



ORDINANCE NUMBER 2-2021

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY ELIJAH TERRY LOCATED AT 717 EAST POINSETT STREET FROM RM-1 (RESIDENTIAL MULTI-FAMILY DISTRICT) TO C-2 (COMMERCIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Elijah Terry located at 717 East Poinsett Street and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-04-02-116.00 containing approximately 0.52 +/- acres marked as Exhibit A and the Deed marked as Exhibit B.

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 January 25, 2021.
2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to C-2 (Commercial District).
3. The proposed use is in keeping with the general character of the surrounding property.


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

The zoning classification of property located at 717 East Poinsett Street more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-04-02-116.00 containing approximately 0.52 +/- acres

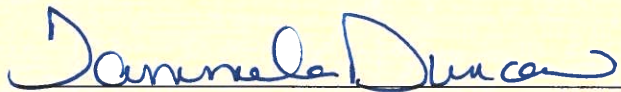
attached hereto marked as Exhibit A shall be changed from RM-1 (Residential Multi-Family District) to C-2 (Commercial District).

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: Councilmember Wayne Griffin

First Reading: February 9, 2021

Second and
Final Reading: February 23, 2021

Approved as to Form:

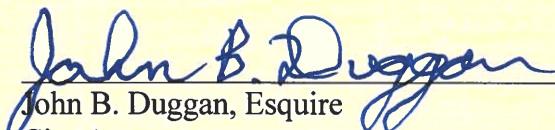
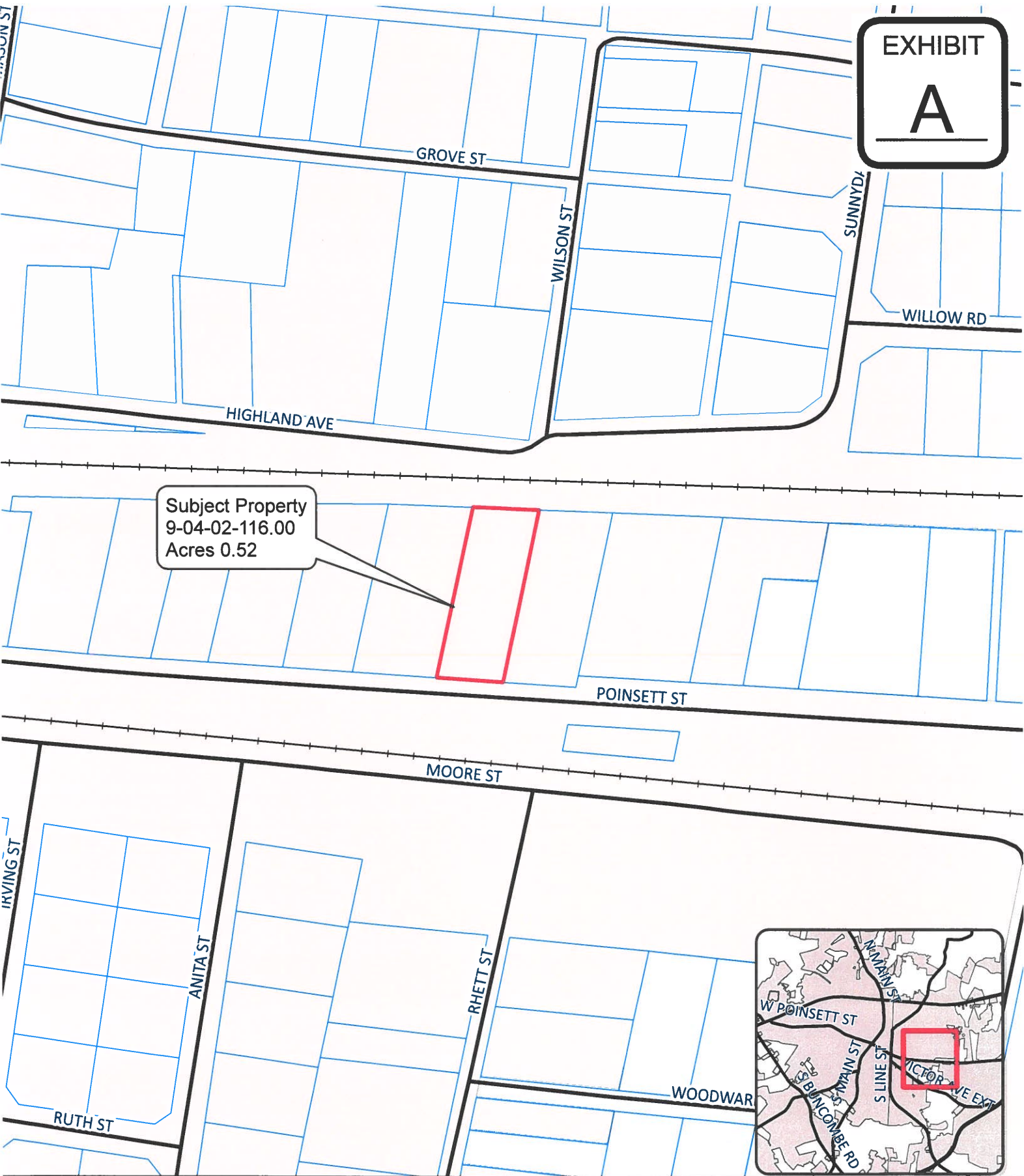
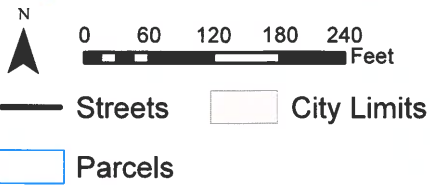

