



**AGENDA  
GREER CITY COUNCIL**

**May 8, 2018**

**MEETING LOCATION: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651**

**6:30 PM**

**COUNCIL REGULAR MEETING**

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**I. CALL TO ORDER OF REGULAR MEETING**

**II. PLEDGE OF ALLEGIANCE**

**III. INVOCATION**

**A. Councilman Wayne Griffin**

**IV. PUBLIC FORUM**

**V. MINUTES OF COUNCIL MEETING**

**A. April 24, 2018  
(Action Required)**

**VI. PRESENTATION**

**A. Reno Deaton, Executive Director of Greer Development Corporation will  
present his Annual Report**

**VII. ADMINISTRATOR'S REPORT**

**A. Ed Driggers, City Administrator**

**VIII. OLD BUSINESS**

- A. Second and Final Reading of Ordinance Number 9-2018  
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION  
OF PROPERTY OWNED BY FAYE C. ROSS LOCATED ON  
HENDERSON GAP ROAD FROM R-15 (RESIDENTIAL SINGLE -  
FAMILY) TO DRD (DESIGN REVIEW DISTRICT). (Action Required)**
- B. Second and Final Reading of Ordinance Number 10-2018  
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF**

**PROPERTIES OWNED BY JENNIFER AND EDGAR BAXTER  
LOCATED ON HENDERSON GAP ROAD BY ONE HUNDRED  
PERCENT PETITION; AND TO ESTABLISH A ZONING  
CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR  
SAID PROPERTY (Action Required)**

**C. Second and Final Reading of Ordinance Number 13-2018**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF  
CERTAIN REAL PROPERTY IN THE CITY OF GREER (Action  
Required)**

**D. Second and Final Reading of Ordinance Number 14-2018**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF  
PROPERTY OWNED BY BILLY RAY HENDERSON JR. LOCATED  
AT 1000 SOUTH MAIN STREET BY ONE HUNDRED PERCENT  
PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF  
DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY (Action  
Required)**

**IX. NEW BUSINESS**

**A. First Reading of Resolution Number 14-2018**

**A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO  
EXECUTE A SATISFACTION OF MORTGAGE (Action Required)**

**B. First Reading of Ordinance Number 16-2018**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF  
PROPERTY OWNED BY BEATE BANNON LOCATED AT 9 MILLER  
ROAD BY ONE HUNDRED PERCENT PETITION; AND TO  
ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN  
REVIEW DISTRICT) FOR SAID PROPERTY (Action Required)**

**Ordinance #16-2018 is an annexation and zoning request for property located  
at 9 Miller Road in Greenville County. The parcel for annexation is 0.635  
acres. The property is proposed for residential development with with a  
Design Review District zoning. The development will contain four single-  
family residences. The Planning Commission will conduct a public hearing on  
May 21, 2018 for the zoning of this parcel.**

**Kelli McCormick, Planning Manager**

**X. EXECUTIVE SESSION**

**Council may take action on matters discussed in executive session.**

**A. Economic Development**

**Request: Motion to enter into Executive Session to discuss Project Satellite;  
as allowed by State Statute Section 30-4-70(a)(5).**

**B. Economic Development**

**Request: Motion to enter into Executive Session to discuss various Economic Development Projects; as allowed by State Statute Section 30-4-70(a)(5).**

**XI. ADJOURNMENT**

**Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, activity or public meeting of the City of Greer should contact Ruthie Helms, ADA Coordinator at (864) 848-5397 as soon as possible, but no later than 48 hours prior to the scheduled event.**

**Category Number: III.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**Councilman Wayne Griffin**

**ATTACHMENTS:**

| <b>Description</b>    | <b>Upload Date</b> | <b>Type</b>        |
|-----------------------|--------------------|--------------------|
| ▣ Invocation Schedule | 4/16/2018          | Backup<br>Material |





**Greer City Council  
2018 Invocation Schedule**

|                    |                               |
|--------------------|-------------------------------|
| January 9, 2018    | Councilman Wayne Griffin      |
| January 23, 2018   | Councilwoman Kimberly Bookert |
| February 27, 2018  | Councilman Lee Dumas          |
| March 13, 2018     | Councilman Wryley Bettis      |
| March 27, 2018     | Councilwoman Judy Albert      |
| April 10, 2018     | Mayor Rick Danner             |
| April 24, 2018     | Councilman Jay Arrowood       |
| May 8, 2018        | Councilman Wayne Griffin      |
| May 22, 2018       | Councilwoman Kimberly Bookert |
| June 12, 2018      | Councilman Lee Dumas          |
| June 26, 2018      | Councilman Wryley Bettis      |
| July 10, 2018      | Councilwoman Judy Albert      |
| July 24, 2018      | Mayor Rick Danner             |
| August 14, 2018    | Councilman Jay Arrowood       |
| August 28, 2018    | Councilman Wayne Griffin      |
| September 11, 2018 | Councilwoman Kimberly Bookert |
| October 9, 2018    | Councilman Lee Dumas          |
| October 23, 2018   | Councilman Wryley Bettis      |
| November 13, 2018  | Councilwoman Judy Albert      |
| November 27, 2018  | Mayor Rick Danner             |
| December 11, 2018  | Councilman Jay Arrowood       |

**Category Number: V.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**April 24, 2018**

**Summary:**

(Action Required)

**ATTACHMENTS:**

| Description                              | Upload Date | Type               |
|--|-------------|--------------------|
| ☐ April 24, 2018 Council Meeting Minutes | 5/1/2018    | Backup<br>Material |

# CITY OF GREER, SOUTH CAROLINA

## MINUTES of the FORMAL MEETING of GREER CITY COUNCIL April 24, 2018

**MEETING LOCATION:** Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

### **I. CALL TO ORDER OF REGULAR MEETING**

Mayor Rick Danner – 6:34 P.M.

The following members of Council were in attendance:  
Jay Arrowood, Kimberly Bookert, Lee Dumas, Wryley Bettis and Judy Albert.

Councilmembers Absent: Wayne Griffin

Others present: Ed Driggers, City Administrator, Mike Sell, Assistant City Administrator, Tammela Duncan, Municipal Clerk, Steve Owens, Communications Manager and various other staff and media.

### **II. PLEDGE OF ALLEGIANCE**

Councilmember Jay Arrowood

### **III. INVOCATION**

Councilmember Jay Arrowood

### **IV. PUBLIC FORUM**

No one signed up to speak

### **V. MINUTES OF THE COUNCIL MEETING**

April 10, 2018

**ACTION** - Councilman Wryley Bettis made a motion that the minutes of April 10, 2018 be received as written. Councilwoman Judy Albert seconded the motion.

**VOTE** - Motion carried unanimously.

### **VI. DEPARTMENTAL REPORT**

- A.** Building and Development Standards, Finance, Fire Department, Municipal Court, Parks & Recreation, Police Department, Public Services and the Website Activity Reports for **March 2018** were included in the packet for informational purposes.

#### **Finance**

David Seifert, Chief Financial Officer presented the Financial Report for the period ending March 31, 2018. (Attached)

General Fund Cash Balance: \$18,030,459.  
General Fund Revenue: \$19,369,748. General Fund Expenditures: \$15,414,139.  
Revenue Benchmark Variance: \$2,870,338. Expenditure Benchmark Variance: \$714,594.  
Overall Benchmark Variance: \$3,584,932.

The City is 11% under budget during this time period.

Hospitality Fund Cash Balance: \$878,980.  
Storm Water Fund Cash Balance: \$1,275,997.

## **VII. PRESENTATION**

- A.** Caroline Robertson, Executive Director of Greer Relief presented her annual report. (attachment)

## **VIII. ADMINISTRATOR'S REPORT**

Ed Driggers, City Administrator presented the following:

### **Calendar Items:**

**Employee Appreciation Picnic** – Friday, April 27<sup>th</sup> 5:00pm until 8:00pm at City Park.

**Spring Cleaning Day** – Saturday, April 28<sup>th</sup> from 8:00am until 1:00pm at the Recycling Center. This is an opportunity for residents to bring items to the Recycling Center that we do not normally collect curbside. Examples of those are tires, paint, pesticides etc. We will also provide a shred truck. Additional information is available on our website.

**Family Fest** – Friday, May 5<sup>th</sup> and Saturday May 6<sup>th</sup> downtown.

**Council Planning Retreat** – has been scheduled for Tuesday, May 8<sup>th</sup> and Wednesday, May 9<sup>th</sup>. Both days will be half days. We will begin at 12:00pm Tuesday ending with the Council meeting and start at 8:30am Wednesday ending with a working Lunch.

**Kids Planet Master Plan** – We have had successful turnout and participation with the Kids Planet Master Plan process. We are wrapping up the process now. Questionnaires are also available on our website if you would like to participate.

Mr. Driggers asked Council to add a third item to Executive Session, no action is requested. Asking guidance regarding an Economic Development matter.

## **IX. OLD BUSINESS**

- A. Bid Summary – Drainage improvements at Wildwood Dr. and Chick Springs Rd**  
Steve Grant, City Engineer presented the request. Staff recommended Faulkner Development & Engineering, LLC in the amount of \$127,335.00. These projects will be paid for from the Storm Water Fund. (attachment)

**ACTION** - Councilwoman Kimberly Bookert made a motion to accept the recommendation of Faulkner Development & Engineering, LLC in the amount of \$127,335.00. Councilman Jay Arrowood seconded the motion.

**VOTE** – Motion carried unanimously.

**B. Revisions to the City of Greer Revised Policy and Procedures Manual Effective 2/1/2015**

Dorian Flowers, Fire Chief presented the request. Staff recommended changing the accrual rate of vacation leave for those working 24.25-hour shifts in the Fire Department. Hours will be based on an employee's normal scheduled hours of 56.65 per work week. (attachment)

Discussion held.

**ACTION** - Councilwoman Judy Albert made a motion to accept the recommendation of Staff. Councilman Lee Dumas seconded the motion.

**VOTE** – Motion carried unanimously.

**C. First and Final Reading of Resolution Number 13-2018**  
**A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR THE SALE OF PROPERTY WITH SC GREER POINSETT, LLC**

Ed Driggers, City Administrator presented the request.

**ACTION** - Councilwoman Kimberly Bookert made a motion to receive First and Final Reading of Resolution Number 13-2018. Councilwoman Judy Albert seconded the motion.

**VOTE** – Motion carried 5-1 with Councilmember Bettis voting in opposition.

**D. First Reading of Ordinance Number 13-2018**  
**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CITY OF GREER**

Ed Driggers, City Administrator presented the request.

**ACTION** - Councilwoman Judy Albert made a motion to approve First Reading of Ordinance Number 13-2018. Councilwoman Kimberly Bookert seconded the motion.

Brief discussion held.

**VOTE** – Motion carried 5-1 with Councilmember Bettis voting in opposition.

## **Motion to Add an Item to Executive Session**

**ACTION** - Councilman Lee Dumas made a motion to add Item C. Economic Development project to Executive Session. (a motion to enter into Executive Session to discuss a proposed location and provision of services for an economic development project as allowed by State Statute Section 30-4-70(a)(5)). Councilman Wryley Bettis seconded the motion.

**VOTE** – Motion carried unanimously.

## **X. EXECUTIVE SESSION**

**ACTION** - In (7:24 p.m.)

(A) Contractual Matter

Councilman Lee Dumas made a motion to go into Executive Session to discuss a potential contract for property purchase as allowed by SC Code of Laws Section 30-4-70(a)(2). Councilman Wryley Bettis seconded the motion. Motion carried unanimously.

(B) Legal Advice

Councilman Lee Dumas made a motion to go into Executive Session to receive legal advice regarding pending litigation as allowed by State Statute Section 30-4-70(a)(2). Councilman Wryley Bettis seconded the motion. Motion carried unanimously.

(C) Economic Development

Councilman Lee Dumas made a motion to go into Executive Session to discuss a proposed location and provision of services for an economic development project as allowed by State Statute Section 30-4-70(a)(5). Councilman Wryley Bettis seconded the motion. Motion carried unanimously.

Mayor Danner stated during Executive Session they discussed the above matters and no action was taken.

**ACTION** - Out (8:59 p.m.) – Councilman Lee Dumas made a motion to come out of Executive Session. Councilman Wryley Bettis seconded the motion. Motion carried unanimously.

## **XI. ADJOURNMENT**

9:00 P.M.

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Richard W. Danner, Mayor

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Tammela Duncan, Municipal Clerk

Notifications:

Agenda posted in City Hall and email notifications sent to The Greenville News, The Greer Citizen, GreerToday.com and the Spartanburg Herald Journal Friday, April 20, 2018.

DRAFT



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**Second and Final Reading of Ordinance Number 9-2018**

**Summary:**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY FAYE C. ROSS LOCATED ON HENDERSON GAP ROAD FROM R-15 (RESIDENTIAL SINGLE - FAMILY) TO DRD (DESIGN REVIEW DISTRICT). (Action Required)

**ATTACHMENTS:**

| <b>Description</b>                       | <b>Upload Date</b> | <b>Type</b>        |
|--|--------------------|--------------------|
| ▣ Ordinance Number 9-2018                | 5/2/2018           | Ordinance          |
| ▣ Ord 9-2018 Exhibit A Map               | 5/2/2018           | Exhibit            |
| ▣ Ord 9-2018 Statement of Intent         | 5/2/2018           | Backup<br>Material |
| ▣ Ord 9-2018 Site Plan                   | 5/2/2018           | Backup<br>Material |
| ▣ Ord 9-2018 Application                 | 5/2/2018           | Backup<br>Material |
| ▣ Ord 9-2018 Planning Commission Minutes | 5/7/2018           | Backup<br>Material |



**ORDINANCE NUMBER 9-2018**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY FAYE C. ROSS LOCATED ON HENDERSON GAP ROAD FROM R-15 (RESIDENTIAL SINGLE - FAMILY) TO DRD (DESIGN REVIEW DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Faye C. Ross located on Henderson Gap Road and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number 0535030101001 containing approximately 8.1 acres attached hereto marked as Exhibit A.

1. The owner desires to change the zoning classification of the property and has shown the need for such use to the Greer Planning Commission at a public hearing held on March 19, 2018.
2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to DRD (Design Review District).
3. The proposed use is in keeping with the general character of the surrounding property.

**NOW, THEREFORE,** be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of the property located on Henderson Gap Road and more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Numbers 0535030101001 containing approximately 8.1 acres attached

hereto marked as Exhibit A shall be changed from R-15 (Residential Single-Family) to DRD (Design Review District).

This ordinance shall be effective immediately upon second reading approval.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

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Tammela Duncan, Municipal Clerk

Introduced by: Councilwoman Judy Albert

First Reading: March 13, 2018

Second and  
Final Reading: May 8, 2018

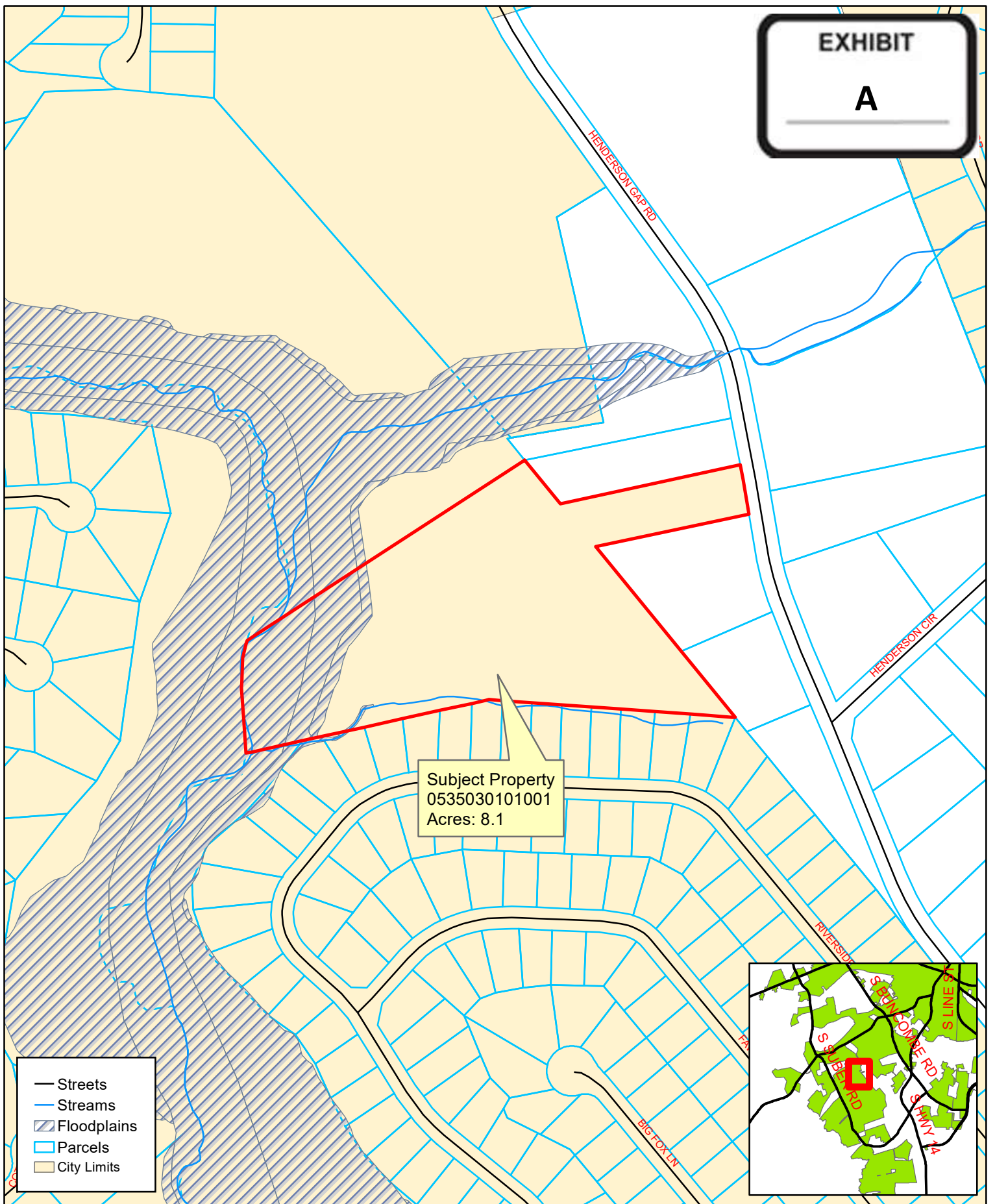
Approved as to Form:

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Daniel R. Hughes, Esquire  
City Attorney

EXHIBIT

A



# **Branchwood**

## **+/-9.5 Acre Residential Development (Design Review District) Henderson Gap Road – Greer, SC**

*Statement of Intent*  
February 9, 2018

### **Community Development**

The development planned for this +/-9.5-acre tract along Henderson Gap Road will utilize the Design Review District (DRD) zoning classification. The community will consist of attached single-family residential homes. The roads within the community will be built to private standards and turned over to the Home Owners Association (HOA) once completed. Infrastructure improvements will consist of rolled curb and gutter along internal roads, public water mains, public sewer mains, storm drainage, and common grounds (open space) to be owned and maintained by a newly formed Home Owner's Association (HOA).

