



Agenda

**Fountain Inn, South Carolina
Board of Appeals
Monday, April 17, 2023 - 6:00 PM**

**Judicial Building, Council Chambers
300 Wall Street, Fountain Inn, SC 29644**

**Citizens may access the meeting at the following YouTube address:
<https://www.youtube.com/@cityoffountaininn3536/videos>**

1. Call to Order Jackie Johnson
2. Appointments for Board of Zoning Appeals
 - a. Approval for 2023 Board of Zoning Appeals Chairperson
 - b. Approval for 2023 Board of Zoning Appeals Vice Chairperson
 - c. Approval for Naomi Reed, Assistant City Administrator for the City of Fountain Inn, as the 2023 Board of Zoning Appeals Secretary
3. Approval of Minutes
 - a. Minutes from March 21, 2023
4. Approval of Decisions and Orders
 - a. Decisions and Orders from March 21, 2023
5. Public Hearing(s)
 - a. **FI-2023-003 BZA Request: Sign variance to increase from 2 signs per business with external illumination only to no maximum amount of signage with internal illumination**
Tax Map: 0348000100100
Location: 200 South Main Street

City Staff Report
Applicant Presentation: Jessica Marion, K&D Signs, LLC
Public Comment Period
Board of Zoning Appeals Discussion/Questions
Board of Zoning Appeals Vote

6. Adjourn



MINUTES
FOUNTAIN INN BOARD OF ZONING APPEALS

Tuesday, March 21st, 2023
Judicial Building Council Chambers
6:00 pm – 300 Wall Street

1. Call to Order- AJ Dearybury

-Board Members present: AJ Dearybury, Clifford Jennings, Donna Brown, Avis Kelley
-Staff present: Naomi Reed, John Gardner

-Board decided to move election of Chair and Vice Chair to next meeting as most of the Board was absent on March 21, 2023.

2. Approval of Minutes

-Motion made to approve minutes by Donna Brown. Seconded by Clifford Jennings. Motion carried 4-0 to approve minutes.

3. Public Hearing FI-2022-038BZA

Request: -Variance to increase front building setback to 69.7'
5:12 5-1 Dimensional requirements

-Variance to increase side building setback to 67.5'
5:12 3-2 Dimensional requirements

-To allow 9 Parking spaces between R/W & Building, Building Materials,
and elevations 5:12.6

Tax Map: 0350000100408 & 0350000100301
303 McCarter Road & 100 Nash Street

-Applicant, Nan Wilcox, with Carter Harkleroad Group, presented along with Tim Jacobs, Wendy's Franchise owner. The site layout will not have a detention pond to the north

as originally planned because the south side of the property is lower and now will be shifted as the storm water naturally drains to the south.

Board Questions/Discussion:

-Clifford Jennings asked how the water would flow. Nan Wilcox stated it would flow under the parking lot and they have met with SCODT about the alignment of the parking lot with McDonald's.

-Donna Brown asked where the employees will park. Nan Wilcox stated that the employees will park in the back to allow for customer parking up front.

-Clifford Jennings asked about the 3 accesses. Nan Wilcox stated that they do have an official agreement with the property to the south to have inter parcel access.

-AJ Dearybury asked about sidewalk access on McCarter Road. Nan Wilcox stated that by law they can only put the sidewalk that fronts the property onto the right of way along with being required to provide ADA access to one of the sidewalks.

-Naomi Reed introduced John Gardner as a consultant for the City of Fountain Inn Planning and Development Department.

-John Gardner gave City staff report. He presented the proposed materials for the Wendy's building provided by Nan Wilcox.

-Board member, Clifford Jennings, asked John Gardner what the difference in the material was than what was presented as before and why would a variance request be needed for the new materials.

-John Gardner explained that a variance would be needed because the Gateway Carter overlay district specifically states that natural stone, brick and stucco is to be used. He stated that it is the Board's judgement to determine the intent of the synthetic material and if it closely resembles the required materials.

-AJ Dearybury asked Mr. Gardner to review the elevation variance request. Mr. Gardner stated that the ordinance specifically says that 40% of the building's face must be windows, doors, other embellishments, or some other decorative features.

Board Vote:

-Donna Brown made a motion to approve the first variance request for front and side setbacks. Avis Kelley seconded. Motion carried unanimously 4-0.

-Clifford Jennings made a motion to approve the second variance request for parking along the lot frontage. Donna Brown seconded. Motion carried unanimously 4-0.

-Clifford Jennings made a motion for the approval of the third variance request for the recommendations of the exterior finished materials. Seconded by Avis Kelley. Motion carried unanimously 4-0.

Board Discussion:

-Clifford Jennings asked John Gardner if McDonald's met the 40% requirement. Mr. Gardner stated that the only way to determine if they meet the 40% requirement is if you decide that the variation in the façade is created by the stone that they used but they don't meet the 40% window opening. Mr. Gardner stated that the board could consider the outside patio and outdoor seating area that is proposed in the front may limit flexibility for adjustments if Wendy's includes this in the plan.

-Tim Jacobs stated that there would be an outdoor patio area in the front parking area. John Gardner stated that this could be interpreted to meet the intent of the 40% requirement.

-AJ Dearybury asked about access to the patio. Tim Jacobs stated that there will be a sidewalk to the patio near the side entrance. Nan Wilcox stated that just to the rear of the patio is a five-foot sidewalk and the patio can be easily accessed from there.

-Donna Brown asked about the parking spots for delivery. Tim Jacobs stated that the spots would not be there but at the main front entrance instead. John Gardner directed the board that the rendering in the packet does show the patio elevations.

-Donna Brown inquired about the drive-thru entrance off both Nash Street and Highway 418 to come into the property. Tim Jacobs stated that at the entrance from Nash Street the customer would have to circle around the building to reach the drive-thru speaker. Mrs. Brown asked about the entrance and exit for the patron. Nan Wilcox stated that there is only one entrance and exit which is the side door for the patron with the idea of keeping safety in mind for employees as well as the customer. Tim Jacobs stated that there is a vestibule before entering the restaurant area to prevent insects and wind from coming in. Mr. Jacobs stated that you cannot access the patio from the inside of the restaurant but would change plans if code required. Nan Wilcox stated that the footprint is a smaller building and is covered under the Life Safety Code and would add the door if they had to.

-Donna Brown made a motion for the approval of the fourth variance request as presented. AJ Dearybury seconded. Donna Brown and Avis Kelley voted yes. AJ Dearybury and Clifford Jennings voted no. Variance as presented is denied for the front elevations.

-Donna Brown asked John Gardner if the city disagrees with this variance. John Gardner stated that if the 40% embellishment can be reached by working with the applicant for a reasonable compromise that it doesn't require another variance request.

