

LEXINGTON COUNTY BOARD OF ZONING APPEALS

AGENDA

Regular Meeting – June 18, 2013
County Administration Building
6:00 PM – 2nd Floor Council Chambers

CALL TO ORDER

APPROVAL OF MINUTES

Tab W---May 21, 2013

NEW BUSINESS

Tab X---Zoning Variance #05-13: Applicant requests an increase in maximum allowed height from 10 feet to 13 feet and a reduction in setback for a proposed business sign located on a Scenic Corridor 3 street.

2606 Emanuel Church Road
TMS# 006796-02-011
Tim Hodge/Lead Pastor/Crossroads World Outreach Center

STAFF REPORT

ADJOURNMENT

***If special accommodations are needed to participate in this public meeting, please contact the Lexington County Zoning Department at (803) 785-8121 or cdcustomerservice@lex-co.com at least two business days prior to the scheduled meeting date.**



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 # 05-13

- Applicant: Tim Hodge
- Property Owner: Three Fountains
Pentacost Holiness World Outreach
Center
- Location: 2606 Emanuel Church Road
TMS# 006796-02-011



Explanation of the Variance Request

Applicant requests an increase in maximum allowed height from 10' to 13' and a reduction in setback for a proposed business sign.



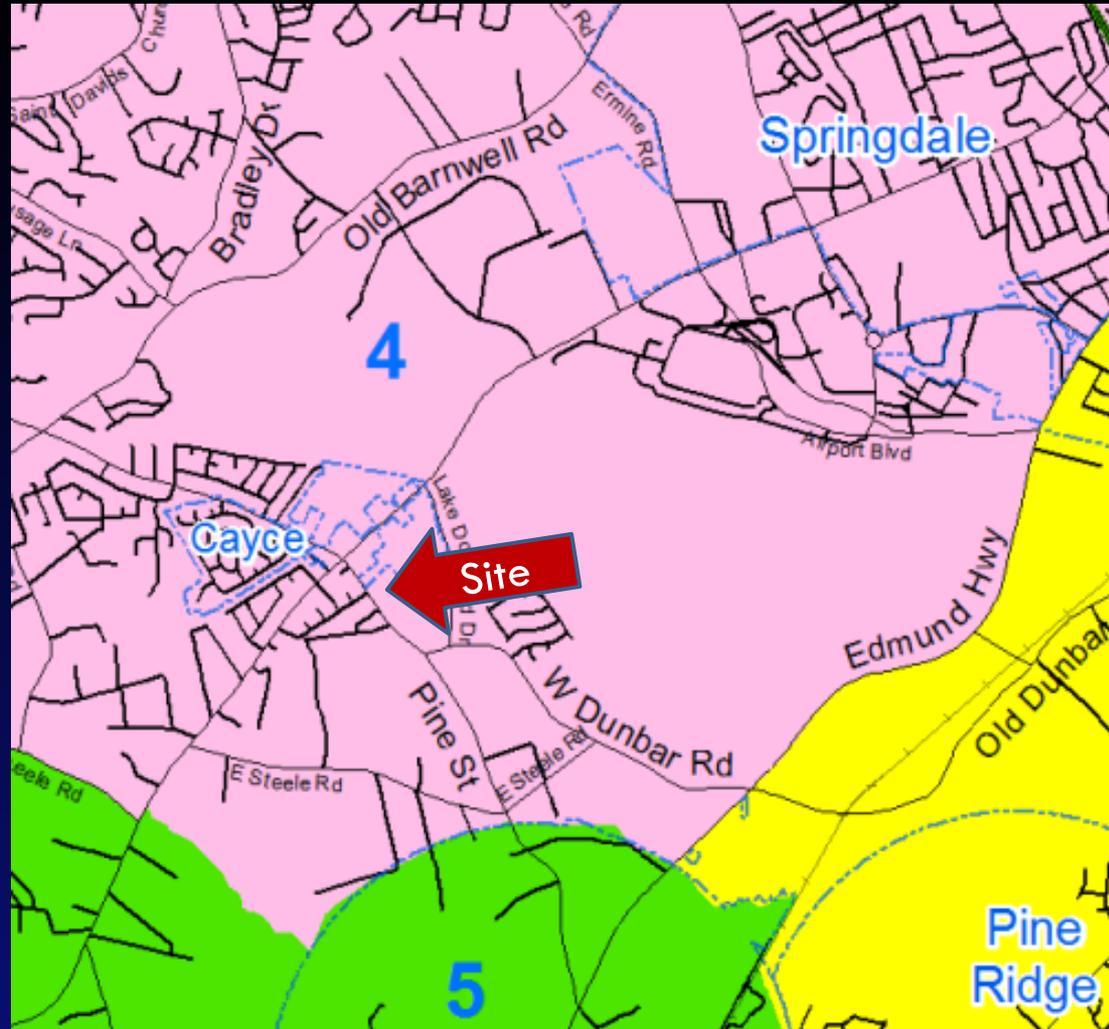
Council District

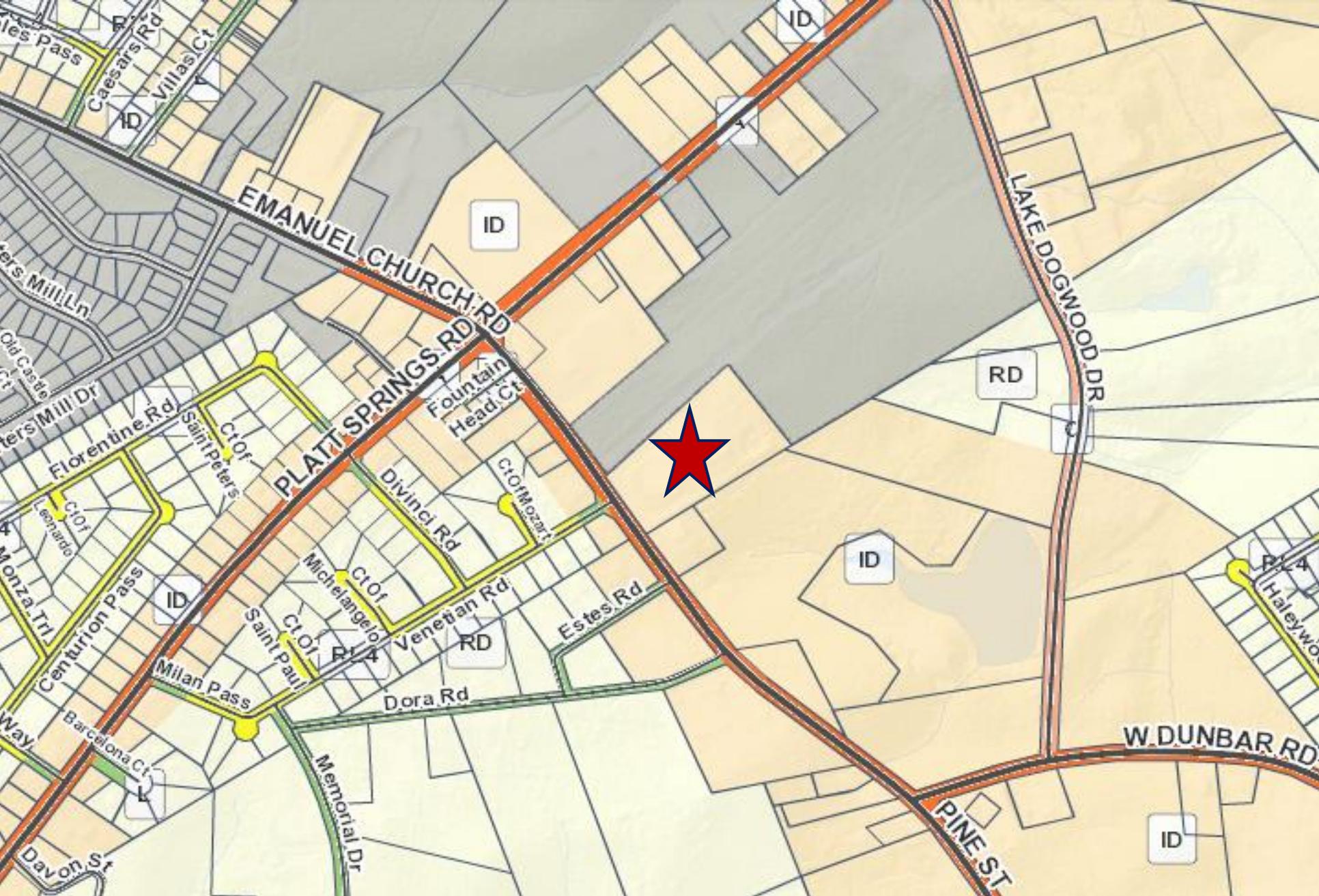
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Represented by:

Debbie Summers

Eastern Planning area
zoned in 1980





Standards for Variances

CROSSROADS WORLD OUTREACH CENTER'S RESPONSE TO STANDARDS FOR VARIANCES:

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

Crossroads World Outreach Center (CWOC) is a non-profit ministry that ministers to our entire community. Though we are a church / "religious institution," we have many aspects that reach out to our community. We host senior citizens at a monthly luncheon that crosses denominational lines. We have a "Food Bank" open to our community. We are a host site for the "Benefit Bank" which networks clientele into necessary local, state, and federal agencies for assistance. We allow the use of our gym and field area by local and county recreational teams for practices. Our playground area is open to the public. Our facilities are in use daily during the week as we work to increase the potential of people's lives in our community.

STANDARD ISSUE #1: Height of Sign – requesting 13' as opposed to the standard of 10'.

Because of our location being in the walking proximity of the Food Lion Shopping Center, McDonalds, Taco Bell, and a plethora of convenience stores, we have a high rate of foot traffic coming by and through our parking lot. There are several mobile home parks down the street from us where people frequently walk to and from. While passing by our property. Directly across the street from our property is a residential area. So pedestrians are acclimated to crossing our property. Then we have also generated some of this foot traffic ourselves as people in the community come to CWOC to utilize our playground and gym.



Standards for Variances

Our new sign design incorporates LED panels. Though the extra 3' may not seem like much to the eye, we are asking for it to help protect the sign. The extra 3' will deter vandalism to the sign. We are investing \$40,000 into this quality sign and we want the LED panels to be out of the reach of passers by.

If we did not have this frequency of foot traffic we would not herald this as an issue. In lieu of this, again, we want to protect our investment and help the people passing by avoid the temptation of vandalism.

For whatever merit it may have, our current out-dated, broken sign has a height of sixteen feet (three feet higher than our newer proposed sign).

STANDARD ISSUE #2: Placement of Sign – requesting new sign to be placed where old sign is currently located.

Our current sign is only about 4' from the parking lot (at the closest point). The standard requirement is that the sign would have to be moved approximately 5'. This would place



Standards for Variances



Exhibit 1

the sign IN our parking lot. As evidenced by the picture (exhibit 1), there are two posts in place to protect the sign from people backing into it at its current position. Also evidenced in the photo is that one of the posts is leaning (due to being hit by a vehicle backing out of a parking space). While we acknowledge 'accidents are going to happen,' we are requesting the variance to preserve the functional capacities of our parking lot and the maneuverability of vehicle flow.

Standards for Variances

B. These conditions do not generally apply to other property in the vicinity.

Due to our geographical location to the aforementioned shopping center and other commercial areas within walking distance of CWOC, and the fact that “churches” are thought of as public property we are, literally, in a position / location that differentiates us from other properties in our vicinity (concerning the foot traffic).

Also, due to our present volume of vehicles in and out of our parking lot and considering that volume has more than doubled in four years, we are expecting a continual increase of vehicular traffic that separates us from other property in our immediate vicinity. Our volume of traffic and the size of our parking lot is a major factor.



Standards for Variances

- 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.**

The lowering of the sign by 3' is going to greatly jeopardize our major investment by making it more accessible to potential vandalism.

Moving the sign position will greatly deter the vehicle flow in our parking lot and greatly increase hazardous opportunities for the sign to be damaged.

- 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.**

This proposed sign will be a great benefit to our community. First, by making more of the community aware of the benefits CWOC can assist them with. Second, the new, modern, design will be a visual lift to our immediate vicinity. This sign will be a great asset to the curb appeal of our neighbors (several of which have voiced their opinions of eagerly awaiting the sign).



Lexington County Zoning Ordinance

26.50 Business Signs

26.51 Location

In Intensive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise, except that they may be erected within the required setback unless other more restrictive provisions of this Ordinance apply. In Restrictive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise. However, in all districts, any portion of a business sign must maintain at least a 10-foot setback from all property lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. If the distance from the edge of the road to the right-of-way is greater than 20 feet, the 10-foot setback from the road right-of-way shall not apply. No sign shall be allowed to violate any of the requirements of Section 22.10 Driveway and Street Restrictions.



Lexington County Zoning Ordinance

26.55 Business Signs on Scenic Corridors

The following additional restrictions shall apply on Scenic Corridors as defined in the Lexington County Landscape and Open Space Ordinance.

Location	Maximum Static Display Area per Sign	Maximum Changeable Copy Area	Maximum Height
Business Sign in Scenic Corridor 1	60 square feet	30 square feet	6 feet
Business Sign in Scenic Corridor 2	60 square feet	30 square feet	6 feet
Business Sign in Scenic Corridor 3	100 square feet	60 square feet	10 feet
Commercial Center in Scenic Corridor 1 or 2	150 square feet	40 square feet	15 feet
Commercial Center in Scenic Corridor 3	200 square feet	60 square feet	20 feet



Lexington County Zoning Ordinance

122.60 Standards for Variances

The Board may grant a variance if it makes the following findings:

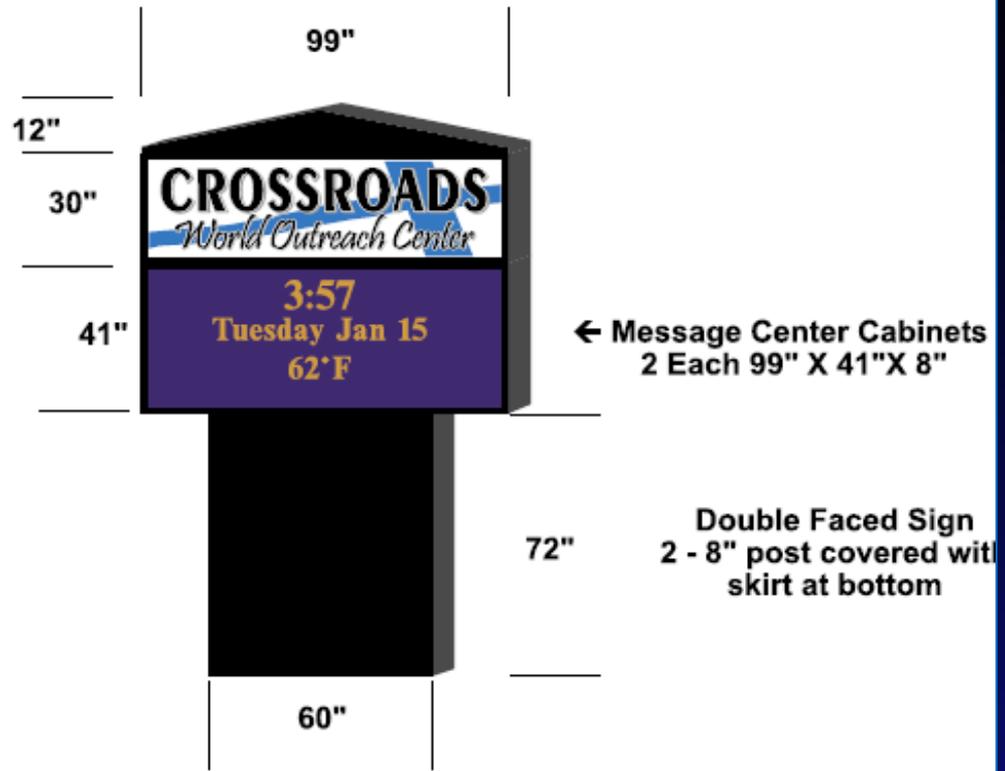
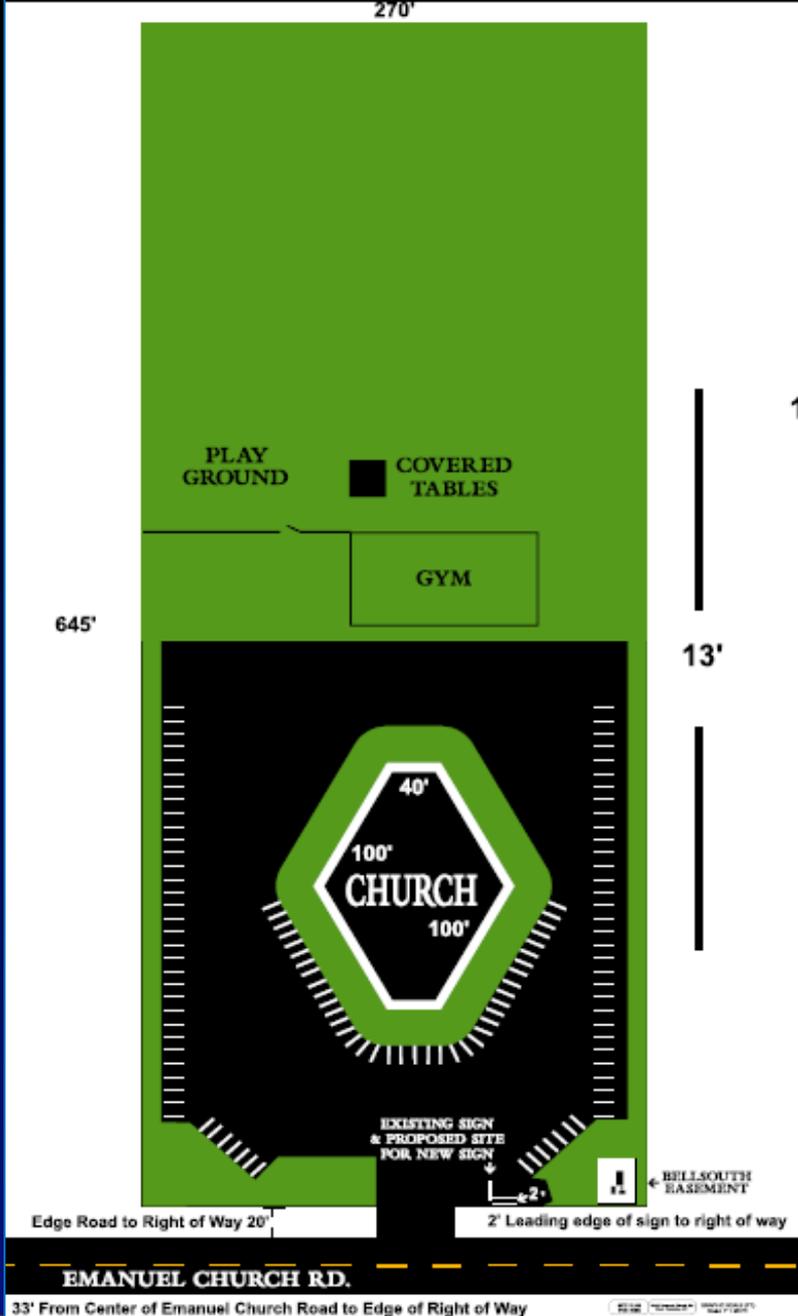
- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other property in the vicinity;
- c. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively 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 shall also consider the following when hearing a variance request in these sections of the Ordinance:

Section 22.10 Driveway and Street Restrictions – Many of the regulations found in this section are based upon laws of physics and engineering standards that help achieve sight lines, sight distances, etc., that provide for safer movement of motorists and pedestrians. Such restrictions should not be decreased without the support of a qualified engineering study.

Chapter 5. Signs, from Article 2 – Application of Regulations – This chapter contains many standards that implement comprehensive aesthetic and safety initiatives of Lexington County. Most of these regulations are articulated in a manner that provides an equal opportunity for all to advertise their activity and many help businesses avoid becoming a nonconformity upon annexation into a municipality. The Board should not approve a variance that destroys this equitable balance of opportunity, that damages the County's aesthetic and safety initiatives, or that creates a nonconformity problem for a business in future years.

