

Agenda
Florence County Board of Zoning Appeals
Tuesday, September 6, 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 on the information board 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. Election of Officers

III. Review and Motion of Minutes

- Meeting of February 1, 2011
- Meeting of April 5, 2011
- Meeting of May 3, 2011

IV. Public Hearings:

BZA#2011-03

A variance request by Jonathan Teseniar on behalf of FTC Communications from requirements of Section 30-28. Table I of the Florence County Code of Ordinances for property located at 355 N. Country Club Rd., Lake City shown on Florence County Tax Map No. 142, Block 31, Parcel 48. (Green)

V. Other Business:

None

VI. Adjournment

BZA#2011-03

Subject: Allow a communication tower in an R-1, Single-Family Residential District.

Location: 355 North Country Club Road, Florence County

Tax Map Number: 00142, Block 31, Parcel 48

Owner of Record: The Carolina Academy

Applicant: Jonathan Teseniar o/b/o FTC Communications

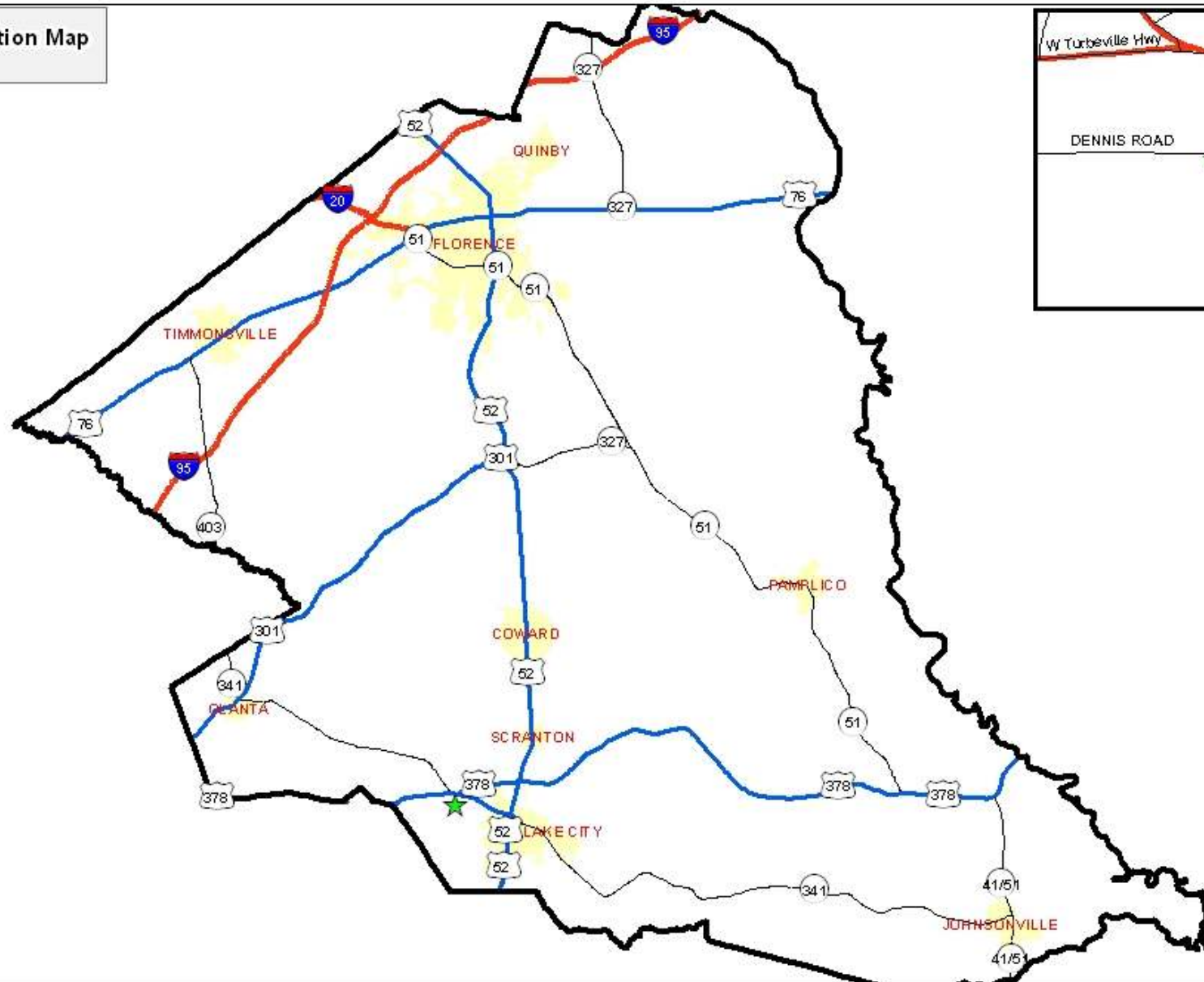
Land Area: Approximately 26 acres

BZA#2011-03

A variance request by Jonathan Teseniar on behalf of FTC Communications from the requirements of Section 30-28. Table I: Schedule of permitted and condition uses and off-street parking requirements for residential districts of the Florence County Code of Ordinances for property located at 355 N. Country Club Rd., Lake City shown on Florence County Tax Map No. 142, Block 31, Parcel 48.

