LANCASTER COUNTY
BOARD OF ZONING APPEALS

November 10, 2016
6:30 PM
ADMINISTRATIVE BUILDING
ROOM 224

Type of meeting:	Board Of Zoning Appeals/Public Hearing	Facilitator:	Planning Staff
Secretary:	Judy Barrineau		

Please read: Agenda Packet

Please bring: Agenda Packet

Approve Agenda	**Chairman**	
Communications:		
Approve minutes – September 2016	**Chairman**	
Variance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional sign area for a new Hobby Lobby. BZA 016-009 pgs. 1-16 **Part of Tax Map 13, Parcel 115**	**Nick Cauthen**	
Variance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional signs for a new Hobby Lobby. BZA 016-010 pgs. 17-31 **Part of Tax Map 13, Parcel 115**	**Nick Cauthen**	
Variance application of Catawba Regional Council of Governments (CRCOG). The applicant is requesting a variance from Chapter 5 Density and Dimensional Regulations, Section 5.1 minimum lot size requirements of the Lancaster County Unified Development Ordinance in order to subdivide property. BZA 016-015 pgs. 32-58 **Tax Map 81H, Block C, Parcel 11**	**Nick Cauthen**	
New Business: Calendar Meeting Dates for 2017		
Old Business:		

ariance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional sign area for a new Hobby Lobby. **BZA 016-009 pgs. 1-16** **Part of Tax Map 13, Parcel 115**	**Nick Cauthen**

Discussion:

Conclusions:

Action items:	Person responsible:	Deadline:

Date of Meeting: 11-10-16
__ Approved __ Denied __ No Action

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional sign area for a new Hobby Lobby.

Location: East side of Charlotte Hwy. ±1,300 ft. north of Jim Wilson Rd.

Legal Description: Part of Tax Map 13, Parcel 115

Zoning Classification: PDD-20 (Wallace Tract)

Description of Plan: The applicant wants to increase the maximum signage area from 75 sq. ft. to 277.2 sq. ft. in order to make "Hobby Lobby" appear larger. The sign will exceed the maximum total signage by 202.2 sq. ft. The applicant does not feel that the current restrictions on signs will make the building readily visible due to the size of their building and their distance from Highway 521. Also, this is their national standard for Hobby Lobby stores.

B. Site Information

Site Description: The property is located across from Sun City and is located near the northeast corner of the intersection between Charlotte Highway and Jim Wilson Road. The property is currently vacant and partially wooded.

C. Vicinity Data

Surrounding Conditions: Much of the surrounding property is zoned PDD-20 (Wallace Tract), PDD-18 (Sun City Carolina Lakes) is located across Hwy. 521, the Groves and other residential properties are located to the north and east of the subject property.

D. Exhibits

1. Variance Application
2. Location Map
3. Lancaster County Tax Inquiry Sheet
4. Sign Proposal
5. UDO – Section 10.10 Maximum sign surface area
6. Findings Required for Granting Variances
7. Findings Required for Granting Variances – Planning

Date of Meeting: 11-10-16
__ Approved __ Denied __ No Action

II. Findings

Code Considerations: Chapter 10, Signs

I agree that the facts and findings as stated above are true and correct.

Applicant signature(s) Date

1

LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM #1

[redacted]

Date Filed: 10.22.16 Application No: 016-009

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: Sign World, Inc Address: 200 Foster Ave. Charlott

Telephone: 704-529-4440 Work:

Interest: Sign Contractor Owner(s): Hobby Lobby

Other:

Owner(s) If other than applicant: RL BB-SC CLR VI, LLC, a South Carolina limited liability company

Address: 330 SW 2nd Street, Suite 111, Fort Lauderdale, FL 33312 Telephone: 919.610.2583

Work: 919.337.0224 Other Information:

[redacted]

Property address: TBD; NEC US Hwy 521 & Jim Wilson Rd; 125 Jim Wilson Road is an existing address for one lot

Lot Area/Acres: 82.745 Block: Subdivision:

Part of 0013-00-115.00

Tax Map #: See Below Plat Book: 2006 Page: 944

Lot Size or Dimension: Varies Zoning Classification: PDD-20 (Tract A-1)

Use of Surrounding Properties: North - Vacant Land; South - Jim Wilson Rd, retail and office uses and vacant commercially zoned property; East - Town homes; West - US 521, grocery anchored shopping center

[redacted]

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.

RL BB-SC CLR VI, LLC, a South Carolina limited liability company;

By: SC 521 INDIAN LAND RESERVE, LLC, a Delaware limited liability company, its Sole Member;

By: LENNAR COMMERCIAL, LLC, a Delaware limited liability company, its Sole Member;

By: Michael Cohn, Vice President

Date: June 8, 2016

Mike Cohn

55C2FD58AB8A406...

Owner(s) Signature(s)

[redacted]

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: 6.22.14 **Applicant Signature(s)**

Tax Map #: 0013-00-115.01, 0013-00-115.00, 0013-00-118.00, 0013-00-114.00, 0016-00-020.00, 0016-00-022.00, 0013-00-113.00, 0013-00-113.01, 0016-00-023.00, 0013-00-116.00, 0013-00-117.00

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION – FORM #3

Date Filed: 8-9-16 **Application No.** BZA 016-009

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: _____ so that a zoning permit may be issued or permission granted to allow the use of the property described as follows:** To allow the maximum sq.ft. to be exceeded by 10% from 250 sq.ft. to 277.2 sq.ft. for Hobby Lobby

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:** Due to this large store front, and and to keep their signage in proportion to the building as it has been designed for this location, along with keeping this store front the same as their national standard their wish to increase the maximum to 277 square foot.

b) **These conditions do not generally apply to other property in the vicinity as shown by:** Variance have been granted to other companies in the area for similar reasons: Publix, Lowes, Wal-mart, CVS, Harristeeter, and Food Lion

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:** Without this variance, Hobby Lobby would have to deviate from their standard store front, plus reduce the visibility from US 521 due to the great distance we set back off the road.

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:** _____

The signage on the storefront will be within proportion to the build the same as other businesses in the same area, and will not take away from other businesses in the community

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

Site plans and building elevations

Date: 8-9-16

Sign World inc

Jerry L McKenzie

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, Andrea Chesser, have signed that I am aware of the Zoning Board of Appeals hearing date.

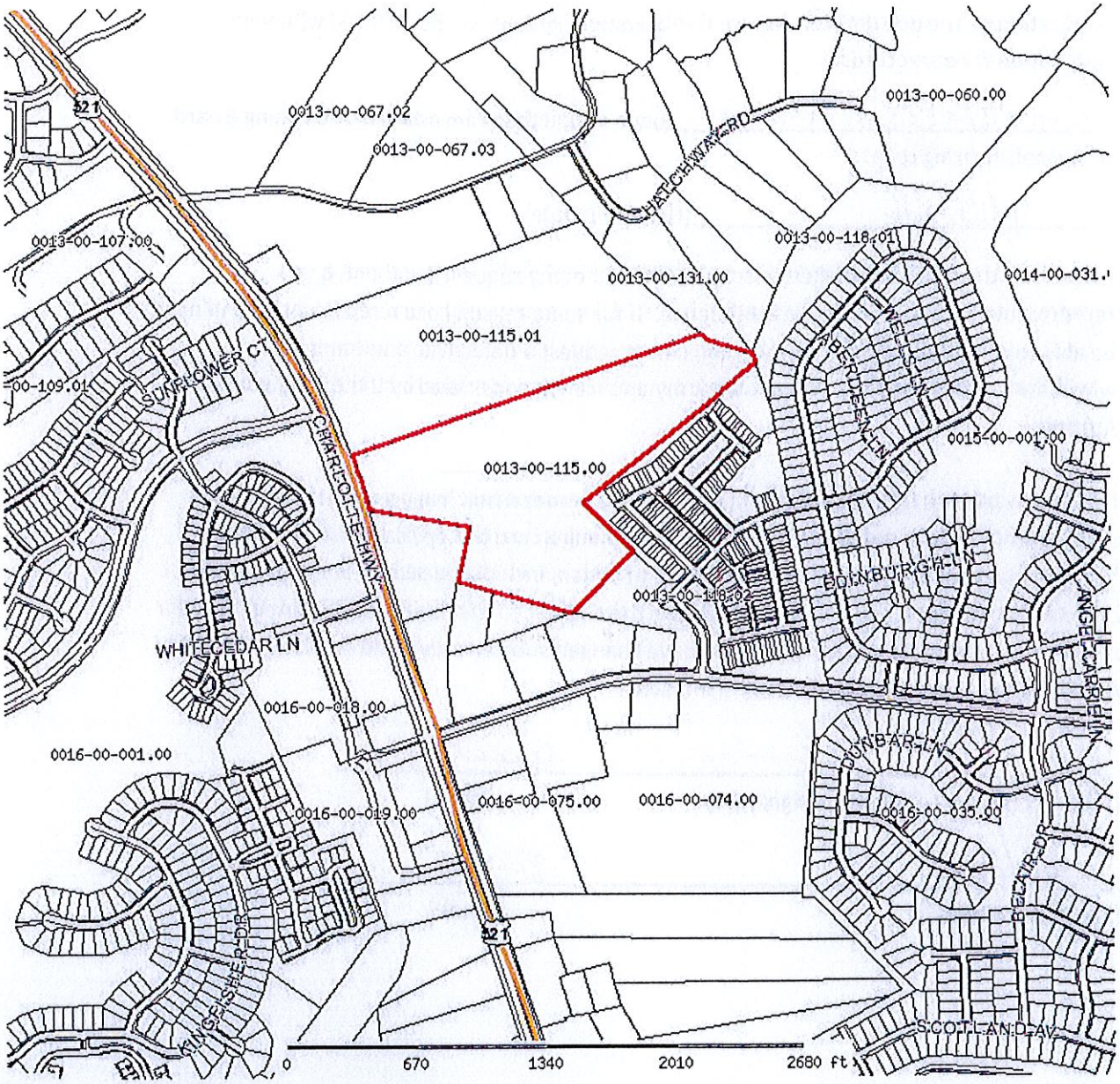
9/13/16 (Hearing Date)

