



## **A G E N D A**

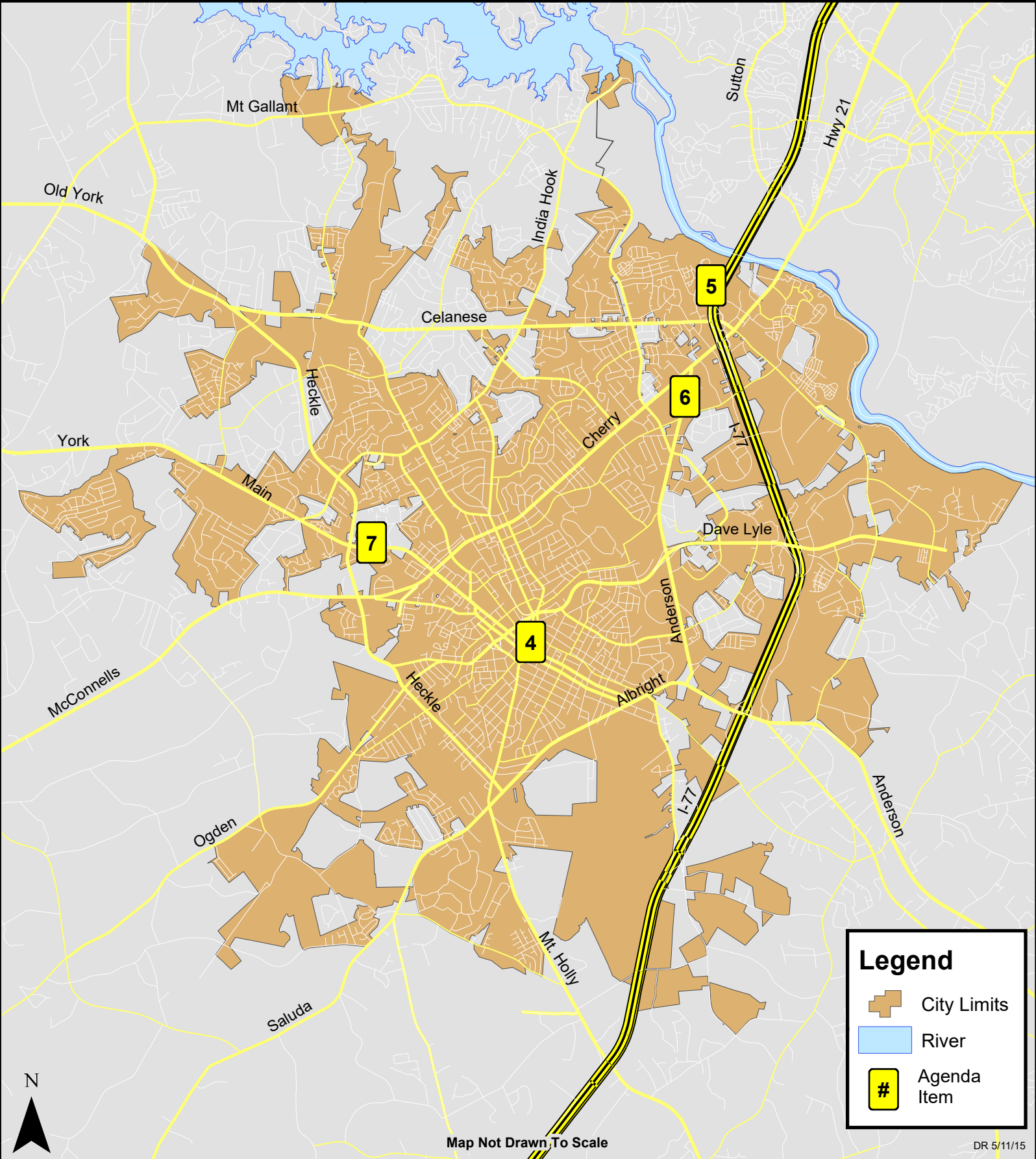
Rock Hill Zoning Board of Appeals  
May 17, 2022

1. Call to Order
2. Approval of Minutes from the April 26, 2022, meeting.
3. Approval of Orders from the April 26, 2022, meeting
4. Appeal Z-2022-21: Request by Kevin Mattingly for a variance from the maximum height of a fence in the front yard for an attached arbor located at 137 Reid St, which is zoned Single-Family Residential-5 (SF-5). Tax map number 627-16-03-008.
5. Appeal Z-2022-22: Request by J M Cope, for a special exception to establish a self-storage use and a variance from the required minimum lot size at 2764 Faith Blvd, which is zoned General Commercial (GC). Tax map number 662-07-01-374.
6. Appeal Z-2022-23: Request by Greg Fatool for a variance from the maximum amount of window signage at 1111 N Anderson Rd, which is zoned General Commercial (GC). Tax map number 634-07-01-013.
7. Appeal Z-2022-24: Request by Sue Fullerton with Truck of Love for a variance from the location standards for a buffer yard fence at 1568 W Main St, which is zoned Neighborhood Office (NO). Tax map number 595-02-01-001.
8. Other Business.
9. Adjourn.

# Zoning Board of Appeals Agenda Items



City of Rock Hill, SC  
May 17, 2022  
Zoning Board of Appeals



A public hearing of the Zoning Board of Appeals was held Tuesday, April 26, 2022, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill SC.

**MEMBERS PRESENT:** Charlotte Brown, Rodney Cullum, James Hawthorne, Keith Sutton,

**MEMBERS ABSENT:** Matt Crawford, Stacey Reeves, Chad Williams

**STAFF PRESENT:** Melody Kearse, Eric Hawkins, Shana Marshburn, Bryman Suttle

Legal notices of the public hearing were published in *The Herald* on Friday, April 1, 2022. Notice was posted on all property considered. Adjacent property owners and tenants were notified in writing.

In the absence of Chair Matt Crawford, Vice-Chair Keith Sutton presided over the meeting.

**1. Call to Order**

Mr. Sutton called the meeting to order at 6:00 p.m.

**2. Approval of Minutes of the March 15, 2022, meeting.**

Mr. Cullum made a motion to approve the minutes as submitted. Mr. Hawthorne seconded, and the motion carried by a vote of 4-0 (Crawford, Reeves, & Williams absent).

**3. Approval of Orders of the March 15, 2022, meeting.**

Mr. Cullum made a motion to approve the orders with a correction to the date in the first paragraph of each order from February 15 to March 15. Mr. Hawthorne seconded, and the motion carried by a vote of 4-0 (Crawford, Reeves, & Williams absent).

**4. Appeal Z-2021-42: Request by Ashley Elks for a variance from the side and rear yard setbacks for an accessory structure, playhouse, located at 302 State Street, which is zoned Single-Family Residential-4 (SF-4). Tax map number 600-02-03-036.**

Melody Kearse, Zoning Coordinator, presented the staff report.

Mr. Cullum asked if any other approvals are needed if this is approved by the Board. Ms. Kearse responded that they only need to finish up with getting their permit.

Mr. Hawthorne asked how high the building is off the ground. Ms. Kearse responded that it is twelve inches off the ground.

Mr. Hawthorne asked if has the same setbacks as what was presented before. Ms. Kearse responded yes.

Mr. Sutton opened the floor to the applicant.

William Elks, 302 State St. (applicant) was available for questions.

Mr. Sutton asked how the structure was lowered. Mr. Elks stated that he used a system of posts & pulleys to slowly lower the building.

Mr. Sutton opened the floor for public comment and there was none.

Mr. Hawthorne made a motion to approve the variance requests from the side and rear setbacks for the accessory structure. The motion was seconded by Ms. Brown and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Hawthorne presented the findings, noting that there are extraordinary and exceptional

conditions that are unique to the property, application of the ordinance would effectively prohibit or unreasonably restrict the utilization of the land, and authorization of the will not result in substantial detriment to adjacent land or to the public good, and the character of the district will not be harmed by the granting of the variance.

**5. Appeal Z-2022-16: Request by Robert Whitaker, for a special exception to establish an automobile repair use at 1207 Saluda St, which is zoned Mixed-Use Corridor (MUC). Tax map number 625-13-02-001.**

Melody Kearse, Zoning Coordinator, presented the staff report.

Mr. Hawthorne asked if the building be filled in where the building steps out? Ms. Kearse stated no, that shows where pavement line would be. That area would be a planting bed.

Mr. Sutton opened the floor to the applicant.

Robert Whitaker, 1717 Gervais St., Columbia, SC & Sandra Harmon, 815 Hill St., Hartsville. Ms. Harmon asked why a special exception is required and asked for clarification of the property's zoning. She stated that it is unfair to single the applicant out and that the property was commercial before and he wants to use it commercially.

Ms. Kearse clarified that the zoning of the property is Mixed Use Corridor.

Mr. Whitaker stated that he submitted the drawings to show his dedication to establishing the business. Mr. Whitaker stated that Ernest Brown has approached him about buying the building and has told people that he will not allow Mr. Whitaker to open the business.

Mr. Hawthorne asked the applicant what his timeline is for starting work and making improvements. Mr. Whitaker stated he will be able to start in 2-3 weeks.

Ms. Brown asked Mr. Whitaker if he has been in contact with the Saluda Corridor Business Association. Mr. Whitaker responded that he has not. Mr. Whitaker stated that he wants to improve the building and it will not affect value of residential property in the area.

Mr. Hawthorne asked where the existing fence is located that will remain. Ms. Kearse stated that there is a fence on the back of the property that is covered with vegetation and will remain.

Mr. Sutton opened the floor for public comment.

Vincent James, owner of 1405 Saluda St. and 1227 Saluda St., spoke in opposition and stated that he commends the applicant for his entrepreneurship, but this is not the right location for this business. Mr. James stated that there is no guarantee that it will look like what he is showing. He stated that the area needs to move forward, and the Board holds the key to that.

Melvin Poole, 523 Saluda St., Co-Chair of Saluda Corridor Business Association, stated that the Association is firmly against the proposal. He stated that Ernest Brown didn't offer to buy the property and was not at the last meeting because he has been recovering from surgery for the last couple of months. Allowing this business will destroy the character of the area that they have been working to improve. This business has been closed for more than 30 years and the Association is working to eliminate these types of businesses on Saluda Street. The city has had problems with other auto-oriented businesses and haven't been able to get them cleaned up. This business would be better on E. Black Street with other garages. A vacant building in this case would be better than a building with a bunch of junk cars around it and a torn down fence in the back.

Mr. Hawthorne asked Mr. Poole if the Association has developed a master plan for the area and how are you enacting your vision for the area. Mr. Poole stated that they are not trying to shut



businesses down for the sake of shutting them down, we are trying to shut business down because they violate the codes and regulations. He noted that there is a 20-year plan for Saluda Street that's been on the books for a while now and it will be updated at some point. He stated that they encourage new business to come that fit the character of what they're trying to develop.

Mr. Cullum asked Mr. Poole if they are opposed to the other businesses that were shown in the presentation. Mr. Poole responded no because those businesses will not have junk cars in front.

Mr. Hawthorne stated that a solid fence will be required, and any cars will be shielded from view. Mr. Poole stated that the city has had problems with other auto-oriented business and none of those problems have been created. He does not think the drawings will be reality.

Mr. Whitaker clarified that it was Mr. James that asked about purchasing the property, not Ernest Brown. Mr. Whitaker stated that the last mechanic shop was there in 2015, not 30 years ago.

Ms. Brown asked if the Board's previous concerns were addressed. Mr. Sutton stated that there were concerns about what it would look like, and the applicant has provided drawings that can be incorporated into the approval. The drawings and site plan can be made part of the approval.

Ms. Brown asked who enforces the codes. Ms. Kearse responded that the City's commercial code enforcement officer enforces the codes based on what was in effect at the time the site was developed. International Property Maintenance Code standards deal with the condition of the property, but the standards are low. Ms. Kearse noted that there are a lot of non-conforming businesses on Saluda Street that are grandfathered in, specifically business that deal with automobile sales, auto repair, and wrecker services.

Mr. Cullum asked if there is a specific plan for the area. Ms. Kearse responded that the Saluda Corridor Master Plan is 23-24 years old and was designed by the original Saluda Corridor Business Association along with residents along the corridor. The MUC zoning regulations specify building and site improvements that are required. Ms. Kearse noted that staff would be glad to help with updates to the plan, including changes to the uses that are allowed.

Mr. Cullum stated that there should be some strong timelines and conditions about what is done and when it is done. Mr. Sutton stated that the current supply chain issues could be problematic.

Mr. Sutton asked if all improvements have to be done before he can get a C.O. Ms. Kearse stated that all repairs would have to be made to the inside of the building, the storage yard would have to be screened and any other conditions added by the Board would have to be completed before he could open for business. She added that if the special exception is granted and he doesn't do anything within 2 years, he has to come back to the Board.

Mr. Hawthorne asked what happens if he starts work and doesn't finish, does he have to come back? Ms. Kearse stated that it depends on how much work he does and when permits are pulled. Building permits are only good for six months but can be extended for valid reasons.

Mr. Cullum made a motion to approve the special exception for auto repair. The motion was seconded by Mr. Hawthorne. Ms. Brown offered a friendly amendment that the applicant must make all the required improvements and the improvements per the renderings submitted. The amendment was accepted by Mr. Cullum. Mr. Sutton called for the vote and the motion was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Cullum presented the findings, noting that the proposed use will comply with the use specific standards; will be appropriate for the location and compatible with the surrounding area; is designed to have minimal adverse impact; and there will be no environmental impact or injury to nearby

properties.

**6. Appeal Z-2022-19: Request by Mike Smith for a variance from the secondary front setback for a fence taller than 4 feet located at 1274 Pelham Wood Drive, which is zoned Single-Family Residential-5 (SF-5). Tax map number 595-04-01-048.**

Bryman Suttle, Planner I, presented the staff report.

Mr. Sutton asked if the variance request is for height and setback? Ms. Kearse responded that if the variance is granted for the setback, it is automatically approved to be higher than four feet.

Mr. Hawthorne asked what the applicant would need to do to bring the fence into compliance. Mr. Suttle responded that he would need to shorten the columns or remove them.

Mr. Cullum asked if it is correct that staff was unable to meet any of the four findings. Mr. Suttle stated that is correct.

Mr. Hawthorne asked about the total height of the columns. Mr. Suttle responded that he believes they are five feet, but the applicant can verify.

Mr. Sutton opened the floor to the applicant.

Mike Smith, 1274 Pelham Wood Dr., stated that he had to build the columns to height they are so the twist would go all the way around and they would look correct. He stated that the columns are five feet tall, and the fence is 38 inches.

Mr. Cullum asked the applicant what his reasons are for not meeting the requirements. Mr. Smith stated that he didn't know that he needed a permit.

Mr. Cullum asked the applicant if he built them without consulting City. Mr. Smith stated that he didn't think he needed a permit for anything that isn't attached to the house.

Mr. Sutton opened the floor for public comment.

Anthony Avery, 1262 Asbury Ct., stated that Mr. Smith does magnificent work. It would be a shame to have to tear the columns down because they look good for the neighborhood. It goes along with the neighborhood entrance and the new family courthouse.

Gilbert Carswell, 4700 Harkey Rd., Waxhaw, NC, property owner, stated Mr. Smith wanted to surprise them with the columns. He is very honest, has rented from us for 18 years. He has fixed the entrance when it was damaged by an uninsured motorist. The columns improve the look of the whole road. This should be looked at for the greater good.

