AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY LAVERNE MILLER, DARLENE DOCKINS, DENISE BARRETT AND JEFFERY THOMPSON LOCATED AT 3006 BRUSHY CREEK ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-15 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY.

WHEREAS, LaVerne Miller, Darlene Dockins, Denise Barrett and Jeffrey Thompson are the sole owners of property located at 3006 Brushy Creek Road, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Numbers T0350001011100 containing approximately 14.04 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Numbers 45045C0342E attached hereto marked as Exhibit D; and

WHEREAS, the properties currently have zero (0) occupants; and

WHEREAS, LaVerne Miller, Darlene Dockins, Denise Barrett and Jeffrey Thompson have petitioned the City of Greer to annex their 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 owners have requested that the subject property be zoned R-15 (Single Family Residential 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 14.04 acres +/- property shown in red on the attached map owned by LaVerne Miller, Darlene Dockins, Denise Barrett and Jeffrey Thompson located at 3006 Brushy Creek Road as described on the attached map as Greenville County Parcel Number T035000101100 is hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF 290.26 FEET OF BRUSHY CREEK ROAD ROADWAY:** 290.26 feet of Brushy Creek Road roadway along the edge of the annexed property owned by LaVerne Miller, Darlene Dockins, Denise Barrett and Jeffrey Thompson as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. **ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY EXCLUDED:** All that portion of Alexander Road along the edge of and adjoined to the annexed property shown on the attached Exhibit C to the centerline of the aforementioned rights-of-way is excluded from this annexation.

4. **ZONING ASSIGNMENT:** The above referenced property shall be zoned R-15 (Single Family Residential District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

5. **LAND USE MAP:** The above referenced property shall be designated as Residential Land Use 2 and 3 Communities on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

6. **FLOOD INSURANCE RATE MAP:** This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Numbers 45045C0342E.

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

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: June 11, 2019
Second and
Final Reading: October 29, 2019

APPROVED AS TO FORM:

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

IN THE MATTER OF: CLARA LOUISE THOMPSON, Deceased

CASE NUMBER: 2013ES2301449

DEED OF DISTRIBUTION

WHEREAS, the decedent died on January 5, 2005; and,

WHEREAS, the estate of the decedent is being administered in the Probate Court for Greenville County, South Carolina in File #2013ES2301449; and,

WHEREAS, the grantees herein are either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

LaVerne T. Miller (1/3 interest)        Jeffrey Wade Thompson (1/6 interest)
418 Alexander Rd.                      122 Aristides St.
Greer, SC 29650                         St. Dunedin, FL 34698

Darlene T. Dockins (1/3 interest)     Denise Thompson Barrett (1/6 interest)
426 Alexander Rd.                      826 Mosteller Dr.
Greer, SC 29650                         Greer, SC 29651

all the Decedent's right, title, and interest in and to the following described property:

A portion of (14.5 acres, more or less) of ALL that piece, parcel or lot of land lying in the Brushy Creek section and about three miles southwest from the city of Greer, in Chick Springs Township, Greenville County, State of S.C., the same being shown by a plat of the property of Thomas Earl Thompson made by H.S. Brockman and dated July 11, 1950, and recorded in Vol. X Page. 118, RMC Office for Greenville County.
This is a portion of same property conveyed to Thomas Earl Thompson by deed dated July 11, 1950 and recorded July 17, 1950 in Deed Book 414 at Page 119. Thomas Earl Thompson died testate on October 14, 1984, and by way of his Estate filed in Estate No. 84ES2301362, this same property was conveyed to Clara Louise J. Thompson.

Tax Map No.: T035000101100

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

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the parties named on Page 1, their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed, on this 32 day of November, 2013.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Estate of: CLARA LOUISE THOMPSON

by Signature: LaVerne T. Miller

Witness: [Signature]

Witness: [Signature]
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named Personal Representative(s) sign, seal, and as their act and deed, deliver the within written Deed, and that s/he with the other witness above witnessed the execution thereof.

Sworn to before me this 22nd day of November 2013.

Witness Signature: [Signature]

[Signature]
Notary Public for South Carolina
My Commission Expires: 9.25.2022

FILED FOR RECORD IN GREENVILLE COUNTY, SC ROD:
2013100351 Book: DE 2435 Page: 3313-3315
December 02, 2013 10 04:26 AM

Timothy J. Harney

In the Matter of  Clara Louise Thompson
Deed of Distribution
Grantee’s Address: 10 London Court, Greer, SC 29650

Deed prepared by: Evelyn M. Angeletti, Attorney, P.O. Box 3764, Greenville, SC 29608

STATE OF SOUTH CAROLINA )
COUNTY OF GREENVILLE )

KNOW ALL MEN BY THESE PRESENTS, that Darlene T. Dockins and Kenneth A. Dockins (a/k/a Kenneth Angus Dockins), Grantors, in consideration of Love and Affection and the sum of Ten and 00/100ths ($10.00) Dollars, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto Darlene T. Dockins, Jeffrey Wade Thompson, Denise Thompson Barrett, and Laverne T. Miller, in equal shares as tenants in common, and their respective heirs, successors and assigns forever, Grantees:

SEE EXHIBIT A, attached and made a part hereof as to all matters thereon.

