

ORDINANCE NUMBER (17-07)

AN ORDINANCE ANNEXING INTO THE TOWN OF YEMASSEE 1.00 ACRES, OWNED BY LEOLA ROBINSON, LOCATED IN HAMPTON COUNTY NOT ALREADY WITHIN THE YEMASSEE TOWN LIMITS, AS WELL AS ALL ADJACENT PUBLIC RIGHTS OF WAY AND WETLANDS.

Section 1 Findings of Facts

As an incident to the adoption of this ordinance, Town Council of Yemassee finds the followings facts to exist:

- a) Section 5-3-150, Code of Laws of South Carolina (1976) as amended, provides a method of annexing property to a city or town by a Petition signed by all persons owning real estate in the area requesting annexation.
- b) A proper Petition has been filed with the Town of Yemassee by one hundred percent (100%) of the freeholders owning one hundred percent (100%) of the assessed value of the contiguous property herein described, petitioning for annexation of the property to the Town of Yemassee under the provisions of South Carolina Code Section 5-3-150(3), and requesting the Town's zoning of Residential 1 Acre, and have submitted proper submission materials supporting such application in accordance with Town requirements.
- c) The area comprising the said property is contiguous to the Town of Yemassee.
- d) It appears to Town Council that annexation would be in the best interest of the property owners and the Town.
- e) The Town Council is zoning the property Residential 1 Acre.
- f) The Yemassee Town Council finds the proposed annexation and rezoning is consistent with the Yemassee Comprehensive Plan (as amended and revised);

Section 2.


NOW, BE IT THEREFORE ORDAINED, by the Mayor & Town Council of the Town of Yemassee, South Carolina, duly assembled and with authority of the same, pursuant to Section 5-3-150, Code Of Laws (1976), as amended, the following described property is hereby annexed and made part of the Town of Yemassee, to wit:


ALL THOSE CERTAIN PIECES, PARCELS OR TRACTS OF LAND being known as 198-00-00-123, 1.00 acres respectively and all adjacent public rights of way and any wetlands shown on the attached map.

This ordinance shall become effective upon ratification


SO ORDERED AND ORDAINED THIS 9TH DAY OF JANUARY, 2018

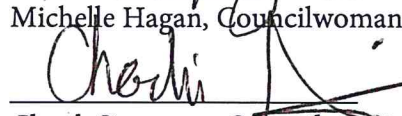
By the Yemassee Town Council being duly and lawfully assembled


Colin Moore, Mayor


Misty Beardon, City Clerk

Peggy Bing-O'Banner, Councilwoman


Michelle Hagan, Councilwoman


Chuck Simmons, Councilman

First Reading: 12-12-17
Second Reading: 01-09-18





TOWN COUNCIL

MEETING DATE:	December 12, 2017
PROJECT:	An ordinance to Approve an Annexation of certain Real Property owned by the Leola Robinson located at 220 Bing St & further identified by Hampton County Tax Map # 198-00-00-123

Recommendation: Town Staff recommends that Town Council approve First Reading of an Ordinance for the following application:

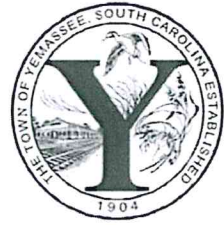
17-07: Annexation of approximately 1.00 acre of land located at 220 Bing St (Hampton County) into the Town of Yemassee corporate limits. The subject property is identified by Hampton County Tax Map Number 198-00-00-123 which is in between Drayton Rd & Williams St.

Introduction: The applicant, Leola Robinson has submitted an annexation application and petition under the 100% freeholder method. Upon annexation, the subject parcel is to be zoned Residential 1 Acre.

The property is currently used as a single family residential dwelling and is currently owner occupied. There is no intended change of use or marketability as a result of this annexation.

