



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Interim Director of Public
Service

**PUBLIC WORKS AND UTILITIES COMMITTEE
AGENDA**

There will be a meeting of the Public Works and Utilities Committee on Tuesday, January 8, 2019 to begin at 3:00 p.m., first floor conference room at City Hall. The following items will be heard:

A. Invocation

B. Approval of Public Works and Utilities Committee Minutes

August 21, 2018

September 10, 2018

September 25, 2018

October 23, 2018

November 13, 2018 (Deferred)

November 26, 2018

December 3, 2018

C. Request to Set a Public Hearing

D. Acceptance and Dedication of Rights-of-Way and Easements

- a. Dedication and Acceptance of a portion of Forest Drive (50' in Right-of-Way, 1,100 LF) Governor's Cay.

E. Temporary Encroachments Approved by The Department of Public Service (For information only)

1. **198 E Bay – MICFO, LLC** - 24" x 24" right angle sign with 8"x 24" plaque underneath encroaching in the right-of-way. This encroachment is temporary. **Approved December 7, 2018.**
2. **305 Gunboat Ln** – Installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved December 7, 2018.**
3. **1706 Trewin Ct.** – Transfer installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved December 7, 2018.**
4. **1734 Trewin Ct.** – Transfer installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved December 7, 2018.**
5. **1906 Bellona St.** – Transfer installing irrigation encroaching into right-of-way. This encroachment is temporary. **Approved December 7, 2018.**
6. **1464 Milldam Pass** - Install 4ft wood privacy fence encroaching into drainage easement. This encroachment is temporary. **Approved December 7, 2018.**

F. Miscellaneous or Other New Business (Action may or may not be taken)

- a. Amending Chapter 27 Section 27-117 of the City Code of Charleston (increase the freeboard requirement to two feet).

Councilmember Keith Waring,
Chairperson

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Lennar Carolinas, LLC.

("Grantor") in the state aforesaid, for and in consideration of the sum of
ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before
the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby
acknowledged, has granted, bargained, sold and released, and by these presents does grant,
bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and
assigns, forever, the following described property which is granted, bargained, sold and released
for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives,
and cul-de-sacs situate, lying and being in the City of Charleston, County of Berkeley
State of South Carolina, identified as (list street names)
Governor's Cay Phase 1 - Forrest Drive

as shown and designated on a plat entitled
Final Plat showing Forrest Drive 50' Right-of-Way, 1.302 Acres, Property of Lennar Carolinas
LLC, TMS 271-00-02-193, Located on Thomas Island, City of Charleston, Berkeley County,
South Carolina

prepared by Parker Land Surveying, LLC
dated March 23, 2018, revised September 21, 2018, and recorded on _____
in Plat Book _____ at Page _____ in the ROD Office for Berkeley County.
Said property butting and bounding, measuring and containing, and having such courses and
distances as are shown on said plat. Reference being had to the aforesaid plat for a full and
complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the
Ryland Group Inc. dated July 10, 2015 and recorded
Aug 28, 2015 in Book 1158 at Page 80 in the ROD Office for
Berkeley County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

Portion of TMS No.:

271-00-02-193

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 29 day of October 2018.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Robbie Young
Witness Number One

Robbie Young
Printed Name

Joelyn Alegre
Witness Number Two

JOELYN ALEGRE
Printed Name

Grantor
[Signature]

Jason Byham
Printed Name

STATE OF South Carolina
COUNTY OF Charleston

ACKNOWLEDGEMENT

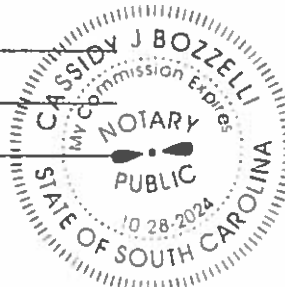
This foregoing instrument was acknowledged before me (the undersigned notary) by Jason Byham, the VP of Lennar Carolinas, LLC, a _____, on behalf of the Grantor on the 29 day of October, 2018.

