



Agenda

Fountain Inn, South Carolina
Board of Appeals
Tuesday, March 21, 2023 - 6:00 PM

Virtual Online Meeting Via Zoom
Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_FeZscN2ZQihVZn_82wdLQ

1. Call to Order Madame Chair Jackie Johnson
2. Elect Chair and Vice Chair for the 2023 Board of Zoning Appeals
3. Approval of Minutes
 - a. Minutes from December 19, 2022
4. Public Hearing(s)
 - a. **FI-2022-038BZA**
Request: Variance to increase front building setback, side building setback, to allow parking spaces between right of way & the building, building materials, and elevations
Tax Map: 0350000100408 & 0350000100301
Address: 303 McCarter Road & 100 Nash Street

Applicant Presentation: Redhill Properties II, LLC
Public Comment Period
5. New Business
 - a. **FI-2022-038BZA**
Request: Variance to increase front building setback, side building setback, to allow parking spaces between right of way & the building, building materials, and elevations
Tax Map: 0350000100408 & 0350000100301
Address: 303 McCarter Road & 100 Nash Street

City Staff Report
Board Discussion/Questions

Vote
6. Adjourn



MINUTES
FOUNTAIN INN BOARD OF ZONING APPEALS

Monday, December 19, 2022
Judicial Building Council Chambers
6:00PM- 300 Wall Street

Board in attendance:

Regina Bailey, Avis Kelley, AJ Dearybury, Steve Habina, Clifford Jennings

Staff Present:

Naomi Reed
Greg Gordos
Elizabeth Carpenter

Visitors:

Andy Shaw
Jim Cashion –

Business called to order at 6:00pm by AJ Dearybury.

Staff report given by City Planner, Greg Gordos.

Greg read his staff report. Recommended that the item be tabled.

Regina Bailey made a recommendation to table.

Motion was seconded by Steve Habina.

Motion carried unanimously

5/0

Tabled until the information is received.

Adjourned 12.19.2022

FOUNTAIN INN PLANNING STAFF REPORT
TO THE FOUNTAIN INN BOARD OF ZONING APPEALS

March 21, 2023

DOCKET NUMBER: FI-2023-002 BZA

APPLICANT: Nan S. Wilcox, Carter Harkleroad Group

OWNER: Red Hill Properties II LLC

PROPERTY LOCATION: 303 McCarter Road

TAX MAP NUMBER: 0350000100408

ACREAGE: 1.62 acres

EXISTING ZONING: C-2, Commercial District

VARIANCE REQUEST: from Section 5:12. - GCO, Gateway Corridor Overlay District.
5:12.5-1 increase front building setback to 69.7'
5:12.5-2 Increase side building setback to 67.48'
5:12.6 Allow parking along road frontage
5:12.12-2 Allow alternative exterior finish materials

Existing Land Use: Residential

Adjacent Land Use: North: Residential, Industrial
East: Industrial
South: Commercial
West: vacant, Residential

Adjacent Zoning: North: R-12, Residential District; I-1, Industrial District
East: C-2, Commercial District; R-12, Residential District
South: I-1. Industrial District; C-2 Commercial District
West: C-2, Commercial District; I-1 Industrial District

Future Land Use: This site was identified for Commercial in the City's 2017 Master Plan.

SUMMARY:

FI-2023-002BZA is requesting a variance from *Section 5:12.5. Dimensional Requirements, 5:12.6-1. Off-Street Parking*, and *5:12.12. Architectural Features* in the GCO, Gateway Commercial Overlay district.

A prior request to vary from *5:12.5. Dimensional Requirements* and *5:12.6-1. Off-Street Parking* was granted by the Board on July 18, 2022, but is being modified by this request.

