



AGENDA

Board of Appeals

300 Wall Street, Fountain Inn, SC 29644

Thursday, February 5, 2026 - 6:00 PM

1. Call to Order
2. Adoption of Rules of Procedure
 - a. 2026 Rules of Procedure
3. Election of Officers
4. Adoption of Meeting Calendar 2026 Meeting Calendar
 - a. 2026 Meeting Calendar
5. Approval of Minutes
 - a. Board of Zoning Appeals minutes from December 4, 2025
6. Public Hearing(s)
 - a. SE-2026-01
REQUEST: Special Exception to establish a Church
TAX MAP: 0349000100300
LOCATION: NORTH NELSON DRIVE
EXISTING ZONING: C-2
7. 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.

Board of Zoning Appeals Rules of Procedure – 2026

1.1 Purpose & Authority

The City of Fountain Inn Board of Zoning Appeals has set forth rules of procedure to ensure consistent and fair treatment of applicants and interested persons, orderly and efficient public proceedings, and compliance with state and federal law. These rules shall also ensure that no member of the Board will gain a personal or financial advantage from his or her work for the Board, so that public trust in the municipal government will be preserved. These rules of procedure are adopted pursuant to S.C. Code § 6-29-790 for the City of Fountain Inn Board of Zoning Appeals.

This policy setting forth rules and procedures for the City of Fountain Inn Board of Zoning Appeals shall apply to all regular, special, and emergency meetings.

1.2 Definitions

“Chair” means the member of the Board who is elected by the Board to serve as the Chair of the Board.

“Board” means the City of Fountain Inn Board of Zoning Appeals.

“Council” means the Fountain Inn City Council.

“Ex parte communication” means any oral or written communication not on public record between a member of the Board and the applicant, a member of the public, or another member of the Board in regards to any matter scheduled to come before the Board that may have the effect of influencing the decision of that member of the Board.

“Majority vote” means the consenting vote of the majority of the Board members participating in the vote. Members of the Board who abstain, are absent from, or are recused from voting shall not be counted towards the majority or the minority.

“Planning Director” means the officer or other designated authority, or their duly authorized representative, charged with the administration and enforcement of the City of Fountain Inn’s land development and zoning regulations.

“Quorum” means that at least four (4) of the seven (7) members of the Board are present to participate in the business of the Board. Once established, a quorum is not broken due to the recusal or abstention of a member of the Board.

1.3 Membership

The Board shall consist of seven regular members, unless the Fountain Inn City Council provides otherwise. Should any vacancy occur by reason of resignation, disability, or otherwise, the Planning Director shall notify the City Clerk so that the vacancy may be advertised and the Council notified. Resignation by a member of the Board shall be tendered to the Planning Director in writing.

1.4 Officers

The Board shall elect from among its members a Chair, a Vice-Chair, and any other officers deemed necessary at the first meeting of the Board in each calendar year. However, mid-year vacancies in office shall be elected at the earliest opportunity.

The process by which officers shall be elected is as follows:

1. The floor will be opened for nominations by members of the Board. Each name nominated must also receive a second in order for it to be a candidate for election.
2. After there are no more nominations, the floor shall be closed to nominations and the election for that officer shall follow.
3. Nominated candidates may be permitted to provide a brief statement prior to the election if they so choose.
4. Votes shall be cast by each member of the Board in attendance, including nominated candidates. In the case of a single nomination, voting may take place by a show of hands. In the case of multiple nominations, voting may be cast by ballot.

The candidate receiving the most votes shall be declared as elected. In the event of a tied vote, votes shall be re-cast until the tie is broken. The process shall be repeated for each office up for election. The term of each officer shall run until the subsequent election.

1.4.1 Chair

The Chair shall preside over the meetings of the Board and may exercise all powers usually incident to the office. The Chair also retains his or her status as a voting member of the Board and may participate in deliberations and the decision-making on all matters before the Board. Other duties of the Chair shall include:

1. Administer oaths and affirmations;
2. Decide all points of order or procedure;
3. Act as spokesperson for the Board;
4. Sign documents for the Board; and
5. Perform other duties approved by the Board.

The Chair has broad authority over all matters regarding the conduct of meetings. He or she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Board while facilitating the orderly and timely completion of the agenda.

1.4.2 Vice-Chair

The Vice-Chair shall exercise the duties of the Chair in the absence, disability, or disqualification of the Chair. In the absence of the Chair and Vice-Chair, an acting Chair shall be elected by the members of the Board present.

1.4.3 Planning Director

The City of Fountain Inn Planning Director shall perform administrative duties for the Board. These duties shall include:

1. Provide notice of meetings;
2. Prepare the agenda;
3. Keep minutes of meetings and hearings;
4. Maintain Board records as public records;
5. Attend to Board correspondence; and
6. Perform other administrative duties as necessary.

