

# Board of Zoning Appeals



## Agenda for the Tuesday, April 12, 2022, Regular Meeting

*Members of the Board of Zoning Appeals*

Wesley Summers

*Chairman*

Bill Burkhalter

Kathie Stallworth

Jim Newman

Kevin Scaggs

*CITIZEN ASSISTANCE: Individuals requiring special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development 48 hours prior to the meeting at 803-441-4221.*

### **REGULAR MEETING**

1. **Call to Order** – 6:00 p.m.
2. **Roll Call**
3. **Approval of Minutes** – Minutes of the Regular Meeting of the March 1, 2022
4. **Confirmation of Agenda**
5. **ZV22-005**- A request by Mossy Creek Elementary School for a variance at 421 West Five Notch Road, TMP 005-16-02-003 from NADC Section 13.8.3.L to allow for an electronic message center with an area of approximately 60% of the total sign area in the P, Public Use zoning district.
  - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
  - b. **Consideration** – Consideration of Application ZV22-005 by the Board of Zoning Appeals.
6. **ZV22-006**- A request by Paul Knox Middle School for a variance at 1804 Wells Road, TPN 006-06-09-001 from NADC Section 13.8.3.L to allow for an electronic message center with an area of approximately 60% of the total sign area in the P, Public Use zoning district.
  - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
  - b. **Consideration** – Consideration of Application ZV22-006 by the Board of Zoning Appeals.

7. **ZV22-007**- A request by North Augusta Elementary School for a variance at 400 East Spring Grove Avenue, TPNs 007-15-01-044 and 007-11-05-082 from NADC Section 13.8.3.L to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district.
  - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
  - b. **Consideration** – Consideration of Application ZV22-007 by the Board of Zoning Appeals.
  
8. **ZV22-008**- A request by Adams Brothers Properties, LLC, represented by The Prather Company, for a variance from NADC Table 3-3, Dimensional Standards for the R-7, Small Lot Single-Family Residential Zoning District, minimum lot width to allow a minimum lot width of 22 feet for a townhome development. The appeal affects approximately 43.15 acres located along West Martintown Road, TPN 106-00-00-041.
  - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.
  - b. **Consideration** – Consideration of Application ZV22-008 by the Board of Zoning Appeals.
  
9. **Adjourn**

# Board of Zoning Appeals



## Minutes for the Tuesday, March 1, 2022, Regular Meeting

*Members of the Board of Zoning Appeals*

Wesley Summers

*Chairman*

Bill Burkhalter

Kathie Stallworth

Jim Newman

Kevin Scaggs

*CITIZEN ASSISTANCE: Individuals requiring special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development 48 hours prior to the meeting at 803-441-4221.*

### **REGULAR MEETING**

1. **Call to Order** – 6:00 p.m.
2. **Roll Call** Board members present were Chairman Wes Summers, Kevin Scaggs, Bill Burkhalter and Jim Newman.
3. **Approval of Minutes** – Minutes of the Regular Meeting of the January 4, 2022 meeting were unanimously approved.
4. **Confirmation of Agenda** Chairman Summers asked for a motion to hear agenda item four after agenda item one because the requests pertain to the same property. Mr. Scaggs made the motion and Mr. Burkhalter seconded the motion. It was approved unanimously.
5. **ZV22-001**- A request by S&H Enterprises represented by JLA for a variance from Section 3.8.5.8.5, Front Setback Landscaping of the North Augusta Development Code. The application affects a proposed car dealership on ±16.54 acres located at 5425 Jefferson Davis Highway, TPNs 013-15-02-001 and 013-20-03-004 zoned TC, Thoroughfare Commercial, and within the HC, Highway Corridor Overlay District.
  - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the applicant is requesting a variance from planting small trees required and for a reduction in the buffer width required from 20 feet to 14.4 feet.

Alexandra Reynolds stated that the land is subject to 3 layers of landscape on the Jefferson Davis frontage: the type D buffer, street trees, and the perimeter parking lot landscaping. There is a lot of landscaping required between the road and parking lot. KIA is asking for a variance that the buffer width be reduced to 14.5 feet and that they put in the large trees but eliminate 22 small trees.

- b. **Consideration** – Consideration of Application ZV22-001 by the Board of Zoning Appeals.

Mr. Scaggs made the motion to approve the variance request and Mr. Burkhalter seconded the motion. It was approved unanimously with no conditions.

- 6. **ZV22-002**- A request by Carolyn Marie Anderson for a variance at 723 Indian Mound Drive, TPN 002-20-06-012 from Section 3.5.8, Dimensional Standards, Corner Side Yards of the North Augusta Development Code for a carport addition that does not meet the required setbacks. The application affects ±0.26 acres zoned R-14, Large Lot, Single-Family Residential.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated that it is .228 acre lot zoned R-14 and the applicant is requesting a setback variance. NADC Section 3.5.8 covers side yard setbacks and states when a side yard abuts a corner lot the minimum side yard has to be fifty percent of front yard for the lot. It is zoned R-14 and the front yard setback is 25ft so the side yard required is 12.5 ft. The applicant wants to add an attached carport.

Mrs. Anderson, the applicant, came forward to introduce herself and let the board know she wants to add a single carport.

No one else came forward to speak. Mr. Summers asked about having a door into the house off the garage and also if it would be attached to the house. Mrs. Anderson stated it would be attached and also have a door into the house.

- b. **Consideration** – Consideration of Application ZV22-002 by the Board of Zoning Appeals.

Mr. Summers explained that there were 10 items that they had to prove before they could approve the variance. After discussing the items, Mr. Scaggs made a motion to approve the variance request and Mr. Burkhalter seconded it. It was unanimously approved.

7. **ZV22-003**- A request by Matthew's Development, LLC for a front setback greater than the maximum permitted and a frontage buildout less than the minimum permitted in the HC, Highway Corridor Overlay District by North Augusta Development Code, Section 3.8.5.3, Table 3-9, Dimensional Standards. The request affects a proposed restaurant on ±2.01 acres located along Edgefield Road, a portion of TPN 011-07-01-003, zoned GC, General Commercial.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the project is a proposed restaurant and will be beside the Quicktrip that is being built now. It is not an unusual request but because of the Highway Corridor overlay district, there are some additional requirements. The maximum setback allowed is 90-feet and the developer is requesting 115, and increase of 25ft. Also, the minimum frontage buildout is 30% and they are requesting 19% which is 11% under the minimum requirement. The primary purpose of the request is for public safety and traffic considerations.

Mr. Newman asked if it were square piece of property rather than triangle would they need this variance. Jonathan Aceves, real estate broker representing the developer, stated the property that Quiktrip bought included outparcels that they did not need, which is why they have bought this piece for a restaurant.

- b. **Consideration** – Consideration of Application ZV22-003 by the Board of Zoning Appeals.

Mr. Scaggs made a motion to approve the variance with the following conditions: the project must be developed in general conformance with the layout submitted, curb cuts on Edgefield Road/Highway 25 must be approved by SCDOT, and all other requirements of the Highway Corridor Overlay District must be met and approved by staff at the time of site plan review. The motion was seconded by Mr. Burkhalter. It was unanimously approved.

8. **ZV22-004**- A request by S&H Enterprises represented by JLA for a variance from Section 3.8.5.10.5, Permitted Materials with Limitations and Section 7.4, Table 7-2, Exterior Lighting Levels of the North Augusta Development Code. The application affects a proposed car dealership on ±16.54 acres located at 5425 Jefferson Davis Highway, TPNs 013-15-02-001 and 013-20-03-004 zoned TC, Thoroughfare Commercial, and within the HC, Highway Corridor Overlay District.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the applicant is requesting for drainage-backed synthetic stucco (EIFS) to be applied to any wall surface at any wall height. The applicant is also requesting a maximum lighting level of 35-75 foot candles (fc) for parking lots and outdoor inventory. The average light levels for outdoor display of merchandise allowed by the NADC is 5 fc with a maximum of 15 fc.

Lee Dorn gave the board members color renderings of what the dealership will look like. The dealership will be the first of its type. This is a new design of the Kia Dealership.

Clay Blanta spoke regarding lighting. The maximum height for poles in North Augusta is 25ft and Kia is asking to have 20ft poles for lighting. The lights will be downward facing with shields on them. Light is aiming down and extremely uniformed now. They will use LED lighting and it is power saving. The designers used the International Lighting Engineering Society guidelines for industry standard lighting levels in the photometric plans.

- b. **Consideration** – Consideration of Application ZV22-004 by the Board of Zoning Appeals.

Chairman Summers read the 10 considerations for a variance and discussed each one to come to the decision. Mr. Scaggs gave made a motion to approve the variance request and Mr. Newman second the motion. The motion was approved unanimously.

9. **Adjourn** – The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Thomas L. Paradise  
Director of Planning and Development  
Secretary to the Board of Zoning Appeals

# Department of Planning and Development



## Project Staff Report

ZV22-005 Mossy Creek Sign

Prepared by: Kuleigh Baker

Meeting Date: April 12, 2022

## SECTION 1: PROJECT SUMMARY

Project Name	Mossy Creek Elementary School Electronic Reader board
Applicant	Aiken County Public Schools
Address/Location	421 West Five Notch Road
Parcel Number	005-16-02-003
Total Development Size	± 34.25 acres
Existing Zoning	P, Public Use
Overlay	N/A
Variance Requested	NADC Article 13, Signs; Section 13.8.3.L.i. and 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses, Electronic Reader boards district and sign area

## SECTION 2: BOARD OF ZONING APPEALS CONSIDERATION

Per NADC § 18.4.5.4.2, the Board of Zoning Appeals shall hear and decide appeals for variances from the requirements of Article 3, Zoning Districts, and Article 13, Signs, when strict application of the regulations would result in unnecessary hardship.

A variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing, all of the following:

1. An unnecessary hardship exists;
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
3. The conditions do not generally apply to other property in the vicinity;
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
5. 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. Harm to the character of the district may include structures

that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)

6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a. To allow the establishment of a use not otherwise permitted in a zoning district.
  - b. To extend physically a nonconforming use of land.
  - c. To change zoning district boundaries shown on the official zoning map.
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.

Based on these findings of fact, the Board of Zoning Appeals may approve, approve with conditions, or deny the request.

### SECTION 3: PUBLIC NOTICE

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Per NADC Table 5-1, 6. Variance, the application and description were advertised via a public notice describing the variance request and advertising the scheduled date of the Board of Zoning Appeals hearing in *The Star* and [www.northaugusta.net](http://www.northaugusta.net) on March 23, 2022. A written notice of the variance request and scheduled date of the Board of Zoning Appeals hearing was mailed to the owners of property within 200 feet of the subject property on March 21, 2022. The property was posted with the required public notice on March 23, 2022.



## SECTION 4: SITE HISTORY

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The project site is an existing elementary school located on West Five Notch Road near Scott Drive. The school is zoned P, Public Use and primarily services the surrounding residential district. On April 16, 2009, the Planning Commission recommended that City Council approve rezoning the property to P, Public Use. The school was rezoned from R-14, Large Lot, Single-Family Residential to P, Public Use and the official zoning map was amended on May 18, 2009.

The City approved a sign permit in November of 2014 to erect a 7 ft tall, 50 sf changeable copy sign. The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board to replace the previous sign.

## SECTION 5: EXISTING SITE CONDITIONS

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	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Elementary School	Institutional, Government, and Public Facilities	P, Public Use
North	Residential	Low Density Residential	R-5, Mixed Residential
South	Vacant	Low Density Residential	Outside City Limits
East	Residential	Low Density Residential	RD, Residential Multi-Family Development (Aiken County, Outside City Limits)
West	Residential	Low Density Residential	RC, Residential Single-Family Conservation (Aiken County, Outside City Limits)

**Access** – The site currently has access from West Five Notch Road and Scott Drive.

**Topography** – The property has variable topography with the lowest elevations running through the center of the site.

**Utilities** – Water and sewer service are existing.

**Floodplain** – The property is not located within a federally designated floodplain.

**Drainage Basin** – The parcel is located in the Pole Branch Basin. Pole Branch Basin is one of the City’s largest basins with a mix of high and medium density residential, high density commercial, and light industrial areas including several major traffic corridors. Overall water quality sampling results within the basin are good. Stream channel integrity in the basin is poor, making it a critical Priority 1 basin. The stream channel is not effective at transporting stormwater loads during heavy storm events and is subject to failing banks and sediment deposition, bank instability and flooding, and channel widening.

## SECTION 6: STAFF EVALUATION AND ANALYSIS

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The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board within the P, Public Use Zoning District. Section 13.8.3.L.i. states that electronic reader boards shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts. Section 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses states Electronic Reader boards shall not exceed 50% of the sign area of which it is a part. The applicant has proposed a sign area of approximately 60% of the total sign area.

However, Section 3.6.4.1., Public Use District, Purpose states the purpose of the district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property.

Furthermore, Section 3.6.4.5.2 Development Standards states uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.

Following is analysis required by NADC §5.1.4.5.b (Staff commentary is bulleted):

1. An unnecessary hardship exists;
  - The applicant states that the proposed sign meets the needs for the school to communicate important information to students, parents, and the public and that signs of a similar size with reader boards have not been rejected at any school location by other jurisdictions.
  
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - The applicant states that schools typically fall within residential environments but that the current code does not address its role in the character of the surrounding neighborhoods.
  
3. The conditions do not generally apply to other property in the vicinity;
  - The applicant states that the school is unique in its service to the community. Unlike a business advertising services for a profit, the electronic reader board will be used to improve communications between the school, its students, and their parents.
  
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - The applicant states that the NADC does not directly address school signage. Their argument is that prohibiting an electronic reader board would unreasonably limit the amount of information the school is able to transmit through signage. They state that the overall sign area proposed is smaller than that allowed by the code and otherwise meets the intent of the code if the electronic reader board is accepted.
  
5. 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. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)
  - The applicant states that the proposed sign will not hinder any other property's signage and that the location will not create excessive noise, light, traffic, or late night activity as it is screened by a hill, vegetation, and commercial entities.
  - Staff notes the electronic reader board creates the potential for nighttime light pollution but that the majority of residences are located beyond direct view of the sign location on the property.

6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
  - Electronic reader board signs are allowed in certain zoning districts (i.e. Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts) but cannot exceed 50% of the sign area. The applicant requests a reader board occupying 60% of the total sign area. The applicant states that the cost to maintain a non-standard sign is significantly higher and would lead to the need for additional training by operators.
  
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a To allow the establishment of a use not otherwise permitted in a zoning district.
    - Signs are allowed in public zoning.
  - b To extend physically a nonconforming use of land.
    - The variance does not extend a physically nonconforming use of land.
  - c To change zoning district boundaries shown on the official zoning map.
    - The application does not propose a change to the zoning district boundaries.
  
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
  - The applicant states the location and use of the property warrant the variance request.
  
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
  - Staff recognizes that the property is operated as a public school and the request is not based on profitability of the land.
  
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.
  - This variance, if granted, will apply only to this property and the sign details as submitted. Should the sign need to be replaced, it should meet the requirements of the sign code in place at that time or request another variance, if applicable.
  - Staff recommends limiting the hours of operation of the sign so that the reader board is not operated between the hours of 10 p.m. and 6 a.m. The sign would be expected

to follow all the regulated colors, refresh and other regulations of the sign code. Any limitations to hours of operation should be specified by the Board as part of the case order.

- Staff is open to suggestions for other conditions from the Board.

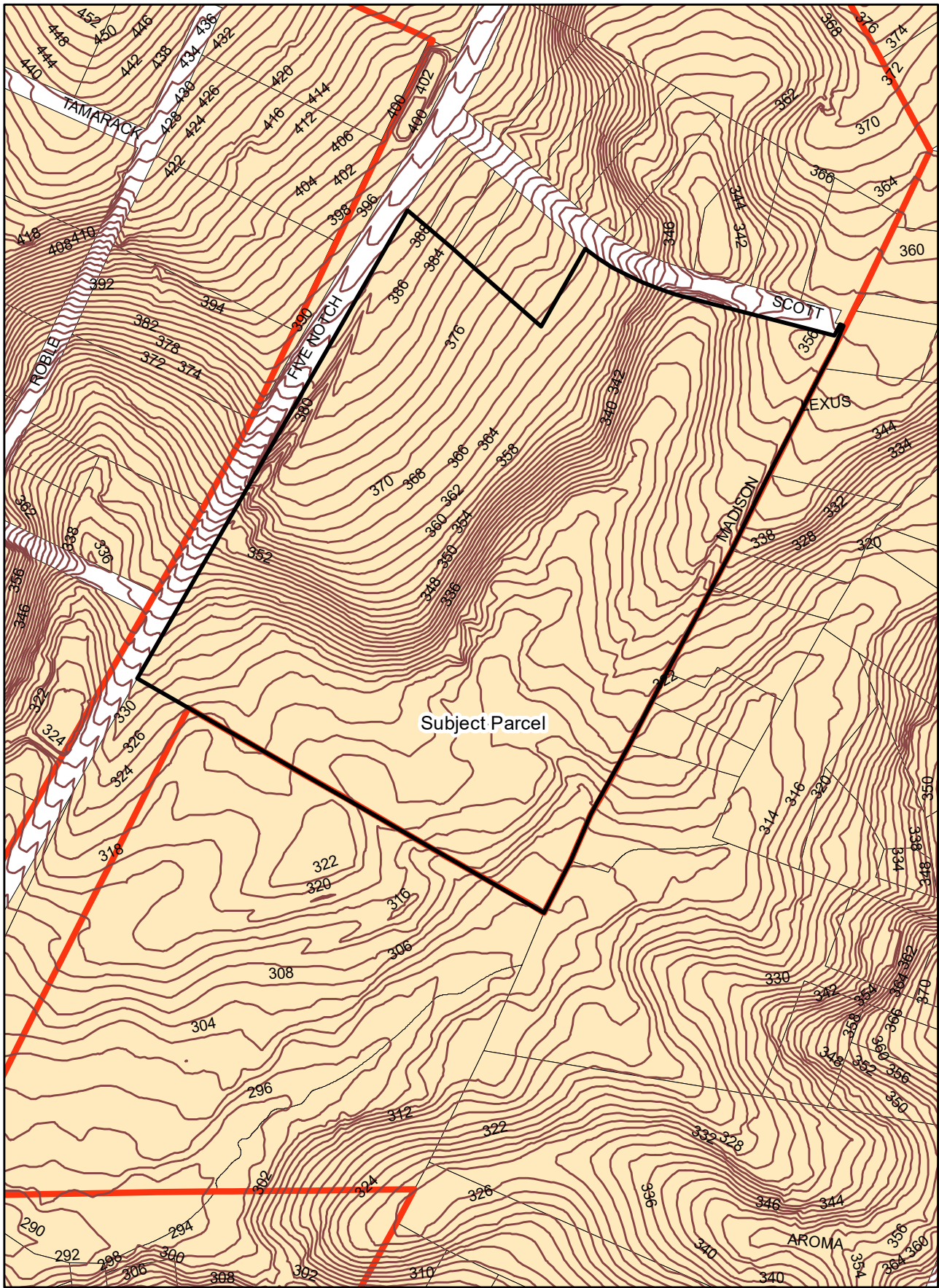
## SECTION 7: ATTACHMENTS

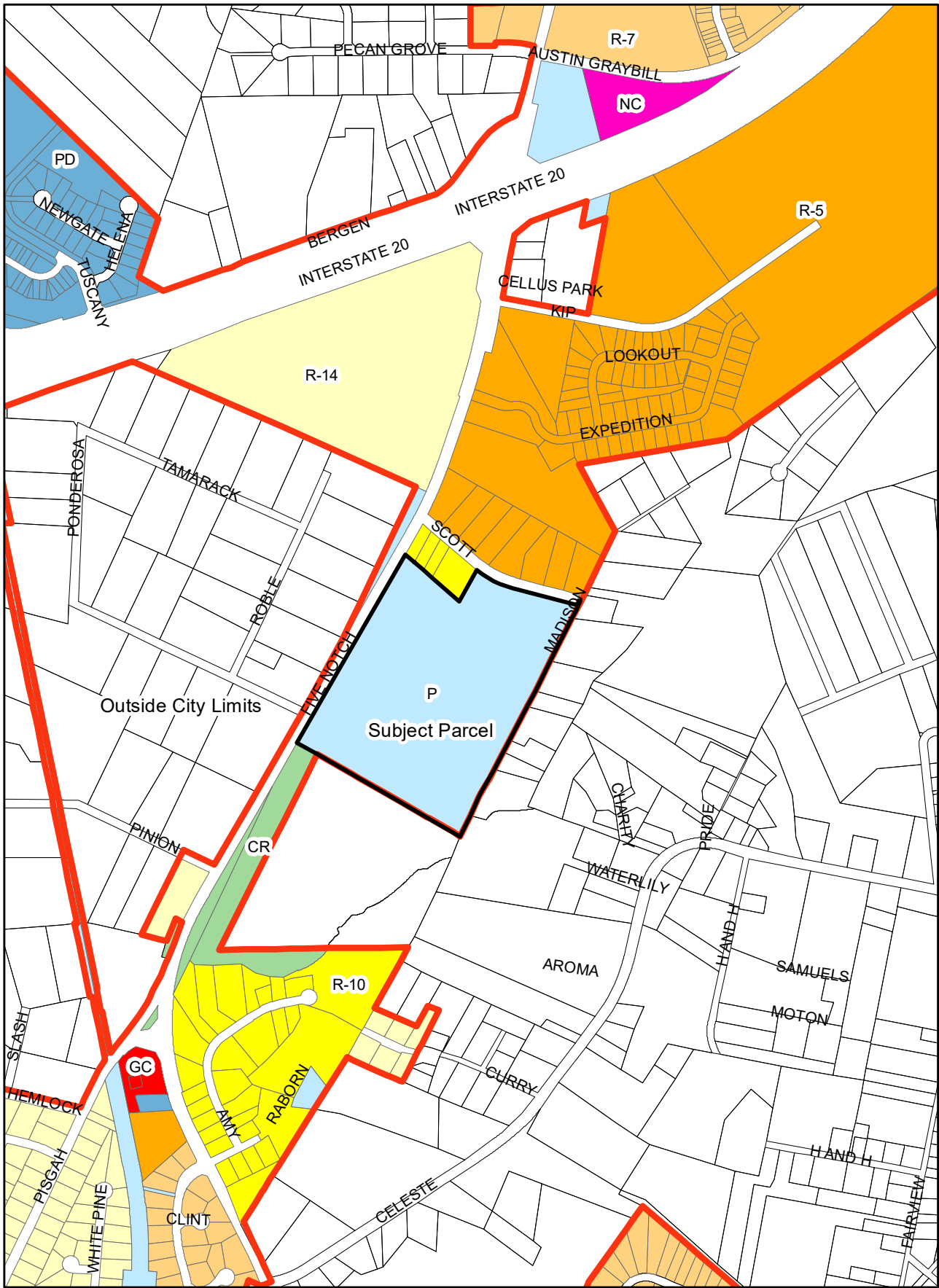
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- 1) Aerial
- 2) Topography
- 3) Current Zoning
- 4) Future Land Use
- 5) Site Photos
- 6) Public Notice
- 7) Application Materials

