ANNEXATION ORDINANCE NUMBER 13-2012

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY RUSS BRAASCH LOCATED AT 213 VAUGHN
ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH
A ZONING CLASSIFICATION OF R-12 (RESIDENTIAL SINGLE
FAMILY) FOR SAID PROPERTY

WHEREAS, Russ Braasch is the owner of property located at 213 Vaughn Road more
particularly described on the legal description attached hereto marked as Exhibit A, the
Spartanburg County Tax Map as Parcel No. 9-07-00-070.10 containing approximately 16.74
acres attached hereto marked as Exhibit B, the plat attached hereto marked as Exhibit C and the
National Flood Insurance Program Flood Insurance Rate Map No. 45045C0361D attached hereto
marked as Exhibit D; and

WHEREAS, the property is currently vacant; and

WHEREAS, Russ Braasch has petitioned the City of Greer to annex his property by one-
hundred percent (100%) petition; 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-12
(Residential Single Family); 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 property owned by Russ Braasch located at 213 Vaughn Road,
more particularly described on the attached Spartanburg County Tax Map as Parcel No. 9-07-00-070.10 containing approximately 16.74 acres, is here by annexed into the corporation city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced properties shall be zoned R-12 (Residential Single Family) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. **FUTURE LAND USE MAP:** The above reference properties shall be designated as Residential Land Use 2 on the 2010 Future Land Use Map contained within the 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.

5. **DISTRICT ASSIGNMENT:** The above referenced properties shall be assigned to City Council District #3.

6. **PRECLEARANCE:** This ordinance shall be subject to pre-clearance approval by the United States Department of Justice in accordance with standard procedures for such approval, and the Municipal Clerk is herewith instructed to submit the ordinance and any necessary documentation for approval.

This ordinance shall be effective upon second reading approval thereof.

**CITYOF GREER, SOUTH CAROLINA**

[Signature]
Richard W. Danner, Mayor

**ATTEST:**

[Signature]
Tammela Duncan, Municipal Clerk

Ordinance Number 13-2012
Annexation 213 Vaughn Road
Page 2 of 3
Introduced by: Councilman Lee Dumas

First Reading: May 8, 2012

Second and 
Final Reading: June 12, 2012

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

KNOW ALL MEN BY THESE PRESENTS that GRACE V. SMITH in consideration of ONE HUNDRED EIGHTY-SEVEN THOUSAND, FOUR HUNDRED EIGHTY-EIGHT AND NO/100THS ($187,488.00) Dollars, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents grants, bargains, sells, and releases unto

DERNIS M. BRAASCH, his heirs and assigns forever:

ALL that certain piece, parcel or tract of land lying and being situate in the County of Spartanburg, State of South Carolina, being known as a 6.43 acre tract on plat made for J. Kenneth Smith by H. S. Brockman, Surveyor, dated October 17, 1958 and recorded in Plat Book 57 at Page 175 in the RMC Office for Spartanburg County. Reference is being made to said plat for a more complete description as to the metes and bounds thereof.

ALSO:

ALL that certain piece, parcel or tract of land lying and being situate in the County of Spartanburg, State of South Carolina, being known as a 7.31 acre tract on Survey for Grace V. Smith, prepared by Robert R. Speiceman, Registered Surveyor, dated March 7, 1993 and recorded in the RMC Office for Spartanburg County in Plat Book 59 at Page 322. Reference is being made to said plat for a more complete description as to the metes and bounds thereof.

Both tracts being a portion of the property conveyed to J. Kenneth Smith by deed of J. D. Vaughn, dated October, 1958 and recorded in the RMC Office for Spartanburg County on May 24, 1961 in Deed Book 26-Y at Page 183. Subsequently, J. Kenneth Smith died intestate on May 18, 1991 devising all his interest in and to the subject property to his wife, Grace Vaughn Smith. A Deed of Distribution, dated October 21, 1991, conveying the above subject property to Grace V. Smith was recorded on October 25, 1991 in Deed Book 58-F at Page 59, in the RMC Office for Spartanburg County.

Tax Map Number: 07-00 070.10

$12,477.45
This conveyance is made together with all and singular, the rights, members, hereditaments, and appurtenances to said premises belonging or in any way incident or appurtenant thereto; to have and to hold all and singular the premises abovenoticed unto the grantee, and the grantees' heirs or successors and assigns forever. The grantor does hereby bind the grantor and grantor's heirs or successors, executors, and administrators to warrant and forever defend all and singular said premises unto the grantee and grantee's heirs or successors and against every person whatsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF the Grantor(s) have hereeto set their hand and seal this 22nd day of December, 1995.

SIGNED, SEALED AND DELIVERED
in the Presence of:

[Signatures]

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

PERSONALLY APPEARED before me Janice K. Horton and made oath that (s)he saw the within named Grantors sign, seal and deliver the within deed, and that (s)he, with the other witness named above, witnessed the execution thereof.

SWORN TO before me
this 22nd day of Dec., 1995.

[Notary Public for South Carolina]
My Commission Expires: 2014/01

STATE OF SOUTH CAROLINA

[Stamp]
CONSIDERATION OF APPLICATIONS

DOCKET: AN 2012-09
APPLICANT: Jeffrey Randolph
PROPERTY LOCATION: 213 Vaughn Rd.
EXISTING ZONING: Unzoned, Spartanburg County
REQUEST: R-12, Single-Family Residential, City of Greer
SIZE: 15.45 Acres
COMPREHENSIVE PLAN Residential Land Use 2
RECOMMENDATION:

AN 2012-09 is an annexation request that is asking for a zoning classification of R-12, Residential. The subject property is located along Vaughn Road which is off of Westmoreland Road. The property is currently vacant and unzoned in Spartanburg County. Surrounding land use and zoning include:

- Single-family Residential unzoned in Spartanburg County to the north;
- Single-family Residential unzoned in Spartanburg County to the east;
- Single-family Residential unzoned in Spartanburg County to the south;
- Single-family Residential zoned PD-R in the City of Greer and unzoned in Spartanburg County to the west

The surrounding area consists of primarily single-family residential uses. The subject property is designated as Residential Land Use 2 on the City of Greer Future Land Use Map. This designation has a density range of 2.6 to 4.5 units per acre. The applicant is proposing a cluster development for this property. By clustering the homes, the density is approximately 3 units per acre and is still within the recommended density range for the area. In addition, providing more open space will help preserve the character of the area.

Staff feels that the requested zoning is appropriate and consistent with the development pattern in the area. Therefore, staff can support R-12, Residential Cluster.

STAFF RECOMMENDATION: APPROVAL

Mr. Jeff Randolph, the representative for Mr. Russ Broasch was present.

➢ The request is to annex and rezone into the city to R-12, Single Family Residential (Cluster) from unzoned Spartanburg County
➢ There are 15.45 acres on the property
➢ Access to the property is from Vaughn Road
➢ Surrounding area consists of primarily single-family residential uses.

Staff feels the request is appropriate and consistent with the development pattern in the area.

Discussion followed.

No one spoke in favor or in opposition of the request.

Motion was made by Mr. Jones, seconded by Mr. Martin to approve the request.

Motion to approve 6-0.