The existing topography & terrain will be utilized to maximize out open space and common grounds. The common grounds will be a mixture of undisturbed and disturbed open space. To the maximum extent possible, the developer will try to preserve existing vegetation along the exterior property boundary. An entrance monument and landscaping will be installed along our entrance off Henderson Gap Road. A stormwater management pond will be installed in the rear of the development to address stormwater runoff and water quality treatment for the community.

### **Phasing & Density**

The overall density of the project will not exceed (65) single-family townhome units or roughly 7.0 units per acre. The project will be phased. Phase I will consist of approximately 29 townhome units, 20 in Phase II, and approximately 13 in Phase III. If the development proceeds as expected, build-out will be complete within approximately 3 years.

### **Homes & Materials**

The townhomes will have a mixture of sizes and all include a minimum 1-car garage. The minimum square footage per home will be 1,200 SF with most ranging from 1,400 SF – 2,000 SF. There is no maximum townhome unit size. Exterior building materials may consist of vinyl siding, shake siding, Hardie Board, brick, and/or stone. Exteriors may contain (1) specific material or combination of all (5) materials in some cases.

### **Amenities and Landscaping**

The proposed development will include approximately 5.0 acres of common area with maximum efforts to preserve existing vegetation along the exterior property boundary with Riverside Chase Subdivision. The development will also contain associated guest parking for residents. Our entrance drive located off Henderson Gap Road will be heavily landscaped and contain an entrance monument for the neighborhood. The stormwater management pond may be dry or wet depending on water sources once we get more into the design phase. Fences and/or landscaping around the pond will comply with current regulations.

The developer may, if he/she decides to, install a community walking trail within the community to connect the development's common areas.

### **Sewer/Water**

There is an existing sanitary sewer main located at the rear of the property that is maintained by Greer Commission of Public Works. This sewer will serve our site. Public water is available along Henderson Gap Road to serve the development, owned and maintained by Greer Commission of Public Works. The new sewer and water mains built within the community will be built to public standards and turned over to Greer Commission of Public Works.

### **Setbacks**

All the proposed setbacks for this project are as follows:

- 15' minimum setback from all internal roads (measured from private R/W)
- 25' minimum setback from exterior property lines

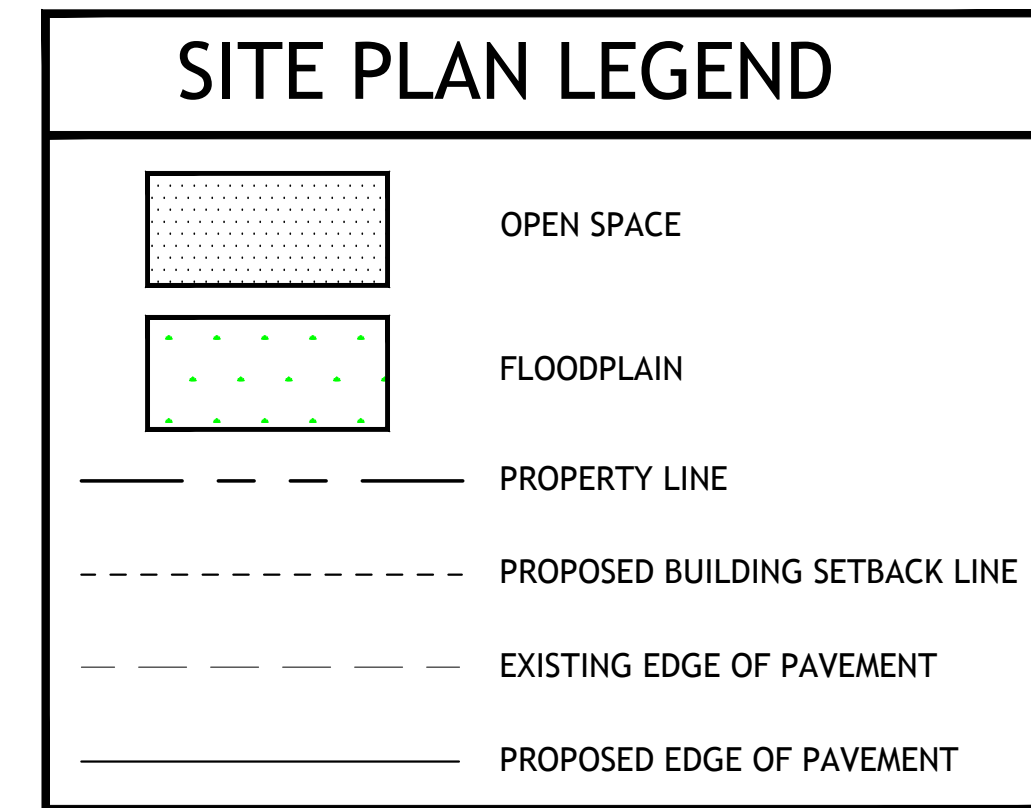
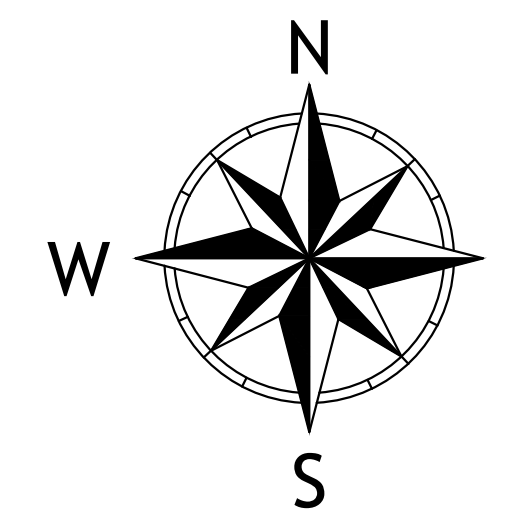
### **Other Public Improvements and Facility Impact**

All roads and utilities will be constructed to meet applicable design standards and turned over to the Home Owners Association (HOA). The common grounds (open space), stormwater ponds, and entrance features will be owned and maintained by the established Home Owner's Association (HOA). The community as designed should have no adverse impact on public utilities. All construction will be in accordance with applicable building codes, zoning ordinances, and all other state and local laws and ordinances.

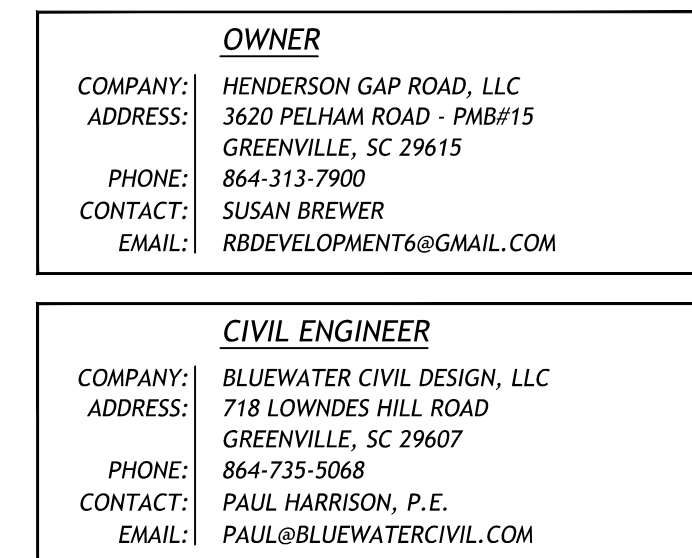


# SITE DATA

|  |  |
|--|--|
| TAX MAP NO.:   | 0535030101001                                |
| TOTAL AREA:  | ±9.53-ACRES                                  |
| ZONING:  | *R-15  |
| TOTAL UNITS:   | 62 UNITS (22' X 90' TYP.)                    |
| PROPOSED ROADWAY:  | ±1,196 LF (20' PAVED,<br>40' PRIVATE R.O.W.) |
| SETBACKS   |  |
| EXTERIOR SETBACK:  | 25'  |
| INTERNAL ROADS:  | 15'  |
| *LAYOUT ASSUMES THAT THE PROPERTY WILL BE<br>REZONED TO DESIGN REVIEW DISTRICT (DRD) |  |
| LAYOUT SUBJECT TO P.C. APPROVAL  |  |



**DIMENSION NOTE:**  
ALL DIMENSIONS SHOWN ON ROADWAY ARE  
MEASURED FROM E.O.P. TO E.O.P. UNLESS  
OTHERWISE SPECIFIED.



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# PDP-1





**ZONING MAP AMENDMENT APPLICATION  
(ZONING & REZONING)**

Date 12/18/2017

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 0535030101001

Property Address(s) 1297-1363 Henderson Gap Road

Acreage of Properties 8.1 ACRES

County Greenville

**Applicant Information**

Name Cambridge Club I, LLC  
Address 3620 Pelham Road, PMB #15  
Greenville, SC 29615  
Contact Number 864-313-7900  
Email rbdevelopment6@gmail.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Faye C Ross  
Address 3280 Brushy Creek Road  
Greer SC 29650-1000  
Contact Number 864-270-1757  
Email \_\_\_\_\_

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes \_\_\_\_ No x

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from R-15 to DRD.

Existing Use: Vacant - Wooded

Proposed Use: Townhome Development

Signature(s) Faye C Ross  
Faye C Ross

*If not the property owner, an  
Acting Agent Authorization from  
will be required at the time of  
submittal.*

*All zoning classifications, permitted uses and fees are available at [www.cityofgreer.org](http://www.cityofgreer.org)*

**OFFICE USE ONLY**

Date Filed 12-26-17

Case No. AN 2018-05

Meeting Date 3-19-18

**See Reverse**

**ZONING REPORT  
STAFF REPORT TO THE GREER PLANNING COMMISSION  
MONDAY, MARCH 19, 2018**

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**DOCKET:** AN 2018-05

**APPLICANT:** Cambridge Club I, LLC

**PROPERTY LOCATION:** Henderson Gap Road

**TAX MAP NUMBER:** (A) 0535010102300, (B) 0535010102400, and (C) 0535030101001

**EXISTING ZONING:** (A) & (B): R-S, Residential Suburban District (Greenville County) and (C) R-15, Single-Family Residential (City of Greer)

**REQUEST:** Annex and zone (A) & (B) and rezone (C) to DRD, Design Review District

**SIZE:** 9.87 acres (1.77 and 8.1)

**COMPREHENSIVE PLAN:** Residential Land Use 3 Community

**ANALYSIS:** AN 2018-05

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AN 2018-05 is a rezoning and annexation/zoning request for three parcels located on Henderson Gap Road. This property is currently occupied by one single-family residence. The request is to rezone one property from R-15, Single-Family Residential, to DRD, Design Review District, and to zone and annex the other two parcels in order to develop the property into a townhome community with up to 65 units.

Surrounding land uses and zoning include:

North: R-15, Single-Family Residential: vacant  
East: R-7.5, Single-Family Residential: single-family residences (Hammett Crossing)  
South: R-7.5, Single-Family Residential: single-family residences (Riverside Chase)  
West: R-15, Single-Family Residential (Greenville County): single-family residences

Zoning/Rezoning History:

1993: Annexation and zoning to R-15, Single-Family Residential

January 2018: Rezoning to DRD for the parcel already in the City (withdrawn)

As stated in the above section, this property is located in a Residential Land Use 3 Community. This density permitted under this community category is 4.6 or more units per acre. The proposed density is 6.6 units per acre. The R-7.5, Single-Family Residential, zoning to the south is 5.8 units per acre. If the property owner were to develop the site with a density of R-15, Single-Family Residential, they would be permitted to construct 28 units. However, if the property were to develop in a similar density as the subdivision to the south, it would have 57 units or 5.8 units per acre. This would be a more appropriate density and continue the development pattern of the adjacent subdivision. As such, Staff recommends approval of this DRD, Design Review District with a maximum of 57 units.

**STAFF RECOMMENDATION:** APPROVAL AS AMENDED

**March 2018 ACTION** - Mr. Martin changed his motion to hold AN 2018-05 until the traffic study is completed and presented to the Planning Commission for review. Ms. Jones seconded the motion. The motion carried with a vote of 5 to 0.

**April 2018 ACTION** - Mr. Martin made a motion to approve AN 2018-05 for DRD zoning with a maximum of 35 total units and a 50ft non-disturbance area at the southern boundary of the development adjacent to the Riverside Chase subdivision. Mr. Holland seconded the motion. The motion carried with a vote of 4 to 1. Ms. Jones voting in opposition.





**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**Second and Final Reading of Ordinance Number 10-2018**

**Summary:**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY JENNIFER AND EDGAR BAXTER LOCATED ON HENDERSON GAP ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY (Action Required)

**ATTACHMENTS:**

| <b>Description</b>                           | <b>Upload Date</b> | <b>Type</b>     |
|--|--------------------|-----------------|
| ❑ Ordinance Number 10-2018                   | 5/2/2018           | Cover Memo      |
| ❑ Ord 10-2018 Exhibit A Deed/Title           | 5/2/2018           | Exhibit         |
| ❑ Ord 10-2018 Exhibit B Plat                 | 5/2/2018           | Exhibit         |
| ❑ Ord 10-2018 Exhibit C Map                  | 5/2/2018           | Exhibit         |
| ❑ Ord 10-2018 Exhibit D Flood Map            | 5/2/2018           | Exhibit         |
| ❑ Ord 10-2018 Branchwood Statement of Intent | 5/2/2018           | Backup Material |
| ❑ Ord 10-2018 Branchwood Site Plan           | 5/2/2018           | Backup Material |
| ❑ Ord 10-2018 Petition for Annexation        | 5/2/2018           | Backup Material |
| ❑ Ord 10-2018 Zoning Application             | 5/2/2018           | Backup Material |
| ❑ Ord 10-2018 Planning Commission Minutes    | 5/7/2018           | Backup Material |

**ORDINANCE NUMBER 10-2018**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY JENNIFER AND EDGAR BAXTER LOCATED ON HENDERSON GAP ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY**

**WHEREAS**, Jennifer and Edgar Baxter are the owners of properties located on Henderson Gap Road more particularly described on the legal description attached hereto marked as Exhibit A, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Numbers 0535010102300 and 0535010102400 containing approximately 1.77 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0342E attached hereto marked as Exhibit D; and

**WHEREAS**, the properties currently have two (2) occupants; and

**WHEREAS**, Jennifer and Edgar Baxter have petitioned the City of Greer to annex their properties by one-hundred percent (100%) petition; and

**WHEREAS**, the properties are now outside the city limits of Greer but adjoins the city limits; and

**WHEREAS**, the property owners have requested that the subject property be zoned DRD, Design Review District; and

**WHEREAS**, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

**NOW, THEREFORE,** be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 1.77 +/- acres properties shown in red on the attached map owned by Jennifer and Edgar Baxter located on Henderson Gap Road more particularly described on the attached map as Greenville County Parcel Numbers 0535010102300 and 0535010102400 are hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced property shall be zoned DRD, Design Review District pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. LAND USE MAP: The above reference properties shall be designated as Employment Center on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0342E.

5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #6.

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

---

Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Jay Arrowood

First Reading: March 13, 2018

Second and  
Final Reading: May 8, 2018

Approved as to Form:

---

Daniel R. Hughes, Esquire  
City Attorney

**EXHIBIT****A**

DEED PREPARED BY E. PERRY EDWARDS  
245 E. BROAD STREET, SUITE C  
GREENVILLE, SC 29601

**State of South Carolina****County of Greenville****TITLE TO REAL ESTATE**

**KNOW ALL MEN BY THESE PRESENTS**, that **Roberta A. Hurley**, (hereinafter called "Grantor"), in consideration of **One Hundred Five Thousand and 00/100 Dollars (\$105,000.00)**, to the Grantor in hand paid at and before the sealing of these presents, by Edgar Baxter III and Jennifer Hurley Baxter (hereinafter called Grantee) in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release all my right, title and interest unto **Edgar Baxter, III and Jennifer Hurley Baxter**, as Joint Tenants, with the Right of Survivorship and not as Tenants in Common, their heirs and assigns, forever:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as 1.77 Acs., 77,221 sq. ft., more or less, on a plat prepared by C O Riddle Surveying Co, Inc., dated August 31, 2017, entitled "Survey for Edgar Baxter, III and Jennifer Hurley Baxter", and recorded in Plat Book 1281 at Page 52. Reference is hereby craved to said plat for a complete metes and bounds description thereof.

This conveyance is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or on the premises.


