



County of Lexington

Board of Zoning Appeals

**PUBLIC HEARING**

PUBLIC HEARING

# **BZA Opening Remarks**

**We would like to welcome all of you to this meeting of the Lexington County Board of Zoning Appeals. Before we begin this meeting, I want to inform everyone we are being broadcast live on the Lexington County website and Time Warner Channel 2. Our meetings are available for viewing any time on the County website.**

**A sign-in sheet has been provided by staff. Be sure that you have signed in by giving your name and address as a matter of public record.**

**This Board is what is known as a quasi judicial body which means that these hearings are held in the same general manner as a court of law.**

**Therefore, those in attendance must refrain from disruptive behavior, such as clapping; anyone who disrupts the proceedings will be asked to leave. There shall be no standing head counts of proponents or opponents and no show of hands will be allowed to indicate approval or disapproval of the request.**

**The purpose of this public hearing is to obtain facts and comments from proponents and opponents regarding subject matter specific and pertinent to the request. Since the meeting is being recorded for the purpose of Minutes, each speaker is to come to the microphone at the podium and provide his or her name and mailing address, including street, city, state, and zip code. Each speaker is encouraged to keep their comments concise and to the point and is limited to 3 minutes.**

**After everyone who wishes to speak has been heard, the opportunity for additional comments or rebuttal will be considered as time may allow.**

**We will dispense with the approval of the Minutes and other business until after the requests have been heard. At this time, the Zoning staff will present our first variance request of the evening.**

# Zoning Variance # 02-14

- Applicant: Dan Ward, Palladio Properties, LLC
- Property Owner: Palladio Properties, LLC
- Location: 823 Highway 378
- TMS# 004200-05-069

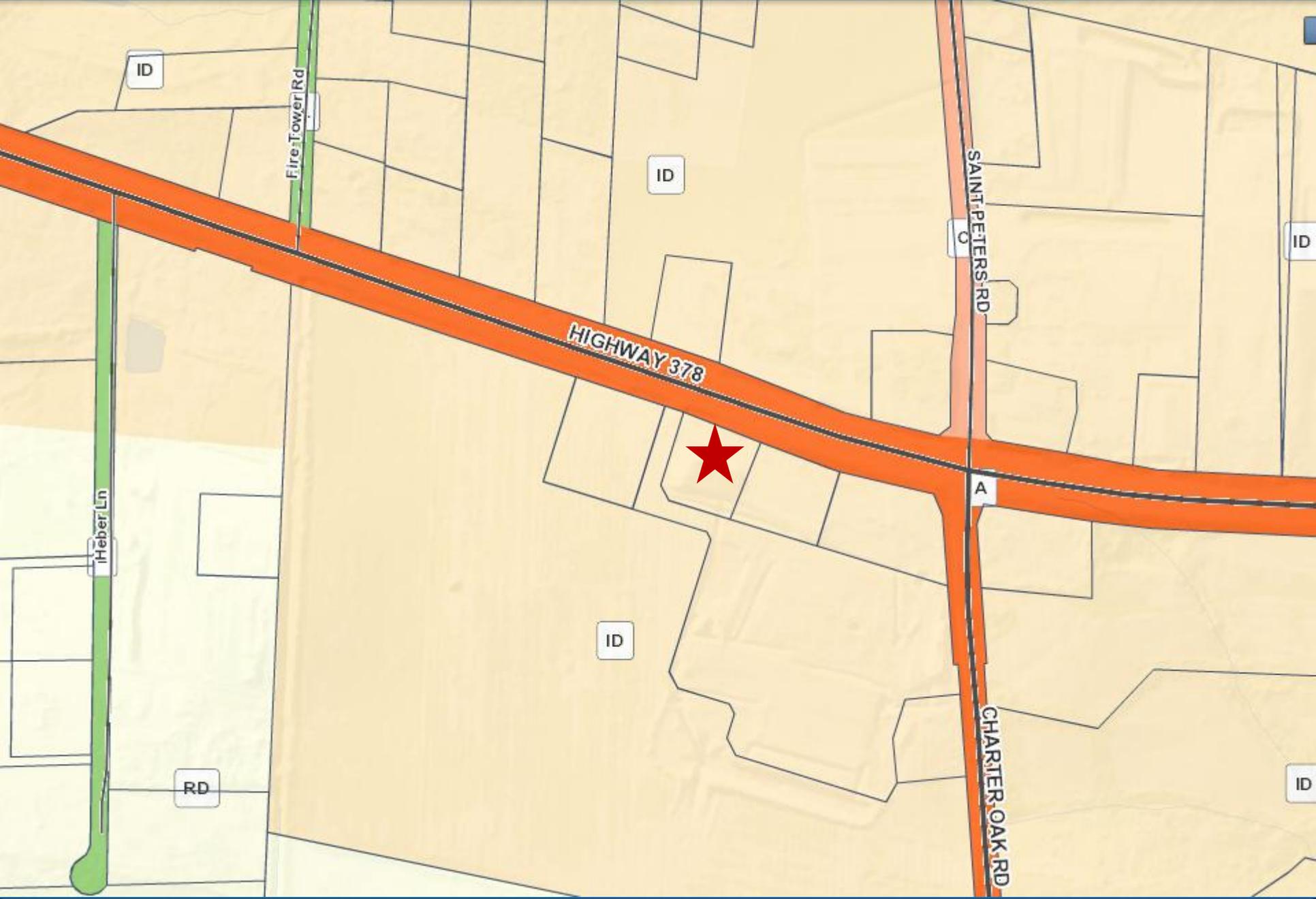


# Explanation of the Variance Request

Applicant requests additional wall signage for a new Zaxby's location. Only one wall may be used for wall signage and applicant would like to place wall signs on three sides of the proposed building.







To: Mr. Walt McPherson (Zoning Administrator)  
From: Dan Ward (Lexington Foods, Inc. d/b/a Zaxby's)  
Subject: Zoning Variance Request  
Date: March 6, 2014

My request for installing business signs on three sides of my new restaurant were denied, allowing for installation of only one sign on the wall fronting Highway 378. I am requesting a variance from the Zoning Ordinance for the following reasons.

- A. There are extraordinary and exceptional conditions pertaining to this particular piece of property. We own and operate two other Zaxby's restaurants in Lexington County and they are allowed twenty foot signs with reader boards. This piece of property is an outparcel to the Publix Shopping Center at Hendrix Crossing and is subject to the Easements, Covenants, and Restrictions (ECR) of the entire property. The shopping center owners will only allow a six foot high sign, including the base, to be used at this location. In addition, they will not allow a reader board. Secondly, our property is three to four feet below the road grade of Highway 378, which fronts the building. This makes our signage barely recognizable. Lexington County Zoning Ordinance, Chapter 5, Signs, 25.00 d states that one of the purposes of the ordinance is "To allow for adequate and effective signs for communicating identifications and promoting businesses". The currently allowed signage is neither adequate nor effective.
- B. These conditions do not generally apply to other property in the vicinity because most businesses in the vicinity are not subject to the shopping center ECR and their property is not below road grade.



# Standards for Variances

- C. The application of the ordinance to this particular piece of property would effectively prohibit and unreasonably restrict the utilization of the property because signage and brand recognition is a very important component to the success of the business. We have an investment of approximately two million dollars in this property and the Ordinance, combined with the ECR, severely limit the brand recognition that is so vital to our business success.
- 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 granting of the variance. These signs are aesthetically pleasing in appearance and are placed high on the side of our building. They will not obstruct the view of any other business, not compromise public safety and traffic safety, nor interfere with normal commerce. This district is zoned Intensive Development so it will not adversely affect the character of the district.