This property is conveyed subject to all easements, covenants, restrictions, rights-of-way, zoning ordinances, and all other matters, and the like, which are a matter of record and/or actually existing on the ground, as the same may affect the property.

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 Grantees, and the Grantees’ heirs, successors and assigns, forever. And, the Grantors do hereby bind themselves to warrant and forever defend all and singular said premises unto the Grantees and the Grantees’ heirs, successors and assigns and against all those lawfully claiming or to claim the same or any part thereof.
IN WITNESS WHEREOF, the Grantors have caused this Deed to be executed this 21st day of October, 2019.

Signed, Sealed and Delivered in the presence of:

Darlene T. Dockins

Darlene T. Dockins as Attorney-in-Fact for
For Kenneth A. Dockins (a/k/a Kenneth Angus Dockins)

Kenneth A. Dockins (a/k/a Kenneth
Angus Dockins)

STATE OF SOUTH CAROLINA   )
COUNTY OF GREENVILLE       )

ACKNOWLEDGMENT

I, Evelyn M. Angeletti, do hereby certify the afore-named, Darlene T. Dockins, Individually and as Attorney-in-Fact for Kenneth A. Dockins (a/k/a Kenneth Angus Dockins) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 21st day of October 2019.

Notary Public for South Carolina
My comm. exp.: 4/11/23

(SEAL)
EXHIBIT A

ALL THAT certain piece parcel or lot of land with all improvements thereon containing 0.37 A., more or less, situate, lying and being on Alexander Road, Greenville County, South Carolina, being a portion of Tax Map No. T035000101103, designated as Tract "B," as more particularly shown on that certain plat of real property entitled "Survey for Darlene T. Dockins & Kenneth A. Dockins & NewSouth Landservices, LLC," dated July 18, 2019 prepared by Sinclair & Associates, Inc., which plat is incorporated herein as to all matters shown thereon, and having according to said plat the following metes and bounds:

Beginning at a spike found in the right-of-way for Alexander Road at the joint corner of Tract A and Tract B and running thence N. 24-51-11 E. 244.12 feet to an iron pin set in the joint side line of Tracts A and B; thence continuing with the joint side line of Tracts A and B, N. 10-30-07 W. 244.46 feet to an open top pipe found; thence with the line of Tract B and property identified as Tax Parcel T035000101100, the following courses and distances: S. 02-16-14 W. 245.00 feet to an open top found; S 12-15-14 W. 176.50 feet to an open top found; S. 65-57-50 W. 109.49 feet to the point of beginning.

THE FOREGOING PARCEL IS CONVEYED SUBJECT TO ITS BEING COMBINED WITH THAT CERTAIN PARCEL OF ADJACENT LAND OWNED BY THE GRANTEES HEREIN AS TENANTS IN COMMON CONSISTING OF 14.17 A., MORE OR LESS, bearing Tax Map No. T035000101100.


TAX MAP NO. T035000101103 (Portion)
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 at 502 A. Alexander Road, Greer, SC  
   bearing Greenville County Tax Map Number 10/1185 11700/0001, was transferred  
   by Darlene T. Dockins and Kenneth A. Dockins  
   to Darlene T. Dockins, Jeffrey Wade Thompson, et al  
   on October 22, 2019

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):  
      5.9 (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 ☐ 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. 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:  
   (b) Place the amount listed in item 5 above here:  
      (If no amount is listed, place zero here)  
   (c) Subtract line 6(b) from line 6(a) and place result here:

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

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

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.

Darlene T Dockins  

Responsible Person Connected with the Transaction

SWORN to before me this 5/10/19  

day of October 20 19  


Notary Public for South Carolina  
My Commission Expires: 4/11/23
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 between 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 then 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 35 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 be 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 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;

(13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed executed pursuant to foreclosure proceedings;

(14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;

(15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.
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 3006 Brushy Creek Road, Greer; 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 T03500010100 attached hereto marked as Exhibit C containing approximately 14.17 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 30th day of April, 2019, 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.

