



**AGENDA
GREER CITY COUNCIL**

October 8, 2024

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

6:30 PM

COUNCIL REGULAR MEETING

Call to Order

Mayor Pro Tem Wryley Bettis

Invocation and Pledge of Allegiance

Councilman Karuam Booker

Public Forum

Minutes of Council Meeting

1. September 24, 2024
(Action Required)

Special Recognition

1. Greer 76ers Varsity Boys – 2024-2025 South Carolina High School State Champions
2. Fire Prevention Week

Administrator's Report

Andy Merriman, City Administrator

Appointments to Boards and Commissions

1. Housing Authority of the City of Greer
Alison Rauch's term will expire 10/31/2024 (Action Required)

Old Business

1. Second and Final Reading of Ordinance Number 34-2024
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ERRICK G. BRIDWELL LOCATED AT 711 NORTH MAIN STREET FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)
2. Second and Final Reading of Ordinance Number 35-2024
AN ORDINANCE (A) IMPOSING DEVELOPMENT IMPACT FEES IN THE CITY OF GREER, (B) ENACTING ARTICLE IV. DEVELOPMENT IMPACT FEES OF CHAPTER 46 (LAND DEVELOPMENT), BY CREATING SECTION 46-400 THROUGH AND INCLUDING SECTION 46-407 OF THE CODE OF THE CITY OF GREER, SOUTH CAROLINA ("CITY CODE") RELATED TO DEVELOPMENT IMPACT FEES, (C) INVOKING THE PENDING ORDINANCE DOCTRINE, AND (D) PROVIDING FOR OTHER RELATED MATTERS. (Action Required)
3. Second and Final Reading of Ordinance Number 36-2024
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY PEGGY S. HENSON LOCATED AT 780 BROCKMAN MCCLIMON ROAD AND 945 ABNER CREEK ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)
4. Second and Final Reading of Ordinance Number 37-2024
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY BRIAN ALLEN AND JANICE L. HENSON LOCATED AT 784 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)
5. Second and Final Reading of Ordinance Number 38-2024
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY JEFFREY L. AND AMY E. HARVEY LOCATED AT 788 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)
6. Second and Final Reading of Ordinance Number 39-2024
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY MICHAEL AND NANCY HAWKINS SMITH LOCATED AT 792 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)
7. Second and Final Reading of Ordinance Number 40-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY DURHAM KIDS INVESTMENTS LP AND JONES KIDS INVESTMENTS LP LOCATED AT 107 CANNON STREET FROM CC (COMMERCIAL CORRIDOR) TO GS (GREER STATION DOWNTOWN) (Action Required)

New Business

1. First Reading of Ordinance Number 41-2024

AN ORDINANCE AUTHORIZING THE CLOSURE OF AN ALLEY IN THE CITY OF GREER (133 Tremont Avenue) (Action Required)

2. First Reading of Ordinance Number 42-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY FRANK W. AND TAMMY MERRITT LOCATED AT 1035 ABNER CREEK ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF TN (TRADITIONAL NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

Ordinance 42-2024 is an annexation and zoning request for one parcel located at the intersection of Abner Creek Rd and Brockman McClimon Rd in Spartanburg County. The parcel consists of 24.37 acres. The requested zoning for the property is TN, Traditional Neighborhood and the intent is to develop a single-family attached subdivision. The Planning Commission will conduct a public hearing on October 21, 2024 for the zoning of the parcel.
Ashley Kaade, Planning Manager

Executive Session

Council may take action on matters discussed in executive session.

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
10/8/2024

Councilman Karuam Booker

ATTACHMENTS:

Description	Upload Date	Type
☐ Council 2024 Invocation Schedule	9/25/2024	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 Karuiam 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 Karuiam 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 Karuiam 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
10/8/2024

September 24, 2024

Summary:

(Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
▢	September 24, 2024 Council Meeting Minutes	10/3/2024	Backup Material

CITY OF GREER, SOUTH CAROLINA

MINUTES of the FORMAL MEETING of GREER CITY COUNCIL September 24, 2024

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

Call to Order of the Formal Meeting

Mayor Rick Danner – 6:30 P.M.

The following members of Council were in attendance: Jay Arrowood, Karuiam Booker, Mark Hopper, Wryley Bettis and Judy Albert.

Councilman Lee Dumas was absent.

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

Public Hearing

Subject: Ordinance Number 41-2024

**AN ORDINANCE AUTHORIZING THE CLOSURE OF AN ALLEY IN THE CITY OF
GREER (133 Tremont Avenue)**

Andy Merriman, City Administrator stated there was no additional information.

Mayor Danner asked three times if anyone would like to speak and no one indicated an interest in speaking.

Adjournment of Public Hearing – 6:34 P.M. continuance of Formal Meeting.

Invocation and Pledge of Allegiance

Councilman Jay Arrowood

Public Forum

Billy Vaughn, 813 Brockman McClimon Rd chose not to speak.

Amy Harvey, 788 Brockman McClimon Rd spoke in favor of Ordinance Numbers 36-39 2024.

Brian Henson, 784 Brockman McClimon Rd spoke in favor of Ordinance Numbers 36-39 2024.

Minutes of the Council Meeting
September 10, 2024

ACTION – Councilmember Wryley Bettis made a motion that the minutes of September 10, 2024 Council Regular Meeting be received as written. Councilmember Jay Arrowood seconded the motion.

VOTE - Motion carried unanimously.

Special Recognition
John Holland

Mayor Rick Danner and Greer City Council recognized John Holland for a lifetime of exemplary service to the City of Greer and for his impact in promoting transparency in government and fostering quality growth while serving on the City of Greer Planning Commission and his service as a Volunteer Firefighter / Engineer with the City of Greer Fire Department from 1988-2022.

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 August 2024 were included in the packet for informational purposes.

Finance

Catrina Woodruff, Assistant City Administrator presented the Financial Report for August 2024. (Attached)

General Fund Cash Balance: \$6,946,276.

Revenue: \$1,881,093.

Total Expenditures: \$7,627,439.

Total Percentage: 1% Over Budget

Revenue Benchmark Variance: \$(305,245.)

Expenditure Benchmark Variance: \$(509,976.)

Overall Benchmark Variance: \$(815,221.)

Hospitality Fund Cash Balance: \$1,551,915.

Storm Water Fund Cash Balance: \$2,817,338.

Andy Merriman, City Administrator presented the following:

Railfest

Railfest is Saturday, September 28th from 10:00am – 2:00pm. It is all about trains and rail safety! The four hour event is free to the public and includes model trains, train museums, trackless trains, free face painting and balloons, inflatables, food trucks and live music. Free

kids train crafts are located inside of City Hall. Children and adults can enter to receive prizes such as scenic train rides, model trains, and more!

Benefits and Wellness Fair for City of Greer Employees

The Benefits and Wellness Fair for City of Greer Employees will be Thursday, September 26th from 7:30am-12:00pm at the Cannon Center. Vendors on site to include blood draws, flu shots, hearing tests, and many wellness companies. Benefit brokers will be there also to schedule in person open enrollment appointments.

Career Fair

The City of Greer Career Fair is Friday, October 18th from 7:00am-2:00pm at Greer City Hall. This is a great opportunity to explore a career in local government.

Reno Deaton, Economic Development Director introduced Max Stewart the new President and CEO of the Greenville Area Development Corporation. Mr. Stewart spoke briefly.

Councilman Jay Arrowood urged Council to review the Fire Department Report regarding the arrival/response times for EMS (30 to 40 minutes).

OLD BUSINESS

Second and Final Reading of Ordinance Number 35-2024

AN ORDINANCE (A) IMPOSING DEVELOPMENT IMPACT FEES IN THE CITY OF GREER, (B) ENACTING ARTICLE IV. DEVELOPMENT IMPACT FEES OF CHAPTER 46 (LAND DEVELOPMENT), BY CREATING SECTION 46-400 THROUGH AND INCLUDING SECTION 46-407 OF THE CODE OF THE CITY OF GREER, SOUTH CAROLINA ("CITY CODE") RELATED TO DEVELOPMENT IMPACT FEES, (C) INVOKING THE PENDING ORDINANCE DOCTRINE, AND (D) PROVIDING FOR OTHER RELATED MATTERS.

ACTION – Councilmember Mark Hopper made a motion to hold over Second and Final Reading of Ordinance Number 35-2024 for two (2) weeks. Councilmember Karuam Booker seconded the motion.

Discussion held.

VOTE – Motion carried 4-2 with Councilmembers Arrowood and Bettis voting in opposition.

NEW BUSINESS

First Reading of Ordinance Number 34-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ERRICK G. BRIDWELL LOCATED AT

711 NORTH MAIN STREET FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD)

Heather Stahl, Planner presented the request. Mrs. Stahl stated the Planning Commission held a Public Hearing September 18, 2024 and recommended approval. Staff recommends approval.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 34-2024. Councilmember Jay Arrowood seconded the motion.

Discussion held.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 36-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY PEGGY S. HENSON LOCATED AT 780 BROCKMAN MCCLIMON ROAD AND 945 ABNER CREEK ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

Heather Stahl, Planner presented the request, she stated this request is a combination of Ordinance Numbers 36 through 39-2024. Mrs. Stahl stated Staff recommends approval. The Planning Commission held a Public Hearing September 18, 2024 and recommended approval. The owners were present. David Craig, Project Manager with the developer Material Capital Partners spoke.

ACTION – Councilmember Mark Hopper made a motion to receive First Reading of Ordinance Number 36-2024. Councilmember Jay Arrowood seconded the motion.

Discussion held.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 37-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY BRIAN ALLEN AND JANICE L. HENSON LOCATED AT 784 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

Heather Stahl, Planner presented the request, she stated this request is a combination of Ordinance Numbers 36 through 39-2024. Mrs. Stahl stated the Planning Commission held a Public Hearing September 18, 2024 and recommended approval. Staff recommends approval. The owners were present. David Craig, Project Manager with the developer Material Capital Partners spoke.

ACTION – Councilmember Mark Hopper made a motion to approve First Reading of Ordinance Number 37-2024. Councilmember Jay Arrowood seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 38-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY JEFFREY L. AND AMY E. HARVEY LOCATED AT 788 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

Heather Stahl, Planner presented the request, she stated this request is a combination of Ordinance Numbers 36 through 39-2024. Mrs. Stahl stated the Planning Commission held a Public Hearing September 18, 2024 and recommended approval. Staff recommends approval. The owners were present. David Craig, Project Manager with the developer Material Capital Partners spoke.

ACTION – Councilmember Jay Arrowood made a motion to approve First Reading of Ordinance Number 38-2024. Councilmember Mark Hopper seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 39-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY MICHAEL AND NANCY HAWKINS SMITH LOCATED AT 792 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

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ACTION – Councilmember Mark Hopper made a motion to approve First Reading of Ordinance Number 39-2024. Councilmember Karuam Booker seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 40-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY DURHAM KIDS INVESTMENTS LP AND JONES KIDS INVESTMENTS LP LOCATED AT 107 CANNON STREET

FROM CC (COMMERCIAL CORRIDOR) TO GS (GREER STATION DOWNTOWN)

Heather Stahl, Planner presented the request. Mrs. Stahl stated staff recommends approval and the Planning Commission held a Public Hearing September 18, 2024 and recommended approval. The owners were present.

ACTION – Councilmember Karuiam Booker made a motion to approve First Reading of Ordinance Number 40-2024. Councilmember Mark Hopper seconded the motion.

Taft Worthen, the project contractor and applicant spoke briefly.

Brief discussion held.

VOTE – Motion carried unanimously.

Executive Session

Mayor Danner stated there are no items for Executive Session.

Adjournment – 7:35 P.M.

Tammela Duncan, Municipal Clerk

Rick Danner, Mayor

Notifications: Agenda posted in City Hall and email notifications sent to CommunityJournals.com, GreerCitizen.com, GreerToday.com, PostandCourier.com, WSPA.com and WYFF4.com Friday, September 20, 2024.

Category Number:
Item Number: 2.



AGENDA
GREER CITY COUNCIL
10/8/2024

Fire Prevention Week

ATTACHMENTS:

Description	Upload Date	Type
☐ Proclamation	9/25/2024	Backup Material



PROCLAMATION

Mayor Rick Danner and Greer City Council recognize

Fire Prevention Week in the City of Greer

WHEREAS, the City of Greer is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,700 people in the United States in 2022, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 360,000 home fires; and

WHEREAS, roughly three out of five fire deaths happen in homes with either no smoke alarms or with no working smoke alarms; and

WHEREAS, City of Greer residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

WHEREAS, City of Greer first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2024 Fire Prevention Week™ theme, “Smoke alarms: Make them work for you.TM,” serves to remind us the importance of having working smoke alarms in the home.

NOW, THEREFORE, I, Rick Danner, Mayor of the City of Greer and Greer City Council, do hereby proclaim October 6–12, 2024, as Fire Prevention Week throughout this state, and I urge all the people in City of Greer to make sure their homes have working smoke alarms and to support the many public safety activities and efforts of City of Greer Fire Department..

**IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND
AND CAUSED THIS SEAL TO BE AFFIXED**

RICHARD W. DANNER
MAYOR

8th day of October 2024

Category Number:
Item Number: 1.



AGENDA
GREER CITY COUNCIL
10/8/2024

Housing Authority of the City of Greer

Summary:

Alison Rauch's term will expire 10/31/2024 (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
▢	Housing Authority of the City of Greer Board of Commissioners	9/25/2024	Backup Material



**HOUSING AUTHORITY OF
THE CITY OF GREER
Board of Commissioners**

Five Year Terms

	Date of Appointment	Term Expiration
Mayor Rick Danner 108 Davenport Avenue Greer, SC 29650 Residence 879-4026 Business 848-5140		
Alison Rauch 227 Galena Lane Greer, SC 29651 Cell 864-417-3997 Business 864-968-3214 Email: alison.rauch@greercpw.com	November 26, 2019	October 31, 2024
Perry Dennis 108 Aster Drive Greer, SC 29651 Residence 879-4402 Mobile 864-535-3533 Email: psd4810@gmail.com	October 27, 2020 October 13, 2015 November 22, 2011	October 31, 2025 October 31, 2020 October 31, 2015
Cynthia Green 220 Biblebrook Drive Greer, SC 29651 Cell 864-526-8542 Email: greencyn99@gmail.com	October 10, 2023 October 27, 2020	October 31, 2028 October 31, 2023
Flora Jones 8 Mary Street Greer, SC 29651 Residence 864-553-3892 Business 486-1805 Email: florafjones@yahoo.com	October 12, 2021 September 27, 2016 February 13, 2013	October 31, 2026 October 31, 2021 October 31, 2016
Thomas L. (Tommy) Williams 303 West Church Street Greer, SC 29650-1915 Home 864-877-4953 Email: tom71855@att.net	July 11, 2023	October 31, 2027

Chapter 2 Sec. 2-338. (a)The city housing authority (S.C. Code 1976, Title 31, Chapter 3 (S.C. Code 1976, §§ 31-3-10—31-3-1810)) is specifically exempted from the provisions of this article in view of the requirements as to membership and appointment established by state statutes. (Not subject to seven-member appointment ordinance)



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 34-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ERRICK G. BRIDWELL LOCATED AT 711 NORTH MAIN STREET FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 34-2024	9/25/2024	Ordinance
▣ Ord 34-2024 Exhibit A Map	9/25/2024	Exhibit
▣ Ord 34-2024 Exhibit B Deed of Distribution	9/25/2024	Exhibit
▣ Ord 34-2024 Exhibit C Survey	9/25/2024	Exhibit
▣ Ord 34-2024 Rezoning Application	9/25/2024	Backup Material
▣ Ord 34-2024 Planning Commission Minutes	9/25/2024	Backup Material

ORDINANCE NUMBER 34-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ERRICK G. BRIDWELL LOCATED AT 711 NORTH MAIN STREET FROM SN (SUBURBAN NEIGHBORHOOD) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Errick G. Bridwell located at 711 North Main Street and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G018000400800 containing approximately .321 +/- acres attached hereto marked as Exhibit A, the Deed of Distribution 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 his property and has shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 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 711 North Main Street more particularly identified by the attached City of Greer Map specifying Greenville County

Parcel Number G018000400800 containing approximately .321 +/- acres attached hereto marked as Exhibit A shall be changed from SN (Suburban Neighborhood) 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

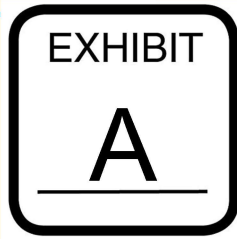
Introduced by:

First Reading: September 24, 2024

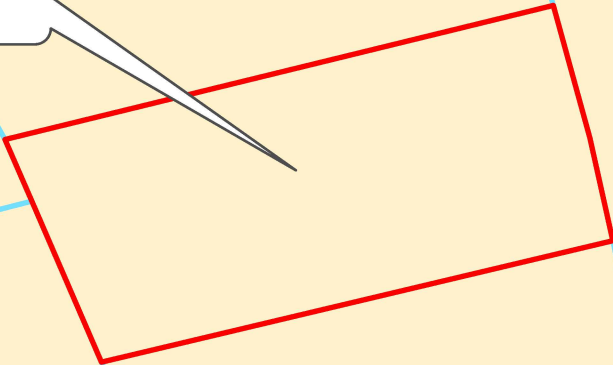
Second and
Final Reading: October 8, 2024

Approved as to Form:

Daniel R. Hughes, City Attorney

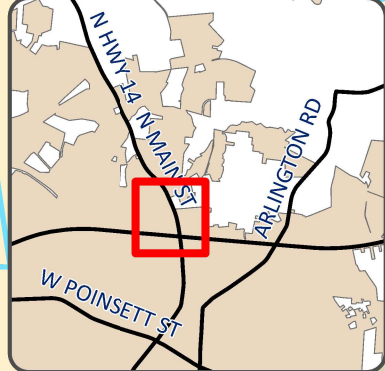


Subject Property
G018000400800
Acres 0.321

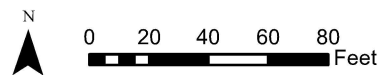


WILDWOOD

N MAIN ST NORTH MAIN



Ordinance 34-2024



- Streets
- City Limits
- Parcels

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.



2022084730

3 P

**EXHIBIT
B**

DEED/DIST Book: DE 2673 Page: 1150 - 1152
November 9, 2022 10:17:55 AM
Rec: \$15.00

E-FILED IN GREENVILLE COUNTY, SC

Timothy J. Hanney

STATE OF SOUTH CAROLINA)	IN THE PROBATE COURT
)	
COUNTY OF GREENVILLE)	DEED OF DISTRIBUTION
)	(Real Property Only)
IN THE MATTER OF:)	NOT A WARRANTY DEED
MARY JULIA GUNTER BRIDWELL)	
_____ (Decedent))	CASE NUMBER: 2022ES2301753

The undersigned states as follows:

Decedent died on April 27, 2021; and probate of the Estate is being administered in the Probate Court for Greenville County, South Carolina, in File #2022ES2301753.

I was appointed Personal Representative on June 14, 2022.

Decedent owned real property described as follows:

Tax Map Number(s): G018000400800, 0537070102500, 02600 & 02605

Street/Property Address(es): 711 N. Main St., Greer SC 29651, 2710 N Hwy 14, Greer SC 29651, and two parcels no street number on N Hwy 14, Greer SC 29651

Legal Descriptions:

Parcel 1:

All that piece, parcel or lot of land in Chick Springs Township, Greenville County, State of South Carolina, on the west side of Highway #14, or North Main Street Extension, just north of the corporate limits of the City of Greer, and having the following courses and distances, to-wit:
BEGINNING at the W. E. Finley corner on the west side of North Main Street Extension, (also known as Mostella Road), and runs thence with the Finley line, S.76-30W., 193 feet to an iron pin, on line of other property of Nancy W. Finley, thence N.23-27W., 77 feet to iron pin on the same line, cornering with the M.L. Brannon lot; thence with the (former) Brannon line, N.75-30E., 207 feet to iron pin on the side of Mostella Road, or North Main St., Extension; thence with the said Street, S.13-E., 80 feet to the beginning point.

This being the same property as conveyed to Mary G. Bridwell (same as Mary Julia Gunter Bridwell) and Errick G. Bridwell by deed of Frank G. Bridwell recorded 12/04/1991 in Deed Book 1456 at Page 729.

Parcel 2:

All that piece, parcel or lot of land in O'Neal Township, Greenville County, State of South Carolina, having the following courses and distances, to-wit:
BEGINNING at an iron pin in the Mostella Road, and running thence S.64-26W., 118.36 poles to iron pin; thence S.40 E., 16 poles to iron pin; thence N.67 E., 116 poles to iron pin on said Mostella Road; thence down said Mostella Road, N. 35 W., 17.5 poles to iron pin, the beginning corner. This being one-half (the southeast portion) of Tract No. 2 of the Green Rector Estate according to plat of the Estate of Green Rector, made by G.W. Justice, Surveyor, dated September 28, 1927, said plat being recorded in the ROD Office for Greenville County in Plat Book H at Page 96 and according to said plat and survey of said Tract No. 2 by Homer Brockman, Surveyor, Greer, SC.

LESS: 6.14 acres as shown in Deed Book 2045 at Page 1595.

This being the same property as conveyed to Mary G. Bridwell (same as Mary Julia Gunter Bridwell) and Errick G. Bridwell by deed of Frank G. Bridwell recorded 12/04/1991 in Deed Book 1456 at Page 725.

Parcel 3:

All that lot of land in the State of South Carolina, County of Greenville, O'Neal Township, containing approximately four (4) acres, lying on the westerly side of South Carolina Highway No. 14, and being designated as parcel no. 26.2, Block 1, on Sheet 537.7 of the Greenville County Tax Maps.

The subject property is the remaining portion of a 26.83 acre tract conveyed to the late Earl Southern by deed of VE Rector, et al, recorded February 15, 1928 in Deed Book 86 at Page 283.

LESS: All those previous deed of records in the ROD Office out of this property.

This being the same property as conveyed to Mary G. Bridwell (same as Mary Julia Gunter Bridwell) and Errick G. Bridwell by deed of Frank G. Bridwell recorded 12/04/1991 in Deed Book 1456 at Page 721.

Parcel 4 (consisting of two parcels that have been combined into one tax map number)

All that piece, parcel or lot of land located in O'Neal Township, Greenville County, State of South Carolina, near Mosteller's Mill, containing one acre more or less, as shown on plat prepared for Richard Brockman by H.S. Brockman, RLS, May 9, 1970 and being more particularly described as follows:

BEGINNING at an iron pin on Southern Road, corner of J.C. Wilson property and running thence S.20-20E., 274 feet to an iron pin on P.D. Bridwell property, thence N.65-19E., 200 feet to an iron pin on line of Earl Southern, thence N.24-31W., 185.5 feet to an iron pin on bank of Southern Road, thence along said road, S.86-54W., 100 feet to an iron pin, thence N.86-20W., 100 feet to an iron pin, the point of beginning.

This being the same property as conveyed to Erric(s) Bridwell and Mary Bridwell (same as Mary Julia Gunter Bridwell) by deed of Richard Brockman recoded 07/15/1978 in Deed Book 894 at Page 173.

ALSO:

All that piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Greenville, located approximately three (3) miles north of Greer and being shown and designated as a 0.89 acres tract as shown on the plat of property of Errick Bridwell and Mary Bridwell prepared by James L. Strickland, RLS, May 19, 1983 and recorded in the ROD Office for Greenville County in Plat Book 9-S at Page 99. Reference to said plat for a more complete description.

This being the same property as conveyed to Errick Bridwell and Mary Bridwell (same as Mary Julia Gunter Bridwell) by deed of William Thomas Cannon recorded 05/20/1983 in Deed Book 1188 at Page 631.

Additional sheet(s) for additional property(ies) is/are attached (check is applicable).

This transfer is made pursuant to:

x Decedent's Will

Intestacy Statute: SCPC 62-2-103

Private Family Agreement: SCPC 62-3-912

Disclaimer by: _____

Probate Court Order issued on _____

Other: _____

In accordance with the laws of the State of South Carolina, the Personal Representative does hereby release all of the Personal Representative's right, title and interest, including statutory and/or testamentary powers, over the real property described to the beneficiaries named below:

% / fractional interest of decedent's interest inherited: 100%

Name: Errick G. Bridwell

Address: P.O. Box 412

Greer SC 29652

Additional sheet(s) for names of additional beneficiaries is attached (check, if applicable)

IN WITNESS WHEREOF the undersigned, as Personal Representative(s) of the above Estate, has executed this Deed of Distribution, on this day of November, 2022.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Estate of: MARY JULIA GUNTER BRIDWELL

Karen B. Brewton
(Witness Signature)

[Handwritten Signature]
(Personal Representative Signature)

Karen B. Brewton
(Print Name)

ERRICK G BRIDWELL
(Print Name)

[Handwritten Signature]
(Witness Signature)

E. Pierce Williams Jr
(Print Name)

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

ACKNOWLEDGMENT

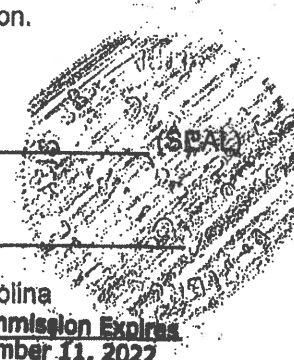
I, E. Pierce Williams Jr, Notary Public, a notary for the State of South Carolina do hereby certify that ERRICK G BRIDWELL, as Personal Representative(s) of the Estate of MARY JULIA GUNTER BRIDWELL, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Distribution.

Witness my hand and seal this the 8 day of November, 2022.

[Handwritten Signature]
(Signature of Notary Public)

E. Pierce Williams Jr
(Print name of Notary Public)

Notary Public for State of South Carolina
My Commission Expires: My Commission Expires
December 11, 2022



Note: It is recommended that an attorney prepare this document and determine if a title examination is necessary.

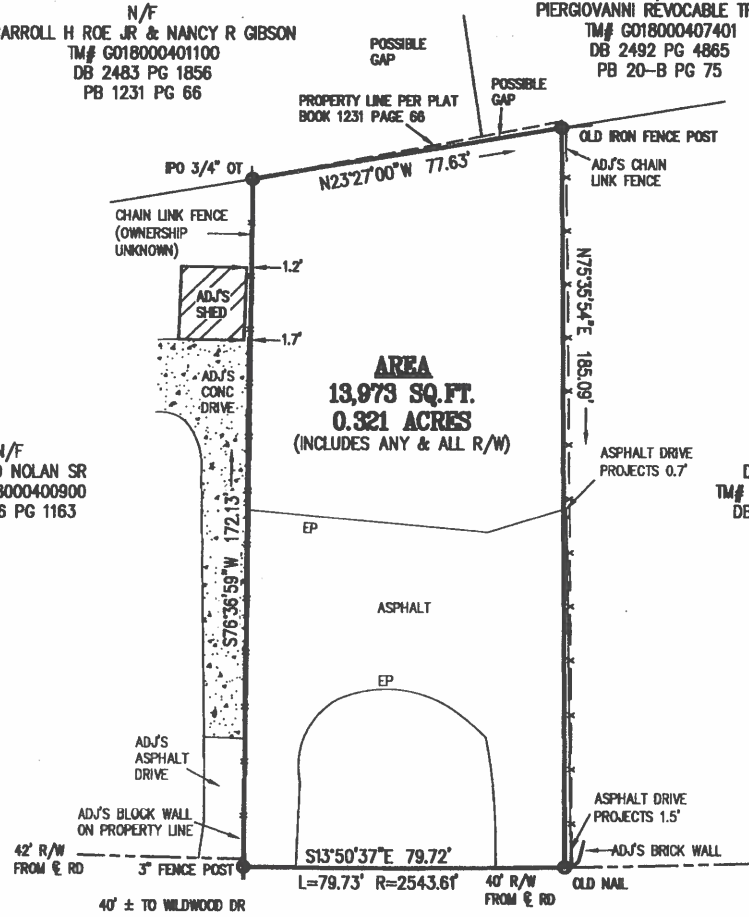
NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

N/F
 CARROLL H ROE JR & NANCY R GIBSON
 TM# G018000401100
 DB 2483 PG 1856
 PB 1231 PG 66

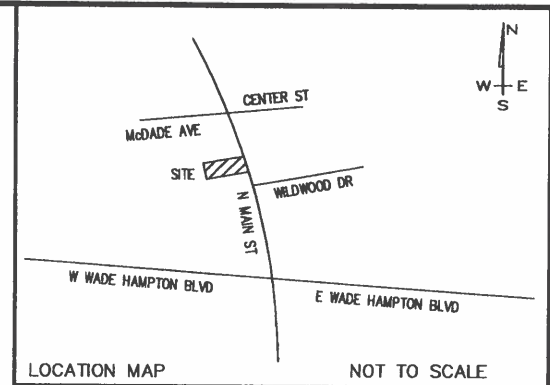
N/F
 PIERGIOVANNI REVOCABLE TRUST
 TM# G018000407401
 DB 2492 PG 4865
 PB 20-B PG 75

N/F
 QUINCY D NOLAN SR
 TM# G018000400900
 DB 2686 PG 1163

N/F
 DAVID H ROE
 TM# G018000400700
 DB 2518 PG 35



NORTH MAIN STREET
 (SC HWY 14)



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

REF DEED - 2673/1150
 SCDOT PLANS - DOCKET 23.650, SHEET 36

LEGEND

- | | | |
|--------------------------|--------------------------|-----------------------|
| BL BUILDING LINE | CO CLEAN OUT | A. CLAY JONES, P.L.S. |
| CL CENTERLINE | CB CATCH BASIN | S.C. REG. NO. 26210 |
| CM CORRUGATED METAL PIPE | DI DROP INLET | |
| CT CURB TOP | EP ELEC TRANS | |
| DE DRAINAGE EASEMENT | EM ELEVATION | |
| EP EDGE OF PAVEMENT | FM FIRE HYDRANT | |
| EPD IRON PIN OLD | GM GAS METER | |
| EPS IRON PIN SET | GV GAS VALVE | |
| NAC NAIL & CAP | LP LIGHT POLE | |
| OT OPEN TOP | PP POWER POLE | |
| RB REBAR | SMH MANHOLE (SD) | |
| RCP REINFORCED CONC PIPE | SSM MANHOLE (SS) | |
| R/W RIGHT OF WAY | TMH MANHOLE (TELEPHONE) | |
| SD STORM DRAIN | TEPED TELEPHONE PEDESTAL | |
| SS SANITARY SEWER | CHIPPED CABLE PEDESTAL | |
| SSE SS EASEMENT | WATER METER | |
| VCP VITRIFIED CLAY PIPE | WV WATER VALVE | |

SURVEY FOR			
H DILLARD CO INC			
GREENVILLE COUNTY, SOUTH CAROLINA			
SCALE 1" = 30'	PROPERTY ADDRESS 711 NORTH MAIN STREET	TAX PIN G018000400800	
DATE 7/31/24	30 0 30 30	FIELD CREW MM/ZD	DRAWN BY BM



SITE DESIGN, INC.
 CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
 PH: (864)271-0496
 www.sitedesign-inc.com

S240802

EXHIBIT
 C



**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/15/2024

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

Tax Map Number(s) G018000400800
Property Address(s) 711 NORTH MAIN ST. GREER, SC 29651
Acreage of Properties .33 AC County GREENVILLE

Applicant Information

Name H. DILLARD CO., INC.
 Address 101 SUGAR MILL ROAD
GREER, SC 29650
 Contact Number 864-380-5400
 Email HALDILLARD22@gmail.com
 Business Name H. DILLARD CO., INC.

Property Owner Information
(If multiple owners, see back of sheet)

Name EMILY BRIDWELL
 Address 2719 N. Hwy 14
Greer SC 29651
 Contact Number 864-304-4163
 Email kbbnewton57@gmail.com
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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 rezoned from SUBURBAN NEIGHBORHOOD (SN) to TRADITIONAL NEIGHBORHOOD (TN).

Existing Use: VACANT LOT (1180) Proposed Use: NEW CONSTRUCTION OF (2) HOUSES

Signature(s) [Handwritten Signature]
DocuSigned by:
[Handwritten Signature]
F7F836958DF8462...

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

See Reverse

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-09

APPLICANT: H. Dillard Co., Inc

PROPERTY LOCATION: 711 N Main St

TAX MAP NUMBER: G018000400800

EXISTING ZONING: Suburban Neighborhood (SN)

REQUEST: Rezone to Traditional Neighborhood (TN)

SIZE: 0.321 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 24-09**

RZ 24-09 is a rezoning request for one parcel located at 711 N Main ST with a total acreage of .321 acres. The request is to rezone the property from Suburban Neighborhood to Traditional Neighborhood. The intent of the applicant is to develop residential units.

Surrounding land uses and zoning include:

North:	Suburban Neighborhood – duplex
East:	N Main St and Traditional Neighborhood
South:	Suburban Neighborhood – residence
West:	Suburban Neighborhood – residence

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, four-plexes, 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 the Comprehensive Plan, therefore, staff supports the request. As this property is located in close proximity to the Wade Hampton corridor and located adjacent to a major thoroughfare, higher density residential is appropriate (the property used to house a quadplex, which was legally nonconforming).

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

Mr. Lamb asked what the total acreage of the property is. Mr. Dillard returned to the podium to answer .34 acres and explained his intention of building two Charleston style houses on the lot. The houses would meet all setbacks of the new zoning district

ACTION – Mr. Lavender made a motion to recommend approval of the request. Mr. Lamb seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 35-2024

Summary:

AN ORDINANCE (A) IMPOSING DEVELOPMENT IMPACT FEES IN THE CITY OF GREER, (B) ENACTING ARTICLE IV. DEVELOPMENT IMPACT FEES OF CHAPTER 46 (LAND DEVELOPMENT), BY CREATING SECTION 46-400 THROUGH AND INCLUDING SECTION 46-407 OF THE CODE OF THE CITY OF GREER, SOUTH CAROLINA ("CITY CODE") RELATED TO DEVELOPMENT IMPACT FEES, (C) INVOKING THE PENDING ORDINANCE DOCTRINE, AND (D) PROVIDING FOR OTHER RELATED MATTERS. (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▢ Ordinance Number 35-2024	9/25/2024	Ordinance
▢ Planning Commission Resolution	9/25/2024	Backup Material

ORDINANCE NUMBER 35-2024

AN ORDINANCE (A) IMPOSING DEVELOPMENT IMPACT FEES IN THE CITY OF GREER, (B) ENACTING ARTICLE IV. DEVELOPMENT IMPACT FEES OF CHAPTER 46 (LAND DEVELOPMENT), BY CREATING SECTION 46-400 THROUGH AND INCLUDING SECTION 46-407 OF THE CODE OF THE CITY OF GREER, SOUTH CAROLINA (“CITY CODE”) RELATED TO DEVELOPMENT IMPACT FEES, (C) INVOKING THE PENDING ORDINANCE DOCTRINE, AND (D) PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, South Carolina law authorizes municipalities to take actions not inconsistent with the Constitution and general laws of the State, regarding any subject the municipality finds necessary and proper for the health, safety, security, general welfare, and convenience of the municipality;

WHEREAS, the City has experienced increased, explosive growth in population and development with ever increasing demands on City public facilities and the services necessary to provide for the health, safety, security, general welfare, and convenience of the City’s residents and visitors;

WHEREAS, these services, for example, parks and recreational services, police and fire, and other public safety services, are necessary to provide for and promote harmonious living conditions and to maintain quality standards of living for the City’s residents and to encourage tourism;

WHEREAS, to ensure adequate provision and continuity of such services to the residents of and visitors to the City, and according to South Carolina Code Annotated section 6-1-910, et seq., it is necessary to establish various rates, charges, and fees, as well as procedures to provide for the orderly collection and administration of such rates, charges, and fees relating to the provision of such services in the City;

WHEREAS, the City has considered the information provided by Tischler Bise, Inc., which is attached to this Ordinance as Exhibit A, as the capital improvements plan, and incorporated by reference in this Ordinance; and

WHEREAS, it is necessary to ensure the health, safety, security, general welfare, and convenience of the residents of and visitors to the City by promulgating rules and regulations, to include enforcement activities, rights, and procedures for the City and its residents relating to such development impact fees.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greer, South Carolina, duly assembled that the City Code, is amended by enacting Article IV of Chapter 46 by creating Section 46-400 through and including Section 46-407, which contain such information as provided below between the “*,” as follows:

ARTICLE IV: DEVELOPMENT IMPACT FEES

SECTION 46-400. PURPOSE AND INTENT.

The purposes and intent of the development impact fee procedures are:

(A) To establish uniform procedures for the imposition, calculation, collection, expenditure, and administration of development impact fees imposed on development;

(B) To implement the goals, objectives, and policies of the City comprehensive plan relating to assuring

that development contributes its fair share towards the costs of public facilities reasonably necessitated by the development;

(C) To ensure that development is benefitted by the provision of the public facilities funded, in whole or in part by the development impact fees; and

(D) To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

SECTION 46-401. DEFINITIONS.

The words or phrases used in this Article shall have the meaning prescribed in the current City Code except as otherwise indicated in this Section. To the extent that the definitions of words, terms, and phrases as prescribed in South Carolina Code Annotated section 6-1-920, conflict with the definition of words, terms, or phrases as defined in this Article or other City ordinances, the former shall control:

AFFORDABLE HOUSING. Housing affordable to families whose incomes do not exceed 80% of the median income for the service area or areas within the jurisdiction of the governmental entity. Median household income shall be based upon the most recent data available from the United States Bureau of the Census as of the date of the application for a building permit.

APPROPRIATION or TO APPROPRIATE. An action by the City Council or the applicable service provider to identify specific public facilities for which development impact fee funds may be utilized. **APPROPRIATION** shall include but shall not necessarily be limited to: inclusion of a public facility in the capital improvements plan for the particular development impact fee prepared in accordance with South Carolina Code Annotated section 6-1-910, *et seq.*; execution of a contract or other legal encumbrance for construction of a public facility using development impact fee funds in whole or in part; and actual expenditure of development impact fee funds through payments made from a fee account for public facilities in the capital improvements plan.

CAPITAL IMPROVEMENTS. Has the meaning established in South Carolina Code Annotated section 6-1-920(2) (improvements with a useful life of five years or more, by new construction or other action, which increase or increased the service capacity of the public facility).

CAPITAL IMPROVEMENTS PLAN. Has the meaning established in South Carolina Code Annotated section 6-1-920(3) (a plan that identifies capital improvements for which development impact fees may be used as a funding source).

DEPARTMENT. City Administration.

DEVELOPER. Has the meaning established in South Carolina Code Annotated section 6-1-920(5) (an individual, corporation, partnership, or other entity undertaking development).

DEVELOPMENT. Has the meaning established in South Carolina Code Annotated section 6-1-920(6) (construction or installation of a new building or structure, or a change in use of a building or structure, any of which creates additional demand and need for public facilities. A building or structure shall include but not be limited to, modular buildings and manufactured housing. **DEVELOPMENT** does not include alterations made to existing single-family homes).

DEVELOPMENT IMPACT FEE or DEVELOPMENT IMPACT FEE. Has the meaning established in South Carolina Code Annotated section 6-1-920(8).

DEVELOPMENT IMPACT FEE DISTRICT MAP. The map(s) defining the geographical extent of the development impact fee districts and subdistricts for each adopted development impact fee, as may be necessary, which, initially shall include the entire jurisdictional limits of the City, as may be amended from time to time.

DIRECTOR. The City Administrator or the City Administrator's designee.

DISTRICT or DEVELOPMENT IMPACT FEE DISTRICT. A defined geographic area or subarea of the City which serves as the service area within which particular development impact fees are collected, appropriated, and expended for public facility system improvements that are identified in the capital improvement plan for the public facility.

FEE PAYOR. Has the meaning established in South Carolina Code Annotated section 6-1-920(10) (the individual or legal entity that pays or is required to pay a development impact fee).

GOVERNMENTAL ENTITY. Has the meaning established in South Carolina Code Annotated section 6-1-920(11). (a municipality, as defined in South Carolina Code Annotated section 5-1-20).

LEVEL OF SERVICE. Has the meaning established in South Carolina Code Annotated section 6-1-920(14) (a measure of the relationship between service capacity and service demand for public facilities).

MULTIPLE USES. A development consisting of both residential and non-residential uses or one or more different types of non-residential uses on the same site or part of the same development.

PROPORTIONATE SHARE. Has the meaning established in South Carolina Code Annotated section 6-1-920(17) (that portion of the costs of system improvements determined pursuant to South Carolina Code Annotated section 6-1-990 which reasonably relates to the service demands and needs of the project).

PUBLIC FACILITIES. Has the meaning established in South Carolina Code Annotated section 6-1-920(18).

RETIREE HOUSING. A housing facility or community which constitutes “housing for older persons” as defined in the Fair Housing Act (42 U.S.C. § 3607(b)(2) and 24 C.F.R. § 100.303), or a housing facility or community which is otherwise restricted through the filing of a binding declaration of covenants, conditions, and restrictions (“CCR’s”) for occupancy by persons at least 62 years of age, provided however, that RETIREE HOUSING does not include any dwelling unit for which the CCR’s have been invalidated by any court of competent jurisdiction.

SERVICE AREA. Has the meaning established in South Carolina Code Annotated section 6-1-920(19) as depicted in the map, which is adopted as Section 46-409 (based on sound planning or engineering principles, or both, a defined geographic area in which specific public facilities provide service to development within the area defined).

SERVICE UNIT. Has the meaning established in South Carolina Code Annotated section 6-1-920(20) (a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements).

SUCCESSOR IN INTEREST. A person who gains a fee simple interest in land for which a development impact fee is paid, or an offset is approved pursuant to the terms of this Article.

SYSTEM IMPROVEMENTS. Has the meaning established in South Carolina Code Annotated section 6-1-920(21) (capital improvements to public facilities which are designed to provide service to a service area).

SYSTEM IMPROVEMENTS COSTS. Has the meaning established in South Carolina Code Annotated section 6-1-920(22).

SECTION 46-402. GENERAL PROVISIONS; APPLICABILITY.

(A) Term. These procedures shall remain in effect unless and until repealed, amended or modified by the City Council in accordance with applicable state law and City ordinances and resolutions.

(B) Annual review.

(1) At the first City Council meeting in March each year, the City Administrator or a designee shall coordinate the preparation and submission of a report on the subject of development impact fees. City Council, however, may request reports more frequently.

(2) The report shall include the following:

- (a) Recommendations on amendments, if appropriate, to these procedures or to specific ordinances adopting development impact fees for particular public facilities;
- (b) Proposed changes to the City comprehensive plan and/or an applicable capital improvements program, or the capital improvement plan for the particular public facility, including the identification of public facility system improvements anticipated to be funded wholly or partially with development impact fees;
- (c) Proposed changes to the boundaries of development impact fee districts or subdistricts, as appropriate;
- (d) Proposed changes to development impact fee schedules as set forth in the ordinances imposing and setting specific development impact fees;
- (e) Proposed changes to level of service standards;
- (f) Proposed changes in the development impact fee calculation methodology;
- (g) Other data, analysis or recommendations as the City Administrator or a designee may deem appropriate, or as may be requested by the City Council.

(3) Submission of development impact fee annual report and City Council action. The City Administrator or a designee shall submit the development impact fee annual report to the City Council, which shall receive the report and take such actions as the City Council deems appropriate, including, but not limited to, requesting additional data or analyses and holding public workshops and/or public hearings.

(C) Affected area.

(1) Development impact fee district. Development impact fees may be imposed on development in the City for particular public facilities authorized by applicable law. The particular development impact fees may be divided into development impact fee districts (and subdistricts) by the City Council for purposes of expenditure of development impact fees funds.

(2) Identification. The affected area, including development impact fee districts, subdistricts, if applicable shall be described and/or listed in the applicable fee-setting ordinances to the extent not otherwise set forth in the City Code.

(D) Type of development affected. These procedures shall apply to all development as defined in this chapter and as defined in the applicable fee-setting ordinances.

(E) Type of development not affected. The requirements of this Article and the applicable fee-setting ordinances shall not apply to:

(1) Building permits. Development for which a building permit has been issued prior to the effective date of these procedures.

(2) Previous payment of development impact fees. Development for which development impact fees have been paid in full.

(3) Public facilities provided by the state or federal government. The development of public

facilities by the state or the federal government.

(4) Spaces in existing mobile home parks existing prior to December 16, 1996. A mobile home located on a space in a mobile home park or court pursuant to an existing site plan or Planned Urban Development (“PUD”) District in which mobile homes are listed as part of the regulations applying to that district, which site plan or PUD District was approved on or before December 16, 1996, or for a mobile home park or court existing on or before July 7, 1986, pursuant to the plans and specifications approved by the South Carolina Department of Health and Environmental Control (“DHEC”) and for which a validly issued DHEC permit is in effect. This exception shall not apply to spaces approved within or adjacent to a mobile home park or court after December 16, 1996.

(F) Exemptions. The following structures or activities are exempt from development impact fees.

(1) Rebuilding. Rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe.

(2) No net increase in dwelling units. Remodeling or repairing a structure that does not result in an increase in the number of service units or replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of dwelling units does not increase.

(3) No net increase in non-residential square footage. New non-residential development which does not add square footage or floor area.

(4) Construction trailer or office during construction. The placement of a construction trailer or office on a lot during the period of construction on the lot.

(5) Increasing dwelling unit square footage. Constructing an addition on a residential structure which does not increase the number of service units.

(6) Uses accessory to residential uses. Adding uses that are typically accessory to residential uses, such as a tennis club or clubhouse, unless it is clearly demonstrated that the use creates a significant impact on the demand for a particular public facility.

(7) Affordable housing.

(a) All or part of a particular development project if:

1. The project is determined to create affordable housing; and

2. The exempt development’s proportionate share of system improvements is funded through a revenue source other than development impact fees.

(b) To maintain for the exemption, the developer or successor must annually file a report with the City Administration certifying the housing units meet the definition of affordable for a period of 30 years after the certificate of occupancy is issued. If the dwelling unit(s) are converted to market rate housing during this 30-year period, the developer or successor shall be responsible for paying the development impact fee due at the time the dwelling unit was permitted.

(8) Other uses. A use, development, project, structure, building, fence, sign, or other activity which does not result in an increase in the demand for a public facility system improvement for which development impact fees are imposed and collected in accordance with this Article and the applicable fee-setting ordinances.

(9) Schools. A new elementary, middle, or high school.

(10) New volunteer Fire Department. A new volunteer Fire Department.

(G) Waivers for retiree housing. Development impact fees for retiree housing may be waived pursuant to Section 46-406, if the applicant: (1) ensures the housing will maintain its eligibility as retiree housing as defined in this Article for at least 30 years from the date of building permit issuance; and (2) certifies each year thereafter, by the anniversary date of building permit issuance, that the housing still meets the requirement. If at any time during the 30-year period the housing fails to comply with these eligibility requirements, the waiver is automatically voided, and the owners of the development shall pay the development impact fees in effect on the date eligibility expires.

(H) Effect of payment of development impact fees on other applicable City land development regulations.

(1) The payment of development impact fees shall not entitle the applicant to a development permit unless all other applicable requirements, standards, and conditions of approval have been met. Such other requirements, standards, and conditions of approval are independent of the requirement for payment of development impact fees.

(2) Neither these procedures or the applicable fee-setting ordinances shall affect, in any manner, the use of property, density/intensity of development, design and improvement standards or other applicable standards or requirements of this code.

(I) Amendments. This Article, and any applicable fee-setting ordinances for any particular public facilities, may be amended from time-to-time by the City Council.

SECTION 46-403. PROCEDURES FOR IMPOSITION; CALCULATION AND COLLECTION OF DEVELOPMENT IMPACT FEES.

(A) In general. An applicant shall be notified by the City of the applicable development impact fee requirements at the time of application for a building permit, or other development permit if no building permit is required, and calculated and paid prior to issuance of a building permit.

(B) Calculation.

(1) Upon receipt of an application for a building permit, the Director shall determine: (a) whether it is a residential or non-residential use; (b) the specific category (type) of residential or non-residential development, if applicable; (c) if residential, the number of new dwelling units; (d) if nonresidential, the number of new or additional square feet of floor area and the proposed use, and; (e) the development impact fee district(s) in which the development is located. After making these determinations, the Director shall calculate the development impact fees due. If the applicant has requested an offset pursuant to division (C), the offset shall be calculated and subtracted from the development impact fees due.

(2) If the type of land use proposed for development is not expressly listed in the specific fee setting development impact fee ordinance, the Director shall: (a) identify the most similar land use type listed and calculate the development impact fees based on the fees for that land use; or (b) identify the broader land use category within which the specific land use would apply and calculate the development impact fees based on the development impact fees for that land use category.

(3) An applicant may request a non-binding estimate of development impact fees due from the Director for a particular development at any time. The estimate may change depending on the time a formal application for a building permit is submitted.

(4) The calculation of development impact fees due from a multiple-use development shall be based upon the fees due for each use.

(5) The calculation of development impact fees due from phased development shall be based upon the demand generated by each specific use of the phase of development.

(C) Offsets.

(1) Offsets against the amount of development impact fees due from a development may be provided by an applicant for the dedication of land and/or the provision of public facility system improvements that are identified in the capital improvement plan for the particular public facility if either (a) the costs of such land or public facilities have been included in the capital improvement plan for the public facility or the development impact fee calculation methodology, or (b) the land dedicated is determined by the Director to be a reasonable substitute for the cost of public facilities which are included in the capital improvement plan and applicable development impact fee calculation methodology.

(2) Applications for offsets shall be made on forms provided by the Director and shall be submitted concurrent or prior to an application for building permit. The application for an offset shall be accompanied by evidence establishing the eligibility of the applicant for the offset. The Director shall calculate the applicable development impact fees without the offset and then determine whether an offset is due and, if so, the amount of the offset. The offset shall be applied against the development impact fees due. In no event shall an offset be granted in an amount exceeding the development impact fees due.

(3) Offsets for dedication of land or provision of public facility system improvements that are identified in the capital improvement plan shall be applicable only as to development impact fees imposed for the same types of public facilities. Even if the value of the dedication of land or provision of a public facility exceeds the development impact fees due for the type of public facility, the excess value may not be transferred to development impact fees calculated as due from the applicant for other types of public facilities, nor may the excess value be transferred to other applicants or properties.

(D) Collection. The Director shall collect all applicable development impact fees at the time of issuance of a building permit unless:

(1) The applicant is determined to be entitled to a full offset;

(2) The applicant has been determined to be not subject to the payment of development impact fees; or

(3) The applicant has taken an appeal pursuant to Section 46-409, and a bond or other surety in the amount of the development impact fee, as calculated by the Director, has been posted with the City.

SECTION 46-404. ESTABLISHMENT OF DEVELOPMENT IMPACT FEE ACCOUNTS; APPROPRIATION OF DEVELOPMENT IMPACT FEE FUNDS; AND REFUNDS.

(A) Development impact fee accounts. A development impact fee account is established by the City for each public facility for which development impact fees are imposed. The accounts shall clearly identify the category, account, or fund for which the development impact fees are imposed. Subaccounts may be established for individual development impact fee districts and subdistricts. All development impact fees collected by the City shall be deposited into the appropriate development impact fee account or subaccount, which shall be interest bearing. All interest earned or monies deposited to the accounts or subaccounts shall be credited to and shall be considered funds of the account. The funds of each account shall not be commingled with other funds or revenues of the City. The City shall establish and implement necessary accounting controls to ensure that the development impact fee funds are properly deposited, accounted for, and appropriated in accordance with these procedures, and any other applicable legal requirements.

(B) Appropriation of development impact fee funds.

(1) In general. Development impact fee funds may be appropriated for public facilities identified in the capital improvement plan, as may be amended from time to time, of the public facility and for the payment of principal, bonds, contracts, and other obligations issued by or on behalf of the City to finance the public facilities.

(2) Restrictions on appropriations. Development impact fees shall be appropriated only (a) for the public facility for which they were imposed, calculated and collected, or included within, provided for in, or authorized by an amended capital improvements plan; (b) within the development impact fee district or subdistrict where collected. They shall be appropriated and expended within three years of the date they were scheduled to be expended in the capital improvements plan or any amended capital improvements plan. Development impact fees shall not be appropriated or expended for funding maintenance or repair of public facilities nor for operational or personnel expenses associated with the provision of the public facility.

(3) Appropriation of development impact fee funds outside of district or subdistrict where collected. Except for public education facilities development impact fees, development impact fee funds may be appropriated for a public facility located outside of the district or subdistrict where collected, if the demand for the public facility is generated in whole or in part by the development or if the public facility will serve the development.

(C) Procedure for appropriation of development impact fee funds.

(1) The City shall, each year, identify public facility projects anticipated to be funded in whole or in part with development impact fees. The public facility recommendations shall be based upon the development impact fee annual review set forth in Section 46-402 and such other information as may be relevant but shall not be part of the annual budget and capital improvements programming process.

(2) The recommendations shall be consistent with the provisions of these procedures, the fee setting development impact fee ordinance for the public facility, applicable legal requirements, and any guidelines adopted by the City Council.

(3) The City Council may include development impact fee-funded public facilities in the City's annual budget and capital improvements program. If included, the description of the public facility shall specify the nature of the public facility, the location of the public facility, the capacity to be added by the public facility, the service area of the public facility, the need/demand for the public facility and the anticipated timing of completion of the public facility.

(4) The City Council shall verify that adequate development impact fee funds are or will be available from the appropriate development impact fee accounts for the specified public facility.

(D) Refunds.

(1) Eligibility for refund.

(a) Expiration or revocation of permit or approval. An applicant or a successor-in-interest who has paid development impact fees for development for which an approval or permit has expired or been revoked is eligible to apply for a refund of development impact fees paid.

(b) Failure of City to appropriate development impact fee funds within time limit. The City shall notify the owner of record of a development that has been paid development impact fees if the City has failed to appropriate and expend the development impact fees collected from the applicant within the time limits established in division (B)(2), and the owner of record is eligible to apply for a refund of development impact fees paid. The accounting shall be based on a first-in, first-out basis.

(c) Reduction in density or intensity of development. The applicant or a successor-in-interest who paid development impact fees is eligible for a refund if the density or intensity of the development for which the development impact fees are paid is reduced after payment of the fees, and the fees are not appropriated and expended.

(2) Refund application for expiration or revocation of permit or approval. Applications for a

refund due to expiration or revocation of a permit or approval of the development shall include: (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the development impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the expiration or revocation of the permit or approval. Failure to apply for the refund within 60 days following expiration or revocation of the permit or approval shall constitute a waiver of entitlement to a refund. No interest shall be paid by the City in calculating the amount of the refunds.

(3) Refund application for failure of City to appropriate and expend funds. Applications for refunds due to City failure to appropriate and expend fees collected from an applicant within the time limits established in division (B)(2) shall be initiated by the owner-of-record within 120 days after the City has notified the owner of a right to a refund. To receive the refund, the owner-of-record shall submit (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, and (b) the amount of the development impact fees paid and receipts evidencing the payments. Refunds shall include any interest earned on the development impact fees being refunded.

(4) Refund application due to reduction in density or intensity. Applications for refunds due to a reduction in density or intensity of development shall include (a) evidence that the applicant is the property owner or developer who paid the development impact fees or, if the applicant is the current owner, evidence that the developer has waived rights to a refund, (b) the amount of the development impact fees paid and receipts evidencing payments, and (c) documentation evidencing a reduction in density or intensity of the development. No refund shall be approved until a revised development plan is approved by the City; with any right to a refund being waived unless a written request for a refund is initiated within two years of the City approval of the revised development plan, or final construction is completed, whichever is later. The refund shall be paid to the current property owner or developer, as appropriate. Any refund shall include the pro rata share of any, if any, interest earned while the amount to be refunded was held by the City.

(5) Method of refund. The City may, at its option, make refunds of development impact fees by direct payment, by offsetting such refunds against other development impact fees due for the same public facility for development on the same property, or by other means subject to agreement with the person receiving the refund.

SECTION 46-405. APPEALS.

(A) A fee payor may pay a development impact fee under protest. A fee payor making the payment of development impact fees is not stopped from exercising the right of appeal under this Article or stopped from receiving a refund for any overpayment of the fees, if that is determined to be the case on appeal.

(B) An appeal from any decision of the Director pursuant to these procedures shall be made to the City Administrator. If the notice of appeal is accompanied by a letter of credit in a form satisfactory to the City Attorney in an amount equal to the development impact fees due, the development may be approved. The filing of an appeal shall not stay the imposition or the collection of development impact fees unless a bond or other sufficient surety is provided.

(1) No later than 30 days after receiving the appeal, the City Administrator or his or her authorized designee shall conduct an appeal-review in which the appellant and a representative from the City may present justification and documents related to the issue on appeal.

(2) The City Administrator shall consider all pertinent justification and materials submitted by the appellant and by the City representative, and all other available information to ensure a full and fair review.

(3) No later than 15 days after the hearing, the City Administrator shall furnish the appellant with a written decision that explains the basis for the decision.

(C) In its appeal before the City Administrator, the burden of proof shall be on the appellant to

demonstrate that the decision of the Director is erroneous.

SECTION 46-406. EXEMPTIONS; WAIVERS.

(A) Filing of application. Petitions for exemptions to the application of these procedures or waivers from specific development impact fees shall be filed with the department, on a form provided by the department. The Director shall process the petition for exemption within five business days and within ten business days for a waiver. Decisions of the Director shall be final. The applicant may appeal an adverse decision to the City Administrator in accordance with Section 46-405.

(B) Effect of grant of exemption for affordable housing or waiver. If the Director grants an exemption for affordable housing or a waiver, the amount of the development impact fees exempted for affordable housing or waived shall be provided by the City or other appropriate service provider for the particular public facilities, from non-development impact fee funds. The funds shall be deposited in the appropriate development impact fee account.

(C) Timing of provision of waived or exempted for affordable housing development impact fees. The provision of the amount of exempted or waived development impact fees by the City or other appropriate service provider shall be made within a reasonable period of time, consistent with the applicable capital improvements program and the capital improvement plan for the public facility.

(D) Development agreements. Nothing herein shall be deemed to limit the City’s authority and ability to enter into development agreements with applicants for development which provide for payments in-lieu of development impact fees.

SECTION 46-407. DISPUTE RESOLUTION.

If there is a dispute between a fee payor and the City about a development impact fee amount due, an offset, or a waiver, the City Council and the fee payor may agree to resolve the dispute through mediation, by using a qualified independent mediator, by mutual agreement. Participation in mediation does not preclude the fee payor from pursuing other remedies provided by law.

SECTION 46-408. SERVICE AREA, FEE SCHEDULE, AND LEVEL OF SERVICE.

The City adopts the Service Area, schedule of development impact fees, and appropriate level of service for the applicable Service Area and type of Service as described in Exhibit A.

Administration. The City Administrator is authorized to take whatever actions and execute and deliver whatever documents as either of the City Administrator deems appropriate to affect this Ordinance’s intent.

Repealer. Each ordinance, resolution, regulation, order, or other directive of the City, and each part of the same, in conflict with this Ordinance, is, to the extent of that conflict, repealed, and replaced by this Ordinance.

Codification. The City shall codify the contents of this Ordinance in Chapter 46, Article IV of the City Code as Section 46-400 through and including Section 46-407, or as otherwise appropriately numbered, online as soon as practicable and in print as part of the City’s next, regular, re-codification.

Rights Reserved to City. This Ordinance does not vest any rests in any person or entity, and the City reserves the right to repeal or amend this Ordinance and the portions of the City Code enacted by this Ordinance, and any portion of the same, and each other portion of the City Code, at any time, from time to time, as often as the City, in its sole discretion, deems appropriate.

Savings Clause. Nothing in this Ordinance abrogates, diminishes, or otherwise alters any matter that arose under any portion of the City Code then-existing prior to the enactment of this Ordinance and any matter that

so arose shall be administered according to such provisions as they existed prior to the enactment of this Ordinance.

Severability. If any part of this Ordinance is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

Pending Ordinance Doctrine; Effective Date. The “Pending Ordinance Doctrine,” as described and applied by the South Carolina Supreme Court in *Sherman vs. Reavis*, 273 S.C. 542, 257 S.E.2d 735 (1979), and as adopted and applied by South Carolina courts in other decisions, is adopted and declared to be in full force and effect in the City with respect to application of any City planning, zoning, development matters, and the imposition of development impact fees, as contemplated by this Ordinance. As a result, this Ordinance shall be deemed to be applicable at and after first reading.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

[SEAL]
ATTEST:

Tammela Duncan, Municipal Clerk

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Introduced by: Councilman Jay Arrowood

First Reading: August 27, 2024

Second Reading / Final Approval: October 8, 2024

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC

**EXHIBIT A
CAPITAL IMPROVEMENT PLAN
AND
DEVELOPMENT IMPACT FEE STUDY**

[SEE 79 PAGES, ATTACHED]

**A RESOLUTION OF THE CITY OF GREER, SOUTH CAROLINA,
PLANNING COMMISSION MAKING CERTAIN
RECOMMENDATIONS TO THE CITY COUNCIL OF THE CITY OF
GREER, SOUTH CAROLINA, REGARDING THE IMPOSITION OF
DEVELOPMENT FEES ACCORDING TO THE REQUIREMENTS OF
THE SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT,
CODIFIED IN SOUTH CAROLINA CODE ANNOTATE SECTION 6-1-
910, ET SEQ.; AND PROVIDING FOR OTHER RELATED MATTERS.**

WHEREAS, the City Council ("Council") for the City of Greer, South Carolina ("City"), by Resolution No. 26-2024, adopted August 27, 2024, directed this Commission to conduct one or more studies in accordance with the South Carolina Development Impact Fee Act, codified in South Carolina Code Annotated section 6-1-910, et seq. (collectively, "Act"), specifically, section 6-1-960, and to make recommendations to the City Council in accordance with the Act regarding the development and imposition of development impact fees;

WHEREAS, the Commission, considering, the City's increased, explosive growth in population and development with the ever-increasing demands on City public facilities and the services necessary to provide for the health, safety, security, general welfare, and convenience of the City's residents and visitors, including, for example, the need for parks and recreational services, police and fire, and other public safety services, that are necessary to provide for and promote harmonious living conditions and to maintain quality standards of living for the City's residents and to encourage tourism;

WHEREAS, the Commission has considered the information provided by Tischler Bise, Inc., which is attached to this Resolution as Exhibit A, as the capital improvements plan and development impact fee study, and incorporated by reference in this Resolution;

WHEREAS, the Commission has considered the proposed ordinance, which is attached to this Resolution as Exhibit B, as the proposed ordinance for the imposition and management of development impact fees for the City;

WHEREAS, to ensure adequate provision and continuity of such services to the residents of and visitors to the City, and according to the Act, the Commission conducted and/or reviewed such studies as the Commission deemed appropriated, and intends by this Resolution to make the recommendation to the City Council, for the adoption of the capital improvements plan and development impact fee study as is attached to this Resolution as Exhibit A, and for the enactment of the proposed ordinance for the imposition and management of development impact fees as is attached to this Resolution as Exhibit B;

WHEREAS, the Commission has provided such notice, and held such public hearing(s), and in all respects acted, in compliance with the requirements of Act, including, for example, specifically section 6-1-960, applicable to the Commission's part of the development impact fee process;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City:

1. The recommendation of Tischler Bise, Inc. materials, attached to, and incorporated in, this Resolution as Exhibit A are adopted by the Commission and recommended for adoption by the City Council; and
2. The draft ordinance attached to, and incorporated in, this Resolution as Exhibit B is adopted by the Commission and recommended for enactment by the City Council;

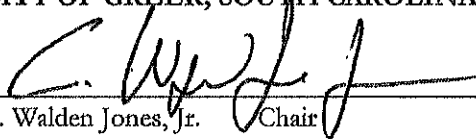
The Commission authorizes (a) the Chair and/or the Vice Chair, each individually, to execute any and all documents and to take any and all further actions, as may be reasonably necessary and prudent to effect this Resolution's intent, and (b) the City's Planning Manager to attest and deliver any such documents related to the same.

All resolutions, orders, and parts thereof in conflict with this Resolution, are to the extent of that conflict, repealed.

This Resolution is effective and be in full force upon adoption by the Commission.

Adopted: September 18, 2024.

PLANNING COMMISSION OF THE
CITY OF GREER, SOUTH CAROLINA


C. Walden Jones, Jr. Chair

ATTEST:


Ashley Kaade, City of Greer Planning Manager



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 36-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY PEGGY S. HENSON LOCATED AT 780 BROCKMAN MCCLIMON ROAD AND 945 ABNER CREEK ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 36-2024	9/25/2024	Ordinance
▣ Ord 36-2024 Exhibit A Map	9/25/2024	Exhibit
▣ Ord 36-2024 Exhibit B Deed	9/25/2024	Exhibit
▣ Ord 36-2024 Exhibit C Plat	9/25/2024	Exhibit
▣ Ord 36-2024 Rezoning Application	9/25/2024	Backup Material
▣ Ord 36-2024 Planning Commission Minutes	9/25/2024	Backup Material

ORDINANCE NUMBER 36-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY PEGGY S. HENSON LOCATED AT 780 BROCKMAN MCCLIMON ROAD AND 945 ABNER CREEK ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to certain properties owned by Peggy S. Henson located at 780 Brockman McClimon Road and 945 Abner Creek Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Numbers 5-28-00-012.00 and 5-28-00-012.04 containing approximately 17.98 +/- acres attached hereto marked as Exhibit A, the Deed and the Quit Claim Deed attached hereto marked as Exhibit B; and the Plat attached hereto marked at Exhibit C.

1. The owner desires to change the zoning classification of her properties and has shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 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 properties located at 780 Brockman McClimon Road and 945 Abner Creek Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Numbers 5-28-00-012.00 and 5-28-00-012.04 containing approximately 17.98 +/- acres attached hereto marked as Exhibit A shall be changed from RR (Rural Residential) 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: September 24, 2024

Second and
Final Reading: October 8, 2024

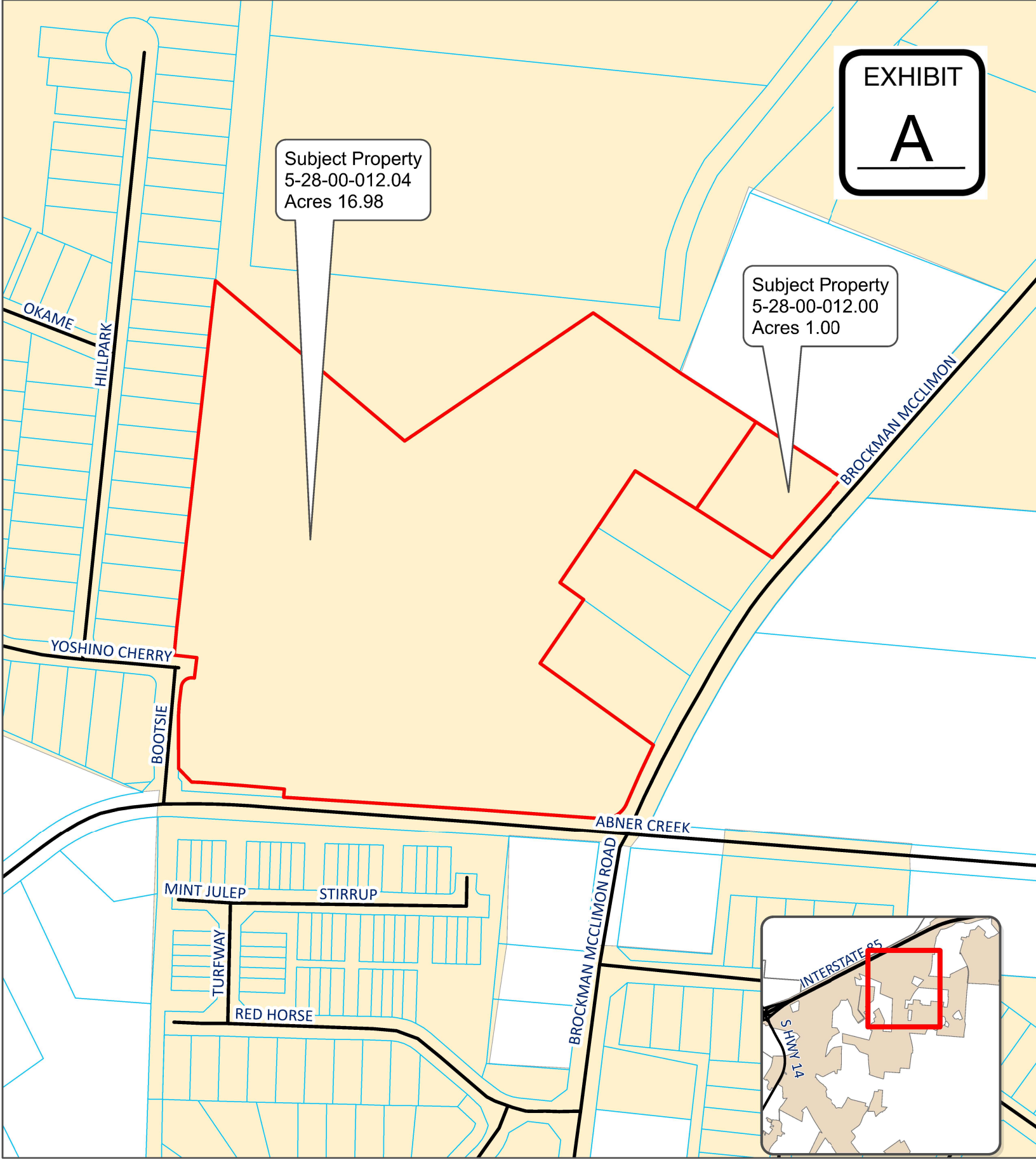
Approved as to Form:

Daniel R. Hughes, City Attorney

EXHIBIT
A

Subject Property
5-28-00-012.04
Acres 16.98

Subject Property
5-28-00-012.00
Acres 1.00



Ordinance 36-2024

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.

EXHIBIT
B

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

DEED
NO TITLE EXAMINATION

KNOW ALL MEN BY THESE PRESENTS, **Mitchell D. Smith** for and in consideration of Five (\$5.00) Dollars, love and affection the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto **Ralph A. Henson and Peggy S. Henson, as joint tenants with right of survivorship and not as tenants in common**, to be theirs absolutely, the following described property to-wit:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the north western side of Brockman McClimon Road and being 582 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffery M. Wallace, RLS # 12251, dated October 20, 1997, entitled "Boundary Survey for Wilson M. Smith," recorded in the ROD Office for Spartanburg County in Plat Book 142, Page 728 and having, according to said plat the following metes and bounds, to wit:

BEGINNING at an iron pin in the center line of Brockman McClimon Road 582 feet from the center of Abner Creek Road, and running N. 55-41-32 W 203.07 feet to an iron pin; thence turning and running N 34-18-32 E 202.09 feet to an iron pin; thence turning and running S 55-41-28 E 228.48 feet to an iron pin in the center line of Brockman McClimon Road; thence turning and running S 41-37-10 W 168.52 feet to an iron pin, the point of beginning.

This being a portion of the property conveyed to Mitchell D. Smith from the estate of Wilson M. Smith by Deed of Distribution, Spartanburg Probate case number 2008-ES-42-00547, dated March 12, 2009 and recorded April 21, 2009 in the ROD Office for Spartanburg County in Deed Book 93-R at Page 86.

TMS: 5-28-00-01200

Grantee's Address: 780 Brockman-McClimon Rd
Greer, SC 29651

This conveyance is made subject to all easements, restrictions, rights of ways, roadways and/or zoning ordinances, if any, affecting subject property.

together with all and singular the rights, members, hereditaments and appurtenances to

DEE-2011-17247
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Recording Fee: \$10.00 Documentary Stamps: \$0.00
Office of Register of Deeds, Spartanburg, S.C.
Dorothy Earle, Register



DEATH CERTIFICATION

139-2023-002529

* RALPH ALLEN HENSON *
AKA: N/A

DECEDENT INFORMATION

DATE OF DEATH: JANUARY 16, 2023
PLACE OF DEATH TYPE: DECEDENT'S HOME
PLACE OF DEATH NAME AND ADDRESS: 780 BROCKMAN MCCLIMON ROAD, GREER, SC, 29651
CITY OF DEATH: GREER
MARITAL STATUS: MARRIED
SURVIVING SPOUSE: PEGGY SMITH
MOTHER NAME: EULINE SATTERFIELD
FATHER NAME: C B HENSON
RESIDENCE: 780 BROCKMAN MCCLIMON ROAD, GREER, SPARTANBURG COUNTY, SC, 29651

TIME OF DEATH: 1155
SOCIAL SECURITY NUMBER: -3575
COUNTY OF DEATH: SPARTANBURG
DATE OF BIRTH:
AGE: 73 YEARS
PLACE OF BIRTH: SOUTH CAROLINA
SEX: MALE
ARMED FORCES: YES

INFORMANT INFORMATION

NAME: PEGGY S HENSON
MAILING ADDRESS: 780 BROCKMAN MCCLIMON ROAD, GREER, SC, 29651

RELATIONSHIP: WIFE

DISPOSITION/FUNERAL HOME INFORMATION

PLACE: HILLCREST MEMORY GARDENS, GREER, SC
FUNERAL HOME: THE WOOD MORTUARY, INC.
FUNERAL HOME ADDRESS: 300 WEST POINSETT STREET, GREER, SC, 29650-1548
FUNERAL DIRECTOR NAME: CLYDE T RAMPEY III
EMBALMER: CLYDE T RAMPEY III

METHOD: BURIAL

LICENSE NUMBER: 2225
LICENSE NUMBER: 2225

MEDICAL INFORMATION

CERTIFIER: MD JAMIE DAVIS FREELIN
ADDRESS: 220 N. MAIN STREET, SUITE 500, GREENVILLE, SC, 29601
CAUSE OF DEATH - PART I:
SEQUELAE OF CEREBRAL INFARCTION

LICENSE NUMBER: 33562

MANNER OF DEATH: NATURAL

OTHER SIGNIFICANT CONDITIONS - PART II: N/A

CORONER CONTACTED?: NO
DATE OF INJURY: N/A
LOCATION OF INJURY: N/A
PLACE OF INJURY: N/A
HOW INJURY OCCURRED: N/A

AUTOPSY PERFORMED?: NO
AUTOPSY AVAILABLE?: N/A
TIME OF INJURY: N/A
INJURY AT WORK?: N/A

DATE FILED: JANUARY 18, 2023

DATE ISSUED: JANUARY 18, 2023

AMENDMENT HISTORY

N/A

DEE-2023-35527



DEE BK 143-K PG 81-81

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Recording Fee: \$10.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Ashley B. Williams, Register Of Deeds

SC11144759

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.

E. D. Simmer

Edward D. Simmer, MD, MPH, DFAPA
Director and State Registrar

Caleb N. Cox

Caleb N. Cox
Assistant State Registrar

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Revision Date: 08/09/2022



Exhibit "A"

Parcel I (Approximately 16 acres)

ALL that piece, parcel, or tract of land in Spartanburg County, State of South Carolina, located on the western side of Road No. 12, and being shown as part of property on plat of Minnie W. McClimon Estate, made by Neil R. Phillips & Company, In., RLS, dated October 15, 1994, and has the following courses and distance, to-wit:

BEGINNING at a pin in the intersection of Road No. 12 and Road No. 63 (Pelham-Startex Road) and running thence N. 86-00-00 W., 895.36 feet with center of Road No. 63 to pin in road; thence N. 5-46-37 E., 957.78 feet to new pin; thence S. 52-48-43 E., 466.95 feet to point; thence N. 74-38-18 E., 55.33 feet to a point; thence N. 45-51-09 E., 162.86 feet to a point; thence N. 58-37-02 E., 181.59 feet to a point; thence N. 46-26-11 E., 49.76 feet to pin, corner of Lloyd & Annie Bayne; thence with Bayne S. 55-41-37 E., 600 feet to center of Road No. 12; thence with the center of said road the following courses and distances: S. 41-37-10 W., 168.52 feet, S. 40-19-50 W., 58.74 feet, S. 38-01-33 W., 60.79 feet, S. 34-44-23 W., 57.29 feet and S. 28-25-44 W., 388.62 feet to the beginning corner and containing 20.874 acres, more or less, subject to road right of way.

This being the same property conveyed to Mitchell D. Smith, Earline H. Smith, Wilson M. Smith, Billy Smith, Frances H. Smith, Hendrix J. Bennett & Ruby S. Bennett by deed of Eddie Runion dated January 12, 1998 and recorded on January 14, 1998 in the ROD Office for Spartanburg County in Deed Book 67-E at Page 511. Also, this being the same property conveyed to Mitchell S. Smith by deed of distribution from the estate of Wilson M. Smith estate number 2008-ES-42-00547 dated March 12, 2009 and recorded on April 21, 2009 in the ROD Office for Spartanburg County in Deed Book 93-R at Page 086.

LESS:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 582 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffrey M. Wallace, RLS#12251, dated October 20, 1997, entitled "Boundary Survey for Wilson M. Smith,; recorded in the ROD Office for Spartanburg County in Plat Book 142, at Page 728, and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin in the center line of Brockman McClimon Road 582 feet from the center line of Abner Creek Road, and running N. 55-41-32 W. 03.07 feet to an iron pin; thence turning and running N. 34-18-32 E. 202.09 feet to an iron pin; thence turning and running S. 55-41-28 E. 228.48 feet to an iron pin in the center line of Brockman McClimon Road; thence turning and running S. 41-37-10 W. 168.52 feet to an iron pin, the point of beginning.

LESS:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 323 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffrey M. Wallace, RLS#12251, dated October 20, 1997, entitled "Boundary Survey for Mitchell D. Smith and Earline H. Smith," recorded in the ROD Office for Spartanburg County in Plat Book 142, at Page 729, and having, according to said plat, the following metes and bounds, to-wit:

Beginning at an iron point in the center of Brockman McClimon Road, said pin being 323 feet from the center line of Abner Creek Road and running N. 55-41-28 W. 340.88 feet to an iron pin; thence turning and running N. 33-30-23 E. 129.68 feet to an iron pin; thence turning and running S. 55-41-28 E. 336.36 feet to an iron pin in the center of Brockman McClimon Road; thence turning and running along the center line of Brockman McClimon Road S. 31-58-20 W. 64.64 feet to an iron pin; thence continuing along said center line S. 28-25-44 W. 65.45 feet to an iron pin, the point of beginning.

LESS:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 173 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffrey M. Wallace, RLS#12251, dated October 20, 1997, entitled "Boundary Survey for Billy Smith and France H. Smith," recorded in the ROD Office for Spartanburg County in Plat Book 142, at Page 727, and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin in the center of Brockman McClimon Road, said pin being 173 feet from the center line of Abner Creek Road and running N. 55-41-26 W. 299.62 feet to an iron pin; thence turning and running N. 34-18-32 E. 149.21 feet to an iron pin; thence turning and running S. 55-41-28 E. 284.26 feet to an iron pin in the center line of Brockman McClimon Road; thence turning and running along the center line of Brockman McClimon Road S. 28-25-44 W. 150.00 feet an iron pin, the point of beginning.

LESS:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 453 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffrey M. Wallace, RLS#12251, dated October 20, 1997, entitled "Boundary Survey for Hendrix J. Bennett and Ruby S. Bennett," recorded in the ROD Office for Spartanburg County in Plat Book 142, at Page 730, and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin in the center of Brockman McClimon Road, said pin being 453' from the center line of Abner Creek Road and running thence N. 55-41-28 W. 333.36 feet to an iron pin; thence turning and running N. 34-18-32 E. 129.83 feet to an iron pin; thence turning and running S. 55-41-28 E. 340.10 feet to an iron pin in the center line of Brockman McClimon Road; thence turning and running along the center line of Brockman McClimon Road S. 38-28-50 W. 84.36 feet to an iron pin; thence continuing with the center line of Brockman McClimon Road S. 35-03-54 W. 45.69 feet to an iron pin, the point of beginning.

TMS: 5-28-00-012.00

Parcel II (1 acre)

ALSO:

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 323 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffry M. Wallace, RLS#12251, dated October 20, 1997, entitled "Boundary Survey for Mitchell D. Smith and Earline H. Smith," recorded in the ROD Office for Spartanburg County in Plat Book 142, at Page 729, and having, according to said plat, the following metes and bounds, to-wit:

Beginning at an iron point in the center of Brockman McClimon Road, said pin being 323 feet from the center line of Abner Creek Road and running N. 55-41-28 W. 340.88 feet to an iron pin; thence turning and running N. 33-30-23 E. 129.68 feet to an iron pin; thence turning and running S. 55-41-28 E. 336.36 feet to an iron pin in the center of Brockman McClimon Road; thence turning and running along the center line of Brockman McClimon Road S. 31-58-20 W. 64.64 feet to an iron pin; thence continuing along said center line S. 28-25-44 W. 65.45 feet to an iron pin, the point of beginning.

Parcel III (Approximately 7.45 acres)

ALSO:

Wilson M. Smith, grantee and his heirs and assigns forever all of that certain tract of land in said State and County, Reidville Township about five miles South from the City of Greer, SC and near Pelham, SC and being all of that No. 4 on Plat of Property of P.L. Smith Sr., prepared by John A. Simmons Surveyor, dated June 7, 1963 and having the following metes and bounds:

Beginning at an iron pin, joint corner of tracts 4 and 5 and runs thence with the common line of said tracts S. 54-00 W. 1388 feet to iron pin; thence S. 83-00 E. 30 feet to stone; thence S. 84-43 E. 198.5 feet to iron pin, rear corner of lots or tracts No. 3 and 1; thence with the common line of said tracts N. 54-00 E. 1415 feet to iron pin; thence S 88-51 W. 232 feet to the point of beginning corner and containing 7.45 acres more or less and being and part of the same tract of land conveyed to me by Leroy Moore, master from Spartanburg County.

TMS: R9 07-00 027.00

This being the same property conveyed to Hendrix J. Bennett by deed of Mitchell Smith by Peggy Henson as his attorney in fact dated July 18, 2008 and recorded in the ROD Office for Spartanburg County in Deed Book 91-X at Page 938 on July 31, 2008 and Earline Smith by Peggy Henson as her attorney in fact dated July 18, 2008 and recorded on July 7, 2008 in the ROD Office for Spartanburg County in Deed Book 91-X at Page 944 and said deed dated February 19, 2013 and recorded on March 13, 2013 in the ROD Office for Spartanburg County in Deed Book ~~102~~ at Page 41.

102 - W

STATE OF SOUTH CAROLINA)
COUNTY OF Spartanburg)

AFFIDAVIT FOR EXEMPT TRANSFERS

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

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

2. The property being transferred is located at
bearing Spartanburg County Tax Map Number 5-28-00-012,00 and R 9 07-00 027,00
was transferred by Hendrik J. Bennett
to Peggy S. Henson

on _____

3. The deed is exempt from the deed recording fee because (See Information section of affidavit):

#1

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

Attorney

5. I understand that a person required to furnish this affidavit who wilfully 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

Kenneth G. Sordley Jr.
Print or Type Name Here

SWORN to before me this 25 day of April 20 13

[Signature]
SIGNATURE OF NOTARY
Notary Public for SC

My Commission Expires: 3.7.2011

Stokes + Southall

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. 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 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 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 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.

Office of Register of Deeds
Spartanburg, South Carolina

Recorded in Deed
Book 103-K Page 869
Dorothy Eade

Register of Deeds,
Spartanburg, South Carolina

EXHIBIT C

- LOCATION MAP NOT TO SCALE
- NOTES:
- 1) TMS #5-28-00-012.00 AREA=43,313 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 2) TMS #5-28-00-012.01 AREA=43,240 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 3) TMS #5-28-00-012.02 AREA=43,200 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 4) TMS #5-28-00-012.03 AREA=43,250 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 5) TMS #5-28-00-012.04 AREA=73,853 SQUARE FEET OR 1.68 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 6) TMS #5-28-00-012.00, TMS #5-28-00-012.01, TMS #5-28-00-012.02, TMS #5-28-00-012.03, TMS #5-28-00-012.04 TO BE COMBINED COMBINED AREA=173,856 SQUARE FEET OR 20.88 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 7) SITE ADDRESS: 780, 784, 788, 792, 845 BROCKMAN MCCLIMMON ROAD CITY OF GREER, SPARTANBURG COUNTY, SOUTH CAROLINA
 - 8) REFERENCES: DB 103-K PG 869 DB 108-N PG 599 DB 110-V PG 800 DB 104-N PG 99 DB 88-K PG 472 DB 122-P PG 249 DB 128-O PG 141 PB 127 PG 621 PB 142 PG 730 PB 140 PG 725 PB 142 PG 727 PB 145 PG 434 PB 113 PG 868 PB 127 PG 600 PB 175 PG 302 SCOTT FILE NO. 42,706 SHEET 11
 - 9) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD
 - 10) FIELD WORK COMPLETED: 3-25-22
 - 11) HORIZONTAL DATUM IS S-C.S.P.C. (NAD 83) DATUM HAS ESTABLISHED USING STATIC GPS SURVEYING AND "NGS DRIPS"
 - 12) ALL IRN ARE 5/8" REBAR UNLESS OTHERWISE NOTED.
 - 13) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.
 - 14) WETLAND DETERMINATION/SURVEY NOT PROVIDED FOR SITE. PER NATIONAL WETLAND INVENTORY ONLINE MAPPER, THERE DOES NOT APPEAR TO BE ANY WETLANDS LOCATED ONSITE.
 - 15) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "R" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR FLOOD INSURANCE RATE MAP NO. 4545030364D, WITH A DATE OF IDENTIFICATION OF 12-29-2004, FOR COMMUNITY NUMBER OF SOUTH CAROLINA, AND FLOOD INSURANCE RATE MAP NO. 4545030364D, WITH A DATE OF IDENTIFICATION OF 12-29-2004, FOR COMMUNITY NUMBER 45000, CITY OF GREER, SPARTANBURG COUNTY, STATE OF SOUTH CAROLINA, WHICH ARE THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
 - 16) ZONING: R-5 SETBACKS PER CITY OF GREER ZONING ORDINANCE: FRONT: 50' SIDE: 30' REAR: 50'
 - 17) UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND BASED UPON PALMETTO UTILITY PROTECTION SERVICES LOCATIONS AND REFERENCES.
 - 18) SAID ENERGY DISTRIBUTION R/W IS 30', 15' EACH SIDE OF CENTERLINE.
 - 19) 84' RIGHT-OF-WAY FOR BROCKMAN MCCLIMMON ROAD PER SCOTT FILE NO. 42,706 SHEET 11. ALIGNMENT OF ROAD AS CONSTRUCTED APPEARS TO VARY FROM DESIGN PLAN DIMENSIONED DATA. ASSESS ROAD USED TO ESTABLISH RIGHT-OF-WAY.
 - 20) NO RIGHT-OF-WAY DATA WAS FOUND FOR ASHER CREEK ROAD FOR THIS PORTION OF THE ROAD, THEREFORE PRESCRIPTIVE IN NATURE. 30' RIGHT-OF-WAY AND SHOT TRIANGLE SHOWN BASED ON SCOTT FILE NO. 42,706 SHEET 11.

*****CAUTION*****

PALMETTO UTILITY LOCATION SERVICE

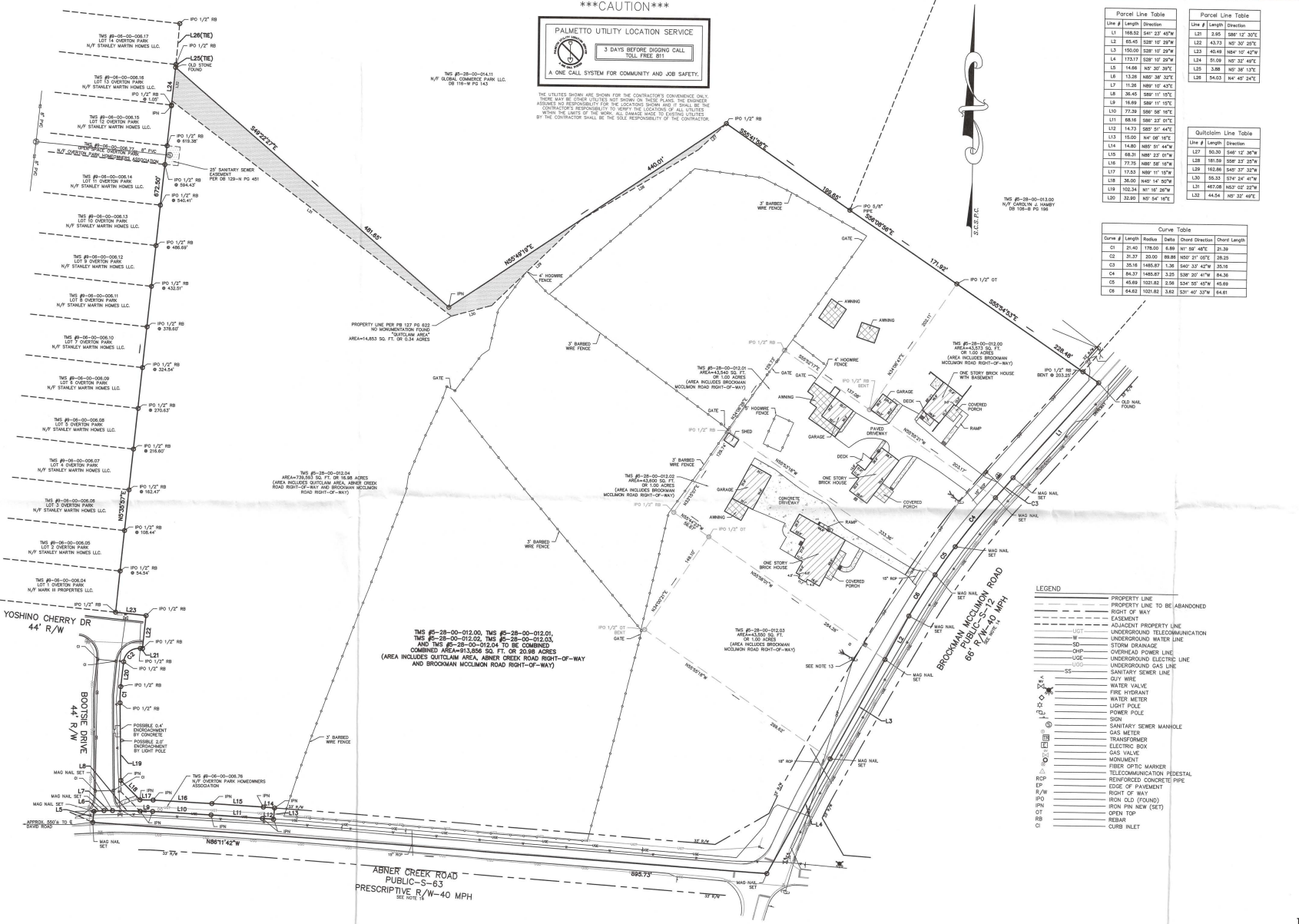
3 DAYS BEFORE DIGGING CALL TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

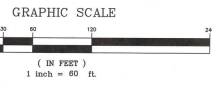
Parcel Line Table		Parcel Line Table	
Line #	Length Direction	Line #	Length Direction
L1	188.52 S41° 37' 40"W	L23	43.92 N0° 30' 29"E
L2	65.45 S28° 10' 29"W	L24	30.08 N0° 30' 29"E
L3	150.00 S08° 10' 29"W	L25	3.88 N0° 30' 29"E
L4	123.27 S28° 10' 29"W	L26	34.63 N4° 45' 24"E
L5	14.68 N0° 30' 29"E		
L6	13.28 N00° 30' 29"E		
L7	11.88 N00° 10' 43"E		
L8	30.45 S08° 10' 29"E		
L9	16.68 S08° 11' 15"E		
L10	77.28 S08° 08' 10"E		
L11	58.91 S08° 22' 02"E		
L12	14.73 S52° 51' 44"E		
L13	15.00 N4° 00' 16"E		
L14	14.80 N00° 21' 44"W		
L15	60.31 N00° 22' 01"W		
L16	77.78 N00° 58' 18"W		
L17	17.63 N00° 11' 15"W		
L18	26.00 N00° 14' 10"W		
L19	102.34 N1° 11' 20"W		
L20	32.80 N5° 54' 16"E		

Quiltam Line Table	
Line #	Length Direction
L27	50.30 S46° 12' 36"W
L28	181.59 S08° 22' 29"W
L29	103.86 S40° 37' 29"W
L30	163.23 S74° 24' 47"W
L31	407.08 N03° 52' 22"W
L32	84.54 N4° 45' 24"E

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	31.42	178.00	S41° 37' 40"E	21.39
C2	32.31	21.00	S08° 10' 29"E	28.25
C3	25.16	145.97	S28° 10' 29"E	20.18
C4	84.37	148.87	S25° 33' 47"W	84.36
C5	45.86	101.82	S34° 50' 40"W	45.86
C6	144.21	101.82	S32° 49' 30"W	144.21



- LEGEND**
- PROPERTY LINE
 - - - PROPERTY LINE TO BE ABANDONED
 - - - RIGHT OF WAY
 - - - ADJACENT PROPERTY LINE
 - UNDERGROUND TELECOMMUNICATION
 - UNDERGROUND WATER LINE
 - STORM DRAINAGE
 - OVERHEAD POWER LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND GAS LINE
 - SANITARY SEWER LINE
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - LIGHT POLE
 - POWER POLE
 - SIGN
 - SANITARY SEWER MANHOLE
 - GAS METER
 - TRANSFORMER
 - ELECTRIC BOX
 - GAS VALVE
 - FIBER OPTIC MARKER
 - TELECOMMUNICATION PEDESTAL
 - REINFORCED CONCRETE PIPE
 - EDGE OF PAVEMENT
 - RIGHT OF WAY
 - IRON (FO) (FOUND)
 - IRON (PN) (NEW (SET))
 - OPEN TOP
 - REBAR
 - CURB INLET



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 THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD

RECOMBINATION PLAT FOR:
COTHRAN PROPERTIES LLC.

780, 784, 788, 792, 845
 BROCKMAN MCCLIMMON ROAD
 CITY OF GREER
 SPARTANBURG COUNTY SC

SCALE: 1" = 60'
 DATE: 6-1-22
 PT. FILE: 22113-ALL-14
 DWG. NO.: 22113-SURVEY.dwg

APPROVED BY PATRICK K. FOLGAM, S.C. REG. NO. 26944



**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/25/2024

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

Tax Map Number(s) 5-28-00-012.00

Property Address(s) 780 BROCKMAN MCCLIMON RD, GREER 29651

Acreage of Properties 1 County Spartanburg

Applicant Information

Name MCP RE Acquisitions LLC
 Address 430 N Hanover Street, Charleston, SC 29403
 Contact Number 617-549-3285
 Email david@materialcapitalpartners.com
 Business Name Material Capital Partners

Property Owner Information
(If multiple owners, see back of sheet)

Name Peggy Henson
 Address 780 Brockman McClimon Rd
 Contact Number 864-270-3119
 Email _____
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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 rezoned from Residential Suburban to Traditional Neighborhood.

Existing Use: Vacant Land Proposed Use: Single family detached and attached homes

Signature(s) Peggy S. Henson

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

See Reverse

Complete the section below if multiple property owners

Name Peggy Henson
Business Name _____
Address 790 Brockman McClimen Rd
Contact Number _____
Signature Peggy S. Henson

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____



**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/25/2024

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

Tax Map Number(s) 5-28-00-012.04

Property Address(s) 945 BROCKMAN MCCLIMON RD, GREER 29651

Acreage of Properties 16.63 County Spartanburg

Applicant Information

Name MCP RE Acquisitions LLC
 Address 430 N Hanover Street, Charleston, SC 29403
 Contact Number 617-549-3285
 Email david@materialcapitalpartners.com
 Business Name Material Capital Partners

Property Owner Information
(If multiple owners, see back of sheet)

Name Peggy Henson
 Address 945 Brockman McClimon Rd
 Contact Number 864-270-3119
 Email _____
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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

The applicant hereby requests that the property described be rezoned from Residential Suburban to Traditional Neighborhood.

Existing Use: Vacant Land Proposed Use: Single family detached and attached homes

Signature(s) Peggy S. Henson

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

Complete the section below if multiple property owners

Name Peggy Henson
Business Name _____
Address 945 Brockman McClimon Rd
Contact Number _____
Signature Peggy S. Henson

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-10

APPLICANT: MCP RE Acquisitions, LLC

PROPERTY LOCATION: Brockman McClimon and Abner Creek Rd

TAX MAP NUMBER: 5-28-00-012.04, 5-28-00-012.02, 5-28-00-012.00, 5-28-00-012.01 and 5-28-00-012.03

EXISTING ZONING: Rural Residential (RR)

REQUEST: Rezone to Traditional Neighborhood (TN)

SIZE: +/- 18 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 24-10**

RZ 24-10 is a rezoning request for five parcels located at the northwest quadrant of the Brockman McClimon Rd and Abner Creek Rd intersection with a total acreage of almost 18 acres. The request is to rezone the properties from Rural Residential to Traditional Neighborhood. The intent of the applicant is to combine the properties and develop a mixed-product residential subdivision.

Surrounding land uses and zoning include:

North:	Manufacturing and Logistics – Clarius Park; Unzoned Spartanburg County - vacant
East:	Brockman McClimon Rd and Unzoned Spartanburg County
South:	Abner Creek Rd and DRD, Design Review District – Saddlebrook
West:	Traditional Neighborhood – Overton Park

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, four-plexes, 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 the comprehensive plan, therefore, staff supports the request. This property would serve as a transition between more intense industrial uses to the north and lower density residential to the south.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

(See next page)

Public Hearing

Mr. David Craig was present on behalf of Material Capital Partners as the applicant. He showed a brief presentation that showed their building products and their style of development. He said it was similar to a new urbanist design with an emphasis on parks, trails, and amenities. He said a local project that would be similar is Homestead at Hartness. He explained that they had not completed a TIA yet, because they wanted to ensure the project would be able to move forward, but they would be completed one as required.

Ms. Amy Harvey was present to speak during public hearing on behalf of the 5 property owners of the subject properties. She said that as a family they have lived in the area for over 25 years and watched the area change and grow. They have accepted that with the area's growth and the proximity of BMW and the highway, that traffic in the area is unavoidable. The property owners of the five parcels are confident that the developers will develop their property to with high standards and in a thoughtful manner and it will complement the existing developments in the area.

There were two speakers who expressed opposition and concern about the project. They cited concerns about traffic in the area and the poor road conditions, as well as the response times and availability of city services like the ambulance and fire with a larger population to serve.

New Business

Staff presented their analysis and recommendation of approval.

Mr. Jones asked the applicant to return to the podium to address concerns. Mr. Jones explained to the audience that a traffic study would be required of the project before approval.

Mr. Acierno asked if the site would be mostly townhomes. Mr. Craig said that it would be about 50/50 townhomes and single-family detached at about 6-7 units per acre.

Mr. Jones asked what the subdivision west of the parcels is and how many units per acre they had. Ms. Kaade answered that Overton Park was approved with 7,500 square foot lots.

Mr. Acierno asked what triggers taking a road. Ms. Stahl responded that when we annex property adjacent to a roadway is when we take ownership if they are county roads. When they are DOT roads, we accept the roadway for city services, but not for maintenance or ownership.

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Mr. Lamb stated that while he did not love the zoning district they were requesting, he would support it.

ACTION – Mr. Acierno made a motion to recommend approval of the request. Mr. Lamb seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 37-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY BRIAN ALLEN AND JANICE L. HENSON LOCATED AT 784 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 37-2024	9/25/2024	Ordinance
▣ Ord 37-2024 Exhibit A Map	9/25/2024	Exhibit
▣ Ord 37-2024 Exhibit B Title to Real Estate	9/25/2024	Exhibit
▣ Ord 37-2024 Exhibit C Plat	9/25/2024	Exhibit
▣ Ord 37-2024 Rezoning Application	9/25/2024	Backup Material
▣ Ord 37-2024 Planning Commission Minutes	9/25/2024	Backup Material

ORDINANCE NUMBER 37-2024

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The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Brian Allen and Janice L. Henson located at 784 Brockman McClimon Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 5-28-00-012.01 containing approximately 1.00 +/- acre attached hereto marked as Exhibit A, the Title to Real Estate attached hereto marked as Exhibit B; and the Plat attached hereto marked at Exhibit C.

1. The owners desire to change the zoning classification of their property and have shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 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:

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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: September 24, 2024

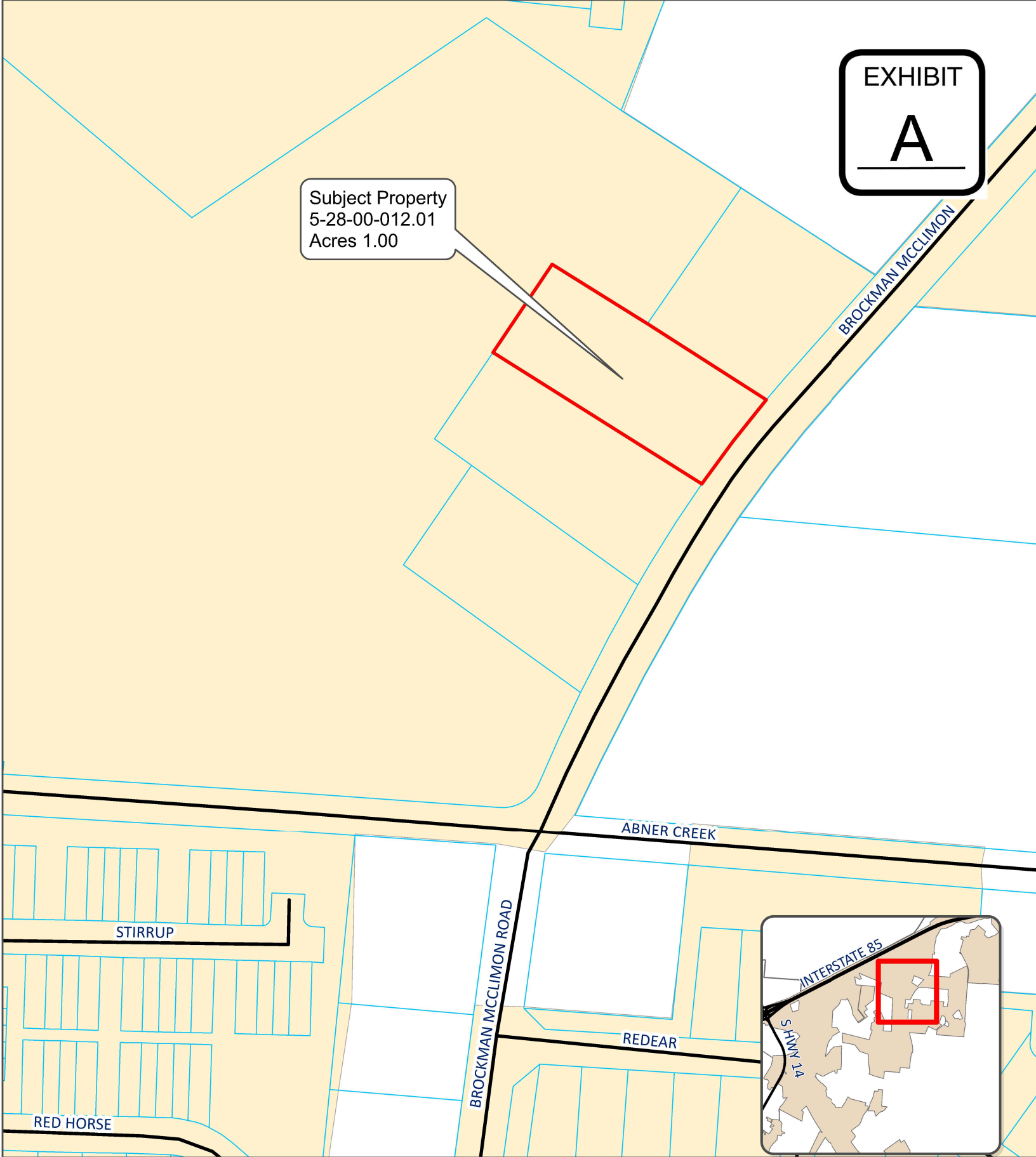
Second and
Final Reading: October 8, 2024

Approved as to Form:

Daniel R. Hughes, City Attorney

EXHIBIT
A

Subject Property
5-28-00-012.01
Acres 1.00



Ordinance 37-2024

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.

DEE-2024021097
Recorded 1 on 05/31/2024 09:16:04 AM
Recording Fee: \$15.00
Office of REGISTER OF DEEDS, SPARTANBURG
ASHLEY B. WILLIAMS REGISTER OF DEEDS
BK:DEE 146-S PG:473-473

EXHIBIT
B

Grantee Mailing address: 784 Brockman McClimon Rd., Greer SC 29651

Tax Map# 5-28-00-012.01

NO TITLE EXAM BY TAMMY S. HILL, ATTORNEY

STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS, that **BRIAN ALLEN HENSON** in consideration of **ONE DOLLAR, LOVE AND AFFECTION**, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents, does grant, bargain, sell and release unto,

**BRIAN ALLEN HENSON AND JANICE L. HENSON
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON**

ALL THAT certain piece, parcel, or tract of land situate, lying and being in the State of South Carolina, County of Spartanburg containing 1.00 acres on the northwestern side of Brockman McClimon Road and being 453 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffrey M. Wallace, RLS # 12251, dated October 20, 1997, entitled "Boundary Survey for Hendrix J. Bennett and Ruby S. Bennett, recorded in the ROD Office for Spartanburg County in Plat Book 142, Page 730, and having according to said plat the following metes and bounds, to-wit:

BEGINNING at an iron pin in the center line of Brockman McClimon Road, said pin being 453 feet from the center line of Abner Creek Road and running thence N 55-41-28 W 333.36 feet to an iron pin; thence turning and running N 34-18-32 E 129.83 feet to an iron pin; thence turning and running S 55-41-28 E 340.10 feet to an iron pin in the center line of Brockman McClimon Road; thence turning and running along the center line of Brockman McClimon Road S 38-28-50 W 84.36 feet to an iron pin; thence continuing with the center line of Brockman McClimon Road S 35-03-54 W 45.69 feet to an iron pin, the point of beginning.

THIS BEING THE SAME PROPERTY AS CONVEYED TO ~~BRIAN ALLEN HENSON~~ BY DEED OF HENDRIX J. BENNETT RECORDED 10/11/2013 IN THE ROD OFFICE FOR SPARTANBURG COUNTY IN DEED BOOK 104-N AT PAGE 099.

This property is conveyed subject to all restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plat(s) or on the premises.

Together with all and singular the rights, members, hereditament, 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 Grantors(s') successors or assigns to warrant and forever defend all and singular said premises unto the Grantee(s) and the Grantee(s) heirs or successors and 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 30 day of MAY 2024

Tami J Louden
Witness

Brian Allen Henson
BRIAN ALLEN HENSON

Tammy S Hill
Witness
State of South Carolina)

Acknowledgment

County of Greenville)

I, Tami J. Louden, Notary Public for SC, do hereby certify that Brian Allen Henson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 30 day of May 2024

Tami J Louden
Tammy S. Hill, Notary Public for South Carolina
My commission expires

TAMI J LOUDEN
Notary Public-State of South Carolina
My Commission Expires
March 25, 2034

EXHIBIT C

- LOCATION MAP NOT TO SCALE
- NOTES:
- 1) TMS #5-28-00-012.00 AREA=43,313 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 2) TMS #5-28-00-012.01 AREA=43,240 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 3) TMS #5-28-00-012.02 AREA=43,200 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 4) TMS #5-28-00-012.03 AREA=43,250 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 5) TMS #5-28-00-012.04 AREA=73,853 SQUARE FEET OR 1.68 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 6) TMS #5-28-00-012.05, TMS #5-28-00-012.06, TMS #5-28-00-012.07, TMS #5-28-00-012.08 TO BE COMBINED COMBINED AREA=91,836 SQUARE FEET OR 20.88 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMON ROAD RIGHT-OF-WAY)
 - 7) SITE ADDRESS: 780, 784, 788, 792, 845 BROCKMAN MCCLIMON ROAD CITY OF GREER, SPARTANBURG COUNTY, SOUTH CAROLINA
 - 8) REFERENCES: DB 103-K PG 869 DB 108-N PG 599 DB 110-V PG 800 DB 104-N PG 99 DB 88-K PG 472 DB 122-P PG 249 DB 128-O PG 141 PB 127 PG 621 PB 142 PG 730 PB 140 PG 725 PB 142 PG 727 PB 145 PG 434 PB 113 PG 868 PB 127 PG 600 PB 175 PG 302 SCOTT FILE NO. 42,706 SHEET 11
 - 9) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD
 - 10) FIELD WORK COMPLETED: 5-25-22
 - 11) HORIZONTAL DATUM IS S-C.S.P.C. (NAD 83) DATUM HAS ESTABLISHED USING STATIC GPS SURVEYING AND "NGS DRIPS"
 - 12) ALL IRN ARE 5/8" REBAR UNLESS OTHERWISE NOTED.
 - 13) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.
 - 14) WETLAND DETERMINATION/SURVEY NOT PROVIDED FOR SITE. PER NATIONAL WETLAND INVENTORY ONLINE MAPPER, THERE DOES NOT APPEAR TO BE ANY WETLANDS LOCATED ONSITE.
 - 15) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "R" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR FLOOD INSURANCE RATE MAP NO. 454503084D, WITH A DATE OF ADOPTION OF 12-29-2004, FOR COMMUNITY NUMBER OF SOUTH CAROLINA, AND FLOOD INSURANCE RATE MAP NO. 454503084D, WITH A DATE OF IDENTIFICATION OF 02/15/2014, FOR COMMUNITY NUMBER 450000, CITY OF CAROLINA, WHICH ARE THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
 - 16) ZONING: R-5 SETBACKS PER CITY OF GREER ZONING ORDINANCE: FRONT: 50' SIDE: 30' REAR: 50'
 - 17) UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND BASED UPON PALMETTO UTILITY PROTECTION SERVICES LOCATIONS AND REFERENCES.
 - 18) UNDERGROUND POWER RIGHT-OF-WAY UNKNOWN, TYPICAL DUNE ENERGY DISTRIBUTION R/W IS 30', 15' EACH SIDE OF CENTERLINE.
 - 19) 84' RIGHT-OF-WAY FOR BROCKMAN MCCLIMON ROAD PER SCOTT FILE NO. 42,706 SHEET 11. ALIGNMENT OF ROAD AS CONSTRUCTED APPEARS TO VARY FROM DESIGN PLAN DIMENSIONED DATA. ASSESS ROAD USED TO ESTABLISH RIGHT-OF-WAY. NO RIGHT-OF-WAY DATA WAS FOUND FOR ASHER CREEK ROAD FOR THIS PORTION OF THE ROAD, THEREFORE PRESCRIPTIVE IN NATURE. 30' RIGHT-OF-WAY AND SHOT TRIANGLE SHOWN BASED ON SCOTT FILE NO. 42,706 SHEET 11.

*****CAUTION*****

PALMETTO UTILITY LOCATION SERVICE

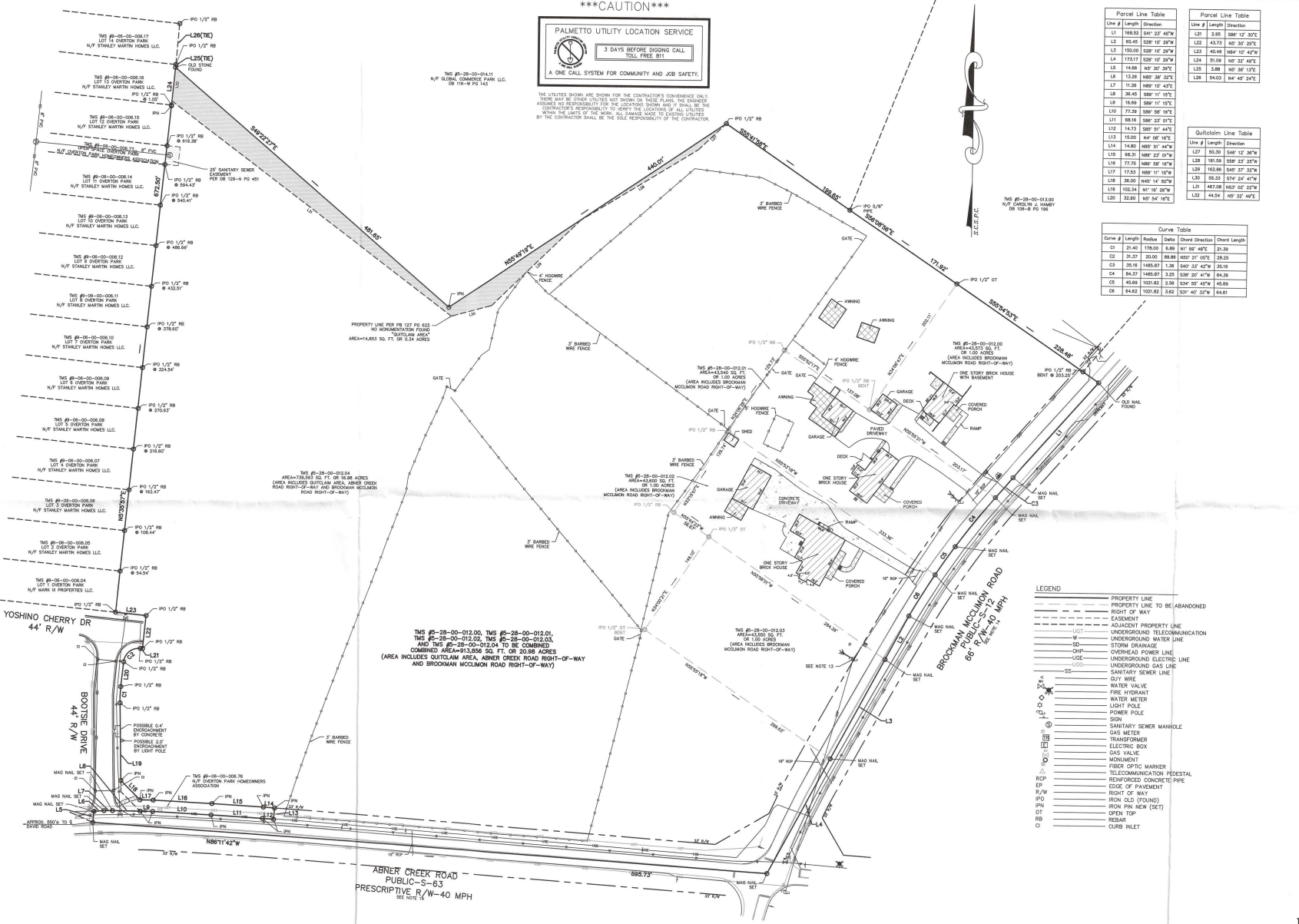
3 DAYS BEFORE DIGGING CALL TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

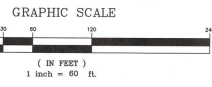
Parcel Line Table		Parcel Line Table	
Line #	Length Direction	Line #	Length Direction
L1	188.52 S41° 37' 40"W	L23	45.48 N84° 30' 29"E
L2	65.45 S28° 10' 29"W	L24	30.08 N8° 32' 17"E
L3	150.00 S88° 10' 29"W	L25	3.88 N0° 30' 13"E
L4	123.27 S28° 10' 29"W	L26	34.63 N4° 47' 24"E
L5	14.68 N0° 30' 29"E		
L6	13.28 N00° 30' 32"E		
L7	11.88 S88° 10' 43"E		
L8	30.45 S88° 10' 43"E		
L9	16.68 S88° 11' 15"E		
L10	77.38 S88° 08' 18"E		
L11	68.98 S88° 22' 07"E		
L12	14.73 S82° 51' 44"E		
L13	15.00 N4° 06' 14"E		
L14	14.80 N88° 21' 44"W		
L15	68.03 N88° 22' 07"W		
L16	77.78 N88° 58' 18"W		
L17	17.63 N88° 11' 15"W		
L18	26.00 N88° 14' 10"W		
L19	102.34 N1° 11' 20"W		
L20	32.80 N5° 54' 14"E		

Curve Table	
Curve #	Length Backs Data Chord Direction Chord Length
C1	31.42 178.00 6.88 N1° 52' 48"E 21.39
C2	32.31 23.00 88.88 N82° 21' 20"E 28.25
C3	25.16 148.97 1.28 S48° 30' 47"E 28.18
C4	84.37 148.87 3.25 S38° 30' 47"E 84.36
C5	45.88 103.82 3.98 S34° 50' 40"E 45.88
C6	144.61 103.88 3.92 S37° 40' 30"W 144.61

Quiltlam Line Table	
Line #	Length Direction
L27	50.30 S46° 12' 36"W
L28	181.59 S88° 22' 29"W
L29	183.86 S48° 37' 29"W
L30	163.32 S74° 24' 47"W
L31	487.08 N63° 52' 22"W
L32	84.54 N4° 47' 24"E



- LEGEND**
- PROPERTY LINE
 - PROPERTY LINE TO BE ABANDONED
 - RIGHT OF WAY
 - EASEMENT
 - ADJACENT PROPERTY LINE
 - UNDERGROUND TELECOMMUNICATION
 - UNDERGROUND WATER LINE
 - STORM DRAINAGE
 - OVERHEAD POWER LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND GAS LINE
 - SANITARY SEWER LINE
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - LIGHT POLE
 - POWER POLE
 - SOIL
 - SANITARY SEWER MANHOLE
 - GAS METER
 - TRANSFORMER
 - ELECTRIC BOX
 - GAS VALVE
 - IRISER OPTIC MARKER
 - TELECOMMUNICATION PEDESTAL
 - REINFORCED CONCRETE PIPE
 - EDGE OF PAVEMENT
 - RIGHT OF WAY
 - IRON (FOUNDED)
 - IRON (NEW SET)
 - OPEN TOP
 - REBAR
 - CURB INLET



"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 THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD

RECOMBINATION PLAT FOR:

COTHRAN PROPERTIES LLC.

780, 784, 788, 792, 845
BROCKMAN MCCLIMON ROAD
CITY OF GREER
SPARTANBURG COUNTY SC

SCALE: 1" = 60'
DATE: 6-1-22
PT. FILE: 22113-ALL-14
DWG. NO.: 22113-SURVEY.dwg

APPROVED BY PATRICK K. FOLGAM, S.C. REG. NO. 2694



**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/25/2024

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

Tax Map Number(s) 5-28-00-012.01

Property Address(s) 784 BROCKMAN MCCLIMON RD, GREER 29651

Acres of Properties 1 County Spartanburg

Applicant Information

Name MCP RE Acquisitions LLC
 Address 430 N Hanover Street, Charleston, SC 29403
 Contact Number 617-549-3285
 Email david@materialcapitalpartners.com
 Business Name Material Capital Partners

Property Owner Information
(if multiple owners, see back of sheet)

Name Brian A Henson
 Address 784 Brockman McClimon Rd
 Contact Number 864-848-4868
 Email _____
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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

The applicant hereby requests that the property described be rezoned from Residential Suburban to Traditional Neighborhood.

Existing Use: Vacant Land Proposed Use: Single family detached and attached homes

Signature(s) Brian A. Henson
Janice L. Henson

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

See Reverse

Complete the section below if multiple property owners

Name Brian A. Henson
Business Name _____
Address 784 Brockman McClimon Rd
Contact Number _____
Signature Brian A. Henson

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name Janice L. Henson
Business Name _____
Address 784 Brockman McClimon Rd
Contact Number _____
Signature Janice L. Henson

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-10

APPLICANT: MCP RE Acquisitions, LLC

PROPERTY LOCATION: Brockman McClimon and Abner Creek Rd

TAX MAP NUMBER: 5-28-00-012.04, 5-28-00-012.02, 5-28-00-012.00, 5-28-00-012.01 and 5-28-00-012.03

EXISTING ZONING: Rural Residential (RR)

REQUEST: Rezone to Traditional Neighborhood (TN)

SIZE: +/- 18 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 24-10**

RZ 24-10 is a rezoning request for five parcels located at the northwest quadrant of the Brockman McClimon Rd and Abner Creek Rd intersection with a total acreage of almost 18 acres. The request is to rezone the properties from Rural Residential to Traditional Neighborhood. The intent of the applicant is to combine the properties and develop a mixed-product residential subdivision.

Surrounding land uses and zoning include:

North:	Manufacturing and Logistics – Clarius Park; Unzoned Spartanburg County - vacant
East:	Brockman McClimon Rd and Unzoned Spartanburg County
South:	Abner Creek Rd and DRD, Design Review District – Saddlebrook
West:	Traditional Neighborhood – Overton Park

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, four-plexes, 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 the comprehensive plan, therefore, staff supports the request. This property would serve as a transition between more intense industrial uses to the north and lower density residential to the south.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval
(See next page)

Public Hearing

Mr. David Craig was present on behalf of Material Capital Partners as the applicant. He showed a brief presentation that showed their building products and their style of development. He said it was similar to a new urbanist design with an emphasis on parks, trails, and amenities. He said a local project that would be similar is Homestead at Hartness. He explained that they had not completed a TIA yet, because they wanted to ensure the project would be able to move forward, but they would be completed one as required.

Ms. Amy Harvey was present to speak during public hearing on behalf of the 5 property owners of the subject properties. She said that as a family they have lived in the area for over 25 years and watched the area change and grow. They have accepted that with the area's growth and the proximity of BMW and the highway, that traffic in the area is unavoidable. The property owners of the five parcels are confident that the developers will develop their property to with high standards and in a thoughtful manner and it will complement the existing developments in the area.

There were two speakers who expressed opposition and concern about the project. They cited concerns about traffic in the area and the poor road conditions, as well as the response times and availability of city services like the ambulance and fire with a larger population to serve.

New Business

Staff presented their analysis and recommendation of approval.

Mr. Jones asked the applicant to return to the podium to address concerns. Mr. Jones explained to the audience that a traffic study would be required of the project before approval.

Mr. Acierno asked if the site would be mostly townhomes. Mr. Craig said that it would be about 50/50 townhomes and single-family detached at about 6-7 units per acre.

Mr. Jones asked what the subdivision west of the parcels is and how many units per acre they had. Ms. Kaade answered that Overton Park was approved with 7,500 square foot lots.

Mr. Acierno asked what triggers taking a road. Ms. Stahl responded that when we annex property adjacent to a roadway is when we take ownership if they are county roads. When they are DOT roads, we accept the roadway for city services, but not for maintenance or ownership.

Mr. Booker asked Ms. Harvey if she spoke for the homeowners of all five properties. Ms. Harvey said yes. Mr. Booker said that he did not oppose the rezoning request because he respected the property rights of the homeowners and the rezoning request was appropriate for the area.

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Mr. Lamb stated that while he did not love the zoning district they were requesting, he would support it.

ACTION – Mr. Acierno made a motion to recommend approval of the request. Mr. Lamb seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 38-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY JEFFREY L. AND AMY E. HARVEY LOCATED AT 788 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

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ORDINANCE NUMBER 38-2024

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The City Council of Greer makes the following findings:

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1. The owners desire to change the zoning classification of their property and have shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 2024.
2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to TN (Traditional Neighborhood).
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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: September 24, 2024

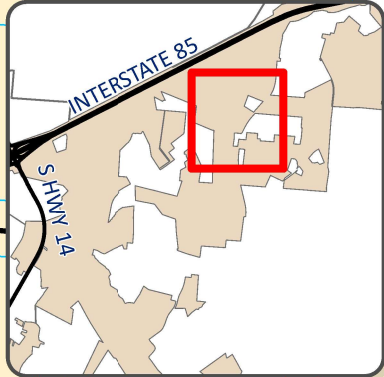
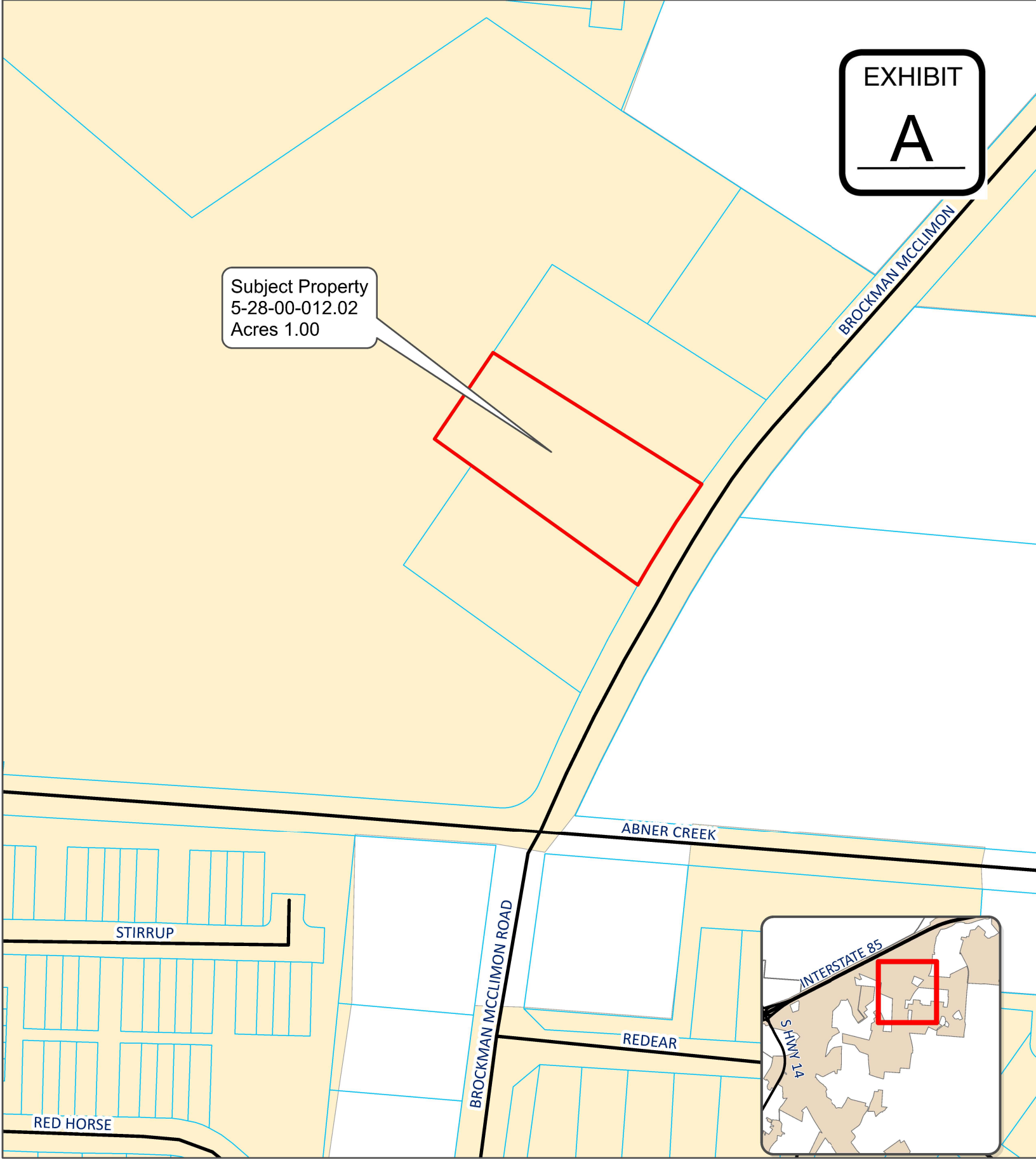
Second and
Final Reading: October 8, 2024

Approved as to Form:

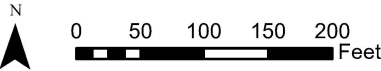
Daniel R. Hughes, City Attorney

EXHIBIT
A

Subject Property
5-28-00-012.02
Acres 1.00



Ordinance 38-2024



- Streets
- City Limits
- Parcels

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
B

NO TITLE EXAMINATION BY TAMMY HILL, ATTORNEY
Grantee Mailing address: 788 Brockman-McClimon Road Greer SC 29651
Tax Map # 5-28-00-012.02

STATE OF SOUTH CAROLINA) TITLE TO REAL ESTATE

COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS, that **PEGGY S. HENSON** in consideration of **ONE DOLLAR (\$1.00) LOVE AND AFFECTION**, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents, does grant, bargain, sell and release unto,

JEFFREY L. HARVEY & AMY E. HARVEY
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT TENANTS IN COMMON

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, WITH ALL IMPROVEMENTS THEREON OR HEREINAFTER CONSTRUCTED THEREON, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF SPARTANBURG, **CONTAINING ONE (1) ACRE, MORE OR LESS**, ON THE NORTHWESTERN SIDE OF BROCKMAN MCCLIMON ROAD AND BEING 323 FEET FROM THE CENTER LINE OF ABNER CREEK ROAD, AS SHOWN ON PLAT PREPARED BY JEFFREY M. WALLACE, RLS, DATED OCTOBER 20, 1997, ENTITLED, **"BOUNDARY SURVEY FOR MITCHELL D. SMITH AND EARLINE H. SMITH"** AND RECORDED IN THE REGISTER OF DEEDS OFFICE FOR SPARTANBURG COUNTY IN **PLAT BOOK 142 AT PAGE 729**. REFERENCE BEING MADE TO SAID SURVEY FOR A MORE COMPLETE DESCRIPTION AS TO METES AND BOUNDS.

This being a portion of the same property as conveyed to Peggy S. Henson by deed of Hendrix J. Bennett recorded May 29, 2013 in the ROD office for Spartanburg County in Deed Book 103-K at Page 869.

This property is conveyed subject to all restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plat(s) or on the premises.

Together with all and singular the rights, members, hereditament 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 Grantors(s') successors or assigns to warrant and forever defend all and singular said premises unto the Grantee(s) and the Grantee(s) heirs or successors and 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 11 day of **DECEMBER 2015**

[Signature]
Witness
[Signature]
Witness

[Signature]
PEGGY S. HENSON

State of South Carolina)
County of Greenville)

Acknowledgement

I, the undersigned Notary Public for the State of South Carolina, do hereby certify that Peggy S. Henson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 11 day of December, 2015.

[Signature]
Notary Public for South Carolina Tammy S. Hill
My Commission expires: 7/10/2017

DEE-2015-52366



DEE BK 110-V PG 880-880

EXEMPT

Recorded 1 Pages on 12/14/2015 02:15:48 PM
Recording Fee: \$10.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

EXHIBIT C

- LOCATION MAP NOT TO SCALE
- NOTES:
- 1) TMS #5-28-00-012.00 AREA=43,313 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 2) TMS #5-28-00-012.01 AREA=43,240 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 3) TMS #5-28-00-012.02 AREA=43,200 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 4) TMS #5-28-00-012.03 AREA=43,250 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 5) TMS #5-28-00-012.04 AREA=73,853 SQUARE FEET OR 1.68 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 6) TMS #5-28-00-012.05, TMS #5-28-00-012.06, TMS #5-28-00-012.07, TMS #5-28-00-012.08 TO BE COMBINED COMBINED AREA=91,836 SQUARE FEET OR 20.88 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 7) SITE ADDRESS: 780, 784, 788, 792, 845 BROCKMAN MCCLIMMON ROAD CITY OF GREER, SPARTANBURG COUNTY, SOUTH CAROLINA
 - 8) REFERENCES: DB 103-K PG 869 DB 108-N PG 599 DB 110-V PG 800 DB 104-N PG 99 DB 88-K PG 472 DB 122-P PG 249 DB 128-O PG 141 PB 127 PG 621 PB 142 PG 730 PB 140 PG 725 PB 142 PG 727 PB 145 PG 434 PB 113 PG 868 PB 127 PG 600 PB 175 PG 302 SCOTT FILE NO. 42,706 SHEET 11
 - 9) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD
 - 10) FIELD WORK COMPLETED: 5-25-22
 - 11) HORIZONTAL DATUM IS S-C.S.P.C. (NAD 83) DATUM HAS ESTABLISHED USING STATIC GPS SURVEYING AND "NGS DRIPS"
 - 12) ALL IRN ARE 5/8" REBAR UNLESS OTHERWISE NOTED.
 - 13) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.
 - 14) WETLAND DETERMINATION/SURVEY NOT PROVIDED FOR SITE. PER NATIONAL WETLAND INVENTORY ONLINE MAPPER, THERE DOES NOT APPEAR TO BE ANY WETLANDS LOCATED ONSITE.
 - 15) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "R" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR FLOOD INSURANCE RATE MAP NO. 454503064D, WITH A DATE OF IDENTIFICATION OF 12-28-2004, FOR COMMUNITY NUMBER OF SOUTH CAROLINA, AND FLOOD INSURANCE RATE MAP NO. 454503064D, WITH A DATE OF IDENTIFICATION OF 12-28-2004, FOR COMMUNITY NUMBER 450000, CITY OF GREER, SPARTANBURG COUNTY, STATE OF SOUTH CAROLINA, WHICH ARE THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
 - 16) ZONING: R-5 SETBACKS PER CITY OF GREER ZONING ORDINANCE: FRONT: 50' SIDE: 30' REAR: 50'
 - 17) UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND BASED UPON PALMETTO UTILITY PROTECTION SERVICES LOCATIONS AND REFERENCES.
 - 18) UNDERGROUND POWER RIGHT-OF-WAY UNKNOWN, TYPICAL DUNE ENERGY DISTRIBUTION R/W IS 30', 15' EACH SIDE OF CENTERLINE.
 - 19) 84' RIGHT-OF-WAY FOR BROCKMAN MCCLIMMON ROAD PER SCOTT FILE NO. 42,706 SHEET 11. ALIGNMENT OF ROAD AS CONSTRUCTED APPEARS TO VARY FROM DESIGN PLAN DIMENSIONS/CONVEYANCE DATA. ASSESS ROAD USED TO ESTABLISH RIGHT-OF-WAY.
 - 20) NO RIGHT-OF-WAY DATA WAS FOUND FOR ASHER CREEK ROAD FOR THIS PORTION OF THE ROAD, THEREFORE PRESCRIPTIVE IN NATURE "30' RIGHT-OF-WAY AND SHOT TRIANGLE SHOWN BASED ON SCOTT FILE NO. 42,706 SHEET 11.

*****CAUTION*****

PALMETTO UTILITY LOCATION SERVICE

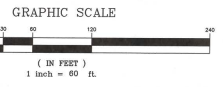
3 DAYS BEFORE DIGGING CALL TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

Parcel Line Table		Parcel Line Table	
Line #	Length Direction	Line #	Length Direction
L1	188.52 S41° 37' 40"W	L23	45.48 N87° 30' 29"E
L2	65.45 S28° 10' 29"W	L24	30.08 N87° 30' 29"E
L3	150.00 S88° 10' 29"W	L25	3.88 N87° 30' 29"E
L4	123.27 S28° 10' 29"W	L26	30.08 N87° 30' 29"E
L5	14.68 N87° 30' 29"E	L27	16.68 S88° 10' 29"E
L6	13.28 N87° 30' 29"E	L28	16.68 S88° 10' 29"E
L7	11.88 N87° 10' 43"E	L29	16.68 S88° 10' 29"E
L8	30.45 S88° 10' 29"E	L30	77.28 S88° 10' 29"E
L9	16.68 S88° 10' 29"E	L31	68.88 S88° 22' 07"E
L10	77.28 S88° 10' 29"E	L32	14.73 S82° 51' 44"E
L11	68.88 S88° 22' 07"E	L33	15.00 N4° 00' 16"E
L12	14.73 S82° 51' 44"E	L34	15.00 N88° 21' 44"W
L13	15.00 N4° 00' 16"E	L35	68.88 S88° 22' 07"W
L14	15.00 N88° 21' 44"W	L36	68.88 S88° 22' 07"W
L15	68.88 S88° 22' 07"W	L37	181.59 S88° 22' 07"W
L16	77.28 S88° 10' 29"W	L38	181.59 S88° 22' 07"W
L17	15.00 N88° 11' 10"W	L39	181.59 S88° 22' 07"W
L18	26.00 N88° 11' 10"W	L40	15.33 S74° 24' 47"W
L19	102.34 N1° 11' 20"W	L41	487.08 N63° 52' 22"W
L20	32.80 N5° 54' 16"E	L42	84.54 N5° 54' 16"E

Curve Table					
Curve #	Length	Radius	Chord Distance	Chord Length	
C1	31.42	178.00	6.88	31° 52' 48"E	24.39
C2	32.31	21.00	88.88	182° 21' 20"E	28.25
C3	25.16	145.07	1.28	148° 30' 47"E	25.18
C4	84.37	148.87	3.25	138° 30' 47"E	84.36
C5	45.88	101.82	2.98	158° 50' 40"E	45.88
C6	144.21	101.82	3.92	147° 30' 47"E	144.21

- LEGEND**
- PROPERTY LINE
 - PROPERTY LINE TO BE ABANDONED
 - RIGHT OF WAY
 - EASEMENT
 - ADJACENT PROPERTY LINE
 - UNDERGROUND TELECOMMUNICATION
 - UNDERGROUND WATER LINE
 - STORM DRAINAGE
 - OVERHEAD POWER LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND GAS LINE
 - SANITARY SEWER LINE
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - LIGHT POLE
 - POWER POLE
 - SOIL
 - SANITARY SEWER MANHOLE
 - GAS METER
 - TRANSFORMER
 - ELECTRIC BOX
 - GAS VALVE
 - IRISER OPTIC MARKER
 - TELECOMMUNICATION PEDESTAL
 - REINFORCED CONCRETE PIPE
 - EDGE OF PAVEMENT
 - RIGHT OF WAY
 - IRON (FOUNDED)
 - IRON (NEW SET)
 - OPEN TOP
 - REBAR
 - CURB INLET



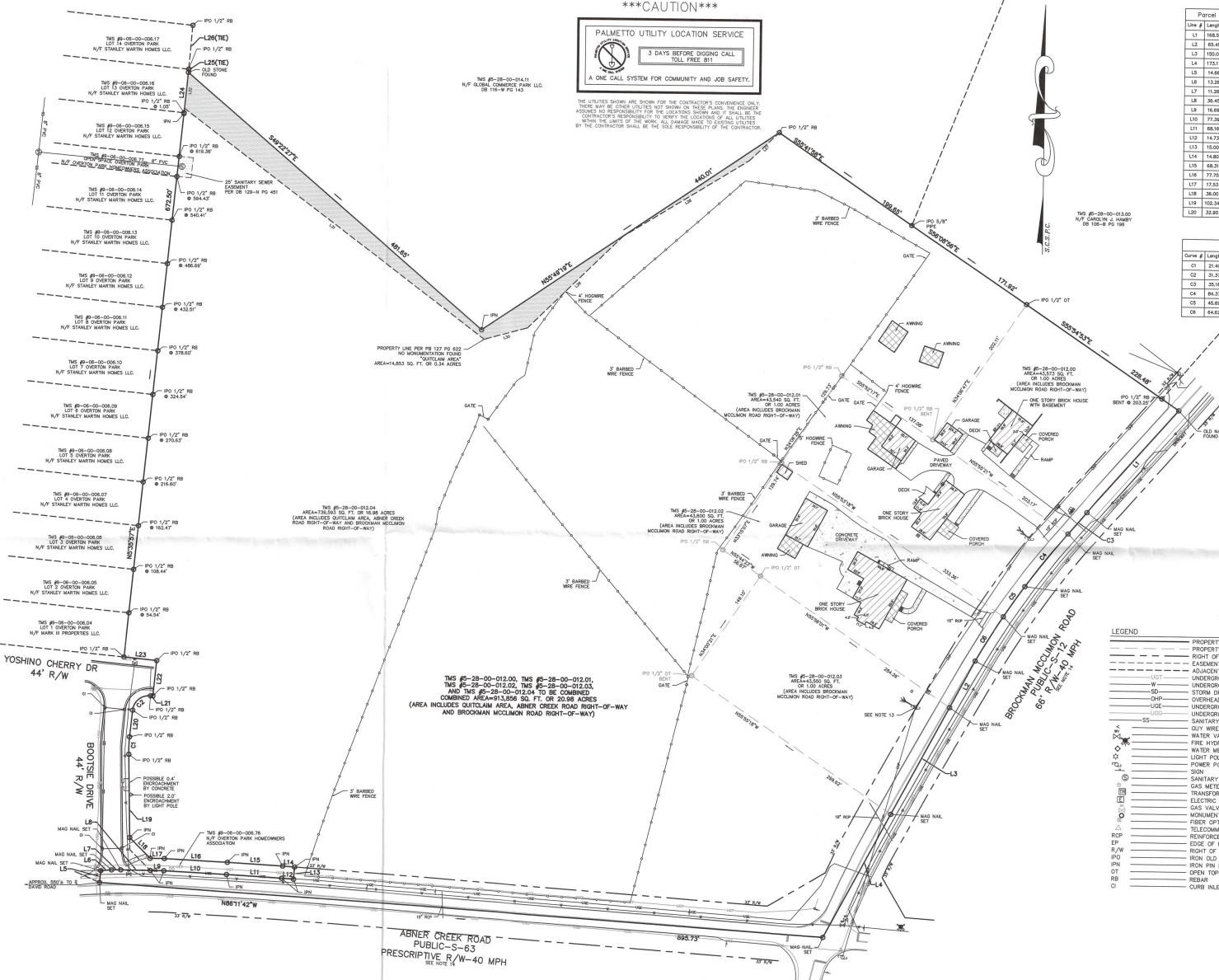
RECOMBINATION PLAT FOR:
COTHRAN PROPERTIES LLC.

780, 784, 788, 792, 845
 BROCKMAN MCCLIMMON ROAD
 CITY OF GREER
 SPARTANBURG COUNTY SC

SCALE: 1" = 60'
 DATE: 6-1-22
 PT. FILE: 22113-ALL-14
 DWG. NO.: 22113-SURVEY.dwg

"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 THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD





**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/25/2024

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

Tax Map Number(s) 5-28-00-012.02

Property Address(s) 788 BROCKMAN MCCLIMON RD, GREER 29651

Acreage of Properties 1 County Spartanburg

Applicant Information

Name MCP RE Acquisitions LLC
 Address 430 N Hanover Street, Charleston, SC 29403
 Contact Number 617-549-3285
 Email david@materialcapitalpartners.com
 Business Name Material Capital Partners

Property Owner Information
(If multiple owners, see back of sheet)

Name Jeff & Amy Harvey
 Address 788 Brockman McClimon Rd
Greer SC 29651
 Contact Number 593-6219
 Email JeffHarvey330@gmail.com
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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 rezoned from Residential Suburban to Traditional Neighborhood.

Existing Use: Vacant Land Proposed Use: Single family detached and attached homes

Signature(s) Jeff Harvey
Amy Harvey

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

Complete the section below if multiple property owners

Name Jeff Harvey
Business Name _____
Address 788 Brockman McClimon Rd
Contact Number 593-6209
Signature Jeff Harvey

Name Amy Harvey
Business Name _____
Address 788 Brockman McClimon Rd
Contact Number 593-6692
Signature Amy Harvey

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-10

APPLICANT: MCP RE Acquisitions, LLC

PROPERTY LOCATION: Brockman McClimon and Abner Creek Rd

TAX MAP NUMBER: 5-28-00-012.04, 5-28-00-012.02, 5-28-00-012.00, 5-28-00-012.01 and 5-28-00-012.03

EXISTING ZONING: Rural Residential (RR)

REQUEST: Rezone to Traditional Neighborhood (TN)

SIZE: +/- 18 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 24-10**

RZ 24-10 is a rezoning request for five parcels located at the northwest quadrant of the Brockman McClimon Rd and Abner Creek Rd intersection with a total acreage of almost 18 acres. The request is to rezone the properties from Rural Residential to Traditional Neighborhood. The intent of the applicant is to combine the properties and develop a mixed-product residential subdivision.

Surrounding land uses and zoning include:

North:	Manufacturing and Logistics – Clarius Park; Unzoned Spartanburg County - vacant
East:	Brockman McClimon Rd and Unzoned Spartanburg County
South:	Abner Creek Rd and DRD, Design Review District – Saddlebrook
West:	Traditional Neighborhood – Overton Park

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, four-plexes, 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 the comprehensive plan, therefore, staff supports the request. This property would serve as a transition between more intense industrial uses to the north and lower density residential to the south.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

(See next page)

Public Hearing

Mr. David Craig was present on behalf of Material Capital Partners as the applicant. He showed a brief presentation that showed their building products and their style of development. He said it was similar to a new urbanist design with an emphasis on parks, trails, and amenities. He said a local project that would be similar is Homestead at Hartness. He explained that they had not completed a TIA yet, because they wanted to ensure the project would be able to move forward, but they would be completed one as required.

Ms. Amy Harvey was present to speak during public hearing on behalf of the 5 property owners of the subject properties. She said that as a family they have lived in the area for over 25 years and watched the area change and grow. They have accepted that with the area's growth and the proximity of BMW and the highway, that traffic in the area is unavoidable. The property owners of the five parcels are confident that the developers will develop their property to with high standards and in a thoughtful manner and it will complement the existing developments in the area.

There were two speakers who expressed opposition and concern about the project. They cited concerns about traffic in the area and the poor road conditions, as well as the response times and availability of city services like the ambulance and fire with a larger population to serve.

New Business

Staff presented their analysis and recommendation of approval.

Mr. Jones asked the applicant to return to the podium to address concerns. Mr. Jones explained to the audience that a traffic study would be required of the project before approval.

Mr. Acierno asked if the site would be mostly townhomes. Mr. Craig said that it would be about 50/50 townhomes and single-family detached at about 6-7 units per acre.

Mr. Jones asked what the subdivision west of the parcels is and how many units per acre they had. Ms. Kaade answered that Overton Park was approved with 7,500 square foot lots.

Mr. Acierno asked what triggers taking a road. Ms. Stahl responded that when we annex property adjacent to a roadway is when we take ownership if they are county roads. When they are DOT roads, we accept the roadway for city services, but not for maintenance or ownership.

Mr. Booker asked Ms. Harvey if she spoke for the homeowners of all five properties. Ms. Harvey said yes. Mr. Booker said that he did not oppose the rezoning request because he respected the property rights of the homeowners and the rezoning request was appropriate for the area.

Mr. Acierno asked about the density of Rural Residential. Ms. Kaade responded 20,000 per acre minimum lots are the standard for the district, but pointed out that this property shared a boundary with intense industrial to the north and would serve as a transition to the residential to the south.

Mr. Lamb stated that while he did not love the zoning district they were requesting, he would support it.

ACTION – Mr. Acierno made a motion to recommend approval of the request. Mr. Lamb seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.

Category Number:
Item Number: 6.



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 39-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY MICHAEL AND NANCY HAWKINS SMITH LOCATED AT 792 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 39-2024	9/25/2024	Ordinance
▣ Ord 39-2024 Exhibit A Map	9/25/2024	Exhibit
▣ Ord 39-2024 Exhibit B Title to Real Estate	9/25/2024	Exhibit
▣ Ord 39-2024 Exhibit C Plat	9/25/2024	Exhibit
▣ Ord 39-2024 Rezoning Application	9/25/2024	Backup Material
▣ Ord 39-2024 Planning Commission Minutes	9/25/2024	Backup Material

ORDINANCE NUMBER 39-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY MICHAEL AND NANCY HAWKINS SMITH LOCATED AT 792 BROCKMAN MCCLIMON ROAD FROM RR (RURAL RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Michael and Nancy Hawkins Smith located at 792 Brockman McClimon Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 5-28-00-012.03 containing approximately 1.00 +/- acre attached hereto marked as Exhibit A, the Title to Real Estate attached hereto marked as Exhibit B; and the Plat attached hereto marked at Exhibit C.

1. The owners desire to change the zoning classification of their property and have shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 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 792 Brockman McClimon Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 5-28-00-012.03 containing approximately 1.00 +/- acres attached hereto marked as Exhibit A shall be changed from RR (Rural Residential) 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: September 24, 2024

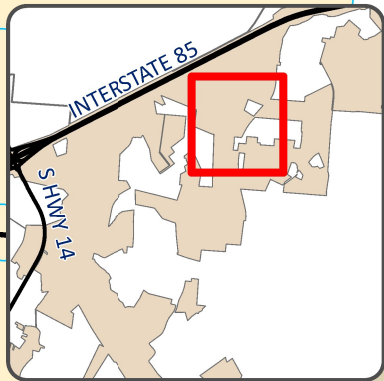
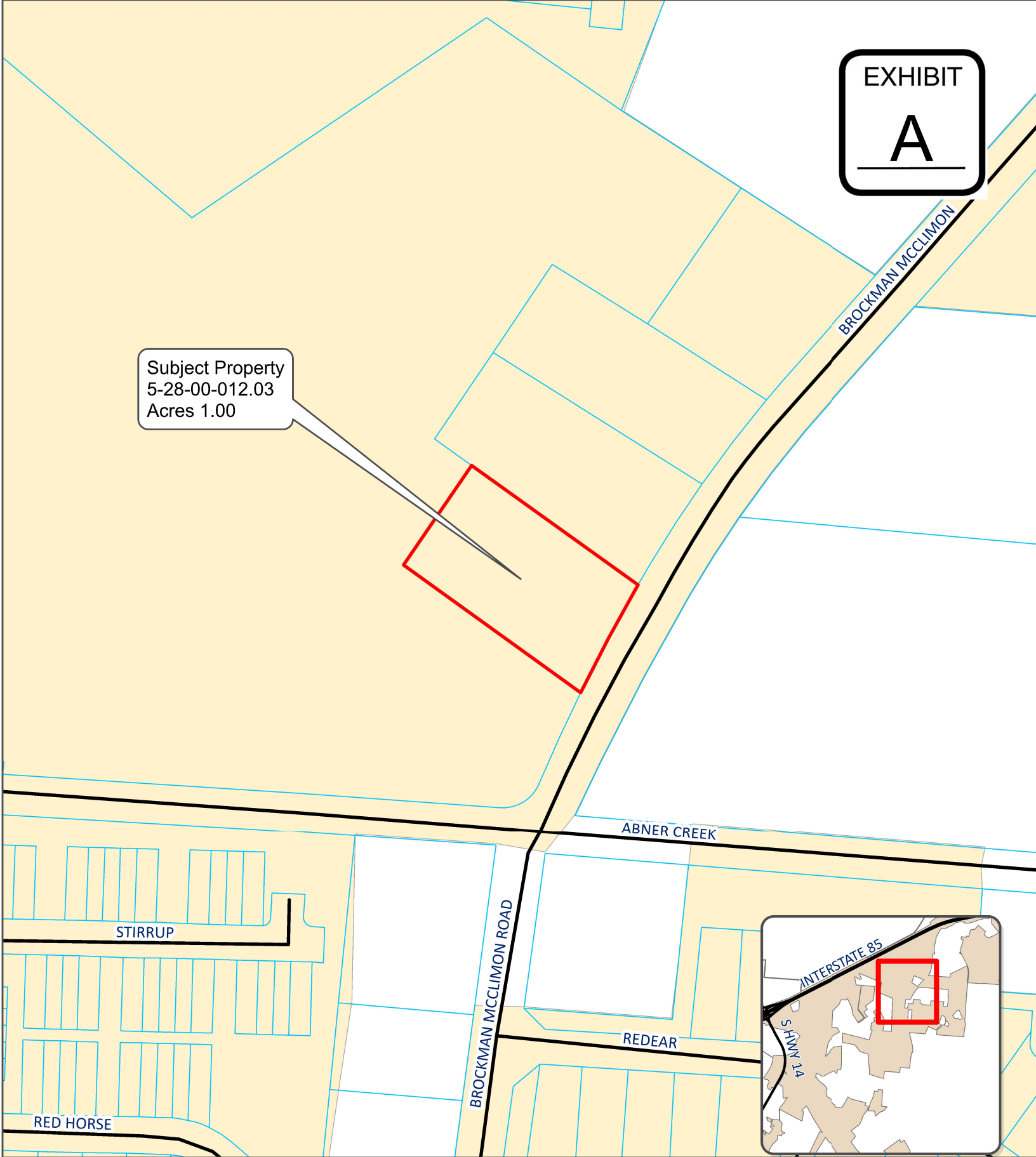
Second and
Final Reading: October 8, 2024

Approved as to Form:

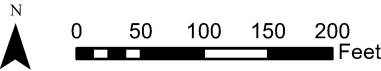
Daniel R. Hughes, City Attorney

EXHIBIT
A

Subject Property
5-28-00-012.03
Acres 1.00



Ordinance 39-2024



- Streets
- City Limits
- Parcels

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.

of Greer and near Pelham, SC and being all of Tract 2, on a plat of property of P. L. Smith, Sr., prepared by John A. Simmons, Surveyor dated June 7, 1963 and having the following metes and bounds:

***BEGINNING** at an iron pin joint corner of lot or tract 2 and 3 and runs thence with the common line of said tracts, S. 54-00 west 1619 feet to iron pin near corner of said tract; thence S. 84-43 E. 282.5 feet to iron pin, rear corner of tract 1 and 2; thence with the common line of said tract, N 4-00 E. 1815 feet to an iron pin, corner of said lot, thence S; 60-20 W. 340 feet to the beginning corner, and containing 11.18 acres, more or less and being part of the same tract of land conveyed to P. L. Smith by Leroy Moore, Master for Spartanburg County.*

***THIS** conveyance is made subject to all restrictions, easements, rights-of-way, setback lines, roadways and zoning ordinances, if any, of record on the recorded plat, or on the premises, affecting said property.*

***DERIVATION: THIS** is the same property conveyed to K. Michael Smith, herein by deed from Bill Smith and Frances H. Smith dated August 19, 2002 and recorded in the ROD Office for Spartanburg County on September 3, 2002 in Deed Book 76-K at Page 226.*

TAX MAP #: 9-07-00-029.00

AND

***ALL** that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, containing 1.00 acre on the northwestern side of Brockman McClimon Road and being 173 feet from the center line of Abner Creek Road as shown on plat prepared by Jeffry M. Wallace dated October 20, 1997 entitled "Boundary Survey for Billy Smith and Frances H. Smith" recorded in the ROD Office for Spartanburg County in Plat Book 142 at Page 727. Reference is hereby directed to the above-mentioned plat for a metes and bounds description thereof.*

***THIS** conveyance is made subject to all restrictions, easements, rights-of-way, setback lines, roadways and zoning ordinances, if any, of record on the recorded plat, or on the premises, affecting said property.*

***DERIVATION: THIS** is the same property conveyed to K. Michael Smith, herein by deed from Bill Smith and Frances H. Smith dated August 19, 2002 and recorded in the ROD Office for Spartanburg County on September 3, 2002 in Deed Book 76-K at Page 226.*

TAX MAP #: 5-28-00-012.03

NO TITLE EXAM BY THIS OFFICE

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 grantee(s), and 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

EXHIBIT C

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- NOTES:
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 - 2) TMS #5-28-00-012.01 AREA=43,240 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 3) TMS #5-28-00-012.02 AREA=43,200 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 4) TMS #5-28-00-012.03 AREA=43,250 SQUARE FEET OR 1.00 ACRES (AREA INCLUDES BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
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 - 6) TMS #5-28-00-012.05, TMS #5-28-00-012.06, TMS #5-28-00-012.07, TMS #5-28-00-012.08 TO BE COMBINED COMBINED AREA=91,836 SQUARE FEET OR 20.88 ACRES (AREA INCLUDES QUILTAM AREA, ASHER CREEK ROAD RIGHT-OF-WAY AND BROCKMAN MCCLIMMON ROAD RIGHT-OF-WAY)
 - 7) SITE ADDRESS: 780, 784, 788, 792, 845 BROCKMAN MCCLIMMON ROAD CITY OF GREER, SPARTANBURG COUNTY, SOUTH CAROLINA
 - 8) REFERENCES: DB 103-K PG 869 DB 108-N PG 599 DB 110-V PG 800 DB 104-N PG 99 DB 88-K PG 472 DB 122-P PG 249 DB 128-O PG 141 PB 127 PG 621 PB 142 PG 730 PB 140 PG 725 PB 142 PG 727 PB 145 PG 434 PB 113 PG 868 PB 127 PG 600 PB 175 PG 302 SCOTT FILE NO. 42,706 SHEET 11
 - 9) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD
 - 10) FIELD WORK COMPLETED: 5-25-22
 - 11) HORIZONTAL DATUM IS S-C.S.P.C. (NAD 83) DATUM HAS ESTABLISHED USING STATIC GPS SURVEYING AND "NGS DRIPS"
 - 12) ALL IRN ARE 5/8" REBAR UNLESS OTHERWISE NOTED.
 - 13) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.
 - 14) WETLAND DETERMINATION/SURVEY NOT PROVIDED FOR SITE. PER NATIONAL WETLAND INVENTORY ONLINE MAPPER, THERE DOES NOT APPEAR TO BE ANY WETLANDS LOCATED ONSITE.
 - 15) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "R" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR FLOOD INSURANCE RATE MAP NO. 4545030640, WITH A DATE OF IDENTIFICATION OF 12-28-2004, FOR COMMUNITY NUMBER OF SOUTH CAROLINA, AND FLOOD INSURANCE RATE MAP NO. 4545030640, WITH A DATE OF IDENTIFICATION OF 8-18-2014, FOR COMMUNITY NUMBER 450000, CITY OF GREER, SPARTANBURG COUNTY, STATE OF SOUTH CAROLINA, WHICH ARE THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
 - 16) ZONING: R-5 SETBACKS PER CITY OF GREER ZONING ORDINANCE: FRONT: 50' SIDE: 30' REAR: 50'
 - 17) UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND BASED UPON PALMETTO UTILITY PROTECTION SERVICES LOCATIONS AND REFERENCES.
 - 18) UNDERGROUND POWER RIGHT-OF-WAY UNKNOWN, TYPICAL DUNE ENERGY DISTRIBUTION R/W IS 30', 15' EACH SIDE OF CENTERLINE.
 - 19) 84' RIGHT-OF-WAY FOR BROCKMAN MCCLIMMON ROAD PER SCOTT FILE NO. 42,706 SHEET 11. ALIGNMENT OF ROAD AS CONSTRUCTED APPEARS TO VARY FROM DESIGN PLAN DIMENSIONS/CONVEYANCE DATA. ASSESS ROAD USED TO ESTABLISH RIGHT-OF-WAY. NO RIGHT-OF-WAY DATA WAS FOUND FOR ASHER CREEK ROAD FOR THIS PORTION OF THE ROAD, THEREFORE PRESCRIPTIVE IN NATURE. 30' RIGHT-OF-WAY AND SCOTT TRIANGLE SHOWN BASED ON SCOTT FILE NO. 42,706 SHEET 11.

*****CAUTION*****

PALMETTO UTILITY LOCATION SERVICE

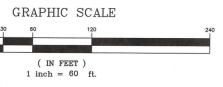
3 DAYS BEFORE DIGGING CALL TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

Parcel Line Table		Parcel Line Table	
Line #	Length Direction	Line #	Length Direction
L1	188.52 S41° 37' 40"W	L23	45.48 N87° 30' 29"E
L2	65.45 S28° 10' 29"W	L24	30.08 N87° 30' 29"E
L3	150.00 S88° 10' 29"W	L25	3.88 N87° 30' 29"E
L4	123.27 S28° 10' 29"W	L26	30.08 N87° 30' 29"E
L5	14.68 N87° 30' 29"E	L27	16.88 S88° 10' 29"E
L6	13.28 N87° 30' 29"E	L28	16.88 S88° 10' 29"E
L7	11.88 N87° 10' 43"E	L29	16.88 S88° 10' 29"E
L8	30.45 S88° 10' 29"E	L30	77.58 S88° 10' 29"E
L9	16.88 S88° 10' 29"E	L31	68.88 S88° 22' 07"E
L10	77.58 S88° 10' 29"E	L32	14.73 S82° 51' 44"E
L11	68.88 S88° 22' 07"E	L33	15.00 N4° 00' 16"E
L12	14.73 S82° 51' 44"E	L34	15.00 N88° 21' 44"W
L13	15.00 N4° 00' 16"E	L35	68.88 S88° 22' 07"W
L14	15.00 N88° 21' 44"W	L36	68.88 S88° 22' 07"W
L15	68.88 S88° 22' 07"W	L37	181.58 S88° 22' 07"W
L16	77.58 S88° 10' 29"W	L38	181.58 S88° 22' 07"W
L17	15.00 N88° 11' 10"W	L39	181.58 S88° 22' 07"W
L18	28.00 N88° 11' 10"W	L40	15.33 S74° 24' 47"W
L19	102.34 N1° 11' 20"W	L41	487.08 N63° 52' 22"W
L20	32.80 N5° 54' 16"E	L42	84.54 N5° 54' 16"E

Curve Table					
Curve #	Length	Radius	Chord Distance	Chord Length	
C1	31.42	178.00	6.88	31° 52' 48"E	24.39
C2	32.31	21.00	88.88	180° 21' 09"E	28.25
C3	25.16	145.07	1.28	148° 30' 47"W	25.16
C4	84.37	148.87	3.25	138° 30' 47"W	84.36
C5	45.88	101.82	2.98	158° 50' 40"W	45.88
C6	144.21	101.82	3.92	147° 30' 47"W	144.21

- LEGEND**
- PROPERTY LINE
 - PROPERTY LINE TO BE ABANDONED
 - RIGHT OF WAY
 - EASEMENT
 - ADJACENT PROPERTY LINE
 - UNDERGROUND TELECOMMUNICATION
 - UNDERGROUND WATER LINE
 - STORM DRAINAGE
 - OVERHEAD POWER LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND GAS LINE
 - SANITARY SEWER LINE
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - LIGHT POLE
 - POWER POLE
 - SOIL
 - SANITARY SEWER MANHOLE
 - GAS METER
 - TRANSFORMER
 - ELECTRIC BOX
 - GAS VALVE
 - IRISER OPTIC MARKER
 - TELECOMMUNICATION PEDESTAL
 - REINFORCED CONCRETE PIPE
 - EDGE OF PAVEMENT
 - RIGHT OF WAY
 - IRON (FOUND)
 - IRON (NEW (SET))
 - OPEN TOP
 - REBAR
 - CURB INLET



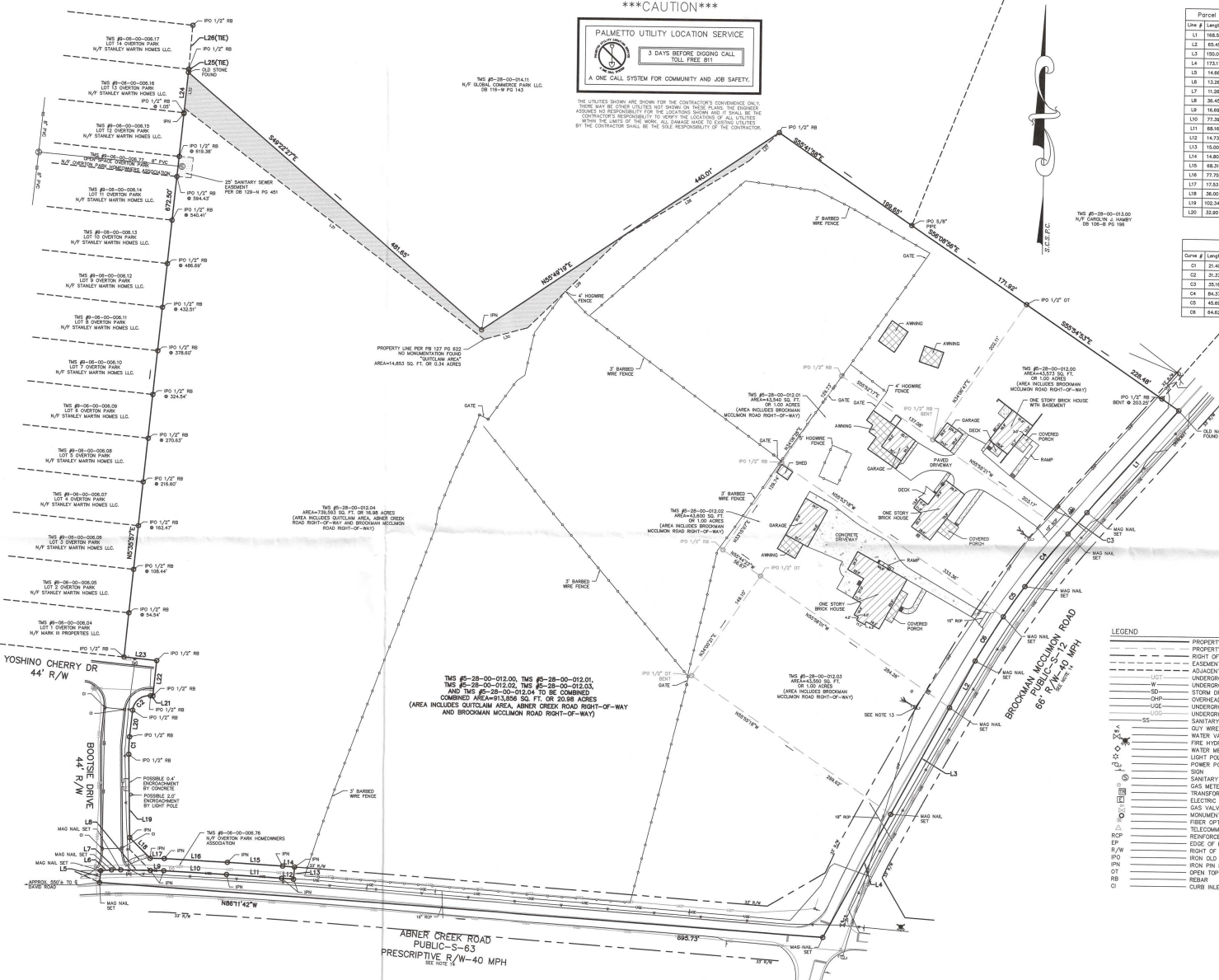
RECOMBINATION PLAT FOR:
COTHRAN PROPERTIES LLC.

780, 784, 788, 792, 845
 BROCKMAN MCCLIMMON ROAD
 CITY OF GREER
 SPARTANBURG COUNTY SC

SCALE: 1" = 60'
 DATE: 6-1-22
 PT. FILE: 22113-ALL-14
 DWG. NO.: 22113-SURVEY.dwg

"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 THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD





**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 7/25/2024

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

Tax Map Number(s) 5-28-00-012.03

Property Address(s) 792 BROCKMAN MCCLIMON RD, GREER 29651

Acreage of Properties 1 County Spartanburg

Applicant Information

Name MCP RE Acquisitions LLC
 Address 430 N Hanover Street, Charleston, SC 29403
 Contact Number 617-549-3285
 Email david@materialcapitalpartners.com
 Business Name Material Capital Partners

Property Owner Information
(If multiple owners, see back of sheet)

Name K. Michael Smith
 Address 100 Randall St.
Greer, SC 29651
 Contact Number 864-483-1615
 Email smithnm1@bellsouth.net
 Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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 rezoned from Residential Suburban to Traditional Neighborhood.

Existing Use: Vacant Land Proposed Use: Single family detached and attached homes

Signature(s) * K Michael Smith
* Nancy H Smith

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

See Reverse

Complete the section below if multiple property owners

* Name K. Michael Smith
Business Name _____
Address 100 Randall St. Greer, SC
Contact Number 864-483-1615 291651
Signature K Michael Smith

* Name Nancy H. Smith
Business Name _____
Address 100 Randall St. Greer, SC 291651
Contact Number 864-483-1615
Signature Nancy H. Smith

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-10

APPLICANT: MCP RE Acquisitions, LLC

PROPERTY LOCATION: Brockman McClimon and Abner Creek Rd

TAX MAP NUMBER: 5-28-00-012.04, 5-28-00-012.02, 5-28-00-012.00, 5-28-00-012.01 and 5-28-00-012.03

EXISTING ZONING: Rural Residential (RR)

REQUEST: Rezone to Traditional Neighborhood (TN)

SIZE: +/- 18 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood

ANALYSIS: **RZ 24-10**

RZ 24-10 is a rezoning request for five parcels located at the northwest quadrant of the Brockman McClimon Rd and Abner Creek Rd intersection with a total acreage of almost 18 acres. The request is to rezone the properties from Rural Residential to Traditional Neighborhood. The intent of the applicant is to combine the properties and develop a mixed-product residential subdivision.

Surrounding land uses and zoning include:

North:	Manufacturing and Logistics – Clarius Park; Unzoned Spartanburg County - vacant
East:	Brockman McClimon Rd and Unzoned Spartanburg County
South:	Abner Creek Rd and DRD, Design Review District – Saddlebrook
West:	Traditional Neighborhood – Overton Park

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, four-plexes, 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 the comprehensive plan, therefore, staff supports the request. This property would serve as a transition between more intense industrial uses to the north and lower density residential to the south.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

(See next page)

Public Hearing

Mr. David Craig was present on behalf of Material Capital Partners as the applicant. He showed a brief presentation that showed their building products and their style of development. He said it was similar to a new urbanist design with an emphasis on parks, trails, and amenities. He said a local project that would be similar is Homestead at Hartness. He explained that they had not completed a TIA yet, because they wanted to ensure the project would be able to move forward, but they would be completed one as required.

Ms. Amy Harvey was present to speak during public hearing on behalf of the 5 property owners of the subject properties. She said that as a family they have lived in the area for over 25 years and watched the area change and grow. They have accepted that with the area's growth and the proximity of BMW and the highway, that traffic in the area is unavoidable. The property owners of the five parcels are confident that the developers will develop their property to with high standards and in a thoughtful manner and it will complement the existing developments in the area.

There were two speakers who expressed opposition and concern about the project. They cited concerns about traffic in the area and the poor road conditions, as well as the response times and availability of city services like the ambulance and fire with a larger population to serve.

New Business

Staff presented their analysis and recommendation of approval.

Mr. Jones asked the applicant to return to the podium to address concerns. Mr. Jones explained to the audience that a traffic study would be required of the project before approval.

Mr. Acierno asked if the site would be mostly townhomes. Mr. Craig said that it would be about 50/50 townhomes and single-family detached at about 6-7 units per acre.

Mr. Jones asked what the subdivision west of the parcels is and how many units per acre they had. Ms. Kaade answered that Overton Park was approved with 7,500 square foot lots.

Mr. Acierno asked what triggers taking a road. Ms. Stahl responded that when we annex property adjacent to a roadway is when we take ownership if they are county roads. When they are DOT roads, we accept the roadway for city services, but not for maintenance or ownership.

Mr. Booker asked Ms. Harvey if she spoke for the homeowners of all five properties. Ms. Harvey said yes. Mr. Booker said that he did not oppose the rezoning request because he respected the property rights of the homeowners and the rezoning request was appropriate for the area.

Mr. Acierno asked about the density of Rural Residential. Ms. Kaade responded 20,000 per acre minimum lots are the standard for the district, but pointed out that this property shared a boundary with intense industrial to the north and would serve as a transition to the residential to the south.

Mr. Lamb stated that while he did not love the zoning district they were requesting, he would support it.

ACTION – Mr. Acierno made a motion to recommend approval of the request. Mr. Lamb seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.



AGENDA
GREER CITY COUNCIL
10/8/2024

Second and Final Reading of Ordinance Number 40-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY DURHAM KIDS INVESTMENTS LP AND JONES KIDS INVESTMENTS LP LOCATED AT 107 CANNON STREET FROM CC (COMMERCIAL CORRIDOR) TO GS (GREER STATION DOWNTOWN) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 40-2024	9/25/2024	Ordinance
▣ Ord 40-2024 Exhibit A Map	9/25/2024	Exhibit
▣ Ord 40-2024 Exhibit B Limited Warranty Deed	9/25/2024	Exhibit
▣ Ord 40-2024 Exhibit C Plat	9/25/2024	Exhibit
▣ Ord 40-2024 Rezoning Application	9/25/2024	Backup Material
▣ Ord 40-2024 Planning Commission Minutes	9/25/2024	Backup Material

ORDINANCE NUMBER 40-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY DURHAM KIDS INVESTMENTS LP AND JONES KIDS INVESTMENTS LP LOCATED AT 107 CANNON STREET FROM CC (COMMERCIAL CORRIDOR) TO GS (GREER STATION DOWNTOWN)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Durham Kids Investments LP and Jones Kids Investments LP located at 107 Cannon Street and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G021000100900 containing approximately .79 +/- acre attached hereto marked as Exhibit A, the Limited Warranty Deed attached hereto marked as Exhibit B; and the Plat attached hereto marked at Exhibit C.

1. The owners desire to change the zoning classification of their property and have shown the need for such use to the Greer Planning Commission at a public hearing held on September 18, 2024.
2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to GS (Greer Station Downtown).
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 Cannon Street more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Number G021000100900 containing approximately .79 +/- acre attached hereto marked as Exhibit A shall be changed from CC (Commercial Corridor) to GS (Greer Station Downtown).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

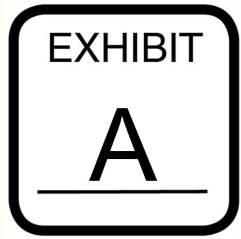
Introduced by:

First Reading: September 24, 2024

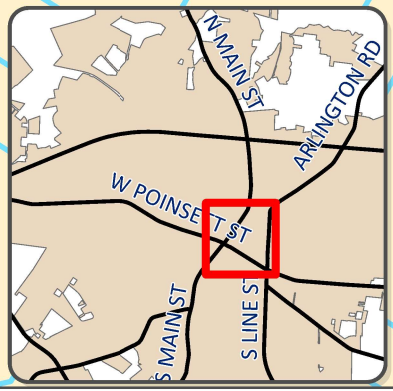
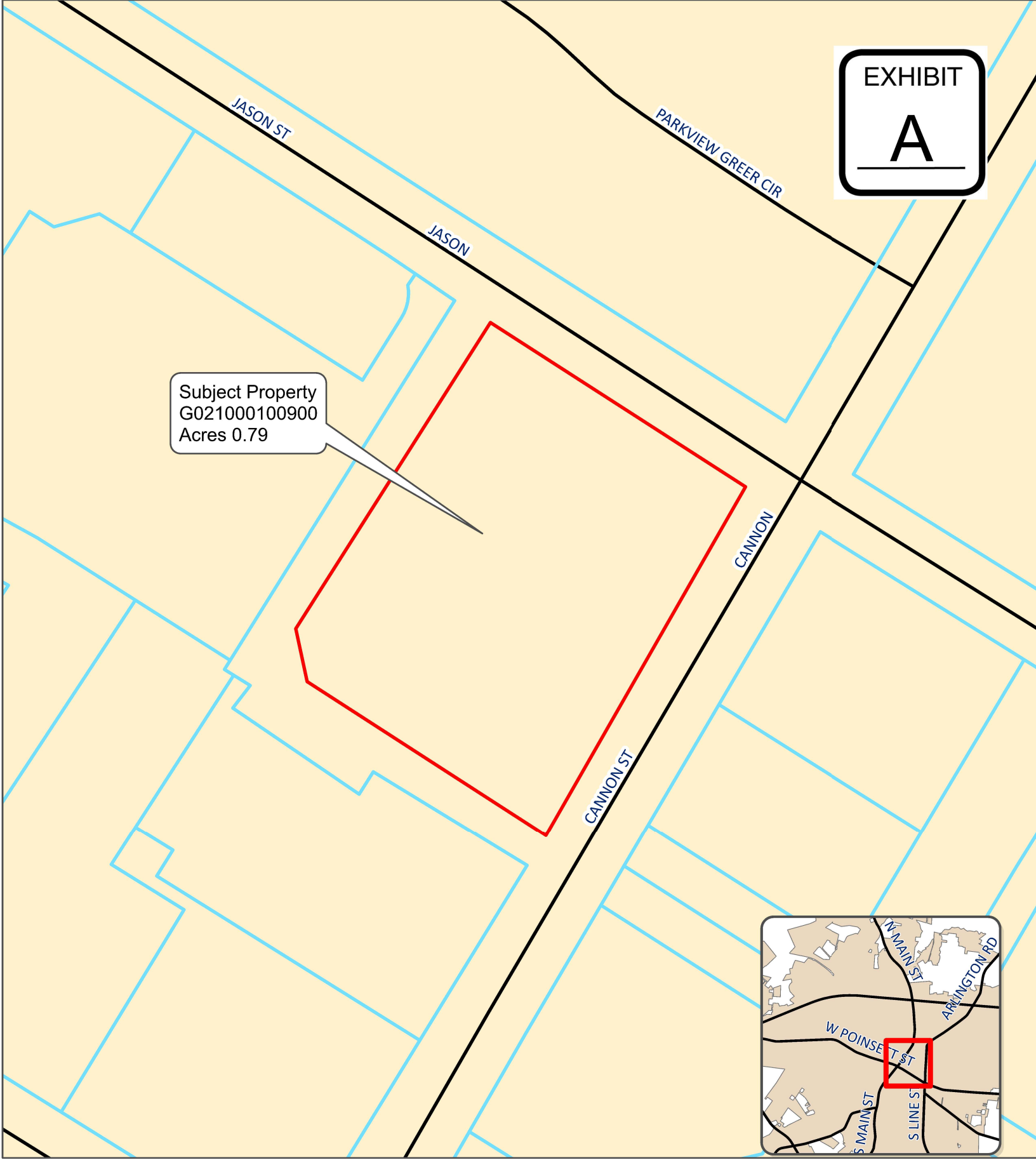
Second and
Final Reading: October 8, 2024

Approved as to Form:

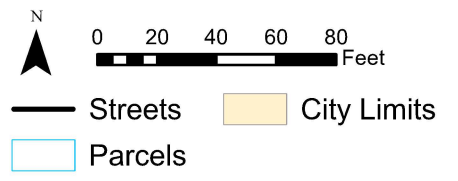
Daniel R. Hughes, City Attorney



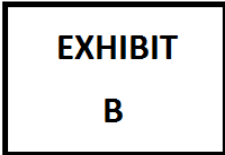
Subject Property
G021000100900
Acres 0.79



Ordinance 40-2024



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 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.



DEED Book: DE 2709 Page: 3178 - 3180

January 24, 2024 10:56:17 AM Cons: \$2,500,000.00

Rec: \$15.00 Cnty Tax: \$2,750.00 State Tax: \$6,500.00

E-FILED IN GREENVILLE COUNTY, SC

Timothy J. Hanney

Grantee's Address: P.O. Box 2267, Greer, SC 29652

STATE OF SOUTH CAROLINA)
) LIMITED WARRANTY DEED
COUNTY OF GREENVILLE)

KNOW ALL MEN BY THESE PRESENTS, that Grady Steven Sandlin ("Grantor"), in consideration of the sum of **Two Million Five Hundred Thousand and 00/100 (\$2,500,000.00) Dollars**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents, does hereby grant, bargain, sell and release unto **Jones Kids Investments, LP** and **Durham Kids Investments, LP**, ("Grantee"), its successors and assigns forever:

See Exhibit "A" attached hereto and incorporated herein by reference.

This conveyance is made subject to all restrictions, reservations, set back lines, roadways, zoning ordinances, easements, and rights-of-way, if any, that may appear of record on the recorded plat(s), or on the premises, affecting the above described property.

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

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

AND THE GRANTOR does hereby bind the Grantor and Grantor's successors and/or assigns to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors and assigns and no others.

WITNESS, the Grantor's hand and seal this 23 day of January 2024.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Stanley E. McLeod
S. McLeod

Grady Steven Sandlin (SEAL)
Grady Steven Sandlin

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

ACKNOWLEDGMENT

I, Stanley E. McLeod, a Notary Public for the State of South Carolina, do hereby certify that Grady Steven Sandlin personally appeared before me this 23 day of January 2024, and acknowledged the due execution of the foregoing instrument.

Stanley E. McLeod [SEAL]
My commission expires: 1-9-2025



EXHIBIT

C

W. V. HAWKINS.

15 FOOT ALLEY CONVEYED TO CITY BY C. E. SMIT

S. 32-22.W. 129.5'

S. 12-16 E. 28.96'

S. 57-15 E. 188.73'

CONVEYED TO CITY BY T. J. GLENN

C. E. SMITH

B. N. BENNETT

JASON STREET

N. 57-08 W. 159.37'

SIDE WALK N. 29-52 E. 211.77'

CANNON STREET

17615 AUG 7-1953

PROPERTY OF
BALLENTINE • GROCERY • STORES • INC.

LOCATED IN GREER, S. C.

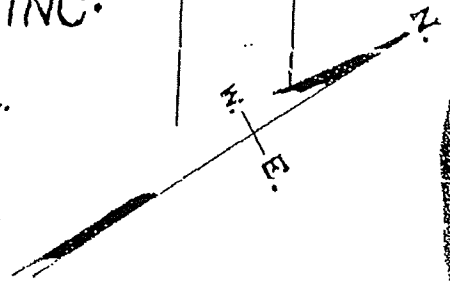
CHICK SPRINGS • TOWNSHIP • GREENVILLE • COUNTY.

SOUTH • CAROLINA •

SCALE: 1" = 30 • FEET • AUGUST • 4 • 1953 •

RE-SURVEYED JULY • 29 • 1953 •

H. S. BROCKMAN, REG. SURVEYOR.
GREER, S. C. NO. 959.



#17615 Filed This 7 day of Aug 1953
And Recorded in Vol. D.D. Page 181 at 11

Register: Mosse Conveyance Greenville County, S. C.



**ZONING MAP AMENDMENT APPLICATION
(REZONING)**

Date 8-27-2024

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

Tax Map Number(s) G-02/000100900
Property Address(s) 107 CANNON ST. GREER SC
Acreage of Properties .79 County GREENVILLE

Applicant Information

Name DUNHAM Kids Investments, LP
JONES Kids Investments, LP
Address P.O. Box 2267
GREER SC 29652
Contact Number 864 304 1447
Email jones@service1auspost.com
Business Name _____

Property Owner Information
(If multiple owners, see back of sheet)

Name _____
Address _____
Contact Number _____
Email _____
Business Name _____

If the property owner is a corporate entity, the individual signing this application represents and warrants that they have the authority to sign on behalf of the corporate entity.

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

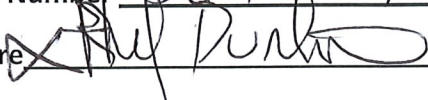
The applicant hereby requests that the property described be rezoned from CC to GS.

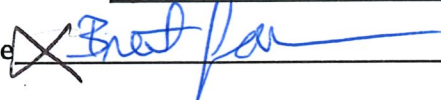
Existing Use: _____ Proposed Use: Food Hall and Entertainment Venue

Signature(s) [Signature]
[Signature]

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

Complete the section below if multiple property owners

Name Phil Dunham
Business Name Dunham Kids Investments LP
Address PO Box 2267 Green 29652
Contact Number 864 304-1447
Signature 

Name Brent Jones
Business Name Jones Kids Investments, LP
Address PO Box 2267 Green 29652
Contact Number 864 304-1446
Signature 

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

Name _____
Business Name _____
Address _____
Contact Number _____
Signature _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Wednesday, September 18, 2024

DOCKET: RZ 24-11

APPLICANT: Dunham Kids Investments, LP &
Jones Kid Investments, LP

PROPERTY LOCATION: 107 Cannon St

TAX MAP NUMBER: G021000100900

EXISTING ZONING: Commercial Corridor (CC)

REQUEST: Rezone to Greer Station (GS)

SIZE: 0.8 Acres

COMPREHENSIVE PLAN: Downtown Living

ANALYSIS: **RZ 24-11**

RZ 24-11 is a rezoning request for one parcel located at 107 Cannon St (formerly Spinning Jenny) with a total acreage of .8 acres. The request is to rezone the property from Commercial Corridor to Greer Station. The intent of the applicant is to redevelop the site into a food hall and entertainment venue.

Surrounding land uses and zoning include:

North: Greer Station – Parkview Apartments
East: Greer Station – Namaste, Harvest Kitchen, spa, boutique
South: Greer Station – medical office and parking lot
West: Greer Station – municipal parking garage

Downtown Living encompasses the community’s historic core. Development is characterized by a mix of civic, entertainment, cultural, mixed-use buildings, detached and attached single-family homes, and mid-sized multi-family and commercial development. Much of this development is sidewalk and street oriented for strolling and outdoor seating. This area is compact, walkable, and well-connected with a wide sidewalk network and it supports multimodal transportation.

- **Primary Uses:** Retail, entertainment, and office commercial; and upper story, townhome, multiplex, and multi-family residential; civic uses and spaces
- **Secondary Uses:** Institutional facilities, regional parks, hotels and short-term rentals

The request is compatible with surrounding land uses and the Comprehensive Plan, therefore, staff supports the request. This property is one of the few in downtown that does not already have Greer Station zoning; the relaxation of parking requirements and setbacks are appropriate in this location.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

(See next page)

Public Hearing

Mr. Taft Worthen was present as the project contractor and applicant representative. He designed and built Vaughn's Food Hall in Simpsonville. The new food hall will have 600 seats both indoors and outdoors.

New Business

Staff presented their analysis and recommendation of approval.

Mr. Jones asked if the rezoning was for the use. Ms. Kaade answered that they needed to rezone in order to have the zero lot line setbacks permitted in the Greer Station zoning district and no parking requirement.

Mr. Lamb asked about the city's noise ordinance. Ms. Kaade explained that there is an noise ordinance but it is difficult to enforce because there is no decibel level cited.

Ms. Medford commented that the project seems appropriate for the location.

ACTION – Mr. Lavender made a motion to recommend approval of the request. Mr. Acierno seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.

Category Number:
Item Number: 1.



AGENDA
GREER CITY COUNCIL
10/8/2024

First Reading of Ordinance Number 41-2024

Summary:

AN ORDINANCE AUTHORIZING THE CLOSURE OF AN ALLEY IN THE CITY OF GREER (133 Tremont Avenue) (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 41-2024	9/25/2024	Ordinance
▣ Ord 41-2024 Exhibits to Ordinance	9/25/2024	Exhibit

ORDINANCE NUMBER 41-2024

AN ORDINANCE AUTHORIZING THE CLOSURE OF AN ALLEY IN THE CITY OF GREER

WHEREAS, the City received a request from True North Properties, LLC (“True North”) to permanently close and transfer to True North any interest it may have in an abandoned 10’ alley located on property owned by True North identified as Greenville County Tax Map No. G014000406700 and further identified on the survey attached hereto as Exhibit “A”; and,

WHEREAS, the utility companies did not assert any objection or response to the closure; and,

WHEREAS, pursuant to Ordinance 78-11 (4), notice of the public hearing on September 24, 2024 was published in the Greenville Journal for three (3) consecutive weeks on the following dates: September 6th; September 13th; and, September 20th, 2024 and the City Attorney notified all abutting property owners of the public hearing by certified mail as shown by letters attached hereto as Exhibit “B”; and,

WHEREAS, the City has determined that it is in the best interests of the City of Greer to close the alley identified on Exhibit “A”; and,

WHEREAS, pursuant to S.C. Code § 5-27-150 and Ordinance 78-11, the City has the authority to close the alley.

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

Section 1. That the 10’ alley shown on the survey attached hereto as Exhibit “A” be closed and that the Mayor is authorized, empowered or directed to execute, acknowledge and deliver a Quit-Claim Deed and any other documents necessary to effectuate this closure and conveyance.

Section 2. This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

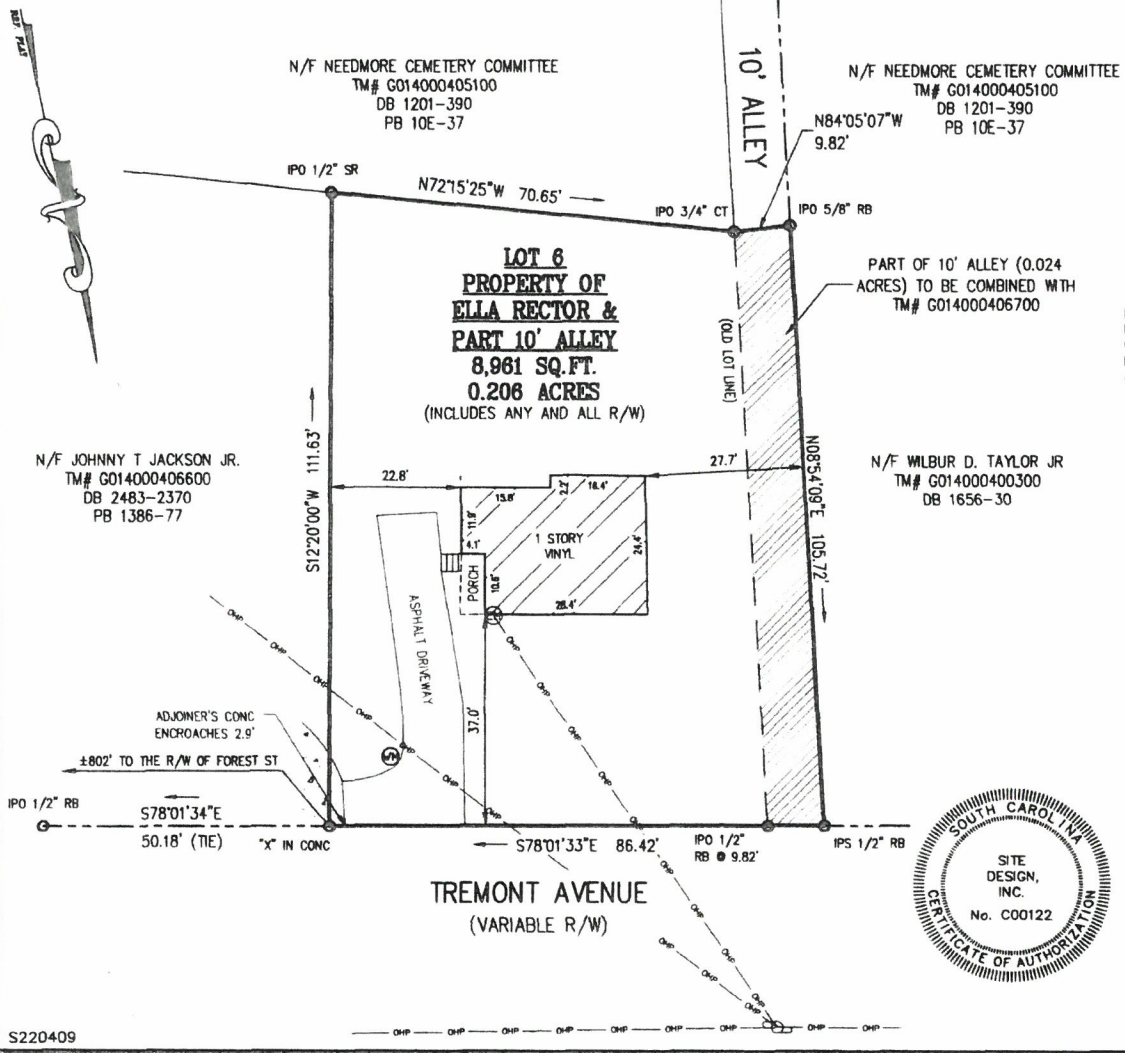
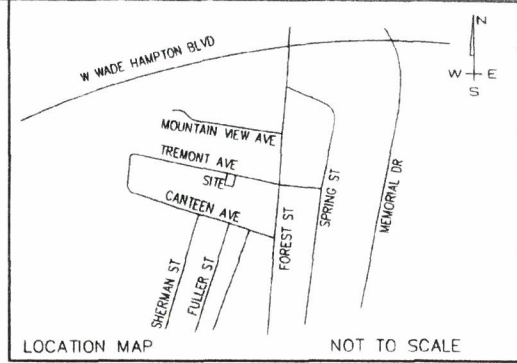
Introduced by: _____

First Reading: October 8, 2024

Second Reading: October 22, 2024

Approved as to form: _____
Daniel R. Hughes, City Attorney

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



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

THE PROPERTY SHOWN IS KNOWN AS LOT 6, PROPERTY OF ELLA RECTOR RECORDED IN PLAT BOOK T, PAGE 9, OFFICE OF R.O.D., GREENVILLE COUNTY, S.C.

LEGEND

BL BUILDING LINE	CO CLEAN OUT	A. CLAY JONES, P.L.S.
CL CENTERLINE	CB CATCH BASIN	S.C. REG. NO. 26210
CMP CORRUGATED METAL PIPE	DI DROP INLET	
CT CRIMP TOP	ELEC TRANS	
DE DRAINAGE EASEMENT	ELEVATION	
EP EDGE OF PAVEMENT	FX FIRE HYDRANT	
IPO IRON PIN OLD	GAS METER	
IPS IRON PIN SET	GAS VALVE	
N&C NAIL & CAP	LP LIGHT POLE	
OT OPEN TOP	PP POWER POLE	
RB REBAR	SMH MANHOLE (SD)	
RCP REINFORCED CONC PIPE	SSH MANHOLE (SS)	
R/W RIGHT OF WAY	TNH MANHOLE (TELEPHONE)	
SD STORM DRAIN	TPEL TELEPHONE PEDESTAL	
SS SANITARY SEWER	CATPED CABLE PEDESTAL	
SSE SS EASEMENT	WATER METER	
VCP VITRIFIED CLAY PIPE	WATER VALVE	

**RIGHT-OF-WAY ABANDONMENT PLAT FOR
TRUE NORTH PROPERTIES, LLC
GREENVILLE COUNTY, SOUTH CAROLINA**

SCALE 1"=20'	PROPERTY ADDRESS 113 TREMONT AVE	TAX PIN G014000406700
DATE 5/24/24	FIELD CREW RS/LH	DRAWN BY ZT

SITE DESIGN, INC.
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (864)271-0496
www.sitedesign-inc.com



S220409

EXHIBIT "A"



AFFIDAVIT OF PUBLICATION

Greenville Journal
581 Perry Ave., Greenville, SC 29611
(864) 679-1200

I, Bonnie Campbell, of lawful age, being duly sworn upon oath, deposes and says that I am the Client Services Manager of Greenville Journal, a publication that is a "legal newspaper" as that phrase is defined for the city of Greenville, for county of Greenville, in the state of South Carolina, that this affidavit is 1 of 1 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:

- Sep 6, 2024
- Sep 13, 2024
- Sep 20, 2024

Notice ID: gBbFOZikVMCa8ORnEZ2J

Notice Name: Public Notice of Hearing September

Publication Fee: \$191.40

Bonnie Campbell
Client Services Manager

VERIFICATION

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Signed or attested before me on this

20 day of September, A.D. 2024

C. Allen Pruitt
Notary Public

My Commission Expires: 01/04/2033



NOTICE

IS HEREBY GIVEN that the City of Greer, a municipal corporation organized and existing under the laws of the State of South Carolina, will hold a public hearing for consideration of the closure of a portion of a city-owned alley pursuant to Resolution 23-2024 on September 24, 2024 at 6:30 pm at Greer City Hall. The portion of the alley to be abandoned and closed is identified as a 16-foot alley running NE for 105.72 feet from the rear lot line of Lot 6 located at 133 Tremont Avenue, Greer, SC 29636 to a point at said lot and Tremont Avenue, and more particularly described on a survey dated May 24, 2024 prepared by Site Design, Inc. for True North Properties, LLC. The portion of the alley to be closed abuts properties owned by Wilbur D. Taylor, Jr. identified by Greenville County Tax Map No. G014000400300 and Needmore Cemetery Committee c/o City of Greer identified by Greenville County Tax Map No. G014000405100. GJ-000016

DUGGAN & HUGHES, LLC
ATTORNEYS AND COUNSELORS AT LAW

Daniel R. Hughes
Evan C. Bramhall
J. Alexander Zimmerman

457-B Pennsylvania Avenue
Greer, South Carolina 29650
Telephone: (864) 879-0144 or (864) 334-2500
Facsimile: (864) 879-0149

Mailing Address
Post Office Box 449
Greer, S.C. 29652

September 3, 2024

Certified Mail/Return Receipt

Article No: 7015-1520-0002-5152-3188

Mr. Wilbur D. Taylor, Jr.
1 Panorama Court
Greenville, SC 29611

Re: Alley Closure
Our File No.: GR99.0456

Dear Mr. Taylor:

I am the city attorney for Greer. Greer City Council received a request from True North Properties, LLC to close a 10' alley abutting its property located at 133 Tremont Avenue, Greer, SC 29651 as shown on the attached survey. Pursuant to Greer City Ordinance Section 78-11, the City is required to give notice by certified mail to all abutting property owners. Your property located at 135 Tremont Avenue abuts the portion of the alley sought to be closed.

Please be advised that Greer City Council will hold a public hearing regarding this matter on September 24, 2024 at 6:30 p.m. in Council Chambers located in the Events Complex "2nd floor" at Greer City Hall, 301 E. Poinsett Street, Greer, S.C. You may attend if you wish. You may contact me with any questions or concerns prior to that meeting.

Sincerely,

DUGGAN & HUGHES, LLC



Daniel R. Hughes, Esquire

DRH/tab
Enclosure (survey)

cc: Tammela Duncan (via email)

7015 1520 0002 5152 3188

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fees as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

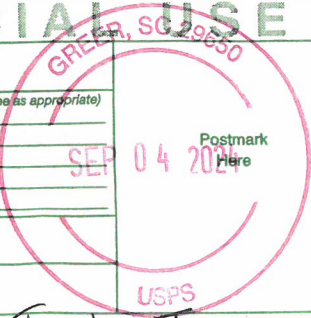
\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Mr. Wilbur D. Taylor Jr
Ipano Rama Court
Greenville SC 29611



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



AGENDA
GREER CITY COUNCIL
10/8/2024

First Reading of Ordinance Number 42-2024

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY FRANK W. AND TAMMY MERRITT LOCATED AT 1035 ABNER CREEK ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF TN (TRADITIONAL NEIGHBORHOOD) FOR SAID PROPERTY (Action Required)

Executive Summary:

Ordinance 42-2024 is an annexation and zoning request for one parcel located at the intersection of Abner Creek Rd and Brockman McClimon Rd in Spartanburg County. The parcel consists of 24.37 acres. The requested zoning for the property is TN, Traditional Neighborhood and the intent is to develop a single-family attached subdivision. The Planning Commission will conduct a public hearing on October 21, 2024 for the zoning of the parcel.
Ashley Kaade, Planning Manager

ATTACHMENTS:

Description	Upload Date	Type
▢ Cover Memo	10/2/2024	Cover Memo
▢ Ordinance Number 42-2024	10/2/2024	Ordinance
▢ Ord 42-2024 Exhibit A Title to Real Estate	10/2/2024	Exhibit
▢ Ord 42-2024 Exhibit B Survey	10/2/2024	Exhibit
▢ Ord 42-2024 Exhibit C Map	10/2/2024	Exhibit
▢ Ord 42-2024 Exhibit D FIRMS	10/2/2024	Exhibit
▢ Ord 42-2024 Petition for Annexation	10/2/2024	Backup Material

Memorandum

To: Mr. Andrew Merriman, City Administrator

From: Ashley Kaade, AICP, Planning Manager

Subject: Ordinance 42-2024

Date: October 2, 2024

CC: Tammy Duncan, Clerk to City Council

Ordinance 42-2024 is an annexation and zoning request for one parcel located at the intersection of Abner Creek Rd and Brockman McClimon Rd in Spartanburg County. The parcel consists of 24.37 acres. The requested zoning for the property is TN, Traditional Neighborhood and the intent is to develop a single-family attached subdivision.