John B. Duggan, Esquire
City Attorney

EXHIBIT
A



Subject Property
9-04-02-116.00
Acres 0.52

Ordinance 2-2021



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-2020045352
Recorded 2 on 10/06/2020 12:31:40 PM
Recording Fee: \$15.00 County Taxes: \$1
Office of REGISTER OF DEEDS, SPARTANBU
DOROTHY EARLE REGISTER OF DEEDS
BK:DEE 129-M PG:795-796



Grantee mailing address: ^{SC} 524 Ridgewood Dr, Greer, 29105
Tax Map #9-04-02-116.00
STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS, that MASSENGALE PROPERTY, LLC in consideration of ONE HUNDRED TWENTY THOUSAND DOLLARS AND NO/100, (\$120,000.00) the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents, do grant, bargain, sell and release unto,

ELIJAH TERRY

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, SITUATE, LYING, AND BEING IN SPARTANBURG COUNTY, STATE OF SOUTH CAROLINA, BEECH SPRINGS TOWNSHIP, SCHOOL DISTRICT 9-H, AND BEING SHOWN ON A PLAT OF PROPERTY PREPARED BY W.A. CHRISTOPHER, SURVEYOR, DATED APRIL 24, 1923 AND HAVING THE FOLLOWING METES AND BOUNDS ACCORDING TO SAID PLAT:

BEGINNING IN THE CENTER OF THE NEW NATIONAL HIGHWAY #290, AND RUNNING THENCE N. 9-45 E. 252.5 FEET TO AN IRON PIN OR STAKE; THENCE RUNNING S. 78-15 E. 94.5 FEET TO AN IRON PIN; THENCE RUNNING S. 9-45 W. 236.5 FEET TO AN IRON PIN OR STAKE IN THE CENTER OF THE SAID NATIONAL HIGHWAY; THENCE RUNNING WITH THE CENTER OF NATIONAL HIGHWAY N. 87-0 W. 95 FEET TO THE BEGINNING CORNER

This being the same property as conveyed to Massengale Property, LLC by deed of Alice Roberta Massengale, nka Alice Massengale Broderick, recorded April 18, 2003 in the ROD office for Spartanburg County in Deed Book 77-T at Page 456. This property is further conveyed subject to all other 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 Grantor(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 Hand and Seal this 29 day of September 2020

Misty B. Switzer
Witness
Jamie M. Callaway
Witness

MASSENGALE PROPERTY, LLC

BY JAMES DALE MASSENGALE, CO-TRUSTEE OF THE REVOCABLE TRUST AGREEMENT DATED JANUARY 8, 2003, ESTABLISHED BY ALICE ROBERTA MASSENGALE AS GRANTOR ITS: MEMBER