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) 6.22.14 (Date)

(Staff's Signature) 8-9-16 (Date)



Lancaster County Assessor			
Parcel: 0013-00-115.00 Acres: 30.62			
Name:	BB-SC CLR VI LLC % STRATEGIC PROPER	Land Value	$1,712,600.00
Site:	HWY 521	Improvement Val	$0.00
Sale:	$$0 on 11-2011 Vacant= Qual=6	Accessory Value	$0.00
Mail:	14785 PRESTON RD STE 660 DALLAS, TX 75254	Total Value	$1,712,600.00

Date printed: 08/19/16 : 13:23:33

Situs/Location Information

Location:	HWY 521		
City:	Lancaster	Zip:	29720

Edit

Account Information

Parcel ID:	0013-00-115.00	☐ Closed	☐ Locked
Property ID:	1647	Account Type:	
User Account:		Imp/Vac/YI:	Vacant - Vacant
Property LUC:	NCOM - Comm	Neighborhood:	01A - 01A
Primary Juris:	1 - 1	Market Area:	
Assessed Size:	30.62100	Unit Type:	AC - ACRES
District Group:	4 - 4	District Code:	01 - County
Council District:		Appraisal Area:	01 - 01

Owner/Mailing Information

Owner Name:	RL BB-SC CLR VI LLC
Mailing Address:	14785 PRESTON RD STE 660, DALLAS, TX, 75...

Edit

Associated Parcels:

Enter Parcel ID:

Validate & Add

Narrative - Click for Building Info..

This Parcel contains 30.621 AC of land mainly classified as Comm.

Legal Description

Sales Information

Legal Ref:	643-59		
Date:	11/30/2011	Price:	$0
Grantor:	CORNERSTONE RETAIL LLC		
Validity:	6	LUC:	NLN

Legal Ref:	414-76		
Date:	8/2/2007	Price:	$5
Grantor:	WALLACE LAND VENTURES II LLC		
Validity:	91	LUC:	QUSE

Valuation Information

Appraised:	**In Process Mkt Adj Cost**	**Last 2015 - PV Mkt Adj Cost**
Total Land:	$1,712,700	$1,712,600
Ag Credit:		
Land:	$1,712,700	$1,712,600
Building:		
Yard:		
Mkt Total:	$1,712,700	$1,712,600
Total:	$1,712,700	$1,712,600
Assessed:		
Land:	$102,762	$102,756
Building:		
Yard:		
Total:	$102,762	$102,756
Limited Total:		
Limited Taxable:		

Picture

No image data

#:

Edit

Sketch

No image data

Last Modified:

REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional Installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceeding arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Tess or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.

SITE PLAN
N.T.S.

Since 1956
StarliteSign.com
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

CUSTOMER	Hobby Lobby
SITE ADDRESS	US 521 & Jim Wilson Rd.
CITY, ST	Indian Land, SC
ACCT EXEC.	Debbie Stellar
SALES REP.	Samantha Causseaux

Bids are good if accepted within 30 days of proposal. This drawing is the property of Starlite Sign, which reserves all rights to its reproduction and display.

DESIGNER	REF / NO.	DRWG. DATE	SPECS#	PAGE
G. Owens	59542	03-16-16	1603-086	02 of 10

REVISIONS

No.	DATE	BY	DESCRIPTION

SCALE: 1 PIECE

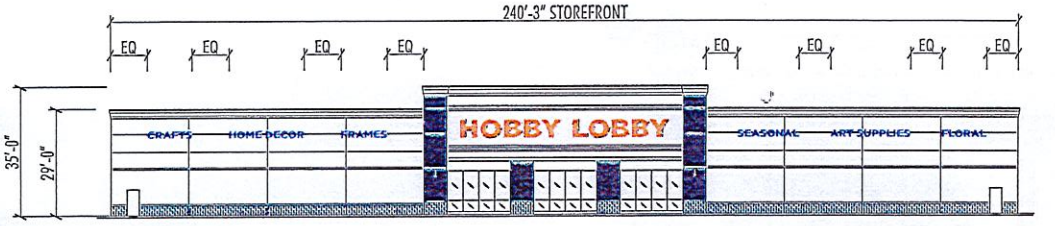
FOLLOW ALL STANDARD TREASURY LAWS

NOTE TO FABRICATORS: ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

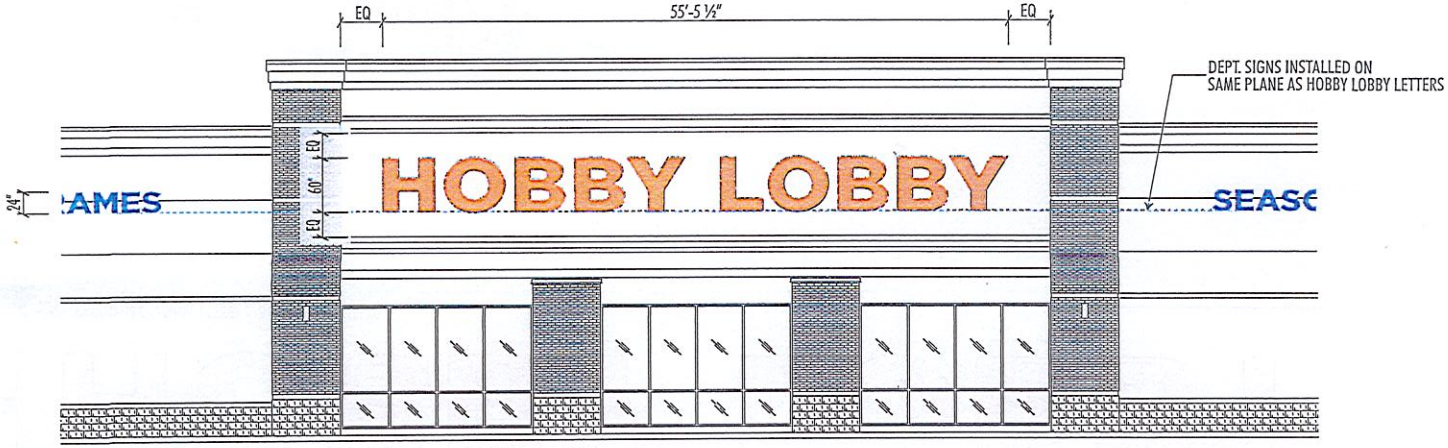
10

605.16

- BUILDING SHOWN IS TYPICAL FOR ILLUSTRATION PURPOSES ONLY AND WILL BE REVISED UPON RECEIPT OF SITE SPECIFIC ELEVATION DRAWINGS
- BUILDING ELEVATIONS ARE TO REFLECT SIGNAGE & MAY NOT REPRESENT ACTUAL CONSTRUCTION



FRONT ELEVATION
SCALE: 1/32" = 1'-0"



PARTIAL FRONT ELEVATION
SCALE: 3/32" = 1'-0"

Upon arrival at the job site, if you find any differences between the drawings and the actual physical characteristics of the building which may require repositioning of the signs, or if someone on the job site tells you to install the signs in a different position than is called for on the drawings, stop immediately and call one of the following for authorization: Starlite Sign - Debbie Stellar / 817-691-3528; Hobby Lobby Store Planning - Larry Hostetler / 405-745-1178 or Ben Carver / 405-745-6201;

Failure to do so may result in the installer having to bear the expense of reinstalling the sign in the correct position.

SIGN	SIZE	S/F
HOBBY LOBBY	5'-0" x 55'-5 ½"	277.2
CRAFTS	2'-0" x 11'-9"	23.5
HOME DECOR	2'-0" x 19'-9 ½"	39.5
SEASONAL	2'-0" x 16'-4"	32.6
FLORAL	2'-0" x 11'-8"	23.3
FRAMES	2'-0" x 12'-1 ½"	24.3
ART SUPPLIES	2'-0" x 21'-2"	42.3
	TOTAL SQ. FT.	462.7

NOTE TO FABRICATORS: ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

Since 1956
StarliteSign
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

CUSTOMER: Hobby Lobby
SITE ADDRESS: US 521 & Jim Wilson Rd.
CITY, ST: Indian Land, SC
ACCT REP: Debbie Stellar
DES. MGR.: Samantha Causseaux

DESIGNER	DWG #	DATE	DESIGN #	PAGE
G. Owens	59542	03-16-16	1603-086	03 of 10

REVISIONS

#	DATE	BY	DESCRIPTION

Construct & Install Using Only U.L. Listed Components & In Accordance w/Art. 600 of the N.E.C. & any Applicable Local Codes

U/L LABELS REQUIRED

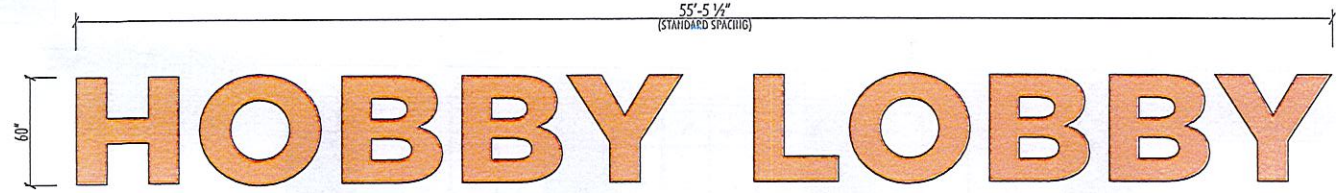
(1) 20amp

120V DEDICATED CIRCUIT(S) REQ'D.

