

LEXINGTON COUNTY BOARD OF ZONING APPEALS

AGENDA

Regular Meeting – October 15, 2013
County Administration Building
6:00 PM – 2nd Floor Council Chambers

CALL TO ORDER

APPROVAL OF MINUTES

Tab F---September 17, 2013

NEW BUSINESS

Tab G---Zoning Variance #11-13: Applicant requests a reduction in separation distance for business signs from 500 feet to 267.5 feet and from 500 feet to 192.7 feet.

2700 block of Leaphart Road
TMS#s 004538-01-014, 024, 025
Tyler Jackson/Rainbow Signs, Inc.

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 # 11-13

- Applicant: Tyler Jackson/Rainbow Signs, Inc.
- Property Owner: GSM Properties, LLC:
G&M Enterprises of West Columbia Inc:
Palmetto Assisted Living Systems, Inc.
- Location: 2700 Block of Leaphart Road
TMS# 004538-01-014,024,025



Explanation of the Variance Request

Applicant requests a reduction in separation distance for business signs from 500 feet to 267.5 feet and from 500 feet to 192.7 feet.



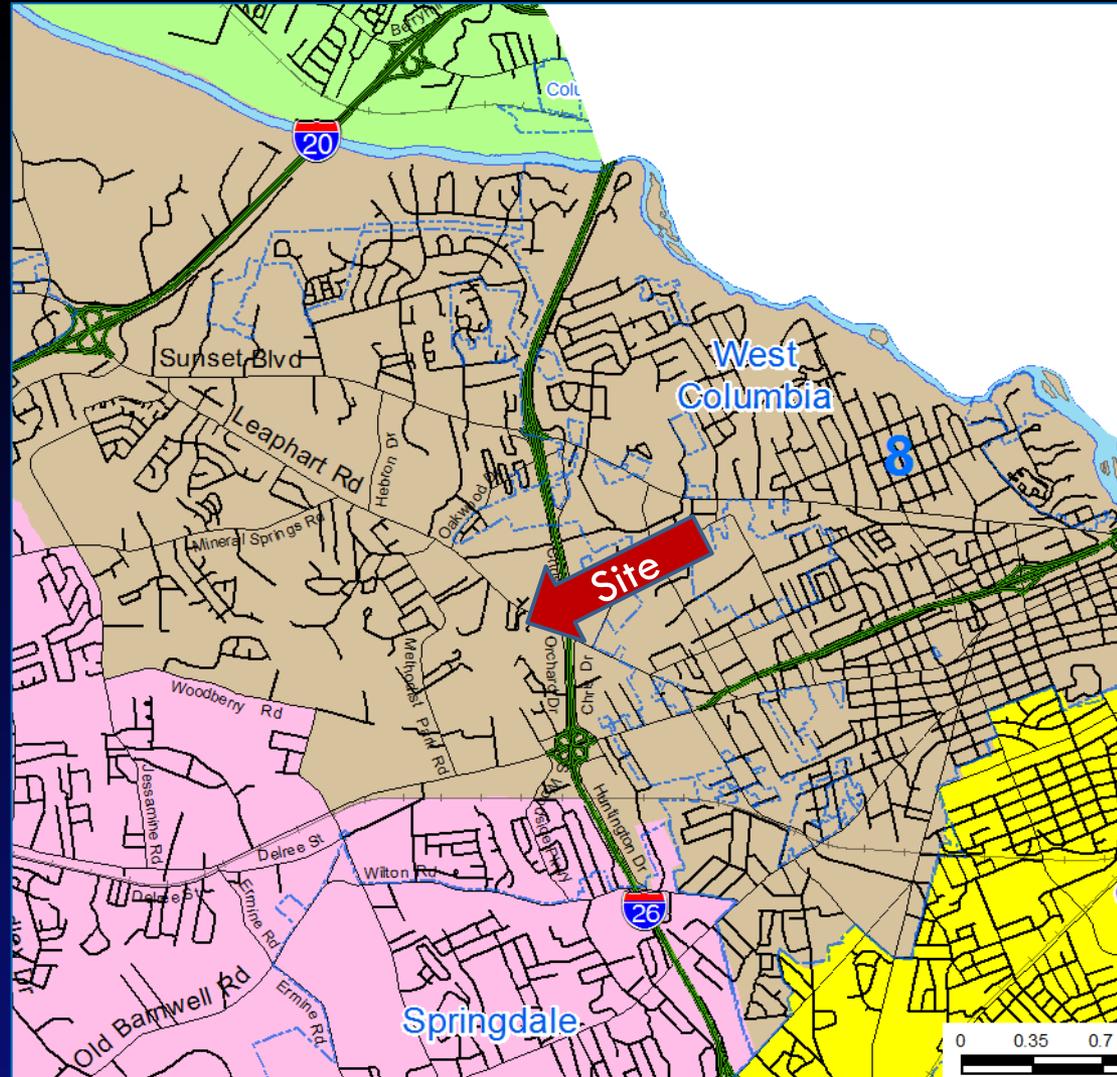
Council District

8

Represented by:

Bill Banning

Central Planning area
zoned in 1986





Standards for Variances

Agape Senior
2705 Leaphart Road
West Columbia, S.C.