This being a portion of the same property conveyed unto Roberta A. Hurley by deed of DeSheilds Investments, LLC dated February 27, 2014 and recorded March 3, 2014, in Deed Book 2439, Page 5939, Public Records for Greenville County, South Carolina.

Grantee's Address: 1484 Henderson Gap Road  
Greer, SC 29650

TMS No.: 0535010102300, 0535010102400

**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 Edgar Baxter III and Jennifer Hurley Baxter, as Joint Tenants, with the Right of Survivorship and not as Tenants in Common, and the Grantee's heirs and assigns forever. And the Grantor do hereby bind the Grantor and the Grantor's heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the Grantee and the Grantee's heirs or

 2017073010  
DEED Book: DE 2520 Page: 4568 - 4569 2 Pgs  
September 6, 2017 03:05:34 PM Cons: \$105,000.00  
Rec: \$10.00 Cnty Tax: \$115.50 State Tax: \$273.00  
FILED IN GREENVILLE COUNTY, SC *Timothy J. Hurley*

successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

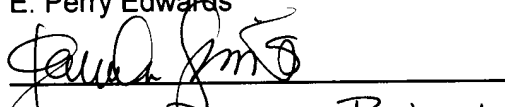
Any reference to this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

**WITNESS** the Grantor's hands and seals this the 5th day of September, 2017.

  
Roberta A. Hurley

**SIGNED, SEALED AND DELIVERED**  
in the presence of:

  
E. Perry Edwards


  
Print Name: Pamela Bright

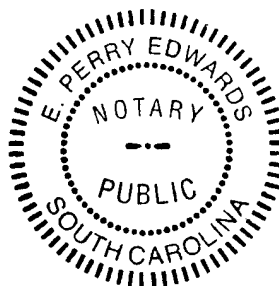
State of South Carolina )

County of Greenville )

**ACKNOWLEDGMENT**

On this the 5th day of September, 2017, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Roberta A. Hurley, known to me to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

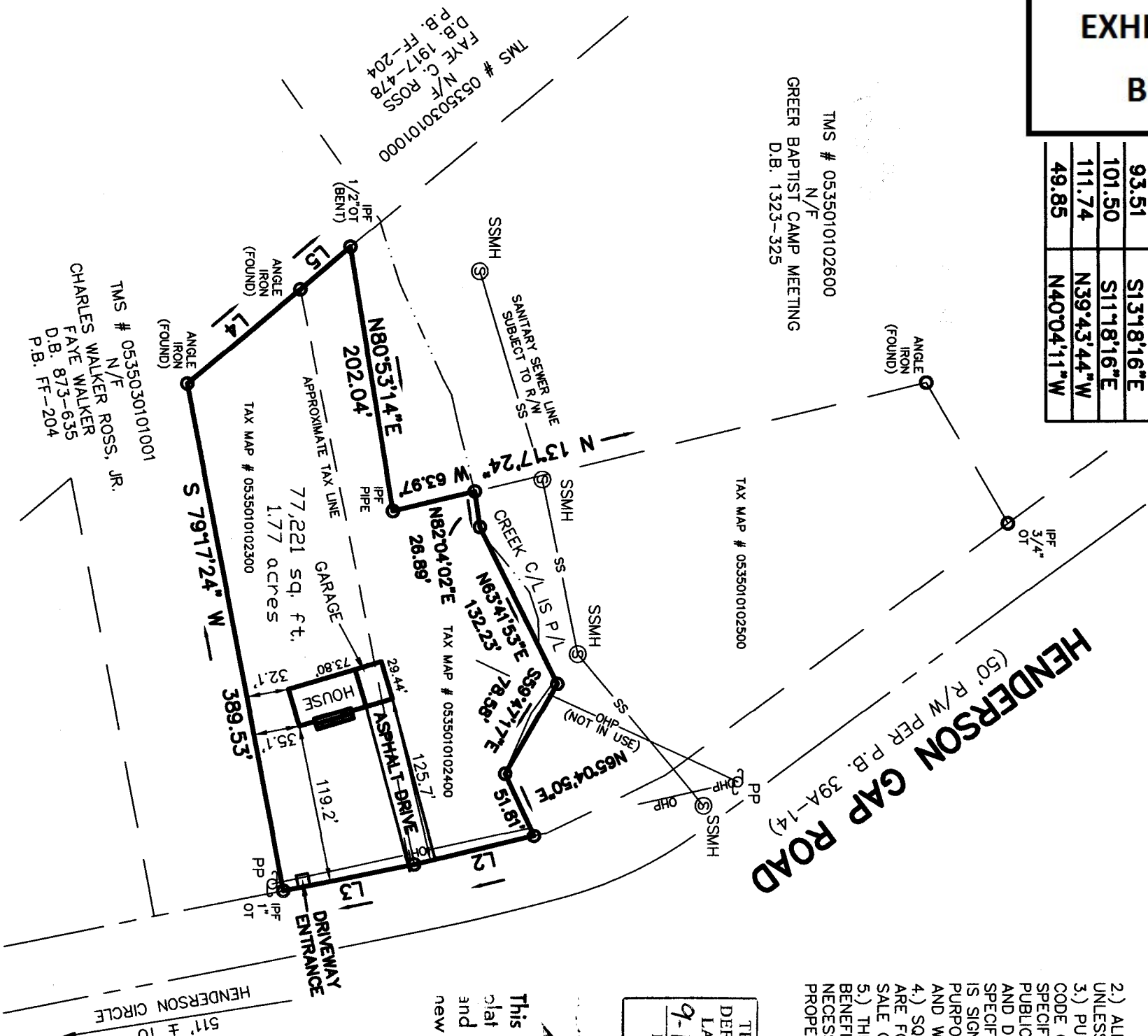
 (LS)  
Notary Public for South Carolina  
Print Name: E. Perry Edwards  
My Commission Expires: 12/17/2023



EXHIBIT

B

| LINE TABLE | BEARING     |
|------------|-------------|
| LENGTH     |             |
| 100.00     | S25°35'16"E |
| 93.51      | S13°18'16"E |
| 101.50     | S11°18'16"E |
| 111.74     | N39°43'44"W |
| 49.85      | N40°04'11"W |



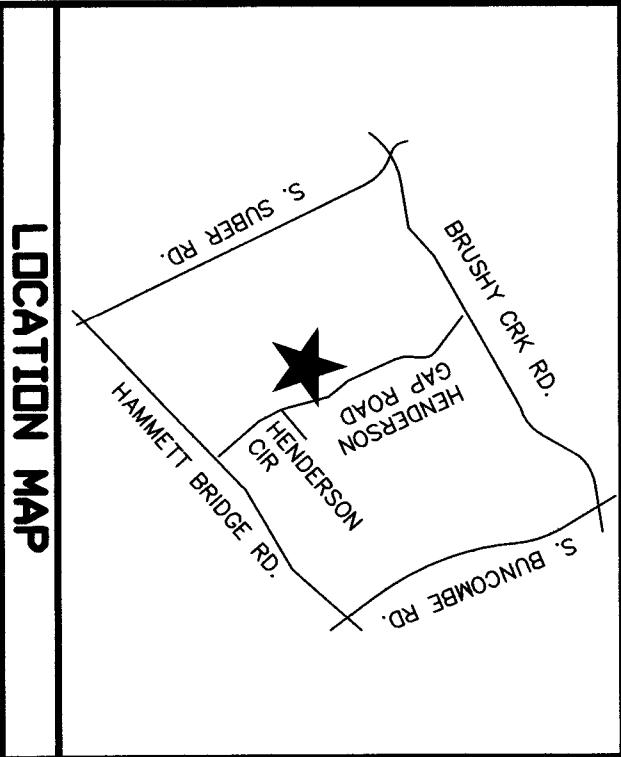
- NOTES:
- 1.) REFERENCE:
    - TAX MAP # 0535010102300, 0535010102400
    - D.B. 2274-1378
  - 2.) ALL PROPERTY CORNERS ARE IPS 1/2" REBAR UNLESS NOTED OTHERWISE.
  - 3.) PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE OF LAWS, SECTION 40-22-270(3), THIS PLAN, SPECIFICATION, OR PLAT SHALL NOT BE FILED WITH PUBLIC AUTHORITIES WITHOUT THE SEAL, SIGNATURE, AND DATE AFFIXED. FURTHERMORE, IF THIS PLAN, SPECIFICATION, OR PLAT DOES NOT HAVE A SEAL THAT IS SIGNED AND DATED, IT SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN A PRELIMINARY STUDY DRAWING AND WILL BE CONSIDERED A WORK IN PROGRESS.
  - 4.) SQUARE FOOTAGE AND DIMENSIONS OF STRUCTURE(S) ARE FOR INFORMATIONAL PURPOSES ONLY, NOT FOR SALE OR LEASE PURPOSES.
  - 5.) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

THIS PLAT IS NOT A SUBDIVISION AS DEFINED BY THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS

9-1-17 *K. Riddle*  
Date Authorized Representative of  
Greenville County Planning Commission

REFERENCE PLAT

This is not a subdivision. This plat is for reference purposes only and is not to be used to create new lots or roads.



2017073009

PLAT/LG Book: PL 1281 Page: 0052 - 0052 1 Pgs

September 6, 2017 03:05:33 PM

Fee: \$10.00

FILED IN GREENVILLE COUNTY, SC *Timothy J. Harty*

SURVEY FOR

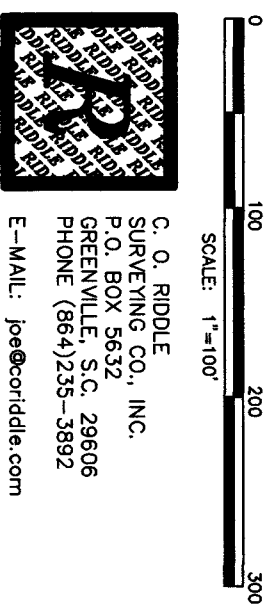
EDGAR BAXTER III

JENNIFER HURLEY BAXTER

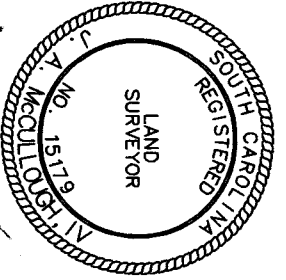
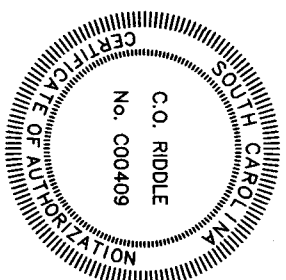
GREENVILLE COUNTY

SOUTH CAROLINA

AUGUST 31, 2017



C. O. RIDDLE  
SURVEYING CO., INC.  
P.O. BOX 5632  
GREENVILLE, S.C. 29606  
PHONE (864)235-3892  
E-MAIL: joe@coriddle.com

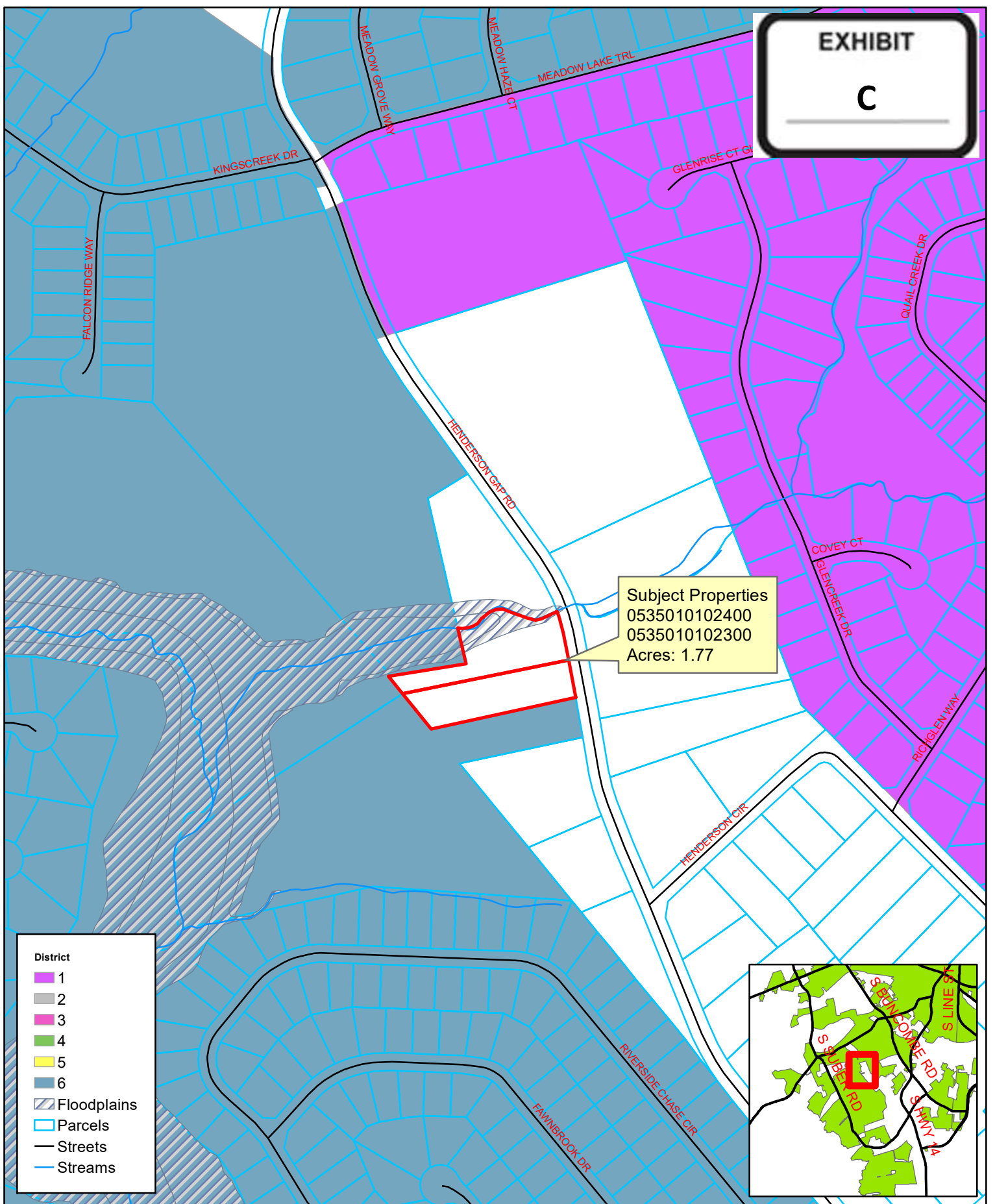


I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

J. A. McCullough, IV  
RLS 15178  
DRAWING NO. 2014-020  
ASCI NO. [ ]

EXHIBIT

C



Subject Properties  
0535010102400  
0535010102300  
Acres: 1.77

District

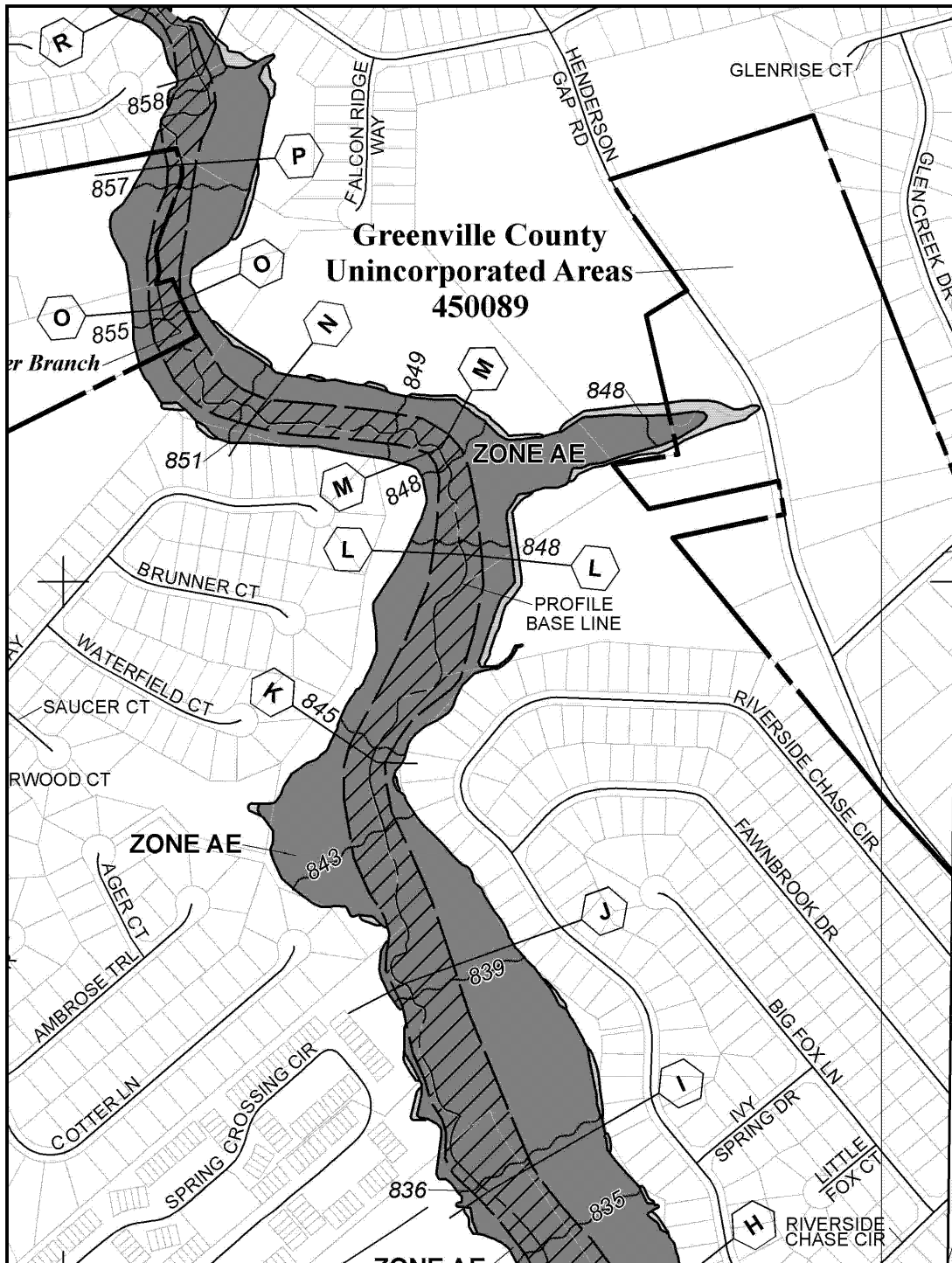
- 1
- 2
- 3
- 4
- 5
- 6
- Floodplains
- Parcels
- Streets
- Streams

Ordinance 10-2018

0 100 200 300 400  
Feet

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the South Carolina State Plane Coordinate System using the 1983 adjustment of the North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.





