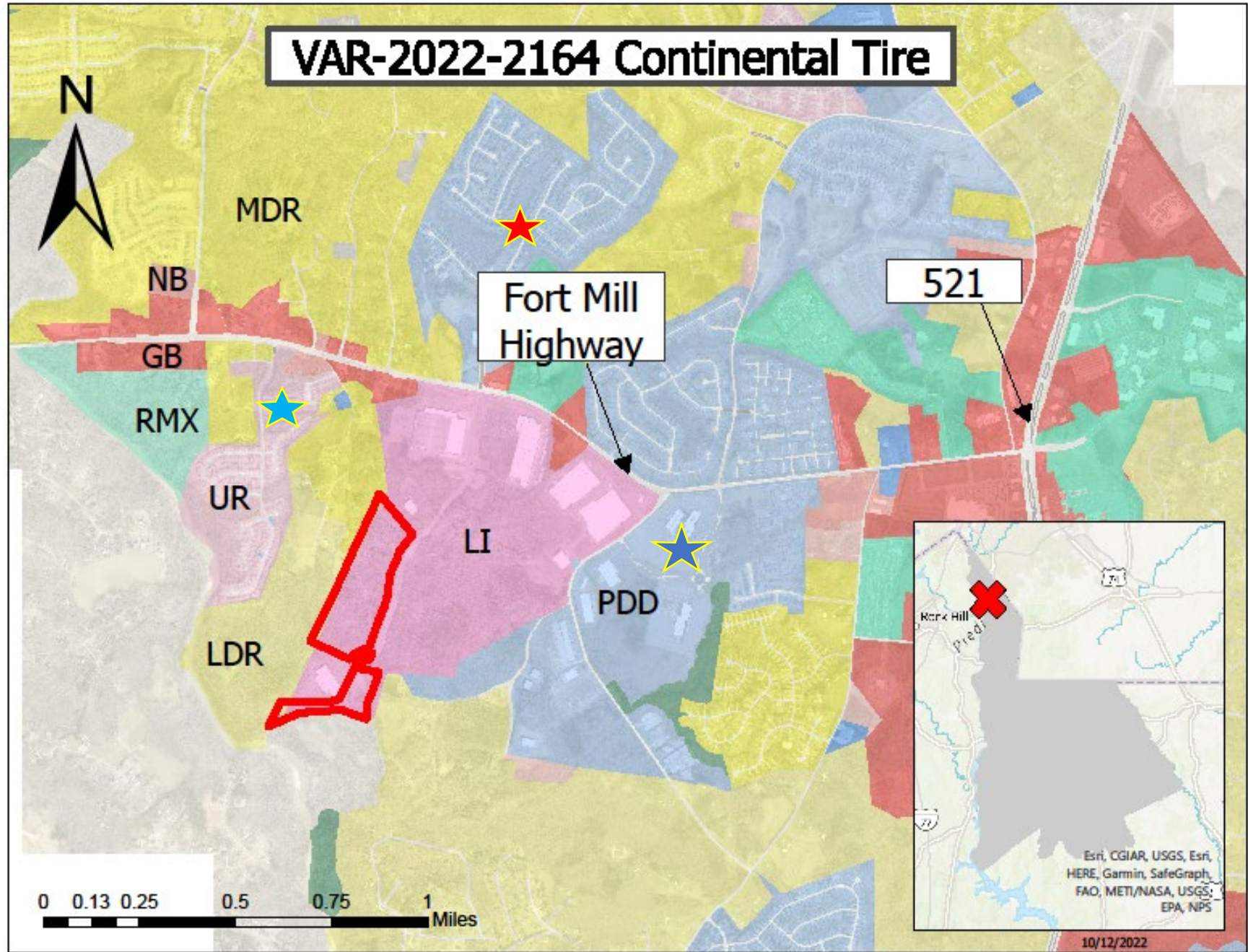


VAR-2022-2164 Continental Tire

Proposal:
Variance Request
UDO Sec. 7.4.5

Legend:

-  Subject Property
-  Bailes Ridge Business Park
-  Rosemont
-  Reid Pointe





**BOARD OF ZONING APPEALS
VARIANCE APPLICATION**

IF YOU REQUIRE ASSISTANCE WITH THIS APPLICATION, PLEASE CONTACT THE PLANNING OFFICE AT 803-285-6005. THE COMPLETED APPLICATION, THE APPLICATION FEE OF \$275.00 SF RESIDENTIAL/ \$375.00 COMMERCIAL AND ALL ADDITIONAL SUPPORTING DOCUMENTS ARE REQUIRED TO BE SUBMITTED.

THE FOLLOWING INFORMATION MUST BE PROVIDED FOR THE REQUEST:

PROPERTY INFORMATION:

TAX MAP NUMBER: 0007-00-008.07

STREET ADDRESS: 1749 MacMillan Park Drive

CITY/ STATE/ ZIP CODE: Fort Mill, South Carolina 29707

LOT DIMENSIONS/ LOT AREA: 32.812 acres PLAT BOOK/PAGE: Plat Book 2019, Page 81

CURRENT ZONING

CLASSIFICATION: Corporate Agriculture Use


PROPERTY OWNER OF RECORD:

NAME: Continental Tire the Americas, LLC

ADDRESS: 1830 MacMillan Park Drive

CITY/STATE/ZIP CODE: Fort Mill, South Carolina 29707 TELEPHONE 704-583-8678

EMAIL ADDRESS: scott.barnette@conti-na.com

SIGNATURE OF OWNER/ DATE:  10/4/2022

I HAVE APPOINTED THE INDIVIDUAL OR FIRM LISTED BELOW AS MY REPRESENTATIVE IN CONJUNCTION WITH THIS MATTER RELATED TO THE BOARD OF ZONING APPEALS.

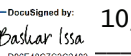
AGENT OF OWNER:

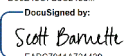
NAME: Gleeds USA Inc.

ADDRESS: 990 Hammond Drive

CITY/STATE/ZIP CODE: Atlanta, Georgia 30328 TELEPHONE: 770-395-1500

EMAIL ADDRESS: bashar.issa@gleeds.com

SIGNATURE OF AGENT/ DATE:  10/4/2022

SIGNATURE OF OWNER/ DATE:  10/4/2022

VARIANCE APPLICATION

DATE FILED: 9/30/22 APPLICATION NO. _____

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 TO THE UNIFIED DEVELOPMENT ORDINANCE:

CHAPTER 7 GENERAL DEVELOPMENT STANDARDS, SECTION 7.4.5 - A. WALL SIGNS READS: "(50) SQFT OR (1) SQFT PER LINEAR FOOT OF BUILDING WALL, WHICHEVER IS GREATER. 75 SQFT BUILDING MAXIMUM."

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:

A PERMIT WHICH APPROVES THE PROPOSED EXTERIOR SIGNAGE AT 325 SQFT

FOR WHICH A ZONING OFFICIAL HAS DENIED A PERMIT ON THE GROUNDS THAT THE PROPOSAL WOULD BE IN VIOLATION OF THE CITED SECTION (S) OF THE UNIFIED DEVELOPMENT ORDINANCE.

CHAPTER 7 GENERAL DEVELOPMENT STANDARDS, SECTION 7.4.5 - A. WALL SIGNS READS: "(50) SQFT OR (1) SWFT PER LINEAR FOOT OF BUILDING WALL, WHICHEVER IS GREATER. 75 SQFT BUILDING MAXIMUM."

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:

- i. THAT THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THIS ORDINANCE;

THIS ORDINANCE CREATES AN UNNECESSARY HARDSHIP ON OUR PROJECT DELIVERY TIMELINE. THE SPIRIT OF THE ORDINANCE IS MAINTAINED THROUGH THE LOCATION OF THE PROJECT BEING ON A PRIVATE ROAD BUFFERED BY A TREE LINE AND REMOVED FROM VISION OF AREAS WITH HEAVY TRAFFIC.

- ii. THAT IF THE APPLICANT COMPLIES WITH THE PROVISIONS OF THE ORDINANCE, THE PROPERTY OWNER SEEKING THE VARIANCE CAN SECURE NO REASONABLE RETURN FROM, OR MAKE NO REASONABLE USE OF HIS PROPERTY;

THE PROPOSED SIGNAGE IS ABOUT ~325 SQFT AND THE ORDINANCE IS DEMANDING A REDUCTION TO 75 SQFT. SUCH A DRAMATIC REDUCTION WILL RESULT IN THE OWNER NOT GETTING A REASONABLE RETURN FROM THE INTENDED DESIGN OF THIS SIGNAGE BEING A MARQUEE SHOWPIECE.

- iii. THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS LOCATED IN THE SAME LAND DEVELOPMENT DISTRICT;

THE LOCATION OF THE BUILDING IS ON A PRIVATE ROAD BUFFERED WITH TREES AND REMOVED FROM PUBLIC VIEW. THIS IS A UNIQUE CIRCUMSTANCE COMPARED TO OTHER PROPERTIES WITHIN THE SAME DISTRICT WHERE SIGNAGE WOULD BE FAR MORE VISIBLE AND THUS UNDER GREATER SCRUTINY.

- iv. THAT THE VARIANCE WILL NOT MATERIALLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREA;

WITHOUT THE SIGN THE BUILDING WILL GIVE THE IMPRESSION OF A STANDARD OFFICE BUILDING OF LOWER VALUE. APPROVING THIS VARIANCE WILL ALLOW FOR THE LARGE SHOW PIECE SIGNAGE WHICH WILL ENHANCE THE VALUE OF THE PROPERTY.

- v. THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES REFERENCED IN III, ABOVE, RESULT FROM THE APPLICATION OF THIS ORDINANCE AND NOT FROM THE ACTIONS OF THE APPLICANT;

THE SPECIAL CONDITION OF THIS PROPERTY IS THAT IT IS FAR REMOVED FROM THE VISION OF PUBLIC VIEW AND THE SIGNAGE

- vi. THAT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE AND PRESERVES ITS SPIRIT;

PROJECT IS LOCATED ON A PRIVATE ROAD BUFFERED WITH TREES BLOCKING VISION OF BUILDING. THE SIGN WILL NOT BE VISIBLE FROM THE ROAD. THE SPIRIT OF THE ORDINANCE SUGGESTS AVOIDING A DISPLAY OF LARGE SIGNAGE IN AN AREA WITH LOTS OF TRAFFIC - THIS IS NOT THE CASE HERE.

- vii. THAT THE VARIANCE IS THE MINIMUM NECESSARY TO AFFORD RELIEF; AND

MINIMUM REQUIRED IS PER OUR BASIS OF DESIGN

- viii. THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE

SIGNAGE SIZE HAS BEEN ENGINEERED WITH SPECIALIZED SUNSHADE CLIPS AND ADDED STRUCTURAL SUPPORT. ALL CALCULATIONS ARE INCLUDED IN ATTACHMENTS

- 3. THE FOLLOWING DOCUMENTS ARE SUBMITTED IN SUPPORT OF THIS APPLICATION: (A PLOT PLAN MUST BE SUBMITTED) (1) PLOT PLAN, (2) PLAN VIEW & PICTURES FROM ROAD TO BUILDING, (3) EXAMPLES OF EXISTING PROPERTIES THAT EXCEED ORDINANCE REQUIREMENT WITHIN SAME DISTRICT

Date: 10/3/2022

Applicant Signature:  EABC7011A731439...