The Planning Commission will conduct a public hearing on October 21, 2024 for the zoning of the parcel.

ORDINANCE NUMBER 42-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY FRANK W. AND TAMMY MERRITT LOCATED AT 1035 ABNER CREEK ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF TN (TRADITIONAL NEIGHBORHOOD) FOR SAID PROPERTY

WHEREAS, Frank W. and Tammy Merritt are the sole owners of a certain property located at 1035 Abner Creek Road more particularly described on the legal description 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 5-28-00-020.00 containing approximately 24.37 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Numbers 45083C0327D and 45045C0364D attached hereto marked as Exhibit D; and,

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

WHEREAS, Frank W. and Tammy Merritt have petitioned the City of Greer to annex their 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 owners have requested that the subject property be zoned TN (Traditional 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 24.37 acres +/- property shown in red on the attached map owned by Frank W. and Tammy Merritt located at 1035 Abner Creek Road as described on the attached City of Greer Map as Spartanburg County Parcel Number 5-28-00-020.00 is hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced properties shall be zoned TN (Traditional Neighborhood) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. LAND USE MAP: The above referenced 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 45083C0327D and 45045C0364D.

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: October 8, 2024

Second and
Final Reading: November 12, 2024

APPROVED AS TO FORM:

Daniel R. Hughes, City Attorney

DEE-2020055413
Recorded 3 on 12/01/2020 12:12:12 PM
Recording Fee: \$15.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
DOROTHY EARLE REGISTER OF DEEDS
BK:DEE 130-D PG:456-458

EXHIBIT
A

FAYSSOUX & LANDIS, ATTORNEYS AT LAW, P.A. Post Office Box 10207, Greenville, SC 29603

State of South Carolina)
)
County of Spartanburg) **NO TITLE SEARCH**
) **TITLE TO REAL ESTATE**
) **QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that **Tammy Merritt**, (hereinafter called "Grantor"), in consideration of **One Dollar Love and Affection (\$1.00)**, to the Grantor in hand paid at and before the sealing of these presents, by Frank W. Merritt and Tammy Merritt, as Joint Tenants with Right of Survivorship and Not as Tenants in Common,(hereinafter called Grantee) in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release all my right title and interest unto

Frank W. Merritt and Tammy Merritt,
as Joint Tenants with Right of Survivorship and Not as Tenants in Common

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Spartanburg containing 24.38 acres more or less as shown on plat entitled "Survey for Frank W. Merritt" dated August 25, 1999 prepared by Chapman Surveying Co., Inc. recorded in the RMC Office for Spartanburg County, in Plat Book 145 at page 674 and having, according to said plat, metes and bounds as shown thereon.

Beginning at an old spike in the center line of Brockman-McClimon Road at the intersection of the rights of ways of Brockman-McClimon Road and Abner Creek Road and running thence, along the center line of Brockman-McClimon Road, N. 28-25-44 E. 388,62 feet to a new nail; thence N. 31-38-49 E. 53.01 feet to a new nail; thence S. 85-12-11 E. 709.98 feet to an old iron pin; thence N. 4-48-48 E. 283.06 feet to an old iron pin; thence S 85-11-34 E. 1,090.11 feet to an old iron pin, thence S. 7-05-15 W. 344.07 feet to an old iron pin; thence S. 77-28-11 E. 42.38 feet to an old iron pin; thence S. 6-32-14 W. 322.21 feet to an old nail in the center line of Abner Creek Road; thence along the center line of Abner Creek Road, N. 85-37-22 W. 1,997.41 feet to an old spike in the center line of Brockman-McClimon Road at the intersection of Brockman-McClimon Road and Abner Creek Road the point and place of beginning.

This being the same property acquired by Grantor by deed of Frank W. Merritt recorded in Deed Book 93-Z at page 763 on June 16, 2009.

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

Grantee's Address: 1035 Abner Creek Road Greer, SC 29651
TMS No.: 5-28-00-020.00

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, and the Grantee's heirs and assigns forever.

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

WITNESS the Grantor's hands and seals this the 23rd day of November, 2020.

SIGNED, SEALED AND DELIVERED
in the presence of:

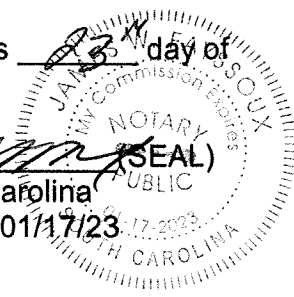
[Signature]
WITNESS
[Signature]
WITNESS

[Signature] (SEAL)
Tammy Merritt

State of South Carolina)
)
County of Greenville)

ACKNOWLEDGMENT

I, James W. Fayssoux, a Notary Public for the State of South Carolina, do hereby certify that **Tammy Merritt** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me this 23rd day of Nov., 2020.
[Signature]
Notary Public for South Carolina
My Commission Expires: 01/17/23


STATE OF SOUTH CAROLINA)
)
COUNTY OF Spartanburg)

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 was transferred by Tammy Merritt
- 3. Check one of the following: The deed is
 - (a) _____ SUBJECT to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth amount of _____.
 - (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 of as a distribution to a trust beneficiary. The fee is computed on the fair market value of the realty which is _____.
 - (c) X EXEMPT from the deed recording fee because (See Exemptions) #12.
- 4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: GRANTOR *Afforname*
- 5. I understand that a person required to furnish this affidavit who wilfully 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.

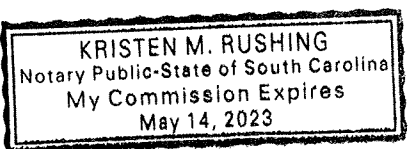
[Handwritten Signature]

Responsible Person Connected with the Transaction

SWORN to me before this 23
day of NOV, 2020

[Handwritten Signature]

Notary Public for South Carolina
My Commission Expires:
05/14/23



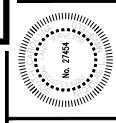
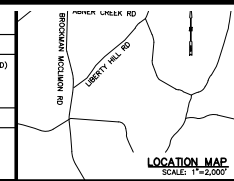
EXHIBIT

B

- NOTES:
- NORTH ARROW, BEARINGS, AND COORDINATES ARE BASED UPON SC GRID NAD 83 ESTABLISHED BY VIRTUAL REFERENCE STATION REAL TIME NETWORK GPS OBSERVATION.
 - REFERENCE IS HEREBY MADE TO THE FOLLOWING MAPS:
 - PLAT BOOK 145, PAGE 674 RECORDED IN THE SPARTANBURG COUNTY REGISTER OF DEEDS OFFICE.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT.
 - THIS SURVEY MEETS THE REQUIREMENT FOR A CLASS "A" SURVEY (1:10,000) AS DEFINED FOR THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF SOUTH CAROLINA.
 - THE AREA WAS DETERMINED BY DMD METHOD.
 - ALL HORIZONTAL DISTANCES ARE GROUND DISTANCES.
 - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ONE CALL TOGETHER (#2402282276). FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
 - THE PROPERTY APPEARS TO BE IN FEMA ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), PER MAP #4508303270; EFFECTIVE JANUARY 6, 2011.
 - ZONING PROVIDED BY SPARTANBURG COUNTY TO BE USED FOR INFORMATIONAL PURPOSES ONLY.
 - TOTAL AREA = 1,061,684 S.F. = 24.3735 ACRES
 - NO EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION, STREET OR SIDEWALK CONSTRUCTION WAS OBSERVED ON SITE.
 - THE SITE DOES NOT APPEAR TO HAVE BEEN USED AS A SOLID WASTE DUMP, SLUMP, OR SANITARY LANDFILL.
 - NO VISIBLE FLAGGING EVIDENCE OF POTENTIAL WETLANDS WERE OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED, NOR HAVE HE RECEIVED ANY DOCUMENTATION OF ANY WETLANDS BEING LOCATED ON THE SUBJECT PROPERTY.

PARCEL DESCRIPTION:
 ALL THAT CERTAIN PIECE, PARCEL, OR TRACT OF LAND LYING AND BEING IN SPARTANBURG COUNTY, SOUTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A RAILROAD SPIKE ON THE CORNER FORMING THE INTERSECTION OF BROOKMAN McCORMON ROAD (S-12) (66 FOOT PUBLIC RIGHT-OF-WAY) AND ABNER CREEK ROAD (S-63) (DITCH TO DITCH PUBLIC RIGHT-OF-WAY) HAVING SC GRID COORDINATES OF N 1,108,976.78 E 1,640,287.64; THENCE ALONG BROOKMAN McCORMON ROAD (FOR THE FOLLOWING TWO CALLS) (1) N28°13'19"E A DISTANCE OF 388.63 FEET TO A NAIL, (2) THENCE N02°22'52"E A DISTANCE OF 53.01 FEET TO A NAIL, THENCE ALONG THE COMMON LINE OF PELHAM BATESVILLE FIRE DEPARTMENT (FOR THE FOLLOWING TWO CALLS) (1) S85°57'7"E A DISTANCE OF 709.29 FEET TO AN IRON PIN, (2) THENCE N04°33'44"E A DISTANCE OF 283.35 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF WOOD (FOR THE FOLLOWING THREE CALLS) (1) S82°22'01"E A DISTANCE OF 1,090.24 FEET TO AN IRON PIN, (2) THENCE S06°56'34"W A DISTANCE OF 343.89 FEET TO AN IRON PIN, (3) THENCE S77°28'30"E A DISTANCE OF 42.27 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF NORIA PROPERTIES, LLC S06°22'13"W A DISTANCE OF 322.17 FEET TO A NAIL, THENCE ALONG ABNER CREEK ROAD N00°49'04"W A DISTANCE OF 1,996.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,061,684 S.F. OR 24.3735 ACRES MORE OR LESS.

UTILITY INFORMATION	ZONING DATA
WATER: S/W (864) 949-2809	ZONED: UNZONED
SEWER: GREER SPW (864) 948-5500	
ELECTRIC: LAURENS ELECTRIC COOPERATIVE (800) 942-3141	FLOOD INFORMATION
GAS: AMARESCO PALMETTO (864) 949-2809	FLOOD ZONE "X" (MINIMAL FLOOD HAZARD) PER FEMA MAP NO. 4508303270 EFFECTIVE DATE: JANUARY 6, 2011
TELEPHONE: A1&T (864) 576-1800	PARKING
CABLE: CHARTER COMMUNICATIONS (888) 438-2427	REGULAR = N/A HANDICAP = N/A



LJA
COA
7090

LJA SURVEYING INC.
 107 HILLCREST AVENUE
 SPARTANBURG, SC 29301
 (864) 451-0176

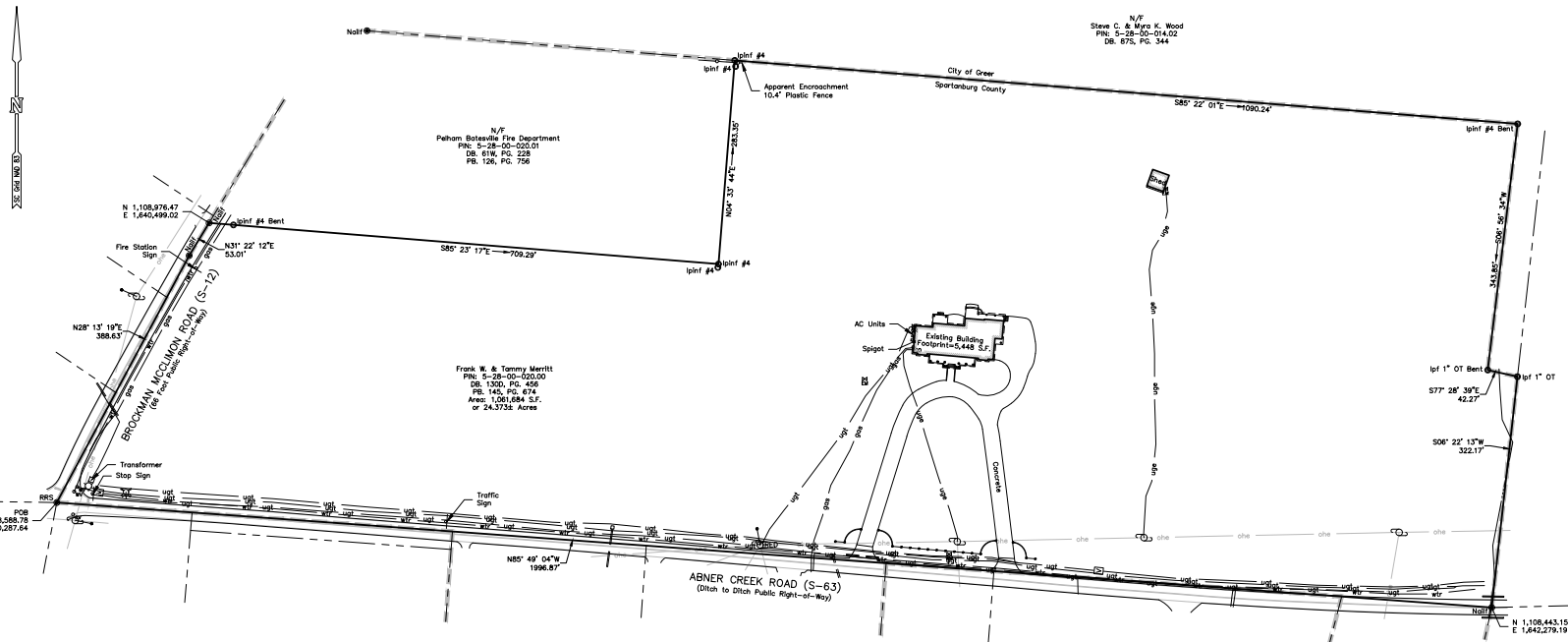
REVISIONS

ALTA/NPS LAND TITLE SURVEY
 PREPARED FOR:
 PROPERTY OF: FRANK W. MERRITT
 SPARTANBURG COUNTY, SOUTH CAROLINA

DRAWN: NMR
 CHECKED: NLM

SCALE: 1" = 80'
 DATE OF SURVEY: 03/08/2024
 DATE OF PLAT: 03/12/2024
 PROJECT NO.: 24-1034

1 of 1
 SHEET NO.

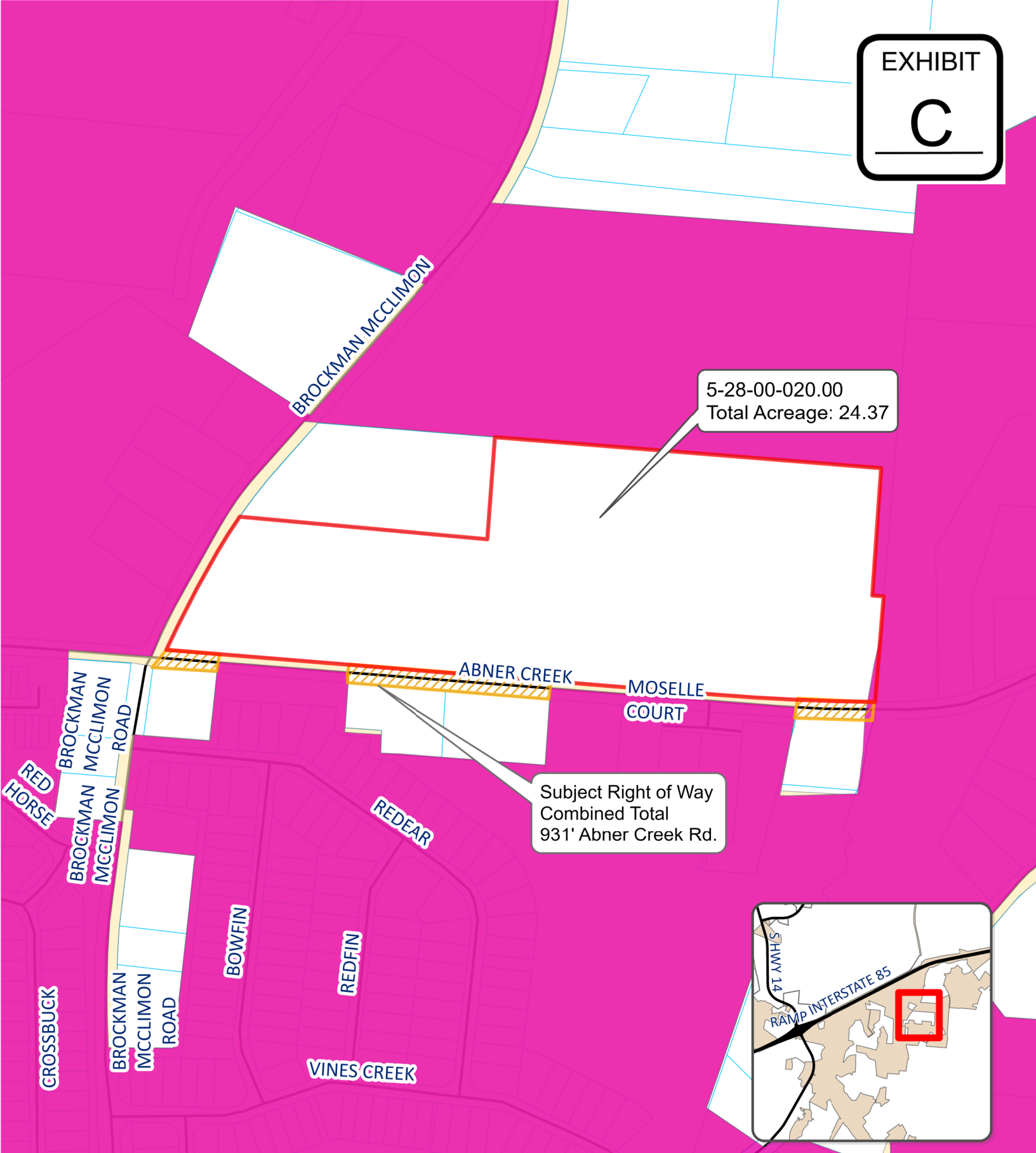


LEGEND	
—	PROPERTY LINE
- - -	ADJACENT PROPERTY LINE
—	WATER CENTERLINE
—	STORM DRAINAGE PIPE
—	WATER LINE
—	GAS LINE
—	UNDERGROUND TELEPHONE
—	UNDERGROUND ELECTRIC
—	OVERHEAD ELECTRIC
—	PLASTIC FENCE
—	METAL FENCE
—	OVERHANG
—	GLY WIRE
—	LIGHT POLE
—	UTILITY POLE
—	WATER METER
—	WATER VALVE
—	HYDRANT
—	CLEANOUT
—	GAS VALVE
—	GAS METER
—	ELECTRIC METER
—	AIR CONDITIONING
—	UNDERGROUND UTILITY BOX
—	TELEPHONE PEDISTAL
—	IRON PIN-REBAR FOUND
—	IRON PIPE FOUND
—	NAIL FOUND
—	RAILROAD SPIKE

TO: LLC
 TITLE INSURANCE COMPANY

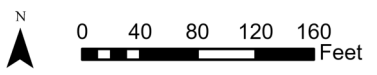
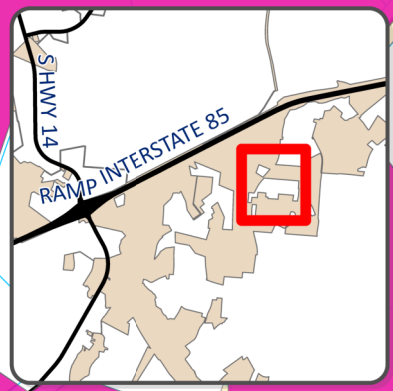
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2001 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7B, 7C, 8, 9, 10, 11A, 11B, 13, 14, 15, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 8, 2024.

Nicholas L. Mansfield
 NICHOLAS L. MANSFIELD DATE: 3/12/2024 REGISTRATION #27454
 *THE WORDS "CERTIFY", "CERTIFICATION" OR "CERTIFICATION" AS USED HEREON ARE UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, BASED UPON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AS SUCH, DO NOT CONSTITUTE A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.



5-28-00-020.00
Total Acreage: 24.37

Subject Right of Way
Combined Total
931' Abner Creek Rd.



Ordinance 42-2024

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.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updates or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **Floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of Flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (CBFEs) shown on this map apply only to landward of 0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that Coastal Flood Elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **Floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **Flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures in this jurisdiction.

The **projection** used in the preparation of this map was State Plane South Carolina FIPS 3200. The **horizontal datum** was NAD 83, GRS1980 adjusted. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geospatial Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geospatial Survey website at <http://www.ngs.noaa.gov/> or contact the National Geospatial Survey at the following address:

NGS Information Services
NOAA, NNGS2
National Geospatial Survey
SSM-C-3 4#202
1215 East-West Highway
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geospatial Survey at (301) 713-3242, or visit their website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was provided in digital format by Spartanburg County, South Carolina.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a listing of Communities with National Flood Insurance Program data for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Information exchange** at 1-877-336-2827 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information exchange may also be reached by fax at 1-800-368-9620 and its website at <http://www.msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program, in general, please call 1-877-FEMA-HELP (1-877-336-2827) or visit the FEMA website at <http://www.fema.gov/>.

EXHIBIT D

LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equalled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, AR, X, Y, and VE. The Base Flood Elevation is the elevation of the 1% annual chance flood.
- ZONE A** No base flood elevations determined.
- ZONE AE** Base flood elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Area of Special Flood Hazard formerly protected from the 1% annual chance flood by a flood control system that was subsequently decommissioned. Zone "AR" indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no base flood elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no base flood elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); base flood elevations determined.
- FLOODWAY AREAS IN ZONE AE
- OTHER FLOOD AREAS
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual chance flood.
- OTHER AREAS
- ZONE D** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
- OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and CBR boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, Flood depths or flood velocities
- Base Flood Elevation line and value; elevation in feet*
- Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988 (NAVD 88)

- Cross section line
- Transect line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83):
 1000-meter Universal Transverse Mercator grid values, zone 17
 5000-foot grid ticks; South Carolina State Plane coordinate system (NAD83) Lambert Projection.
 Bench mark (see explanation in Notes to Users section of this FIRM panel)
 ● M.T.S.
 River Mile

Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP: JANUARY 6, 2011

EFFECTIVE DATES OF REVISIONS TO THIS PANEL:

For community map revision history prior to countywide mapping, refer to the Community Map History table located in 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 1-800-438-6620.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0327D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY, SOUTH CAROLINA AND INCORPORATED AREAS

PANEL 327 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS	NUMBER	PANEL	SUFFIX
COMMUNITY	45076	0327	D
SPARTANBURG COUNTY	45076	0327	D

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

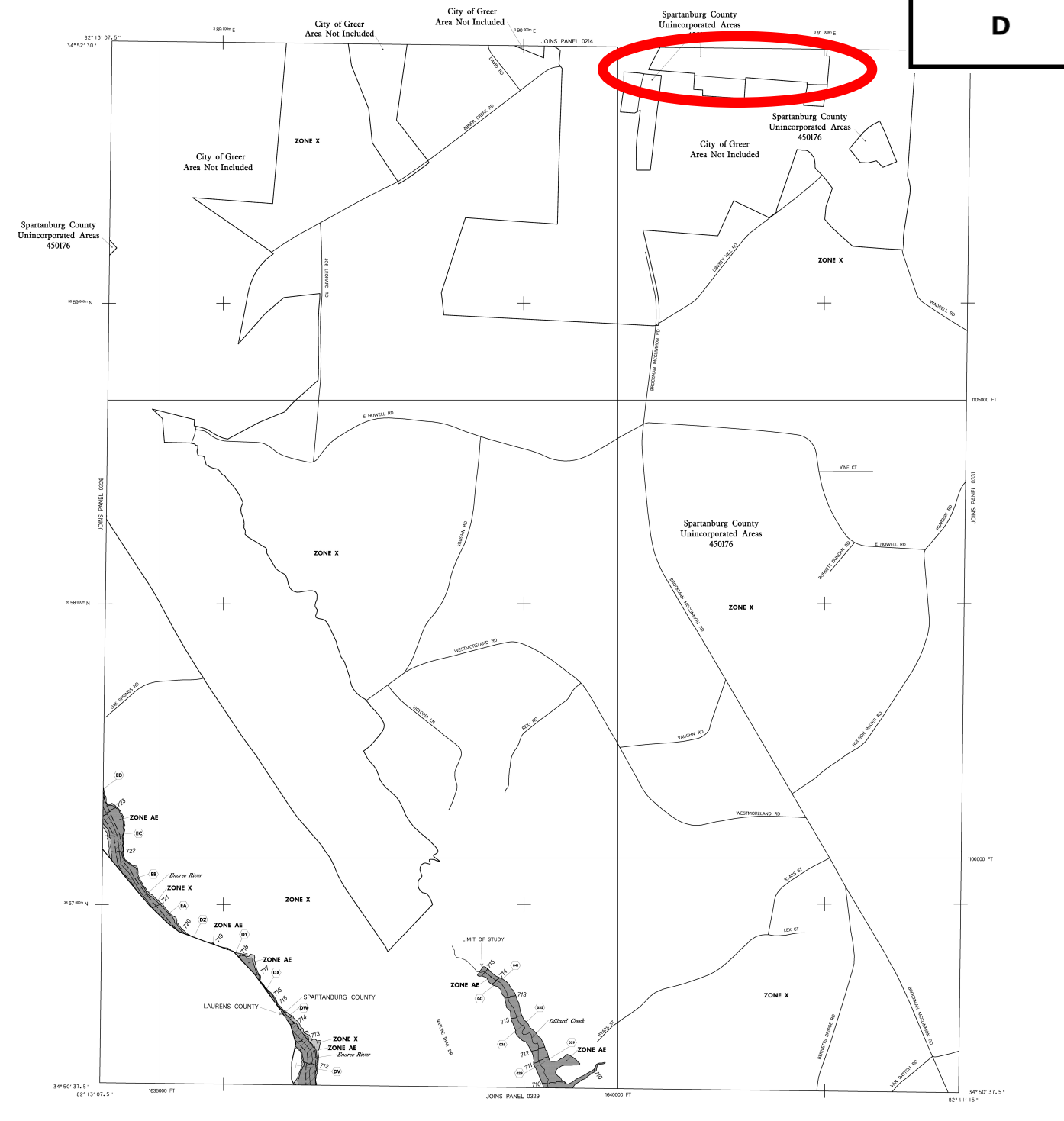
MAP NUMBER
450830327D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This 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 approach is supported 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 Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

<http://www.dnr.state.sc.us/>



National Flood Hazard Layer FIRMette



EXHIBIT

D

82°11'57"W 34°52'46"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INFO

- | | | |
|------------------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | Without Base Flood Elevation Zone A, V, AE | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 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 |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

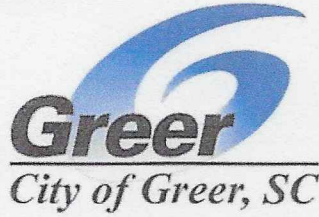
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/19/2024 at 11:18 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

82°11'19"W 34°52'17"N

Basemap Imagery Source: USGS National Map 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 1035 ABNER CREEK 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 5-28-00-020.00 attached hereto marked as Exhibit C containing approximately 24.37 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 25 day of SEPTEMBER, 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 TRADITIONAL NEIGHBORHOOD (TN)

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: Wayne Merritt
Signature: Wayne Merritt
Address: 1035 Abner Creek Rd Greer SC
Witness: [Signature]
Date: Sept 25 2024
Phone number: 864-567-1041
Email: Wayne@ShipDMX.com

Print Name: Tammy B. Merritt
Signature: Tammy B Merritt
Address: 1035 Abner Creek Rd Greer SC 29651
Witness: [Signature]
Date: 9-25-24
Phone number: 864 567-1031
Email: tmbmdog@AOL.com