Background: The property is located within the Town's Future Annexation Area and is adjacent to the following zoning districts, current land uses and future land uses:

Direction	Jurisdiction	Zoning District	Current Land Use	Future Land Use
North	Town of Yemassee	Residential ½ Acre	Trailers	Same
East	Hampton County	General Residential	Church	General Residential
South	Hampton County	General Residential	Single Family Dwelling	Same
West	Hampton County	General Residential	Single Family Dwelling	Same



TOWN COUNCIL

Hampton County Current Zoning District: The property is currently zoned General Residential per the Hampton County Zoning & Development Standards Ordinance. This zoning designation allows for limited residential and small scale non-residential development and for continuing agriculture and forestry use. The current use of this parcel as a single-family dwelling is permitted within this zoning district.

Hampton County Future Land Use Designation: Hampton County's Future Land Use Map illustrates the subject property as it's currently zoned.

Town Council Actions: Town Council has the authority to take the following actions with respect to this application:

- I. Approve the application as submitted by the applicant
- II. Approve the application with conditions; or
- III. Deny the application as submitted by the applicant.

Review Criteria & Analysis:

- i. Contiguity to the Town of Yemassee Municipal Boundary.
 - a. Finding: The proposed annexation is contiguous to the Town of Yemassee. The property is bound to the north to four other parcels on Bing St and Drayton Rd
- ii. Avoids creating new enclaves (or donut holes) in the Town of Yemassee Municipal Boundary.
 - a. Finding: The proposed annexation area is surrounded on one side by the Town of Yemassee jurisdiction. By annexing this property, we will work closer on achieving our goal on removing donut holes and enclaves within the current Yemassee area.
- iii. Consideration of the costs, benefits and estimated revenues of a proposed Annexation before action is taken on the petition.
 - a. Finding: Being a single-family dwelling, the property will not see a tax increase from their current millage, since she is receiving a homestead exemption. However, by having this parcel within the corporate limits of the Town of Yemassee and zoned similarly, there are operational efficiencies gained by the Town such as the provision of public safety, zoning, development and facilities management services. Although indirect, these savings are passed along to the taxpayer.
- iv. Annexation will not create a tax burden or measurably reduce the level of service(s) provided to existing citizens and the property owners.



TOWN COUNCIL

- a. Finding: The residence will not create a tax burden nor the reduction in level of service to residents of Yemassee. It is important to note however; this property has a homestead exemption, that will remain.
- v. Full impact the annexation will have on Law Enforcement
 - a. Chief Alexander has advised this annexation would not have a negative effect on the current level of police protection.
- vi. Availability of Public Services
 - a. The property owner has already connected to Lowcountry Regional Water & Sewer Authority for water; which satisfies the town ordinance for having water and sewer connected to all properties upon annexation. Sanitary sewer is not available to this lot. This was confirmed with LRWS. Ms. Robinson currently has a below ground septic tank.
- vii. Annexation of Right of Ways
 - a. At the request of the Police Department, we will contact SCDOT after the annexation is approved and formally request that we annex the ROW in front of 220 Bing St, pursuant to (State Law Section 5-3-10) and a portion of Williams St to the property line of Ms. Robinson. This will also make more properties contiguous to the Town of Yemassee.

ATTACHMENTS:

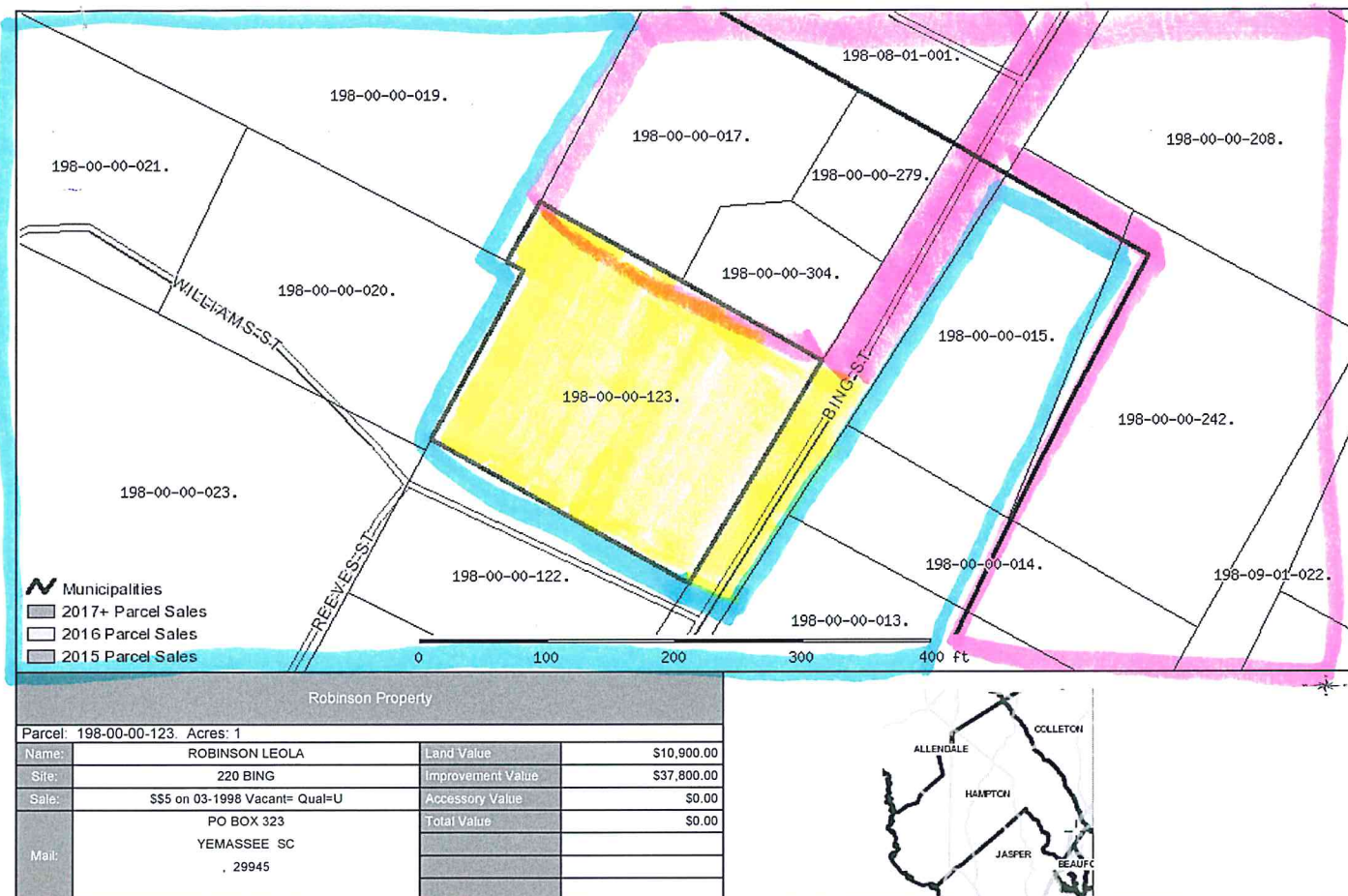
1. Location Map
2. Annexation Application
3. Annexation Ordinance



**TOWN OF YEMASSEE
ANNEXATION APPLICATION**

Yemassee Town Hall
101 Town Cir
Yemassee, SC 29945
(843) 589-6315
www.townofyemassee.org