SCALE: 1/16"=1'-0"

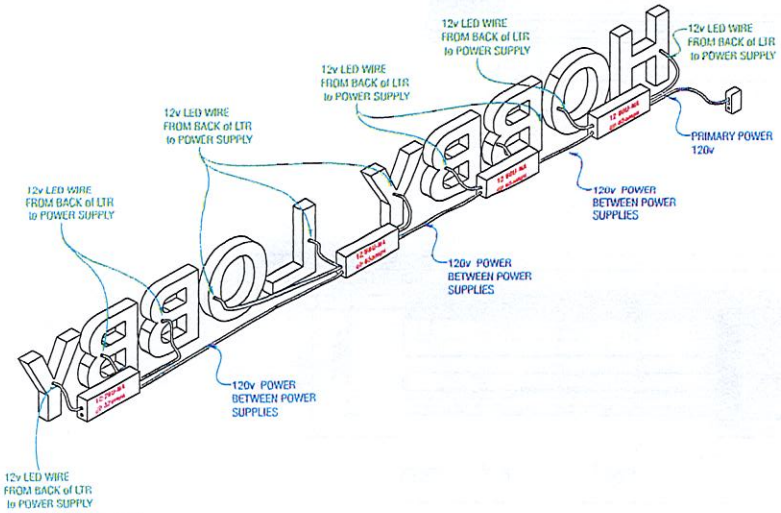
Nominal Sign U.L. Load: 1.5 Amp

6.15.16

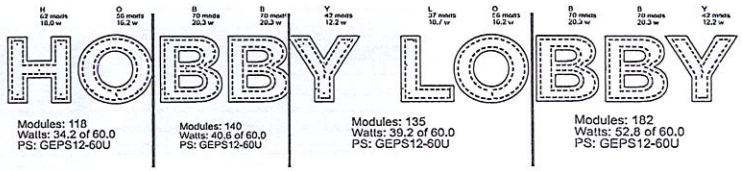


HL-CF60D-H CHANNEL LETTER SIGN (ONE REQUIRED)
SCALE: 3/16"=1'-0"

5'-0" x 55'-5 ½" = 277.2 SQ. FT.



WIRING DIAGRAM
N.T.S.



575 Modules=288' GE Lighting Solutions - Tetra MAX Wet Location Red/Orange - GEMXRC-W1

LED LAYOUT
N.T.S.

Since 1956
StarliteSign
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

CUSTOMER	Hobby Lobby
LOCATION	US 521 & Jim Wilson Rd.
CITY, ST	Indian Land, SC
ACCT. EXEC.	Debbie Stellar
INST. REP.	Samantha Causseaux

DESIGNER	JOB NO.	DATE	DWG	PAGE
G. Owens	59542	03-16-16	1603-086	04 of 10

REVISIONS

L.E.D. POWER SUPPLY PRIMARY WIRING CONNECTORS CONNECTED TO LINE VOLTAGE IN ACCORDANCE WITH NEC ARTICLE 600.

Construct & Install Using Only U.L. Listed Components & In Accordance w/Art. 600 of the N.E.C. & any Applicable Local Codes

U/L LABELS REQUIRED

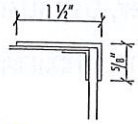
(1) 20amp
120V DEDICATED CIRCUIT(S) REQ'D

NOTE TO FABRICATORS: ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

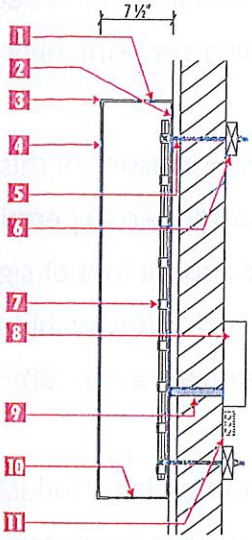
Ce 15.16

LED ILLUMINATED CHANNEL LETTERS
DESCRIPTION
ALUMINUM RETURN PREFINISHED BLACK
LUMINUM BACK
ALUMINUM RETAINER (SEE DETAIL)
2119 ORANGE TUFF GLASS HIGH IMPACT PLASTIC FACE
DED ROD (MIN. 4 PER LETTER REQD.)
HORIZONTAL BLOCKING
NS GE TETRA MAX RED-ORANGE LED LIGHTING
E POWER SUPPLY
ICAL PRIMARY THRU ½" SEALTITE - 12' WHIPS REQD.
OLES FOR DRAINAGE
ON BOX (SUPPLIED BY STARLITE - 1 PER POWER SUPPLY)
L PENETRATIONS TO BE PROPERLY SEALED TO PREVENT WATER DAMAGE TO BLDG.

NOTE:
ELECTRICAL TO BE RUN BELOW THE ROOF LINE OR ABOVE USING EXTERNAL CODE SUPPLIES



RETAINER
N.T.S.



SECTION - HOBBY LOBBY LETTERS
N.T.S.

L.E.D. POWER SUPPLY PRIMARY WIRING CONNECTORS CONNECTED TO LINE VOLTAGE IN ACCORDANCE WITH NEC ARTICLE 600.

ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

Section 10.10 - Maximum sign surface area for other than freestanding signs.

1. Unless otherwise provided in this section, the total surface area devoted to all signs (other than freestanding signs) on any lot shall not exceed the limitations set forth in this section, and all signs except exempt signs, section 10.6 and section 10.7, and temporary signs described in section 10.8 subsection (1) shall be included in this calculation.
2. Unless otherwise provided in this ordinance, the maximum sign surface area (other than freestanding signs) permitted on a lot in any residential district is four (4) square feet. Commercial businesses which are permitted in any residential district shall be allowed a sign based on the requirements of this section. However, because these commercial uses are not located in areas which are primarily commercial, the maximum sign surface area shall be equal to 32 square feet.
3. Subject to the other provisions of this section, the maximum sign surface area (excluding freestanding sign surface area) permitted on any building in a commercial or industrial zoning district shall be one square foot of sign surface area for each linear foot of frontage for each designated lease area located within the proposed commercial component, not to exceed 75 square feet per leased area in a commercial district or 100 square feet located in an industrial district.
4. If a building in a commercial or industrial zoning district has frontage on more than one street, then the total sign surface area permitted on that building shall be the sum of the sign surface area allotments related to each street (as determined in accordance with subsection 3.) on which the building has frontage. However, the total sign surface area that is oriented toward a particular street shall not exceed the portion of the building's total sign surface area allocation that is derived from frontage on that street.

For example, if a building, in a commercial district, has 75 feet of building frontage on Road "A" and 50 feet of building frontage on Road "B" then the maximum sign surface area for each sign shall be as follows: The sign surface area for the sign facing Road "A" shall not exceed 75 square feet. The sign surface area for the sign facing Road "B" shall not exceed 50 square feet. Under no circumstances shall any portion of the sign surface area for the sign facing Road "A" be allowed to be transferred to the sign facing Road "B" or vise versa. Additionally, no portion of the sign surface area from either of these signs can be used to allow a sign on a portion of the building which does not face either Road "A" or Road "B".

(Ord. No. 417, 3-13-01)

Finding Required for Granting Variance

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

b. These conditions do not generally apply to other property in the vicinity;

c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.

e. The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically nonconforming use of land, or to change the district boundaries shown on the Official Zoning Map.

Findings Required for Granting Variances

BZA-016-009
Lancaster County
Meeting Date: Thursday, November 10th, 2016

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property:** Due to this large store front, and to keep their signage in proportion to the building as it has been designed for this location, along with keeping this store front the same as their national standards, their wish is to increase the maximum to 277 sq. ft.

b. **These conditions do not generally apply to other property in the vicinity:** Variances have been granted to other companies in the area for similar reasons: Publix, Lowes, Wal-Mart, CVS, Harris Teeter, and Food Lion.

c. **Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the Utilization of the property as follows:** Without this variance, Hobby Lobby would have to deviate from their standard store front, plus reduce the visibility from US 521 due to the great distance we set back off the road.

d. **The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.** The signage on the storefront will be within proportion to the build as businesses in the same area, and will not take away from the other business in the community.

e. **The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically non-conforming use of land, or to change the district boundaries shown on the Official Zoning Map:** This variance changes the zoning requirements of the property. There will be no extension of a physically non-conforming use of land nor will any district boundaries be changed.

ariance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional signs for a new Hobby Lobby. **BZA 016-010 pgs. 17-31** **Part of Tax Map 13, Parcel 115**	**Nick Cauthen**

Discussion:

Conclusions:

Action items:	Person responsible:	Deadline:

Date of Meeting: 11-10-16
__ Approved __ Denied __ No Action

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Sign World Inc. The applicant is requesting a variance from Chapter 10 Signs, Section 10.10 Maximum sign surface area for other than freestanding signs of the Lancaster County Unified Development Ordinance regarding additional signs for a new Hobby Lobby.

Location: East side of Charlotte Hwy. ±1,300 ft. north of Jim Wilson Rd.

Legal Description: Part of Tax Map 13, Parcel 115

Zoning Classification: PDD-20 (Wallace Tract)

Description of Plan: The applicant wants to add 185.5 additional sq. ft. of signage. The primary sign has taken up the allowed signage area so the variance requested is 185.5 sq. ft. This non-illuminated secondary signage is being requested in order to clarify what products Hobby Lobby offer. Without the variance, the applicant feels there will be confusion as to what services Hobby Lobby offers and this signage will be similar to other existing buildings in the area.

B. Site Information

Site Description: The property is located across from Sun City and is located near the northeast corner of the intersection between Charlotte Highway and Jim Wilson Road. The property is currently vacant and partially wooded.

