



Zoning Board of Appeals Meeting

Wednesday, February 15, 2017

6:30 p.m.

City of Goose Creek
Marguerite H. Brown Municipal Center
Council Chambers
519 North Goose Creek Blvd.
Goose Creek SC



MEMORANDUM

TO: Members of the Zoning Board of Appeals

FROM: Sarah Hanson

DATE: February 8, 2017

SUBJECT: Notification of Meeting

This is to inform everyone that the next meeting of the Zoning Board of Appeals has been scheduled for Wednesday, February 15, 2017, at 6:30 p.m., at City Hall. Enclosed please find agenda material for the meeting. Please note this meeting will cover one public hearing for a Conditional Use Permit.

If you have any questions or comments, please don't hesitate to contact me at 797-6220 ext. 1118

**AGENDA
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
WEDNESDAY, FEBRUARY 15, 2017 at 6:30 P.M.
MARGUERITE H. BROWN MUNICIPAL
CENTER 519 N. GOOSE CREEK BOULEVARD**

- I. Call to Order –Chairman Butch Clift**
- II. Review of Minutes From November 29, 2016, and January 19, 2017**
- III. Public Hearing – Application for Conditional Use Permit for a proposed 60 unit multi-family housing development located on Central Avenue, property designated as TMS #243-00-00-055, totaling 8.5 acres.**
- IV. Comments from Board**
- V. Comments from Staff**
- VI. Adjournment**

Please note this Agenda was posted at City Hall and on the City Website prior to meeting.

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
NOVEMBER 29, 2016 6:30 P.M.
GOOSE CREEK MUNICIPAL COURTROOM
519 N. GOOSE CREEK BOULEVARD**

I. Call to Order – Chairman Clift called the meeting to order at 6:35 p.m.

Present: Butch Clift, Jason Dillard, James Fisk, Ralph Hayes, Larry Monheit, Gerald Stinson, Thomas Volkmar
Absent: None
Staff Present: Sarah Hanson

II. Review of Minutes from August 30, 2016 Meeting, and October 18, 2016 Meeting

Motion: Mr. Volkmar made a motion to approve the minutes as written. Mr. Monheit seconded.

Discussion: There was none.

Vote: All voted in favor. (7-0)

III. Public Hearing – Request for a Conditional Use Permit for a proposed multi-family development for property located at Liberty Hall Road and Henry E. Brown Blvd., designated as TMS#244-00-00-065.

Motion: Mr. Monheit made a motion to open the public hearing. Mr. Dillard seconded.

Vote: All voted in favor.

Chairman Clift opened the floor to Staff. Ms. Hanson pointed out the property location. Staff stated the property consists of approximately 41 acres located along Liberty Hall Road as well as along Henry Brown Blvd. She noted the property is located adjacent to the Birch Hollow mobile home community. Ms. Hanson also mentioned that of the 40 acres, approximately 20 acres are considered developable due to the presence of wetlands. She added that the property was recently rezoned from Planned Development Mobile Home (PDMH) to General Commercial (GC). Staff stated that when someone wants to use a property that is zoned GC for a multi-family use, a Conditional Use Permit approval by the ZBA is required. Ms. Hanson mentioned the plans, to date, are preliminary with revisions to meet the City's buffer and open space requirements. Staff specified the project will be required to go through a typical Staff review, should it be approved, and must meet or exceed all applicable zoning requirements. She noted requirements would consist of landscaping, land use buffering, storm water, density, and consistency with the areas aesthetics. Ms. Hanson also mentioned any approvals or conditions granted by the ZBA would be

subject to the project conforming to ordinance requirements. Ms. Hanson mentioned that the site is especially restricted as a whole because of wetland, flood hazard zones, and a tributary that runs through the property. She further detailed the project to include a 180-unit proposal that would allow for the natural development along the northern boundary of the current mobile home community and stay within the density, buffering, and parking requirements needed to meet the zoning ordinance while also working within the natural components of the property, noting the site plan as submitted is by no means a final site plan but rather illustrating the possible density within the given space.

