



**ORDINANCE NUMBER 22-2021**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY WOOD FARMS LP LOCATED AT 504 WEST POINSETT STREET FROM R-12 (RESIDENTIAL - SINGLE 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 Wood Farms LP located at 504 West Poinsett Street and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G014000201500 containing approximately 0.26 +/- acres marked as Exhibit A, and the Deed marked at Exhibit B.

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 April 19, 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.

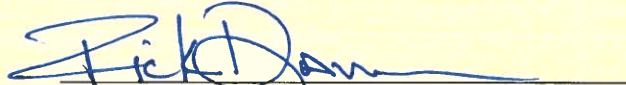
**NOW, THEREFORE**, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of property located at 504 West Poinsett Street more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Number G014000201500 containing approximately 0.26 +/- acres attached


hereto marked as Exhibit A shall be changed from R-12 (Residential – Single 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 Wryley Bettis

First Reading: April 27, 2021

Second and  
Final Reading: May 11, 2021

Approved as to Form:

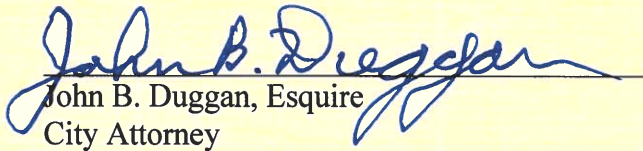
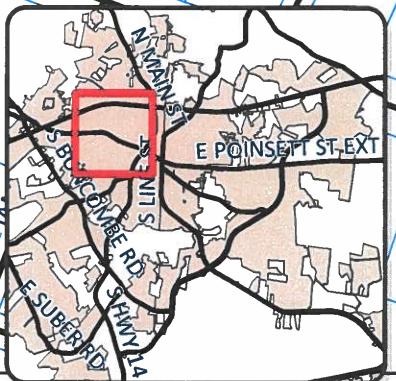
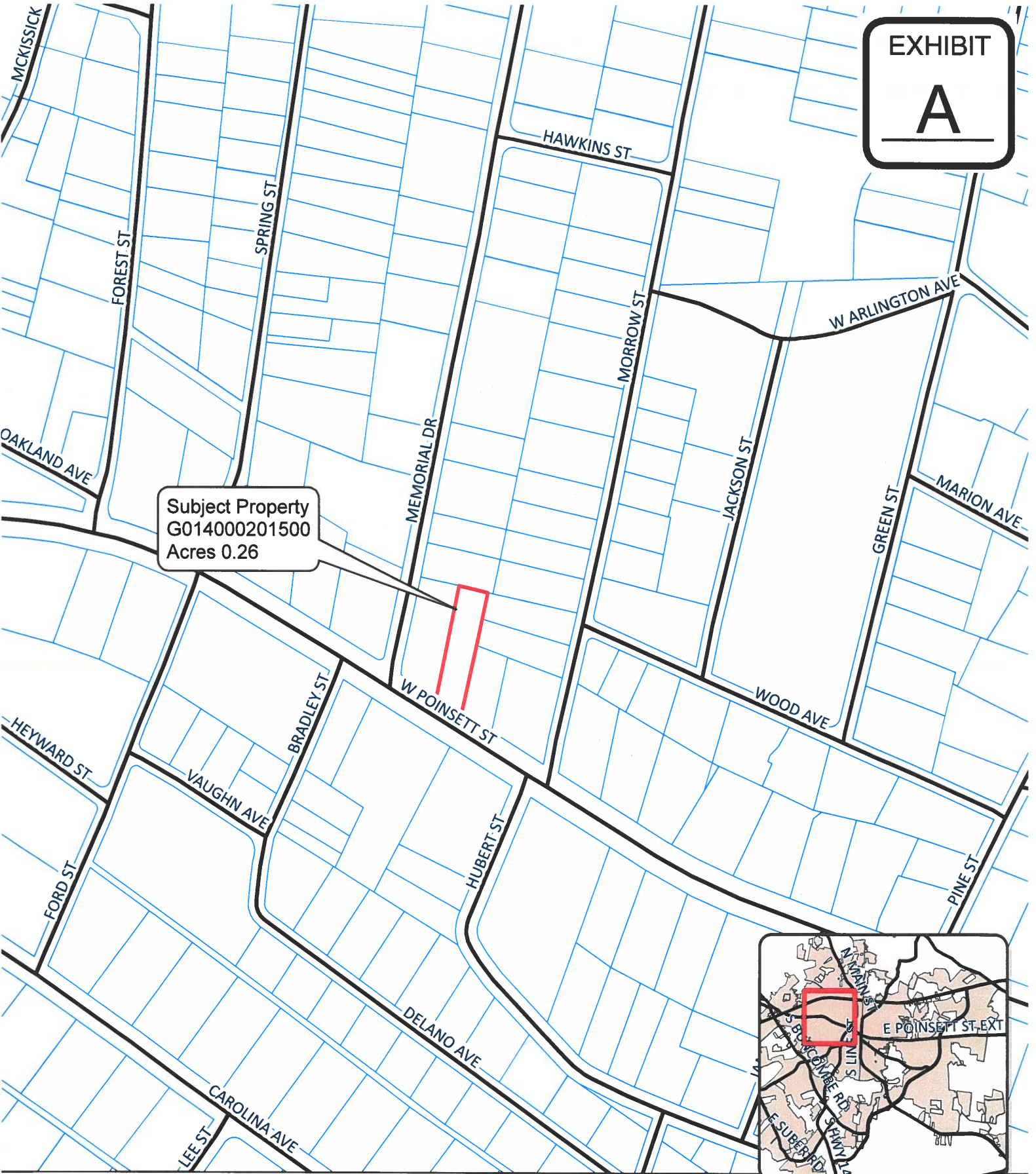
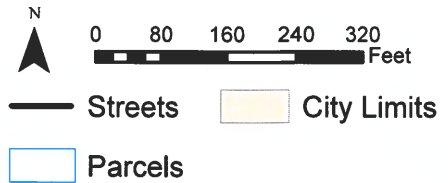
  