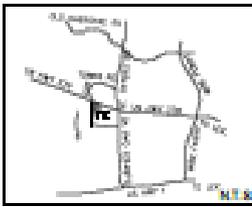
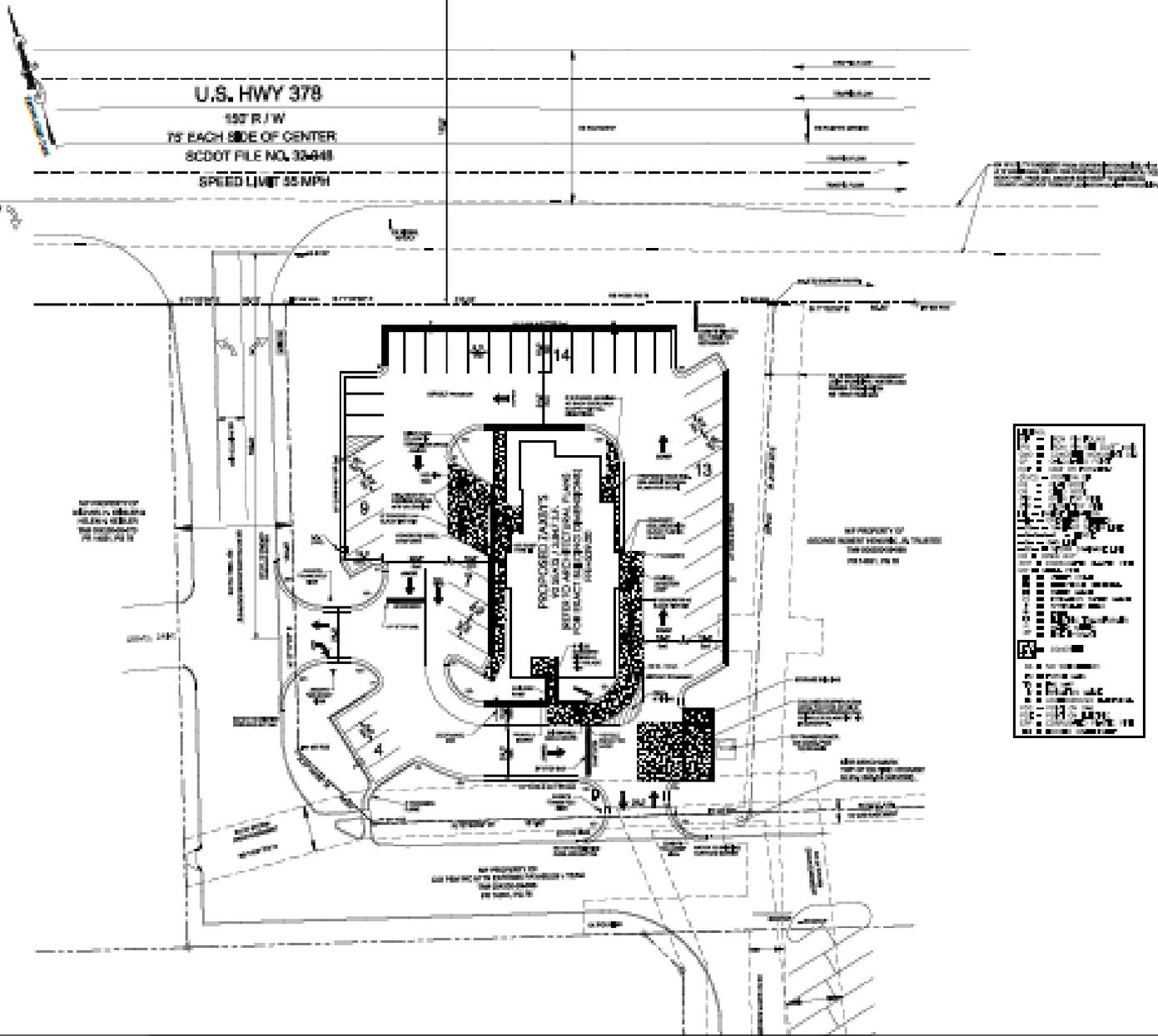


# Lexington County Zoning Ordinance

Wall Signs are signs attached to the exterior wall of a building or structure which do not extend beyond the building wall more than 12 inches. Such a sign shall not exceed 15 percent of the area of the wall of the first story of the building or business to which it is attached. A maximum of 12 feet in height can be used for this 15 percent measurement. No portion of a wall sign shall be permitted to project above the wall of the building to which it is attached except in the case of signs mounted to the roof in which case no portion shall project above the top of the roof. The wall sign information may be dispersed anywhere on the wall as long as the total display area of all information does not exceed the 15 percent requirement. A “mural” is a painting applied to a wall containing no advertisement for any business product or activity. A mural, as defined, will not be considered a wall sign.

The maximum display area allowed for commercial centers includes any directory signs. In addition, each business within a commercial center may erect one wall, projecting, or marquee sign; and, each individual business not within a commercial center may erect one wall, projecting, or marquee sign per street frontage.





**PROJECT NOTES:**

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. THE PROPOSED TRAILER STORAGE IS SUBJECT TO APPROVAL BY THE LOCAL HEALTH DEPARTMENT.
3. THE PROPOSED TRAILER STORAGE IS SUBJECT TO APPROVAL BY THE LOCAL FIRE DEPARTMENT.
4. THE PROPOSED TRAILER STORAGE IS SUBJECT TO APPROVAL BY THE LOCAL PLANNING COMMISSION.
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**NOTES:**

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**811** Know what's below  
Call before you dig  
811



