

ADMINISTRATIVE ADJUSTMENT APPLICATION

Fact sheet for applicants

Primary staff contact: Melody Kearse, Zoning Coordinator
803-329-7088
melody.kearse@cityofrockhill.com

What is an administrative adjustment request?

The Zoning Ordinance allows staff to make “administrative adjustments” to the requirements listed below. This allows minor flexibility in the administration of these technical standards. The Planning & Development Director may place reasonable conditions on approvals of administrative adjustment requests.

ZONING STANDARD		ALLOWABLE MODIFICATION	
		OLD TOWN OR MX DISTRICT	OUTSIDE OLD TOWN OR MX DISTRICT
1	Any numerical dimensional standard from the <i>Table of Dimensional Standards for Residential Districts</i> and from the <i>Table of Dimensional Standards for Business Districts</i> in <i>Chapter 6: Community Design Standards</i>	≤20%	≤10%
2	Required separation of a proposed use from certain zoning districts or other uses, as specified in the <i>Use-Specific Standards</i> section of <i>Chapter 4: Land Use: Primary Land Uses</i>	≤20%	≤10%
3	Where an existing building has a documented history of housing the same use or a use with similar impact characteristics to a proposed use within the past 5 years, the required separation of the proposed use from certain zoning districts or other uses, as specified in the <i>Use-Specific Standards</i> section of <i>Chapter 4: Land Use: Primary Land Uses</i>	≤100%	≤100 %
4	Building, parapet, or appurtenance height limits as described in <i>Chapter 6: Community Design Standards</i>	≤10%	≤25%
5	Limitation on the maximum number of off-street parking spaces located between a primary building façade and the street it faces in the <i>Placement of Parking Areas on Lots</i> section of <i>Chapter 8: Development Standards</i>	≤20%	≤20%
6	Front and side yard setbacks for corner lots developed with a commercial, public, or institutional use in Old Town	≤5 feet	N/A
7	Maximum building footprint for lots developed with a commercial, public, or institutional use in Old Town	≤25%	N/A
8	Amount of glazing required on the primary façade, found within <i>Chapter 9: Site and Building Design Standards</i>	≤25%	≤25%

In order to grant the request, staff must make specific findings. These are set forth in the questions in the application for each type of administrative adjustment.

When should I use this form?

Use this form if you need to request a small modification of one of the zoning requirements listed in the chart.

What is the cost?

There is no cost associated with applying for an administrative adjustment.

How can I submit this request?

- Send the form by e-mail to melody.kearse@cityofrockhill.com
- Mail the form to the Planning and Development Department at the address listed above, attention "Zoning Division."
- Submit the form in person at the Planning and Development Department offices at City Hall (155 Johnston Street).

What happens after I submit this request?

We will consider your request and decide whether the required findings have been met such that we can approve it as requested, approve a lesser reduction than requested, approve it with conditions, or cannot approve it. We will strive to respond to your request within three business days.

Please note: Even if the administrative adjustment is approved, you may still need to obtain other types of permits, such as a building permit, before you can use the property as desired.

ADMINISTRATIVE ADJUSTMENT APPLICATION

Plan Tracking # _____ Date Received: _____ Case # Z- _____

Please use additional paper if necessary, for example to list additional applicants or properties, or to elaborate on your responses to the questions about the request. You may handwrite your responses or type them. You may scan your responses and submit them by email (see the above fact sheet), since we can accept scanned copies of signatures in most cases.

PROPERTY INFORMATION

Street address of subject property: _____, Rock Hill, SC

Tax parcel number of subject property: _____ - _____ - _____ - _____

Property restrictions

Do any recorded deed restrictions or restrictive covenants apply to this property that would prohibit, conflict with, or be contrary to the activity you are requesting? For example, does your homeowners association or property owners association prohibit the activity or need to approve it first? **Yes** ____ **No** ____

If yes, please describe the requirements: _____

APPLICANT/PROPERTY OWNER INFORMATION

Applicant's name	Mailing address	Phone number	Email address

Are you the owner of the subject property? Yes No

If you are not the owner of the subject property, what is your relationship to it (e.g., have it under contract to purchase, tenant, contractor, real estate agent): _____

I certify that I have completely read this application and instructions, that I understand all it includes, and that the information in the application and the attached forms is correct.

Signature: _____ Date: _____

If you are not the owner of the subject property, the *property owner* must complete this box.

Name of property owner: _____	
If property owner is an organization/corporation, name of person authorized to represent its property interests: _____	
I certify that the person listed in the person listed above has my permission to represent this property in this application.	
Signature: _____	Date: _____
Preferred phone number: _____	Email address: _____
Mailing address: _____	

INFORMATION ABOUT REQUEST

From which section(s) of the Zoning Ordinance are you requesting an administrative adjustment?

General description of your request

General Findings

In order to grant an administrative adjustment, staff must find that the following statements are true about your request. Please explain why you believe your request is true regarding these statements.

1. The proposed administrative adjustment would not be inconsistent with the character of the development in the surrounding area, and would not result in incompatible uses.

2. Any adverse impacts resulting from the proposed administrative adjustment would be mitigated to the maximum extent practicable.

3. The proposed administrative adjustment is of a technical nature (i.e., relief from a dimensional or design standard), and is either:

- Required to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general;
- Supporting an objective or goal from the purpose and intent statements of the zoning district where located; or
- Proposed to save healthy existing trees.

4. The proposed administrative adjustment would not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.

5. An administrative adjustment of this type is not allowed for any of the following uses: Adult Entertainment; Bars & Nightclubs; Teen Clubs; Alternative Financial Services; Flea Market; and Personal Services (Type B).

Specific Findings

Some types of administrative adjustment requests also have specific required findings that must be met in addition to the above general findings. Please explain why you believe your request is true regarding these statements if it is of a type that has required specific findings.

For **dimensional standards requests** (#1 on first page of fact sheet), if the request is more than 10% in Old Town or the MX district, or for any amount of modification outside of Old Town of the MX district, the adjustment must be needed to protect root zones of existing healthy trees retained on a site during or after construction.

For requests involving **separation from other use types generally** (#2 on first page of fact sheet), the adjustment would not result in any greater impact on the protected uses that would be experienced if the spacing standard were met. Any such impacts must be mitigated by conditions of approval. Mitigation measures may include, but are not limited to landscaping and buffering, fencing, operational limitations, and other measures.

For requests involving **separation from other use types in existing building has recently had been used in the same way** (#3 on first page of fact sheet):

- The building must have a back-to-back relationship with the use (or uses) from which it must be separated, meaning that this adjustment is not available when the two uses have a side-to-side or side-to-rear orientation.
- There must be the ability to create or maintain a buffer area between the two uses that meets the specific requirements of this Ordinance, or a buffer that is enhanced by other factors such as building location, building orientation or natural or man-made features that results in a buffer of similar effectiveness. Other mitigation

measures may be required as conditions of approval depending on the nature of the proposed use and its location relative to the protected properties requiring the separation.

For requests involving **parking spaces** (#5 on first page of fact sheet):

- The re-location of off-street parking is required to adjust for an unusual physical aspect or natural feature on the site that is not shared by other landowners in general, or is required due to the unusual physical design of the development's buildings;
- The re-location of the off-street parking is consistent with surrounding lands uses and development; and
- For lots within Old Town only, the re-location of the off-street parking is consistent with the development patterns of surrounding lands uses and development.

For requests involving **glazing** (#8 on first page of fact sheet):

- The reduction in glazing is needed to address a unique circumstance related to building location, or unique topographic or physical feature;
- The development exceeds the minimum façade massing standards; and
- Additional architectural details are included on the façade to account for a decrease in glazing.