Ms. Hanson mentioned a tree survey had been submitted, as required per the zoning ordinance, and that there are several significant (defined in the zoning ordinance as 24” or greater in diameter) oaks located on the property. She pointed out that the property also has several flowering dogwoods, mentioning that these are also protected as per the tree ordinance. Staff voiced concern about the removal of these, particularly the larger oaks and has requested that the final site plan be designed as creatively as possible to allow for as many of these trees to remain, adding mitigation for the removal would be significant, but Staff always prefers the mature canopy vs. a large amount of new, smaller trees being planted per mitigation. Ms. Hanson stated that because this property was initially zoned and intended for the development of a very large mobile home community, the recent rezoning offers the possibility of a less dense development than the original plan. Staff wanted to ensure the Boards awareness that per the development agreement currently in place for the Brickhope Plantation community, on the opposite side of Liberty Hall Road and Henry Brown Boulevard, a total of 525 multi-family units have been approved for possible development 1.5 miles from this site.

Ms. Hanson stated that the property owner is requesting that the Board approve the multi-family use to ensure that future owners of the property have the multi-family option available and so the property can be marketed as such. She added that per the zoning ordinance the Board may attach any conditions on its decision such as maximum density, site restrictions, etc. that it considers important or imperative.

Staff stated additional concerns regarding the number of multi-family communities being developed within the City at this time. She also added that this location is very much removed from those currently being built and an apartment community would provide less density and much less of an impact on the traffic and services than a significant mobile home community. Ms. Hanson suggested the multi-family component within Brickhope could be a mix of apartments and townhomes, but no information is currently available presently for future plans. She noted any approval for the multi-family use would have to come before the ZBA for review as well at Brickhope.

Staff finalized her comments by asking that any approvals be conditional upon Staff approval of the architectural design of the complex, sufficient buffering between communities, and any other specifics the Board may require. In addition, Staff would ask that a maximum number of units be specified or that the density be governed by the ability to save as many trees defined within the zoning ordinance as “significant” as absolutely possible; even if requiring the repositioning of buildings, the use of low impact development standards for parking areas, the relocation of driveways, etc. Ms. Hanson stated that in giving those conditions, indicating the area designated

for commercial development on the Henry Brown Boulevard side and the multi-family use reserved for the other portion of the total property, Staff has no objection to the use for multi-family.

Chairman Clift invited a representative to speak on behalf of the multi-family. He administered the testimony oath to all who were present to speak on behalf of or against the application.

Mr. Gordon Darby, property owner, along with Mike Ferrara introduced themselves to the Board. Mr. Darby stated he had no additional comments to Staff, and would be happy to answer any questions. Chairman Clift inquired with Mr. Darby on the status of preliminary plans. Mr. Darby stated they currently have a preliminary site plan to date with approximately 180 units. He added that the property is heavily wooded. Mr. Mike Ferrara stated that much of the buffer aligns naturally with the highway, and will provide a nice screening. He detailed the trends for multi-family within the area. Mr. Ferrara stated 50% of the property cannot be developed, and mentioned the density and the impact will be lower than the existing use. Mr. Volkmar outlined the specifics the Board is required to consider, and addressed the type of buffering to be used. Mr. Darby explained the plans will meet, within reason, what the City of Goose Creek requires. Mr. Volkmar addressed the criteria to be met. There was discussion in regards to the land use and impact on traffic, and specifics to be required. Mr. Darby mentioned apartments have management, unlike single family homes.

Chairperson Clift opened the floor for anyone to speak in favor of the multi-family unit. There was none. Chairperson Clift opened the floor for anyone to speak against the multi-family unit. Ms. Julie Greer, of Birch Hollow, spoke in opposition of the request. Ms. Greer stated concerns for the development, parking, traffic and safety of the area. She added concerns of transient residents, having only one access to the neighborhood, traffic volume increasing, along with current flooding issues. Mr. Dillard inquired if Ms. Greer had a petition to speak for the other residents. Ms. Greer did not. There was discussion about access and egress into the existing neighborhood, and discussion about a separate entrance for this development. Mr. Dillard stated his understanding for the concerns as presented by Ms. Greer. Mr. Ferrara stated they are trying to establish a good development with a separate access, and feels it will benefit the community.

Chairman Clift swore in Mr. Tim Burke, and Mrs. Robin Burke. Mrs. Burke stated favor for an apartment community, and the process for a Conditional Use Permit. She inquired about the quality of the apartments.

Chairman Clift opened the floor to Staff to summarize the request. Ms. Hanson detailed the substantial buffer located between the mobile home park and the proposed apartment complex, and added that Mr. Darby has received permission from SCDOT to incorporate a separate access to the community off Liberty Hall Rd. She noted the parking regulations, and the approved uses for a commercial zoning classification.

