STATE OF SOUTH CAROLINA

ORDINANCE NO: CC--2007--26

CITY OF CLEMSON

AN ORDINANCE ADOPTING THE SLEEPY HOLLOW MIXED USE PLANNED DEVELOPMENT TEXT AND MAP AMENDMENTS FOR THE CITY OF CLEMSON, SOUTH CAROLINA.

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CLEMSON, SOUTH CAROLINA:

Section 1. Authority and Adoption.

The following planned development ordinance is adopted pursuant to the authority granted in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code §§ 6-29-310, et seq. (1994 Supp.), and is incorporated by reference in the Code of Ordinances of the City of Clemson.

Section 2. Purpose. The purpose of this ordinance is to implement a planned development on approximately 7.71 acres located at 220 Issaqueena Trail, consisting of a bed & breakfast with additional living quarters, conversion of the upper level of the historic barn to a space available for selected activities and events, and keeping of animals. Other uses will include, but not limited to stalls for animals in the barn, riding areas on the grounds, and the associated parking, service, and accessory uses, vehicular circulation, common areas, and site improvements as described in the attached Sleepy Hollow Planned Development documents incorporated herein by reference.

Section 3. Title. This ordinance may be cited as the "Sleepy Hollow Planned Development Ordinance."

Section 4. Jurisdiction. The provisions of this ordinance shall apply to all land and improvements within the area described in the Legal Description, attached hereto as Exhibit A and incorporated herein by reference. The property involved is identified as PIN # 4063-09-06-2301 in Pickens County tax records.

Section 5. Effective Date. The provisions of this ordinance shall be effective on December 18, 2007.

Larry W. Abermathy, Mayor

Attest:

Beverly Coleman, Municipal Clerk

Planning Commission Meeting-I: Informal Public Meeting: Planning Commission Meeting-II: Public hearing-City Council: First reading-City Council: Second reading-City Council: File No.: Ordinance No.: January 8, 2007 August 13, 2007 October 8, 2007 November 19, 2007 December 3, 2007 December 17, 2007 R-07-01; PH-07-13 CC--2007--26

SLEEPY HOLLOW PLANNED DEVELOPMENT

ARTICLE ONE: JURISDICTION, DESCRIPTION, AND PHASING

101.0 Jurisdiction of Ordinance

The provisions of this ordinance shall apply to the mixed use planned development known as "Sleepy Hollow," located within the corporate limits of the City of Clemson, State of South Carolina, and described and shown in the Legal recorded Plat, dated November 13, 1954, attached hereto as Exhibit 1. The Legal Recorded Plat refers to the following referenced deed, Book 7-Y, page 35, and further identified as PIN 4063-09-06-2301 in Pickens County Tax Records.

The above referenced deed attached hereto as Exhibit 2 shall along with Recorded Plat constitute the Legal Description. The Parcel described by the Estate of Stephen A. and Lynette E. Sefick, Deed Book 814, page 111, is located in the county of Pickens, State of South Carolina. The following items shall be incorporated herein by reference as Exhibits.

Exhibit 1: Legal Description, Legal Recorded Plat Exhibit 2: Legal Description, Referenced Deed Exhibit 3: Site Plan

101.1 Introduction

Sleepy Hollow is a historic property that has a home named by the builder and owner Jesse Payne Lewis. Lewis purchased the property from a distant cousin, David Cherry, who moved to Andrew Pickens', Hopewell Plantation, after selling the land and another house in which he lived. Another distant cousin, Jesse C. Stribling, later purchased the property and held it until 1930 when it was sold on the courthouse steps during the Great Depression then purchased by another cousin, Whitman Holleman. The house is circa 1837 and the barn was built after a major fire in 1890. The barn, due to its unique character, is on the National Register of Historic Sites. The entire property is over 44 acres and consists of original bottom land farmed for almost 200 years, Sleepy Hollow, J. C. Stribling Barn, and remnants of part of the old stock farm and brick factory. Only the 7.71-acre portion of the property as indicated by the legal description in Exhibits 1 and 2 is included in the Sleepy Hollow Planned Development.

101.2 Descriptive Statement

The following summarizes the various existing and proposed uses on the property:

Principal uses:

The principal uses on the property shall include a Bed and Breakfast (B&B) with four bedrooms, two detached lodging units, two lodging units to be located in the barn structure shown on Exhibit 3: Site Plan. Three of the bedrooms will contain a bedroom, a bath, and a living area space including a kitchen. Two of these living spaces, located in the barn can, be rented out via long term leases or may be used in association with the operation of the B&B. The house and all bedrooms may be utilized in the B&B rental space. Operation as a bed and breakfast may include serving breakfast.