In addition, the Planning Director shall prepare well-written staff reports and provide accompanying documents on all agenda items. The Planning Director shall be available for questions from the Board prior to and during meetings and shall be expected to attend all Board meetings. The Planning Director may participate in discussions and questioning in the same manner as members of the Board.

1.5 Meetings

All meetings shall be open to the public. Members of the public who attend a public hearing shall be afforded an opportunity to comment on each agenda item. However, no person shall speak at a Board meeting until recognized by the Chair.

1.5.1 Schedule

As necessary to discuss new or old business, the Board shall meet on the third Monday of each month at 6:00 pm in the Council Chambers. The Planning Director shall provide notice of such meetings.

When a regular meeting falls on a legal holiday, the Board will meet on the Thursday that immediately follows, unless otherwise scheduled by the Board. If the Chair declares that weather or other conditions make it hazardous for members and the public to attend a meeting, the meeting shall likewise be rescheduled to the Thursday that immediately follows, unless otherwise scheduled by the Chair.

Special meetings may be called by the Chair or the Planning Director when deemed necessary, provided at least 24-hour notice is given to each member of the Board and the time and place of each special meeting is publicly announced at least 24 hours before the meeting.

Any member of the Board who cannot attend a scheduled meeting shall notify the Planning Director at the earliest possible opportunity and no later than 4 pm on the date of the meeting. The Planning Director shall notify the Chair in the event that the projected absences may threaten the ability to produce a quorum at the meeting.

1.5.2 Agenda

A written agenda shall be furnished by the Planning Director to each member of the Board and shall be posted on the City of Fountain Inn's website typically one week in advance of each meeting, except for special and emergency meetings, for which the agenda shall be furnished at least 24 hours prior to the meeting. Written agendas furnished to the Board shall also be accompanied with staff reports and associated documents for each agenda item.

The Board shall generally not entertain comments or discussions on items not listed on the agenda. However, when circumstances dictate it to be in the public's best interest, agenda items may be added at the meeting with the approval of at least four (4) members of the Board, subject to any applicable public notice requirements.

Meetings shall typically proceed according to the following general flow:

1. Call to order by the Chair.
2. Roll call and the determination of a quorum by the Planning Director.
3. Pledge of Allegiance.
4. Opening remarks and an overview of the agenda by the Chair.
5. New business/action items.
6. Old business/discussion items.
7. Adjournment.

The Chair may amend the order of the agenda where such courtesy is warranted. Considerations for amending the order of the agenda may include:

1. To move forward items that involve the greatest gathering of interested parties;
2. To move forward items that are anticipated to be relatively brief; or
3. To move back items where the applicant or his/her representative(s) have not yet arrived.

1.5.3 Call to Order and Roll Call

The Chair, or in the Chair's absence, the Vice-Chair, shall call the meeting of the Board to order at the appointed hour. In the absence of the Chair and Vice-Chair, the Planning Director will call the meeting to order and a temporary Chair will be elected from amongst the members of the Board that are present. Upon the arrival of the Chair, the Vice-Chair or the acting Chair shall immediately relinquish the Chair at the conclusion of the current business at hand.

At the beginning of each meeting, the Chair shall invite each person in attendance, including members of the Board, to deactivate or silence any personal electronic devices such as cell phones for the duration of the meeting.

The Planning Director shall conduct a roll call in order to determine if a quorum is present. A quorum shall be established before any business is conducted other than rescheduling the meeting. A majority of the members of the Board shall constitute a quorum. If during the course of the meeting, a member of the Board abstains from or must be recused from the discussion or decision on an agenda item, the quorum shall not be considered broken.

1.5.4 Public Hearings

The Planning Director shall give the notice required by statute or ordinance for all public hearings conducted by the Board.

Excluding appeals of an administrative decision, The procedure for each separate hearing item shall be:

1. **Overview of the Process.** The Chair shall provide an overview of the public hearing process and open the public hearing.
2. **Introduction of the Application.** The Planning Director will present a description of the application to help the public understand the nature of the item.
3. **Request for Disclosure.** The Chair shall request members of the Board to disclose any conflicts of interest or ex parte communication.
4. **Opening Statement.** The applicant or applicant's representative shall provide an opening statement (where applicable).
5. **Additional Materials.** The Chair shall accept any additional materials or information provided by the applicant (where applicable).
6. **Open the Floor for Public Testimony.** The Chair shall declare the public testimony portion of the hearing to be open and shall invite the public to testify. Members of the Board may only ask questions to obtain clarification of material or testimony presented. The questions shall not be argumentative, nor may they have the purpose or effect of unreasonably extending the time limit of the public speaker. Members of the Board shall be recognized by the Chair prior to speaking.
7. **Close the Floor to Public Testimony.** Following the comments of all those who wish to participate in the public testimony portion of the meeting, the Chair shall declare the public testimony portion of the hearing to be closed. Once the public testimony portion of the meeting has been closed, it shall not be reopened except by majority vote of the Board.
8. **Closing Statement.** The applicant or applicant's representative shall be afforded the opportunity to respond to questions and comments raised during the public testimony portion of the hearing and shall provide a closing statement (if applicable).
9. **Board Questions.** Members of the Board shall have the opportunity to direct questions to the applicant or applicant's representative. Members of the Board shall be recognized by the Chair prior to speaking. The Chair may invite the applicant or applicant's representative to respond to the questions raised by members of the Board.
10. **Staff Recommendation.** The Planning Director shall present the recommendation of staff.
11. **Motion by Board.** Motion by a member of the Board. Second by another member of the Board. The motion shall include a statement of findings, or those facts that are the basis of the conclusions and decision of the member of the Board.
12. **Discussion of Motion.** The Board may discuss and deliberate the motion on the floor. Members of the Board shall be recognized by the Chair prior to speaking.
13. **Call for the Vote.** After sufficient discussion by the Board, the Chair shall call for a vote.

Members of the public may direct comments or questions to the Board or staff. However, staff and the members of the Board are encouraged to withhold their response to these comments or questions until after the public testimony portion of the hearing has been closed. This practice avoids argumentative dialogue during the public testimony portion of the hearing.

In order to maintain a professional appearance, the Chair is encouraged to recognize all speakers and members of the Board by surname.

Appeals of an administrative decision will follow Article III: Appeals Procedure and Article IV: Hearing Procedure of the current Comprehensive Planning Guide for Local Governments provided by the Municipal Association of South Carolina (MASC).

1.5.5 Rules for Public Testimony

General public interested in making comments shall indicate their name and address prior to their remarks. Public comments shall normally be limited to three (3) minutes in length. Speakers should be given a 30-second warning before their time is set to expire. Speakers shall not be permitted to concede any part of their allotted time to another speaker. However, the Chair shall have the discretion to shorten or lengthen the time limit for each speaker depending on the number of persons that wish to participate and the overall length of the agenda. If a previous speaker has already expressed a shared view, the speaker will be asked to state that he/she agrees with the previous comments instead of reiterating a point already made. The Chair may request larger groups or associations to select an individual to speak for the group for the purpose of avoiding repetition of testimony. No member of the public shall be permitted to speak more than once during a public hearing unless otherwise invited by the Chair.

Applicants and citizens shall be permitted to submit written presentations, exhibits, and information. In order to be eligible for copying, such materials shall be submitted to the Planning Director at least one (1) business day prior to the meeting and shall not comprise more than 10 pages. For materials that comprise more than 10 pages or are printed on paper larger than 8 ½ inches by 11 inches, eight (8) copies shall be provided to the Planning Director.

Written testimony, with the exception of e-mail transmissions, must be signed and show the author's printed name. E-mail transmissions must show the author's name and address.

The Chair shall rule non-germane, derogatory, disruptive, or excessively repetitive comments out of order. The Chair shall have wide discretion in conducting the hearings and shall have the power to interrupt arguments at any time in the interest of expediting the orderly disposition of the business at hand. The Chair shall be obligated to prevent any party from unduly consuming the Board's time. The Chair may clear the room of disruptive individuals or recess the hearing in the event of general disruption.

1.5.6 Decisions

Decisions by the Board must be introduced as motions which have been seconded and passed by majority vote of the Board. Motions shall be made in the affirmative. Affirmative motions typically convey greater clarity to the action being recommended.

The Chair shall restate the motion on the floor before deliberation occurs. The Chair shall also identify by name the member of the Board who made the motion as well as the member of the Board who seconded the motion. The Board should attempt to build consensus on an item through deliberation and discussion; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority and vice versa.

The Chair has the same voting rights and ability to deliberate as all members and can make motions, although other members of the Board are encouraged to make motions so that the Chair avoids the perception of dominating the meeting of the Board. Furthermore, the Chair is encouraged to hold his or her comments until the end of the Board discussion in order to effectively facilitate the discussion as it occurs.

All members present are expected to vote unless they have recused themselves. Except where a conflict of interest exists, abstentions are strongly discouraged and shall not count towards either the majority or minority. For a motion to pass, it must receive the concurrence of a majority vote of the members of the Board participating in the vote. Votes from members of the Board not present at the meeting shall not be counted.

The vote on a motion shall be taken either by show of hands, roll call vote, or electronic voting device (if available) and entered in full upon the record. Each member of the Board qualified to vote on a motion shall cast either an "aye" or "no" vote. A roll call vote may be requested by the Planning Director or any member of the Board. The Chair shall place the last vote in any roll call vote. The Chair shall announce the results of the vote. A motion that results in a tie vote shall not carry. In the event of tie, the floor shall be opened for a new motion.

1.5.7 *Situational Motions*

The following motions are acceptable under appropriate circumstances:

- Motion to Call for the Question. This motion has the effect of closing the debate on the motion on the floor and to demand the immediate vote on the pending motion. Such a motion requires a second and is neither debatable nor amendable. This motion is typically warranted when a debate is needlessly being dragged out. This motion must be passed by majority vote.
- Motion to Continue. This motion has the effect of continuing the current discussion to another time. Such a motion requires a second and may be debated or amended. This motion must be passed by majority vote.
- Motion to Substitute. This motion has the effect of substituting the current motion on the floor with another motion. The substitute motion must be germane to the subject. Such a motion requires a second and may be debated or amended. If passed by majority vote, this motion will, by its own action, eliminate the necessity to vote on the previous motion being substituted. If the substitute motion fails to pass by majority vote, debate may resume on the previous motion on the floor.
- Motion to Withdraw. This motion has the effect of withdrawing a motion on the floor. The motion to withdraw must be made by the member of the Board who made the original motion on the floor and must have the consent of the member of the Board who seconded the original motion.
- Motion to Amend. This motion has the effect of amending a motion on the floor. The motion to amend must be made by the member of the Board who made the original motion on the floor and must have the consent of the member of the Board who seconded the original motion.
- Point of Order. This motion is appropriate when there is an apparent infraction of the rules or improper decorum in speaking. This motion may interrupt a speaker during deliberation. Such a motion does not require a second and is not subject to majority vote. The Chair shall be called upon to make a ruling on this motion. If the Chair accepts the point of order, it is said to be sustained. If not, it is said to be overruled.
- Motion to Adjourn. This motion has the effect of ending the meeting. Such a motion requires a second and must be passed by majority vote.

1.6 Conduct

1.6.1 General Conduct

It is critical for members of the Board to project a positive image of the City when dealing with applicants, members of the public, or other agencies. Therefore, members of the Board shall be expected to conduct themselves in the following manner. Staff, applicants, and members of the public shall observe the same rules and decorum as applies to the Board.

Members of the Board shall...

- Treat everyone, including each other, with courtesy and shall listen attentively to persons speaking.
- Gain the attention, priority, and recognition of the Chair prior to speaking during a meeting.
- Refrain from inappropriate behavior and derogatory comments.
- Refrain from criticizing staff or any member of the public and shall not enter into heated arguments.
- Show tolerance and respect for other's opinions and issues during discussions and debates, even if it requires them to agree to disagree.
- Refrain from delaying or interrupting the proceedings or the peace of the meeting. They shall not disturb any individual while speaking, nor digress from the item under consideration, nor disobey the orders of the Board or the Chair.
- Refrain from giving direction to staff on behalf of the Board without having received the express authority of the Board to do so.
- Refrain from making promises or comments to the public on behalf of the Board without having received the express authority of the Board to do so.

A member of the Board, once recognized by the Chair, shall not be interrupted when speaking unless it is to call the person to order. If a member of the Board, while speaking, is called to order, that member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed. There is no limit to the number of times that a member of the Board may speak. However, members of the Board shall refrain from excessively repetitive comments.

After recognition by the Chair, members of the public shall speak only from the podium. Stamping of feet, whistling, yelling or shouting, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Chair.

1.6.2 Site Visits

Members of the Board are encouraged to visit the sites of applications on the agenda on their own time and by their own means. On occasion where a site visit is conducted by more than one member of the Board at the same time, such visits shall be open to the public and shall be publicly noticed in the same manner as a special meeting of the Board.

1.6.3 Ex Parte Communication

To preserve public confidence in the fairness of the Board deliberations and decisions, the Board should ensure that the public and interested persons have the opportunity to know, and to respond to, all information that the Board considers in making its decisions. The Board should also ensure that all members of the Board have the same opportunity to know and consider any relevant evidence provided to any other member of the Board.

Therefore, ex parte communication is discouraged. Any member of the Board who inadvertently conducts ex parte communication shall disclose such communication at the associated hearing, before the floor is opened for public testimony. Members of the Board who have received written ex parte communication shall place in the record copies of all written communications received as well as all written responses to those communications. Members of the Board shall prepare a memorandum stating the substance of all oral communications received, all responses made and the identity of each person making the ex parte communication, which shall become a part of the record of the proceedings.