**PROJECT INFORMATION:**

PROJECT NO. 138182AX

DATE: 10/21/13

**CARTER ENGINEERING CONSULTANTS**

**SITE DEVELOPMENT PLANS**  
for  
**PALMETTO PARTNERS OF SC, LLC**

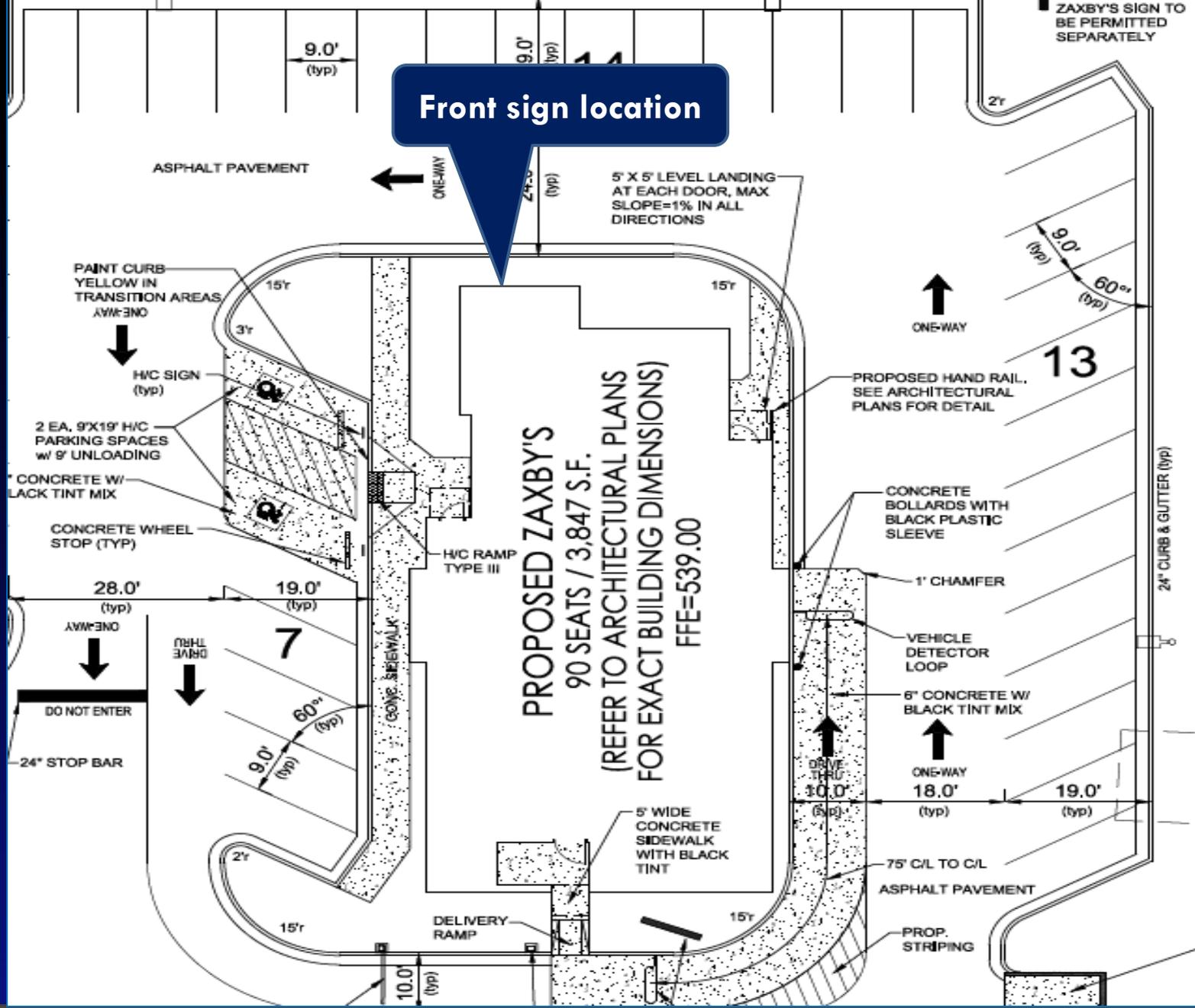
**SITE PLAN**

**3**



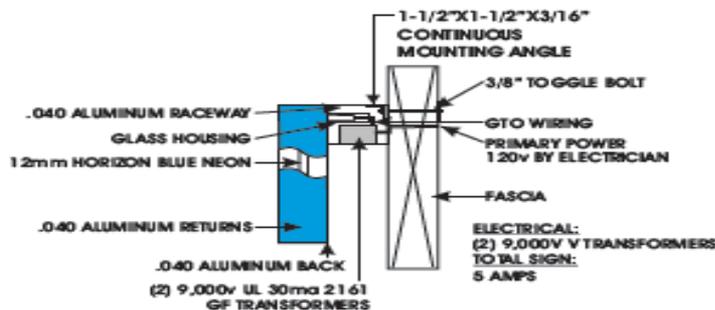
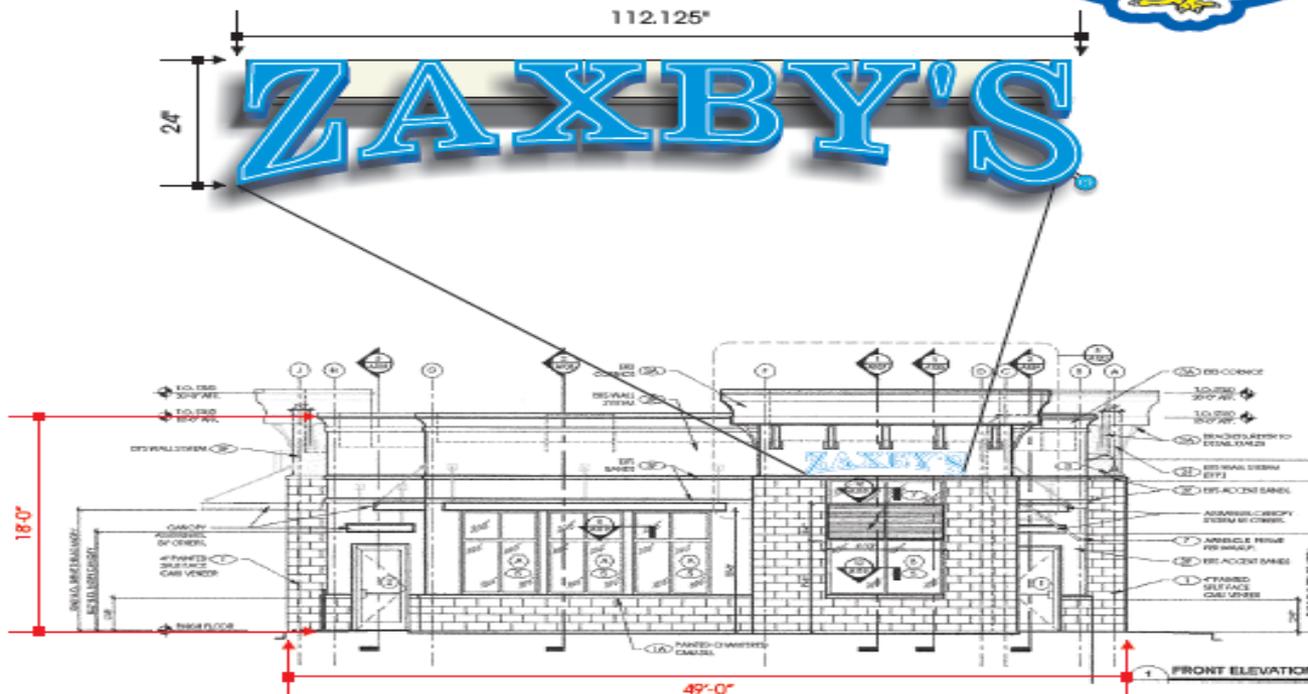
ZAXBY'S SIGN TO BE PERMITTED SEPARATELY

Front sign location





SQ FT-18.6



NOTE:  
SIGN WILL BE SECURELY ATTACHED BY MEANS OF METAL ANCHORS, BOLTS OR EXPANSION SCREWS OF NOT LESS THAN 3/8" (9.5 mm) DIAMETER AND SHALL BE EMBEDDED AT LEAST 5" (127 mm).

www.langsigns.com

scale: 1/2" = 1'



"Serving The Southeast Since 1929"

CEO: RICHIE ROSEBUSH

DESIGN: NEIL TANNER

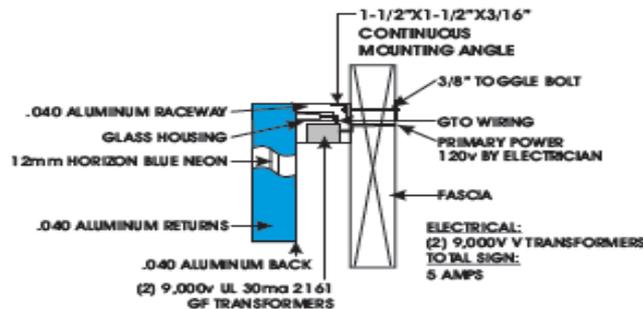
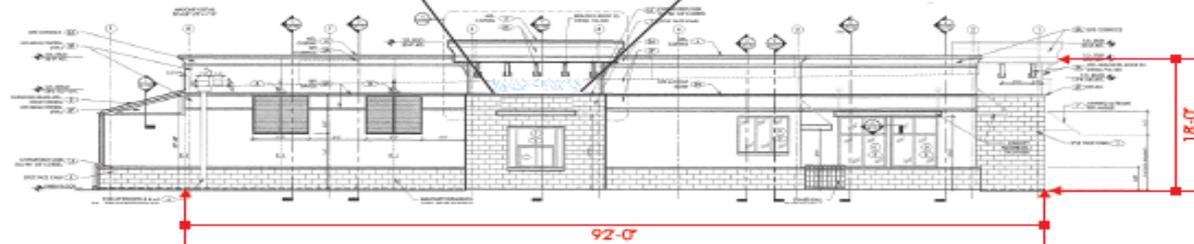
ZAXBY'S "EXPOSED NEON CHANNEL LETTERS"







SQ FT-18.6



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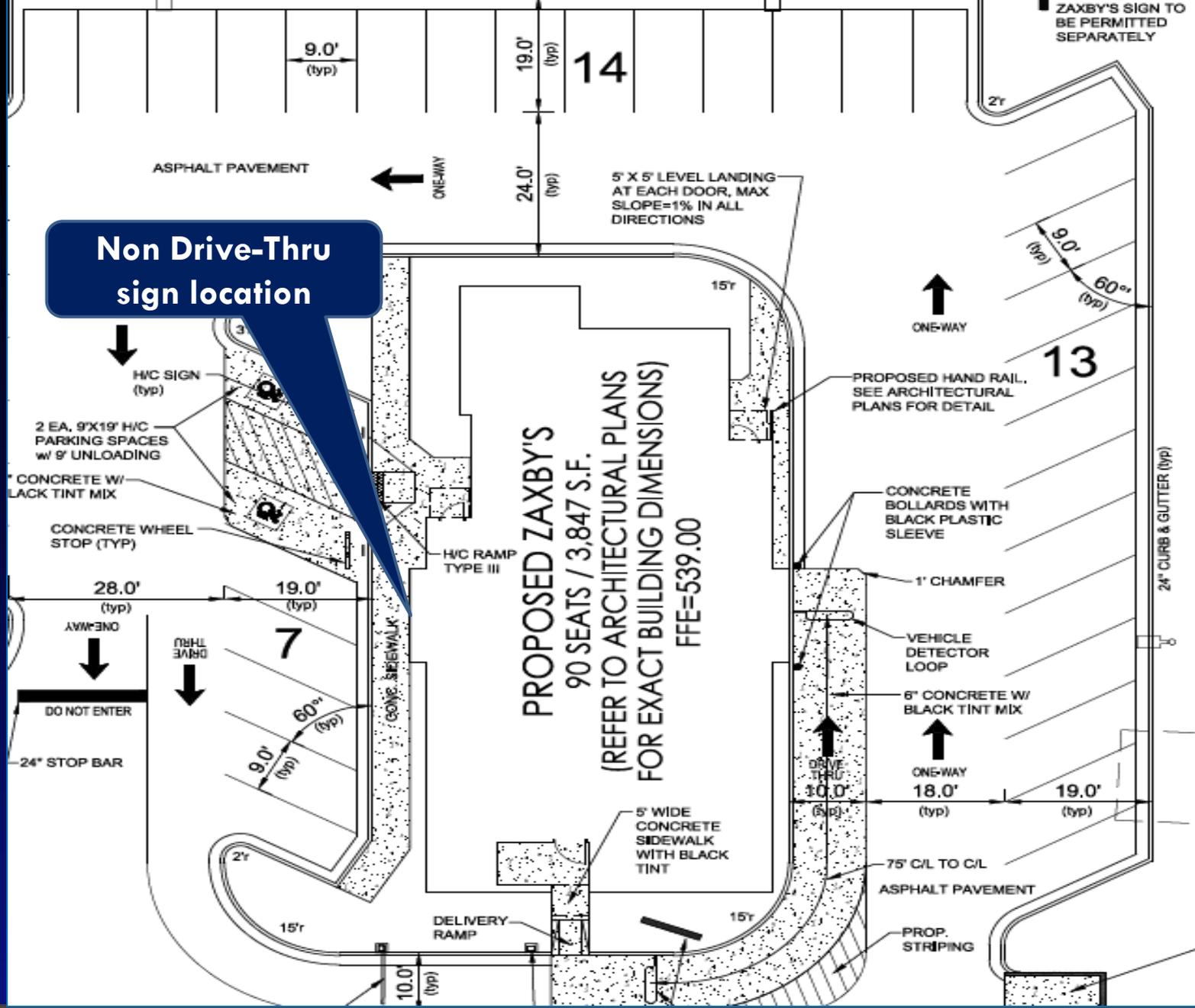


CEO: RICHIE ROSEBUSH  
DESIGN: NEIL TANNER

ZAXBY'S "EXPOSED NEON CHANNEL LETTERS"

