

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

**GENERAL INFORMATION**

Date Filed: 1-12-16 Application No: BZA 016-004

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: Robbie Branstrom Address: 1111 Metropolitan Ave Ste 700  
Charlotte, NC 28204

Telephone: 704-578-3111 Work: 704-206-8328

Interest: development of Tall Bell Owner(s): \_\_\_\_\_

Other: \_\_\_\_\_

Owner(s) if other than applicant: Chip Nisbet

Address: \_\_\_\_\_ Telephone: 917-986-6276

Work: \_\_\_\_\_ Other Information: \_\_\_\_\_

**PROPERTY INFORMATION**

Property address: 8119 Charlotte Hwy  
Fort Mill, SC 29707 intersection of 521 & Ridgeline

Lot Area/Acres: 1.76 Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

0013-00-046-03

Tax Map #: 70319 Plat Book: 2003 Page: 0627

Lot Size or Dimension: 1.764 Ac Zoning Classification: NCOM

Use of Surrounding Properties: adjacent to a food van shopping center

**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: \_\_\_\_\_

[Signature]  
\_\_\_\_\_

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: 1/19/14

Applicant Signature(s) [Signature]

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION - FORM #3

Date Filed: 1-12-16 Application No. BZA-016-004

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: 2.15 of appendix BCH so that a zoning permit may be issued or permission granted to allow the use of the property described as follows: the development of a TALO Bell

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: The orientation of this lot requires the drive thru lane to be on the interior side and parking on exterior. consequently, the parking is on the side yard exceeding 48'.
- b) These conditions do not generally apply to other property in the vicinity as shown by: There are similar businesses with drive-thrus in the immediate corridor. For example the Bojangles located at 9786 Charlotte Hwy. we are zoned by right for a
- 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: It precludes the development of a restaurant with a drive-thru.

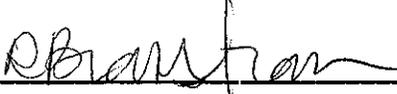
drive-thru but for a drive-thru <sup>window</sup> to be feasible and be on the drivers side window the site plan requires side parking. Because of this fact there is no hardship on us due to the orientation of lot. The Bojangles at 621 and Collins had the same issue but received permission to have side parking fronting Collins.

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: there are existing drive thru restaurants on this corridor. Based on the way the lot is positioned it requires additional side yard parking.

The following documents are hereby submitted in support of this application: site plan

Date: 1/11/14



Applicant signature(s)

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, Robbie Branstrom, have signed that I am aware of the Zoning Board of Appeals hearing date.

February 9th, 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.

*Robbie Branstrom* 1/19/16  
(Property owner / Applicant's signature) (Date)

*[Signature]* 1/19/16  
(Staff's Signature) (Date)