

**STAFF REPORT
TO THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
Tuesday, December 06, 2011
BZA#2011-06**

SUBJECT: Variance request for a decrease in the front yard setback requirement.

LOCATION: 945 East Springbranch Road, Pamplico SC

TAX MAP NUMBER: 00343, Block 02, Parcel 014

COUNCIL DISTRICT(S): 6; County Council

OWNER OF RECORD: Springbranch Baptist Church

APPLICANT: Joe O. Myers

LAND AREA: 11 Acres

VARIANCE REQUESTED: Decrease of 18 feet in the distance requirement of Sec.30-111.- Development standards for unzoned areas.

STAFF ANALYSIS:

Existing Land Use and Zoning:

The subject property is currently occupied by a church and is unzoned in Florence County.

Surrounding Land Use and Zoning:

North: Vacant land/UZ/ Florence County

South: Vacant land/UZ/ Florence County

West: Vacant land/UZ/Florence County

East: Vacant land/UZ/Florence County

The church was established at this location for 163 years.

The church has requested an addition of two bathrooms to the front of the church.

VARIANCE REQUEST:

- (A) **The applicant is requesting a variance for a decrease of 18 feet in the minimum distance from property line.**

(B) **Sec.30-111. Development standards for unzoned areas, (7) Setbacks Office/Institutional of the Florence County Zoning Ordinance.**

(C) The following is extracted from the submitted variance application:

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

Applicant's response:

The church does not meet the ADA requirements for disabled persons. It is our desire to comply with the ADA requirements for our members and those who visit the church that are disable.

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

Applicant's response:

There are no other properties in area built that close to church property line.

- 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:

Currently our disabled persons and members have to be taken outside the church and person with walkers have a hard time. We want to alleviate those problems and comply with ADA.

- 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:

This variance only affects Springbranch and it makes us comply with ADA requirements.

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:

- 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.

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.

ATTACHMENTS:

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