State of South Carolina)

Acknowledgement

* Co-Trustee of the Revocable Trust Agreement, Dated January 8, 2003, Established by Alice Roberta Massengale as grantor, member,

County of Spartanburg)

The undersigned Notary Public for the State of ^{Kentucky} South Carolina does hereby certify that James Dale Massengale personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 29th day of September 2020

Notary Public for South Carolina Kentucky
My Commission expires:

Debra Coyle
NOTARY PUBLIC
STATE AT LARGE
KENTUCKY
NOTARY ID# 606517
MY COMMISSION EXPIRES August 10, 2022

Witness the Grantor's Hand and Seal this 29 day of September 2020

MASSENDALE PROPERTY, LLC

[Signature]
Witness
[Signature]
Witness

[Signature]
BY: DEBORAH MASSENDALE GARDNER,
CO-TRUSTEE OF THE REVOCABLE
TRUST AGREEMENT DATED JANUARY
8, 2003, ESTABLISHED BY ALICE
ROBERTA MASSENDALE AS GRANTOR
ITS: MEMBER

[Signature]
BY: DIANNE MASSENDALE BRACKET,
CO-TRUSTEE OF THE REVOCABLE
TRUST AGREEMENT DATED JANUARY
8, 2003, ESTABLISHED BY ALICE
ROBERTA MASSENDALE AS GRANTOR
ITS: MEMBER

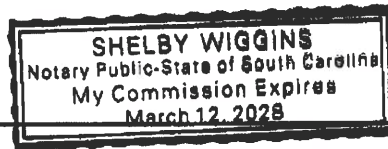
State of South Carolina)
County of Spartanburg)

Acknowledgement * Co-Trustee of the Revocable Trust Agreement, Dated January 8, 2003,
Established by Alice Roberta Massengale as grantor, member,

The undersigned Notary Public for the State of South Carolina does hereby certify that Deborah Massengale Gardner and Dianne Massengale Brackett personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 29 day of September 2020.

[Signature]
Notary Public for South Carolina
My Commission expires:





KL 20-00001

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

Date 12-10-2020

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

Tax Map Number(s) 9-04-02-116.00

Property Address(s) 717 E Poine Sett St Ex

Acreage of Properties 0.00 AC County Spartanburg

Applicant Information

Name Ellish Terry

Address 524 Ridge road DR
Greer SC 29651

Contact Number 864-420-5181

Email ltdawg525@gmail.com

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

Name _____

Address Same

Contact Number _____

Email _____

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

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from Rm1 to C-2 Salon & more

Existing Use: Rents Proposed Use: Salon

Signature(s) [Signature]

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

OFFICE USE ONLY

Date Filed _____ Case No. _____

Meeting Date _____

See Reverse

**ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, JANUARY 25, 2021**

DOCKET: RZ 20-54

APPLICANT: Terry Elijah

PROPERTY LOCATION: 717 E. Poinsett St

TAX MAP NUMBER: 9-04-02-116.00

EXISTING ZONING: RM-1, Multi-family Residential

REQUEST: C-2, Commercial District

SIZE: 0.54 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood Community

ANALYSIS: **RZ 20-54**

RZ 20-54 is a request to rezone a parcel located at 717 E. Poinsett St from RM-1, Multi-family to C-2, Commercial. The applicant purpose to rezone the property is to open a hair salon.

Surrounding land uses and zoning include:

North: Railroad ROW and RM-1, Multi-family – Occupied residences
East: C-3, Commercial – Residential use occupied
South: Railroad ROW and I-1, Industrial – Inland Port
West: RM-1, Multi-family – Occupied residence

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

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

With this lot facing a major roadway which serves as an entrance into our downtown district and with the surrounding mix of residential, commercial and industrial uses, staff feel the requested C-2, Commercial zoning is appropriate for this location.

In accordance with the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, staff supports the proposed request.

STAFF RECOMMENDATION: Approval

ACTION – Mr. Jones made a motion to approve RZ 20-54. Ms. Jones seconded the motion. The motion carried with a vote of 7 to 0. The motion passed