A maximum of seven animals which may include a mix of horses, cows, sheep and goats are allowed to be housed on the property. A substantial fence to keep the animals in areas

will be maintained in good condition at all times. Animals will be fenced away from all streams, except for having access to drinking water and crossing the water. The water crossing will be no wider than 20 feet and have a sloped bank to minimize soil erosion. Currently there are no Best Management Practices adopted by the State in terms of housing animals on the property, but reference will be made to other states. If South Carolina adopts Best Management Practices for grazing animals efforts will be made to use these documents and upgrade the facilities to meet these Practices. All uses will be governed by the City of Clemson Zoning Ordinances at the time of the adoption of this Planned Development ordinance and more specifically Section 19-302 delineating R-20, Single-household district uses and conditional uses as described therein will define these uses as described above.

Accessory uses:

There will be a minimum of 38 permanent parking spaces. Additional occasional parking for event use will be available in areas designated as shown on Exhibit 3: Site Plan.

- There will be two entrances to the facility from Issaqueena Trail. These entrances can be used for the residence and Bed and Breakfast for entrance and exit. If an event requires buses, the buses can use the Issaqueena driveways as entrances and exits. All other activities will only use the road access on Issaqueena Trail as an entrance. Activity traffic will exit to Pendleton Road on the existing road.
- A single gazebo will be allowed in the approximate area indicated on Exhibit 3: Site Plan, subject to setbacks and buffer requirements at the time of application and staff approval.
- A storage shed for hay and three feeding and weather protection structures will be allowed with roof no higher than 16 feet maximum. Feeding/weather structure will be no larger than 16 feet x 16 feet. Locations of these structures will be presented by property owner and subject to staff approval.

Activities:

Activities and events, such as weddings, graduation ceremonies, receptions, church group recreation, social gatherings, family reunions, club parties or functions, club picnics, charity events, owner occupant hosted events and other similar events will be allowed on the grounds and in the barn.

- The maximum limit of people in the barn will be set by the Fire Marshal. No more than 400 people will be at a function on the property. Any event where parking cannot adequately fulfill needs will be required to use bus transportation.
- The percentage of open space and pasture on the property will be a minimum of 70%. Function locations will be on the grounds both in front and on the eastern side of the house. In addition, the historic show ring area will be used for receptions, weddings, and other activities. The first floor of the barn will be used for event activities. The loft or second floor will be used for two living spaces and the basement of the barn will be used for animal stalls with food and equipment storage as well as a maintenance shop area for the property.
- Traffic patterns will be maintained as unidirectional for activities. Entrance will only be allowed from Issaqueena Trail and exits will be allowed towards Pendleton Road. For larger functions without adequate parking, people will be required to ride buses to

Sleepy Hollow. Buses will be allowed to enter and exit onto Issaqueena Trail due to size and length of vehicle.

- There will be a minimum of 38 permanent parking spaces and additional occasional parking as indicated.
- Impervious road surface will be no more than 1% of property. Sedimentation control and Storm water management will meet all state and city requirements. Approximately 6,000 square feet of the property will require less than +/- 3 foot elevation change to create parking. Less than one acre of property will require any change to current topography and will meet all city requirements and approved by city staff.
- All bufferyards and landscape requirements will comply with Article IV. Division 5 of the Zoning Ordinance. Existing landscape material within 25 feet along the perimeter of the property will be undisturbed and maintained natural state. Additional landscape material will be provided to help screen parking from view on Issaqueena Trail as indicated on Exhibit 3: Site Plan subject to staff approval.
- There will be no anticipated impact to public facilities other than increased temporary need for water and sewage treatment during temporary activities. No school or road impact will be increased other than the additional traffic for temporary use during activities. Solid waste disposal will be minimal for activities and will utilize city services or private services as needed. Fire protection and EMS services may be impacted due to activities at the facility. Access by Fire Truck will be maintained as required by the Fire Marshal. Exhibit 3: Site Plan shows the route that would be taken by Emergency Services to park near the house and barn.
- The owner shall be the operator of the bed and breakfast, the horse boarding and stabling facility, and the event activities and will occupy a dwelling unit on the property.
- Design standards, procedures and methods used will result in an integrated use district, functional and compatible with the area and City Ordinances.
- There will be no new recorded restrictive covenants.

