

**AGENDA**  
**OF THE SIMPSONVILLE CITY**  
**COUNCIL BUSINESS MEETING**  
**January 11, 2022**  
**6:30pm**  
**City Hall – Council Chambers**

**Swearing In of Newly Elected Officials of Simpsonville City Council**  
**Ward 2 Aaron Rupe; Ward 4 Sherry Roche; Ward 6 Lou Hutchings**

1. **CALL TO ORDER**..... Mayor Shewmaker
2. **ROLL CALL**..... City Clerk, Phyllis Long
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES** – December 14, 2021
5. **CITIZENS COMMENTS**
6. **BUSINESS**
  - a. Elect Mayor Pro Tem
  - b. 2<sup>nd</sup> Reading AXZ-2021-09, Proposed Annexation/Rezoning of Property of land at 510 W. Georgia Road.....Planner, Jon Derby
  - c. 2<sup>nd</sup> Reading AXZ-2021-10, Proposed Annexation/Rezoning of Property of land at 612 Neely Ferry Road.....Planner, Jon Derby
7. **ADJOURN**

**THERE WILL BE AN INFORMAL RECEPTION TO CONGRATULATE THE NEWLY ELECTED COUNCILMEMBERS IMMEDIATELY UPON ADJOURNMENT.**

**PLEASE NOTE: This Agenda is accurate as of the Friday immediately preceding the Council meeting but is subject to change until twenty-four (24) hours prior to the meeting. Please contact the City Clerk the day of the meeting for the latest agenda information.**

**ORDINANCE NO. AXZ-2021-09**

**AN ORDINANCE TO ADOPT A PETITION FOR ANNEXATION OF TAX MAP # 0306.00-01-014.01 BY ENIGMA CORP NEV CORP., INTO THE CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**WHEREAS**, the South Carolina Code of Laws of 1976, as amended, Chapter 23 Title 5 provides for the process for municipalities to annex and rezone property; and

**WHEREAS**, the City of Simpsonville has enacted a Zoning Ordinance which governs amendments to the Official Zoning Map; and

**WHEREAS**, the hereinafter described property was advertised on November 4, 2021, and the City of Simpsonville Planning Commission held a public hearing on December 9, 2021.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, THAT:**

1. **ANNEXATION:** The attached Petition for Annexation and Rezoning into the City pursuant to South Carolina Code of Laws Section 5-3-150, wherein the property owner has signed a petition requesting annexation into the City of Simpsonville requesting the annexation all that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville, being a portion of the property now or formerly of TAX MAP# 0306.00-01-014.01 and designated as 0.41 Acres at 510 W. Georgia Rd described more particularly below to wit:

BEGINNING AT A SET 5/8" REBAR, THE POINT OF BEGINNING (P.O.B.), BEING LOCATED ON THE NORTHERN RIGHT OF WAY OF WEST GEORGIA ROAD AND BEING APPROXIMATELY 667 FEET± IN AWESTERLY DIRECTION FROM THE INTERSECTION OF INTERSTATE 385 SOUTHBOUND, THENCE WITH THE NORTHERN RIGHT OF WAY OF WEST GEORGIA ROAD, S 88-38-22 W, 105.81 FEET TO AN OLD 5/8" REBAR, THENCE LEAVING THE NORTHERN RIGHT OF WAY OF WEST GEORGIA ROAD AND INTO THE PROPERTY NOW OR FORMERLY ENIGMA CORPORATION, A NEVADA CORPORATION (TMS#0306000101401), N 6-29-49 W, 158.68 FEET TO AN OLD 1/2" REBAR (BENT), THENCE WITH THE RIGHTOF-WAY OF AN UNNAMED ROAD THE FOLLOWING FOUR COURSES AND DISTANCES: S 87-09-24 E, 19.17 FEET TO AN OLD CONCRETE MONUMENT (BROKEN), THENCE N 1-10-30 W, 14.44 FEET TO A SET 5/8" REBAR, THENCE N 88-52-34 E, 86.01 FEET TO A SET 5/8" REBAR, THENCE S 3-19-04 E, 10.36 FEET TO AN OLD CONCRETE MONUMENT (BROKEN), THENCE LEAVING THE RIGHT OF WAY OF AN UNNAMED ROAD AND WITH THE PROPERTY NOW OR FORMERLY R2M WEST GEORGIA, LLC. S 6-31-21 E, 161.02 FEET TO THE POINT OF BEGINNING, CONTAINING 17,812 SQUARE FEET OR 0.41 ACRES.

