

Board of Zoning Appeals



Minutes of the Thursday, July 9, 2020 Regular Meeting

Members of the Board of Zoning Appeals

Wesley Summers

Chairman

Jim Newman

Kathie Stallworth

Kevin Scaggs

Lynn Stenbridge

1. **Call to Order** – The regular meeting of July 9, 2020, having been duly publicized, was called to order by Chairman Wesley Summers at 7:00 p.m.
2. **Roll Call** – Board members present were Chairman Summers, Board members Jim Newman, Kathie Stallworth, and Lynn Stenbridge. Board member Kevin Scaggs was absent. Also in attendance were Libby Hodges, Director, Department of Planning & Development, Ethan Gaskins, and members of the public.
3. **Approval of Minutes** – Board member Kathie Stallworth moved that the minutes of the June 11, 2020 regular meeting be approved as written. Board member Jim Newman seconded the motion and the motion was approved unanimously.
4. **Confirmation of Agenda** – There were no changes to the agenda.
5. **Application ZV20-001**– A request by Victory Baptist Church to allow for an 18 ft tall, 75 sq ft sign with electronic reader board. These signs are prohibited in residential zoning districts per Table 13-1 and Section 13.8.3.I. of Article 13, Signs of the North Augusta Development Code. The application affects a ±11.62 acre portion of Tax Parcel Numbers 006-13-09-023 and 006-13-09-026 located at 620 and 628 W. Martintown Rd. zoned R-14, Large Lot Single-Family Residential.
 - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
 - b. **Consideration** – Application ZV20-001

Chairman Summers briefly reviewed the public meeting participation guidelines and read the application summary. The public hearing was opened at 7:03 p.m.

Chairman Summers asked if Mrs. Hodges had any information she would like to share.

Mrs. Hodges summarized the case and explained that the requested sign is exceeding the height and the size allowed. She said the purpose of this hearing would be to allow that sign in the Residential Zoning District.

Chairman Summers questioned if a text amendment for signs had been presented to City Council. Mrs. Hodges replied they received the report this past meeting but they have not voted on it yet. Mr. Summers asked Mrs. Hodges to give a description of the text amendment. Mrs. Hodges explained that Be Ye Holy Church put the text amendment forward to allow the electronic readerboards in a residential district for certain non-residential uses that are allowed in a residential district.

Chairman Summers suggested that the Board could table this request, for a month or so, to allow Council to take this under advisement and the applicant would not have to have a variance if it passes. Mr. Summers explained that if Council passes the amendment, and the Board turns the variance down at this meeting, they will have to wait a year to reapply.

Chairman Summers read the Board of Zoning Appeals considerations for a variance and reviewed the rules of procedures.

Mr. Newman stated that in 2006 a variance was granted for the current sign and location and questioned if it is known that what is required is much smaller than what they have now.

All comments and questions from the Board were addressed by Staff and the applicant.

Chairman Williams closed the public hearing at 7:18 p.m.

After reviewing the findings, Chairman Summers asked for a motion from the Board.

Board Member Kathie Stallworth made a motion to table Application ZV20-001 a request by Victory Baptist Church to allow for an 18 ft tall, 75 sq ft sign with electronic reader board until City Council acts on Text Amendment. Mr. Jim Newman offered a second and the motion passed unanimously.

6. Application ZV20-005– A request by Insulation by Cohen’s to allow for a 60 ft tall, 382 sf sign. The proposed sign exceeds the maximum size and height permitted in the Thoroughfare Commercial zoning district per Article 13, Signs, Table 13-2 and Section 13.8.3.p.i.d. of Article 13. The application affects a ±6.06 acre portion of Tax Parcel Number 001-19-01-001 located at 154 Bergen Rd. zoned TC, Thoroughfare Commercial.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
- b. **Consideration** – Application ZV20-005

Chairman Summers briefly reviewed the public meeting participation guidelines and read the application summary. The public hearing was opened at 7:20 p.m.

Chairman Summers asked if Mrs. Hodges had any information she would like to share. Mrs. Hodges summarized the case and the applicant request. Mrs. Hodges read comments submitted by the CSRLT Board of Directors requesting the sign not be approved.

Mr. Newman asked Mrs. Hodges if this is a typical size for a billboard and are we that strict on that stretch of I-20 that you cannot put one there. Mrs. Hodges replied that billboards range anywhere from 30'x13'x48' and there are some that are even larger than that.

Chairman Summers questioned if technically this is the right size for a billboard. Mrs. Hodges replied that technically it would fall within the range of recognizable billboard sizes.

Mrs. Stenbridge questioned if some of the billboards that are in that location now are grandfathered in. Mrs. Hodges replied they are outside the city limits and those that are in the city limits are generally grandfathered in. She explained that at the time the prohibition for billboards was passed and there was a moratorium period in which people had time to take them down, but then there was a lawsuit and a few remain.