1.6.4 Conflict of Interest

The conflict of interest policy governing the members of the City of Fountain Inn Board of Zoning Appeals is set forth in South Carolina Code of Laws § 8-13-700(B), as it may be amended from time to time. This code section specifies the following:

“No [member of the Board] may make, participate in making, or in any way attempt to use his [membership] to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. A [member of the Board] who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated shall:

1. Prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision; and
2. Furnish a copy of the statement to the [Chair of the Board], who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.”

Any member of the Board declaring a conflict of interest or other cause for recusal shall do so at the introduction of the item. Once a member of the Board has been recused, that member shall be asked to vacate their seat among the Board for the duration of the hearing and deliberation of that particular agenda item.

The Board also adopts the following procedures with regard to potential conflicts of interest. If a member of the Board is not certain whether a particular relationship is a potential conflict of interest, or if any member of the Board believes another member may have a potential conflict of interest that such member has not declared as provided above, such member may request the Chair to submit the issue to the Board for a vote as to whether it believes a potential conflict of interest exists. If the Board agrees that a potential conflict of interest does in fact exist, the Chair of the Board shall inform the Board member in question that the Board is in the opinion that the above provisions should be applicable. If such member does not agree that he or she has a potential conflict of interest and elects not to follow the statutory procedures, the Chair of the Board shall, upon approval by the Board, appeal the matter to the South Carolina Ethics Commission.

1.6.5 Appearance of Partiality

Any member of the Board who feels that he or she may not be able to appear as fair and impartial on a matter that comes before the Board may voluntarily excuse himself or herself. In such instances, this member of the Board shall refrain from deliberating and voting on this matter as a member of the Board.

1.7 Removal

By majority vote, the Board may request that the Fountain Inn City Council remove a member of the Board for cause from the Board. Members of the Board may be removed at any time by majority vote of the Fountain Inn City Council for the following reasons:

- A member who commits a felony, a crime of moral turpitude, or any other crime which, in the opinion of Council, justifies removal from office;
- A member who participates in any business before the Board where the member has a conflict of interest and does not recuse himself;
- A member who violates the Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended, or any regulations applicable thereto;
- A member who is absent more than three (3) meetings during any calendar year;
- A member who indulges in personalities, uses offensive language, impugns the motives, character, or integrity of any individual, engages in deliberate misrepresentation, or uses language tending to hold the City, a member of Council, the Board, or city staff in contempt;
- A member who behaves in any manner, whether by act or omission, which adversely affects the public interest or orderly, efficient operation of the Board;
- A member who represents himself to the public or to any governmental agency as having authority to speak on behalf of the City with regard to any matter outside the context of a public meeting of the Board;
- A member who engages in conduct that evidences a personal bias toward or prejudice against any applicant, project, or member of the public that is before the Board; or
- Any member who engages in other conduct as the Council may deem appropriate justification for removal of a member.

1.8 Records

The Planning Director shall create an audio recording of all meetings and hearings of the Board, which shall be preserved until final action is taken on all matters presented. The Planning Director, or designee, shall prepare written minutes of each meeting which shall show the vote of each member upon every question as well as a record of examinations, findings, determinations, and any other official action taken. Written minutes shall be maintained as public records.

The Planning Director shall assist in the preparation and forwarding of all reports and findings of the Board in the appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

Clerical errors that do not affect the substance of a public record of the Board may be corrected by the Planning Director upon the discovery of the error. Examples include errors in numbering, spelling, or grammar.

1.9 Adoption and Amendment

These rules may be amended at any regular meeting of the Board by the affirmative vote of at least four members of the Board. Any rule may be temporarily suspended by the affirmative vote of at least four members of the Board.

These rules were adopted by majority of the members of the Board at a regular public meeting on _____.

Attest: _____
Planning Director

Chairman

Board of Zoning Appeals Meeting Calendar – 2026

All meetings of the Fountain Inn Board of Zoning Appeals will be held on the first Thursday of the month. The meetings will be in the Court House located at 300 Wall Street, starting at 6:00PM.

January	--	
February	5	
March	5	
April	2	
May	7	
June	4	
July	7*	(Tuesday)
August	6	
September	3	
October	1	
November	5	
December	3	

This Calendar was adopted by majority of the members of the Board at a regular public meeting on _____.

Attest: _____
Planning Director

Chairman

MINUTES
300 Wall Street Fountain Inn, SC 29644
Board of Zoning Appeals
Thursday, December 4, 2025 – 6:00 PM

1. Call to Order

Acting Chairperson Leah Morgan calls the meeting to order at 6:00PM. Board Members Thomas, Gilreath, McPartland, and McCraw we in attendance.

Pledge of Allegiance was recited. The Chair went over the Rules & Procedures.

2. The Board went over the Rules & Procedures

3. Margaret McPartland, At Large, was sworn in by Staff.

4. Approval of Minutes

Board Member McCraw made a motion to approve the minutes of November 6, 2025. Board Member Thomas seconded. All members were in favor of approving the minutes.