2. **ZONING CLASSIFICATION:** The Official Zoning Map of the City of Simpsonville is hereby amended to assign these properties as depicted in Exhibit "A" & "B", the zoning classification of B-G, Business General District.

3. **FUTURE LAND USE MAP DESIGNATION:** The Future Land Use Map of the City of Simpsonville is hereby amended to assign all property depicted in Exhibit “A” & “B”, the future land use map designation of “Regional Activity Area”.

4. **PROVISION SEVERAGE:** It is hereby declared to be the intention of the governing authority of this municipality that the sections, subsections, paragraphs, sentences, clauses and phrases are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such invalidity or unconstitutionality shall not effect any of the remaining portions of this Ordinance so held to be invalid.

5. **ORDINANCE SUPERSEDES PREVIOUS INCONSISTENT LEGISLATION:** All Ordinances or parts of Ordinances inconsistent herewith, which may have heretofore been passed by the Simpsonville City Council, are hereby repealed.

6. **DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward Three (3).

7. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

8. **METROPOLITAN SEWER SUBDISTRICT:** It is the intent of City Council that the area described herein to be annexed is currently served by Metropolitan Sewer Subdistrict (hereinafter “Metropolitan”). At the time of the passage of this Ordinance, it is the intent of the City that Metropolitan shall continue to provide sewer service to the annexed area. Therefore, Greenville County shall continue to collect the millage currently assessed by Metropolitan on the annexed area and to remit the same directly to Metropolitan until notified otherwise by the City.

**ORDINANCE NO.: AXZ-2021-09**

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This Ordinance shall be effective upon second and final reading by the City Council.

SIGNATURE OF MAYOR:

\_\_\_\_\_  
Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

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Phyllis Long  
City Clerk

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David W. Holmes  
City Attorney

First Reading:       December 14, 2021  
Second Reading:     January 11, 2022

**ORDINANCE NO. AXZ-2021-10**

**AN ORDINANCE TO ADOPT A PETITION FOR ANNEXATION OF TAX MAP # 0574.02-01-016.00 BY JEFF & JERRY ANDERS., INTO THE CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**WHEREAS**, the South Carolina Code of Laws of 1976, as amended, Chapter 23 Title 5 provides for the process for municipalities to annex and rezone property; and

**WHEREAS**, the City of Simpsonville has enacted a Zoning Ordinance which governs amendments to the Official Zoning Map; and

**WHEREAS**, the hereinafter described property was advertised on November 4, 2021, and the City of Simpsonville Planning Commission held a public hearing on December 9, 2021.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, THAT:**

1. **ANNEXATION:** The attached Petition for Annexation and Rezoning into the City pursuant to South Carolina Code of Laws Section 5-3-150, wherein the property owner has signed a petition requesting annexation into the City of Simpsonville requesting the annexation all that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville, being a portion of the property now or formerly of TAX MAP# 0574.02-01-016.00 and designated as 18.982 Acres at 612 Neely Ferry Rd described more particularly below to wit:

BEGINNING AT A POINT IN THE CENTER OF NEELY FERRY ROAD AT THE INTERSECTION OF PINE TREE DRIVE; THENCE LEAVING SAID ROAD AND RUNNING THE FOLLOWING COURSES AND DISTANCES S 67-23-00 W 1416.00' TO AN IRON PIN OLD 3/4" OPEN TOP, PASSING OVER A REFERENCE IRON PIN OLD AT 21.60'; THENCE S 27- 13- 14 E 499.66' TO AN OLD T POST IN CREEK; THENCE S 42- 53- 19 W 645.79' TO AN IRON PIN OLD 3/4" OPEN TOP; THENCE N 14- 47- 55 W 183.07' TO AN IRON PIN OLD 3/4" OPEN TOP; THENCE N 14- 50- 16 W 362.15' TO AN OLD T POST IN CREEK, SAID CREEK BEING THE PROPERTY LINE; THENCE N 29- 59- 17 E 45.08' TO A POINT; THENCE N 15- 29- 34 W 40.39' TO A POINT; THENCE N 79- 19- 57 E 17.54' TO A POINT; THENCE N 25- 38- 33 E 25.95' TO A POINT; THENCE N 55- 54- 00 W 34.60' TO A POINT; THENCE N 48- 16- 10 W 80.76' TO A POINT; THENCE LEAVING CREEK N 63- 12- 22 E 362.46' TO AN OLD STONE; THENCE N 11- 55- 16 W 205.06' TO AN IRON PIN OLD 3/4" CRIMP TOP (BENT); THENCE N 55- 13- 06 E 246.21' TO AN IRON PIN OLD 1/2" REBAR; THENCE N 55- 11- 42 E 488.24' TO AN IRON PIN OLD 3/4" OPEN TOP; THENCE N 34- 44- 53 W 166.61' TO AN IRON PIN OLD 3/4" OPEN TOP; THENCE N 55- 09- 33 E 223.60' TO AN IRON PIN SET 1/2" REBAR; THENCE N 23-48- 29 W 56.60' TO AN IRON PIN SET 1/2" REBAR; THENCE S 73- 11- 08 W 76.85' TO AN IRON PIN SET 1/2" REBAR; THENCE S 84- 22- 59 W 157.54' TO AN IRON PIN SET 1/2" REBAR; THENCE S 89- 26- 22 W 95.57' TO AN IRON PIN SET 1/2" REBAR; THENCE S 87- 16- 38 W 235.65' TO A POINT IN THE CENTERLINE OF NEELY FERRY ROAD, PASSING OVER A REFERENCE IRON PIN SET 1/2" REBAR AT 206.82'; THENCE ALONG CENTERLINE OF SAID ROAD S 27- 28- 00 E 158.89' TO A POINT; THENCE S 27-28-00 E 165.77' TO THE POINT OF BEGINNING.

2. **ZONING CLASSIFICATION:** The Official Zoning Map of the City of Simpsonville is hereby amended to assign these properties as depicted in Exhibit "A" & "B", the zoning classification of I-D, Innovative Development.

3. **FUTURE LAND USE MAP DESIGNATION:** The Future Land Use Map of the City of Simpsonville is hereby amended to assign all property depicted in Exhibit "A" & "B", the future land use map designation of "Low Intensity Neighborhood".

4. **PROVISION SEVERAGE:** It is hereby declared to be the intention of the governing authority of this municipality that the sections, subsections, paragraphs, sentences, clauses and phrases are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such invalidity or unconstitutionality shall not effect any of the remaining portions of this Ordinance so held to be invalid.

5. **ORDINANCE SUPERSEDES PREVIOUS INCONSISTENT LEGISLATION:** All Ordinances or parts of Ordinances inconsistent herewith, which may have heretofore been passed by the Simpsonville City Council, are hereby repealed.

6. **DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward Six (6).

7. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

8. **METROPOLITAN SEWER SUBDISTRICT:** It is the intent of City Council that the area described herein to be annexed is currently served by Metropolitan Sewer Subdistrict (hereinafter "Metropolitan"). At the time of the passage of this Ordinance, it is the intent of the City that Metropolitan shall continue to provide sewer service to the annexed area. Therefore, Greenville County shall continue to collect the millage currently assessed by Metropolitan on the annexed area and to remit the same directly to Metropolitan until notified otherwise by the City.

**ORDINANCE NO.: AXZ-2021-10**

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This Ordinance shall be effective upon second and final reading by the City Council.

SIGNATURE OF MAYOR:

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Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

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Phyllis Long  
City Clerk

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David W. Holmes  
City Attorney

First Reading:       December 14, 2021  
Second Reading:     January 11, 2022