



**ORDINANCE NUMBER 4-2021**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY DELTA EXPRESS, INC. LOCATED ON OLD JONES ROAD FROM RM-2 (RESIDENTIAL MULTI-FAMILY DISTRICT) TO S-1 (SERVICE DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a portion of a certain property owned by Delta Express, Inc. located on Old Jones Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 5-29-00-067.00 containing approximately 1.02 +/- acres marked as Exhibit A, the Deed marked at Exhibit B and the Site Plan marked as 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 January 25, 2021.
2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to S-1 (Service 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 a portion of property located on Old Jones Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 5-29-00-067.00 containing approximately 1.02 +/- acres

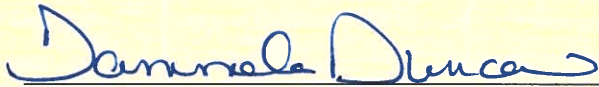
attached hereto marked as Exhibit A shall be changed from RM-2 (Residential Multi-Family District) to S-1 (Service District).

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:

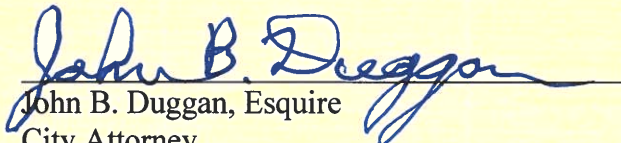
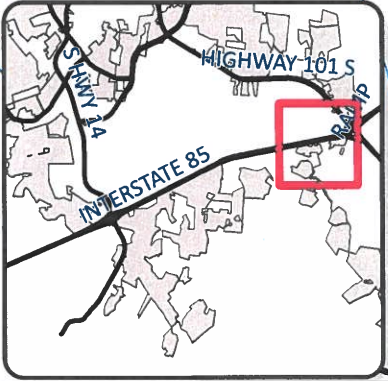
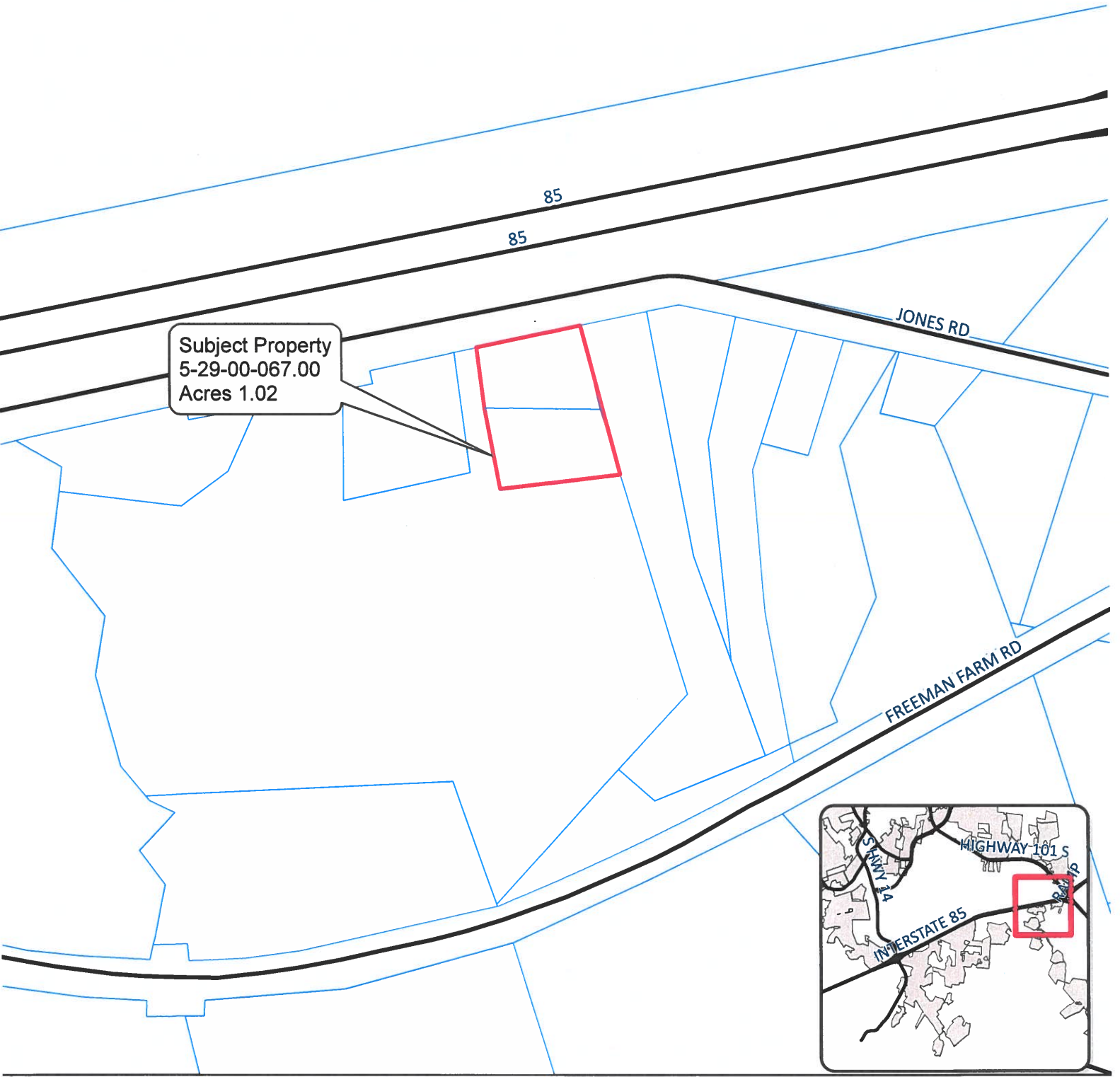
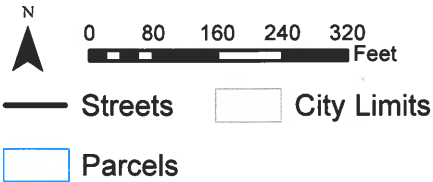
  
