



ORDINANCE NUMBER 17-2021

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY ROGER MASSENGALE LOCATED ON NORTH DOBSON ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-10 (RESIDENTIAL – SINGLE FAMILY DISTRICT) FOR SAID PROPERTY.

WHEREAS, Roger Massengale is the sole owner of property located on North Dobson 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 9-03-00-024.06 containing approximately 9.71 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0205D attached hereto marked as Exhibit D; and,

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

WHEREAS, Roger Massengale has petitioned the City of Greer to annex his property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

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

WHEREAS, the property owner has requested that the subject property be zoned R-10 (Residential - Single Family District); and,

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

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

South Carolina, as follows:

1. ANNEXATION: The 9.71 acre +/- property shown in red on the attached map owned by Roger Massengale located on North Dobson Road as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-03-00-024.06 is hereby annexed into the corporate city limits of the City of Greer.

2. ANNEXATION OF 140.01 FEET OF NORTH DOBSON ROAD: 140.01 feet of North Dobson Road roadway along the edge of the annexed property owned by Roger Massengale as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. ZONING ASSIGNMENT: The above referenced property shall be zoned R-10 (Residential – Single Family District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

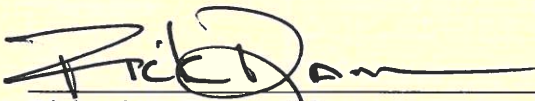
4. LAND USE MAP: The above reference property shall be designated as Traditional Neighborhood Community on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

5. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0205D.

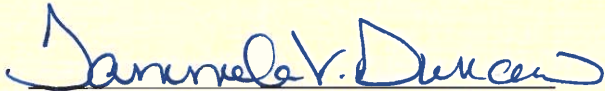
6. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

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: Councilmember Jay Arrowood

First Reading: April 13, 2021

Second and
Final Reading: May 25, 2021

APPROVED AS TO FORM:

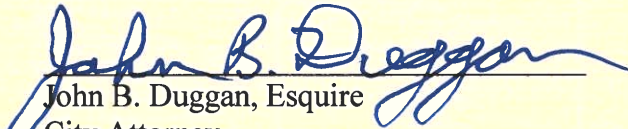

John B. Duggan, Esquire
City Attorney

EXHIBIT
A

DEED 58-N PG 112

212 Le west Dr
Greer SC 29645

STATE OF SOUTH CAROLINA RECORDED Tax map # P/O 9-3-00-24
1992 FEB -5 PM 2:57 TITLE TO REAL ESTATE
COUNTY OF SPARTANBURG R.M.C.)
SPARTANBURG, S.C.

KNOW ALL MEN BY THESE PRESENTS, that GLORIA STINSON BANKS AKA GLORIA BANKS ORMSBY in consideration of TWENTY FOUR THOUSAND TWO HUNDRED SEVENTY FIVE DOLLARS AND NO/100THS (\$24,275.00) the receipt of which is hereby acknowledged has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto, ROGER PHILLIP MASSENGALE, his heirs and assigns, forever, subject to the restrictions herein:

All my interest in and to the following:

ALL that piece, parcel or tract of land in the aforesaid County and State, near the city of Greer, on the northern side of N. Dobson Road, and being shown as a portion of lot # 10 of the James Davis Estate on a survey entitled "ROGER PHILLIP MASSENGALE" by James V. Gregory, RLS dated January 9, 1992, to be recorded herewith, and containing according to said survey 9.71 acres, more or less. Reference being made to said plats for a more complete description.

This being a portion of the same property as inherited from the estate of Bobby L. Banks who died testate December 12, 1985. Reference being made to Spartanburg County Probate file # 90-659.

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 and including the following:

1. No commercial swine, goat or chicken production.
2. No junk cars, junk yards or salvage operations.
3. No noxious or offensive trades or activities.
3. Mobile homes are permitted but must be underpinned within 90 days of set-up.

DEED 58-N PG 113

THIS DOCUMENT
MARGINAL
FOR IMAGING

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantors'(s') successors or assigns to warrant and forever defend all and singular said premises unto the grantee(s) and the grantees'(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 4th day of February, 1992.