C. Vicinity Data

Surrounding Conditions: Much of the surrounding property is zoned PDD-20 (Wallace Tract), PDD-18 (Sun City Carolina Lakes) is located across Hwy. 521, the Groves and other residential properties are located to the north and east of the subject property.

D. Exhibits

1. Variance Application
2. Location Map
3. Lancaster County Tax Inquiry Sheet
4. Sign Proposal
5. UDO – Section 10.10 Maximum sign surface area
6. Findings Required for Granting Variances
7. Findings Required for Granting Variances – Planning

Date of Meeting: 11-10-16
__ Approved __ Denied __ No Action

II. Findings

Code Considerations: Chapter 10, Signs

I agree that the facts and findings as stated above are true and correct.

Applicant signature(s) Date

LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM #1

Date Filed: 10.22.16 Application No: 016-010

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: Sign World, Inc Address: 200 Foster Ave. Charlott

Telephone: 704-529-4440 Work: _____

Interest: Sign Contractor Owner(s): Hobby Lobby

Other: _____

Owner(s) If other than applicant: RL BB-SC CLR VI, LLC, a South Carolina limited liability company

Address: 330 SW 2nd Street, Suite 111, Fort Lauderdale, FL 33312 Telephone: 919.610.2583

Work: 919.337.0224 Other Information: _____

Property address: TBD; NEC US Hwy 521 & Jim Wilson Rd; 125 Jim Wilson Road is an existing address for one lot

Lot Area/Acres: 82.745 Block: _____ Subdivision: _____

Part of 0013-00-115.00

Tax Map #: See Below Plat Book: 2006 Page: 944

Lot Size or Dimension: Varies Zoning Classification: PDD-20 (Tract A-1)

Use of Surrounding Properties: North - Vacant Land; South - Jim Wilson Rd, retail and office uses and vacant commercially zoned property; East - Town homes; West - US 521, grocery anchored 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: June 8, 2016

RL BB-SC CLR VI, LLC, a South Carolina limited liability company;

By: SC 521 INDIAN LAND RESERVE, LLC, a Delaware limited liability company, its Sole Member;

By: LENNAR COMMERCIAL, LLC, a Delaware limited liability company, its Sole Member;

By: Michael Cohn, Vice President

DocuSigned by:
Mike Cohn
55C2FD58AB8A406...

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: 6.22.16 **Applicant Signature(s)**

Tax Map #: 0013-00-115.01, 0013-00-115.00, 0013-00-118.00, 0013-00-114.00, 0016-00-020.00, 0016-00-022.00, 0013-00-113.00, 0013-00-113.01, 0016-00-023.00, 0013-00-116.00, 0013-00-117.00

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION – FORM #3

Date Filed: 8-9-16 **Application No.** BZA 016-010

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:** _____ **so that a zoning permit may be issued or permission granted to allow the use of the property described as follows:** To allow us to use a total sq.ft. equal to 6.6% of the building store front.

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:** Hobby Lobby is new to this area and most people do not understand the services. The secondary signage describes, and clarifies what products they offer the public.

b) **These conditions do not generally apply to other property in the vicinity as shown by:** The secondary sign is non-illuminated, sized, and space to match the appearance of the tenant signage.

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:** Without this variance, their will be confusion as to services Hobby Lobby offers (They are not in the model train, or remote control plane business)

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:** _____
The signage on the storefront will be within proportion to the build the same as other businesses in the same area, and will not take away from other businesses in the community

The following documents are hereby submitted in support of this application: _____
Site plans and building elevations

Date: 8-9-16

Sign World inc

Jerry L McKenzie

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, Andrea Chesser, have signed that I am aware of the Zoning Board of Appeals hearing date.

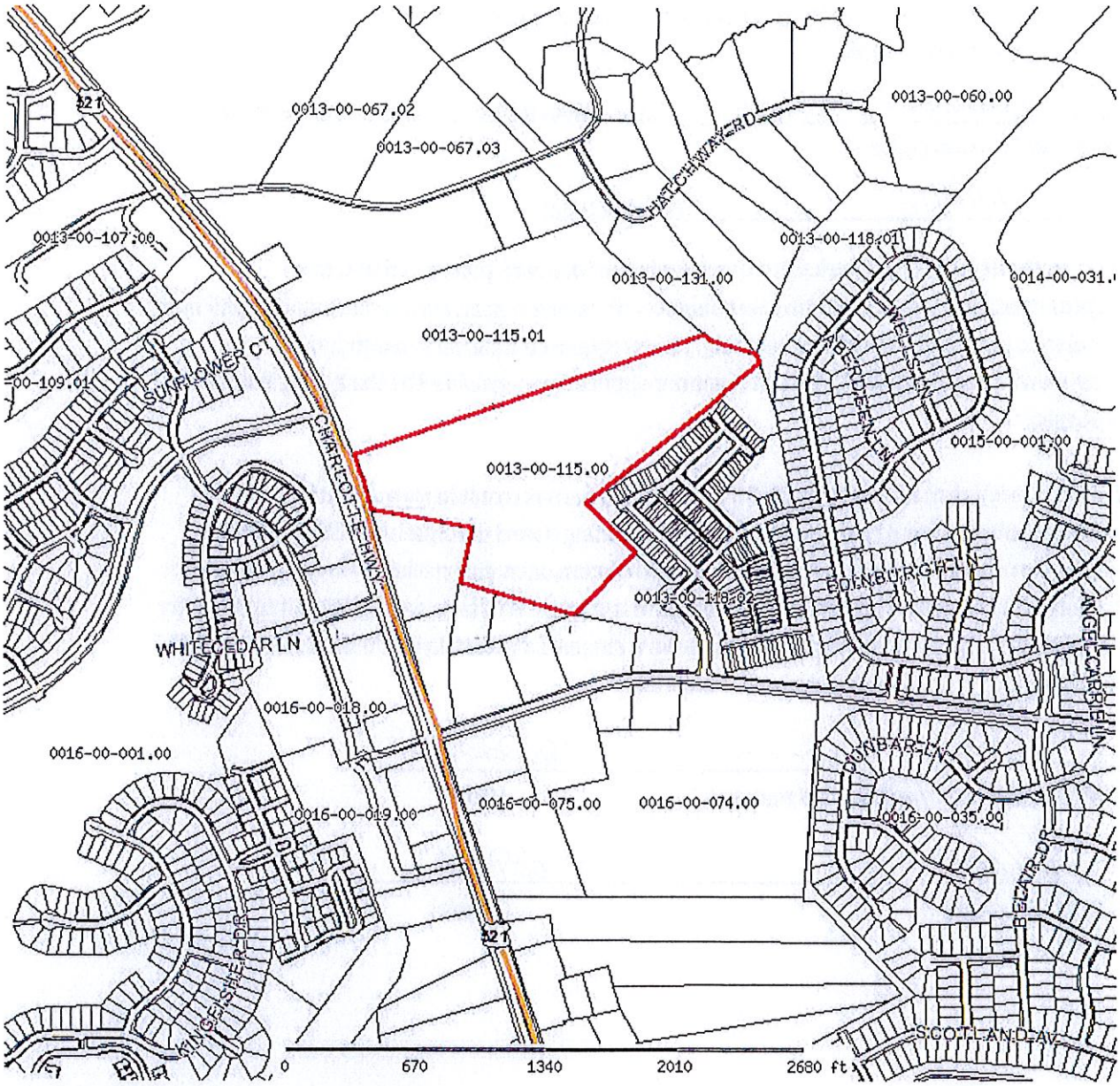
9/13/16 (Hearing Date)

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) 10.22.14 (Date)

(Staff's Signature) 8-9-16 (Date)



Lancaster County Assessor			
Parcel: 0013-00-115.00 Acres: 30.62			
Name:	BL BB-SC CLR VI LLC % STRATEGIC PROPE	Land Value	$1,712,600.00
Site:	HWY 521	Improvement Val	$0.00
Sale:	$$0 on 11-2011 Vacant= Qual=6	Accessory Value	$0.00
Mail:	14785 PRESTON RD STE 660 DALLAS, TX 75254	Total Value	$1,712,600.00

Date printed: 08/19/16 : 13:23:33

Situs/Location Information

Location:	HWY 521
City:	Lancaster
Zip:	29720

Edit

Account Information

Parcel ID:	0013-00-115.00	☐ Closed	☐ Locked
Property ID:	1647	Account Type:	
User Account:		Imp/Vac/YI:	Vacant - Vacant
Property LUC:	NCOM - Comm	Neighborhood:	01A - 01A
Primary Juris:	1 - 1	Market Area:	
Assessed Size:	30.62100	Unit Type:	AC - ACRES
District Group:	4 - 4	District Code:	01 - County
Council District:		Appraisal Area:	01 - 01

Owner/Mailing Information

Owner Name:	RL BB-SC CLR VI LLC
Mailing Address:	14785 PRESTON RD STE 660, DALLAS, TX, 75...

Edit

Associated Parcels:

Enter Parcel ID:

Validate & Add

Narrative - Click for Building Info..

This Parcel contains 30.621 AC of land mainly classified as Comm.

Legal Description

Sales Information

Legal Ref:	643-59		
Date:	11/30/2011	Price:	$0
Grantor:	CORNERSTONE RETAIL LLC		
Validity:	6	LUC:	NLN
Legal Ref:	414-76		
Date:	8/2/2007	Price:	$5
Grantor:	WALLACE LAND VENTURES II LLC		
Validity:	91	LUC:	QUSE

Valuation Information

Appraised:	**In Process Mkt Adj Cost**	**Last 2015 - FV Mkt Adj Cost**
Total Land:	$1,712,700	$1,712,600
Ag Credit:		
Land:	$1,712,700	$1,712,600
Building:		
Yard:		
Mkt Total:	$1,712,700	$1,712,600
Total:	$1,712,700	$1,712,600
Assessed:		
Land:	$102,762	$102,756
Building:		
Yard:		
Total:	$102,762	$102,756
Limited Total:		
Limited Taxable:		

Picture

No image data

#:

Edit

Sketch

No image data

Last Modified:

REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceeding arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Tess or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.