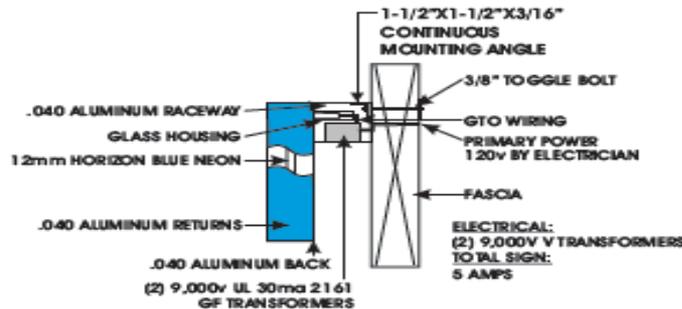
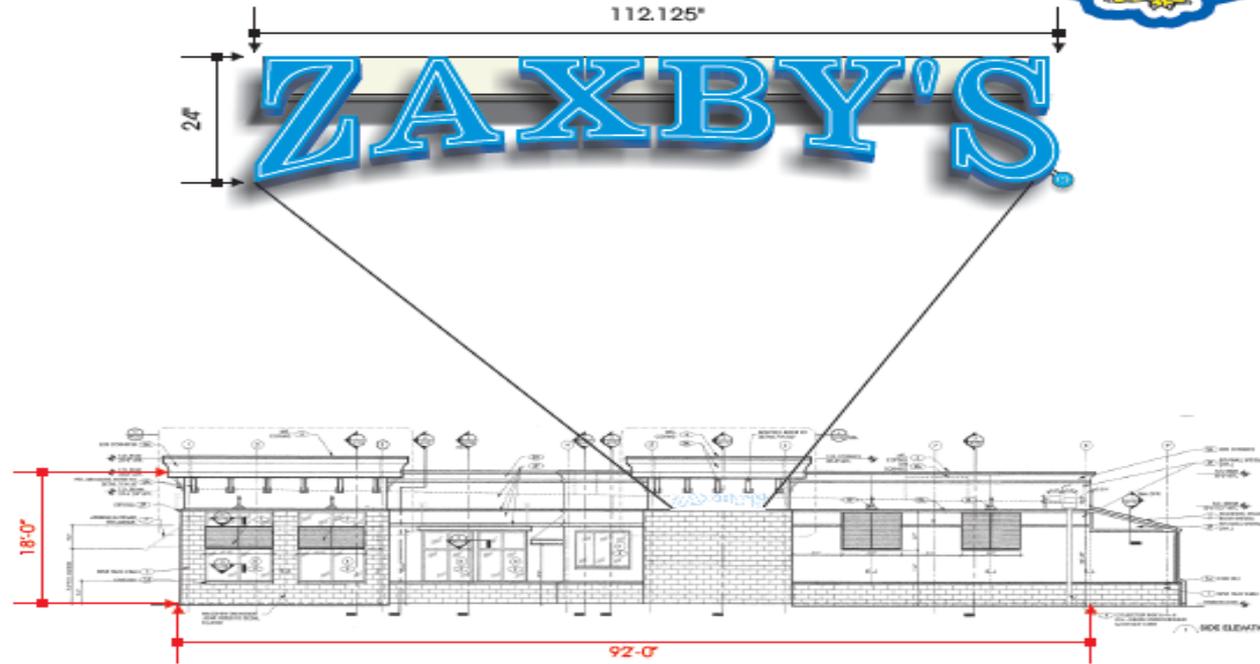


**Non Drive-Thru  
sign location**





SQ FT-18.6



NOTE:  
SIGN WILL BE SECURELY ATTACHED BY MEANS OF METAL ANCHORS, BOLTS OR EXPANSION SCREWS OF NOT LESS THAN 3/8" (9.5 mm) DIAMETER AND SHALL BE EMBEDDED AT LEAST 5" (127 mm).

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scale: 1/2"=1'

ZAXBY'S "EXPOSED NEON CHANNEL LETTERS"



CEO: RICHIE ROSEBUSH  
DESIGN: NEIL TANNER





100 m  
400 ft

2013 aerial photograph



# ZONING HEARING

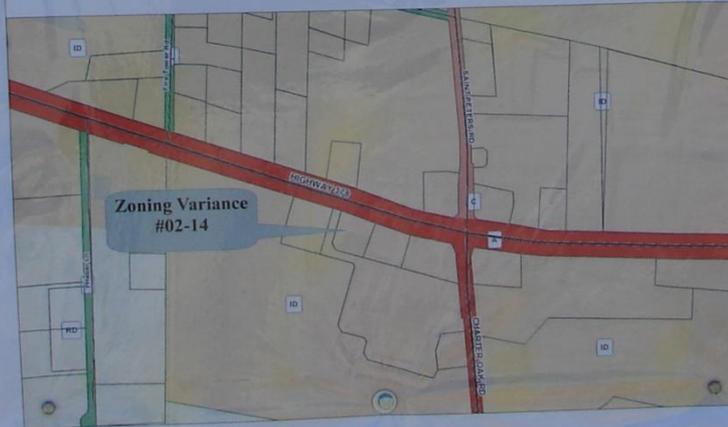
LEXINGTON COUNTY  
ADMINISTRATION BUILDING

6:00 P.M.

TUESDAY • APRIL • 16

FOR INFORMATION CALL 785-8121

**ZONING VARIANCE REQUEST #02-14:** Applicant requests an additional two wall signs for a proposed food service activity. TMS# 004200-05-069.





HIGHWAY 378

SAINT PETERS RD

CHARTER OAK RD



100 m  
400 ft

2013 aerial photograph



Community Development



Site photography





HIGHWAY 378

SAINT PETERS RD

CHARTER OAK RD

100 m  
400 ft

2013 aerial photograph







HIGHWAY 378

SAINT PETERS RD

CHARTER OAK RD

100 m  
400 ft

2013 aerial photograph



Community Development





HIGHWAY 378

SAINT PETERS RD

CHARTER OAK RD



100 m  
400 ft

2013 aerial photograph



Community Development



Site photography

# Zoning Variance # 03-14

- Applicant: Keith McAlister
- Property Owner: Lexington County School District 5
- Location: 6671 St. Andrews Road
- TMS# 002797-02-007



# Explanation of the Variance Request

An increase in sign height from 8 feet to 35.2 feet and an increase in static display area from 75 square feet to 465 square feet.