SIGNED, sealed and delivered in the presence of:

Jimmy Sidew
WITNESS

Gloria Stinson Banks, AKA
GLORIA STINSON BANKS AKA

Dawn McCarter
WITNESS

Gloria Banks Ormsby
GLORIA BANKS ORMSBY

State of South Carolina)
County of Greenville) Probate

Personally appeared the undersigned witness and made oath the (s)he saw the within named grantor(s) sign, seal and as the grantor's(s') act and deed, deliver the within written Deed and that she with the other witness subscribed above witnessed the execution thereon.

Sworn to before me this 4th day of February, 1992.

Dawn McCarter
Witness

Jimmy Sidew
Notary Public for the State of South Carolina
My commission expires: 9/30/97

Rmc
SEP 5
2003 533

As owner of the property which you have purchased, you will be responsible for paying this year's taxes. The amount due or a tax notice. September 1st to 15th. Please contact the name of the property.

SPARTANBURG, S.C.
OFFICE R.M.C.
Recorded in DEED
Book 58-N Page 112
REGISTER MESSE CONVEYANCE
SPARTANBURG, S.C.

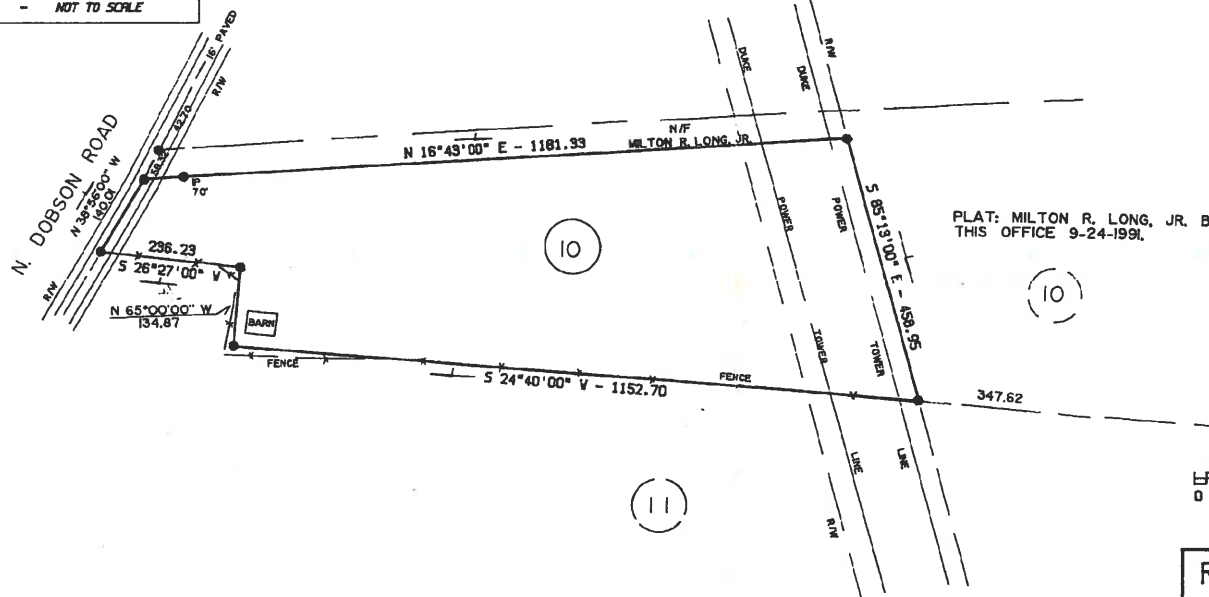
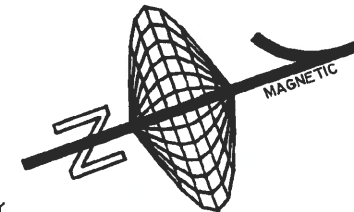
Rmc
STATE OF SOUTH CAROLINA
SOUTH CAROLINA TAX COMMISSION
DOCUMENTARY STAMP TAX
FEB-5% TAX 53.90
P.B. 1983B

EXHIBIT

B

JAMES V. GREGORY, PLS
P.O. BOX 188, CAMPOBELLO, SC
REGISTRATION # 6329

THIS BEING A PORTION OF LOT 10 OF
 JAMES DAVIS ESTATE.



