

**REQUEST:** Application by Continental Tire, requesting a variance from Unified Development Ordinance Section 7.4.5.A

**PROPERTY LOCATION:** 1830 MacMillan Park Drive

**TAX MAP NUMBER:** 0007-00-008.07

**ZONING DISTRICT:** Light Industrial (LI) District

**OWNER:** Continental Tire the Americas, LLC

**APPLICANT:** Gleeds USA Inc.

## OVERVIEW:

### Background

The subject property is approximately 32.812 acres in size and is located on the south side of Fort Mill Highway and in the MacMillan Business Park at the end of MacMillan Park Drive. The property is currently under construction for development of a 30,600 Sq Ft. building and related improvements. This new building is an expansion of the existing Continental Tire Headquarters.

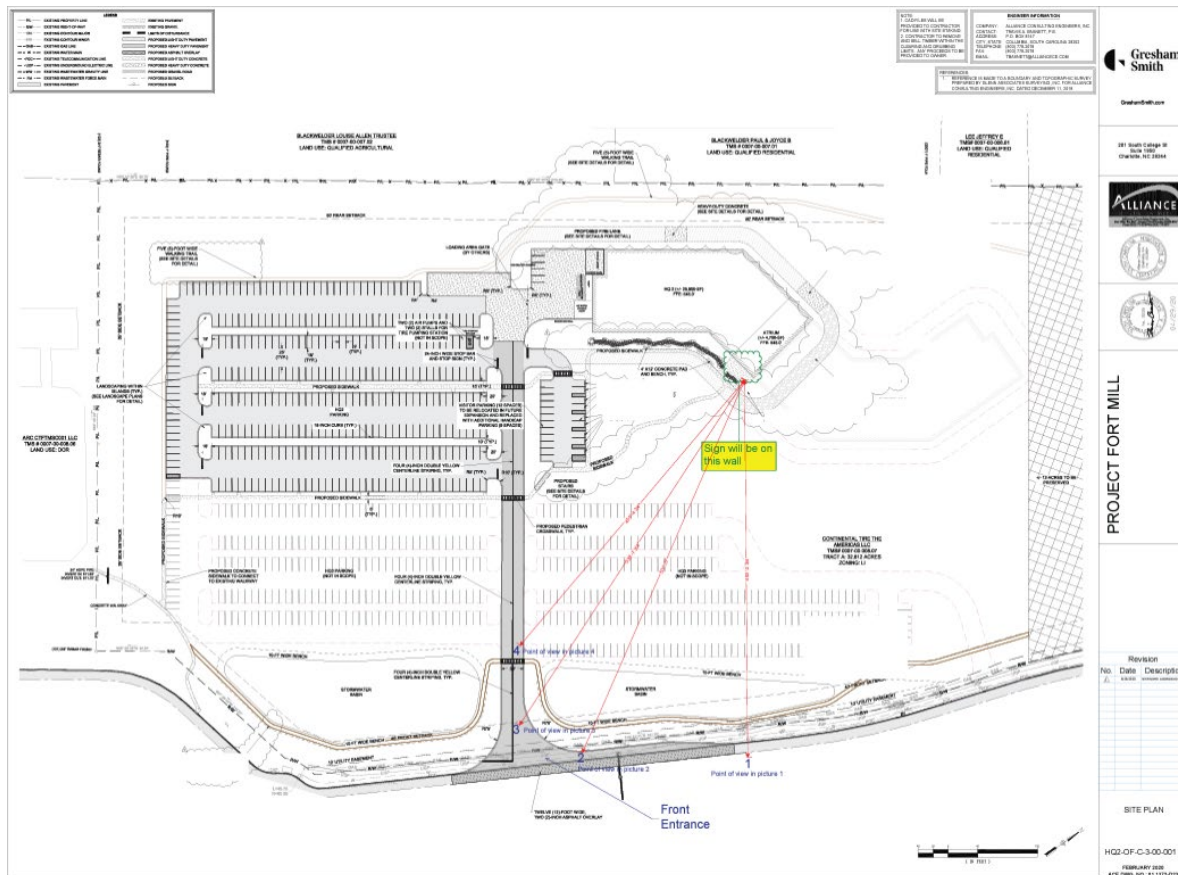


Figure 1 Site Plan highlighting the intended location of the sign

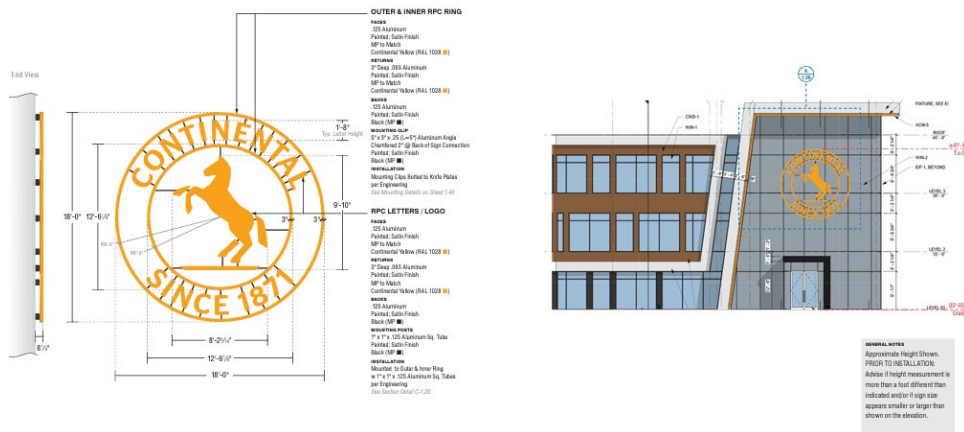


Figure 2 proposed sign design

The property owner is proposing to install a wall sign over the main entrance to the building. The building is 500 feet away from MacMillan Park Road and the building height from ground to the roof is 45 feet. The total length of the building front is 226.5 feet. The angled portion of the building front that the sign would rest upon is 83.25 feet.

The sign would measure, approximately 18 feet by 18 feet (325 Sq Ft.). Pursuant to Unified Development Ordinance (UDO) Section 7.4.5.A, the maximum area of a sign in the Light Industrial (LI) Zoning District is (50) Sq Ft. or (1) Sq Ft. per linear foot of building wall, whichever is greater. 75 Sq Ft. maximum. Therefore, this sign must comply with the 75 Sq Ft. maximum sign size requirement for the Light Industrial (LI) District. The subject property is eligible for the 75 Sq Ft. area sign size. The applicant has requested to increase the allotted sign area to 325 Sq Ft. This is an approximate 333% increase in maximum sign area in the LI zoning district.

According to the supporting documents provided by the applicant, currently the sign location is not visible from MacMillan Park Road and is only visible from when you enter the future parking lot area. This is outlined in the photos 1-4 within the supporting document and has been confirmed by staff. The amount of visibility of the sign and building from MacMillan Park Road will change once the tree coverage is removed in association with construction of the proposed parking lot and storm water basins. Please refer to Figure 1 above for more information.

### ***Summary of Adjacent Zoning and Uses***

	Zoning District	Use
North	LI	MacMillian Business Park
South	None	York County
East	LI	MacMillian Business Park
West	LDR/MDR	Single-Family Detached Dwelling

**Public Comment:**

Staff has not received any feedback in support or opposition to this variance request.

**RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:**

**UDO Section 7.4.5. Attached Sign Standards**

**A. ATTACHED SIGN STANDARDS**

	Permitted Location	Maximum Area	Maximum Height	Other Requirements	Maximum Number
