

CITY OF FLORENCE, SOUTH CAROLINA
BOARD OF ZONING APPEALS
FEBRUARY 24, 2022 AGENDA

I. Call to Order

II. Election of Chairman and Vice-Chairman

III. Approval of Minutes

Regular meeting held on November 18, 2021.

IV. Approval of 2022 Meeting Calendar

V. Public Hearing and Matter in Position for Action

BZA-2022-01 Request for a variance from screening requirements for a self-storage use to be located on South Church Street, in the CG zoning district; shown as a portion of Tax Map Number 00150-01-098.

VI. Discussion of Training Requirements

VII. Adjournment

Next regularly scheduled meeting is March 24, 2022.

CITY OF FLORENCE, SOUTH CAROLINA
BOARD OF ZONING APPEALS
NOVEMBER 18, 2021 MINUTES

MEMBERS PRESENT: Larry Chewning, Shelanda Deas, Deborah Moses, Nathaniel Mitchell, and Nathaniel Poston

STAFF PRESENT: Jerry Dudley, Alfred Cassidy, Derek Johnston, and Brian Bynum, IT

CALL TO ORDER: Chairman Chewning called the meeting to order at 6:01 p.m.

APPROVAL OF MINUTES:

Chairman Chewning introduced the October 28, 2021 minutes. Mr. Poston moved that the minutes be approved as submitted; Mrs. Moses seconded the motion. Voting in favor of approving the minutes was unanimous (5-0).

PUBLIC HEARINGS AND MATTERS IN POSITION FOR ACTION:

BZA-2021-18 Request for a variance from size limits and rear setback requirements for a residential lot located at 1309 West Palmetto Street, in the NC-6.1 zoning district; Tax Map Number 90047-01-004.

Chairman Chewning introduced the variance and asked staff for their report. Mr. Dudley gave the staff report as submitted to the Board of Zoning Appeals. Chairman Chewning asked if there were any questions of staff. Mr. Poston asked Mr. Dudley if the city had received any complaints from neighbors of the request. Mr. Dudley stated there have been no complaints and that the applicant has several letters of approval from her neighbors. Mr. Poston asked if the Board should double the size limit for the accessory building because the lot is a double lot. Mr. Dudley stated the ordinance's intent is not to permit too much impervious surface on one lot and is also used to provide continuity in neighborhood density. Being no further questions, Chairman Chewning opened the public hearing and swore in Mr. Damon and Mrs. Debra Runion to address the Board.

Mr. and Mrs. Runion, owners of 1309 W Palmetto Street, rose to speak in favor of the request. Mrs. Runion stated she had spoken to most of her neighbors regarding the accessory building and showed the Board the letters of consent from her neighbors. She explained the need for the building as she and her husband are consolidating their estates and need additional storage space. Responding to Mr. Poston's question regarding moving the building within the allowed 10 foot rear setback, Mr. Runion stated it could not be feasibly done and they were requesting the setback variance to facilitate easily backing up his boat into the garage. Mr. Poston asked the applicants if they had consulted the contractor regarding stormwater runoff. Mrs. Runion stated yes, and they have two drains at the driveway entrances but that their parcel is in a depression. She stated she did not believe any runoff from the roof would infiltrate her neighbors' properties.

There being no further questions from the Board, and no one else to speak for or against the request, Chairman Chewning closed the public hearing and asked for a motion.

Ms. Deas moved that the Board approve the variance as requested based on the following findings of fact and conclusions.

1. That a variance from the terms of this Ordinance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will in an individual case, result in an unnecessary hardship: **Requiring that the rear setback requirements be met by the new building would result in the building taking up more of the open area of the yard. The applicant therefore requested a fifty percent variance from the rear setback to set the building 5 feet from the property line instead of ten feet and a variance allowing a building that is sixty-eight percent of the size of the house rather than twenty-five percent.**
2. That the spirit of the Ordinance will be observed, public safety and welfare secured, and substantial justice done: **The intent of the Ordinance is to provide an adequate distance from property lines for accessory buildings in a residential area and to limit the scale of accessory buildings compared to the house on the same lot.**
3. That there are extraordinary and exceptional conditions pertaining to the particular piece of property: **this is a double lot, and it is therefore currently developed with half the density of the two adjacent lots.**
4. That these conditions do not generally apply to other property in the vicinity: **This is a double lot compared to those around it, and it is therefore currently developed with half the density of adjacent lots.**
5. That because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: **Requiring adherence to the specifics of the setback and size limit requirements would not prevent the use of the home as a single-family residence; however, the owner wants to be able to store his boat and have a large workshop.**
6. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance: **The exterior of the building will be finished to match the house. The area proposed for the accessory building is currently unused space and it would be located 135 feet from the front property line.**

Mr. Poston seconded the motion. The motion to approve the variance as requested passed unanimously (5-0).