TOTAL: 9.71 AC.



ROGER PHILLIP MASSENGALE		
SCALE: 200 FEET/INCH	APPROVED BY: JVG	DRAWN BY: MV / AF
DATE: JANUARY 9, 1992	○ IRON PIN SET ● IRON PIN FOUND	REVISED BY:
NEAR GREER SPARTANBURG COUNTY, SC		
PAGE NO.	DRAWING NO.	

NOTE: THIS PROPERTY IS SUBJECT TO ROAD R/W
 & POWER LINE R/W.

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

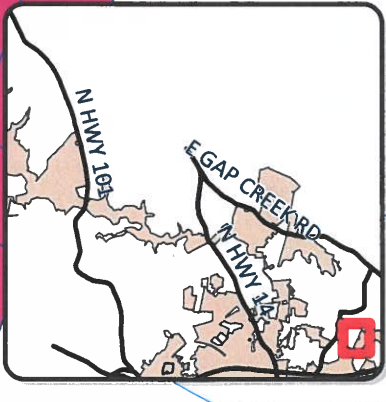
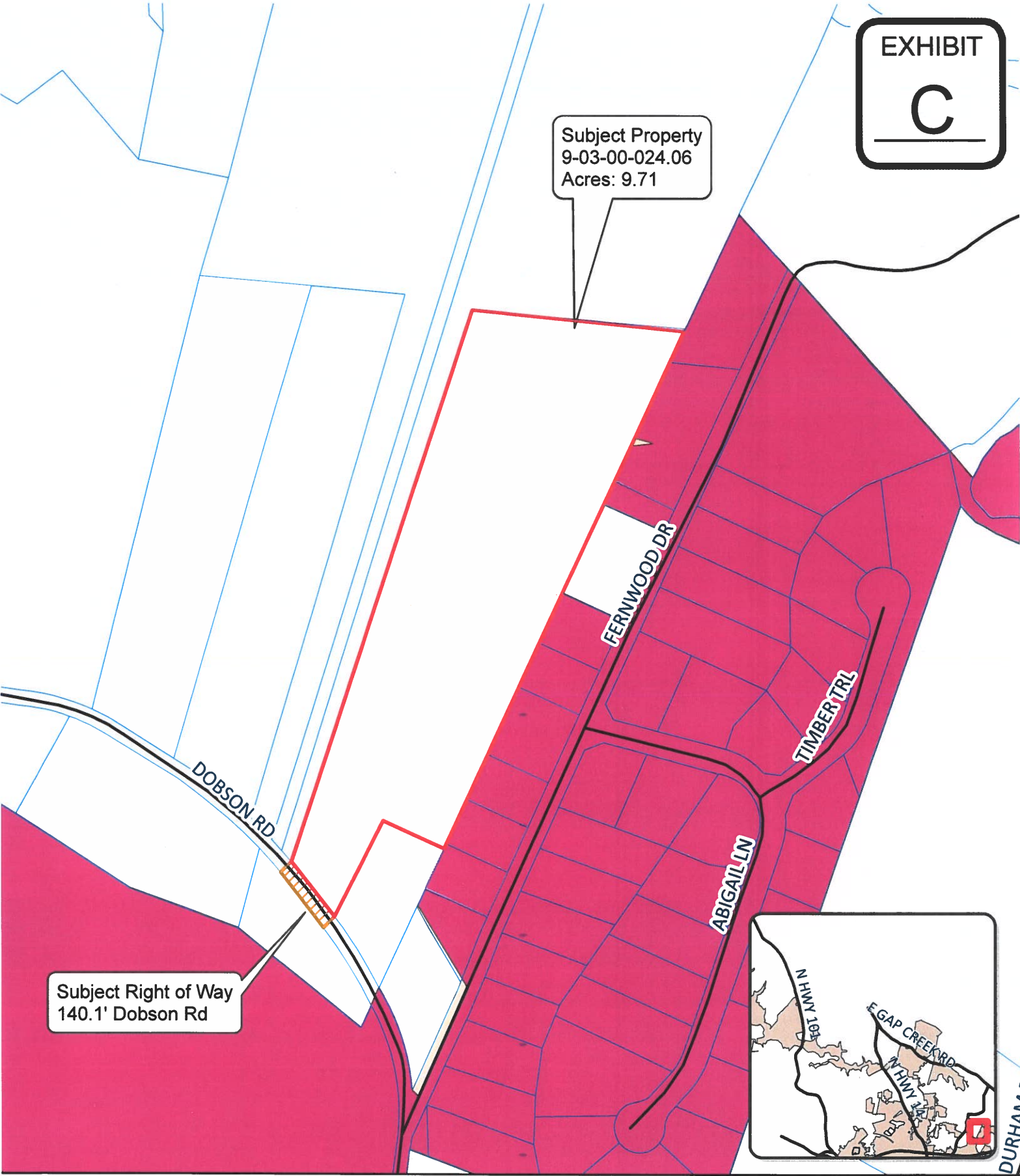
P.B. 7 .p. 14
 D.B. 47 K .pp. 64,65
 BLK. MAP: P/O 9-3-00-24