SITE PLAN
N.T.S.

Since 1956
StarliteSign.com
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

CUSTOMER: Hobby Lobby	
STREET ADDRESS: US 521 & Jim Wilson Rd.	
CITY, ST: Indian Land, SC	
ACCT EXEC: Debbie Stellar	PRJ MGR: Samantha Causseaux

Bids are good if accepted within 30 days of proposal. This drawing is the property of Starlite Sign, which reserves all rights to its reproduction and display.

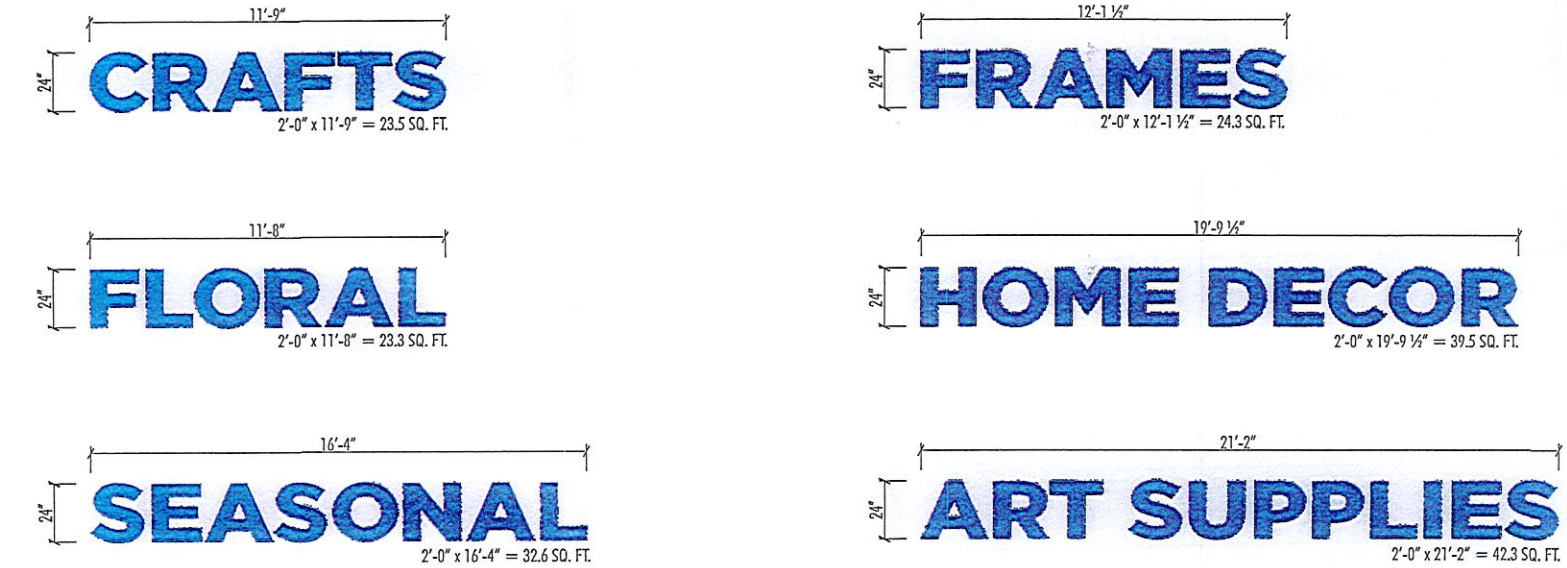
DESIGNER	REV. NO.	DRAW. DATE	DRAWING	PAGE
G. Owens	59542	03-16-16	1603-086	02 of 10

REVISIONS

#	DATE	BY	DESCRIPTION

NOTE TO FABRICATORS: ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

605.16



HL-CF24X-HDS CHANNEL LETTERS
SCALE: ¼" = 1'-0"

SIX 24" DEPT. SIGNS = 185.5 SQ. FT.

Since 1956
StarliteSign LP
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

Customer: Hobby Lobby
Location: US 521 & Jim Wilson Rd.
Area: Indian Land, SC
Acct. Exec.: Debbie Stellar
Art: Samantha Causseaux

Drawn by	Order No.	Drawing Date	Estimate	Page
G. Owens	59542	03-16-16	1603-086	05 of 10

REVISIONS

No.	Date	By	Description

Customer Approval

Written Approval Required

NOTE TO FABRICATORS: ANY CHANGES MADE TO CUSTOMER SPECS MUST BE PRE APPROVED BY PROJECT MANAGER PRIOR TO MANUFACTURING.

27

6.15.16

NON-ILLUMINATED CHANNEL LETTERS

DESCRIPTION
)50 ALUMINUM RETURN PREFINISHED BLACK
3 ALUMINUM BACK
3LACK JEWELITE TRIM
#2114 BLUE ACRYLIC FACE
-CORROSIVE MOUNTING HARDWARE
:P HOLES FOR DRAINAGE
ALL PENETRATIONS TO BE PROPERLY SEALED TO PREVENT WATER DAMAGE TO BLDG.

Since 1956
StarliteSign LLC
www.starlitesign.com
7923 E. McKinney St., Denton, TX 76208
(940) 382-8850 Fax: (940) 387-0429

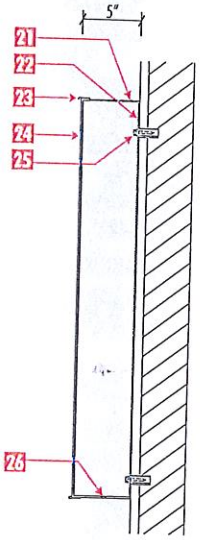
Hobby Lobby
US 521 & Jim Wilson Rd.
Indian Land, SC
Debbie Stellar | Samantha Causseaux

Bids are good if accepted within 30 days of proposal. This drawing is the property of Starlite Sign, on which reserves all rights to its reproduction and display.

DRAWN BY	JOB #	DATE	DWG #	PAGE
G. Owens	59542	03-16-16	1603-086	06 of 10

REVISIONS

#	DATE	BY	DESCRIPTION



SECTION - DEPARTMENT LETTERS
N.T.S.

Construct & Install Using Only U.L. Listed Components & In Accordance w/Art. 600 of the N.E.C. & any Applicable Local Codes.
U/L LABELS REQUIRED

6.15.16

Section 10.10 - Maximum sign surface area for other than freestanding signs.

1. Unless otherwise provided in this section, the total surface area devoted to all signs (other than freestanding signs) on any lot shall not exceed the limitations set forth in this section, and all signs except exempt signs, section 10.6 and section 10.7, and temporary signs described in section 10.8 subsection (1) shall be included in this calculation.
2. Unless otherwise provided in this ordinance, the maximum sign surface area (other than freestanding signs) permitted on a lot in any residential district is four (4) square feet. Commercial businesses which are permitted in any residential district shall be allowed a sign based on the requirements of this section. However, because these commercial uses are not located in areas which are primarily commercial, the maximum sign surface area shall be equal to 32 square feet.
3. Subject to the other provisions of this section, the maximum sign surface area (excluding freestanding sign surface area) permitted on any building in a commercial or industrial zoning district shall be one square foot of sign surface area for each linear foot of frontage for each designated lease area located within the proposed commercial component, not to exceed 75 square feet per leased area in a commercial district or 100 square feet located in an industrial district.
4. If a building in a commercial or industrial zoning district has frontage on more than one street, then the total sign surface area permitted on that building shall be the sum of the sign surface area allotments related to each street (as determined in accordance with subsection 3.) on which the building has frontage. However, the total sign surface area that is oriented toward a particular street shall not exceed the portion of the building's total sign surface area allocation that is derived from frontage on that street.

For example, if a building, in a commercial district, has 75 feet of building frontage on Road "A" and 50 feet of building frontage on Road "B" then the maximum sign surface area for each sign shall be as follows: The sign surface area for the sign facing Road "A" shall not exceed 75 square feet. The sign surface area for the sign facing Road "B" shall not exceed 50 square feet. Under no circumstances shall any portion of the sign surface area for the sign facing Road "A" be allowed to be transferred to the sign facing Road "B" or vise versa. Additionally, no portion of the sign surface area from either of these signs can be used to allow a sign on a portion of the building which does not face either Road "A" or Road "B".

(Ord. No. 417, 3-13-01)

Finding Required for Granting Variance

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

b. These conditions do not generally apply to other property in the vicinity;

c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.

e. The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically nonconforming use of land, or to change the district boundaries shown on the Official Zoning Map.

Findings Required for Granting Variances

BZA-016-010
Lancaster County
Meeting Date: Thursday, November 10th, 2016

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property:** Hobby Lobby is new to this area and most people do not understand the services. The secondary signage describes, and clarifies what products they offer to the public.

b. **These conditions do not generally apply to other property in the vicinity:** The secondary sign is non-illuminated, sized, and spaced to match the appearance of the tenant signage.

c. **Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the Utilization of the property as follows:** Without this variance, there will be confusion as to the services Hobby Lobby offers (They are not in the model train, or remote control plane business.)

d. **The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.** The signage on the storefront will be within proportion to the build as businesses in the same area, and will not take away from other businesses in the community.

e. **The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically non-conforming use of land, or to change the district boundaries shown on the Official Zoning Map:** This variance changes the zoning requirements of the property. There will be no extension of a physically non-conforming use of land nor will any district boundaries be changed.

