

# Planning Commission



## Agenda for the Thursday, December 20, 2018, Regular Meeting

*Members of the Planning Commission*

Woods Burnett  
*Chairman*

Leonard Carter, Jr.  
Timothy V. Key  
Larry Watts

Bob Clark  
JoAnn McKie  
Briton Williams

*CITIZEN ASSISTANCE: Individuals requiring special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development 48 hours prior to the meeting at 803-441-4221.*

1. **Call to Order** – 7:00 p.m.
2. **Roll Call**
3. **Approval of Minutes**
  - a. Revised Minutes of the October 18, 2018 Regular Meeting
  - b. November 15, 2018 Regular Meeting
4. **Confirmation of Agenda**
5. **Application MW18-003 – Bank of America ADA ATM Renovation Waiver**– A request by Nationsbank for a waiver to Table 4-1 of the North Augusta Development Code to allow for an accessory structure in a front yard along W. Martintown Road zoned GC, General Commercial.

Project Name	Bank of America ADA ATM Renovation Waiver
Applicant	Nationsbank
Address/Location	441 W Martintown Rd
Parcel Number	006 18 05 014
Total Development Size	± .14 acres
Existing Zoning	GC, General Commercial
Overlay	HC, Highway Corridor
Waiver Requested	NADC 4.2 and Table 4-1, Accessory structures in front yard

- a. Consideration of MW18-003 by Commission

**6. Staff Report**

- a. November Performance Report

**7. Adjourn**

# Planning Commission



**Revised Minutes for the Thursday, October 18, 2018, Regular Meeting**

*Members of the Planning Commission*

Woods Burnett  
*Chairman*

Leonard Carter, Jr.  
Timothy V. Key  
Larry Watts

Bob Clark  
JoAnn McKie  
Briton Williams

1. **Call to Order** - The regular meeting of October 18, 2018, having been duly publicized, was called to order at 7:00 p.m.
2. **Roll Call** - Members present were Chairman Burnett and Commissioners Leonard Carter, Bob Clark, Briton Williams, Chip Burnett, Larry Watts, Joann McKie, and Timothy Key. Also in attendance were Libby Hodges, Director of Planning and Development, the press, and public.
3. **Approval of Minutes** - The minutes from the Regular Meeting of August 2, 2018 and August 16, 2018 were approved as transmitted.
4. **Confirmation of Agenda** - There were no changes to the agenda.
5. **Application RZM18 - 003 - Summerfield Subdivision Rezoning** - A request by CSRA Development to rezone ± 67.57 acres of property along Austin Graybill Rd. from R-10, Medium Lot Residential to R-5, Mixed Residential.

Project Name	Summerfield
Applicant	CSRA Development, LLC
Address/Location	Austin Graybill Rd., between Orchard Way and Fox Trail Dr.
Parcel Number	011-05-001-001
Total Development Size	± 67.57 acres
Existing Zoning	R-10, Medium Lot Residential
Overlay	n/a
Traffic Impact Tier	Tier 3
Proposed Use	Residential Development
Proposed Zoning	R-5, Mixed Residential
Proposed Lots	145

Proposed Density	2.15 du per acre
Proposed Open Space	29.97 acres (44%)
Future Land Use	Mixed Use

Commissioner Briton recused himself.

Mrs. Hodges introduced the application any re-zoning would need to be approved by the Planning Commission. The staff report was briefly reviewed.

**a. Public Hearing** - Chairman Burnett opened the public hearing.

Mac Brazeale, 4 Indian Rock Ct., explained the reasoning for requesting the rezoning and answered questions regarding the proposal.

Steve Bryant, 129 Butler Ave, the Commission and answered several questions regarding the proposal as well.

Cecelia Thomas, 463 Harvester Dr., expressed her concern regarding the property line to the development and if there will be additional retention ponds and voice concerns over erosion.

Sharon Proctor, 20 White Oak, expressed her concern with the distance between her property and the new development.

Alan Goodwin, 114 Coventry Circle, expressed concern with road access, the effects of water runoff.

Mary Galloway, Windtree, expressed concern about effect of development along power line.

The applicant responded to the questions from applicants and commissioners.

With no further comments from the applicant, public, or staff, the public hearing was closed.

**b. Consideration of Application RZM18-003 by Commission**

Commissioner Key made a motion to recommend approval of the request of Summerfield Subdivision rezoning from R-10 to R-5. Commissioner Clark offered a second and the motion was passed unanimously with Commissioner Briton recusing himself.

**6. Application PP18 - 004 - Talisman Drive Major Subdivision - A request by HA & PM Development for approval of 28 single-family residential units.**

Project Name	Talisman Drive Subdivision
Applicant	HA & PM Development
Address/Location	Talisman Drive
Parcel Number	006-20-07-037, 006-20-07-035, 006-20-08-002
Total Development Size	7.76 acres
Existing Zoning	R-7, Small Lot, Single Family Residential
Overlay	n/a
Traffic Impact Tier	Tier 2
Proposed Use	Single-Family Residential
Proposed Lots	28
Proposed Density	3.6 units per gross acre
Proposed Open Space	1.56 ac
Future Land Use	Low Density Residential

Mrs. Hodges introduced the application for approval of 28 single-family residential units.

**a. Consideration of Application PP18-004 by Commission**

Commissioner Carter made a motion to approve the request of Talisman Drive Major Subdivision subject to the condition that the application comply with the NADC. Commissioner Watts offered a second and the motion was passed unanimously.

**7. Application MW 18- 001 - Carswell Accessory Residence - A request by Dr. James Carswell to allow an accessory residential unit in excess of 1000 square feet.**

Mrs. Hodges introduced the application which is historically part of The Rapids Subdivision. They're asking for a waiver to build a larger accessory residence on their existing property due to accessibility and inability to divide the property with the current Development Code.

Mr. Welch, Cranston Engineering, explained that the project was proposed after being unable to divide the property based on the current layout.

**a. Consideration of Application MW 18-001 by Commission**

Commissioner Clark made a motion to approve the request to waive the 1000 sq. ft. requirement for an accessory dwelling structure for the Carswell Accessory Residence to the condition that the application comply with the NADC. Commissioner Williams offered a second and the motion was passed unanimously.

**8. Staff Report**

- a. September Performance Report
- b. Next meeting is the yearly business meeting on November 15, 2018.
- c. The Chair asked that staff prepare a report for the January PC meeting on the status of the goals and strategies of the 2017 Comprehensive Plan. Staff indicated this would be completed.

- 9. Adjourn** -- With no objection, Chairman Burnett adjourned the meeting at about 8:30pm.

Respectfully Submitted,

Libby Hodges, AICP, Director, Department of Planning and Development  
Secretary to the Planning Commission

# Planning Commission



## Minutes for the Thursday, November 15, 2018, Regular Meeting

*Members of the Planning Commission*

Woods Burnett  
*Chairman*

Leonard Carter, Jr.  
Timothy V. Key  
Larry Watts

Bob Clark  
JoAnn McKie  
Briton Williams

1. **Call to Order** - The regular meeting of November 15, 2018, having been duly publicized, was called to order at 7:00 p.m.
2. **Roll Call** - Members present were Chairman Burnett and Commissioners Timothy Key, Joann McKie, Larry Watts, Chip Burnett, Briton Williams, and Bob Clark. Also in attendance were Libby Hodges, Director of Planning and Development, the press, and public.
3. **Approval of Minutes** – The minutes from the Regular Meeting of October 18, 2018 were approved with the recommended editing to add clarification of 8.c.
4. **Confirmation of Agenda** - There were no changes to the agenda.
5. **Application CNPL18-001 – Bluff Avenue Townhomes** – A request by Richard Fletcher to provide a sketch review for a proposed development ± 0.4 acres of property along Bluff Avenue at West Avenue, Zoned D (Downtown Mixed Use).