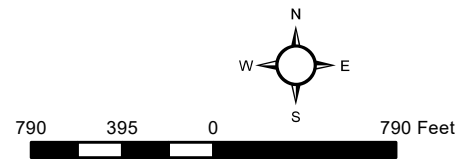
- cc. Ron Wade, Signs Unlimited of SC; via email  
Aiken County Public Schools; via email





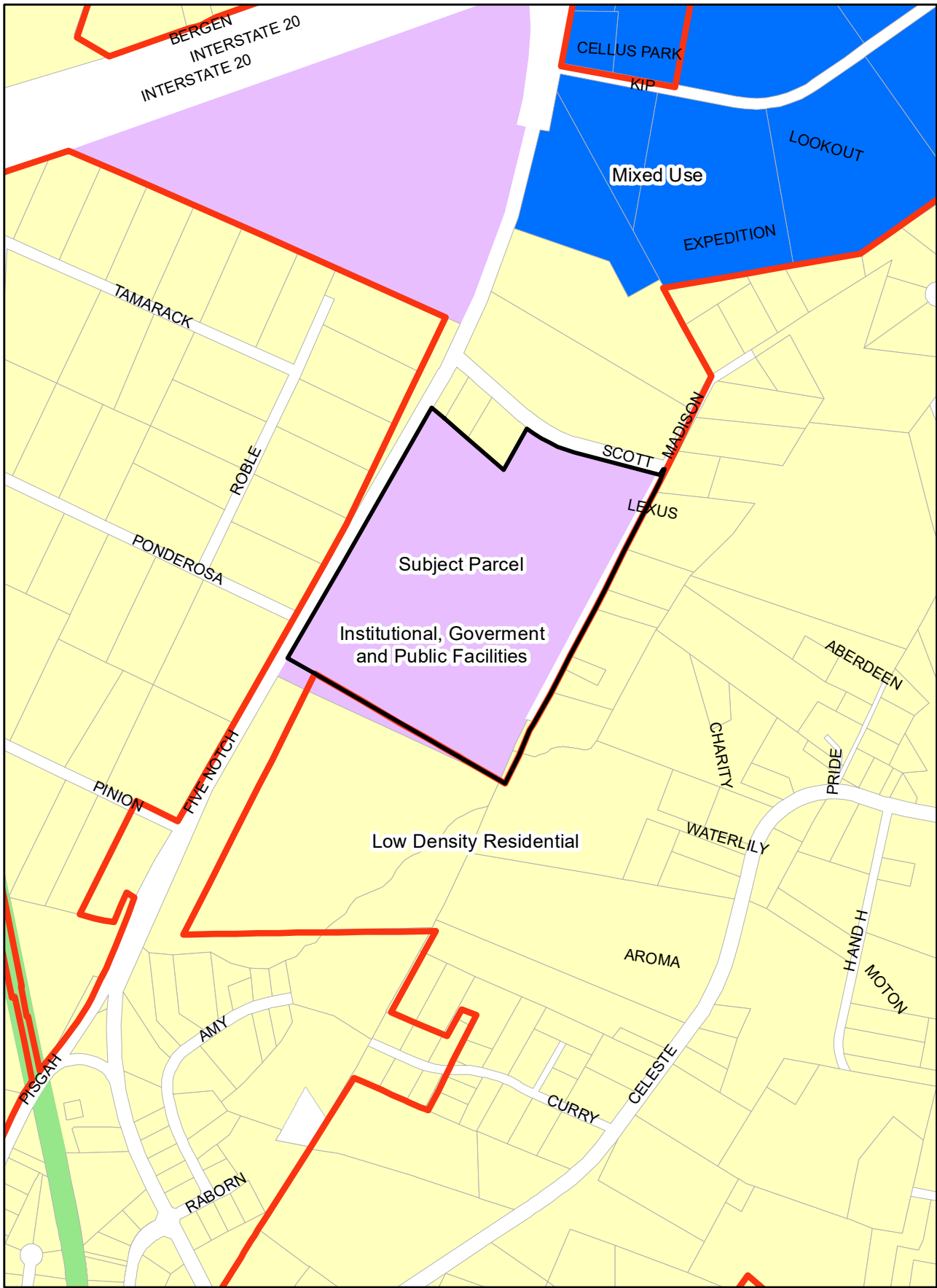


Zoning Map  
Application ZV22-005  
TPN 005-16-02-003

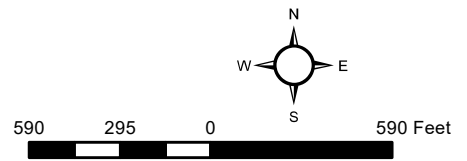


Date: 3/16/2022





Future Land Use Map  
 Application ZV22-005  
 TPN 005-16-02-003



Date: 3/16/2022

City of  
North Augusta, South Carolina  
**Board of Zoning Appeals**

**PUBLIC HEARING NOTICE**

The North Augusta Board of Zoning Appeals will hold a public hearing at its regular monthly meeting beginning at 6:00 PM on April 12, 2022 in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

**ZV22-005-** A request Planning and Development has received a request by Mossy Creek Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 421 West Five Notch Road, TPN 005-16-02-003 on ±34.18 acres zoned P, Public Use.

**ZV22-006-** A request by P Paul Knox Middle School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 1804 Wells Road, TPN 006-06-09-001 on ±24.17 acres zoned P, Public Use.

**ZV22-007-** A request by North Augusta Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 400 East Spring Grove Avenue, TPNs 007-15-01-044 and 007-11-05-082 on ±24.5 acres zoned P, Public Use.

**ZV22-008-** A request by Adams Brothers Properties, LLC, represented by The Prather Company, for a variance from NADC Table 3-3, Dimensional Standards for the R-7, Small Lot Single-Family Residential Zoning District, minimum lot width to allow a minimum lot width of 22 feet for a townhome development. The appeal affects approximately 43.15 acres located along West Martintown Road, TPN 106-00-00-041.

Documents related to the applications will be available for public inspection after April 7, 2022 in the offices of the Department of Planning and Development on the second floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at [www.northaugusta.net](http://www.northaugusta.net). All residents and property owners interested in expressing a view on these cases are encouraged to attend or provide written comments to [planning@northaugusta.net](mailto:planning@northaugusta.net)

**CITIZEN ASSISTANCE:** Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

# Notice of Appeal

Please type or print all information



### Staff Use Only

Application Number ZV22-005

Date Received 3-2-22

Review Fee 250.00 2081

Date Paid 3-2-22

1. Project Name Mossy Creek Elem.  
Project Address/Location 421 W. Five Notch Rd. N.A., SC 29841  
Total Project Acreage \_\_\_\_\_ Current Zoning \_\_\_\_\_  
Tax Parcel Number(s) 005-16-02-003  
Applicant/Owner Name Aiken Cty. Bd. of Ed. Applicant Phone 803 642 0431  
Mailing Address Aiken, S.C. Sch. Facilities CONST. 61 Given St  
City Aiken ST Sc Zip 29805 Email WRoberson@Acsd.net

3. Is there a Designated Agent for this project? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)

4. Engineer/Architect/Surveyor \_\_\_\_\_ License No. \_\_\_\_\_  
Firm Name \_\_\_\_\_ Firm Phone \_\_\_\_\_  
Firm Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?  
(Check one.) \_\_\_\_\_ yes \_\_\_\_\_ no

6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all documents required by the City must be correct and complete to initiate the compliance review process by the City.

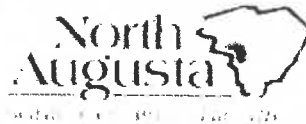
Ron Wade  
Applicant or Designated Agent Signature  
Ron Wade  
Print Applicant or Agent Name

3-2-22  
Date

Mossy Creek

Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

Staff Use Only

Application Number \_\_\_\_\_

Date Received \_\_\_\_\_

- 1. Project Name Mossy Creek elem. Sch.  
 Project Address/Location 421 West FiveNotch Rd, NA, SC 29841  
 Project Parcel Number(s) TANPAR.# 006 06 09 003
- 2. Property Owner Name Aiken City Sch. Board of Ed. Owner Phone 803 642 0431 Robbie Roberson  
 Mailing Address Aiken City Public Schs Facilities Bldg, 61 Given St Aiken SC  
 City Aiken ST SC Zip 29805 Email wroberson@acpsd.net
- 3. Designated Agent Signs Unlimited of SC / Ron Wade  
 Relationship to Owner Sales  
 Firm Name Signs Unlimited of SC Phone 803 438 1200  
 Agent's Mailing Address 1584 Whiting Way  
 City Lugoff ST SC Zip 29078 Email topsigns@gmail.com  
 Agent's Signature Ron Wade Date 2-23-12

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

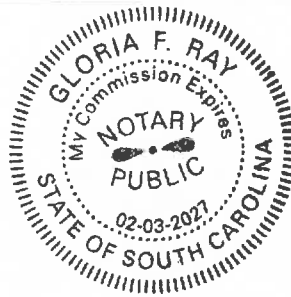
[Signature]  
Owner Signature

Date 3-1-22

5. Sworn and subscribed to before me on this 1<sup>ST</sup> day of March, 2022

[Signature]  
Notary Public

2/3/27  
Commission Expiration Date



## Application Submittal and Review

### Variance

§18.4.5.4.2. North Augusta Development Code  
Page 1 of 1



#### Completeness Review

The approval process for an appeal for a Variance begins with a completeness review at initial submittal. Information required at initial submittal is listed on this checklist and in the North Augusta Development Code in §18.4.5.4.2. An application is determined to be complete if the application form, required fees, and all requested supporting documents listed herein have been submitted to and received by the City. A determination of completeness for a Variance application must be made within fifteen (15) days of submission. The applicant will be notified when an application is determined complete or if additional information is required. A compliance review by City staff will begin after all required information has been submitted.

#### Required for all Variance Applications:

- a. Notice of Appeal
- b. Required Fee
- c. Executed Designation of Agent form if the applicant is someone other than the property owner (i.e., developer, consulting engineer, consulting planner, etc.)  
A recorded plat or legible plot plan or survey prepared by a land surveyor or civil engineer showing the property dimensions and locations and dimensions of any structures on the applicable property (paper and PDF)
- d. Any building plans and elevations of affected structures, if applicable (paper and PDF)
- e. Pertinent and relevant documents in support of the appeal, if applicable and available.
- f. Pertinent and relevant photographs or additional written information in support of the appeal (included and applicable)
- g. An explanation of the variance request including the situation and the sections of the North Augusta Development Code which requires the appeal.
- h. A description of the unnecessary hardship created by the requirements of the Development Code.
- i. A description of any extraordinary or exceptional conditions unique to the property and how they relate to the appeal for the variance.
- j. An explanation of why the conditions do not generally apply to other property in the area.  
A description of the unreasonable restrictions or prohibitions the Development Code has on the utilization of the property.
- k. An explanation of why the granting of the variance will not be of substantial detriment to adjacent property or to the public good, or harmful to the character of the district.
- l. A list and explanation of any voluntary conditions on the variance to minimize any potential adverse impacts.
- m. If the appeal is for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance or location of a sign, an explanation of why no alternative signage solution that complies with the provisions of

City of North Augusta Variance Application:

Section H:

Section 13.8.3L of the NA Development Code (NADC) regulations electronic center.

Situation: Sign is not in compliance with zoning having an electronic center. and 50/50 sign area.

**Request: That the proposed sign be granted due the following reasons. Aiken County School Board has been very aggressive at replacing the old signage with newer signs. The sign design has been the upper sign to have the school's name with internal LED lights and the bottom sign to have a LED Electronic Message Center. This program has been going on for the past couple of years with well over twenty – five locations that have been done. Most of the signs have been the size of the one proposed for North Augusta Middle School, which is smaller overall that the sign being replaced. Some locations have had bigger ones for various reasons. The proposed sign has been the most common size. The proposed sign meets the needs for the school. The Electronic Message Center (EMC) provides the Students, Parents, and Public important information on school meetings, activities, and in some cases emergency information for safety of the students, and parents. The old sign that has been in place is limited to number of message's and requires manual changing of the message; this is also a problem due to having enough lettering for a manual sign. It also offers no security from someone changing the message.**

**One of the goals has been to have a system that is cost effective and offers quality. The School Board puts the signs out for bid with the requirements. This sign has automatic light censoring, which adjust the brightness of the sign at night to be much less than that of daytime use.**

**The combination of the two signs and their size have been widely accepted over the school district. This size and combination have not been rejected at any of the locations by a town, city, or county government.**

The Code Section 13.8.3.I of the NADC regulates electronic readerboards and states:

- i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts.  
Shall not exceed 50% of the sign area of which it is a part.
- ii. Must have a dark or black background.
- iii. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- iv. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay

**Situation:**

Mossy Creek Elementary School is within Public Use (P) zoning district and therefore an electronic readerboard is not allowed in (i).

**Reply: School District has installed over 25 plus signs in the district and not the first city, or town has rejected their effort. MCES sign shouldn't bother anyone. We will do this sign the same way that North Augusta Middle School sign was made and set up since it was approved by the Variance Board. The sign will have a photocell in it to dim or brighten the LED lights, the sign will turn on at 6:00AM and turnoff at 11:00PM. Please note that the sign is the same size as the North Augusta Middle School, so it is not a 50 / 50 split. The school's name is 14.66 square feet (.39%) and the LED sign is 23.22 square feet in size for a total of 37.88 square feet (.61%).**

**City of North Augusta Variance Application:**

**Section I:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center.**

**Situation: Hardships of code. Not being able to upgrade sign to Electronic Message Center (EMC) and not staying with a standard size sign. The 50/50 size can not be meet due to the LED sign requirements to work as a sign.**

**Request: To accept the size sign proposed and the use of an EMC.**



City of North Augusta Variance Application:

Section: J:

Section 13.8.3L of the NA Development (NADC) regulations electronic center.

Hardship of the code is size and no Electronic Message Center (EMC)

Hardship in not being able to standardize and use an Electronic Message Center (EMC) sign. Lack of being able to communicate multiple messages to students, parents, and the public; in addition, inability to post messages quickly, such as emergency information. The EMC can be programed to show messages and to schedule messages for showing. EMC don't require for sign to have lettering like manual signs. This eliminates the letters from being lost, broken, having enough of the right letters for a message, and from anyone changing the message on the manual sign. Manual sign must have an individual to go to the sign and put each message on the sign. Sign is hard to read and usually limited to one message. EMC messaging is fast and can be programed to run by changing message wirelessly, in addition sign can be programmed to run messages at different scheduled times. Programing Code rules like no video, scrolling can be programed not to run. The sign would provide information as stated and has a **high readability** over the manual sign which is the purpose of any sign.

**City of North Augusta Variance Application:**

**Section: I**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

The code does not address schools. Many of the schools are in a neighborhood environment. This location is not any different than most. The fact that the EMC is a programmable sign most situations can be worked out for the acceptance of the sign as mentioned in other sections. The size of the proposed sign is smaller. The need to have the school's name the same size as the EMC would take up more space that is no needed.

**City of North Augusta Variance Application:**

**Section: K**

Section 13.8.3L of the NA Development (NADC) regulations electronic center.

The main reason for not applying to other property in the area is that this is a school that serves the area and the community. It is not a business, using a sign for advertising for profit, and services. The EMC is to be used to inform students, parents, and the public to improve communications.

**City of North Augusta Variance Application:**

**Section: M**

Section 13.8.3L of the NA Development (NADC) regulations electronic center

The proposed sign would not be a harmful to the public in anyway, nor to the local adjacent property owners. The proposed sign has a smaller footprint but higher readability and can show more messages with ability to message faster than a manual reader board.

**Note: The sign will have a Photocell to automatically adjusted the lighting. In addition, the sign will have a timer to run from 6:00AM to 11:00PM. This is the same as what was approved for the sign at North Augusta Middle School.**

The fact that the EMC sign automatically censors lighting making adjustment mostly at night to be dimmer, it should not be of any bother. In addition, the sign gives a much cleaner look. The public in most cases have accepted EMC signs in a positive manner when they understand its purpose and programming ability. This modern tool and the school upgrade help to draw new families to the area.

**City of North Augusta Variance Application:**

**Section: N**

Section 13.8.3L of the NA Development (NADC) regulations electronic center

All or part of the codes for the EMC can be meet where EMC'S are allowed. No scrolling, flashing, video, and the sign has a black face already.

The size 50/50 is something that can be met by making the ID portion (school name) larger. However, it is the request that it remains the same to keep size as a standard by treating the school's the same.

**City of North Augusta Variance Application:**

**Section O:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

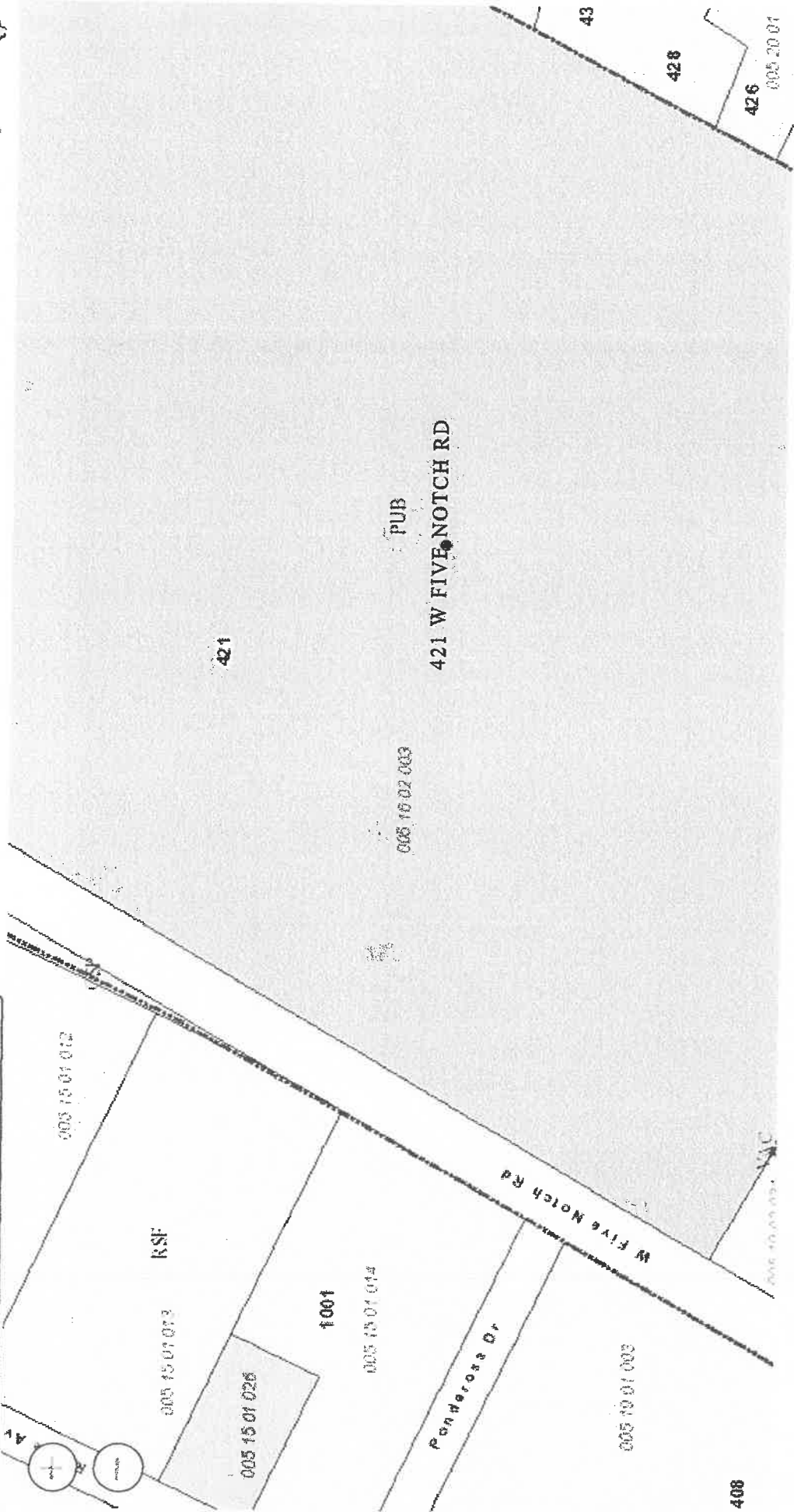
The objective is to upgrade the signs at the Aiken County Schools to have an ID sign with the school's name and to have an Electronic Message Center (EMC). Most of the schools have a sign that has the ID and a manual message center. The EMC is the key to the project. The EMC as stated in the previous sections can provide multiple messages and scheduling that a manual sign has limited ability. The ID sign provides a modern fresh look for the school and community. The two signs together provide a modern, informative solutions for identification of the school's name with internal LED lighting, which provides lower operational costs. The Electronic Message Sign provides superior read ability to a modern approach for multiple messaging to the public, students, and parents that the current sign does not have. These signs will help provide more up to date information, providing a safer environment for our schools and students.