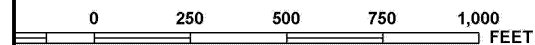
Program at 1-800-638-6620.

**EXHIBIT**

**D**



**MAP SCALE 1" = 500'**



**NFIP**

**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0342E**

**FIRM**

**FLOOD INSURANCE RATE MAP  
GREENVILLE COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS**

**PANEL 342 OF 625**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

| COMMUNITY         | NUMBER | PANEL | SUFFIX |
|-------------------|--------|-------|--------|
| GREENVILLE COUNTY | 450089 | 0342  | E      |
| GREER, CITY OF    | 450200 | 0342  | E      |

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
45045C0342E**

**MAP REVISED  
AUGUST 18, 2014**

**Federal Emergency Management Agency**

HAMMETT BRIDGE

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# **Branchwood**

## **+/-9.5 Acre Residential Development (Design Review District) Henderson Gap Road – Greer, SC**

*Statement of Intent*  
February 9, 2018

### **Community Development**

The development planned for this +/-9.5-acre tract along Henderson Gap Road will utilize the Design Review District (DRD) zoning classification. The community will consist of attached single-family residential homes. The roads within the community will be built to private standards and turned over to the Home Owners Association (HOA) once completed. Infrastructure improvements will consist of rolled curb and gutter along internal roads, public water mains, public sewer mains, storm drainage, and common grounds (open space) to be owned and maintained by a newly formed Home Owner's Association (HOA).

The existing topography & terrain will be utilized to maximize out open space and common grounds. The common grounds will be a mixture of undisturbed and disturbed open space. To the maximum extent possible, the developer will try to preserve existing vegetation along the exterior property boundary. An entrance monument and landscaping will be installed along our entrance off Henderson Gap Road. A stormwater management pond will be installed in the rear of the development to address stormwater runoff and water quality treatment for the community.

### **Phasing & Density**

The overall density of the project will not exceed (65) single-family townhome units or roughly 7.0 units per acre. The project will be phased. Phase I will consist of approximately 29 townhome units, 20 in Phase II, and approximately 13 in Phase III. If the development proceeds as expected, build-out will be complete within approximately 3 years.

### **Homes & Materials**

The townhomes will have a mixture of sizes and all include a minimum 1-car garage. The minimum square footage per home will be 1,200 SF with most ranging from 1,400 SF – 2,000 SF. There is no maximum townhome unit size. Exterior building materials may consist of vinyl siding, shake siding, Hardie Board, brick, and/or stone. Exteriors may contain (1) specific material or combination of all (5) materials in some cases.

### **Amenities and Landscaping**

The proposed development will include approximately 5.0 acres of common area with maximum efforts to preserve existing vegetation along the exterior property boundary with Riverside Chase Subdivision. The development will also contain associated guest parking for residents. Our entrance drive located off Henderson Gap Road will be heavily landscaped and contain an entrance monument for the neighborhood. The stormwater management pond may be dry or wet depending on water sources once we get more into the design phase. Fences and/or landscaping around the pond will comply with current regulations.

The developer may, if he/she decides to, install a community walking trail within the community to connect the development's common areas.

### **Sewer/Water**

There is an existing sanitary sewer main located at the rear of the property that is maintained by Greer Commission of Public Works. This sewer will serve our site. Public water is available along Henderson Gap Road to serve the development, owned and maintained by Greer Commission of Public Works. The new sewer and water mains built within the community will be built to public standards and turned over to Greer Commission of Public Works.

### **Setbacks**

All the proposed setbacks for this project are as follows:

- 15' minimum setback from all internal roads (measured from private R/W)
- 25' minimum setback from exterior property lines

### **Other Public Improvements and Facility Impact**

All roads and utilities will be constructed to meet applicable design standards and turned over to the Home Owners Association (HOA). The common grounds (open space), stormwater ponds, and entrance features will be owned and maintained by the established Home Owner's Association (HOA). The community as designed should have no adverse impact on public utilities. All construction will be in accordance with applicable building codes, zoning ordinances, and all other state and local laws and ordinances.

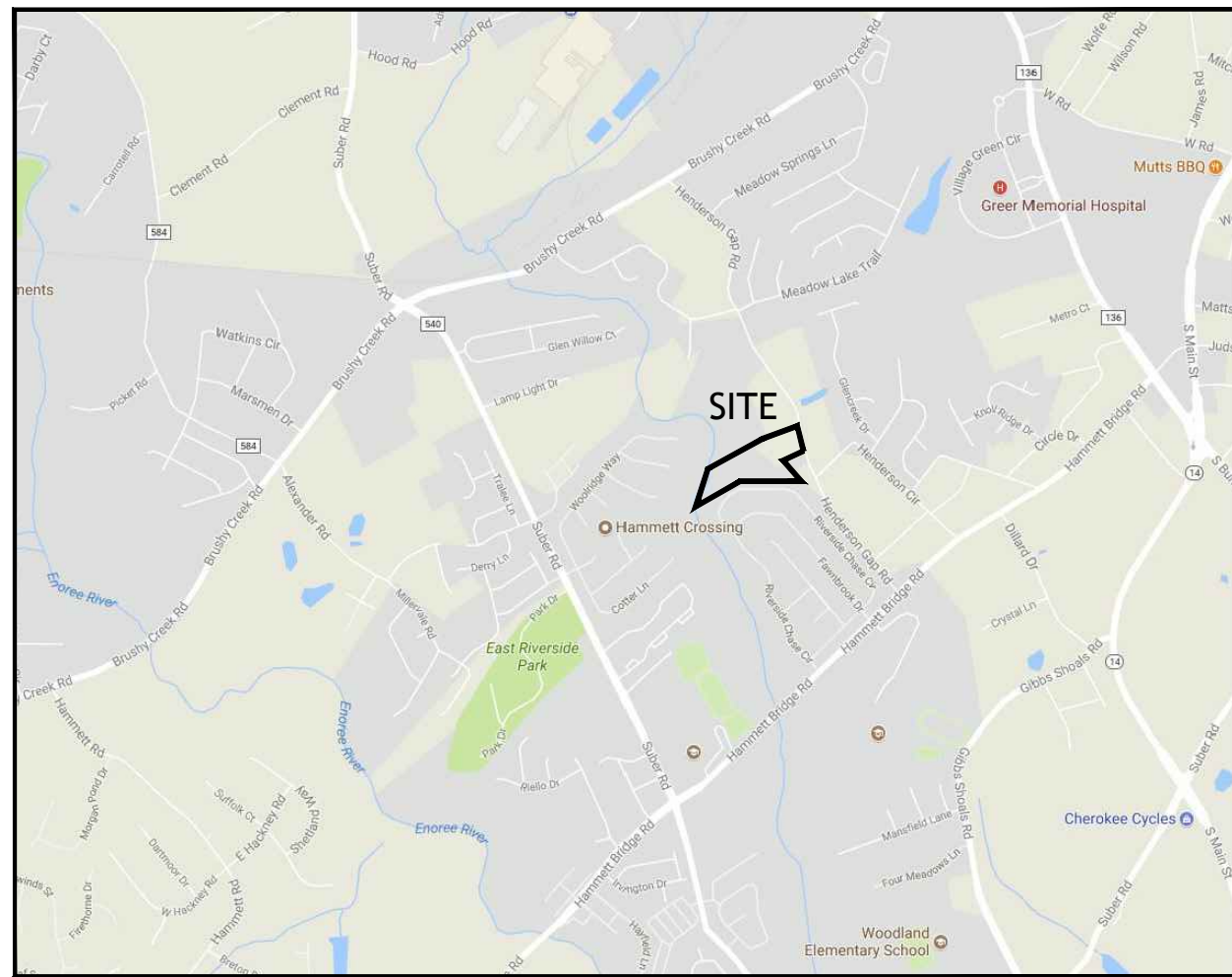
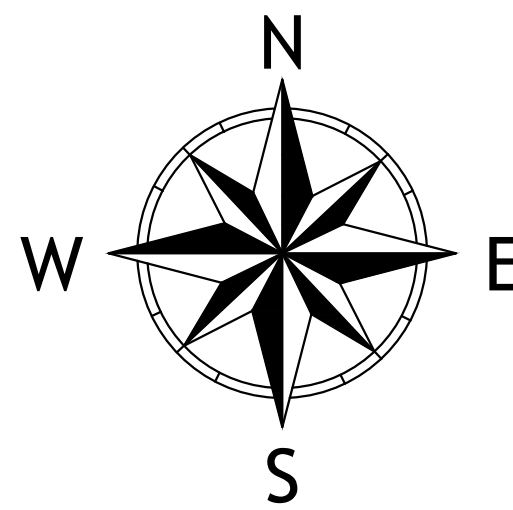
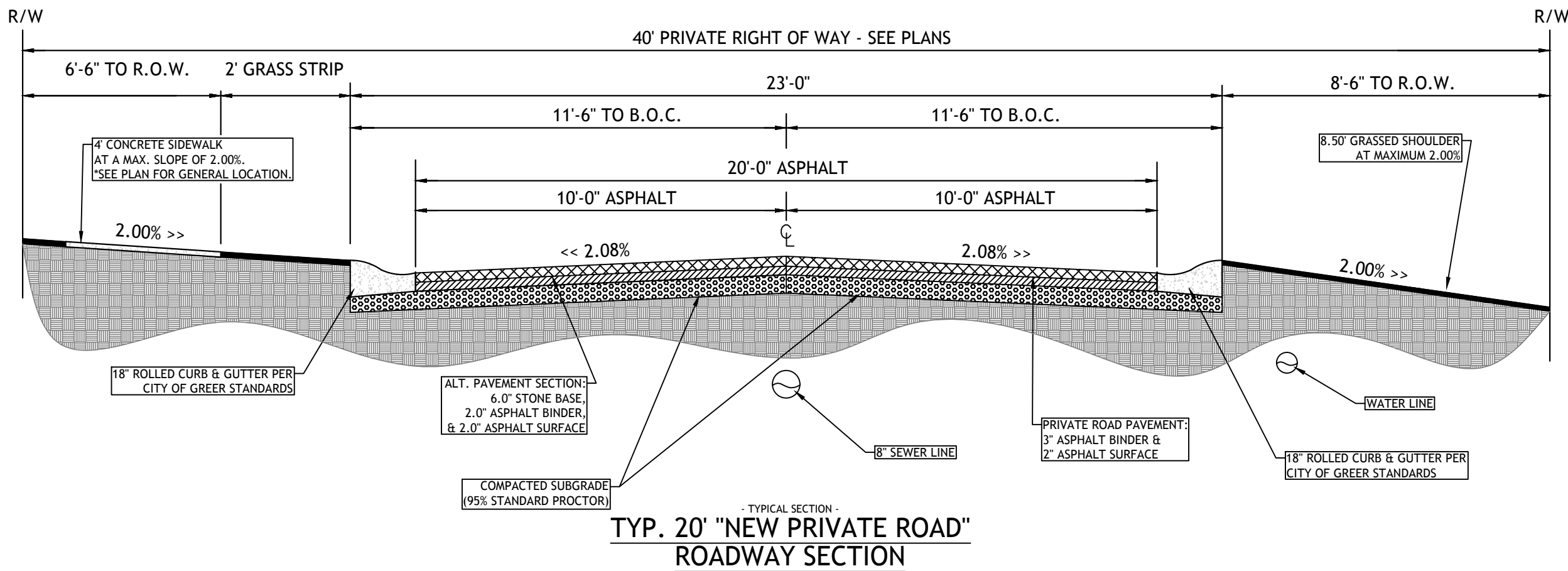


# SITE DATA

TAX MAP NO.: 0535030101001  
TOTAL AREA: ±9.53-ACRES  
ZONING: \*R-15  
TOTAL UNITS: 62 UNITS (22' X 90' TYP.)  
PROPOSED ROADWAY: ±1,196 LF (20' PAVED, 40' PRIVATE R.O.W.)  
SETBACKS  
EXTERIOR SETBACK: 25'  
INTERNAL ROADS: 15'

\*LAYOUT ASSUMES THAT THE PROPERTY WILL BE REZONED TO DESIGN REVIEW DISTRICT (DRD)

LAYOUT SUBJECT TO P.C. APPROVAL



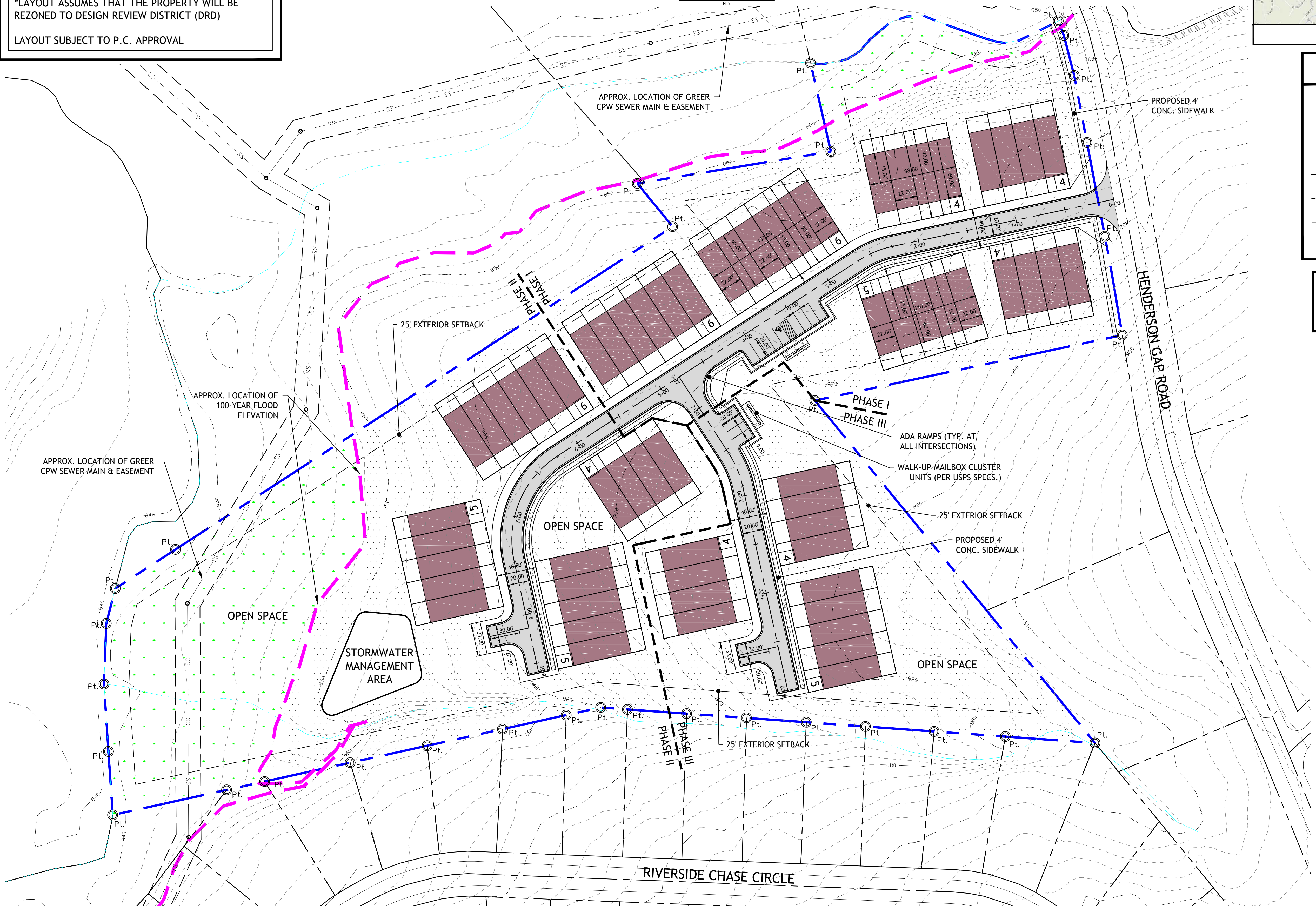
VICINITY MAP - N.T.S.

## SITE PLAN LEGEND

- OPEN SPACE
- FLOODPLAIN
- PROPERTY LINE
- PROPOSED BUILDING SETBACK LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT

OPEN SPACE NOTE:  
TOTAL PROPERTY AREA: ±9.53 AC.  
TOTAL OPEN SPACE PROVIDED: ±5.35 AC.  
DENSITY: 6.5 UNITS/AC.