- A. Agape Senior is located on (3) individual parcels of land with a total width of all three exceeding 600'. It is a well landscaped project with a wrought iron fence and large birch trees across the front of the property. Agape Senior prides themselves in well landscaped facilities thru out South Carolina. This location has many different levels of care for senior citizens and is basically divided into (Many) sections to accommodate the needs of many. *Assisted Living, Dementia Care, Rehabilitations, Transitional Rehabilitation & Post-Acute Care.* So the facility has to deal with many different types of problems of the elderly.
- B. This is the only Nursing Home facility located on Leaphart Road. The facility has grown many times to help accommodate the elderly population of the Lexington County Area. Agape maintains a nice looking well landscaped facility to make it as comforting as possible to the elderly and their families that come to visit their love ones. Some of the other adjacent properties are poorly maintained and are a real eyesore (see attached pictures) Down the street from this location is J. W. Hendrix Mobile Home Park one of the largest mobile home parks in Lexington County, His Will Thrift Store, Joe's Auto Repair Garage and above our property is a Yard full of old boats, which more than likely will never be put back in the water.



Standards for Variances

- C. Currently we have two wall mounted entrance signs (see attached picture & drawings) presently installed at the main entrance to the facility. We have recently applied for and secured a sign permit for (2) pylon sign one on each end of the property. The signs will be located over 500' apart, because of the Large Birch trees across the front of the property it is not possible to look at both signs at the same time. The (2) signs are for (2) different functions, the smaller sign which is under the allowable height and square footage is for Agape Rehab Post-Acute Care Center located at one end of the property (First entrance once you cross over I-26). The second sign pylon sign would be an L.E.D. Sign at the opposite end of the property near the admittance office. This sign because of the birch trees, is not visible from the location of the other sign located at the opposite end of the property. This sign's task will be to advertise things that are going on at Agape Senior, and special free services and classes. The purpose of our variance request is to seek approval to leave the (2) entrance signs presently installed in place. The area below Both signs is always well landscaped and maintained.
- D. The granting of the variance will in no way be detrimental to any adjacent property. The (2) signs are currently installed and have been viewed by the passing public for more than 8 years.



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.

26.52 Maximum Display Area, Height, and Number of Signs

Individual businesses and commercial centers may have one freestanding business sign per 500 feet of street frontage or portion thereof. These signs shall comply with the following height and display area requirements:



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.

Both the maximum static display area and the maximum changeable copy/electronic message board area may be utilized as part of each allowed individual or commercial center sign. However, the maximum display area per sign shall not be increased with any exchange or substitution of the allowable area for changeable copy or electronic message.

A parcel with frontage on different streets shall have the frontages regulated independently as to number of signs allowed.

A parcel with street access only by an easement over another parcel may consider that easement frontage as an allowed location for a business sign provided it is allowed by the easement agreement. A similar parcel that includes ownership of the strip of property which provides access may also consider that frontage as an allowed location for a business sign. In both situations, the signs must meet all of the requirements of this section including location restrictions.

Multiple signs allowed on the same frontage of the same parcel must be located at least 500 feet apart.



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:

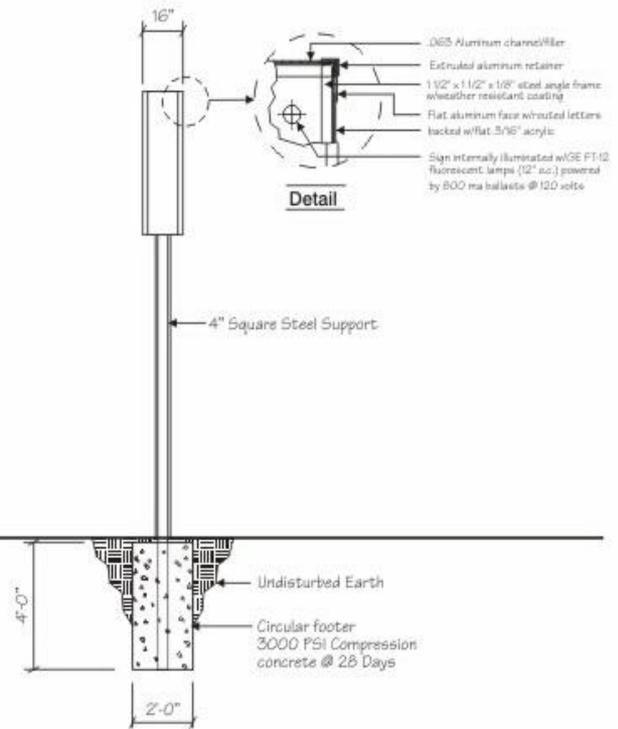
Section 22.10 Driveway and Street Restrictions – Many of the regulations found in this section are based upon laws of physics and engineering standards that help achieve sight lines, sight distances, etc., that provide for safer movement of motorists and pedestrians. Such restrictions should not be decreased 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.





Scale: 1/4" = 1'-0" SIGN ELEVATION



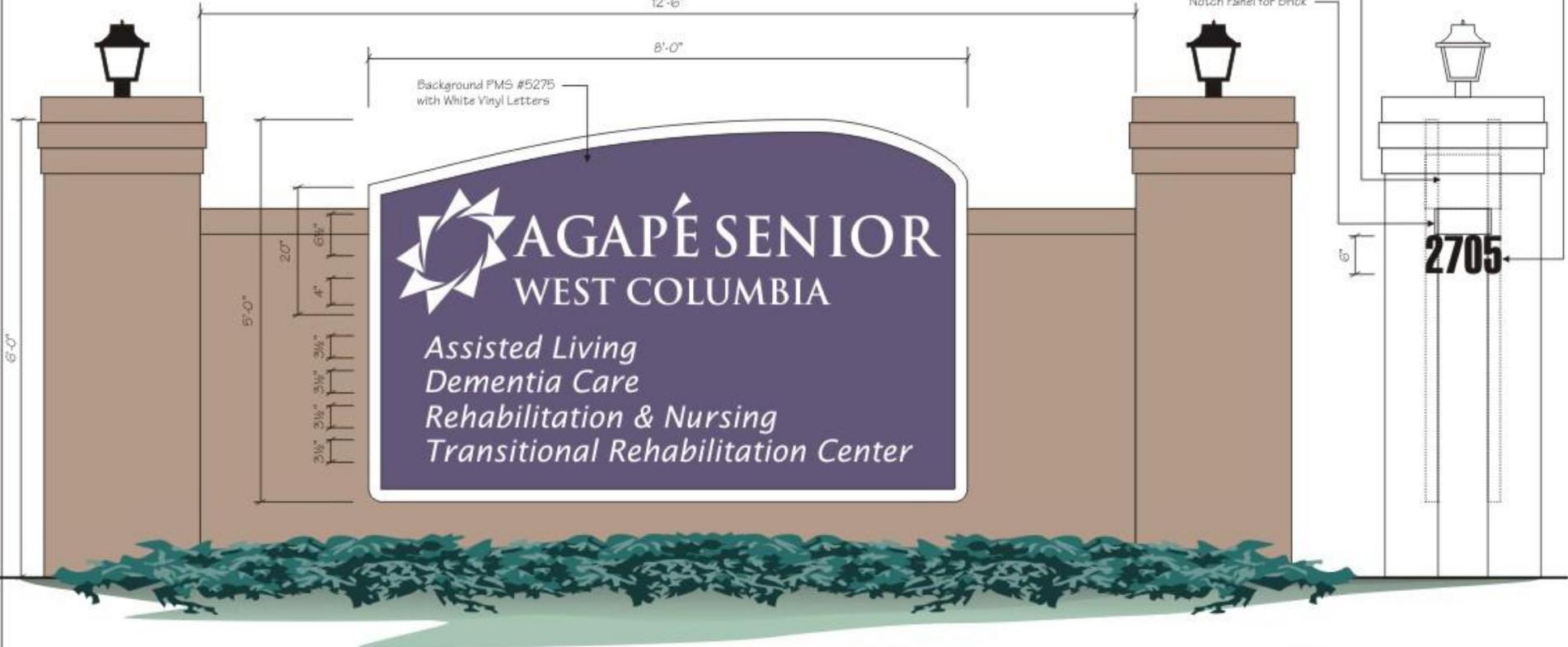
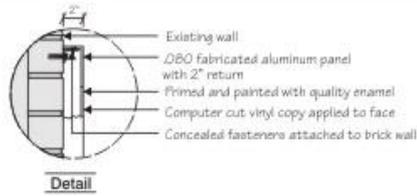
Rainbow Signs, Inc.
GREENWOOD, SC 864-223-8423

CUSTOMER NAME: AGAPE REHAB (West Columbia)	ACC. EXEC: T. Jackson	JOB NO: 13-40-B	APPROVED BY CUSTOMER:
ADDRESS: 2705 Leaphart Road, West Columbia, SC	DESIGNER: C. Johnson	DATE: 02/11/13	DATE: / /
SIGN TYPE: Two New Routed Faces	SCALE: AS NOTED	FILE: W Columbia 2705 Leaphart Pylon-B	

COPY RIGHTS NOTICE: This design, artwork and printed presentation is the sole property of Rainbow Sign Company, Inc. and may not be used without written permission from Rainbow Sign Company, Inc.
Electrical current to sign location and final connection not by Rainbow Sign Co., Inc.

