

APPLICATION

City of Beaufort Zoning Board of Appeals
1911 Boundary Street
Beaufort, South Carolina 29902
Phone (843) 525-7011, Fax (843) 986-5606
E-Mail: jbachety@cityofbeaufort.org
*Revised September 12, 2014

Application Fees

- Residential \$200
- Commercial \$300
- Special Meetings \$500

VARIANCE APPLICATION

OFFICE USE ONLY: Date Filed: _____ Application #: _____ Zoning District: _____

Instructions

Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements

1. A legal survey of the property.
2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required.
3. Photograph(s) of the site. For variances, include photos showing relationship to adjoining properties.

APPLICANT(S): Gregory M. Parker, Inc.

Address: 222 Drayton Street, Savannah, GA 31401

Telephone: (912) 231-1001 [day] (912) 231-0030 [fax]

E-mail: bbishop@parkersav.com

OWNER(S) if other than Applicant(s): James H Trask, Robert E Holt III, Harold E Trask, John D

Address: 3462 Trask Parkway Beaufort, SC 29906 (Margaret Scheper Trask)

Telephone: _____ [day] _____ [fax]

PROPERTY STREET ADDRESS: 3462 Trask Parkway Beaufort, SC 29906

Tax Map No.: R120 025 000 0012 0000; R100 025 000 012C 0000

Parcel No.: _____

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application?
___ Yes No

DESIGNATION OF AGENT [complete only if owner is not applicant]:

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____

Owner's Signature: _____

I (We) certify that the information in this application is correct.

Date: Bill Bishop 1/9/2015 Applicant's Signature: Bill Bishop

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***Revised September 12, 2014**
VARIANCE APPLICATION

Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property described on Page 1 of the following provisions in Section 3.15 of the Unified Development Ordinance (UDO): Article 5: Use Regulations; Section 5.3: Specific Use Standards; 10. Fuel Sales, d.

so that a building permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: (e.g., build a garage) Convenience Store

for which a permit has been denied by a building official on the grounds that the proposal would be in violation of the cited section(s) of the UDO:

1. The application of the UDO will result in unnecessary hardship, and the standards for a variance set by State law and the UDO are met by the following facts:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: removal of several Live Oak trees of significant size, sight lines and view corridors for approaching traffic cause decreased visibility, business models have shown this orientation decreases sales, pumps need to be visible at all times for security and in case of emergencies. this is not possible without creating a two-front sided building and decreasing the retail space available
 - b. These conditions do not generally apply to other property in the vicinity as shown by: _____

 - c. The conditions are not the result of the applicant's own actions as follows: _____

 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the UDO in that: The subject property was annexed into the City of Beaufort and is not located in an urban center of the community, there are not any existing sidewalks or pedestrian friendly destinations in the immediate vicinity of the property.
 - e. Because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: Parcel 2 may be difficult to sell future businesses due to decreased visibility, which will hurt not spur additional economic development.
 - f. 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 subject property is not located in an urban center of the community

**PARKER'S CONVENIENCE
CITY OF BEAUFORT, SOUTH CAROLINA**

**ZBOA Variance - Project Narrative
J – 24234.0010
January 14, 2015**

Gregory M. Parker, Inc. (Applicant) proposes the development of a Parker's Convenience Store in the southwest quadrant of the intersection of U.S. Highway 21 and Roseida Road newly annexed into the City of Beaufort, South Carolina. The proposed convenience store will include a food service component and is approximately 4,480 square feet in size. Site components include 8 fuel dispensers with a covered canopy, underground fuel tanks, a dumpster enclosure, stormwater BMPs, a sewer pump station, associated parking, and an outdoor patio seating area with a walkway connection to serve the Rails-to-Trails path. A total of two full access points are proposed along U.S. Highway 21 and Roseida Road.

The subject site consists of two parcels. Parcel 1 is approximately 0.20 acres, located within the municipal limits of Beaufort County, with a tax map number of R100-025-000-012C-0000. Parcel 1 is presently zoned Light Industrial and will need to be annexed into the City of Beaufort and rezoned to the Highway Commercial zoning designation. Parcel 2 is approximately 3.54 acres, is zoned Highway Commercial, with a tax map number of R120-025-000-0012-0000 and is located within the City of Beaufort. Both properties are under contract for purchase by the applicant.

The property is bounded to the north by Roseida Road, to the east by U.S. Highway 21, to the south by Six L's Packing Company and to the west by the Rails-to-Trails right-of-way. Existing conditions on this site consist of a partially wooded lot with a mixture of hardwoods and underbrush. A portion of the site contains existing pavement, previous building foundation remains with existing concrete to be removed prior to construction. The existing elevations on the subject site range from elevation 25 to 30 (NAVD 88).

This application is to request a variance from Section 5.3.10 of the UDO, which addresses specific conditions of Fuel Sales. Item d states:

In new development, pumps should not be located between the building and the adjacent street, but instead be placed behind the building, although the Design Review Board may permit pumps to be located to one side of the building based on unique site conditions including the presence of wide buffers. In such cases, the pumps, including the canopy, shall not project further toward the street than the front line of the buildings.

This orientation causes a hardship to the Owner for the proposed use. In order for the business to function properly, the applicant proposes to orient the pumps between the building and U.S. Highway 21 for the following reasons:

- Meeting the design standard in the ordinance without the variance would require the removal of several Live Oak Trees of significant size.
- The subject property was annexed into the City of Beaufort and is not located in an urban center of the community.
- There are not any existing sidewalks or pedestrian friendly destinations in the immediate vicinity of the property.
- Sight lines and view corridors for approaching traffic cause decreased visibility.
- Business models have shown this orientation decreases sales.
- Parcel 2 may be difficult to sell future businesses due to decreased visibility, which will hurt not spur additional economic development.
- Pumps need to be visible at all times for security and in case of emergencies. This is not possible without creating a two-front sided building and decreasing the retail space available.

In order to offset the need for this variance, the applicant has made substantial efforts to improve the store facade and incorporate additional site features to enhance the City's identity and character. A few examples are listed below:

- Outdoor seating area and patio as an added amenity for all customers, and is being designed so that can easily be expanded if it is widely accepted by patrons
- Connecting pathway and bicycle racks for patrons of the Rails to Trails to promote connectivity
- Enhanced site landscaping and side trellis on building to soften the appearance of the structure
- Concessions on building materials away from current prototypes which will feature Hardi-siding and wood brackets with metal roofing over doorways to promote lowcountry feel
- Decorative dumpster enclosure
- Storm design for multiple commercial sites in one location to decrease future impact
- Shared access onto each street for future commercial development to decrease future impact and enhance vehicular circulation
- Ability to save large live oaks, located adjacent to U.S. Highway 21 and Roseida Road

Both properties are currently under agreement for purchase. We have provided the Trask family with draft letters granting permission to submit these documents and executed copies shall be provided to the City upon receipt. A copy of each draft letter has been included with this submittal for your reference.

Parker's

fast, fresh & friendly.



GRAPHIC SCALE



THOMAS & HUTTON
 50 PARK OF COMMERCE WAY • PO BOX 2727
 SAVANNAH, GA 31402-2727 • 912.234.8300
 WWW.THOMASANDHUTTON.COM

This site plan is a conceptual plan of the development and is not intended to be used for construction. It is subject to change and is not intended to be used for construction. It is subject to the applicable laws and regulations.

Parker's
fast, fresh & friendly.

Bluffton, SC



- LEGEND**
-  HEAVY DUTY PAVEMENT
 -  REGULAR DUTY PAVEMENT
 -  VEHICULAR CONCRETE
 -  SIDEWALK
 -  BRICK PAVERS
 -  PERVIOUS PAVEMENT

SITE DATA TABLE	
PARCEL 1	2.65 AC.
PARKING SPACES REQUIRED	14
1/300 SF. (4,225 SF. BUILDING)	
PARKING SPACES PROVIDED	24
(INCLUDING 1 ACCESSIBLE SPACE)	
PERVIOUS PARKING PROVIDED	10
MAX IMPERVIOUS AREA ALLOWED	65%
IMPERVIOUS AREA PROPOSED	49%

NOTES:

1. SITE DATA TABLE CALCULATIONS ARE FOR PARCEL 1 ONLY. STORM SYSTEM IS ANTICIPATED TO BE DESIGNED TO ACCOMMODATE BOTH PARCELS. ONLY PARCEL 1 IS PROPOSED FOR DEVELOPMENT AT THIS TIME.
2. PARCEL 2 LAYOUT IS CONCEPTUAL. FINAL PLAN SHALL BE PROVIDED PRIOR TO DEVELOPMENT.



SITE LAYOUT EXHIBIT
 PARKERS
 CONVENIENCE STORE
 CITY OF BEAUFORT

PREPARED FOR:
 GREGORY M. PARKER, INC.

PREPARED BY:
THOMAS & HUTTON
 50 Park of Commerce Way
 Savannah, GA 31405 • 912.234.5300
 www.thomasandhutton.com

DATE: 05/13/2019
 DRAWN: [Name]
 CHECKED: [Name]
 PROJECT: [Name]



















STOP

NO
MOTOR
VEHICLES









STAFF REPORT

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 30 March 2015**

Case Number: ZB15-02
Property Address: 3462 Trask Parkway
Applicant: Gregory Parker, Incorporated
Type of Request: Variance from Condition for Fuel Sales
Zoning: Highway Commercial District

Background: The property is located at 3462 Trask Parkway, at the southwest corner of Trask Parkway and Roseida Road (see Site Location Map attached). The property is identified as District 120, Tax Map 25, Parcel 12. The Spanish Moss Rail Trail adjoins the property to the rear. The property is located across Trask Parkway from the CPM Federal Credit Union. The lot is approximately 3.7 acres in size. The property had been developed at one time, but currently contains no buildings. The lot is zoned “HC General Commercial District” (HC).

The applicant desires to construct a gas station/convenience store on the site. The convenience store will be 4,425 square feet and have a drive-through window on the south elevation. Six pump islands, each with two fueling stations, are proposed. The plans for the project are attached. Fuel Sales are permitted as a conditional use in the HC District. Section 5.3.D.10 of the Unified Development Ordinance (UDO) (attached) sets out the conditions for the permitting of fuel sales. Paragraph d states that in new development, the gas pumps should not be located between the building and the street. The applicant is requesting a variance from this condition.

Staff asked the applicant to present conceptual plans for the project showing their preferred location for the pumps to the Design Review Board (DRB) for their input. Staff felt it was important that the DRB approve the conceptual design of the project before appearing before the Zoning Board. The DRB was made aware of the ordinance requirements regarding pump location and that fact that the applicant was seeking a variance of this requirement. The DRB reviewed the conceptual design of the project at their March 12 meeting, and approved the design with conditions (see attached approval letter).

Public comment: Letters were sent to adjoining property owners on February 13. The public hearing notice referencing this application appeared in the February 22 edition of *The Beaufort Gazette*. The property was posted on February 23. Staff has received no public comments on this application as of the date of this report.

Staff findings: Based on the information submitted with the application, staff has concluded the following:

- (1) *Extraordinary and exceptional conditions.* In staff's opinion, there are extraordinary and exceptional conditions attached to this property in that the property is located outside the urbanized area of the City in a suburban location. The property is located along a major arterial (US 21) that has a 5-lane section and a relatively high posted speed. In addition, this could be considered a redevelopment site, in that the property had been developed at one time (there is asphalt paving in poor condition existing on much of the site); however, there are currently no buildings on the site.
- (2) *Conditions as applied to other property in the vicinity.* These conditions do not generally apply to other property in the vicinity.
- (3) *Conditions not a result of the applicant's own actions.* These conditions are not the result of the applicant's own actions.
- (4) *Not in conflict with Comprehensive Plan.* In staff's opinion, granting of the variance would not be conflict with the comprehensive plan and purposes of the UDO, in that the comprehensive plan encourages development on previously developed lots.
- (5) *Unreasonable restriction on utilization of the property.* The Board must make a finding that because of the conditions outlined in paragraph 1, the application of the ordinance would unreasonably restrict use of the property. The conditions for fuel sales set out in the ordinance apply to gas stations city-wide. The same conditions relating to the location of the pump islands would apply to the facility whether it was located in the Historic District, on Ribaut Road, or near the Air Station. Staff believes context is important. The use will be located in a suburban location on a relatively high speed five-lane arterial highway. Surrounding uses include a gas station with pumps located in front of the building, and a produce packing shed where produce transport trucks (buses) are stored. The entrance to the Air Station is located just to the north of the site off Trask Parkway. This is a very different context than at Boundary and Charles Streets, or Ribaut and Mossy Oaks Roads for example. A building in front and pumps to the side or rear is a necessity in a compact downtown or urban setting, but is less of an imperative in a suburban location that has little potential to develop a pedestrian-friendly walkable character in the near term.
- (6) *Detriment to adjacent property and the public good.* The Board must make a finding that granting of the variance will not be of substantial detriment to adjacent property or the public good and that the character of the district will not be harmed by granting of the variance. Staff believes that granting the variance will not be a detriment to the public good in that the Design Review Board has and will review the design of the project. Adjacent property--the existing gas station across Roseida Road and the packing shed to the south--will not be harmed by granting of the variance that would allow a modern new gas station and convenience store to be built.

3462 Trask Parkway



- a. In the TR, RE, R-1, R-2, R-3, R-4, and GR districts, the use is owned and managed by the neighborhood association or property owners' association in which the use is located.
- b. In the NC zoning district, the building footprint of such use shall be no more than 2,500 square feet. Larger facilities shall be permitted as part of a mixed-use development.

10. Fuel Sales

In the GC District, Fuel Sales are permitted as a conditional use in the SC 170 Design District and the US 21 District outside the Boundary Street Redevelopment District. In all other GC Districts, Fuel Sales are permitted by special exception. Fuel Sales in all districts where permitted by this UDO, are permitted subject to the following standards:

- a. Parking and/or service areas shall be separated from adjoining residential properties by a suitable planting screen, fence or wall at least six feet in height;
- b. No open storage of any type, including the overnight storage of vehicles, shall occur in conjunction with the operation.
- c. No more than two Fuel Sales facilities are permitted at an intersection of any Arterial Street (Section 7.2.B). Nor more than one Fuel Sales facility is permitted at the intersection of other streets.
- d. In new development, pumps should not be located between the building and the adjacent street, but instead be placed behind the building, although the Design Review Board may permit pumps to be located to one side of the building based on unique site conditions including the presence of wide buffers. In such cases, the pumps, including the canopy, shall not project further toward the street than the front line of the building.
- e. No signs shall be located on any canopy over the pumps.
- f. Any freestanding light fixtures shall be reduced in height to fifteen feet if the use adjoins a residential district or residential use.
- g. Any service bay doors shall not be oriented toward any public right-of-way.
- h. Fuel sales are subject to the general Design District standards set out in Section 6.6 and the specific Gas Station Design Guidelines set out in the Appendix.

11. Housing, Short Term Rental

Short term rentals are permitted in all residential zoning districts with the exception of the Traditional Beaufort Residential District, The Point, or where prohibited by covenants. Short term rental of the primary dwelling, or rental of an accessory dwelling unit on property where the property owner does not live on the premises, shall be by special exception subject to the standards shown below. Short term rental of an accessory dwelling unit where the property where the property owner lives on the premises, and short term



CITY OF BEAUFORT
DESIGN REVIEW BOARD
1911 BOUNDARY STREET
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7011

CONCEPTUAL APPROVAL LETTER

March 18, 2015

Mr. Bill Bishop
Gregory M. Parker, Inc.
222 Drayton Street
Savannah, GA 31401

RE: 3462 Trask Parkway – Parkers Convenience Store (DRB 15-01 DRB.1)

Dear Mr. Bishop:

On March 12, 2015, the City of Beaufort Design Review Board (DRB) gave **Conceptual Approval** to this project with the following items to be specifically addressed:

- Revise the fencing along the perimeter of the site. Fencing just at the driveway entrances is not sufficient; consider a low wall such as it is used in Port Royal;
- Restudy the open vehicular use area at the Trask Parkway entrance. This area should be better defined to be more sensitive to traffic flow;
- Rethink the location and screening of the outdoor seating area; and
- Delete the tree in the circular island from the connection to the rail trail and re-work access from the trail to the site. Currently there is no separation of the path from the drive-thru.

Please submit one set of full size plans and six sets of 11 x 17 plans along with a digital set for your next submittal review by the Board at your convenience. Be advised that this approval will expire 12 months from the date of this letter as per Section 3.1.M.1 of the *City of Beaufort Unified Development Ordinance* unless a complete Design Review Board application for preliminary or final review is on file with the City Planning Department.

We appreciate your patience and cooperation during the review process.

Sincerely,


Libby Anderson
Planning Director

cc: Nathan Long, Thomas and Hutton, 50 Park Commerce Way, Savannah, GA 31405

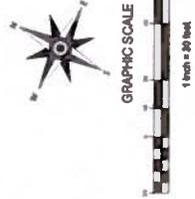
Parker's

fast, fresh & friendly.



- PROPOSED FENCE (HEDGE BETWEEN FENCE SECTIONS)
- ALL WEATHER ACCESS DRIVE
- OUTDOOR SEATING PATIO (BRICK PAVERS)
- PROPOSED SEWER PUMP STATION
- BIKE RACKS
- PROPOSED 6" CONCRETE PATH
- PROPOSED CONNECTION FOR ACCESS FROM RAILS - TO - TRAILS PATH
- PROPOSED DUMPSTER ENCLOSURE
- PROPANE STORAGE DRIVE - THRU ORDERING SYSTEM
- BRICK PAVERS, (TYP)
- 8" WIDE FOUNDATION PLANTING BED
- PERVIOUS PARKING

- PROPOSED SIGN
- PROPOSED FENCE (HEDGE BETWEEN FENCE SECTIONS)
- UNDERGROUND STORAGE TANKS
- PROPOSED SIDEWALK
- PROPOSED CANOPY
- PROPOSED DECELERATION LANE



THOMAS & HUTTON
 50 PARK OF COMMERCE WAY • PO BOX 2727
 SAVANNAH, GA 31402-2727 • 912.234.8300
 WWW.THOMASANDHUTTON.COM

This site plan is a general plan of the development which the architect proposes. It does not constitute a contract and is subject to change and modification without notice. The architect shall not be responsible for the accuracy of the information shown on this plan. The architect shall not be responsible for the accuracy of the information shown on this plan. The architect shall not be responsible for the accuracy of the information shown on this plan.

COMPILED BY: J. D. H. THOMAS & HUTTON

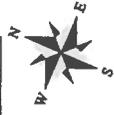
LEGEND

-  HEAVY DUTY PAVEMENT
-  REGULAR DUTY PAVEMENT
-  VEHICULAR CONCRETE
-  SIDEWALK
-  BRICK PAVERS
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(INCLUDING 1 ACCESSIBLE SPACE)	
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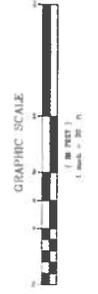


SITE LAYOUT EXHIBIT
PARKERS CONVENIENCE STORE
 CITY OF BEAUFORT

PREPARED FOR:
GREGORY M. PARKER, INC.

PREPARED BY:
THOMAS & HUTTON
 30 Park of Commerce Way
 Savannah, GA 31405 • 912.234.3300
www.thomasthutton.com

DATE: August 15, 2017
 SHEET: 1 OF 1





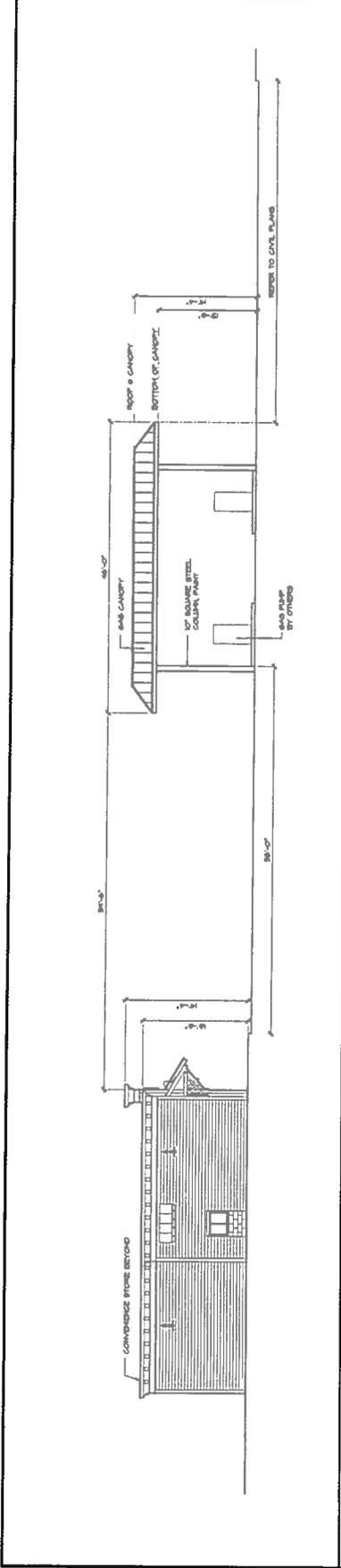
284 SOUTH D
 SAVANNAH, GA 31406
 P 912.424.2833
 WWW.GREENARCHITECTS.COM

PARKERS CONVENIENCE STORE
 HIGHWAY 21 @ ROSEIDA ROAD
 BAUFORT, SOUTH CAROLINA

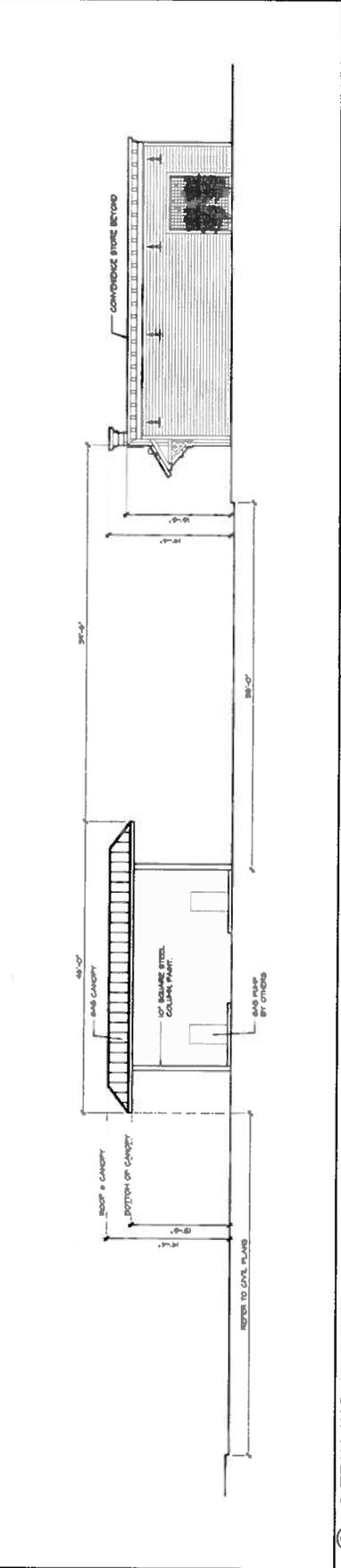
COMPOSITE
 EXTERIOR
 ELEVATIONS

FOR DBS REVIEW ONLY
 JOB NO: 142358
 REV DATE: 03/20/2015
 DRAWING: 21

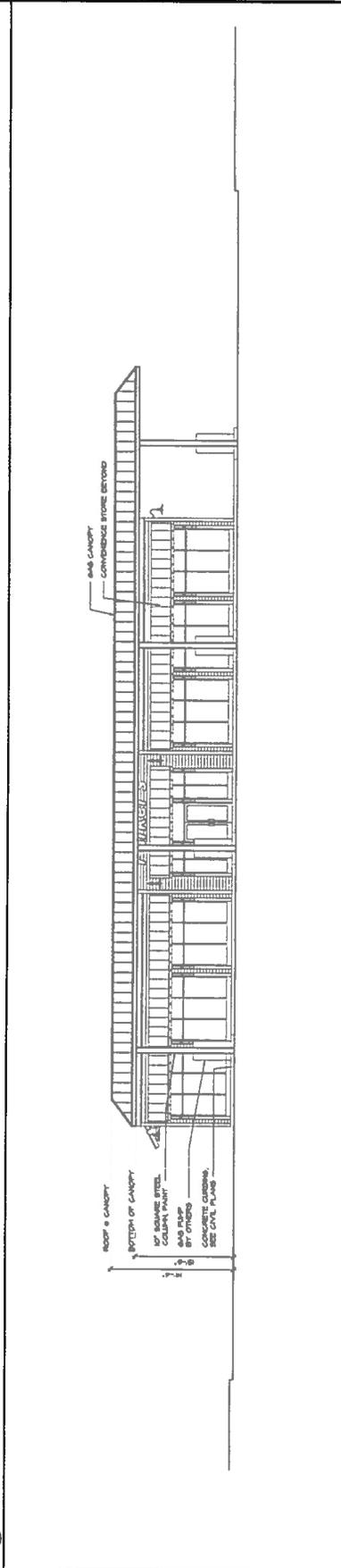
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2 OVERALL SOUTH ELEVATION - GAS CANOPY/ CONVENIENCE STORE (SHOWN FOR PRESENTATION ONLY)
 SCALE: 1/8"=1'-0"



1 OVERALL NORTH ELEVATION - GAS CANOPY/ CONVENIENCE STORE (SHOWN FOR PRESENTATION ONLY)
 SCALE: 1/8"=1'-0"



3 OVERALL EAST ELEVATION - GAS CANOPY/ CONVENIENCE STORE (SHOWN FOR PRESENTATION ONLY)
 SCALE: 1/8"=1'-0"



28 E. 13TH ST.
 DURHAM, NC 27707
 P: 919.487.2000
 WWW.GREENARCHITECTS.COM

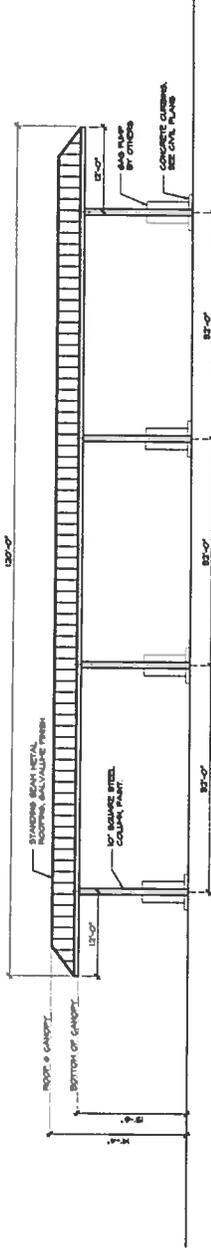
PARKERS CONVENIENCE STORE
 HIGHWAY 21 @ ROSEDA ROAD
 BEAUFORT, SOUTH CAROLINA

**GAS CANOPY
 ELEVATIONS**

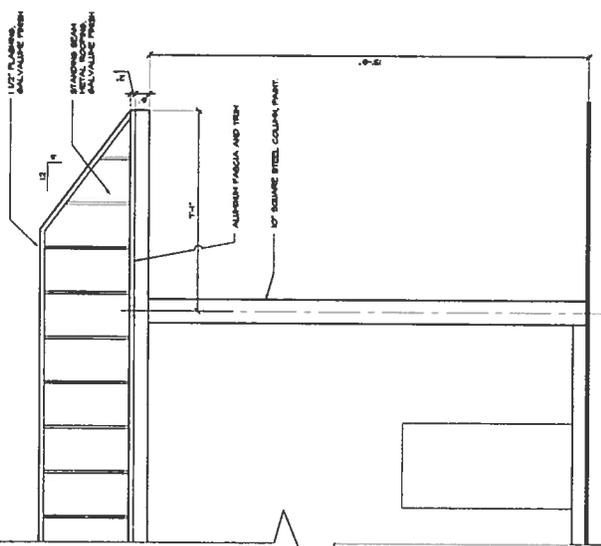
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FOR DRB REVIEW ONLY
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 PROJECT: 0012012015
 DRAWN: J.E.

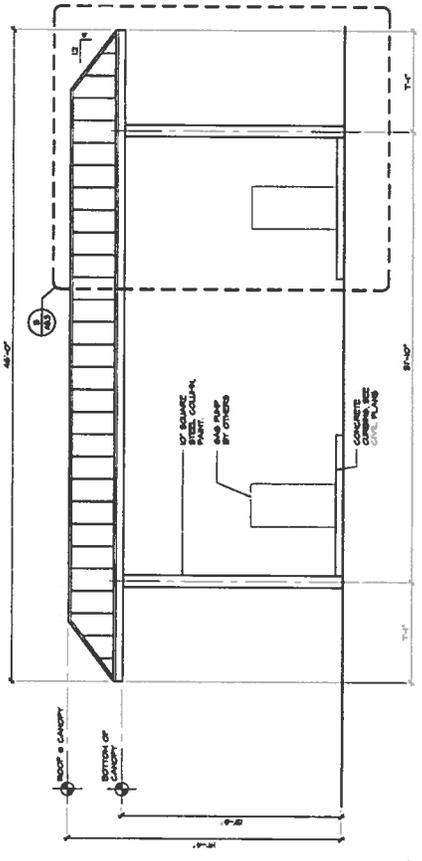
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1 OVERALL FRONT ELEVATION - GAS CANOPY (SHOWN FOR PRESENTATION ONLY)
 SCALE: 1/8" = 1'-0"



2 PARTIAL FRONT ELEVATION - GAS CANOPY
 SCALE: 1/2" = 1'-0"



3 SIDE ELEVATION - GAS CANOPY
 SCALE: 1/8" = 1'-0"