Variance application of Catawba Regional Council of Governments (CRCOG). The applicant is requesting a variance from Chapter 5 Density and Dimensional Regulations, Section 5.1 minimum lot size requirements of the Lancaster County Unified Development Ordinance in order to subdivide property. BZA 016-015 pgs. 32-58 **Tax Map 81H, Block C, Parcel 11**	**Nick Cauthen**

Discussion:

Conclusions:

Action items:	Person responsible:	Deadline:

Date of Meeting: 11-10-16
__ Approved __ Denied __ No Action

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Catawba Regional C.O.G. The applicant is requesting a variance from Chapter 5 Density and Dimensional Regulations, Section 5.1 minimum lot size requirements of the Lancaster County Unified Development Ordinance in order to subdivide property.

Location: Starnes St., located off Brooklyn Avenue, Lancaster, S.C.

Legal Description: Tax Map 81H, Block C, Parcel 11

Zoning Classification: R-15D (Moderate Density Residential/Manufactured Housing/Agricultural District)

Description of Plan:

The Catawba Regional Council of Governments (CRCOG), in cooperation with our non-profit partner, the Catawba Regional Development Corporation (CRDC), received $5.6 million from the South Carolina Housing Corporation, an agency of the State of South Carolina, for the express purpose of acquiring and demolishing blighted and derelict properties within the Catawba Region.

Under the program, the Catawba Regional Development Corporation may acquire properties that are deemed "blighted" by the respective jurisdictions, demolish the structures, abate any environmental issues present, and grade/seed the property in an effort to make it conducive to future development. An additional requirement is that the CRDC must hold the property for a period of three years and may not do anything with the property during this hold period unless its use is deemed for the "greater public good." We are currently working on the acquisition and demolition of 55 other blighted properties throughout Lancaster County.

The Starnes Street property with a tax map number of 0081H-0C-011.00 is approximately 2.3 acres and has eight abandoned blighted dwelling units located on it. Each of these units is believed to contain asbestos and will require mitigation to that effect. Additionally, the property has a long history of criminal activity that has taken place upon it and has subsequently become a key focus for demolition and cleanup by Lancaster County.

A fiscal constraint of the NIP program is that you may not exceed actual costs of $35,000 per property to include acquisition, environmental abatement, cleanup, and associated legal / management fees, liens, etc. – the allocated funding is per parcel, not per structure. Due to the anticipated acquisition, demolition and abatement costs associated with each of the eight structures, it is necessary to divide the parcel, temporarily, so that each of the structures resides on an individual parcel that may then respectively be submitted individually for inclusion in the NIP program.

We fully realize that the proposed parcels are unorthodox in nature and do not meet requirements set by Lancaster County. The proposed subdivision is strictly a means to an end for gaining grant funds for demolition and cleanup of this property. Following the required three year hold period, the Catawba Regional Development Corp. will convey the property to Lancaster County and, per the attached letter from Steve Willis, County Administrator, the county will pursue recombining the improved lots back into the original single lot bounds.

In addition this was stated by County Administrator Steve Willis,

Dear Cole,

Per our discussion today, should the Board of Zoning Appeals grant the variances to subdivide the property on Starnes Street so that the grant can fund demolition of the derelict structures, Lancaster County will assist in recombining the parcels at a later date. While obviously the final decision will rest with the Council then serving, it is our desire that at the end of the three year period Council would accept donation of the lots in the Brooklyn community with the intent of working with either Habitat for Humanity or through the HOME program to bring affordable owner occupied housing to the area.

With kindest regards, I am

Sincerely yours,

Steve Willis
County Administrator

The entirety of both of these documents can be found in the packet.

As stated above the applicant is seeking to divide the property into 8 separate lots. The minimum lot size in R-15D is 14,520 sq. ft. Four of the eight proposed lots will need variances as follows:

Lot 1: 6,752 sq. ft. (7,768 sq. ft. variance needed)
Lot 2: 8,494 sq. ft. (6,026 sq. ft. variance needed)
Lot 6: 12,197 sq. ft. (2,323 sq. ft. variance needed)
Lot 7: 9,932 sq. ft. (4,588 sq. ft. variance needed)

B. Site Information

Site Description: The property is located approximately 1,000 ft. west of Main St., located on the south side of Brooklyn Avenue off of Starnes St. The property consists of 2.3 acres. Eight abandoned homes currently occupy the subject property.

C. Vicinity Data

Surrounding Conditions: The surrounding property is zoned R-15D and R-15. There is one commercial property located at the corner of Brooklyn Ave and Todd St. but the remaining adjacent parcels are all residential.

D. Exhibits

1. Variance Application
2. Property Map
3. Lancaster County Tax Inquiry Sheet
4. Catawba Regional Memorandum
5. Steve Willis Letter
6. Photos of the Property
7. UDO – Section 5.1 Minimum lot size requirements
8. Findings Required for Granting Variances
9. Findings Required for Granting Variances – Planning

II. Findings

Code Considerations: Chapter 5, Density and Dimensional Regulations

---

I agree that the facts and findings as stated above are true and correct.

_____

Applicant signature(s) Date

LANCASTER COUNTY BOARD OF ZONING APPEALS
APPLICATION FORM #1

GENERAL INFORMATION

Date Filed: 10/10/16 Application No: BZA-016-015

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

(X) For a variance as stated on Form 3

( ) For a special exception as stated on Form 4

Applicant(s) Print:

Name: Catawba Regional COG Address: P.O. Box 450 Rock Hill, SC 29730

Attn: Cole McKinney

Telephone: 803-327-9041 Work: 803-327-9041

Interest: Grant Administration Owner(s):

Other: SEE ATTACHED

Owner(s) If other than applicant: ACAM Investments, LLC

Address: 9101 Valley Brook Ct. Marvin, NC 28173 Telephone: 704-516-0700

Work: 704-516-0700 Other Information: Contact: Rich Russell

PROPERTY INFORMATION

Property address: Starnes St

Lot Area/Acres: 2.3 Ac Block: Subdivision:

Tax Map #: 0208H-00-011 Plat Book: 2 Page: 164

Lot Size or Dimension: 2.3 Ac Zoning Classification: R15D

Use of Surrounding Properties: R15D

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: 10/10/16 Member Manager
HCAM Investments LLC

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: 10/10/16 **Applicant Signature(s)**

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION – FORM #3

Date Filed: 10/10/16 Application No. BZA-016-015

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 5.1 so that a zoning permit may be issued or permission granted to allow the use of the property described as follows:

SEE ATTACHED

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 number of existing structures inhibits the ability to demolish them under the NIP program. SEE ATTACHED

b) These conditions do not generally apply to other property in the vicinity as shown by: Other properties within the neighborhood acquired through NIP are one stucture per lot.

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

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: _____

The demolition of the Stamos St. properties via NIP will improve the value of surrounding properties.

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

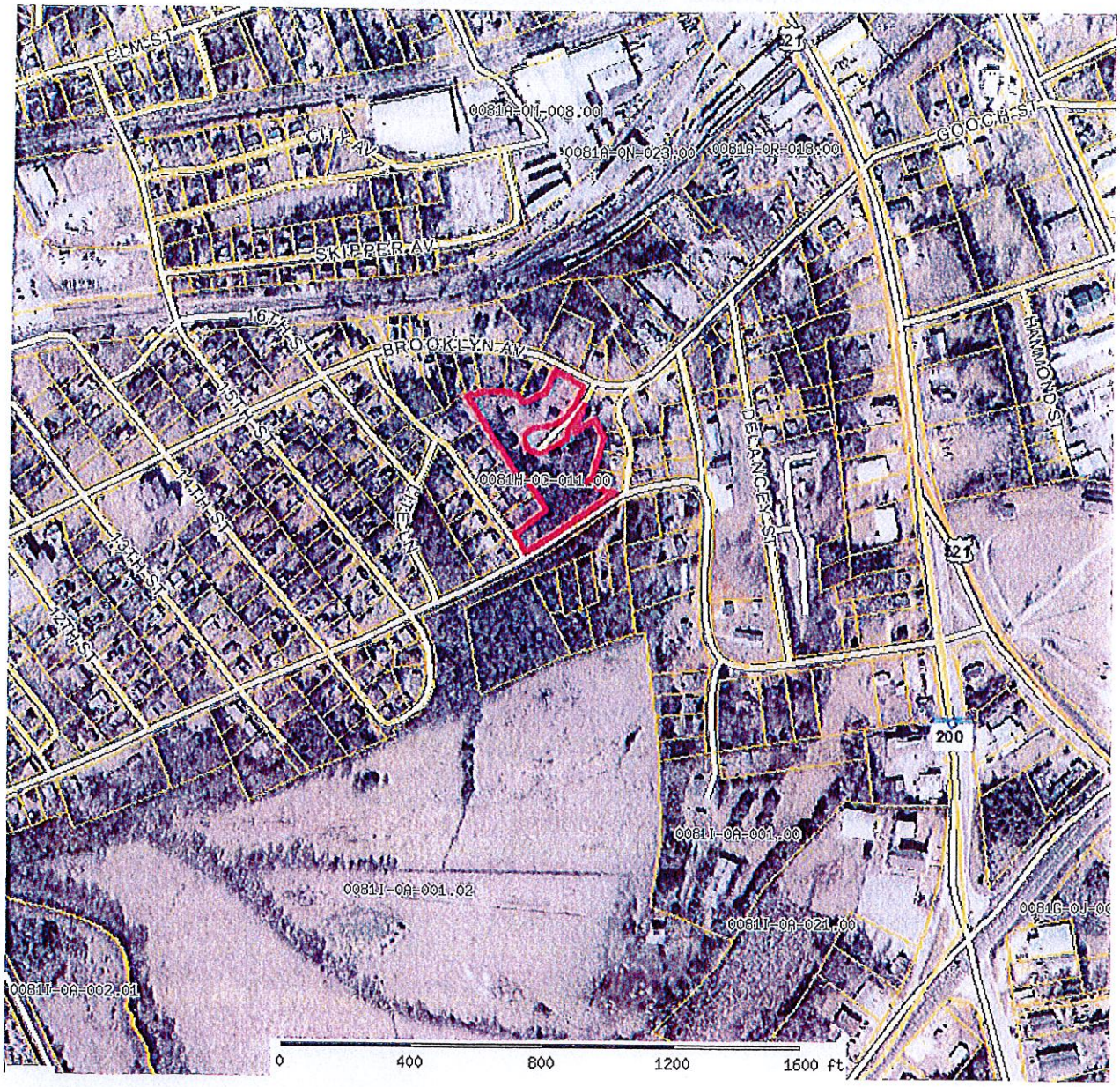
SEE BELOW *

Date: 10/10/16

Applicant signature(s)