5. Public Hearing

a. VAR-2025-03

REQUEST: Driveway

TAX MAP NUMBER #: 0555030101003

LOCATION – 1344 Jones Mill Road

EXISTING ZONING – R-15

Staff presented the case. Stephany Livingston, Arbor Land Design, provided further testimony on the nature of the request.

Applicant is seeking permission to depart from the minimum width of a driveway for the historic Jones Mill property, which is being converted to an educational park by Fountain Inn Museum. The reason for the request to reduce impact on the site, which is encumbered with a sewer easement and steep slopes. Whereas the ordinance requires a twenty-four (24') foot wide driveway, the applicant is proposing a width of twenty (20') feet.

No members of the public wished to speak on this application.

Staff recommended approval, conditionally, to wit: that “no parking” signage be posted in both directions along the driveway.

Board Member McCraw made a motion to approve VAR-2025-03. Board Member Gilreath seconded the motion. The motion carried 5-0.

6. Adjourn

Board Member Thomas made a motion to adjourn the meeting. Board Member McCraw seconded. The motion carried unanimously.

AGENDA ITEM

February 5, 2026

To: Board of Zoning Appeals
 From: Zoning Administrator, Aaron Blessing
 Subject: SE-2026-01, Special Exception for a Church
Meeting Date: February 5, 2026
 Type of Agenda Item: Special Exception, Public Hearing
 Attachments: Aerial maps
 Zoning Map
 Applicant’s Request & Conceptual Layout Plan
 Sample Finding of Facts

APPLICANT:	Church of Jesus Christ of Latter-Day Saints
REPRESENTATIVE:	Matthew Cummings
LOCATION:	North Nelson Drive (Tax Map #0349000100300)
CURRENT ZONING:	C-2, Commercial*
SIZE OF PROPERTY:	+/- 10.14 acres
*Requested zoning under annexation application.	

REQUEST

Applicant has applied to the City of Fountain Inn for special exception pursuant to Zoning Ordinance (hereinafter “Z.O.”) Section 5:6.2 to utilize a property along North Nelson Drive for the use of the Church in the C-2 Commercial district.

LOCATION & SITE DESCRIPTION

The property in question is comprised of just over ten (10) acres and is currently undeveloped. The assigned address is 405 Milacron Road, however only has frontage on North Nelson Drive (a frontage road on the southern side of Interstate 385). To the north is residential zoning (R-10), to the west is industrial zoning (I-1), and to the south and east is commercial (C-2). Applicant is the contract purchaser of the property in question, which will be developed into a church.

On December 18, 2025, the Planning Commission granted an annexation request for the above captured parcel. On January 8, 2026, the City Council held its first reading of the annexation ordinance. The second reading will take place on February 12th.

ZONING DISTRICT

The C-2 district is established to provide goods and services for the convenience of local residents. The district permits a number of commercial uses by right, and several other residential and recreational uses by special exception.

SPECIAL EXCEPTION REVIEW CRITERIA

Z.O. 5:6.2 of the Fountain Inn Zoning Ordinance allows for churches in the C-2 district by special exception. The conditions and requirements for a special exception are as follows:

ARTICLE 9. - PROVISIONS FOR USES PERMITTED BY SPECIAL EXCEPTION

The Board of Zoning Appeals may issue permits for those uses permitted by special exception which are in accordance with the provisions of this Ordinance and the specific conditions set forth below.

The Board may grant or deny a request for a use permitted on review after a public hearing has been held on the written request submitted by an applicant.

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

- A. The use meets all required conditions.
- B. The use is not detrimental to the public health or general welfare.
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services.
- D. The use will not violate neighborhood character nor adversely affect the surrounding land use.

Section 9:4 – Churches

A church may be permitted in the C-2 District, subject to the requirements of the district and the following requirements:

9:4.1. Lot Area. The minimum lot area shall be 40,000 square feet.

9:4.2. Setback Requirements. All buildings shall be set back from the front, side, and rear property lines a minimum of 50 feet.

9:4.3. Off-Street Parking. Off-street parking shall be provided in accordance with the provisions set forth in Article 7, Section 9.

STAFF COMMENTS

The concept plan provided in connection with this application proposes a +/-20,919 square foot church building, 233 parking spaces, and other associated site improvements. The lot area and setback requirements outlined under Z.O. 9:4 appear satisfied. The concept plan does not include seating capacity, which is what Article 7, Section 9 uses to calculate parking space requirements. Testimony provided at the December 18, 2025 Planning Commission meeting indicated an anticipated Sunday congregation of 250 people, and semi-annual special events up to 750 people. Testimony should be provided for confirmation of the anticipated assembly, special events, and any other church functions (i.e., private schooling, day care, etc.).

RECOMMENDED MOTION: I move that the Board of Zoning Appeals conditionally approve the special exception SE-2026-01, provided that the Council approves the 2nd reading of the annexation ordinance.

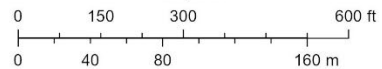
AERIAL MAP

Greenville County, SC



November 18, 2025

1:3,200

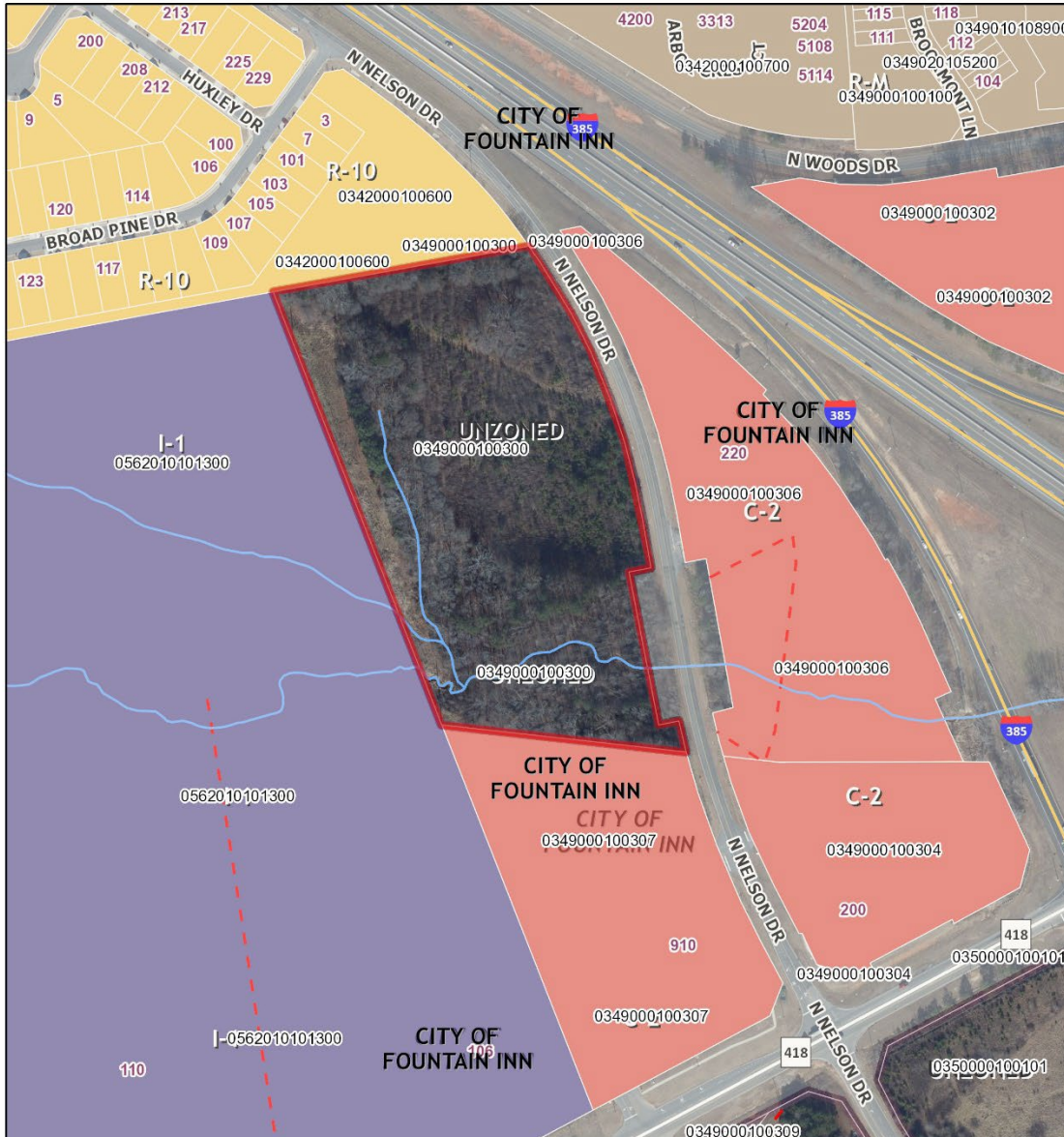


Greenville County GIS Division, Greenville, South Carolina, Greenville County GIS Division, Greenville County, South Carolina GIS Division

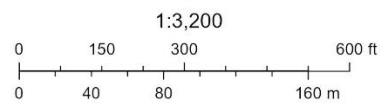
Disclaimer: This Map is not a LAND SURVEY and is for reference purposes only. Data contained in this map are prepared for the inventory of Real Property found within this jurisdiction, and are

