



AGENDA

300 Wall Street, Fountain Inn, SC 29644

**Board of Zoning Appeals
Monday, September 18, 2023 - 6:00 PM**

1. Call to Order
2. Approval of Minutes
 - a. Approval of Minutes - August 7, 2023 meeting
3. New Business
 - a. PB-2023-006
Request: Variance
Tax Map: 0356000500900
Location: 406 North Weston Street, Fountain Inn, SC 29644
4. Adjourn

BZA may enter executive session to discuss any item on the agenda as permitted by S.C. Code Ann. § 30-4-70.

FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the Freedom of Information Act and the City of Fountain Inn's requirements.



Minutes
Fountain Inn, South Carolina
Board of Zoning Appeals
Monday, August 7, 2023 – 6:00 PM

1. Call to Order

Vice Chairperson Dearybury called the meeting to order at 5:59 PM.

Vice Chairperson Dearybury, Donna Brown, Avis Kelley, and Steve Habina were all in attendance at this time.

2. Approval of Minutes

a. Approval of Minutes – July 17, 2023, meeting

Vice Chairperson Dearybury made a motion to approve the minutes from the July 17, 2023, meeting. Ms. Brown seconded. The motion carried 4-0.

3. Approval of Decisions & Orders

a. PB-2023-004

Mr. Habina made a motion to approve the decision and order for PB-2023-004. Ms. Kelley seconded. The motion carried 4-0.

4. Adjourn

Ms. Brown made a motion to adjourn at 6:01 PM. Mr. Habina seconded. The motion carried unanimously.



Fountain Inn Planning and Development
200 North Main Street
Fountain Inn, SC 29644
Office: 864.409.3334

STAFF REPORT

DOCKET:	PB-2023-006
APPLICANT:	Jeremy Burns for Rushton Darrell Pippen
PROPERTY LOCATION:	406 North Weston Street
PIN/TMS#(s):	0356000500900
REQUEST:	Variance
ZONING:	R-15, Residential District

BACKGROUND

The property is located at the intersection of North Weston Street and Quillen Avenue in the R-15, Single Family Residential District. There is a wood framed structure currently under construction on site. The structure does not meet the rear or left side building setbacks.

The applicant is requesting a variance to reduce the rear building setback requirement from 5' to 3.9' and reduce the left side building setback requirement from 30' to 12'.

FINDINGS OF FACT

On Thursday August 31, 2023, Staff inspected the property to ensure that the "Appeal Notice" sign had been posted as required by the Fountain Inn Zoning Ordinance.

Section 7:16, Table 7.3 - Setback/Height requirements for R-15, Single Family Residential District:

Front: 20'
Left Side: 30'
Right Side: 5'
Rear: 5'

Section 7:16:3.4. Side Setbacks in Single-family Residential Districts.

For residences, accessory buildings, and nonresidential uses located on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 40 feet on an arterial street.

Section 6-29-800 – Powers of Board of Appeals:

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.

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



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
0356000500900	406 N. Weston St.	Rushon Pippin

APPLICANT

Primary Applicant Name: Jeremy Burns

Mailing Address: 2715 East Georgia Rd Simpsonville, SC 29681

Phone: 864-414-4559 Email: jeremyburns81@gmail.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: [Signature] Date: Aug. 10/23

PROPERTY OWNER

Property owner name (authorized representative, if corporation): Rushon Darrell Pippin

Mailing Address: 406 N Weston St, Fountain Inn, SC 29644

Phone: 864-906-1066 Email: rushon@rushonpippin.com

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

Signature: [Signature] Date: 8-1-23

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.

The way the drive way layout is, It makes sense that the car port should go over the existing car pad. To move it over any further would cause the car port to be in the back yard.

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

Most surrounding properties have drive ways that enter from the front of the house. This property has a driveway that enters from the side of the property (Quillen Ave.)

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

Correct. They would prohibit from being able to build a car port large enough for the intended use. In addition, It would prohibit us from using any current driveway space to build a structure to protect cars.

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

Correct. It will not harm any other property or public use. In addition, neighbors have stated how it would not effect them in any way to build a carport and have been supportive in being able to have one.

