



**TOWN OF FORT MILL
BOARD OF ZONING APPEALS
SPECIAL CALLED MEETING
June 30, 2015
112 Confederate Street
6:00 PM**

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

Regular Meeting: April 20, 2015

[Pages 2-3]

PUBLIC HEARING ITEMS

1. **CASE # 2015-405**
Fort Mill School District
2257 Vista Road
Tax Map # 020-09-01-038
Zoning District: R-25

Applicant is requesting a variance from the zoning ordinance to allow an increase in the 35' maximum building height and to allow an increase in the 16' maximum lighting fixture height. *[Pages 4-9]*

ADJOURN

**MINUTES
TOWN OF FORT MILL
BOARD OF ZONING APPEALS
April 20, 2015
6:00 PM**

Present: Jim Thomas, Scott Couchenour, Becky Campbell, Jody Stegall, Ryan Helms, Terri Murray, Assistant Planner Chris Pettit

Absent: None

Guests: Tina Grayson, Courtney Grayson, Jan Dover, Gina Chambers, Rene Philpott

Chairman Thomas called the meeting to order at 6:00 pm and welcomed everyone in attendance.

WELCOME & INTRODUCTION

Chairman Thomas welcomed Scott Couchenour to the Board of Zoning Appeals. Mr. Couchenour had previously served on the Town's Planning Commission and most recently on the Historic Review Board. Assistant Planner Pettit noted that Charles Stec was also appointed to the Board and will begin serving once his residency is finalized within the Town of Fort Mill.

ELECTION OF VICE-CHAIR FOR 2015

Assistant Planner Pettit noted that with the departure of Jay McMullen to the Planning Commission, the Board of Zoning Appeals would need to elect a new Vice-Chair for the remainder of 2015. Chairman Thomas asked for nominations for Vice-Chair. Mr. Stegall nominated Ms. Campbell. Chairman Thomas asked if there were any other nominations. Hearing none, the nomination to elect Ms. Campbell as Vice-Chair was put to a vote. The Board voted 6-0 to approve Ms. Campbell as Vice-Chair.

APPROVAL OF MINUTES

Mr. Stegall made a motion to approve the minutes of the January 26, 2015 meeting as submitted by staff. Mr. Helms seconded the motion. The motion was approved by a vote of 5-0, with Mr. Couchenour abstaining as he was not a member of the Board for the January meeting.

PUBLIC HEARING ITEMS

- A) **Variance request from Joe and Kristina Dillon (411 Sidney Johnson Street):** Assistant Planner Pettit noted that the application was improperly advertised for a public hearing, however the applicants request to withdraw their application as they were able to change their proposed plans so as to no longer require a variance. Mr. Helms made a motion to approve the withdrawal of Case # 2015-188. Mr. Stegall seconded the motion. There being no further discussion, Chairman Thomas called for a vote. The motion was approved by a vote of 6-0.

B) Variance request from Tina S. Grayson (201 East Gregg Street): Assistant Planner Pettit provided a brief overview of the variance request, the purpose of which is to allow a reduction of the 5' side yard setback requirement for an accessory structure (carport) at 201 East Gregg Street. Tina Grayson presented several photographs visually displaying her request, which would be to place a detached carport 2 feet from the adjacent property line. Ms. Grayson noted that the tightness of the lot, coupled with the location of the existing residence, creates a hardship and therefore she is asking for a variance to allow the carport. Jan Dover, a neighboring property owner, noted no concern with the request. Gina Chambers, also a neighboring property owner, noted no concern with the request. Ms. Campbell made a motion to approve the variance to reduce the side yard setback to 2' for the accessory structure. Mr. Helms seconded the request. There being no further discussion, Chairman Thomas called for a vote. The motion was approved by a vote of 6-0.

There being no further business, the meeting was adjourned at 6:18 pm.

