Agenda
Florence County Board of Zoning Appeals
Tuesday, February 1, 2011
City-County Complex, Room 803
6:30 p.m.

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City-County Complex and at the entrance of the Planning, Zoning and Building Inspection Department building. The agenda was also mailed to the media.

I. Call to Order

II. Review and Motion of Minutes

- Meeting of September 7, 2010

III. Public Hearings:

BZA#2011-01 **A variance request by John K. and Pamela B. Radcliffe for a decrease in the minimum setback requirements of Section 30-30 Table III of the Florence County Code of Ordinances for property located at 2500 Parkland Dr., Florence shown on Florence County Tax Map No. 1252, Block 1, Parcel 47. (blue)**

IV. Other Business:

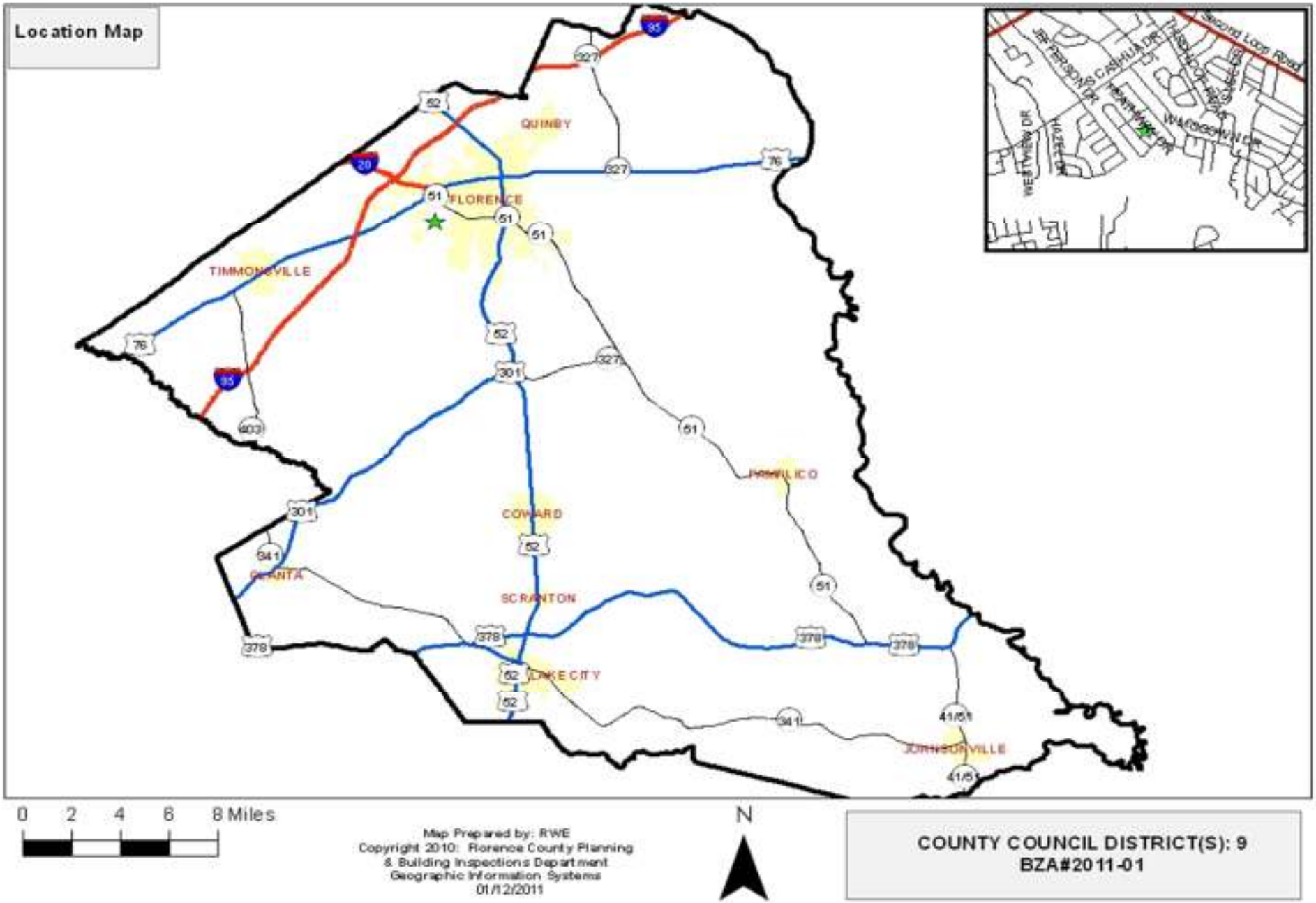
- **Review and approval of the 2011 Board of Zoning Appeal's Meeting Calendar.**