John B. Duggan, Esquire  
City Attorney

EXHIBIT  
**A**



# Ordinance 22-2021



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.

**EXHIBIT**

**B**



2013073978

Book DE 2430

August 30, 2013 03 10 59 PM Cons \$0

Rec \$10 00 Cnty Tax EXEMPT State T:

FILED IN GREENVILLE COUNTY, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

TITLE TO REAL ESTATE  
(No title search performed  
at Grantees' Request)

**KNOW ALL MEN BY THESE PRESENTS**, that Oliver G. Wood, Jr. (hereinafter called "Grantor"), for no consideration upon the funding of a family partnership to Wood Farms, LP (the receipt of which is hereby acknowledged) has granted, bargained, sold and release, and by these Presents does grant, bargain, sell and release unto the Grantee, It's successors and assigns, all of his interest in the property described below; and

All that certain piece, parcel or lot of land in Chick Springs Township, Greenville County, State of South Carolina, on the north side of Emma Street near the Town of Greer and having the following metes and bounds, to-wit:

BEGINNING at a pin on Emma Street, W.E. McIntire's corner, and running thence with his line N. 11-30 E. for a distance of 240 2/3 feet to an iron pin; thence N. 78-00 W. for a distance of 62 feet to an iron pin, corner of Lot No. 1; thence along line of Lot No. 1, S. 11-10 W. for a distance of 216 1/2 feet to an iron pin on Emma Street; thence with Emma Street S. 56-15 E. for a distance of 65.7 feet to the beginning corner.

TMS #: G014.00-02-015.00

ALSO:

All that certain lot of land in the Town of Greer, Chick Springs Township, County of Greenville, State of South Carolina, and having the following metes and bounds, to-wit:

Beginning at an iron pin on the southwest corner of Miller and Emma Streets and running thence along Miller Street N. 73 3/4 W. for a distance of 200 feet to an iron pin, corner of the Davenport lot; thence with the line of said lot S. 16 1/4 W. for a distance of 90 feet to an iron pin, corner of the Drummond lot; thence with the line of said lot, S. 73 3/4 E. for a distance of 200 feet to an iron pin on Emma Street; thence with Emma Street N. 16 1/4 E. for a distance of 90 feet to the beginning corner.

TMS #: G022.00-09-005.00

This is the same property conveyed to the Oliver G. Wood, Jr. by two separate deeds made pursuant to Order of the Greenville County Probate Court which order is dated

January 29, 2013 and which deeds are both dated May 13, 2013 and recorded in the Office of the Register of Deeds for Greenville County . The first deed is from Oliver G. Wood, Jr. as Trustee of the Irrevocable Trust FBO William McB. Wood dated October 24, 1998 and recorded in Book DE 2424 at page 4614. The second is from Oliver G. Wood, Jr. as Trustee of the Irrevocable Trust FBO Oliver G. Wood dated October 24, 1998 and recorded in Book DE2414 at page 4619.

