



AGENDA

300 Wall Street, Fountain Inn, SC 29644

**Board of Zoning Appeals
April 15, 2024**

1. Call to Order
2. Hearing Procedures/Regulations
3. Approval of Minutes
 - a. Minutes from the January 29, 2024 Board of Zoning Appeals Meeting
4. Public Hearing
 - a. VAR-2024-01
REQUEST: Variance
TAX MAP NUMBER: 0334000101121
LOCATION: 34 Howard Creek Drive
5. 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

300 Wall Street Fountain Inn, SC 29644

Board of Zoning Appeals

Monday, January 29, 2024 – 6:00 PM

1. Introduction

Assistant City Administrator, Russell Slatton swears in new members of the Board.

2. Call to Order

Chairperson AJ Dearybury calls the meeting to order at 6:00PM. Board Member Robinson, Board Member Kelley, Board Member Morgan, Board Member Henderson, and Chairperson Dearybury are all in attendance at this time.

3. Hearing Procedures and Regulations

Board Member Eberhart makes the motion to approve the rules. Board Member Kelley seconded the motion. The motion carried 6-0.

Board Member Eberhart makes the motion to approve the 2024 calendar. Board Member Kelley seconded the motion. The motion carried 6-0.

Board Member Kelley makes the motion to nominate AJ Dearybury as Chairperson. Board Member Eberhart seconded the motion. The motion carried 6-0.

Board Member Eberhart made the motion to approve Mr. Henderson as Vice Chairperson. Board Member Robinson seconded the motion. The motion carried 6-0.

4. Approval of Minutes

There were no cases heard at the December 2023 meeting.

Mr. Miller verifies attendance of the following, Board Member Robinson, Board Member Kelley, Board Member Eberhart, Board Member Morgan, Vice Chairperson Henerdson, Chairperson Dearybury. Quorum has been established.

Overview of Hearing and Procedures are explained by Chairperson Dearybury.

5. New Business

a. PB-2024-01

REQUEST - Variance and Use by Special Exception

TAX MAP NUMBER - 0331030104700

LOCATION - 106 Keel Lane

Staff presented the case. Chairperson Dearybury excuses herself from the vote as there is a conflict of interest. Vice Chairperson Henderson steps in place of Chairperson Dearybury.

The applicant, Brad McAbe, is requesting to build a similar dwelling to reflect what is already in place at the townhome community, Lakeview Grove. There is discussion between applicant and Board Member Eberhart regarding more information on property.

Staff makes it known that there are 2 requests at hand, one for use by special exception and one for variance. Staff does not have any opposition against the request. There are concerns by Staff if the applicant meets requirements for a variance.

Staff remind Board that they have been provided with a finding of facts letter. Staff explains processes of meeting.

Board Member Eberhart makes a motion to approve item PB-2024-01 based on the findings of facts in the documents provided by staff for use by special exception. Board Member Kelley seconded the motion. The motion carried 5-0.

Board Member Eberhart made a motion to approve item PB-2024-01 based on the findings of facts in the documents provided by staff for the 2-foot reduction rear setback. Board Member Kelley seconded the motion. The motion carried 5-0.

6. Adjourn

Board Member Kelley made a motion to adjourn at 6:17PM. Vice Chairperson Henderson seconded. The motion carried unanimously.

AGENDA ITEM

April 15, 2024

To: Board of Zoning Appeals
From: Dean Miller, Zoning Administrator
Subject: VAR-2024-01, Sentry Construction Office, 34 Howard Creek Drive
Meeting Date: April 15, 2024
Type of Agenda Item: Variance Request
Attachments: Application
Site Plan
Supporting Documents
Zoning Map
Aerial Map
Location Map

OWNER:	Sentry Construction, LLC
APPLICANT:	Jonathan Dugger
REPRESENTATIVE:	Jonathan Dugger
LOCATION:	34 Howard Creek Drive. TAX# 0334000101121
CURRENT ZONING:	S-1 Services District
SIZE OF PROPERTY:	Approximately 2.37 acres

REQUEST

The City of Fountain Inn received a variance request for the Sentry Construction Office, located at 34 Howard Creek Drive (Tax Map #0334000101121). The applicant is seeking two variances, both from Section 7:13.4-2.D of the Fountain Inn Zoning Ordinance. The first variance is for relief from the requirement to provide sidewalks along the public right of way. The second variance is for relief from the requirement to provide internal sidewalks from the street right of way to the building entrances.