The new variance requests include deviation from the following requirements:

- 1) **5:12.5-1. Front Setback.** Front setbacks shall be a minimum of 10 feet and shall not exceed 20 feet.
- 2) **5:12.5-2. Side Setback.** Side setbacks shall be a minimum of 5 feet and shall not exceed 64 feet on one side and 12 feet on the other side.
- 3) **5:12.6. Parking:** No parking area shall be located along frontage, or otherwise between building and road.
- 4) **5:12.12-2. Materials.** Exterior finish materials shall be limited to brick, natural stone, stucco, and/or, if approved by the City, wood or a synthetic material closely resembling outright approved materials. No aluminum or steel siding, non-architectural sheet metal, non-textured concrete block, vinyl, or EIFS shall constitute any portion of a building except trim.

Aerial View (from Greenville County GIS):



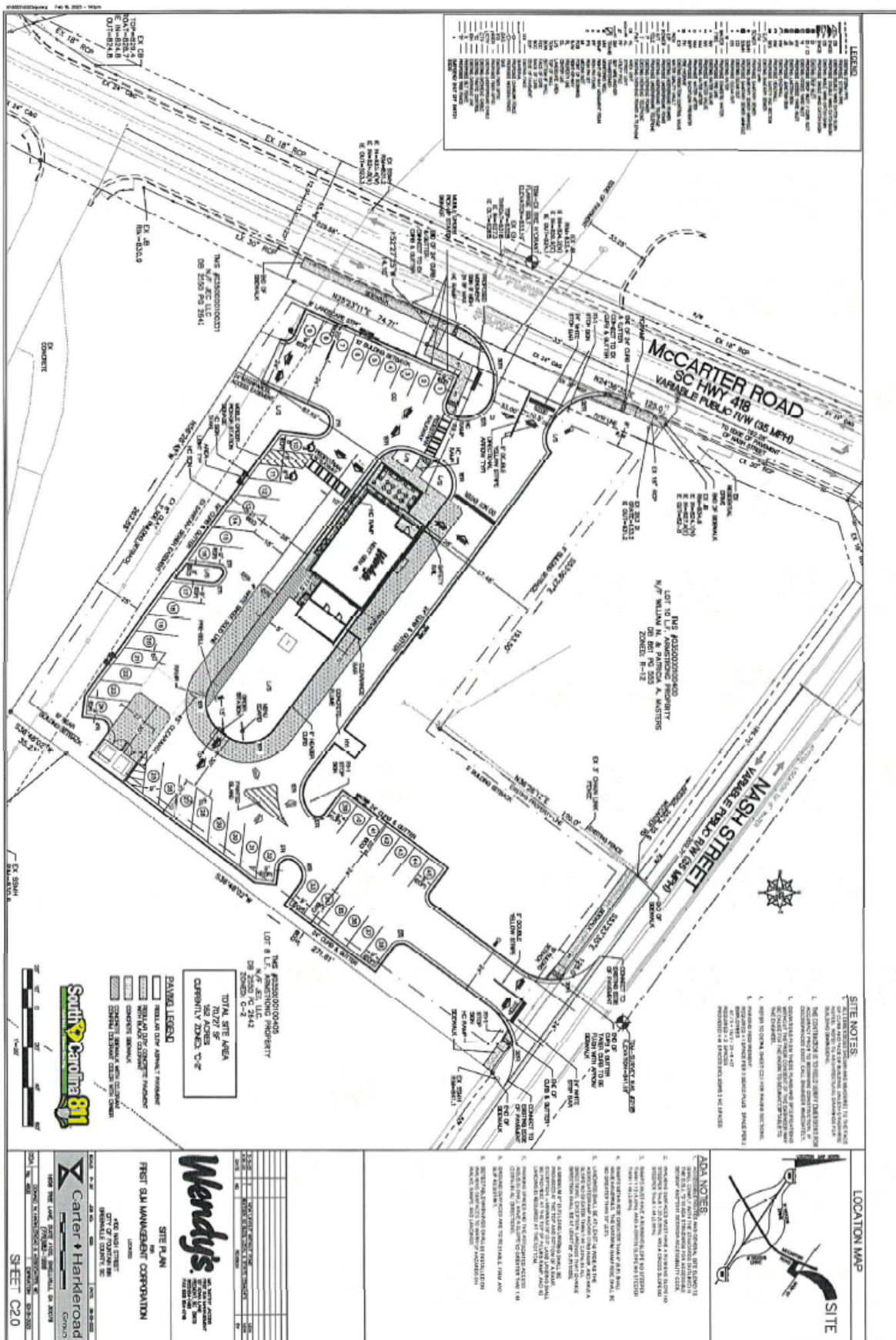
Zoning (from Greenville County GIS):