Change in the way we communicate is ongoing. Therefore, the request is being asked that the design and need to go to electronic messaging be granted. Most communities seem to approve other government locations request if they are reasonable. North Augusta has done so by allowing North Augusta Middle School to have the same proposed sign. It is hopeful this request well be also.

Mossy Creek

421 West Five Notch Road X Q

City of North Augusta



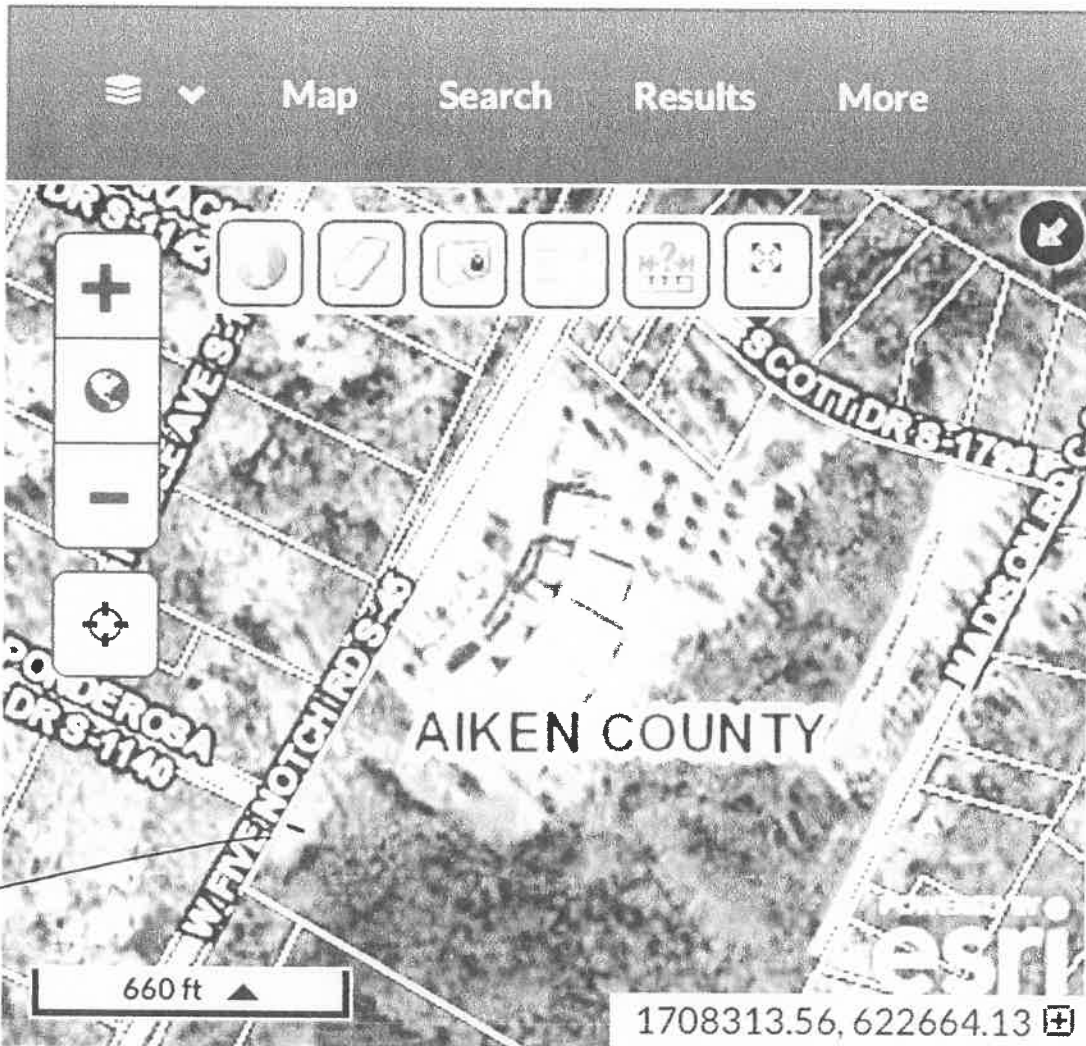
Current Land Use

Zoning

TMS



# Aiken County, SC

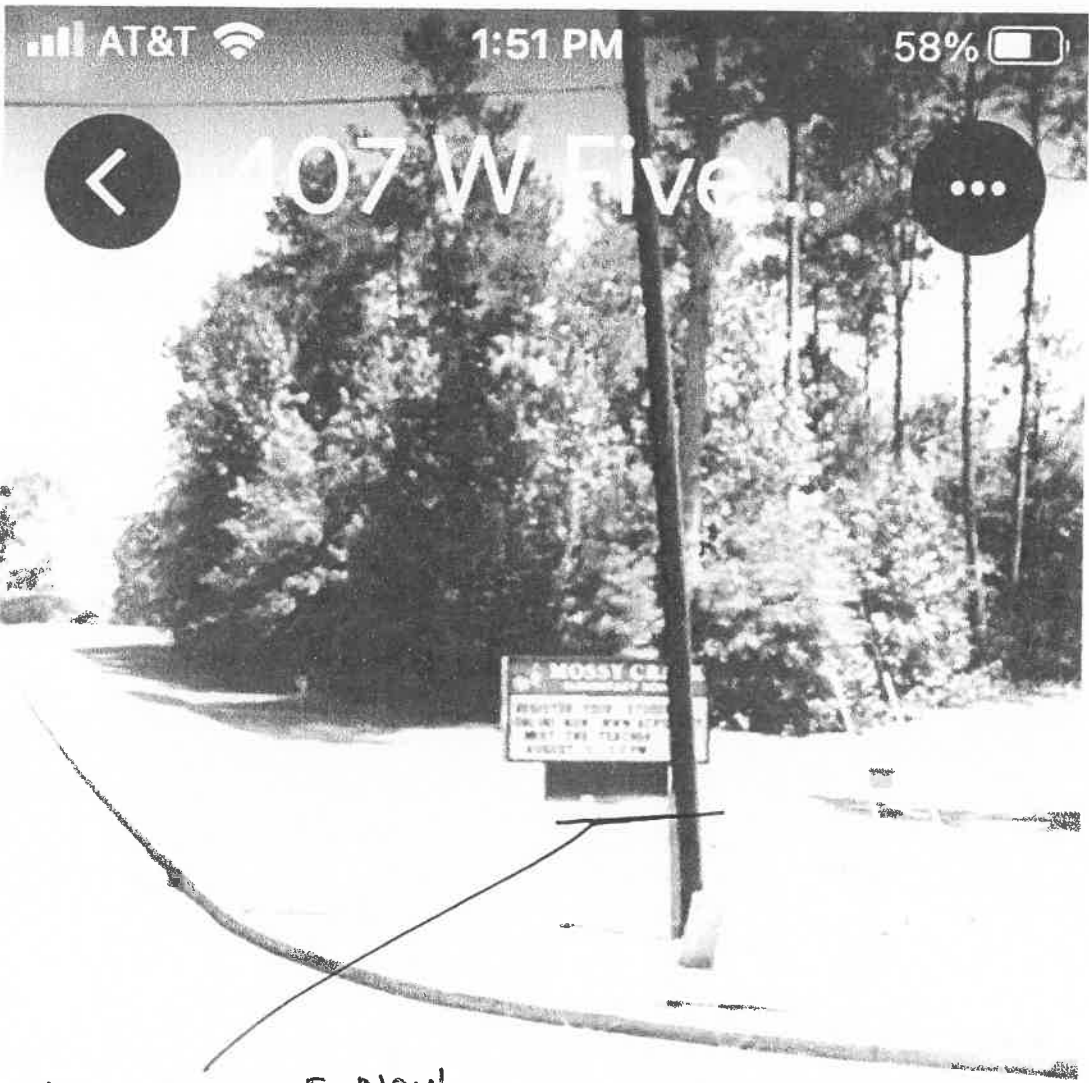


Newt old Sign Location

THE AIKEN COUNTY BOARD OF EDUCATION  
 421 W FIVE NOTCH RD  
 34.25 Acres Plat Book 45  
 Plat Page 267  
 CalcAcres: 34.25  
 View: |

AA ercorp.com

mossy Creek



LOCATION OF New  
Sign would ~~would~~  
be 5' IN FRONT OF  
EXISTING Sign.



Google ...7'42"W) 340 ft ▲





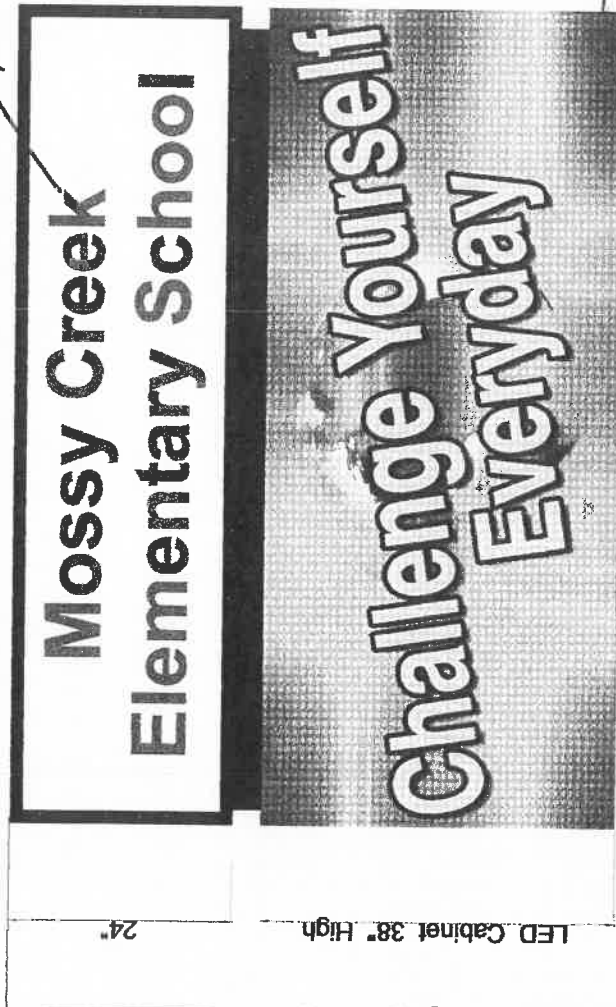
Current  
Sign  
Not  
50/50

~~Mossy~~ Mossy Creek

Google ...7'41"W) 343 ft ▲

LED Cabinet 88" Wide

14.66 sq FT



**Includes:**

24" x 88" Header ID sign with Lexan faces, full color digital print with school name and logos.

38" x 88" 10mm RGB 60X140 Real Pixel Matrix Full Color LED with Video Time and Temp Probe Auto Dimming Sensors Laptop Computer with Software HD Wireless Radio Communication (line of site) Requires 120volt single circuit

Turn-Key with installation On-Site training of computer operation and software

→ 20.16 sq FT

Total sq FT, 34.83  
Height 9' 5"

4' Base Height


10' Overall Height

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Name	Mossy Creek Elementary School	Contact	Alken County School District	Date	2-8-22
Type	Complete LED Sign Package	Type	New LED Sign	Scale	NONE
Note	North Augusta, South Carolina	Note	Approval Signature	Date	

ML

Existing Sign Removed

  
**MOSSY CREEK**  
ELEMENTARY SCHOOL  
REGISTER YOUR STUDENT  
ONLINE NOW WWW.ACPSD.NET  
MEET THE TEACHER  
AUGUST 15 3-6 PM

# Department of Planning and Development



## Project Staff Report

ZV22-006 Paul Knox Sign

Prepared by: Kuleigh Baker

Meeting Date: April 12, 2022

## SECTION 1: PROJECT SUMMARY

Project Name	Paul Knox Middle School Electronic Reader board
Applicant	Aiken County Public Schools
Address/Location	1804 Wells Road
Parcel Number	006-06-09-001
Total Development Size	± 24.17 acres
Existing Zoning	P, Public Use
Overlay	N/A
Variance Requested	NADC Article 13, Signs; Section 13.8.3.L.i. and 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses, Electronic Reader boards district and sign area

## SECTION 2: BOARD OF ZONING APPEALS CONSIDERATION

Per NADC § 18.4.5.4.2, the Board of Zoning Appeals shall hear and decide appeals for variances from the requirements of Article 3, Zoning Districts, and Article 13, Signs, when strict application of the regulations would result in unnecessary hardship.

A variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing, all of the following:

1. An unnecessary hardship exists;
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
3. The conditions do not generally apply to other property in the vicinity;
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
5. 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. Harm to the character of the district may include structures

that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)

6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a. To allow the establishment of a use not otherwise permitted in a zoning district.
  - b. To extend physically a nonconforming use of land.
  - c. To change zoning district boundaries shown on the official zoning map.
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.

Based on these findings of fact, the Board of Zoning Appeals may approve, approve with conditions, or deny the request.

### SECTION 3: PUBLIC NOTICE

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Per NADC Table 5-1, 6. Variance, the application and description were advertised via a public notice describing the variance request and advertising the scheduled date of the Board of Zoning Appeals hearing in *The Star* and [www.northaugusta.net](http://www.northaugusta.net) on March 23, 2022. A written notice of the variance request and scheduled date of the Board of Zoning Appeals hearing was mailed to the owners of property within 200 feet of the subject property on March 21, 2022. The property was posted with the required public notice on March 23, 2022.

## SECTION 4: SITE HISTORY

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The project site is an existing elementary school located at the corner of Wells Road and Pisgah Road. The school is zoned P, Public Use and primarily services the surrounding residential district. On April 16, 2009, the Planning Commission recommended that City Council approve rezoning the property to P, Public Use. The school was rezoned from R-14, Large Lot, Single-Family Residential to P, Public Use and the official zoning map was amended on May 18, 2009.

The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board to replace the existing changeable copy sign located on Pisgah Road.

## SECTION 5: EXISTING SITE CONDITIONS

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	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Elementary School	Institutional, Government, and Public Facilities	P, Public Use
North	Residential	Low Density Residential	R-14, Large Lot, Single-Family Residential
South	Vacant	Low Density Residential	R-14, Large Lot, Single-Family Residential
East	Residential	Low Density Residential	R-14, Large Lot, Single-Family Residential
West	Residential	Low Density Residential	R-14, Large Lot, Single-Family Residential

**Access** – The site currently has access from West Five Notch Road and Scott Drive

**Topography** – The school sits at the top of a hill. Overall, the site slopes from the middle towards the edges. There are low lying areas to the north of the school building where the athletic fields are located.

**Utilities** – Water and sewer service are existing.

**Floodplain** – The property is not located within a federally designated floodplain.

**Drainage Basin** – The parcel is located in the Pole Branch Basin. Pole Branch Basin is one of the City’s largest basins with a mix of high and medium density residential, high density commercial, and light industrial areas including several major traffic corridors. Overall water quality sampling results within the basin are good. Stream channel integrity in the basin is poor, making it a critical Priority 1 basin. The stream channel is not effective at transporting stormwater loads during heavy storm events and is subject to failing banks and sediment deposition, bank instability and flooding, and channel widening.

## SECTION 6: STAFF EVALUATION AND ANALYSIS

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The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board within the P, Public Use Zoning District. Section 13.8.3.L.i. states that electronic reader boards shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts. Section 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses states Electronic Reader boards shall not exceed 50% of the sign area of which it is a part. The applicant has proposed a sign area of approximately 60% of the total sign area.

However, Section 3.6.4.1., Public Use District, Purpose states the purpose of the district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property.

Furthermore, Section 3.6.4.5.2 Development Standards states uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.

Following is analysis required by NADC §5.1.4.5.b (Staff commentary is bulleted):

1. An unnecessary hardship exists;
  - The applicant states that the proposed sign meets the needs for the school to communicate important information to students, parents, and the public and that signs of a similar size with reader boards have not been rejected at any school location by other jurisdictions.
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - The applicant states that schools typically fall within residential environments but that the current code does not address its role in the character of the surrounding neighborhoods.
3. The conditions do not generally apply to other property in the vicinity;
  - The applicant states that the school is unique in its service to the community. Unlike a business advertising services for a profit, the electronic reader board will be used to improve communications between the school, its students, and their parents.
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - The applicant states that the NADC does not directly address school signage. Their argument is that prohibiting an electronic reader board would unreasonably limit the amount of information the school is able to transmit through signage. They state that the overall sign area proposed is smaller than that allowed by the code and otherwise meets the intent of the code if the electronic reader board is accepted.
5. 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. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)
  - The applicant states that the proposed sign will not hinder any other property's signage and that the location will not create excessive noise, light, traffic, or late night activity as it is screened by a hill, vegetation, and commercial entities.
  - Staff notes the electronic reader board creates the potential for nighttime light pollution but that the majority of residences are located beyond direct view of the sign location on the PKMS property.



6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
  - Electronic reader board signs are allowed in certain zoning districts (i.e. Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts) but cannot exceed 50% of the sign area. The applicant requests a reader board occupying 60% of the total sign area. The applicant states that the cost to maintain a non-standard sign is significantly higher and would lead to the need for additional training by operators.
  
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a To allow the establishment of a use not otherwise permitted in a zoning district.
    - Signs are allowed in public zoning.
  - b To extend physically a nonconforming use of land.
    - The variance does not extend a physically nonconforming use of land.
  - c To change zoning district boundaries shown on the official zoning map.
    - The application does not propose a change to the zoning district boundaries.
  
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
  - The applicant states the location and use of the property warrant the variance request.
  
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
  - Staff recognizes that the property is operated as a public school and the request is not based on profitability of the land.
  
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.
  - This variance, if granted, will apply only to this property and the sign details as submitted. Should the sign need to be replaced, it should meet the requirements of the sign code in place at that time or request another variance, if applicable.

- Staff recommends limiting the hours of operation of the sign so that the reader board is not operated between the hours of 10 p.m. and 6 a.m. The sign would be expected to follow all the regulated colors, refresh and other regulations of the sign code. Any limitations to hours of operation should be specified by the Board as part of the case order.
- Staff is open to suggestions for other conditions from the Board.

## SECTION 7: ATTACHMENTS

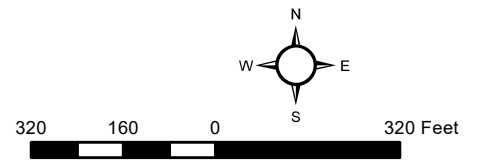
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- 1) Aerial
- 2) Topography
- 3) Current Zoning
- 4) Future Land Use
- 5) Site Photos
- 6) Public Notice
- 7) Application Materials

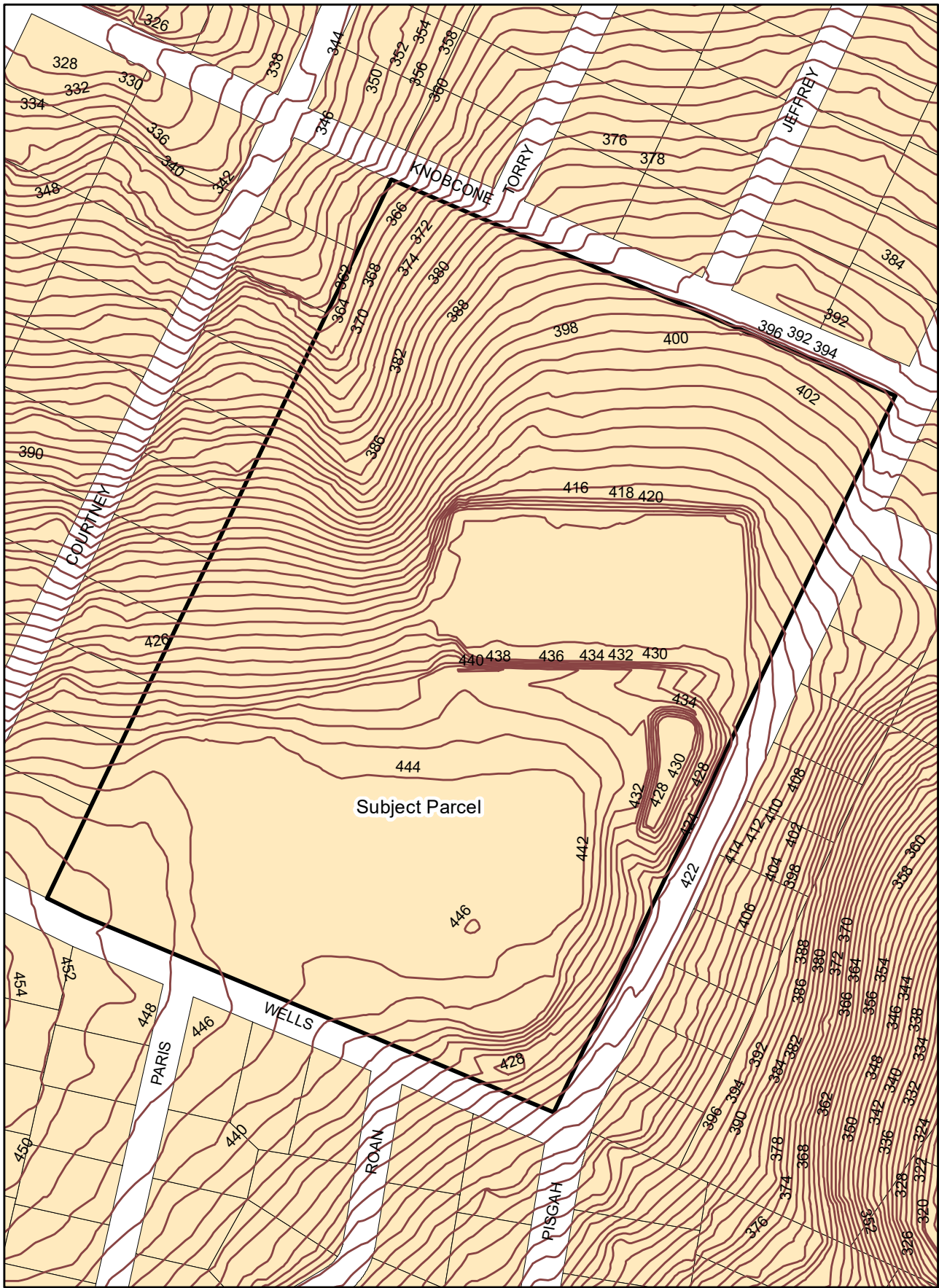
cc. Ron Wade, Signs Unlimited of SC; via email  
Aiken County Public Schools; via email



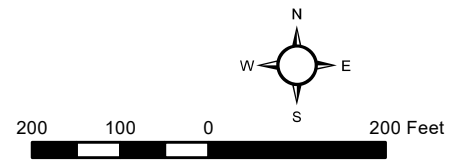
Aerial Map  
Application ZV22-006  
TPN 006-06-09-001



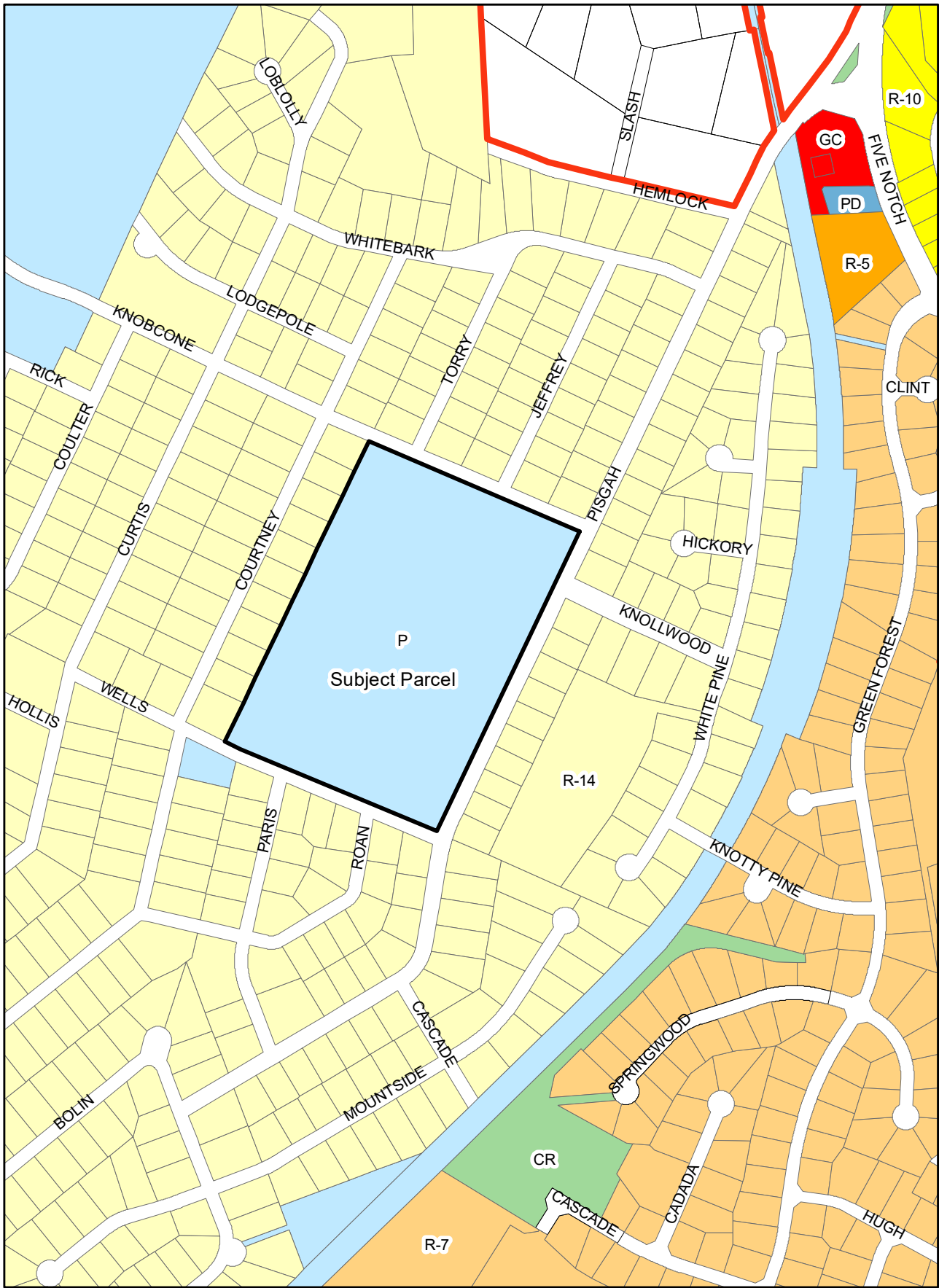
Date: 3/16/2022



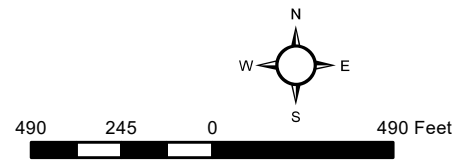
Topography Map  
Application ZV22-006  
TPN 006-06-09-001



Date: 3/16/2022



Zoning Map  
 Application ZV22-006  
 TPN 006-06-09-001



Date: 3/16/2022



City of  
North Augusta, South Carolina  
**Board of Zoning Appeals**

**PUBLIC HEARING NOTICE**

The North Augusta Board of Zoning Appeals will hold a public hearing at its regular monthly meeting beginning at 6:00 PM on April 12, 2022 in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

**ZV22-005-** A request Planning and Development has received a request by Mossy Creek Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 421 West Five Notch Road, TPN 005-16-02-003 on ±34.18 acres zoned P, Public Use.

**ZV22-006-** A request by P Paul Knox Middle School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 1804 Wells Road, TPN 006-06-09-001 on ±24.17 acres zoned P, Public Use.

**ZV22-007-** A request by North Augusta Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 400 East Spring Grove Avenue, TPNs 007-15-01-044 and 007-11-05-082 on ±24.5 acres zoned P, Public Use.

**ZV22-008-** A request by Adams Brothers Properties, LLC, represented by The Prather Company, for a variance from NADC Table 3-3, Dimensional Standards for the R-7, Small Lot Single-Family Residential Zoning District, minimum lot width to allow a minimum lot width of 22 feet for a townhome development. The appeal affects approximately 43.15 acres located along West Martintown Road, TPN 106-00-00-041.

Documents related to the applications will be available for public inspection after April 7, 2022 in the offices of the Department of Planning and Development on the second floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at [www.northaugusta.net](http://www.northaugusta.net). All residents and property owners interested in expressing a view on these cases are encouraged to attend or provide written comments to [planning@northaugusta.net](mailto:planning@northaugusta.net)

**CITIZEN ASSISTANCE:** Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

# Notice of Appeal

Please type or print all information



### Staff Use Only

Application Number 2V22-006

Date Received 3-2-2022

Review Fee 250.00

Date Paid 3-2-2022

1. Project Name Paul Knox Middle Sch.  
Project Address/Location 1804 Wells Rd  
Total Project Acreage \_\_\_\_\_ Current Zoning \_\_\_\_\_  
Tax Parcel Number(s) 006 06 09 001
2. Applicant/Owner Name Aiken Cty. Bd. of Ed. Applicant Phone 803 642 0431  
Mailing Address Aiken Cty. Pub. Schs. Facilities Cnstr., 61 Given St  
City Aiken ST SC Zip 29805 Email WRoberson@acpsd.net
3. Is there a Designated Agent for this project?  Yes  No  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
4. Engineer/Architect/Surveyor \_\_\_\_\_ License No. \_\_\_\_\_  
Firm Name \_\_\_\_\_ Firm Phone \_\_\_\_\_  
Firm Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_
5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?  
(Check one.)  yes  no
6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all documents required by the City must be correct and complete to initiate the compliance review process by the City.

Ron Wade

Applicant or Designated Agent Signature

3-2-22

Date

RON WADE

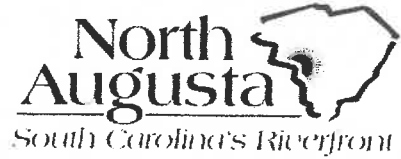
Print Applicant or Agent Name



Paul Knox

# Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

### Staff Use Only

Application Number \_\_\_\_\_

Date Received \_\_\_\_\_

1. Project Name Paul Knox Middle School  
 Project Address/Location 1804 Wells Rd, North Augusta, SC 29841  
 Project Parcel Number(s) 006 06 09 001

2. Property Owner Name Aiken City Bd of Education Owner Phone 803 642 0431  
 Mailing Address Aiken City Public Schs Facilities Const, 61 Given St.  
 City Aiken ST SC Zip 29805 Email WRoberson@Acpd.net

3. Designated Agent Ron Wade / Signs Unlimited of SC LLC  
 Relationship to Owner Sales  
 Firm Name Signs Unlimited of SC LLC Phone 803-438-1200  
 Agent's Mailing Address 1584 Whiting Way  
 City Lugoff ST SC Zip 29078 Email tygsigns@gmail.com  
 Agent's Signature Ron Wade Date 2-23-22

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

[Signature]  
Owner Signature

3-1-22  
Date

5. Sworn and subscribed to before me on this 1<sup>st</sup> day of March, 20 22.

[Signature]  
Notary Public

2/3/27  
Commission Expiration Date



Owner Information

Owner Name: Aiken Cty. Sch. Board of Education
Address: Aiken Cty. Pub. Schs. Facilities Cent. 61 Green St. Aiken SC 29805
Phone: 803 642 0431 Email: WROBERTSON@acpsd.net
Robbie Robertson

Applicant Information

Applicant Name: Signs Unlimited of SC Date: 2-23-22
Address: 1584 Whitling Way, Lugoff, SC 29078
Phone: 803-438-1200 Email: t99signs@gmail.com

The applicant hereby certifies that he/she is authorized to make this application and that all the information contained on this application is true and correct to the best of his/her knowledge. Any sign installed in violation of this application will be subject to code enforcement as specified in the North Augusta Municipal Code.

Signature/Title: Rm Wade

Property and Project Information

Project Location:
Parcel(s): 006 06 09 001

Zoning:

Illumination: [X] Internal [ ] External [ ] No Illumination
Does this project require a separate Building, Electrical or other Permit [ ] Yes [X] No USING EXISTING ELECTRICAL
Is this project subject to a Master Signage Plan? [ ] Yes [X] No

Staff Use Only

Date Received: Fee: Permit #:

Approved/Denied: Date:

City of North Augusta Variance Application:

Section H:

Section 13.8.3L of the NA Development Code (NADC) regulations electronic center.

Situation: Sign is not in compliance with zoning having an electronic center. and 50/50 sign area.

**Request: That the proposed sign be granted due the following reasons. Aiken County School Board has been very aggressive at replacing the old signage with newer signs. The sign design has been the upper sign to have the school's name with internal LED lights and the bottom sign to have a LED Electronic Message Center. This program has been going on for the past couple of years with well over twenty – five locations that have been done. Most of the signs have been the size of the one proposed for North Augusta Middle School, which is smaller overall that the sign being replaced. Some locations have had bigger ones for various reasons. The proposed sign has been the most common size. The proposed sign meets the needs for the school. The Electronic Message Center (EMC) provides the Students, Parents, and Public important information on school meetings, activities, and in some cases emergency information for safety of the students, and parents. The old sign that has been in place is limited to number of message's and requires manual changing of the message; this is also a problem due to having enough lettering for a manual sign. It also offers no security from someone changing the message.**

**One of the goals has been to have a system that is cost effective and offers quality. The School Board puts the signs out for bid with the requirements. This sign has automatic light censoring, which adjust the brightness of the sign at night to be much less than that of daytime use.**

**The combination of the two signs and their size have been widely accepted over the school district. This size and combination have not been rejected at any of the locations by a town, city, or county government.**

The Code Section 13.8.3.I of the NADC regulates electronic readerboards and states:

- i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts.  
Shall not exceed 50% of the sign area of which it is a part.
- ii. Must have a dark or black background.
- iii. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- iv. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay

**Situation:**

Paul Knox Middle School is within Public Use (P) zoning district and therefore an electronic readerboard is not allowed in (i).

**Reply: School District has installed over 25 plus signs in the district and not the first city, or town has rejected their effort. PKMS sign shouldn't bother anyone. We will do this sign the same way that North Augusta Middle School sign was made and set up since it was approved by the Variance Board. The sign will have a photocell in it to dim or brighten the LED lights, the sign will turn on at 6:00AM and turnoff at 11:00PM. Please note that the sign is the same size as the North Augusta Middle School, so it is not a 50 / 50 split. The school's name is 14.66 square feet (.39%) and the LED sign is 23.22 square feet in size for a total of 37.88 square feet (.61%).**

**City of North Augusta Variance Application:**

**Section I:**

Section 13.8.3L of the NA Development (NADC) regulations electronic center.

Situation: Hardships of code. Not being able to upgrade sign to Electronic Message Center (EMC) and not staying with a standard size sign. The 50/50 size can not be meet due to the LED sign requirements to work as a sign.

**Request:** To accept the size sign proposed and the use of an EMC.

City of North Augusta Variance Application:

Section: J:

Section 13.8.3L of the NA Development (NADC) regulations electronic center.

Hardship of the code is size and no Electronic Message Center (EMC)

Hardship in not being able to standardize and use an Electronic Message Center (EMC) sign. Lack of being able to communicate multiple messages to students, parents, and the public; in addition, inability to post messages quickly, such as emergency information. The EMC can be programmed to show messages and to schedule messages for showing. EMC don't require for sign to have lettering like manual signs. This eliminates the letters from being lost, broken, having enough of the right letters for a message, and from anyone changing the message on the manual sign. Manual sign must have an individual to go to the sign and put each message on the sign. Sign is hard to read and usually limited to one message. EMC messaging is fast and can be programmed to run by changing message wirelessly, in addition sign can be programmed to run messages at different scheduled times. Programming Code rules like no video, scrolling can be programmed not to run. The sign would provide information as stated and has a **high readability** over the manual sign which is the purpose of any sign.

**City of North Augusta Variance Application:**

**Section: K**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center.**

**The main reason for not applying to other property in the area is that this is a school that serves the area and the community. It is not a business, using a sign for advertising for profit, and services. The EMC is to be used to inform students, parents, and the public to improve communications.**

**City of North Augusta Variance Application:**

**Section: I**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

The code does not address schools. Many of the schools are in a neighborhood environment. This location is not any different than most. The fact that the EMC is a programmable sign most situations can be worked out for the acceptance of the sign as mentioned in other sections. The size of the proposed sign is smaller. The need to have the school's name the same size as the EMC would take up more space that is no needed.



**City of North Augusta Variance Application:**

**Section: M**

Section 13.8.3L of the NA Development (NADC) regulations electronic center

The proposed sign would not be a harmful to the public in anyway, nor to the local adjacent property owners. The proposed sign has a smaller footprint but higher readability and can show more messages with ability to message faster than a manual reader board.

**Note: The sign will have a Photocell to automatically adjusted the lighting. In addition, the sign will have a timer to run from 6:00AM to 11:00PM. This is the same as what was approved for the sign at North Augusta Middle School.**

The fact that the EMC sign automatically censors lighting making adjustment mostly at night to be dimmer, it should not be of any bother. In addition, the sign gives a much cleaner look. The public in most cases have accepted EMC signs in a positive manner when they understand its purpose and programming ability. This modern tool and the school upgrade help to draw new families to the area.

**City of North Augusta Variance Application:**

**Section: N**

Section 13.8.3L of the NA Development (NADC) regulations electronic center

All or part of the codes for the EMC can be meet where EMC'S are allowed. No scrolling, flashing, video, and the sign has a black face already.

The size 50/50 is something that can be met by making the ID portion (school name) larger. However, it is the request that it remains the same to keep size as a standard by treating the school's the same.

**City of North Augusta Variance Application:**

**Section O:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

The objective is to upgrade the signs at the Aiken County Schools to have an ID sign with the school's name and to have an Electronic Message Center (EMC). Most of the schools have a sign that has the ID and a manual message center. The EMC is the key to the project. The EMC as stated in the previous sections can provide multiple messages and scheduling that a manual sign has limited ability. The ID sign provides a modern fresh look for the school and community. The two signs together provide a modern, informative solutions for identification of the school's name with internal LED lighting, which provides lower operational costs. The Electronic Message Sign provides superior read ability to a modern approach for multiple messaging to the public, students, and parents that the current sign does not have. These signs will help provide more up to date information, providing a safer environment for our schools and students.

Change in the way we communicate is ongoing. Therefore, the request is being asked that the design and need to go to electronic messaging be granted. Most communities seem to approve other government locations request if they are reasonable. North Augusta has done so by allowing North Augusta Middle School to have the same proposed sign. It is hopeful this request well be also.



Old  
Sign  
Removed  
  
Paul  
KNOX

× 1804 Wells Rd Building



X 1804 Wells Rd Building  
Paul KNOX

Google Earth



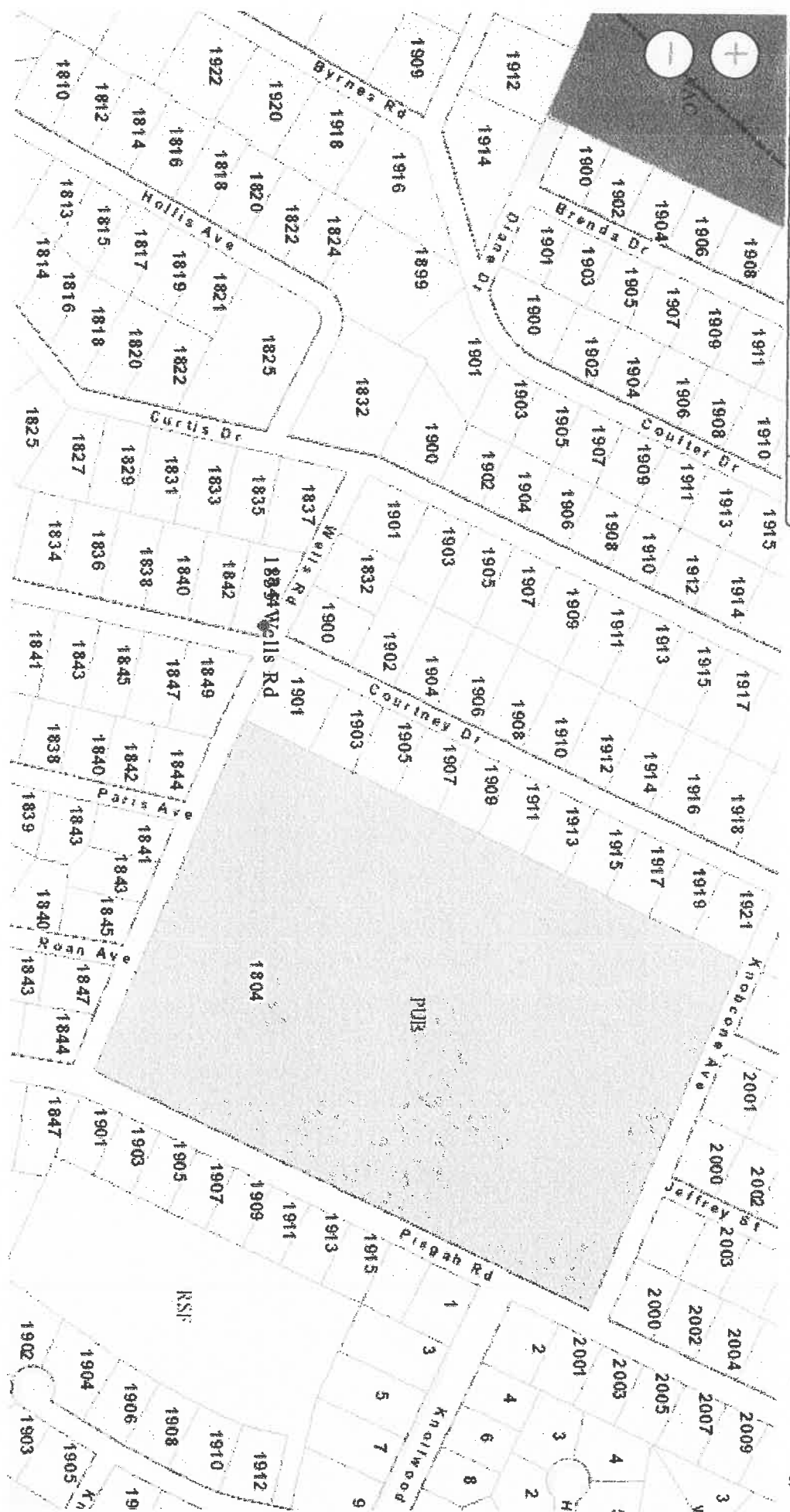
Current  
sign  
NOT  
50/50

Paul Knox 61

11804 wells rd

X

Q



*Paul Knox*

TMS

Zoning

Current Land Use



X 1804 Wells Rd Building  
Paul Knox

PK



**Legend**

- Parcels
- Roads

New Sign Location

Parcel ID	006-06-09-001	Alternate ID	n/a	Owner Name	AIKEN COUNTY BD OF EDUCATION
Sec/Twp/Rng	0060609	Class	n/a		
Property Address	1804 WELLS RD NORTH AUGUSTA	Acres	24.17		
District	n/a				
Brief Tax Description	PAUL KNOX JR HIGH (Note: Not to be used on legal documents)				