Respectfully submitted,

Chris Pettit
Planning Department

**Town of Fort Mill
Board of Zoning Appeals
Item for Action**

Item #1 **CASE # 2015-405**
Fort Mill School District
2257 Vista Road
Tax Map # 020-09-01-038
Zoning District: R-25

Applicant is requesting a variance from the zoning ordinance to allow an increase in the 35' maximum building height and to allow an increase in the 16' maximum lighting fixture height.

Background / Discussion

The town has received a variance request from the Fort Mill School District for two non-conformities related to the future Middle School #5 located at 2257 Vista Road.

The first request is to allow the primary structure (middle school) to exceed the maximum height requirement of the R-25 zoning district. Under the town's zoning code, the building height for a structure with a pitched roof shall be measured from grade to the midpoint between the ridge line and eaves. Using this definition, the maximum height of the proposed structure is approximately 52'.

Article II, Section 1(5)(G) of the town's zoning ordinance outlines the following requirement for maximum height within the R-25 zoning district:

"Maximum building height: **R-25 – 35 feet** and R-15 – 35 feet. For exceptions to height regulations, see article I, section 7, subsection L."

The second request is to allow the installation of lighting fixtures up to 81' in height, as measured from ground level at the base of the fixture. These lights are proposed to be located surrounding the athletic fields for illuminating sporting events.

Article IV, Section 6(4)(a) of the town's zoning ordinance outlines the following requirement for lighting fixtures:

"Except as provided below, lighting fixtures in any residential zoning district, including residential uses within the mixed use (MXU) zoning district, **shall not exceed 16 feet in height.**"

The petitioner has stated on their application that the purpose of the request is to allow a multi-story building on the property, which would be required in order to provide the necessary floor area needed for the middle school. The purpose of the lighting request would be to allow sporting events to take place after sunset, which otherwise would not be possible without the athletic lighting.

Submitted by:

Chris Pettit
Assistant Planner / Zoning Administrator
June 24, 2015

Date Received: _____
Board of Zoning Appeals Date: _____

Variance Appeal Application

Town of Fort Mill, South Carolina

Owner / Applicant Information:

Applicant Name: Fort Mill School District - York 4

Mailing Address: 2233 Deerfield Drive, Fort Mill, SC 29715

Telephone Number: 803-548-2527

Property Information:

Address: 2257 Vista Road, Fort Mill, SC 29708

Current Zoning: R-25

Current Use of Property: Vacant/Undeveloped

Notices of appeal shall be posted on affected property so as to be clearly visible from a traveled street. The owner or appellant is instructed to maintain posting and to be responsible for notifying the Town promptly if the sign is damaged or removed. Failure to do so may delay Board action.


Owner / Applicant Signature

June 10, 2015

Date

The Board of Zoning Appeals may grant a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship.

The findings required by the Board for variances are identified in Sec. 6-29-800 of the South Carolina Code of Laws. Responses to each of the following questions will assist the Board in making a determination.

1. Describe the variance request: Two (2) variances are being requested by the applicant. See attached document for a detailed description of each request.
2. Describe any extraordinary and exceptional conditions pertaining to the particular piece of property (size, shape, topography, etc.): Existing jurisdictional stream, flowing north to south, steep topography changes and a required buffer along Pleasant Road.
3. Describe how the conditions listed above are unique to the property for which the variance is sought: See attached document for a detail description.
4. Describe how the current zoning regulations prohibit or unreasonably restrict utilization of the property: The building height limitation will not allow a multi-story building, required to provide the necessary area needed for a middle school to be constructed. The height limitation for lighting will not allow the lighting required to properly illuminate sporting events after sunset to be installed.
5. Describe why the granting of the requested variance will not be injurious to adjacent properties, the neighborhood, or the general public: See attached document for a detailed description.