BZA#2011-03 - Location Map

Location Map



0 2 4 6 8 Miles

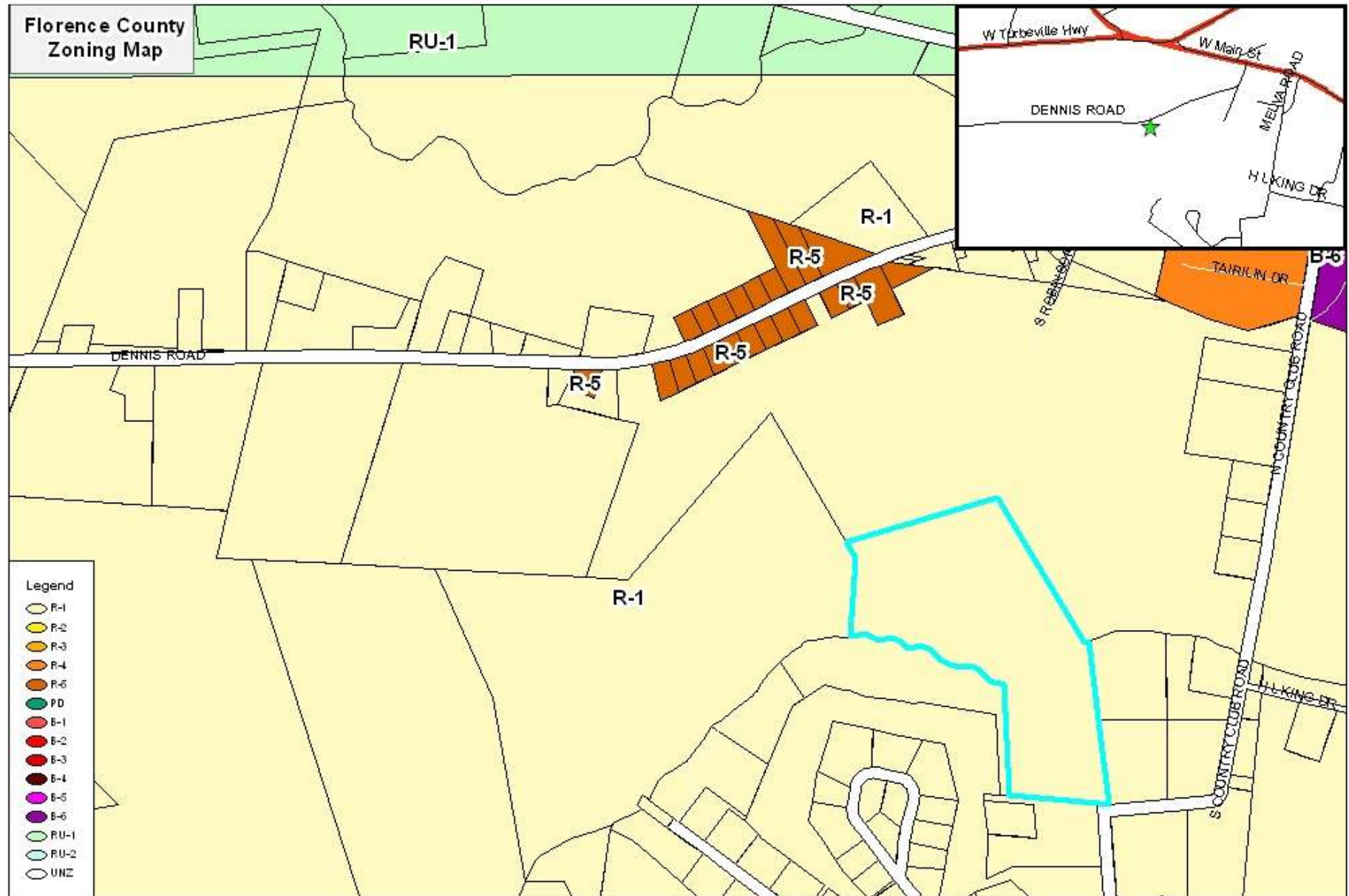


Map Prepared by: RWE
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& Building Inspections Department
Geographic Information Systems
08/19/2011



COUNTY COUNCIL DISTRICT(S): 1
BZA#2011-03

BZA#2011-03 - Zoning Map



BZA#2011-03 - Aerial Map



0 150 300 600 900 1200 Feet

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COUNTY COUNCIL DISTRICT(S): 1
BZA#2011-03

BZA# 2011-03 Site Photograph



BZA# 2011-03 Site Photograph



BZA# 2011-03 Site Photograph



BZA# 2011-03 Site Photograph



BZA# 2011-03 Background

The subject property is currently occupied by Carolina Academy-a private school and is zoned R-1, Single-Family Residential District in Florence County.

The property is currently accessed by way of Country Club Road.

The applicant wishes to construct a communication tower near the middle of the property.

Table I of the Florence County Code of Ordinances does not allow communication towers to be constructed in the R-1, Single - Family Residential Zoning District.

The applicant is requesting a variance from Section 30-28. Table I of the Florence County Code of Ordinances.

Sec. 30-293. – Board of zoning appeals (c)

Powers of board of appeals; variances; special exceptions; remand; stay; hearing; decisions and orders. The board of appeals has the following powers:

- (1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance;
- (2) To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

Sec. 30-293.–Board of zoning appeals (c) (Cont'd.)

- 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; and
- 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 the granting of the variance.

BZA#2011-03 Board of zoning appeals (Cont'd.)