Project Name	Bluff Avenue Townhomes
Applicant	Richard Fletcher, Cheatham Fletcher Scott
Address/Location	225 Bluff Ave. and 111 Bluff Ave.
Parcel Number	007-14-10-008, 007-14-10-007
Total Development Size	± 0.4 acres
Zoning	D, Downtown Mixed Use
Overlay	Georgia Avenue (voluntary)
Traffic Impact Tier	Tier 1
Proposed Use	Residential Townhome Development
Proposed Lots	8
Proposed Density	20 du per acre
Future Land Use	Mixed Use

Mrs. Hodges introduced the application noting the proposed application sketch review was only for suggestions and any suggestions would be non-binding. The staff report was briefly reviewed, with staff answering several questions on the application of the Development Code.

Glen Thompson and Richard Fletcher spoke about the case and the request for waivers regarding driveways and other proposed site features. Handouts provided at the meeting are added to the minutes.

Chairman Burnett commented he would be receptive to granting a waiver for a curb cut on West Ave.

Mr. Fletcher thanked the commission for their time.

Chairman Burnett thanked the applicant for bringing the project to the commission.

**6. Application ANX18-001 – 2031 Pisgah Rd.**

Address/Location	2031 Pisgah Rd.
Parcel Number	005-19-06-003, 005-19-06-002
Total Development Size	± 1.72 acres
Zoning Requested	GC, General Commercial
Future Land Use	Low Density Residential

Mrs. Hodges introduced the application for the partition for annexation from the McKie's.

Commissioner McKie recused herself and left the meeting.

Mrs. Hodges introduced the case and explained that the Commission must review the request for annexation for a zoning that did not match the future land use map.

Mrs. Hodges addressed questions from the Commission.

a. Consideration & Recommendation of ANX18-001 by Commission

Commissioner Clark made a motion for the recommendation to annex the property of 2031 Pisgah Rd. as G.C. Commissioner Williams offered a second and the motion passed unanimously.

**7. Business Meeting**

a. Election of Officers

Commissioner Williams made a motion to nominate Chip Burnett to continue as chair. Commissioner Watts second the motion and the motion passed unanimously.

Commissioner Watts made a motion to nominate Briton Williams as vice-chair. Commissioner Key second the motion and the motion passed unanimously.

b. Adoption of Calendar

Commissioner Clark made a motion to adopt the Calendar for 2019. Chairman Burnett seconded the motion and the motion passed unanimously.

**8. Staff Report**

Mrs. Hodges announced the advertisement for a new Code Enforcement Officer.

- a. October Performance Report
- b. 13<sup>th</sup> Street/Georgia Ave Bridge Replacement project – conceptual layout (attached)
- c. I-20 Bridge Replacement; has been awarded as of Nov. 2.  
(<http://www.dot.ga.gov/PartnerSmart/Innovative/DesignBuild/ApparentAwards/I-20%20Award%20Notice.pdf>)

**9. Adjourn**-- With no objection, Chairman Burnett adjourned the meeting.

Respectfully Submitted,

Libby Hodges, AICP, Director, Department of Planning and Development  
Secretary to the Planning Commission

## CHAPTER 32

# ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

### SECTION 3201 GENERAL

**3201.1 Scope.** The provisions of this chapter shall govern the encroachment of structures into the public right-of-way.

**3201.2 Measurement.** The projection of any structure or portion thereof shall be the distance measured horizontally from the *lot line* to the outermost point of the projection.

**3201.3 Other laws.** The provisions of this chapter shall not be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

**3201.4 Drainage.** Drainage water collected from a roof, *awning*, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.

### SECTION 3202 ENCROACHMENTS

**3202.1 Encroachments below grade.** Encroachments below grade shall comply with Sections 3202.1.1 through 3202.1.3.

**3202.1.1 Structural support.** A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the *lot lines*, except that the footings of street walls or their supports which are located not less than 8 feet (2438 mm) below grade shall not project more than 12 inches (305 mm) beyond the street *lot line*.

**3202.1.2 Vaults and other enclosed spaces.** The construction and utilization of vaults and other enclosed spaces below grade shall be subject to the terms and conditions of the applicable governing authority.

**3202.1.3 Areaways.** Areaways shall be protected by grates, *guards* or other *approved* means.

**3202.2 Encroachments above grade and below 8 feet in height.** Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. Doors and windows shall not open or project into the public right-of-way.

**3202.2.1 Steps.** Steps shall not project more than 12 inches (305 mm) and shall be guarded by *approved* devices not less than 3 feet (914 mm) in height, or shall be located between columns or pilasters.

**3202.2.2 Architectural features.** Columns or pilasters, including bases and moldings shall not project more than 12 inches (305 mm). Belt courses, lintels, sills, architraves, pediments and similar architectural features shall not project more than 4 inches (102 mm).

**3202.2.3 Awnings.** The vertical clearance from the public right-of-way to the lowest part of any *awning*, including valances, shall be not less than 7 feet (2134 mm).

**3202.3 Encroachments 8 feet or more above grade.** Encroachments 8 feet (2438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.

**3202.3.1 Awnings, canopies, marquees and signs.** *Awnings*, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. *Awnings*, canopies, marquees and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support *awnings*, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

**3202.3.2 Windows, balconies, architectural features and mechanical equipment.** Where the vertical clearance above grade to projecting windows, balconies, architectural features or mechanical equipment is more than 8 feet (2438 mm), 1 inch (25 mm) of encroachment is permitted for each additional 1 inch (25 mm) of clearance above 8 feet (2438 mm), but the maximum encroachment shall be 4 feet (1219 mm).

**3202.3.3 Encroachments 15 feet or more above grade.** Encroachments 15 feet (4572 mm) or more above grade shall not be limited.

**3202.3.4 Pedestrian walkways.** The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of the applicable governing authority. The vertical clearance from the public right-of-way to the lowest part of a *pedestrian walkway* shall be not less than 15 feet (4572 mm).

**3202.4 Temporary encroachments.** Where allowed by the applicable governing authority, vestibules and storm enclosures shall not be erected for a period of time exceeding seven months in any one year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street *lot line*. Temporary entrance *awnings* shall be erected with a clearance of not less than 7 feet (2134 mm) to the lowest portion of the hood or *awning* where supported on removable steel or other *approved* non-combustible support.

*submitted by applicant 11/15/18*

## ACCESS

3.8.4.7.9 Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:

a. The Director and City Engineer must approve all driveways, access points and curb cuts from any public right of way.

*We acknowledge the City Engineer's role in approving locations for access to parcels in the D Downtown Overlay District.*

b. Driveways providing ingress and egress onto side streets and alleys are preferred. Existing or newly created alleys from a side street are the preferred access drive to parking areas. Only one (1) access point to a parking, loading or service area (other than an alley) shall be permitted per block face from any side street adjoining Georgia Avenue. There is no limit on the number of openings or access points from an alley and alleys may function as parking area drive aisles.

*This provision applies to block faces on Georgia Avenue as well as side streets adjoining Georgia Avenue such as Clifton, Buena Vista, Pine Grove and Spring Grove, and Jackson. We are requesting curb cut on West Avenue. Therefore, in our opinion, this provision does not apply and we believe a waiver by the Planning Commission would be appropriate.*

*We note that there are approximately 34 curb cuts along West Avenue between Bluff Avenue and Jackson Avenue.*

c. No driveway or access point shall exceed twenty (20) feet in width.

*A narrow curb cut to permit vehicles in the garage of proposed Unit 1 a place to back out and turn in one maneuver would require a curb cut of approximately 12 feet in width.*

d. Separation of driveways or access points from an alley, if permitted, shall be no less than twenty-four (24) feet.