ADJOURNMENT:

As there was no further business, Mr. Adams moved to adjourn the meeting. Mrs. Moses seconded the motion. Voting in favor of the motion was unanimous (5-0). Chairman Chewning adjourned the meeting at 6:30 p.m. The next regular meeting is scheduled for December 16, 2021.

Respectfully submitted,
Austin Cherry, Office Assistant III

2022 Board of Zoning Appeals Meeting Schedule (4th Thursday of every month)

January 27

February 24

March 24

April 28

May 26

June 23

July 28

August 25

September 22

October 27

November 17 (since Thanksgiving is the 4th Thursday it is the week before)

December 22

**DEPARTMENT OF PLANNING, RESEARCH & DEVELOPMENT
STAFF REPORT TO THE
CITY OF FLORENCE BOARD OF ZONING APPEALS**

DATE: February 24, 2022

APPEAL NUMBER: BZA-2022-01

VARIANCE REQUEST: Variance request from the screening requirements in Section 1-2.8.5 J of the *Unified Development Ordinance* for the development of a commercial building and parcel.

LOCATION: South Church Street at Freedom Boulevard

TAX MAP NUMBER: 90025-01-002

OWNER OF RECORD: Floyd Boys Farm

APPLICANT: Robert High

ZONING DISTRICT: Commercial General (CG)

Land Use and Zoning

The applicant is proposing to construct a self-storage facility similar to the Pinnacle Storage facility on Pine Needles Road. Four buildings are proposed: two with individual storage units which are interior to the building, with the customer entrance being a singular location, one of which will have a small office space; and two with various sized units for boat and RV storage. Such a use is permitted conditionally in the Commercial General zoning district, subject to special site and building development standards (per Table 1-2.7.5 of the *Unified Development Ordinance*). These conditions are listed below in the “*Unified Development Ordinance* Requirements.”

Lots immediately to the north, south, east, and west are all zoned Commercial General. All are vacant or belong to the railroad except for the Lowe’s Home Center to the north across South Church Street. The closest residential use is 130 feet to the west across the railroad right of way (Attachment B).

Site and Building Characteristics

The total parcel consists of 27 acres, but most of it runs on the west side of South Church Street south of Pamlico Highway. The 8.8 acre portion of the lot to be developed is bordered on the east by Freedom Boulevard and to the north by South Church Street (Attachment A). The entire parcel is undeveloped, and the proposal will use the southern portion of it while providing a 1.5 acre outparcel at the corner of Freedom Boulevard and South Church Street. Building #1 has 124,000 square feet with interior storage units; Building #2 is 50 feet deep by 380 feet long (19,000 square feet); Building #3 is 50 feet deep by 395 feet long (19,750 square feet); and Building #4 consists of 49,660 square feet with interior storage units (Attachment E).

Unified Development Ordinance Requirements

According to Section 1-2.8.5 of the *Unified Development Ordinance*, “Industrial, Logistics, and Storage Use Standards” part J, “Self-Storage and Moving Truck Rental Establishments” are permitted in the CG district if it is demonstrated that:

1. The use is surrounded by a Type C bufferyard that includes a six foot masonry wall;
2. Building facades that are visible from the street are finished with brick, thin brick, stone, or stucco-finished concrete block;
3. The units are arranged so that bay doors are not visible from abutting streets or residential districts or uses, except at points of ingress and egress;
4. Chain link fencing, if used, is not visible from any property line;
5. Include adequate maneuvering areas and circulation aisles that accommodate both customer and emergency vehicle use; and
6. Parking areas designated for customer parking are kept clear of vehicle storage, except that customers may make temporary use of these parking areas when returning a vehicle to or retrieving a vehicle from the site.

