



**AGENDA
GREER CITY COUNCIL**

February 13, 2024

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

6:30 PM

COUNCIL REGULAR MEETING

Call to Order

Mayor Rick Danner

Invocation and Pledge of Allegiance

Mayor Rick Danner

Public Forum

Minutes of Council Meeting

1. January 23, 2024
(Action Required)

Administrator's Report

Andy Merriman, City Administrator

Old Business

1. Second and Final Reading of Ordinance Number 4-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF A CERTAIN PROPERTY OWNED BY IRINA AND YAROSLAV GENTSARYUK LOCATED AT 220 PLEASANT DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

2. Second and Final Reading of Ordinance Number 5-2024

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES, SECTION 18-311 THROUGH SECTION 18-430 OF THE GREER CITY CODE OF ORDINANCES.

(Action Required)

3. Second and Final Reading of Ordinance Number 6-2024

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES OF THE CITY OF GREER CODE OF ORDINANCES BY ADDING ARTICLE XII – MOBILE FOOD UNITS, SECTION 18-501 THROUGH SECTION 18-524 TO ESTABLISH CERTAIN RULES AND REGULATIONS FOR MOBILE FOOD UNITS (Action Required)

New Business

1. First Reading of Ordinance Number 9-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY J & A HOLDINGS GROUP, LLC LOCATED AT 107 EAST BEARDEN STREET FROM CG (COMMERCIAL GENERAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

Ordinance 9-2024 is a rezoning request for one parcel located at 107 E Bearden St. The request is to rezone the parcel from CG, Commercial General to TN, Traditional Neighborhood. The intent is to subdivide, creating an additional lot for a single-family detached house. The Planning Commission conducted a public hearing on January 22, 2024 for the rezoning of the parcel and recommended approval.
Heather Stahl, Planner

2. First Reading of Ordinance Number 10-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY IGLESIA PENTECOSTES FUENTE DE AGUA VIVA, INC. LOCATED ON ARLINGTON ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF OFFICE PROFESSIONAL FOR SAID PROPERTY (Action Require)

Ordinance 10-2024 is an annexation and zoning request for a parcel located on Arlington Road. The parcel is 2.81 acres. The requested zoning for the property is OP, Office Professional, and the intended use is a church. The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.
Heather Stahl, Planner

3. First Reading of Ordinance Number 11-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY SAMANTHA T. BENNETT LOCATED AT 145 FERNWOOD DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

Ordinance 11-2024 is an annexation and zoning request for a parcel located at 145 Fernwood Drive. The parcel is 0.638 acres. The requested zoning for the property is SN, Suburban Neighborhood and the existing detached single-family dwelling will remain. The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.

Heather Stahl, Planner

Executive Session

Council may take action on matters discussed in executive session.

1. Contractual Matter

Request: Motion to enter into Executive Session to discuss a Contractual Matter pertaining to Project Titus; as allowed by State Statute Section 30-4-70(a)(2).

2. Contractual Matter

Request: Motion to enter into Executive Session to discuss a Contractual Matter pertaining to Project Indy; as allowed by State Statute Section 30-4-70(a)(2).

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 Keith Choate, ADA Coordinator at (864) 848-5386 as soon as possible, but no later than 48 hours prior to the scheduled event.

Category Number:
Item Number:



AGENDA
GREER CITY COUNCIL
2/13/2024

Mayor Rick Danner

ATTACHMENTS:

Description	Upload Date	Type
▣ 2024 Council Invocation Schedule	1/24/2024	Backup Material



Greer City Council 2024 Invocation Schedule

January 9, 2024	Councilmember Wryley Bettis
January 23, 2024	Councilmember Judy Albert
February 13, 2024	Mayor Rick Danner
February 27, 2024	Councilmember Jay Arrowood
March 12, 2024	Councilmember Karuam Booker
March 26, 2024	Councilmember Mark Hopper
April 9, 2024	Councilmember Lee Dumas
April 23, 2024	Councilmember Wryley Bettis
May 14, 2024	Councilmember Judy Albert
May 28, 2024	Mayor Rick Danner
June 11, 2024	Councilmember Jay Arrowood
June 25, 2024	Councilmember Karuam Booker
July 9, 2024	Councilmember Mark Hopper
July 23, 2024	Councilmember Lee Dumas
August 13, 2024	Councilmember Wryley Bettis
August 27, 2024	Councilmember Judy Albert
September 10, 2024	Mayor Rick Danner
September 24, 2024	Councilmember Jay Arrowood
October 8, 2024	Councilmember Karuam Booker
October 22, 2024	Councilmember Mark Hopper
November 12, 2024	Councilmember Lee Dumas
November 26, 2024	Councilmember Wryley Bettis
December 10, 2024	Councilmember Judy Albert

Category Number:
Item Number: 1.



AGENDA
GREER CITY COUNCIL
2/13/2024

January 23, 2024

Summary:

(Action Required)

ATTACHMENTS:

Description		Upload Date	Type
□	January 23, 2024 Council Meeting	1/26/2024	Backup Material
	Minutes		

CITY OF GREER, SOUTH CAROLINA

MINUTES of the FORMAL MEETING of GREER CITY COUNCIL January 23, 2024

Meeting Location: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

Call to Order of the Formal Meeting

Mayor Rick Danner – 6:31 P.M.

The following members of Council were in attendance: Karuian Booker, Mark Hopper, Lee Dumas, Wryley Bettis and Judy Albert.

Councilmember Jay Arrowood was absent.

Others present: Andy Merriman, City Administrator, Tammela Duncan, Municipal Clerk, and various other staff.

Invocation and Pledge of Allegiance

Councilwoman Judy Albert

Public Forum

No one signed up to speak during the Public Form Session.

Minutes of the Council Meeting

January 9, 2024

ACTION – Councilmember Wryley Bettis made a motion that the minutes of January 9, 2024 be received as written. Councilmember Judy Albert seconded the motion.

VOTE - Motion carried unanimously.

Departmental Reports

Building and Development Standards, Engineering, Finance, Fire Department, Municipal Court, Parks, Recreation & Tourism, Police Department, Public Services and the Website Activity Reports for December 2023 were included in the packet for informational purposes.

Finance

David Seifert, Chief Financial officer presented the Financial Report for December 31, 2023.
(Attached)

General Fund Cash Balance: \$5,720,056.

Revenue: \$7,712,347.

Total Expenditures: \$22,143,257.

Total Percentage: 2% Under Budget

Revenue Benchmark Variance: \$(2,494,206.)

Expenditure Benchmark Variance: \$(433,388.)

Overall Benchmark Variance: \$(2,927,594.)

Hospitality Fund Cash Balance: \$1,643,583.

Storm Water Fund Cash Balance: \$1,836,255.

Andy Merriman, City Administrator presented the following:

Hometown Legislative Action Day will be Tuesday, February 6th in Columbia.

OLD BUSINESS

Second and Final Reading of Ordinance Number 1-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY YARBOROUGH PROPERTIES, LLC LOCATED AT 122 SUNSET AVENUE FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD)

Claire Byers, Planner stated there were no updates.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 1-2024. Councilmember Judy Albert seconded the motion.

VOTE – Motion carried unanimously.

Second and Final Reading of Ordinance Number 2-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY CAPA SFR, LLC LOCATED AT 108 AND 116 BROWN STREET FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD)

Claire Byers, Planner stated there was no new or additional information.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 2-2024. Councilmember Judy Albert seconded the motion.

VOTE – Motion carried unanimously.

Second and Final Reading of Ordinance Number 3-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY LIBIA AND GERMAN GARCIA LOCATED AT 501 NEW WOODRUFF ROAD FROM CG (COMMERCIAL GENERAL) TO MD (MEDIUM DENSITY RESIDENTIAL)

Claire Byers, stated there were no updates.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 3-2024. Councilmember Judy Albert seconded the motion.

Brief discussion held.

VOTE – Motion carried unanimously.

NEW BUSINESS

First and Final Reading of Resolution Number 3-2024

A RESOLUTION TO ACCEPT SADDLEBROOK FARM SUBDIVISION STREETS, NAMELY BACKARE COURT, CROSSBUCK TRAIL, RED HORSE WAY, PALERMO DRIVE, TURFWAY DRIVE, STIRRUP COURT, MINT JULEP COURT INTO THE CITY OF GREER STREET SYSTEM

David Buchanan, Civil Engineer presented the request.

ACTION – Councilmember Mark Hopper made a motion to approve First and Final Reading of Resolution Number 3-2024. Councilmember Karuam Booker seconded the motion.

Brief discussion held.

VOTE – Motion carried unanimously.

First and Final Reading of Resolution Number 4-2024

A RESOLUTION TO ACCEPT RESERVE AT RED CROFT SUBDIVISION STREETS, NAMELY VALESCOURT DRIVE, GREASBY COURT, WALSLEY LANE, DITTON COURT, MARLETT COURT, APSLEY COURT, STAVORDALE COURT INTO THE CITY OF GREER STREET SYSTEM

David Buchanan, Civil Engineer presented the request.

ACTION – Councilmember Mark Hopper made a motion to approve First and Final Reading of Resolution Number 4-2024. Councilmember Karuam Booker seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 5-2024
AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES, SECTION 18-311 THROUGH SECTION 18-430 OF THE GREER CITY CODE OF ORDINANCES.

David Seifert, Chief Financial Officer presented the request.

ACTION – Councilmember Karuam Booker made a motion to approve First Reading of Ordinance Number 5-2024. Councilmember Mark Hopper seconded the motion.

Discussion held.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 6-2024
AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES OF THE CITY OF GREER CODE OF ORDINANCES BY ADDING ARTICLE XII – MOBILE FOOD UNITS, SECTION 18-501 THROUGH SECTION 18-524 TO ESTABLISH CERTAIN RULES AND REGULATIONS FOR MOBILE FOOD UNITS

David Seifert, Chief Financial Officer presented the request.

ACTION – Councilmember Judy Albert made a motion to approve First Reading of Ordinance Number 6-2024. Councilmember Wryley Bettis seconded the motion.

Discussion held.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 8-2024
AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 78 – STREETS, SIDEWALKS AND PUBLIC PROPERTY – OF THE GREER CITY CODE OF ORDINANCES

Lindsey Shaffer, Tourism Specialist presented the request.

ACTION – Councilmember Lee Dumas made a motion to approve First Reading of Ordinance Number 8-2024. Councilmember Mark Hopper seconded the motion.

Lengthy discussion held.

ACTION – Councilmember Lee Dumas made a motion to amend his motion and hold over First Reading of Ordinance Number 8-2024. Councilmember Mark Hopper amended his second.

VOTE – Motion carried unanimously.

Bid Summary – Re-branding for the City of Greer

The City of Greer issued a Request for Proposals (“RFP”) for Re-branding the City of Greer. The City’s RFP sought proposals from qualified firms with Extensive and demonstrable experience in community branding, regional marketing, and public relations to oversee a complete rebrand for the City of Greer. The requested re-brand would represent all facets of the City of Greer including progressive growth, authentic small town charm, international influence, community pride, and a truly unique sense of place. The RFP sought a new brand design, logo, and tagline that will be used. (Attachment)

Reno Deaton, Economic Development Director

ACTION – Councilmember Lee Dumas made a motion to receive the bid from ChandlerThinks, LLC in the amount of \$76,300.00. Councilmember Mark Hopper seconded the motion.

Discussion held.

VOTE – Motion failed 3-3 with Councilmembers Karuam Booker, Wryley Bettis and Judy Albert voting in opposition.

Executive Session

1. Contractual Matter – Administration

ACTION – In (7:58 p.m.) – Councilmember Lee Dumas made a motion to enter into Executive Session to discuss a Contractual Matter pertaining to Administration; as allowed by State Statue Section 30-4-70(a)(2). Councilmember Wryley Bettis seconded the motion. Motion carried unanimously.

Mayor Danner stated during Executive Session they considered the above matter and no action was taken.

ACTION - Out (8:31 p.m.) – Councilmember Lee Dumas made a motion to come out of Executive Session. Councilmember Wryley Bettis seconded the motion. Motion carried unanimously.

Action taken after Executive Session

ACTION – Councilmember Lee Dumas made a motion to allow Mayor Danner to negotiate the city administrators contract. Councilmember Mark Hopper seconded the motion.

VOTE – Motion carried unanimously.

Adjournment – 8:32 P.M.

Tammela Duncan, Municipal Clerk

Richard W. Danner, Mayor

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, January 19, 2024.

DRAFT



AGENDA
GREER CITY COUNCIL
2/13/2024

Second and Final Reading of Ordinance Number 4-2024

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF A CERTAIN PROPERTY OWNED BY IRINA AND YAROSLAV GENTSARYUK LOCATED AT 220 PLEASANT DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 4-2024	1/11/2024	Ordinance
▣ Ord 4-2024 Exhibit A Title to Real Estate	1/11/2024	Exhibit
▣ Ord 4-2024 Exhibit B Survey	1/11/2024	Exhibit
▣ Ord 4-2024 Exhibit C Map	1/11/2024	Exhibit
▣ Ord 4-2024 Exhibit D FIRM	1/11/2024	Exhibit
▣ Ord 4-2024 Petition for Annexation	1/11/2024	Backup Material
▣ Ord 4-2024 Planning Commission Minutes	2/1/2024	Backup Material

ORDINANCE NUMBER 4-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF A CERTAIN PROPERTY OWNED BY IRINA AND YAROSLAV GENTSARYUK LOCATED AT 220 PLEASANT DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY

WHEREAS, Irina and Yaroslav Gentsaryuk are the sole owners of a certain property located at 220 Pleasant Drive more particularly described on the legal descriptions attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Greenville County Parcel Number 0528020110601 containing approximately 3.86 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45045C0361F attached hereto marked as Exhibit D; and,

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

WHEREAS, Irina and Yaroslav Gentsaryuk have petitioned the City of Greer to annex a portion of their property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the portion of property is 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 SN (Suburban Neighborhood); 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 3.86 acres +/- property shown in red on the attached map owned by Irina and Yaroslav Gentsaryuk located at 220 Pleasant Drive as described on the attached City of Greer Map as Greenville County Parcel Number 0528020110601 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced property shall be zoned SN (Suburban Neighborhood) 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 Mixed Employment on the Land Use Map contained within the 2030 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 45045C0361F.