Douglas Sellers, 1268 Pelham Wood Dr., spoke in favor and asked the Board to come look at the columns.

Board discussion.

Mr. Hawthorne asked if staff received any negative feedback on the application. Mr. Suttle responded no.

Mr. Hawthorne asked if the 10-foot setback is to allow for the street to be widened. Ms. Kearse responded no, it is to avoid creating a wall effect along streets and avoid sight distance problems.

Mr. Cullum made a motion to approve the variance. The motion was seconded by Ms. Brown and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Cullum presented the findings, noting that there are extraordinary and exceptional conditions of it being near the Courthouse and it looks similar; there are unique conditions with the slope of the

lot; strict application of the ordinance would unreasonably restrict the utilization of the land because the fence is an improvement to the area; and it is not detrimental to the area based on the comments of residents in the area.

**7. Appeal Z-2022-20: Request by Vivian Ramseur with Excel Property Management Services, for a variance from the required number of parking spaces at 538 S. Dave Lyle Blvd., which is zoned Neighborhood Commercial (NC). Tax map number 598-24-01-017.**

Shana Marshburn, Planner II, presented the staff report.

Mr. Hawthorne asked for confirmation that the applicant has reached out to several surrounding areas. Ms. Marshburn stated that is correct.

Mr. Hawthorne asked if it has been investigated whether SCDOT would allow some parking along Pond Street. Ms. Marshburn stated that staff reached out to SCDOT, and they indicated that parallel parking may be possible as long as guidelines are met.

Mr. Hawthorne asked if the parallel spaces would be in addition to parking spaces shown on plan? Ms. Marshburn stated that is correct.

Ms. Brown asked where people parked before. Ms. Kearsse stated that they probably parked behind the building.

Mr. Hawthorne asked if parking anywhere across Dave Lyle Boulevard would meet zoning requirements. Ms. Marshburn stated that the zoning ordinance doesn't allow shared parking where you have to cross an arterial road and ideally, it should be on same side of Dave Lyle Boulevard.

Mr. Sutton asked if there is any use of the property that could get more than two spaces. Ms. Marshburn stated that due to the size and shape of the lot, only two spaces will fit.

Mr. Hawthorne asked if one of the parking spaces has to be handicapped accessible. Ms. Marshburn state that is correct.

Mr. Cullum asked how many people would be there at once. Ms. Marshburn stated that the applicant has stated that they need 10 spaces.

Mr. Sutton opened the floor to the applicant.

Vivian Ramseur, 1782 E. Ebenezer Rd, applicant, stated that she would like approval so construction can begin, and they can maintain the building.

Ms. Brown asked the applicant if she is concerned about where people will park. Ms. Ramseur stated that her main concern now is to get construction started so they can preserve the building. She stated that she will continue to work on getting shared parking.

Ms. Brown asked what the occupancy is for the building. Ms. Ramseur stated that she is not sure of total maximum number. There will be three offices, but most users will be people that are coming and going a lot and only staying 30 minutes to an hour at a time.

Mr. Sutton opened the floor for public comment.

Stevyn Buie, 2252 Pinnacle Way, York, SC, stated that he is the design architect for the project. He stated that they will work with civil engineers to explore the on-street parking. He has spoken to the church and funeral home, and everyone has parking concerns.

Mr. Cullum stated that it is a great project and great building. He asked if it is possible to defer until they can talk to SCDOT about parking. Ms. Kearsse stated that the applicant needs the variance to get started on the work to preserve the building.

Mr. Cullum asked how long it could possibly take to get SCDOT approval. Ms. Marshburn stated that a site plan would need to be prepared and submitted to them for review.

Mr. Hawthorne made a motion to approve the variance request. The motion was seconded by Mr. Sutton and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Hawthorne presented the findings, noting that there are extraordinary exceptional conditions; there are unique conditions that do not apply to other properties in the vicinity; strict application of the ordinance would effectively prohibit or unreasonably restrict utilization of the land; and it is not detrimental to the area.

**8. Other Business.**

Ms. Kearse noted that there is an upcoming continuing education opportunity on May 11 & 12 if anyone is interested.

**9. Adjourn.**

There being no further business, Mr. Cullum made a motion to adjourn. The motion was seconded by Mr. Sutton and approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

The meeting adjourned at 8:00 p.m.



## Zoning Board of Appeals Order

Z-2021-42

The Zoning Board of Appeals held a public hearing on Tuesday, April 26, 2022, to consider a **request by Ashley Elks for a variance from the side and rear yard setbacks for an accessory structure, playhouse, located at 302 State Street, which is zoned Single-Family Residential-4 (SF-4). Tax map number 600-02-03-036.**

Board members in attendance included: Keith Sutton, Rodney Cullum, James Hawthorne, and Charlotte Brown (Matt Crawford, Chad Williams and Stacey Reeves absent).

After consideration of the evidence and arguments presented, the Board voted to grant the request based on the following findings of fact:

1. The site may be identified as 302 State St.
2. The property owner is Ashley Elks.
3. This property is zoned Single Family Residential-4 (SF-4).
4. The request was for a variance from the side and rear yard setbacks for an accessory structure.
5. The request was advertised to the public according to state law and the City of Rock Hill Zoning Ordinance. The following public notification actions were taken:
  - April 1: Public Hearing notification postcards sent to property owners and tenants within 300 feet of the subject property.
  - April 1: Public Hearing notification signs posted on subject property.
  - April 1: Zoning Board of Appeals public hearing advertisement published in *The Herald*.
  - Information about the application was posted on the City's website.
6. During the public hearing, the following comments were heard by the Board:  
Melody Kearse, Zoning Coordinator, presented the staff report.

Mr. Cullum asked if any other approvals are needed if this is approved by the Board. Ms. Kearse responded that they only need to finish up with getting their permit.

Mr. Hawthorne asked how high the building is off the ground. Ms. Kearse responded that it is twelve inches off the ground.

Mr. Hawthorne asked if has the same setbacks as what was presented before. Ms. Kearse responded yes.

Mr. Sutton opened the floor to the applicant.

William Elks, 302 State St. (applicant) was available for questions.



Mr. Sutton asked how the structure was lowered. Mr. Elks stated that he used a system of posts & pulleys to slowly lower the building.

Mr. Sutton opened the floor for public comment and there was none.

Mr. Hawthorne made a motion to approve the variance requests from the side and rear setbacks for the accessory structure. The motion was seconded by Ms. Brown and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Hawthorne presented the findings, noting that there are extraordinary and exceptional conditions that are unique to the property, application of the ordinance would effectively prohibit or unreasonably restrict the utilization of the land, and authorization of the will not result in substantial detriment to adjacent land or to the public good, and the character of the district will not be harmed by the granting of the variance.

**THE BOARD, THEREFORE, ORDERS:**

**That the request by Ashley Elks for a variance from the side and rear yard setbacks for an accessory structure, playhouse, at 302 State St. is APPROVED.**

Section 2.12.1 (C) of the Zoning Ordinance states:

Any person having a substantial interest affected by a decision of the Zoning Board of Appeals may appeal the decision to the Circuit Court in and for York County by filing with the Clerk of the Court a petition setting for plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the decision of the Zoning Board of Appeals is mailed. For the purposes of this subsection, "person" includes persons jointly or severally aggrieved by the decision of the Zoning Board of Appeals.

AND IT IS SO ORDERED.

\_\_\_\_\_  
Matt Crawford, Chairman

Date the Order Was Approved by the Board: \_\_\_\_\_

Date the Decision of the Board Was Mailed to the Applicant: \_\_\_\_\_



## Zoning Board of Appeals Order

Z-2022-16

The Zoning Board of Appeals held a public hearing on Tuesday, April 26, 2022, to consider a **request by Robert Whitaker, for a special exception to establish an automobile repair use at 1207 Saluda St, which is zoned Mixed-Use Corridor (MUC). Tax map number 625-13-02-001.**

Board members in attendance included: Keith Sutton, Rodney Cullum, James Hawthorne, and Charlotte Brown (Matt Crawford, Chad Williams and Stacey Reeves absent).

After consideration of the evidence and arguments presented, the Board voted to grant the request based on the following findings of fact:

1. The site may be identified as 1207 Saluda St.
2. The property owner is Big Dipper Imports LLC (Robert Whitaker).
3. This property is zoned Mixed Use Corridor (MUC).
4. The request was for a special exception to establish an automobile repair use.
5. The request was advertised to the public according to state law and the City of Rock Hill Zoning Ordinance. The following public notification actions were taken:
  - April 1: Public Hearing notification postcards sent to property owners and tenants within 300 feet of the subject property.
  - April 1: Public Hearing notification signs posted on subject property.
  - April 1: Zoning Board of Appeals public hearing advertisement published in *The Herald*.
  - Information about the application was posted on the City's website.
6. During the public hearing, the following comments were heard by the Board:

Melody Kearse, Zoning Coordinator, presented the staff report.

Mr. Hawthorne asked if the building be filled in where the building steps out? Ms. Kearse stated no, that shows where pavement line would be. That area would be a planting bed.

Mr. Sutton opened the floor to the applicant.

Robert Whitaker, 1717 Gervais St., Columbia, SC & Sandra Harmon, 815 Hill St., Hartsville. Ms. Harmon asked why a special exception is required and asked for clarification of the property's zoning. She stated that it is unfair to single the applicant out and that the property was commercial before and he wants to use it commercially.

Ms. Kearse clarified that the zoning of the property is Mixed Use Corridor.

Mr. Whitaker stated that he submitted the drawings to show his dedication to establishing the

business. Mr. Whitaker stated that Ernest Brown has approached him about buying the building and has told people that he will not allow Mr. Whitaker to open the business.

Mr. Hawthorne asked the applicant what his timeline is for starting work and making improvements. Mr. Whitaker stated he will be able to start in 2-3 weeks.

Ms. Brown asked Mr. Whitaker if he has been in contact with the Saluda Corridor Business Association. Mr. Whitaker responded that he has not. Mr. Whitaker stated that he wants to improve the building and it will not affect value of residential property in the area.

Mr. Hawthorne asked where the existing fence is located that will remain. Ms. Kearse stated that there is a fence on the back of the property that is covered with vegetation and will remain.

Mr. Sutton opened the floor for public comment.

Vincent James, owner of 1405 Saluda St. and 1227 Saluda St., spoke in opposition and stated that he commends the applicant for his entrepreneurship, but this is not the right location for this business. Mr. James stated that there is no guarantee that it will look like what he is showing. He stated that the area needs to move forward, and the Board holds the key to that.

Melvin Poole, 523 Saluda St., Co-Chair of Saluda Corridor Business Association, stated that the Association is firmly against the proposal. He stated that Ernest Brown didn't offer to buy the property and was not at the last meeting because he has been recovering from surgery for the last couple of months. Allowing this business will destroy the character of the area that they have been working to improve. This business has been closed for more than 30 years and the Association is working to eliminate these types of businesses on Saluda Street. The city has had problems with other auto-oriented businesses and haven't been able to get them cleaned up. This business would be better on E. Black Street with other garages. A vacant building in this case would be better than a building with a bunch of junk cars around it and a torn down fence in the back.

Mr. Hawthorne asked Mr. Poole if the Association has developed a master plan for the area and how are you enacting your vision for the area. Mr. Poole stated that they are not trying to shut businesses down for the sake of shutting them down, we are trying to shut business down because they violate the codes and regulations. He noted that there is a 20-year plan for Saluda Street that's been on the books for a while now and it will be updated at some point. He stated that they encourage new business to come that fit the character of what they're trying to develop.

Mr. Cullum asked Mr. Poole if they are opposed to the other businesses that were shown in the presentation. Mr. Poole responded no because those businesses will not have junk cars in front.

Mr. Hawthorne stated that a solid fence will be required, and any cars will be shielded from view. Mr. Poole stated that the city has had problems with other auto-oriented business and none of those problems have been created. He does not think the drawings will be reality.

Mr. Whitaker clarified that it was Mr. James that asked about purchasing the property, not Ernest Brown. Mr. Whitaker stated that the last mechanic shop was there in 2015, not 30

years ago.

Ms. Brown asked if the Board's previous concerns were addressed. Mr. Sutton stated that there were concerns about what it would look like, and the applicant has provided drawings that can be incorporated into the approval. The drawings and site plan can be made part of the approval.

Ms. Brown asked who enforces the codes. Ms. Kearse responded that the City's commercial code enforcement officer enforces the codes based on what was in effect at the time the site was developed. International Property Maintenance Code standards deal with the condition of the property, but the standards are low. Ms. Kearse noted that there are a lot of non-conforming businesses on Saluda Street that are grandfathered in, specifically business that deal with automobile sales, auto repair, and wrecker services.

Mr. Cullum asked if there is a specific plan for the area. Ms. Kearse responded that the Saluda Corridor Master Plan is 23-24 years old and was designed by the original Saluda Corridor Business Association along with residents along the corridor. The MUC zoning regulations specify building and site improvements that are required. Ms. Kearse noted that staff would be glad to help with updates to the plan, including changes to the uses that are allowed.

Mr. Cullum stated that there should be some strong timelines and conditions about what is done and when it is done. Mr. Sutton stated that the current supply chain issues could be problematic.

Mr. Sutton asked if all improvements have to be done before he can get a C.O. Ms. Kearse stated that all repairs would have to be made to the inside of the building, the storage yard would have to be screened and any other conditions added by the Board would have to be completed before he could open for business. She added that if the special exception is granted and he doesn't do anything within 2 years, he has to come back to the Board.

Mr. Hawthorne asked what happens if he starts work and doesn't finish- does he have to come back? Ms. Kearse stated that it depends on how much work he does and when permits are pulled. Building permits are only good for six months but can be extended for valid reasons.

Mr. Cullum made a motion to approve the special exception for auto repair. The motion was seconded by Mr. Hawthorne. Ms. Brown offered a friendly amendment that the applicant must make all the required improvements and the improvements per the renderings submitted. The amendment was accepted by Mr. Cullum. Mr. Sutton called for the vote and the motion was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Cullum presented the findings, noting that the proposed use will comply with the use specific standards; will be appropriate for the location and compatible with the surrounding area; is designed to have minimal adverse impact; and there will be no environmental impact or injury to nearby properties.

**THE BOARD, THEREFORE, ORDERS:**

**That the request by Robert Whitaker, for a special exception to establish an automobile repair use at 1207 Saluda St. is APPROVED with CONDITIONS.**

**Conditions were:**

- The applicant must make all the required improvements and the improvements per the renderings submitted

Section 2.12.1 (C) of the Zoning Ordinance states:

Any person having a substantial interest affected by a decision of the Zoning Board of Appeals may appeal the decision to the Circuit Court in and for York County by filing with the Clerk of the Court a petition setting for plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the decision of the Zoning Board of Appeals is mailed. For the purposes of this subsection, "person" includes persons jointly or severally aggrieved by the decision of the Zoning Board of Appeals.

AND IT IS SO ORDERED.

\_\_\_\_\_  
Matt Crawford, Chairman

Date the Order Was Approved by the Board: \_\_\_\_\_

Date the Decision of the Board Was Mailed to the Applicant: \_\_\_\_\_





## Zoning Board of Appeals Order

Z-2022-19

The Zoning Board of Appeals held a public hearing on Tuesday, April 26, 2022, to consider a **request by Mike Smith for a variance from the secondary front setback for a fence taller than 4 feet located at 1274 Pelham Wood Dr., which is zoned Single-Family Residential-5 (SF-5). Tax map number 595-04-01-048.**

Board members in attendance included: Keith Sutton, Rodney Cullum, James Hawthorne and Charlotte Brown (Matt Crawford, Chad Williams and Stacey Reeves absent).