Mr. Ethan Gaskins, Vice President of Insulation by Cohen's, was sworn in by Chairman Summers. Mr. Gaskins stated that given the circumstances surrounding the property, I-20 is about 20 to 25-feet above them and there is zero-to-no traffic on Bergan Road West where they are building the facility, and feel that the size and height requirements of the sign that is required by Article 13 there would be almost no reason to put up a sign at all. He said there is no traffic coming through Bergan Road West and the only visibility they are going to get for advertising or visibility purposes is from the interstate. Mr. Gaskins said with the trees and the height of the berm a 60-foot sign is what is recommended.

Mr. Newman asked Mrs. Hodges if the text amendment would affect Mr. Gaskins. Mrs. Hodges replied no.

Chairman Summers requested clarification that a 300 square-foot sign on a 25-foot high pole could be put in place. Mrs. Hodges replied that the maximum square footage allowed would be 100-square feet for all signs or 1-square foot of linear foot of frontage, whichever is less. She said depending on how much wall signage they have requested it would be 300-square feet total for everything and 100-square feet for the free standing sign.

Chairman Summers asked Mr. Gaskin if he were planning on placing any signs on the building. Mr. Gaskins answered no.

All comments and questions from the Board were addressed by Staff and the applicant.

Chairman Summers closed the public hearing at 7:27 p.m.

After some discussion and reviewing the findings of fact, the Board found in the affirmative that the appeal meets all of the standards required to issue the variance. Chairman Summers asked for a motion from the Board.

Mrs. Kathie Stallworth made a motion that Application ZV20-005 a request by Insulation by Cohen's to allow for a 60 ft tall, 382 sf sign. The proposed sign exceeds the maximum size and height permitted in the Thoroughfare Commercial zoning district per Article 13, Signs, Table 13-2 and Section 13.8.3.p.i.d. of Article 13. The application affects a ±6.06 acre portion of Tax Parcel Number 001-19-01-001 located at 154 Bergen Rd. zoned TC, Thoroughfare Commercial be approved with the following conditions:

1. The maximum pole height allowed is 50-feet with a maximum sign height of 63-feet above grade.
2. The sign area shall be limited to a maximum of 300-square feet.
3. No other signage shall be allowed on the property, including on the building.
4. Electronic readerboards shall not be allowed on any portion of the sign.
5. The sign must comply with all other requirements of Article 13, Signs.

Mr. Jim Newman seconded the motion and the motion was approved unanimously.

7. Staff Report

Mrs. Hodges reminded the Board members to complete the required online training because she does not foresee any other training opportunities for this year.

Mrs. Hodges stated the Martintown Road Corridor Study is moving along and there have been some meetings with SCDOT and some of the surrounding developers.

Mrs. Hodges stated a contract was signed for the Development Code rewrite and it should take approximately sixteen months to complete.

- 2. Adjourn**-- With no objections, the meeting was adjourned at 7:40 p.m.

Respectfully Submitted,



Libby Hodges, AICP
Director of Planning and Development
Secretary to the Board of Zoning Appeals

Attached Public Comment

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From: CSRLT [<mailto:info@csrlt.org>]
Sent: Tuesday, June 30, 2020 2:01 PM
To: Hodges, Libby <LHodges@northaugusta.net>
Subject: Comment on ZV20-005 - Insulation by Cohens

Dear North Augusta Board of Zoning Appeals -

Today we received a letter in the mail regarding ZV20-005 made by Insulation by Cohens. The Land Trust's property (The Greystone Preserve) borders the subject parcel (006-13-09-023) on all sides except for its road frontage on Bergen Road. The Land Trust's property is zoned CR - Critical Areas - as it is a nature preserve, home to several rare and federally-endangered species, as well as miles of nature trails and an outdoor classroom. The nature trails, which are there for the public's enjoyment, follow Fox Creek along the border between our property and the subject parcel. A 60 foot tall, 382 square foot sign could significantly degrade the public's enjoyment of this critical natural area, dependent upon where the sign was located, its height, brightness/illumination level, and whether it could be seen from the nature preserve.

The landowner of the subject parcel, Ethan Gaskins, has been a good neighbor and very accommodating thus far in his development process, allowing endangered plants present on his property to be relocated to the Greystone Preserve ahead of his site preparation work, and indicating his intention to preserve a portion of this subject parcel to help protect the view and experience of visitors to the nature preserve. We hope that the location and makeup of the sign has similarly been considered for its overall impact prior to making this appeal to your Board.

We wish to provide comment regarding this zoning appeal, but first would like to request additional information regarding the sign and its proposed location. We understand that Mr. Gaskins has a business to run and must identify his business to the public via a sign. We do not wish to undermine his ability to conduct his business. However, we are charged first and foremost with being good stewards of the nature preserve which was donated for the public's benefit. We humbly request that the Board of Zoning Appeals not approve the establishment of a sign which by its size, height, or brightness/luminosity could be easily seen from the adjoining nature preserve until all alternatives can be evaluated. We are happy to participate in this process and to help find a solution that works for all parties.

Thank you very much for your time and consideration in this matter.

Sincerely,
CSRLT Board of Directors