Date created: 3/1/2022  
 Last Data Uploaded: 2/28/2022 11:25:27 PM

Developed by Schneider  
 GEOSPATIAL



NEW LED SIGN

LED Cabinet 88" Wide

**Paul Knox  
Middle School**

LED Cabinet 38" High

24"

**Challenge Yourself  
Everyday**

4' Base Height

10' Overall Height

**Includes:**

- 24" x 88" Header ID sign with Lexan faces, full color digital print with school name and logos.
- 38" x 88" 16mm RGB 60X140 Real Pixel Matrix Full Color LED with Video
- Time and Temp Probe
- Auto Dimming Sensors
- Laptop Computer with Software
- HD Wireless Radio Communication (line of site)
- Requires 120volt single circuit
- Turn-Key with installation
- On-Site training of computer operation and software

**Signs Unlimited**

Your Complete Sign Fabrication Company

1584 Whiting Way Lugoff, SC 29078  
803-438-1200  
www.signsunlimitedsc.com

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Name	Contact	Type	Date	Scale
Paul Knox Middle School	Alken County School District	New LED Sign	2-8-22	NONE
Complete LED Sign Package				

Your Complete Sign Fabrication Company

LED Cabinet 88" Wide

Paul Knox  
Middle School

Challenge Yourself  
Everyday

LED Cabinet 38" High

24"

4' Base Height

10' Overall Height

14.6659 FT

Includes:

- 24" x 88" Header ID sign with Lexan faces, full color digital print with school name and logos.
- 38" x 88" 16mm RGB GOX140 Real Pixel Matrix Full Color LED with Video
- Time and Temp Probe
- Auto Dimming Sensors
- Laptop Computer with Software
- HD Wireless Radio Communication (line of site)
- Requires 120volt single circuit

Turn-Key with installation  
On-Site training of computer operation and software

20.1659 FT  
34.83 Total sq FT.

9.5" High

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Name	Paul Knox Middle School	Contact	Alken County School District	Date	2-8-22
Type	Complete LED Sign Package	Note	New LED Sign	Plans	NONE
North Augusta, South Carolina		Approval Signature		Date	

# Department of Planning and Development



## Project Staff Report

ZV22-007 North Augusta Elementary School Sign

Prepared by: Kuleigh Baker

Meeting Date: April 12, 2022

## SECTION 1: PROJECT SUMMARY

Project Name	North Augusta Elementary School Electronic Reader board
Applicant	Aiken County Public Schools
Address/Location	400 East Spring Grove Avenue
Parcel Numbers	007-15-01-004 and 007-11-05-082
Total Development Size	± 24.5 acres
Existing Zoning	P, Public Use
Overlay	N/A
Variance Requested	NADC Article 13, Signs; Section 13.8.3.L.i. and 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses, Electronic Reader boards district and sign area

## SECTION 2: BOARD OF ZONING APPEALS CONSIDERATION

Per NADC § 18.4.5.4.2, the Board of Zoning Appeals shall hear and decide appeals for variances from the requirements of Article 3, Zoning Districts, and Article 13, Signs, when strict application of the regulations would result in unnecessary hardship.

A variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing, all of the following:

1. An unnecessary hardship exists;
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
3. The conditions do not generally apply to other property in the vicinity;
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
5. 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. Harm to the character of the district may include structures

that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)

6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a. To allow the establishment of a use not otherwise permitted in a zoning district.
  - b. To extend physically a nonconforming use of land.
  - c. To change zoning district boundaries shown on the official zoning map.
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.

Based on these findings of fact, the Board of Zoning Appeals may approve, approve with conditions, or deny the request.

### SECTION 3: PUBLIC NOTICE

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Per NADC Table 5-1, 6. Variance, the application and description were advertised via a public notice describing the variance request and advertising the scheduled date of the Board of Zoning Appeals hearing in *The Star* and [www.northaugusta.net](http://www.northaugusta.net) on March 23, 2022. A written notice of the variance request and scheduled date of the Board of Zoning Appeals hearing was mailed to the owners of property within 200 feet of the subject property on March 21, 2022. The property was posted with the required public notice on March 23, 2022.

## SECTION 4: SITE HISTORY

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The project site is an existing elementary school located at the corner of Wells Road and Pisgah Road. The school is zoned P, Public Use and primarily services the surrounding residential district. On April 16, 2009, the Planning Commission recommended that City Council approve rezoning the property to P, Public Use. The school was rezoned from R-7, Small Lot, Single-Family Residential to P, Public Use and the official zoning map was amended on May 18, 2009.

The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board to replace the existing changeable copy sign located on East Spring Grove Avenue.

## SECTION 5: EXISTING SITE CONDITIONS

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	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Elementary School	Institutional, Government, and Public Facilities	P, Public Use
North	Residential	High Density Residential	R-7, Small Lot, Single-Family Residential and R-5, Mixed Residential
South	Residential	Mixed Use	R-7, Small Lot, Single-Family Residential
East	Residential	Mixed Use	PD, Planned Development
West	Residential	Parks, Recreation, and Open Space	P, Public Use

**Access** – The site currently has access from East Spring Grove Avenue and Goldman Avenue.

**Topography** – The subject parcels are relatively flat. There is a detention pond at the West side of the site with lower elevations.

**Utilities** – Water and sewer service are existing.

**Floodplain** – The property is not located within a federally designated floodplain.

**Drainage Basin** – The school is located within the Waterworks Basin. Water flows from this basin incorporate stormwater from intensively developed residential and commercial businesses along Knox Avenue, Martintown Road, and Buena Vista Avenue. The basin enters the Savannah River through two separate channels in the River Golf Club. Overall water quality is good to fair. Stream channel integrity is poor, having been affected by excessive flows. Erosion has occurred in channels throughout the basin and both pond and pipe systems have failed in the area during storm events. The city continues to work with developers to solve existing stormwater problems.

## SECTION 6: STAFF EVALUATION AND ANALYSIS

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The applicant requests a variance to allow for a 10 ft tall, 38 sf sign with a 23 sf electronic reader board within the P, Public Use Zoning District. Section 13.8.3.L.i. states that electronic reader boards shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts. Section 13.8.3.L.ii. Signage Allowed for Non-Residential Districts and Uses states Electronic Reader boards shall not exceed 50% of the sign area of which it is a part. The applicant has proposed a sign area of approximately 60% of the total sign area.

However, Section 3.6.4.1., Public Use District, Purpose states the purpose of the district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property.

Furthermore, Section 3.6.4.5.2 Development Standards states uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.

Following is analysis required by NADC §5.1.4.5.b (Staff commentary is bulleted):

1. An unnecessary hardship exists;
  - The applicant states that the proposed sign meets the needs for the school to communicate important information to students, parents, and the public and that signs of a similar size with reader boards have not been rejected at any school location by other jurisdictions.
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - The applicant states that schools typically fall within residential environments but that the current code does not address its role in the character of the surrounding neighborhoods.
3. The conditions do not generally apply to other property in the vicinity;
  - The applicant states that the school is unique in its service to the community. Unlike a business advertising services for a profit, the electronic reader board will be used to improve communications between the school, its students, and their parents.
4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - The applicant states that the NADC does not directly address school signage. Their argument is that prohibiting an electronic reader board would unreasonably limit the amount of information the school is able to transmit through signage. They state that the overall sign area proposed is smaller than that allowed by the code and otherwise meets the intent of the code if the electronic reader board is accepted.
5. 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. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)
  - The applicant states that the proposed sign will not hinder any other property's signage and that the location will not create excessive noise, light, traffic, or late night activity as it is screened by a hill, vegetation, and commercial entities.
  - Staff notes the electronic reader board creates the potential for nighttime light pollution but that nearby residences are located beyond direct view of the sign location on the NAES property.

6. In the approval of an application for a variance from the provisions of Article 13, Signs, regulating the size, height, appearance, or location of a sign, the Board of Zoning Appeals shall also find that no alternative signage solution that complies with the provisions of Article 13 is available and would provide adequate visibility, recognition and understanding.
  - Electronic reader board signs are allowed in certain zoning districts (i.e. Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts) but cannot exceed 50% of the sign area. The applicant requests a reader board occupying 60% of the total sign area. The applicant states that the cost to maintain a non-standard sign is significantly higher and would lead to the need for additional training by operators.
  
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a To allow the establishment of a use not otherwise permitted in a zoning district.
    - Signs are allowed in public zoning.
  - b To extend physically a nonconforming use of land.
    - The variance does not extend a physically nonconforming use of land.
  - c To change zoning district boundaries shown on the official zoning map.
    - The application does not propose a change to the zoning district boundaries.
  
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
  - The applicant states the location and use of the property warrant the variance request.
  
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
  - Staff recognizes that the property is operated as a public school and the request is not based on profitability of the land.
  
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.
  - This variance, if granted, will apply only to this property and the sign details as submitted. Should the sign need to be replaced, it should meet the requirements of the sign code in place at that time or request another variance, if applicable.
  - Staff recommends limiting the hours of operation of the sign so that the reader board is not operated between the hours of 10 p.m. and 6 a.m. The sign would be expected



to follow all the regulated colors, refresh and other regulations of the sign code. Any limitations to hours of operation should be specified by the Board as part of the case order.

- Staff is open to suggestions for other conditions from the Board.

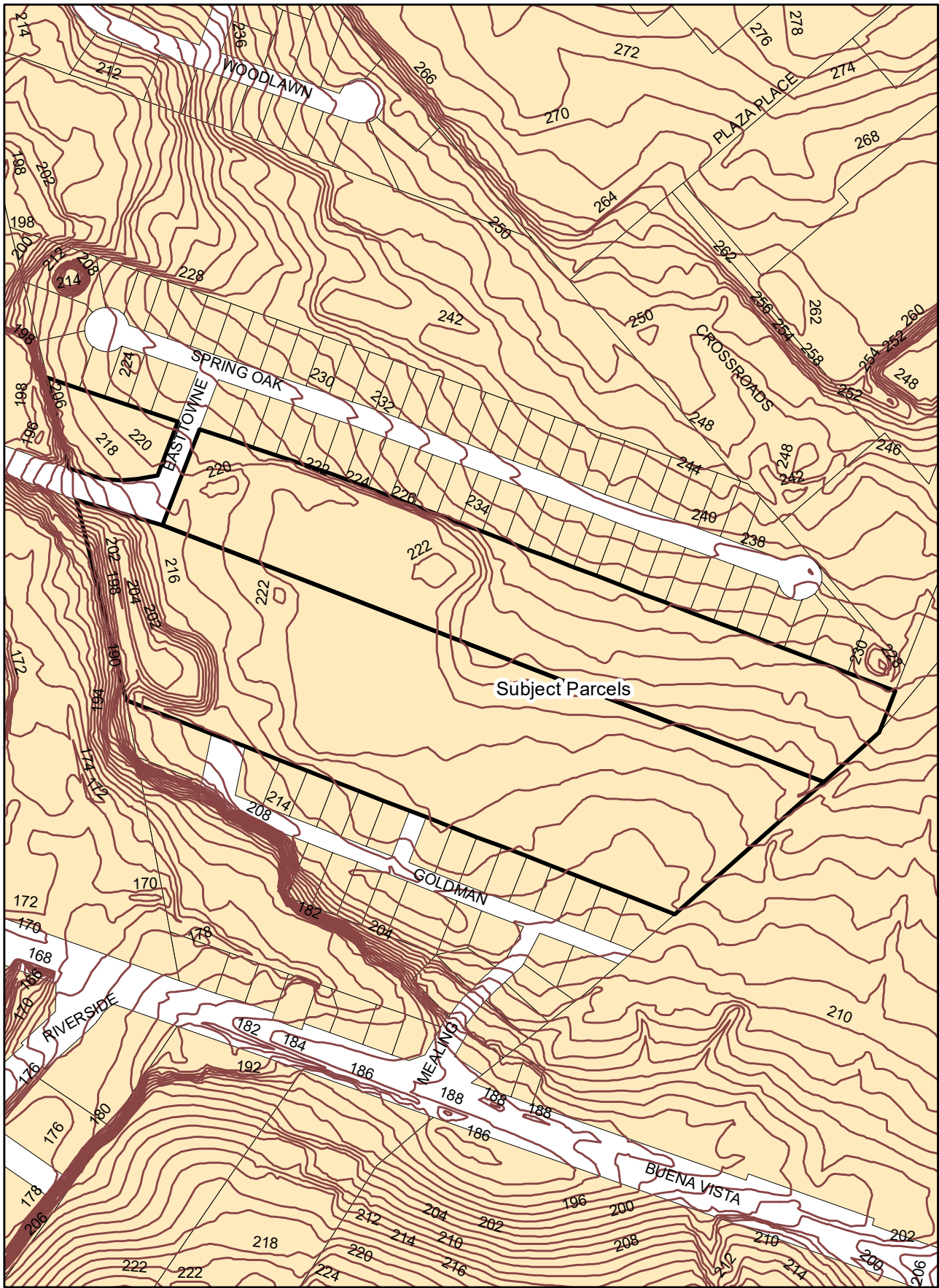
## SECTION 7: ATTACHMENTS

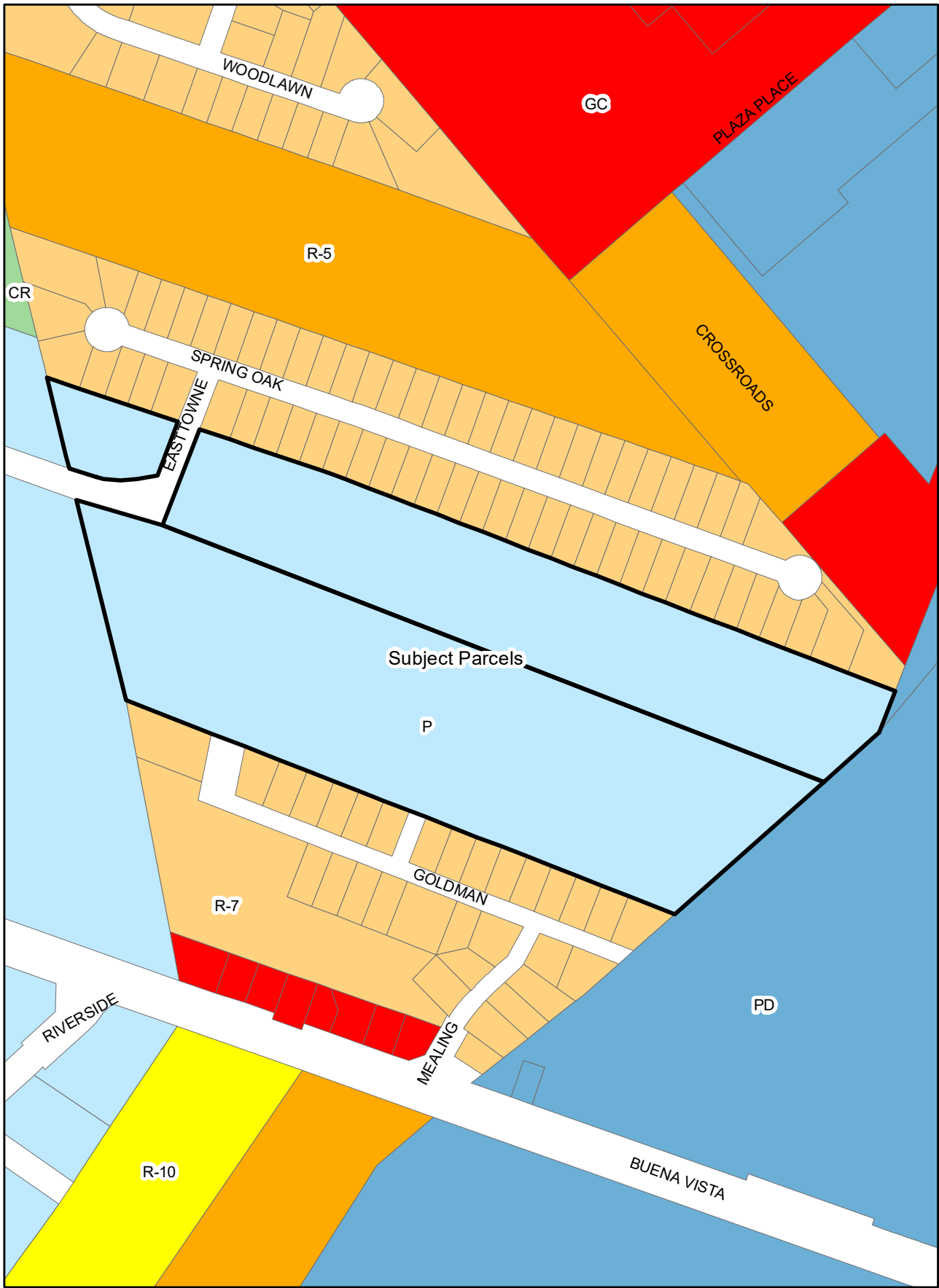
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- 1) Aerial
- 2) Topography
- 3) Current Zoning
- 4) Future Land Use
- 5) Site Photos
- 6) Public Notice
- 7) Application Materials

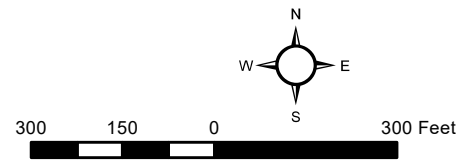
- cc. Ron Wade, Signs Unlimited of SC; via email  
Aiken County Public Schools; via email



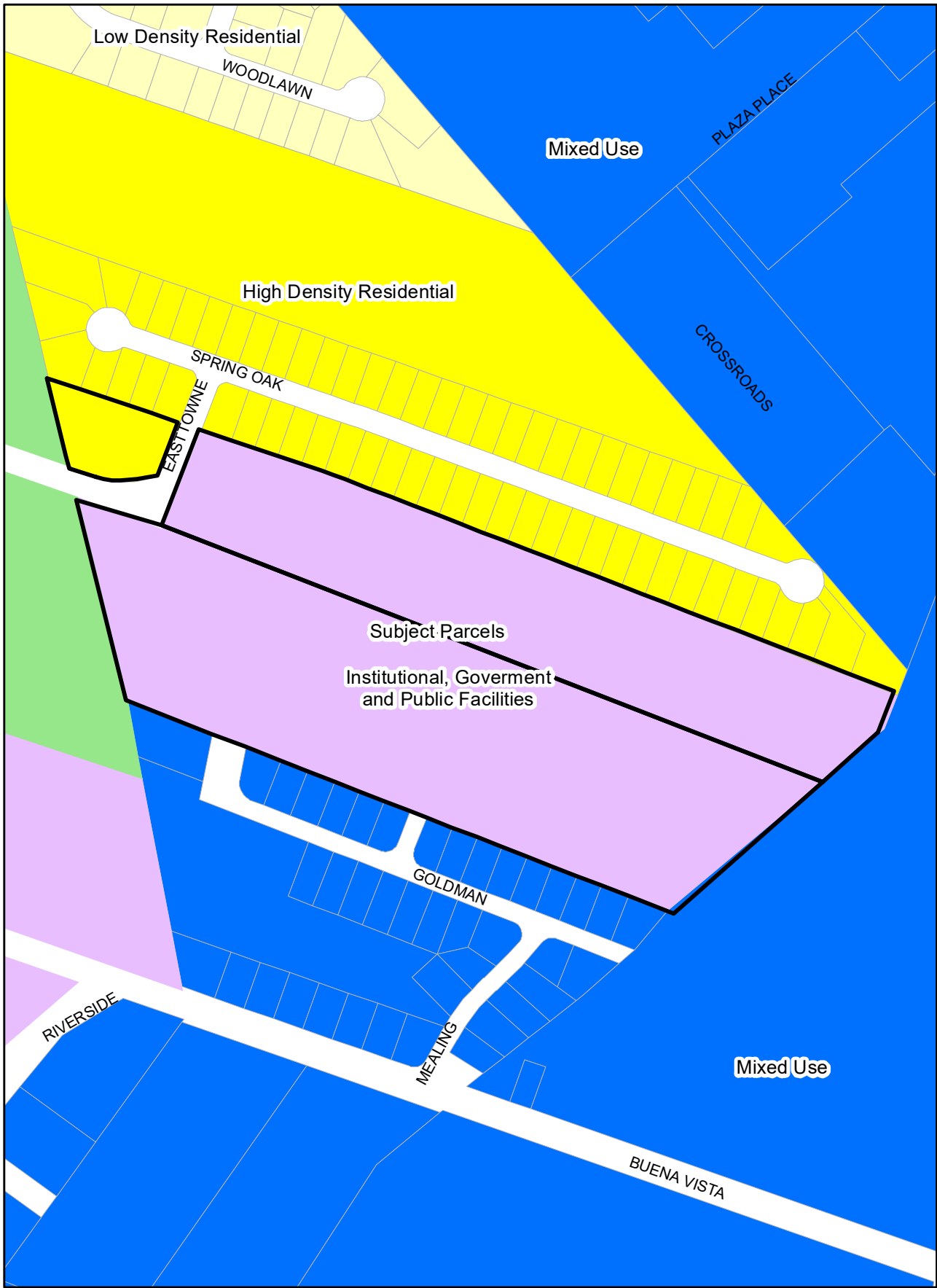




Zoning Map  
 Application ZV22-007  
 TPN 007-11-05-082  
 and 007-15-01-044



Date: 3/16/2022



City of  
North Augusta, South Carolina  
**Board of Zoning Appeals**

**PUBLIC HEARING NOTICE**

The North Augusta Board of Zoning Appeals will hold a public hearing at its regular monthly meeting beginning at 6:00 PM on April 12, 2022 in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

**ZV22-005-** A request Planning and Development has received a request by Mossy Creek Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 421 West Five Notch Road, TPN 005-16-02-003 on ±34.18 acres zoned P, Public Use.