5. **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

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wryley Bettis

First Reading: January 9, 2024

Second and
Final Reading: February 13, 2024

APPROVED AS TO FORM:

Daniel R. Hughes, City Attorney



2023063929

4 Pgs

DEED Book: DE 2702 Page: 5328 - 5331

October 31, 2023 12:34:34 PM Cons: \$540,000.00

Rec: \$15.00 Cnty Tax: \$594.00 State Tax: \$1,404.00

E-FILED IN GREENVILLE COUNTY, SC

After Recording Mail To: Guest & Brady, LLC 745 N. Pleasantburg Drive, Blvd. Greenville, SC 29607
23-11916-GBL

STATE OF SOUTH CAROLINA)

)

TITLE TO REAL ESTATE

COUNTY OF GREENVILLE and)

)

COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS, that Jeffrey B. Risen and Stephanie C. Risen (hereinafter "Grantor(s)") in consideration of FIVE HUNDRED FORTY THOUSAND AND 00/100ths (\$540,000.00) Dollars, the receipt of which is hereby acknowledged, has granted, bargained, sold and released unto Yaroslav Gentsaryuk and Irina Gentsaryuk (hereinafter "Grantee(s)") as Joint Tenants with Rights of Survivorship and Not as Tenants in Common, the following property to wit:

ALL that certain piece, parcel or tract of land lying, being and situate in the State of South Carolina, County of Greenville and County of Spartanburg, shown and designated as 6.56 acres, more or less, on a plat entitled "Boundary Survey for Jeffrey B. Risen and Stephanie C. Risen," dated June 26, 2017, prepared by Plumblee Surveying, and recorded in the Office of the Register of Deeds for Greenville County in Plat Book 1283, Page 83. Reference to said plat is hereby made for a more complete description thereof.

This being the same property conveyed to Jeffrey B. Risen and Stephanie C. Risen by deed of Joy Keamo and Lily Sugimoto, dated December 16, 2003, recorded December 23, 2003 in Deed Book 2068, at Page 1377, in the Register of Deeds Office for Greenville, South Carolina, and by deed of J. L. Miller Properties, LLC recorded on 7/3/2017 in the Office of the Register of Deeds for Greenville County in Deed Book 2516 at Page 3.

This conveyance is made subject to all restrictions, setback lines, roadways, easements, and rights-of-way, if any, appearing of record on the premises, or on the recorded plats, which affect the property hereinabove described.

TMS No. 0528.02-01-106.01
Property Address: 220 Pleasant Drive, Greer, SC 29651
Grantee Address: PO Box 1270, Sumner, WA 98390

TOGETHER WITH all and singular the rights, members, hereditaments and appurtenances to said premises or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the premises mentioned unto the grantees, as Joint Tenants with Rights of Survivorship and Not as Tenants in Common, forever;

AND, THE GRANTOR(S) do(es) hereby bind the grantor(s) and the grantor's(s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s) heirs or successors and against every person whomsoever lawfully claiming the same or any part thereof.

WITNESS the Grantor(s) hand(s) and seal(s) this 30th day of October, 2023.

SIGNED, sealed and delivered
In the presence of:

Yelena Gorash

Jeffrey B. Risen (SEAL)
Jeffrey B. Risen

Stephanie C. Risen (SEAL)
Stephanie C. Risen

LTJ

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

ACKNOWLEDGMENT

I, Shannon T. Epps, a notary public for South Carolina, do hereby certify that the within named Grantor(s) did personally appear before me this day and acknowledge the due execution of the foregoing instrument.

Witnessed my hand and official seal
this 30th day of October, 2023.

LTJ
Notary Public for South Carolina
Printed Name: Shannon T. Epps
My Commission Expires: 9/15, 2024

STATE OF SOUTH CAROLINA)
COUNTY of GREENVILLE)

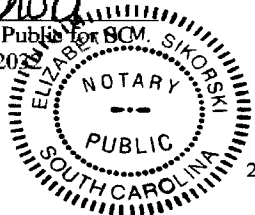
AFFIDAVIT

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

- 1) I have read the information on this affidavit and I understand such information.
- 2) The property being transferred is located at 220 Pleasant Drive, Greer, SC 29651, bearing Greenville County Tax Map Number 0528.02-01-106.01, was transferred by Jeffrey B. Risen and Stephanie C. Risen on October 30, 2023 to Yaroslav Gentsaryuk and Irina Gentsaryuk on October 30, 2023.
- 3) Check one of the following. The deed is
 - a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c) _____ exempt from the deed recording fee because (see information section of affidavit):
_____ (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)
- 4) Check one of the following if either item 3(a) or item 3(b) above has been checked (see information section of this affidavit.)
 - a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of 540,000.00.
 - b) _____ The fee is computed on the fair market value of the realty which is _____.
 - c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.
- 5) Check: Yes _____ or No X to the following: A lien or encumbrance existed on the land, tenement, or realty after the transfer. If "yes" the amount of the outstanding balance of this lien or encumbrance is: 0.
- 6) The deed recording fee is computed as follows:
 - a) Place the amount listed in item 4 above here: 540,000.00
 - b) Place the amount listed in item 5 above here: 0
(If no amount is listed, place zero here)
 - c) Subtract line 6(b) from line 6(a) and place result here: 540,000.00
- 7) The deed recording fee is based on the amount listed on line 6(c) above and the deed recording fee due is: \$1,998.00.
- 8) As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney for Grantees.
- 9) I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SWORN to before me this 31st
day of October 2023.

Elizabeth M. Sikorski
Elizabeth M. Sikorski, Notary Public for SC.
My commission expires: 4/8/2025



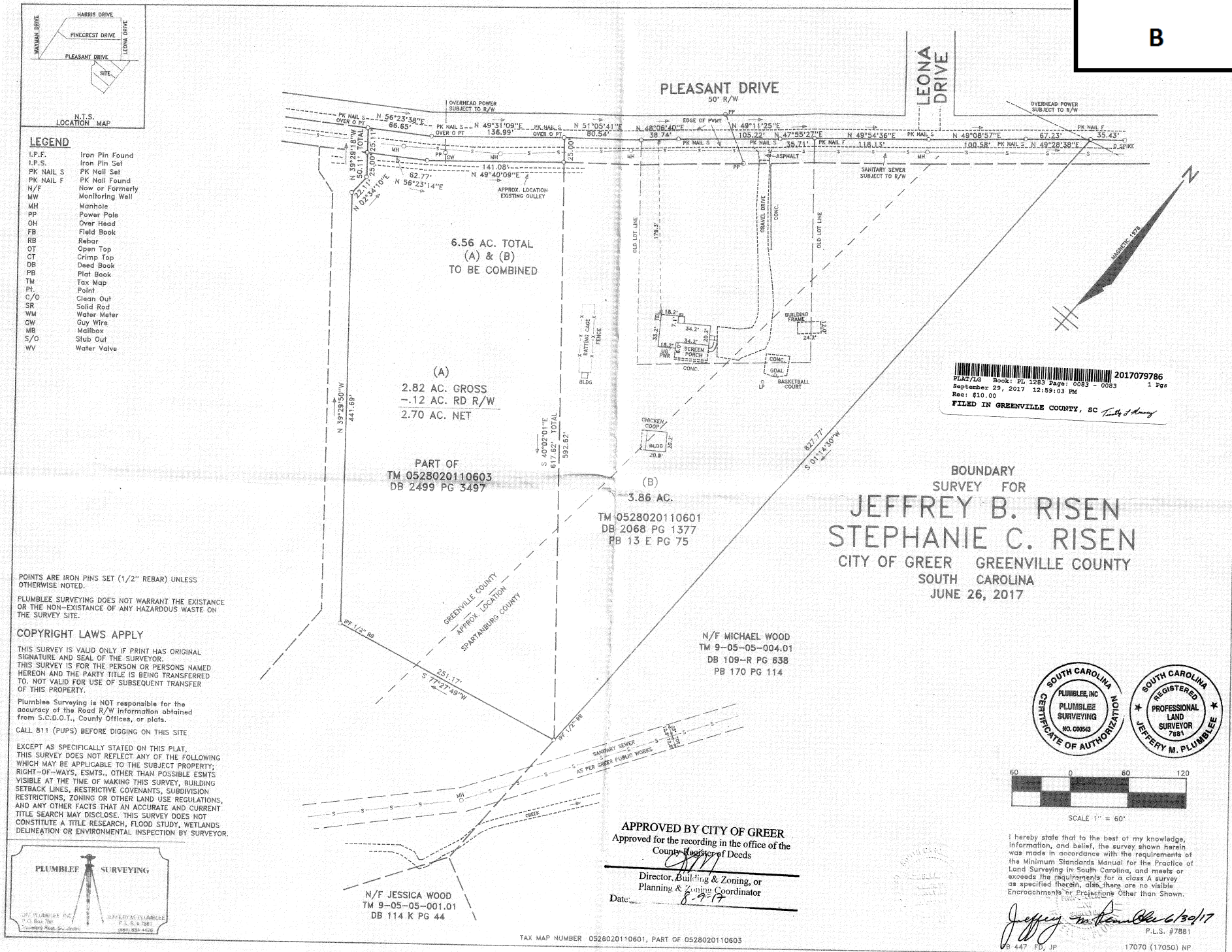
Shannon T. Epps
Responsible Person Connected with the
Transaction

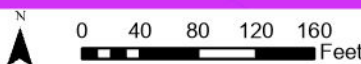
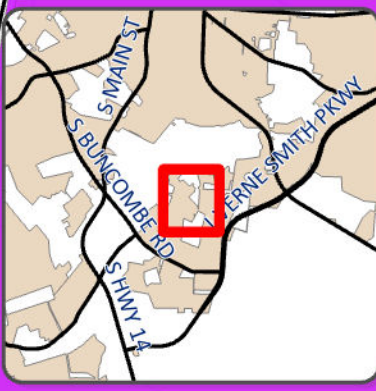
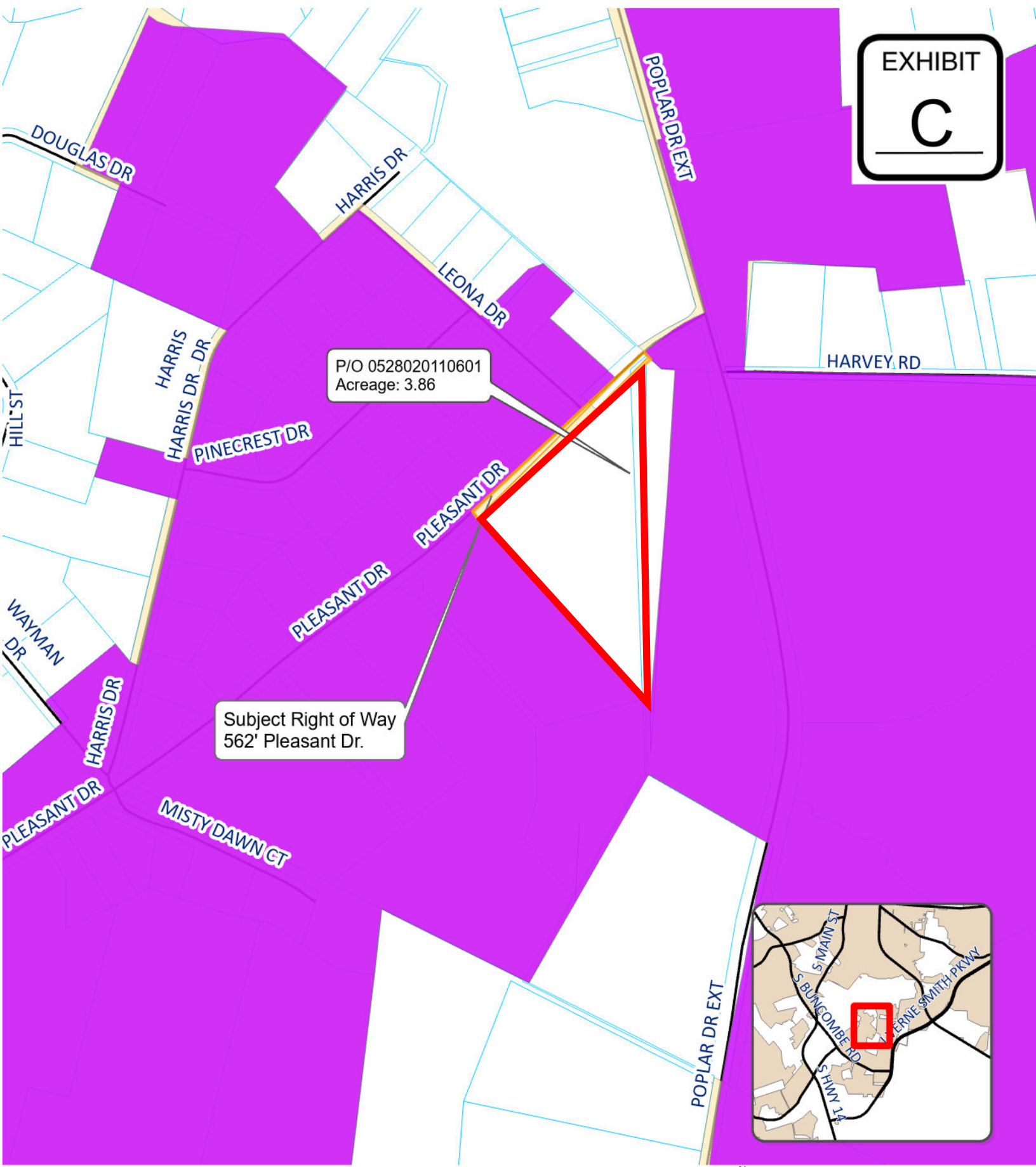
Shannon T. Epps, Attorney for Grantees
Print or Type Name Here

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership, interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- 1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- 2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- 3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- 4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- 5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- 6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- 7) that constitute a contract for the sale of timber to be cut;
- 8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- 9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and the lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under section 170 of the Internal revenue Code as defined in Section 12-6-40(A);
- 10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- 11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and
- 12) that constitute a corrective deed, or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- 13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed executed pursuant to foreclosure proceedings;
- 14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- 15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.