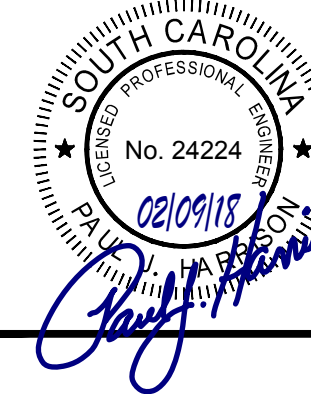
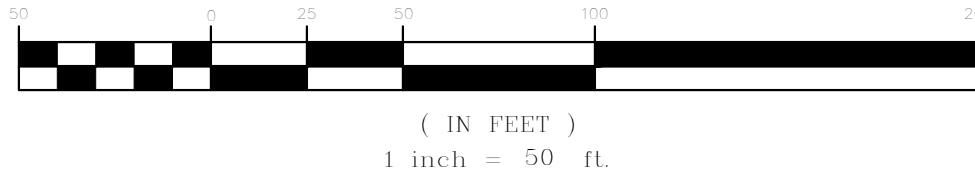
DIMENSION NOTE:  
ALL DIMENSIONS SHOWN ON ROADWAY ARE MEASURED FROM E.O.P. TO E.O.P. UNLESS OTHERWISE SPECIFIED.



OWNER  
COMPANY: HENDERSON GAP ROAD, LLC  
ADDRESS: 3620 PELHAM ROAD - PMB#15  
GREENVILLE, SC 29615  
PHONE: 864-313-7900  
CONTACT: SUSAN BREWER  
EMAIL: RBDEVELOPMENT6@GMAIL.COM

CIVIL ENGINEER  
COMPANY: BLUEWATER CIVIL DESIGN, LLC  
ADDRESS: 718 LOWMEDES HILL ROAD  
GREENVILLE, SC 29607  
PHONE: 864-735-5068  
CONTACT: PAUL HARRISON, P.E.  
EMAIL: PAUL@BLUEWATERCIVIL.COM

GRAPHIC SCALE



BRANCHWOOD  
Henderson Gap Road  
Greer, SC 29650

| PLAN REVISION | ISSUE DATE | ISSUE COMMENT                         |
|---------------|------------|---------------------------------------|
| A             | 02/09/2018 | Issued to City of Greer for Recording |

PRELIMINARY  
DEVELOPMENT PLAN

PDP-1





301 East Poinsett Street  
Greer, South Carolina 29651  
(864) 801-2009

### Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 1484 Henderson Gap Road more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 0535 0101 02400 attached hereto marked as Exhibit C containing approximately 0.95 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 9<sup>th</sup> day of February, 2016 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

Print Name: Jennifer Baxter

Signature: Jennifer Baxter

Address: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Address: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Print Name: Edgar Baxter III

Signature: Edgar Baxter III

Address: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Address: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_



301 East Poinsett Street  
Greer, South Carolina 29651  
(864) 801-2009

### Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 1484 Henderson Gap Road more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 0535010102300 attached hereto marked as Exhibit C containing approximately 0.81 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 7<sup>th</sup> day of February, 2016 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

Print Name: Jennifer Baxter

Signature: Jennifer Baxter

Address: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Address: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Print Name: Edgar Baxter III

Signature: Edgar Baxter III

Address: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Address: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_



**ZONING MAP AMENDMENT APPLICATION  
(ZONING & REZONING)**

Date 2/9/18

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 0535 010102300 & 0535 010102400  
Property Address(s) 1484 Henderson Gap Road  
Acreage of Properties 0.89 & 0.95 County Greenville

**Applicant Information**

Name Cambridge Club I, LLC  
Address 3620 Pelham Road - AUB #15  
Greenville, SC 29615  
Contact Number 864-313-7900  
Email rbdevelopment6@gmail.com

**Property Owner Information**

(If multiple owners, see back of sheet)

Name Tennifer Baxter  
Address 1484 Henderson Gap  
Road, Greer, SC 29650  
Contact Number 864-561-439  
Email \_\_\_\_\_

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes \_\_\_\_\_ No ✓

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from R-5 to ORP (PD).

Existing Use: Residential - Single Family Proposed Use: Townhome development

Signature(s) [Signature]  
Tennifer Baxter

If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at [www.cityofgreer.org](http://www.cityofgreer.org)

**OFFICE USE ONLY**

Date Filed 2-9-18  
Meeting Date 3-8-18

Case No. AN 2018-05

See Reverse

**ZONING REPORT  
STAFF REPORT TO THE GREER PLANNING COMMISSION  
MONDAY, MARCH 19, 2018**

---

**DOCKET:** AN 2018-05

**APPLICANT:** Cambridge Club I, LLC

**PROPERTY LOCATION:** Henderson Gap Road

**TAX MAP NUMBER:** (A) 0535010102300, (B) 0535010102400, and (C) 0535030101001

**EXISTING ZONING:** (A) & (B): R-S, Residential Suburban District (Greenville County) and (C) R-15, Single-Family Residential (City of Greer)

**REQUEST:** Annex and zone (A) & (B) and rezone (C) to DRD, Design Review District

**SIZE:** 9.87 acres (1.77 and 8.1)

**COMPREHENSIVE PLAN:** Residential Land Use 3 Community

**ANALYSIS:** AN 2018-05

---

AN 2018-05 is a rezoning and annexation/zoning request for three parcels located on Henderson Gap Road. This property is currently occupied by one single-family residence. The request is to rezone one property from R-15, Single-Family Residential, to DRD, Design Review District, and to zone and annex the other two parcels in order to develop the property into a townhome community with up to 65 units.

Surrounding land uses and zoning include:

North: R-15, Single-Family Residential: vacant  
East: R-7.5, Single-Family Residential: single-family residences (Hammett Crossing)  
South: R-7.5, Single-Family Residential: single-family residences (Riverside Chase)  
West: R-15, Single-Family Residential (Greenville County): single-family residences

Zoning/Rezoning History:

1993: Annexation and zoning to R-15, Single-Family Residential

January 2018: Rezoning to DRD for the parcel already in the City (withdrawn)

As stated in the above section, this property is located in a Residential Land Use 3 Community. This density permitted under this community category is 4.6 or more units per acre. The proposed density is 6.6 units per acre. The R-7.5, Single-Family Residential, zoning to the south is 5.8 units per acre. If the property owner were to develop the site with a density of R-15, Single-Family Residential, they would be permitted to construct 28 units. However, if the property were to develop in a similar density as the subdivision to the south, it would have 57 units or 5.8 units per acre. This would be a more appropriate density and continue the development pattern of the adjacent subdivision. As such, Staff recommends approval of this DRD, Design Review District with a maximum of 57 units.

**STAFF RECOMMENDATION:** APPROVAL AS AMENDED

**March 2018 ACTION** - Mr. Martin changed his motion to hold AN 2018-05 until the traffic study is completed and presented to the Planning Commission for review. Ms. Jones seconded the motion. The motion carried with a vote of 5 to 0.

**April 2018 ACTION** - Mr. Martin made a motion to approve AN 2018-05 for DRD zoning with a maximum of 35 total units and a 50ft non-disturbance area at the southern boundary of the development adjacent to the Riverside Chase subdivision. Mr. Holland seconded the motion. The motion carried with a vote of 4 to 1. Ms. Jones voting in opposition.





**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**Second and Final Reading of Ordinance Number 13-2018**

**Summary:**

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN  
THE CITY OF GREER (Action Required)

**ATTACHMENTS:**

| <b>Description</b>  | <b>Upload Date</b> | <b>Type</b> |
|---|--------------------|-------------|
| ▣ Ordinance Number 13-2018                                | 4/30/2018          | Ordinance   |
| ▣ Ord 13-2018 Exhibit A Agreement for Sale<br>of Property | 4/30/2018          | Exhibit     |

**ORDINANCE NUMBER 13-2018**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF  
CERTAIN REAL PROPERTY IN THE CITY OF GREER**

**WHEREAS**, the City of Greer owns certain real property identified as a 0.08-acre tract at the corner of Wade Hampton Boulevard and Poinsett Street, and identified as Tax Map No. T017010400500 within the city limits of Greer, County of Greenville (hereinafter “Property”); and,

**WHEREAS**, the City of Greer received its interest in the property by way of a deed dated August 1, 2016, and recorded August 11, 2016, in the Greenville County Register of Deeds Office in Deed Book 2493 at Page 5737; and,

**WHEREAS**, the City is desirous to convey a portion of the Property to SC Greer Poinsett, LLC according to the terms of an Agreement for the Sale of Property attached hereto as Exhibit “A,” the contents of which are incorporated herein as if set forth fully (hereinafter “Agreement”); and,

**WHEREAS**, pursuant to S.C. Code § 5-7-40, a municipality may convey or dispose of property it owns by Ordinance; and,

**WHEREAS**, the Mayor and City Council find that it is in the best interest of the City of Greer to convey the Property according to the terms of the Agreement.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Greer, that the Mayor of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver a deed to convey any and all interest the City may have in the Property as set forth in the Agreement.

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

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Richard W. Danner, Mayor

ATTEST:

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Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Judy Albert

First Reading: April 24, 2018

Second Reading: May 8, 2018

Approved as to form: 

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Daniel R. Hughes, Esquire  
City Attorney

**ALL PARTIES ACKNOWLEDGE THAT PHILIP J. WILSON, W. NEIL WILSON AND JOHN C. JAMISON ARE LICENSED REAL ESTATE AGENTS AND/OR BROKERS IN THE STATE OF SOUTH CAROLINA AND ARE MEMBERS OF REALTYLINK INVESTMENTS, LLC.**

**AGREEMENT FOR SALE OF PROPERTY**

THIS AGREEMENT (the "Agreement") made and entered into by and between **City of Greer** (hereinafter called "Seller") and **SC Greer Poinsett, LLC** and or assigns (hereinafter called "Purchaser") as of the Effective Date ("Effective Date").

**WITNESSETH:**

WHEREAS, Seller is desirous of selling certain property and Purchaser is desirous of acquiring Property.

NOW, THEREFORE, for and in consideration of the sum of Five Thousand and no/100 (\$5,000.00) Dollars (hereinafter referred to as "the Earnest Money") paid by Purchaser, either in cash or in the form of an Irrevocable Letter of Credit made payable to Seller, to be held by Graybill, Lansche & Vinzani, LLC ("the Escrow Agent") and delivered to the Escrow Agent within Five (5) business days of all parties executing this Agreement and the mutual agreements between the parties contained herein, and other good and valuable consideration, the parties hereto agree as follows:

**ARTICLE I**

**AGREEMENT TO SELL AND BUY**

1.01 Seller agrees to sell and Purchaser agrees to purchase said Property located at the intersection of Wade Hampton Boulevard and Poinsett Street, in the City of Greer, State of South Carolina (hereinafter called the "Property"), being a portion of two separate parcels, the total of which shall be approximately 0.04 Acres, being outlined as shown on the attached **Exhibit A**. This Agreement is subject to the Property containing said acreage, as shown on **Exhibit A**. The exact description to the Property and easements shall be shown on the survey as provided in Section 3.02 below and shall be attached to this Agreement as **Exhibit B**.

1.02 Seller shall convey to Purchaser at closing good, marketable, and insurable fee simple title to the property subject only to (I) property taxes for the year **2018** depending on actual closing of property, which are not yet due and payable, (ii) all plats, covenants, restrictions, governmental requirements, rules and regulations, setback lines, roadways, easements and rights of way of record affecting the Property which are approved by the Purchaser (“Permitted Exceptions”).

1.03 Seller shall convey the Property to the Purchaser at closing, with all required government approvals including commercial zoning.

## **ARTICLE II PRICE AND PAYMENT**

2.01 The purchase price of the Property shall be **Twenty Four Thousand Four Hundred Fifty Eight and no/100 (\$24,458.00)** Dollars. The purchase price shall be paid in cash, certified funds or wire transfer at closing less the Earnest Money Deposit.

## **ARTICLE III TITLE EXAMINATION & SURVEY**

3.01 Purchaser shall have the right to have the title to the Property examined during the Due Diligence Period, and as soon as reasonably possible following the Effective Date, shall cause Escrow Agent to prepare and deliver a current preliminary title commitment on the Property (“Title Commitment”). In the event the results of such examination are not satisfactory to Purchaser, Purchaser shall have a period of thirty (30) days following the receipt of the Title Commitment to notify Seller thereof and Seller shall have ten (10) days after notice thereof in which to correct any objection. If Seller shall fail to correct any such objection within said period to the sole and absolute satisfaction of Purchaser, then Purchaser shall have the option of:

(a) Postponing the Due Diligence Period hereunder for a period of ten (10) days or until such objection is corrected by Seller whichever comes first; or

(b) Declining to accept the Property with such objection, such choice to be exercised by written notice to Seller within ten (10) calendar days following the end of the ten (10) day period set forth above for the correction by Seller of such objection. Should Purchaser decline to purchase the Property as provided for in this paragraph 3.01(b), then Seller shall promptly refund the Earnest Money Deposit and this Agreement will terminate and be of no further force and effect.

Should Purchaser elect to postpone the Due Diligence Period under (a) above and should said objection remain uncorrected for ten (10) days, Purchaser shall have the further choice of option (b) set forth above in this paragraph, such choice to be exercised by written notice to Seller mailed within ten (10) calendar days following the end of such postponement period.

3.02 Purchaser shall at Purchaser's expense have the Property surveyed by a South Carolina registered land surveyor, to provide a survey within the Due Diligence Period. If the survey shows any encroachments on the land herein described, or that there are any easements or roadways on the land, other than public utility easements acceptable to Purchaser, or referred to in this Agreement, written notice to that effect shall be given to Seller and such situation shall be treated in the same manner as title defects as set forth in Section 3.01. Said survey shall include all topographical and utility data, improvements and the adjacent driveways.

3.03 Subdivision/Replatting. If required by the local governmental agency, Seller, at Seller's cost, shall have the Real Estate subdivided or replatted prior to the closing date hereunder.

#### **ARTICLE IV COMMISSIONS**

4.01 Purchaser and Seller hereby understand and agree that neither has dealt with any real estate companies relative to this transaction.

#### **ARTICLE V DUE DILIGENCE**

5.01. The Purchaser shall have the privilege of entering upon the Property, at Purchaser's sole risk and expense, for the purpose of conducting inspections, examinations and other pre-development activities, including environmental surveys, to determine the suitability of the Property for Purchaser's purposes as a condition of entry onto the Property. Purchaser shall indemnify and hold Seller harmless from the actions of Purchaser or its employees, agents, or representatives in conducting their inspection activities. Purchaser shall not unreasonably disturb the condition of the Property in the course of its inspections activities and shall assure that the condition of the Property at the end of these activities is not changed as a result of them. Seller shall provide to the Purchaser, within ten (10) days from the Effective Date of this Agreement, past documents that Seller may have relating to the property, including but not limited to,

Environmental Studies such as Phase I reports, Surveys (to include CAD files), Site Studies, Civil Engineering Plans, Soil, Compaction and Geotechnical Reports, Wetlands Determination, Title Policies with exception documents, and any additional documents relating to the closing of the property ("Seller Deliveries"). The Purchaser shall have a period of **forty-five (45) days** from the Effective Date of this Agreement to complete its due diligence review of the Property, hereinafter referred to as the "Due Diligence Period", and determine in its sole discretion the suitability of the Property for Purchaser's purposes. Should Purchaser determine during the Due Diligence Period that the Property is unacceptable to Purchaser, for any reason, then Purchaser shall notify Seller and Escrow Agent in writing and Escrow Agent shall promptly refund in full to Purchaser the Earnest Money and all accrued interest and this Agreement shall thereupon be null and void and of no further force and effect. Should Purchaser fail to provide notification during the Due Diligence Period to Seller that the Property is unacceptable, and then the Earnest Money shall become non-refundable except as otherwise provided for in this Agreement.

## **ARTICLE VI**

### **UTILITIES, GRADING and EASEMENTS**

6.01. Seller and Purchaser acknowledge that Seller is selling and Purchaser is purchasing the Property with no representations from Seller that utilities are located at the Property.

## **ARTICLE VII**

### **CLOSING**

7.01 The closing (the "Closing") of this transaction shall take place within thirty (30) days from the expiration of the Due Diligence Period or such other time as Purchaser and Seller agree. Purchaser shall select Graybill, Lansche & Vinzani, LLC, for the loan closing and real estate closing (the "Closing Attorney"). Closing and settlement shall take place at the office of the Closing Attorney, or shall be handled by mail. Escrow Agent shall cause the Earnest Money to be delivered to Closing Attorney in time for disbursement of funds.

7.02 At the Closing, Seller shall assign and/or deliver to Purchasers or Purchaser shall receive:

(a) Quit Claim Deed conveying fee simple title to the Property to Purchaser, or its designee or assignee in form for recording and subject to the matters set forth in Section 1.02 hereof.

(b) Seller and Purchaser shall each deliver to each other proper authority documentation authorizing this Agreement and the transaction contemplated hereby.

(c) Seller shall deliver standard title insurance affidavits as requested by the title company.

(d) All other documents reasonably requested by Purchaser necessary to consummate the transaction contemplated by this Agreement.

(e) This contract is contingent upon city council's approval of the conveyance of this property pursuant to the terms contained herein.

7.03 The Seller shall be responsible for all property taxes, rollback taxes and applicable fees through the date of Closing, and Seller's Attorney's fees. The Seller is exempt from any transfer taxes. Purchaser is responsible for the cost of recording the transfer, Purchaser's Attorney's fees, escrow fees charged by the settlement agent and for cost of purchaser's title examination and insurance.

## **ARTICLE VIII**

### **DEFAULT**

8.01 If said sale is not consummated because of Purchaser's default, the Seller shall be entitled to and shall accept the Earnest Money as full liquidated damages for Purchaser's default and this shall be Seller's sole remedy against Purchaser unless Purchaser has caused any damages relative to its inspections provided for in Paragraph 5.01. If said sale is not consummated because of Seller's default, then Purchaser shall be entitled to the Earnest Money and Seller shall immediately pay to the Purchaser said Earnest Money; provided however, that in addition to return of the Earnest Money, Purchaser shall have any other remedy against Seller available in law or equity including specific performance. Any defaults by Purchaser are not enforceable and no penalties shall be construed during the forty-five (45)-day Due Diligence Period.