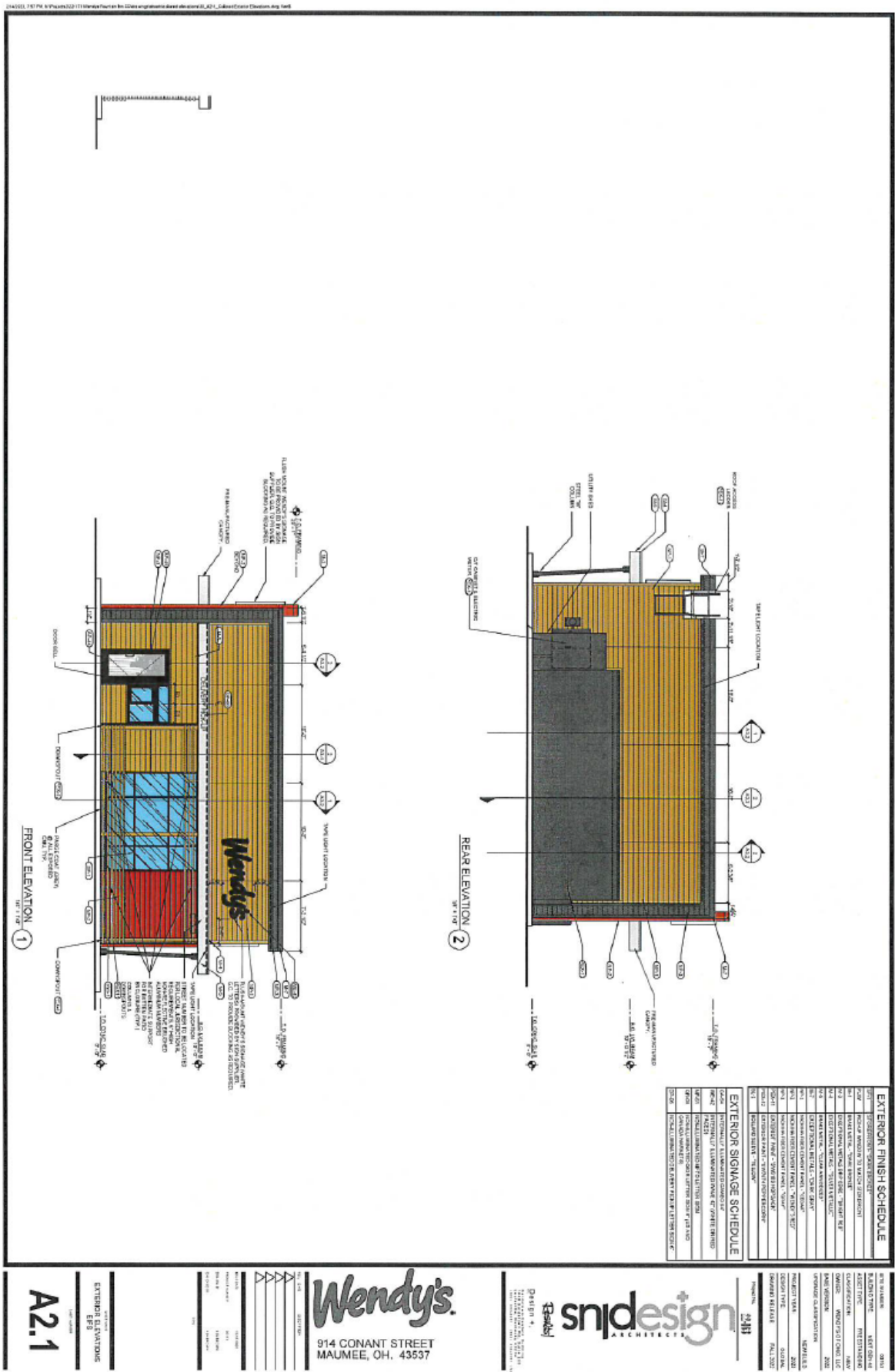
Site, from SC-418 looking north



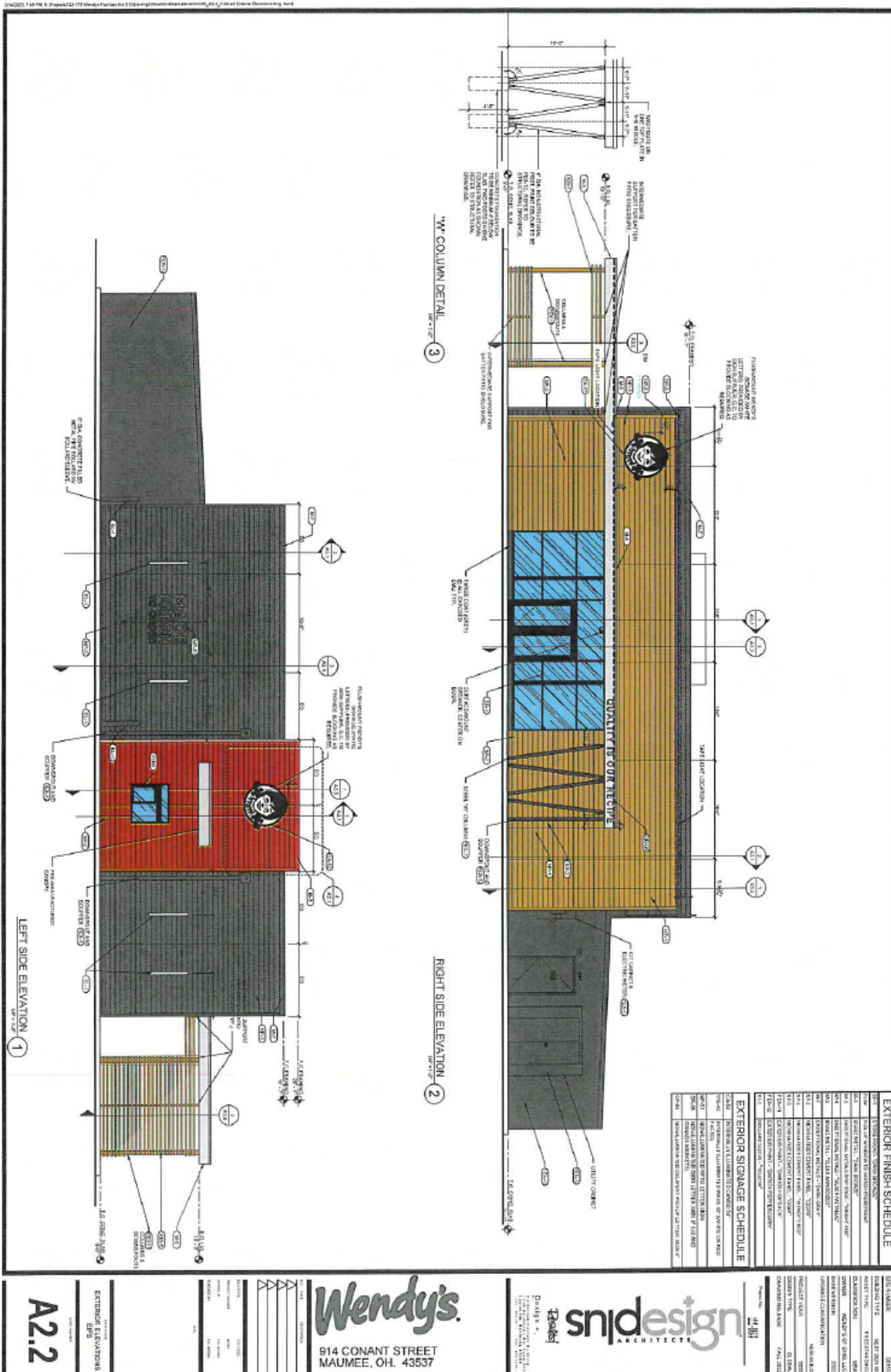
New proposed restaurant site plan



Elevations: Front and Rear



Elevations: Sides



ANALYSIS

FI-2023-002BZA is requesting a dimensional variance for building setbacks, a variance from parking location requirements, a variance from exterior finish material requirements, and a variance from front elevation embellishments required in ARTICLE 5. – DISTRICT REGULATIONS. Specifically, the property is zoned C-2 Commercial but also falls within the GCO zoning overlay district. This overlay applies to all properties between Interstate 385 and Walker Street (the municipal cemetery) regardless of zone.

5:12.1. Location and Applicability: The Gateway Corridor Overlay District is a special public interest district encompassing a particular geographic area that does not coincide with the boundaries of its underlying zoning districts and is identified on Fountain Inn's Official Zoning Map. It includes all properties contiguous to SC Highway 418 lying between the intersection of Interstate 385 and Highway 418 and continuing to Walker Street. The boundaries of the overlay district shall be measured from the edge of the right-of-way to a depth of three hundred (300) linear feet. Unless otherwise noted, the requirements of the Gateway Corridor Overlay District apply to all commercial, service, office, multi-family, and mixed-use development and are in addition to the requirements of the underlying zoning district. Where the requirements of the underlying zoning district and the overlay district are in conflict, the more restrictive requirements will apply.