Proposed sign





2-Each

Scale: 3/4" = 1'-0" SIGN ELEVATION



Rainbow Signs, Inc.
GREENWOOD, SC 864-223-8423

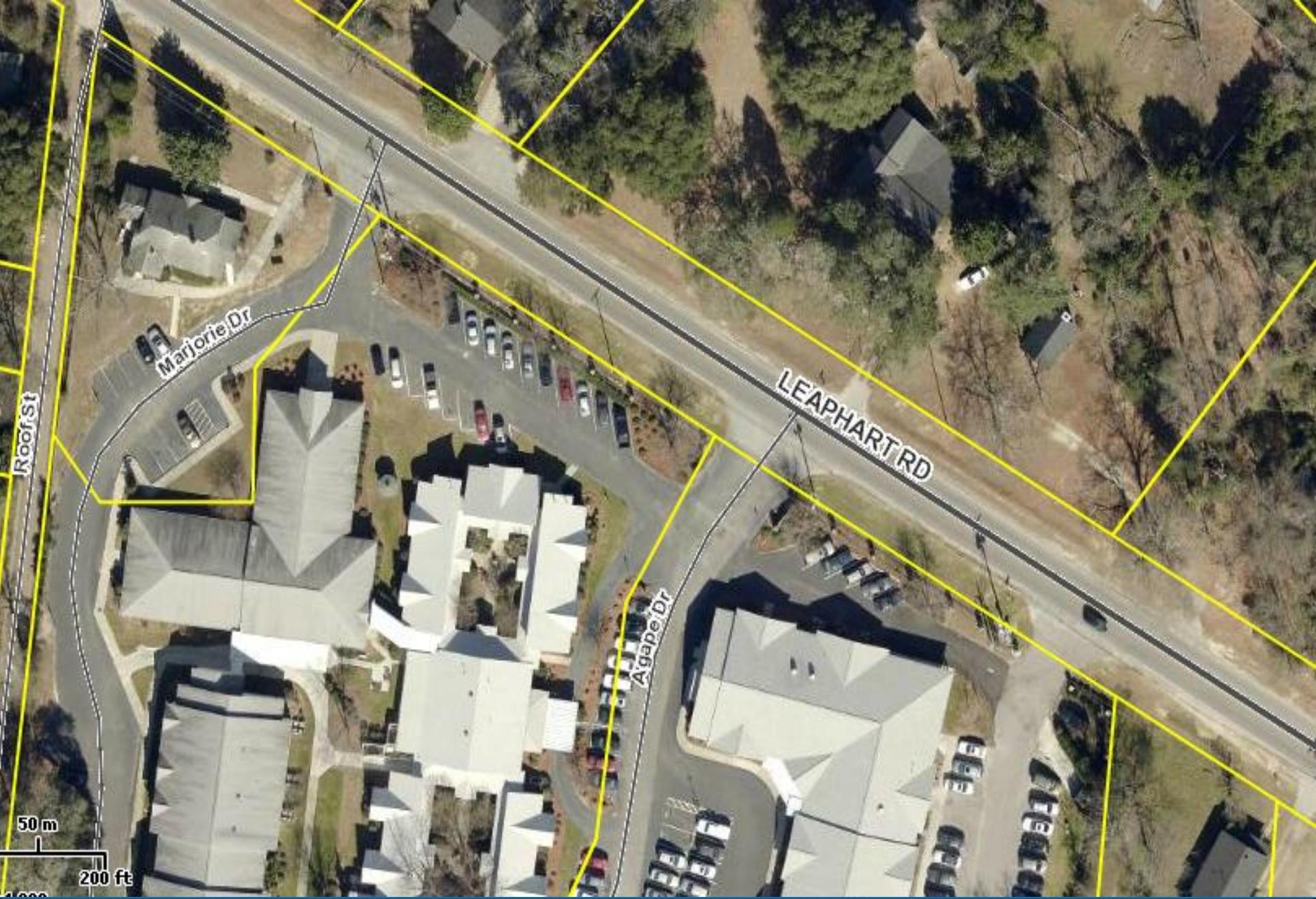
CUSTOMER NAME: AGAPE SENIOR (West Columbia Campus)	ACC. EXEC: T. Jackson	JOB NO. 11-421	APPROVED BY CUSTOMER:
ADDRESS: 2705 Leaphart Road, West Columbia, SC	DESIGNER: C. Johnson	DATE:	DATE: <u> </u>
SIGN TYPE Vinyl	SCALE: AS NOTED	06/22/11	FILE: W Columbia Rehabilitation Center
COPY RIGHTS NOTICE: This design, artwork and printed presentation is the sole property of Rainbow Sign Company, Inc. and may not be used without written permission from Rainbow Sign Company, Inc.			

Electrical current to sign location and final connection not by Rainbow Sign Co., Inc.