After consideration of the evidence and arguments presented, the Board voted to grant the request based on the following findings of fact:

1. The site may be identified as 1274 Pelham Wood Dr.
2. The property owner is Melodie Smith.
3. This property is Single-Family Residential-5 (SF-5).
4. The request was for a variance from the secondary front setback for a fence taller than 4 feet.
5. The request was advertised to the public according to state law and the City of Rock Hill Zoning Ordinance. The following public notification actions were taken:
  - April 1: Public Hearing notification postcards sent to property owners and tenants within 300 feet of the subject property.
  - April 1: Public Hearing notification signs posted on subject property.
  - April 1: Zoning Board of Appeals public hearing advertisement published in *The Herald*.
  - Information about the application was posted on the City's website.
6. During the public hearing, the following comments were heard by the Board:

Bryman Suttle, Planner I, presented the staff report.

Mr. Sutton asked if the variance request is for height and setback? Ms. Kearse responded that if the variance is granted for the setback, it is automatically approved to be higher than four feet.

Mr. Hawthorne asked what the applicant would need to do to bring the fence into compliance. Mr. Suttle responded that he would need to shorten the columns or remove them.

Mr. Cullum asked if it is correct that staff was unable to meet any of the four findings. Mr. Suttle stated that is correct.

Mr. Hawthorne asked about the total height of the columns. Mr. Suttle responded that he believes they are five feet, but the applicant can verify.

Mr. Sutton opened the floor to the applicant.

Mike Smith, 1274 Pelham Wood Drive, stated that he had to build the columns to height they are so the twist would go all the way around and they would look correct. He stated that the columns are five feet tall, and the fence is 38 inches.

Mr. Cullum asked the applicant what his reasons are for not meeting the requirements. Mr. Smith stated that he didn't know that he needed a permit.

Mr. Cullum asked the applicant if he built them without consulting City. Mr. Smith stated that he didn't think he needed a permit for anything that isn't attached to the house.

Mr. Sutton opened the floor for public comment.

Anthony Avery, 1262 Asbury Ct., stated that Mr. Smith does magnificent work. It would be a shame to have to tear the columns down because they look good for the neighborhood. It goes along with the neighborhood entrance and the new family courthouse.

Gilbert Carswell, 4700 Harkey Rd., Waxhaw, NC, property owner, stated Mr. Smith wanted to surprise them with the columns. He is very honest, has rented from us for 18 years. He has fixed the entrance when it was damaged by an uninsured motorist. The columns improve the look of the whole road. This should be looked at for the greater good.

Douglas Sellers, 1268 Pelham Wood Dr., spoke in favor and asked the Board to come look at the columns.

Board discussion.

Mr. Hawthorne asked if staff received any negative feedback on the application. Mr. Suttle responded no.

Mr. Hawthorne asked if the 10-foot setback is to allow for the street to be widened. Ms. Kearse responded no, it is to avoid creating a wall effect along streets and avoid sight distance problems.

Mr. Cullum made a motion to approve the variance. The motion was seconded by Ms. Brown and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Cullum presented the findings, noting that there are extraordinary and exceptional conditions of it being near the Courthouse and it looks similar; there are unique conditions with the slope of the lot; strict application of the ordinance would unreasonably restrict the utilization of the land because the fence is an improvement to the area; and it is not detrimental to the area based on the comments of residents in the area.

#### **THE BOARD, THEREFORE, ORDERS:**

**That the request by Mike Smith for a variance from the secondary front setback for a fence taller than 4 feet located at 1274 Pelham Wood Dr. is APPROVED.**

Section 2.12.1 (C) of the Zoning Ordinance states:

Any person having a substantial interest affected by a decision of the Zoning Board of Appeals may appeal the decision to the Circuit Court in and for York County by filing with the Clerk of the Court a petition setting for plainly, fully, and distinctly why the decision is contrary to law. The

appeal must be filed within 30 days after the decision of the Zoning Board of Appeals is mailed. For the purposes of this subsection, "person" includes persons jointly or severally aggrieved by the decision of the Zoning Board of Appeals.

AND IT IS SO ORDERED.

\_\_\_\_\_  
Matt Crawford, Chairman

Date the Order Was Approved by the Board: \_\_\_\_\_

Date the Decision of the Board Was Mailed to the Applicant: \_\_\_\_\_



## Zoning Board of Appeals Order

Z-2022-20

The Zoning Board of Appeals held a public hearing on Tuesday, April 26, 2022, to consider a **request by Vivian Ramseur with Excel Property Management Services, for a variance from the required number of parking spaces at 538 S. Dave Lyle Blvd., which is zoned Neighborhood Commercial (NC). Tax map number 598-24-01-017.**

Board members in attendance included: Keith Sutton, Rodney Cullum, James Hawthorne, and Charlotte Brown (Matt Crawford, Chad Williams and Stacey Reeves absent).

After consideration of the evidence and arguments presented, the Board voted to grant the request based on the following findings of fact:

1. The site may be identified as 538 S. Dave Lyle Blvd.
2. The property owner is Excel Property Management Services, LLC (Vivian Ramseur).
3. This property is Neighborhood Commercial (NC).
4. The request was for a variance from the required number of parking spaces.
5. The request was advertised to the public according to state law and the City of Rock Hill Zoning Ordinance. The following public notification actions were taken:
  - April 1: Public Hearing notification postcards sent to property owners and tenants within 300 feet of the subject property.
  - April 1: Public Hearing notification signs posted on subject property.
  - April 1: Zoning Board of Appeals public hearing advertisement published in *The Herald*.
  - Information about the application was posted on the City's website.
6. During the public hearing, the following comments were heard by the Board:

Shana Marshburn, Planner II, presented the staff report.

Mr. Hawthorne asked for confirmation that the applicant has reached out to several surrounding areas. Ms. Marshburn stated that is correct.

Mr. Hawthorne asked if it has been investigated whether SCDOT would allow some parking along Pond St. Ms. Marshburn stated that staff reached out to SCDOT, and they indicated that parallel parking may be possible as long as guidelines are met.

Mr. Hawthorne asked if the parallel spaces would be in addition to parking spaces shown on plan? Ms. Marshburn stated that is correct.

Ms. Brown asked where people parked before. Ms. Kearsse stated that they probably parked behind the building.

Mr. Hawthorne asked if parking anywhere across Dave Lyle Boulevard would meet zoning requirements. Ms. Marshburn stated that the zoning ordinance doesn't allow shared parking where you have to cross an arterial road and ideally, it should be on same side of Dave Lyle Boulevard.

Mr. Sutton asked if there is any use of the property that could get more than two spaces. Ms. Marshburn stated that due to the size and shape of the lot, only two spaces will fit.

Mr. Hawthorne asked if one of the parking spaces has to be handicapped accessible. Ms. Marshburn state that is correct.

Mr. Cullum asked how many people would be there at once. Ms. Marshburn stated that the applicant has stated that they need 10 spaces.

Mr. Sutton opened the floor to the applicant.

Vivian Ramseur, 1782 E. Ebenezer Rd., applicant, stated that she would like approval so construction can begin, and they can maintain the building.

Ms. Brown asked the applicant if she is concerned about where people will park. Ms. Ramseur stated that her main concern now is to get construction started so they can preserve the building. She stated that she will continue to work on getting shared parking.

Ms. Brown asked what the occupancy is for the building. Ms. Ramseur stated that she is not sure of total maximum number. There will be three offices, but most users will be people that are coming and going a lot and only staying 30 minutes to an hour at a time.

Mr. Sutton opened the floor for public comment.

Stevyn Buie, 2252 Pinnacle Way, York, SC, stated that he is the design architect for the project. He stated that they will work with civil engineers to explore the on-street parking. He has spoken to the church and funeral home, and everyone has parking concerns.

Mr. Cullum stated that it is a great project and great building. He asked if it is possible to defer until they can talk to SCDOT about parking. Ms. Kearse stated that the applicant needs the variance to get started on the work to preserve the building.

Mr. Cullum asked how long it could possibly take to get SCDOT approval. Ms. Marshburn stated that a site plan would need to be prepared and submitted to them for review.

Mr. Hawthorne made a motion to approve the variance request. The motion was seconded by Mr. Sutton and was approved by a vote of 4-0 (Crawford, Reeves, & Williams absent).

Mr. Hawthorne presented the findings, noting that there are extraordinary exceptional conditions; there are unique conditions that do not apply to other properties in the vicinity; strict application of the ordinance would effectively prohibit or unreasonably restrict utilization of the land; and it is not detrimental to the area.

#### **THE BOARD, THEREFORE, ORDERS:**

**That the request by Vivian Ramseur with Excel Property Management Services, for a variance from the required number of parking spaces at 538 S. Dave Lyle Blvd is APPROVED.**



Section 2.12.1 (C) of the Zoning Ordinance states:

Any person having a substantial interest affected by a decision of the Zoning Board of Appeals may appeal the decision to the Circuit Court in and for York County by filing with the Clerk of the Court a petition setting for plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the decision of the Zoning Board of Appeals is mailed. For the purposes of this subsection, "person" includes persons jointly or severally aggrieved by the decision of the Zoning Board of Appeals.

AND IT IS SO ORDERED.

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Matt Crawford, Chairman

Date the Order Was Approved by the Board: \_\_\_\_\_

Date the Decision of the Board Was Mailed to the Applicant: \_\_\_\_\_

**Z-2022-21**

**Request:** Variance from the maximum height of a fence in the front yard for an attached arbor

**Address:** 137 Reid Street

**Zoning District:** Single-Family Residential-5 (SF-5)

**Applicant:** Kevin Mattingly





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<b>Request:</b>	Variance from front yard fencing standards limiting height to 4 feet
<b>Address:</b>	137 Reid Street
<b>Tax Map No.:</b>	627-16-03-008
<b>Zoning District:</b>	Single-Family Residential-5 (SF-5)
<b>Applicant / Property Owner:</b>	Kevin Mattingly 137 Reid Street Rock Hill, SC 29730

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### **Background**

Kevin & Kimberly Mattingly are the property owners and residents of 137 Reid St., a National Register recognized historic property located within the City's Reid Street/North Confederate Avenue Historic District. The Mattingly's were approved for a four-foot-tall white picket fence in December 2021 and have made a number of other improvements to their home since purchasing it in 2016. They are proposing to attach a garden arbor, or garden arch, as a gateway feature to their fence that would span across their walkway leading up to the front porch and would support the planting of climbing roses at each end. They believe this will add even more appeal to their historic home as well as the broader neighborhood and historic district.

A garden arbor (also known as a garden arch) is typically an outdoor structure that consists of 2 or 4 posts with a slatted roof. While it may seem similar to a pergola, an arbor is a much more narrow and confined structure (typically close in size to the width of a pathway) intended solely for decorative purposes.

The Zoning Ordinance specifies that the front fence be a maximum of four feet tall or less and no more than 50% opaque. Because the applicant is proposing only a small portion of the front fence be allowed to incorporate the attached eight-foot tall by two-foot-wide garden arbor, the variance is needed.

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### **Site Description**

The property is zoned Single Family-5 (SF-5) and is located on the west side of Reid Street within the City's Reid Street/North Confederate Avenue Historic District, just northeast of Old Town/ Downtown, Rock Hill. It is centrally located between White Street to the north, Main Street to the south, Elizabeth Lane to the west, and Confederate Avenue to the east. It is immediately surrounded by single-family homes that are also zoned SF-5 and more broadly surrounded by Downtown (DTWN) and Neighborhood Office (NO) zoning districts which allow both commercial and office uses.

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## **Description of Intent for the Single Family Detached Zoning Districts**

These residential districts are established to primarily provide for single-family detached residential development. A few complementary uses customarily found in residential zoning districts, such as religious institutions, may also be allowed.

The primary difference between these districts is the minimum lot size for development and other dimensional standards that are listed in full in *Chapter 6: Community Design Standards*. The minimum lot size in the SF-5 district is 7,500 square feet.

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## **Analysis of Requests for Variance**

### **Required Findings of Fact**

Staff will base its recommendation on an analysis of the below findings. The Zoning Board of Appeals may approve a variance only upon finding that the applicant has demonstrated that **all four** of the below findings are met.

The required findings are shown below in italics, followed by staff's assessment of each finding in non-italicized font.

#### **1. *Extraordinary and Exceptional Conditions***

*There are extraordinary and exceptional conditions pertaining to the particular piece of land.*

The subject property is located within the Reid Street/ North Confederate Street Area Historic District and East Town area. The home was built somewhere around 1904 and is a valued piece of the historic landscape in Rock Hill. Garden arbors were more commonplace at the time of the home's construction and would be a unique addition to the area.

#### **2. *Unique Conditions***

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

While there are other historic districts and National Register recognized homes in this area, there are only a limited number of them. Additionally, the architecture of this home is unique compared to other homes in the area, having received an award for their restoration efforts. Located just behind the historic White home, it was likely one of the first homes built on Reid Street.

#### **3. *Strict Application Deprives Use***

*Because of the conditions, the application of this Ordinance to the land would effectively prohibit or unreasonably restrict the utilization of the land.*

With the current zoning restrictions, this addition would not be allowed because front fencing is limited to four feet in height. It would be unreasonable to restrict a feature of this nature that will only occupy a small portion of the total fence area and would be a positive benefit to the community by adding to the curb appeal to the home. Garden arbors of this nature are common landscape features, especially for homes developed at the turn of the prior century, and this would be an opportunity to feature a landscape design element of this type in a prominent way. One of the primary reasons for the



four-foot height restriction and maximum 50% opaque requirement is to ensure line of sight is maintained. and this addition would have little or no effect on this due to its location and it also being less than 50% opaque.

#### **4. Not Detrimental**

*The authorization of the Variance Permit will not result in substantial detriment to adjacent land, or to the public good, and the character of the district will not be harmed by the granting of the variance.*

If the variance is granted, the addition of this arbor would not result in substantial detriment to adjacent land, the public good or character of the broader historic district. Staff feels it will be a positive improvement to the neighborhood. Input from an immediate neighbor has been received expressing their strong support.

#### **Not Grounds for Variance**

Variance requests cannot be based on the ability of the land to be used more profitably if the requests are granted. In this case, the granting of the variance request would continue to allow the property to be used for a single-family residence, which is not a use that is expected to generate profit.

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#### **Public Input**

Staff has taken the following actions to notify the public about this public hearing:

- April 29: Sent public hearing notification postcards to property owners and tenants within 300 feet of the subject property.
- April 29: Posted public hearing signs on subject property.
- April 29: Advertised the Zoning Board of Appeals public hearing in *The Herald*.

Staff has received an email in support of the variance from neighbors Steve Gucciardi and Stephanie Snow of 138 Reid St.

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#### **Staff Recommendation**

Staff was able to make all of the findings and recommends approval of the variance request.