V. Adjournment

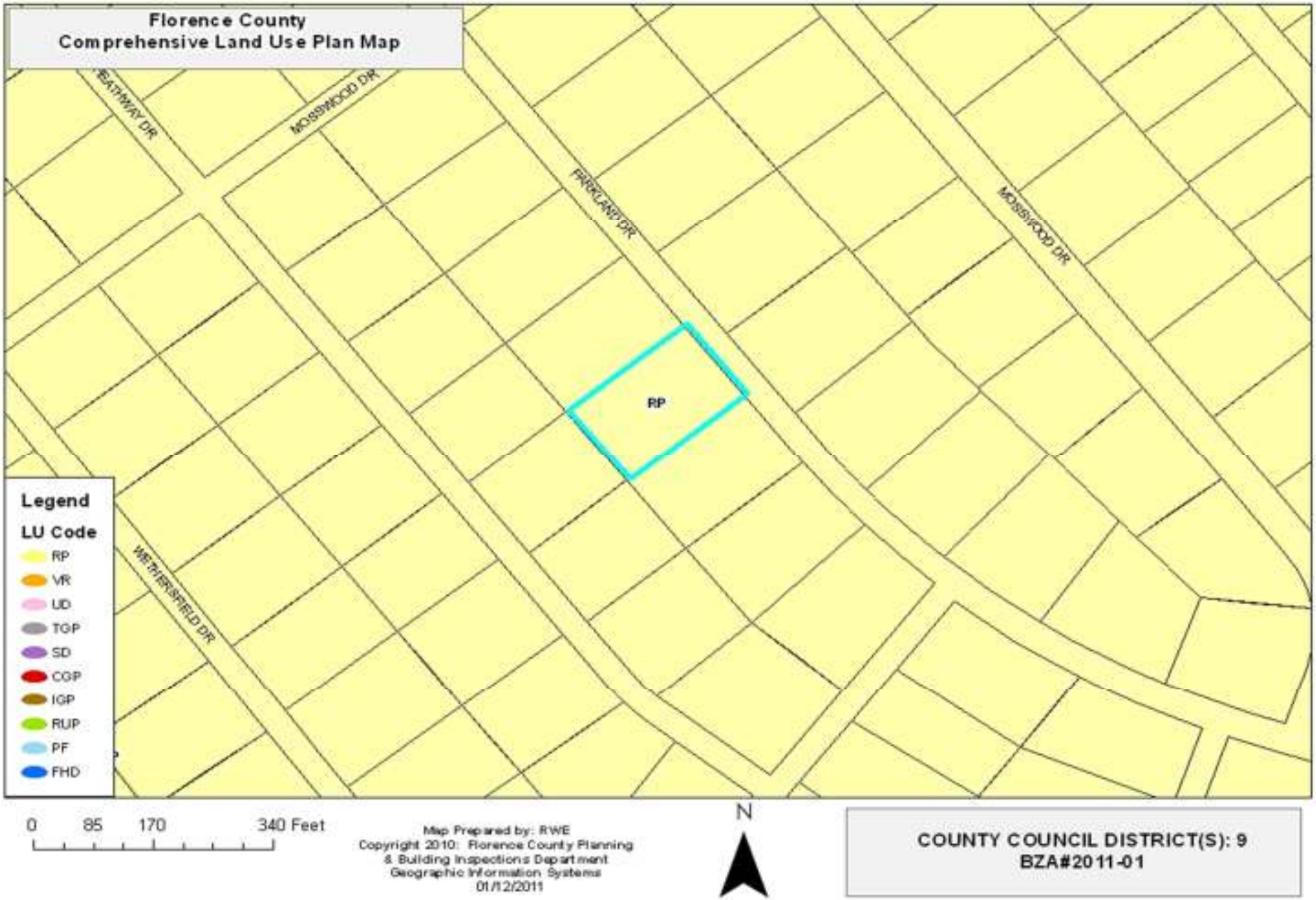
BZA# 2011-01

Subject:	Variance request for a decrease in the setback requirement
Location:	2500 Parkland Drive Florence County
Tax Map Number:	01252, Block 1, Parcel 47
Owner of Record/Applicant	John K. and Pamela B. Radcliffe
Required Rear Yard Setback:	5 feet
Requested Rear Yard Setback:	1 foot
Land Area:	Approximately .63 acres