*The distance from the proposed curb cut to the closest curb cut at the North Augusta School of Dance is approximately 50 feet.*

e. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public. (Rev. 6-20-16; Ord. 2016-14)

*As noted in paragraph "b" above, we believe the intent of Section 3.8.4.7.9 and paragraph "e" is to preserve as many spaces as possible along Georgia Avenue and its immediate side streets. We are not proposing a reduction in parking in either of those locations.*

*submitted by applicant 11/15/2018*

## WAIVERS

### 5.9 WAIVERS

#### 5.9.1 Planning Commission Waivers

The Planning Commission may approve waivers to the development standards contained in this Chapter except where the authority to grant waivers, variances and adjustments is vested in the Board of Zoning Appeals. Such waivers shall be approved as part of the underlying application for development approval upon a written finding, supported by substantial competent evidence. The Planning Commission may waive such standards where:

5.9.1.1 After obtaining the recommendation of the Director, the Planning Commission determines that the proposed waiver does not conflict with the goals and policies of the Comprehensive Plan or the purposes underlying the standard; and

*The Infill Opportunities Map on page 165 of the Comprehensive Plan indicates the two subject parcels as "ripe" and "ready for redevelopment."*

*The illustration for A Future for Downtown on page 166 of the Comprehensive Plan shows The Ten Year Vision with development on the subject parcels and includes the following language: "New apartments and townhomes begin to fill vacant lots particularly along side and secondary streets with vertically mixed-use development emerging mostly within one block of Georgia Avenue."*

*The illustration for A Future for Downtown on page 167 of the Comprehensive Plan shows The Twenty Year Vision with these words: "The illustration below shows a 20 year vision of downtown with infill residential and mixed use development making use of vacant lots and underutilized parcels. This concept includes accessory dwellings as part of single-family residences in downtown neighborhoods and multifamily housing where appropriate. This moves more residents downtown, within walking distance of retail, entertainment, and business uses, which will create vibrancy and activity on the street."*

*Under Goals and Strategies for Chapter 10- A Vibrant Downtown and Riverfront is the following on page 177: 10.3.8 Encourage infill development on vacant and underdeveloped lots. "Concentrating development within the existing boundaries of North Augusta, especially in the downtown area, will provide many benefits for the future growth of the City, including: allowing for more efficient City services, such as fire, police, etc., creating a higher population density, which can provide a greater market for retail and business services desired by citizens, and contributing to a more walkable and multimodal environment, which allows less reliability on the car alone as a transportation mode."*

5.9.1.2 The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that adherence to the standard provided by this

*submitted by applicant 11/15/18*

Chapter would pose a threat to health and safety or would undermine a policy set forth in the Comprehensive Plan or the purposes underlying the standard; and

*In our opinion a curb cut on West Avenue will be safer for residents of the proposed development as residents of Unit 1 would be able to back out of their garage in one movement. Also, garbage trucks would not have to back in our out of the driveway behind the units and could simply drive though and pick up roll carts behind each home.*

5.9.1.3 The applicant consents to an alternative standard, and the Planning Commission finds that such standard is consistent with the Comprehensive Plan, will protect the public health, safety and general welfare, and is consistent with the purposes underlying the standard; and

*There does not appear to be a standard restricting curb cuts on West Avenue as we counted approximately 34 curb cuts on West between Bluff and Jackson.*

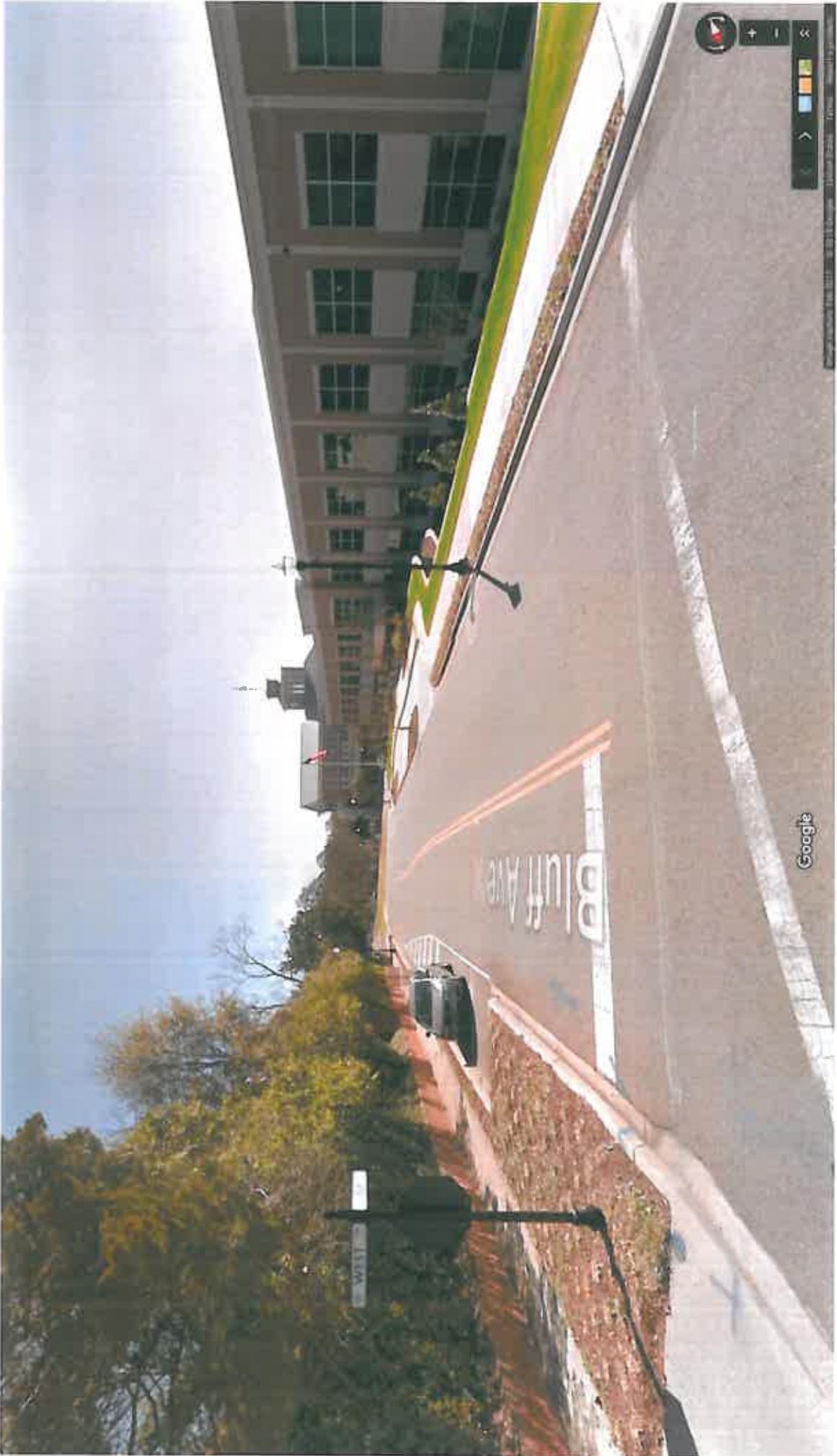
5.9.1.4 The economic burden imposed on the applicant to comply with the generally applicable standard outweighs the public purpose for such standard; and 5.9.1.5 Compliance with the generally applicable standard is impracticable due to unique topographical or other site conditions.

*A waiver to allow a curb cut on West Avenue will actually cost the applicant more money than if not installed. This is not a question of saving cost, but of providing good, safe access to the property and making the development functional.*

#### 5.9.2 Minor Waivers

The Director may approve minor waivers unless a condition of development approval requires referral to the Planning Commission, in which case such referral shall be considered in accordance with §5.9.1. Minor waivers to the development standards include changes to the mix of uses, number and relationship of buildings, parking spaces, and landscaping, within fifty percent (50%) of the applicable standard or standards. The applicant or any aggrieved party as provided by law may appeal the Director's decision to the Planning Commission. (Rev. 12-1-08; Ord. 2008-18)

*The Director is referring the proposed sketch plan to the Planning Commission because under 5.8.2.1(d) when more than 5 lots are created, the subdivision is considered a major subdivision. All major subdivisions must be reviewed by the PC under Table 5-1, therefore it is our understanding the Planning Commission is responsible for passing on waiver requests.*



submitted by applicant 11/15/2018

**Project Staff Report**

**MW18-003 – Bank of America ADA ATM Renovation**

**Prepared by: Kuleigh Baker**

**Meeting Date: December 20, 2018**

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**SECTION 1: PROJECT SUMMARY**

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Project Name	Bank of America ADA ATM Renovation Waiver
Applicant	Nationsbank
Address/Location	441 W. Martintown Rd.
Parcel Number	006-18-05-014
Total Development Size	± .14 acres
Existing Zoning	GC, General Commercial
Overlay	HC, Highway Corridor
Waiver Requested	NADC §4.2 and Table 4-1, Accessory structures in front yard

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**SECTION 2: PLANNING COMMISSION CONSIDERATION**

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This application has been forwarded to the Planning Commission to consider the following:

§ 5.9.1 Planning Commission Waivers

The Planning Commission may approve waivers to the development standards contained in this Chapter except where the authority to grant waivers, variances and adjustments is vested in the Board of Zoning Appeals. Such waivers shall be approved as part of the underlying application for development approval upon a written finding, supported by substantial competent evidence. The Planning Commission may waive such standards where:

5.9.1.1 After obtaining the recommendation of the Director, the Planning Commission determines that the proposed waiver does not conflict with the goals and policies of the Comprehensive Plan or the purposes underlying the standard; and

5.9.1.2 The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that adherence to the standard provided by this Chapter would pose a threat to health and safety or would undermine a policy set forth in the Comprehensive Plan or the purposes underlying the standard; and

5.9.1.3 The applicant consents to an alternative standard, and the Planning Commission finds that such standard is consistent with the Comprehensive Plan, will protect the public health, safety and general welfare, and is consistent with the purposes underlying the standard; and

5.9.1.4 The economic burden imposed on the applicant to comply with the generally applicable standard outweighs the public purpose for such standard; and

5.9.1.5 Compliance with the generally applicable standard is impracticable due to unique topographical or other site conditions.

The Planning Commission may recommend approval, approval with conditions or denial of this request according to NADC § 5.1.3.

### SECTION 3: PUBLIC NOTICE

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Per NADC Table 5-1, 14. Planning Commission Waiver of Development Standard does not require additional public notice. The Planning Commission agenda was published online December 14, 2018.

### SECTION 4: SITE HISTORY

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In 2011, upgrades to the front parking lot and sidewalks were made to bring the site into compliance with the Americans with Disabilities Act. In 2016, a parking lot expansion project created additional parking spaces in the front and Eastern side of the building to address parking shortage issues during peak business hours. The approved plan added a total of 17 additional parking spaces. In 2017, the Planning Department approved a Minor Site Plan to add a new drive-up ATM location to the rear of the building underneath the existing canopy.

## SECTION 5: EXISTING SITE CONDITIONS

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	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Commercial	Mixed Use	GC, General Commercial
North	Multifamily Residential	Mixed Use	GC, General Commercial
South	Commercial	Mixed Use	GC, General Commercial
East	Vacant	Mixed Use	GC, General Commercial
West	Single Family Residential	Mixed Use	R-7, Small Lot Single-Family Residential

**Access** – The site currently has access from W. Martintown Rd. and Hidden Hills Dr.

**Topography** –The property is relatively flat, sloping gently towards the South.

**Utilities** – Existing water and sanitary sewer are available on site. The proposed project will not affect capacity.

**Floodplain** – The subject property is located in Zone X, an area of minimal flood hazard.

**Drainage Basin** – This site is located within the Hammond Hills Basin as designated on the City of North Augusta Stormwater Management’s Drainage Basin Map. Data collection for this area of the Stormwater Management Stream Water Quality Assessment Summary is incomplete at this time.

## SECTION 6: STAFF EVALUATION AND ANALYSIS

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The Planning Commission is being asked to review this application based on the following:

- 1) Section §4.2 of the North Augusta Development Code (NADC) regulates accessory structures and uses. Those uses are further regulated as follows:

4.2.2           General

Accessory buildings and uses may be located in required yards, under the following conditions set forth in Table 4-1, Accessory Uses or Accessory Structures. No accessory use shall be located in any required buffer yard unless otherwise permitted herein. Any

reference to an accessory use in this section refers to any accessory use, accessory building, or accessory structure, unless otherwise provided herein.

- 2) NADC Table 4-1 limits accessory structures to side and rear yards. Furthermore, in commercial districts the setback shall be the same as permitted for primary structures.

TABLE 4-1 ACCESSORY USES AND ACCESSORY STRUCTURES (Rev. 12-1-14; Ord. 2014-16)

A	B	C	D	E
Accessory Uses	Permissible Location	Setback or Building Separation	Maximum Height	Additional Standards
<p><b>Accessory Structures and Buildings. Buildings and structures including detached garages, tennis courts, sheds, accessory dwelling units, and similar uses</b></p>	<p>Side or rear yard.</p>	<p>3 feet in residential districts. However, for accessory structures that exceed 800 square feet of ground floor area, the setback shall be 5 feet. In commercial districts the setback shall be the same as permitted for primary structures.</p> <p>Accessory structures shall be separated from all primary structures and any other accessory structures by no less than 3 feet unless attached to a primary structure by a covered breezeway or hallway.</p>	<p>Shall not exceed the height of the principal building.</p>	<p>Shall not exceed 800 square feet in gross floor area or 50% of the floor area of the principal structure or principal use, whichever is greater. The total ground floor area of all accessory structures and buildings shall occupy no more than 30% of the required side and rear yards.</p>

- 3) Per NADC §5.9.2, this request is not a “Minor Waiver,” as the request does not apply to a change in the mix of uses, number and relationship of buildings, parking spaces, or landscaping.
- 4) NADC §18.4.5.4 allows the Board of Zoning Appeals to decide on Appeals of Administrative Decisions, grant variances from Article 3 and Article 13, or to review Special Exceptions. This application does not appear to fall under those articles.

Due to the Development Code standards outlined above and the additional standards of the NADC outlined below, the Planning Commission is being asked to consider granting the waiver for the location of the accessory structure.

Staff has reviewed the applicable requirements of the Development Code for Planning Commission Waivers. In summary, staff present the following for consideration:

- 1) *The proposed waiver does not appear to conflict with the goals and policies of the Comprehensive Plan or the purposes underlying the standard.* The proposed ATM relocation results in no change to the current site use. The request does not appear to conflict with any stated goals of the Comprehensive Plan.
- 2) *The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that adherence to the standard provided by this Chapter would pose a threat to health and safety or would undermine a policy set forth in the Comprehensive Plan or the purposes underlying the standard.* The proposed location increases visibility by providing adequate lighting and increasing patron safety. The location also provides handicap accessibility due to the proximity of the existing sidewalk and accessible parking spaces.
- 5) *The economic burden imposed on the applicant to comply with the generally applicable standard outweighs the public purpose for such standard.* The purpose of the project is to bring the ATM in compliance with ADA standards. To place the ATM on the site in a location that would comply with the NADC would require extensive site work and result in the placement of the machine in a portion of the site that does not meet industry guidelines for visibility and safety.
- 6) *Compliance with the generally applicable standard is impracticable due to unique topographical or other site conditions.* Creating a footpath from the building to the existing ATM for walk-up purposes would require building retaining walls to grade the slope to be ADA compliant. The proposed location makes use of the existing sidewalks, accessible parking spaces, and site topography.

## SECTION 7: STAFF RECOMMENDATION

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Based on the analysis and evaluation of each review criteria outlined above, the Department has determined the application is complete. The relocation of an existing ATM as an accessory structure is an accepted and practical use of the property. Staff offers a recommendation for approval as the site appears to meet the conditions required for approval as outlined above.

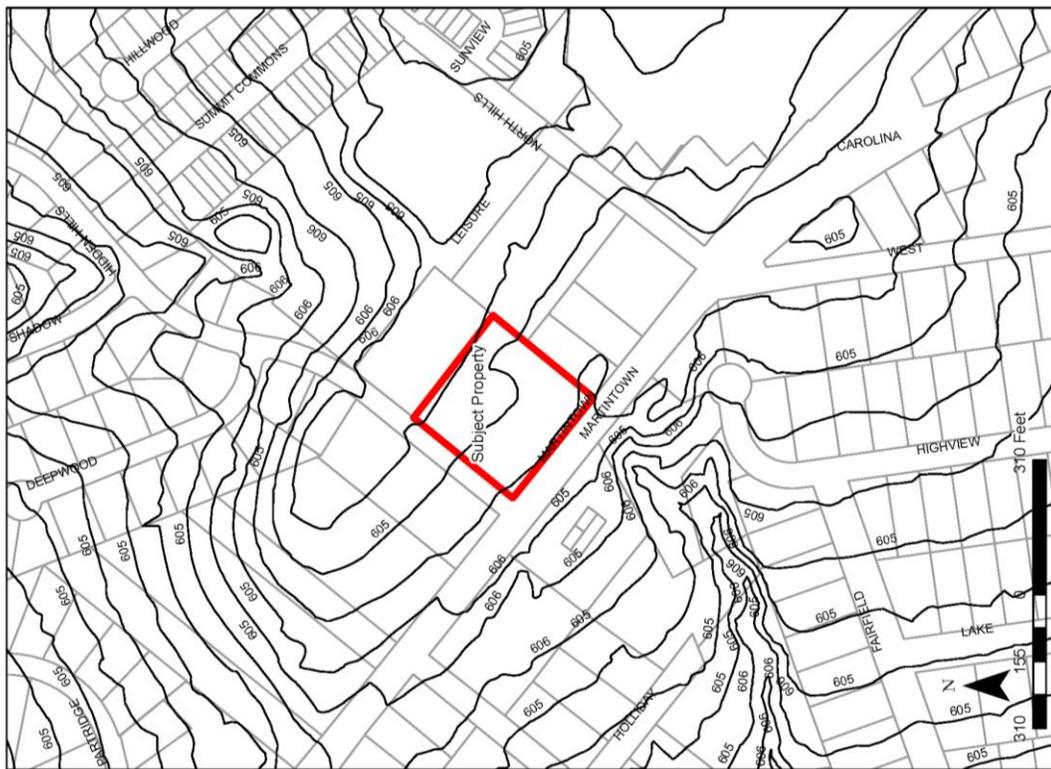
Final approval will be granted by staff when the plans are in substantial compliance with the requirements of the North Augusta Development Code and any proposed conditions.



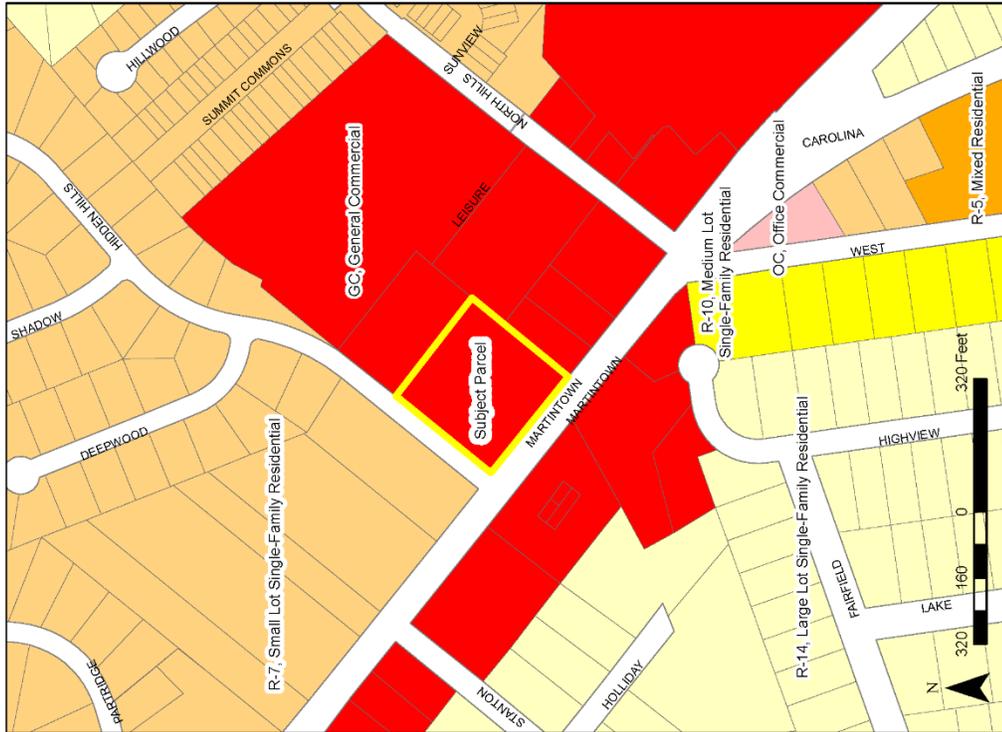
MW18-003 Bank of America ADA ATM Renovation  
Aerial Map



MW18-003 Bank of America ADA ATM Renovation  
Topo Map



MW18-003 Bank of America ADA ATM Renovation Zoning Map

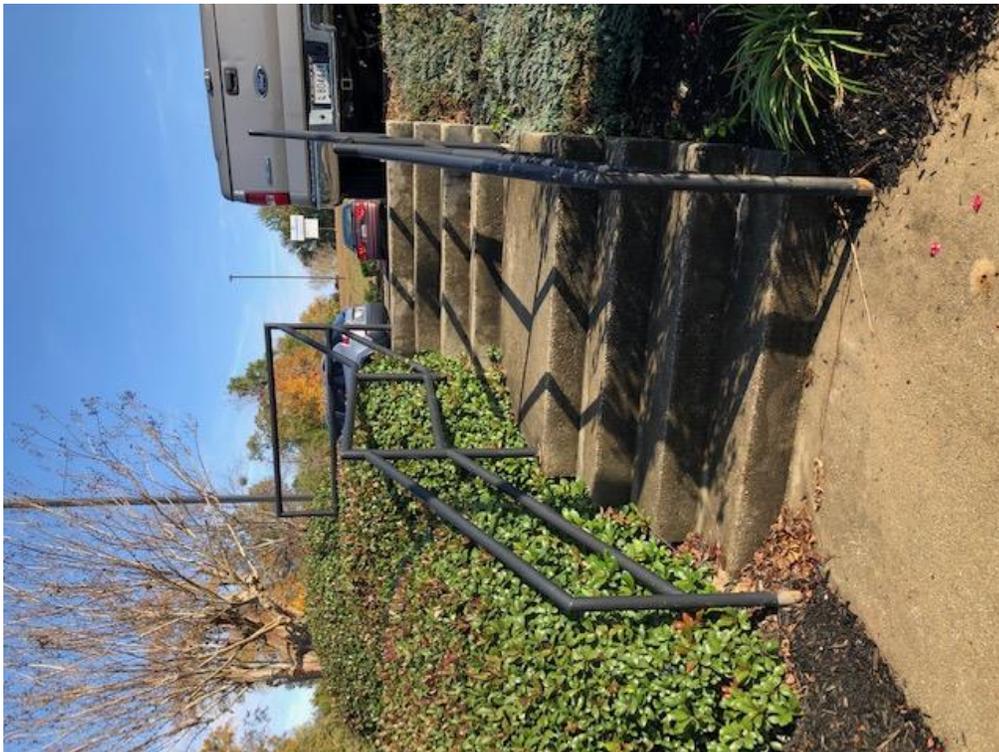


MW18-003 Bank of America ADA ATM Renovation Future Land Use Map





**Figure 1: Existing front ATM**



**Figure 2: Existing staircase access to front ATM**

**Project Staff Report**

MW18-003 – Bank of America ADA ATM Renovation Waiver

Prepared by: Kuleigh Baker

Meeting Date: December 20, 2018



**Figure 3: Existing front ATM drive-thru**



**Figure 4: Existing front ADA accessible parking**



**Figure 5: Existing ramp to service front sidewalk and ADA accessible parking**



Application for Development Approval

Please type or print all information

Staff Use
Application Number MW18-003
Date Received 11/20/2018
Review Fee \$25
Date Paid

1. Project Name Bank of America ATM
Project Address/Location 441 W Martintown Rd
Total Project Acreage 0.14 Acres
Current Zoning GC(HC)
Tax Parcel Number(s) 006-18-05-014
Applicant/Owner Name Nationsbank
Applicant Phone 980-387-4188
Mailing Address 101 Tryon St.
City Charlotte ST NC Zip 28255
Email JoAnne.Jensen@am.jll.com
2. Engineer/Architect/Surveyor Landscape Architect
License No. 756
Firm Name Little
Firm Phone 704-561-3472
Firm Mailing Address 5815 Westpark Dr
City Charlotte ST NC Zip 28217
Email dpowlen@litleonline.com
Signature David Powlen Date 11/15/18

3. Is there a Designated Agent for this project? X Yes No
if Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
4. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?
5. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.

6. Applicant or Designated Agent Signature David Powlen
Date 11/15/18
Print Applicant or Agent Name David Powlen



Designation of Agent

Please type or print all information

This form is required if the property owner is not the applicant.

Staff Use Only
Application Number MW18-003
Date Received 11/20/2018

1. Project Name Bank of America ATM
Project Address/Location 441 W Martintown Rd, North Augusta, SC 29841
Project Parcel Number(s) 006-18-05-014
Property Owner Name Nationsbank
Owner Phone 980-387-4188
Mailing Address 101 Tryon St.
City Charlotte ST NC Zip 28255
Email JoAnne.Jensen@am.jll.com
2. Designated Agent David Powlen
Relationship to Owner Landscape Architect
Firm Name Little
Phone 704-561-3472
Agent's Mailing Address 5815 Westpark Dr
City Charlotte ST NC Zip 28217
Email dpowlen@litleonline.com
Agent's Signature Date 11/15/18

3. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.
Owner Signature David Powlen
Notary Public
Notary Signature
Date 11/15/18
Sworn and subscribed to before me on this 15th day of November, 2018.



Notary Public
August 5, 2018
Commission Expiration Date



LAND DEVELOPMENT SERVICES STUDIO

November 16, 2018

North Augusta Planning Commission  
100 Georgia Avenue  
North Augusta, SC 29841

Re: Bank of America ATM Relocation

To whom this may concern,

It is the intent of Bank of America to relocate an existing ATM kiosk located at 441 West Martintown Road. We are requesting a waiver to NADC 4.2 and Table 4-1 accessory structures in the front yard. The relocation is to move the existing ATM adjacent to the building for safety and provide an accessible path of travel.

5.9.1.1 Since the existing lot is located on a corner, the front yard applies to two sides of the existing structure. The proposed location can meet the front yard requirement from West Martintown Road which is the primary street which would meet the goal of the ordinance.

5.9.1.2 This is a walk-up ATM that requires proper lighting and visibility for the safety of the users. Locating the ATM on the North or East sides of the existing bank building would limit visibility from the street and reduce safety of the users.

5.9.1.3 The existing ATM is currently located in the front yard of this site and is approximately forty feet from the Right-of-Way for West Martintown Road. The proposed location will move the ATM approximately one hundred and thirty feet from the Right-of-Way of West Martintown Road, and thus help bring this site closer to the intended standard of the ordinance.

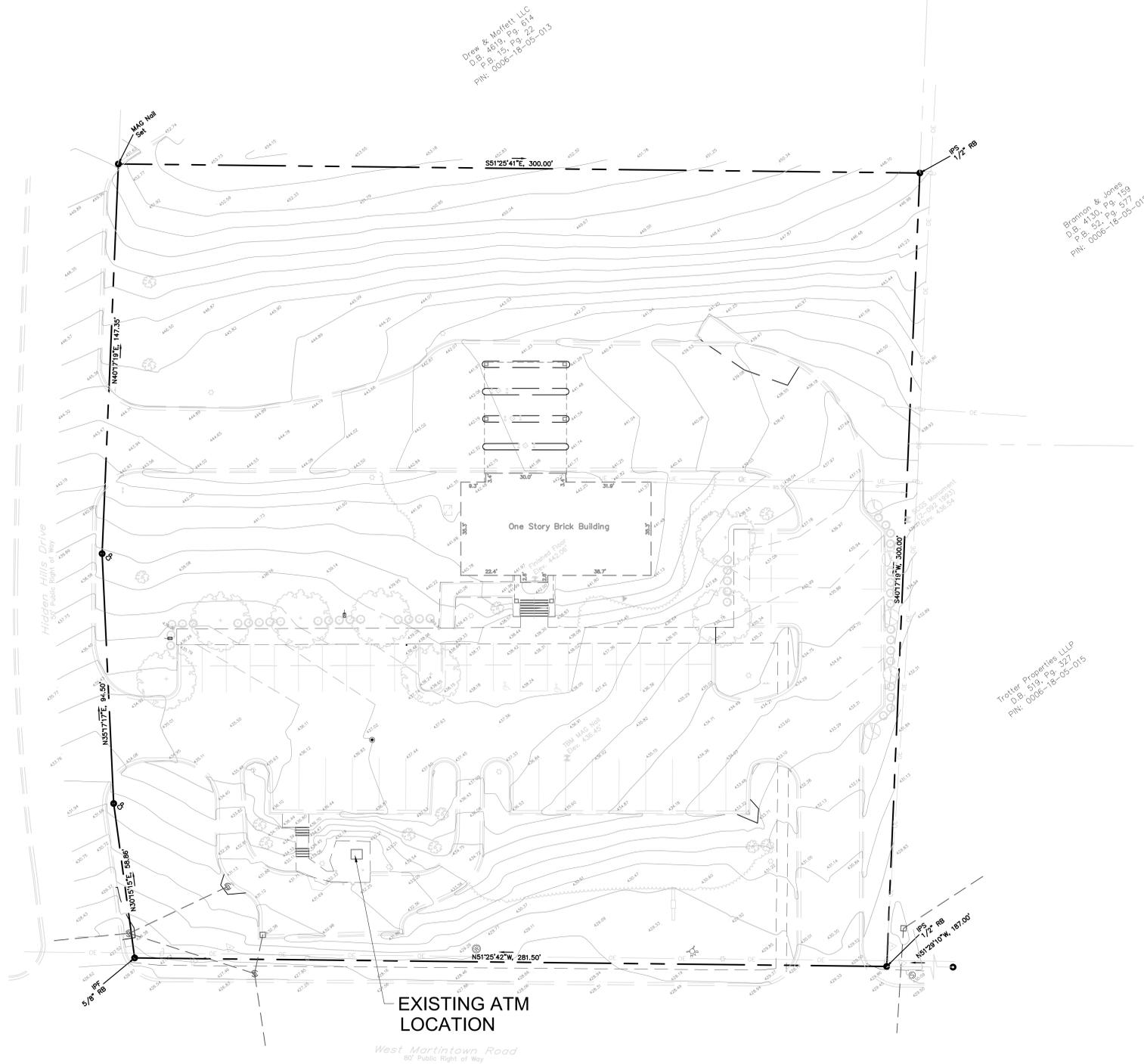
5.9.1.4 The purpose of this project was to bring this ATM machine into compliance with ADA code. To place the ATM on this site in a location that would comply with the standards set forth would require extensive site work and place the ATM in a portion of the site that doesn't meet industry guidelines for visibility and safety.

5.9.1.5 Due to the topography of the existing site making an accessible path of travel to the ATM in its current location would be extremely difficult and would require extensive site retaining walls. The proposed location was selected due to the proximity to the existing accessible parking spaces and the accessible path of travel into the bank

Thank you in advance for your consideration.

Sincerely,

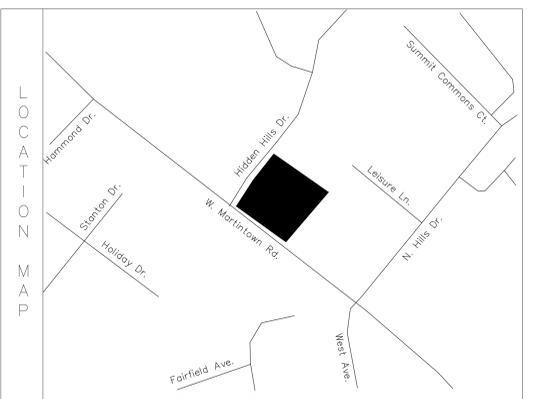
David Powlen, RLA, LEED AP BD+C  
Little  
5815 Westpark Drive  
Charlotte, NC 28217



Drawn by Mofert LLC  
 D.S. 4019, Pg. 014  
 P.B. 151, Pg. 22  
 PIN: 0006-18-05-013

Brannon & Jones  
 D.S. 4130, Pg. 159  
 P.B. 151, Pg. 577  
 PIN: 0006-18-05-018

Trotter Properties LLP  
 D.S. 519, Pg. 377  
 PIN: 0006-18-05-015



# Bank of America West Martintown ADA Upgrade

441 W MARTINTOWN RD  
 NORTH AUGUSTA, SC

SERIAL NUMBER: SC-443  
 NRSP VERSION: 2.0  
 BULLETIN: 02-2018



5815 Westport Drive Charlotte, NC 28217  
 T: 704.275.8350 F: 704.561.8700  
 www.littleonline.com

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Issue	Date & Issue Description	By	Check
01	11.14.2018		

VARIANCE DOCUMENTS

<b>SITE DATA</b>	006 18 05 014
<b>PIN</b>	BANK OF AMERICA
<b>OWNER</b>	101 N. TRYON ST. CHARLOTTE, NC 28246
<b>ACREAGE</b>	2.04 ACRES TOTAL
<b>ZONING</b>	GC/HC (GENERAL COMMERCIAL/HIGHWAY CORRIDOR OVERLAY)
<b>AREA IN FLOOD ZONE</b>	N/A
<b>DEVELOPMENT DATA</b>	
<b>EXISTING BUILDING AREA</b>	2,640 SF
<b>PROPOSED NEW BUILDING AREA</b>	0 SF
<b>EXISTING VEHICLE PARKING</b>	REQUIRED: 1 SP/350 SF = 8 SPACES REQUIRED 1 ACCESSIBLE SPACE REQUIRED
	EXISTING: 40 STANDARD SPACES 2 ACCESSIBLE SPACES
<b>PROPOSED VEHICLE PARKING</b>	40 STANDARD SPACES 2 ACCESSIBLE SPACES
<b>NEW IMPERVIOUS AREA</b>	NO NEW IMPERVIOUS AREA
<b>TOTAL DISTURBED AREA</b>	0.14 ACRES (6,100 sf)

**The Palmetto Utility Protection Service, Inc.**  
1211 South Atlantic Drive, Suite 108, Columbia, South Carolina 29203 (803) 594-1177 Fax: (803) 694-9744

3 DAYS BEFORE DIGGING IN SOUTH CAROLINA  
**CALL 1-888-721-7877**

UNDERGROUND LOCATORS  
 CONTRACTOR SHALL CONTACT THE UNDERGROUND LOCATORS EVERY 10 DAYS FOR AN UPDATE TO UTILITY LOCATIONS.  
**Call BEFORE you DIG!**

**CAUTION!!!**  
 The locations and elevations of existing underground utilities as shown on this drawing are only APPROXIMATE. No guarantee is either expressed or implied as to the completeness of accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

SCALE: 1" = 20'-0"

Project Name  
 Bank of America - West Martintown  
 123-9845-00

PROTOTYPE LAYOUT

CAD File Name

EXISTING CONDITIONS  
 Description

Scale

**C1.00**

# Bank of America West Martintown ADA Upgrade

441 W MARTINTOWN RD  
NORTH AUGUSTA, SC

SERIAL NUMBER: SC-443  
NRSP VERSION: 2.0  
BULLETIN: 02-2018



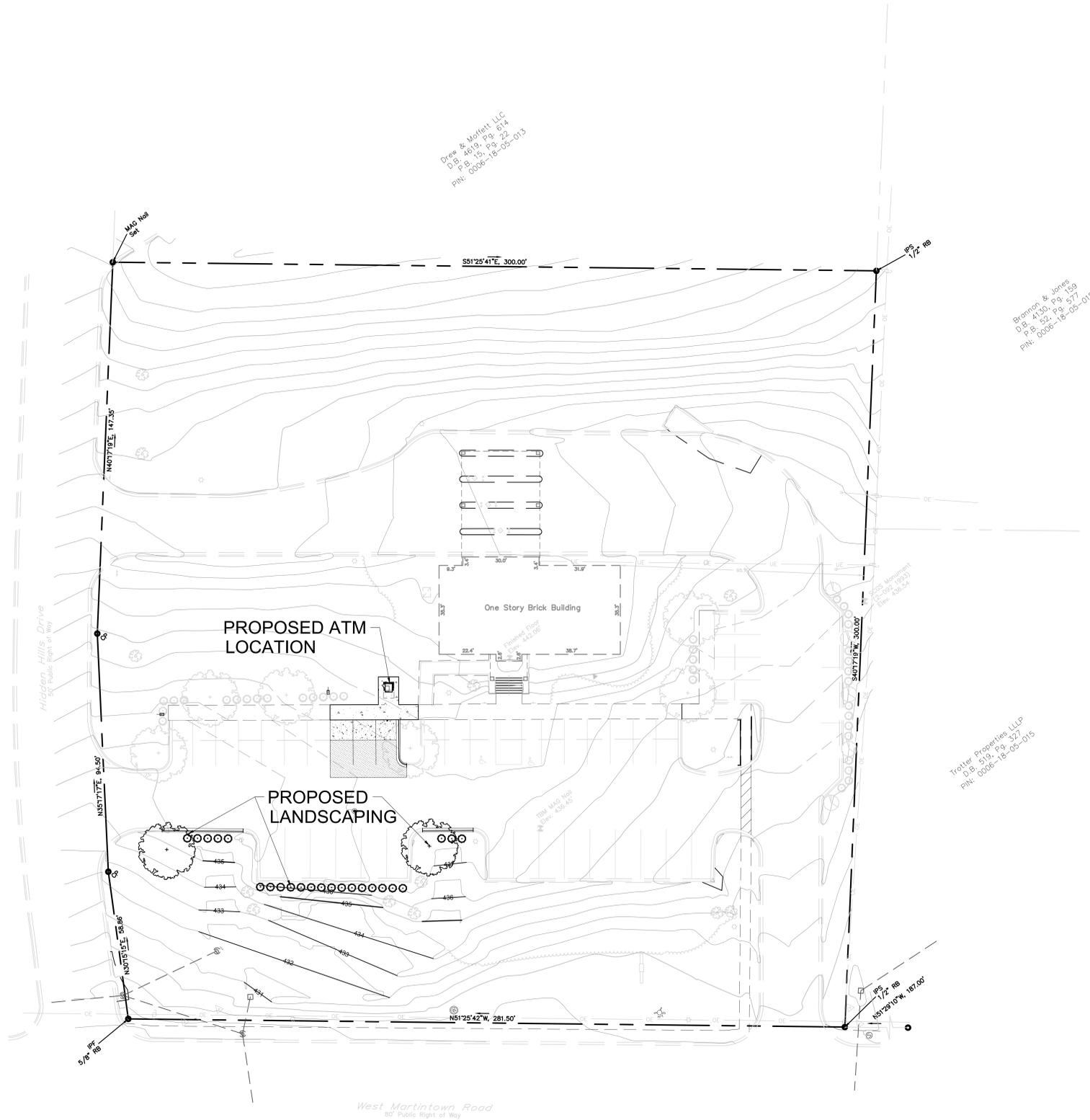
5815 Westport Drive Charlotte, NC 28217  
T: 704.275.6350 F: 704.561.6700

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Issue	Date & Issue Description	By	Check
01	11.14.2018		
VARIANCE DOCUMENTS			



Drawn & Mofett LLC  
D.S. 449, Pg. 014  
P.B. 151, Pg. 22  
P.N. 0006-18-05-013

Brannon & Jones  
D.S. 4130, Pg. 159  
P.B. 321, Pg. 577  
P.N. 0006-18-05-018

Trotter Properties LLP  
D.S. 519, Pg. 377  
P.N. 0006-18-05-015

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Seal/Signature

Project Name

Bank of America - West Martintown  
123-9845-00

PROTOTYPE LAYOUT

CAD File Name

Site Plan  
Description

Scale

**C1.01**

# Bank of America West Martintown ADA Upgrade

441 W MARTINTOWN RD  
NORTH AUGUSTA, SC

SERIAL NUMBER: SC-443  
NRSP VERSION: 2.0  
BULLETIN: 02-2018



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Issue	Date & Issue Description	By	Check
01	11.14.2018		VARIANCE DOCUMENTS



Seal/Signature

Project Name

Bank of America – West Martintown  
123-9845-00

PROTOTYPE LAYOUT

CAD File Name

KIOSK ELEVATION  
Description

Scale

**C1.02**

***DEPARTMENT OF  
PLANNING AND DEVELOPMENT***

***LIBBY HODGES  
DIRECTOR***

***MONTHLY REPORT  
FOR  
NOVEMBER 2018***

**City of North Augusta**  
**Department of Planning and Development**  
**Monthly Report for November 2018**

Item	This Month		Year To Date		Same Month Last Year		Last Year To Date	
	Approved	Denied	Approved	Denied	Approved	Denied	Approved	Denied
<b>Development Applications</b>								
<b>Subdivisions</b>								
Major Subdivision Plans	0	0	3	0	0	0	2	0
Planned Acres	0.00	0.00	53.57	0.00	0.00	0.00	27.88	0.00
Planned Lots	0	0	163	0	0	0	89	0
Minor Subdivision Plats	2	0	14	0	2	0	19	0
Platted New Lots	0	0	19	0	1	0	30	0
Major Subdivision Plats	0	0	3	0	0	0	1	0
Platted Acres	0.00	0.00	39.38	0.00	0.00	0.00	21.18	0.00
Platted Lots	0	0	98	0	0	0	42	0
<b>Site Plans</b>								
Minor Site Plans	1	1	4	6	2	0	11	0
Major Site Plans	0	0	0	0	0	0	6	0
Total Site Plan Acres	0.80	0.00	0.00	2.64	0.00	0.00	117.37	0.00
<b>Planned Developments</b>								
PD Gen Dev Plans/Major Mod.	0	0	0	0	0	0	0	0
PD Acres	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Development Plan Modifications</b>		0	0	0	0	0	0	0
<b>Annexations</b>								
Applications	0	0	0	0	0	0	1	0
Parcels	0	0	0	0	0	0	1	0
Acres	0.00	0.00	0.00	0.00	0.00	0.00	0.40	0.00
<b>Zoning/Text Amendments</b>								
Rezoning	1	0	0	1	0	0	1	0
Parcels	0	0	0	2	0	0	2	0
Acres	0.00	0.00	0.00	2.41	0.00	0.00	245.56	0.00
Conditional Zoning	0	0	0	0	0	0	0	0
Parcels	0	0	0	0	0	0	0	0
Acres	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Text Amendments	0	0	0	1	0	0	0	0
<b>Other</b>								
Certificates of Zoning Compliance	9	0	117	9	4	0	172	0
Zoning Confirmation Letters	2	0	7	0	2	0	11	0
Residential Site Reviews	23	0	237	0	22	0	189	0
Sign Permits	3	0	33	0	2	0	42	0
Planning Projects	0	0	0	0	0	0	5	0
Communications Towers	0	0	0	0	0	0	0	0
Conditional Use Permits	0	0	1	2*	0	0	1	0

**City of North Augusta**  
**Department of Planning and Development**  
**Monthly Report for November 2018**

Item	This Month		Year To Date		Same Month Last Year		Last Year To Date	
	Approved	Denied	Approved	Denied	Approved	Denied	Approved	Denied
<b>Appeals</b>								
Variances	1	0	2	0	0	0	1	0
Special Exceptions	0	0	2	0	0	0	0	0
Administrative Decisions	0	0	0	0	0	0	0	0
Waivers	0	0	0	0	0	0	0	0
<b>Fees Collected</b>								
Development Applications	\$2,455.00		\$16,661.50		\$175.00		\$16,792.20	
Appeals	\$0.00		\$200.00		\$0.00		\$200.00	
Maps/Publications	\$0.00		\$77.00		\$0.00		\$0.00	
Special Review Fees	\$0.00		\$0.00		\$0.00		\$0.00	
<b>Total Fees</b>	<b>\$2,455.00</b>		<b>\$16,938.50</b>		<b>\$175.00</b>		<b>\$16,992.20</b>	

\* Corrected

# City of North Augusta

## Department of Planning and Development

### Staff Approvals - 2018

#### Residential Site Plans - November 2018

Application Number	Tax Parcel Number	Applicant	Legal Description	Zone	Approval Date	Structure
RSP18-223	005-09-13-020	Bill Beasley Homes	458 Bridle Path Rd	PD	11/8/2018	New Residential
RSP18-224	007-12-10-010	Jess Chavez	907 Yardley Dr	R10	11/8/2018	Add Front Porch
RSP18-225	106-00-09-004	Mark Gilliam	1037 Harlequin Way	PD	11/8/2018	New Residential
RSP18-226	005-09-13-021	Bill Beasley Homes	452 Bridle Path Rd	PD	11/8/2018	New Residential
RSP18-227	106-00-03-007	Mark Gilliam	1049 Swan Ct	PD	11/8/2018	New Residential
RSP18-228	005-13-03-031	Bill Beasley Homes	320 Bridle Path Rd	PD	11/8/2018	New Residential
RSP18-229	007-08-11-033	Carolyn Lewis	1014 Skyview Dr	R10	11/8/2018	Convert Storage Bldg to Cottage
RSP18-230	005-09-02-003	Benjamin Major	255 Bridle Dr	PD	11/8/2018	Lean to Shed
RSP18-231	007-13-38-005	Wetherington Builders	628 Arrington Ave	PD	11/2/2018	New Residential
RSP18-232	002-16-06-022	Mary Clark	817 Dunbarton Dr	R14	11/8/2018	Storage Building

RSP18-233	106-00-09-002	Keystone Homes, Inc	1025 Harlequin Way	PD	11/8/2018	New Residential
RSP18-234	014-00-02-040	Pierwood Contruction	230 River North Dr	PD	11/9/2018	New Residential
RSP18-235	006-18-10-004	Ken Newsome	1251 West Ave	R5	11/13/2018	Second Floor Addition
RSP18-236	010-13-09-012	Galen Forney	178 Redbud Dr	R7	11/19/2018	Front Deck
RSP18-237	013-13-02-008	Peachtree Pools	512 Hillcrest Ct	R10	11/19/2018	Swimming Pool
RSP18-238	003-16-08-004	Jonathon Barnhart	622 Front Street	PD	11/19/2018	New Residential
RSP18-239	001-12-04-002	D.R. Horton, Inc	964 Dietrich Lane	PD	11/20/2018	New Residential
RSP18-240	001-16-07-019	D.R. Horton, Inc	1090 Dietrich Lane	PD	11/20/2018	New Residential
RSP18-241	002-11-3-013	Pete Alewine Pool Co	295 Riverwind Dr	R14	11/20/2018	Swimming Pool
RSP18-242	007-13-38-001	David Blair	602 Arringotn Ave	PD	11/26/2018	New Residential
RSP18-243	005-09-07-001	Mark Gilliam	105 Harlequin Way	PD	11/30/2018	New Residential
RSP18-244	106-00-03-012	Mark Gilliam	1083 Swan Ct	PD	11/30/2018	New Residential
RSP18-245	006-14-12-020	Pearl Dock Smith, III	1826 Oriole Ave	R7	11/30/2018	Storage Building