Access to the subject parcel is proposed from both McCarter Road and Nash Street. McDonald's is directly across the street from the subject property and driveways would align per SCDOT guidelines. On-side diagonal parking would serve traffic passing between the two egress-ingress points with a drive-thru window, with queueing distance shown, at the north of the building.

The applicant represents a popular fast-service restaurant seeking to begin construction soon at this location.

District description

Section 5:6. - C-2, Commercial District. This district is established to provide goods and services for the convenience of local residents.

Section 5:12. - GCO, Gateway Corridor Overlay District.

Purpose and intent: The Gateway Corridor Overlay District has been created to encourage well planned, attractive development along Fountain Inn's Highway 418 gateway corridor that promotes safety for all modes of transportation, enhances the historical nature of the community, strengthens and stabilizes property values, creates and upholds a distinctive gateway character, and accommodates future expected growth in a way that is consistent with the SC 418 Corridor Plan and the City's comprehensive plan.

District Dimensional and Height Requirements

5:12.5. Dimensional Requirements: Dimensions of lots and placement of buildings should promote visual continuity, encourage pedestrian activity and provide safe access. Buildings should face the street and be

arranged so that they create and maintain a consistent uniform streetscape. Step-backs shall be used to permit sunlight and air access to lower-level buildings.

5:12.5-1. Front Setback. Front setbacks shall be a minimum of 10 feet and shall not exceed 20 feet.

5:12.5-2. Side Setback. Side setbacks shall be a minimum of 5 feet and shall not exceed 64 feet on one side and 12 feet on the other side.

District Parking Requirements

5:12.6. Parking: No parking area shall be located along frontage, or otherwise between building and road. Side and rear parking lots should be used when possible to promote pedestrian safety and accessibility and aesthetic continuity. Shared parking is encouraged to promote connectivity.

District Architectural Features, Elevations and Materials

5:12.12. Architectural Features: Materials used shall be consistent with existing structures along the corridor as well as those fronting Main Street. The feel of the newly designed corridor should mimic the majority of existing commercial buildings that consist of quality materials, and pedestrian-focused features such as first-level transparency and embellishment, awnings, and overhangs.

5:12.12-1. No street-level building wall shall be blank; building facades facing public streets shall include a minimum of 40 percent embellishment of interest-creating features such as doors, display windows, murals, etc.