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#### **Attachments**

- Application and supporting materials
  - Zoning map
- 

#### **Staff Contact:**

Bryman Suttle, Planner I

803.329.5674

[bryman.suttle@cityofrockhill.com](mailto:bryman.suttle@cityofrockhill.com)



# VARIANCE APPLICATION

Plan Tracking # \_\_\_\_\_ Date Received: \_\_\_\_\_ Case # Z- \_\_\_\_\_

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

## PROPERTY INFORMATION

Street address of subject property: 137 Reid St. \_\_\_\_\_, Rock Hill, SC 29730 \_\_\_\_\_

Tax parcel number of subject property: 6271603008 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

### Property restrictions

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:

No \_\_\_\_\_

## APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address
Kevin Mattingly	137 Reid St, Rock Hill, SC, 29730	704-577-4532	<a href="mailto:kdmattingly@gmail.com">kdmattingly@gmail.com</a>

Are you the owner of the subject property?  X/Yes  No

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent) \_\_\_\_\_

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.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If you are ***not*** the owner of the subject property, the ***property owner*** must complete this box.

<p>Name of property owner: _____</p> <p>If property owner is an organization/corporation, name of person authorized to represent its property interests: _____</p> <p>I certify that the person listed in the person listed above has my permission to represent this property in this application.</p> <p>Signature: _____ Date: _____</p> <p>Preferred phone number: _____ Email address: _____</p> <p>Mailing address: _____</p>
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## INFORMATION ABOUT REQUEST

### General description of your request

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We want to add an arbor across the sidewalk on our property that leads to the front porch. This will allow for climbing roses to add appeal. The height of the arbor is 8Ft and structures in the front of a property are limited to 4Ft. We are asking for a variance for the 8Ft high arbor. We feel that this feature will not only add to our property but to the entire Reid Street area. Since moving here in 2016, we've received an award for our restoration efforts and have worked hard to add positives to our neighborhood.

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### Findings of fact

Under state law, in order to grant a variance, the Zoning Board of Appeals must find that **all four** of the following statements are true about your request. Please explain why you believe your request is true regarding these four statements.

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

\_\_\_\_\_ Yes...

Our home is a part of the historic Confederate street and East Town area. It was built somewhere around 1904 and is a valued piece of the historic landscape In Rock Hill.

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

No...

While there are other historic homes in this area, the architecture of our home is unique. We haven't seen any other Homes with its characteristics. It is just behind the White Home and was likely one of the first homes built on Reid St. We feel our home is a complementary property to the area.

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

Yes...

With the current zoning restrictions, we'd have to essentially scrap a project that we feel would be a positive to the community and add to the curb appeal of our home.

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

No...

We feel that the addition of this arbor will be a positive to our neighbors properties as well as ours. We've asked for input from our neighbors and are providing e-mails expressing their support.

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**Exhibits**

Please list any documents that you are submitting in support of this application. The ones listed below are suggested, but you may provide others that you believe would be helpful, and in some cases, staff or the Zoning Board of Appeals may request other exhibits as well.

- Site plan
- Photos of the area of the property that is the subject of the request

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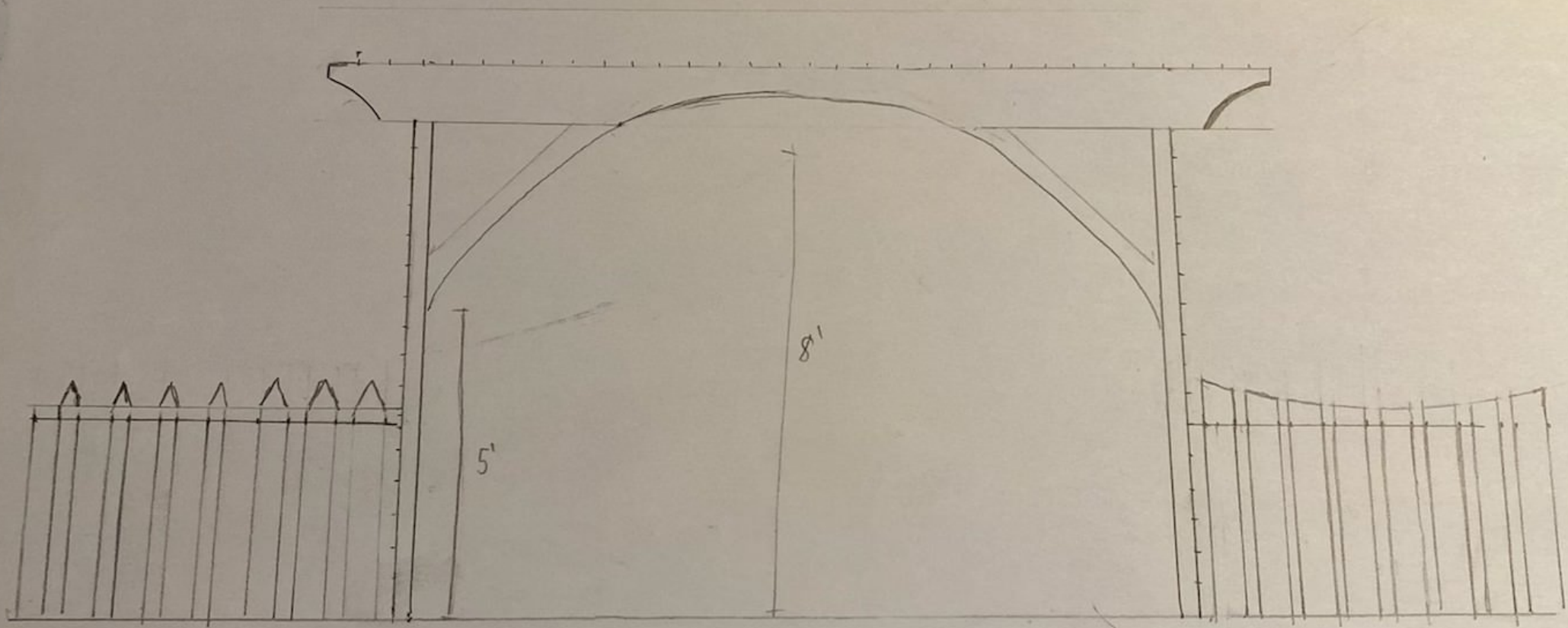
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**From:** [Marshburn, Shana](#)  
**To:** [Kearse, Melody](#)  
**Subject:** FW: Neighbor Approval E-mail  
**Date:** Monday, April 11, 2022 11:55:07 AM

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Another email in support of request...

Shana Marshburn

Planner II  
Planning & Development  
City of Rock Hill  
P.O. Box 11706  
155 Johnston Street (29730)  
Rock Hill, South Carolina 29731-1706  
o: 803-326-2456

[Shana.Marshburn@cityofrockhill.com](mailto:Shana.Marshburn@cityofrockhill.com)

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**From:** Kevin Mattingly <[kdmattingly@gmail.com](mailto:kdmattingly@gmail.com)>  
**Sent:** Friday, April 8, 2022 9:41 AM  
**To:** Marshburn, Shana <[Shana.Marshburn@cityofrockhill.com](mailto:Shana.Marshburn@cityofrockhill.com)>  
**Subject:** FW: Neighbor Approval E-mail

**CAUTION:** not from City of Rock Hill...from Unknown Source...Beware, proceed with **CAUTION**

A little colorful but this is from my neighbor at 138 Reid St.

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**From:** Steven Gucciardi <[sgucciardi@mac.com](mailto:sgucciardi@mac.com)>  
**Sent:** Thursday, April 7, 2022 7:58 PM  
**To:** Kevin Mattingly <[kdmattingly@gmail.com](mailto:kdmattingly@gmail.com)>  
**Subject:** Re: Neighbor Approval E-mail

Should I send the email to you or to the City of Rock Hill? Below is my response. If I need to send it to the City, let me know.

Here's my response:

My name is Steven Gucciardi and my wife Stephanie Snow own the house across the Street from the Mattingly's. Our address is 138 Reid St. Since the height requirement for an arbor is four feet tall neither Kim nor Kevin Mattingly are midgets they therefore would not be able to comfortably walk under a four foot arbor. Additionally, I'm not sure how the mail man or their visitors are supposed to circumnavigate a four foot arbor.

Because the Mattingly's always added tasteful touches to their homes and their good neighbors that have been making substantial and real investments in their property, Stephanie and I both approve of the proposed arbor. Please approve their rezoning request.

The historical restrictions in our neighborhood have resulted in unintended externalities. Most all of us want to make property improvements but we're severely limited in what we can do. History is not only about the past. History represents the past, present and future. Every day that we live we are also placing our imprint on history and are therefore a part of the historical record.

Please approve this request so that Reid Street can blossom and reflect the current historical residents.

Thank you,

Steve Gucciardi and Stephanie Snow  
138 Reid St  
Rock Hill, SC 29730

On Apr 7, 2022, at 2:13 PM, Kevin Mattingly <[kdmattingly@gmail.com](mailto:kdmattingly@gmail.com)> wrote:

Hey Steve,

We're wanting to put an arbor across the sidewalk leading up the front porch. Kimberly plans on planting climbing roses at each end to add appeal. Since it is taller than 4Ft and will be integrated into the fence, I have to request a zoning variance. Can you send me an e-mail with your support for this project. I know Rob is good and of course Dan has to be. I'll ask William and Sandy too.

If you can do this, it would be greatly appreciated.

Kev

Thanks,  
Kevin d. Mattingly

To whom it may concern,

My name is Rob Murphy and I live at 131 Reid St, Rock Hill, SC, 29730. My neighbors at 137 Reid St, Kevin and Kimberly Mattingly talked to me about their desire to add an arbor across their sidewalk leading to their front porch. Based on our conversation, I understand that there is a height restriction of 4Ft and that a variance is required to integrate their arbor.

I'm writing this e-mail in support of their project. If you have questions, you can contact me via e-mail or phone at 704-361-0302.

A handwritten signature in black ink, appearing to read 'R. Murphy', with a large, stylized flourish at the end.







Robert D. Murphy  
131 Reid St.  
Rock Hill, SC 29730  
PH: 704.361.0302  
EMAIL: rob@rdmelec.com



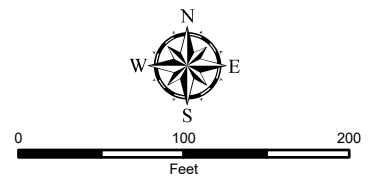
**Z-2022-21**

 Subject Property

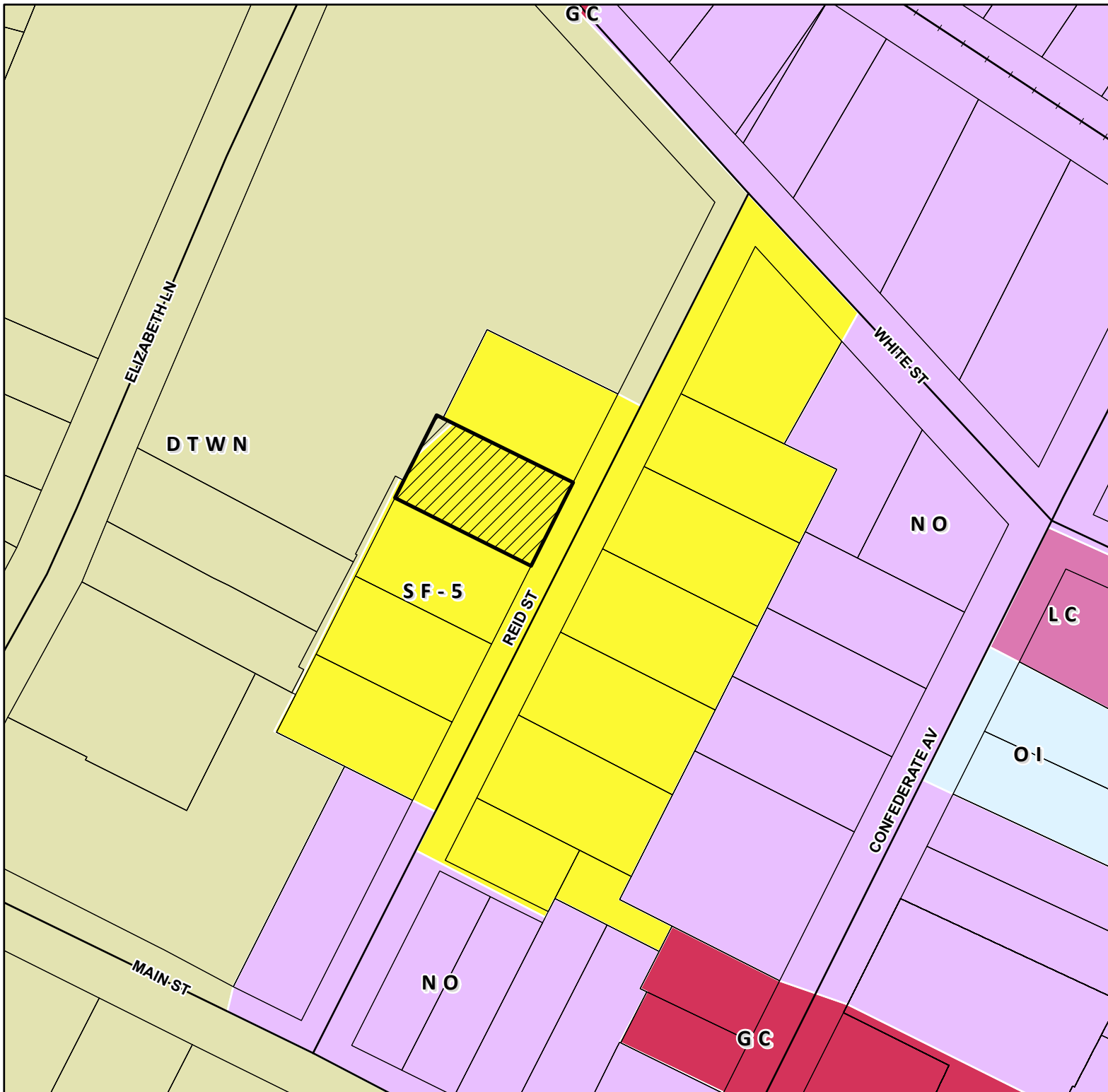
**Zoning Districts**

-  Downtown (DTWN)
-  General Commercial (GC)
-  Limited Commercial (LC)
-  Neighborhood Office (NO)
-  Office and Institutional (OI)
-  Single-Family 5 (SF-5)

**Zoning Data**  
**Current Zoning**  
**SF-5**



Planning & Development  
Department  
City of Rock Hill  
05/17/2022





**Z-2022-22**

**Request:** Special exception to establish a self-storage use and a variance from the required minimum lot size

**Address:** 2764 Faith Boulevard

**Zoning District:** General Commercial (GC)

**Applicant:** J M Cope





**Request:** Special exception to establish self-storage use and a variance from the required minimum lot size for self-storage uses

**Address:** 2764 Faith Boulevard

**Tax Map Numbers:** 662-07-01-374

**Zoning District:** General Commercial (GC)

**Applicant/ Owner:** JM Cope Investments LLC (Andrew Cope)  
 199 S. Cherry Road  
 Rock Hill, SC 29730

**Background**

This parcel was created out of a larger 4.5-acre site that was developed for two users and subsequently subdivided. The first parcel was approved for a special exception for a day care use in 2020. The applicant is seeking to establish a climate controlled self-storage use in a single standalone building with no outdoor storage or accessory uses. The site is zoned General Commercial (GC) and therefore a special exception is required in order to establish the use. Because the site is less than three acres, a variance is also needed from the lot size requirement for a self-storage use.