Signature of Notary: Cassidy J Bozzelli

Print Name of Notary: Cassidy J Bozzelli

Notary Public for South Carolina

My Commission Expires: 10/28/24



SEAL OF NOTARY

STATE OF SOUTH CAROLINA)

COUNTY OF Berkeley) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Beazer Homes Corporation
to Ryland Group Inc on July 10, 2015.
3. Check one of the following: The deed is
 - (A) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) exempt from the deed recording fee because (See Information section of affidavit): _____ (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes or No

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) The fee is computed on the fair market value of the realty which is _____
 - (C) The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES or NO to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as _____.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

Jason Byham, VP

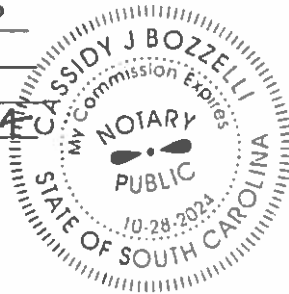
Print or Type Name Here

Sworn this 29 day of October 2018

Carly J. Braxell

Notary Public for South Carolina

My Commission Expires: 10/28, 2024



IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: Laura Cabiness
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER:

Witness #1

Kelley Young

Name: Jason Byham, VP

Witness #2

Joseph Regue

STATE OF South Carolina)
)
COUNTY OF Charleston)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Jason Byham, the VP of Lennar Carolinas, LLC, on behalf of the Owner on 10/29/18.

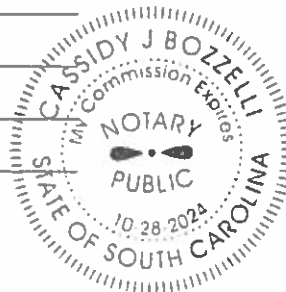
Signature: Cassidy J Bozzelli

Print Name of Notary: Cassidy J Bozzelli

Notary Public for South Carolina

My Commission Expires: 10/28/24

SEAL OF NOTARY



AMENDING CHAPTER 27 OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING FLOOD HAZARD PREVENTION AND CONTROL REQUIREMENTS IN SECTION 27-117 TO INCREASE THE FREEBOARD REQUIREMENT TO TWO FEET (deleted text in ~~strikethrough~~, new text in **bold underline**).

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Sec. 27-117.(1) of the Code of the City of Charleston, is hereby amended as follows.

- (1) *Residential construction.* New construction or substantial improvement of any residential structure on or after April 9, 1971, shall have the lowest floor, including basement, or the applicable structural member elevated at least ~~one~~ **two** feet above the level of base flood elevation prescribed for that zone.

Section 2. Sec. 27-117.(2) of the Code of the City of Charleston, is hereby amended as follows.

- (1) *Non-residential construction.* New construction or substantial improvement of any commercial, industrial or other non-residential structure on or after April 9, 1971 shall either have the lowest floor, including basement, or the applicable structural member elevated to or above ~~one~~ **two** feet above the level of the base flood elevation prescribed for that zone or, together with attendant utility and sanitary facilities be flood-proofed in accordance with the FEMA publication "Floodproofing Non-Residential Structures" (~~1987~~) **(2013)**, so that all areas below the required elevation are watertight and with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subparagraph (2) are satisfied. Such certification shall be provided to the city as set forth in section 27-114(3) of this division.

Section 3. Sec. 27-117.(4)c.i. of the Code of the City of Charleston, is hereby amended as follows.

- i. Stands or lots be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at least ~~one~~ **two** feet above the base flood level;

Section 4. Sec. 27-117.(4)d.i. of the Code of the City of Charleston, is hereby amended as follows.

- i. The lowest floor of the manufactured home is elevated to at least ~~one (1)~~ feet **two (2) feet** above the level of the base flood elevation; or

Section 5. Sec. 27-117.(6)b.i. of the Code of the City of Charleston, is hereby amended as follows.

- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above ~~one (1)~~ feet **two (2) feet** above the base flood level; and

Section 6. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 201_, and in the _____nd Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council