

**LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM #1**

GENERAL INFORMATION

Date Filed: 12-30-15 Application No: BZA 016-003

This form must be completed on a hearing on **appeal from action** of the Zoning Official, application for a **variance**, or application for a **special exception**. Entries must be printed or typed. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent.

THE APPLICANT HEREBY APPEALS (indicate one):

- From action of Zoning Officials as stated on Form 2
- For a variance as stated on Form 3
- For a special exception as stated on Form 4

Applicant(s) Print:

Name: Dobys Bridge Rd Dev. Partners, LLC Address: 11016 Rushmore Dr. Ste. 160
Charlotte, NC 28277

Telephone: 704 - 542-7773 Work: 704-877-9154

Interest: _____ Owner(s): _____

Other: Brian M Rollar - Director of Development brian.rollar@yorkdevelopment
group.com

Owner(s) If other than applicant: _____

Address: _____ Telephone: _____

Work: _____ Other Information: _____

PROPERTY INFORMATION

Property address: Cross Creek Shopping Center (out parcels #1 #2)

Lot Area/Acres: 1.035 ac Block: 2A-B Subdivision: Cross Creek
1.005 ac
Total: 2.04 ac

Tax Map #: 0013-00.018.00 Plat Book: 2012 Page: 439

Lot Size or Dimension: 2.04 ac Zoning Classification: B-3

Use of Surrounding Properties: Commercial/Retail Shopping Center

Publix anchored.

Designation Agent (complete only if owner is not applicant)

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

Date: 12.30.15

Brian M. Roller

BMR

Owner(s) Signature(s)

I (we) the undersigned hereby state and understand that while this application will be carefully reviewed and considered, all burden of proof rests within the applicant subject to application request. All incorrect or falsified information or documentation will cause application to be null and void.

I (we) certify that the information in this application and all other forms are true to content.

Date: 12.30.15

Applicant Signature(s)

BMR

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION - FORM #3

Date Filed: 12-30-15 Application No. BZA 016-003

1. Applicant(s) hereby appeals to the Lancaster County Board of Zoning Appeals for a variance from the strict application to the property described in the General Information (Form #1) of the following provisions of the Lancaster County Unified Development Ordinance: see attached so that a zoning permit may be issued or permission granted to allow the use of the property described as follows: Commercial/Retail Development as out parcels to a master planned Shopping Center. for which a permit or permission has been denied by the zoning official on the grounds that the proposal would not comply with the specific requirements of the cited section(s) of the Lancaster County Unified Development Ordinance.

(2) The application of the ordinance will result in unnecessary hardship and the standards for a variance as set by South Carolina Law and the Lancaster County Unified Development Ordinance are met by the following facts:

a) There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: Original Master Plan to B-3 zoning prior to adoption of Highway Corridor-Overlay District.
80% of property already developed including adjacent out parcels.

b) These conditions do not generally apply to other property in the vicinity as shown by: Bojangles, Quick Trip, adjacent out parcels,
Gate Gas station, office across 521.

c) Because of these conditions, the application of the Lancaster County Unified Development Ordinance to the particular piece of property would prohibit or unreasonably restrict the utilization of the property as follows: Multiple design guidelines to an existing master planned shopping center that are in conflict with existing and developed property within the Cross Creek Shopping Center.

d) The granting 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 compromised by the granting of the variance for the following reasons: _____

Surrounding developments all constructed to B-3 zoning prior to full implementation of the Highway Corridor Overlay. Many HOD guidelines are being achieved.

The following documents are hereby submitted in support of this application: Bldg Elevations, Overall Cross Creek Master Plan, Magnified Out Parcel Plan, Public Exhibit A, Adjacent Property Photos, Existing Median Photos,

Date: 12.30.15

Brian M. Roller



Applicant signature(s)

→ Specific UDO Section 2.1.5.7 Developer request variance itemized list.

Upon completion of your Application, sign the statement below, and return it along with your application by the due date. A copy of this acknowledgment will be attached with your application for our records.

I, Brian M. Roller, have signed that I am aware of the Zoning Board of Appeals hearing date.

January 12, 2016 (Hearing Date)

I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If for some reason I or a representative will not be able to attend the scheduled meeting, I must request a deferral to another date, or withdraw my application, if I do not want my application considered by the Zoning Board of Appeals.

I acknowledge that failure to attend the meeting does not result in my application being automatically deferred to the next month. The zoning Board of Appeals will still hold the hearing on my request and can take any form of action, including denial. Should my request be denied, I will not be permitted to resubmit the request to the Zoning Board of Appeals for a period of six months, unless conditions have changed substantially and the Zoning Board of Appeals votes unanimously to rehear the matter.

<u>BMR</u>	<u>12.30.15</u>
(Property owner / Applicant's signature)	(Date)
<u>Judy Elaine Boon</u>	<u>1-4-2016</u>
(Staff's Signature)	(Date)

December 30, 2015

RE: Cross Creek BZA Rehearing Request

Elaine Boone
101 North Main Street
Lancaster County, SC29720

Good afternoon Ms. Boone.

This letter is to server as formal request for a rehearing of BZA 015-009 per UDO section 8.1.2.4.10 Rehearing as a result of an exhibit provided to staff that was not incorporated into the BZA package the night of December 8, 2015.

If you should have any questions or require additional information please feel free to contact me anytime.

Thank you for your attention to this matter.

Sincerely,



Brian M. Rollar
Director of Development