STAFF REPORT
FOR THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
May 4, 2010
BZA #2010-03

Subject:	Variance request for a decrease in the setback requirements
Location:	1611 Range Way Road, Florence County
Tax Map Number:	00120, Block 1, Parcel 90
Owner of Record/Applicant	Gladys and Arnold Hite
Required Rear Yard Setback:	20 feet
Requested Rear Yard Setback:	10 feet
Land Area:	Approx. 1.080 acres

Existing Land Use and Zoning:
The subject property is currently occupied by a tire distribution center and is unzoned in Florence County. .

Surrounding Land Use and Zoning:
North: Vacant/Unzoned /Florence County
West: Commercial/Unzoned/Florence County
South: Vacant/ WaterTower/Unzoned/Florence County
East: Vacant/Unzoned/Florence County

Staff Analysis:

Background:

The subject property contains tire distribution center.

The applicant wishes to construct an expansion to the rear of the existing building.

Access and Circulation:
The property is currently accessed by way of Range Way Drive.

Variance Request :
(A) The applicant is requesting a variance for a decrease in the minimum rear yard setback requirements.

(B) **Sec. 30-111. Development standards for unzoned areas, (7) Setbacks** establishes the following setbacks for commercial uses: Front-25', Rear-20' Side-10'.

(C) Additionally, the following information is included as submitted by the actual application:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Applicant's response:
There is existing 10ft. easement which will not be encroached. Due to existing building and site constraints, expansion is only achievable to the north. This encroachment will only occur over approximately 100ft. of the 200ft. rear building elevation.

b. These conditions do not generally apply to other property in the vicinity as shown by:

Applicant's response:
Other adjacent property is generally wooded to the north of subject property with changing to property to the west and north of subject.

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:

Applicant's response:
Without the variance, owner can not meet efficiencies of new expansion layout and site orientation.

d. The authorization 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 harmed by the granting of the variance for the following reasons:

Applicant's response:
There are no buildings or structures adjacent to this subject facility. Very rough topography to the north and northwest will make future development in these directions change.

Staff Findings:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Staff's response:
There are extraordinary and exceptional conditions pertaining to the property in that wetlands exist on the subject property to the west, northwest and north. In addition, the wetlands exist on adjacent properties to the west and north.

b. These conditions do not generally apply to other property in the vicinity as shown by:

Staff's response:
The condition present is not the same with all properties in the area.

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**:**

Staff's response:
The building is 200 feet wide at the rear. The applicant is proposing to expand the building 100 feet across the rear. The ordinance would currently not allow this expansion.

d. The authorization 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 harmed by the granting of the variance for the following reasons:

Staff's response:
Based on the applicant's information, there will be no site constraints or detriment to adjacent property.

Staff Recommendation:

Staff recommends approval of the variance request by the Board of Zoning Appeals.

Attachments:

1. Location Map
2. Zoning Map
3. Aerial Map
4. Site Plan