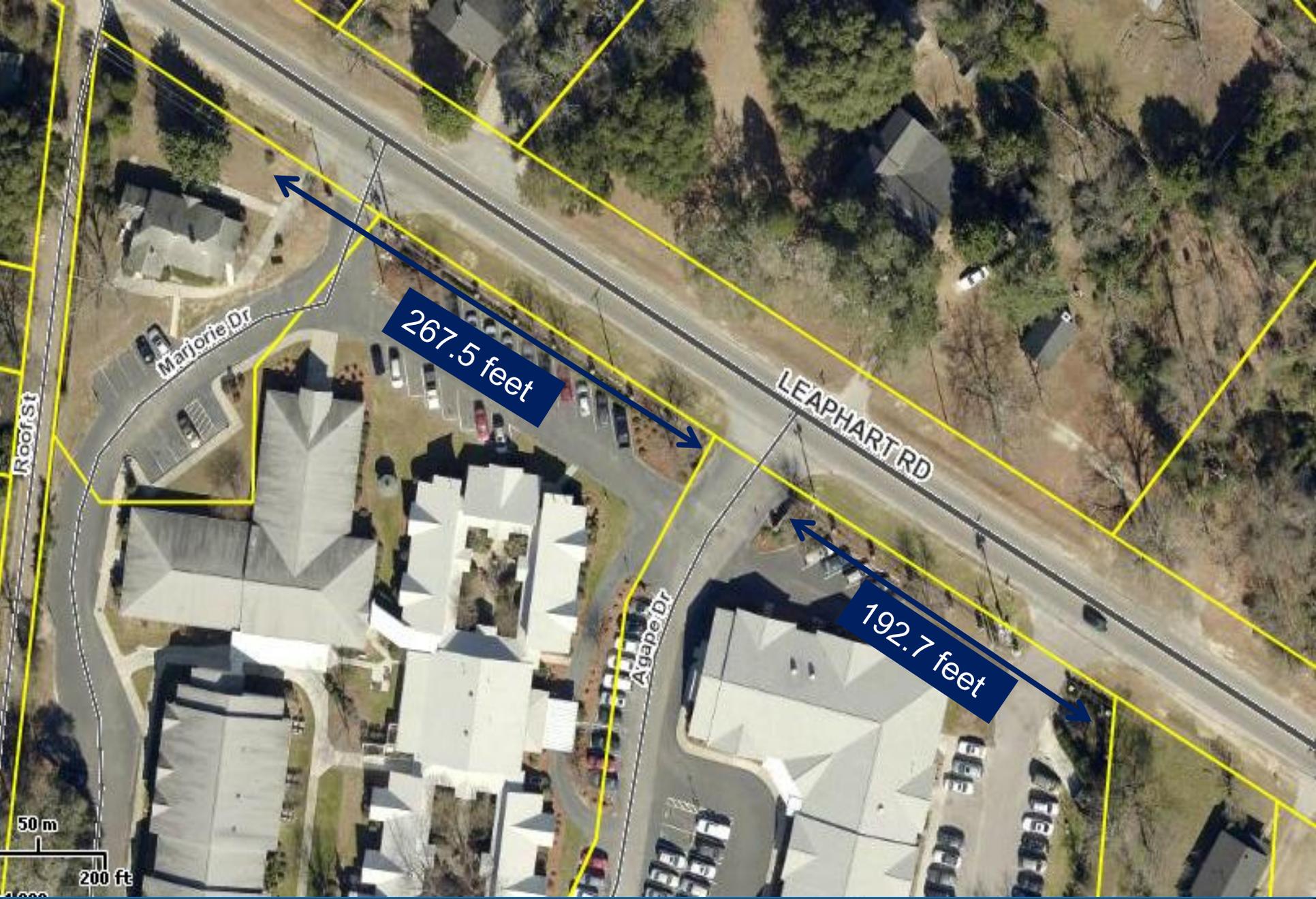
Existing signage



Community Development



Aerial photograph (2013)