<b>Primary use table excerpt</b>  <ul style="list-style-type: none"> <li>• Blank cell = prohibited</li> <li>• S = Special exception</li> <li>• C = Conditional use</li> <li>• P = Permitted use</li> </ul>	<b>RESIDENTIAL</b>								<b>BUSINESS</b>											
	SF-2	SF-3	SF-4	SF-5	SF-8	SF-A	MFR	MF-15	MX	NO	NC	OI	LC	GC	CC	CI	DTWN	MUC	IB	IG
<b>Definition of proposed use</b>	<b>Self-storage:</b> Self-storage uses provide storage areas for individuals or businesses. This may include indoor facilities (“mini-warehouses” or climate-controlled storage units), outdoor storage yards for the storage of recreational equipment (such as but not limited to trailers, boats, and recreational vehicles) by vehicle owners, or a combination of indoor facilities and outdoor storage yards.																			

**Site Description**

The subject property is approximately 1.61 acres and is located along the north side of Faith Boulevard at the corner of Southcross Boulevard. It is adjacent to the Big Blue Marble Preschool Center and directly across Faith Boulevard from the Home Depot retail center. The property is zoned GC and is surrounded by other commercial and industrial uses in the GC and Industry Business (IB) zoning districts.

**Description of Intent for General Commercial (GC) Zoning District**

Although originally established to apply to lands being used commercially that did not fit into one of the other commercial districts, it is now the intent of this ordinance that the GC district be phased out over time by not allowing new re-zonings to the district.



## Analysis of Request for Special Exception

Staff will base its recommendation on an analysis of the below standards, and the Zoning Board of Appeals may approve a special exception use only upon a finding that the applicant has demonstrated that the applicable standards listed below are met. The Board may find that not all of these standards are applicable to every request for a special exception use.

1. ***Complies with Use-Specific Standards:*** *The proposed use complies with all use-specific standards. In this case, the applicable use-specific standards are shown below in italics, followed by staff's assessment of each standard in non-italicized font.*

### 4.3.3.3.15 Self-storage

#### A. Self-storage

1. ***Lot Area:*** *Self-storage uses must have at least 3 acres or be an accessory use behind a primary commercial use on an overall site of at least 3 acres.*

The applicant is seeking a variance to this standard. This parcel was created out of a larger 4.5-acre site that was developed for two users and subsequently subdivided. The two uses would share a detention pond, common access drive, tree save and dumpsters. The property is also a second-tier commercial property behind major commercial areas along Cherry Road. Additionally, the 3acre minimum lot size standard was originally established for the one-story, mini-warehouse type of self-storage development rather than the multi-story, climate-controlled self-storage that is proposed here.

2. ***Hours of Operation:*** *Hours of public access to a self-storage use adjacent to any of the following are restricted to between 6 a.m. and 10 p.m.: any existing residential use, any undeveloped residential zoning district, and any undeveloped portions of a Master Planned (MP) zoning district designated for residential use.*

The property owner agrees to comply with the hours of operation restriction.

3. ***Not Legal Address:*** *Individual storage bays or private postal boxes within a self-storage facility use will not be considered premises for the purpose of assigning a legal address.*

The applicant agrees to comply.

4. ***Commercial Uses Permitted On-Site:*** *Commercial uses unrelated to self-storage cannot take place at self-storage facilities unless they are listed as an accessory use in the accessory use section of this ordinance. Examples of prohibited activities include the manufacturing, fabrication, or processing of goods; the service or repair of vehicles, small engines, or electrical equipment; the conducting of garage sales or retail sales of any kind; the provision of any service; and the practicing of music or the holding of concerts.*

No commercial use will be allowed.

- 5. Security or Caretaker Quarters:** *Only one security or caretaker quarters may be developed on the site and must be occupied by a full-time employee of the self-storage business.*

The proposed storage facility would have an office.

- 6. Lighting:** *Outdoor lighting must be the minimum necessary to discourage vandalism and theft.*

The applicant agrees to comply.

- 7. Architectural Standards:** *In addition to meeting the design standards in Chapter 9: Site and Building Design Standards, self-storage uses must:*

- *Face storage doors away from any abutting property located in a residential district or visible from any public street to the extent practical.*
- *Provide uniform architectural treatment on the exterior-facing façades of all structures, including masonry, stucco, and painting of surfaces. The colors selected must be compatible with the character of the neighborhood.*
- *Not use corrugated metal, except on interior-facing walls. (However, architectural-grade metal with stucco-like finish may be allowed on exterior walls.)*

The site plan shows a three-story building that will only have internally accessed doors. The building will have to meet all required design standards.

- 8. Outdoor Storage:** *All property must be stored entirely within enclosed buildings, except that recreational vehicles, travel trailers, boats and other vehicles may be stored outdoors, provided that the following standards are met:*

- *All vehicles must be operational and in good repair.*
- *The storage occurs only within a clearly delineated, designated area.*
- *The outside storage area does not exceed 25% of the buildable area of the site.*
- *The area is located on the site such that it is minimally visible from public streets and any surrounding residential property.*
- *The area is screened with a fence at least 8 feet tall along with perimeter landscaping around all sides that are visible from public view according to the fencing standards of Chapter 5: Land Use: Accessory and Temporary Uses and the landscape screening standards of Chapter 8: Development Standards.*
- *Storage does not occur within the area set aside for minimum building setbacks.*
- *A five-foot separation between structures must be maintained.*
- *No dry stacking of boats is permitted.*
- *The storage area must be paved.*

The site plan does not include any outdoor storage.

- 9. *Truck and Trailer Leasing:*** *When truck and trailer leasing are offered on the site, parking of trucks along road frontages shall be limited to a small representation of the vehicles available and the area shall be designated on the approved site plan. Additional equipment shall be parked in a designated area away from the frontage of the property.*

The site plan does not show this as part of the use. Staff asks that this accessory use not be permitted as part of this special exception.

- 10. *Self-storage in Commercial and Industrial Zoning Districts requiring Special Exception:***

*The following additional criteria shall apply to self-storage facilities in these districts:*

- *Self-storage facilities shall not be located in designated redevelopment corridors or other areas subject to specific area plans, unless identified in such plans as an acceptable use.*

While this site is close to Cherry Road, it sits nearly 400 feet from corridor, and therefore, will not interfere with the redevelopment corridor plan.

- *Self-storage buildings shall not be located along street fronts or major pedestrian ways in walkable, high-density commercial areas.*

The proposed self-storage building is located on second tier site, away from pedestrian/ high-density commercial areas.

- *Self-storage facilities shall not be located in high-visibility locations such as at major intersections, or adjacent to tourist destinations such as parks, sports venues, cultural facilities and major shopping destinations.*

The use is not located at a major intersection and is not in a high-visibility location.

- *The type, size, and scale, and external facing architectural design of self-storage buildings should be compatible with existing and planned development. For example, in urban density areas, multi-story internal corridor buildings may be more compatible whereas in suburban density areas, single-story buildings may be more appropriate.*

The proposed self-storage building will be three-story, which is in line with a more urban setting and the design of the industrial buildings to the north of the site along Southcross Boulevard.

- *Self-storage sites should include a minimum of frontage along collector and arterial roads, primarily for exposure of the entrance, office and commercial services offered on the site. Properties with significant frontage should reserve areas for other commercial uses on the balance of the frontage.*

The proposed use would not front an arterial or collector road.

- *Offices and other support functions adjacent to collector and arterial roads shall utilize glass storefronts or other similar treatments to support the scale and mixed-use character of such corridors.*

The applicant agrees to comply.

- *No vehicle washing is allowed, unless within a designated and approved wash area.*

The applicant agrees to comply.

2. ***Compatibility:*** *The proposed use is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands.*

The proposed building will be a three-story, climate-controlled facility with internally accessed units, and it will be similar in scale to the industrial buildings just north of the site. This will keep the proposed use in scale with the surrounding properties and create compatibility between the different uses.

3. ***Design Minimizes Adverse Impact:*** *The design of the proposed use minimizes adverse effects, including visual impacts on adjacent lands; furthermore, the proposed use avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance.*

The proposed building will have to meet all of the current design standards for a building of its type. All activity will occur within the building, with the exception of a small loading and unloading area to the rear of the site near the parking.

4. ***Design Minimizes Environmental Impact:*** *The proposed use minimizes environmental impacts and does not cause significant deterioration of water and air resources, significant wildlife habitat, scenic resources, and other natural resources.*

Staff will review all plans for compliance with all development requirements, and inspection staff will monitor construction for compliance with all relevant codes.

5. ***Roads:*** *There is adequate road capacity available to serve the proposed use, and the proposed use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.*

The proposed use is not a high traffic generator, access to the site will be via shared drive access off of Faith Boulevard or Southcross Boulevard.

6. ***Not Injure Neighboring Land or Property Values:*** *The proposed use will not substantially and permanently injure the use of neighboring land for those uses that are permitted in the zoning district or reduce property values in a demonstrative manner.*

The proposed use should not be a detriment to neighboring properties as the use is low-impact commercial use in a commercial area.

7. ***Site Plan:*** *A site plan has been prepared that demonstrates how the proposed use complies with the other standards of this subsection.*



A site plan was submitted and is attached to this report.

- 8. *Complies with All Other Relevant Laws and Ordinances:*** *The proposed use complies with all other relevant City laws and ordinances, state and federal laws, and regulations.*

The applicant agrees to comply.

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## **Analysis of Requests for Variance**

### **Required Findings of Fact**

Staff will base its recommendation on an analysis of the below findings. The Zoning Board of Appeals may approve a variance only upon finding that the applicant has demonstrated that **all four** of the below findings are met.

The required findings are shown below in italics, followed by staff's assessment of each finding in non-italicized font.

#### **1. *Extraordinary and Exceptional Conditions***

*There are extraordinary and exceptional conditions pertaining to the particular piece of land.*

The site was originally developed as 4.5-acre tract and then subsequently subdivided. It shares a stormwater pond, access drive, dumpster and tree save with adjoining parcel. This self-storage use is also a climate-controlled building with only internal unit access, and it will not have any outdoor storage or truck rental associated with this use.

#### **2. *Unique Conditions***

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

This site does not share these conditions with other property nearby. While the industrial park to the north shares a stormwater facility, the businesses do not share drive aisles, tree save, or dumpsters.

#### **3. *Strict Application Deprives Use***

*Because of the conditions, the application of this Ordinance to the land would effectively prohibit or unreasonably restrict the utilization of the land.*

Without the variance the owner could not develop the property for the proposed use.

#### **4. *Not Detrimental***

*The authorization of the Variance Permit will not result in substantial detriment to adjacent land, or to the public good, and the character of the district will not be harmed by the granting of the variance.*

The granting of this variance would not be detrimental to adjacent lands or the public good as the building would be similar in scale and design to the other buildings located nearby.

### **Not Grounds for Variance**

Variance requests cannot be based on the ability of the land to be used more profitably if the requests are granted. In this case, the granting of the variance request would allow the property to be used for commercial purposes, which is the intended use of the site.

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### **Public Input**

Staff has taken the following actions to notify the public about this public hearing:

- April 29: Sent public hearing notification postcards to property owners and tenants within 300 feet of the subject property.
- April 29: Posted public hearing signs on subject property.
- April 29: Advertised the Zoning Board of Appeals public hearing in *The Herald*.
- Information about this request was posted to the City's website

Staff has not heard from any neighboring property owners or tenants with concerns about the use.

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### **Staff Recommendation**

Staff recommends approval of the special exception and variance based on the above analysis, and subject to the following conditions:

- No Truck Rental uses be permitted at the site.

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### **Attachments**

- Application
- Conceptual Site plan
- Zoning map

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### **Staff Contact:**

Melody Kearse, Zoning Coordinator

803.329.7088

[melody.kearse@cityofrockhill.com](mailto:melody.kearse@cityofrockhill.com)

# SPECIAL EXCEPTION APPLICATION

Plan Tracking # \_\_\_\_\_ Date Received: \_\_\_\_\_ Case # Z- \_\_\_\_\_

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

## PROPERTY INFORMATION

Street address of subject property: 2764 FAITH BLVD, Rock Hill, SC 29730

Tax parcel number of subject property: 6 6 2 - 0 7 - 0 1 - 3 7 4

### Property restrictions

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 XX

If yes, please describe the requirements: \_\_\_\_\_

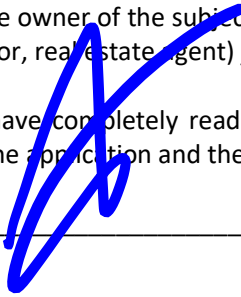
## APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address
J M COPE INVESTMENTS LLC ANDREW M. COPE	199 S. CHERRY RD ROCK HILL, SC	803.242.5692	acope@jmcope.com

Are you the owner of the subject property?  Yes  No

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent) n/a

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.

Signature:  Andrew Cope Date: 4/10/22

If you are not the owner of the subject property, the *property owner* must complete this box.

<p>Name of property owner: _____</p> <p>If property owner is an organization/corporation, name of person authorized to represent its property interests: _____</p> <p>I certify that the person listed in the person listed above has my permission to represent this property in this application.</p> <p>Signature: _____ Date: _____</p> <p>Preferred phone number: _____ Email address: _____</p> <p>Mailing address: _____</p>
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## INFORMATION ABOUT REQUEST

### What is the type of use for which you are requesting a special exception?

The development of a new, entirely enclosed, self storage facility.

### Special exception standards

Please explain to the Board why you believe your request meets these standards. These are the standards the Board will consider when deciding whether to approve your request, although it may find that not all are applicable to your request.

1. If your proposed use has any use-specific standards, how do you propose to meet them? (Staff can help you determine whether your use has any use-specific standards.)

This development is over 4 acres but has been subdivided to allow for multiple tenants. Shared pond, access, tree save, dumpsters and drives (cross accessed) are in place. Property is secondary roads and behind major commercial areas on Cherry Rd and Home Depot.

2. How is the proposed use appropriate for its location and compatible with surrounding land and uses?

Secondary road locations in a commercial district are approved for this use. The building will meet commercial zoning appearance requirements.

3. What steps are you taking to minimize any adverse impacts on surrounding properties?

No adverse impacts are anticipated. Tree saves or replacement trees will be utilized as shown. Traffic and parking are minimal for a facility of this nature.

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4. How would the use impact the environment (water, natural resources, wildlife habitat, etc.)?

Project will have no additional impact on the environment. Site is already cleared and prepped for the facility. Site previously approved.

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5. How would the use impact traffic issues (road capacity, safety of those coming into or leaving the site, etc.)?

After lease up, storage facility would be lightly trafficked. It will meet all development standards so the appearance would blend and enhance the areas.

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6. How would the use impact the ability of neighboring land owners to use their properties in a way that is allowed under the Zoning Ordinance, and their property values?

The proposed use will have no impact on neighboring land owners uses.

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**Exhibits**

Please list any documents that you are submitting in support of this application. The ones listed below are suggested, but you may provide others that you believe would be helpful, and in some cases, staff or the Zoning Board of Appeals may request other exhibits as well.

Site plan

Photos of property that is the subject of the request

see drone photos

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# VARIANCE APPLICATION

Plan Tracking # \_\_\_\_\_ Date Received: \_\_\_\_\_ Case # Z- \_\_\_\_\_

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

## PROPERTY INFORMATION

Street address of subject property: 2764 FAITH BLVD, ROCK HILL, SC, Rock Hill, SC 29730

Tax parcel number of subject property: 6 6 2 - 0 7 - 0 1 - 3 7 4

### Property restrictions

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 XX

If yes, please describe the requirements: \_\_\_\_\_

## APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address
J M Cope Investments LLC Andrew M. Cope	199 Cherry Rd Rock Hill, SC	803.242.5692	acope@jmcope.com

Are you the owner of the subject property?  Yes  No

S

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent) n/a

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.