101.3 Phasing

It is anticipated that the implementation of the planned development will be completed in seven years and will generally follow the following phases:

Phase 1. During 2007 and 2008 additional fence will be added to graze animals on unused portions of the property. Activities will start on the house grounds and barn. A bathroom facility will be added to the right of the barn in order to service activities. Prior to building the bathroom a portable toilet will be used to service the events. The outdoor grill shed will be completed that is located to the left of the barn. The new drive and parking will be completed.

Phase 2. 2009 to 2011 the 3 car parking garage and sleeping room will be started. Additionally the two bedroom facilities in the loft of the barn will be started.

Phase 3. 2011 to 2014 the final bedroom and ground level fireplace area will be completed to the left and rear of the house.

Sleepy Hollow Planned Development Ordinance

ARTICLE 2: DISTRICT REGULATIONS

201.0 Purpose

The property will be primarily a Bed and Breakfast Inn with capabilities and structures (including bathrooms and kitchen facilities) necessary for event hosting. Events hosted on this property will be similar to wedding receptions, family reunions, church youth/adult events, square dancing, social receptions, club meetings and functions, social events, group meetings, charity events, dances, and other general social events. Events may be held in the barn or on the open space on the property. Parking may be used in conjunction with on-site events.

201.1 Permitted Uses.

- Bed and Breakfast (B & B) Inn, operated by owner residing on the premises: Four bedrooms in the main residential structure may be used for overnight guests.
- Detached lodging units: Two independent one-bedroom lodging units in association with the Bed and Breakfast operations may be used for overnight guests. The unit with the kitchen may also be used for long-term residential use.
- Barn lodging units: Two one-bedroom dwelling units in the barn may be used for overnight guests or long-term residential use.
- A maximum of eight (8) bedrooms shall be provided within the planned development.
- Agricultural non-intensive livestock use not to exceed a total of seven horses, cows, goats, or sheep in any combination shall be allowed on the property.
- Lower level of the barn structure shall be used for animal stalls, shelter, workshops, tack and storage for other related equipment on the property.

201.2 Accessory Uses

Accessory uses on same lot with principal use, as follows:

- Private garage for motor vehicles and required open parking area for motor vehicles,
- Shed for storage of building or lot maintenance equipment,
- Private kennel for not more than 3 dogs or 3 cats, 4 months of age or older, with minimum 6-foot fence for exterior kennel;
- Private swimming pool, deck, bathhouse, gazebo/cabana, boat dock;
- Private garden; greenhouse up to 10 feet high;
- Private tennis, outdoor recreation and picnic facilities.
- One cooking shed for grilling outdoors with roof no higher than 20 feet in front of the barn. Roof pitch will approximate the pitch of the barn.
- Up to three food and wind shelters located in paddock area for animals. Roof to be no more than 16 feet in height.

201.3 Permitted activities

Guests, residents and/or groups of people by contract or invitation may engage in educational, social, entertainment, and recreational activities and services. Activities may include weddings, graduation ceremonies, receptions, church group recreation, social gatherings, family reunions, club parties or functions, club picnics, school field trips. Other similar events shall be subject to approval and permitting by the zoning and codes administrator.

202.0 Development Standards

202.1 Structures:

Existing Structures on the property include an approximately 2800 square foot house with a small basement and a 7,500 square-foot historic barn which include the lower, upper and loft levels of the barn.

- Existing B & B with 3 bedrooms for guest accommodations with 4th for owner occupant.
- Current barn structure for event hosting
- 625 sq ft one-bedroom lodging unit with outdoor grill and fireplace. See Exhibit 3: Site Plan for approximate location.
- 900 sq ft 3-car garage with additional 900 sq ft living area, one bedroom, and kitchen will be connected to the B & B by a raised breezeway. See Exhibit 3: Site Plan for approximate location.
- 400 sq ft outdoor covered cooking shed to left of barn See Exhibit 3: Site Plan for approximate location.
- 600 sq ft separate bathroom structure near barn. See Exhibit 3: Site Plan for approximate location.
- Accessory buildings to include: No more than three pole sheds and 1 hay storage area. Weathered wood or other appropriate colors will be used to blend in accessory buildings into the environment. See Exhibit 3: Site Plan for approximate locations.
- Two new living areas, with bathroom and small kitchen, a catering kitchen in the barn area and a recreation/club room will be added within the existing barn footprint. Animal stalls, shelter, workshops, tack and storage for other related equipment on the property in the lower leveled the barn.
- The Barn will have decks that do not exceed 15 feet width on the lower and upper story on sides and back.

202.2 Structure Heights

- New structures shall not exceed 50 ft in height.
- New bedroom attached and detached structures near rear of house will not exceed 38 feet and 2 stories tall.
- Accessory buildings shall have a maximum height of 20 ft.

202.3 Building Setbacks

No structures (except sign structure, driveways, and utility structures such as transformers) shall be located within 40' of property line.

202.4 Site Utilities

On the perimeter of the site, if a transformer needs to be located adjacent to public right-ofway, it shall be sited and screened as approved by staff.

202.5 Open Space

Open space shall be greater than 70% of the property.

203.0 Circulation and Parking Standards

203.1 Driveways

- Two existing driveways from Issaqueena Trail and one to Pendleton Road will continue to be utilized.
- A drive will be installed to connect existing driveway from Issaqueena Trail to existing driveway towards Pendleton Road. The driveway shall be no wider than 12'.
- Driveways will be constructed of gravel or other pervious material approved by City Engineer.
- No more than 3,000 sq. ft. of impervious material shall be used on slopes and parking to minimize erosion.

203.2 Parking

Parking Areas

- Parking for 15 cars will be provided along new drive connecting Issaqueena Trail to Pendleton Road.
- Other parking identified on the site plan may be covered with pervious material
- 3 spaces shall be provided in front of the B & B.
- 20 spaces shall be provided along existing drives and behind the house and between the house and barn as identified
- There is currently one covered family parking space under the house and 3 additional spaces planned in a new structure.
- Parking for events shall be accommodated in areas indicated as occasional parking on Exhibit 3: Site Plan.
- Parking shall not be allowed in any right-of way.
- All handicapped spaces shall comply with A.D.A. requirements.

Parking Aesthetics

- Parking surface may be gravel or other pervious material as approved by city engineer.
- Parking areas shall be screened from Issaqueena Trail with evergreen foliage with mature height no less than 6 feet at maturity.
- 203.3 Traffic Patterns

Event related traffic: Driveways on Issaqueena Trail shall be one-way entrances; the drive towards Pendleton Road shall be a one-way exit from the planned

development. Family, B & B guests, and event buses may enter and exit from Issaqueena Trail.

204.0 Architectural Standards

Lodging and Residential Architectural Styles: Architectural styles and materials used for new structures shall respect and be in harmony with the existing historic elements on site. Plans and elevations for new structures shall be subject to staff approval for consistency with the existing design characteristics of the site.

204.1 Accessory Building Architectural Styles

Three-sided Pole Shed

- Maximum height of 16'
- One structure is allowed per paddock; no more than three on the entire property
- Structures shall be built so as to weather to grey or painted to blend in with the surrounding foliage.

Hay Storage Area

- Maximum height of 16'. If land slopes this will be measured from highest elevation due to desire not to disturb existing t.
- One hay storage structure is allowed on the entire property no greater than 200 sq ft
- Structure shall be built so as to weather to grey or painted to blend in with the surrounding foliage.

205.0 Landscape Standards

- 205.1 Bufferyards
 - All bufferyards and landscape requirements shall comply with Article IV. Division 5 of the Zoning Ordinance. Existing landscape material within 25 feet along the perimeter of the property shall be undisturbed and maintained in natural state. Additional landscape material shall be provided to help screen parking from view on Issaqueena Trail, subject to staff approval.

205.2 Storm water management for improved areas shall be subject to approval by City Engineer.

205.3 Fencing may be added to graze animals in all areas not used by the event facility. Location and type of fencing shall be subject to staff approval.

205.4 Lighting

- All pathway, parking and roadway electric lighting shall be shaded as to direct the light down toward the roadway or parking and walking area.
- All internal lighting shall be shielded and contained within the site and shall not spill over to adjacent properties.
- Intersections of internal roads may be lighted with a single shielded light at a height to allow light to extend past the drive intersections by no greater than 10'.
- Maximum height for intersection light fixtures shall be 20 feet and lighting shall be pressure sodium, fluorescent, or mercury vapor.

• Other lighting not exceeding the light equivalent of a 60 watt incandescent light bulb may be allowed as permanent and temporary lighting. All lighting that is not completely shielded shall be no greater than 4 feet in height.

206.0 Signage

 Sign shall not exceed 6 sq ft. in area; be located no closer than 15' from road surface, and not be more than 4' in height above Issaqueena Trail grade. Sign may be externally lit.

