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LANCASTER COUNTY BOARD OF ZONING APPEALS

APPLICATION FORM #1

GENERAL INFORMATION

Date Filed: 12.02.15 Application No: BZA-016-001

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: James A. Craig Address: 1645 Westgate Circle, Brentwood, TN
c/o Design & Engineering, Inc. 37027

Telephone: 615-370-1779 Work: 615-370-1779

Interest: Civil Engineer Owner(s): _____

Other: _____

Owner(s) If other than applicant: Queensgate Investment Partners

Address: 9837 Harrisburg Road Telephone: _____
Indian Land, SC 29707

Work: _____ Other Information: _____

PROPERTY INFORMATION

Property address: Charlotte Hwy. (US 521)

Lot Area/Acres: 2.166 ACRES Block: Outparce1 Subdivision: Edgewater Commons
#8'

Tax Map #: 0008-00-016.00 Plat Book: 2008 Page: 815

Lot Size or Dimension: 2.166 ACRES Zoning Classification: B-3

Use of Surrounding Properties: Lowes



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: 12/7/2015

QUEENS GATE INVESTMENT PARTNERS LLC
ROBERT BOER
By: [Signature] member

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: 12.02.15 Applicant Signature(s) [Signature]

LANCASTER COUNTY BOARD OF ZONING APPEALS

VARIANCE APPLICATION - FORM #3

Date Filed: 12/08/15 Application No. BZA-016-001

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: Modify Overlay District so that a zoning permit may be issued or permission granted to allow the use of the property described as follows: Outlot 8 to be developed as shown on drawing submitted by Design and Engineering, Inc. dated 10.27.15.

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: Outlot 8 is below HWY 521 by 9' to 14' in elevation. Because of the grade change pedestrian access from the highway is impossible.

b) These conditions do not generally apply to other property in the vicinity as shown by: The North and South adjacent properties to outlot 8 do not comply with the requirements of the overlay district.

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 overlay district would require the building to be located in the NE corner of the site with the front facing HWY 521.

These conditions make customer and ADA access to the building very difficult. Visibility of the building from 521 will be compromised due to the grade change.

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 following documents are hereby submitted in support of this application: _____
Outparcel 8 survey by Freeland and Associates, C-1 and C-2
site and grading plans by Design and Engineering, Inc.

(See below for additional information)

Date: 12.2.15



Applicant signature(s)

d) (Continued from above:)

The adjacent properties North and South of Outlot 8 have already been developed and are not in compliance with the requirements of the overlay district. They both have parking between the building and HWY 521.

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, Paul Cruz, have signed that I am aware of the Zoning Board of Appeals hearing date.

1/12/16

(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.

Paul Cruz
(Property owner / Applicant's signature)

12.2.15
(Date)

(Staff's Signature)

(Date)