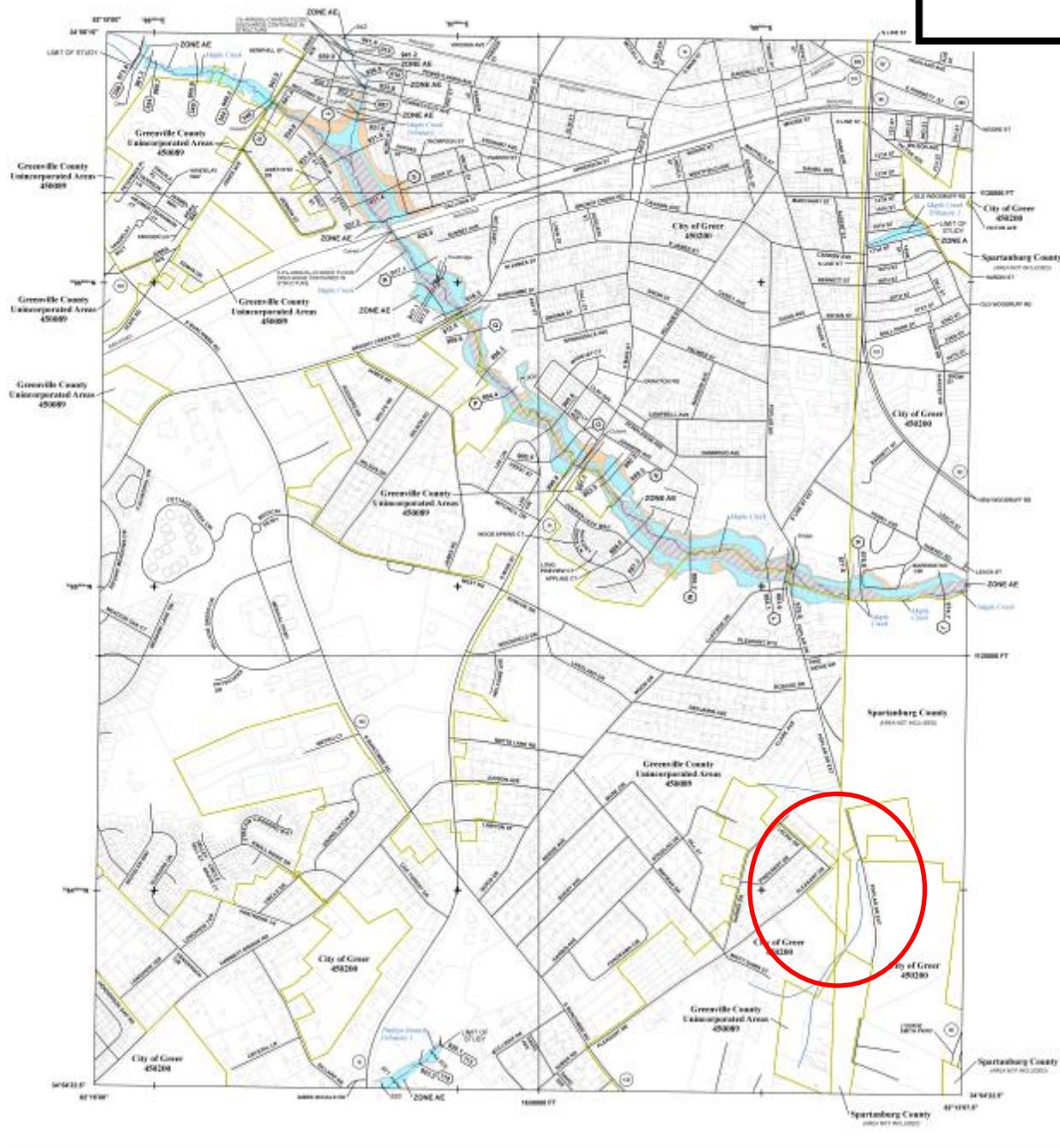
Ordinance 4-2024

Council Districts	
1	4
2	5
3	6

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 SC State Plane Coordinate System using the 1983 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



FLOOD HAZARD INFORMATION

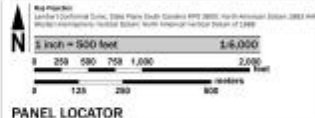
THIS REPORT FOR DESIGN LAYOUT AND MAP FOR FLOOD HAZARD INFORMATION IS BASED ON THE INFORMATION PROVIDED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORM AT [HTTPS://NSC.FEMA.GOV](https://nsc.fema.gov)



NOTES TO USERS

The information and conditions shown on this Flood Insurance Rate Map (FIRM) are provided for informational purposes only and are not intended to be used for any other purpose. The information is provided for informational purposes only and is not intended to be used for any other purpose. The information is provided for informational purposes only and is not intended to be used for any other purpose.

SCALE



PANEL LOCATOR



National Flood Insurance Program

GREENVILLE COUNTY, SOUTH CAROLINA

MAIL 361 or 625

Printed Date: 08/01/2023

Version: 2.3.3.3

Map Date: 08/01/2023

Map Scale: 1:50,000

Map Date: 08/01/2023



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 220 Pleasant Drive Greer SC 29651 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 0528020110603 and 0528020110601 attached hereto marked as Exhibit C containing approximately 2.82+3.86 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 5th day of December, 2023 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.

The applicant hereby requests that the property described be zoned to city of Greer.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: Yaroslav Gentsaryuk
Signature: [Signature]
Address: 220 Pleasant Drive Greer SC 29651
Witness: _____
Date: 12/05/2023
Phone number: (253)737-7857
Email: yaroslavgentsaryuk@gmail.com

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Phone number: _____
Email: _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Monday, January 22, 2023

DOCKET: AN 23-17

APPLICANT: Yaroslav Gentsaryuk

PROPERTY LOCATION: 220 Pleasant Dr

TAX MAP NUMBER: P/O 0528020110601

REQUEST: Annex and zone to Suburban Neighborhood

SIZE: 3.86 acres

COMPREHENSIVE PLAN: Adjacent to Mixed Employment

ANALYSIS: **AN 23-17**

AN 23-17 is a request to annex a portion of one parcel with an acreage of 3.866 located at 220 Pleasant Dr. The applicant is requesting to annex into the city and zone to Suburban Neighborhood. The existing dwelling will remain, the applicant is pursuing the annexation in order to make the entire parcel part of the same jurisdiction and subdivide for future development of a single-family home.

Surrounding land uses and zoning include:

North: Suburban Neighborhood – residential
East: Suburban Neighborhood –vacant
South: Suburban Neighborhood –vacant
West: Suburban Neighborhood –residential

Mixed Employment are office park or corporate campus-like developments geared toward meeting the needs of mid- to large businesses. Characterized by a campus-style development pattern integrating jobs, amenities and places of residence. These often center around research, medical, manufacturing, assembly, and educational uses.

- **Primary Uses:** Advanced manufacturing, research, office, mixed-use buildings, civic/institutional facilities
- **Secondary Uses:** Open space, district commercial, multi-family residential
- **Transportation:** Auto oriented but walkable, transit/park-and ride lots should be provided
- **Parking:** Large surface lot parking, central parking garages encouraged
- **Open Space:** Civic greens, courtyard greens

The request is compatible with surrounding land uses; therefore, staff supports the request. While the future land use designation is not compatible, half of the property and the surrounding neighborhood is all currently zoned suburban neighborhood.

STAFF RECOMMENDATION: Approval

PLANNING COMISSION RECOMMENDATION: Approval

ACTION – Mr. Jones made a motion to approve the request. Mr. Lamb seconded the motion. The motion passed with a vote of 5 to 0.

Category Number:
Item Number: 2.



AGENDA
GREER CITY COUNCIL
2/13/2024

Second and Final Reading of Ordinance Number 5-2024

Summary:

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES, SECTION 18-311 THROUGH SECTION 18-430 OF THE GREER CITY CODE OF ORDINANCES. (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 5-2024	2/8/2024	Ordinance
▣ Ord 5-2024 Peddlers Permit Application	2/9/2024	Cover Memo

ORDINANCE NUMBER 5-2024

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES, SECTION 18-311 THROUGH SECTION 18-430 OF THE GREER CITY CODE OF ORDINANCES.

WHEREAS, the City of Greer City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

WHEREAS, while most business transactions begin with consumers initiating contact with merchants at the merchants' stores or other forums advertised by merchants, business initiated by peddlers, canvassers, and solicitors are made through unsolicited visits to the homes or business of consumers. The purpose of the amendments to Article VIII of Chapter 18 contained herein is to address the unique nature of such door-to-door sales so that the City can better protect a consumer who makes contact and/or purchases from a peddler, solicitor or canvasser who comes to the consumer's home or business; and,

WHEREAS, the City of Greer City Council believes that the regulations set out in this ordinance are in the best interests of and promote the health, safety, and general welfare of the citizens, residents, and visitors of the City.

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

Section 1. To amend Chapter 18 – Businesses by amending Article VIII, Section 18-311 through Section 18-430 to the Code of the City of Greer as follows:

CODE OF ORDINANCES

Chapter 18 - BUSINESSES

ARTICLE VIII. SOLICITORS, ~~AND~~ CANVASSERS, **AND PEDDLERS**

Sec. 18-311. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Solicitors, ~~and~~ canvassers, **and peddlers (collectively, “peddler” or “peddlers”)*** means any person who, **resident or not**, traveling by foot, wagon, bicycle, any **type of motor** vehicle, **or any type of conveyance, going from place to place, homes, businesses or streets, public or private,** **who** offers or attempts to offer for sale any item **of goods, wares and merchandise** or service for present or future delivery, or any person selling any product on a temporary basis from any area

outside a building within the city. This may include photographs, prints, magazines, clothing, fixtures, machines, appliances and any other things to be made, manufactured or produced.

Sponsor business means any corporation, LLC, partnership, individual proprietorship or nonprofit business that employs or contracts with peddlers.

Frequent complaints mean five (5) or more complaints from citizens, businesses or any member of the public within a three (3) month period regarding conduct of the sponsor business or peddler.

No soliciting signs means that the resident or business of the dwelling or business does not want to receive unsolicited communication or contact, prohibiting peddlers from contacting the homeowner or business without being requested or invited.

(Code 1982, § 16-111; Code 2007, § 18-311)

Sec. 18-312. Permit and Fees.

Sponsor businesses and peddlers shall acquire a business license and peddler permit prior to operating in the City and shall be subject to the regulations set forth herein, the terms of the permit, and Chapter 18 of the Greer City Code of Ordinances.

The fee for the peddler permit shall be set by Greer City Council in the City of Greer Comprehensive Fee Schedule.

(Code 1982, § 16-112; Code 2007, § 18-312)

Sec. 18-313. Free permit.

~~Upon proof that an organization is a bona fide charity or nonprofit agency, the city shall issue a free permit for the agency to conduct its canvassing or soliciting activities.~~

~~(Code 1982, § 16-113; Code 2007, § 18-313)~~

Sec. 18-313. Permit Requirements.

Applicants for a peddler's permit must submit the following information and payment, as applicable to the City of Greer, at least five (5) days prior to the date they begin operating in the City:

- (a) Business License application and payment of the business license tax for the peddler or the sponsor business, as applicable under Chapter 18, Article II – Licensing and Regulation.
- (b) Peddler's permit application and payment of the permit fee for each peddler.
- (c) A copy of each peddler's state issued driver's license or identification card.
- (d) A background check will be performed by the City of Greer from the South Carolina Law Enforcement Division (SLED), no more than thirty (30) days old, must be provided to the City of Greer from each person making application as a

peddler. The background check is to be provided by the sponsor business or peddler at its own cost. If an applicant is found to have been convicted of any of the following offenses, regardless of the timeframe, he or she will not be allowed to operate as a peddler.

- (1) Any form of abuse
- (2) Any form of assault/battery
- (3) Any crime of a sexual nature
- (4) Homicide or manslaughter
- (5) Attempted murder
- (6) Domestic violence
- (7) Child neglect
- (8) Felony drug crimes
- (9) Felony DUI
- (10) Animal cruelty
- (11) Felony theft
- (12) Robbery
- (13) Felony forgery/fraud
- (14) Kidnapping
- (15) Arson
- (16) Weapons violation
- (17) Any crime involving children.

Two (2) misdemeanors (excluding traffic violations not listed above) or felonies, other than those listed above, within the previous five (5) years will result in automatic disqualification.

- (e) The City of Greer will verify the status of each person applying for a peddler's permit with the South Carolina Public Sex Offender Registry website. Any person whose name appears on the registry is automatically disqualified.
- (f) Applicant must pay all applicable fees and taxes associated with the business license, and all ad valorem and sales tax, state and local hospitality and accommodations taxes, County taxes and/or other similar taxes, as required.
- (g) Upon receiving a business license and peddlers permit, the licensee and permittee shall be subject to the requirements contained in Article and Chapter 18 of the Greer City Code, and the failure to do so may result in the revocation or suspension of the business license in Section 18-45 or the issuance of an ordinance summons pursuant to Section 18-316.

Sec. 18-314. Permits generally.

- ~~(a) *Issuance; identification cards.* A permit shall be issued to all persons soliciting or canvassing in the city or attempting to solicit or canvass in the city on a form provided by the city. An identification card shall be provided for each person soliciting or canvassing in the city.~~
- ~~(b) *Temporary sellers of produce.* Persons temporarily selling agricultural products from a vehicle or any area outside a building shall purchase a solicitors and canvassers permit.~~
- ~~(c) *Waiting period.* There shall be a 24 hour waiting period after the initial application is filed before a solicitors or canvassers permit will be issued.~~
- ~~(d) *Fundraisers, fairs, festivals, etc.* Any nonprofit organization sponsoring a community-oriented fundraiser, fair, festival, musical or theatrical performance, or similar event, upon proper application, shall be granted a single permit for the appropriate registration fee to cover all bona fide participants in such event who are solicitors and canvassers; provided the event is at a location under the control of the sponsoring organization and provided the sponsoring organization maintains a list of bona fide participants.~~

~~(Code 1982, § 16-114; Code 2007, § 18-314)~~

Sec. 18-314. Rules and Regulations.

All peddlers must adhere to the following:

- (a) Must wear picture ID provided by sponsored business and obtain and carry a City of Greer peddlers permit and business license.**
- (b) The peddler's state issued driver's license or identification card will be at all times carried and available for inspection of any law enforcement or code enforcement agency, department, or personnel.**
- (c) Must only solicit between the hours of 9:00 am and 7:00 pm, Monday through Saturday, and not at any time on Sundays, except by invitation or appointment.**
- (d) Entering upon a subdivision or private property where there is clear posting of "no soliciting" is prohibited.**
- (e) Must leave any premise and not return after having been notified to leave by the owner or occupant of property.**
- (f) Solicitation is prohibited of any occupants of vehicles being operated on any public right of way, moving, stopped or parked.**
- (g) Peddlers operating upon commercial property or commercially zoned property must obtain permission from the property owner to be located on the property, and proof of permission must be provided to the City at time of application.**
- (h) It shall be unlawful to make false or fraudulent statements regarding the quality of goods, wares, merchandise or services that are being offered.**
- (i) Any device which produces offensive or loud noise to attract customers is prohibited.**

- (j) The use of profanity, indecent, abusive, or threatening language or behavior is prohibited.
- (k) The sale or offer to sale by peddlers of dangerous or hazardous materials such as firearms and ammunition, explosives, and flammable gases and liquids is prohibited.

Sec. 18-315. Exemptions.

- (a) Fundraisers, fairs, festivals, etc. Any nonprofit organization sponsoring a community-oriented fundraiser, fair, festival, musical or theatrical performance, or similar event, upon proper application, shall be granted a single permit at no cost to cover all bona fide participants in such event who are peddlers provided the event is at a location under the control of the sponsoring organization and provided the sponsoring organization maintains a list of bona fide participants.
- (b) Sales or distributions made by charitable, education or religious organizations are exempt from obtaining a peddler's permit.

Secs. 18-316. Violations.

Any person violating any provision of this article shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than 30 days, or both, upon conviction, in accordance with Section 18-49.

Secs. 18-315~~317~~—18-430. Reserved.

Section 2: SEVERABILITY: Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance shall become effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced By: Councilman Wryley Bettis

First reading: January 23, 2024

Second and

Final reading: February 13, 2024

Approved as to Form:

Daniel Hughes, Esquire
City Attorney



APPLICATION FOR PEDDLERS PERMIT

The following information must be true and accurate. Falsifying information may result in denial of this permit. This permit is NOT valid until all fees have been paid and the permit and business license have been approved and issued.

Full Name:	
Address:	
Phone number:	
Sponsor Organization:	
Sponsor Organization address:	
Sponsor Organization phone number:	

1. Brief description of goods, wares, merchandise or services that are being offered:

--

2. Time period goods are to be sold: _____

3. Place(s) where goods are to be sold: _____

4. Place where goods are stored and method of delivery: _____

5. List any other municipalities where the applicant is working:

6. (Init) _____ I acknowledge that the City of Greer will perform a background check as part of this application.

Please attach the following to this application:

- Copy of valid state issued driver's license or identification card.
- Non-refundable application fee of \$25.00.

I acknowledge that I have read, understand and certify that the above information is correct and I agree to pay all applicable fees and taxes. I understand that it is the responsibility of the Business License Coordinator to determine the character of worthiness of the proposed peddler and whether or not such solicitation is in the best interest of the health, life, safety and property of the citizens of the City of Greer. I also understand that any violation of the rules and regulations governing peddlers will result in revocation of this permit and/or business license.

Signature: _____ Printed Name: _____

Title: _____ Date: _____

For Official use only: Approved by: _____ Date: _____
By signing above I certify that I have inspected the background check, driver's license, and SC Public Sex Offender Registry status of the above applicant.

BUSINESS LICENSE DIVISION



AGENDA
GREER CITY COUNCIL
2/13/2024

Second and Final Reading of Ordinance Number 6-2024

Summary:

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES OF THE CITY OF GREER CODE OF ORDINANCES BY ADDING ARTICLE XII – MOBILE FOOD UNITS, SECTION 18-501 THROUGH SECTION 18-524 TO ESTABLISH CERTAIN RULES AND REGULATIONS FOR MOBILE FOOD UNITS (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 6-2024	2/8/2024	Ordinance
▣ Ord 6-2024 Mobile Food Vendor Permit	1/24/2024	Backup Material

ORDINANCE NUMBER 6-2024

AN ORDINANCE AMENDING CHAPTER 18 - BUSINESSES OF THE CITY OF GREER CODE OF ORDINANCES BY ADDING ARTICLE XII – MOBILE FOOD UNITS, SECTION 18-501 THROUGH SECTION 18-524 TO ESTABLISH CERTAIN RULES AND REGULATIONS FOR MOBILE FOOD UNITS

WHEREAS, the City of Greer City Council at various times reviews the city ordinances to make the necessary improvements and/or changes; and,

WHEREAS, with the increased number of public events in the City, there has been an increase in the use of mobile food units to serve the public; and,

WHEREAS, the Greer City Council believes that there needs to be standards for mobile food units to balance the access of the public to food at public events while promoting the health, safety and general welfare of the citizens, residents and visitors of the City.

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

Section 1. To amend Chapter 18 – Businesses by adding Article XII - Mobile Food Units, Section 18-501 through Section 18-524 to the Code of the City of Greer as follows:

CODE OF ORDINANCES

CHAPTER 18 – BUSINESSES

Secs. 18-501 – 18-510. – Reserved.

ARTICLE XII. – MOBILE FOOD UNITS

Sec. 18-511. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commissary is a permitted retail food establishment that is authorized by the South Carolina Department of Health and Environmental Control (SCDHEC) to provide support of operations, storage, food preparation, and servicing area for mobile food units or mobile food pushcarts.

Mobile food vendor is any person selling food from a mobile food unit, mobile food pushcart, or ice cream truck.

Mobile food units are fully enclosed mobile kitchens that may prepare, cook and serve foods as an extension of the commissary. This includes mobile food trucks, mobile food markets, and mobile food trailers. A mobile food unit must be permitted by SCDHEC to operate from a retail food establishment.

Mobile food pushcarts are limited food service units that operate as an extension of a commissary. A mobile food pushcart must be permitted by SCDHEC to operate from a commissary.

Ice cream truck is defined as a motor vehicle containing a freezer and from which a vendor sells frozen, prepackaged food products such as ice cream, frozen yogurt, frozen custard, frozen flavored water and any similar frozen products.

Sec. 18-512. – Permit and Fees.

Mobile food vendors shall acquire a City Business License and Mobile Food Vendor Permit prior to operating in the City and shall be subject to the regulations set forth herein, the terms of the permit, and Chapter 18 of the Greer City Code of Ordinances.

The fee for the Mobile Food Vendor Permit shall be set Greer City Council in the City of Greer Comprehensive Fee Schedule.

Sec. 18-513. - Requirements

- (a) At the time of application for a business license, the mobile food vendor shall provide a copy of valid driver's license, vehicle registration, and proof of general liability insurance for operation of the vehicle as a motor vehicle, SCDHEC permits and South Carolina Retail License, as applicable.
- (b) Mobile food vendors must comply with all requirements and regulations as established by SCDHEC in S.C. Code of Regulations R. 61-25.
- (c) Upon receiving a Business License and Mobile Food Vendor Permit, the mobile food vendor shall be subject to the requirements contained in this Article and Chapter 18 of the Greer City Code, and the failure to do so may result in the revocation or suspension of the Business License and/or Mobile Food Vendor Permit as

established in Section 18-515 below or the issuance of an ordinance summons pursuant to Section 18-516.

- (d) The mobile food vendor must collect and remit hospitality taxes in the same manner as any other food or drink establishment.
- (e) The mobile food vendor or one of its employees must be present at the mobile food unit, mobile food pushcart, or ice cream truck at all times.
- (f) The mobile food vendor is responsible for securing access to restrooms for employees.
- (g) A background check from the South Carolina Law Enforcement Division (SLED), not more than thirty (30) days old, must be provided to the City of Greer by the applicant at its own cost at the time of application for a business license and any renewal thereof. If an applicant is found to have been convicted of any of the following offenses, regardless of the timeframe, he or she will not be allowed to operate as a mobile food vendor.

- (1) Any form of abuse
- (2) Any form of assault/battery
- (3) Any crime of a sexual nature
- (4) Homicide or manslaughter
- (5) Attempted murder
- (6) Domestic violence
- (7) Child neglect
- (8) Felony drug crimes
- (9) Felony DUI
- (10) Animal cruelty
- (11) Felony theft
- (12) Robbery
- (13) Felony forgery/fraud
- (14) Kidnapping
- (15) Arson
- (16) Weapons violation
- (17) Any crime involving children.

Two (2) misdemeanor (excluding any traffic violation not described above) or felony convictions, other than those listed above, within the previous five (5) years will result in automatic disqualification.

- (h) The City of Greer will verify the status of each person applying for a business license as a mobile food vendor with the South Carolina Public Sex Offender Registry website. Any person whose name appears on the registry is automatically disqualified.

- (i) The applicant must pay all applicable fees and taxes associated with the Business License, and all ad valorem and sales tax, state and local hospitality taxes, County taxes and/or other similar taxes, as required.

Sec. 18-514. - Rules and Guidelines.

- (a) Mobile food vendors are prohibited from operations on any non-residential street or thoroughfare, sidewalk, alley, trail, other right-of-way or City owned property, including parks, unless approved by the City as part of a permitted event or contract with the City.
- (b) No mobile food unit, mobile food pushcart, or ice cream truck shall operate prior to 7:00 a.m. or after the same general operational hours of local restaurants in the area in which the mobile food unit is located, or if serving at an event, not after the event has officially ended, unless otherwise approved by the City of Greer.
- (c) A mobile food vendor operating as a caterer at a private event must be located on private property, or if approved upon submitting a Special Event Permit Application to the City, may park in an adjacent public parking lot. Food and beverage items are only to be sold to the private event audience, and not to the public.
- (d) Mobile food vendors may not operate within 250 feet of an existing restaurant while it is open for business unless written permission is given by the restaurant owner or if approved by the City as part of an event.
- (e) The mobile food vendor must receive written permission from the property owner to operate on their premises. This written permission must be with the vendor during the hours of operation and must be produced when requested by City officials.
- (f) Mobile food vendors shall not operate as a drive-in, drive-through, or drive-up window.
- (g) Mobile food vendors must vacate premises and return to the commissary in accordance with S.C. Code of Regulations R. 61-25.
- (h) The mobile food vendor shall always ensure the mobile food unit, mobile food pushcart, or ice cream truck is parked in a location that does not create traffic or safety issues and does not impede the activities of others at the location.
- (i) Mobile food units must be self-contained. Any non-self-contained mobile food units and mobile pushcarts may not utilize any outside power source.

- (i) Each licensed mobile food unit, mobile food pushcart, and ice cream truck must maintain sufficiently sized garbage receptacles for the litter being generated by the sales of the mobile food unit, pushcart, or ice cream truck. The mobile food vendor shall rid the premises of any litter which is associated with sales prior to departing the premises.
- (k) Devices in which an offensive or loud noise are used to attract customers are not permitted.
- (l) Liquid waste or grease shall not be released or disposed of in tree pits, storm drains, on sidewalks, streets or any other public spaces, or into the sanitary sewer system under any circumstances.
- (m) Mobile food units and ice cream trucks must have a UL rated 2A:10B:C fire extinguisher, a carbon monoxide detector, and a propane or other fuel detector, if propane or other fuel is being used in the operations of the mobile food unit.
- (n) No temporary lighting shall be provided on site where the mobile food unit or ice cream truck is operating, except that localized lighting may be used in or on the mobile food unit for the purpose of inside food preparation and menu illumination.
- (o) The mobile food unit, mobile pushcart, and ice cream truck shall not occupy, block, or impede access to any handicapped accessible parking space.
- (p) Mobile food units, mobile pushcarts, and ice cream trucks must comply with SC Code Section 56-5-2530 in regard to parking in proximity to listed restrictions, such as fire hydrants, fire department connections, driveway entrances, alleys, intersections, crosswalks and sidewalks.
- (q) Mobile food units selling beer and wine at an event must obtain a Beer and Wine Special Event License from the South Carolina Department of Revenue (SCDOR). The application must be approved by the City's police department as required by the SCDOR, and the license can only be used on the day(s) of the event. Vendors must meet all requirements set forth by the South Carolina Department of Revenue.
- (r) Liquor Special Event Permits may only be obtained by nonprofit organizations through application with the SCDOR. The application must be approved by the City's police department as required by the SCDOR, and the license can only be used on the day(s) of the event. Vendors must meet all requirements set forth by South Carolina Department of Revenue.

Sec. 18-515. - Ice Cream Trucks

- (a) Ice cream trucks are required to obtain a business license.

- (b) Ice cream trucks must remain mobile, except for short periods of time in order to make sales. However, if the ice cream truck is operating for permitted events under Section 18-513(a) or Section 18-513(b), the ice cream truck may remain parked in its designated area for the length of time specified in the Special Event Permit.
- (c) Ice cream trucks shall not operate before 9:00 a.m. and all operations must stop one-half hour prior to sunset as stated by the National Weather Service.
- (d) A bell or musical recording may be sounded to announce the arrival of the vehicle.

Sec. 18-516. - Denial, Revocation and Suspension

A Business License and/or Mobile Food Vendor Permit can be denied, revoked or suspended for the following reasons, but not limited to:

- (a) Violations in accordance with City of Greer Code Section 18-45.
- (b) Failure to maintain current vehicle registration and general liability insurance to operate the mobile food unit.
- (c) The owner(s), licensees, and/or manager(s) submitting false or fraudulent information or statements during any inspections.
- (d) The mobile food unit operates in an unsafe manner.
- (e) If SCDHEC denies, revokes or suspends their respective licenses or permits of the mobile food unit.
- (f) Failure to comply with this ordinance or any other ordinance of the City.
- (g) Any appeal of a business license or permit suspension or revocation shall be governed by City of Greer Code Section 18-46.

Sec. 18-517. –Violations

- (a) Any official from the City of Greer shall have the right, at any time after displaying proper identification, to enter any mobile food unit for the purpose of ascertaining whether or not any of the provisions of this Ordinance are being violated.
- (b) The provisions of this section are not exclusive. This section shall not prevent the enforcement of any other provisions of this Ordinance or other local, state, and federal laws and regulations.

- (c) Any person violating any provision of this article shall be deemed guilty of any offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than 30 days, or both, upon conviction, in accordance with Section 18-49.

Secs. 18-518 – 18-524. – Reserved.

Section 2: SEVERABILITY: Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance shall become effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced By: Councilwoman Judy Albert

First reading: January 23, 2024

Second and

Final reading: February 13, 2024

Approved as to Form:

Daniel Hughes, Esquire
City Attorney



**City of Greer Mobile
Food Vendor Permit**

This permit must be displayed at an approved location to conduct business in the City of Greer. The permit is valid for one year from date stamp but may be revoked at any time for due cause.

Issued by: _____

2023	2024	2025	1	16
			2	17
			3	18
	Jan		4	19
	Feb		5	20
	Mar		6	21
	Apr		7	22
	May		8	23
	Jun		9	24
	Jul		10	25
	Aug		11	26
	Sep		12	27
	Oct		13	28
	Nov		14	29
	Dec	15	30/31	



AGENDA
GREER CITY COUNCIL
2/13/2024

First Reading of Ordinance Number 9-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY J & A HOLDINGS GROUP, LLC LOCATED AT 107 EAST BEARDEN STREET FROM CG (COMMERCIAL GENERAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

Executive Summary:

Ordinance 9-2024 is a rezoning request for one parcel located at 107 E Bearden St. The request is to rezone the parcel from CG, Commercial General to TN, Traditional Neighborhood. The intent is to subdivide, creating an additional lot for a single-family detached house. The Planning Commission conducted a public hearing on January 22, 2024 for the rezoning of the parcel and recommended approval.

Heather Stahl, Planner

ATTACHMENTS:

Description	Upload Date	Type
▣ Cover Memo	2/8/2024	Cover Memo
▣ Ordinance Number 9-2024	2/8/2024	Ordinance
▣ Ord 9-2024 Exhibit A Map	2/8/2024	Exhibit
▣ Ord 9-2024 Exhibit B Title to Real Estate	2/8/2024	Exhibit
▣ Ord 9-2027 Exhibit C Survey	2/8/2024	Exhibit
▣ Ord 9-2024 Rezoning Application	2/8/2024	Backup Material
▣ Ord 9-2024 Planning Commission Minutes	2/8/2024	Backup Material

Memorandum

To: Mr. Andrew Merriman, City Administrator

From: Heather Stahl, Planner

Subject: Ordinance #9-2024

Date: January 23, 2024

CC: Tammy Duncan, Clerk to City Council

Ordinance 9-2024 is a rezoning request for one parcel located at 107 E Bearden St. The request is to rezone the parcel from CG, Commercial General to TN, Traditional Neighborhood. The intent is to subdivide, creating an additional lot for a single-family detached house.

The Planning Commission conducted a public hearing on January 22, 2024 for the rezoning of the parcel and recommended approval.

ORDINANCE NUMBER 9-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY J & A HOLDINGS GROUP, LLC LOCATED AT 107 EAST BEARDEN STREET FROM CG (COMMERCIAL GENERAL) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by J & A Holdings Group, LLC located at 107 East Bearden Street and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G029000100500 containing approximately 0.346 +/- acres attached hereto marked as Exhibit A, the Title to Real Estate attached hereto marked as Exhibit B; and the Survey attached hereto marked at Exhibit C.

1. The owner desires to change the zoning classification of its property and has shown the need for such use to the Greer Planning Commission at a public hearing held on January 22, 2024.
2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to TN (Traditional Neighborhood).
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 property located at 107 East Bearden Street more particularly identified by the attached City of Greer Map specifying Greenville County

Parcel Number G029000100500 containing approximately 0.346 +/- acres attached hereto marked as Exhibit A shall be changed from CG (Commercial General) to TN (Traditional Neighborhood).

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: February 13, 2024

Second and
Final Reading: February 27, 2024

Approved as to Form:

Daniel R. Hughes, City Attorney



G029000100500
Acreage: 0.346

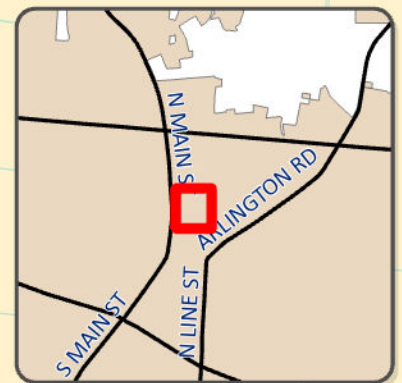
E BEARDEN ST

E BEARDEN ST

EARL ST

N L

EARL ST



Ordinance 9 -2024

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 SC State Plane Coordinate System using the 1983 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.



Created 1/9/2024 by City of Greer GIS



202306364

DEED Book: DE 2702 Page: 4567 - 4568
 October 30, 2023 02:26:01 PM Cons: \$90,000.00
 Rec: \$15.00 Cnty Tax: \$99.00 State Tax: \$234.00
 E-FILED IN GREENVILLE COUNTY, SC

*Timothy J. Moore***EXHIBIT****B**

State of South Carolina

)

TITLE TO REAL ESTATE (DEED)

)

County of Greenville

)

KNOW ALL MEN BY THESE PRESENTS THAT Shelia Diane Upton, nka Sheila Diane Williams (Grantor/s) in the State aforesaid, for and in consideration of the sum of NINEITY THOUSAND AND 00/100 (\$90,000.00) dollars, to the Grantor herein paid at and before the sealing of these presents by J & A Holdings Group, LLC (Grantee/s) in the state aforesaid, the receipt and sufficiency whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said Grantee/s.

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville, Chick Springs Township, being shown and designated as LOT 1, on a plat dated 3/9/1939, prepared by H.S. Brockman, Surveyor, and recorded in the Office of the Register of Deeds for said County in Plat Book J, at Page 75, and having the following courses and distances, to wit:

Beginning at an iron pin on Bearden Avenue, and running thence with said avenue S. 81-18 E., 95 feet to an iron pin at an intersection of Bearden Ave., and Earle Street; thence with Earle Street N. 3-39 E., 158.5 feet to an iron pin, corner of Lot No. 2; thence along the line of Lot No. 2, N. 86-45 W., 107.8 feet to an iron pin; thence S. 1-28 E., 150 feet to the beginning corner.

This being the same property conveyed to Shelia Diane Upton, nka Sheila Diane Williams by Deed from Kenneth Ray Upton dated February 9, 2001 and recorded April 25, 2001 in the Office of the ROD County of Greenville in Deed Book 1950 at Page 657.

TMS #: G029.00-01-005.00

Grantee's Mailing Address: *67 Castellano Dr. Greenville S.C. 29650*

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

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

TO HAVE AND TO HOLD all and singular the Premises mentioned unto the said J & A Holdings Group, LLC as hereinabove provided, Grantee/s' successors, heirs and assigns, forever.

Grantor/s hereby bind Grantors' successors, heirs, personal representatives and administrators, to warrant and forever defend, all and singular, the said Premises unto the said J & A Holdings Group, LLC as hereinabove provided, Grantee/s' successors, heirs and assigns against Grantor/s and Grantor/s' successors, heirs and assigns, and all other persons 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 caused these presents to be executed in its name by its undersigned member or manager and its seal to be hereto affixed 27th day of October, 2023.

SIGNED SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESS

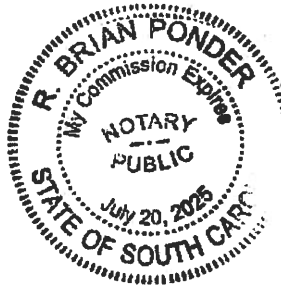
WITNESS

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

The foregoing instrument was acknowledged before me this 27 day of October, 2023 by Shelia Diane Upton, aka Shelia Diane Williams.

Notary Public for South Carolina

Commission Expires: 07/20/2025



Title To Real Estate (Deed)

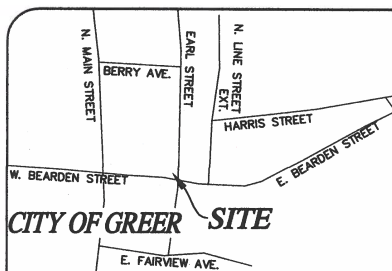
File No.: 108965-SC

Page 2 of 2

A handwritten signature, likely of the Auditor, located at the bottom right of the page.

EXHIBIT

C



LOCATION MAP

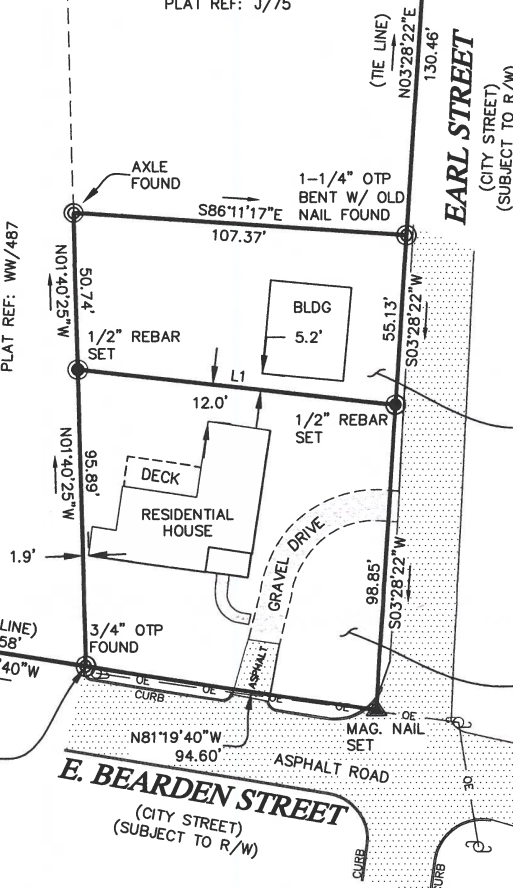
NOT TO SCALE

NOTES

1. THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHT-OF-WAYS, EASEMENTS, RESTRICTIVE COVENANTS, BUILDING SETBACKS, ZONING AND ANY OTHER LAND USE REGULATIONS, RESTRICTIONS OF RECORD, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
2. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD ENVIRONMENTAL CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
3. THIS PLAT WAS PREPARED AS A PROFESSIONAL SERVICE FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE TITLE BLOCK OF THIS DRAWING. NO WARRANTY, EXPRESS OR IMPLIED, IS GIVEN TO PERSONS NOT NAMED HEREIN WITHOUT THE EXPRESS WRITTEN PERMISSION OF STEVEN G. BRANYON.
4. ACREAGE SHOWN INCLUDES ANY AND ALL R/W'S AND/OR EASEMENTS.
5. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND.

105 E. BEARDEN LLC
TAX PARCEL: G029000100600
DEED REF: 2554/4057
PLAT REF: WW/487

CONTROL CORNER
GRID N: 1134094.06'
GRID E: 1633432.95'
SCSPC
HORIZONTAL: (NAD 83, 2011, IFEET)



LOT 1-A
0.127 ACRES

LOT 1-B
0.219 ACRES

LINE TABLE

LINE	LENGTH	BEARING
L1	102.95'	N83°36'48\"W

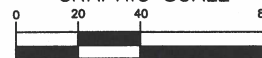
PROPERTY DESIGNATION:

- A) TAX PARCEL: G029000100500 (SUBDIVIDED)
B) 107 E. BEARDEN STREET
GREER SC 29651
C) LOT 1(SUBDIVIDED INTO 1-A & 1-B)

REFERENCES:

- A) DEED REF: 2702/4567
B) PLAT REF: J/75

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

CORPORATE SEAL:



BRANYON LAND SURVEYING, LLC
119 ONEAL STREET
BELTON, SC 29627
(864) 314-6400

LEGEND OF SYMBOLS

PROPERTY LINE(SURVEYED)	———	CRIMP-TOP PIPE = CTP
PROPERTY LINE(NOT SURVEYED)	- - - - -	OPEN-TOP PIPE = OTP
RIGHT OF WAY (APPROX.)	— R/W —	IRON PIN SET
OVERHEAD ELECTRIC	— OE —	IRON PIN OLD(EXISTING)
EDGE OF ASPHALT	———	CALCULATED POINT (OR AS NOTED)
FENCE(AS NOTED)	———	NAIL SET(AS NOTED)
SANITARY SEWER MANHOLE	⊙	NAIL OLD(AS LABELED)
SANITARY SEWER LINE	— SS —	UTILITY POLE

THIS PLAT IS NOT A TRUE AND VALID COPY UNLESS IT BEARS A RAISED EMBOSSED SEAL AND AN ORIGINAL SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR AS SHOWN HEREON.

I hereby state that to the best of my professional knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of Standards of Practice Manual for Land Surveying in South Carolina and meets or exceeds the requirements for a Class A survey as specified therein; Also, there are no visible encroachments or projections other than shown hereon.

STEVEN G. BRANYON P.L.S. No. 22741

PROJECT #	23217
DATE	11/28/2023
SURVEYED BY	MWN/GVK
DRAWN BY	KFN
CHECKED BY	SGB



STATE OF SOUTH CAROLINA
CITY OF GREER
COUNTY OF GREENVILLE

SURVEY & CERTIFICATION
AT THE REQUEST OF

**J & A HOLDINGS
GROUP, LLC**

(NON-TRANSFERABLE)

PROFESSIONAL SEAL:



STEVEN G. BRANYON
SOUTH CAROLINA PROFESSIONAL
LAND SURVEYOR NO. 22741
steve@branyonsurvey.com



ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 12/6/2023

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

Tax Map Number(s) 6029000100500

Property Address(s) 107 E. Bearden

Acreage of Properties _____ County _____

Applicant Information

Name John A. White
Address 47 Castellano DR.
Greer SC 29650
Contact Number 864-910-0708
Email Jwhidden@ke4ta@gmail.com

Property Owner Information

(If multiple owners, see back of sheet)

Name _____
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 ☒

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from C-2/C6 to TN.

Existing Use: residential Proposed Use: residential

Signature(s) [Signature]

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____

Case No. _____

Meeting Date _____

See Reverse

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, January 22, 2023

DOCKET: RZ 23-15

APPLICANT: John White

PROPERTY LOCATION: 107 E Bearden St

TAX MAP NUMBER: G029000100500

EXISTING ZONING: CG, Commercial General

REQUEST: Rezone to TN, Traditional Neighborhood

SIZE: 0.35 acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 23-15**

RZ 23-15 is a rezoning request for one parcel located at 102 E Bearden St. The request is to rezone the property from Commercial General (formerly C-2), to Traditional Neighborhood (formerly R-7.5). The intent of the rezoning is to subdivide the parcel, creating two lots. The existing dwelling on the parcel will remain, and is currently considered legally non-conforming as it predates the commercial zoning classification.

Surrounding land uses and zoning include:

North:	MD, Medium Density Residential - Residential
East:	MD, Medium Density Residential - Residential
South:	MD, Medium Density Residential - Residential
West:	CG, Commercial –Residential (legally non-conforming)

Traditional Neighborhoods surround Downtown Greer and are generally more directly connected to it. Key features include an interconnected street grid and a mix of housing types. This area offers opportunity to infill around the existing mixture of residential, commercial, and institutional uses. Building types could include single-family homes, fourplexes, small-scale apartment buildings, attached townhomes, and neighborhood-scale retail. Single-lot infill development should be of a compatible scale and character with surrounding homes.

- Primary Uses: Single-family attached and detached residential, multiplexes, townhomes, parks
- Secondary Uses: Apartment/condominium buildings, accessory dwelling units, civic and institutional facilities, small-scale commercial uses

The request is compatible with surrounding land uses, and future land use designation and lot sizes in this neighborhood vary significantly; therefore, staff supports the request.

STAFF RECOMMENDATION: Approval

PLANNING COMISSION RECOMMENDATION: Approval

ACTION – Mr. Jones made a motion to approve the request. Ms. Jones seconded the motion. The motion passed with a vote of 5 to 0.



AGENDA
GREER CITY COUNCIL
2/13/2024

First Reading of Ordinance Number 10-2024

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY IGLESIA PENTECOSTES FUENTE DE AGUA VIVA, INC. LOCATED ON ARLINGTON ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF OFFICE PROFESSIONAL FOR SAID PROPERTY (Action Require)

Executive Summary:

Ordinance 10-2024 is an annexation and zoning request for a parcel located on Arlington Road. The parcel is 2.81 acres. The requested zoning for the property is OP, Office Professional, and the intended use is a church. The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.

Heather Stahl, Planner

ATTACHMENTS:

Description	Upload Date	Type
❑ Cover Memo	2/8/2024	Cover Memo
❑ Ordinance Number 10-2024	2/8/2024	Ordinance
❑ Ord 10-2024 Exhibit A Title to Real Estate	2/8/2024	Exhibit
❑ Ord 10-2024 Exhibit B Survey	2/8/2024	Exhibit
❑ Ord 10-2024 Exhibit C Map	2/8/2024	Exhibit
❑ Ord 10-2024 Exhibit D FIRM	2/8/2024	Exhibit
❑ Ord 10-2024 Petition for Annexation	2/8/2024	Backup Material

Memorandum

To: Mr. Andrew Merriman, City Administrator

From: Heather Stahl, Planner

Subject: Ordinance 10-2024

Date: February 02, 2024

CC: Tammy Duncan, Clerk to City Council

Ordinance 10-2024 is an annexation and zoning request for a parcel located on Arlington Road. The parcel is 2.81 acres. The requested zoning for the property is OP, Office Professional, and the intended use is a church.

The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.

ORDINANCE NUMBER 10-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY IGLESIA PENTECOSTES FUENTE DE AGUA VIVA, INC. LOCATED ON ARLINGTON ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF OFFICE PROFESSIONAL FOR SAID PROPERTY

WHEREAS, Iglesias Pentecostes Fuente De Agua Viva, Inc. are the sole owners of a certain property located on Arlington Road more particularly described on the legal descriptions attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-03-00-071.00 containing approximately 2.81 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45045C0354F attached hereto marked as Exhibit D; and,

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

WHEREAS, Iglesias Pentecostes Fuente De Agua Viva, Inc. has petitioned the City of Greer to annex its property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); 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 Office Professional; 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 2.81 acres +/- property shown in red on the attached map owned by Iglesias Pentecostes Fuente De Agua Viva, Inc. located on Arlington Road as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-03-00-071.00 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT**: The above referenced property shall be zoned Office Professional 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 Suburban Commercial on the Land Use Map contained within the 2030 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 45045C0354F.

5. **DISTRICT ASSIGNMENT**: The above referenced property shall be assigned to City Council District #3.

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: February 13, 2024

Second and
Final Reading: March 12, 2024

APPROVED AS TO FORM:

Daniel R. Hughes, City Attorney

DEE-2022048161

Recorded 4 on 09/16/2022 04:40:37 PM

Recording Fee: \$15.00 County Taxes: \$385.00 St:

Office of REGISTER OF DEEDS, SPARTANBURG, S.C.

ASHLEY B. WILLIAMS REGISTER OF DEEDS

BK:DEE 138-Z PG:305-308

EXHIBIT

A

TITLE TO REAL ESTATE

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

GRANTEES ADDRESS: 316 Gridley St. Greenville SC 29609

TMS#: 9-03-00-071.00

KNOW ALL MEN BY THESE PRESENTS, that

ALLEN G. COLLINS AND ROY E. COLLINS, III, in consideration of **Three Hundred Fifty Thousand and No/100ths (\$350,000.00) DOLLARS**, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto:

IGLESIA PENTECOSTÉS FUENTE DE AGUA VIVA, INC., its successors and/or assigns;

All that certain piece, parcel, or lot of land situate, lying and being in the State of South Carolina, County of Spartanburg, being shown and designated as Tract 3, containing 2.810 acres on plat of CCST, LLC, recorded in the ROD Office for Spartanburg County in Plat Book 173 at Page 244 and having metes and bounds as shown on said plat. Reference to said plat is made for a more complete description.

This being the same property conveyed to Allen G. Collins and Roy E. Collins, III by Deed of CCST, LLC recorded September 15, 2022 in Deed Book 138-Y at Page 771, Spartanburg County ROD Office.

TMS No: 9-03-00-071.00

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining, to have and to hold all and singular the premises before mentioned unto the grantee (s), and the grantee's (s) heirs or successors and assigns, forever. And, the grantor (s) do (es) hereby bind the grantor(s) and the grantor's (s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's (s) heirs or successors against every person whomsoever lawfully claiming or to claim the same or any part thereof.

TITLE TO REAL ESTATE

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

GRANTEES ADDRESS: 316 Gridley St. Greenville SC 29609

TMS#: 9-03-00-071

KNOW ALL MEN BY THESE PRESENTS, that

ALLEN G. COLLINS AND ROY E. COLLINS, III, in consideration of **Three Hundred Fifty Thousand and No/100ths (\$350,000.00) DOLLARS**, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto:

IGLESIA PENTECOSTÉS FUENTE DE AGUA VIVA, INC., its successors and/or assigns;

All that certain piece, parcel, or lot of land situate, lying and being in the State of South Carolina, County of Spartanburg, being shown and designated as Tract 3, containing 2.810 acres on plat of CCST, LLC, recorded in the ROD Office for Spartanburg County in Plat Book 173 at Page 244 and having metes and bounds as shown on said plat. Reference to said plat is made for a more complete description.

This being the same property conveyed to Allen G. Collins and Roy E. Collins, III by Deed of CCST, LLC recorded September _____, 2022 in Deed Book _____ at Page _____, Spartanburg County ROD Office.

TMS No: 9-03-00-071

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining, to have and to hold all and singular the premises before mentioned unto the grantee (s), and the grantee's (s) heirs or successors and assigns, forever. And, the grantor (s) do (es) hereby bind the grantor(s) and the grantor's (s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's (s) heirs or successors against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantor's (s') hand (s) and seal (s) this the 8 day of September 2022.

SIGNED, sealed and delivered
in the presence of:

[Signature]
NOTARY MUST SIGN HERE
[Signature]
WITNESS MUST SIGN HERE

[Signature]
ALLEN G. COLLINS

Roy E. Collins III & Throughs
ROY E. COLLINS, III BY AND
THROUGH ATTORNEY IN FACT,
ALLEN G. COLLINS

[Signature]
agent

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

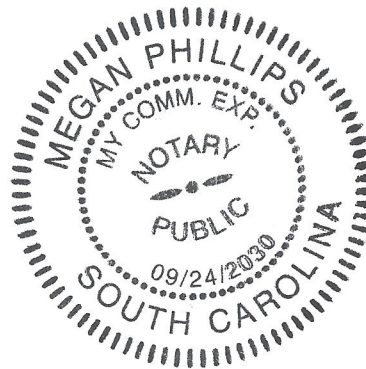
ACKNOWLEDGEMENT

I, a Notary Public of the County and State aforesaid, certify that the Grantor(s), personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp this 8 day of September 2022.

[Signature]

Notary Public for South Carolina
My commission expires: 9/24/2030



AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

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

1. I have read the information on this affidavit and I understand such information.

2 The property being transferred is located at 613 Arlington Road, Greer, SC 29651, bearing County Tax Map Number 9-03-00-071.00, was transferred by Allen G Collins and Roy E Collins III to IGLESIA PENTECOSTES FUENTE DE AGUA VIVA, INC on September 8, 2022.

3. Check one of the following: The deed is

- (a) XX subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
(b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
(c) _____ exempt from the deed recording fee because (See Information section of affidavit): _____

(If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):

- (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$350,000.00.
(b) The fee is computed on the fair market value of the realty which is _____.
(c) The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No XX to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$350,000.00
(b) Place the amount listed in item 5 above here: _____-0-_____
(If no amount is listed, place zero here.)
(c) Subtract Line 6(b) from Line 6(a) and place result here: \$350,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is:
\$1,295.00

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Attorney

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

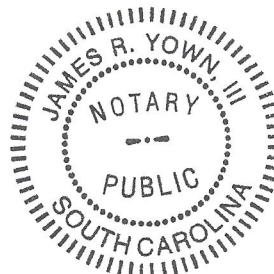
[Signature]
Responsible Person Connected with the Transaction

Mr. Calvin C. Noon
Print or Type Name Here

SWORN to and subscribed before me this

8 day of Sept 20 22

Notary (L.S.): [Signature]
Notary (printed name): JR YOUNG
Notary Public for SC
My Commission Expires: 10-3-27

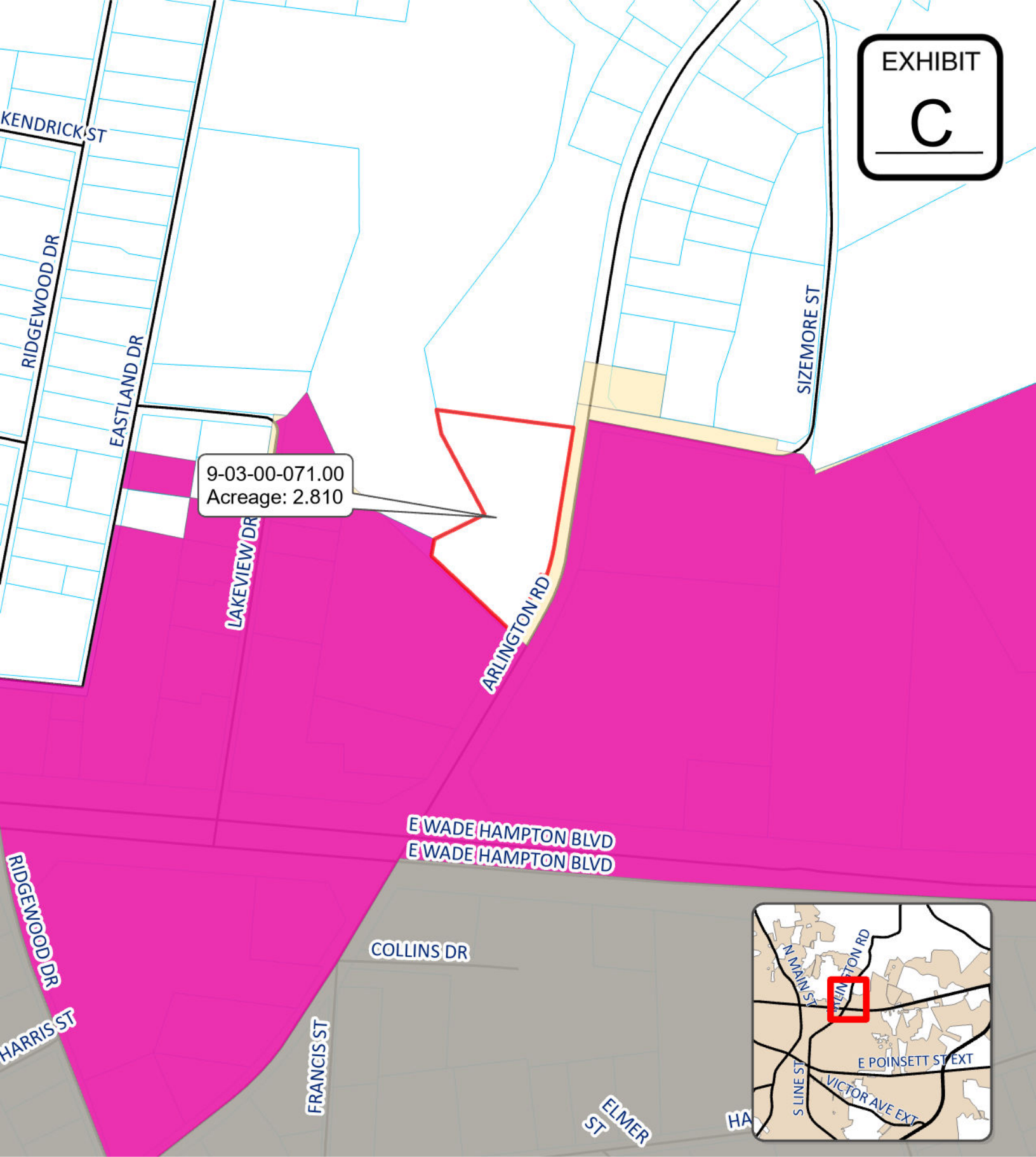


INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitutes a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
- (12) that constitutes a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceeding;
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.



Ordinance 11-2024

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 SC State Plane Coordinate System using the 1983 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.

Council Districts

1	4
2	5
3	6

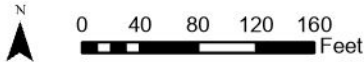
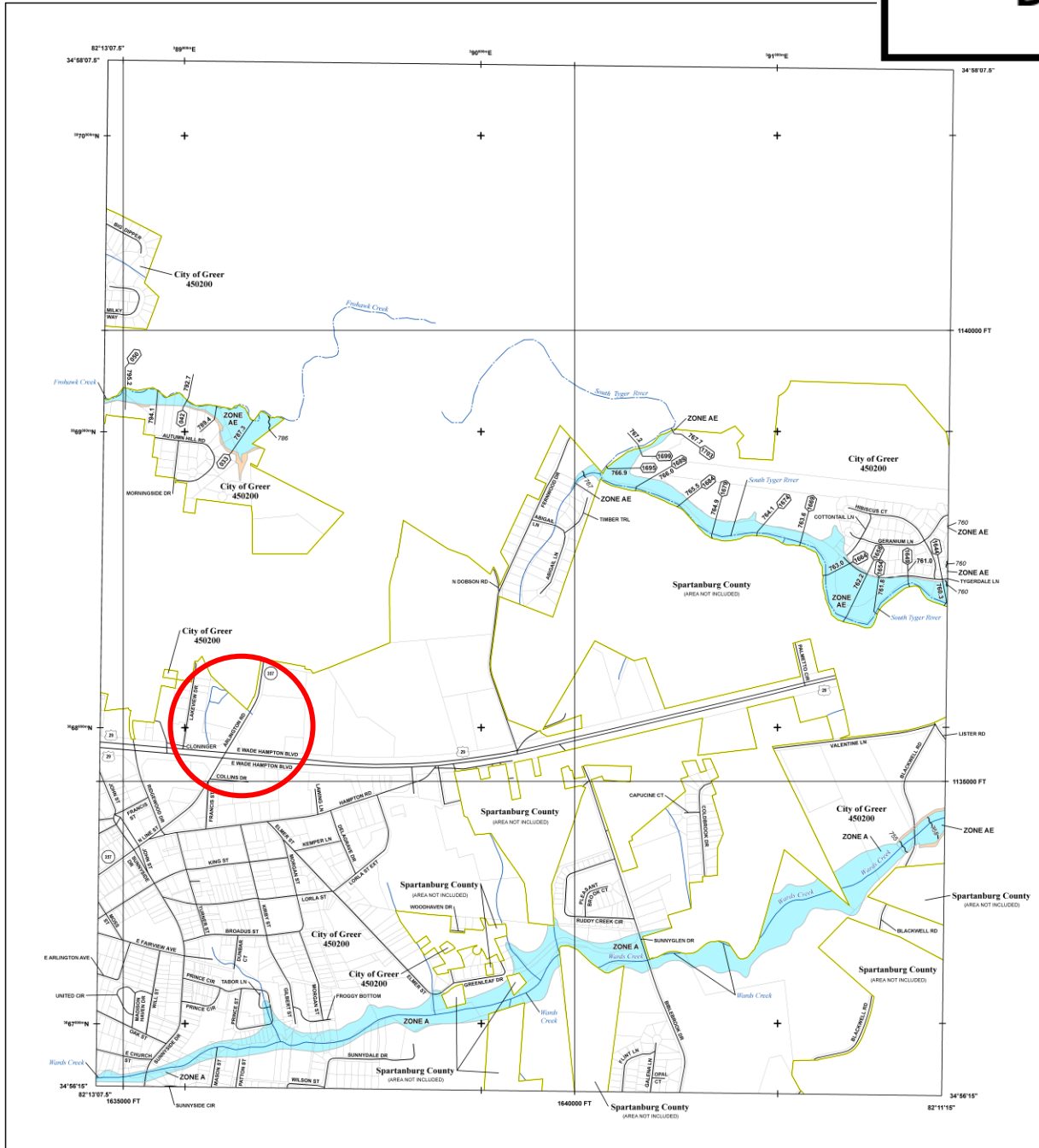
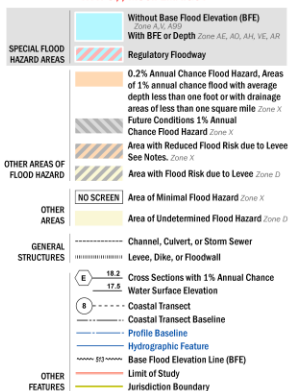


EXHIBIT D



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)



NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Exchange at 1-877-FIRM-MAP (1-877-376-6257) or visit the FEMA Flood Map Service Center website at www.fema.gov. Available products may include previously issued editions of Map Change, if flood insurance data report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities desiring to acquire FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be obtained directly from the Flood Map Service Center at the nearest local office.

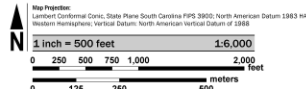
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-435-8620.

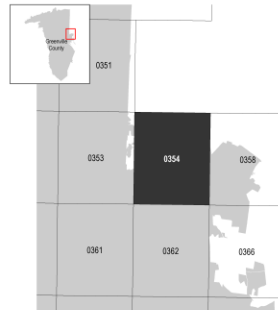
State map information shown on this FIRM was provided by FEMA, dated 2014, at a scale of 1:12,000, and the Greenville County GIS Department, dated 2010, at a scale of 1:12,000.

The digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of South Carolina and the Federal Emergency Management Agency (FEMA). The State of South Carolina has implemented a long term approach of floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map floodplain areas at the local level. As a part of this effort, the State of South Carolina has entered into a Cooperative Technical State Agreement with FEMA to produce and maintain this digital FIRM. <http://www.dcr.state.sc.us>

SCALE



PANEL LOCATOR



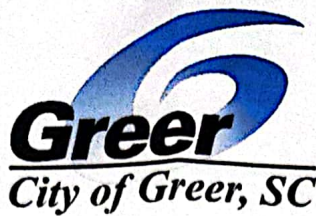
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
GREENVILLE COUNTY,
SOUTH CAROLINA
PANEL 354 of 625

FEMA
National Flood Insurance Program

Panel Contains:
COMMUNITY
GREER, CITY OF

NUMBER PANEL SUFFIX
450200 0354

VERSION NUMBER
2.3.3.3
MAP NUMBER
45045C0354F
MAP REVISED
MAY 4, 2021



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 Arlington RD Greer SC 29651 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 9-03-00-071-00 attached hereto marked as Exhibit C containing approximately 2.81 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 19 day of December, 2023 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.

The applicant hereby requests that the property described be zoned to Office Professional

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Hector Rodriguez

Print Name: Iglesia Pentecostes Fuente de Vida
Signature: [Signature]
Address: 1710 Buncombe RD Greenville SC
Witness: [Signature] 29651
Date: 12-19-2023
Phone number: 864-276-1801
Email: Rodriguezrealt4@att.net

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Phone number: _____
Email: _____



AGENDA
GREER CITY COUNCIL
2/13/2024

First Reading of Ordinance Number 11-2024

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY SAMANTHA T. BENNETT LOCATED AT 145 FERNWOOD DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

Executive Summary:

Ordinance 11-2024 is an annexation and zoning request for a parcel located at 145 Fernwood Drive. The parcel is 0.638 acres. The requested zoning for the property is SN, Suburban Neighborhood and the existing detached single-family dwelling will remain. The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.

Heather Stahl, Planner

ATTACHMENTS:

Description	Upload Date	Type
❑ Cover Memo	2/8/2024	Cover Memo
❑ Ordinance Number 11-2024	2/8/2024	Ordinance
❑ Ord 11-2024 Exhibit A Deed	2/8/2024	Exhibit
❑ Ord 11-2024 Exhibit B Plat	2/8/2024	Exhibit
❑ Ord 11-2024 Exhibit C Map	2/8/2024	Exhibit
❑ Ord 11-2024 Exhibit D FIRM	2/8/2024	Exhibit
❑ Ord 11-2024 Petition for Annexation	2/8/2024	Backup Material

Memorandum

To: Mr. Andrew Merriman, City Administrator

From: Heather Stahl, Planner

Subject: Ordinance 11-2024

Date: February 02, 2024

CC: Tammy Duncan, Clerk to City Council

Ordinance 11-2024 is an annexation and zoning request for a parcel located at 145 Fernwood Drive. The parcel is 0.638 acres. The requested zoning for the property is SN, Suburban Neighborhood and the existing detached single-family dwelling will remain.

The Planning Commission will conduct a public hearing on February 26, 2024 to consider the zoning of this parcel.

ORDINANCE NUMBER 11-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY SAMANTHA T. BENNETT LOCATED AT 145 FERNWOOD DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF SN (SUBURBAN NEIGHBORHOOD) FOR SAID PROPERTY

WHEREAS, Samantha T. Bennett is the sole owner of a certain property located at 145 Fernwood Drive more particularly described on the legal descriptions attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-03-00-032.00 containing approximately 0.638 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0204E attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has two (2) occupants; and,

WHEREAS, Samantha T. Bennett has petitioned the City of Greer to annex her property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); 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 SN (Suburban Neighborhood); 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 0.638 acres +/- property shown in red on the attached map owned by Samantha T. Bennett located at 145 Fernwood Drive as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-03-00-032.00 is hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced property shall be zoned SN (Suburban Neighborhood) 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 Traditional Neighborhood on the Land Use Map contained within the 2030 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 45083C0204E.

5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

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: February 13, 2024

Second and
Final Reading: March 12, 2024

APPROVED AS TO FORM:

Daniel R. Hughes, City Attorney

EXHIBIT

A

When Recorded Mail to:

GRANTEES ADDRESS:145 FERNWOOD DRGREER, SC 29651

DEE-2018-53962



DEE BK 121-X PG 678-679

Recorded 2 Pages on 11/27/2018 09:03:31 AM

Recording Fee: \$10.00 County Taxes: \$104.50 State Taxes: \$247.00

Office of REGISTER OF DEEDS, SPARTANBURG, S.C.

Dorothy Earle, Register Of Deeds

SOUTH CAROLINA GENERAL WARRANTY DEED

COUNTY: SPARTANBURG

CITY: GREER

TAX MAP NUMBER: 9-03-00-032.00

DATE: NOVEMBER 16, 2018

Grantor

ELIJAH TERRY

Grantee

SAMANTHA T. BENNETT

KNOW ALL MEN BY THESE PRESENTS, that Grantor, for and in consideration of the sum of **NINETY FIVE THOUSAND AND 00/100 Dollars (\$ 95,000.00)** paid by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, ***SUBJECT TO*** the matters set forth below, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto Grantee, the real estate (the "Premises") described as follows:

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF SPARTANBURG, ON THE WEST SIDE OF FERNWOOD DRIVE, ABOUT ONE MILE EASTWARD FROM THE CITY OF GREER, AND BEING THE GREATER PART OF LOT NO. 7, HILL-N-DALE ACRES, SECTION A, AS SHOWN AND DESIGNATED ON THAT CERTAIN PLAT ENTITLED "PROPERTY OF TRACY COLEMAN", PREPARED BY JONES ENGINEERING SERVICE, DATED FEBRUARY 19, 1986 AND RECORDED IN PLAT BOOK 96, AT PAGE 279 IN THE OFFICE OF THE REGISTER OF DEEDS FOR SPARTANBURG COUNTY, SOUTH CAROLINA, AND HAVING THE FOLLOWING METES AND BOUNDS, TO-WIT, WITH REFERENCE BEING MADE THERETO:

BEGINNING ON THE WESTERN SIDE OF FERNWOOD DRIVE AT THE JOINT FRONT CORNER OF LOTS NO. 6 AND NO. 7, RUNNING THENCE AS THE COMMON LINE OF SAID LOTS, N. 65-00 W. 139.00 FEET TO A PIN; THENCE N. 25-00 E. 200 FEET TO A NEW CORNER IN LINE OF LOT NO. 7; THENCE A NEW LINE, S. 65-00 E. 139.00 FEET TO THE WESTERN SIDE OF FERNWOOD DRIVE; THENCE ALONG SAID DRIVE, S. 25-00 W. 200 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL RESTRICTIONS, EASEMENTS, COVENANTS, AND RIGHTS-OF-WAY, IF ANY, AFFECTING SAID PROPERTY.

TMS: 9-03-00-032.00

THIS BEING THE SAME PROPERTY CONVEYED TO ELIJAH TERRY BY DEED OF HARRY LEE TATE SR. DATED 3/9/2015 AND RECORDED 3/25/2015 IN DEED BOOK 108-N AT PAGE 786 IN THE ROD OFFICE FOR SPARTANBURG COUNTY.

This conveyance is made ***SUBJECT TO***: subject to the easements, restrictions, reservations and conditions of record.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Premises belonging or in any way incident or appertaining, including, but not limited to, all improvements of any nature located on the Premises and all easements and rights-of-way appurtenant to the Premises.

TO HAVE AND TO HOLD all and singular the Premises unto Grantee and Grantee's heirs successors and assigns forever.

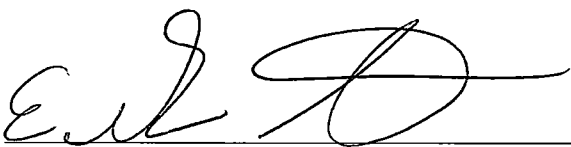
And, ***SUBJECT TO*** the matters set forth above, Grantor does hereby bind Grantor and Grantor's heirs, successors and assigns, executors, administrators and other lawful representatives, to warrant and forever defend all and singular the Premises unto Grantee and Grantee's heirs, successors and assigns against Grantor and Grantor's successors and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

IN WITNESS WHEREOF, Grantor has caused this General Warranty Deed to be executed under seal this 16th day of November, 2018.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

GRANTOR:


Witness #1-DIANE MOSES


ELIJAH TERRY


Witness # 2-HEATHER H. WELCH

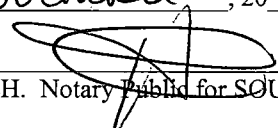
STATE OF SOUTH CAROLINA

Acknowledgment for Individual Grantor

COUNTY OF GREENVILLE

I, a Notary Public for SOUTH CAROLINA, do hereby certify that THE ABOVE SIGNED Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 16th day of November, 2018.


HEATHER H. WELCH. Notary Public for SOUTH CAROLINA

My Commission Expires:

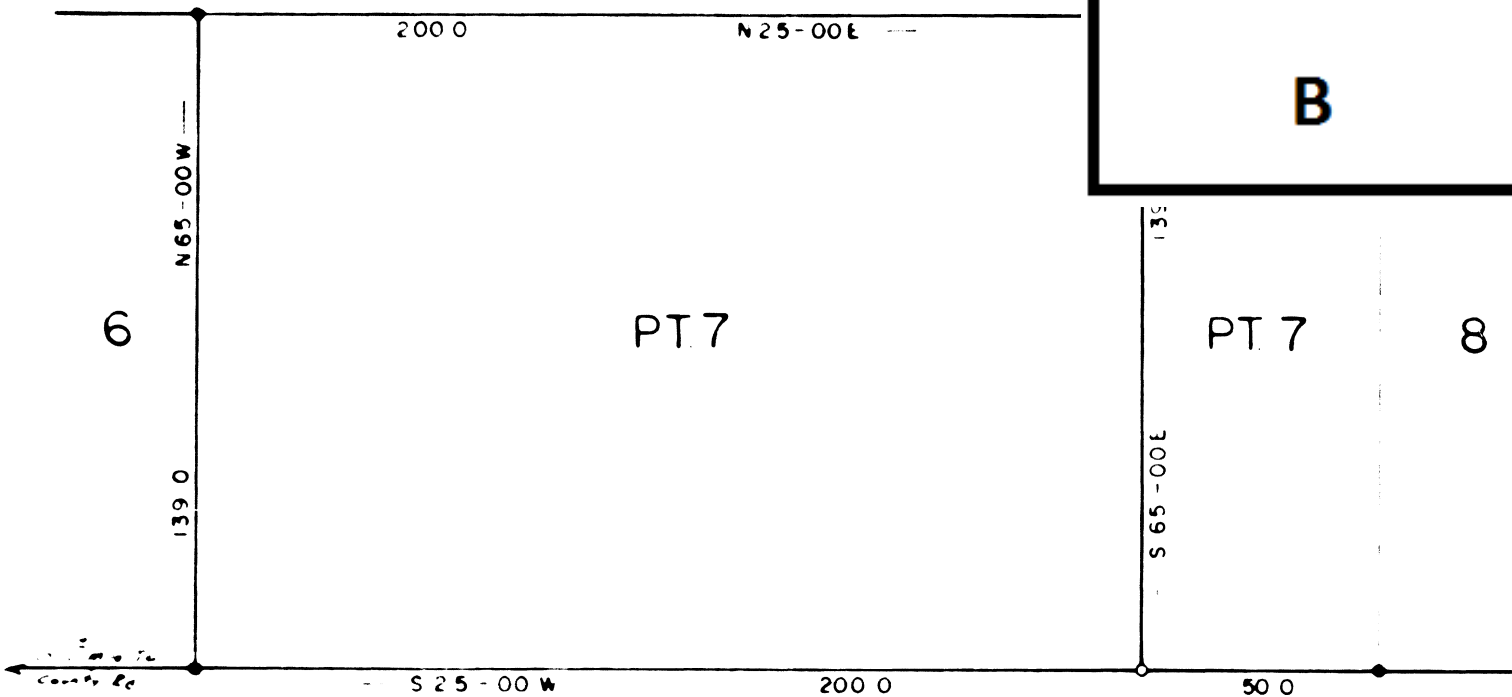
1/4/20

Heather H. Welch
Notary Public for South Carolina
My Commission Exp: January 4, 2020

See Book 87-127 p. 899

EXHIBIT

B

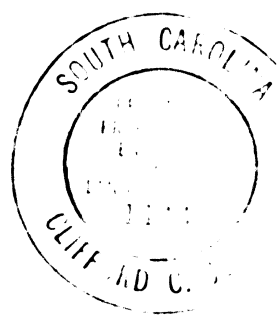
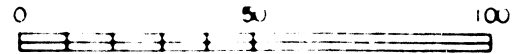


FERNWOOD DR.

RECORDED
MAR 10 PM 12:56
SPARTANBURG, S.C.

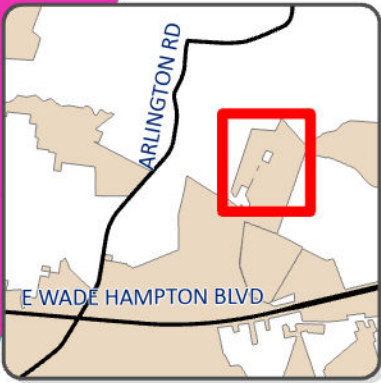
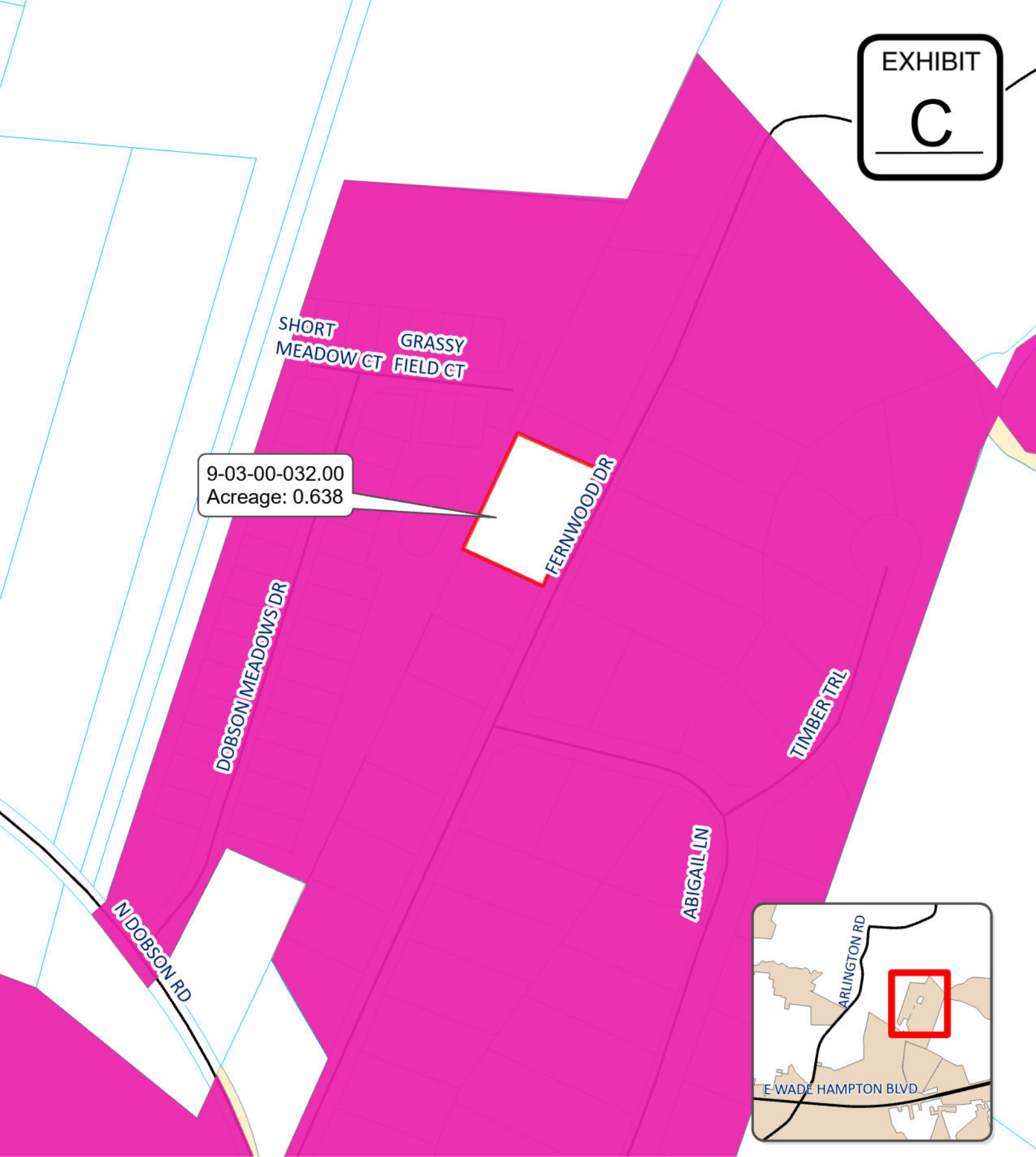
PROPERTY OF
TRACY COLEMAN
SPARTANBURG CO., S. C.

FEB 19, 1986 SCALE 1" = 40'



PD 053

3100a 31048

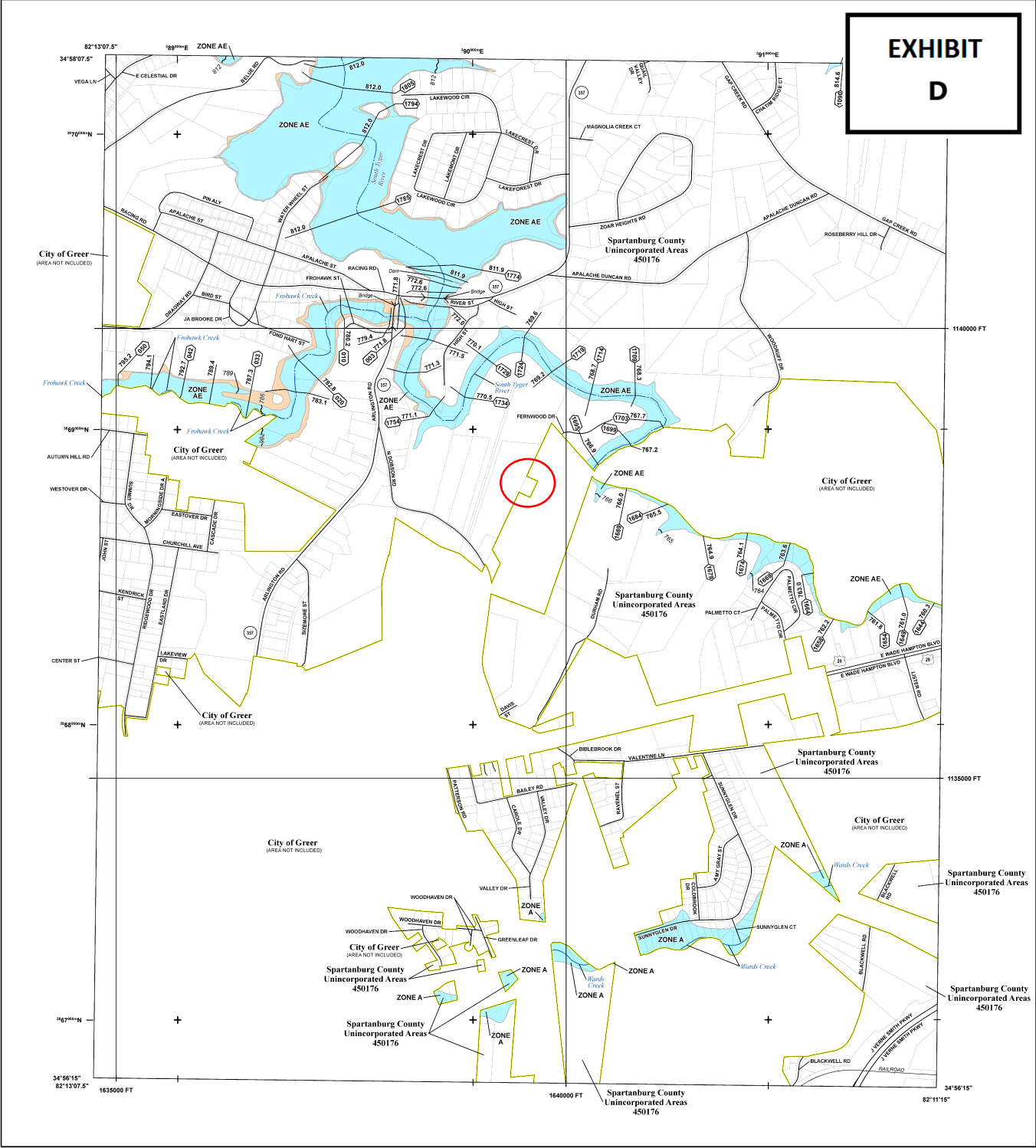


Ordinance 11-2024

- Council Districts
- | | |
|---|---|
| 1 | 4 |
| 2 | 5 |
| 3 | 6 |

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 SC State Plane Coordinate System using the 1983 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



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) (Zone A.V., AG)
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes, Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
OTHER FEATURES		Hydrographic Feature
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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Communities desiring to use adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map data refer to the Flood Insurance Study Report for this jurisdiction.

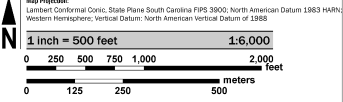
To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-658-8823.

Base map information shown on this FIRM was provided by NFHL, dated 2011, at a scale of 1:12,000, and the Spartanburg County GIS Department, dated 2016, at a scale of 1:12,000.

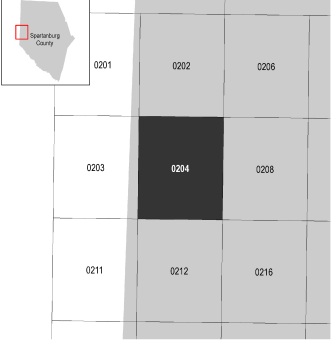
The digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of South Carolina and the Federal Emergency Management Agency (FEMA). The State of South Carolina has implemented a long-term approach of floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map floodplain areas at the local level. As a part of this effort, the State of South Carolina has joined in a Cooperative Technical State agreement with FEMA to produce and maintain this digital FIRM. <http://www.dnr.state.sc.us>

DNR

SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
SPARTANBURG COUNTY,
SOUTH CAROLINA
UNINCORPORATED AREAS

PANEL 204 OF 555

Panel Contains:
COMMUNITY
SPARTANBURG COUNTY

NUMBER PANEL SUFFIX
450176 0204 E

VERSION NUMBER
2.3.3.3
MAP NUMBER
45083C0204E
MAP REVISED
MAY 4, 2021



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 145 Fernwood Drive Greer, SC 29651 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 9-03-00-032.00 attached hereto marked as Exhibit C containing approximately 0.68 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 29 day of January, 2024 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.

The applicant hereby requests that the property described be zoned to (SN) Suburban Neighborhood

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: Samantha T. Bennett
Signature: [Signature]
Address: 145 Fernwood Drive Greer SC 29651
Witness: Samuel Terry
Date: 1-29-2024
Phone number: 204-380-2484
Email: stpxrp44@live.com

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Phone number: _____
Email: _____