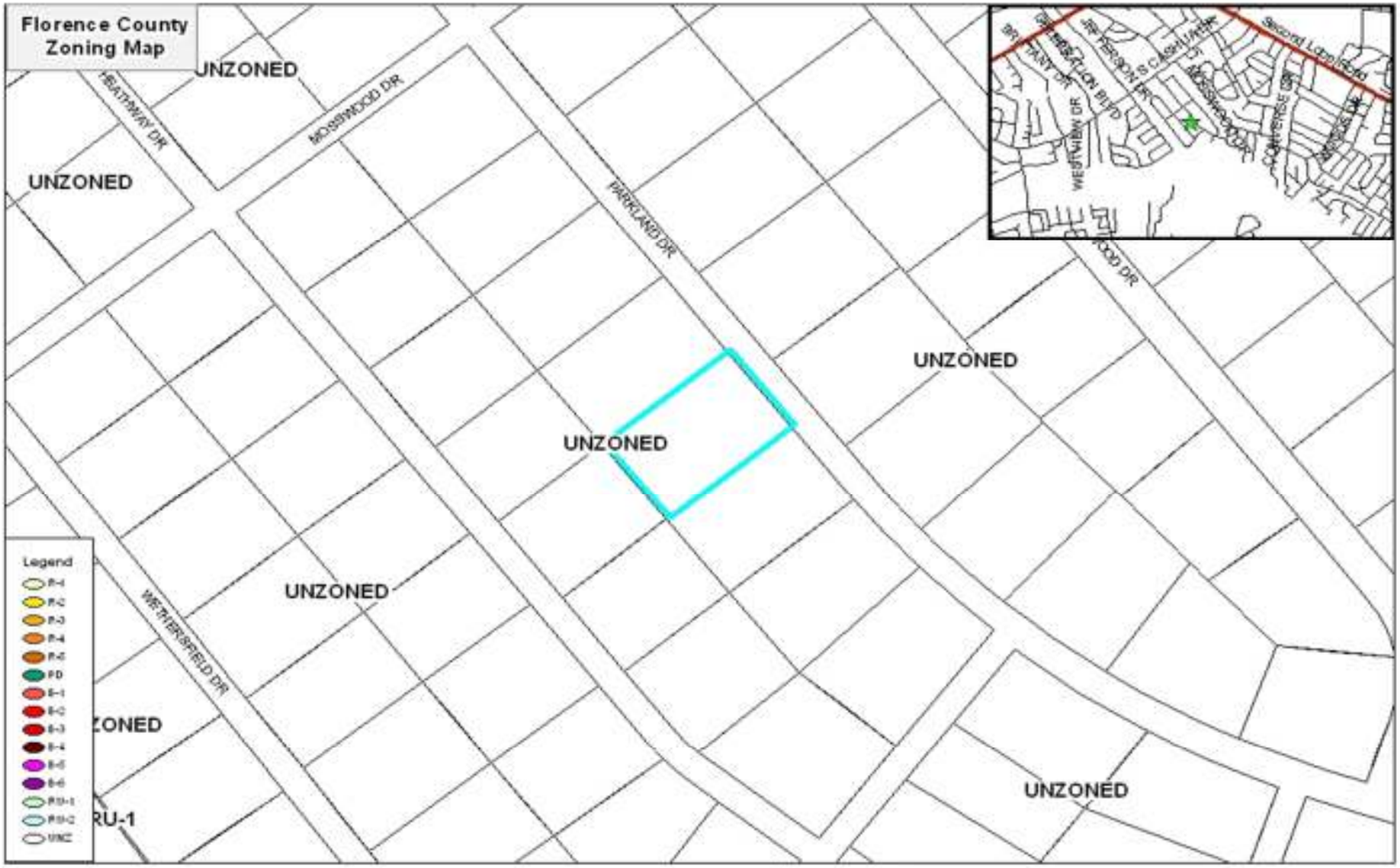
BZA#2011-01 - Location Map



BZA#2011-01 - Comprehensive Plan Map



BZA#2011-01 - Zoning Map



BZA#2011-01 - Aerial Map

BZA# 2011-01 Site Photograph

BZA# 2011-01 Site Photograph

BZA# 2011-01 Site Photograph

BZA# 2011-01 Site Photograph

BZA# 2011-01 Site Photograph

Applicant Provided Photographs

Applicant Provided Photographs

Applicant Provided Photographs

BZA# 2011-01 Background

The subject property is currently occupied by a single-family residential home and is unzoned in Florence County.

The property is currently accessed by way of Parkland Drive.

The subject property contains a single-family residential home.

The applicant wishes to construct a utility building on the rear of the property.

The applicant is requesting a variance from Sec. 30-111. **Development standards for unzoned areas, (7) Setbacks** to allow for the placement of the utility building one foot from the rear property line.

BZA# 2011-01 Variance Request

A. The applicant is requesting a variance for a decrease in the minimum rear yard setback requirement.

B. **Sec. 30-111. Development standards for unzoned areas, (7) Setbacks** establishes the following setbacks for all other uses: Front-25', Rear-5' Side-5'.

BZA# 2011-01 Applicants' Response

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:

<u>Applicant's response</u>:
Adjoining property is actually encroaching on our property due to the large Leland Cypress trees that are at/over the property line.

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

<u>Applicant's response:</u>
Placing building 5 feet from property line would require a waste of usable space in our back yard due to a privacy line of trees that have already been established on the adjoining property.

BZA#2011-01 Applicants' Response Cont'd

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:
If the building is 5 feet off the property line, there is a loss of 160 sq. ft. behind the building that would be useless due to neighboring trees.

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:
Due to the quality construction and design of utility building, property value will actually increase. Without variance, building will have to be smaller and of lesser construction quality and value. Neighboring property is isolated by trees.

BZA# 2011-01 Staff Findings

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

   <u>Staff's response:</u>
   There are no extraordinary and exceptional conditions pertaining to this particular piece of property.

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

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

BZA# 2011-01 Staff Findings Cont'd

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 ordinance does not effectively prohibit or unreasonably restrict the utilization of the property.

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:
The authorization of the variance will not be of substantial detriment to adjacent property. Based on the applicant's information, there will be no site constraints or detriment to adjacent property.

CONCLUSION

Section 30-293 (c, 2, d) Board of Zoning Appeals

The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Other Business

- **Review and approval of the 2011 Board of Zoning Appeal's Meeting Calendar.**