## **ARTICLE IX**

### **MISCELLANEOUS**

9.01 This Agreement may not be assigned or transferred in whole or in part without the consent of Seller, except that the prior consent of Seller shall not be required if the assignment is to an affiliate of Purchaser.



9.02 Whenever any notice, demand or request is required or permitted hereunder, such notice, demand or request shall be given in writing and hand delivered in person, sent by facsimile transmission with proof of transmission, registered or certified mail, return receipt requested, reputable overnight delivery service such as Federal Express Company or other reliable, traceable overnight courier, addressed to the parties as follows:

**As to Purchaser:**

RealtyLink Investments, LLC  
Attention: Maude B. Davis  
550 S. Main Street, Suite 300  
Greenville, SC 29601  
Telephone: (864) 263-5422  
Facsimile: (864) 232-0160  
Email: [mdavis@realtylinkdev.com](mailto:mdavis@realtylinkdev.com)

**With Copy to:**

Graybill, Lansche & Vinzani, LLC  
Attention: Wesley M. Graybill  
2721 Devine Street  
Columbia, SC 29205  
Telephone: (803) 404-5703  
Facsimile: (803) 404-5701  
Email: [wgraybill@glvlawfirm.com](mailto:wgraybill@glvlawfirm.com)

**As to Seller:**

City of Greer  
Attention: Edward R. Driggers, City Administrator  
301 E. Poinsett Street  
Greer, SC 29651  
Telephone: \_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_

**With Copy to:**

Duggan & Hughes, LLC  
Attn: Daniel R. Hughes, City Attorney  
Post Office Box 449, Greer, South Carolina 29650  
Telephone: 864-334-2500  
Facsimile: 864-879-0149  
Email: [dhughes@dugganhughes.com](mailto:dhughes@dugganhughes.com)

**With Copy to  
Escrow Agent:**

Graybill, Lansche & Vinzani, LLC  
Attention: Wesley M. Graybill  
2721 Devine Street  
Columbia, SC 29205  
Telephone: (803) 404-5703  
Facsimile: (803) 404-5701  
Email: [wgraybill@glvlawfirm.com](mailto:wgraybill@glvlawfirm.com)

Any notice, demand or request which shall be served upon either of the parties in the manner aforesaid shall be deemed sufficiently given for all hereunder (1) at the time of such notices, demands or requests are hand delivered in person (2) three (3) business days after mailing or one (1) business day after sending by overnight courier or (4) the date of facsimile transmission. At no time shall either party be required to send more than an original and two (2) copies of any designate by written notice to the other party such other person or persons and at such other place or places in the United States as Purchaser or Seller may desire written notices to be delivered or sent in accordance herewith.

9.03 In order to facilitate the marketing of the Property for Buyer's intended use, Seller consents to Buyer's placement of marketing signs along the perimeter of the Property and marketing of the Property using standard methods of providing marketing information, including but not limited to, electronic and internet transmission, provided, however, in the exercise of the rights herein given, neither Buyer nor such other parties shall unreasonably interfere with the use by Seller of the Property, if same is being used.

9.04 [ Intentionally Deleted. ]

9.05 No amendment to this Agreement shall be binding on any of the parties to this Agreement unless such amendment is in writing and executed by all parties with the same formality as this Agreement is executed.

9.06 Time is of the essence of this Agreement.

9.07 This Agreement constitutes the entire Agreement of the parties hereto and no representation, inducement, promises or agreements, oral or written, between the parties not embodied herein shall be of any force and effect.

9.08 If any term, covenant or condition of this Agreement or the application hereto any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall be unaffected and shall be valid and be enforced to the fullest extent permitted by law.

9.09 This Agreement shall be construed and interpreted under the laws of the State of South Carolina.

9.10 The provisions of this Agreement shall be binding upon and shall inure to the benefit of Purchaser, Seller and their respective heirs, executors, administrators, successors, assigns and the legal representatives of their estates.

9.11 Seller has not placed or caused to be placed upon the Property any hazardous or similar type wastes and Seller has no knowledge of the presence of any hazardous waste nor does Seller, to its knowledge, know of any violation of any environmental laws, rules or regulations affecting the Property.

9.12 Seller affirms that no options or other contracts have been granted or entered into which are still outstanding and which give any other party a right to purchase or lease any interest in the Property or any part thereof.

9.13 The provisions of this Agreement shall survive closing of this transaction.

9.14 This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be deemed an original, but such counterparts together shall constitute but one and the same instrument. Electronically transmitted signatures (via facsimile, pdf file, or otherwise) shall be deemed valid and original signatures.

9.15 The Effective Date of this Agreement shall be the date of the last signature to this Agreement by either party. In the event any of these deadlines set forth in the Agreement falls on a weekend or legal holiday, any obligation for performance by said deadline shall be extended to the next business day.

**SIGNATURES FOLLOW ON NEXT PAGE**

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below.

**SELLER:**

**CITY OF GREER**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Name: Edward R. Driggers

Title: City Administrator

Date: \_\_\_\_\_

**PURCHASER:**

**SC GREER POINSETT, LLC**, a South Carolina  
limited liability company

  
\_\_\_\_\_

Witness

By: 

Name: Philip J. Wilson

Title: Manager

Date: 04/09/2018

**EXHIBIT A**

**Page 1 of 2**

**A portion of the following tracts of land for a 0.04 acre tract:**

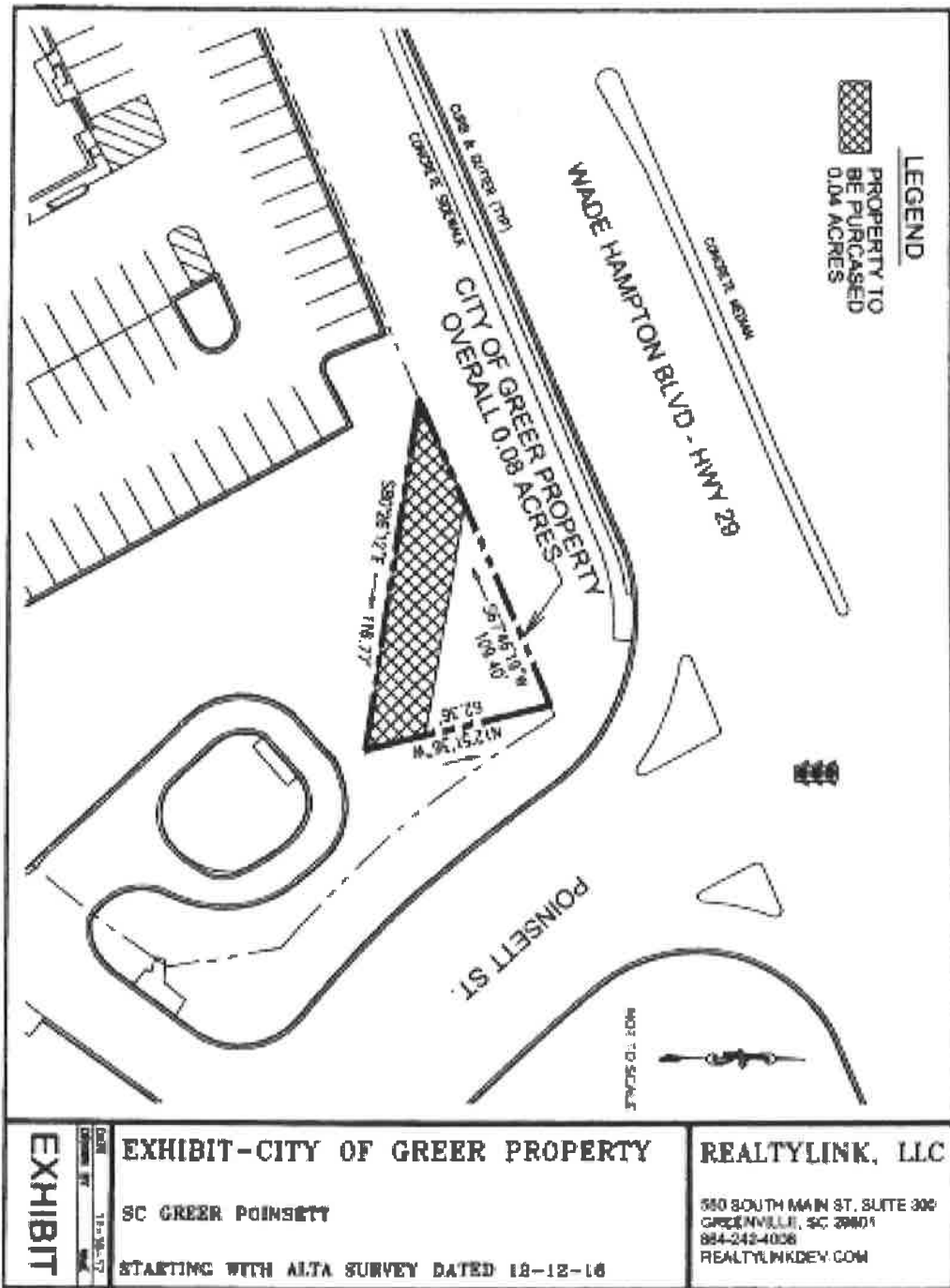
All that certain piece, parcel, or tract of land, in the County of Greenville, State of South Carolina, being shown as containing 0.07 acres, according to a plat prepared by Sinclair & Associates, Inc., entitled "Surveyed for City of Greer", dated 6/10/16, and recorded in Plat Book 1246, at Page 95, in the ROD Office for Greenville County, South Carolina, reference is hereby made to said plat for a more complete metes and bounds description thereof.

**and also a portion of the following property**

All that certain piece, parcel, or tract of land, in the County of Greenville, State of South Carolina, being shown as containing 0.01 acres, according to a plat prepared by Sinclair & Associates, Inc., entitled "Surveyed for City of Greer", dated 6/10/16, and recorded in Plat Book 1246 at Page 95, in the ROD Office for Greenville County, South Carolina, reference is hereby made to said plat for a more complete metes and bounds description thereof.

The 0.04 acre tract being more or less as depicted on the site plan as shown on Exhibit A, Page 2  
of 2

**(Page 2 of 2)**



**EXHIBIT A**

**EXHIBIT B**

[Survey to be added at later date]



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**Second and Final Reading of Ordinance Number 14-2018**

**Summary:**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BILLY RAY HENDERSON JR. LOCATED AT 1000 SOUTH MAIN STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY (Action Required)

**ATTACHMENTS:**

| <b>Description</b>                | <b>Upload Date</b> | <b>Type</b> |
|-----------------------------------|--------------------|-------------|
| ❑ Ordinance Number 14-2018        | 4/16/2018          | Ordinance   |
| ❑ Ord 14-2018 Exhibit A Deed      | 4/16/2018          | Exhibit     |
| ❑ Ord 14-2018 Exhibit B Plat      | 4/16/2018          | Exhibit     |
| ❑ Ord 14-2018 Exhibit C Map       | 4/16/2018          | Exhibit     |
| ❑ Ord 14-2018 Exhibit D Flood Map | 4/16/2018          | Exhibit     |
| ❑ Ord 14-2018 Annexation Petition | 4/16/2018          | Exhibit     |



**ORDINANCE NUMBER 14-2018**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BILLY RAY HENDERSON JR. LOCATED AT 1000 SOUTH MAIN STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY**

**WHEREAS**, Billy Ray Henderson Jr. is the owner of property located at 1000 South Main Street more particularly described on the legal description attached hereto marked as Exhibit A, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Number G004000108101 containing approximately 1.35 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0361E attached hereto marked as Exhibit D; and

**WHEREAS**, the property currently has one (1) occupant; and

**WHEREAS**, Billy Ray Henderson Jr. has petitioned the City of Greer to annex his property by one-hundred percent (100%) petition; and

**WHEREAS**, the property is now outside the city limits of Greer but adjoins the city limits; and

**WHEREAS**, the property owner has requested that the subject property be zoned DRD, Design Review District; and

**WHEREAS**, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 1.35 +/- acres property shown in red on the attached map owned by Billy Ray Henderson, Jr. located at 1000 South Main Street as described on the attached map as Greenville County Parcel Number G004000108101 is hereby annexed into the corporate city limits of the City of Greer.

2. ANNEXATION OF 200 FEET OF SOUTH MAIN STREET ROADWAY: 200 feet of South Main Street along the edge of the annexed property owned by Billy Ray Henderson Jr. as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. ZONING ASSIGNMENT: The above referenced property shall be zoned DRD, Design Review District pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. LAND USE MAP: The above reference property shall be designated as Residential Land Use 3 on a Community Corridor on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

5. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0361E.

6. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #1.

This ordinance shall be effective upon second reading approval thereof.

## **CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

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Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wayne Griffin

First Reading: April 10, 2018

Second and  
Final Reading: May 8, 2018

Approved as to Form:

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Daniel R. Hughes, Esquire  
City Attorney

Grantees' address: 1000 South Main St., Greer, S. C. 29651

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

TITLE TO REAL ESTATE

Vol 1053 Page 935

FILED  
GREENVILLE CO. S. C.

Mar 4 11 00 AM '77

DONNIE S. TANKERSLEY  
R.M.C.

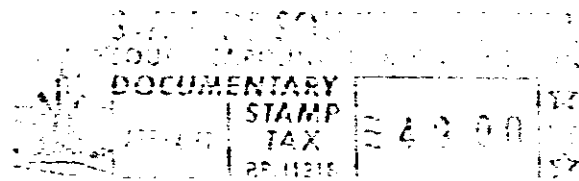
Know all Men by these Presents, That I, Robert Gordon Smith, in the State aforesaid, in consideration of the assumption by Billy Ray Henderson, Jr. and Donna G. Henderson of the \$24,585.63 real estate mortgage indebtedness I owe to the Woodruff Federal Savings and Loan Association over the below described property and which indebtedness is secured by my mortgage which was given to the association and recorded in the R. M. C. Office for said County in R. E. Mtg. Book 1226, page 472, and ~~for the further consideration of the sum of Twenty-Four Thousand Three Hundred Sixty-Four and 37/100 (\$24,364.37)-----~~ Dollars

to me in hand paid at and before the sealing of these presents by

Billy Ray Henderson, Jr. and Donna G. Henderson

(the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said Billy Ray Henderson, Jr. and Donna G. Henderson, their Heirs and Assigns forever,

283-34-1-81.1  
All that piece, parcel or lot of land lying, being and situate at the Southwest intersection of S. C. Highway no. 14 and Mitchell Drive, in Chick Springs Township, County and State aforesaid, and having the following courses and distances, to-wit: Beginning at an Iron Pin at the Southwest intersection of said highway and Mitchell Drive, and running thence with the West side of S. C. Highway no. 14 S.35-21 W.151.6 feet and S.53-07 W.100 feet to an Iron Pin, thence N.61-34 W. 224 feet to an Iron Pin, thence N.28-26 E.250 feet to an Iron Pin on the South side of Mitchell Drive, thence with the South side of Mitchell Drive S.61-34 E.250 feet to the beginning point. This being the same property which was conveyed to grantor herein by Gordon L. Smith by deed recorded on March 23, 1972 in the R. M. C. Office for said County in Deed Book 939, page 122. For a more particular description see plat prepared for grantor herein by Jones Engineering Service dated March 7, 1972 and which plat has been recorded in said office in Plat Book SSS, page 517.



GREENVILLE  
COUNTY

054977



4328 RV-2

283-34-1-81.1

0 9 3 6

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 said

Billy Ray Henderson, Jr. and Donna G. Henderson, their

Heirs and Assigns forever

4328 RV-23

1053-337

And I do hereby bind myself and my Heirs, Executors and Administrators to warrant and forever defend all and singular the said premises unto the said

Billy Ray Henderson, Jr. and Donna G. Henderson, their Heirs and Assigns against me and my Heirs and against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to restrictions and easements of record if any

Witness my hand and seal this 15th day of March in the year of our Lord One Thousand Nine Hundred and Seventy-seven

Signed, Sealed And Delivered In The Presence Of

Stephen R. Scott

Ann L. Jackson

Robert Gordon Smith (SEAL)  
Robert Gordon Smith

(SEAL)

(SEAL)

(SEAL)

(SEAL)

State of South Carolina }  
County of Spartanburg

Personally appeared before me Stephen R. Scott and made oath that he saw the within named Robert Gordon Smith

sign, seal and as his act and deed deliver the within written deed, and that he, with Ann L. Jackson witnessed the execution thereof,

Sworn to before me this 15th day of March, A.D. 19 77  
Ann L. Jackson (SEAL)  
Notary Public for S. C.  
My Commission expires: Feb. 17, 1982

Stephen R. Scott

State of South Carolina }  
County of Spartanburg

## RENUNCIATION OF DOWER

I, Ann L. Jackson Notary Public for S. C. do hereby certify unto all whom it may concern, that Mrs. Linda K. Smith wife of the within named Robert Gordon Smith did this day appear before me, and, upon being privately and separately examined by me, declare that she does freely, voluntarily, and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within named Billy Ray Henderson, Jr. and Donna G. Henderson, their Heirs and Assigns, all her interest and estate, and also all her rights and claim of Dower of, in or to all and singular the premises within mentioned and released.

Given under my hand and seal this 15th day of March, A.D. 19 77  
Ann L. Jackson (SEAL)  
Notary Public for S. C.  
My Commission expires: Feb. 17, 1982

Linda K. Smith  
Linda K. Smith

Recorded April 4, 1977 at 11:00 A.M.