The Board of Zoning appeals is to review questions (a,b,c,d) and use them to determine the findings of fact to make their decision.

BZA# 2011-03 Variance Request

- A. The applicant is requesting a variance to allow for a communications tower in R-1 Single Family Residential zoning district.
- B. **Sec. 30-28. Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential districts.** Establishes that communications towers and antennas are not permitted in the R-1 Single Family Residential zoning district.

BZA# 2011-03 Variance Request (Cont'd.)

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:

FTC has performed an extensive wireless propagation study of the area in and around Carolina Academy and neighboring Lake City Club neighborhood. In order to better serve these communities with wireless broad band and wireless communication services, it is imperative that we get as close to the properties as possible in order to achieve adequate pedestrian and mainly in-building coverage.

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

Applicant's response:

No, these conditions do not apply to other properties as this property is site specific to achieve the desired wireless coverage to a specific area (Carolina Academy and the Lake City Country Club).

BZA# 2011-03 Variance Request (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:

As a result of FTC's use of the property to construct a communications tower there would be no added restrictions to the ordinary use 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:

Applicant's response:

Authorization of the variance will only enhance the surrounding properties with latest and up to date wireless communications services. Furthermore, FTC will landscape the 75X75 compound in order to esthetically blend the structure into the existing environment.

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.