P.O. BOX 159 • 112 CONFEDERATE STREET • FORT MILL, SC 29715

TELEPHONE (803) 547-2116 • FAX (803) 547-2126

Town of Fort Mill
Zoning Appeals Board
Variance Appeal – Supplement Information

Applicant: Fort Mill School District
Property Address: 2257 Vista Road, Fort Mill, SC 29708
Zoning: R-25

1. *Describe the Variance Request:*

- a. **Request No. 1 – Maximum Building Height:** Applicant requests a variance from the maximum building height of 35 feet as described in the Town of Fort Mill, South Carolina Zoning Ordinance Article II, Section 1, Paragraph 5, Subsection G to construct a multi-floor middle school with a height of 52 feet as shown on the attached exhibits.
- b. **Request No. 2 – Maximum Lighting Fixture Height in Residential Zoning Districts:** Applicant requests a variance from the maximum lighting fixture height of 16 feet as described in the Town of Fort Mill, South Carolina Zoning Ordinance Article IV, Section 6, Paragraph 4.a to install field lighting fixtures with a maximum height of 81 feet as measured from ground level at the base of the fixture.

3. *Describe how conditions in item 2 are unique to the property:*

The location of the stream within the parcel creates two distinct smaller areas available for development. This condition along with steep topography changes, the State Agency required school access drive lengths for stacking during loading/unloading periods and the required buffer along Pleasant Road restrict the location of the building footprint within the site.

5. *Describe why granting the requested variance will not be injurious properties, the neighborhood, or the general public:*

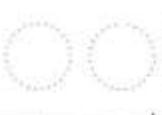
The building is designed such that only portions of the building exceed the 35 foot height limitation. The building's mass will utilize forms, sloping roof with gabled ends similar to traditional residential forms and that of the adjacent Pleasant Knoll Elementary School. The building will be set back from the property lines and a 50 foot tree lined buffer will be installed along Pleasant Road to minimize visibility of the areas above the 35 foot height limitation.

