

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

**GENERAL INFORMATION**

Date Filed: 11-8-16 Application No: BZA-016-016

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: RL BB-SC CLR VI, LLC (Attn: Michael Kaney) Address: 330 SW 2nd Street, Suite 111  
Fort Lauderdale, FL 33312

Telephone: 919-917-7298 Work: 919-917-7298

Interest: Fee Simple Owner Owner(s): RL BB-SC CLR VI, LLC

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

Owner(s) If other than applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

**PROPERTY INFORMATION**

Property address: North East Corner of US Highway 521 & Jim Will Road - See PINs below

Lot Area/Acres: 82.75-acres Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

PINs - 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

Tax Map #: \_\_\_\_\_ Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_

Lot Size or Dimension: See attached Zoning Classification: PDD-20

Use of Surrounding Properties: Commercial to the west, vacant to the north, residential to the east and vacant (but zoned commercial) to the south



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

\_\_\_\_\_

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: November 7, 2016 Applicant Signature(s) See signature block

Applicant: RL BB-SC CLR VI, LLC

By: SC 521 Indian Land Reserve, LLC,  
its sole member

By: Lennar Commercial, LLC  
its sole member

By: Deborah De Luca

Deborah De Luca  
Its Vice President

APPEAL FROM ACTION OF ZONING OFFICIAL - FORM 2

BOARD OF ZONING APPEALS

Date Filed: 11-8-16 Permit Application No. \_\_\_\_\_ Appeal No. BZA-016-016

1. Applicant hereby appeals to the board of zoning appeals from the action of the zoning official affecting the property described in this application on the grounds that:

Applicant does not agree with the Lancaster County Zoning officials interpretation of sign area pursuant to UDO Section 10.9.4

\_\_\_\_\_ granting \_\_\_\_\_ denial of an application for a permit to

was erroneous and contrary to provisions of the zoning ordinance in Section

\_\_\_\_\_ ; or other action or decision of the zoning official was erroneous as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Applicant is aggrieved by the action or decision in that: Applicant is aggrieved by

staff interpretation because Applicant does not agree it is being allowed the maximum

permissible building signage as allowed due to the distance the applicants buildings

are from the existing public road based on the interpretation of UDO Section 10.9.4

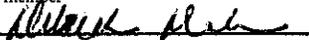
This puts Applicant's Tenant's at a competitive disadvantage

3. Applicant contends that the correct interpretation of the zoning ordinance as applied to the property is: \_\_\_\_\_

Per Section 10.9.4, the "sign surface area" of any sign located on the wall of a structure where the closest element of the sign is at least 500 feet from the edge of the traveled portion of the street then the sign surface area shall be computed by multiplying the true sign surface area by 0.3. Therefore, to calculate the "sign surface area" it should be the actual size of the wall sign on the building wall multiplied by 0.3 and as long as that product does not exceed the maximum allowable "sign surface area" than we should be permitted that true/actual area of wall signage.

4. Applicant requests the following relief: The Applicant request the actual wall sign surface area for the proposed wall signs be multiplied by 0.3 and as long as the product of that multiplication is less than the maximum allowable "sign surface area" then the actual wall sign size be allowed.

Date: November 7, 2016

Applicant signature: By: 

RL BB-SC CLR VI, LLC  
By: SC 521 Indian Land Reserve, LLC,  
its sole member  
By: Lennar Commercial, LLC  
its sole member

Deborah De Luca  
Its Vice President

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, Deborah De Luca, in the capacity indicated below, have signed that I am aware of the Zoning Board of Appeals hearing date.

December 13, 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.

RL BB-SC CLR VI, LLC

By: SC 521 Indian Land Reserve, LLC its sole member

By: Lennar Commercial, LLC its sole member

By: Deborah De Luca

(Property owner / Applicant's signature)

Deborah De Luca  
Its: Vice President

(Staff's Signature)

November 7, 2016

(Date)

11/8/16

(Date)