Applicant		Property Owner	
Name: Leola Robinson		Name: Leola Robinson	
Phone: (843) 589-2322		Phone: (843) 589-2322	
Mailing Address: 220 Bing St, Yemassee, SC 29945		Mailing Address: 220 Bing St, Yemassee, SC 29945	
E-mail:		E-mail:	
Town Business License # (if applicable):			
Project Information			
Project Name: Robinson Property		Acreage: 1.00	
Project Location: 220 Bing St (Btwn Williams St & Drayton St)			
Existing Zoning: Residential		Proposed Zoning: Residential 1 Acre	
Tax Map Number(s): 198-00-00-123			
Project Description: Annexation of a single family dwelling into the corporate limits of Yemassee.			
Select Annexation Method			
<input checked="" type="checkbox"/> 100 Percent Petition and Ordinance Method <input type="checkbox"/> 75 Percent Petition and Ordinance Method <input type="checkbox"/> 25 Percent Elector Petition and Election Method			
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Completed Annexation Petition(s) <input checked="" type="checkbox"/> 2. Copy of plat and/or survey of area requesting annexation			
Note: Application is not valid unless signed and dated by property owner.			
Disclaimer: The Town of Yemassee assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: <i>Leola Robinson</i>		Date: 11-16-17	
Applicant Signature: <i>Leola Robinson</i>		Date: 11-16-17	
For Office Use			
Application Number 17-07		Date Received: 11/15/17	
Received By: Matthew E Barnes		Date Approved: 11/15/17	



Yellow - Property to annex

Pink - Already in town limits

Blue - Unincorporated

January 16, 2018

Mr. Matthew E. Garnes
Assistant Town Clerk
Town of Yemassee
Post Office Box 577
Yemassee, South Carolina 29945-0577

Re: Annexation letters dated January 10, 2018
Ordinances: 17-06 and -07

Dear Mr. Garnes:

Thank you for your letters dated January 10, 2018, reflecting certain changes made in the corporate limits of the Town of Yemassee. This information will be reflected on the next revision of the official SCDOT map. All necessary mileage records will be adjusted.

Please be advised that you are welcome to submit the customary annexation ordinances and associated information via email to both of the following email addresses, instead of via mail. If you have any questions, you may contact Richard Lacy, GIS Analyst, at 803-737-1464 (LacyR@scdot.org) or Yelena Kalashnikova, Program Manager, at 803-737-3103 (KalashniY@scdot.org). Thank you.

Sincerely,



Yelena Kalashnikova
Program Manager



Richard B. Lacy
GIS Analyst

YK: rl
File: PL/RL



South Carolina Department of Public Safety

OFFICE OF GENERAL COUNSEL

P.O. Box 1993 • Blythewood, S.C. 29016
Tel: (803) 896-7965 • Fax: (803) 896-7967

February 9, 2018

Matthew E. Garnes
Town of Yemassee
P.O. Box 577
Yemassee, SC 29945

RE: Ordinance Nos. 17-06 and 17-07

Dear Mr. Garnes

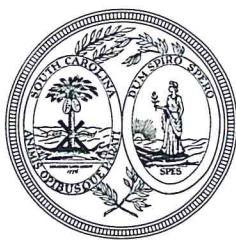
Our office has received your notification of annexation into the Town of Yemassee through the above-referenced ordinances. By copy of this letter, I am forwarding the information to the Colonel of the South Carolina Highway Patrol for dissemination to appropriate staff.

Sincerely,

Marcus K. Gore
General Counsel

/mkg

cc: Col. Christopher N. Williamson



State of South Carolina
Office of the Secretary of State
The Honorable Mark Hammond

January 31, 2018

Mr. Matthew E. Garnes
Assistant Town Clerk
Town of Yemassee
101 Town Circle
P.O. Box 577
Yemassee, SC 29945

Re: Annexation, Ordinance No.: 17-07

Dear Mr. Garnes:

This will acknowledge the receipt of your annexation documents whereby the Town of Yemassee annexed certain property on January 9, 2018.

This information has been duly filed in this office as of this date. It is your responsibility to file the same information with the South Carolina Department of Transportation and the South Carolina Department of Public Safety.

If you have further questions concerning this matter, please contact me at (803) 734-0367.

Yours truly,

A handwritten signature in blue ink that reads "Allyson Green".

Allyson Green
South Carolina Secretary of State's Office

cc: Ms. Yelena Kalashnikova
Manager, GIS / Planning
P.O. Box 191
Columbia, SC 29202