



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15a

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Nancy P. Whitworth, Interim City Manager

Ordinance/First Reading  Ordinance/Second & Final Reading  Resolution/First & Final Reading  Information Only

**AGENDA DATE REQUESTED:** June 24, 2019

**ORDINANCE/RESOLUTION CAPTION:**

TO ANNEX APPROXIMATELY 0.30 ACRE OF REAL PROPERTY LOCATED ON MASON STREET ALONG WITH APPROXIMATELY 0.15 ACRE OF RIGHT-OF-WAY ALONG MASON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0118001401300) (AX-4-2019)

**SUMMARY BACKGROUND:**

David Tyler Morgan, owner of the subject property, applied for annexation of approximately 0.30 acre of real property located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way along Mason Street (approximately 0.45 total acre to be annexed) (collectively the "Property") and for rezoning of the Property from county zoning designation R-7.5 to city zoning designation RM-1, Single-family and multifamily residential district.

The City Planning Commission, pursuant to public notice, held a public hearing on May 16, 2019, to consider the proposed annexation and rezoning. The motion to approve the application failed by a vote of 3-3.

Planning Staff Recommendation: Approve, with the condition that the parcel be added to the West Greenville Special Emphasis Neighborhood

Planning Commission Recommendation: Denial by a vote of 3-3

**IMPACT IF DENIED:**

The Property will not be annexed and rezoned.

**FINANCIAL IMPACT**

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation district and governed by their terms.

**REQUIRED SIGNATURES**

Department Director \_\_\_\_\_

OMB Director \_\_\_\_\_

City Attorney *Michael S. Pitts* \_\_\_\_\_

City Manager *Nancy Whitworth* \_\_\_\_\_

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## A N O R D I N A N C E

TO ANNEX APPROXIMATELY 0.30 ACRE OF REAL PROPERTY LOCATED ON MASON STREET ALONG WITH APPROXIMATELY 0.15 ACRE OF RIGHT-OF-WAY ALONG MASON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RM-1, SINGLE-FAMILY AND MULTIFAMILY RESIDENTIAL DISTRICT (TAX MAP NUMBER 0118001401300) (AX-4-2019)

WHEREAS, David Tyler Morgan, owner of the subject property, applied for annexation of approximately 0.30 acre of real property located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way along Mason Street (approximately 0.45 total acre to be annexed) (collectively the "Property") and for rezoning of the Property from county zoning designation R-7.5 to city zoning designation RM-1, Single-family and multifamily residential district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on May 16, 2019, to consider the proposed annexation and rezoning and at that meeting a motion to approve the application failed by a vote of 3-3; and

WHEREAS, City Council has reviewed the covenant of annexation and has given due consideration to the Planning Commission's recommendation to deny the application and has nevertheless found the proposed zoning change of RM-1, Single-family multifamily residential district, to be compatible with the City's Comprehensive Development Plan; and

WHEREAS, City Council has determined that annexation of the Property would promote the City's policy of planned growth and development;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is annexed into the corporate limits of the city of Greenville real property owned by David Tyler Morgan, consisting of approximately 0.30 acre located on Mason Street (Tax Map Number 0118001401300) along with approximately 0.15 acre of right-of-way located along Mason Street (approximately 0.45 total acre to be annexed). The Property is identified more particularly on the attached Exhibits A and B, providing the legal description of the Property and annexation plat, respectively. The Property is provided the zoning designation of RM-1, Single-family and multifamily residential district. The Property will be included in City Council District 2.

Upon annexation, the Property shall become subject to the City's jurisdiction for the rendition of all municipal services, and all official maps regarding flood and storm water control shall be amended to include the property in such manner as the City Engineer determines to be in compliance with the criteria set forth in applicable storm water and flood management regulations of the City, as from time to time amended.

The Property annexed by this Ordinance shall be subject to intergovernmental agreements with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation district and governed by their terms.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER

EXHIBIT A

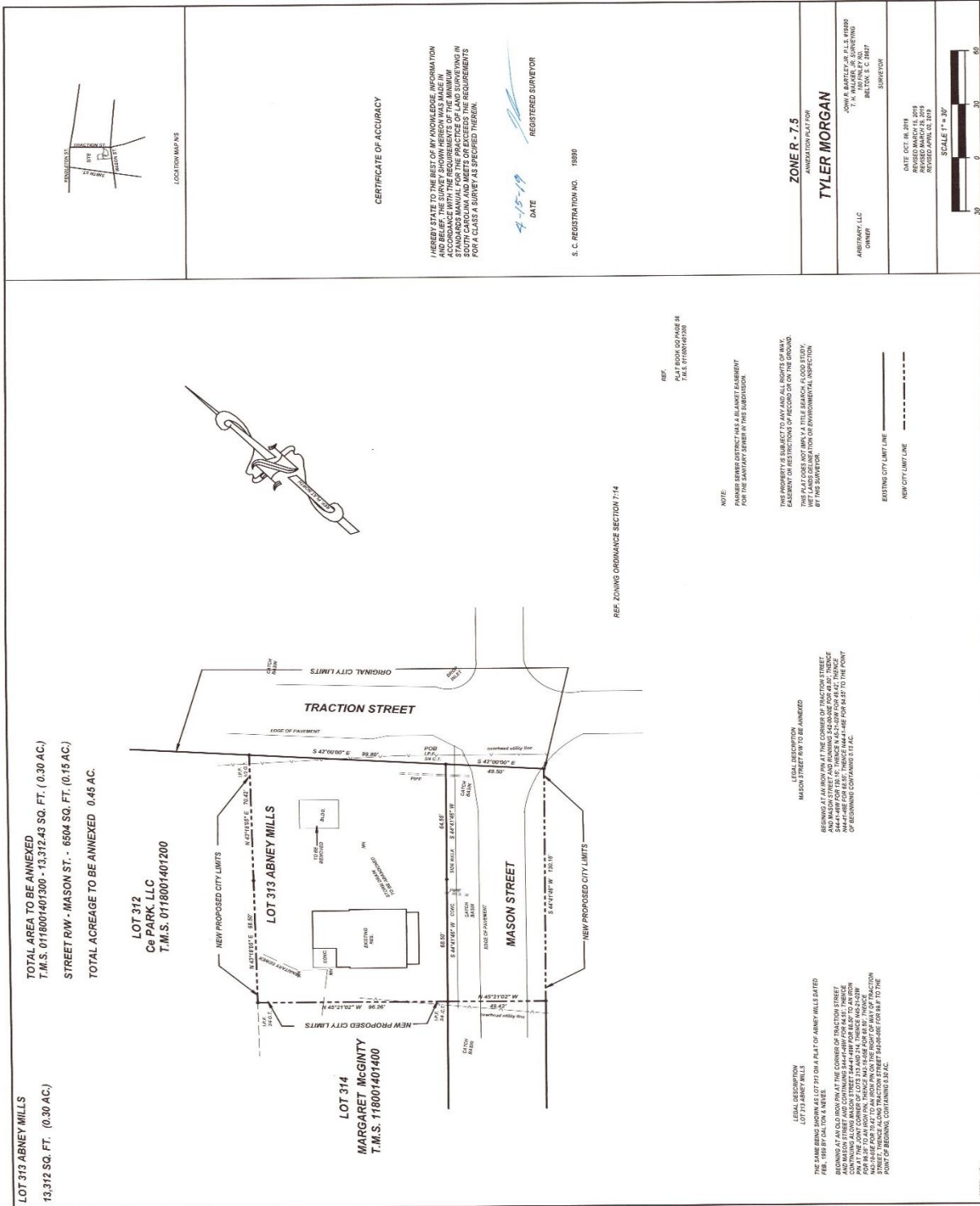
**LEGAL DESCRIPTION  
LOT 313 ABNEY MILLS**

**BEGINNING AT AN OLD IRON PIN AT THE CORNER OF TRACTION STREET AND MASON STREET AND CONTINUING S44-41-46W FOR 64.55', THENCE CONTINUING ALONG MASON STREET S44-41-46W FOR 68.50' TO AN IRON PIN AT THE JOINT CORNER OF LOTS 313 AND 314, THENCE N45-21-02W FOR 96.26' TO AN IRON PIN, THENCE N43-18-06E FOR 68.50', THENCE N43-18-06E FOR 70.42' TO AN IRON PIN ON THE RIGHT OF WAY OF TRACTION STREET, THENCE ALONG TRACTION STREET S42-00-00E FOR 99.8' TO THE POINT OF BEGINNING, CONTAINING 0.30 AC.**

**LEGAL DESCRIPTION  
MASON STREET R/W TO BE ANNEXED**

**BEGINNING AT AN IRON PIN AT THE CORNER OF TRACTION STREET AND MASON STREET AND RUNNING S42-00-00E FOR 49.50', THENCE S44-41-46W FOR 130.16', THENCE N 45-21-02W FOR 49.42', THENCE N44-41-46E FOR 68.50', THENCE N44-41-46E FOR 64.55' TO THE POINT OF BEGINNING CONTAINING 0.15 AC.**

EXHIBIT B



CERTIFICATE OF ACCURACY

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

DATE 4-15-19  
REGISTERED SURVEYOR

S. C. REGISTRATION NO. 10899

ZONE R - 7.5

ANNEXATION PLAT FOR TYLER MORGAN

OWNER: ARBITRARY, LLC  
OWNER: JOHN P. BARTLEY, JR. P.L.S. #1890  
T. M. S. 118001401200  
REGISTERED SURVEYOR: BRETTON S. C. 28497

DATE: OCT. 08, 2018  
REVISED: MARCH 02, 2019  
REVISED: APRIL 02, 2019