Signature:  Andrew M. Cope Date: 4/10/22

If you are not the owner of the subject property, the *property owner* must complete this box.

<p>Name of property owner: _____</p> <p>If property owner is an organization/corporation, name of person authorized to represent its property interests: _____</p> <p>I certify that the person listed in the person listed above has my permission to represent this property in this application.</p> <p>Signature: _____ Date: _____</p> <p>Preferred phone number: _____ Email address: _____</p> <p>Mailing address: _____</p>
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## INFORMATION ABOUT REQUEST

### General description of your request

As per attached layout, J. M. Cope Investments LLC would like to develop a new self storage facility. The facility will be entirely enclosed and conditioned. Rock Hill Zoning restrictions require at least 3 acres for minimum for self storage (4.3.3.3.15). The intent of the code does to appear to be for vertical storage and the overall site is above 4 acres before it was split when developed for 2 tenants.

### Findings of fact

Under state law, in order to grant a variance, the Zoning Board of Appeals must find that **all four** of the following statements are true about your request. Please explain why you believe your request is true regarding these four statements.

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

The development is over 4 acres but has been subdivided to allow for multiple tenants. Shared pond, access, tree save, dumpsters and drives (cross accessed) are in place. Property is secondary roads and behind major commercial areas on Cherry Rd and Home Depot.

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

Multiple other properties nearby are in the primary commercial one on Cherry Rd and Celanese and not suitable for Storage. Other smaller parcels would be not be feasible due the requirement for detention pond, tree saves, entries, etc.



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

Storage would be not permitted on this site if the multi-tenant  
aspects of the site (drives, access, pond, tree save) are taken  
into account. The intent of the code was also for smaller single  
story storage units and not urban style multi-story facilities.

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

After lease up, storage facility would be lightly trafficked. It  
will meet all development standards so the appearance would blend  
and enhance the areas.

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**Exhibits**

Please list any documents that you are submitting in support of this application. The ones listed below are suggested, but you may provide others that you believe would be helpful, and in some cases, staff or the Zoning Board of Appeals may request other exhibits as well.

Site plan

Photos of the area of the property that is the subject of the request

see drone photos

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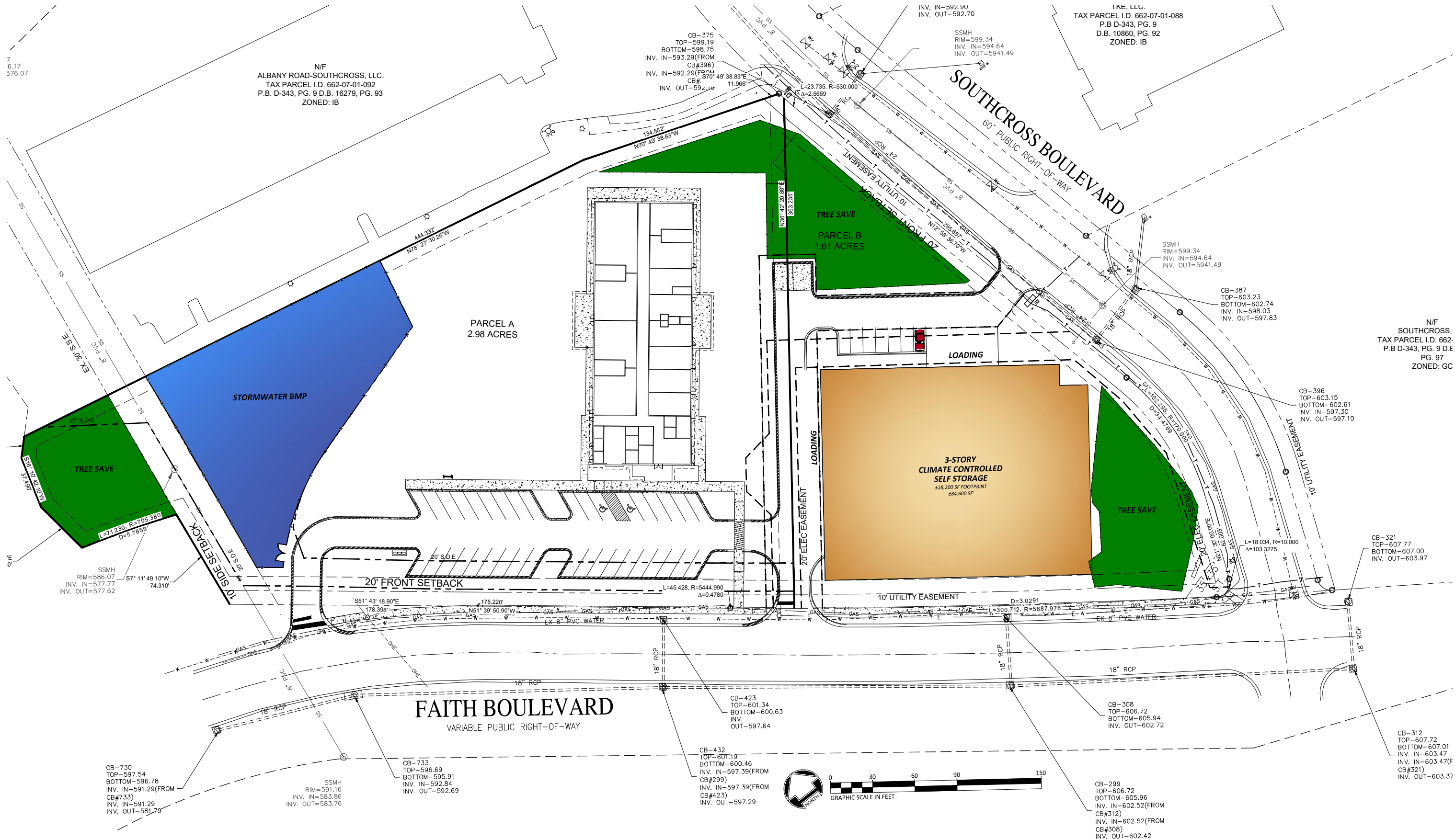
# Property Drone Photos



Cherry Road

Faith Boulevard





N/F  
ALBANY ROAD-SOUTHCROSS, LLC.  
TAX PARCEL I.D. 662-07-01-092  
P.B. D-343, PG. 9 D.B. 16279, PG. 93  
ZONED: IB

IKE, LLC.  
TAX PARCEL I.D. 662-07-01-088  
P.B D-343, PG. 9  
D.B. 10860, PG. 92  
ZONED: IB

N/F  
SOUTHCROSS,  
TAX PARCEL I.D. 662-  
P.B D-343, PG. 9 D.E  
PG. 97  
ZONED: GC

7  
6.17  
576.07

CB-375  
TOP-599.19  
BOTTOM-598.75  
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CB#396)  
INV. IN-592.29(FROM  
CB#375)  
CB#375  
S70°49'38.83"E  
11.966'  
INV. OUT-592.14

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RIM=599.34  
INV. IN=594.64  
INV. OUT=5941.49

SSMH  
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INV. OUT=5941.49

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BOTTOM-602.74  
INV. IN-598.03  
INV. OUT-597.83

CB-396  
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BOTTOM-602.61  
INV. IN-597.30  
INV. OUT-597.10

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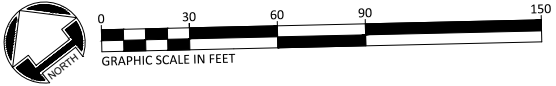
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CB-432  
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BOTTOM-600.46  
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CB#299)  
INV. IN-597.39(FROM  
CB#423)  
INV. OUT-597.29







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CB-299  
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BOTTOM-605.96  
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CB#312)  
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CB#308)  
INV. OUT-602.42

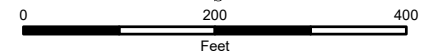
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INV. OUT-603.37



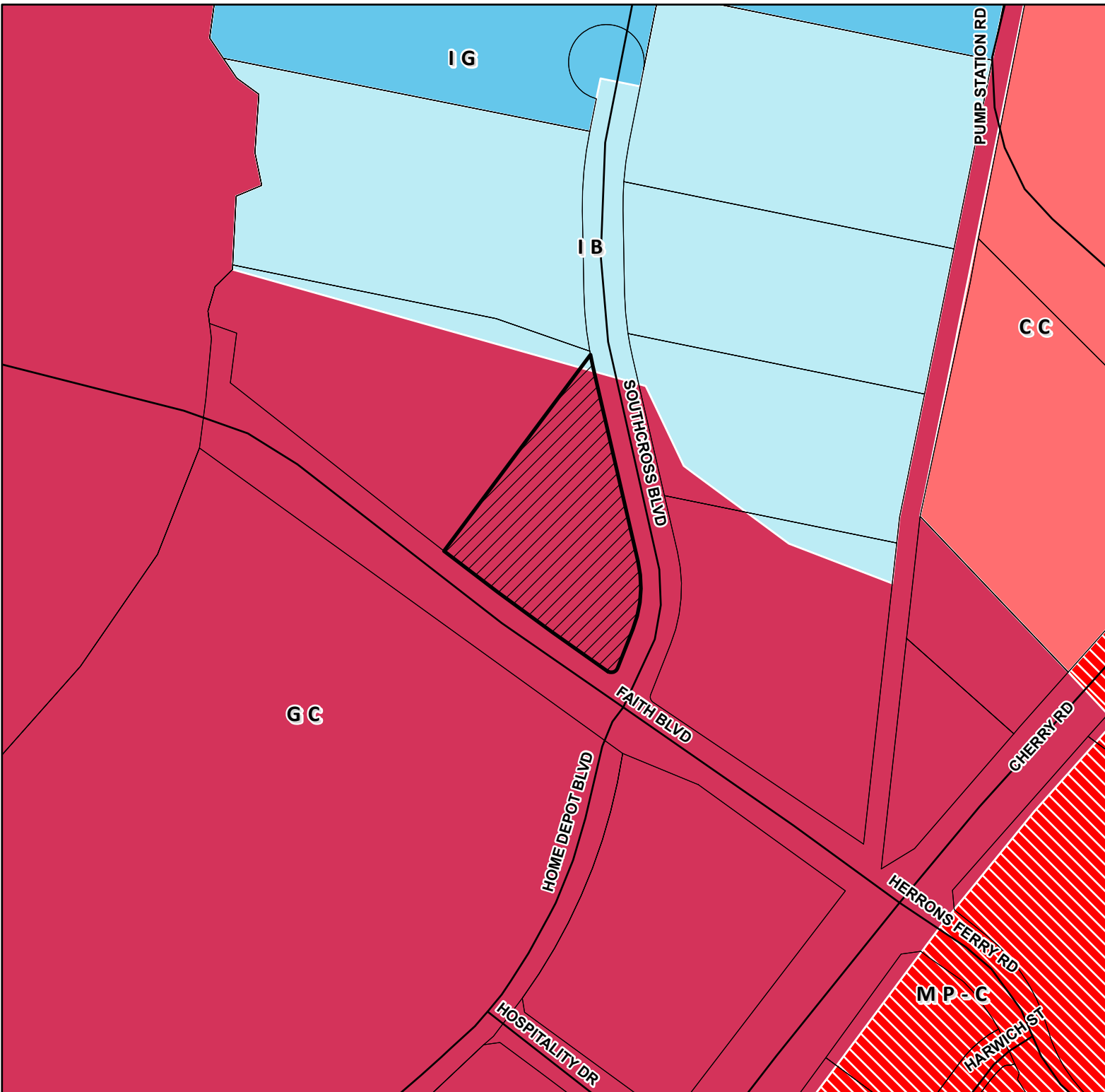
**Z-2022-22**

-  Subject Property
- Zoning Districts**
-  Community Commercial (CC)
-  General Commercial (GC)
-  Industry Business (IB)
-  Industry General (IG)
-  Master Planned Commercial (MP-C)

**Zoning Data**  
**Current Zoning**  
**GC**



Planning & Development  
Department  
City of Rock Hill  
05/17/2022





**Z-2022-23**

**Request:** Variance from the maximum amount of window signage

**Address:** 1111 N Anderson Road

**Zoning District:** General Commercial (GC)

**Applicant:** Greg Fatool





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**Request:** Variance from the maximum allowed window signage.

**Address:** 1111 N. Anderson Rd.

**Tax Map No.:** 634-07-01-013

**Zoning District:** General Commercial (GC)

**Applicant:** Gregg Fatool on behalf of Pelican's SnoBalls

**Property Owner:** GT LDS, LLC  
1626 Wedgefield Dr.  
Rock Hill, SC 29732

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## Background

The owner of Pelican's SnoBalls, who has an existing location at 764 Saluda St., is looking to open a second location at 1111 N. Anderson Rd. The second location would be inside of a building that has sat vacant since 2008 when it was home to Wachovia Bank. The site is located on N. Anderson Road and is accessed through the adjoining site that is currently under redevelopment.

In March of 2022, the business installed window signage. It is important to note that while window signage does not require staff review or permitting, it does, however, have standards that must be followed.

The standards from the Zoning Ordinance relative to window signage are as follows:

*Chapter 8: Section 8.10.4 Signs Exempt from Permitting Requirements*

Window signs in commercial zoning districts or commercial areas of mixed-use or planned zoning districts that are painted on or affixed to the inside or outside of the glass so as to be fully visible from off of the property. The total area of exempt window signs must not exceed the area allowed for permitted wall signs for the same façade or 50% of the window area, whichever is less. This exemption is not intended to allow prohibited sign types, such as flashing signs or lights, to be placed inside a window in order to draw attention to the business.

Based on the language above, the applicant would be allowed window signage not to exceed the same amount allowed for wall signage; or 50% of the window area, whichever is less. While staff does not know the exact square footage of the window area, judging by the number of windows and their size, staff would consider the lesser of the two to be the amount allowed for wall signage. In this case, wall signage on the primary façade is allowed at one square foot per one linear foot, which for an approximately 43-linear-foot building, this would yield a 43-square-foot sign. The same amount would be allowed on any secondary façade. Based on the above calculation, window signage on this building would be limited to 43 sq. ft. on any façade of the building. Therefore, the applicant is

seeking a variance to allow a wall sign that is larger in size than what would be allowed under the ordinance.

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### **Site Description**

The site is located on N. Anderson Road, just south of the Cherry Road/N. Anderson Road intersection. It is adjacent to Go Store It Self-Storage which is located inside of the former K-Mart building. Other nearby uses include an auto repair shop, a hotel, and manufactured/modular home dealer. Zoned General Commercial (GC), the site is completely surrounded by other General Commercial (GC) zoned properties.

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### **Description of Intent for General Commercial (GC) Zoning District**

Although originally established to apply to lands being used commercially that did not fit into one of the other commercial districts, it is now the intent of this ordinance that the GC district be phased out over time by not allowing new rezonings to the district

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### **Analysis of Requests for Variance**

#### **Required Findings of Fact**

Staff will base its recommendation on an analysis of the below findings. The Zoning Board of Appeals may approve a variance only upon finding that the applicant has demonstrated that **all four** of the below findings are met.

The required findings are shown below in italics, followed by staff's assessment of each finding in non-italicized font.