7:13.4-2.D

“Customer entrances to all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through internal sidewalks, pedestrian walkways, or painted crosswalks, no less than five feet in width”.

“Sidewalks at least six feet in width shall be provided along all sides of the lot that abut a public or private right-of-way”.

LOCATION & SITE DESCRIPTION

The property has significant grade change that requires a driveway that is approximately 500' to the building entrance. The building is placed in the best location of the lot in relation to the lot dimensions, topography, wetland buffers, stream buffers, and stormwater detention pond. The 5' sidewalk from the right of way would require multiple ramps with handrails. The added sidewalk would also affect the location of the detention pond. Howard Creek Drive does not have a sidewalk along the road and does not promote any pedestrian traffic to the site.

BACKGROUND/DISCUSSION

The applicant submitted a construction plan for a new office building on the site. The plan review comments from the City noted the sidewalk requirement at the street and from the right of way to the building entrances. The applicant identified the building location at the rear of the property was necessary due to shape of the property, slope, riparian buffer, and detention pond location. These factors resulted in an extraordinarily long sidewalk to be installed. Howard Creek Drive does not currently have a sidewalk along the street. The applicant is requesting the variances to obtain relief from the ordinance requirements to provide the sidewalks.

ZONING DISTRICT

The S-1 Services District is established to provide a transition between commercial and industrial districts by allowing: (1) commercial uses which are service-related; (2) service-related commercial uses which sell merchandise related directly to the service performed; (3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and (4) light industries which in their normal operations would have a minimal effect on adjoining properties.

VARIANCE REVIEW CRITERIA

In deciding any variance or approval or denial of the action of the Zoning Administrator, the Board may consider the following factors:

TABLE A: SECTION 11:8 OF THE FOUNTAIN INN ZONING ORDINANCE	
REVIEW CRITERIA	STAFF COMMENT
A. There are special conditions and circumstances which are peculiar to the land, structure or building involved which are not applicable to other lands structures or buildings in the same district	The site shape, slope, riparian buffers, and detention pond location requires the building location be placed at the rear of the property.
B. A literal interpretation of the provisions of the Ordinances for the City of Fountain Inn would deprive the applicant of rights commonly enjoyed by other properties in the same district or area under the terms of the zoning Ordinance of the City of Fountain Inn;	The right to build at this location would be extremely restricted if the ordinance requirement were to be literally interpreted without consideration of the existing site conditions.
C. Special conditions and circumstances do not result from the actions of the applicant.	The applicant did not create these site conditions. He is attempting to develop the site despite the special conditions and circumstances.
D. Granting any variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same area or district.	This site is the last developed site on Howard Creek Drive. No sidewalks currently exist on Howard Creek Drive.
E. The variance requested will be in harmony with the general purpose and intent of the Ordinances of the City of Fountain Inn and will not be injurious to the neighborhood or otherwise detrimental to public welfare.	The construction office will not generate pedestrian traffic. The other businesses in the park do not have sidewalks or pedestrian walkways from the street to the business entrances.
F. The variance requested is a minimum variance that will make possible the legal use of the land, buildings, or structures.	The variances are the most reasonable solution to the problems faced due to the existing property conditions.

SECTION 7:13.4-2.D OF THE FOUNTAIN INN ZONING ORDINANCE, VARIANCE REQUEST	
REVIEW CRITERIA	STAFF COMMENT
<p>7:13.4-2. D Sidewalks at least six feet in width shall be provided along all sides of the lot that abut a public or private right-of-way.</p> <p>Customer entrances to all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through internal sidewalks, pedestrian walkways, or painted crosswalks, no less than five feet in width.</p>	There are no existing sidewalks on Howard Creek Drive. The site conditions create a situation that is unique to the property and inhibit the installation of sidewalks from the street to the business entrances.

STAFF COMMENTS

Staff finds that the variance requests are warranted on the fact that the site is unique due to the existing site conditions including, topography, lot dimensions, wetland buffers, stream buffers and stormwater detention pond. Howard Creek Drive does not currently have sidewalks installed along the street. These conditions inhibit the development of this site and the installation of sidewalks at the street and from the street to the building entrances.