**ZV22-006-** A request by P Paul Knox Middle School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 1804 Wells Road, TPN 006-06-09-001 on ±24.17 acres zoned P, Public Use.

**ZV22-007-** A request by North Augusta Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 400 East Spring Grove Avenue, TPNs 007-15-01-044 and 007-11-05-082 on ±24.5 acres zoned P, Public Use.

**ZV22-008-** A request by Adams Brothers Properties, LLC, represented by The Prather Company, for a variance from NADC Table 3-3, Dimensional Standards for the R-7, Small Lot Single-Family Residential Zoning District, minimum lot width to allow a minimum lot width of 22 feet for a townhome development. The appeal affects approximately 43.15 acres located along West Martintown Road, TPN 106-00-00-041.

Documents related to the applications will be available for public inspection after April 7, 2022 in the offices of the Department of Planning and Development on the second floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at [www.northaugusta.net](http://www.northaugusta.net). All residents and property owners interested in expressing a view on these cases are encouraged to attend or provide written comments to [planning@northaugusta.net](mailto:planning@northaugusta.net)

**CITIZEN ASSISTANCE:** Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

North Augusta Elem. School  
Notice of Appeal

Please type or print all information



Staff Use Only

Application Number ZV22-007

Date Received 3-7-22

Review Fee 250.00

Date Paid 35

1. Project Name Aiken Cty. Sch. Board of Ed. / N.A. Elementary Sch.  
 Project Address/Location 400 E. Spring Grove Ave, N.A. SC. 29841  
 Total Project Acreage \_\_\_\_\_ Current Zoning \_\_\_\_\_  
 Tax Parcel Number(s) 007-11-05-082 / 007-15-01-044  
 2. Applicant/Owner Name Aiken Cty. Sch. Bd. Applicant Phone 803-642-0431  
 Mailing Address Aiken Cty. Public Schs. Facilities Const, 61 Glen St. Aiken, SC 29805  
 City Aiken ST SC Zip 29805 Email WRoberson@acpsd.NET

3. Is there a Designated Agent for this project?  Yes  No  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)

4. Engineer/Architect/Surveyor \_\_\_\_\_ License No. \_\_\_\_\_  
 Firm Name Signs Unlimited of SC Firm Phone 803-438-1200  
 Firm Mailing Address 1584 Whiting Way  
 City Lugoff ST SC Zip 29078 Email l99signs@gmail.com  
 Signature Ron Wade Date 3-6-22

5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?  
(Check one.)  yes  no

6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all documents required by the City must be correct and complete to initiate the compliance review process by the City.

Ron Wade  
Applicant or Designated Agent Signature

3-6-22  
Date

RON WADE  
Print Applicant or Agent Name

# Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

### Staff Use Only

Application Number \_\_\_\_\_

Date Received \_\_\_\_\_

1. Project Name Aiken Cty Sch. Board of Ed. / N. A. Elem. Sch.

Project Address/Location 400 E. Spring Grove Ave, N.A., S.C. 29841

Project Parcel Number(s) 007-11-05-082 / 007-15-01-044
2. Property Owner Name Aiken Cty. Pub. Sch. Robbie Roberson

Owner Phone 803-642-0431

Mailing Address Aiken County Public Schools Facilities Const, 61 Given ST

City Aiken ST SC Zip 29805 Email W Roberson@a.cpsd.net
3. Designated Agent Bon Wade @ Signs Unlimited of SC

Relationship to Owner Sales Rep.

Firm Name Signs Unlimited of SC Phone 803-438-1200

Agent's Mailing Address 1584 Whiting Way

City LUGOFF ST SC Zip 29078 Email topsigns@gmail.com

Agent's Signature Ron Wade Date 3-6-22

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

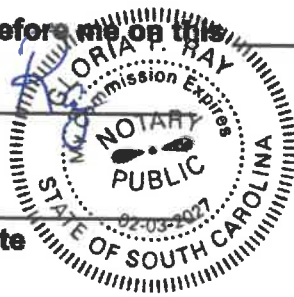
X [Signature]  
Owner Signature

3-6-22  
Date

5. Sworn and subscribed to before me on this 6 day of March, 2022.

[Signature]  
Notary Public

2/3/27  
Commission Expiration Date





**Parcel Summary**

**Parcel ID** 007-15-01-044  
**Location Address** 400 E SPRING GROVE AVE  
 NORTH AUGUSTA 29841  
**Legal Description** LOT 5 BLK F MEALING EST  
CHINA, NORTH AUGUSTA FIRE DEPARTMENT  
**Property Class / Property Type** GOVERNMENT / REAL PROPERTY  
**Neighborhood** NA7  
**Fire District** NORTH AUGUSTA FIRE DEPARTMENT  
**Building Description**  
**Tax District** NORTH AUGUSTA CITY  
**Millage Rate** 6% RATIO = 239.50 OWNER-OCCUPIED 4% RATIO = 102.20  
**Acres** 13.00  
**Exemptions** E  
**Council District** COUNCIL DISTRICT FOUR  
**Location Description** LOT 5 BLK F MEALING EST

**Owner Information**

Public Information Only  
 PO Box 1137  
 Aiken, SC 29802

**Land Information**

Land Type	Units	Unit Type	Appraised Value	Market Value
Residential 6%	13	AC	\$91,000	\$91,000

**Valuation Disclaimer**

**Property Valuation History**

	2021	2020
Land Value	\$91,000	\$91,000
Improvement Value	\$0	\$0
Total Market Value	\$91,000	\$91,000
Assessed Value	\$0	\$0

No data available for the following modules: Residential Buildings, Commercial/Agricultural/Other Buildings, Mobile Home Information, Mobile Homes on Parcel, Miscellaneous Improvement Information, Sales, Sketches, Photos.



**Parcel Summary**

**Parcel ID** 007-11-05-082  
**Location Address** SPRING GROVE AVE  
**Legal Description** TRACT 4 BLK F  
  
**Property Class / Property Type** GOVERNMENT / REAL PROPERTY  
**Neighborhood** NA7  
**Fire District** NORTH AUGUSTA FIRE DEPARTMENT  
**Building Description**  
**Tax District** NORTH AUGUSTA CITY  
**Millage Rate** 6% RATIO = 239.50 OWNER-OCCUPIED 4% RATIO = 102.20  
**Acres** 10.26  
**Exemptions** E  
**Council District** COUNCIL DISTRICT FOUR  
**Location Description** TRACT 4 BLK F

**Owner Information**

Aiken County Fund of Funds  
 PO Box 1137  
 Aiken, SC 29802

**Land Information**

Land Type	Units	Unit Type	Appraised Value	Market Value
Commercial 6%	10.26	AC	\$71,820	\$71,820

**Valuation Disclaimer**

**Property Valuation History**

	2021	2020
Land Value	\$71,820	\$71,820
Improvement Value	\$0	\$0
Total Market Value	\$71,820	\$71,820
Assessed Value	\$0	\$0

No data available for the following modules: Residential Buildings, Commercial/Agricultural/Other Buildings, Mobile Home Information, Mobile Homes on Parcel, Miscellaneous Improvement Information, Sales, Sketches, Photos.



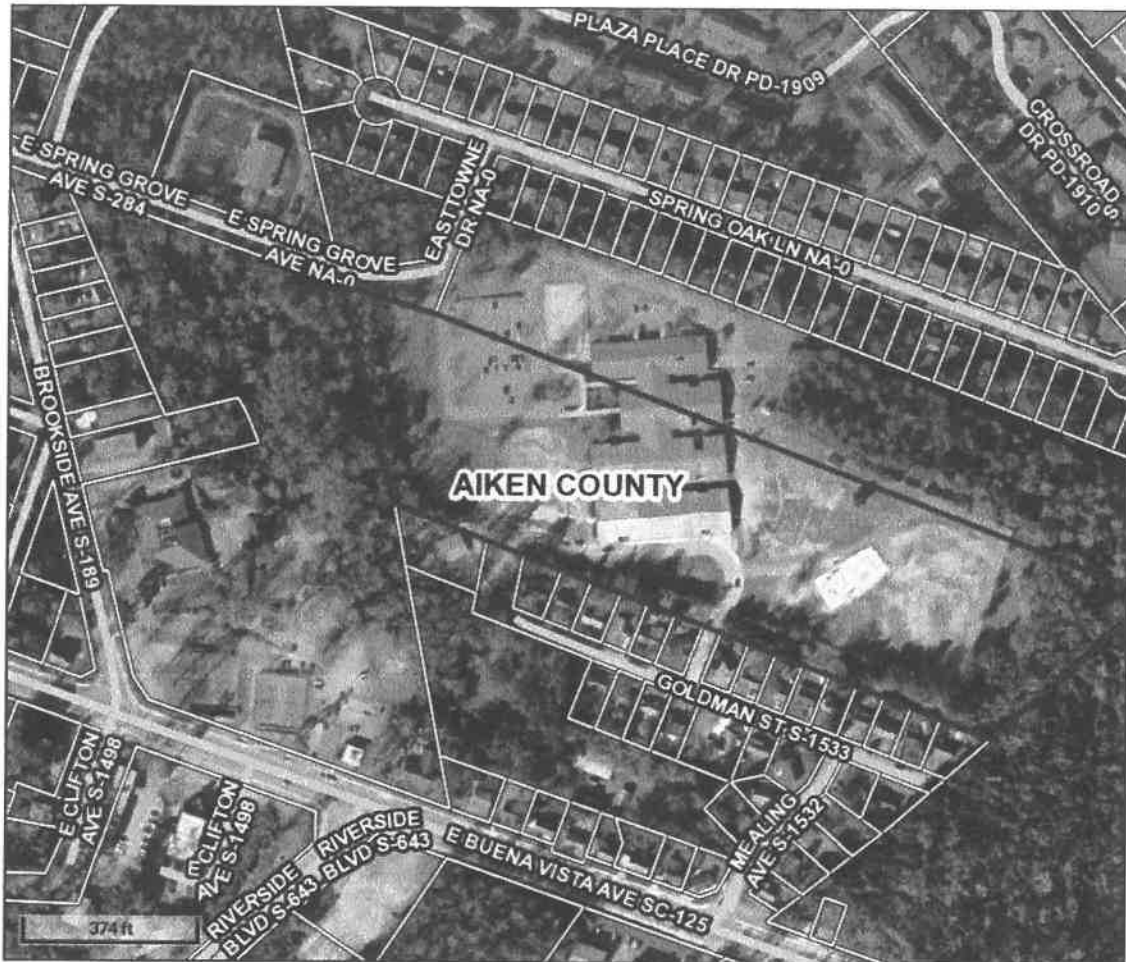


**Legend**  
 Parcels  
 Roads

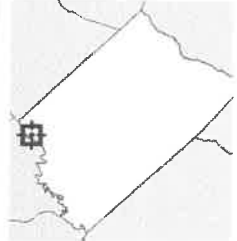
<b>Parcel ID</b>	007-11-05-082	<b>Alternate ID</b>	n/a	<b>Owner Name</b>	AIKEN COUNTY BOARD OF EDUCATION
<b>Sec/Twp/Rng</b>	0071105	<b>Class</b>	n/a		
<b>Property Address</b>	SPRING GROVE AVE	<b>Acreage</b>	10.26		
<b>District</b>	n/a				
<b>Brief Tax Description</b>	TRACT 4 BLKF (Note: Not to be used on legal documents)				

Date created: 3/6/2022  
 Last Data Uploaded: 3/5/2022 9:06:32 PM

Developed by **Schneider**  
 GEOSPATIAL



**Overview**



**Legend**

-  Parcels
-  Roads

<b>Parcel ID</b>	007-15-01-044	<b>Alternate ID</b>	n/a	<b>Owner Name</b>	AIKEN COUNTY BOARD OF EDUCATION
<b>Sec/Twp/Rng</b>	0071501	<b>Class</b>	n/a		
<b>Property Address</b>	400 E SPRING GROVE AVE NORTH AUGUSTA	<b>Acreage</b>	14.24		
<b>District</b>	n/a				
<b>Brief Tax Description</b>	LOT 5 BLK F MEALING EST (Note: Not to be used on legal documents)				

Date created: 3/6/2022  
 Last Data Uploaded: 3/5/2022 9:06:32 PM

Developed by  **Schneider**  
 GEOSPATIAL

City of North Augusta Variance Application:

Section H:

Section 13.8.3L of the NA Development Code (NADC) regulations electronic center.

Situation: Sign is not in compliance with zoning having an electronic center. and 50/50 sign area.

**Request: That the proposed sign be granted due the following reasons. Aiken County School Board has been very aggressive at replacing the old signage with newer signs. The sign design has been the upper sign to have the school's name with internal LED lights and the bottom sign to have a LED Electronic Message Center. This program has been going on for the past couple of years with well over twenty – five locations that have been done. Most of the signs have been the size of the one proposed for North Augusta Elementary School, which is smaller overall that the sign being replaced. Some locations have had bigger ones for various reasons. The proposed sign has been the most common size. The proposed sign meets the needs for the school. The Electronic Message Center (EMC) provides the Students, Parents, and Public important information on school meetings, activities, and in some cases emergency information for safety of the students, and parents. The old sign that has been in place is limited to number of message's and requires manual changing of the message; this is also a problem due to having enough lettering for a manual sign. It also offers no security from someone changing the message.**

**One of the goals has been to have a system that is cost effective and offers quality. The School Board puts the signs out for bid with the requirements. This sign has automatic light censoring, which adjust the brightness of the sign at night to be much less than that of daytime use.**

**The combination of the two signs and their size have been widely accepted over the school district. This size and combination have not been rejected at any of the locations by a town, city, or county government.**

The Code Section 13.8.3.l of the NADC regulates electronic readerboards and states:

- i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts.  
Shall not exceed 50% of the sign area of which it is a part.
- ii. Must have a dark or black background.
- iii. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- iv. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay

**Situation:**

North Augusta Elementary School is within Public Use (P) zoning district and therefore an electronic reader board is not allowed in (i).

**Reply: School District has installed over 25 plus signs in the district and not the first city, or town has rejected their effort. PKMS sign shouldn't bother anyone. We will do this sign the same way that North Augusta Elementary School sign was made and set up since it was approved by the Variance Board. The sign will have a photocell in it to dim or brighten the LED lights, the sign will turn on at 6:00AM and turnoff at 11:00PM. Please note that the sign is the same size as the North Augusta Middle School, so it is not a 50 / 50 split. The school's name is 14.66 square feet (.39%) and the LED sign is 23.22 square feet in size for a total of 37.88 square feet (.61%).**

**City of North Augusta Variance Application:**

**Section I:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center.**

**Situation: Hardships of code. Not being able to upgrade sign to Electronic Message Center (EMC) and not staying with a standard size sign. The 50/50 size can not be meet due to the LED sign requirements to work as a sign.**

**Request: To accept the size sign proposed and the use of an EMC.**

**City of North Augusta Variance Application:**

**Section: J:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center.**

**Hardship of the code is size and no Electronic Message Center (EMC)**

**Hardship in not being able to standardize and use an Electronic Message Center (EMC) sign. Lack of being able to communicate multiple messages to students, parents, and the public; in addition, inability to post messages quickly, such as emergency information. The EMC can be programed to show messages and to schedule messages for showing. EMC don't require for sign to have lettering like manual signs. This eliminates the letters from being lost, broken, having enough of the right letters for a message, and from anyone changing the message on the manual sign. Manual sign must have an individual to go to the sign and put each message on the sign. Sign is hard to read and usually limited to one message. EMC messaging is fast and can be programed to run by changing message wirelessly, in addition sign can be programmed to run messages at different scheduled times. Programing Code rules like no video, scrolling can be programed not to run. The sign would provide information as stated and has a **high readability** over the manual sign which is the purpose of any sign.**



**City of North Augusta Variance Application:**

**Section: K**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center.**

**The main reason for not applying to other property in the area is that this is a school that serves the area and the community. It is not a business, using a sign for advertising for profit, and services. The EMC is to be used to inform students, parents, and the public to improve communications.**

**City of North Augusta Variance Application:**

**Section: I**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

**The code does not address schools. Many of the schools are in a neighborhood environment. This location is not any different than most. The fact that the EMC is a programmable sign most situations can be worked out for the acceptance of the sign as mentioned in other sections. The size of the proposed sign is smaller. The need to have the school's name the same size as the EMC would take up more space that is no needed.**

**City of North Augusta Variance Application:**

**Section: M**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

The proposed sign would not be a harmful to the public in anyway, nor to the local adjacent property owners. The proposed sign has a smaller footprint but higher readability and can show more messages with ability to message faster than a manual reader board.

**Note: The sign will have a Photocell to automatically adjusted the lighting. In addition, the sign will have a timer to run from 6:00AM to 11:00PM. This is the same as what was approved for the sign at North Augusta Middle School.**

The fact that the EMC sign automatically censors lighting making adjustment mostly at night to be dimmer, it should not be of any bother. In addition, the sign gives a much cleaner look. The public in most cases have accepted EMC signs in a positive manner when they understand its purpose and programming ability. This modern tool and the school upgrade help to draw new families to the area.

**City of North Augusta Variance Application:**

**Section: N**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

All or part of the codes for the EMC can be meet where EMC'S are allowed. No scrolling, flashing, video, and the sign has a black face already.

The size 50/50 is something that can be met by making the ID portion (school name) larger. However, it is the request that it remains the same to keep size as a standard by treating the school's the same.

**City of North Augusta Variance Application:**

**Section O:**

**Section 13.8.3L of the NA Development (NADC) regulations electronic center**

The objective is to upgrade the signs at the Aiken County Schools to have an ID sign with the school's name and to have an Electronic Message Center (EMC). Most of the schools have a sign that has the ID and a manual message center. The EMC is the key to the project. The EMC as stated in the previous sections can provide multiple messages and scheduling that a manual sign has limited ability. The ID sign provides a modern fresh look for the school and community. The two signs together provide a modern, informative solutions for identification of the school's name with internal LED lighting, which provides lower operational costs. The Electronic Message Sign provides superior read ability to a modern approach for multiple messaging to the public, students, and parents that the current sign does not have. These signs will help provide more up to date information, providing a safer environment for our schools and students.

Change in the way we communicate is ongoing. Therefore, the request is being asked that the design and need to go to electronic messaging be granted. Most communities seem to approve other government locations request if they are reasonable. North Augusta has done so by allowing North Augusta Middle School to have the same proposed sign. It is hopeful this request well be also.



Easttown



North Augusta Elem  
400 E. Spring Grove  
N.A., S.C. 29841



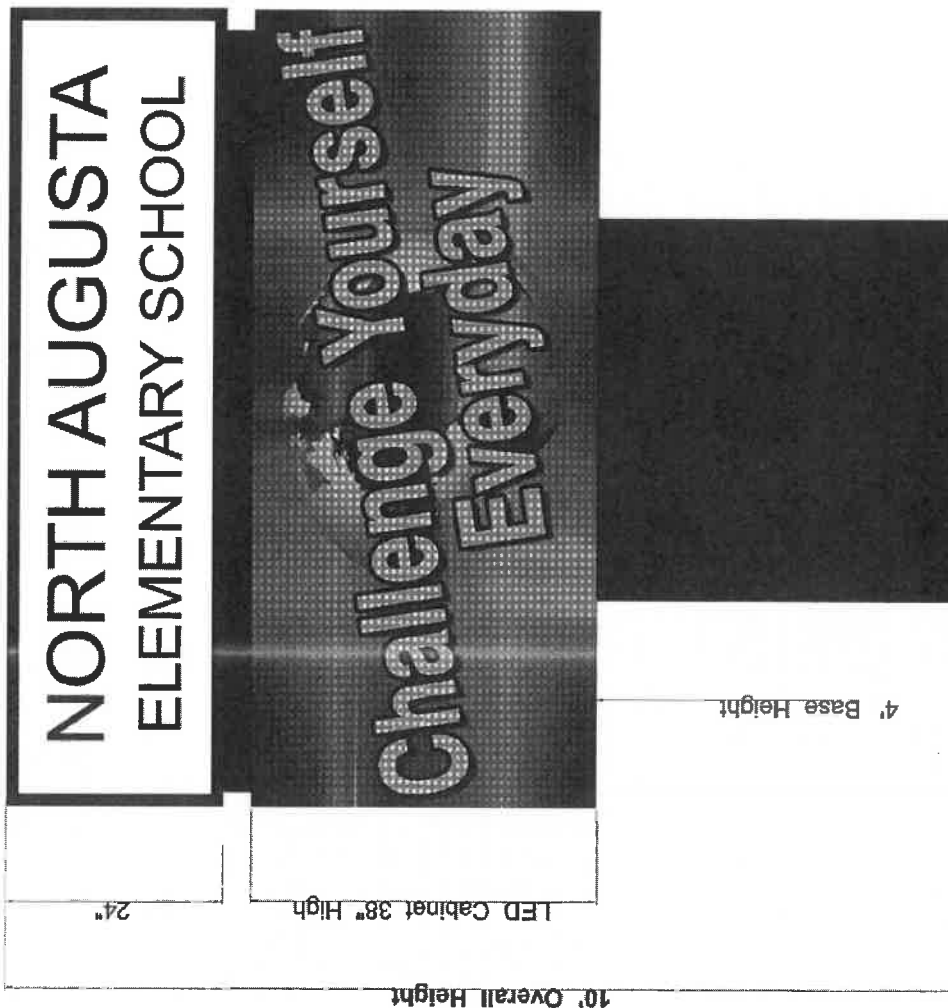
North Augusta <sup>Ele.</sup> ~~Middle~~ School  
Old sign to be replaced.



Google ...7'56"W) 214 ft ▲

NEW LED SIGN

LED Cabinet 88" Wide



**Includes:**

24" x 88" Header ID sign with Lexan faces, full color digital print with school name and logos.

38" x 88" 16mm RGB 60X140 Real Pixel Matrix  
 Full Color LED with Video  
 Time and Temp Probe  
 Auto Dimming Sensors  
 Laptop Computer with Software  
 HD Wireless Radio Communication (line of site)  
 Requires 120volt single circuit

Turn-Key with installation  
 On-Site training of computer operation and software

**Signs Unlimited**  
 Your Complete Sign Fabrication Company

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 803-438-1200  
 www.signsunlimitedsc.com

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Name	NORTH AUGUSTA ELEM	Contact	Aiken County School District	Date	3-1-22
	Complete LED Sign Package	Type	New LED Sign	Plans	NONE
	Aiken, South Carolina	Note	Approval Signature		Date

# Department of Planning and Development



## Project Staff Report

ZV22-008 Martintown Ridge

Prepared by: Tommy Paradise

Meeting Date: April 12, 2022

## SECTION 1: PROJECT SUMMARY

Project Name	Martintown Ridge
Applicant	The Prather Company
Engineer	Cranston Engineering
Address/Location	The corner of West Martintown Road and Old Martintown Road in Edgefield County
Parcel Numbers	106-00-00-041
Total Development Size	± 43.9 acres
Existing Zoning	Neighborhood Commercial (Edgefield County)
Proposed Zoning	R-7, Small Lot, Single-Family Residential
Overlay	N/A
Variance Requested	Article 3, Zoning Districts; Table 3-3 Dimensional standards for the R-7, Small Lot, Single-Family Residential Zoning District; item G. Minimum Lot Width

## SECTION 2: BOARD OF ZONING APPEALS CONSIDERATION

Per NADC § 18.4.5.4.2, the Board of Zoning Appeals shall hear and decide appeals for variances from the requirements of Article 3, Zoning Districts, and Article 13, Signs, when strict application of the regulations would result in unnecessary hardship.

A variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing, all of the following:

1. An unnecessary hardship exists;
2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
3. The conditions do not generally apply to other property in the vicinity;



4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
5. 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. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)
6. (does not apply)
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a. To allow the establishment of a use not otherwise permitted in a zoning district.
  - b. To extend physically a nonconforming use of land.
  - c. To change zoning district boundaries shown on the official zoning map.
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.
9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.
10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.

Based on these findings of fact, the Board of Zoning Appeals may approve, approve with conditions, or deny the request.

### SECTION 3: PUBLIC NOTICE

---

Per NADC Table 5-1, 6. Variance, the application and description were advertised via a public notice describing the variance request and advertising the scheduled date of the Board of Zoning Appeals hearing in *The Star* and [www.northaugusta.net](http://www.northaugusta.net) on March 23, 2022. A written notice of the variance request and scheduled date of the Board of Zoning Appeals hearing was mailed to

the owners of property within 200 feet of the subject property on March 21, 2022. The property was posted with the required public notice on March 23, 2022.

## SECTION 4: SITE HISTORY

---

The subject property has never been developed. It is contiguous to R. D. Brown Construction’s office which was split off from this parcel for development of the office. The parcel has previously been to the Planning Commission and received a recommendation for annexation with a portion zoned R-7 and a portion zoned R-10. Prior to completing the annexation by Council, the applicant found that a portion of the development area was in a wetlands and therefore undevelopable. Council tabled the annexation request. Because of the wetlands issue, the development had to be redesigned and is currently proposed to be townhomes in an R-7 zoning district.

## SECTION 5: EXISTING SITE CONDITIONS

---

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Vacant	Outside FLU Map Area	Neighborhood Commercial (Edgefield County)
North	Vacant/Single-Family Residential	Outside FLU Map Area	Neighborhood Commercial (Edgefield County)
South	Vacant/Commercial	Outside FLU Map Area/Mixed Use	Neighborhood Commercial (Edgefield County)
East	Single-Family Residential	Low Density Residential	R-14, Large Lot, Single-Family Residential
West	Single-Family Residential/Agricultural	Mixed Use	PD, Planned Development/Suburban Density Residential (Edgefield County)

**Access** – The site currently has access from West Martintown Road and Old Martintown Road.

**Topography** – The property has variable topography with some low-lying areas on the southern portion of the site that are associated with stormwater areas.

**Utilities** – Water and sewer would need to be extended to the site. Both are currently outside the City of North Augusta service area.

**Floodplain** – The parcel is located in an area of minimal flood hazard and not within a federally regulated floodplain.

**Drainage Basin** – The property is located within the Fox Creek Basin. The basin is primarily located at the edge of the City near the Edgefield County line. The area is primarily wooded with creeks and streams that flow into Gregory Lake and other smaller tributaries. Sampling results are good and the basin generally performs well during heavy rain events.

## SECTION 6: STAFF EVALUATION AND ANALYSIS

---

The application is for a future townhome development located on West Martintown Road in Edgefield subject to annexation into the City limits as R-7, Small Lot Single-Family Residential.

The applicant requests a variance for  $\pm 18$  ft from the minimum lot width of 40 ft required by the North Augusta Development Code Article 3, Table 3-3, Dimensional Standards. The minimum lot width requested for the project is  $\pm 22$  ft. with other units utilizing a  $\pm 26$  ft design to permit a typical townhome design.

Following is analysis required by NADC §5.1.4.5.b (Applicant responses and staff commentary is bulleted):

1. An unnecessary hardship exists;
  - The applicant states a 40 ft townhome lot would be unusually large for a fee-simple lot and is not practical.

*Staff notes that there are existing townhouse developments in the City limits on smaller lots but they are not necessarily subject to the same dimensional standards since the requirements vary by zoning district.*

2. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - The applicant states the topography of the site in addition to wetlands limit the amount of developable area. To avoid wetland impacts, the developer wishes to utilize the areas of the property best suited for development.

*Staff notes that much of the parcel will be preserved as open space and retained as undeveloped wetland areas.*

3. The conditions do not generally apply to other property in the vicinity;
  - The applicant states that other properties in the City have been developed with lots less than 40 ft in an R-7 zoning district.

*Staff notes that other townhome projects have been referred to the Board of Zoning Appeals for a variance to the lot width requirements of Table-3-3 Dimensional Standards but that not all properties have the unique challenges of the wetlands found on this site.*

4. Because of the conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - The applicant states the 40 ft lot requirement is not compatible with townhome development and more common for single-family detached lots.

*Staff notes that the development code poses challenges for townhome development on wider lots.*

5. 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. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity. (Rev. 12-1-08; Ord. 2008-18)
  - The applicant states the variance will not be a detriment to the adjacent properties because 50% of the land will be reserved at greenspace, wetlands, and natural buffers.
6. (Not Applicable)
7. The Board of Zoning Appeals may not grant a variance the effect of which would be:
  - a To allow the establishment of a use not otherwise permitted in a zoning district.
    - Townhomes are permitted in the R-7, Small Lot, Single-Family Residential Zoning District.
  - b To extend physically a nonconforming use of land.
    - The variance does not extend a physically nonconforming use of land.
  - c To change zoning district boundaries shown on the official zoning map.
    - The application does not propose a change to the zoning district boundaries.
8. If the unnecessary hardship is self-imposed by the applicant the variance should not be granted.

*Staff notes that the requirements of the minimum lot width are imposed by the North Augusta Development Code for the R-7 zoning district.*

9. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.

*Staff recognizes that the property may be used more profitably if developed, but is not the sole grounds for the variance request.*

10. In granting a variance, the Board of Zoning Appeals 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 promote the public health, safety, or general welfare.

*Staff notes the approval is subject to Annexation into the City Limits as R-7, Small Lot Single-Family Residential, and Major Subdivision Preliminary Plat review and approval by the Planning Commission. Any plans submitted will be required to meet all other requirements of the North Augusta Development Code. The applicant has not provided a civil set for review at this time.*

*Staff recommends the following conditions of approval:*

- 1) *The development plan for the project will be as generally shown on the concept plan submitted to the BZA.*
- 2) *Annexation by City Council authorizing the R-7 zoning shall be achieved within one year of variance approval.*

## SECTION 7: ATTACHMENTS

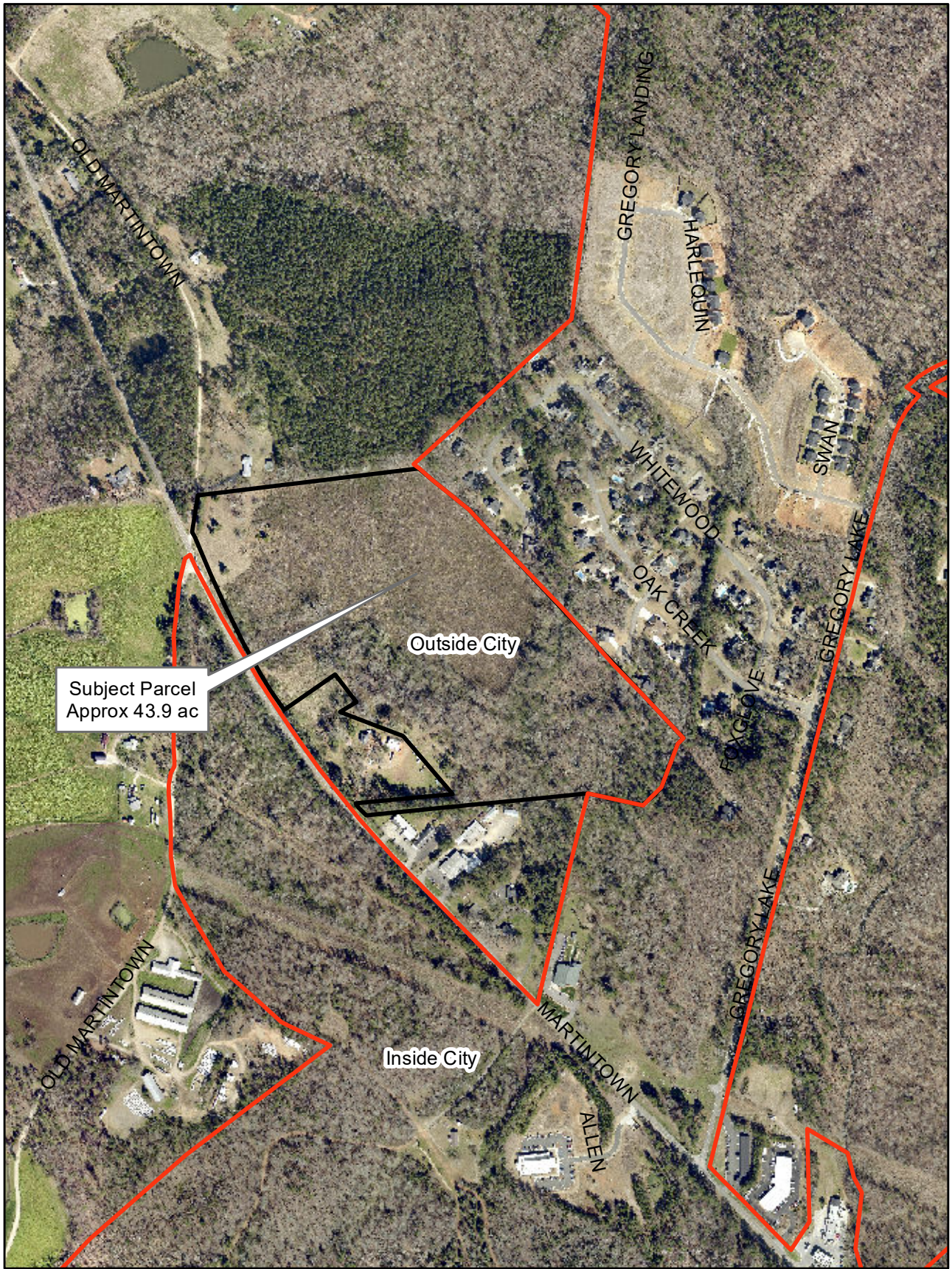
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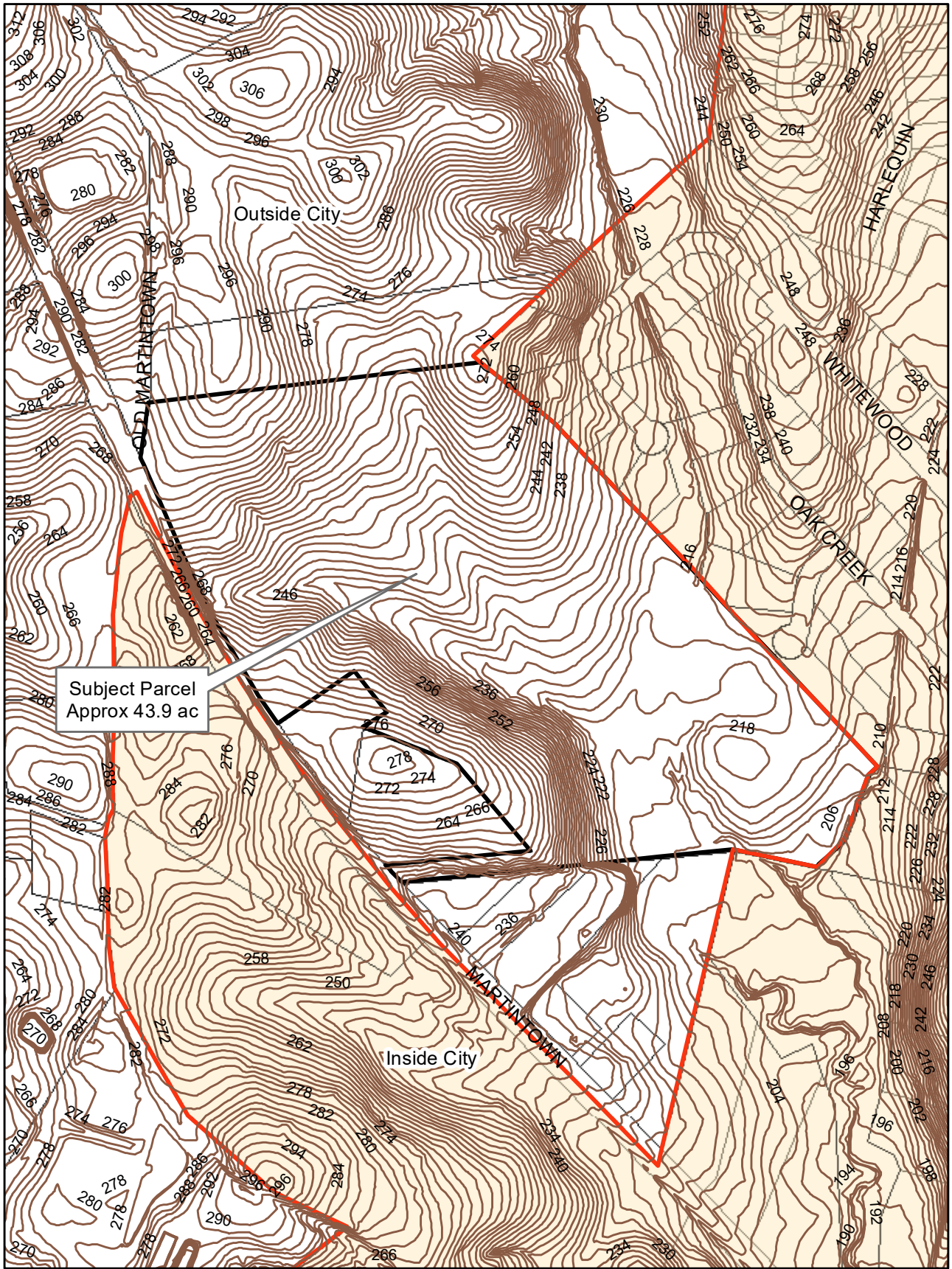
- 1) Aerial
- 2) Topography
- 3) Current Zoning
- 4) Future Land Use
- 5) Public Notice
- 6) Application Materials

Project Staff Report

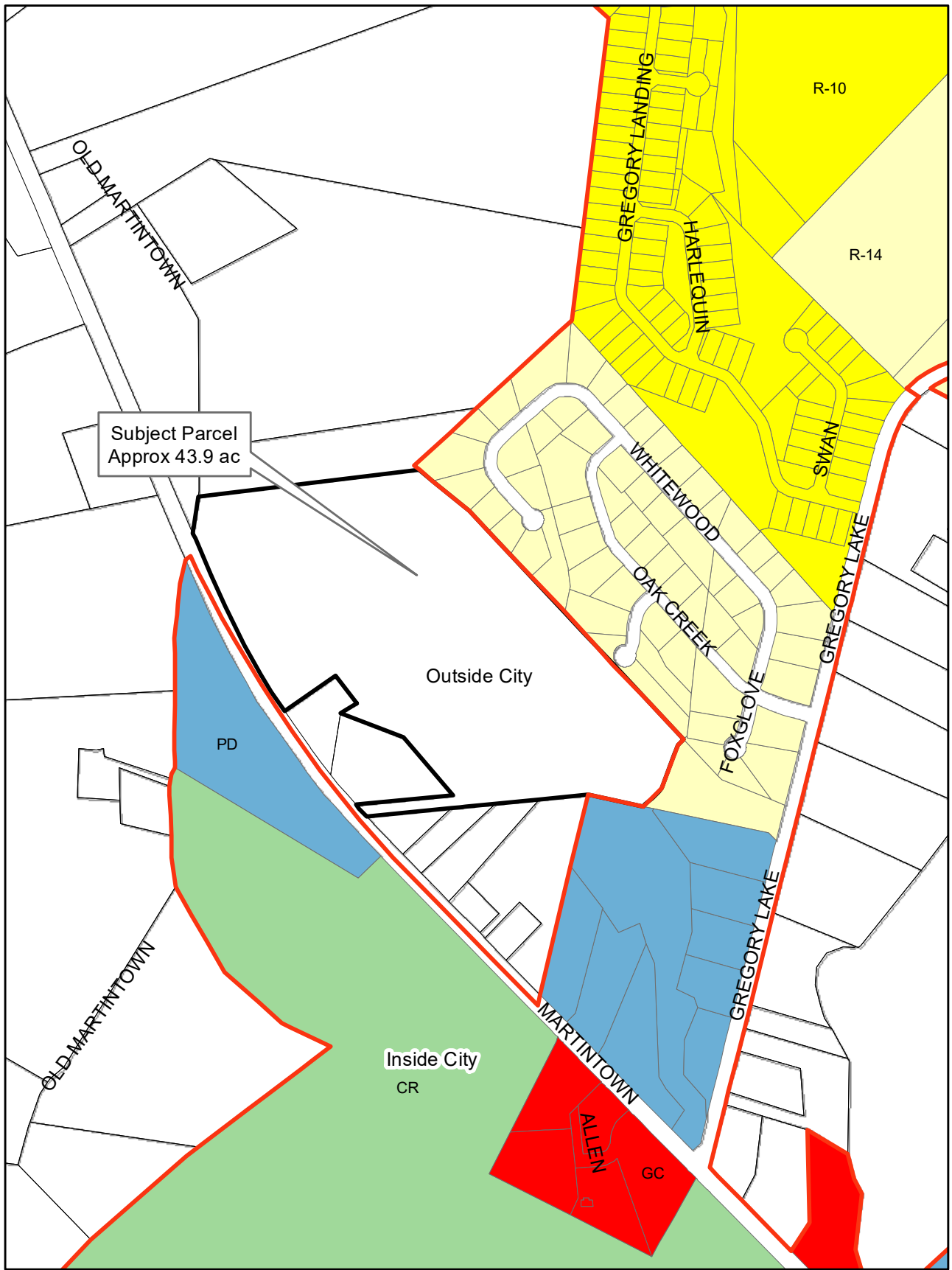
ZV22-008 Martintown Ridge  
Prepared by: Tommy Paradise  
Meeting Date: April 12, 2022