#### **1. *Extraordinary and Exceptional Conditions***

*There are extraordinary and exceptional conditions pertaining to the particular piece of land.*

There are limited extraordinary and exceptional conditions pertaining to this particular piece of land, as it is similarly situated along the road as other buildings along the N. Anderson Road corridor as it relates to the setback. The only condition that staff could identify is that very little window area exists on the front of the building. However, based off the maximum wall signage allotment set forth in the Zoning Ordinance, the building would be allowed to have an approximately 43-square-foot sign on all sides of the building, if desired. With that said, it could also have up to 43 sq. ft. in window signage. Staff believes that this amount seems appropriate, as the building is only set back approximately 30 feet from N. Anderson Road. There are other buildings situated along the N. Anderson Road corridor that are set back farther and have not needed to apply for a variance to allow for signage beyond what the Zoning Ordinance allows.

It is important to note that the applicant has stated that the extraordinary and exceptional condition is that wall signage information was not directly included in a feasibility survey report that it was provided back in August of 2021. Staff does not believe this to be an extraordinary and exceptional condition as it cannot thoroughly

advise of Zoning requirements in a document that is meant to be a summary document advising the applicant of the feasibility of its proposal for the site.

## **2. Unique Conditions**

In terms of the building's distance from the street, there are buildings that are set back a similar distance and ones that are setback farther. In both instances, variances have not been needed, as those businesses have been able to maintain visibility with the signage size that is allotted by the Zoning Ordinance.

## **3. Strict Application Deprives Use**

*Because of the conditions, the application of this Ordinance to the land would effectively prohibit or unreasonably restrict the utilization of the land.*

If the variance were not granted, the applicant would still be able to have window signage, however, it would not be allowed to be as large as what has been installed. If the applicant were to minimize the window signage, they would also be able to have wall signage in addition to that. Furthermore, there is a monument base where a sign used to be located that isn't being used. There are multiple opportunities for permanent signage to be installed.

## **4. Not Detrimental**

*The authorization of the Variance Permit will not result in substantial detriment to adjacent land, or to the public good, and the character of the district will not be harmed by the granting of the variance.*

The sign is out of scale based on the size of the windows on the building as three windows are entirely covered in signage. The general idea behind window signage is to allow businesses the opportunity to make visible things that normally would not be included on permanent wall signage, as they would take away space from advertising the name of the business and messages would sometimes change. For example, a coffee shop might have window signage disclosing hours of operation, in addition to displaying language such as "fresh coffee", "bagels", "smoothies", and so on. In those cases, advertising such language would be done in limited amounts so as not to cover entire window areas.

## **Not Grounds for Variance**

Variance requests cannot be based on the ability of the land to be used more profitably if the requests are granted.

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## **Public Input**

Staff has taken the following actions to notify the public about this public hearing:

- April 29: Sent public hearing notification postcards to property owners and tenants within 300 feet of the subject property.
- April 29: Posted public hearing signs on subject property.
- April 29: Advertised the Zoning Board of Appeals public hearing in *The Herald*.



- Information about this request was posted to the City's website

Staff has not received any comments from the public at the time of writing this report.

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### **Staff Recommendation**

Staff was not able to make any of the findings, therefore, it cannot recommend approval of the request.

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### **Attachments**

- Application and supporting documents
- Zoning map

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### **Staff Contact:**

Shana Marshburn, Planner II

803.326.2456

[shana.marshburn@cityofrockhill.com](mailto:shana.marshburn@cityofrockhill.com)

# VARIANCE APPLICATION

Plan Tracking # \_\_\_\_\_ Date Received: \_\_\_\_\_ Case # Z- \_\_\_\_\_

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

## PROPERTY INFORMATION

Street address of subject property: 1111 N Anderson Rd, Rock Hill, SC 29730

Tax parcel number of subject property: 6 3 4 - 0 7 - 0 1 - 0 1 3

### Property restrictions

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: \_\_\_\_\_

## APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address
<u>Gregg Fatool</u>	<u>1626 Wedgefield Rock Hill SC 29732</u>	<u>(919) 906-7108</u>	<u>Gregg @ PSB USA . Com</u>

Are you the owner of the subject property?  Yes  No

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent) \_\_\_\_\_

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.

Signature:  Date: 4/19/22

If you are not the owner of the subject property, the *property owner* must complete this box.

Name of property owner: _____	
If property owner is an organization/corporation, name of person authorized to represent its property interests: _____	
I certify that the person listed in the person listed above has my permission to represent this property in this application.	
Signature: _____	Date: _____
Preferred phone number: _____	Email address: _____
Mailing address: _____	



## INFORMATION ABOUT REQUEST

### General description of your request

After reading the feasibility report from the city about signs, it specifically noted nothing about window signs, it only mentioned wall and free standing signs, with a line provided re: wall: freestanding. Our intention was window signs, so we felt assured that we could proceed without concern. After purchasing window signs the <sup>City</sup> Planning Development now informed us that there are rules that we violated. Our goal is to keep the window signs <sup>we</sup> purchased only

### Findings of fact

Under state law, in order to grant a variance, the Zoning Board of Appeals must find that **all four** of the following statements are true about your request. Please explain why you believe your request is true regarding these four statements.

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

1111 N. Anderson Property has been vacated for more than 10<sup>+</sup> years. The Goal was to complete a total renovation to transform the Building providing a family friendly Business while protecting the contents in the Building to adhere to Franchisor rules of protecting the Brand. We wanted to create a fun, attention drawing mural that would portray an inviting Business in the Community, while still not exposing Franchise secrets to the public.

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

The surrounding properties are well established business's with major well known names; Wing Stop, Golden Coral, etc. We are a small business, with a great need for our customers to find us.

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

Our major purpose was to create a mural effect, it would serve a dual purpose, to draw great attention to a property that was vacant plus offer a very inviting - friendly family environment for our customers.

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

The Window Mural will draw positive attention to where a once run down, vacant building was. Neighboring Business's would benefit from the increase in customer traffic drawing more attention to their business's as well.

#### Exhibits

Please list any documents that you are submitting in support of this application. The ones listed below are suggested, but you may provide others that you believe would be helpful, and in some cases, staff or the Zoning Board of Appeals may request other exhibits as well.

Site plan

Photos of the area of the property that is the subject of the request

• Feasibility Survey report

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20201353

**Pelican's Snoballs - 1111 N. Anderson Rd. - Feasibility**  
**1111 N. Anderson Road**

**Feasibility Survey Report -**

**D. PERMANENT SIGNS**

All new wall or freestanding signs (including re-facing of existing signs) must be reviewed for compliance with current zoning standards. Please see <https://www.cityofrockhill.com/departments/planning-and-development/permit-application-center/sign-permits> for more information. Your signage contractor (or you, if you are installing the sign yourself) must submit the attached sign permit application prior to installation so that we can ensure that the standards are met.

**E. TEMPORARY SIGNS**

All businesses are allowed to have temporary signs according to zoning standards, a summary of which is located here: <https://www.cityofrockhill.com/departments/planning-and-development/permit-application-center/sign-permits>. Additionally, new businesses are allowed to have some special Grand Opening signage, which is also explained on that webpage.

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**Industrial Pre-Treatment - Eric Gensemer - [eric.gensemer@cityofrockhill.com](mailto:eric.gensemer@cityofrockhill.com) - 803-329-8703**

**Approved**

**Review Comments:**

No Pretreatment concerns.

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Pelican's








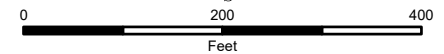
**Z-2022-23**

 Subject Property

**Zoning Districts**

 General Commercial (GC)

**Zoning Data**  
**Current Zoning**  
**GC**



Planning & Development  
Department  
City of Rock Hill  
05/17/2022







**Z-2022-24**

**Request:** Variance from the location standards for a buffer yard fence  
**Address:** 1568 W. Main Street  
**Zoning District:** Neighborhood Office (NO)  
**Applicant:** Truck of Love





**Requests:** Variance from the location standards for a buffer yard fence

**Address:** 1568 W. Main St.

**Tax Map No.:** 595-02-01-001

**Zoning District:** Neighborhood Office (NO)

**Applicant/Owner:** Susan Fullerton of Truck of Love  
 1455 George Dunn Rd.  
 Rock Hill, SC 29730

**Background and Request**

In July of 2020, the applicant was approved for a Special Exception to operate a homeless shelter for women on the property. Along with the Special Exception, the applicant applied and was approved for a variance to the minimum lot size standards for a Type A Group Home use, and a variance from the setback and buffer yard requirements considering the placement of the existing buildings on the property.

In May of 2021, the applicant applied for a variance from the locational standards for a fence used to reduce the required buffer width. The Board did not approve that variance request.

A fence used as a mechanism to reduce the width of a required buffer is typically only allowed to encroach 5 feet inside the buffer if the buffer is at least 20-foot in width as seen in the table below.

BUFFER SPECIFICATIONS					
LAND-USE INTENSITY DIFFERENTIAL	≥ 6-FT SCREEN FENCE OR BERM PROVIDED? <sup>[2]</sup>	BUFFER WIDTH	CANOPY TREES (PER 100 FT.)	UNDERSTORY TREES (PER 100 FT.)	SHRUBS (PER 100 FT.)
0 or less	Only the required perimeter landscaping from the <i>Internal Property Boundary Landscaping</i> , must be planted on the site				
1	No	10 feet	2	4	20 [1]
2	No	20 feet	3	6	30
3	No	30 feet	4	8	30
	Yes	20 feet	4	6	15
4	No	40 feet	5	10	40
	Yes	30 feet	5	8	20

**NOTES:**  
 [1] Shrub planting is not required between adjoining land uses of the same type but different densities or intensities.  
 [2] When fences are used as part of a required buffer, they must be placed at the interior (higher-intensity) edge of the buffer area. On buffers that are 20 feet wide or greater, the fence may be placed 5 feet from the interior edge of the buffer, and up to 25% of the required shrubs may be planted on the inside of the fence.

The applicant is applying for a variance from the locational standards of a fence that is required as part of a reduced buffer. The fence would run along the western side property line and rear property line. A conceptual site plan showing the proposed fence location has been included as part of this report.

One of staff's previous concerns was with the newly built single-family home located to the west of the property. The buffer is to help alleviate impacts from the group home use against the single-family residential use. During the last public hearing the property was still owned by the builder, who was fine with the variance request; however, as he was not going to occupy the home staff had concerns. The new owner, and occupant of the home has written a letter stating that he does not object the proposed fence location, and he is aware of the applicant's use of the property for a group home.

The applicant has advised staff that the fencing is being proposed as described in order to provide for the safety and security of the women at the shelter and is therefore requesting that the required fence to reduce the buffer be placed along the west (side) and north (rear) property lines.

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### **Site Description**

The property is located along West Main Street across from the new York County family courthouse building, which is zoned Office and Institutional (OI). It is surrounded by residential properties on all other sides, some of which are located in the City's jurisdiction and are zoned Multi-Family 15 (MF-15), and some of which are located in York County's jurisdiction are zoned Residential Development-II (RD-II).

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### **Description of Intent for the Neighborhood Office Zoning District**

Neighborhood Office (NO): The NO district is established to provide for a mix of small-scale professional office uses together with limited service uses and single-family detached dwellings in close proximity to one another, subject to design and compatibility standards. Non-residential uses must be located in buildings that are consistent with surrounding residential uses in physical design, scale, and character, and they must not exceed 10,000 square feet in area. All non-residential development in the NO district must limit its public operating hours to between 6 a.m. and 10 p.m.

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### **Analysis of Request for Variances**

#### **Required Findings of Fact**

Staff will base its recommendation on an analysis of the below findings. The Zoning Board of Appeals may approve a variance only upon finding that the applicant has demonstrated that **all four** of the below findings are met. The required findings are shown below in italics, followed by staff's assessment of each finding in non-italicized font.

#### **1. *Extraordinary and Exceptional Conditions***

*There are extraordinary and exceptional conditions pertaining to the particular piece of land.*

The layout of the site is existing, all three buildings on the property will be utilized as part of the group home use, and some of the buildings do not meet the current setbacks. The applicant's reasoning for wanting the fence on the outside of the buffer (property line) is to secure the site for her residents, for their safety, the safety of the property and to provide adequate space for outdoor activities for the 15 residents. The home will act more as a residential use than a business, and with three buildings all being utilized the applicant is seeking to do what any residential user would wish to do, which is to secure their property.

## **2. Unique Conditions**

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

The adjacent homes are too small to accommodate a shelter, are not zoned to permit a shelter, are not subject to the increased buffer yard standards, and fences at homes may be located along the property line.

## **3. Strict Application Deprives Use**

*Because of the conditions, the application of this Ordinance to the land would effectively prohibit or unreasonably restrict the utilization of the land.*

Without the variance, the applicant and residents will not be able to enjoy full use of the property and would compromise the safety of the site. Transients have used remote areas of the site previously as a camp site and enclosing the property on the property lines would prevent this type of behavior. Additionally, enclosing all of the buildings would also help deter theft of property

## **4. Not Detrimental**

*The authorization of the Variance Permit will not result in substantial detriment to adjacent land, or to the public good, and the character of the district will not be harmed by the granting of the variance.*

The home at 1572 W. Main Street is owner-occupied, and he has written a letter indicating that they do not object to the placement of the fence. The property to the rear is vacant, and likely to develop as residential at some point in time in the future but would not be impacted by the placement of the buffer fence as there is an existing fence on part of that property.

## **Not Grounds for Variance**

Variance requests cannot be based on the ability of the land to be used more profitably if the requests are granted.

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## **Public Input**

Staff has taken the following actions to notify the public about this public hearing:

- April 29: Sent public hearing notification postcards to 36 residents and property owners within 300 feet of the subject property.
- April 29: Posted public hearing signs on subject property.



- April 29: Advertised the Zoning Board of Appeals public hearing in *The Herald*.

Other than the comments made to staff by the current owner of 1572 W. Main Street, staff has not received any feedback about this application.

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### **Staff Recommendation**

Staff recommends approval for the variance based on the analysis above and specifically noting the following:

- The group home is small and will act more as a residential use than a commercial use.
- The fence allows the applicant to secure the property.
- The neighbor is in support of having the fence located on the property line.

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### **Attachments**

- Application
- Applicant's Fence Plan
- Letter in Support
- Zoning Map

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### **Staff Contact:**

Melody Kearse, Zoning Coordinator

803.329.7088

[melody.kearse@cityofrockhill.com](mailto:melody.kearse@cityofrockhill.com)

## VARIANCE APPLICATION

Plan Tracking # \_\_\_\_\_ Date Received: \_\_\_\_\_ Case # Z- \_\_\_\_\_

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

### PROPERTY INFORMATION

Street address of subject property: 1568 West Main St, Rock Hill, SC 29732

Tax parcel number of subject property: 595-04-01-001

#### Property restrictions

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 X

If yes, please describe the requirements: \_\_\_\_\_

### APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address
<u>TRUCK &amp; LOVE</u>	<u>1455 George Dunbar, 2nd 29730</u>	<u>803-207- 4078</u>	<u>gollerton3050@ gmail.com</u>

Are you the owner of the subject property?  Yes  No

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent) \_\_\_\_\_

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.

Signature: Amanda Gollerton Date: 4/23/22

If you are not the owner of the subject property, the **property owner** must complete this box.

**Name of property owner:** \_\_\_\_\_

If property owner is an organization/corporation, name of person authorized to represent its property interests:  
\_\_\_\_\_

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Preferred phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

## **VARIANCE APPLICATION**

### **Property Information**

**Street Address:** 1568 West Main Street, Rock Hill, SC 29732

**Tax Parcel Number of subject property:** 5950201001, 5950201002, 5950201003 Since our last application these three lots have been combined as one lot under the address of 1568 West Main St.