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals approve both variance requests, case number VAR-2024-01.

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.

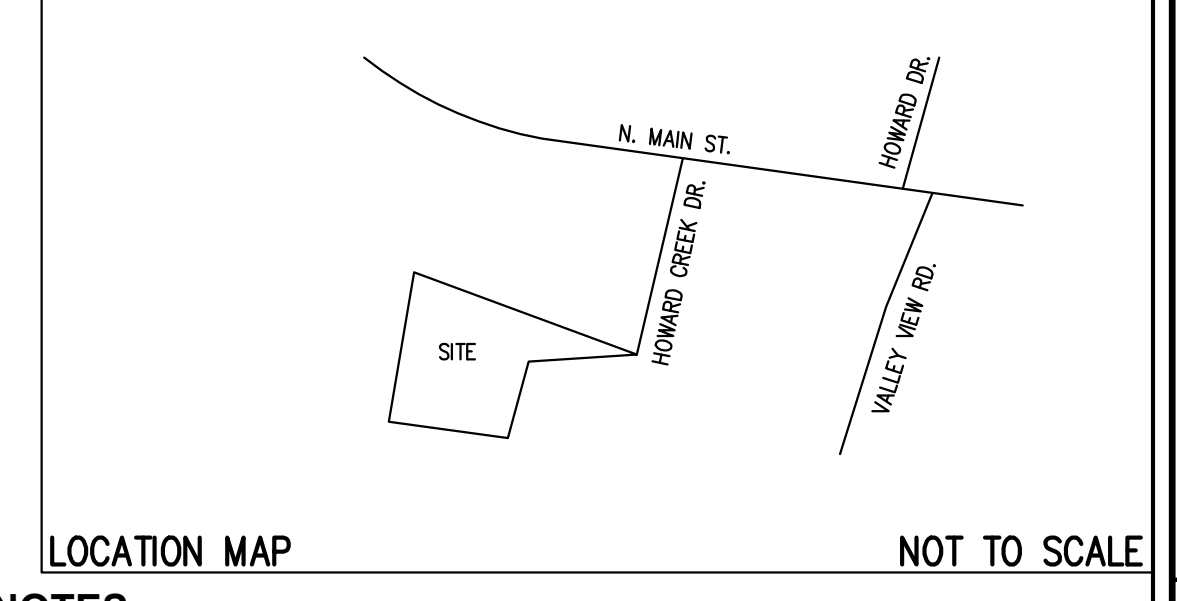
1. Your land has extraordinary and exceptional conditions that pertain to it.
2. Other property in the vicinity of your land does not generally have those same extraordinary and exceptional conditions.
3. If the City applied its regular zoning requirements to your property, your use of the land would be unreasonably restricted or effectively prohibited.
4. If the Board of Zoning Appeals grants the variance request, it will not harm adjacent land or the publicgood.

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

KEYED NOTES	
1	6" CURB
2	ASPHALT PAVING (SEE LEGEND FOR TYPE)
3	OMITTED
4	DUMPSTER ENCLOSURE
5	WHEEL STOP
6	ADA PARKING SPACE & ACCESS AISLES 1-1/2% (2% MAX) SLOPE IN ALL DIRECTIONS
7	HANDICAP SIGN
8	4" PAINTED STRIPE
9	CONCRETE SIDEWALK
10	ADA RAMP
11	CURB FEATHERING
12	MSE BLOCK RETAINING WALL (DESIGN BY OTHERS)
13	CONCRETE CURB LEVEL SPREADER
14	4' HIGH BLACK VINYL COATED CHAIN LINK FENCE WITH 6' WIDE DOUBLE SWING GATE
15	6' HIGH CHAIN LINK FENCE
16	6' HIGH WOOD FENCE FOR SCREENING
17	6" TURN DOWN SIDEWALK
18	SIDEWALK FLUSH WITH ASPHALT
19	ROLL-UP DOORS

PARKING CALCULATIONS			
PROPOSED BUILDING			
USE TYPE	USE CALCULATIONS	USE TOTALS	MINIMUM SPACES REQUIRED
Service Industry	Two spaces per 1,000 sf of leasable floor area, plus 1 space per 2 employees	6000 sf (4 employees)	14
TOTAL REGULAR SPACES PROVIDED			14
TOTAL ADA SPACES PROVIDED			1
TOTAL PARKING SPACES PROVIDED			15