267.5 feet

192.7 feet

Roof St

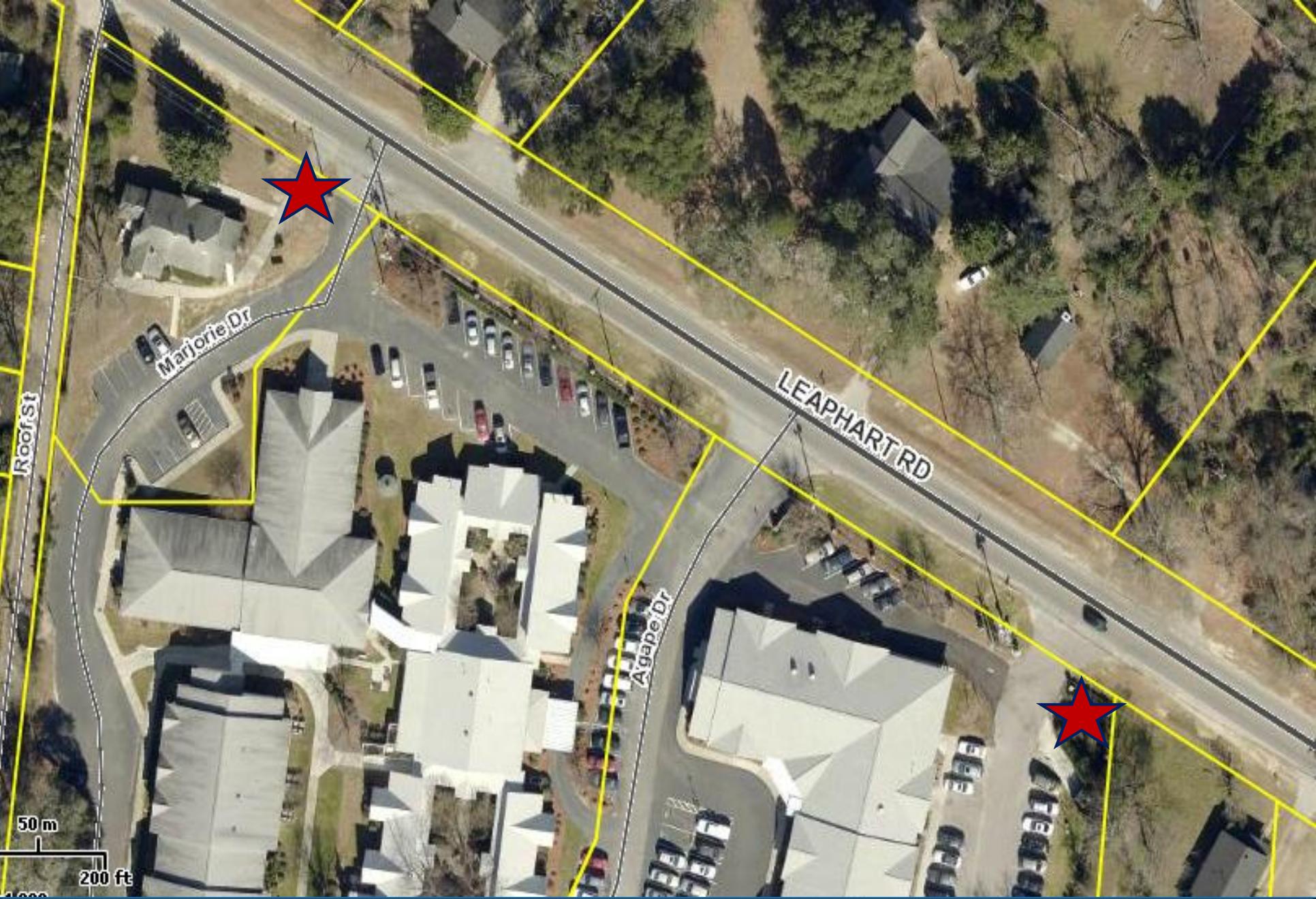
Marjorie Dr

LEAPHART RD

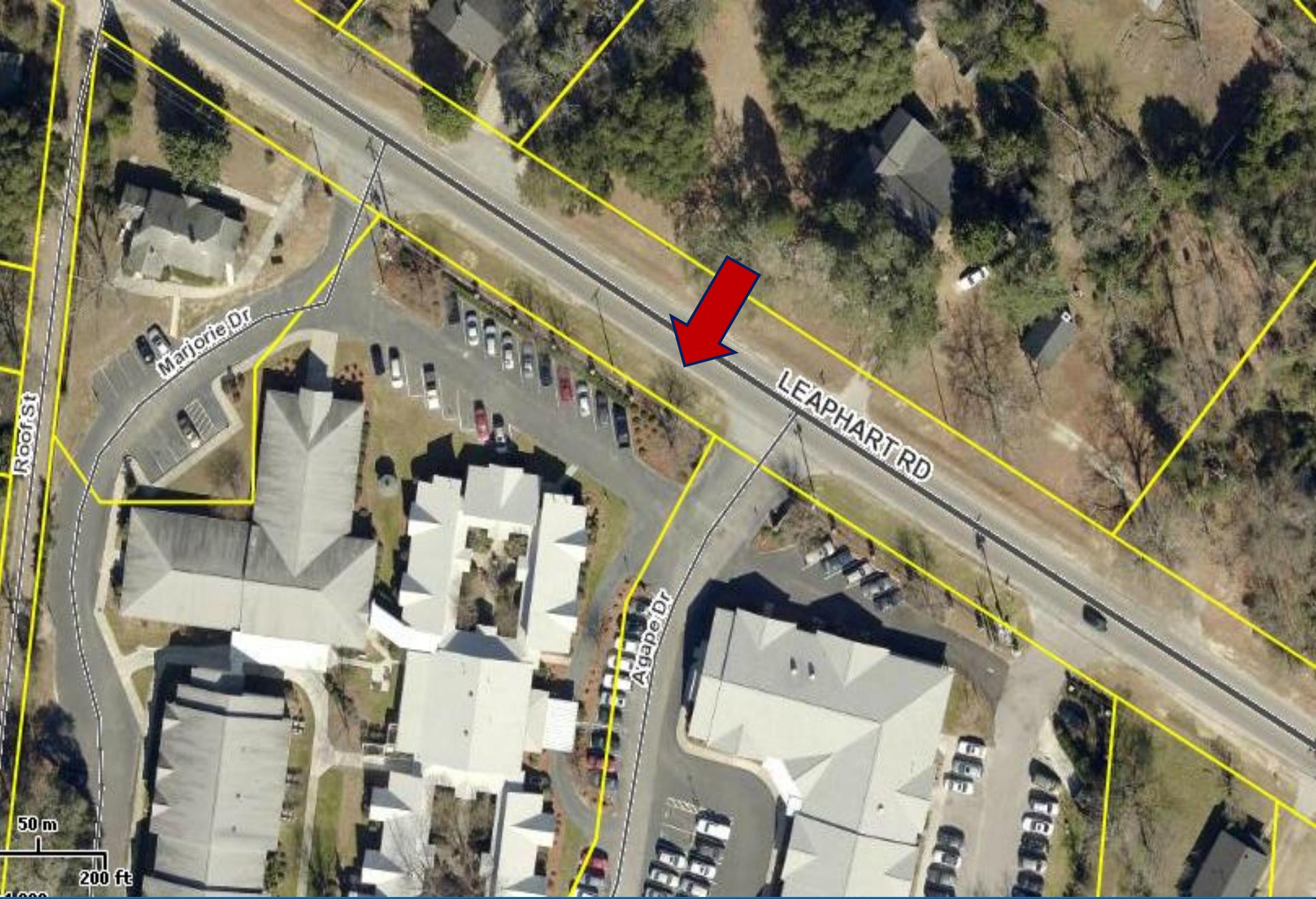
Agape Dr

50 m
200 ft





Proposed sign locations , aerial photograph (2013)



Aerial photograph (2013)