According to Table 4-10.3.1, a Type C bufferyard consists of a 25 foot buffer containing 3 canopy trees, 3 understory trees, 3 evergreen trees, and 30 shrubs for every 100 linear feet, plus a minimum 3 foot high berm, wall, or fence. The conditions for this particular use require a 6 foot masonry wall instead of the 3 foot high berm, wall, or fence.

Variance Request

The following information was submitted by the applicant:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: This parcel has over 3700 linear feet of property line; it is located next to a road overpass, resulting in an elevation change that would render a 6’ high masonry wall irrelevant; the western side of the parcel abuts a 130 foot railroad right of way; and there are no residential uses within the line of sight in any direction.
- b. These conditions do not generally apply to other property in the vicinity as shown by: The size and shape of the lot and its location next to the railroad right of way, as well as its location next to the overpass, providing a significant elevation change.
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: Requiring the entire use to be surrounded by a 6’ masonry wall would be prohibitively expensive and unsightly.
- d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: The bay doors will be oriented to face the interior of the lot, with a brick office façade facing the public street. The use of a black vinyl chain link fence along the property line adjacent to the railroad ROW is not visible from the main streets and will not be detrimental to anyone on the other side of the 130 foot railroad ROW. Landscaping will be provided around the office building, and a decorative fence will be installed around the portion of the lot that is adjacent to the public rights of way.

Applicant’s Proposal

The applicants are asking that they be permitted to omit the 6 foot masonry wall altogether, and to reduce the bufferyard area to use existing trees and distance rather than additional landscaping. Additionally, they want to install a black vinyl chain link fence adjacent to the railroad right of way.

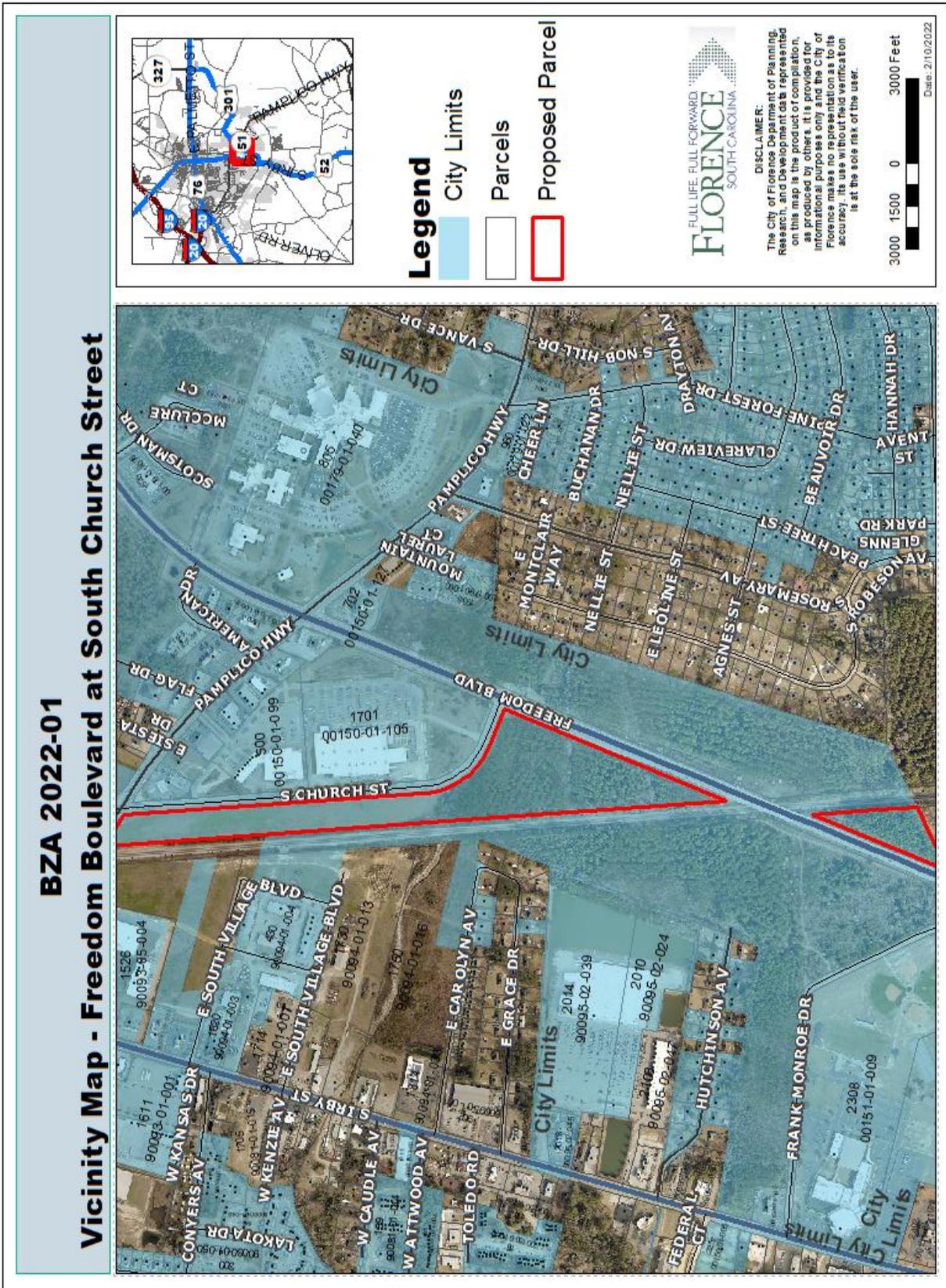
Issues to be Considered:

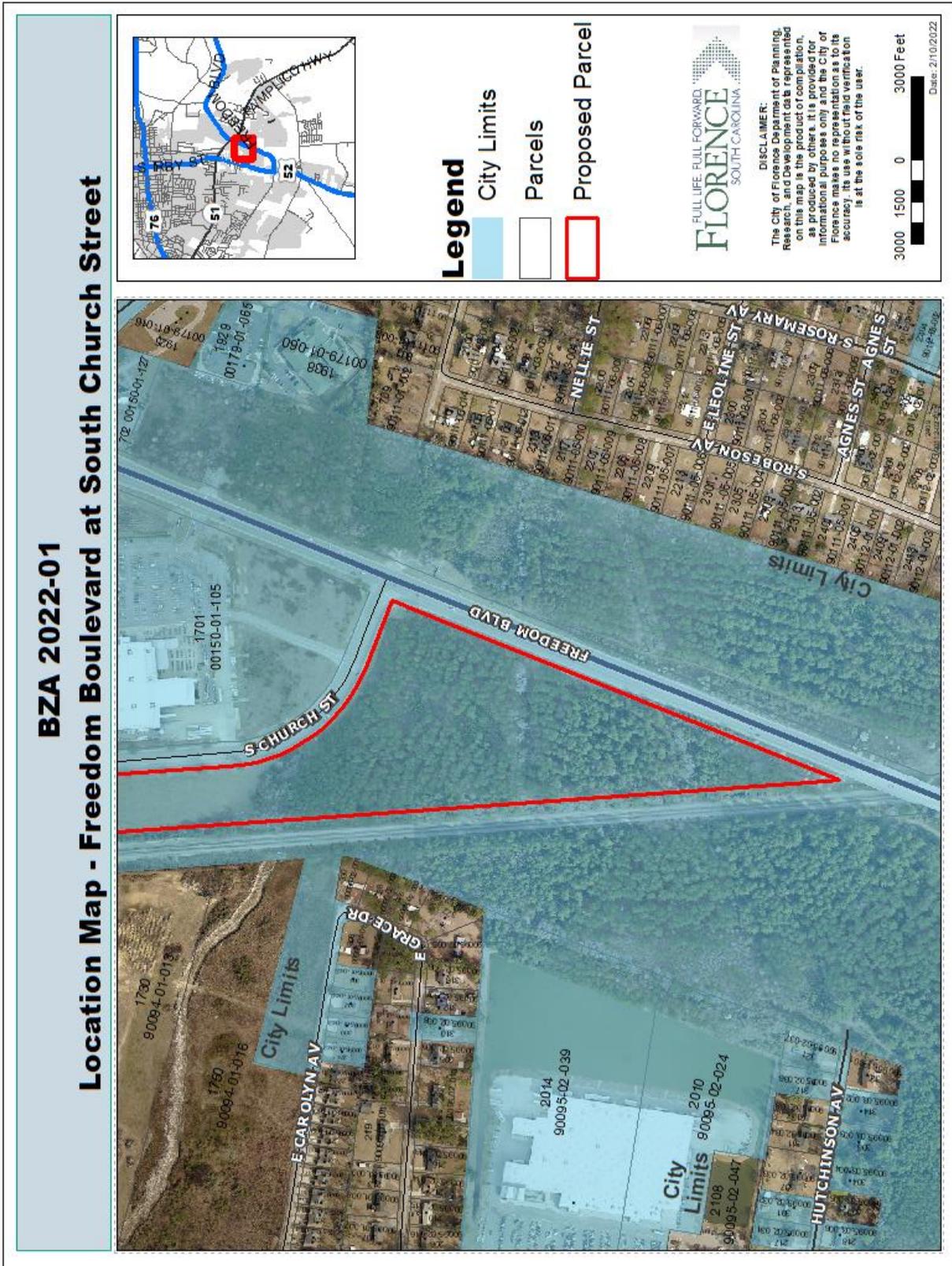
Applications for a variance shall be evaluated by the Board of Zoning Appeals on the basis of the following conditions:

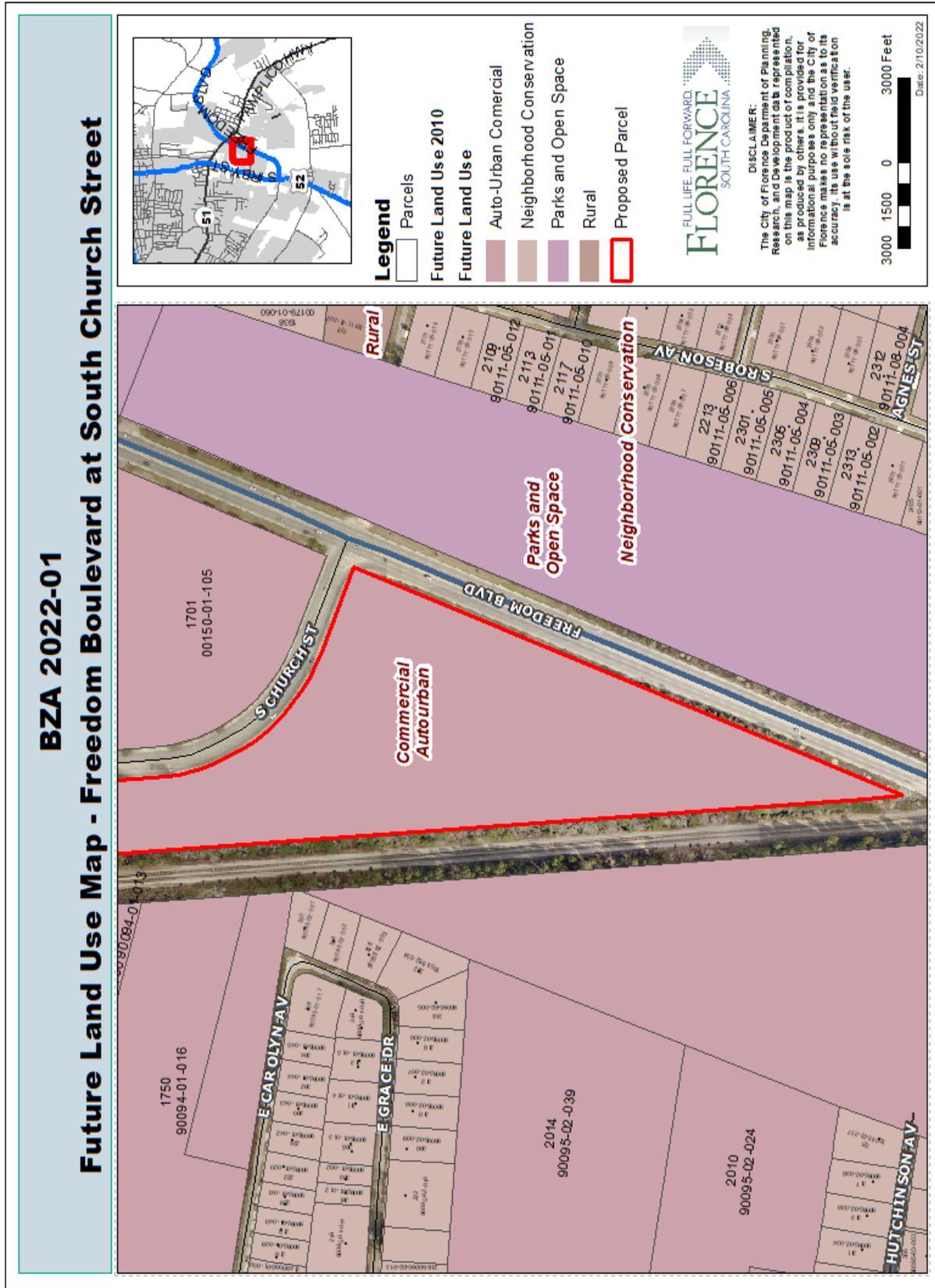
1. That a variance from the terms of this Ordinance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will in an individual case, result in an unnecessary hardship. Staff Comments: Enclosure of the entire property by the six foot masonry wall and Type C bufferyard is not required, only those self-storage areas where bay doors are visible from abutting streets or residential districts. The bay doors are oriented to the interior of the lot and there is no residential use within view.
2. That the spirit of the Ordinance will be observed, public safety and welfare secured, and substantial justice done. Staff Comments: The intent of the conditions is to screen storage units and bay doors from view of the public right of way and residential uses within the CG district. The configuration of the lot and the buildings minimizes the visibility of the bay doors from public streets, and there are no residential uses within the line of sight.
3. That there are extraordinary and exceptional conditions pertaining to the particular piece of property. Staff Comments: The portion of the parcel to be developed has the 130 foot railroad right of way to the west, shielding it from the nearest residential use. Additionally, the elevation change resulting from the overpass on Freedom Boulevard would render a wall irrelevant for screening purposes.
4. That these conditions do not generally apply to other property in the vicinity. Staff Comments: The location of the railroad right of way to the west and the elevation change of the adjacent road complicates the need for heavy screening of the use.
5. That because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows. Staff Comments: Requiring the full bufferyard Type C with a six foot masonry wall as specified in the conditions for the use would result in complete enclosure of the external storage units. Such complete enclosure is impractical based upon adjacent road elevations and the railroad right of way.
6. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. Staff Comment: The Board should determine what level of screening is appropriate to meet both goals of enabling the applicant to adequately advertise their location and goods and services, while preserving the retail character of the area.

Attachments

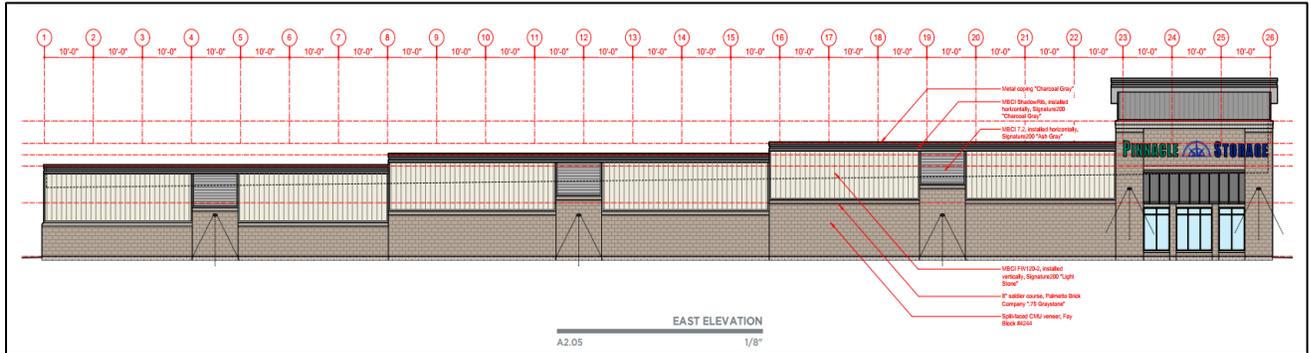
- A. Vicinity Map
- B. Location Map
- C. Zoning Map
- D. Future Land Use Map
- E. Site Plan
- F. Building 1 Elevations and Material List
- G. Site Photos



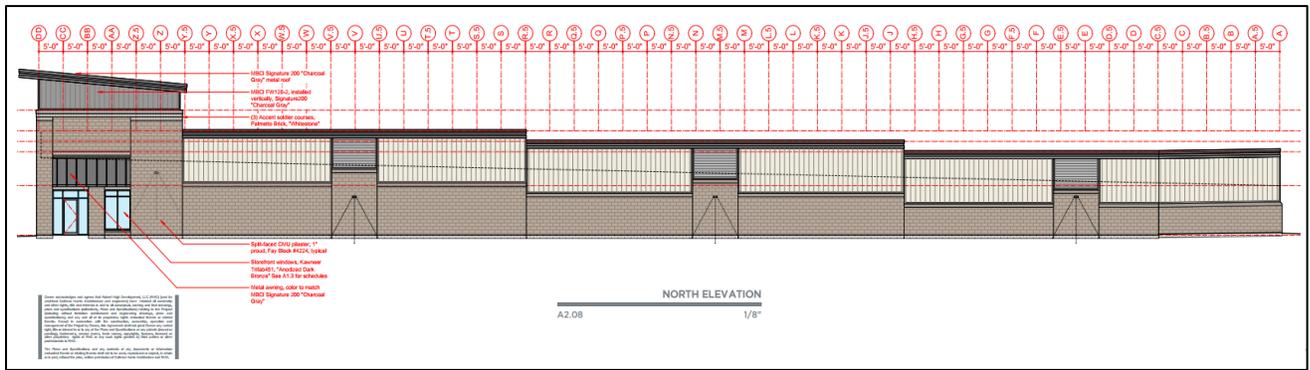




Attachment F: Building 1 Elevations and Material List
East Elevation



North Elevation



West Elevation



South Elevation



Material Legend	
	Metal coping, gutters, downspouts - "Light Stone"
	MBCI FW120-2 Metal Panel Signature200 - "Light Stone"
	MBCI FW120-2 Metal Panel Signature200 - "Charcoal Gray"
	MBCI ShadowRib, Signature200 - "Charcoal Gray"
	Exterior roll-up doors - "Fern Green"
	Standing seam metal awnings- "Charcoal Gray"
	Split-faced CMU veneer- "Fay Block #4224"
	Soldier course Palmetto Brick, "Whitestone"

NOTE: Building numbers are to be a minimum of six (6) inches high with a 3/4 inch brushstroke of contrasting colors. Numbers are to be visible from the road.



3438 Pine Needles Road

Attachment G: Site Photos



View from South Church Street.



View of Freedom Boulevard from South Church Street.



View of Lowe's property on the north side of South Church Street.



View of the property from Freedom Boulevard near South Church Street intersection.



Looking south down Freedom Boulevard to the overpass showing the elevation change.

Board of Zoning Appeals Motion Worksheet

Case Number: BZA 2022-01 Nature of Request: Screening Requirements Variance

I move that we grant / deny the request for a variance based upon the following findings of fact:

1. That a variance from the terms of the *Unified Development Ordinance* will not / will be contrary to the public interest when, because of special conditions, a literal enforcement of the provision will, in this individual case, result in an unnecessary hardship, in that:

2. That the spirit of the *Unified Development Ordinance* will / will not be observed, public safety and welfare secured, and substantial justice done because:

3. That there are extraordinary and exceptional conditions pertaining to the particular piece of property, namely:

4. That these conditions do not generally apply to other property in the vicinity, in that:

5. That because of these conditions, the application of the *Unified Development Ordinance* to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property by:

6. That the authorization of a variance will not / will be of substantial detriment to adjacent property or to the public good, and the character of the district will not / will be harmed by the granting of the variance, because:

Guidelines applicable to the granting of a variance:

1. Profitability: the fact that a property may be used more profitably if the variance is granted may not be used as the basis for granting the variance.
2. Conditions: the BZA can put conditions on the granting of the variance.
3. Use Variance: the BZA cannot grant a variance that would allow a use not permitted in the zoning district.
4. Hardship: the hardship cannot be based on conditions created by the owner/applicant.

Notes: