncs811.org

| | | | |
|---|---|---|---|
| APPROVED: | JP | PROJECT: | 178-07 |
| CHECKED: | JFB | SCALE: | 1" = 100' |
| DESIGNED: | NAA | RELEASE: | PRELIM |

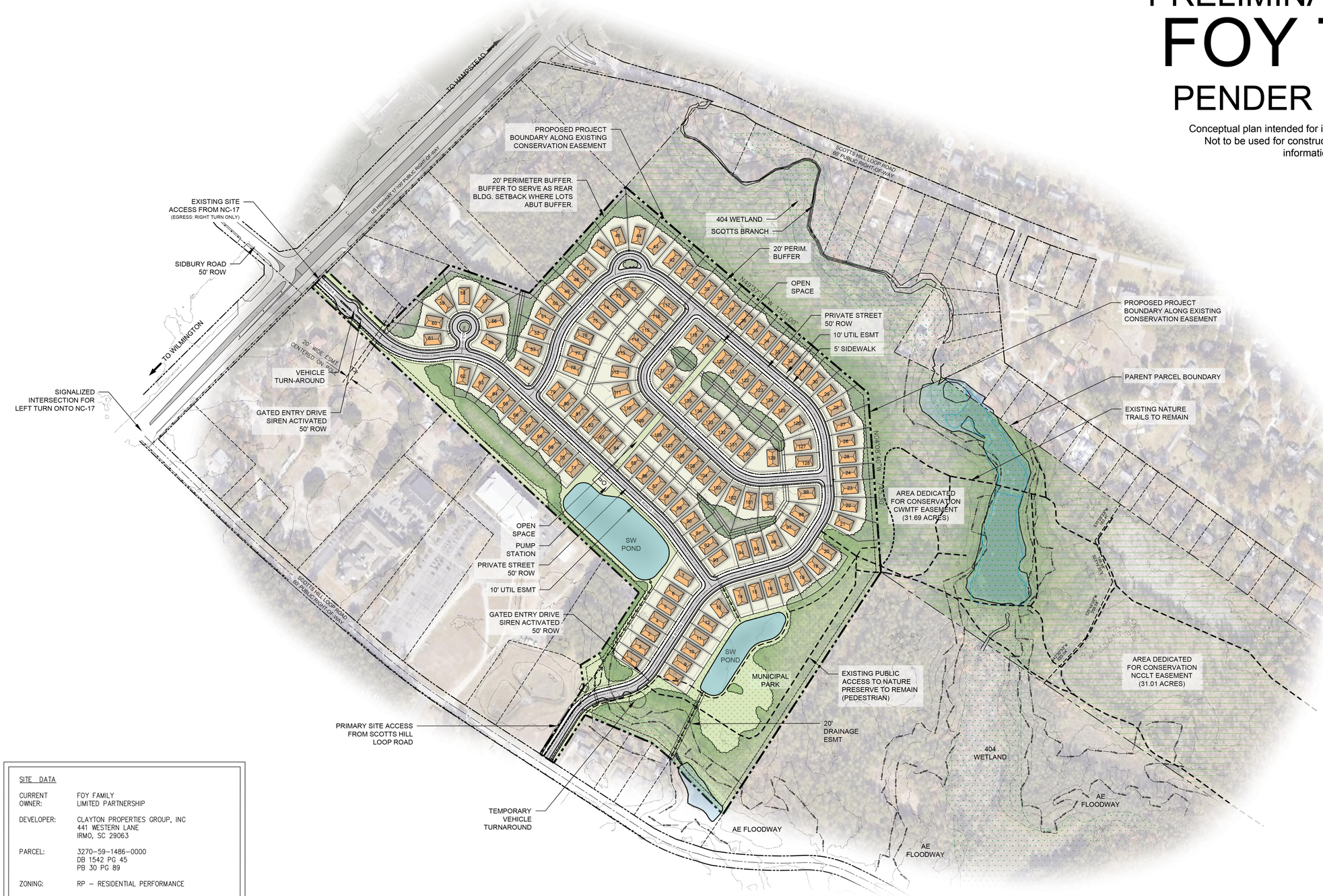
SHEET
SP-02

# PRELIMINARY SITE PLAN

# FOY TRACT

## PENDER COUNTY, NC

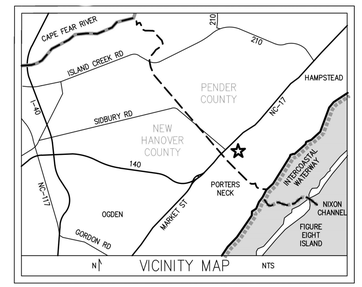
Conceptual plan intended for illustrative purposes only, subject to change.
Not to be used for construction. All measurements, data points and
information are approximations.




| SITE DATA | |
|---|---|
| CURRENT OWNER: | FOY FAMILY LIMITED PARTNERSHIP |
| DEVELOPER: | CLAYTON PROPERTIES GROUP, INC<br>441 WESTERN LANE<br>IRMO, SC 29063 |
| PARCEL: | 3270-59-1486-0000<br>DB 1542 PG 45<br>PB 30 PG 89 |
| ZONING: | RP – RESIDENTIAL PERFORMANCE |
| AREA: | (126.8ac) INCL 62.7 AC CONSERVATION |
| CONSERVATION AREA: | 31.69ac DB 3307 PG 220<br>31.01ac DB 3307 PG 244<br>62.70ac TOTAL |
| WETLANDS: | 6.87 ACRES – APPROX. TO BE CONFIRMED BY SURVEY |
| EX USE: | PUBLIC WALKING TRAILS |
| PRO USE: | SINGLE FAMILY RESIDENTIAL AND MUNICIPAL PARK |

N
W E
S

200' 100' 0 200' 400'

GRAPHIC SCALE: 1" = 200'
WHEN PRINTED ON ARCH-D 24" x 26"

Date: 10 October 2022