John B. Duggan, Esquire  
City Attorney

EXHIBIT  
**A**

Subject Property  
5-29-00-067.00  
Acres 1.02



# Ordinance 4-2021



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.






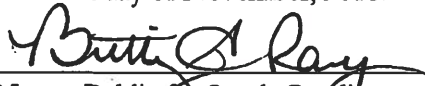
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

AFFIDAVIT

Personally appeared before me the undersigned, who being duly sworn, deposes and says: This transaction was a real property sale and the total consideration paid or to be paid in money or money's worth was \$259,898.85, and the deed recording fee remitted herewith is calculated upon this total consideration amount. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as closing attorney. I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

  
Closing Attorney

Sworn to and subscribed before me  
this 27th day of November, 2018.

  
Notary Public for South Carolina  
My Commission Expires: 12/20/2026



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

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

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

2. The property being transferred is located at 14.11 +/- acres, Old Jones Road, Greer, SC 29651, bearing Spartanburg County Tax Map Number 5-29-00-067.00, was transferred by Kenneth B. Heller, Sarah F. Chandler a/k/a Sara F. Chandler, Thomas L. Brown and William E. Freeman to Delta Express, Inc. on November 27, 2018.

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.
- (b)  subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c)  exempt from the deed recording fee because (See Information section of affidavit): \_\_\_\_\_.

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

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

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

- (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$259,898.85.
- (b)  The fee is computed on the fair market value of the realty which is \_\_\_\_\_.
- (c)  The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_.

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

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$259,898.85
- (b) Place the amount listed in item 5 above here: 0.00  
(If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$259,898.85

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$962.00.

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

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

SWORN to and subscribed before me  
this 27th day of November, 2018.

Brittany A. Ray  
Notary Public for South Carolina  
My Commission Expires: 12/20/2026