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

August 17th, 2023

Rushton Pippin
406 N Weston Street
Fountain Inn, SC 29644

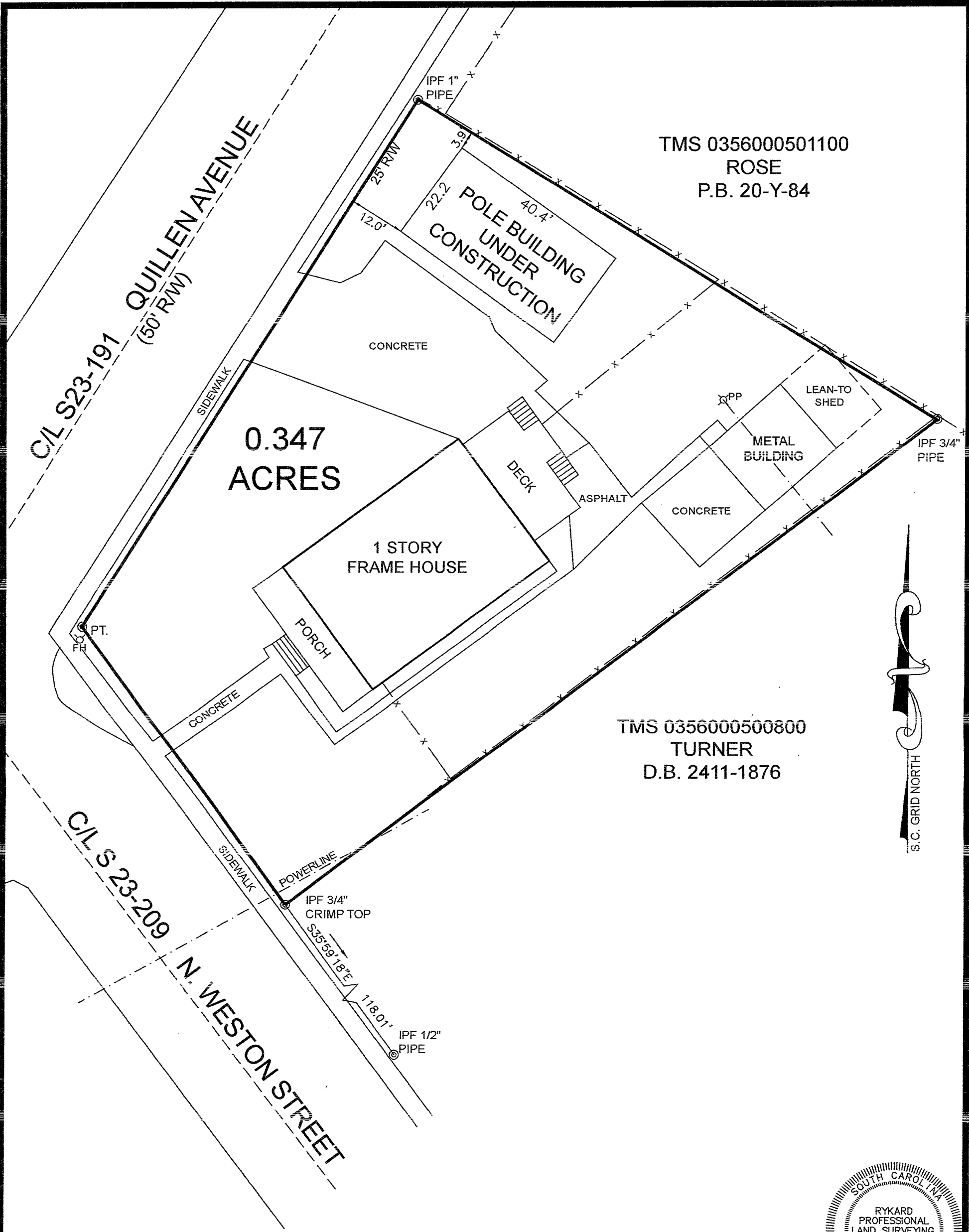
Description for Variance Request for 406 N Weston Street

The building will be used as a garage and workshop. For simplicity sake, it is basically a four bay garage with each bay being approximately 10 feet wide. Each of the first three bays will have a 9 foot wide garage door. The fourth bay, the bay furthest from the road, will have a entry door. The exterior design of the building will mimic the exterior design of the house with matching vinyl siding, architectural shingled roof, vinyl soffit, fascia, and white gutters. The floor will be a concrete slab. The footprint of the building is in the same location as the concrete parking pad that existed prior to me buying the property. We removed parts of the existing concrete parking pad because it had cracks and was not level.

The need for this garage comes from the multiple hail storms we have had over the past couple months and having 3 vehicles that we have been parking in the driveway, out in the elements.

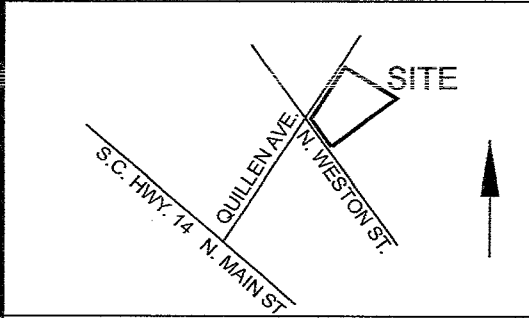
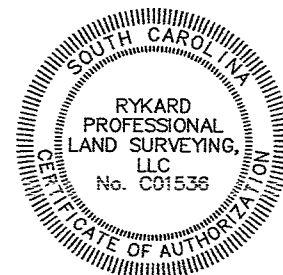
I will be removing the metal shed in my backyard that existed prior to me buying the property, once this garage is built.

Also, in the next few days, I will be removing the awning that is connected to the rear of the shed (described as "lean-to shed" in the survey), currently encroaching on the neighbors property that existed prior to me buying the property.

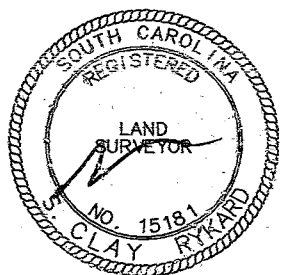


I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED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

0' 20' 40' 60'
SCALE 1" = 20'



LOCATION MAP



RLS: S. CLAY RYKARD
NO: 15181

STATE OF SOUTH CAROLINA
GREENVILLE COUNTY
CITY OF FOUNTAIN INN

SURVEY FOR
RUSHTON D. PIPPIN
406 N. WESTON STREET

RYKARD PROFESSIONAL
LAND SURVEYING, L.L.C.
P.O. BOX 151
LAURENS, S.C. 29360
(864) 984-1137
scrykard@gmail.com

REF. PLAT BOOK	39-Q-55
REF. DEED BOOK	2674-675
TAX MAP	0356000500900
PARTY CHIEF	SCR
DRAWN	SCR
DATE	8-11-23
DWG. NO.	23194