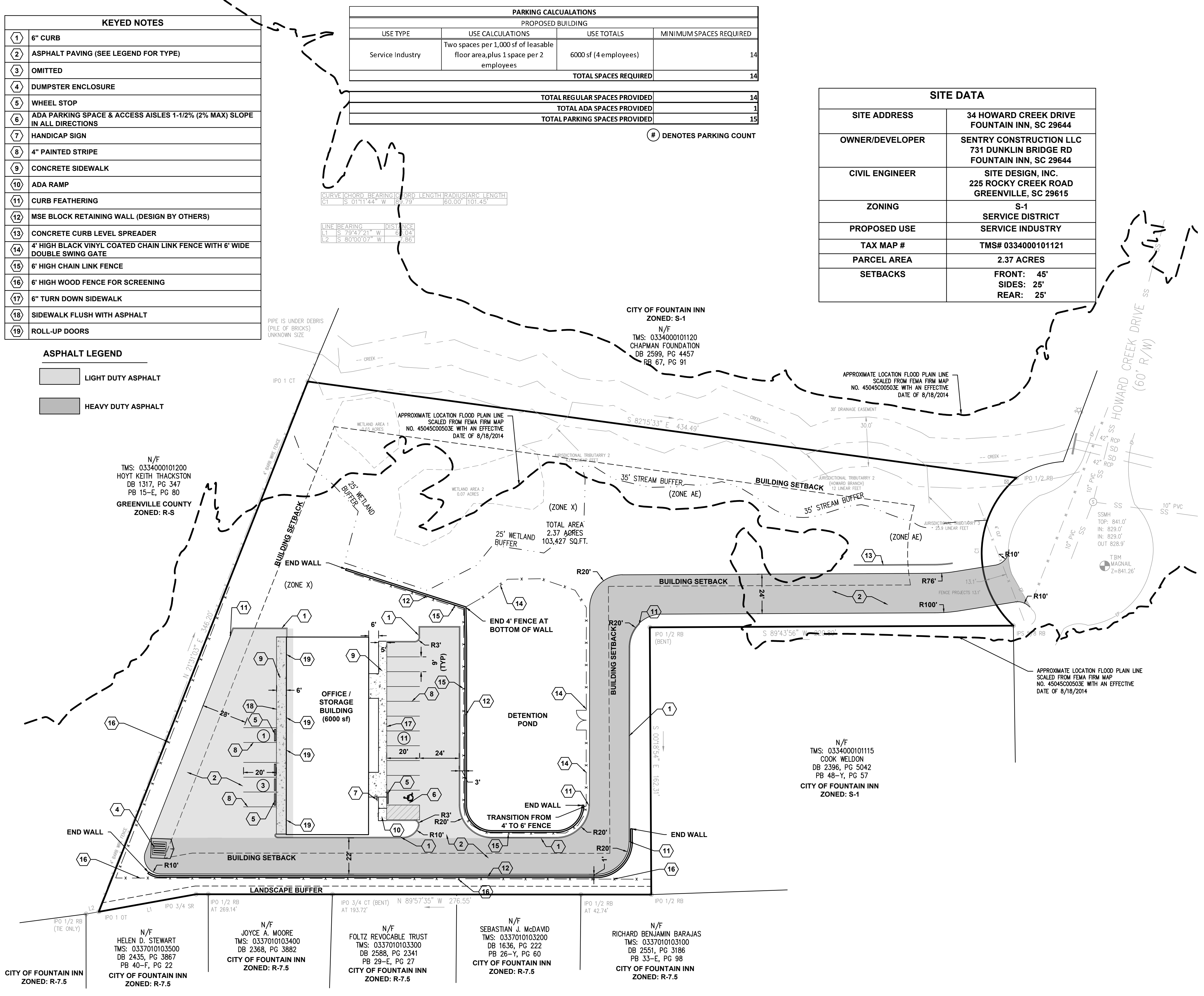
SITE DATA	
SITE ADDRESS	34 HOWARD CREEK DRIVE FOUNTAIN INN, SC 29644
OWNER/DEVELOPER	SENTRY CONSTRUCTION LLC 731 DUNKLIN BRIDGE RD FOUNTAIN INN, SC 29644
CIVIL ENGINEER	SITE DESIGN, INC. 225 ROCKY CREEK ROAD GREENVILLE, SC 29615
ZONING	S-1
PROPOSED USE	SERVICE DISTRICT
TAX MAP #	TMS# 0334000101121
PARCEL AREA	2.37 ACRES
SETBACKS	FRONT: 45' SIDES: 25' REAR: 25'