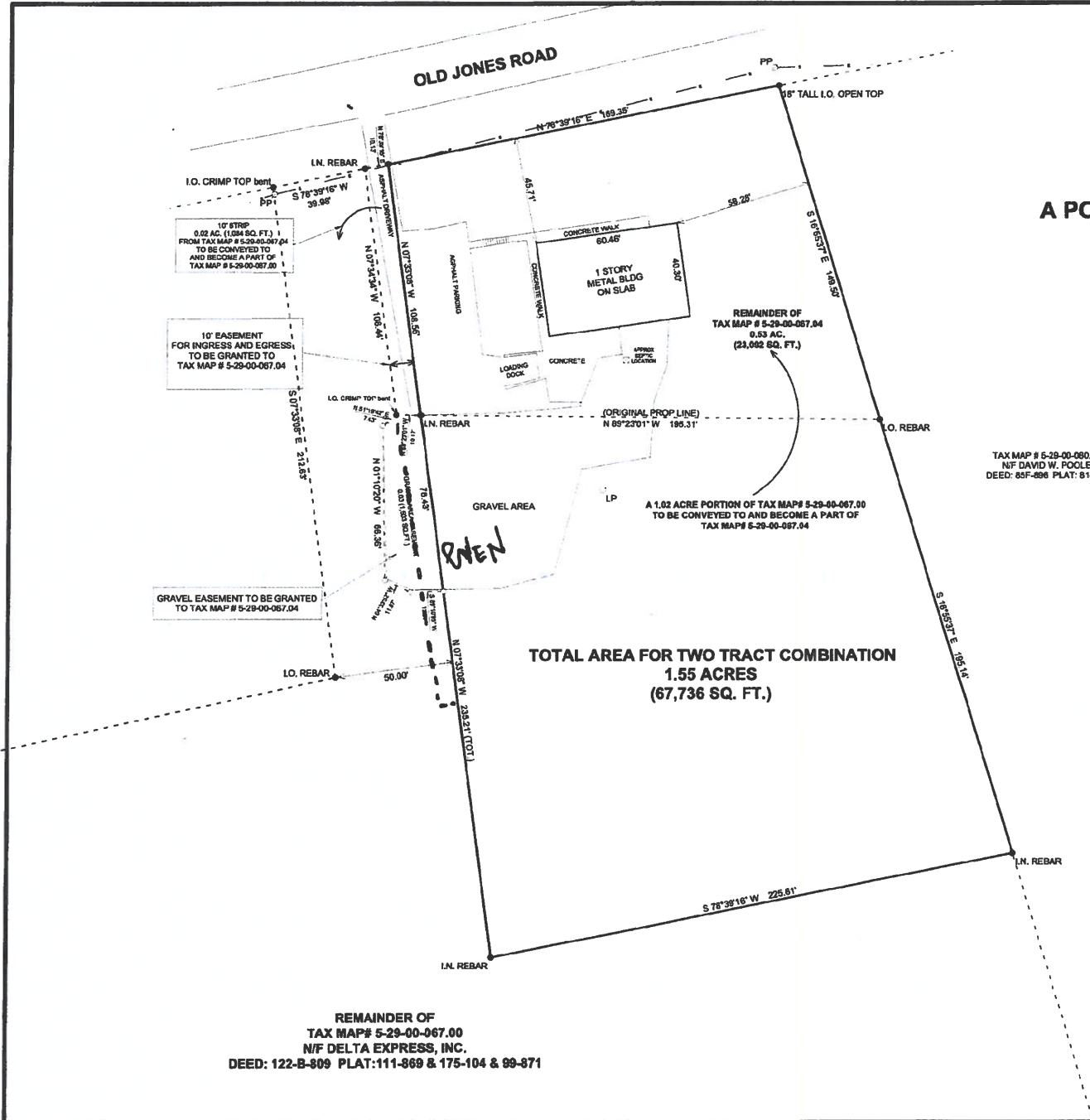


[Signature]  
Responsible Person Connected with the Transaction

# EXHIBIT

## C

**A PROPERTY EX AND COMBINATION SURVEY OF TAX MAP # 5-29-00-067.04 AND A PORTION OF TAX MAP # 5-29-00-067.00 SITUATED AT 325 OLD JONES ROAD GREER, SC 29651 SPARTANBURG COUNTY**



TAX MAP # 5-29-00-060.04  
N/F DAVID W. POOLE  
DEED: 85F-898 PLAT: 81-936

**TOTAL AREA FOR TWO TRACT COMBINATION  
1.55 ACRES  
(67,736 SQ. FT.)**

REMAINDER OF  
TAX MAP# 5-29-00-067.00  
N/F DELTA EXPRESS, INC.  
DEED: 122-B-809 PLAT:111-869 & 175-104 & 99-871



**NOTES**

"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THERE ARE NO UNRECORDED EASEMENTS OR ENCUMBRANCES OR INTERESTS OTHER THAN SHOWN."

"THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS OF WAY OF RECORD OR NOT OF RECORD."

"ACCORDING TO FEMA FLOODWAY DATA, THIS PROPERTY IS NOT LOCATED WITHIN AN ESTABLISHED FLOOD HAZARD AREA."

"EXCEPT AS SPECIFICALLY SET FORTH HEREON, THIS PLAN, THIS SURVEY DOES NOT PURPORT TO BE PART OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: (A) ANY OTHER SURVEY OR RECORD OR INSTRUMENT, (B) ANY EASEMENT OR INTEREST IN REAL ESTATE, (C) ANY UNRECORDED EASEMENT, EASEMENT RESTRICTIONS, EASEMENT OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY REVEAL."

"THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE LAND SURVEYOR AND REFLECTS ONLY THE INFORMATION PROVIDED HEREON, UNLESS NOTED."

"FROM THIS POINT ON, ALL PROPERTY CORNERS UNLESS NOTED."

"I, A. ROMO, PLS DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF JURISDICTIONAL WETLANDS OR HAZARDOUS MATERIALS ON THE SURVEY SITE."

"SURVEY IS VALID ONLY IF PRINT HIS ORIGINAL SEAL AND SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR."

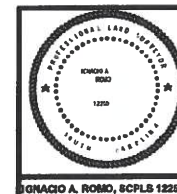
**REFERENCES**

TAX MAP # 5-29-00-067.04	175-104	111-869	DELTA EXPRESS, INC.

**PROPERTY SURVEY FOR  
OSCAR MARINES**

SCALE: 1" = 30'

DATE	BW	TR	DEED	TR	DATE
11-18-2020					11-18-2020
11-18-2020					20423



**I.A. ROMO, PLS**  
PO BOX 8327  
GREENVILLE, SC 29604-8327  
TEL OR TEXT: 864-605-6052

IGNACIO A. ROMO, SCPLS 12250





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

Date 12/02/2020

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

Tax Map Number(s) ~~5-29-00-067.04~~, 5-29-00-067.00

Property Address(s) 325 Old Jones Road, Greer SC 29651

Acreage of Properties 1.55 County Spartanbury

**Applicant Information**

Name DELTA EXPRESS

Address \_\_\_\_\_

Contact Number 864-415-6610

Email VMSPARTANREALTY@gmail.com

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

Name Viktor Matveichuk

Address \_\_\_\_\_

Contact Number 864-415-6610

Email VMSPARTANREALTY@gmail.com

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

The applicant hereby requests that the property described be zoned (In the case of Annexation) or rezoned from AGRICULTURE USE to IMPROVED COMMERCIAL-INDUSTRIAL

Existing Use: AGRICULTURE Proposed Use: IMPROVED COMMERCIAL INDUSTRIAL.

Signature(s) [Signature]

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

**OFFICE USE ONLY**

Date Filed \_\_\_\_\_ Case No. \_\_\_\_\_

Meeting Date \_\_\_\_\_

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

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**DOCKET:** RZ 20-56  
**APPLICANT:** Vitaly Moroz  
**PROPERTY LOCATION:** Old Jones Rd  
**TAX MAP NUMBER:** P/O 5-29-00-067.00  
**EXISTING ZONING:** RM-2, Multi-family Residential  
**REQUEST:** S-1, Services District  
**SIZE:** 1.00 Acres  
**COMPREHENSIVE PLAN:** Mixed Employment Community

**ANALYSIS:** **RZ 20-56**

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**RZ 20-56** is a request to rezone a portion of a parcel located on Old Jones Rd, the property will be combined with a portion of the property to is north with the request for S-1, Services district zoning.

Surrounding land uses and zoning include:

North: Unzoned (Spartanburg County) – Commercial Use (AN 20-99)  
East: Unzoned (Spartanburg County) – Residential use  
South: RM-2 (City of Greer) – Vacant  
West: RM-2 (City of Greer) – Vacant

The land use map in the Comprehensive Plan identifies the area as a Mixed Employment Community. These communities are characterized by a campus-style development pattern integrating jobs, amenities and places of residence. These often center around research, medical, manufacturing, assembly, and educational uses.

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. Lavendar made a motion to approve RZ 20-56. Ms. Jones seconded the motion. The motion carried with a vote of 7 to 0.