ZONING MAP

Greenville County, SC



November 18, 2025



Greenville County GIS Division, Greenville, South Carolina, Greenville County GIS Division, Greenville County, South Carolina GIS Division

Disclaimer: This Map is not a LAND SURVEY and is for reference purposes only. Data contained in this map are prepared for the inventory of Real Property found within this jurisdiction, and are



CITY of
FOUNTAIN INN

Date Application Filed: **January 12, 2026**

Application Docket Number: **SE-2026-01**

The Board of Zoning Appeals held a public hearing on February 5, 2026, to consider the appeal of Section 5:6.2 of the Fountain Inn Zoning Ordinance for a special exception request which may be permitted by the Board pursuant to Section 11:8 of the Fountain Inn Zoning Ordinance as set forth therein for the property at **North Nelson Drive (PIN #0349000100300)**, Fountain Inn, South Carolina.

After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

1. The use meets all required conditions.
2. The use is not detrimental to the public health or general welfare.
3. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services.
4. The use will not violate neighborhood character nor adversely affect the surrounding land use

THE BOARD, THEREFORE, ORDERS that the special exception from Section 5:6.2 of the Fountain Inn Zoning Ordinance to allow for the applicant to establish a church in the C-2 zone is hereby **GRANTED WITH CONDITIONS:**

- 1) Pending the 2nd reading of the annexation ordinance before City Council.

Approved by the Board by a majority vote, ____ to ____.

Date Issued: _____

Date Mailed: _____

Chairman

**Notice of appeal to Circuit Court must be filed within
30 days after the date this Order was mailed.**

Planning & Development Department

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

Email Address: planning.development@fountaininn.org

www.fountaininn.org

Office: 864-531-0644



FOUNTAIN INN
est 1886

SPECIAL EXCEPTION APPLICATION

WHEN TO USE THIS PROCESS

Use this application to request a special exception from the Board of Zoning Appeals. A special exception request means that you are asking the Board of Zoning Appeals to allow a use permitted as a special exception within the Fountain Inn Zoning Ordinance.

APPLICATION PROCESS

1. Prior to submittal, contact the Zoning Administrator to schedule a meeting or phone conversation about the request. (Contact information above.)
2. Submit this application and associated documents, in PDF format, using the Planning Portal at https://fountaininn.pz.portal.iworg.net/portalhome/fountaininn_pz
3. An invoice will be emailed to the applicant.
 - Application Fee - \$200.00, fees are non-refundable.
 - If you are also requesting another type of request from the Board of Zoning Appeals during the same meeting, such as a variance 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 regarding the request to the Board members, which may also be posted on the City's website. The report will include your application and supporting documents.
 - You must attend this meeting to present your request and answer questions.
 - 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 (30 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 an occupancy permit, before you can use the property as desired. These require separate application processes and fees.

PROPERTY INFORMATION

Tax map number	Address(es)	Property owner
0349000100300	N. Nelson Drive	The Church of Jesus Christ of Latter-day Saints

APPLICANT INFORMATION

Primary Applicant Name: The Church of Jesus Christ of Latter-day Saints

Mailing Address: 505 Deseret Drive, Freindswood, TX 77546

Phone: [REDACTED] Email: [REDACTED]

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)? _____
- 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: Matthew R Cummings Date: Jan 7, 2026
Matthew R Cummings (Jan 7, 2025 20:11:25 MST)

This application must be uploaded at https://fountaininn_pz.portal.iworg.net/portalhome/fountaininn_pz by clicking on the "Special Exception" icon.

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: _____

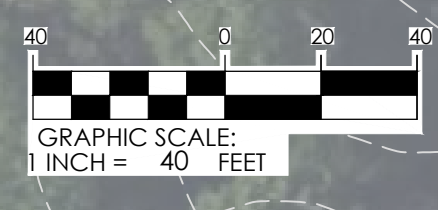
INFORMATION ABOUT REQUEST

Description of your request (be specific):

The subject parcel was recently annexed into the City of Fountain Inn and rezoned to C-2. A new church is planned for the subject parcel. Per Section 5:6.2 of the Fountain Inn Zoning Ordinance, churches are a permitted use by special exception within the C-2 zoning district. The request is for a church to be allowed on the subject parcel.

INTERSTATE - 385

EXIT 23



CONCEPTUAL LAYOUT
N NELSON ROAD SITE
 FOUNTAIN INN, SC

JUNE 23, 2025



220 North Main Street • Suite 402
 Greenville, SC 29601 • 864.412.2222
 www.thomasandhutton.com

This map illustrates a general plan of the development which is for discussion purposes only, does not limit or bind the owner/developer, and is subject to change and revision without prior written notice to the holder. Dimensions, boundaries and position locations are for illustrative purposes only and are subject to an accurate survey and property description.

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