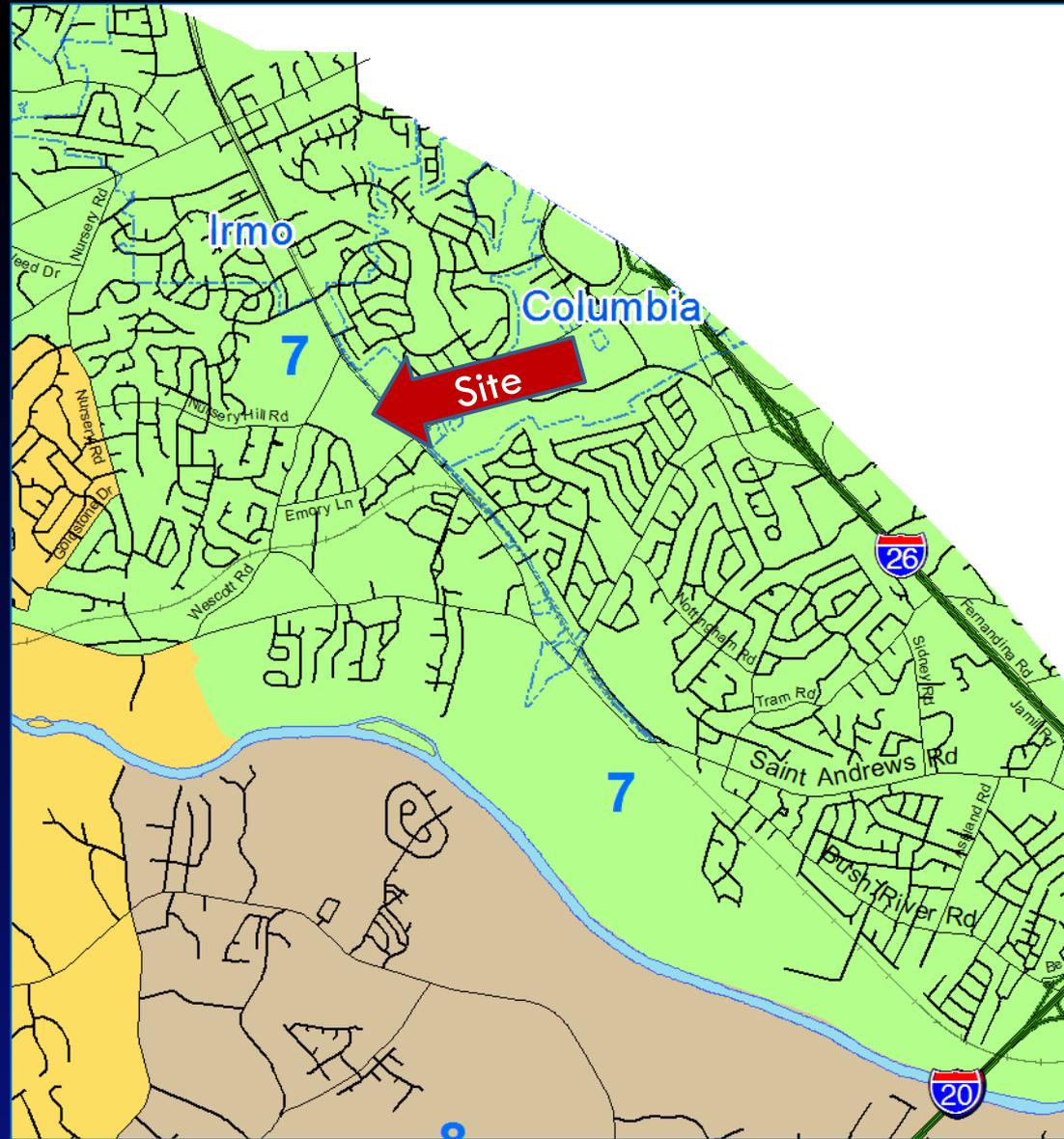
# Council District

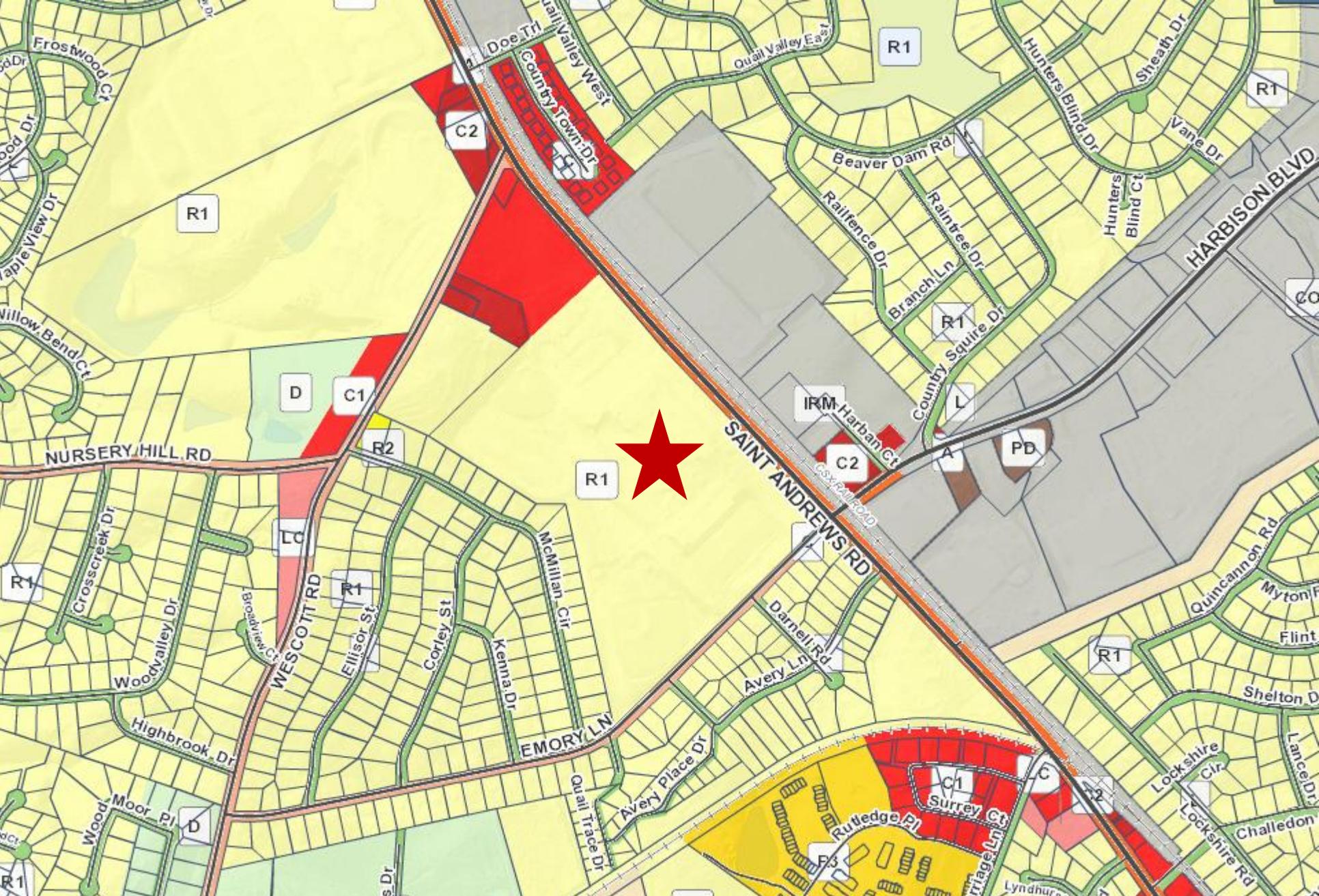
7

Represented by:

**Brad Matthews**

Seven Oaks/Dutch Fork  
zoned in 1971/1974





# Standards for Variances

## STANDARDS FOR VARIANCE

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

The Imo High School campus at 6671 St. Andrews Road is currently zoned for signage as a residential district and restrictive development which negatively impacts this large tract of land with respect to potential signage. The current Imo High School campus consists of 50.2 acres and has primary frontage along St. Andrews Road, one of the most heavily traveled roadways in the general vicinity. The school also occupies approximately 24 acres on the opposite side of St. Andrews Road which is utilized for bus parking, athletic practice fields and band practice areas. The 2,321 lineal feet of road frontage, approximately .4 mile, makes the campus one of the largest tracts along this road which presents itself as a large scale property, unlike the normal limited development of adjacent parcels. The majority of the property across the street is the school's bus parking, athletic and band practice fields. The remainder of the land usage across the street is commercial property.

The school is undergoing major renovations that will include the connection of the two existing buildings with a 600 seat performing arts center, thereby creating a large unified complex. The intersection of the primary access to the school site is at the traffic light, and the planned sign is to make this the focal point to identifying the school from St. Andrews Road. The street frontage of the Imo High campus will be the least visually cluttered frontage in the vicinity. Other smaller tracts of land on St. Andrews have been developed as commercial centers and are afforded the opportunity to have larger signs with multiple lines of text for all the various tenants which is much more chaotic than the proposed simple sign for Imo High School.



# Standards for Variances

## **b. These conditions do not generally apply to other property in the vicinity;**

Other smaller tracts of land on St. Andrews that have been developed as commercial centers have been afforded the opportunity to construct larger signs with multiple lines of text for various tenants as well as the center name. There currently exist numerous large signs in the immediate vicinity along St. Andrews Road.

The immediate surrounding areas are commercial. The 88 Oriental Market at 6795 St. Andrews Road in the same block is zoned C1. On the west side of Wescott Road is the Quail Valley Plaza zoned C2. Across St. Andrews Road in front of our school is the Extra Space Storage complex and Ethan Allen Furniture facility, as well as the Irmo practice and parking areas.. These are also commercial facilities with large signs currently installed.

## **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;**

One small sign meeting the requirements of a residential district with restrictive development parameters greatly diminishes the ability to provide an identifying signage structure relative to the overall property frontage. A smaller building on a typical commercial lot size of one acre is not comparable to the current size of the Irmo campus. To provide a comparable sign as a dentist office greatly restricts the utilization of this property. The scale and nature of signage should be in keeping with its property. Small scale businesses carry more modest signage; larger tracts have the visual "elbow room" for larger signs.



# Standards for Variances

**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.**

Adjacent properties along St. Andrews road are primarily commercial in nature. The residential uses are along the rear of the property and along one short side of Emory Lane. Other smaller tracts of land on St. Andrews have been developed as commercial centers have been afforded the opportunity to have larger signs with multiple lines of text for various tenants. There currently exist numerous large signs of this type in the school vicinity along St. Andrews Road. The property across the street is also part of the Irmo High campus and no signage exists along that frontage. This makes Irmo High campus portion of St. Andrews Road the least visually congested areas with respect to signs per lineal foot of street frontage within the immediate vicinity.

The authorization of a variance will allow Irmo High School to enhance our beautifully redesigned main sign pylon to complement the building structure with an artful yet simple solution. Irmo High School is a gathering spot in the community and will become even more a source of community pride with updated new building facades and signage. As a part of the overall strategy, the larger sign encourages increased traffic safety. Currently, drivers must strain to find the entry point to the campus, compromising their attention to driving. An appropriately sized sign would more readily identify the main campus entry.



# Lexington County Zoning Ordinance

Location	Maximum Static Display	Maximum Changeable Copy or Electronic Message Board	Maximum Height
Restrictive Development District	75 square feet	40 square feet	8 feet
Intensive Development District	100 square feet	60 square feet	20 feet
Commercial Centers in ID District	300 square feet	80 square feet	35 feet
Commercial Centers in RD District	150 square feet	40 square feet	15 feet

The maximum height allowed for business signs along roadways shall be measured from the elevation of the roadway, unless the elevation of the sign location is higher than the roadway. In those instances, the maximum height allowed shall be as listed in the chart above. This interpretation of allowed heights shall also be used in Section 26.55 Business Signs on Scenic Corridors.