ZONING HEARING

LEXINGTON COUNTY
ADMINISTRATION BUILDING

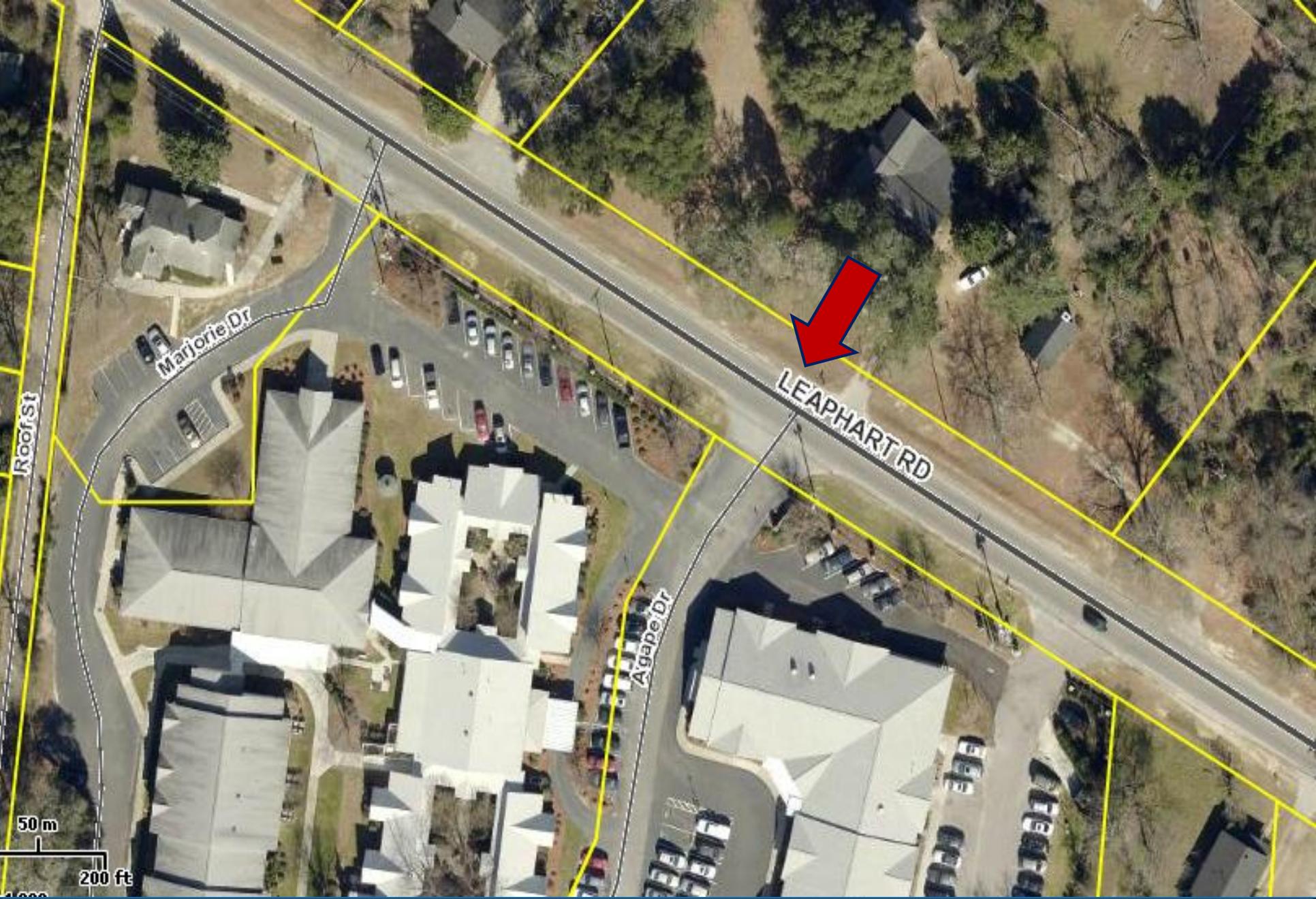
6:00 P.M.

TUESDAY • OCTOBER • 15

FOR INFORMATION CALL 785-8121

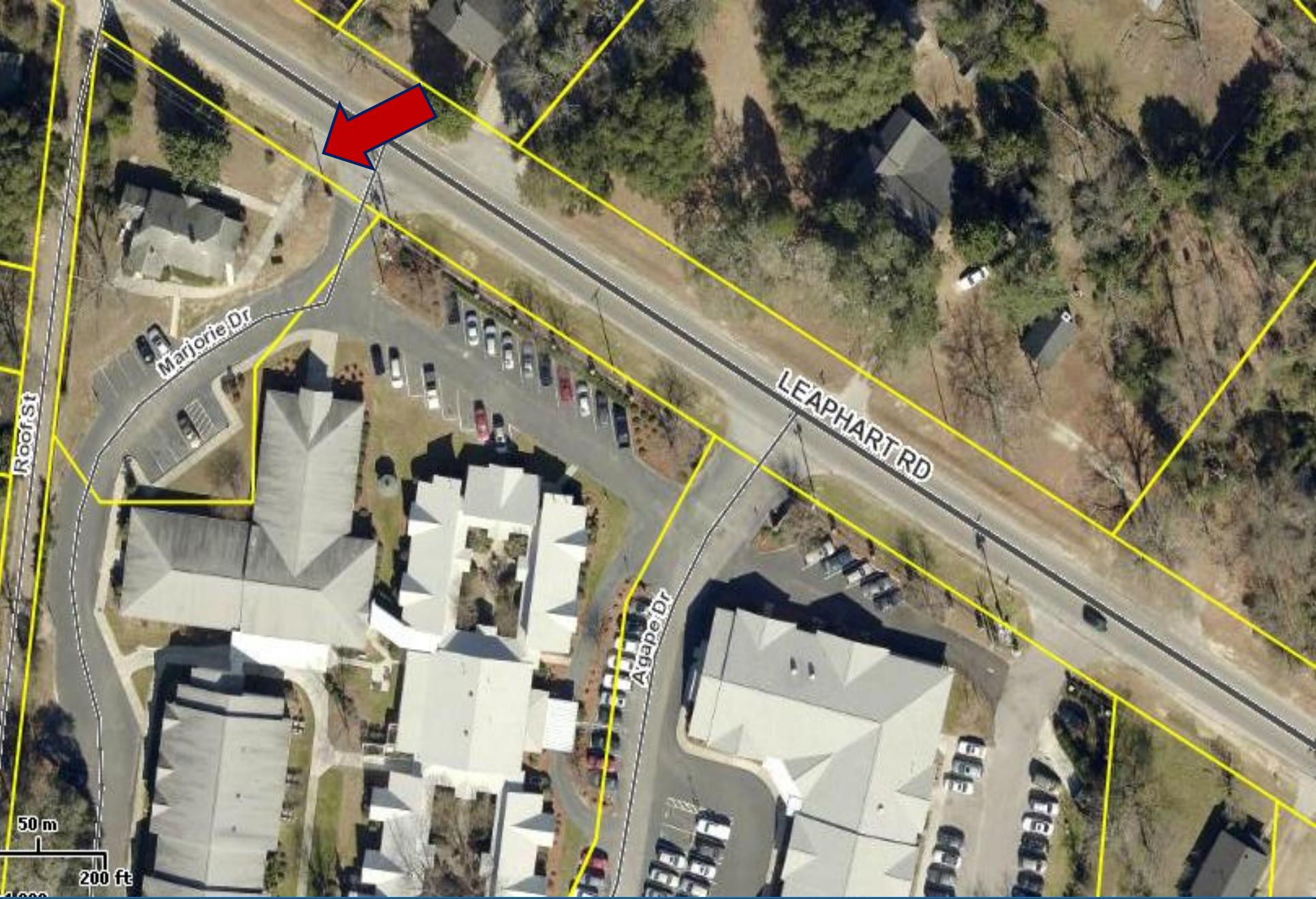
ZONING VARIANCE REQUEST #11-13: Applicant requests a reduction in separation distance for business signs from 500 feet to 267.5 feet and from 500 feet to 192.7 feet.





Aerial photograph (2013)





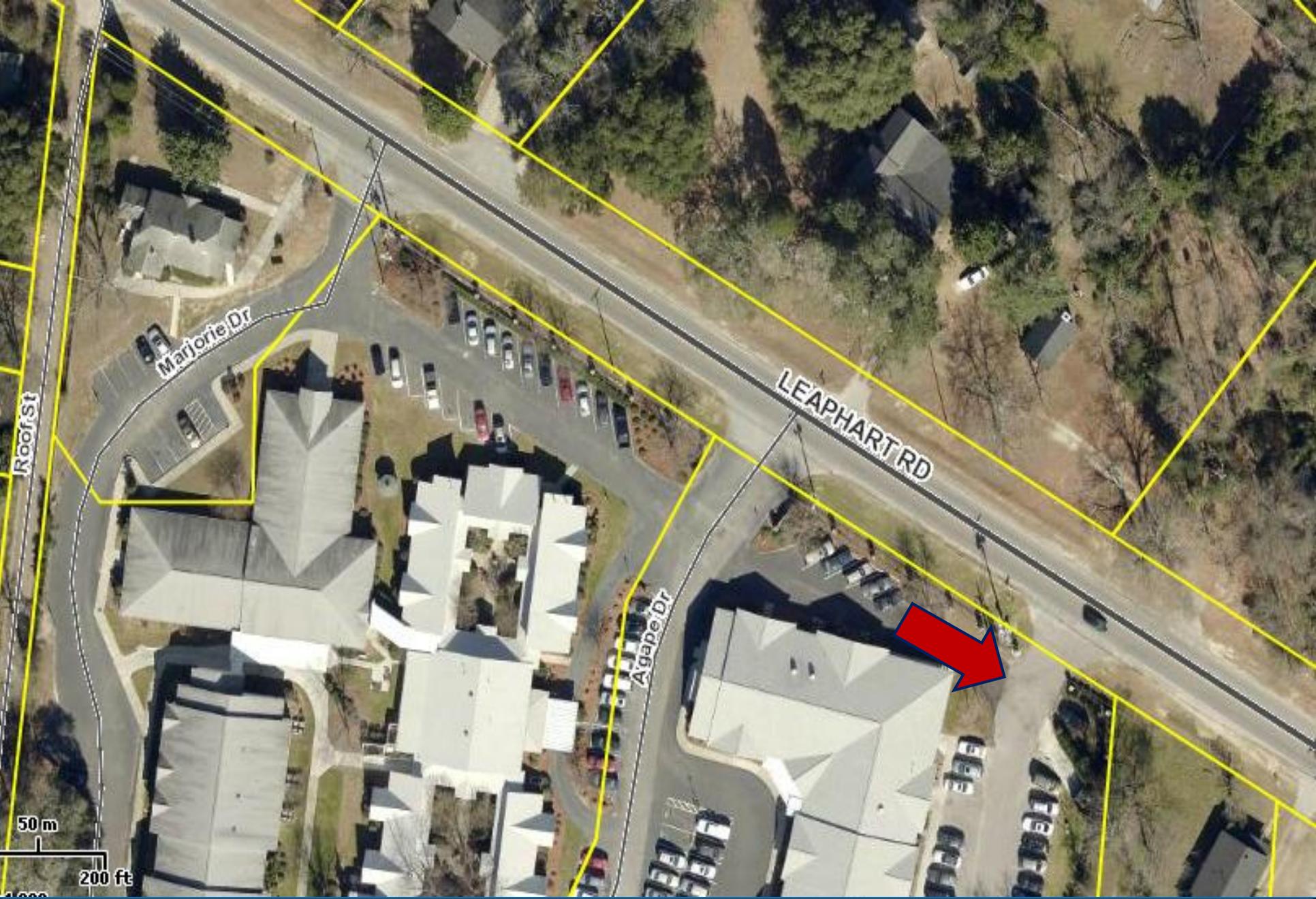
Aerial photograph (2013)



Site photography



Community Development



Aerial photograph (2013)





County of Lexington

Board of Zoning Appeals

PUBLIC HEARING

PUBLIC HEARING