

**STAFF REPORT
TO THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
TUESDAY, FEBRUARY 16, 2021
BZA#2021-01**

SUBJECT: An appeal by Buc-ee's South Carolina, LLC from requirements of the Florence County Code of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE V. – SIGN REGULATIONS, Sec. 30-202. – Signs on private property, for property located at 3390 North Williston Road, Florence, SC 29506 as shown on Florence County Tax Map No. 00202, Block 01, Parcel 079.

LOCATION: 3390 N. Williston Rd., Florence, SC

TAX MAP NUMBER: 00202, Block 01, Parcel 079

COUNCIL DISTRICT(S): 7; County Council

OWNER OF RECORD: Buc-ee's South Carolina, LLC

APPLICANT: Buc-ee's South Carolina, LLC

LAND AREA: Approximately 29.275 acres

APPEAL REQUESTED: The request includes a variance that would allow the property owner to have one additional building sign.

STAFF ANALYSIS:

Existing Land Use and Zoning:

The subject property is proposed commercial and zoned B-3.

Surrounding Land Use and Zoning:

North: Vacant/B-3/Florence County
South: Commercial/Unzoned/Florence County
West: Vacant/RU-1/Florence County
East: Vacant/B-3,Unzoned/Florence County

Background:

The request includes a variance that would allow the property owner to have one additional building sign. This would allow a total of 3 building signs, contrary to the maximum of 2 allowed per the Florence County Ordinance, if granted.

Per the Florence County Zoning Ordinance, Chapter 30 - ZONING ORDINANCE, ARTICLE V. – SIGN REGULATIONS, Sec. 30-202. – Signs on private property., a maximum of 2 building signs are permitted in a B-3 zoning district.

Access and Circulation:

The property is currently accessed by way of N. Williston Rd., Florence, SC.

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.

VARIANCE REQUEST:

1. Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the Zoning Ordinance:

Applicant's response:

Article V; Section 30-202; Table VIII Number of Building Sign; Maximum of 2.

so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows:

Applicant's response:

One additional sign; see attached plan

for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts.
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Applicant's response:

The building is located on a parcel that fronts three (3) public right of way: I-95 to the south, Foundation Blvd. to north, and Williston Rd to the west.

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

Applicant's response:

There are no comparable properties on the north side of I-95.

- 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:

Building signage serves to identify the property to the public traveling on a public right of way of which this property has three. A maximum number of two building signs would prohibit the property having identification to each public right of way.

- 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:

To the contrary, this property serves as an anchor to new development in the region and is expected to be integral to economic growth, the creation of jobs, and future development in Florence County.

Sec. 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.

ATTACHMENTS:

1. Zoning Map
2. Aerial Map
3. Site Plan submitted by the applicant

Florence County
Zoning Map

RU-1

E POCKET RD

N WILLISTON RD

RU-1

B-3

Legend

- R-1
- R-2
- R-3
- R-4
- R-5
- PD
- S-1
- S-2
- S-3
- S-4
- S-5
- S-6
- RU-1
- RU-2
- UNZ

RAMP

RAMP

RAMP

ALEX LEE BLVD

INTERSTATE 95

UNZONED

0 115 230 460 Feet

Florence County
Planning Department
Meeting Date:
01/16/2021



Council District 7
BZA#2021-01

2018 Aerial

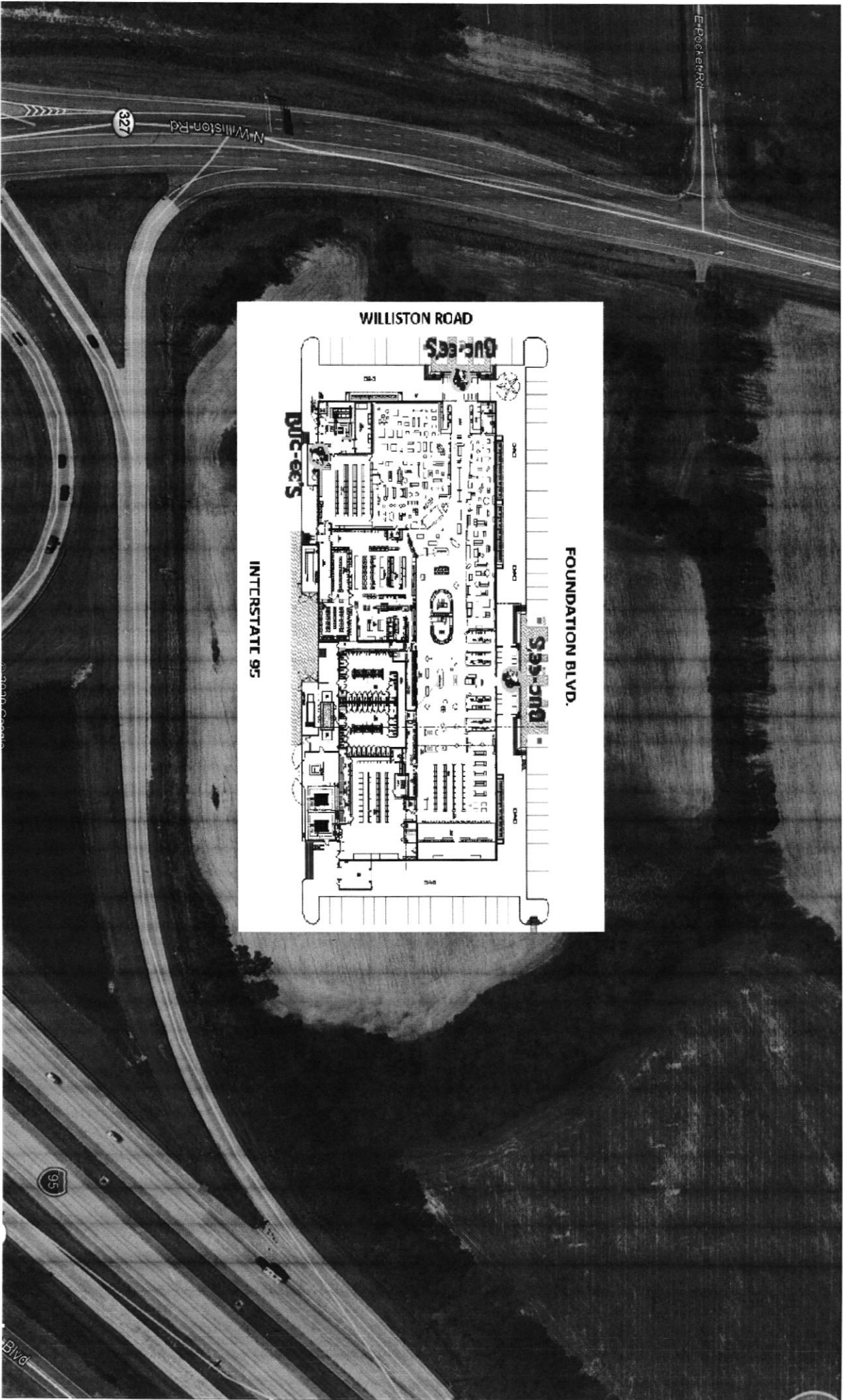


0 115 230 460 Feet

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WILLISTON ROAD

Duc-ees

Duc-ees

FOUNDATION BLVD.

Duc-ees

INTERSTATE 95

327

WILLISTON RD

FOUNDATION BLVD

95

Blvd

**FLORENCE COUNTY BOARD OF ZONING APPEALS
 2021 MEETING SCHEDULE
 TUESDAYS @ 6:30 PM
 COUNTY COMPLEX
 180 N. IRBY STREET, FLORENCE, SC 29501
 ROOM 803 – COUNTY COUNCIL CHAMBERS**

DEADLINE: 3rd TUESDAY OF PREVIOUS MONTH

MEETING DATES 3RD TUESDAY OF EACH MONTH	DEADLINE FOR ALL ITEMS REQUESTING APPEARANCE ON A RESPECTIVE AGENDA
JANUARY 19, 2021	DECEMBER 15, 2020
FEBRUARY 16, 2021	JANUARY 19, 2021
MARCH 16, 2021	FEBRUARY 16, 2021
APRIL 20, 2021	MARCH 16, 2021
MAY 18, 2021	APRIL 20, 2021
JUNE 15, 2021	MAY 18, 2021
JULY 20, 2021	JUNE 15, 2021
AUGUST 17, 2021	JULY 20, 2021
SEPTEMBER 21, 2021	AUGUST 17, 2021
OCTOBER 19, 2021	SEPTEMBER 21, 2021
NOVEMBER 16, 2021	OCTOBER 19, 2021
DECEMBER 21, 2021	NOVEMBER 16, 2021