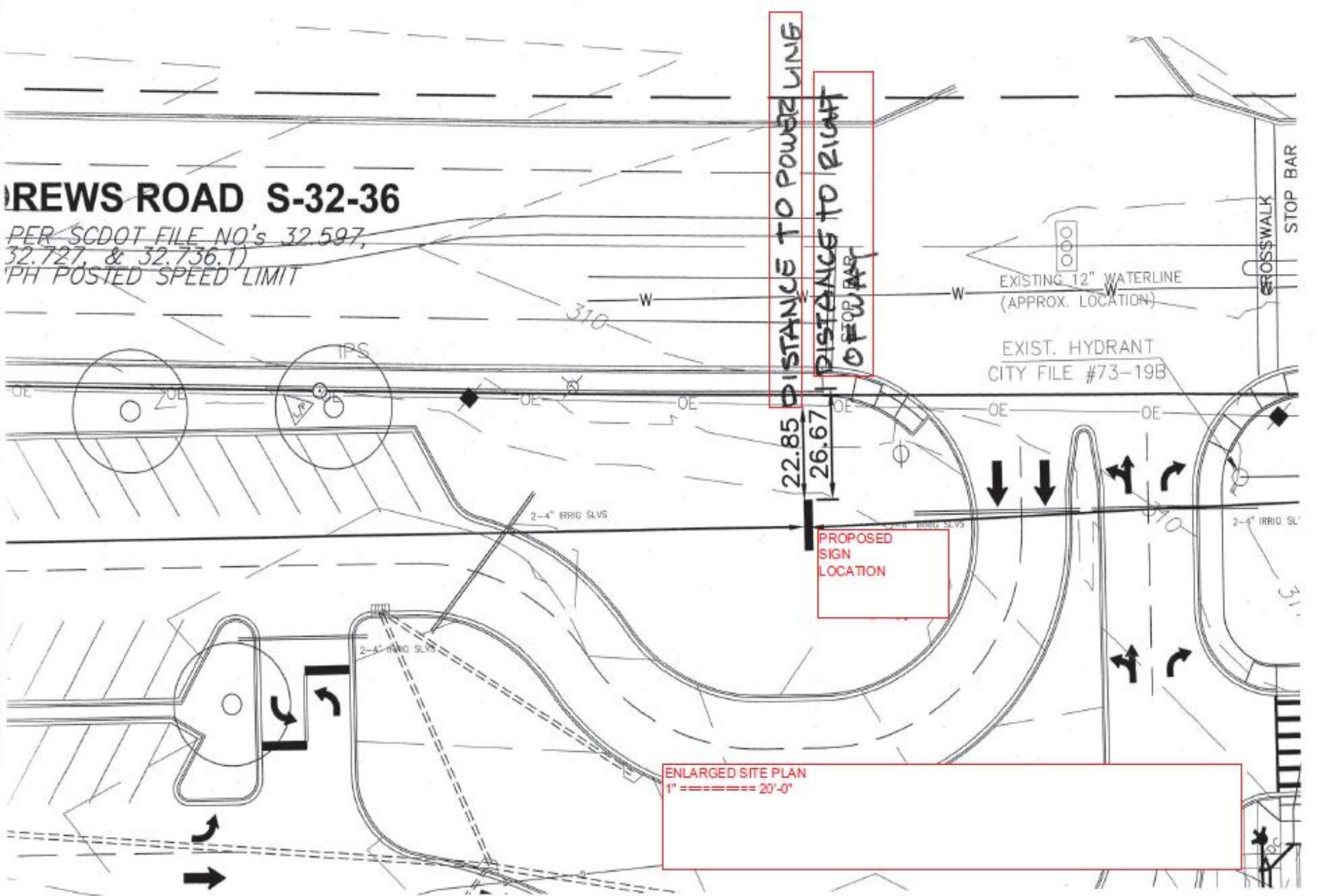






# CREWS ROAD S-32-36

PER SCDOT FILE NO's 32 597,  
32.727, & 32.736.1)  
MPH POSTED SPEED LIMIT



ENLARGED SITE PLAN  
1" = 20'-0"

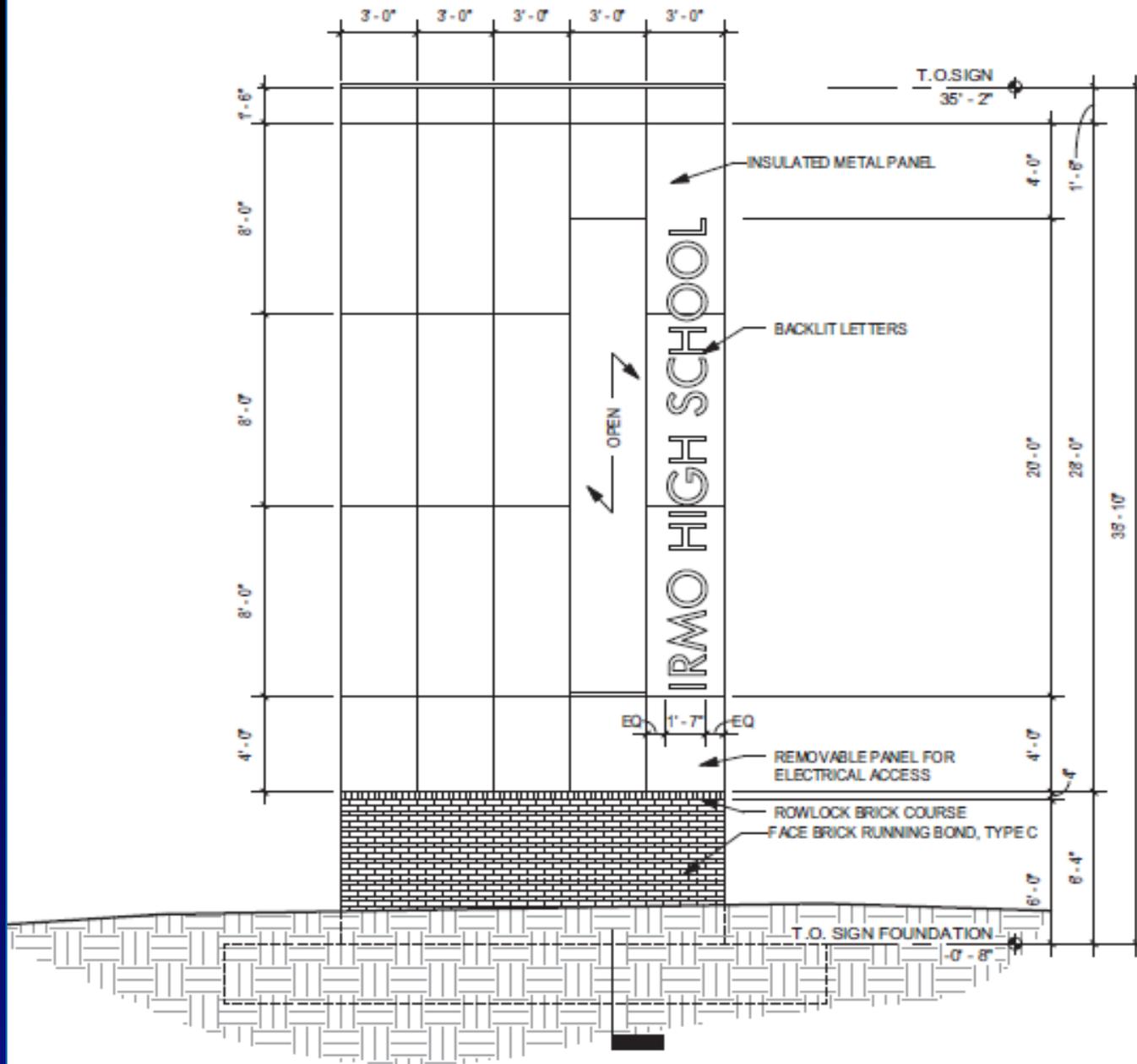


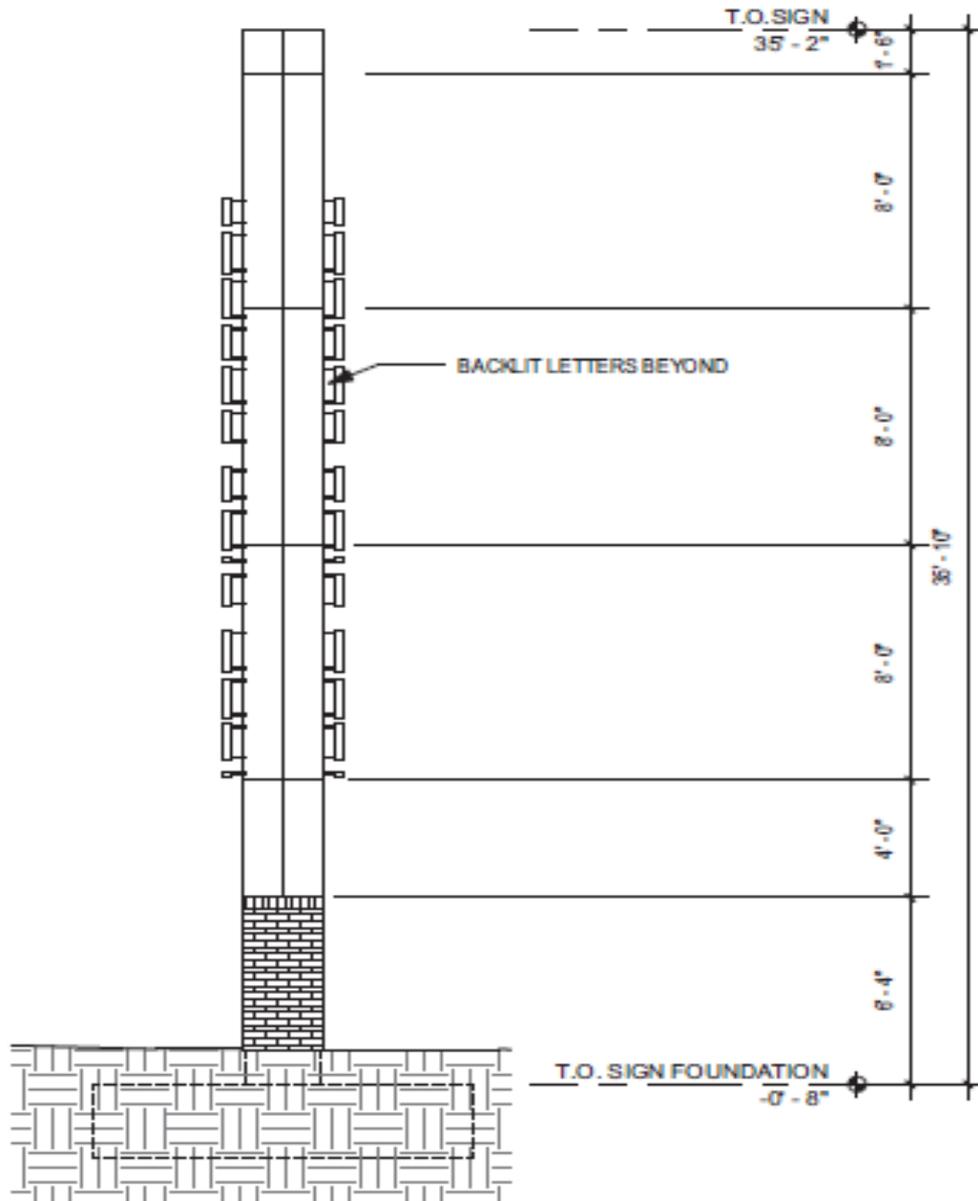


Site plan furnished by applicant



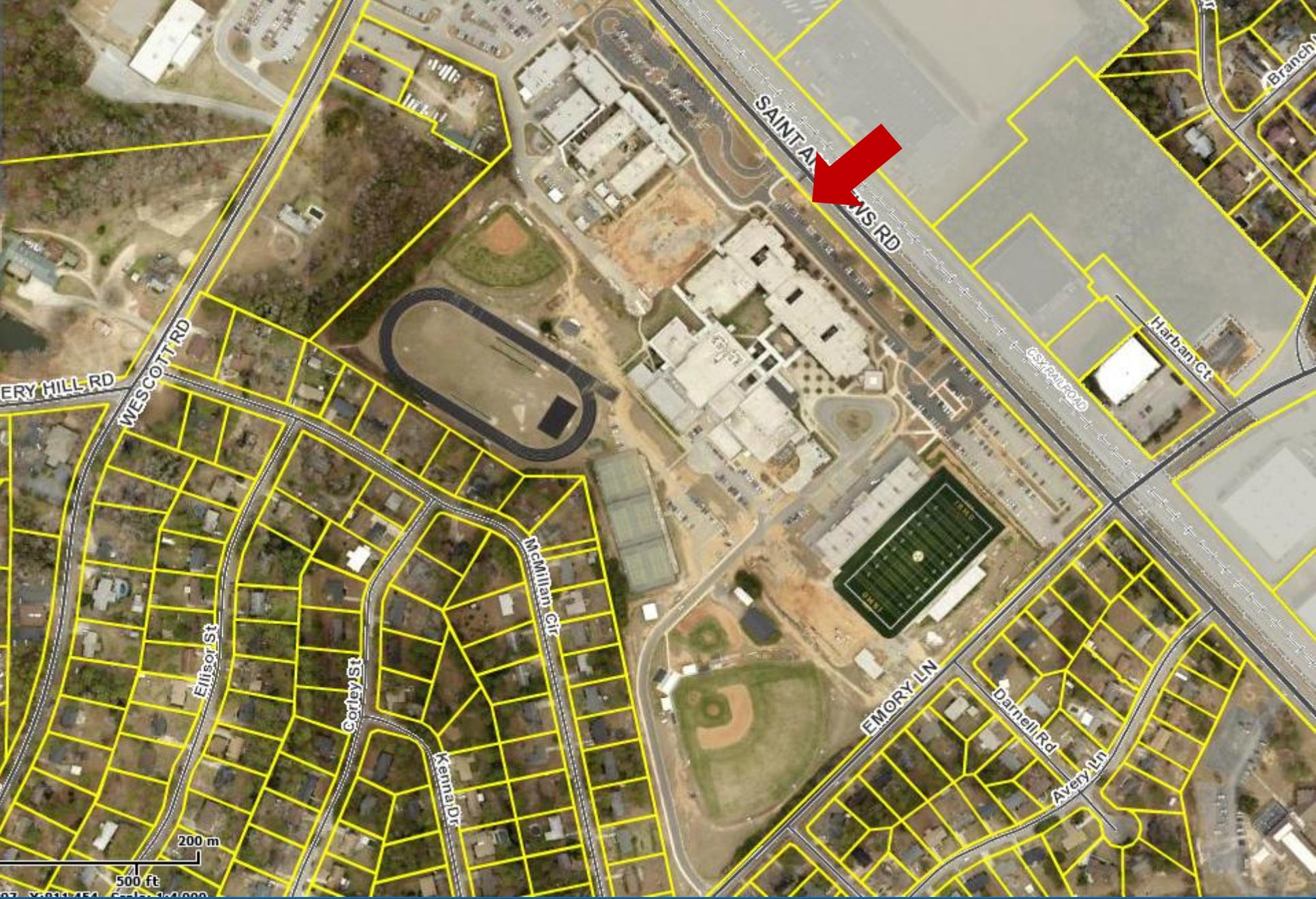
Community Development





Proposed  
sign location





2013 aerial photograph



# ZONING HEARING

LEXINGTON COUNTY  
ADMINISTRATION BUILDING

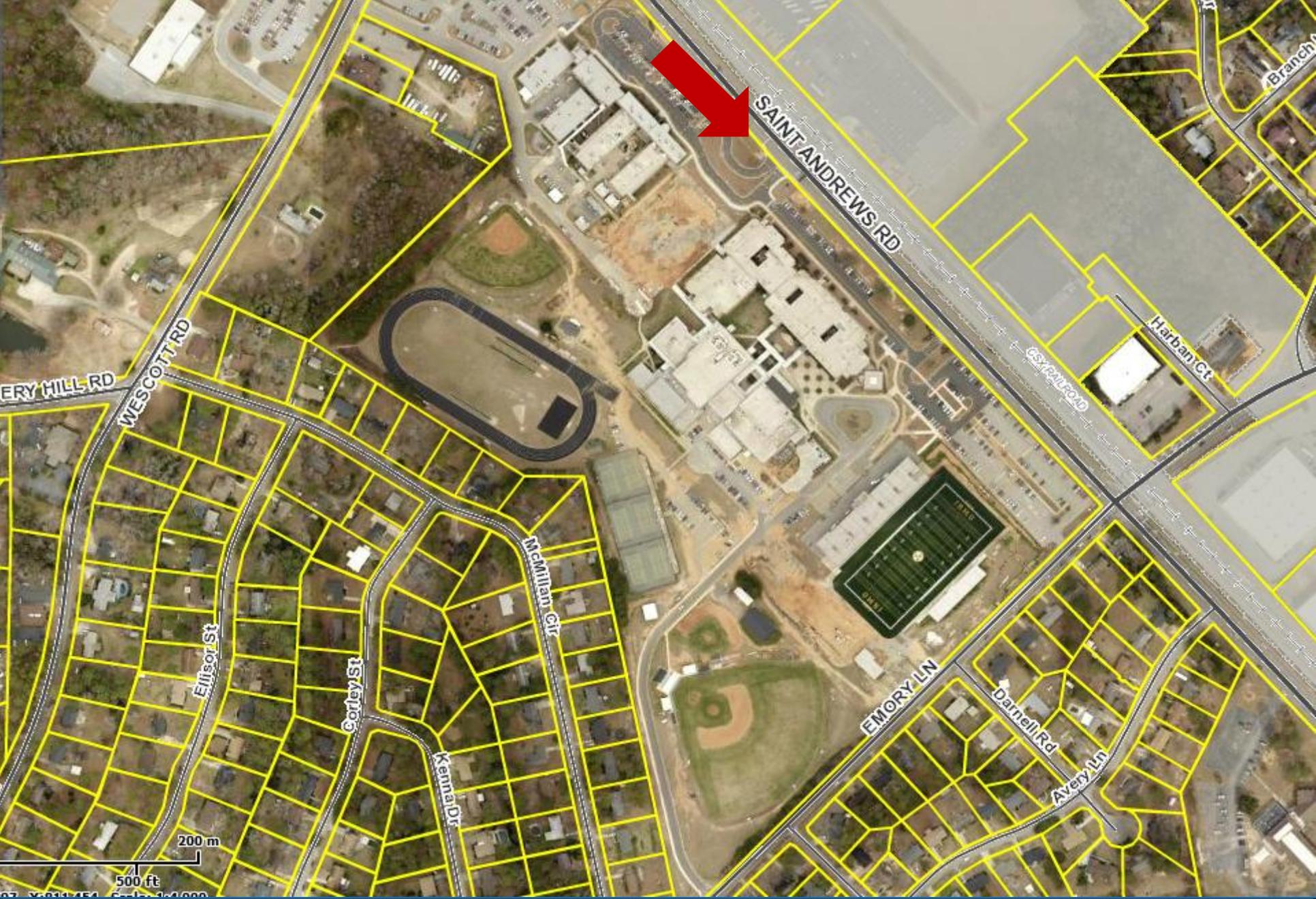
6:00 P.M.

TUESDAY • APRIL • 16

FOR INFORMATION CALL 785-8121

ZONING VARIANCE REQUEST #03-14: Applicant requests an increase in height and an increase in display area for a business sign. TMS# 002797-02-007.





2013 aerial photograph





**IRMO  
HIGH SCHOOL**

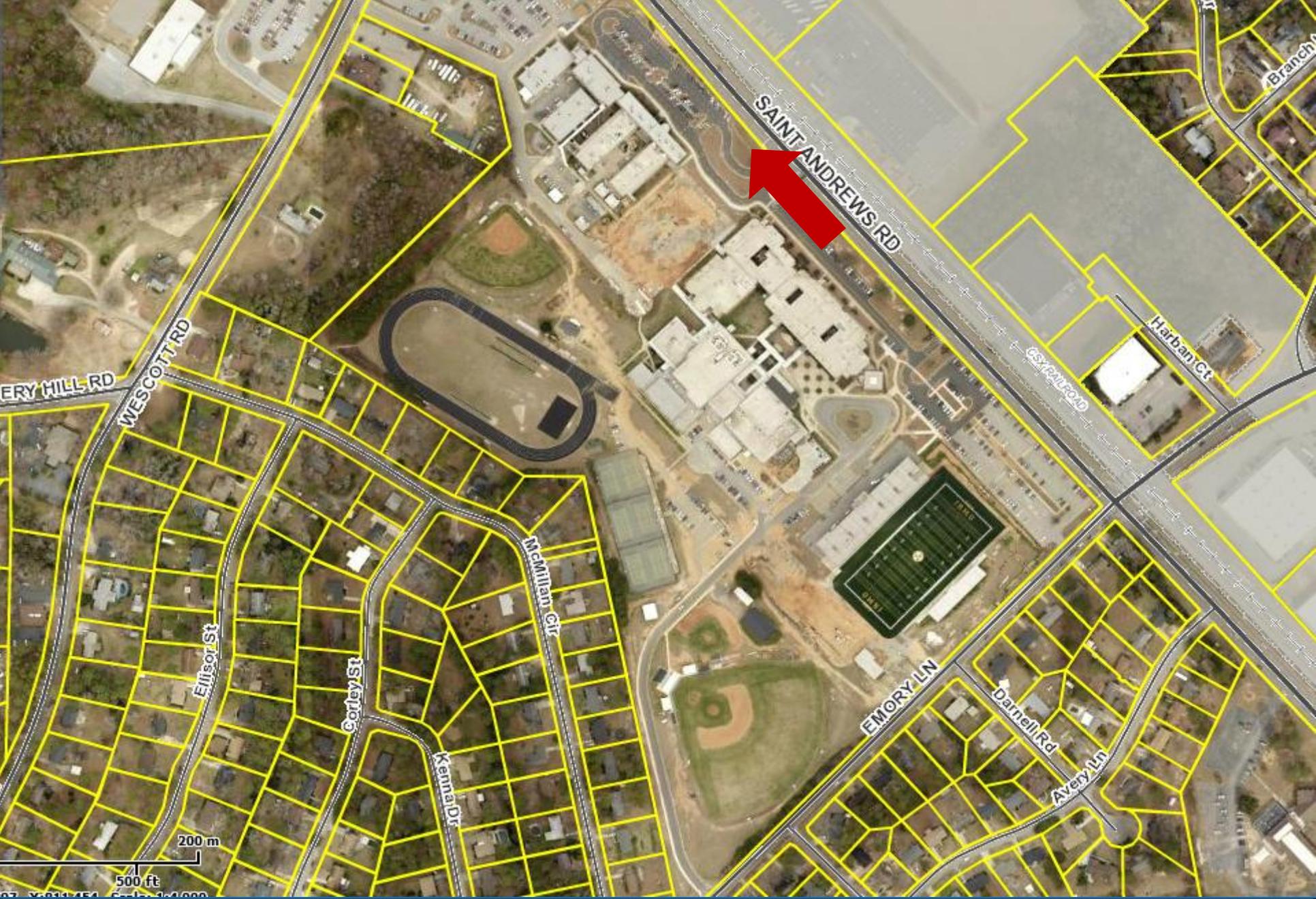
*Your referendum  
dollars at work*

Phase I	Complete
Phase II	Complete
Phase III	In Progress
Phase IV	In Progress
Phase V	In Progress
Phase VI	On Schedule
Phase VII	On Schedule
Phase VIII	On Schedule

**Projected Completion  
August 2014**

Thanks for your support  
of our schools!

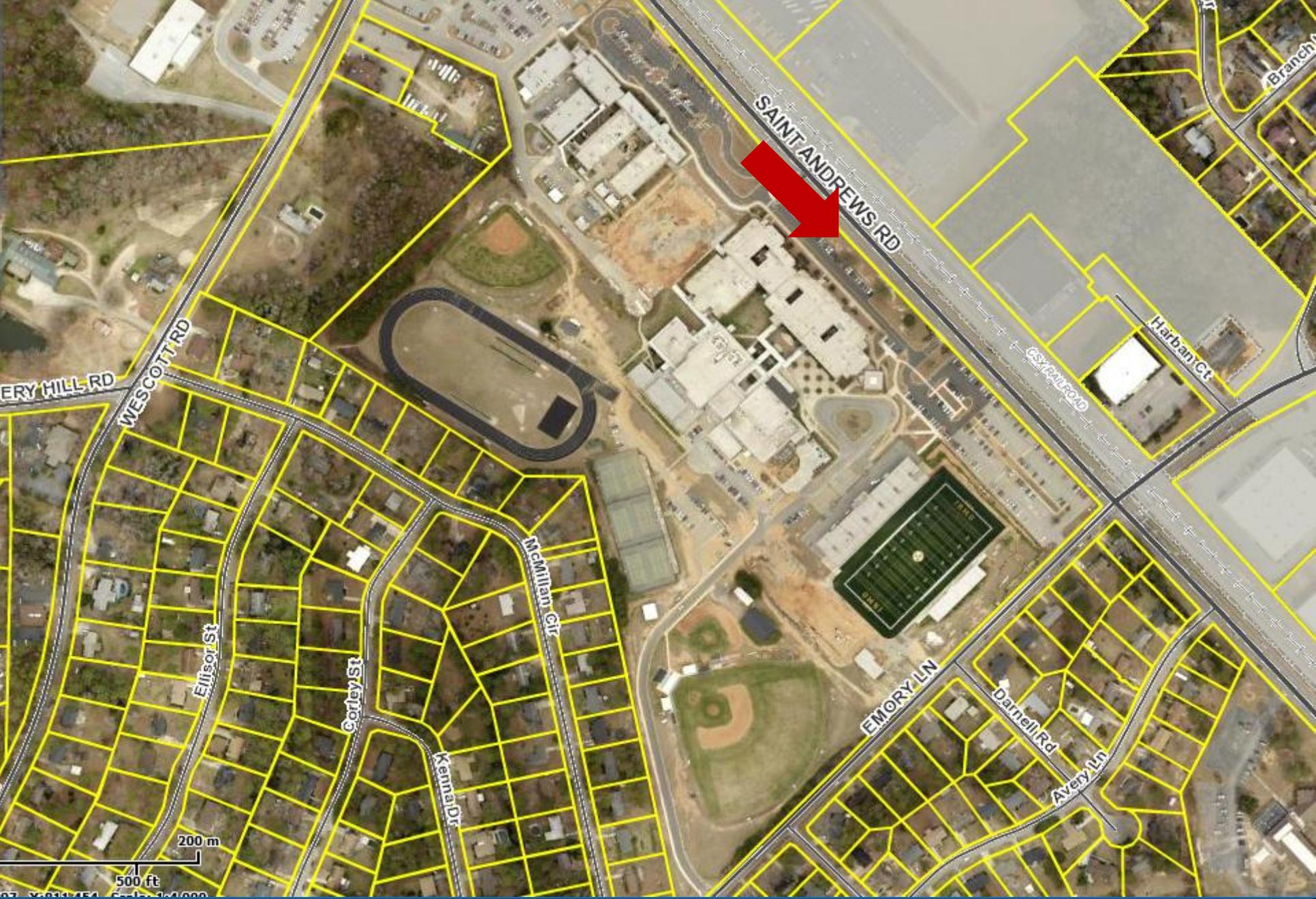




2013 aerial photograph







2013 aerial photograph



Community Development





VIEW TO WEST ALONG ST. ANDREWS ROAD



VIEW ACROSS STREET TO ADJACENT SCHOOL PROPERTY



Photography submitted by applicant



Community Development



VIEW ACROSS STREET TO STORAGE FACILITY AND FURNITURE STORE





County of Lexington

Board of Zoning Appeals

**PUBLIC HEARING**

PUBLIC HEARING