### **Applicant/Property owner information:**

**Applicant name:** Truck of Love

**Mailing address:** 1455 George Dunn Rd., Rock Hill, SC 29730

**Phone #** 803-207-4078

**Email address:** [fullertonsusan@gmail.com](mailto:fullertonsusan@gmail.com)

### **INFORMATION ABOUT REQUEST**

#### **General description of your request:**

We want to erect a 6 foot vinyl fence along the property lines on the west and north sides of the property. The east side currently has a dense buffer of plants and chain link fencing that does not need to be disturbed.

#### **Findings of fact:**

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

The land was once three parcels. As of June 2021 it has been recorded as one parcel under the address of 1568 West Main St. The north cottage was built very close to the property line. The west cottage has a side yard that has been fenced in on the west property line. Our property is between two residential properties and currently has a chain link fence on the west and east sides on the property line.

The back of the property is very secluded from the street, has a sharp angle that is difficult to see because of lots of bushes, and because of that we have seen evidence of transient camping and lots of trash.

The North side has an existing chain link fence that is about 50 feet from our property line on the adjacent property. We propose putting our fence on our property line. This would keep the water heater, utilities, and back door of the north cottage within our boundaries and accessible for repairs. There are some vacant trailers on the north side. That property and ours were formerly owned by the same family which arbitrarily erected the chain link fence to separate their home from the trailers. Beyond the trailers is a cemetery.

A fence on the west and north property lines is suitable in this location. Although we will house up to fifteen women, our residence will be a home like the homes on either side of us. We are not a big business. The fence on the property line will give us more space for various outdoor projects.

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

We are in a mixed use neighborhood. The neighbor to the west is a small new residential home. They are currently erecting a six foot wooden fence across the back (north) property line of their lot. The three foot -high chain link fence on our shared west property line extends to the end of the front cottage. There is currently a six foot high fence from the back wall of the west cottage to the property line. The neighbor on the west, Mr. Morgan, has enthusiastically approved our desire to put a fence on the property line next to his house.

The North neighbor, as I have already stated, is a cemetery and empty trailers. There is already a buffer from the trailer's fence to our property line that is mostly grass.

A fence along the west and north property lines will be consistent with other properties near us.

Our east neighbor has a much larger property than ours and the house is set very far from our property. The buffer of trees and bushes along with remnants of a wooden rail fence and chain link fence on the property line extending to the sidewalk effectively screen their property from ours.

To our south is the four lane West Main Street with the Family Court directly across from us.

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

To place the fence inside a twenty foot buffer would allow transients access to the west and north sides of our property without our knowledge.

To place the fence inside the twenty foot buffer would leave the back door to the west cottage in the buffer zone. It would negatively impact the amount of parking space needed on the west side of the property. It would bisect the north cottage leaving the utilities and water heater and back door in the buffer zone. It would have the east side door of the main house opening into the buffer zone.

We want to be a good neighbor to the two residential homes on either side of us. Fencing on the west and north property lines will keep us all safer from anyone who might wander back there.

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

We will be opening a fifteen bed homeless women's shelter on this property. We will have daily programming and activities for our women geared to enabling them to overcome the traumas they have endured. Our women will be closely supervised with 24 hour a day 7 days a week staff and volunteers. We will have strict quiet times in the mornings and evenings.

To place our west and north fences on the property lines will ensure the safety and wellbeing of our women and our neighbors. On the west side we will simply be improving an already existing fence. It will give us more flexibility with our outdoor space and programming for the women. Part of the everyday schedule will include teaching about nature, gardening, growing some of our own food, and relaxation in nature. This property is so secluded in the back that we will be able to have the privacy needed to conduct our daily activities while not disturbing any neighbors. It is such a lovely peaceful property that



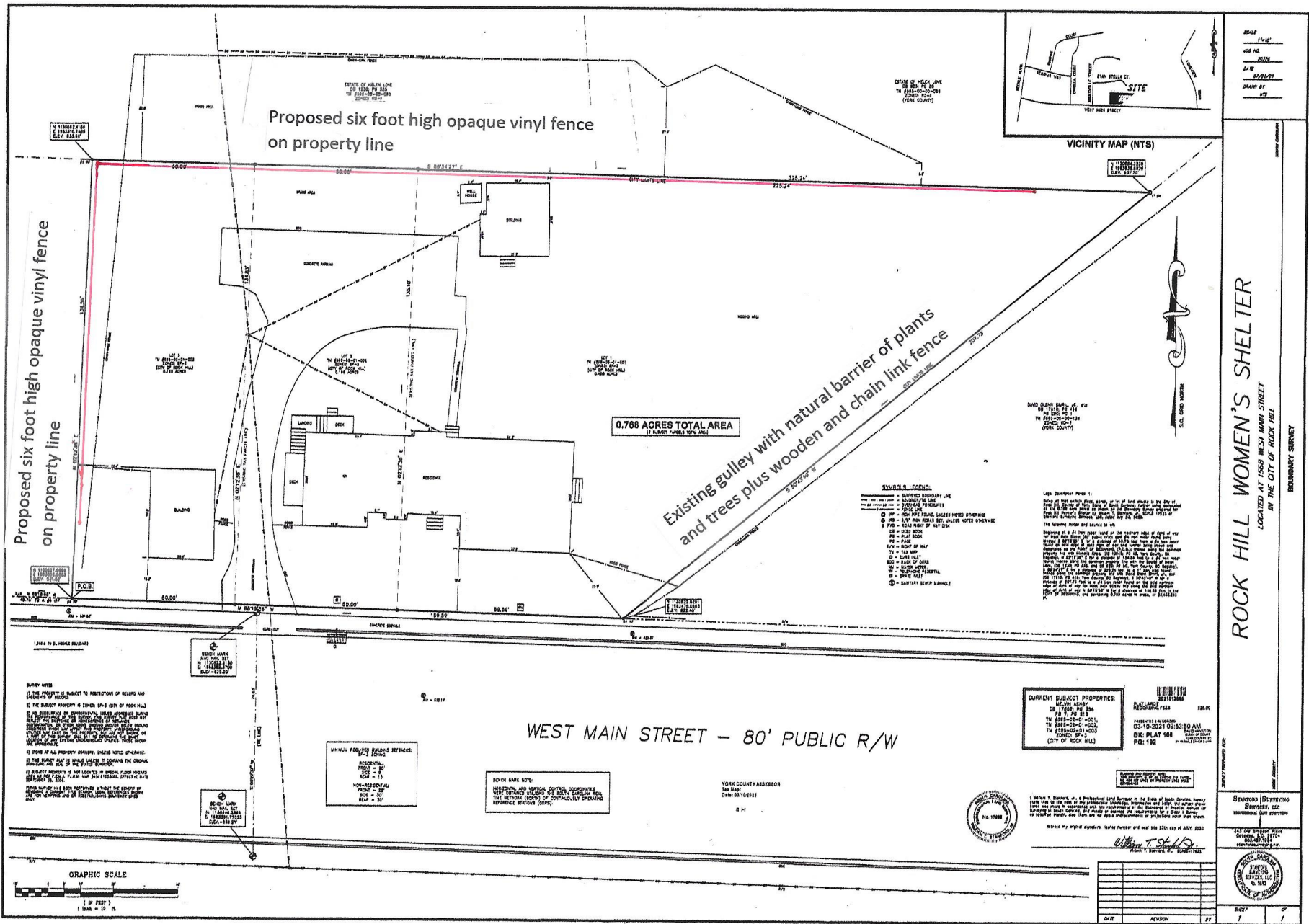
we want the women to enjoy all of it. It is the perfect space for our women to learn how to live in new ways.

We want to improve this property which has been empty and deteriorating for the past five years. We want it to enhance the neighborhood. We will keep it in good repair and make sure it is a visual asset on the street.

Our intention is to invite neighbors in to meet our residents so that we can all be part of the neighborhood and we can welcome and recognize each other in passing.

To date we have had no objections to our planned shelter. The neighbors have been very encouraging because they know that this shelter is needed in Rock Hill.

As stated previously our neighbor on the west side has enthusiastically approved of our proposed fence on the property line.



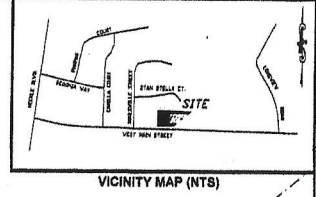
Proposed six foot high opaque vinyl fence on property line

Proposed six foot high opaque vinyl fence on property line

Existing gully with natural barrier of plants and trees plus wooden and chain link fence

0.788 ACRES TOTAL AREA

WEST MAIN STREET - 80' PUBLIC R/W



SCALE

1" = 10'

1" = 20'

1" = 40'

1" = 80'

1" = 160'

ROCK HILL WOMEN'S SHELTER  
LOCATED AT 1568 WEST MAIN STREET  
IN THE CITY OF ROCK HILL

- SYMBOL LEGEND**
- SURVEYED BOUNDARY LINE
  - - - - - ADJACENT PROPERTY LINE
  - - - - - PROPERTY FRONTS
  - - - - - DRIVEWAY
  - - - - - - 1/4" IRON PIN
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  - - - - - - 9900" IRON PIN
  - - - - - - 9960" IRON PIN
  - - - - - - 10000" IRON PIN

**CURRENT SUBJECT PROPERTIES**

1568 WEST MAIN STREET  
ROCK HILL, SC 29734  
OWNER: ROCK HILL WOMEN'S SHELTER  
COUNTY: YORK  
ZONING: R-1  
CITY: ROCK HILL



William T. St. Louis  
Surveyor  
No. 17821

**BLIND NOTES**

1. THIS SURVEY IS SUBJECT TO RESTRICTIONS OF RECORD AND TO THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

2. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

3. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

4. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

5. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

6. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

7. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

8. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

9. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

10. THE SURVEY PROPERTY IS OWNED BY THE CITY OF ROCK HILL.

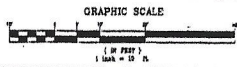
**MARKING PROVIDED BY THE SURVEYOR**

RESIDENTIAL  
FRONT - 12'  
SIDE - 12'  
REAR - 12'

**BLIND MARK NOTE**

NEEDS TO BE VERIFIED BY THE SURVEYOR AND OFFICIAL CONTROL ORGANIZATION WHEN DEPENDENT UPON THE SURVEYOR'S RECORDS AND THE RECORDS OF ANY OTHER SURVEYING ORGANIZATION.

YORK COUNTY ASSESSOR  
DATE: 05/18/2021



April 23, 2022

City of Rock Hill  
Zoning Board of Appeals

To Whom It May Concern:

I am the neighbor to the West of 1568 West Main Street, Rock Hill. Sue Fullerton, representing Truck of Love, has spoken with me about erecting a six foot vinyl fence on the property line between our homes. I am in favor of this fence being erected on the property line by them.

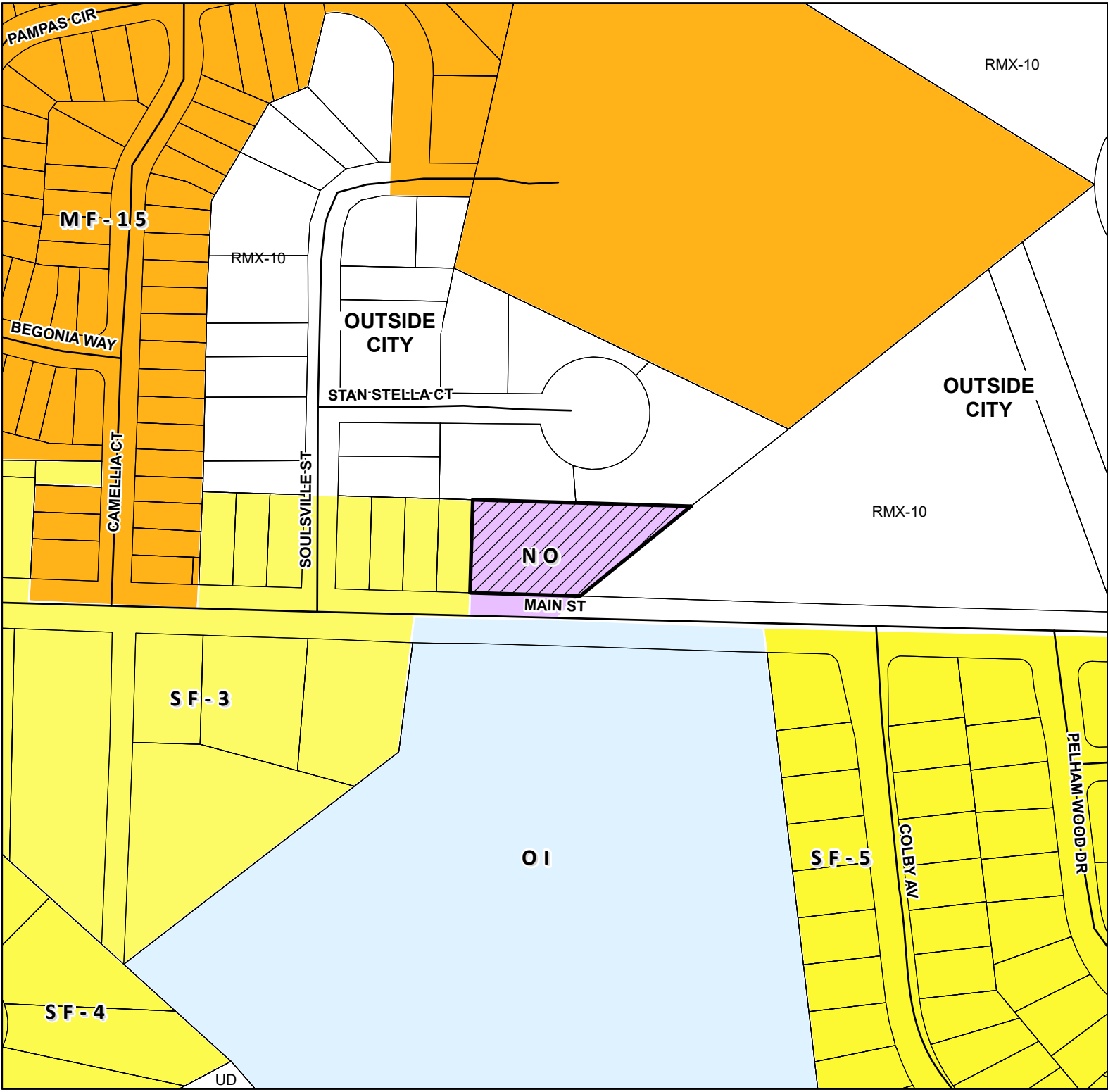
Thank you for your consideration.

Sincerely,

LADARIUS Morgan

704-299-5984

1572 Main St W Rock Hill 29732



## Z-2022-24

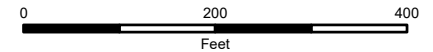
Subject Property

### Zoning Districts

- Multi-Family 15 (MF-15)
- Neighborhood Office (NO)
- Office and Institutional (OI)
- Single-Family 3 (SF-3)
- Single-Family 4 (SF-4)
- Single-Family 5 (SF-5)

## Zoning Data

Current Zoning  
**NO**



Planning & Development  
Department  
City of Rock Hill  
05/17/2022