

**LANCASTER COUNTY
BOARD OF ZONING APPEALS**

**December 08, 2015
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 – November 2015	Chairman
Variance application of Doby’s Bridge Road Development Partners, LLC. The applicant is requesting a variance from Chapter 2, Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the design requirements. Pgs. 1-20 BZA 015-009 Tax Map 13, Parcel 18	Nick Cauthen
Variance application of Janis A. Tacy. The applicant is requesting a variance from Chapter 2, Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the parking requirements for a new church building for Faith Presbyterian USA. Pgs. 21-36 BZA 015-010 Tax Map 16, Parcel 31	Nick Cauthen
Variance application of Mr. Mark Brenchley. 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 CVS Pharmacy. Pgs. 37-55 BZA 015-011 Tax Map 86D, Block F, Parcel 1	Nick Cauthen

Variance application of Doby's Bridge Road Development Partners, LLC. The applicant is requesting a variance from Chapter 2, Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the design requirements. Pgs. 1-20

Nick Cauthen

BZA 015-009

Tax Map 13, Parcel 18

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

Discussion:		
Conclusions:		
Action items:	Person responsible:	Deadline:

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Doby's Bridge Road Development Partners, LLC. The applicant is requesting a variance from Chapter 2 Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the design requirements.

Location: Along the eastern side of Charlotte Highway at the intersection of Doby's Bridge Road.

Legal Description: Tax Map 13, Parcel 18

Zoning Classification: B-3 (General Commercial District)

Description of Plan: The applicant wants to place commercial/retail development on the property. The applicant does not believe the Highway Corridor Overlay district is appropriate for this development considering the majority of the property within the Cross Creek Development Master Plan has already been developed prior to the passage of this newly adopted ordinance.

B. Site Information

Site Description: The property contains 2 outparcels for a total of 2.04 acres. The lots are both currently vacant.

C. Vicinity Data

Surrounding Conditions: The surrounding property is primarily commercial and zoned B-3. Although Indian Land Middle School is located across the street and is zoned R-30p. Salsarita's Mexican restaurant is located beside the subject property along with the Publix Super Market and adjacent shopping center.

D. Exhibits

1. Variance Application
2. Location Map
3. Lancaster County Tax Inquiry Sheet
4. Parcel Exhibit
5. Photos of the area
6. UDO – Highway Corridor Overlay District
7. Findings Required for Granting Variances
8. Findings Required for Granting Variances – Planning

II. Findings

Code Considerations: Section 2.1.5 Overlay Districts

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: 11-3-15 Application No: BZA-015-009

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
- (X) For a variance as stated on Form 3
- () For a special exception as stated on Form 4

Applicant(s) Print:

Name: Doby's Bridge Road. Dev. Partners LLC Address: 11016 Rushmore Dr. Ste 160
Charlotte, NC 28277

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

Interest: _____ Owner(s): _____

Other: Brian M. Rollar - Director of Dev. brian.rollar@york-developmentgroup.com

Owner(s) If other than applicant: _____

Address: _____ Telephone: _____

Work: _____ Other Information: _____

PROPERTY INFORMATION

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

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

Total: 2.04 ac

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

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

Use of Surrounding Properties: Commercial Retail Shopping Center

Publix anchored.



Designation Agent (complete only if owner is not applicant)

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

Date: 10.30.15

Brian M. Rolla



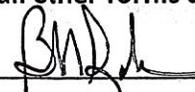
Owner(s) Signature(s)



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: 10.30.15

Applicant Signature(s) 

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION - FORM #3

Date Filed: 11-3-15 Application No. BZA-015-009

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: Highway Corridor Overlay Dist. so that a zoning permit may be issued or permission granted to allow the use of the property described as follows:

Commercial / Retail Development

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: Master Plan to B-3 zoning before adoption of Highway Corridor Overlay District. 80% of property already developed including adjacent out parcels

b) These conditions do not generally apply to other property in the vicinity as shown by: Cross Creek out parcel development, Bojangles, Quik Trip, etc.

c) Because of these conditions, the application of the Lancaster County Unified Development Ordinance to the particular piece of property would prohibit or unreasonably restrict the utilization of the property as follows: Multiple design requirements to an existing shopping center that would conflict with existing & constructed development within the cross creek shopping center. Additionally there are conflicts with existing legal exhibits attached to our Publix lease. (exhibit A)

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: All surrounding development constructed to original B-3 zoning prior to implementation of Highway Corridor Overlay District (see pictures)

The following documents are hereby submitted in support of this application: Exhibit A - Cross Creek site plan attached to Public lease Exhibit B - Outparcel plan existing and proposed exhibit C - photo graphics.

Date: 10.30.15

BNRk

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

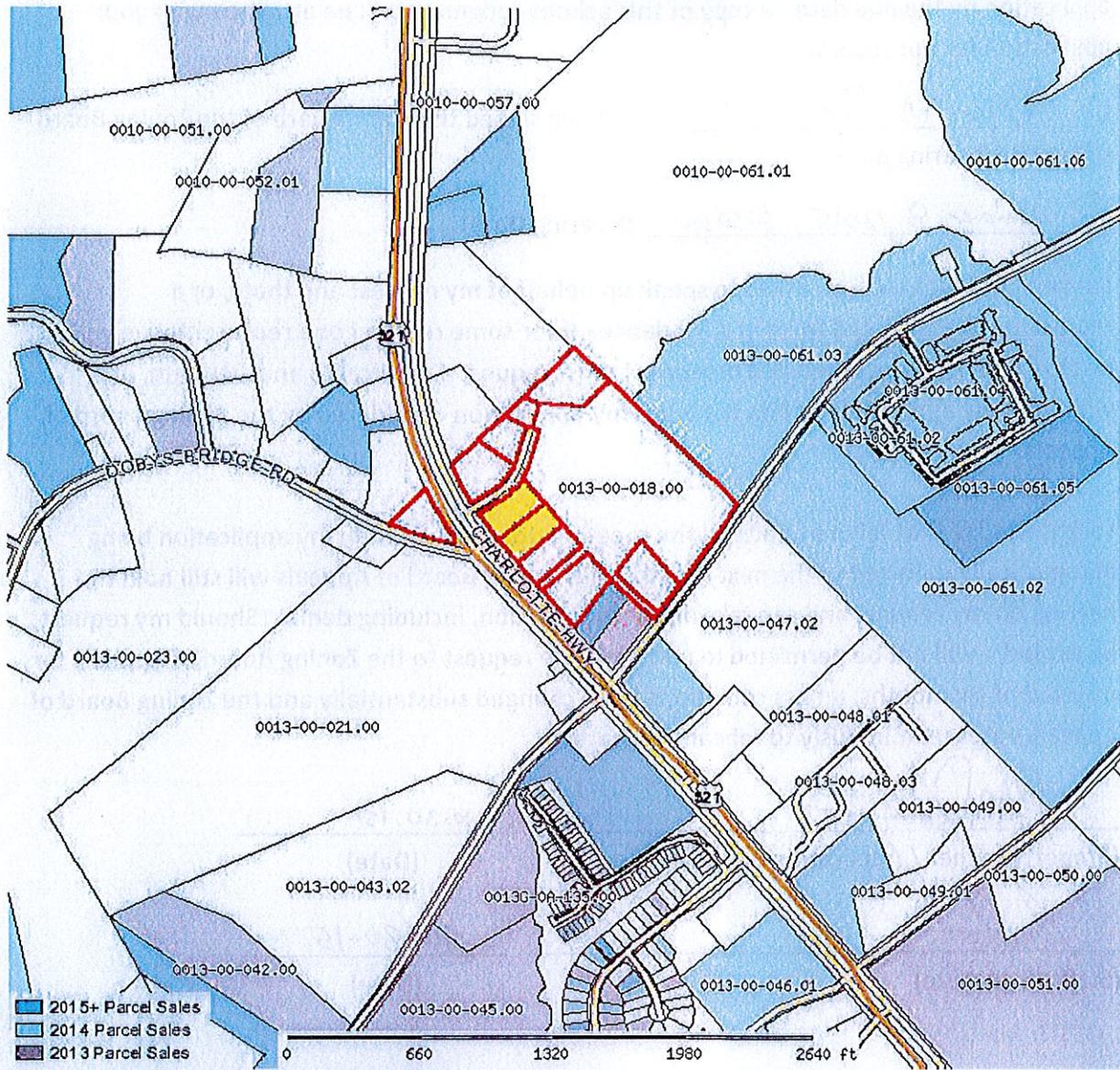
December 8, 2015 6:30 pm (Hearing Date)

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.

BMRella 10.30.15
(Property owner / Applicant's signature) (Date)

[Signature] 10-30-15
(Staff's Signature) (Date)



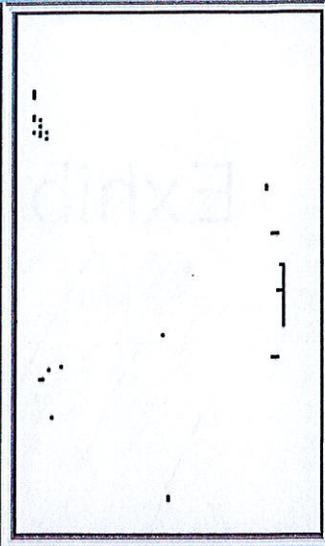
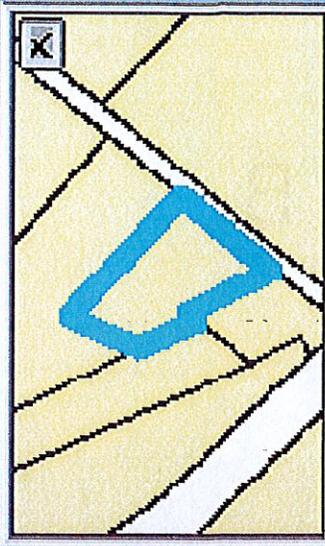
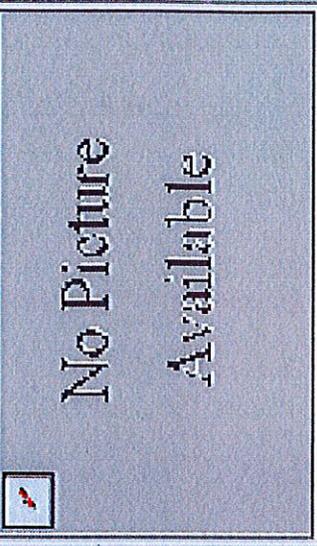
Lancaster County Assessor			
Parcel: 0013-00-018.00 Acres: 25.66			
Name:	DOBYS BRIDGE ROAD DEVELOPMENT	Land Value	\$6,464,500.00
Site:	8360 COLLINS ROAD	Improvement Value	\$5,673,400.00
Sale:	\$\$665,000 on 05-2010 Vacant= Qual=1	Accessory Value	\$473,700.00
Mail:	11930 PROVIDENCE RD W STE C-1 CHARLOTTE, NC 28277	Total Value	\$12,611,600.00