Print Name: LaVerne T. Miller
Signature: LaVerne T. Miller
Address: 418 Alexander Rd
Witness: 
Date: 5/16/2019
Parcel Address: SAME AS ABOVE
Tax Map Number: SAME AS ABOVE

Print Name: Darlene J. Dockins
Signature: Darlene J. Dockins
Address: 426 Alexander Rd, Greer, SC 29650
Witness: 
Date: May 2019
Parcel Address: SAME AS ABOVE
Tax Map Number: SAME AS ABOVE

(See attached Map & Property Description)
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<tr>
<th>Print Name</th>
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<tr>
<td>DENISE THOMPSON BARRETT</td>
<td></td>
<td>710 AYSEL SCHOOL RD GREER, SC</td>
<td></td>
<td>5/4/19</td>
<td>SAME AS ABOVE</td>
<td>SAME AS ABOVE (T035000101100)</td>
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<tr>
<td>JEFFREY WADE THOMPSON</td>
<td></td>
<td>39248 US 19 N ZEPHRYHILL, FL</td>
<td></td>
<td>5-3-19</td>
<td>SAME AS ABOVE</td>
<td>SAME AS ABOVE (T035000101100)</td>
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Annexation
Page 2 of 2
(See attached Map & Property Description)
ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 5/30/19

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

Tax Map Number(s) 7035000101100
Property Address(s) 3006 BRUSHY CREEK ROAD, GREER, SC
Acreage of Properties 14.17

<table>
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<tr>
<th>Applicant Information</th>
<th>Property Owner Information (If multiple owners, see back of sheet)</th>
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<td>Name</td>
<td>Name SEE ATTACHED</td>
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<td>Address</td>
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<tr>
<td>GREER, SC 29650</td>
<td>Address</td>
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<tr>
<td>Contact Number</td>
<td>Contact Number</td>
</tr>
<tr>
<td>(864) 630-2418</td>
<td>Email</td>
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<tr>
<td><a href="mailto:bhalt@newsouth.net">bhalt@newsouth.net</a></td>
<td>Email</td>
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<tr>
<td>(<a href="mailto:bhalt@newsouth.net">bhalt@newsouth.net</a>)</td>
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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 R-1A to R-1A.

Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Signature(s) [Signature]

SOLE MEMBER, NEWSOUTH LAND SERVICES, LLC

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

OFFICE USE ONLY

Date Filed Case No.
Meeting Date

See Reverse
Complete the section below if multiple property owners

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<tr>
<td>LAVERNE T. MILLER</td>
<td>218 Alexander Rd</td>
<td>864-379-9088</td>
<td>Laverne T. Miller</td>
<td></td>
</tr>
<tr>
<td>DENISE THOMPSON BARRETT</td>
<td>710 Anse School Rd Grier SC 29651</td>
<td>864-270-5259</td>
<td>Denise Thompson Barrett</td>
<td>Denise <a href="mailto:Barrett3D@gmail.com">Barrett3D@gmail.com</a></td>
</tr>
<tr>
<td>DARLENE T. DOCKINS</td>
<td>426 Alexander Rd. SC 29650</td>
<td>864-877-8270</td>
<td>Darlene T. Dockins</td>
<td><a href="mailto:Darlene279@aol.com">Darlene279@aol.com</a></td>
</tr>
<tr>
<td>JEFFREY WADE THOMPSON</td>
<td>35248 US19 N, 323 Harpoon Springs, FL</td>
<td>727-333-1316</td>
<td>Jeffrey Wade Thompson</td>
<td>Jaffe Tress 216 <a href="mailto:2@gmail.com">2@gmail.com</a></td>
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AN 2019-09 is an annexation and zoning request for a parcel located on Alexander and Brushy Creek Roads. The request is to zone the parcels from R-12, Single Family Residential (Greenville County), to R-12, Single Family Residential, for future development.

Surrounding land uses and zoning include:

North: R-15 Single Family Residential (Greenville County) and R-12, Single Family (City of Greer)
East: R-12, Single Family Residential (Greenville County) and R-12, Single Family Residential and PD-R, Planned Development Residential
South: R-12, Single Family Residential (Greenville County)
West: R-12, Single Family Residential and R-S, Residential Suburban (Greenville County)

The land use map in the Comprehensive Plan defines the area adjacent to this property as a Residential Land Use 2 and 3 Communities along a Neighborhood Corridor. This Community category is generally where most residential subdivisions located across the city may be found. The density range of these areas is between 2.6 to 4.6+ units per acre. The proposed density is 3.6 units per acre. As such, this meets the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, Staff can support the proposed zoning request.

STAFF RECOMMENDATION: Approval

ACTION: Mrs. Jones made a motion to recommend R-15, Single Family Residential, instead of the requested R-12, Single Family Residential zoning. Mr. Martin seconded the motion. The motion carried 6-0.