26771

937

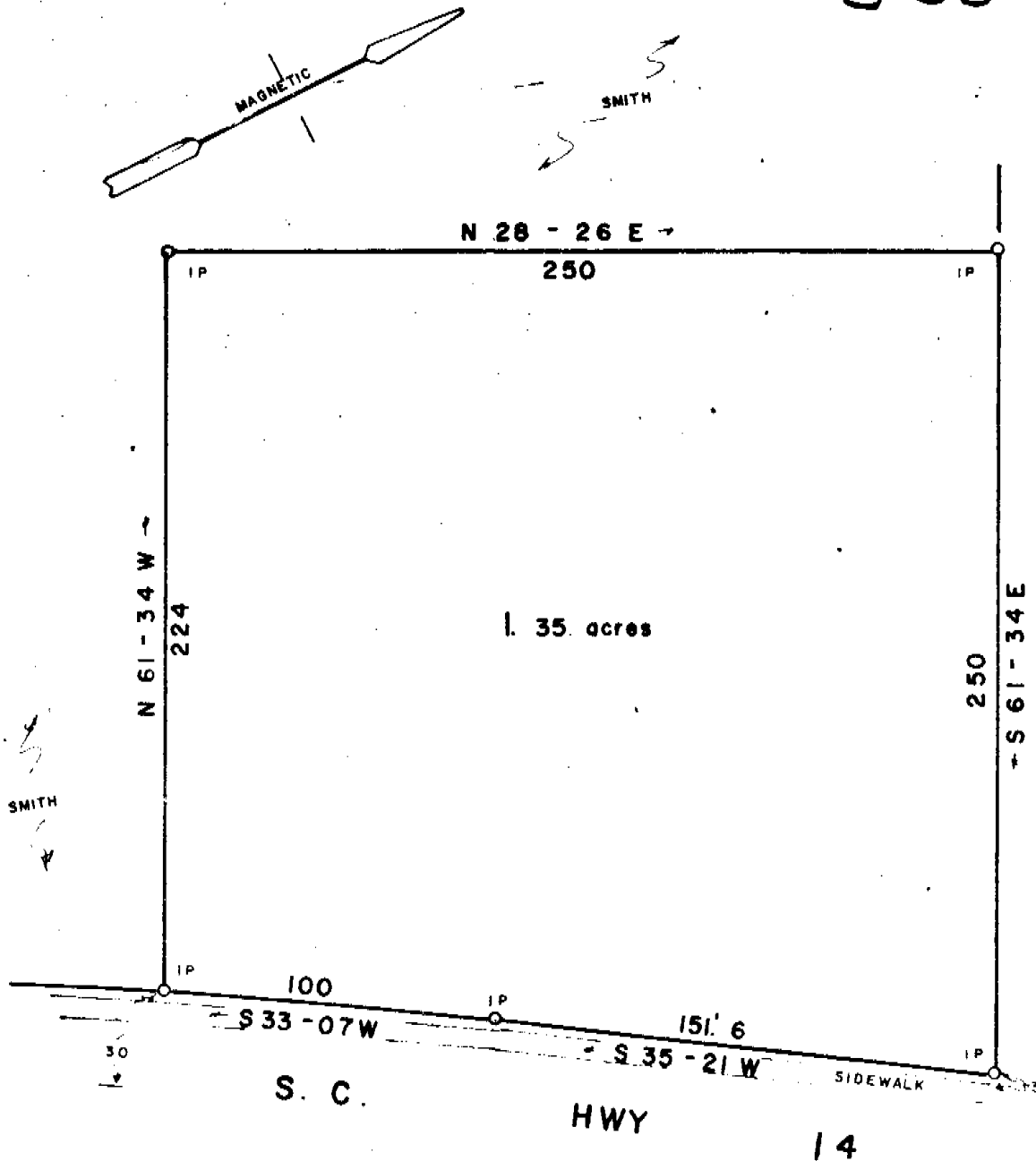
4328 RV-2

555-517

N.B 187

EXHIBIT

B



MITCHELL DR.

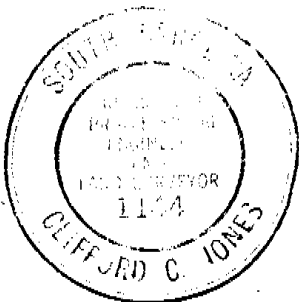
PROPERTY OF

**ROBERT GORDON SMITH**

GREENVILLE COUNTY S. C.

MARCH 7, 1972 SCALE 1" = 50'

NEAR GREER S.C.



MAR 25 1972

25459

125

JONES ENGINEERING SERVICE 1004 E. PERRY RD.  
Recorded March 23, 1972 at 11:30 A.M. #25459.

EXHIBIT

C

Subject Property  
G004000108101  
Acres: 1.35

Subject Right of Way  
200' of S. Main St

District

1

2

3

4

5

6

Parcels

Right of Way

Streets

# Ordinance 14-2018

0 50 100 150 200  
Feet

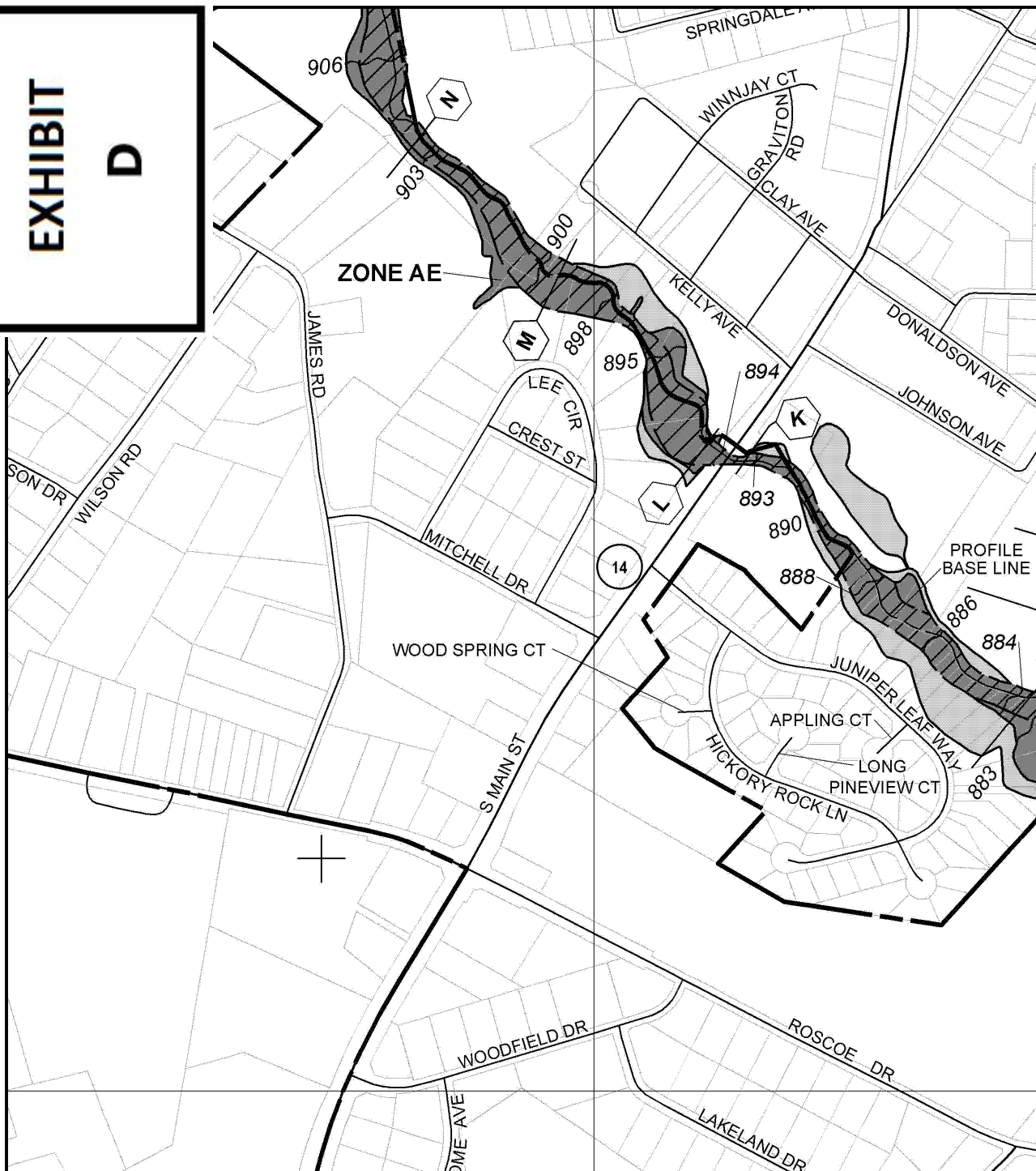
The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the South Carolina State Plane Coordinate System using the 1983 adjustment of the North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.





EXHIBIT

D



Program at 1-800-638-6620.



MAP SCALE 1" = 500'

0 250 500 750 1,000 FEET

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0361E

**FIRM**

**FLOOD INSURANCE RATE MAP  
GREENVILLE COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS**

**PANEL 361 OF 625**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY         | NUMBER | PANEL | SUFFIX |
|-------------------|--------|-------|--------|
| GREENVILLE COUNTY | 450089 | 0361  | E      |
| GREER, CITY OF    | 450200 | 0361  | E      |

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
45045C0361E**

**MAP REVISED  
AUGUST 18, 2014**

**Federal Emergency Management Agency**

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



301 East Poinsett Street  
Greer, South Carolina 29651  
(864) 801-2009

### Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at JONES AVE. more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 6006000161000 attached hereto marked as Exhibit C containing approximately 21.94 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 5 day of JANUARY, 2018 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

|  |                       |
|--|-----------------------|
| Print Name: <u>INDU VAKHARIA</u>       | Print Name: _____     |
| Signature: <u>[Signature]</u>          | Signature: _____      |
| Address: <u>109B Regency Commons</u>   | Address: _____        |
| Witness: <u>[Signature] Greer SC</u>   | Witness: _____        |
| Date: <u>1-5-18</u>                    | Date: _____           |
| Parcel Address: <u>JONES AVE</u>       | Parcel Address: _____ |
| Tax Map Number: <u>6006000161000</u> ✓ | Tax Map Number: _____ |



**ZONING MAP AMENDMENT APPLICATION  
(ZONING & REZONING)**

Date 01/11/18

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) G006000101000 ✓

Property Address(s) Jones Ave., Greer, SC

Acreage of Properties 21.94 County Greenville

**Applicant Information**

Name Jones Avenue Partners, LLC  
Address 109-B Regency Commons Drive  
Greer, SC 29650  
Contact Number 864-801-1551  
Email indu@unique-builders.net

**Property Owner Information**

*(If multiple owners, see back of sheet)*

✓ Name same as applicant  
Address \_\_\_\_\_  
Contact Number \_\_\_\_\_  
Email \_\_\_\_\_

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes \_\_\_\_ No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from unzoned to DRD.

Existing Use: Vacant Proposed Use: Single-family & Townhomes

Signature(s) Jessu Volkman,  
Member, Jones Ave Partners, LLC

*If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.*

*All zoning classifications, permitted uses and fees are available at [www.cityofgreer.org](http://www.cityofgreer.org)*

**OFFICE USE ONLY**

Date Filed 1-11-18

Case No. AN 2018-03

Meeting Date 2-19-18

See SUB 2018-04(DRD)

**See Reverse**

**Category Number: IX.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**First Reading of Resolution Number 14-2018**

**Summary:**

A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A  
SATISFACTION OF MORTGAGE (Action Required)

**ATTACHMENTS:**

| <b>Description</b>                            | <b>Upload Date</b> | <b>Type</b> |
|---|--------------------|-------------|
| ☐ Resolution Number 14-2018                   | 4/30/2018          | Resolution  |
| ☐ Res 14-2018 Exhibit A Mortgage Satisfaction | 4/30/2018          | Exhibit     |

**RESOLUTION NUMBER 14-2018**

**A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO  
EXECUTE A SATISFACTION OF MORTGAGE**

**WHEREAS**, by Ordinance Number 4-2018, the Mayor and Council authorized the Mayor to execute a quit claim deed and release of reversionary rights and any interest it may have in property located at Berkshire Place and identified as Greenville County Tax Map No. G002-00-01-016.11.

**WHEREAS**, there exists a mortgage lien in favor of the City of Greer against said Property dated April 22, 1999 and recorded April 23, 1999 in Book 3241 at Page 929 in the Greenville County Register of Deeds Office.

**WHEREAS**, the Mayor and City Council have determined that it is in the best interest of the City to release the lien and file a satisfaction of the mortgage.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Members of Council of the City of Greer, in Council assembled that:

Section 1. The City Administrator is authorized to execute the Mortgage Satisfaction attached hereto as Exhibit "A."

DONE AND RATIFIED this \_\_\_\_ day, of \_\_\_\_\_, 2018.

---

Richard W. Danner, Mayor

ATTEST:

---

Tammela Duncan, Municipal Clerk

Introduced by:

First and Final Reading:

Approved as to Form:

---

Daniel R. Hughes, Esquire  
City Attorney

Return to:

My Commission Expires: \_\_\_\_\_



**AGENDA**  
**GREER CITY COUNCIL**  
**5/8/2018**

**First Reading of Ordinance Number 16-2018**

**Summary:**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BEATE BANNON LOCATED AT 9 MILLER ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY (Action Required)

**Executive Summary:**

Ordinance #16-2018 is an annexation and zoning request for property located at 9 Miller Road in Greenville County. The parcel for annexation is 0.635 acres. The property is proposed for residential development with with a Design Review District zoning. The development will contain four single-family residences. The Planning Commission will conduct a public hearing on May 21, 2018 for the zoning of this parcel.  
Kelli McCormick, Planning Manager

**ATTACHMENTS:**

| <b>Description</b>                    | <b>Upload Date</b> | <b>Type</b>     |
|---------------------------------------|--------------------|-----------------|
| ▣ Ord 16-2018 Cover Memo              | 5/3/2018           | Cover Memo      |
| ▣ Ordinance Number 16-2018            | 5/3/2018           | Ordinance       |
| ▣ Ord 16-2018 Exhibit A Deed          | 5/3/2018           | Exhibit         |
| ▣ Ord 16-2018 Exhibit B Plat          | 5/3/2018           | Exhibit         |
| ▣ Ord 16-2018 Exhibit C Map           | 5/3/2018           | Exhibit         |
| ▣ Ord 16-2018 Exhibit D Flood Map     | 5/3/2018           | Exhibit         |
| ▣ Ord 16-2018 Letter of Intent        | 5/3/2018           | Backup Material |
| ▣ Ord 16-2018 Site Plan               | 5/3/2018           | Backup Material |
| ▣ Ord 16-2018 Petition for Annexation | 5/3/2018           | Backup Material |



# Memorandum

**To:** Mr. Ed Driggers, City Administrator  
**From:** Kelli McCormick, AICP, Planning Manager  
**Subject:** Ordinance #16-2018  
**Date:** April 26, 2018  
**CC:** Tammy Duncan, Clerk to City Council

---

Ordinance #16-2018 is an annexation and zoning request for property located at 9 Miller Road in Greenville County. The parcel for annexation is 0.635 acres. The property is proposed for residential development with with a Design Review District zoning. The development will contain four single-family residences.

The Planning Commission will conduct a public hearing on May 21, 2018 for the zoning of this parcel.

**ORDINANCE NUMBER 16-2018**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BEATE BANNON LOCATED AT 9 MILLER ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY**

**WHEREAS**, Beate Bannon is the owner of property located at 9 Miller Road more particularly described on the legal description attached hereto marked as Exhibit A, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Number T009040102200 containing approximately .635 +/- acre attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0342E attached hereto marked as Exhibit D; and

**WHEREAS**, the property currently has zero (0) occupants; and

**WHEREAS**, Beate Bannon has petitioned the City of Greer to annex his/her property by one-hundred percent (100%) petition; and

**WHEREAS**, the property is now outside the city limits of Greer but adjoins the city limits; and

**WHEREAS**, the property owner has requested that the subject property be zoned DRD, Design Review District; and

**WHEREAS**, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The .635 +/- acre property shown in red on the attached map owned by Beate Bannon located at 9 Miller Road as described on the attached map as Greenville County Parcel Number T009040102200 is hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced property shall be zoned DRD Design Review District pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. LAND USE MAP: The above reference property shall be designated as Transit Oriented District Community on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0342E.

5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #5.

This ordinance shall be effective upon second reading approval thereof.

## **CITY OF GREER, SOUTH CAROLINA**

---

Richard W. Danner, Mayor

### **ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: May 8, 2018

Second and  
Final Reading: June 12, 2018

Approved as to Form:

---

Daniel R. Hughes, Esquire  
City Attorney

Deed Prepared by:  
Rogers Townsend & Thomas, PC  
220 Executive Center Drive  
Columbia, SC 29210  
019857-00001



2012103  
Book DE  
December 20, 2012 10 12:28 AM Co  
Rec \$13 00 Cnty Tax \$22 55 St

FILED IN GREENVILLE COU

EXHIBIT

A

STATE OF SOUTH CAROLINA

GENERAL WARRANTY DEED

COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS, that **ESTATE OF HOLLAND J. MCABEE AND RICHARD L. MCABEE AND MARY ALICE SCRUGGS AND BARRY DALE MCABEE AND DONALD PERRY MCABEE** (hereinafter called "Grantor"), for and in consideration of the sum of Twenty Thousand Three Hundred Fifty and 00/100 Dollars (\$20,350.00) to the Grantor in hand paid at and before the sealing of these presents by **BEATE BANNON**, (hereinafter called "Grantee") in the State aforesaid, (the receipt and sufficiency of which is hereby acknowledged), and subject to all easements and restrictions of record and otherwise affecting the property, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the Grantee, his heirs, successors and assigns:

All that certain piece, parcel or lot of land, together with improvements thereon, situate, lying and being in the County of Greenville, State of South Carolina, being shown and delineated as a tract containing 0.635 acres, more or less, located within the right of way for Miller Road west of its intersection with the right of way for Payne Road, as shown on a Boundary Survey prepared for Beate Bannon by Joseph E. Crowe, Land Surveyor, dated December 10, 2012, and recorded in the office of the Register of Deeds for Greenville County in Plat Book 1148 at page 57. Reference to said plat is made for a more complete and accurate description.

This being a portion of the same property conveyed to Holland J. McAbee and Betty W. McAbee by deed of Ralph R. Ellison, Jr. and Nancy S. Ellison dated 12/20/75 and recorded 12/23/75 in the Office of the ROD for Greenville County in Deed Book 1029 at Page 272. See also Deed of Distribution from the Estate of Betty Lucille Waters McAbee dated 3/16/2009 and recorded 3/16/2009 in Deed Book 2354 at Page 3347.

Grantee's address: 119 Sunset Drive Greenville SC 29605

TMS# T009-04-01-022-00

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs and Assigns forever.

And the Grantor does hereby bind himself and his heirs to warrant and forever defend all and singular the premises unto the Grantee, His Heirs and Assigns against himself and his heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.

Date: December 14, 2012

Signed, Sealed and Delivered  
in the presence of:

Joanne Sagnon  
Witness #1

[Signature]  
Witness #2/Notary

Mary Alice McCabe  
Mary Alice Scruggs

STATE OF SC  
COUNTY OF Greenville

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Mary Alice Scruggs personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14<sup>th</sup>, 2012.

[Signature]  
Notary Public

My Commission Expires: 7-8-2015

Date: December 13, 2012

Signed, Sealed and Delivered  
in the presence of:

*Stephen Beryl*  
Witness #1

*D. C. L.*  
Witness #2/Notary

*Donald Perry McAbee*  
Donald Perry McAbee

STATE OF OHIO  
COUNTY OF Summit

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for OHIO, do hereby certify that  
Donald Perry McAbee personally appeared before me this day and acknowledged the  
due execution of the foregoing instrument.

Witness my hand and seal this December 13, 2012.

*D. C. L.*  
Notary Public  
My Commission Expires: 03/03/16



DANIEL C. LOEW, NOTARY  
STATE OF OHIO  
MY COMMISSION EXPIRES: 3/3/2016



Date: December 14<sup>th</sup>, 2012

Signed, Sealed and Delivered  
in the presence of:

Jeanne Segnon  
Witness #1

[Signature]  
Witness #2/Notary

[Signature]  
Richard L. McAbee

STATE OF SC  
COUNTY OF Greenville

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Richard L. McAbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14<sup>th</sup>, 2012.

[Signature]  
Notary Public  
My Commission Expires: 7-8-2015

Date: December 14<sup>th</sup>, 2012

Signed, Sealed and Delivered  
in the presence of:

Joanne Sagnon  
Witness #1  
[Signature]  
Witness #2/Notary

Estate of Holland J. McAbee

BY: Michael E. McAbee P/R  
Michael E. McAbee, PR

STATE OF SC  
COUNTY OF Greenville

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Michael E. McAbee, PR of the Estate of Holland J. McAbee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14<sup>th</sup>, 2012.

[Signature]  
Notary Public

My Commission Expires: 7.8.2015

Date: December 14<sup>th</sup>, 2012

Signed, Sealed and Delivered  
in the presence of:

Joanne Gagnon  
Witness #1

Barry Dale McAbee  
Barry Dale McAbee

[Signature]  
Witness #2/Notary

STATE OF SC  
COUNTY OF Greenville

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Barry Dale McAbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14<sup>th</sup>, 2012.

[Signature]  
Notary Public

My Commission Expires: 7.8.2015

FILED FOR RECORD IN GREENVILLE COUNTY, SC ROD  
2012103986 Book: DE 2416 Page: 4385-4391  
December 20, 2012 10 12 28 AM

Timothy J. Manney

EXHIBIT  
B

N/F TARGET CORPORATION  
TAX MAP # T009040102504  
DEED BK. 2058 PG. 1774  
PLAT BK. 47-P PG. 1

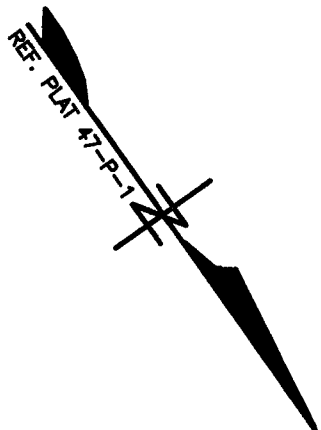
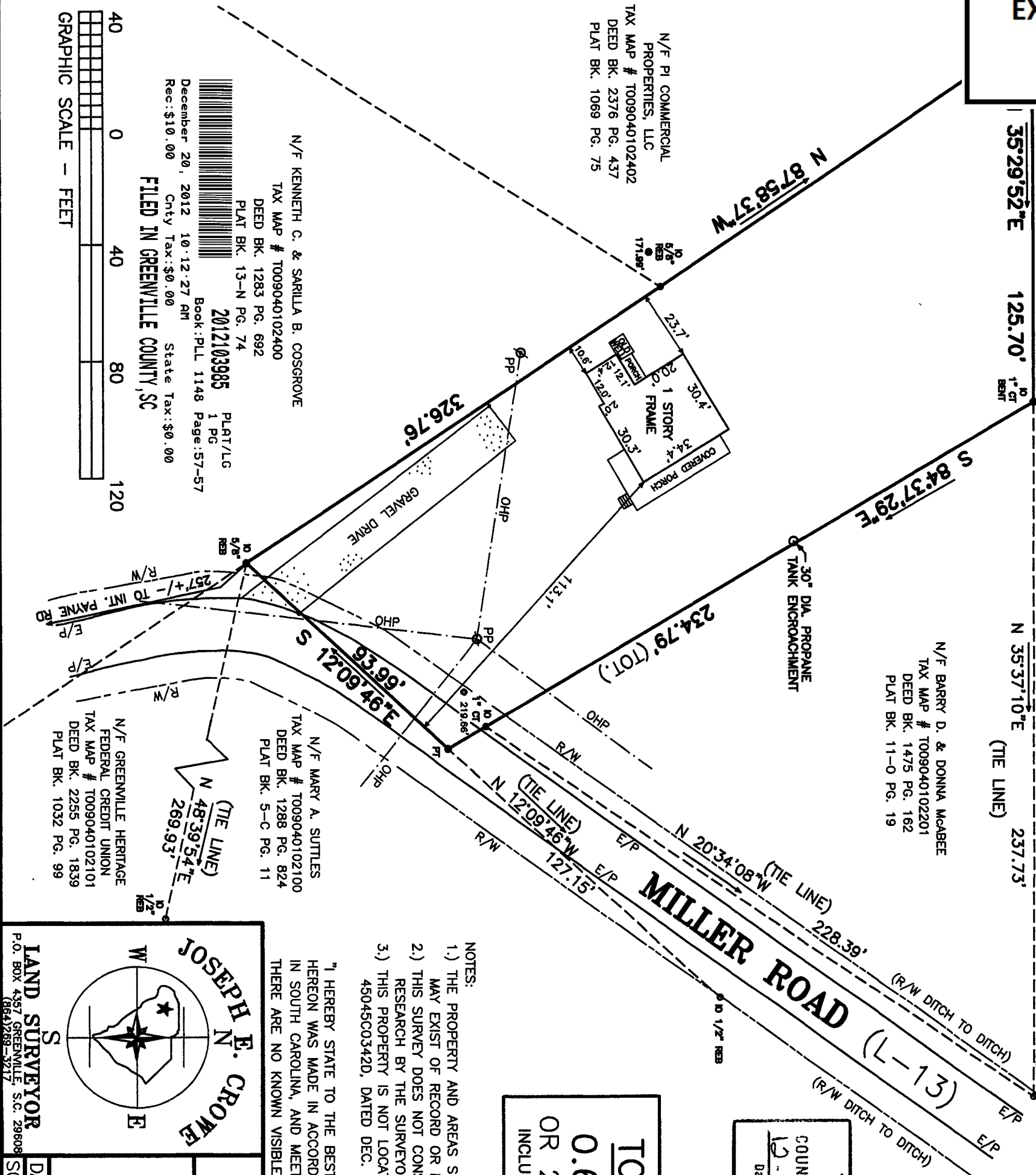
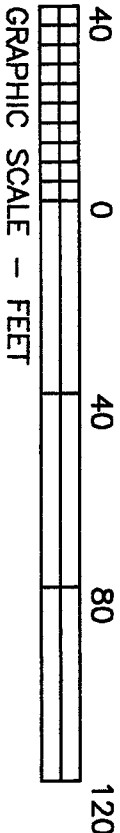
N/F DAVID C. & KIMBERLY K. MINOR  
TAX MAP # T009040102800  
DEED BK. 1406 PG. 805  
PLAT BK. 19-B PG. 2

N/F BARRY D. & DONNA McABEE  
TAX MAP # T009040102201  
DEED BK. 1475 PG. 162  
PLAT BK. 11-0 PG. 19

N/F P1 COMMERCIAL  
PROPERTIES, LLC  
TAX MAP # T009040102402  
DEED BK. 2376 PG. 437  
PLAT BK. 1069 PG. 75

N/F KENNETH C. & SARILLA B. COSGROVE  
TAX MAP # T009040102400  
DEED BK. 1283 PG. 692  
PLAT BK. 13-N PG. 74

2012103985  
PLAT/LG  
1 PG  
Book: PLL 1148 Page: 57-57  
December 20, 2012 10:12:27 AM  
Rec: \$10.00 Cnty Tax: \$0.00 State Tax: \$0.00  
FILED IN GREENVILLE COUNTY, SC

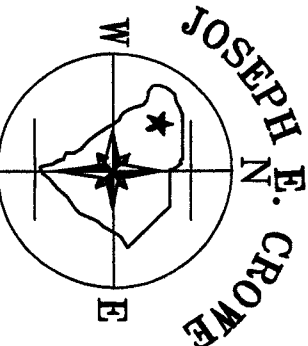


THIS PLAT IS NOT A SUBDIVISION  
AS DEFINED BY THE GREENVILLE  
COUNTY LAND DEVELOPMENT REGULATIONS  
12-11-12  
Date  
Authorized Representative of  
Greenville County Planning Commission

**TOTAL AREA**  
**0.635 ACRES**  
OR 27,652 SQ. FT.  
INCLUDING ANY AND ALL R/W

- NOTES:
- 1.) THE PROPERTY AND AREAS SHOWN ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS THAT MAY EXIST OF RECORD OR NOT OF RECORD.
  - 2.) THIS SURVEY DOES NOT CONSTITUTE A FLOOD STUDY, WETLANDS DELINEATION, ENVIRONMENTAL INSPECTION OR TITLE RESEARCH BY THE SURVEYOR.
  - 3.) THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA AS PER FIRM MAP COMMUNITY PANEL NUMBER 45045C0342D, DATED DEC. 2, 2004.

"I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO KNOWN VISIBLE ENCROACHMENTS OR PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN."



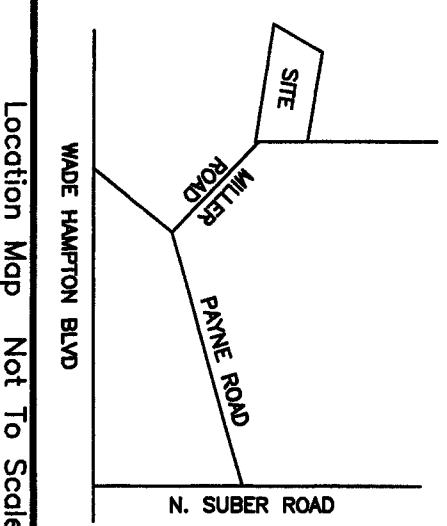
**STATE OF SOUTH CAROLINA**  
**COUNTY OF GREENVILLE**  
**BOUNDARY SURVEY FOR:**  
**BEATE BANNON**  
9 MILLER ROAD  
TAYLORS, SC



**LAND SURVEYOR**  
P.O. BOX 4357 GREENVILLE, S.C. 29608  
(864) 689-3217

DATE: 12-10-12 TAX MAP NO: T009040102200  
SCALE: 1" = 40' PROJECT NO: 12-0243

S.C. REG. NO. 16499



- LEGEND
- IO-----IRON PIN OLD
  - IN-----IRON PIN NEW
  - CT-----CRIMP TOP
  - OT-----OPEN TOP
  - REB-----REBAR
  - R/W-----RIGHT-OF-WAY
  - PP-----POWER POLE
  - LP-----LIGHT POLE
  - OHP-----OVERHEAD ELECTRIC
  - E/P-----EDGE OF PAVEMENT
  - PT-----POINT

FILED FOR RECORD IN GREENVILLE COUNTY, SC RD  
2012103985 Book: PLL 1148 Page: 57-57  
December 20, 2012 10:12:27 AM  
Timothy J. Manning

**EXHIBIT  
C**

Subject Property  
T009040102200  
Acres: 0.635

Text

6029

6100

6050

6040

**District**

- 1
- 2
- 3
- 4
- 5
- 6

Parcels

Right of Way

Streets

**Ordinance 16-2018**



0 0.02 0.04 0.06 0.08 Miles

Created 5/2/2018 by City of Greer GIS

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the South Carolina State Plane Coordinate System using the 1983 adjustment of the North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.



EXHIBIT

D

2.5"

83'000m E

34°56'15"

**Greenville County  
Unincorporated Areas  
450089**

**City of Greer  
450200**

1% ANNUAL CHANCE  
FLOOD DISCHARGE  
CONTAINED IN CULVERT

ED0989

HIGHLAND ST

CARL ST

DAVIS  
ST

HAMMETT RD

MICHELL DR

STONE BROOK CT

MEADOW HILL WAY

WILLOW WOOD CT

BELLA  
MICHELE AVEFREEBIRD  
BLVD

WADE HAMPTON BLVD

MILLER RD

PAYNE RD

TOWN CENTER DR

JULIUS  
CIR

CHICK SPRINGS RD

RAILROAD

039

e Program at 1-800-638-6620.



MAP SCALE 1" = 500'

0 250 500 750 1,000  
FEET

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0342E

**FIRM**

**FLOOD INSURANCE RATE MAP  
GREENVILLE COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS**

**PANEL 342 OF 625**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY         | NUMBER | PANEL | SUFFIX |
|-------------------|--------|-------|--------|
| GREENVILLE COUNTY | 450089 | 0342  | E      |
| GREER, CITY OF    | 450200 | 0342  | E      |

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
45045C0342E**

**MAP REVISED  
AUGUST 18, 2014**

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# Seaport Homes LLC.

(Letter of Intent, May 1<sup>st</sup>, 2018)

City of Greer

Planning & Zoning dept.

301 E. Poinsett st. Greer, SC 29651

Office: 864.848.2150

Letter of Intent : 9 Miller rd. Taylors, SC 29687

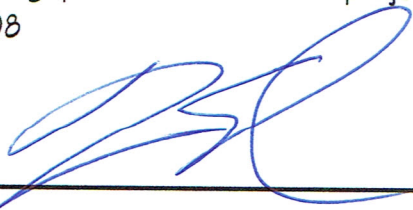
To Whom it may concern:

Tysen Sarkela owner of Seaport Homes is submitting this letter of intent to the city of Greer South Carolina.

9 Miller Rd. Taylors, SC 29687 is currently Zoned R-20 with a single family residence. It is currently vacant/abandoned property. We are proposing to annex this property into the city of Greer with the intent to rezone the property to RDR. Seaport Homes is a small Custom home Builder currently in Greer SC. This will allow Seaport homes to resurvey the property into 5 different tax map numbers (zero lot line) to build 5 single family residents. The Homes we plan to build will take advantage of some great views of Wade Hampton Blvd. and far off Mountain ranges. Each single family home will have 3 livable floors with a 4<sup>th</sup> floor roof top terrace and bonus room. Each property will have its own underground utilities, Power, sewer, water, and gas, All being run in a designed utility easement. Also, each home will have a 2 car garage with driveway space for 2 more vehicles for guest parking.

If there are any questions about this project please call Tysen at 843.754.0400 or Office 864.991.5008

Sincerely,



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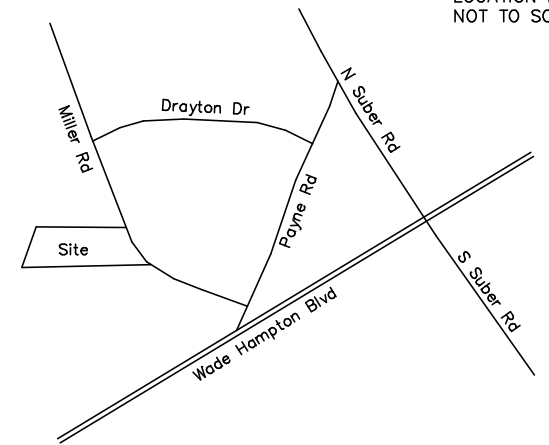
Tysen Sarkela

TMS T009040102504  
N/F Target Corporation

## Miller Project

TMS T009040102200  
Area=0.635 Acres  
Inclusive of R/W

LOCATION MAP  
NOT TO SCALE



TMS T009040102201  
N/F Shawn Kevin Alexander Sr.

TMS T009040102402  
N/F PI Commercial Properties, LLC

TMS T009040102400  
N/F Kenneth & Sarilla Cosgrove



GREENVILLE COUNTY, S.C.

DATE: 5-2-18 SCALE: 1" = 40'

## Site Plan for Seaport Homes

### GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.



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Greer, South Carolina 29651  
(864) 801-2009

### Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 9 MILLER RD. more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number T009040102200 attached hereto marked as Exhibit C containing approximately .10 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 27<sup>th</sup> day of April, 2018 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

\* Print Name: BEATE BANNON

\* Signature: [Signature]

\* Address: 119 Scurlock Dr. Greenville

\* Witness: Rt Hwy SC 29605

\* Date: 4-27-18

Parcel Address: 9 MILLER RD. TAYLORS

Tax Map Number: T009040102200

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Address: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_