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--
Date printed: 11/30/15 : 16:05:27

Add Mod Del Save Cancel

Indexed By Parcel ID Card #



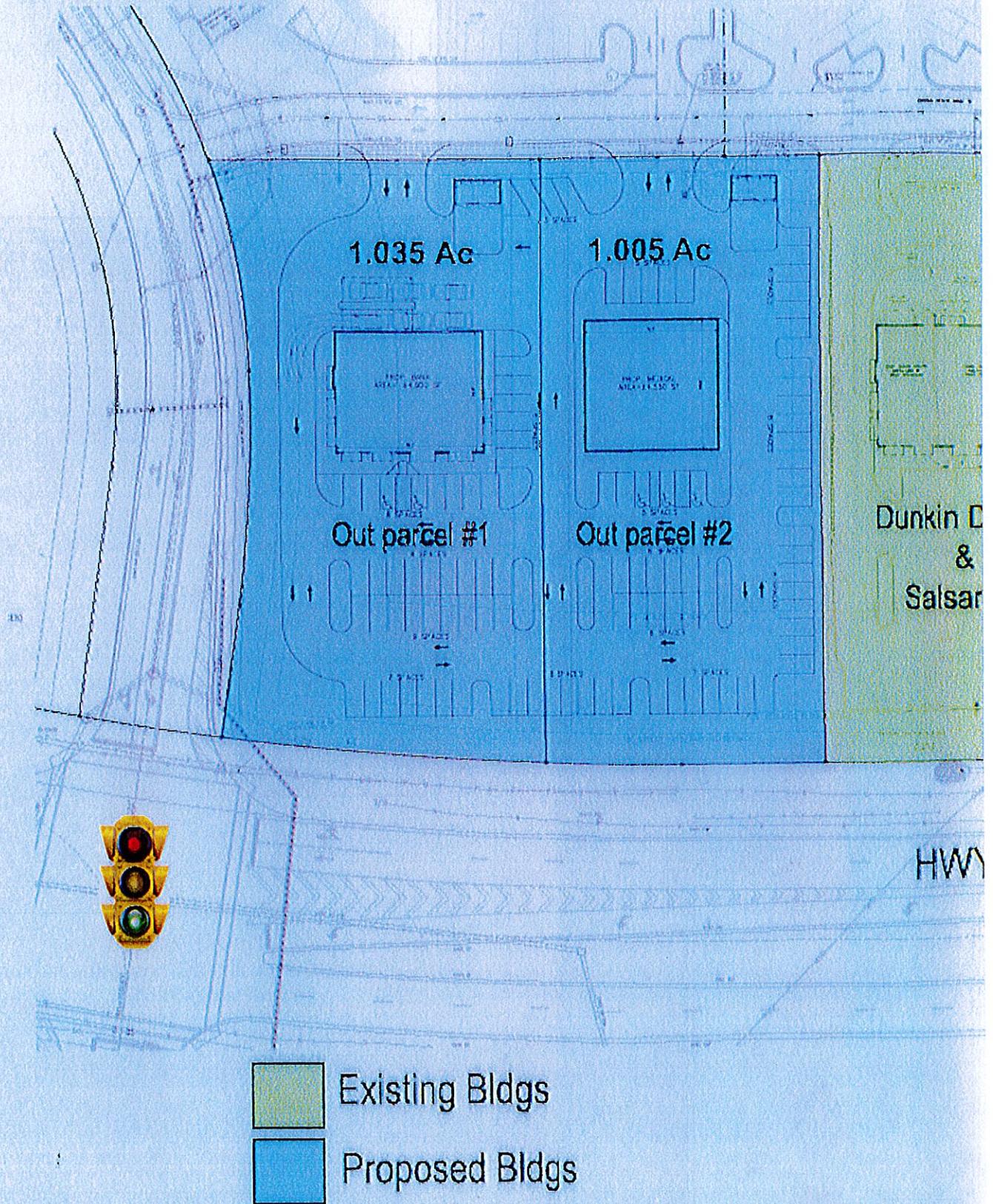
Parcel ID: 0013-00-018.00 Card: 1/4
 Account: 1514 District: 01 - County
 Sticker #: Ent. Parcel Area: 25.658 - AC
 Location: 8360 COLLINS ROAD Lancaster Neigh: 01B - 01B
 Land Use: NCOM - Comm
 Owner #1: DOBYS BRIDGE ROAD DEVELOPMENT Owin Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	25.658	25.658	PUBLIX/RETAIL
Full Market Value:	12,611,600	11,836,600	
Building Value:	5,673,400	4,898,400	
Yard Items:	473,700	473,700	
Land Value:	6,464,500	6,464,500	
Total Value:	12,611,600	11,836,600	
Assessed Value:	622,266	710,196	
Capped Total:	12,611,600	11,836,600	Reval / Market 01

Sales Information
 Grantor: DOBYS BRIDGE ROAD Validity: 1
 Sale Price: 665,000 Sold Vacant: No
 Sale Date: 5/3/2010
 Legal Ref: 563-1

Office Notes Notes

Exhibit B





Cross Creek Retail

Indian Land, South Carolina

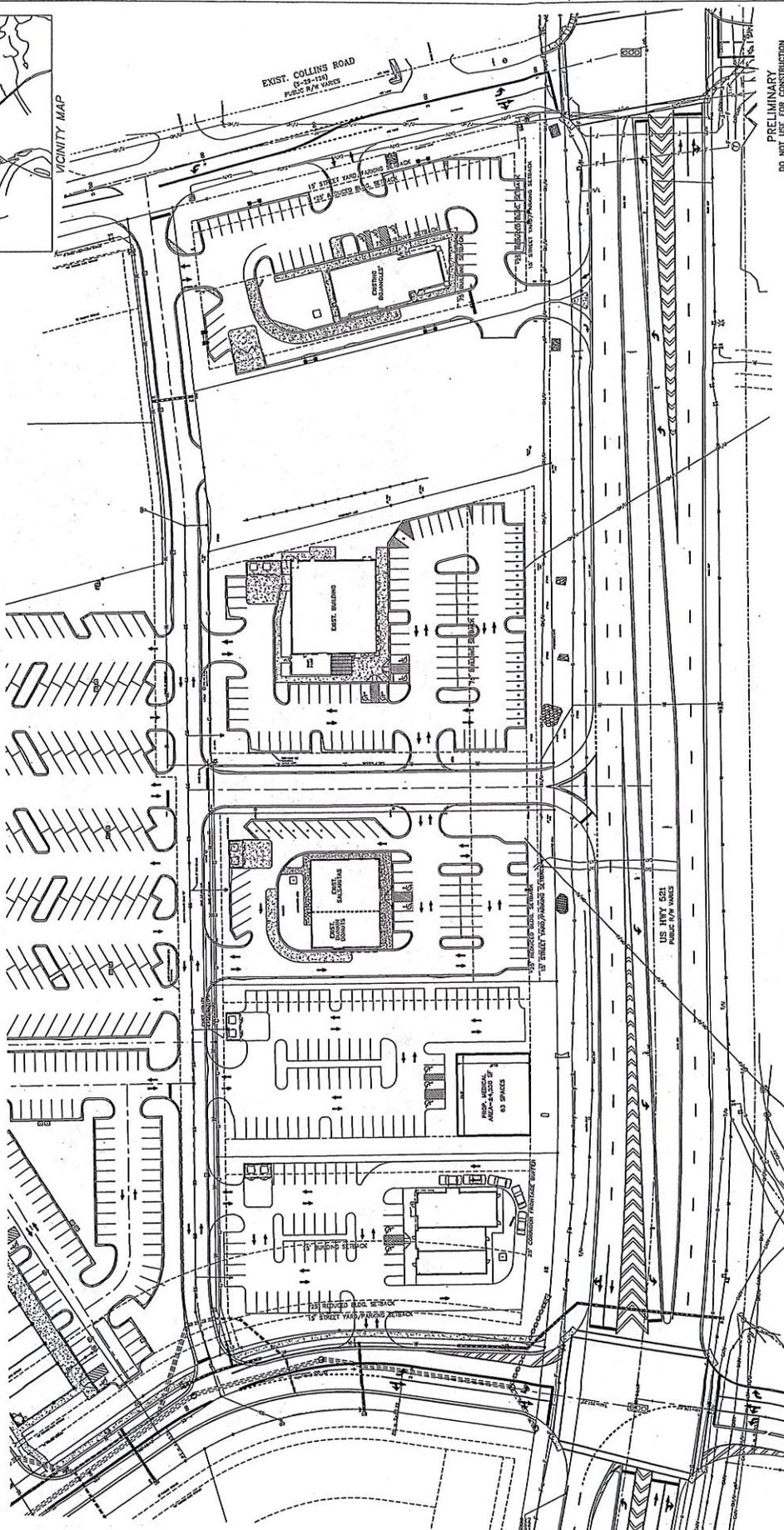
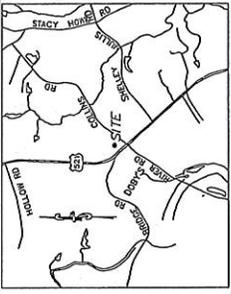
2015.11.16



EXTERIOR RENDERING



CROSS CREEK OUTPARCEL 1 LANCASTER COUNTY, SOUTH CAROLINA



PRELIMINARY
DO NOT USE FOR CONSTRUCTION

PROJECT: CROSS CREEK
OUTPARCEL 1
SITE: LANCASTER COUNTY, SOUTH CAROLINA

DATE: 05-23-1993
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1" = 40' (SEE PLAN)

ISAAC'S
INCORPORATED
1000 W. 10TH ST.
COLUMBIA, SC 29201
TEL: (803) 527-3333

DATE: 05-23-1993
SCALE: 1" = 40' (SEE PLAN)

PROJECT (JOB): CROSS CREEK
DRAWING NO.: C1.0



Lancaster County Board of Zoning Appeals

Cross Creek Shopping Center- Outparcel #1 & 2

Existing conditions Photographs

October 31, 2015

1



Cross Creek Outparcel #3- Dunkin Donuts/Salsaritas. Constructed in 2013.

