

## **West Columbia Zoning Board of Appeals** **Case Evaluation for a Variance**

Case Number: ZBA 20-11

Tax Map Number: 004641-07-016

Property Address: 1601 Lacy Street

Current Zoning: C-3 (Restricted Commercial)

Applicant: Jim Bowie

Variance Requested: From the definition of travel and camping vehicle regarding the length of the structure.

Use of property: Mobile Home Park

Reason for Request: In Section 301 of the Zoning Ordinance, the City of West Columbia defines a "*Travel or Camping Vehicle*" as:

*A vehicular portable structure designed as a temporary dwelling for travel or recreational uses not exceeding thirty-five (35) feet in length.*

In addition, Section 611.5 of the Zoning Ordinance describes the conditions under which travel or camping vehicles can be parked or stored on a property:

*(b) Travel or camping vehicles shall not be occupied temporarily or permanently while parked or stored, except in an authorized mobile home park.*

Park Model Recreational Vehicles (PMRV) are considered travel or camping vehicles in the zoning ordinance, however, some PMRV's exceed the maximum length specified in the definition.

Section 1101.2 gives the Zoning Board of Appeals the authority

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 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.
- (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.

(i) 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, should a variance be granted, may not be considered grounds for a variance.

(ii) In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety or general welfare.

**Character of Area:** The property is at the southwest corner of the intersection of the Lacy Street and N. Brown Street (2019 SCDOT AADT = 1,100). The property is also highly visible from Jarvis Klapman Blvd (2019 SCDOT AADT = 13,200). To the west and south of the property, adjacent parcels are zoned R-2 (Medium-Density Residential). Across from N. Brown Street is a now defunct and vacant mobile home park that is currently zoned R-1 (High-Density Residential).

**Analysis:** PMRV's as travel or camping vehicles can be occupied in an authorized mobile home park if they comply with the maximum length specified in the definition. The applicant plans to use the existing mobile home park to lease spaces for PMRV's that typically measure 12-14 feet in width and 39-44 feet in length. The length of the proposed PMRV's exceed the 35-foot limitation as defined by the zoning ordinance.