* Attachments

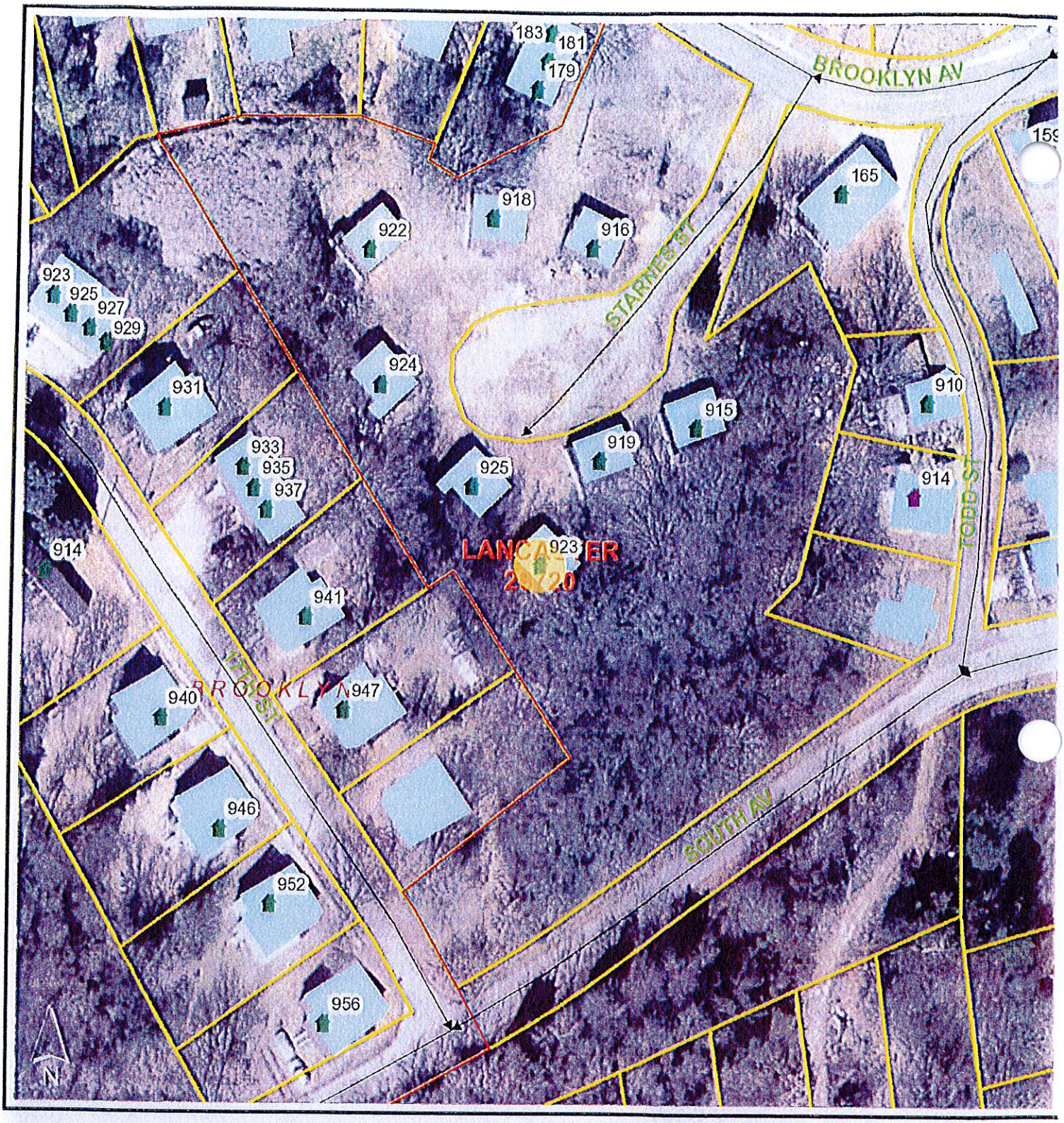
- Memo from CRCOG
- Letter from Steve Willis
- Memo re: fee waiver
- Map of Brooklyn NIP houses
- Address Map - 911
- Photos from Lancaster County Zoning



Lancaster County Assessor			
Parcel: 0081H-0C-011.00 Acres: 2.3			
Name:	ACAM INVESTMENTS LLC	Land Value	$27,600.00
Site:	STARNES ST	Improvement Val	$3,200.00
Sale:	$$4,000 on 06-2014 Vacant= Qual=9N	Accessory Value	$0.00
Mail:	9101 VALLEY BROOK CT MARVIN, NC 28173	Total Value	$30,800.00

Date printed: 10/08/15 : 13:58:19


Lancaster County NIP Project
Brooklyn Neighborhood
NIP Houses
City of Lancaster
Starnes Street Property
0
500
1,000
Feet
N
CITY AV
OLD SKIPPER AV
SKIPPER AV
16TH ST
BROOKLYN AV
STARNES ST
TODD ST
CHAFFEE RD
LOUISA ST
LOUISA PARK LN
SOUTH AV
17TH ST
15TH ST
14TH ST
13TH ST
12TH ST
11TH ST
LITE LN
LOFTON
9TH ST
10TH ST
S MAIN



Public Safety Communications

LANCASTER COUNTY 911

A Few Serving Many

Address Slip

923 STARNES ST
LANCASTER, SC 29720

PIN: 0081H-0C-011.00

Comments:

0 25 50 100 150 200 Feet

1 inch = 77 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.
In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 8/17/2016

Situs/Location Information

Location:	STARNES ST
City:	Lancaster
Zip:	29720

Edit

Account Information

Parcel ID:	0081H-0C-011.00	☐ Closed	☐ Locked
Property ID:	13511	Account Type:	
User Account:		Imp/Vac/YI:	Improved - I...
Property LUC:	NRN - NQRes	Neighborhood:	14 - 14
Primary Juris:	1 - COUNTY	Market Area:	
Assessed Size:	2.30000	Unit Type:	AC - ACRES
District Group:	4 - 4	District Code:	01 - County
Council District:		Appraisal Area:	03 - 03

Owner/Mailing Information

Owner Name:	ACAM INVESTMENTS LLC
Mailing Address:	9101 VALLEY BROOK CT, MARVIN, NC, 28173

Edit

Associated Parcels:

Enter Parcel ID:

Validate & Add

Narrative - Click for Building Info..

This Parcel contains 2.300 AC of land mainly classified as NQRes. It has 8 building(s) with a total of 5,760 square feet.

Legal Description

238X50.4X126.2X2

Sales Information

Legal Ref:	801-328		
Date:	6/9/2014	Price:	$4,000
Grantor:	CHRIS AZAR		
Validity:	9N	LUC:	NRN
Legal Ref:	649-288		
Date:	1/10/2012	Price:	$5,200
Grantor:	ANDREW ETAL PRESLEY		
Validity:	9N	LUC:	NRN

Valuation Information

Appraised:	**In Process Mkt Adj Cost**	**Last 2015 - FV Mkt Adj Cost**
Total Land:	$27,600	$27,600
Ag Credit:		
Land:	$27,600	$27,600
Building:	$6,100	$3,200
Yard:		
Mkt Total:	$33,700	$30,800
Total:	$33,700	$30,800
Assessed:		
Land:	$1,656	$1,656
Building:	$366	$192
Yard:		
Total:	$2,022	$1,848
Limited Total:		
Limited Taxable:		

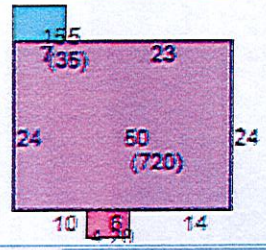
Picture

No image data

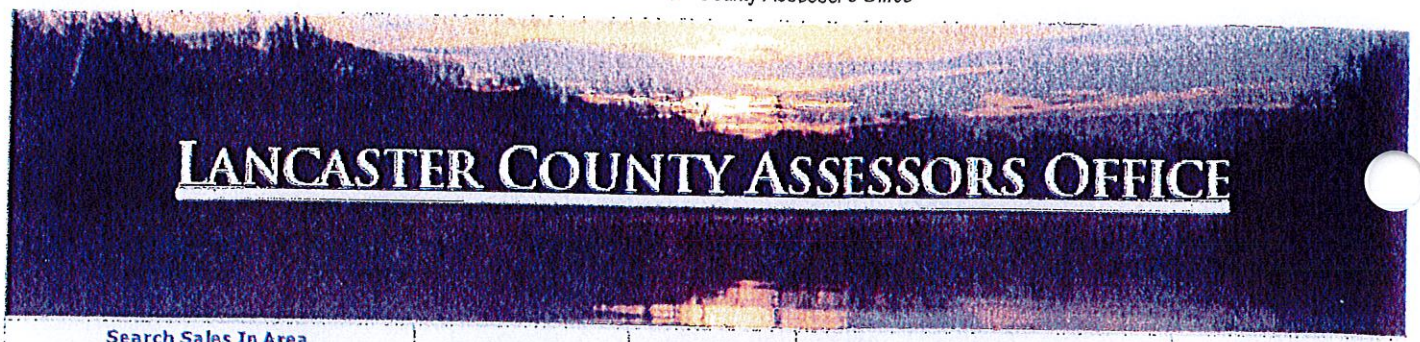
#:

Edit

Sketch



Last Modified: 1/24/2016



Search Sales In Area
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Owner and Parcel Information

Owner Name	ACAM INVESTMENTS LLC	Today's Date	October 8, 2015
Mailing Address	9101 VALLEY BROOK CT MARVIN, NC 28173	Parcel Number	0081H-0C-011.00 (Account#:13511)
		Millage Group	County (01)
Location Address	STARNES ST	Plat Book/Page	0002 / 0164
		Lot # / Block #	/
Property Usage	Non Qualified Residential (NRN)	Land Size	2.3 AC
Homestead	No	Parcel Map	Show Parcel Map
Legal Description	238X50.4X126.2X2		

Value Information

Year	Land Value	Building Value	Yard Item Value	Total Market Value	Ag Credit	Taxable Land Value	Total Taxable Value	Capped Taxable Value	Total Assessment
2015	$ 27,600	$ 3,200	$ 0	$ 30,800	$ 0	$ 27,600	$ 30,800	NA	1,848
2014	$ 27,600	$ 3,200	$ 0	$ 30,800	$ 0	$ 27,600	$ 30,800	NA	1,848
2013	$ 27,600	$ 4,700	$ 0	$ 32,300	$ 0	$ 27,600	$ 32,300	NA	1,938
2012	$ 27,600	$ 4,700	$ 0	$ 32,300	$ 0	$ 27,600	$ 32,300	NA	1,938
2011	$ 32,200	$ 81,100	$ 0	$ 113,300	$ 0	$ 32,200	$ 113,300	NA	6,798

Land Information

Land Use	Number Units	Unit Type	Land Type	Frontage	Depth	Notes
Non Qualified Residential (NRN)	2.3	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			
Non Qualified Residential (NRN)	0	AC	P			

Building Information

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 1

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 2

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**

Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 3

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 4

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 5

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	779	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 6

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	786	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 7

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built	Photo
Single Family Dwelling	786	720	1 Story		Wood Siding	1978	1978	NA
Foundation	**Roof Type**	**Roof Coverage**	**Flooring Type**	**Heating Type**	**Bathrooms**	**Grade**	**Number Fire Pl**	**Sketch**
Perim Foot	Gable	Composition	Vinyl	Floor\Wall Furnace	1.0	D-10	0	Sketch Building 8

Miscellaneous Information

Building Type	Quantity	Units	Year Built

No miscellaneous information available for this parcel.

Sales Information

OR Book/Page	Sale Date	Sale Price	Instrument	Qualification	Vacant/Improved	Grantor	Grantee
801/328	2014-06-09	$ 4,000	DEED (DEED)	TAX SALE (9N)	Improved	AZAR,CHRIS	ACAM INVESTMENTS LLC
649/288	2012-01-10	$ 5,200	DEED (DEED)	TAX SALE (9N)	Improved	PRESLEY,ANDREW ETAL	AZAR CHRIS
519/282	2009-06-09	$ 70,000	DEED (DEED)	SOLD DOES NOT MATCH APPRAISAL RECORD (1)	Improved	SNIPES WILLIAM T,	PRESLEY ANDREW ETAL
0144/0142	2001-12-31	$ 120,000		FAMILY SALE (2)	Improved	HARPER JOHN BART	

Search Sales In Area Previous Parcel Next Parcel Return to Main Search Page Lancaster Home

Catawba Regional
Council of Governments

MEMORANDUM

To: Lancaster County Board of Zoning Appeals
From: Cole McKinney, Catawba Regional Council of Governments
Date: October 10, 2016
Subject: Starnes Street Property

Inclusion of Starnes Street Property within the Neighborhood Initiative Program (NIP)

The Catawba Regional Council of Governments (CRCOG), in cooperation with our non-profit partner, the Catawba Regional Development Corporation (CRDC), received $5.6 million from the South Carolina Housing Corporation, an agency of the State of South Carolina, for the express purpose of acquiring and demolishing blighted and derelict properties within the Catawba Region.

Under the program, the Catawba Regional Development Corporation may acquire properties that are deemed "blighted" by the respective jurisdictions, demolish the structures, abate any environmental issues present, and grade/seed the property in an effort to make it conducive to future development. An additional requirement is that the CRDC must hold the property for a period of three years and may not do anything with the property during this hold period unless its use is deemed for the "greater public good." We are currently working on the acquisition and demolition of 55 other blighted properties throughout Lancaster County.

The Starnes Street property with a tax map number of 0081H-0C-011.00 is approximately 2.3 acres and has eight abandoned blighted dwelling units located on it. Each of these units is believed to contain asbestos and will require mitigation to that effect. Additionally, the property has a long history of criminal activity that has taken place upon it and has subsequently become a key focus for demolition and cleanup by Lancaster County.

A fiscal constraint of the NIP program is that you may not exceed actual costs of $35,000 per property to include acquisition, environmental abatement, cleanup, and associated legal / management fees, liens, etc. – the allocated funding is per parcel, not per structure. Due to the anticipated acquisition, demolition and abatement costs associated with each of the eight structures, it is necessary to divide the parcel, temporarily, so that each of the structures resides on an individual parcel that may then respectively be submitted individually for inclusion in the NIP program.

We fully realize that the proposed parcels are unorthodox in nature and do not meet requirements set by Lancaster County. The proposed subdivision is strictly a means to an end for gaining grant funds for demolition and cleanup of this property. Following the required three year hold period, the Catawba Regional Development Corp. will convey the property to Lancaster County and, per the attached letter from Steve Willis, County Administrator, the county will pursue recombining the improved lots back into the original single lot bounds.

Lancaster County

P.O. Box 1809
101 N. Main St.
Lancaster, SC 29721

Telephone:
803-285-1565

February 12, 2016

Mr. Cole McKinney
Catawba Regional Council of Governments
Post Office Box 450
Rock Hill, South Carolina 29731-0450

RE: Starnes Street

Dear Cole,

Per our discussion today, should the Board of Zoning Appeals grant the variances to subdivide the property on Starnes Street so that the grant can fund demolition of the derelict structures, Lancaster County will assist in recombining the parcels at a later date. While obviously the final decision will rest with the Council then serving, it is our desire that at the end of the three year period Council would accept donation of the lots in the Brooklyn community with the intent of working with either Habitat for Humanity or through the HOME program to bring affordable owner occupied housing to the area.

With kindest regards, I am

Sincerely yours,

Steve Willis
County Administrator

SW/
cc: Council Chairman Bob Bundy
Councilwoman Charlene McGriff, District 2
Kenneth Cauthen, Zoning Director
Penelope Karagounis, Planning Director


916 Starnes

918 Starnes

922 Starnes

gay stones

9.25 Stones

gas stones

919 Stones

915 Starnes

Section 5.1 - Minimum lot size requirements.

1. Subject to subsection 2., all lots in the following zones shall have a minimum of the amount of square footage indicated in the following table:

Zone	Minimum Square Feet on Central Water and Sewer
R-45B	43,560
R-45A	43,560
R-45	43,560
R-30D	29,040
R-30P	29,040
R-30S	29,040
R-30	29,040
R-15P	29,040
R-15D	14,520
R-15S	14,520
R-15	14,520
MF	14,520
B-1	3,000
B-2	5,000

B-3	7,000
B-4	7,000
I-1	No Minimum
I-2	No Minimum
If served by well and/or septic tanks, SCDHEC regulations shall determine area of lot(s). However, if SCDHEC regulations allow the area of a lot or lots to be smaller than what is required by this table then the minimums established by this table shall apply.	

2. The minimum lot sizes set forth in this section are permissible only if and to the extent that adequate water and sewer facilities are or can be made available to serve every lot.
3. Public utility companies shall be exempt from the minimum lot area and width requirements if the lot being created is to be used for a use which does not require bathroom facilities and/or water service to be extended to the site. The structure(s) placed on these parcels shall be required to meet all applicable setback requirements. A Type I buffer yard shall be installed around the entire perimeter of the property.

(Ord. No. 323, 2-1-99; Ord. No. 696, 10-3-05)

Finding Required for Granting Variance

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

b. These conditions do not generally apply to other property in the vicinity;

c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.

e. The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically nonconforming use of land, or to change the district boundaries shown on the Official Zoning Map.

Findings Required for Granting Variances

BZA-016-015
Lancaster County
Meeting Date: Thursday, November 10th, 2016

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes and explains in writing all of the following findings:

a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property:** The number of existing structures inhibits the ability to demolish them under the NIP program.

b. **These conditions do not generally apply to other property in the vicinity:** Other properties within the neighborhood acquired through NIP are one structure per lot.

c. **Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the Utilization of the property as follows:** Without a variance the maximum amount of grant money will not be granted considering all of the houses are currently on one parcel.

d. **The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by granting of the variance nor will the granting of a variance impair the purpose and intent of this Ordinance or the Comprehensive Plan.** The demolition of the Starnes St. properties via NIP will improve the value of surrounding properties.

e. **The Board shall not grant a variance the effect of which would not be to allow the establishment of a use not otherwise permitted in a zoning district, to extend a physically non-conforming use of land, or to change the district boundaries shown on the Official Zoning Map:** This variance changes the zoning requirements of the property. There will be no extension of a physically non-conforming use of land nor will any district boundaries be changed.