2



Cross Creek Out Parcel #4- Hickory Tavern- Constructed 2014-2015

3



Cross Creek Outparcel #1 & #2- currently in plan for development

4



Cross Creek Out Parcel #1 & #2- depicting spacial relationship with HWY 521.

5



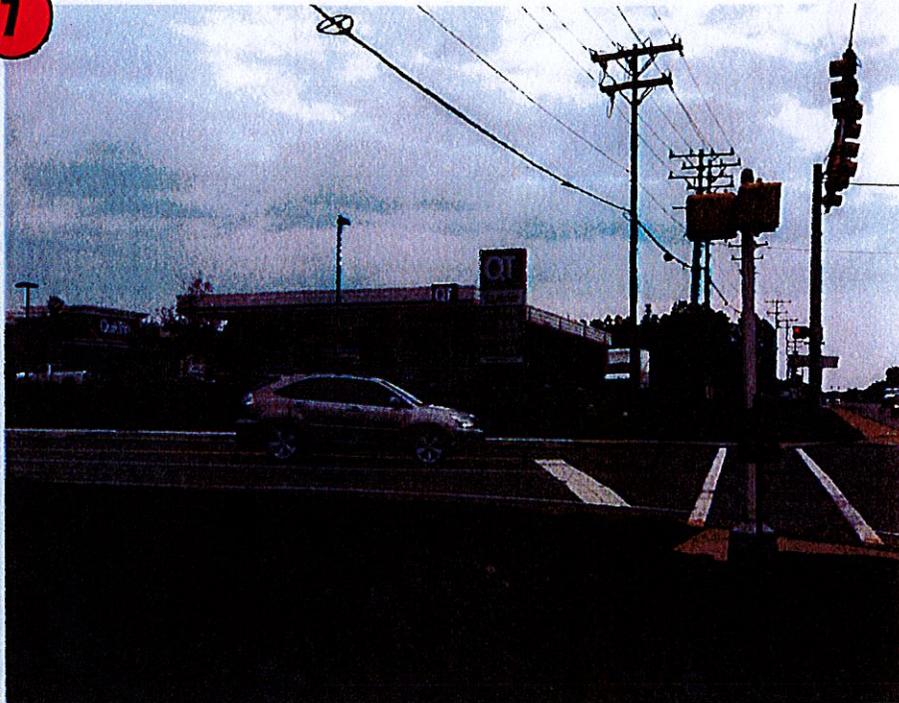
Cross Creek Out Parcel #1 & #2- depicting spacial relationship with HWY 521

6



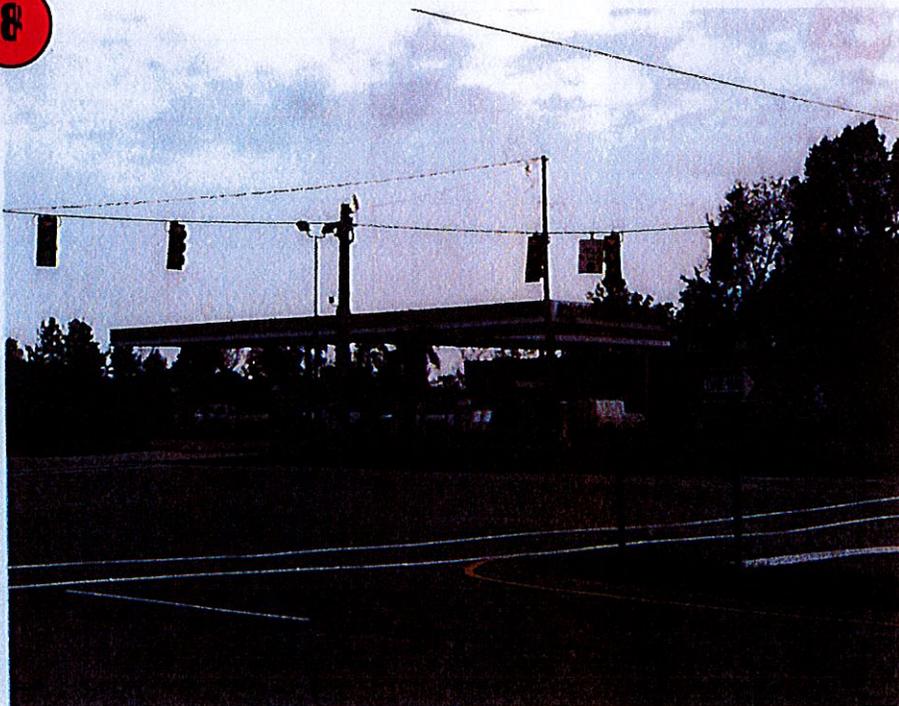
Adjacent BoJangles fast food- not incorporating Highway Corridor Overlay District..

7



Adjacent Quik Trip at the intersection of HWY 521 & Collins Rd

8



Adjacent Exxon gas station at the intersection of HWY 521 & Collins Rd.



Adjacent Office Building at the intersection of HWY 521 & Collins Rd

7. The Highway Corridor Overlay District is hereby established, and is subject to the following general provisions:

a.

Purpose and Intent: The Highway Corridor Overlay District is established to preserve and enhance corridors that serve as major gateways leading to, from and within Lancaster County. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The land use recommendations and design requirements contained in this subsection are the result of a community-wide effort. As such, the intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development.

Parking and Vehicular Access:

1. *Off-street Parking:* For buildings fronting on the corridor, off-street surface parking shall be located primarily to the rear of the building it serves. Side yard parking is permissible and shall occupy no more than forty five percent (45%) of the principle corridor frontage line. The following shall also apply:
 - i. Side yard parking shall not be placed in an established side yard abutting an intersecting street;
 - ii. Where dimensions or topographical constraints of existing parcels restrict the location of off-street parking to the rear of the building it serves, the restrictions on side yard parking may be modified, on a case-by-case basis, by the Zoning Administrator;
 - iii. Uninterrupted areas of parking areas shall be limited in size. Parking areas with more than twenty (20) space[s] shall be broken by buildings and/or landscape features as outlined in item (k)(5) of this subsection (7); and
 - iv. Parking areas shall be designed to allow pedestrians to safely move from their vehicles to the building.

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-015-009

Lancaster County

Meeting Date: Tuesday, December 8th, 2015

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 master plan was geared towards B-3 zoning before the adoption of the Highway Corridor Overlay District. 80% of the adjacent property has already been developed without following these guidelines.
- b. **These conditions do not generally apply to other property in the vicinity:** The Highway Corridor Overlay District does not apply to the other Cross Creek out parcel development, Bojangles, QuikTrip, etc.
- 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:** There are multiple design requirements to an existing shopping center that would conflict with existing & constructed development within the cross creek shopping center. Additionally there are conflicts with existing legal exhibits attached to the Publix lease. (exhibit A)
- 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.** All surrounding development constructed is constructed to original B-3 zoning prior to the implementation of the Highway Corridor Overlay District. (see pictures)
- 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 Janis A. Tacy. The applicant is requesting a variance from Chapter 2, Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the parking requirements for a new church building for Faith Presbyterian USA. Pgs. 21-36
BZA 015-010
Tax Map 16, Parcel 31

Nick Cauthen

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Janis A. Tacy. The applicant is requesting a variance from Chapter 2 Zoning Districts and Zoning Map, Section 2.1.5 Overlay Districts, Highway Corridor Overlay District of the Lancaster County Unified Development Ordinance regarding the parking requirements for a new church building for Faith Presbyterian USA.

Location: 7520 Charlotte Highway

Legal Description: Tax Map 16, Parcel 31

Zoning Classification: R-30p (Low Density Residential/Agricultural Panhandle District)

Description of Plan: The applicant wants to place the parking in front of their new church building. The Highway Corridor Overlay district requires that the majority of the parking is located behind the building. The applicant feels this is not possible due to the fact that an old cemetery and historic church is located behind the new proposed church building.

B. Site Information

Site Description: The subject parcel is located at the intersection of Van Wyck Road and Charlotte Highway. The property consists of 6.51 acres. An old historic church and cemetery is currently located on the property.

C. Vicinity Data

Surrounding Conditions: The surrounding property is zoned residential and commercial. Yarborough Tractor is zoned B-3 and located across the street. A fire station is zoned R-30p and located behind the church. The property across Six Mile Creek Road is residential with pasture for horses.

D. Exhibits

1. Variance Application
2. Location Map
3. Lancaster County Tax Inquiry Sheet
4. Church Renderings
5. UDO – Highway Corridor Overlay District
6. Findings Required for Granting Variances
7. Findings Required for Granting Variances – Planning

II. Findings

Code Considerations: Section 2.1.5 Overlay Districts

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: 11-10-15 Application No: BZA-015-010

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: Janis A. Tacy Address: 86620 Arrington Road
Lancaster, SC 29720

Telephone: 803-802-5412 Work: none

Interest: owner's agent Owner(s): Faith Presbyterian USA

Other: _____

Owner(s) If other than applicant: Faith Presbyterian USA

Address: 7520 Charlotte Highway
Indian Land, SC 29707 Telephone: 803-548-8810

Work: _____ email: mainoffice@faithpresusa.com
Other Information: www.FaithPresUSA.com

PROPERTY INFORMATION

Property address: 7520 Charlotte Highway

Lot Area/Acres: 6.506 Block: -- Subdivision: --

Tax Map #: 0016-00-031.00 Plat Book: _____ Page: _____

Lot Size or Dimension: 6.0506 Zoning Classification: R30p

Use of Surrounding Properties: Adjacent properties are R30p; properties across 521 are B3. Property to the left (north side) is residential and is for sale; the property behind the church is a fire station; and the property across Six Mile Creek Road (south side) is residential with pasture for horses.

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: 10/9/15

Hallowell M. Dyer
David N. Bender

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: 11-9-15 Applicant Signature(s) *James A. Jacy*

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION – FORM#3

Date Filed: 11-10-15 Application No. BZA-015-010

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: Section 2.1.5, subsection 7 h.1. Highway Corridor Overlay District Parking & Vehicular Access Off-street Parking so that a zoning permit may

be issued or permission granted to allow the use of the property described as follows:

A variance to allow off street parking in front of this new church building in excess of forty five percent (45%) of the principle corridor frontage line and side yard parking in an established side yard abutting an intersection street.

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: 1. There is an existing historical church at the top of the hill, overlooking Highway 521. The building is approximately 100 years old. 2. Behind the church and to the left, is a cemetery

with graves that date back to the 1700s. 3. Faith has provided an easement of 32 foot from the center of Six Mile Creek Rd to the County for its widening. Faith originally granted the requested 25 foot easement, but then increased the amount to 32 when the corresponding easement was not granted by property (continued on attachment).

b) These conditions do not generally apply to other property in the vicinity as

shown by: Other properties do not have a historical church or a cemetery. Adjacent properties are also R30p.

The property to the left is residential and is for sale; the property behind the church is a fire station; and the property across Six Mile Creek Road is residential with pasture for horses. Across 521 is Yarborough Tractor zoned B3, as are several other parcels. North on 521 are commercial buildings, including Walgreens, an attorney's office, a storage business, a strip mall anchored by 521 BBQ, Del Webb Library, and Carolina Commons shopping center.

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 is very likely Faith Presbyterian Church would decide not to build a church on this property.

1. Though it is doubtful we can find a site plan that will provide the required worship space and sufficient parking, with connectivity, walkability, and safety, we will work with our architect to see if it is possible. Actual construction would probably be delayed by 6 months to a year.

2. If there is no acceptable alternate plan, we would have to sell this property and begin the search for a new location.

3. If the property were sold, the preservation of the historical church and cemetery may be jeopardized.

4. If the property were to remain unsold (perhaps because of the cemetery), the existing historical church would be abandoned again.

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:

Parking in the front will be in keeping with the surrounding commercial businesses listed in (b) above. These businesses have parking in the front, some with landscaping. The front of Yarborough Tractor is full of tractors and other equipment, as well as parking. Further down 521, near the BridgeMill subdivision, the new Transformation Church has parking in the front. Faith will be complying with all the landscaping and buffer requirements of the highway corridor overlay district.

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

Continuation page of (2)(a); Parcel Map; Rendering #1; Rendering #2; Site Plan, Church History

Date: 11-10-15

James A. Jacy
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, _____, have signed that I am aware of the Zoning Board of Appeals hearing date.

_____ (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.

James A. Jacey
(Property owner / Applicant's signature)

11-10-2015
(Date)

J. Blain Boone
(Staff's Signature)

11-10-2015
(Date)

Continuation (2)(a)

3. (continued) owners on the other side of Six Mile Creek Road.
4. These plans were reviewed by the County last year and received preliminary around October-November 2014. The Highway Corridor Overlay District was created by Ordinance 2014-1271 on June 9, 2014; however, the Highway Corridor Overlay District designation was not added to the Official Zoning Map until Ordinance 2014-1310, which received final approval on November 10, 2014. I do not believe Faith's property had the Highway Corridor Overlay zoning at the time of our preliminary approval; thus, we were unaware there was a problem.

Faith Presbyterian Church has been working with its architect since Spring 2013 to design a church campus that will preserve, protect, and enhance the historical nature of this property in Indian Land within the constraints of the existing church and cemetery while meeting the current and future needs of our congregation. We focused on three elements: (1) Cemetery, (2) Parking, and (3) Building Placement.

The Cemetery

1. The cemetery takes up 2/3 of the area behind the existing church.
2. There have been recent burials; however, the cemetery is essentially full.
3. A portion of the grassy area between the cemetery and Six Mile Creek Road is being held in reserve for a possible expansion of the cemetery and/or future construction of a Columbarium.
4. Another portion of grassy area is designated for the future relocation of the children's playground and about 40 parking spaces.

Parking

1. Over the past year we have kept track of the number of cars in the parking lot at the rec center where we now meet and the number of people attending church. The resulting ratio is 1 parking space per 1.7 people.
2. In the rec center we are averaging 90 people each Sunday and have exceeded 100 several times this year. It is not unreasonable to expect the congregation to grow to 150-175 people within three years after construction. This means we need a minimum of 100 parking spaces.
3. Our ratio is much lower than the minimum of 1 to 4 due to the demographics of our congregation. We have many widows and widowers who come alone to church, and more twosomes than foursomes.

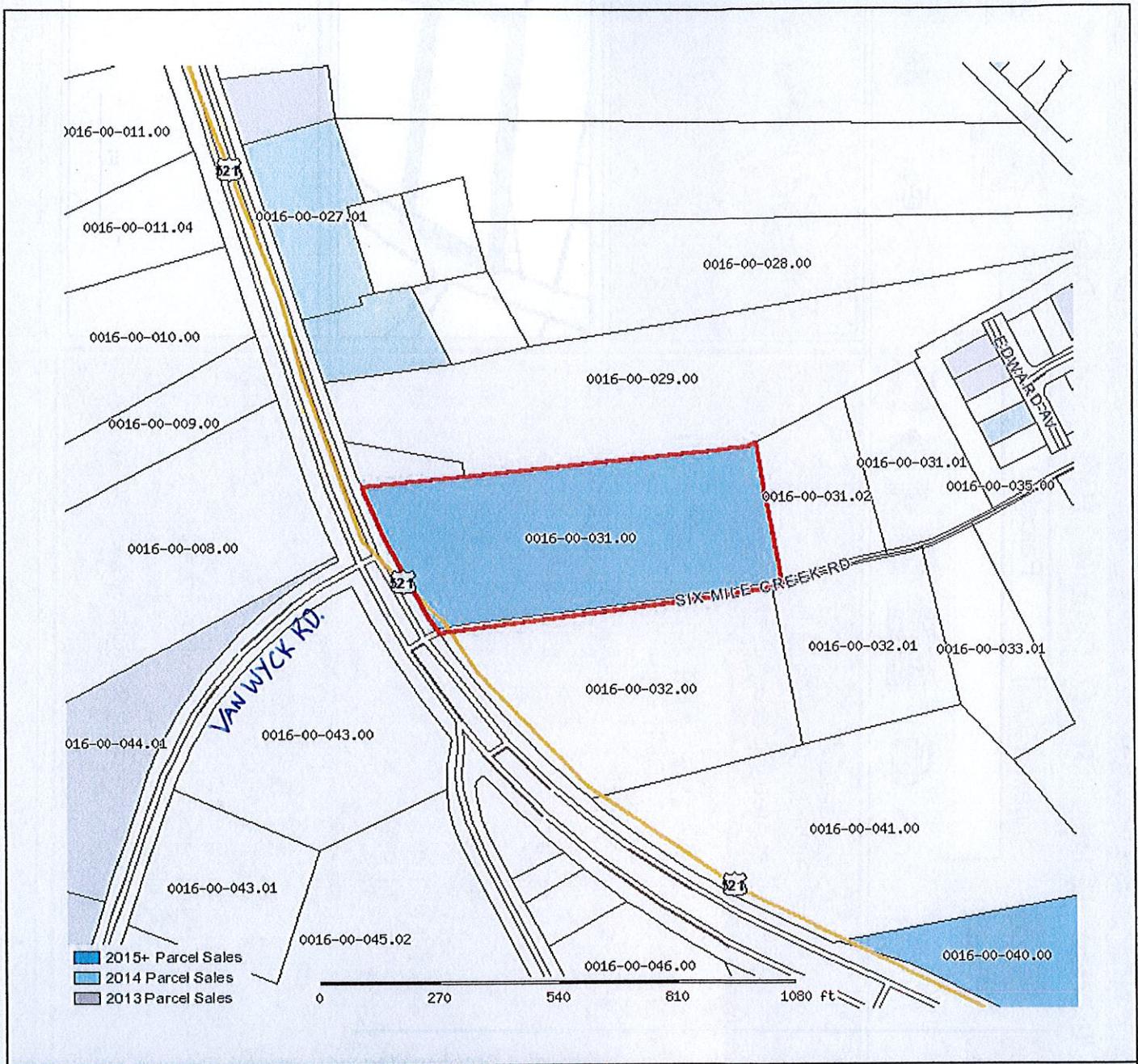
Building Placement

1. The existing church is located at the top of the hill, in the center of the property.
2. The existing building will continue to be used for the church offices, meeting space, and Sunday Bible classes.
3. The existing building has two bathrooms inside and two bathrooms outside, all of which should be accessible to all buildings.
4. The children's playground is located on the north side, in front of the cemetery. It needs to be in a safe location, close to the bathrooms and buildings.
5. Walkability and connectivity are very important because many of our members have physical challenges. We are a "mature" congregation.
6. Handicapped parking must be accessible to all buildings

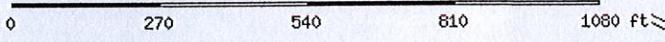
After careful consideration of these factors, our architect recommended a church campus with the existing church in the middle, flanked on either side by a new building. The central area in front of the three buildings has a drive thru, some handicapped parking, and sidewalks. This design creates a safe, walkable campus and allows all of the buildings to be connected at some time in the future into one cohesive structure if so desired.

The front is the only area with sufficient room for 100 parking spaces; however, locating the parking here would exceed 45% frontage of Highway 521 and one side would abut an intersecting road (Six Mile Creek Road and Highway 521). This would violate Lancaster County UDO Section 2.1.5, subsection 7 h.1., and a variance is requested.

The first building to be built is on the north side. I have included two renderings of the church campus. Rendering #1 shows the new building (north side) and the current existing building. If you take rendering #2 (south side future building) and overlap it onto #1 (covering up the existing church on #1), you will get an idea of what the future campus could look like when completed. Our architect envisioned a future second small church to mirror the current existing church and a bell tower.



- 2015+ Parcel Sales
- 2014 Parcel Sales
- 2013 Parcel Sales



Lancaster County Assessor

Parcel: 0016-00-031.00 Acres: 6.51			
Name:	FAITH PRESBYTERIAN USA	Land Value	\$1,371,800.00
Site:	7520 CHARLOTTE HWY	Improvement Value	\$40,100.00
Sale:	\$5 on 05-2015 Vacant= Qual=9	Accessory Value	\$0.00
Mail:	7250 CHARLOTTE HWY	Total Value	\$1,411,900.00
	LANCASTER, SC 29720		



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

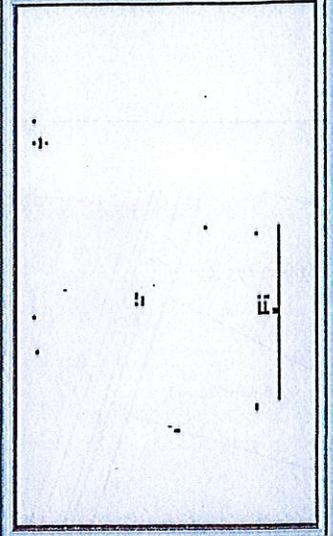
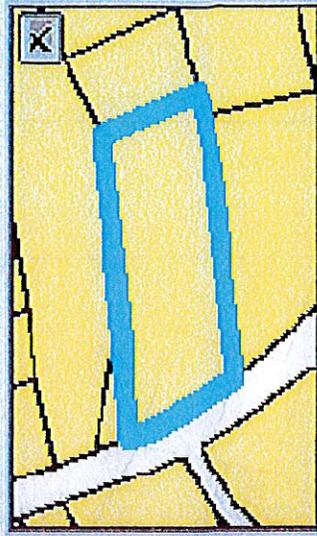
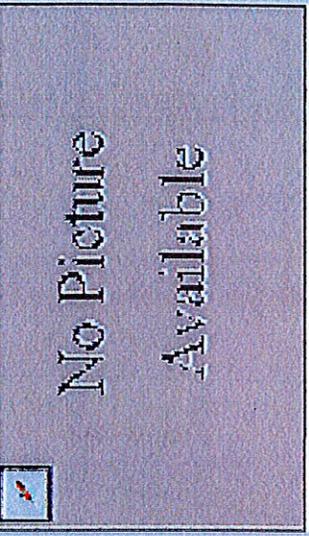
Date printed: 10/30/15 : 12:40:46

Add Mod Del Save Cancel Indexed By Parcel ID Card #

Parcel ID: 0016-00-031.00 Card: 1/1
Account: 1935 District: 01 - County
Stricker #: Ent. Parcel Area: 6.506 - AC
Location: 7520 CHARLOTTE HWY Indian Land
Land Use: EX - Exempt Neigh: 01B - 01B
Owner #1: FAITH PRESBYTERIAN USA Own Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	6.500		
Full Market Value:	1,411,900	1,411,900	
Building Value:	40,100	40,100	
Yard Items:			
Land Value:	1,371,800	1,371,800	
Total Value:	1,411,900	1,411,900	
Assessed Value:			
Capped Total:	1,411,900	1,411,900	Reval / Market 01

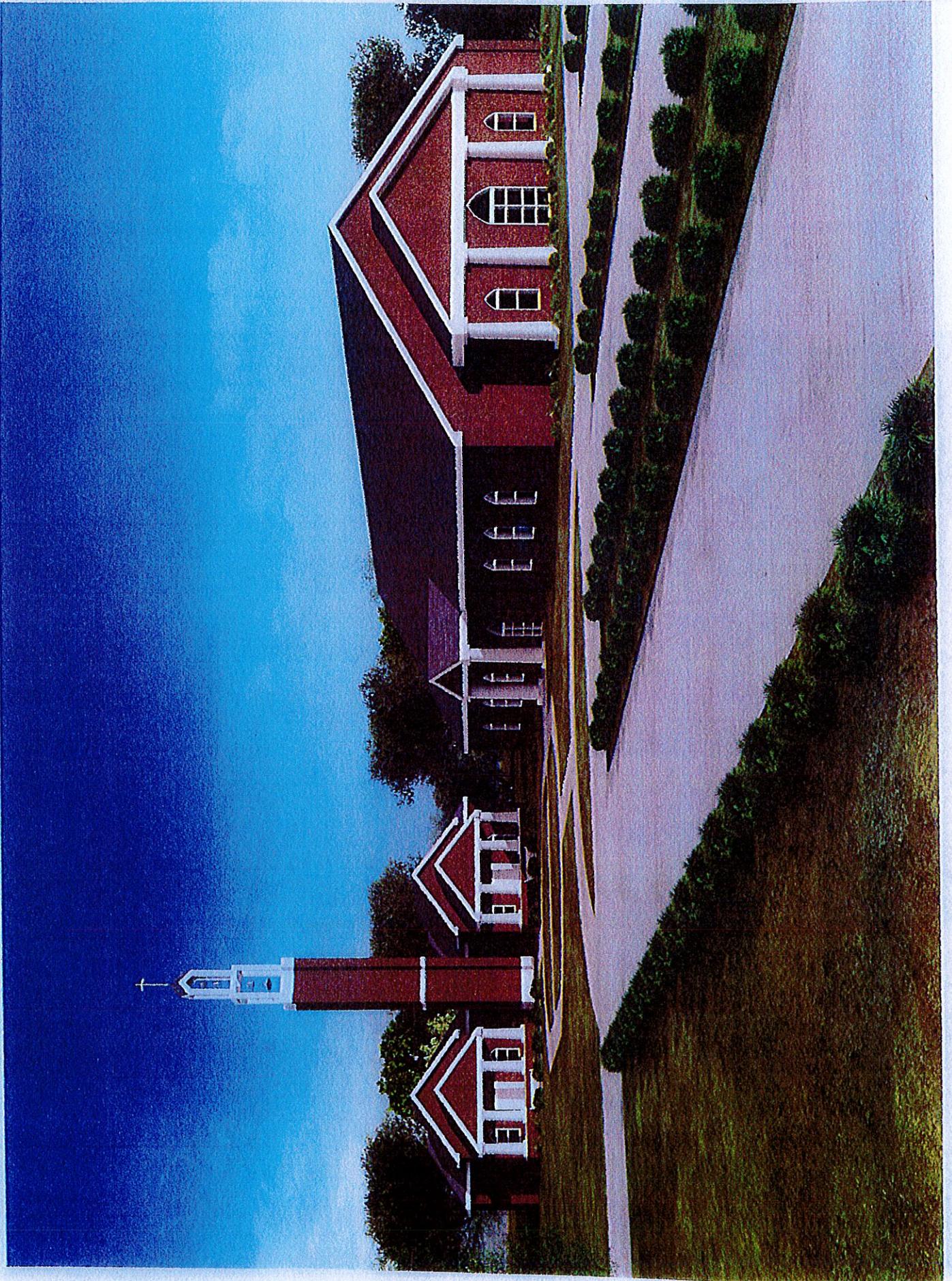
Sales Information
Grantor: CHURCH PROVIDENCE, Validity: 9
Sale Price: 5 Sold Vacant: No
Sale Date: 5/13/2015 Legal Ref: 878-211
 This parcel contains 6.506 AC of land mainly classified as Exempt with a Church Building built about 1900, having primarily Brick Exterior and 1944 Square Feet, with 0 Unit, 0 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.



Rendering #1



Rendering #2



7. The Highway Corridor Overlay District is hereby established, and is subject to the following general provisions:

a.

Purpose and Intent: The Highway Corridor Overlay District is established to preserve and enhance corridors that serve as major gateways leading to, from and within Lancaster County. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The land use recommendations and design requirements contained in this subsection are the result of a community-wide effort. As such, the intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development.

Parking and Vehicular Access:

1. *Off-street Parking:* For buildings fronting on the corridor, off-street surface parking shall be located primarily to the rear of the building it serves. Side yard parking is permissible and shall occupy no more than forty five percent (45%) of the principle corridor frontage line. The following shall also apply:
 - i. Side yard parking shall not be placed in an established side yard abutting an intersecting street;
 - ii. Where dimensions or topographical constraints of existing parcels restrict the location of off-street parking to the rear of the building it serves, the restrictions on side yard parking may be modified, on a case-by-case basis, by the Zoning Administrator;
 - iii. Uninterrupted areas of parking areas shall be limited in size. Parking areas with more than twenty (20) space[s] shall be broken by buildings and/or landscape features as outlined in item (k)(5) of this subsection (7); and
 - iv. Parking areas shall be designed to allow pedestrians to safely move from their vehicles to the building.

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-015-010

Lancaster County

Meeting Date: Tuesday, December 8th, 2015

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:** There is an existing historical church at the top of the hill, overlooking Hwy 521. The building is approximately 100 years old. Behind the church and to the left, is a cemetery with graves that date back to the 1700s. Faith has provided an easement of 32 ft. from the center of Six Mile Creek Rd. to the county for its widening. Faith originally granted the requested 25 ft. easement, but then increased the amount to 32 when the corresponding easement was not granted by the property.
- b. **These conditions do not generally apply to other property in the vicinity:** Other properties do not have a historical church or a cemetery. Adjacent properties are also R30p. The property to the left is residential and is for sale; the property behind the church is a fire station; and the property across Six Mile Creek Road is residential with pasture for horses.
- 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:** It is very likely Faith Presbyterian Church would decide not to build a church on this property. Though it is doubtful we can find a site plan that will provide the required worship space and sufficient parking, with connectivity, walkability, and safety, we will work with our architect to see if it is possible. Actual construction would probably be delayed by 6 months to a year. If there is no acceptable alternate plan, we would have to sell this property and begin the search for a new location. If the property were sold, the preservation of the historical church and cemetery may be jeopardized. If the property were to remain unsold (perhaps because of the cemetery), the existing historical church would be abandoned again.
- 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.** Parking in the front will be in keeping with the surrounding commercial businesses listed in (b) above. These businesses have parking in the front, some with landscaping. The front of Yarborough Tractor is full of tractors and other equipment, as well as parking. Further down 521, near the BridgeMill subdivision, the new Transformation Church has parking in the front. Faith will be complying with all the landscaping and buffer requirements of the Highway Corridor Overlay District.

- 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 parking 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 Mr. Mark Brenchley. 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 CVS Pharmacy. Pgs. 37-55

Nick Cauthen

BZA 015-011

Tax Map 86D, Block F, Parcel 1

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

BOARD OF ZONING APPEALS - STATEMENT OF MATTER

I. Facts

A. General Information

Proposal: This is a variance application of Mr. Mark Brenchley. 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 CVS Pharmacy.

Location: 1869 Great Falls Highway

Legal Description: Tax Map 86D, Block F, Parcel 1

Zoning Classification: B-3 (General Commercial District)

Description of Plan: The applicant wants to place additional signs on the new CVS Pharmacy. The proposed signs will exceed the maximum total signage of 75 square feet. The applicant does not feel that the current restrictions on signs will make the building readily visible due to the alignment of the intersection.

B. Site Information

Site Description: The property is located on the corner of Great Falls Highway and Airport Road. The property is 1.46 acres and is currently a construction site for the new CVS Pharmacy.

C. Vicinity Data

Surrounding Conditions: All of the surrounding property is commercial and zoned B-3. Advance Auto Parts and Family Dollar are located across the street.

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

II. Findings

Code Considerations: Chapter 10, Signs

Date of Meeting: 12-8-15
 Approved Denied No Action

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: November 10, 2015 Application No: BZA-015-011

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: Mark Brenchley Address: 2530 Citrus Tower Blvd, Unit 18104

Clermont, Florida 34711

Telephone: 435-512-6833 Work: same wcfpermits.markb@gmail.com

Interest: Agent Owner(s): _____

Other: _____

Owner(s) If other than applicant: CVS 5476 LLC

Address: One CVS Drive, Woonsocket, RI 02895 Telephone: 727-373-2033

Work: same Other Information: _____

PROPERTY INFORMATION

Property address: 1869 Great Falls Hwy (S.C.Hwy 200) Lancaster S.C 29720

Lot Area/Acres: 1.46 ac. Block: 62-73 Subdivision: _____

Tax Map #: 0086D-0F-001.00 Plat Book: 2000 Page: 185

Lot Size or Dimension: 1.46ac Zoning Classification: B-3 General Commercial

Use of Surrounding Properties: B-3



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: 10/21/2015 Connie Blakely, Agent for CWS 5470 SC 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: 11.9.2015 Applicant Signature(s) Mark Branchley

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION – FORM#3

Date Filed: 11-10-15 Application No. BZA-015-011

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 10.10 max. sign surface area so that a zoning permit may be issued or permission granted to allow the use of the property described as follows:

one additional "CVS/pharmacy" wall sign on the west bldg. elevation which does not face a street, and an additional "Drive-Thru Pharmacy" sign on each of three elevations facing a street, total signage will exceed the maximum sign area of 75 SF.

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:

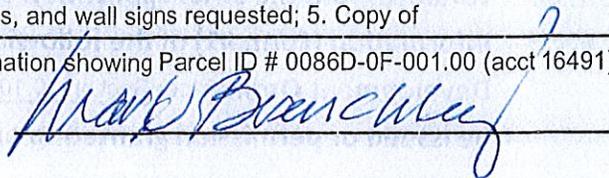
- a) **There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:** This parcel is located at a busy intersection along a major state highway but the alignment of said highway is such that the parcel is not readily visible from either direction. The alignment "arc" points the approaching motoring public slightly away from the building and only when the motoring public is directly abutting the parcel are these critical informational signs visible. The additional sign is critical as it enhances the timely communication of branding and available services allowing the motorist to safely leave the highway and enter the property without disrupting the safe flow of traffic approaching this busy intersection.
- b) **These conditions do not generally apply to other property in the vicinity as shown by:** In addition to the "arc" alignment issue mentioned above which compromises sign identification, there are existing trees and plant material along the approaching roadway from the SW which also contribute block the approaching view of the building. This visibility issue does not generally apply to other commercial properties in the vicinity which abut the state highway.
- 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:** the additional signs on said building will comply with the stated "Purpose" of Chapter 10- SIGNS: "to enhance opportunities for visual communications; to preserve property values, to create a more attractive economic and business climate within the commercial districts of the county, to allow for adequate and effective signage while preventing signs from dominating the visual appearance of the area in which each is located..." Therefore, the literal application of 10.10 would unreasonably restrict the reasonable use of the subject property as, in this case, the allowable signage is inadequate to visually communicate the use and services available to the public.

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 additional wall sign on each of the four elevations will not be of substantial detriment to adjacent properties or to the public good but will appear reasonable and appropriate as the proposed size is more similar to the adjacent 'piggly wiggly' and "FAMILY DOLLAR" signs than the 75 square foot maximum. The district will not be compromised just as the existing signage of said two uses have not compromised the character of the district.

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

1. Application Form #1; 2. Application Form #3; Matrix showing specific variances requested per bldg. elevation
4. sign book showing site plan, aerial photographs, and wall signs requested; 5. Copy of
Lancaster County Property Tax and Parcel information showing Parcel ID # 0086D-0F-001.00 (acct 16491)

Date: November 9, 2015



Mark Brenchley, Agent

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, Mark Branchley, have signed that I am aware of the Zoning Board of Appeals hearing date.

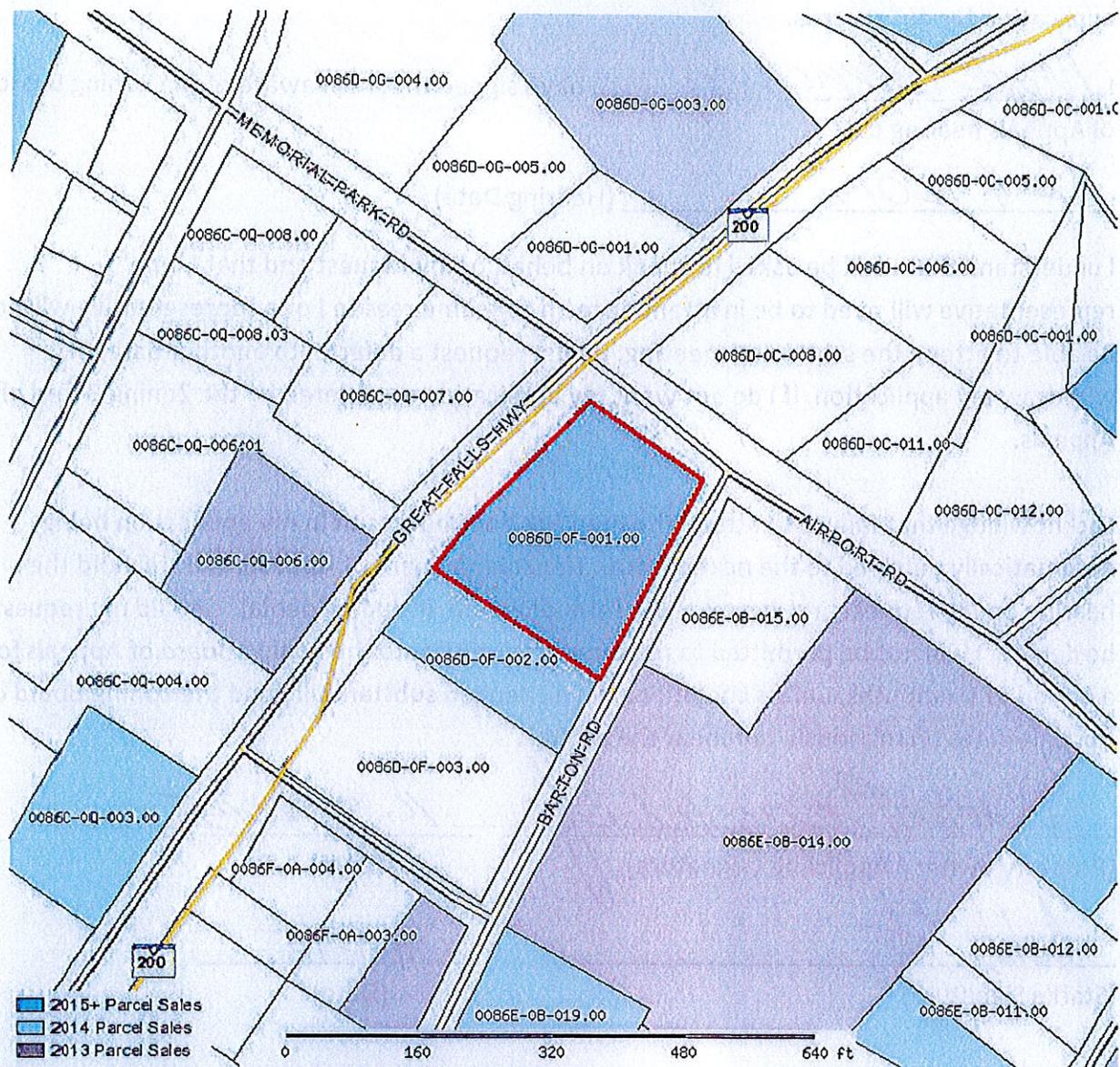
12.8.2015 (Hearing Date)

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.

Mark Branchley 11.9.2015
(Property owner / Applicant's signature) (Date)

Nichol Cant 11-9-15
(Staff's Signature) (Date)



- 2015+ Parcel Sales
- 2014 Parcel Sales
- 2013 Parcel Sales

0 160 320 480 640 ft

Lancaster County Assessor			
Parcel: 0086D-0F-001.00 Acres: 1.46			
Name:	CVS 5476 SC LLC C/O CVS HEALTH CORP	Land Value	\$172,200.00
Site:	HWY 200	Improvement Val	\$377,600.00
Sale:	\$0 on 09-2015 Vacant= Qual=9L	Accessory Value	\$8,800.00
Mail:	ONE CVS DRIVE WOONSOCKET, RI 02895	Total Value	\$558,600.00

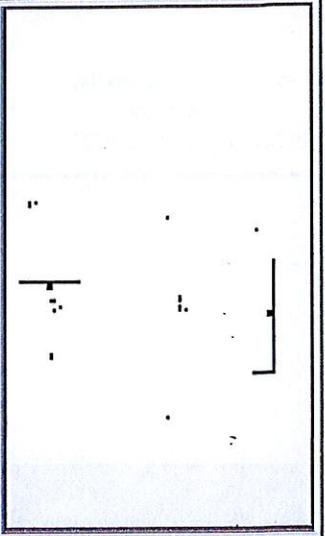
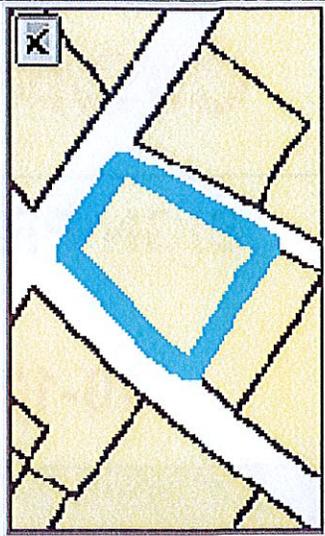


The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 11/30/15 : 16:38:05

Indexed By: Parcel ID: Card #:

No Picture Available



Parcel ID: 0086D-0F-001.00
 Account: 16491
 Sticker #:
 Location: HWY 200 Lancaster
 Land Use: NCCOM - Comm
 Owner #1: CVS 5476 SC LLC
 Card: 1/1
 District: 01 - County
 Ent. Parcel Area: 1.46 - AC
 Neigh: 16 - 16
 Own Type:

Market Adj Value	Current	Year 2014	Legal Description
Calc. Land Area:	1.460	1.460	
Full Market Value:	558,600	558,600	
Building Value:	377,600	377,600	
Yard Items:	8,800	8,800	
Land Value:	172,200	172,200	
Total Value:	558,600	558,600	
Assessed Value:	33,516		
Capped Total:	558,600		
		558,600	Reval / Market 03

Sales Information
 Grantor: LANCASTER TELEPHONE CO.,
 Sale Price: 0
 Sale Date: 9/18/2015
 Legal Ref: 915-207
 Validity: 9L
 Sold Vacant: No
 Bath: 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.

