

LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM #1

Date Filed: 8/9/16 Application No: 016-012

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: Moseley Real Estate Advisors Address: 1100 Kenilworth Ave., Ste 210
Charlotte, NC 28204

Telephone: 704 367-1800 Work: 704 927-9214

Interest: Developer Owner(s): Redstone/Freddy's
Frozen Custard & Steaburgers

Other: _____

Owner(s) if other than applicant: Redstone Investors, LLC

Address: MPV Properties Telephone: _____
521 E. Morehead Street, Ste 400, Charlotte, NC 28202

Work: _____ Other Information: ATTN: Tim McCrefield

Property address: US 521 - Outparcel A-2 - Edgewater
Parkway

Lot Area/Acres: _____ Block: _____ Subdivision: _____

Tax Map #: Part of 0008-00-015, plat Book: _____ Page: _____

Lot Size or Dimension: _____ Zoning Classification: B-3

Use of Surrounding Properties: _____



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: 8/9/2016

Redstone Investors, LLC
[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: 8/9/16 Applicant Signature(s) [Signature]

LANCASTER COUNTY BOARD OF ZONING APPEALS
VARIANCE APPLICATION - FORM #3

Date Filed: 8/9/16 Application No. BZA 016-012

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: Section H. Parking and Vehicular Access 1. i. so that a zoning permit may be issued or permission granted to allow the use of the property described as follows: Freddy's Frozen Custard & Steakburgers

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: See attached explanation

b) These conditions do not generally apply to other property in the vicinity as shown by: See attached explanation

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: See attached explanation

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: _____

This variance will not substantially cause detriment to the adjacent property or the public good and the character of the district.

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

Site Plan; Conceptual Elevations; Check; alternate site plan showing layout that puts public safety at risk; site plan showing area of requested variance.

Date: 8/9/16

William K. Moseley



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, William K. Moseley, have signed that I am aware of the Zoning Board of Appeals hearing date.

September 13, 2016 at 6:30 P.M.
(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.



(Property owner / Applicant's signature)

8/9/16

(Date)



(Staff's Signature)

8/9/16

(Date)