

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Perry Gravely, Circuit Court Judge

C.A. Nos. 2021CP2301494 &
2021CP2301501

Frances Baty, Helene Lambert, Michael Evatt, O.D. Strickland,
Keith Godfrey, Bonnie Spearman, Allison Morton, Brian Morton,
Janet Lamb and Henry Lamb.....Appellants,

v.

Greenville County Planning Commission and Mark III Properties, LLC.....Respondents.

NOTICE OF APPEAL

Appellants Frances Baty, O.D. Strickland, and Keith Godfrey appeal the Order Denying Appeal and Order Denying Appellant's [sic] Motion to Reconsider of the Honorable Perry H. Gravely, Circuit Court Judge. The Circuit Court, considering appeals filed by Appellants regarding the Greenville County Planning Commission's preliminary approval of two subdivisions by the same developer, Mark III Properties, LLC, on adjacent parcels of real property pursuant to the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, held a consolidated hearing on both appeals, Case Nos. 2021CP2301494 and 2021CP2301501, on June 23, 2021. The Order Denying Appeal was dated and filed on July 22, 2021. Appellants' timely Motion for Reconsideration was denied on August 22, 2021 and received on August 23, 2021 by Counsel for Appellants, J.J. Andrighetti, via the South Carolina E-filing System.¹

September 22, 2021

BRUMBACK & LANGLEY, LLC

s/Christopher T. Brumback

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Attorneys for Appellants

¹ The July 22 and August 22 Orders of the Circuit Court were identical in both appeals and included both case numbers in the Order captions.

Other Counsel of Record:

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SC Court of Appeals

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PROOF OF SERVICE

I certify that on September 22, 2021 I served Appellant’s Notice of Appeal on Respondents Greenville County Planning Commission and Mark III Properties, LLC by emailing a copy of the Notice of Appeal to their attorneys of record Christopher Antley at crantley@devlawsc.com, and Bruce Bannister at bbannister@bannisterwyatt.com, respectively.

September 22, 2021

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Subject: Baty et al. v. Greenville County Planning Commission and Mark III Properties, LLC - Notice of Appeal
Date: September 22, 2021 at 7:20 PM
To: bbannister@bannisterwyatt.com, crantley@devlawsc.com
Cc: J.J. Andrighetti jj@palmettolawfirm.com



Gentlemen,

Please find attached hereto the Notice of Appeal concerning the above-referenced matter, which involves Case Nos. 2021CP2301494 and 2021CP2301501. Also attached hereto is the Proof of Service that will be filed with the Court of Appeals along with the Notice of Appeal.

Kindest Regards,

Christopher T. Brumback



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