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May 22 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2022-CP-23-03356 (S.C. Ct. App. filed Jan. 30, 2023)
Appellate Case No. 2023-000144

Citizens for Quality Rural Living, Inc.,Appellant,

v.

LyonJay and the Greenville County Planning Commission,Respondents.

RESPONDENT LYONJAY’S DESIGNATION OF MATTER

Respondent LyonJay proposes the following to be included in the Record on Appeal:

Orders

1. Circuit Court Order Affirming Planning Commission, filed November 4, 2022
2. Circuit Court Form 4 Order Denying Motion to Reconsider, filed Jan. 18, 2023

Pleadings

3. Citizens for Quality Rural Living, Inc. Notice of Appeal and Appeal, filed June 24, 2022

Briefs

4. Citizens for Quality Rural Living, Inc. Final Appellate Brief, filed Sep. 7, 2022
5. LyonJay Appellate Brief, filed Sep. 6, 2022
6. Greenville County Planning Commission’s Appellate Brief, filed September 21, 2022

7. LyonJay's Reply Brief, filed September 22, 2022

Exhibits

8. All materials that Respondent LyonJay submitted to the Greenville County Planning Commission in support of the River Preserve Subdivision and included in the Record on Appeal before the Greenville County Court of Common Pleas, including:

- a. River Preserve Preliminary Plat, April 5, 2022
- b. River Preserve Preliminary Plat, April 25, 2022
- c. River Preserve Preliminary Plat, May 22, 2022
- d. River Preserve Preliminary Subdivision Data Sheets
- e. Greenville County Planning Commission Meeting Minutes, May 25, 2022
- f. LyonJay Wetlands Delineation
- g. Subdivision Advisory Committee Letters of Transmittal
- h. All Traffic Impact Studies

9. Greenville County 2022 Subdivision Review Calendar

10. River Preserve Public Comments

11. All other material contained within the Record on Appeal before the Greenville County Court of Common Pleas

Motions

12. Citizens for Quality Rural Living, Inc. Motion to Reconsider, filed Nov. 10, 2022

13. Greenville County Planning Commission's Motion to Dismiss, filed July 25, 2022

14. LyonJay's Motion to Dismiss, filed July 26, 2022, and supporting memoranda, if any

15. LyonJay's Motion to Expedite, filed July 26, 2022, and supporting memoranda, if any

16. LyonJay's Motion to Reconsider, filed September 6, 2022, and supporting memoranda, if any

Transcripts

17. Transcript of Hearing, dated September 23, 2022

Legal Authority

18. Greenville County Land Development Regulations

Dated: May 22, 2023

Greenville, South Carolina

Respectfully submitted,

FOX ROTHSCHILD LLP

/s/William A. Neinast

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***ATTORNEYS FOR RESPONDENT
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RESPONDENT LYONJAY’S RULE 209, SCACR CERTIFICATION

The undersigned hereby certifies that Respondent LyonJay’s Designation of Matter complies with Rule 209(c), SCACR, and does not contain any matter irrelevant to the appeal.

Respectfully submitted,

~ Signature Page to Follow ~

Dated: May 22, 2023

Greenville, South Carolina

FOX ROTHSCHILD LLP

/s/William A. Neinast

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***ATTORNEYS FOR RESPONDENT
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