FORT MALL
SCHOOLS

FORT MALL
MIDDLE SCHOOL #8

ESP

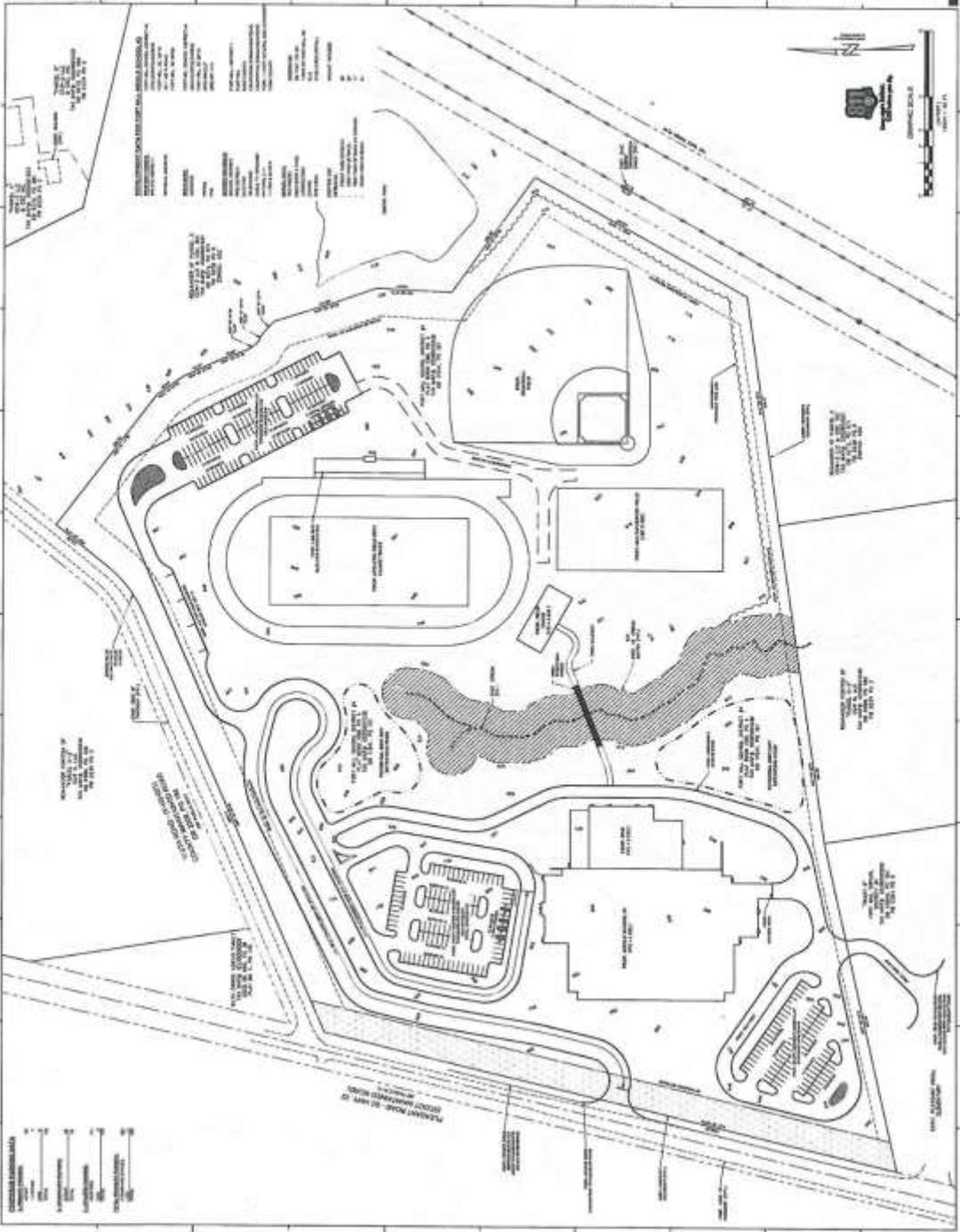
LSP



DATE: 10/15/11
SCALE: 1/8" = 1'-0"

SCHEMATIC
SITE PLAN
C-01

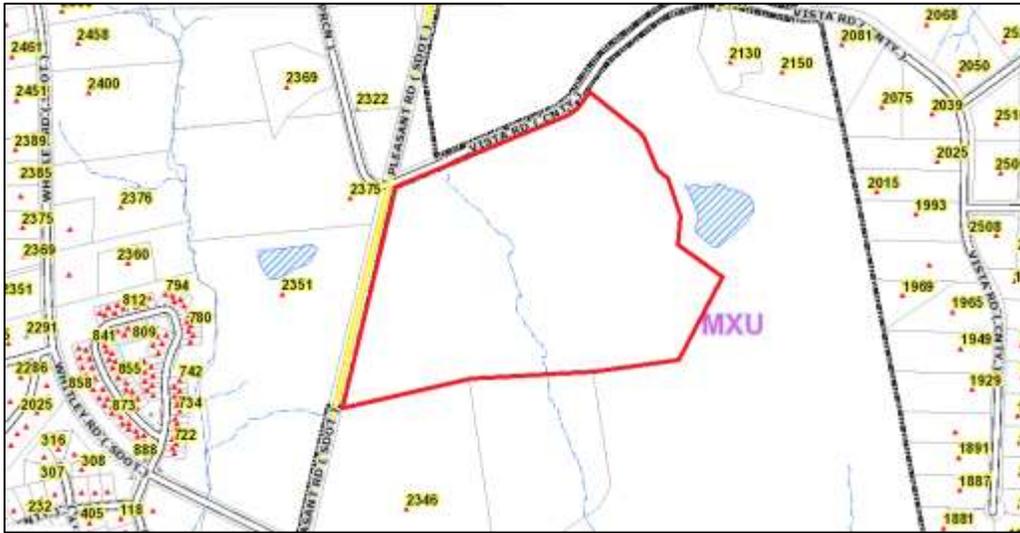
001 30 SUBMITTAL



LEGEND
SYMBOLS
1. TREE
2. PARKING
3. BUILDING FOOTPRINT
4. DRIVEWAY
5. DRIVEWAY



York County Tax Map # 020-09-01-038
Zoning Map*
*Rezoned to R-25 by Ordinance No. 2011-04



York County Tax Map # 020-09-01-038
Aerial Map