-Clifford Jennings asked if the motion could be modified. AJ Dearybury stated that there is a request from the board to bring back into motion the previous motion that we accept the variance for the front elevations. She went on to ask the board if there would be any conditions regarding this new motion. Clifford Jennings suggested that the motion should be passed back to the city to work out the details with the safety factors and elevation issues.

-Clifford Jennings made a motion that the board defers back to the city to work on the few details in question. AJ Dearybury seconded. Motion carried unanimously 4-0.

-AJ Dearybury adjourned the meeting.

CITY of FOUNTAIN INN

FINAL DECISION AND ORDER

April 17, 2023

DOCKET NUMBER: FI-2023-002BZA
APPLICANT: Nan S. Wilcox for Red Hill Properties II, LLC
REQUEST: Variance
PROPERTY LOCATION: 303 McCarter Road, Fountain Inn, SC 29644
TAX MAP #: 0350000100408
PROPERTY ZONED: C-2, Commercial District and GCO, Gateway Corridor Overlay

BACKGROUND

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 includes deviation from the following requirements:

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.

5:12.6. Parking: No parking area shall be located along frontage, or otherwise between building and road.

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.

FINDINGS OF FACT

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.

CITY of FOUNTAIN INN

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.

CITY of FOUNTAIN INN

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.

11:9. Duties of Zoning Board of Appeals. The activities of the Fountain Inn Zoning Board of Appeals shall be governed in accord with S.C. Code § 6-29-790, and as governed by the procedures outlined in the Comprehensive Planning Guide for Local Governments. Any decisions of the board shall be in writing and in the form of an order signed by the chairman and secretary to the board. Furthermore, the powers of the board shall be in accord with S.C. Code § 6-29-800, which is specifically adopted by reference as authority within the Code of Ordinances for the City of Fountain Inn.

South Carolina Code of Laws 6-29-800.2. Powers of Board of Appeals. To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (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.

The representatives present for this application were Nan Wilcox and Tim Jacobs.

There was no opposition, present or submitted, to this application.

Mr. John Gardner gave the presentation for staff.

CONCLUSIONS of LAW

The application was reviewed by the Board. Ms. Brown made a motion to grant the Variance to front and side setbacks as requested based on the following conditions; particularly,

There are extraordinary and exceptional conditions pertaining to the particular piece of property; *per testimony*.

These conditions do not generally apply to other property in the vicinity; *per testimony*.

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; *per testimony*.

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; *per testimony*.

Ms. Kelley seconded the motion. The motion carried with a 4 – 0 vote.

The application was reviewed by the Board. Mr. Jennings made a motion to grant the Variance to parking requirements as requested based on the following conditions; particularly,

There are extraordinary and exceptional conditions pertaining to the particular piece of property; *per testimony*.

These conditions do not generally apply to other property in the vicinity; *per testimony*.

CITY of FOUNTAIN INN

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; *per testimony*.

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; *per testimony*.

Ms. Brown seconded the motion. The motion carried with a 4 – 0 vote.

The application was reviewed by the Board. Mr. Jennings made a motion to grant the Variance to exterior finish materials as requested based on the following conditions; particularly,

There are extraordinary and exceptional conditions pertaining to the particular piece of property; *per testimony*.

These conditions do not generally apply to other property in the vicinity; *nearby properties consist of exterior finish materials similar to those being proposed by the applicant*.

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; a

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; *per testimony*.

Ms. Kelley seconded the motion. The motion carried with a 4 – 0 vote.

The application was reviewed by the Board. Mr. Jennings made a motion to grant the Variance to exterior elevations as requested based on the following conditions; particularly,

There are extraordinary and exceptional conditions pertaining to the particular piece of property; *per testimony*.

These conditions do not generally apply to other property in the vicinity; *nearby properties consist of exterior finish materials similar to those being proposed by the applicant*.

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; *per testimony*.

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; *the exterior patio and sidewalk access will benefit the character*.

Vice Chairwoman Dearybury seconded the motion. The motion carried with a 4 – 0 vote.

CITY *of* FOUNTAIN INN

Jackie Johnson, Chairwoman
Board of Zoning Appeals

Date

Naomi Reed, Secretary
Board of Zoning Appeals



Planning & Development Department

Physical Address: 200 N. Main Street, Fountain Inn, SC 29644

Email Address: city.planner@fountaininn.org

www.fountaininn.org

Office: 864-409-3334



FOUNTAIN INN
est 1886

VARIANCE APPLICATION

WHEN TO USE THIS PROCESS

Use this application to request a variance from the Board of Zoning Appeals. A variance request means that you are asking the Board of Zoning Appeals to allow you to forgo meeting specific requirements of the Zoning Ordinance. Only some standards are eligible for variance requests.

APPLICATION PROCESS

1. **Contact the Planning and Development Coordinator** to schedule a meeting or phone conversation about the request. (Contact information above.)
2. **Submit the application and associated documents** in PDF format.
3. An invoice will be emailed to the applicant.
 - Application Fee - \$100.00
 - If you decide to withdraw the application before staff submits the legal advertisement for the public hearing on it, 50% of the fee is refundable; after that time, the fee is not refundable, whether you are successful in obtaining approval for the request or not.
 - If you are also requesting another type of request from the Board of Zoning Appeals during the same meeting, such as a special exception request, only one application fee is required.
4. **The Board of Zoning Appeals will hold a public hearing** where people may speak for or against the request.
 - We are required to advertise the request in accordance with state law. At least 15 calendar days in advance of the hearing, we will post a public hearing sign(s) on the property and will place a legal advertisement in *The Greenville News*.
 - The Board of Zoning Appeals usually meets at 6 p.m. on the third Monday of the month in the Council Chambers at 300 Wall Street. The calendar for the year is available on our website.
 - Staff will provide a written report about the request to the Board members, which also will be posted on the City's website. The report will include your application and supporting documents.
 - You must attend this meeting to explain your request and answer questions about it.
 - At the conclusion of the public hearing, the Board of Zoning Appeals will decide whether to approve the application as requested, approve it with conditions, or not approve it.
5. **If the request is granted**, there is a period after the Board meeting (usually approximately 60 days) when anyone may appeal the case to circuit court, so any work done during this time is at your own risk.

Please note: If the application is approved, you may still need to obtain other types of permits, such as a building permit, before you can use the property as desired. These require separate application processes and fees.



VARIANCE APPLICATION

Tax map number	Address(es)	Property owner
Example: 233-21-23-576	420 Example St.	Fountain Inn Cars, LLC
0348000100100	200 S Main St	Malwa, LLC

APPLICANT

Primary Applicant Name: Jessica Marion / K & D Signs LLC

Mailing Address: 1078 S Main St. Mount Airy, NC 27030

Phone: 336-789-4074 Ext 106 Email: Jessica@KDSignLLC.com

Do any recorded deed restrictions or restrictive covenants apply to this property that would prohibit, conflict with, or be contrary to the activity you are requesting? For example, does your homeowners association or property owners association prohibit the activity or need to approve it first? Yes ☐ No ☒

- If yes, please describe the requirements: _____

Are you the owner of the subject property? Yes ☐ No ☒

- If no, what is your relationship the property (e.g., have it under contract to purchase, tenant, contractor, real estate agent)? Contractor
- If you are not the owner of the subject property, the property owner must complete the gray box below.

I certify that I have completely read this application and instructions, that I understand all it includes, and that the information in the application and the attached forms is correct.

Applicant signature: Jessica Marion Date: 03/2/2023

PROPERTY OWNER

Property owner name (authorized representative, if corporation): _____

Mailing Address: _____

Phone: _____

Email: _____

I certify that the applicant listed above has my permission to represent this property in this application.

Signature: _____ Date: _____

INFORMATION ABOUT REQUEST

General description of your request:

Findings of fact: Under state law, the Board of Zoning Appeals must find that your request satisfies all four of the following statements. Please explain why you believe your request satisfies each of the statements.

1. Your land has extraordinary and exceptional conditions that pertain to it.

This is the only gas station in the downtown area. Not only is it a gas station, it is also a service station that does repairs. The external lighting that is required for the canopy signs is also quite high and would require specialized equipment in the event winds were to move the spotlight and cause the light to shine somewhere other than the sign. External illumination for a canopy sign is notoriously unreliable and unsightly.

2. Other property in the vicinity of your land does not generally have those same extraordinary and exceptional conditions.

Other businesses in this downtown area don't have gas canopies or garages.

3. If the City applied its regular zoning requirements to your property, your use of the land would be unreasonably restricted or effectively prohibited.

Consumers today are loyal to specific brands. Those brands have their own standards and requirements before they will allow a store to sell their gasoline. Consumers know this when they stop at a location. Every brand has spent time and money designing those branding standards for gas canopies and buildings, so that consumers know there is continuity between the stores and those standards will be upheld no matter where they are.

The standard among all petroleum brands is a logo or wordmark on each side of the canopy visible to traffic. In doing that, the business is communicating effectively to the public exactly what is being sold on the premises. Without those logos, other gas stations have an advantage. The canopy looks unfinished making the public wonder what else is unfinished and sometimes go to another location.

The store and service station also have names that should be allowed to show on the building. And the freestanding sign showing the gas prices is required by law.

4. If the Board of Zoning Appeals grants the variance request, it will not harm adjacent land or the public good.

If granted, this will not harm adjacent land and would make the area more inviting. Studies have shown that new updated gas stations with adequate lighting make the public feel safe, while older gas stations without adequate lighting make the public drive away to another location. It deters crime and increases property values.

List any exhibits that you have provided to help explain your request to the Board. Site plans and photographs are usually very helpful.

I will present a photos of the existing location and renders of the proposed changes at the meeting.

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

March 21, 2023

DOCKET NUMBER: FI-2023-003 BZA

APPLICANT: Jessica Marion for K&D Signs, LLC

OWNER: Malwa, LLC

PROPERTY LOCATION: 200 South Main Street

TAX MAP NUMBER: 0348000100100

ACREAGE: ~0.3 acres

EXISTING ZONING: C-1, Commercial District

VARIANCE REQUEST: from Section 5:5.4-8, Sign Guidelines in the C-1 Commercial District, and 6:9. – Signs in Office and Commercial Districts.

Existing Land Use: Commercial

Adjacent Land Use: North: Commercial
East: Commercial
South: Commercial
West: Industrial

Adjacent Zoning: North: C-1, Commercial District
East: C-1 Commercial District
South: C-1 Commercial District
West: I-1 Industrial District

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

SUMMARY:

FI-2023-003 BZA is a request for a variance from *Section 5:5.4-8. Signage Guidelines* in the C-1 Commercial District and from *Section 6:9. – Signs in Office and Commercial Districts*.

The variance requests deviation from the following requirements:

5:5.4-8.2. No single business shall be permitted more than two permanent signs per business, one temporary sign. See Article 6 TABLE 1 DISTRICT REQUIREMENTS FOR PERMANENT SIGNS, except for single businesses with double frontage lots (lots facing more than one primary street - Main, Fairview and/or Knight/McCarter), which shall be allowed one additional wall or window sign.

5:5.4-8.3. The combination of all signs for any single building shall be no greater than ten percent of the building face projection, subject to sign limitations below.

5:5.4-8.1. Signage shall complement the architectural details of the building, and shall not violate or otherwise obscure the architecture of the building to which it is attached. Signs, lettering or boxed graphics shall not cut across columns, cornices, windowsills, arches or balconies, nor extend above the roofline of any building to which it is attached.

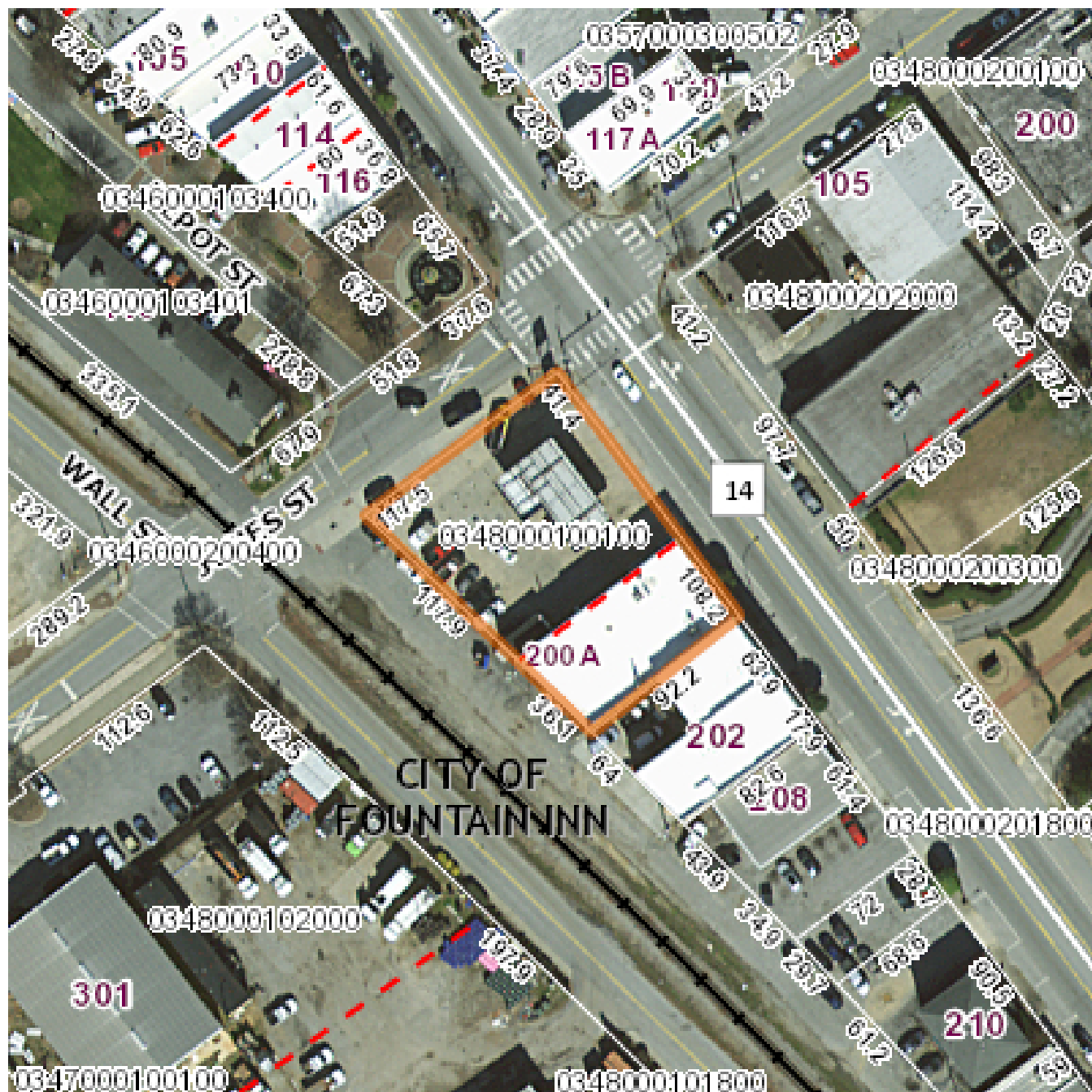
5:5.4-8.16. Signs should be lit by external lighting sources shining onto the sign face. Internally illuminated signs are strongly discouraged.

Table 1 in Section 6:12 prohibits signs extending above the roof line.

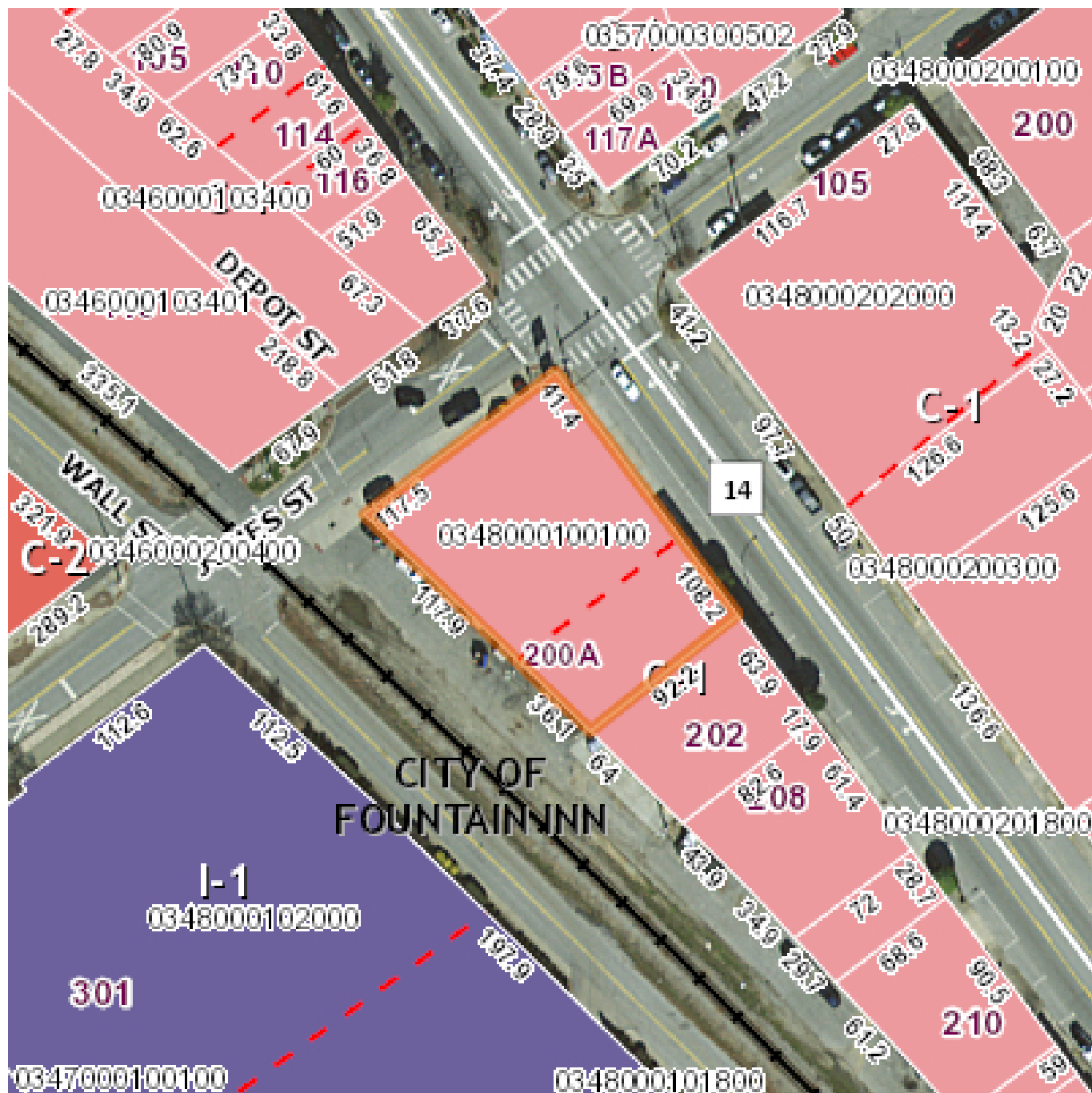
Summary of relevant provisions in the ordinance:

- 1) In the C-1 district, two permanent signs are permitted per business. One additional sign is permitted only if a business has frontage on two of the following streets: Main, Fairview, Knight, and McCarter. Signs shall not extend above the roofline of the building to which it is attached.
- 2) The total area of all signs cannot exceed 10 percent of the building face.
- 3) Signs should be externally illuminated.

Aerial View (from Greenville County GIS:



Zoning (from Greenville County GIS):



Site photos:



Freestanding Sign



Wall sign and canopy/awning signs



Wall sign facing Wall Street



Front of fuel island canopy (no existing sign)

ANALYSIS:

FI-2023-003 BZA is requesting a variance for number and square footage of signs.

Two businesses are located in the building: Gault's Handee Mart and a separate Shelley's auto repair service. Only Gault's has submitted a sign request. However, all existing and proposed signs are included in the evaluation, total signage for the building cannot exceed 10 percent of the building façade. The applicant did not provide square feet of the building façade in the application, staff estimated the façade to be 1,960 square feet, which would permit up to 196 square feet of total signage for the property.

Refacing of the freestanding sign for this property has been approved; that sign is nonconforming in C-1, but staff found that the refacing of the sign did not extend the structural life of the sign and did not make the sign more nonconforming. The ordinance does not require removal of nonconforming signs.

Currently, the Gault's Marathon business has four signs: the above-mentioned freestanding sign at the corner of South Main Street and Jones Street, a sign on the left (Main Street) and right (Wall Street) sides of the fuel canopy, and a sign on the awning (canopy) on the front of the building. Shelley's auto repair has three signs: an awning (canopy) sign, a wall sign facing Jones Street, and a wall sign facing Wall Street.

Total square footage of these existing signs is calculated at 221 square feet, as presented in Table 1 below. The square footage of proposed signs totals 298 square feet, approximately 50 percent more than the ordinance. As proposed in the application, the "M" logos proposed for the fuel island canopy extend above the roofline of the canopy and are not compliant with the ordinance requirement.

While the applicant asserts a number of issues with external lighting, staff notes that billboards are routinely externally lit, and that many existing businesses in the downtown area have externally lit signs. The ordinance suggests a "gooseneck" fixture for external illumination, but other external illumination fixtures are permissible.

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.

Table 1

Existing, Proposed and Permittable Signs for Gault's Marathon

No.	Existing Signs	Status	Type	Size	Area
1	Building Canopy Sign for Gault's	Conforming	Existing	1x30	30.0
2	Building Canopy Sign for Shelly's	Conforming	Existing	1x44	44.0
3	Mastercraft Tire sign for Shelly's	Conforming	Existing	4x5	20.0
4	BF Goodrich Tire sign for Shelly's	Nonconforming	Existing	3x10	30.0
5	Gault's logo sign on gas pump canopy right	Nonconforming	Existing	2' diam.	6.3
6	Gault's logo sign on gas pump canopy left	Nonconforming	Existing	2' diam.	6.3
7	Freestanding sign for Gault's	Nonconforming	Existing	6.06x13.94	84.5
Total sign area, existing signs					221.0

No.	Proposed Signs	Status	Type	Size	Area
1	Building Canopy Sign for Gault's	Conforming	Existing	1x30	30.0
2	Building Canopy Sign for Shelly's	Conforming	Existing	1x44	44.0
3	Mastercraft Tire sign	Conforming	Existing	4x5	20.0
4	BF Goodrich Tire sign for Shelly's	Nonconforming	Existing	3x10	30.0
5	Marathon Logo gas pump canopy sign	Nonconforming	Proposed	4x5	20.0
6	Marathon Logo gas pump canopy sign	Nonconforming	Proposed	4x5	20.0
7	Marathon letters gas pump canopy sign	Nonconforming	Proposed	3.5x9.3	67.6
8	Freestanding sign for Gault's	Nonconforming	Proposed	6.06x10.94	66.3
Total sign area, existing signs					297.8

No.	Signs Permittable without Variance from BZA	Status	Type	Size	Area
1	Building Canopy Sign for Gault's	Conforming	Existing	1x30	30.0
2	Building Canopy Sign for Shelly's	Conforming	Existing	1x44	44.0
3	Mastercraft Tire sign at Shelly's	Conforming	Existing	4x5	20.0
4	BF Goodrich Tire sign for Shelly's	Nonconforming	Existing	3x10	30.0
5	Freestanding sign for Gault's	Nonconforming	Proposed	6.06x10.94	66.3
Total sign area, permittable signs					190.3
Maximum sign area per zoning ordinance					196.0



SIGN PERMIT APPLICATION

Application must be completed prior to requesting a permit

City of Fountain Inn Public Works Department
200 North Main Street ♦ Fountain Inn, SC 29644
Phone: (864) 409-3334 ♦ Fax (864) 908-3569 ♦ Email: public.works@fountaininn.org

Date: 02/20/2023

Street Address: 200 S Main St. Fountain Inn, SC 29644 Suite/Unit/Space _____

Tenant/Business Name: Gaults Handee Mart Tax Map # 0348000100100 - _____

Phone Number 864-862-3238

Contract Amount: \$ 4800

Contractor: K & D Signs LLC

Address: PO Box 1546 Mount Airy, NC 27030

Phone Number: 336-789-4074 Ext. 106

Type of Sign: Refacing freestanding sign, changing canopy signs, and building signs

Description of Sign: Marathon Wordmark and 2 Logos on Gas Canopy

Reface of existing freestanding sign

Dimensions: See attached renders Material: Plastic and metal

Number of Signs: 3 on canopy, 1 freestanding

Building Façade Material: Canopy is ACM

Building Façade Dimensions: 3.5' x 52' / 3.5' x 37' / 3.5' x 25' /Side _____ /Front _____

Base Fee: \$ _____

Valuation (See valuation chart) \$ _____

Additional Gross Receipts to Business License \$ _____

Total Amount Due: \$ _____

MUST ATTACH DRAWINGS - PERMIT WILL NOT BE APPROVED UNTIL DRAWINGS ARE APPROVED.

Please Print Name: Jessica Marion / K & D Signs LLC

Signed: Jessica Marion Date: 02/23/2023



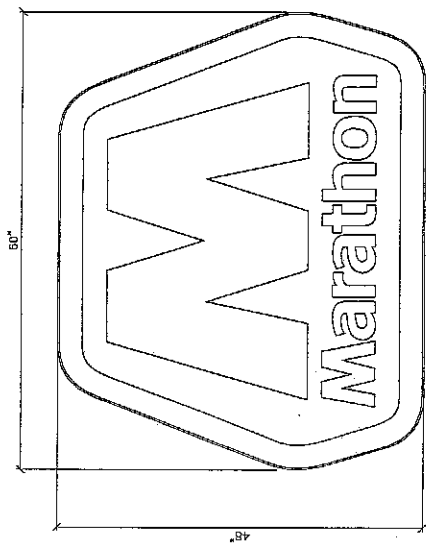
Image Brand Book

Requestor: Anna Verdiguél

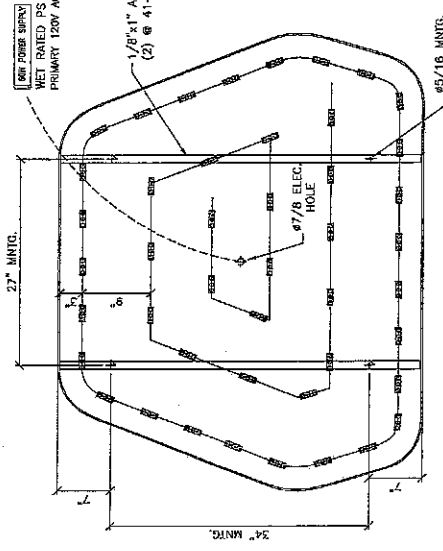
Jobber: HENDERSON OIL CO

Dealer: 223511

Site Address: 200 SOUTH MAIN ST FOUNTAIN INN SC



FORMED CANOPY CS SIGN ELEVATION VIEW
SCALE: 1"=1'-0"



ELECTRICAL / LED LAYOUT DETAIL VIEW
SCALE: 1"=1'-0"

SIGN SPECIFICATIONS:
SIGN SIZE:
AREA: CLOSED RECTANGLE 20,000 SQ. FT.
ACTUAL SIZE: 48" x 60"
DESIGNATION: 48" x 60" LED
DESIGNED BY: J. D. W. (3 SEC. GUST EXPOSURE C)
COMPLIANT W/ NATIONAL BUILDING CODES & STANDARDS
(IBC, UBC, BOCA, ASCE, AISC, ASCE7, ACI, & ALUM. DESIGN MANUAL)

1500 N. W. 56th Ave., Suite 100
Fort Lauderdale, FL 33309
(954) 365-1000



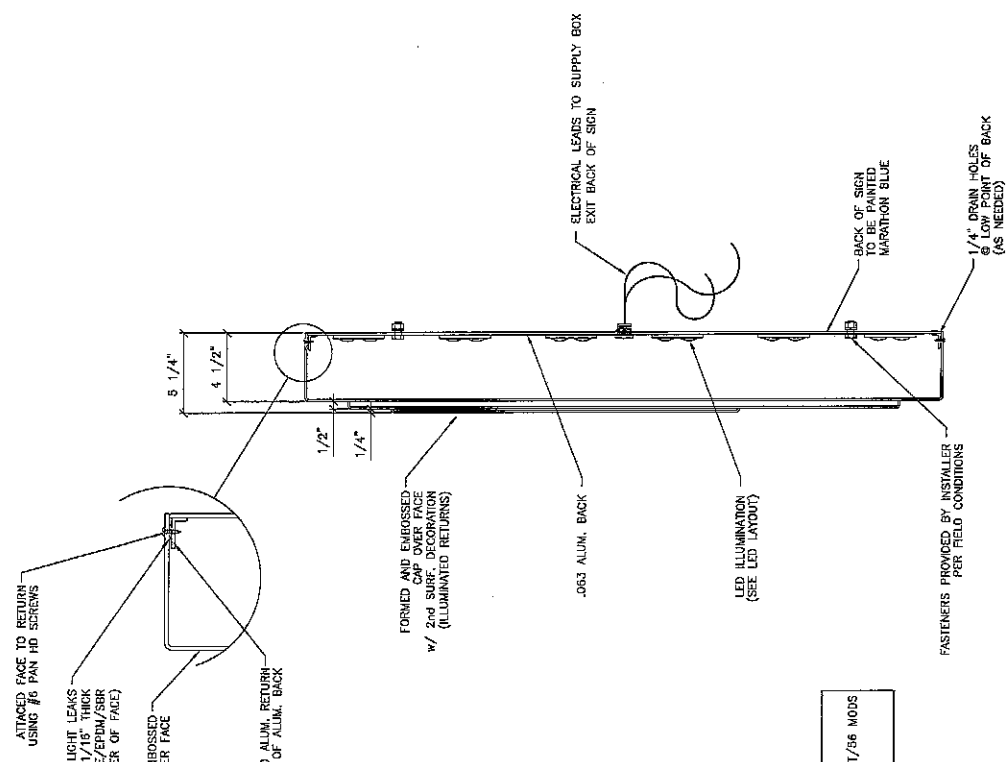
1500 N. W. 56th Ave., Suite 100
Fort Lauderdale, FL 33309
(954) 365-1000

This original drawing is provided as part of a contract and is not to be reproduced, copied or otherwise used without the permission of Federal Health Sign Company LLC or its authorized agent.

NO.	REVISIONS	DATE	BY
1	REVISED OUT BACK OF SIGN	07/25/22	RJR
2	REVISED BASE OF SIGN	08/02/22	RJR
3	REVISED GASKET SEAL CUT & CHANGE WIRE HOLES TO 3/8"	08/22/22	RJR

48" MARATHON CANOPY LOGO SIGN
CANOPY - VACUUM FORMED
LED ILLUMINATION

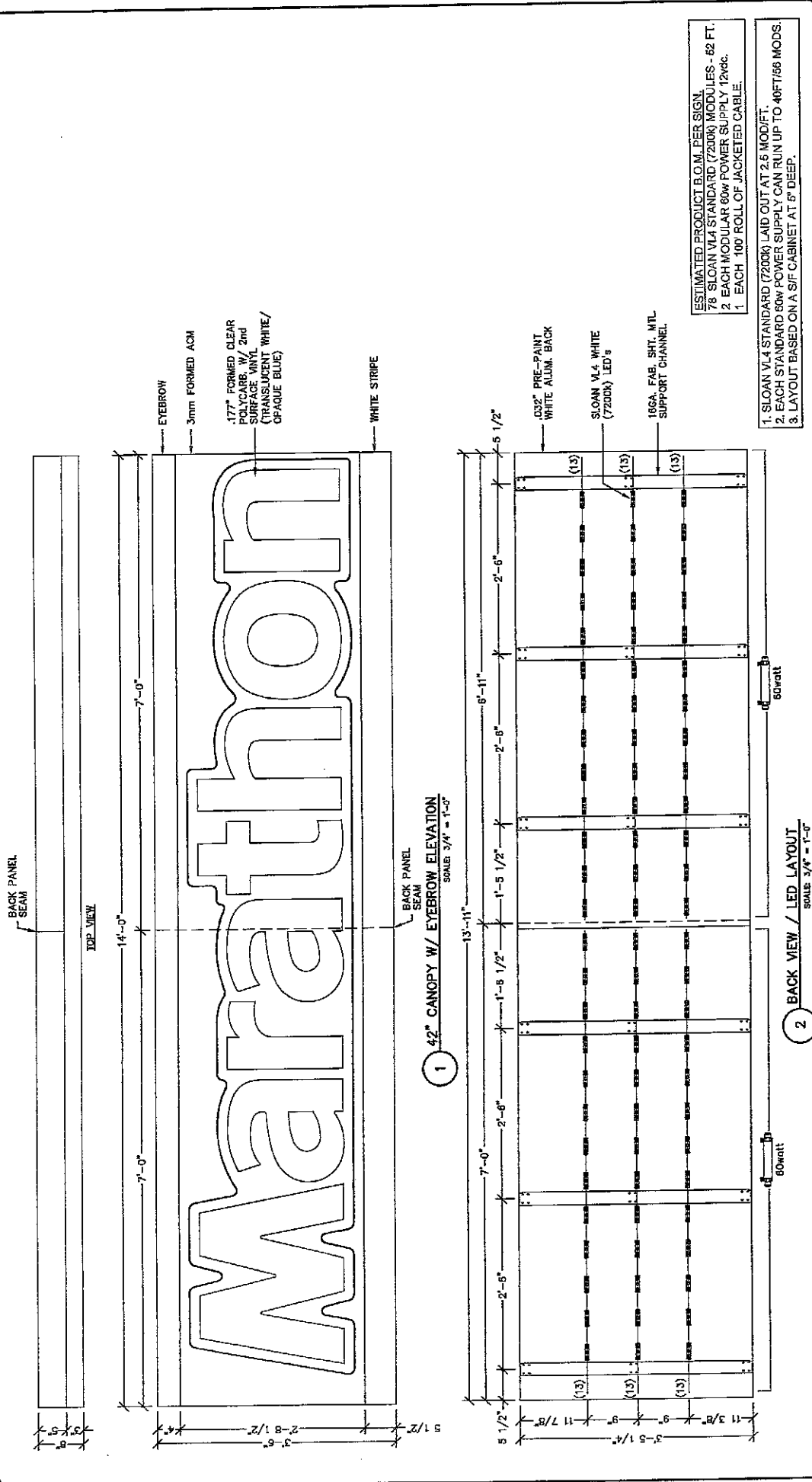
JOBS NO:	224064	DRAWN BY:	R. RIOS	DATE:	06.30.22
SHEET NO:	1	DRAWING OF:	Mq_48_LG_12V	DATE:	06.30.22



CTS LOGO DETAIL VIEW
SCALE: N.T.S.

ESTIMATED PRODUCT B.O.M. PER SIGN:
45 VLA STANDARD (7200K) MODULES - 32.2 FT
1 EACH STANDARD 60W POWER SUPPLY 120V
1 EACH 100' ROLL OF JACKETED CABLE

- 1) VLA STANDARD (7200K) LAID OUT AT 1.4 MOD/FT.
- 1) EACH STANDARD 60W POWER SUPPLY CAN RUN UP TO 40FT/16 MODS
- 3) LAYOUT BASED ON A 3/4" CABINET 4.5" CAN DEPTH



DESIGN NO: 42" CANOPY A

PROJECT NO.: C. TUOHY

DATE: OCT. 12, 2022

DESIGN BY: D. DUPREZ

JOB NO.: 35-75041-00

SHEET NO.: S-1

OF: 2

MARATHON

VARIOUS LOCATIONS

MARATHON 42 CANOPY W EYEBROW REV A.cdwg

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the permission of Federal Health Sign Company LLC or its authorized agent.

ART DESIGN REFERENCE: 35-75041-00-R

FEDERAL HEALTH

VISUAL COMMUNICATIONS

4001 NORTH AVENUE, OREM, UT, 84057

(801) 224-0710



Removals

Existing Logo and Pricer Faces from Sign System
"Food Mart" and "Diesel" Cabinets from Existing Sign System
"Debit/Cash" and "Gas 24 Hours" Panels from Poles
Rearrange Sign Cabinets Below Marathon Logo
to Marathon Specifications

K & D Signs will Install

(Customer to Provide Material)

New Marathon Face Replacements as Follows:
Marathon Logo Face Replacements
2-Product (Regular / Diesel)
LED Gas Price Face Replacements with 16" Red / Green Digits

Detailed Information

Standard Windload
Retainer Quantity: 2
Retainer Size: 75.625"H X 72.75"W
Existing Cab: 76"H X 73.125"W
Area: 38.21 SQ FT
Retainer Color: Sky White

Detail 1: Logo
VO: 71.625"H X 68.75"W
Marathon Endurance Logo Flat Emboss Face

Detailed Information

Standard Windload
Retainer Quantity: 2
Retainer Size: 55.625"H X 72.75"W
Existing Cab: 56"H X 73.125"W
Area: 28.1 SQ FT
Retainer Color: Sky White

Detail 1: Priceline
VO: 51.625"H X 68.75"W
Digit Type: Lumidigit 4 (Flat Faces)
Priceline 1: Red 16", Right
Priceline 2: Green 16", Right

1 - 20 Amp Circuit(s) Required
LEDs Total Draw: 2 Amps

6.06'



6.3'

4.64'

16" Digits

6.3'

3'

1'

4.64'

1'

66.29 sqft

30'

OAH

6.06'

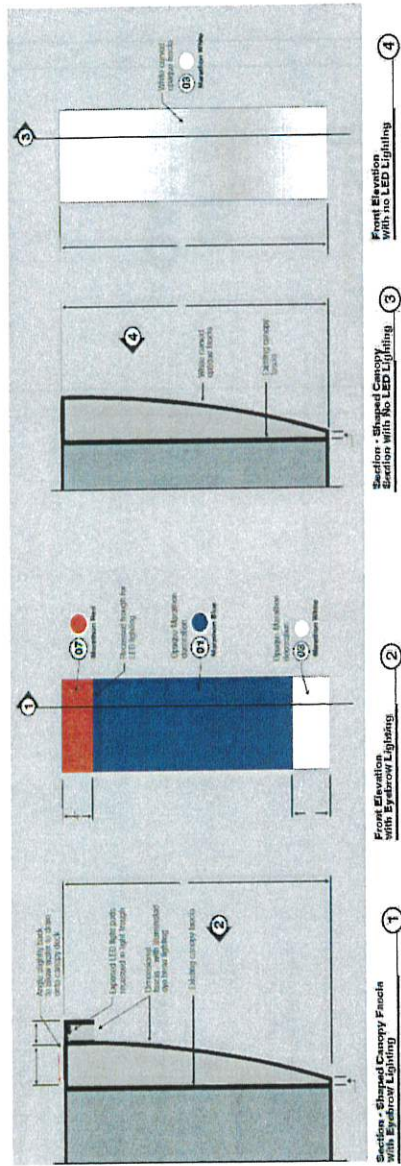


30'

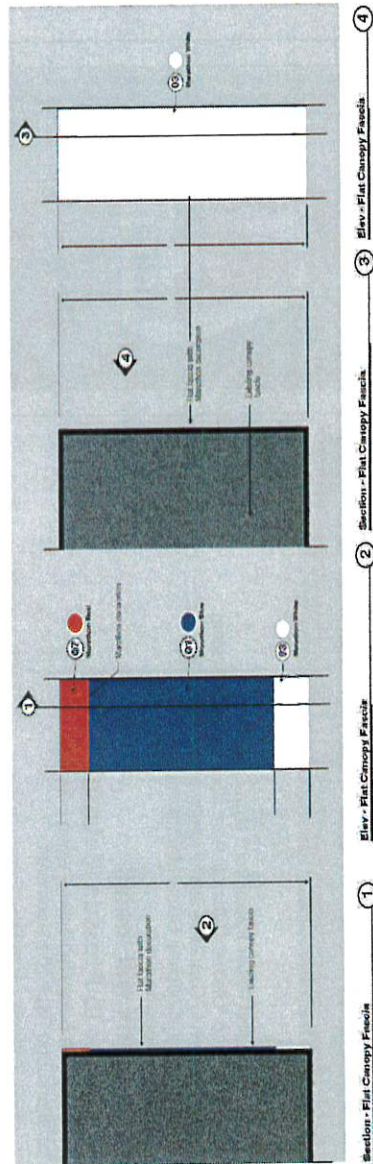
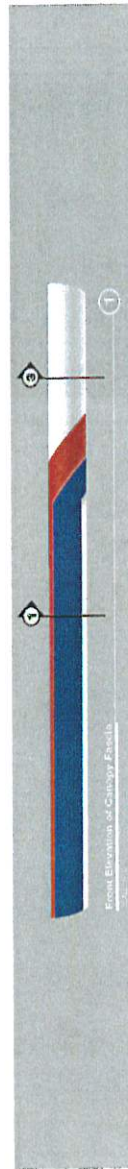
OAH

96.60 sqft

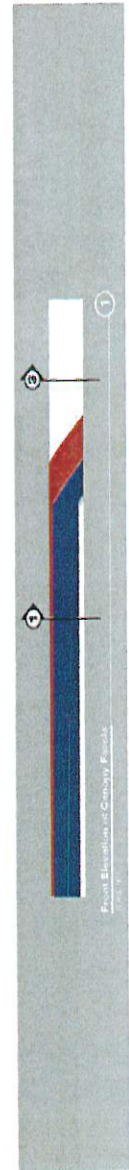
Canopy Details

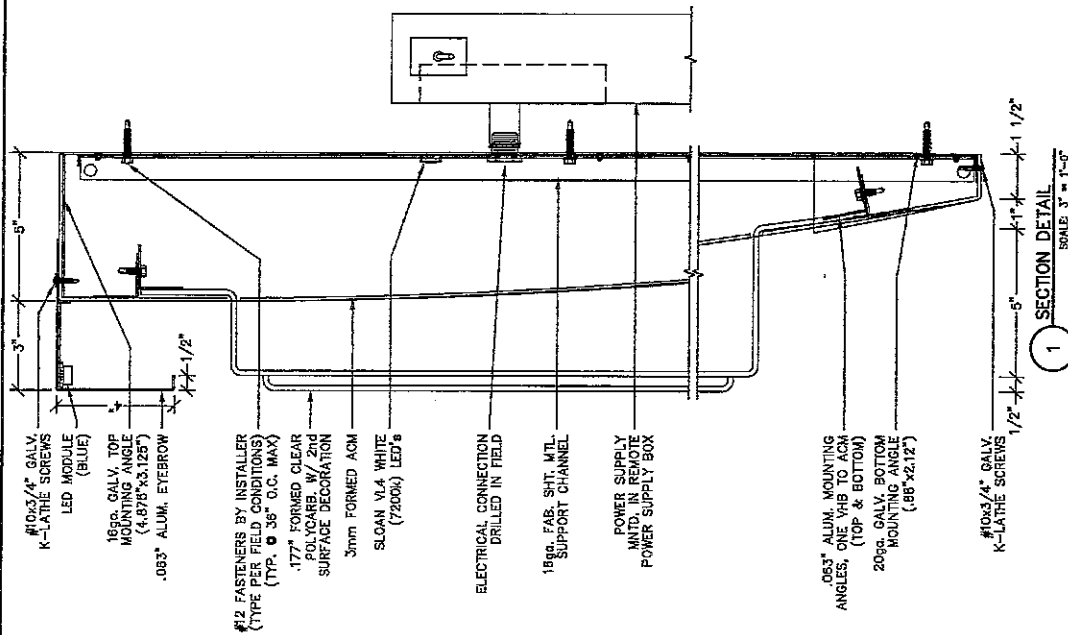


DIMENSIONAL



FLAT





1 SECTION DETAIL
SCALE 3" = 1'-0"

FEDERAL HEALTH
VISUAL COMMUNICATIONS
4008 NORTH AVENUE, OCAWASE, GA. 30058
(770) 841-0775

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the permission of Federal Health Sign Company LLC or its authorized agent.

ART DESIGN REFERENCE #35-75041-00-R

NO.	REVISIONS	DATE	BY
1	MOVED CENTER HOLES UP 1/2"	11/11/22	GO
2			
3			
4			
5			
6			

MARATHON
VARIOUS LOCATIONS

DESIGN NO. 42" CANOPY A	PROJECT NAME C. TUOHY
DRAWN BY D. DUPREE	DATE OCT. 12, 2022
JOB NO. 35-75041-00	SHEET NO. S-2 OF 2

MARATHON 42" CANOPY W EYEBROW REV A.dwg

Canopy Details

Current Signs and Proposed Signs

Front Canopy Elevation



Left Canopy Elevation



2.83' x 2.83' = 5.66 sqft

Right Canopy Elevation



2.83' x 2.83' = 5.66 sqft

Back Canopy Elevation



Proposed Signs

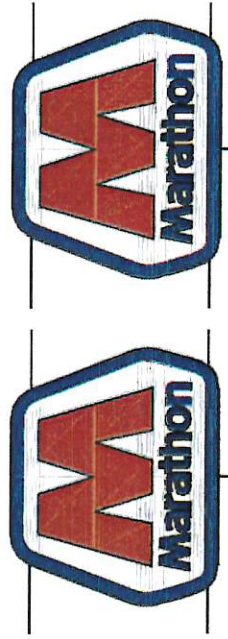
Front

(1) Set of Illuminated Letters / 3.5' x 19.3' = 67.55 sqft



Left and Right

(2) Illuminated Logos / 4' x 5' = 20 sqft



Back Gets no Signage

Canopy Layout

42" Fascia