- SITE NOTES:**
- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES BY CALLING UTILITY LOCATION SERVICE AT 811 THREE (3) DAYS PRIOR TO CONSTRUCTION.
 - DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTERLINE OF PARKING STALL OR FACE OF BUILDING UNLESS OTHERWISE NOTED.
 - REFER TO THE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND ENTRY/EXIT PORCHES.
 - ASPHALT PAVING SECTIONS SHALL BE CONSTRUCTED PER THE DETAILS.
 - CONCRETE SIDEWALKS SHALL BE CONSTRUCTED WITH 3000 PSI CONCRETE 4" THICK WITH EXPANSION JOINTS AND SCORING PER DETAIL.
 - THE CONTRACTOR SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.
 - ALL WORK ON STATE, COUNTY, OR CITY RIGHT-OF-WAY INCLUDING DRIVEWAY APRONS, WATER AND SEWER TAPS OR ANY OTHER WORK REQUIRES AN ENCROACHMENT PERMIT FROM THE APPROPRIATE AGENCY.
 - ALL CURBING TO BE 6" CONCRETE CURBING PER DETAIL, WITH 3000 PSI CONCRETE.
 - ANY MATERIAL DEMOLISHED AS INDICATED ON THIS PLAN IS TO BE HAULED OFF-SITE TO AN APPROVED LANDFILL.
 - ADA SPACES WILL BE MARKED WITH A FREESTANDING OR WALL MOUNTED SIGN. SEE DETAIL SHEETS FOR PROPER STRIPING.

ASPHALT LEGEND

	LIGHT DUTY ASPHALT
	HEAVY DUTY ASPHALT



811 Know what's below. Call before you dig.

CAUTION

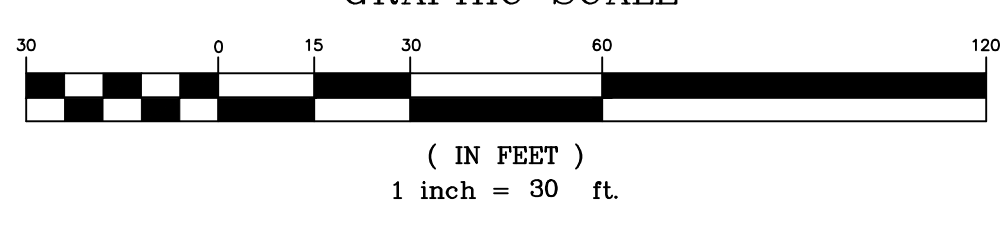
THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND

BL BUILDING LINE	TEL TELEPHONE PEDESTAL	GT GREASE TRAP MANHOLE
CL CENTERLINE	CATV CABLE TV PEDESTAL	TC/BC TOP/BOTTOM CURB
CMP CORRUGATED METAL PIPE	EM ELECTRIC METER	TW/SW TOP/BOTTOM WALL
CT CRIMP TOP	CB CATCH BASIN	VCP VITRIFIED CLAY PIPE
DE DRAINAGE EASEMENT	DI DROP INLET	WM WATER METER
EP EDGE OF PAVEMENT	ELEC ELEC TRANS	WV WATER VALVE
FFE FINISHED FLOOR ELEVATION	X90.0 ELEVATION	PIV POST INDICATOR VALVE
FG FINISHED GRADE	FF FIRE HYDRANT	STW STORMWATER FLOW
IE INVERT ELEVATION	GM GAS METER	TRF TRAFFIC FLOW
IPV IRON PIN VALVE	GV GAS VALVE	
IPS IRON PIN SET	LP LIGHT POLE	
N&C NAIL & CAP	PP POWER POLE	
OT OPEN TOP	GP GUY ANCHOR	
RB REBAR	SMH SD MANHOLE	
RCP REINFORCED CONC PIPE	SSM SS MANHOLE	
R/W RIGHT OF WAY	TMH TELEPHONE MANHOLE	
SD STORM DRAIN	CO CLEAN OUT	
SS SANITARY SEWER		
SSE SS EASEMENT		