5:12.12-2. Materials. Exterior finish materials shall be limited to brick, natural stone, stucco, and/or, if approved by the City, wood or a synthetic material closely resembling outright approved materials. No aluminum or steel siding, non-architectural sheet metal, non-textured concrete block, vinyl, or EIFS shall constitute any portion of a building except trim.

5:12.12-2.1 The acceptable exterior finish materials shall also cover a minimum of two feet around the corners of the façade to achieve a fully finished edge.

Staff Recommendation

Staff finds that the nature of drive through business creates traffic circulation and parking needs that essentially cannot be met within the building setback requirements of the Gateway Corridor Overlay District. Staff has determined there is no practical way for a drive through restaurant to comply with Gateway Commercial Overlay setback requirements. Staff also finds that prohibiting parking from being placed along the lot frontage for these uses makes for inefficient utilization of the site and where deep setbacks are permitted by variance, and where driveways are placed between the building and the roadway, prohibition of parking between the building and the roadway does little or nothing to serve the intent of the setback restrictions and parking restrictions.

Staff therefore recommends approval of the variance request for front and side setbacks.

Staff finds that prohibiting parking from being placed along the lot frontage for these drive-through restaurant uses makes for inefficient utilization of the site and, where deep setbacks are permitted by variance and where driveways are of necessity placed between the building and the roadway, prohibition of parking along the lot frontage along the roadway does little or nothing to serve the intent of the setback restrictions and parking restrictions. However, staff finds that the intent of the overlay district is well served by prohibiting parking directly in front of the building, and the submitted plans comply with this.

Therefore, staff recommends approval of a variance for parking along the lot frontage.

With regard to exterior finish materials for the building, these requirements were established to create a higher quality appearance of new buildings in this entryway corridor to the City and to its' thriving downtown, and to reflect within this corridor some of the architectural quality and the diversity of facades and materials that is found along Main Street in the downtown area. Staff also finds that these exterior finish standards have been met by adjacent drive-through restaurant buildings through the use of natural stone, brick, and other materials specifically listed in Section 5:12.12-2.

Staff therefore recommends denial of the requested variance for exterior finish materials.

With regard to the requirement for the front elevation of the building, staff finds that this requirement can be readily met through the use of slightly larger windows, additional door, and/or variation of façade materials to create visual interest. Staff will work with the applicant to achieve a reasonable design solution that meets the requirement for "40 percent embellishment" of the front façade. This does not seem to be a difficult requirement with which to comply.

Staff recommends denial of the variance request for front elevations.

Board of Zoning Appeals Determination:

If the request is granted, the Board shall determine that:

- (a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (b) these conditions do not generally apply to other property in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

If the Board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied.



**CITY OF FOUNTAIN INN
BOARD OF ZONING APPEALS
APPLICATION**

Owners: Redhill Properties II, LLC Address: 127 Kiowa Lane Piedmont, SC 29673

Owners: _____ Address: _____

Agent: Nan S. Wilcox, Address: 1608 Tree Lane Building A Suite 100 Snellville, Ga 30078
Carter Harkleroad Group

Do hereby petition for a variance of the zoning ordinance of Fountain Inn, South Carolina

Request: 5:12 5-1 increase front building setback to 69.7', 5:12 3-2 Increase side building setback to 67.48',
9 parking spaces between R/W & Building, Building Materials & Elevations

Tax Map Number: TMS 0350000100408, TMS 0350000100408 & small portion of TMS #0350000100301

Property Location: 100 Nash Street

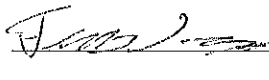
Bordering: McCarter Road & Nash Street

Acreage: 1.62 acres

Filing Fee: **\$100.00** Paid by: Check # Receipt#: _____

Attachments: Survey, site plan, building elevations & building renderings

Signatures of owner(s)

 _____

By Nan S. Wilcox Agent

Date: 2-16-23

Contact Number(s): 770-823-1766 cell Nan S. Wilcox
Mailing Address: Carter Harkleroad Group
1608 Tree Lane Building A Suite 100
Snellville, Ga 30078

APPLICATION FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE