

ARTICLE 7 PROVISIONS FOR USES PERMITTED BY SPECIAL EXCEPTION

Section 7:1 General Provisions

The Board of Zoning Appeals may issue permits for those uses permitted on review which are in accordance with the provisions of this Ordinance and the specific conditions set forth below.

The Board may grant or deny or modify a request for a use permitted by special exception after a public hearing has been held on the written request submitted by an applicant. It may also attach any necessary conditions such as time limitations or requirements that one or more things be done before the request can be initiated. Additionally, the Board may require an acceptable bond to ensure that uses allowed by special exception are completed consistent with time limitations or requirements. The Board shall act on the request for uses permitted by special exception within 75 days of the date of submittal. Failure to act within 75 days shall constitute approval of the request.

If the request is granted the Board shall determine that:

- A. The use meets all required conditions;
- B. The use is reasonably necessary for the public health or general welfare;
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services; and
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

If the Board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied.

In granting the permit, the Board may designate such reasonable and appropriate conditions in addition to the specific conditions contained in this Ordinance to assure that the proposed use will be in harmony with the area in which it is to be located and with the spirit of this Ordinance.

No use permitted by special exception shall be approved by the Board of Zoning Appeals until the Zoning Administrator has reviewed the application and submitted a report on the proposal to the Board of Zoning Appeals.

Section 7:2 Mobile Home Parks

Mobile home parks shall be permitted only in the R-M district as prescribed in Article 5, Section 5:4, within the area zoned. The following regulations shall apply to all mobile home parks.

7:2.1 Plan Approval

Prior to construction of a mobile home park or enlargement of a mobile home park existing at the time of adoption of this Ordinance, a development plan approved by the Greenville County Board of Health shall be submitted to the Zoning Administrator.

The Zoning Administration shall review the proposed development and then request that the Planning Commission staff review the plat for the purpose of determining:

- A. That the spirit of the zoning regulations shall not be violated;
- B. That the proposed development does not conflict with proposed or existing development in adjacent areas; and
- C. That the proposed development will be a desirable addition to the physical pattern of the city.

The plan shall be drawn to a scale of not less than one hundred (100) feet to 1 inch and shall contain the following information:

- A. The location of the proposed park and the nature of the surrounding land uses;
- B. The location and dimensions of streets, rights-of-way, drives, parking spaces, and walks;
- C. The location and size of mobile home plots;
- D. The location and size of service buildings and recreation areas;
- E. The location and type of screening, fences or hedges;
- F. The names and addresses of abutting property owners and of developers.

Any mobile home, service building, or recreation area located in any mobile home park shall be placed in accordance with an approved development plan.

7:2.2 Design Requirements

7:2.2-1 Park Size

The minimum mobile home park size shall be 3 acres.

7:2.2-2 Plot Size

Each mobile home shall be on a plot not less than 5,000 square feet in area, have an average width not less than 50 feet, and an average length of not less than 100 feet.

7:2.2-3 Setbacks

No mobile home shall be located closer than 50 feet to the right-of-way line of a street or highway and not closer than 15 feet from side and rear property lines.

Each mobile home shall be set back at least 15 feet from the front, side, and rear lines of the plot on which it is located.

7:2.2-4 Off-Street Parking

Off-street vehicular parking shall be as follows: two spaces for each mobile home, plus one space for each two-park office employees.

7:2.2-5 Access

No mobile home shall have direct access to a public street or highway. All mobile home plots shall have access to an interior roadway, which is not less than 30 feet in width, having a paved surface not less than 20 feet in width.

7:2.2-6 Screening

Where any property line of a mobile home park abuts land zoned for or occupied by a residential use, there shall be provided and maintained along the property line of the mobile home park a continuous visual screen not less than 6 feet in height. The screen shall be a wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery.

7:2.2-7 Utility Requirements

Within the area zoned, each mobile home space in a mobile home park shall be provided with approved water and sewer service which is connected to the municipal water and sewerage system.

7:2.2-8 Recreation Areas

Recreation space of not less than 200 square feet for each mobile home plot shall be provided in the mobile home park.

7:2.2-9 Operating Requirements

The operator of each mobile home park shall comply with all State and County Health Department rules and regulations governing the sanitation and operation of mobile home parks, and shall maintain the park in such a way as not to be detrimental to surrounding properties.

Section 7:3 Public Utility Buildings and Uses

Public utility buildings and uses such as sewage lift stations, pump stations, electrical substations, and telephone equipment buildings, which are not detrimental to other uses permitted in the district, may be permitted in any district. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, fumes, or unsightliness. Open area on the premises shall be appropriately landscaped.

Section 7:4 Junk Yards, Automobile Wreckers, Scrap Processors

Junk yard scrap processors and automobile wreckers may be permitted in the I-1, Industrial District subject to the following requirements.

7:4.1 Site Size

All junkyards, scrap processors and automobile wreckers shall be located on a site of at least two acres.

7:4.2 Location

No junk yard, scrap processor, or automobile wrecker shall be located within 500 feet of any residential district existing at the time business operations are started. No automobiles or scrap metal objects shall be stacked over 8 feet in height.

7:4.3 Screening

Open storage shall be enclosed by a continuous visual screen provided and maintained along the property line. The screen shall be a wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least eight (8) feet in height. Materials stored in the open shall not be stacked higher than the required screen.

Section 7:5 Livestock in Residential Districts

Livestock, excluding pigs and sheep may be kept in the R-20, R-15, and R-12 districts subject to the district regulations and the following conditions.

7:5.1 Site

The minimum lot area upon which livestock may be kept is one acre. Not more than one head of livestock shall be permitted for each one-half acre of lot area.

7:5.2 Setback

No barn or other structure where livestock is kept or fed, and no grazing or pasturing shall be permitted within 50 feet of any property line, except where such property line abuts a street, railroad, or watercourse at least 50 feet in width.

Section 7:6 Churches

A church may be permitted in all districts subject to the requirements of the district and the following requirements.

7:6.1 Lot Area

The minimum lot area shall be 40,000 square feet.

7:6.2 Setback Requirements

All buildings shall be set back from the front, side, and rear property lines a minimum of 30 feet.

7:6.3 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

Section 7:7 Private Recreation Area

A private recreation area or country club may be permitted in the R-20, R-12, and R-M districts subject to the requirements of the district in which it is located and the following requirements.

7:7.1 Lot Area

A private recreation area shall be located on a site not less than two acres in area.

7:7.2 Setback Requirements

All buildings, game courts, swimming pools, and similar structures shall be set back from front, side, and rear property lines a minimum of 50 feet.

7:7.3 Food and Entertainment

The provision of food and entertainment for members and guests may be permitted provided that such provision shall not cause a nuisance in the residential district.

Section 7:8 Child Care Centers or Child Day Care Centers, and Child Care Homes

Child care homes may be permitted in the R-20, R-15, R-12, and R-M districts, subject to the district regulations, the South Carolina State Department of Social Services rules and regulations relating to licensing day care facilities, and the following requirements:

Child Care Homes

7:8.1 Incidental to the Residential Use

The child care home must be clearly incidental to the residential use of the dwelling, and must not change the essential residential character of the dwelling.

7:8.2 Indoor Area

The building shall contain a minimum of 35 square feet of floor area for each child present.

7:8.3 Outdoor Area

At least 75 square feet of outdoor play area shall be available for each child present. Outdoor play should occur only between the hours of 8 a.m. and 6 p.m.

7:8.4 Fencing

The entire play area shall be enclosed by a fence having a minimum height of 4 feet, constructed to provide maximum safety to the children. If the outdoor play area is within 50 feet of another residential structure, additional buffering in terms of a compact evergreen hedge or other type of evergreen foliage will be required.

Child Care or Child Day Care Centers

Child care centers or child day care centers may be permitted in the C-1, C-2, O-D, S-1, and I-1 districts subject to the district regulations, the South Carolina State Department of Social Services rules and regulations relating to the licensing of day care facilities, and the following requirements:

7:8.5 Indoor Area

The building shall contain a minimum of 35 square feet of floor area for each child present.

7:8.6 Outdoor Area

At least 75 square feet of outdoor play area shall be available for each child present. Outdoor play should occur only between the hours of 8 a.m. and 6 p.m.

7:8.7 Fencing

The entire play area shall be enclosed by a fence having a minimum height of 4 feet, constructed to provide maximum safety to the children. If the outdoor play area is within 50 feet of another residential structure, additional buffering in terms of a compact evergreen hedge or other type of evergreen foliage will be required.

7:8.8 Parking

Off-street parking must meet the requirements stated in Section 6:9. (Change in parking requirements to include 1 space for every ten users or fraction thereof.)

7:8.9 Loading and Unloading

An area adequate for loading and unloading of children to show ingress and egress and circulation (not to be located within any public right-of-way) shall be provided.

7:8.10 Signage

All signs must meet the requirements as stated in Section 6:11.

7:8.11 Additional Conditions

The Board shall determine if additional safeguards and conditions are appropriate in order to protect the health, safety, and welfare of the children from detrimental characteristics of adjacent uses or to protect adjacent uses from potentially incompatible characteristics arising from the day care center.

Section 7:9 Mobile Homes - As Accessory to Schools

Only one mobile home shall be allowed adjacent to and in conjunction with any public or private school or park. In determining whether to grant or deny such exception, the Board of Zoning Appeals may consider, but not be limited to, such factors as the availability of professional law enforcement service, history of criminal incidents in the vicinity, experience of crime or damage at the school in question, or the adequacy of alternate means of securing the premises. The Board shall also make a finding of whether such exception be permitted to continue indefinitely, or until a certain time, or subject to periodic review by the Board. The location and placement of the mobile home on the school site as well as the quality design of the mobile home proposed shall be determined by the Board on an individual review basis. However, in no instances shall a mobile home be allowed to be located in the front yard of the school and shall not be located closer than 10 feet to any side or rear property line. Additionally, the Board may impose any other requirements which they deem necessary and appropriate in order to ensure that the mobile home shall have a minimum impact upon the character of the neighborhood and the specific uses which adjoin the school or park site.

Section 7:10 Accessory Dwelling

One accessory dwelling unit may be permitted with approval of the Board of Zoning Appeals in conjunction with any permitted principal use in the C-2, S-1, and I-1 districts subject to the following conditions:

- A. The accessory dwelling unit must be located entirely within the structure containing the permitted principal use.
- B. The accessory dwelling unit must be clearly incidental and subordinate to and necessary to the operation of the permitted principal use.
- C. The accessory dwelling unit shall not interfere with the operation of the permitted principal use, nor shall the operation being carried on by the permitted principal use create conditions

which are adverse or hazardous to the person or persons occupying the accessory dwelling unit.

Section 7:11 Professional Offices in the RM-1 District

Professional offices may be allowed in the RM-1 district subject to the following requirements.

7:11.1 Size

The minimum lot area required for professional offices to be developed in RM-1 is 2 acres. In no instance shall an office development, parking, and other related activities occupy more than 70 percent of the gross lot area.

7:11.2 Front Setback

All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet.

7:11.3 Side Setback

All buildings and structures shall be set back not less than 15 feet from property lines.

7:11.4 Rear Setback

All building shall be located closer than 20 feet to rear lot lines.

7:11.5 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Section 5:9.

7:11.6 Additional Requirements

Applications for professional offices in the RM-1 district shall include the following data and other reasonable information the Mauldin Board of Zoning Appeals and the Zoning Administrator may require in their review of the application.

- A. Number of professional offices and overall square footage thereof.
- B. Location of all curb cuts and points of egress and ingress and all sidewalks and dimensions thereof.
- C. The location and size of any existing or proposed roads on any part of the site.
- D. The location of all parking.
- E. A complete landscaping and screening plan.
- F. Plans showing complete drainage of entire site.
- G. Prospective sketch indicating exterior color and materials, all structures, and screening.

- H. A copy of covenants, grants, easements, or other restrictions proposed to be imposed upon the use of land, buildings, and structures including proposed easements for grants and public utilities.

Before the Zoning Administrator makes a recommendation to the Board of Zoning Appeals, it shall determine the following:

- A. The spirit of the Zoning Ordinance is not violated.
- B. The proposed development will harmonize with the existing development.
- C. The proposed development is a desirable addition to the physical pattern of the neighborhood.
- D. The design is such that the additional traffic will not be a burden on existing streets.
- E. No adverse environmental impacts will be created by the proposed development.
- F. The architectural character blends with the surrounding area.

Section 7:12 Group Development

Group Development is allowed in the RM-1 district subject to the district regulations and the following requirements.

- A. A legal description of the proposed boundaries.
- B. A site plan showing number of dwelling units of various types and overall density thereof.
- C. Location of all curb cuts and points of egress and ingress and all sidewalks and dimensions thereof.
- D. The density of land use proposed for every part of the site and number of acres devoted to nonresidential uses if any.
- E. Location and size of any existing or proposed roads within the acreage.
- F. Description of open space, uses, areas proposed, and adequacy thereof to serve anticipated demand and if dedication of open spaces proposed, procedures and conditions thereof in detail.
- G. The location of all parking.
- H. A complete landscaping plan.
- I. Plans showing complete drainage of entire site.
- J. A prospective sketch indicating color and materials of all structures, and screening.
- K. A copy of covenants, grants, easements, or other restrictions proposed to be imposed upon the use of land, buildings, and structures including proposed easements for grants and public utilities.
- L. Other information or descriptions as deemed reasonably appropriate by the Zoning Administrator.

Section 7:12.1 Roads

All roads or drives within the Group Development shall be no less than 24 feet in width with

extruded curbs and gutters and 4 inches of rock base or 3 inches of hot laid asphaltic binder covered by 1-1/2 inches of hot laid asphalt. If the roads are to be conveyed to the City of Mauldin, a 50-foot right-of-way shall be provided and all County Subdivision Regulations shall be met.

Section 7:12.2 Size

The minimum lot area required for Group Development in the RM-1 district is 2 acres. The principal use of the RM-1 district is residential, thus nonresidential uses, parking, and other related activities shall occupy no more than 40 percent of the total development.

Section 7:12.3 Yard Requirements

No structures shall be constructed closer than 15 feet to an exterior property line and no structure shall be constructed closer than 35 feet to a public right-of-way.

Section 7:12.4 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Section 6:9.

Section 7:12.5 Street Lights

Adequate street lighting shall be provided in all Group Developments.

Section 7:12.6 Height

No building shall exceed 35 feet in height.

Section 7:13 Provisions for Group Development in the S-1 District

Group Development is allowed in the S-1 district as a Use Permitted.

Site Plan Requirements

A minimum of three copies of the Site Plan meeting the requirements of this section must be submitted to the office of the Zoning Administrator. In order to issue proper and expeditious review, the site plan must meet the following criteria.

- A. The site plan must be drawn to a scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the State of South Carolina.
- B. A vicinity map, title block, scale, north arrow, site size, and property lines survey.
- C. The location of any utility easements.
- D. The land use for every part of the site and the number of acres devoted to each use.
- E. The site's traffic circulation plan, including the location of curb cuts and points of ingress and

egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.

- F. The site's parking plan, including all off-street parking, loading/unloading areas and structures, and also including all parking spaces and their dimensions.
- G. The sites sign plan, which would include all exterior signage of the development.
- H. The site's lighting plan, including the location, height, and type of all exterior light fixtures.
- I. Elevations of proposed development.

Section 7:13.1 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Section 6:9.