Mr. Tim Burke expressed concerns for traffic and traffic lights in this area. Mr. Monheit directed Mr. Burke to inquire with SCDOT. Mr. Burke also expressed concerns for lighting and the condition of the existing sidewalks.

Mr. Monheit made a motion to close the public hearing. Mr. Volkmar seconded. All voted in favor.

There was a discussion about reserving the existing tree line, buffer areas, and the existing natural resources with 24” hardwoods and flowering species to be saved.

Mr. Monheit made a motion to open the public hearing. Mr. Dillard seconded. All voted in favor.

Mr. Darby noted the existing trees and the process of clearing.

Mr. Volkmar made a motion to close the public hearing. Mr. Hayes seconded. All voted in favor.

There was discussion about tasking Staff to determine the percentage of existing trees to retain, substantial structural buffers, and preliminary site plan approval. Chairman Clift suggested adding the following language to the motion; the project must meet or exceed the open space requirement per the ordinance, meet or exceeds the aesthetics of apartment complexes being built in the City, and the rest of the property be reserved for commercial use only.

Motion: Mr. Volkmar made a motioned to approve the application for a Conditional Use Permit for new construction of a multi-family project on the property located at Liberty Hall and Henry Brown Boulevard, conditional upon the project meeting the following conditions in accordance with Section 151.171 of the code of ordinances of the City of Goose Creek: having found that the application satisfied the thirteen criteria that was discussed previous for the conditional use permit as outlined in Section 151.171(c) of the zoning ordinance, the approval is subject to the condition that 50% of the healthy significant trees and natural resources as identified in the City tree ordinance be maintained, conditional upon 180 units being approved, conditional upon substantial structural buffers being constructed with regard to the adjacent residential properties, conditional upon it meets or exceeds the aesthetics of the apartments being built in the City at this time, and conditional upon the rest of the buildable portions of the property be reserved for commercial development, and the access/egress is not on Barksdale. Mr. Hayes seconded.

Discussion: There was none.

Vote: All voted in favor.

Chairman Clift stated the Board had approved the conditional use permit.

IV. Comments from the Board

There was discussion about needs for security for meetings. Mr. Dillard made a motion to request security be provided during meetings. Mr. Hayes seconded. All voted in favor.

V. Comments from Staff

Ms. Hanson thanked the Board for the conditions as motioned. There was discussion about upcoming and current multi-family development, and the review process. Staff mentioned a map to be developed showing all apartment communities. There was a brief discussion in regards to conditions for future approvals. Staff mentioned the intentions for training. Ms. Hanson also outlined the existing tree ordinance and the vested rights law.

VI. Adjournment

Mr. Volkmar made a motion to adjourn. Mr. Monheit seconded. All voted in favor. The meeting ended at or about 8:07 p.m.

_____ **Date:** _____, **2017**
Butch Clift, Chairman

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
JANUARY 19, 2017 6:30 P.M.
GOOSE CREEK MUNICIPAL COURTROOM
519 N. GOOSE CREEK BOULEVARD**

I. Call to Order – Chairman Clift called the meeting to order at 6:30 p.m.

Present: Butch Clift, Jason Dillard, James Fisk, Ralph Hayes, Larry Monheit, Gerald Stinson, Thomas Volkmar
Absent: None
Staff Present: Sarah Hanson

Chairman Clift gave the testimony of oath to those parties to speak for or against the request.

II. Public Hearing – Request for variance to front setback requirement at 300 Commons Way, Planters Walk, The Commons at Crowfield, property designated as TMS#243-02-04-010

Motion: Mr. Volkmar made a motion to open the public hearing. Mr. Monheit seconded.
Vote: All voted in favor.

Chairman Clift opened the floor to Staff. Ms. Hanson stated pursuant to section 151.171 of the zoning ordinance of the City of Goose Creek; Mr. Wallace Ray Clearman, Jr., the applicant, is seeking a variance from the front setback requirements as required by Appendix “D” of the zoning ordinance. She stated the property location, and zoning classification of PD (planned development), noting that the Commons were developed as a high density residential development and has required a setback of 20’ on the front, a minimum of 5’ on each side, and a minimum of 20’ to the rear. Staff stated the applicant wishes to build a small front porch with a depth of approximately 4.5’ onto the home, but cannot do so and meet the front setback in its entirety. Ms. Hanson stated the proposed porch would encroach into the front setback approximately 3’ as the front of the home is 1.5’ from the front setback. Staff did note that without some sort of porch or stoop added onto the front of the home, there would be continual damage to this area of the home, both inside and outside. Ms. Hanson mentioned the applicant is proposing a very small addition, one that is just large enough to offer protection to the entry way. She added that the addition of the porch and the resulting appearance would, in Staff’s opinion, offset any negative appearance of the encroachment.

Mr. Wallace Ray Clearman, Jr., owner, presented his request for a variance, along with a copy of a letter from a neighbor to the Board. Chairman Clift read the letter to the Board, expressing favor from a neighbor for the request.

Mr. Clearman presented photo's of the existing entry showing damage, and addressed the Board in response to meeting the criteria as outlined per his letter submitted to the Board. There was discussion about alternate methods to protect the entry. Mr. Monheit inquired about the width of the existing concrete pad. Mr. Clearman stated it was approximately 8'-2". There was a detailed discussion about the setback, existing concrete pad, and location of the existing home, along with how the request meets the criteria. Mr. Dillard inquired about the cost involved with the current damage. Mr. Clearman stated he had made some repairs, and was waiting to cover the entry before he would make additional repairs. There was an inquiry if there had been past request for the same type of variance in this area.

Chairman Clift asked Staff to summarize the request. Ms. Hanson stated that the conditions due not generally apply to other properties in the vicinity, and that the vicinity does not necessarily mean the immediate neighborhood, The Commons. She mentioned that it could be compared to other developments within the low country. Staff suggested the Board consider the conditions advisable to protect the established property values in the surrounding area, meaning this home and ones similar in design. Chairman Clift inquired if Mr. Clearman wished to summarize. Mr. Clearman stated he wanted his entry to be covered, and then would give him the opportunity to make necessary repairs to the damage caused by the uncovered entry.

Chairman Clift stated that no one was present within the audience to make a statement for or against the request.

Mr. Hayes made a motion to close the public hearing. Mr. Fisk seconded. All voted in favor.

There was a brief discussion amongst the Board in regards to the request for the variance.

Mr. Monheit made a motion to open the public hearing. Mr. Volkmar seconded. All voted in favor.

Motion: Mr. Volkmar made a motioned to approve the application for the variance from front setback requirements as setforth in Appendix D of the code of ordinance for the City of Goose Creek having found that the permits. Section 151.171 for the property identified as 300 Commons. Mr. Hayes seconded.

Discussion: There was none.

Vote: All voted in favor.

Chairman Clift stated the Board had approved the variance request.

III. Comments from the Board

There

IV. Comments from Staff

Ms. Hanson

V. Adjournment

Mr. Volkmar made a motion to adjourn. Mr. Monheit seconded. All voted in favor. The meeting ended at or about 7:05 p.m.

_____ **Date:** _____, **2017**
Butch Clift, Chairman

**STAFF REPORT
CONDITIONAL USE PERMIT
APPLICATION FOR
PROPERTY LOCATED AT 109 CENTRAL AVE
TMS #243-00-00-055**

Date of Meeting:	February 15, 2017
Subject:	Request for Conditional Use Permit for Multi-Family Use

Proposal:

The developer proposes to develop an apartment community totaling 60 units.

Background:

The applicant wishes to purchase approximately 8.5 acres from Metro North Church, located at 109 Central Avenue. Since the initial application the amount of acreage and the number of units has been reduced, as the Church has decided not to sell as many acres as first considered. The property for the proposed development is located at the rear of the Church's property along Etiwan Drive. Per the City's zoning ordinance, multi-family use must be approved through a Conditional Use Permit (CUP).

Until the developer has CUP approval, engineered plans are not required. Upon approval, engineered civil plans, architectural plans, and construction plans must be submitted to Staff for review and permitting.

Discussion:

The proposed site plan submitted to Staff to date is preliminary. The conceptual site plan enclosed illustrates the proposed density, layout, and landscaped buffers. The site is especially restricted as a whole because of wetlands which will provide a natural buffer on the west side of the site. The site plan submitted is by no means a final site plan but rather illustrates the possible density within the given space. You will note that access is proposed from Central Avenue and Etiwan Drive, though this decision will be up to SCDOT and Berkeley County.

Because of the number of units proposed Staff has not required a traffic study; however, it is certainly the Board's option to require one prior to approval.

The project will be required to go through typical staff review and must meet or exceed all applicable zoning requirements, particularly regarding landscaping, land use buffering, storm water, density, and consistency with the area's aesthetics. Any approvals or conditions granted by the ZBA will be subject to the project conforming to ordinance requirements.

Recommendation:

As previously mentioned, the site plan provided is conceptual at best. Staff has concerns regarding the number of multi-family communities being developed within the City at this time. However, this location is very much removed from those currently being built, and 60 units should have little impact.

Staff would ask that any approvals be conditional upon Staff approval of the architectural design of the complex, sufficient buffering between properties, and any other specifics the Board may require. In addition, Staff would ask that a maximum number of units be specified.



CITY OF GOOSE CREEK LAND USE APPLICATION

TODAY'S DATE: 1/18/2017

PART I. PURPOSE OF SUBMITTAL

- Site Plan, Subdivision Plan, Plat Review, Variance, Rezoning, Conditional Use Permit

PART II. GENERAL INFORMATION

- Development Name: Etiwan Place Apartments
Street Address: 109 Central Avenue, Goose Creek, SC 29445
TMS #: 243 - 04 - 00 - 055
Zoning Classification: GC
Requested Classification: (For rezonings only)
Total Site Acres: 21.27

Table with 2 columns: Zoning District Name and Description. Includes CO, LI, R-1, R-2, R-3, GC, NC, RC, PD, PD-MH.

PART III. CONTACT INFORMATION

Owner/Developer Name: Metro North Presbyterian Church
Street Address: 109 Central Avenue City: Goose Creek St: SC Zip: 29445
Telephone: 843-764-0873 Cell Phone: 843-323-7078 Fax:
E-mail Address: jschley@metronorthpca.org

PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: Multi-Family
Proposed Total Building Area (gross sq. ft.): 72,900
Max. Building Height: 50' Total Number of Buildings/Units/Lots: 2 residential buildings plus clubhouse/60 units
Is The Property Restricted by Any Recorded Covenant Which Conflicts With or Prohibits The Proposed Use: No

AGENT WAIVER

In filing this plan as the property owner, I do hereby agree and firmly bind myself, my heirs, executors, administrators, successors and assignees jointly and severally to construct all improvements and make all dedications as shown on this proposed site plan as approved by the City of Goose Creek, South Carolina. I hereby designate Jay Bernstein to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: JOHN A. SCHLEY Date: 1-23-17
Signature: [Handwritten Signature]

Goose Creek Conditional Use Permit – Criteria Response

1. The property will adhere to all City set-back and buffer requirements. Additionally, the proposed medium density development has large natural areas that provide additional buffers between adjacent properties. The proposed use is multi-family which will not create adverse conditions such as vibration, noise, dust, glare, odor, or traffic congestion. Please see site plan for confirmation. We will comply with all required erosion control measures during development.
2. The property is currently zoned GC, which would allow for commercial development. Multi-family developments generally have lower traffic counts than commercial developments (although this would depend on the specific commercial use). The property is also located very close to numerous retail shops and businesses, which would reduce vehicular traffic. Based on the number of units being proposed, a traffic study is not warranted, but should the proposed development move forward, and the city feel it necessary, the developer will comply.
3. The property will have no off-street parking or loading zones. The developer will work with the City to ensure the best locations are used for ingress/egress related to the development.
4. The surrounding properties are generally commercial in nature and will benefit from additional residents living near their businesses. The undeveloped tracts adjacent to the property are currently zoned GC (which would benefit from additional households being in close proximity), and CO (conservation).
5. The proposed use is located behind the existing Metro North Presbyterian Church in the Downtown Mixed Use District. The District promotes a mixture of commercial and residential uses. The proposed use would create medium density housing behind an existing worship center, and is near existing office and retail uses. This district promotes medium to high residential densities with walkability as a key component. Our development will have sidewalks throughout and provide easy access for residents to walk to nearby shops and restaurants. We are also committed to preserving natural wetlands throughout the property.
6. The property is compatible with the existing neighborhood character and is being developed in accordance with the applicable zoning districts. The developer will develop the property in accordance with the base zoning district regulations. Our intention is to provide an abundance of green space and preserve the existing wetlands wherever possible. The neighborhood includes a mix of uses with retail, office, and multi-family all located near the property.
7. The proposed medium-density multi-family community will blend well with the surrounding uses. There is a high-density apartment community located on the adjacent parcel and the rest of the uses are generally medium density retail and office uses. A medium density apartment community will complement the surrounding properties. The structures will generally be screened from view from adjacent properties.
8. The proposed community will comply with the applicable development standards of the city. We will work with city staff to ensure all standards are met.
9. The proposed use poses no risk to public health, safety, of general welfare of the city and its citizens.

10. The proposed use will not cause a nuisance or hazard based on the number of persons living in the community. There use will not generate excessive noise, fumes, or vehicular movement. Multi-family housing use exists on an adjacent property.
11. The proposed use will not create hazards to vehicular or pedestrian traffic on roads and/or sidewalks. As previously mentioned, within the confines of the GC zoning district, the proposed use will have a lesser impact on traffic than the zoning district would allow.
12. The use will not create glare from lighting. Site lighting will be implemented to provide safety for our residents; however, there is a substantial wooded area between the adjacent residential use. There would be no lighting on the property that would impact the adjacent commercial uses. The developer will use full cut-off site lighting fixtures to minimize light pollution.
13. The proposed use will not impact natural, scenic, or historic features of significant value.

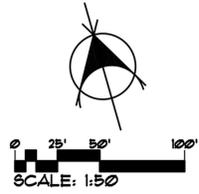
PLOTTED: Feb 08, 2017 - 3:01pm LOCATION: P:\FITCH DEV\2017-033 Goose Creek, SC\Prelim\2017-X-Ref_Prelim\ 2017-033-SITE.dwg Plotted By: dthompson - Copyright 2017



SITE:
 8.56 ACRES
 1 UNIT/1 ACRE

PARKING:
 PARKING REQUIRED AT 2.14 SPACES
 128 SPACES REQUIRED
 131 SPACES PROVIDED

UNIT MIX:
 24 TWO BEDROOMS
 18 THREE BEDROOMS
 60 TOTAL UNITS



1 PRELIMINARY ARCHITECTURAL SITE PLAN
 1"=50'

PROJECT	2017-033
DATE	1/25/2017
DRAWN BY / CHECKED BY	KNH
REVISIONS	

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800

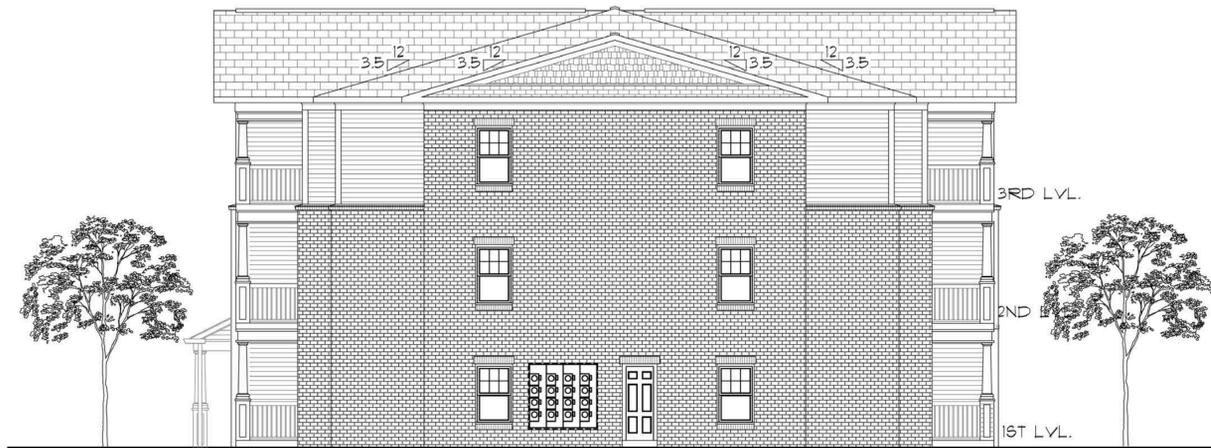
ETIVAN PLACE APARTMENTS
 GOOSE CREEK, SC

PRELIMINARY ARCHITECTURAL SITE PLAN

MARRA

SA.1

NOT RELEASED FOR CONSTRUCTION



3 SIDE ELEVATION - BUILDING 200
1/8" = 1'-0"



2 REAR ELEVATION - BUILDING 200
1/8" = 1'-0"



1 FRONT ELEVATION - BUILDING 200
1/8" = 1'-0"

0 4' 8' 16'
SCALE: 1/8" = 1'-0"

REVISIONS
PROJECT 2017-033
DATE 1/25/2017
DRAWN BY / CHECKED BY KNH

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
ETTIAN PLACE APARTMENTS
GOOSE CREEK, SC
BUILDING 200 ELEVATIONS



A3

NOT RELEASED FOR CONSTRUCTION

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