LINETYPES

—CIV— CABLE TV	—SS— SANITARY SEWER - EXIST.
—X— CHAIN LINK FENCE (PROPOSED)	—SS— SANITARY SEWER - NEW
—X— CHAIN LINK FENCE (EXISTING)	—SF— SILT FENCE
—660— CONTOURS - EXIST. GRADE	—SD— STORM SEWER - EXIST.
—(678)— CONTOURS - FINISHED GRADE	—SD— STORM SEWER - NEW
—FOC— FIBER OPTIC	—UGP— UNDERGROUND POWER
—FM— FORCE MAIN	—UGT— UNDERGROUND TEL.
—GAS— GAS LINE	—W— WATER LINE - EXIST.
—OHP— OVERHEAD POWER	—W— WATER - NEW
—OHT— OVERHEAD TELEPHONE	—W— WOOD FENCE
—RD— ROOF DRAIN - NEW	—WPCS— LIMITS OF DISTURBANCE



SITE DESIGN, INC.
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

www.sitedesign-inc.com
225 ROCKY CREEK ROAD
GREENVILLE, SC 29615
PH: (864)271-0096

SENTRY CONSTRUCTION

CITY OF FOUNTAIN INN
GREENVILLE COUNTY
SOUTH CAROLINA

511 PALMETTO RD
SUITE 11
SIMPSONVILLE, SC 29681

HORZ. SCALE: 1" = 30'
VERT. SCALE: N/A
DESIGNED BY: WTB
DRAWN BY: WTB
CHECKED BY: WTB
DATE: 5/8/2023

s230019-base.dwg

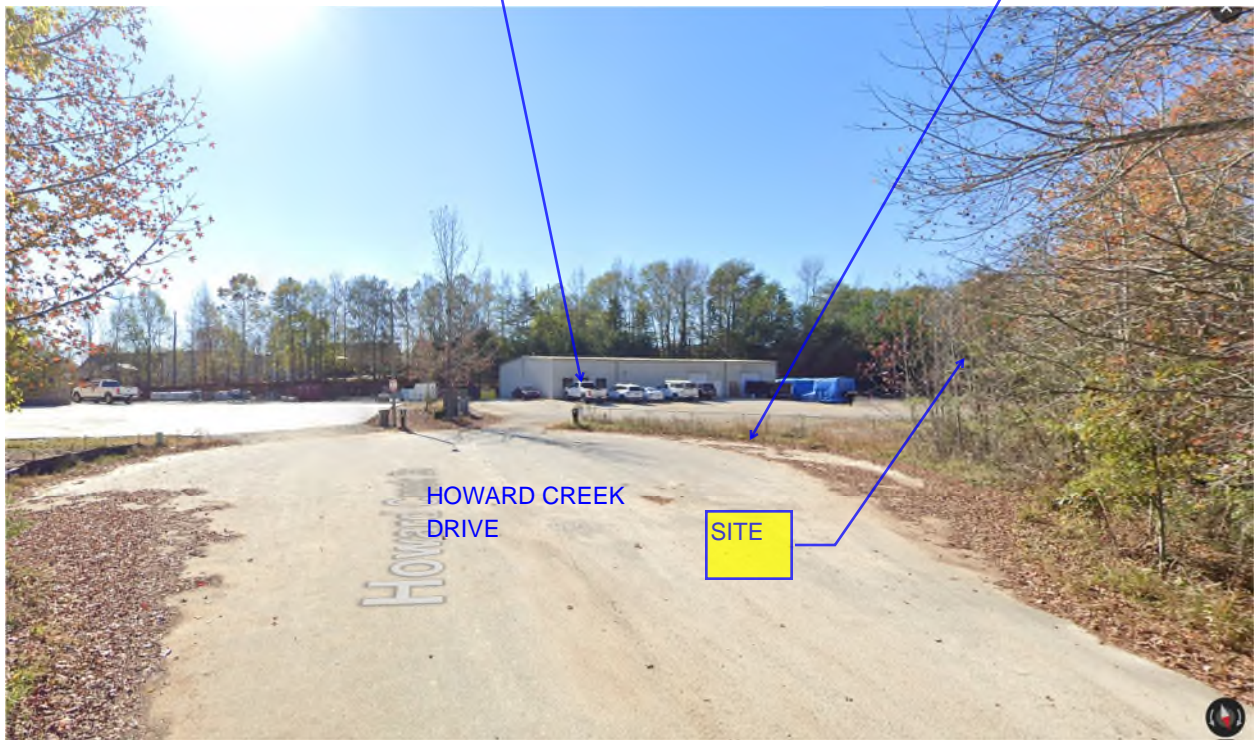
SITE PLAN

SHEET 3 OF

C200

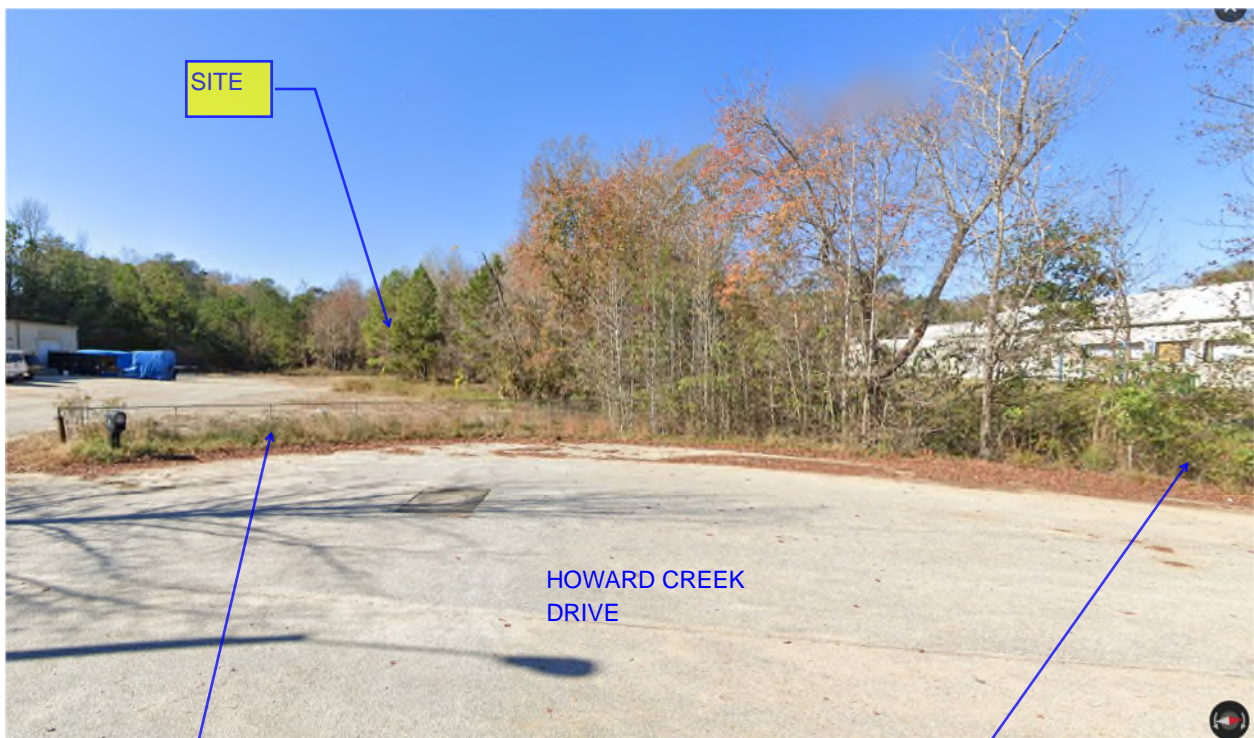
ADJACENT BUSINESS
(TMS 0334000101115)

PROPOSED DRIVEWAY
ACCESS



HOWARD CREEK
DRIVE

SITE



SITE

HOWARD CREEK
DRIVE

PROPOSED DRIVE
ACCESS

CREEK

NO SIDEWALK ALONG
HOWARD CREEK DRIVE
AND NO SIDEWALK TO ANY
BLDG



CREEK

SITE

ADJACENT BUSINESS
(TMS 0334000101115)

PROPOSED DRIVEWAY
ACCESS