A. Wall Signs	AR, RR, RN, LDR, MDR, HDR, UR, RUB, PB, HDR (non-residential uses only, but not Home Occupations)	30 sq ft OR 1 sq ft per linear ft of building wall, whichever is greater. 50 sq ft building maximum	No sign shall extend above the roofline	12 inch maximum protrusion	None. May not exceed maximum calculated square footage on any wall (cannot move allotment from one wall to another)
	NB, INS, RMX, MX, IMX	30 sq ft OR 1 sq ft per linear ft of building wall, whichever is greater. 50 sq ft building maximum.			
	LI, HI, GB, RB	50 sq ft OR 1sq ft per linear ft of building wall, whichever is greater. 75 sq ft building maximum.			

**UDO Section 9.2.12.A, Purpose/Limitations**

- Purpose:** The variance process administered by the Board of Zoning Appeals is intended to provide limited relief from the requirements of this ordinance in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of the land in a manner otherwise allowed under this ordinance.
- Financial Hardship Not Sufficient Ground for Variance:** It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general or to increase the profitability of a proposed development.
- Use Variances Not Permitted:** In no event shall the Board of Zoning Appeals grant a variance which would allow the establishment of a use which is not otherwise allowed in a land development district or which would change the land development district classification or the district boundary of the property in question. Nor shall the Board grant a variance which would allow the establishment of a use set forth herein as requiring certain conditions or standards under conditions or standards less than those minimums.
- Authority Limited to this Ordinance/ Conflicts with other Laws Prohibited:** In no event shall the Board of Zoning Appeals grant a variance which would conflict with the International Building Code, as amended, or any other state code unless otherwise authorized by duly enacted applicable laws and regulations.

**UDO Section 9.2.12.C.2, Standard of Review**

- a. General Variance Requests:** The Board of Zoning Appeals shall not grant a variance unless and until it makes all of the following findings:
- i. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this ordinance;
  - 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;
  - 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;
  - iv. That the variance will not materially diminish or impair established property values within the surrounding area;
  - 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;
  - vi. That the variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit;
  - vii. That the variance is the minimum necessary to afford relief; and
  - viii. That the public health, safety and general welfare have been assured and substantial justice has been done.
- 

**ATTACHMENTS:**

1. Variance Application
  2. Location / Zoning Map
  3. Property Report (QPublic)
  4. Applicant Provided Supporting Documents
  5. Location Map
- 

**STAFF CONTACT:**

Matthew Blaszyk, Planner  
[mblaszyk@lancastersc.net](mailto:mblaszyk@lancastersc.net) | 803-416-9380