Address: SWC Great Falls Hwy
& Airport Road
City/ST/Zip: Lancaster, SC. 29720

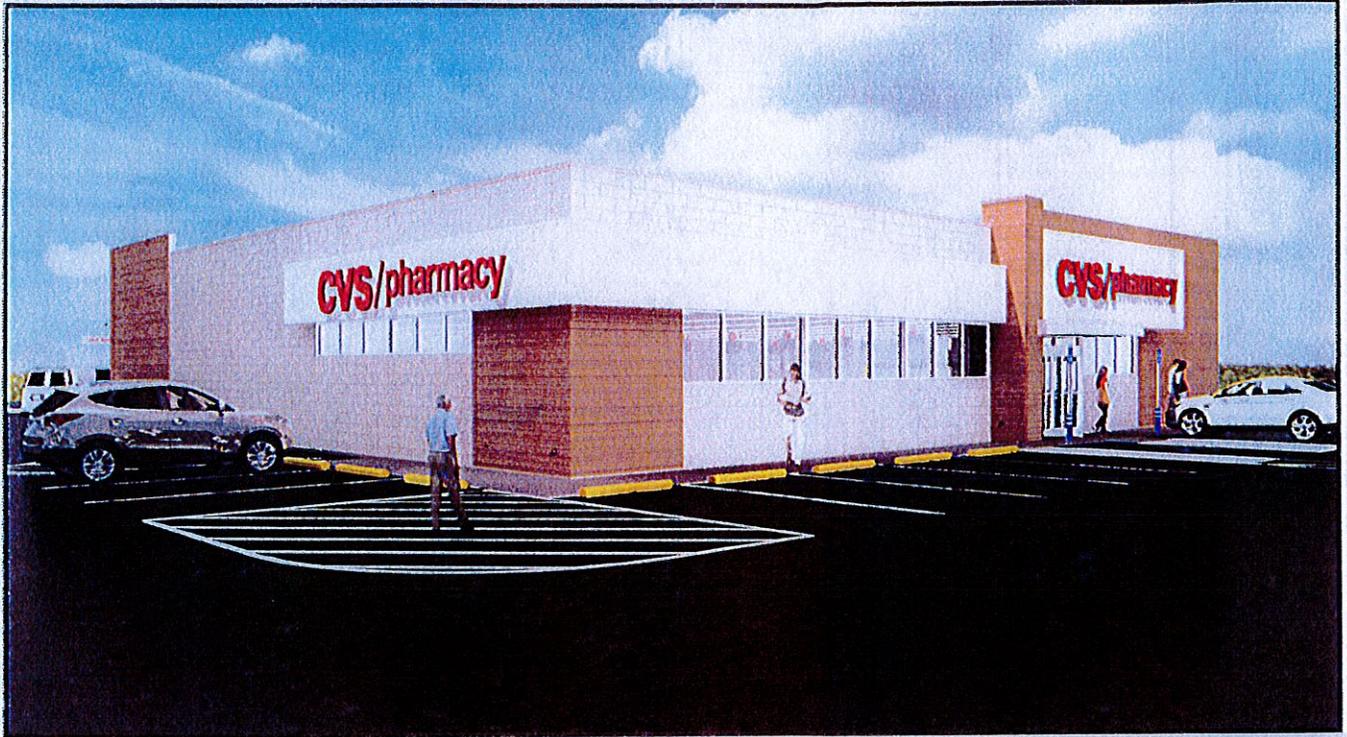
CVS/pharmacy

Project #: 749
Location #: 86813

VARIANCE REQUIRED

SIGN PROPOSAL

10-12-2015



Loc# 86813

**SWC Great Falls Hwy
& Airport Road
Lancaster, SC. 29720**

SUBMITTAL IS: APPROVED
 APPROVED AS NOTED
 REVISED AND RESUBMIT

CLIENT CONTRACTOR
 _____ / ____ / ____
 DATE



SIGN PROPOSAL
 Location: SWC Great Falls Hwy & Airport Road, Lancaster, SC. 29720
 Proj #: 749
 Loc #: 86813
 File Path: ...ACCOUNTS\C\CVS\Locations 2015\Project 749\86813_Lancaster_SC_R1



Rev #:	Req#:	Date:	Req. By:	Drawn By:	Revision Description:	Drawings are the exclusive property of ICOA. Any unauthorized use or duplication is not permitted.
Original	219918	09/30/15	ML	NLR		
Rev 1	220852	10/12/15	ML	NLR	Variance Section Updated	
Rev 2	000000	00/00/00	XXX	XXX		
Rev 3	000000	00/00/00	XXX	XXX		
Rev 4	000000	00/00/00	XXX	XXX		
Rev 5	000000	00/00/00	XXX	XXX		
Rev 6	000000	00/00/00	XXX	XXX		

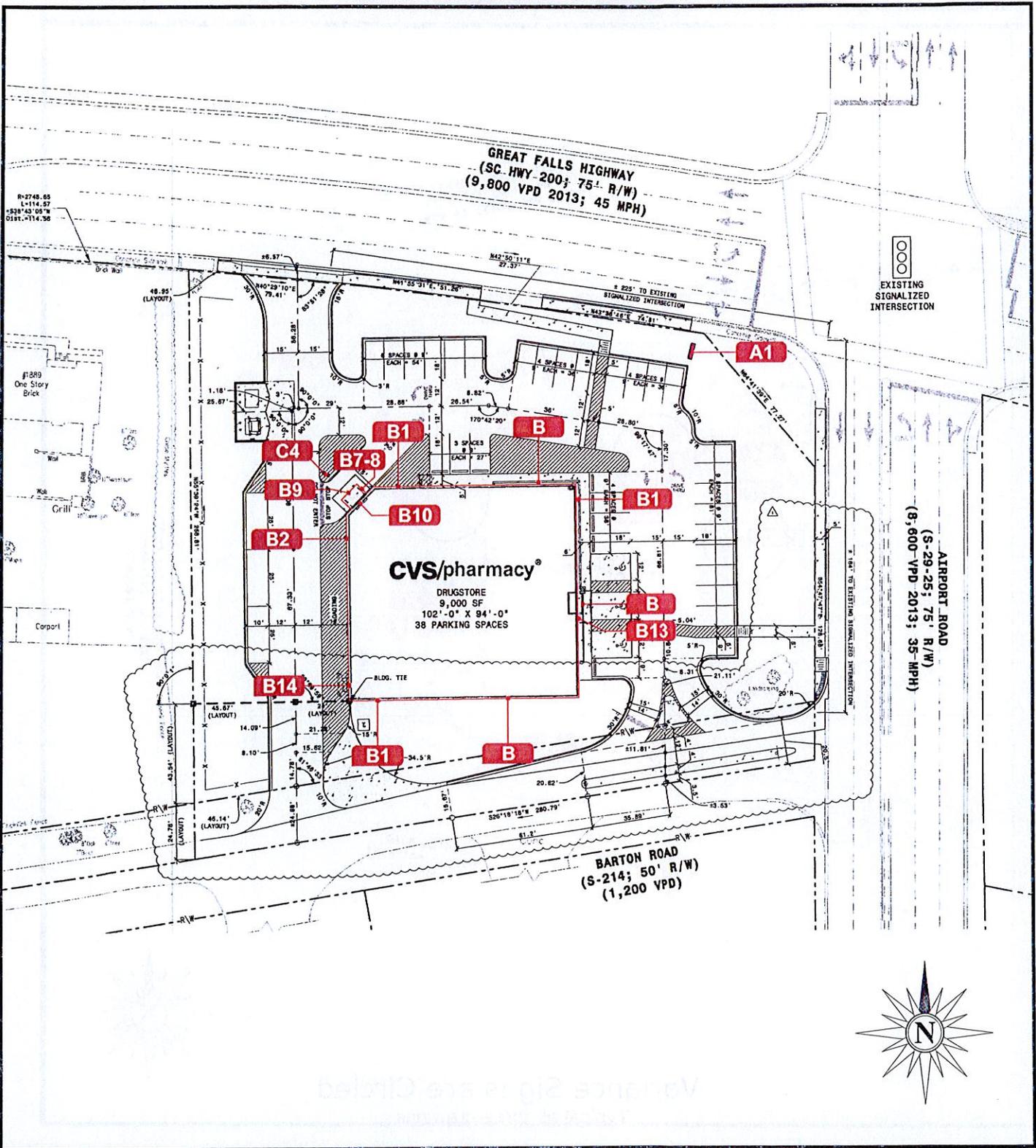
Address: SWC Great Falls Hwy
& Airport Road
City/ST/Zip: Lancaster, SC. 29720



Project #: 749
Location #: 86813

SITE PLAN

PROPOSED VARIANCE



Drawing prepared by:

SITE PLAN

Drawing prepared for:



Location: SWC Great Falls Hwy
& Airport Road
Lancaster, SC. 29720
File Path: ..\ACCOUNTS\CVS\Locations 2015\Project 749\86813 Lancaster SC R1

Proj #: 749
Loc #: 86813



Rev #:	Req#:	Date:	Req. By:	Drawn By:	Revision Description:	Drawings are the exclusive property of ICON. Any unauthorized use or duplication is not permitted.
Original	219918	09/30/15	ML	NLR		
Rev 1	220852	10/12/15	ML	NLR	Variance Section Updated	
Rev 2	000000	00/00/00	XXX	XXX		
Rev 3	000000	00/00/00	XXX	XXX		
Rev 4	000000	00/00/00	XXX	XXX		
Rev 5	000000	00/00/00	XXX	XXX		
Rev 6	000000	00/00/00	XXX	XXX		

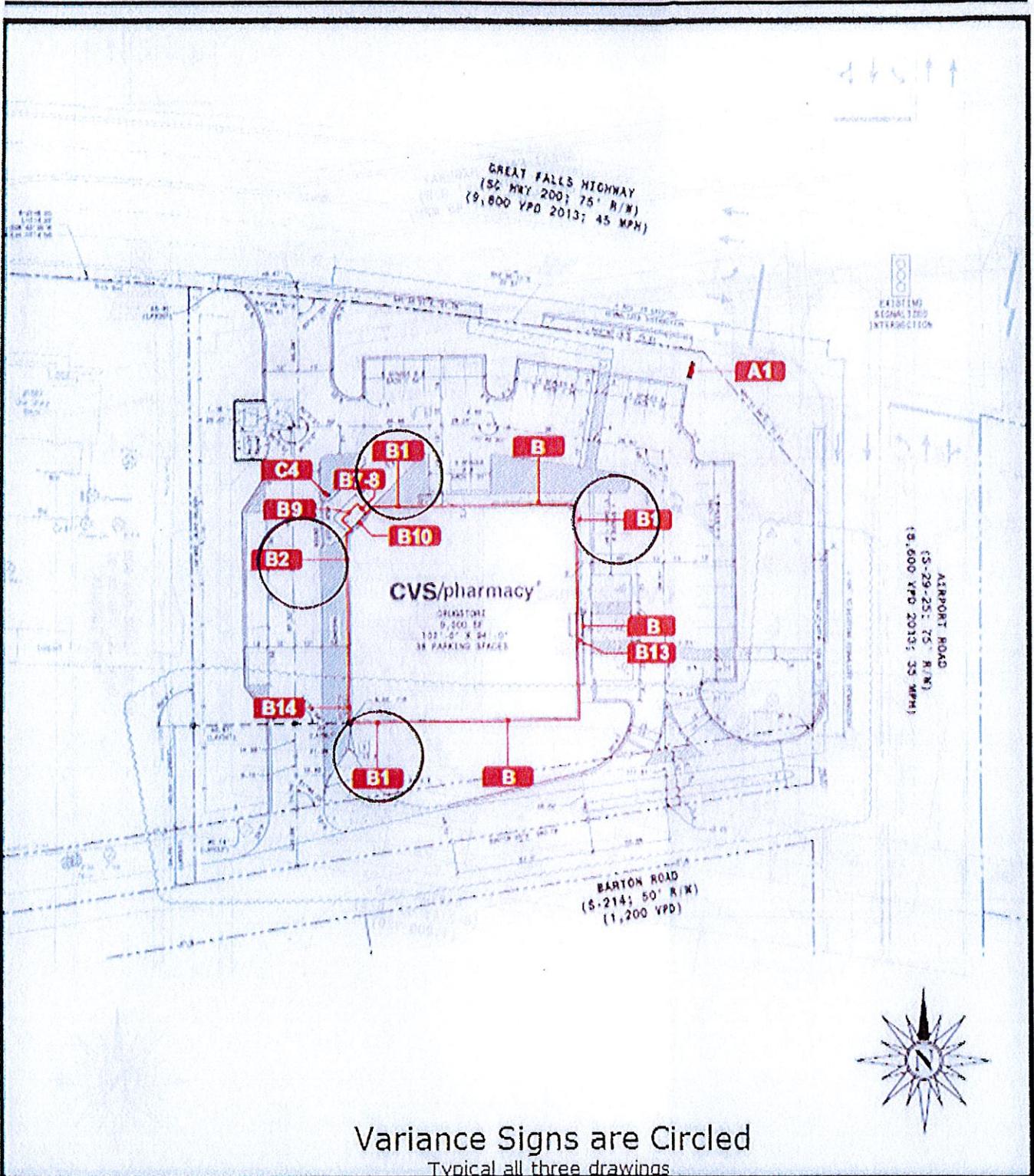
Address: SWC Great Falls Hwy
& Airport Road
City/ST/Zip: Lancaster, SC. 29720

CVS/pharmacy

Project#: 749
Location#: 86813

SITE PLAN

PROPOSED VARIANCE



Variance Signs are Circled
Typical all three drawings

Drawings prepared by:



SITE PLAN

Location: SWC Great Falls Hwy
& Airport Road
Lancaster, SC. 29720
File Path: ..\ACCOUNTS\CVS\Location 2015\Project 749\86813 Lancaster, SC. R1

Proj #: 749
Loc #: 86813

Drawings prepared for:



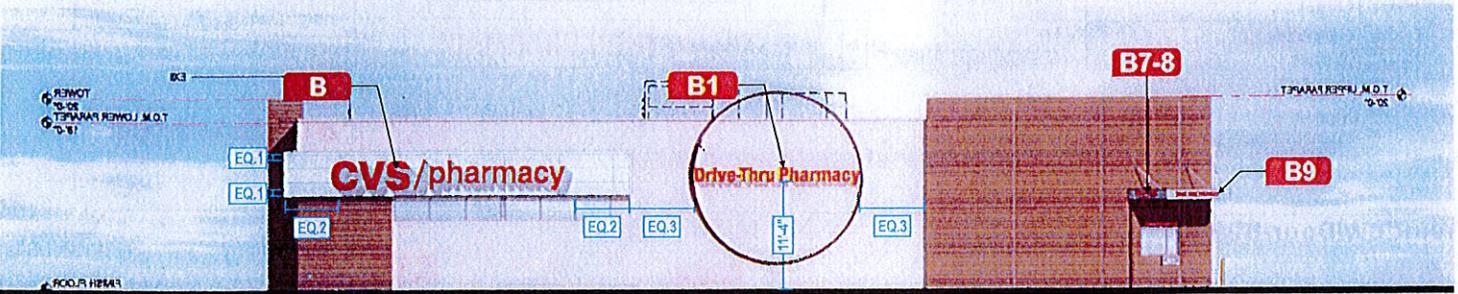
Rev #	Rev #	Date	Rev. By	Drawn By	Revision Description	Drawings are the exclusive property of ICON. Any unauthorized use or duplication is not permitted.
Original	219918	09/30/15	ML	NLR	Initial Site Plan	
Rev 1	220802	10/12/15	ML	NLR	Variance Section Updated	
Rev 2	000000	2000000	XXX	XXX		
Rev 3	000000	2000000	XXX	XXX		
Rev 4	000000	2000000	XXX	XXX		
Rev 5	000000	2000000	XXX	XXX		
Rev 6	000000	2000000	XXX	XXX		

PROPOSED VARIANCE

Elevations are for presentation purposes only



Short Front Elevation Signs



Long Side Elevation Signs



Rear Elevation Signs



Right Side Elevation Signs

Drawing prepared by:

BUILDING ELEVATIONS

Drawing prepared for:

Rev #: Original
Req #: 219918
Date: 09/30/15
Req. By: ML
Drawn By: NLR
Revision Description: Variance Section Updated

Drawings are the exclusive property of ICON. Any unauthorized use or duplication is not permitted.



Location: SWC Great Falls Hwy & Airport Road, Lancaster, SC. 29720
Proj #: 749
Loc #: 86813
File Path: ...\\ACCOUNTS\IC\CVS\Locations 2015\Project 749\86813 Lancaster SC R1



Rev #	Req #	Date	Req. By	Drawn By	Revision Description
Original	219918	09/30/15	ML	NLR	Variance Section Updated
Rev 1	220852	10/12/15	ML	NLR	
Rev 2	000000	00/00/00	XXX	XXX	
Rev 3	000000	00/00/00	XXX	XXX	
Rev 4	000000	00/00/00	XXX	XXX	
Rev 5	000000	00/00/00	XXX	XXX	
Rev 6	000000	00/00/00	XXX	XXX	

CVS Wall Sign Variance Matrix

1869 Great Falls Hwy
Lancaster, S.C.

Building Elevation Street frontage	Existing Signs Permitted by Permit # Z151511 (not installed) Labeled sign in Sign Book	Proposed Variance Sign Square foot area Labeled sign in sign book	Total Sign Area
South Elevation/Barton Rd	sign B 75 SF	sign B-1 26.5 SF	101.5 SF
East Elevation/Airport Rd	sign B 75 SF	sign B-1 26.6 SF	101.5 SF
North Elevation/Great Falls Hwy.	sign B 75 SF	sign B-1 26.5 SF	101.5 SF
West Elevation/facing parking lot	n/a	sign B-2 38.5 SF	38.5 SF

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 vice 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-015-011

Lancaster County

Meeting Date: Tuesday, December 8th, 2015

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:** This parcel is located at a busy intersection along a major state highway but the alignment of that highway is such that the parcel is not readily visible from either direction. The alignment “arc” points the approaching motoring public slightly away from the building and only when the motoring public is directly abutting the parcel are these critical signs visible. The additional sign is critical as it enhances the timely communication of branding and available services allowing the motorist to safely leave the highway and enter the property without disrupting the safe flow of traffic approaching the busy intersection.
- b. **These conditions do not generally apply to other property in the vicinity:** In addition to the “arc” alignment issue mentioned above which compromises sign identification, there are existing trees and plant material along the approaching roadway from the SW which also contribute to blocking the approaching view of the building. The visibility issue does not generally apply to other commercial properties in the vicinity which abut the state highway.
- 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:** The additional signs on the subject building will comply with the stated “Purpose” of Chapter 10- SIGNS: “to enhance opportunities for visual communications; to preserve property values, to create a more attractive economic and business climate within the commercial districts to the county, to allow for adequate and effective signage while preventing signs from dominating the visual appearance of the area in which each is located...” Therefore, the literal application of 10.10 would unreasonably restrict the reasonable use of the subject property as, in this case, the allowable signage is inadequate to visually communicate the use and services available to the public.
- 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 additional wall sign on each of the four elevations will not be of substantial detriment to adjacent properties or to the public good but will appear reasonable and appropriate as the proposed size is more similar to the adjacent ‘piggly wiggly’ and ‘family dollar’ signs than the 75 square foot maximum. The signage of the two uses has not compromised the character of the district.

- 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 signage requirements of the property but this variance does not allow an unpermitted use. There will be no extension of a physically non-conforming use of land nor will any district boundaries be changed.