GRANTEE'S ADDRESS: P O Box 24677  
Columbia, SC 29224

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

**TOGETHER** with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

**TO HAVE AND TO HOLD**, all and singular the premises before mentioned unto the Grantee, It's Heirs, Successors and Assigns forever, and the Grantor does hereby bind himself and his successors and assigns, to warrant and forever defend all and singular the premises unto the Grantee, It's Heirs and Assigns against himself and his successors and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

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

26<sup>th</sup> day of August, 2013. **IN WITNESS WHEREOF**, the Grantor has hereunto set his hand and seal this

Oliver G. Wood  
Eric Dagon

Oliver G. Wood Jr. (Seal)  
Oliver G. Wood, Jr., Grantor

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

ACKNOWLEDGMENT

S.C. §30-5-30

I, the undersigned Notary Public for South Carolina, do hereby certify that the above named Oliver G. Wood, Jr. as Grantor personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 26<sup>th</sup> day of August, 2013.

*Chris Hagon*  
Notary Public for South Carolina  
My Commission Expires: 2/21/17

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

AFFIDAVIT

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

- 1. I have read the information on this affidavit and I understand such information.
- 2. The property being transferred is located in Greenville County at tax map number G014.00-02-015.00 and tax map number G022.00-09-005.00 and was transferred by Oliver G. Wood to Wood Farms, LP, on August 26, 2013.

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) 8 exempt from the deed recording fee because (See Information section of affidavit):

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

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

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

5. Check Yes \_\_\_\_\_ or No X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer.

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$ 0
- (b) Place the amount listed in item 5 above here: \$ 0
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$ 0

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ 10.00.

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

9. 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.

*Wm. Bert Brannon*

Wm. Bert Brannon, Attorney for Grantor

SWORN to before me this

28<sup>th</sup> day of August, 2013

*Paola J. Oherneithy*

Notary Public for South Carolina

My Commission Expires: 11-14-18

FILED FOR RECORD IN GREENVILLE COUNTY, SC ROD  
2013073978 Book: DE 2430 Page: 4158-4162  
August 30, 2013 03 10 59 PM

*Timothy J. Hanney*

#### 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 to a trust or as 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 of 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.





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

Date 3/8/2021

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

Tax Map Number(s) G014.00-02-015.00

Property Address(s) 504 W. Poinsett St., Greer, SC, 29650

Acreage of Properties \_\_\_\_\_ County Greenville

**Applicant Information**

Name Joseph & Mary Ann Morelli  
 Address 500 W. Poinsett St.,  
Greer, SC 29650  
 Contact Number 864-266-3915  
 Email jmorelli4ami@yahoo.com

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

Name Wood Farm, LP (Jean Wood)  
 Address P.O. Box 24677  
Columbia, SC 29224  
 Contact Number 803-206-1399  
 Email bjew@aol.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 Residential to Commercial (C2)

Existing Use: Vacant Proposed Use: Parking Lot

Signature(s) [Signature]  
Mary Ann Morelli

[Signature]  
Jean Wood for Wood Farm, LP

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 \_\_\_\_\_

See Reverse

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

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**DOCKET:** RZ 21-05

**APPLICANT:** Wood Farm, LP

**PROPERTY LOCATION:** 504 W Poinsett St

**TAX MAP NUMBER:** G014000201500

**EXISTING ZONING:** R-12, Single-family Residential

**REQUEST:** C-2, Commercial

**SIZE:** 0.26 Acres

**COMPREHENSIVE PLAN:** Traditional Neighborhood Community

**ANALYSIS:** **RZ 21-05**

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**RZ 21-05** is a request to rezone a parcel located at 504 W Poinsett St from R-12, Single-family Residential to C-2, Commercial for the purpose of constructing an offsite parking lot that will be used by 504 W Poinsett St and 102 Memorial Dr. This property is located within the Highway Transitional Overlay and will require a 15' landscaped buffer adjacent to the residential properties. SCDOT is allowing a right-in ingress with egress onto Memorial Dr.

Surrounding land uses and zoning include:

North: O-D, Office District – Church Office  
East: R-12, Single Family Residential – Occupied single-family residence  
South: C-2, Commercial – Children's House Learning Center  
West: C-2, Commercial - H&R Block and Insurance Office

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 proposed request.

**STAFF RECOMMENDATION: Approval**

The Commission, staff, and the applicant discussed the request. Maryann Morelli, applicant for the request, provided additional clarification about request. Mr. Holland, Mr. Jones and staff discussed the traffic implications of the request's approval.

**ACTION – Mr. Jones made a motion to approve RZ 21-05. Ms. Jones seconded the motion.**

The motion carried with a vote of 4 to 0. The motion passed.