207.0 Offenses

- 207.1. For the purpose of this ordinance, offenses shall include any federal, state or local ordinance which results in a forfeiture of bond, plea of guilty, no contest, acceptance into Pre-Trial Intervention, or a determination of guilt by a court or jury.
- 207.2. An accumulation of three offences that occur on the property within a two year period of time will require the Zoning and Codes Administrator to issue an "Intent to Revoke" notice to the property owner by first class, certified mail, or posting of the property.
- 207.3. The Zoning and Codes Administrator will then present the associated information to the property owner and City Council for a "Show Cause" hearing to determine if the business licenses associated with this property should be allowed to remain active.

208.0 Household occupancy

Structure

No. of Occupants

Principal Bed and Breakfast Structure, including the 625-square foot lodging unit:	3
900-square foot lodging unit	1
Barn lodging unit #1	1
Barn lodging unit #2	1



8824 BKD0814 PG111

DEED

STATE OF SOUTH CAROLINA

COUNTY OF PICKENS

KNOW ALL MEN BY THESE PRESENTS that I, DOROTHY R. BOONE (hereinafter referred to as Grantor), for and in consideration of Two Hundred Fifty Thousand and No/100's Dollars (\$250,000.00), the receipt of which is hereby acknowledged by me, have granted, bargained, sold, and released, and by these presents do hereby grant, bargain, sell, and release, unto STEPHEN A. SEFICK AND LYNETTE E. SEFICK (hereinafter referred to as Grantees), and the Grantees' heirs or successors and assigns forever, all of my right and interest in and to the following property:

All that certain piece, parcel or lot of land, with all improvements thereon, lying and being situate in the State of South Carolina, County of Pickens, within the corporate limits of the City of Clemson, being known as a portion of the old Stribling place, containing 8.4 ACRES, more or less, and being shown and designated on a plat of survey thereof by James A. Stevenson, dated November 15, 1954, and recorded in Deed Book 7-Y, at Page 36, records of Pickens County, South Carolina, reference to which plat being hereby made for a more complete and accurate description. (For a metes and bounds description, see Deed Book 7-Y, at Page 35).

This is the identical property conveyed to Dorothy R. Boone by the Estate of M. A. Boone by Deed of Distribution dated October 24, 1993 and recorded in Deed Book 219 at Page 344, records of Pickens County, South Carolina.

This conveyance is made subject to easements, rights-of-way, set back lines, zoning ordinances, covenants and/or restrictions of record and/or appearing on the premises.

This property is located at 220 Issaqueena Trail, Clemson, South Carolina, 29631, and has Pickens County Tax Map Number 4063-09-06-2301.

This conveyance is made together with all and singular the rights, members, hereditaments, and appurtenances to said premises belonging, or in any wise incident or appertaining; to have and to hold, all and singular the premises before mentioned unto the Grantees, and the Grantees' heirs or successors and assigns forever. And the Grantor does hereby bind the Grantor and the Grantor's heirs or successors and assigns, to warrant and forever defend all and singular said premises unto the Grantees, and the Grantees' heirs or successors and assigns against the Grantor and the Grantor's heirs or successors and assigns against the Grantor and the Grantor's heirs or successors and assigns and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

RETURN RECORDED DEED TO: Kay Kirkley Barrett Attorney at Law Post Office Box 493 Clemson, South Carolina 29633-0493

COUNTY ASSESSOR

222 McDANIEL AVE., B-8

DICKENS SC 29671

GRANTEES' ADDRESS:

220 Issaqueena Trail Clemson, South Carolina 29631

COUNTY AUDITOR 222 McDANIEL AVE., B-7 PICKENS, SC 29671

DEED FROM BOONE TO SEFICK

8824 BKD0814A662112

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal this the 7th day of May, 2004.

Signed, sealed and delivered in the presence of the following witnesses:

<u>ette M Buckanan</u> WITNESS

WITNESS

DOROTHY R. BOONE

PROBATE

000008824 RECORDED 05/11/2004 01:22:49PM Fee:10.00 State:650.00 Counts:275.00 Exempt:_____ Pickens Counts: SC Resistar of Deeds

STATE OF SOUTH CAROLINA

COUNTY OF PICKENS

Personally appeared before me the undersigned witness, who, first being duly sworn, made oath that she saw the Grantor as the Grantor's act and deed, sign, seal and deliver the within Deed to the Grantees and that she with the other witness whose signature appears above witnessed the execution thereof.

Sworn to before me this the 7th day of May, 2004.

the MBuckouan WITNESS

KAY KIRKLEY BARRETT

My Commission Expires: November 20