EXHIBIT B

EXHIBIT
C

Subject Property
9-03-00-024.06
Acres: 9.71

Subject Right of Way
140.1' Dobson Rd



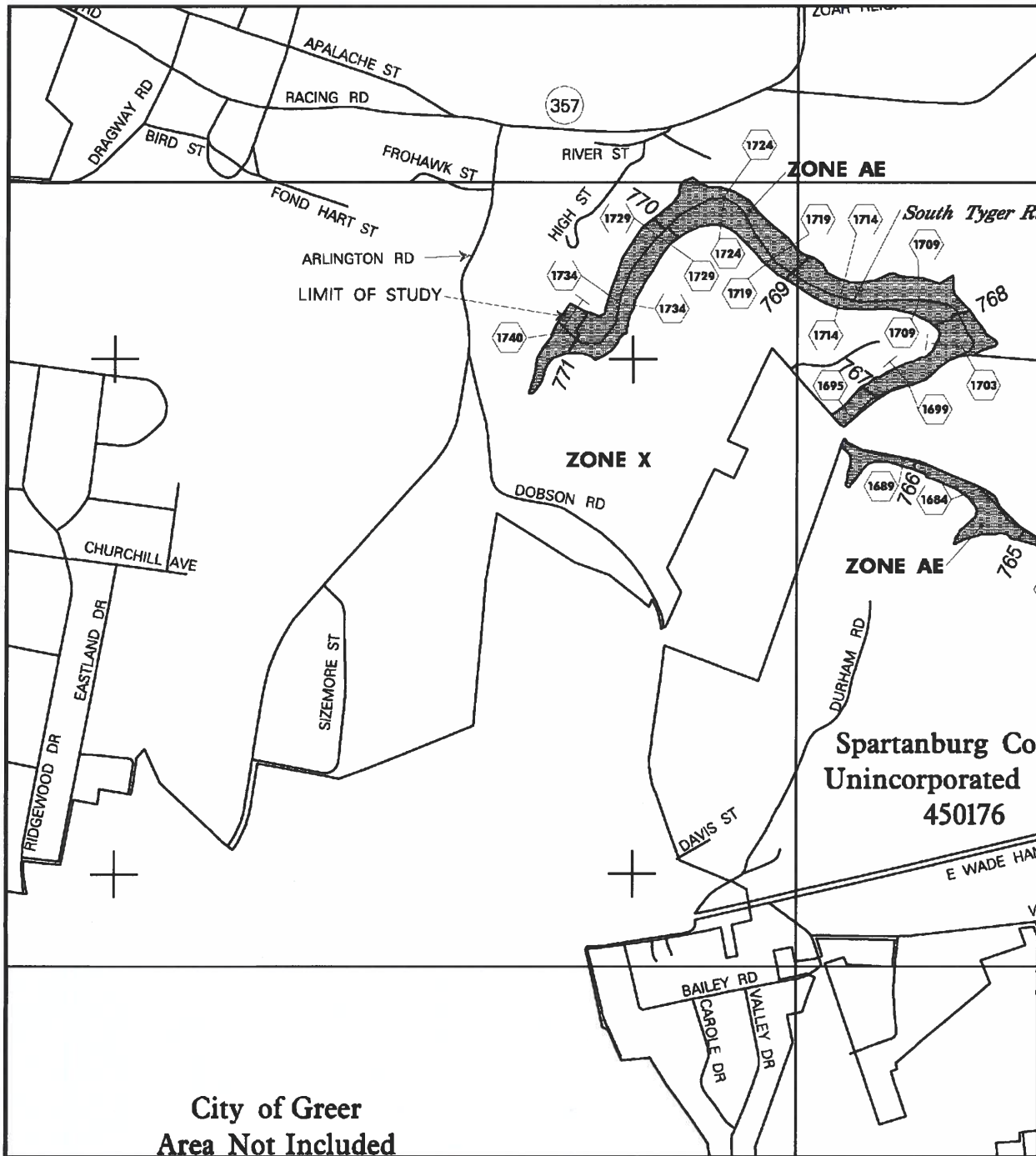
Ordinance 17-2021

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.

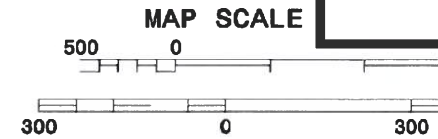
- Council Districts
- 1 (Purple)
 - 2 (Grey)
 - 3 (Pink)
 - 4 (Green)
 - 5 (Yellow)
 - 6 (Blue)

- 0 10 20 30 40 Feet
- Streets (Black line)
 - Parcels (Blue outline)
 - Parcels (Light blue fill)
 - Right of Way (Orange hatched)

EXHIBIT D



City of Greer
Area Not Included



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0205D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 205 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0205	D

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



MAP NUMBER
45083C0205D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



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 N Dobson Rd more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-03-00-024.06 attached hereto marked as Exhibit C containing approximately 9.71 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 22 day of March, 2021 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 R-10.

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: Roger Messerly
Signature: Roger Messerly
Address: 212 Kaperst Drive
Witness: Dan Cobb
Date: 3-22-21