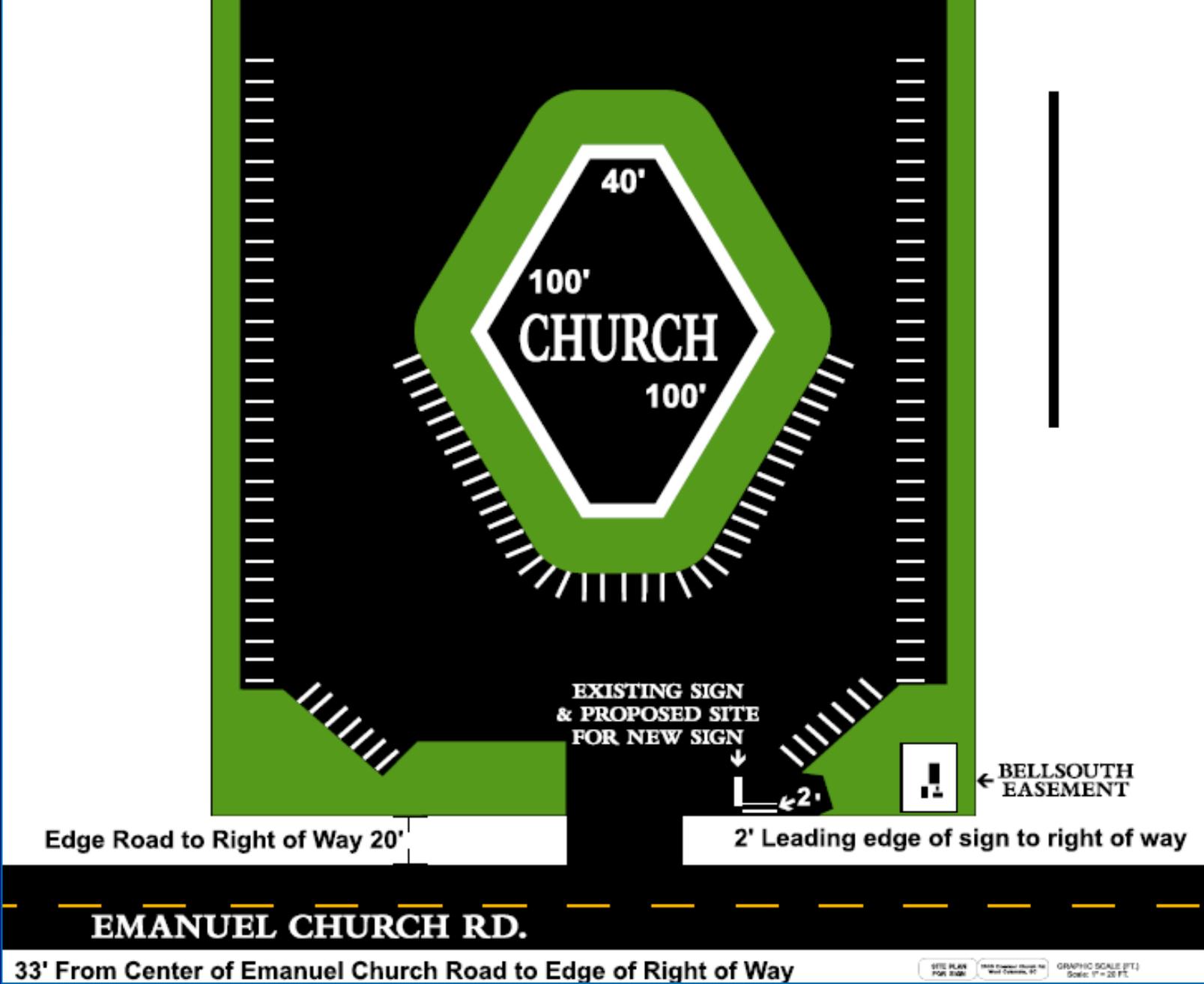




Site plan furnished by sign company

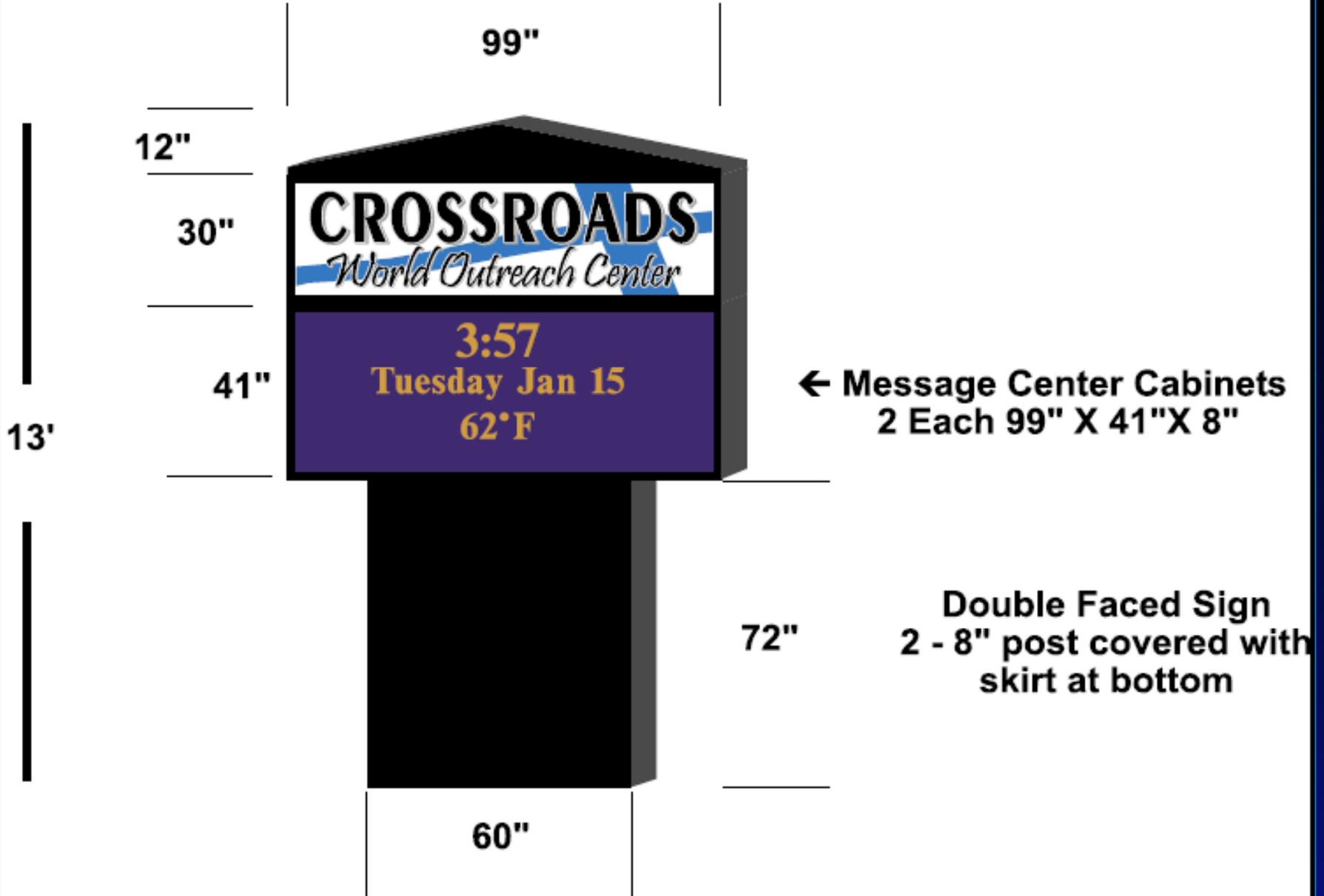


Community Development



Enlarged site plan of church property





Enlarged site plan of proposed sign







Site photography

ZONING HEARING

LEXINGTON COUNTY
ADMINISTRATION BUILDING

6:00 P.M.

TUESDAY JUNE 18

FOR INFORMATION CALL 785-8121

ZONING VARIANCE REQUEST #05-13: Applicant requests an increase in height for a proposed sign from 10 feet to 13 feet and a reduction in setback.





Site photography







Site photography



ZONING HEARING



A: Punto Victoria
Misterio Hispano
Días de servicios
3PM - Domingo 10PM
Bienvenidos



Site photography



CROSSROADS
WORLD
OUTREACH CENTER



IGLESIA: Pu...Victo
Minister...pano
Dias...ciones
Viernes 7:30...mingos
B...ildos





County of Lexington

Board of Zoning Appeals

PUBLIC HEARING

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