Phone number: 864 322 7996
Email: _____

Print Name: Daniel Casillas
Signature: Seller's broker
Address: _____
Witness: _____
Date: _____
Phone number: 864-901-6932
Email: daniel@fbc cre.com

**ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, APRIL 19, 2021**

DOCKET: AN 21-06

APPLICANT: Roger Massengale

PROPERTY LOCATION: N Dobson Rd

TAX MAP NUMBER: 9-03-00-024.06

EXISTING ZONING: Unzoned, Spartanburg County

REQUEST: Annex and zone R-10, Single-family Residential

SIZE: 9.71 Acres

COMPREHENSIVE PLAN: Traditional Neighborhood Community

ANALYSIS: **AN 21-06**

AN 21-06 is an annexation and zoning request for one parcel located off N Dobson Rd in Spartanburg County. The parcels for annexation is 9.71 acres. The proposed zoning is R-10, Single-family Residential with the intent of future residential development.

Surrounding land uses and zoning include:

North: Unzoned Spartanburg County
East: R-12, Single-family Residential (Tyger Woods subdivision)
South: Unzoned Spartanburg County, single-family residence
West: Unzoned Spartanburg County

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

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

STAFF RECOMMENDATION: Approval

ACTION – Mr. Jones made a motion to approve AN21-06. Mr. Lavender seconded the motion. The motion carried with a vote of 7 to 0. The motion passed.