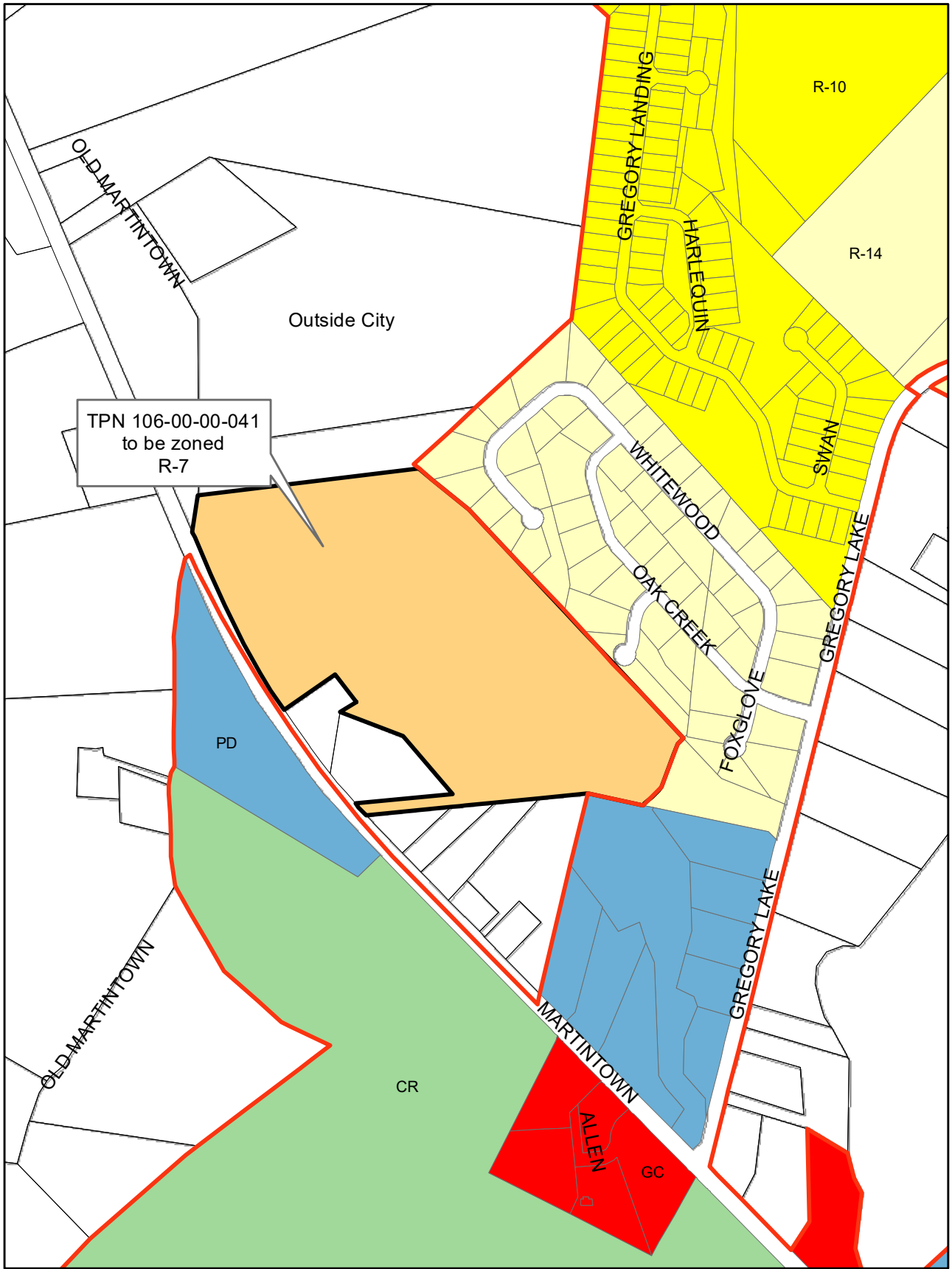
cc. Adams Brothers Properties, LLC, via email  
The Prather Co., via email

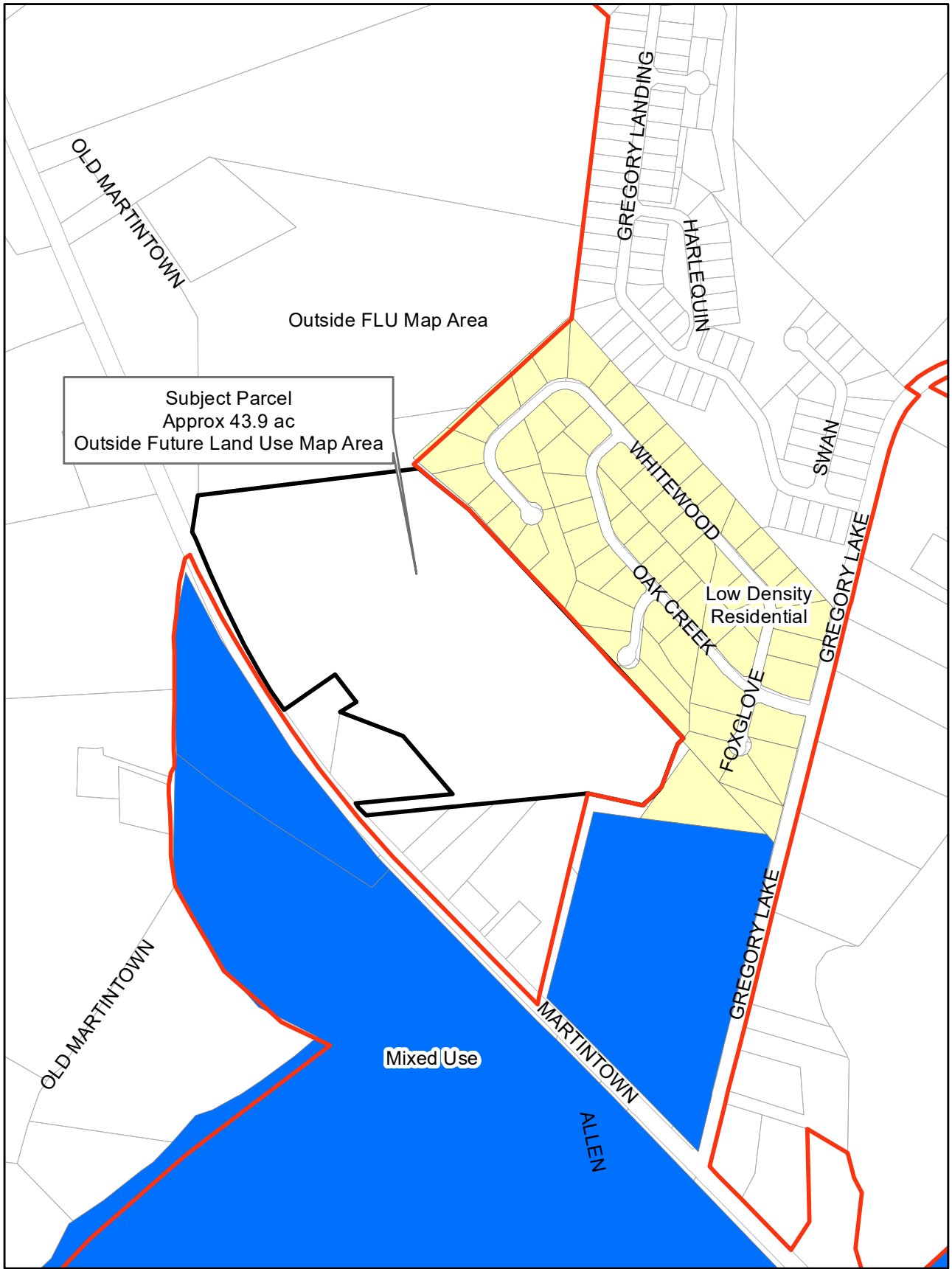












City of  
North Augusta, South Carolina  
**Board of Zoning Appeals**

**PUBLIC HEARING NOTICE**

The North Augusta Board of Zoning Appeals will hold a public hearing at its regular monthly meeting beginning at 6:00 PM on April 12, 2022 in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

**ZV22-005-** A request Planning and Development has received a request by Mossy Creek Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 421 West Five Notch Road, TPN 005-16-02-003 on ±34.18 acres zoned P, Public Use.

**ZV22-006-** A request by P Paul Knox Middle School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 1804 Wells Road, TPN 006-06-09-001 on ±24.17 acres zoned P, Public Use.

**ZV22-007-** A request by North Augusta Elementary School for a variance from Section 13.8.3.L of the North Augusta Development Code to allow for an electronic message center with an area of approximately 60% of the total sign area in a non-residential zoning district. The application affects a proposed sign replacement located at 400 East Spring Grove Avenue, TPNs 007-15-01-044 and 007-11-05-082 on ±24.5 acres zoned P, Public Use.

**ZV22-008-** A request by Adams Brothers Properties, LLC, represented by The Prather Company, for a variance from NADC Table 3-3, Dimensional Standards for the R-7, Small Lot Single-Family Residential Zoning District, minimum lot width to allow a minimum lot width of 22 feet for a townhome development. The appeal affects approximately 43.15 acres located along West Martintown Road, TPN 106-00-00-041.

Documents related to the applications will be available for public inspection after April 7, 2022 in the offices of the Department of Planning and Development on the second floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at [www.northaugusta.net](http://www.northaugusta.net). All residents and property owners interested in expressing a view on these cases are encouraged to attend or provide written comments to [planning@northaugusta.net](mailto:planning@northaugusta.net)


**CITIZEN ASSISTANCE:** Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.


# Notice of Appeal

Please type or print all information



<b>Staff Use Only</b>	
Application Number _____	Date Received _____
Review Fee _____	Date Paid _____

- Project Name** Martintown Ridge  
**Project Address/Location** N/A  
**Total Project Acreage** 43.90      **Current Zoning** RD  
**Tax Parcel Number(s)** 106-00-00-041-000
- Applicant/Owner Name** Adams Brothers Properties LLC **Applicant Phone** 803-507-8383  
**Mailing Address** PO Box 6278  
**City** North Augusta      **ST** sc      **Zip** 29841      **Email** adamsbrothersproperties@gmail.com
- Is there a Designated Agent for this project?**     **Yes**       **No**  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
- Engineer/Architect/Surveyor** James Dean      **License No.** 27380  
**Firm Name** Cranston Engineering      **Firm Phone** 706-722-1588  
**Firm Mailing Address** 452 Ellis St.  
**City** Augusta      **ST** GA      **Zip** 30901      **Email** jpdean@cranstonengineering.com  
**Signature**       **Date** 3/1/2022
- Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?**  
(Check one.)       **yes**       **no**
- In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all documents required by the City must be correct and complete to initiate the compliance review process by the City.

  
**Applicant or Designated Agent Signature**  
Bobby Beaswell  
**Print Applicant or Agent Name**

3-1-22  
**Date**

# Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

**Staff Use Only**

Application Number ZV22-008

Date Received 3-7-2022

1. Project Name Martintown Ridge

Project Address/Location N/A

Project Parcel Number(s) 106-00-00-041-000

2. Property Owner Name Adams Brothers Properties LLC Owner Phone 803-507-8383

Mailing Address PO Box 6278

City North Augusta ST SC Zip 29841 Email adamsbrothersproperties@gmail.com

3. Designated Agent Bobby Bagwell

Relationship to Owner Broker/Developer

Firm Name The Prather Company Phone 706.533.2985

Agent's Mailing Address 4002 Enterprise Court Martinez, GA 30802

City Martinez ST GA Zip 30907 Email bbagwell@prathercompany.com

Agent's Signature [Signature] Date 3-1-22

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

[Signature]  
Owner Signature

3-1-22  
Date

5. Sworn and subscribed to before me on this 1<sup>st</sup> day of March, 20 22.

Mammy Malcom  
Notary Public

11-18-2028  
Commission Expiration Date





## Narrative of Appeals Request

March 2, 2022

North Augusta Board of Zoning Appeals

c/o Tommy Paradise, Planning and Development Director

City of North Augusta

100 Georgia Avenue

North Augusta, SC 29841

Re: Appeal to Request Parcel Number 106-00-00-041-000 Minimum Lot Width Appeal

The proposed project is in Edgefield County located on Martintown Road approximately 1 mile to the North of Exit 1 at I-20. The property is owned by Adams Brothers Properties and is currently being submitted to the City of North Augusta for annexation and rezoning. The zoning request is for R7 zoning with the intention of developing the property for townhomes. The R7 zoning allows a lot width of 40' by right, which is unusually wide for a townhome unit. Typically, townhome units are less than 40' in width and this request is to reduce the minimum lot width to 22' and 26'. The project will incorporate a mixture of these two unit widths. Below is the requested appeal including the sections of the North Augusta Development Code and supporting documents.

1) 3.5.7.6 Dimensional Standards in Base Zoning Districts Table 3-3: Minimum Lot Widths

The North Augusta Development Code requires a 40' minimum lot frontage with no exceptions for townhome development. The proposed development will include townhomes that utilize 22' and 26' wide lots.

We are requesting a variance from the 40' minimum requirements that will allow the development of this parcel. The following items as outlined by the variance application checklist will be described below.

- i. *A description of the unnecessary hardship created by the requirements of the Development Code.* Our proposed townhome width is 22' and 26'. 40' is unusually wide for a townhome as each lot will be a fee simple lot and 40' is not practical. The existing topography and large amount of wetlands on the property severely limit the amount of developable area.
- j. *A description of any extraordinary or exceptional conditions unique to the property and how they relate to the appeal for the variance.* Based on the proposed conceptual plan utilizing the 43.80 acres, 25.61 of the overall acreage is preserved as open space or wetlands and cannot be developed due to environmental impacts. The acreage impacted by wetlands as determined by our wetland's consultant (see attached Exhibit) is shown on the development plan. Also, the site has very steep topography that makes development of the site challenging. To avoid wetland impacts and environmental impacts we are utilizing the best areas of the property suited for development.
- k. *An explanation of why the conditions do not generally apply to other property in the area.* Other projects have been developed in the City since the current development code was established that have townhomes lots of less than 40' in an R-7 zoning. Some of these properties have better topography and less wetlands.
- l. *A description of the unreasonable restrictions or prohibitions the Development Code has of the utilization of the property.* The 40' wide lot width is generally not compatible with



townhome development. The requirement is more common and acceptable with single family detached lot.

- m. *An explanation of why granting the variance will not be of substantial detriment to adjacent property or to the public good, or harmful to the character of the district.* The variance will not be a detriment to the adjacent properties since 50% of the property will be retained as greenspace, wetlands, and natural buffers, therefore, decreasing the overall net developable density of the property. The development plan incorporates all required landscaping and setback requirements as required by code.
- n. *A list of and explanation of any voluntary conditions on the variance to minimize any potential adverse impacts.* Due to the natural conditions of the property our development plan provide substantial open space and preservation of wetlands and minimal impacts to change the natural topography. The proposed development is substantially beneath the maximum allowed density.

We are also submitting the following information:

- 1) Conceptual Master Plan showing property boundary, existing topography, wetlands boundaries, and proposed development layout.
- 2) Example of townhome plans and elevations built by Stanley Martin Homes.
- 3) Application submittal fee of \$250.

If you need any further information, please feel free to contact me.

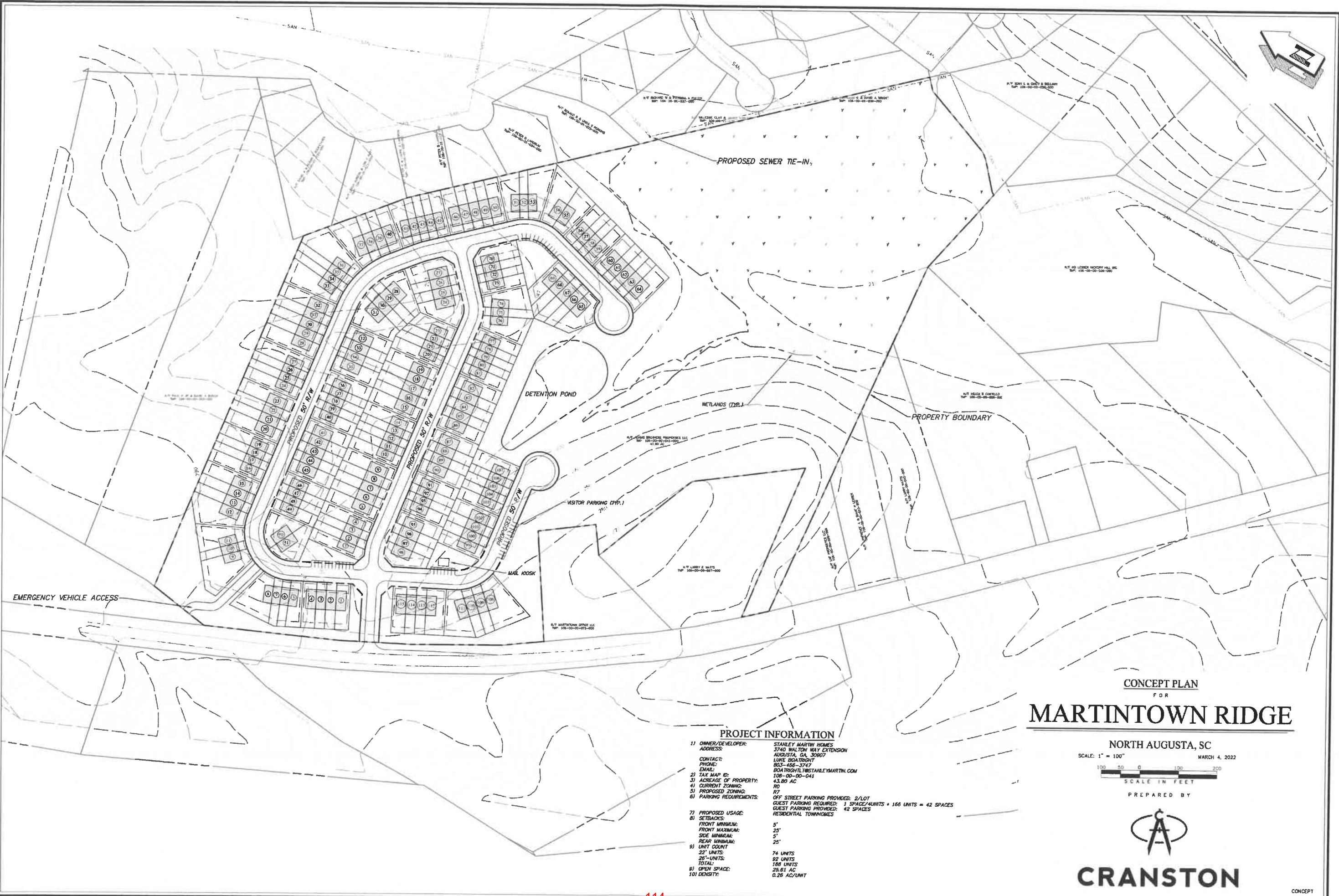
Sincerely,



Bobby Bagwell

The Prather Company

0: LAAA-ACTIVE: J0913.2021.001-0662: MARTINTOWN RIDGE LAC-DRAWINGS-V-REFS:2021-0662: LAYOUTS.DWG 3/4/2022 3:44 PM



# CONCEPT PLAN FOR MARTINTOWN RIDGE

NORTH AUGUSTA, SC  
SCALE: 1" = 100'  
MARCH 4, 2022



SCALE IN FEET

PREPARED BY

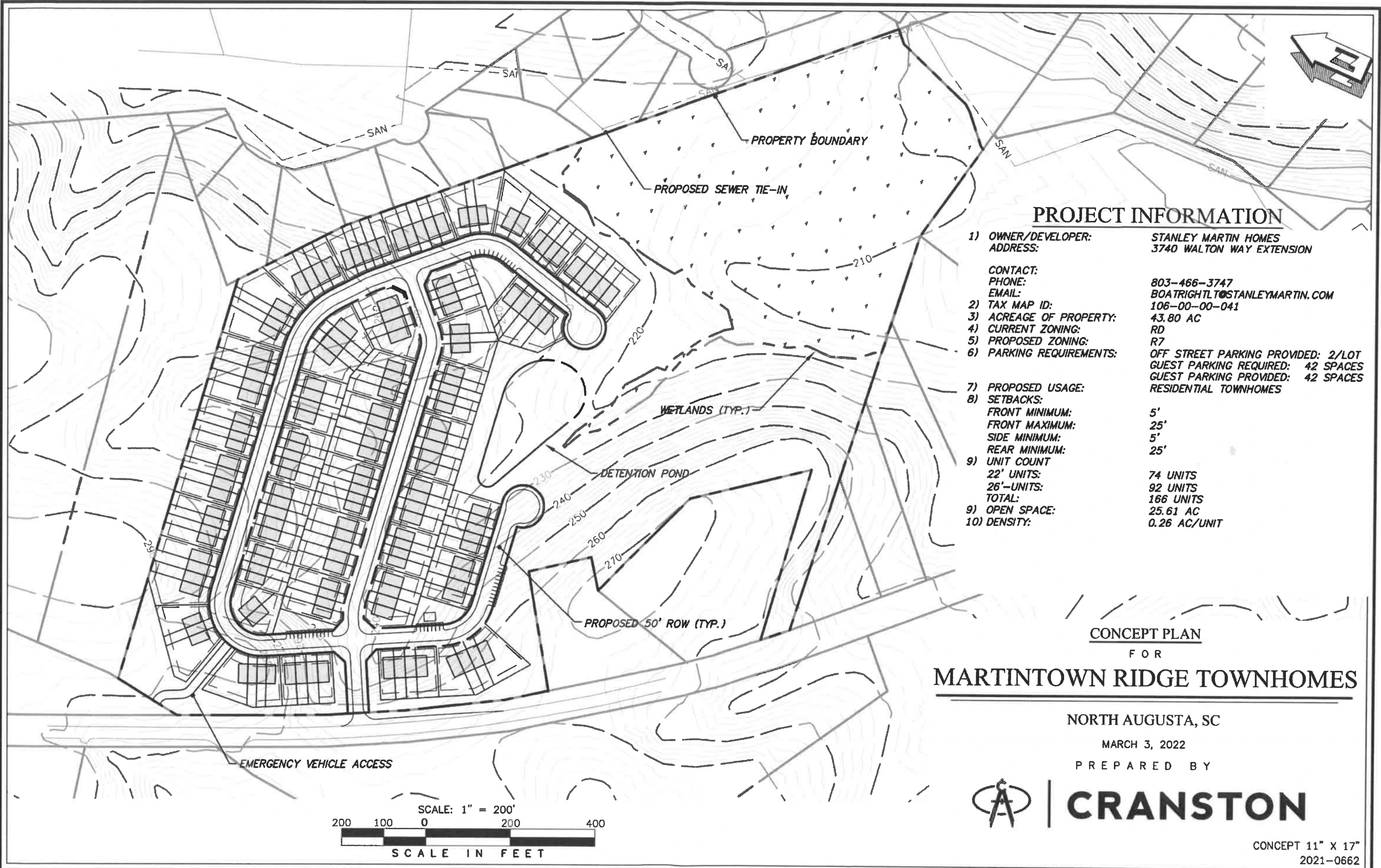


## CRANSTON

### PROJECT INFORMATION

- |                          |   |
|--------------------------|---|
| 1) OWNER/DEVELOPER:      | STANLEY MARTIN HOMES  |
| ADDRESS:                 | 3740 WALTON WAY EXTENSION<br>AUGUSTA, GA, 30907   |
| CONTACT:                 | LUKE BOATRIGHT  |
| PHONE:                   | 803-496-1747  |
| EMAIL:                   | BOATRIGHT@STANLEYMARTIN.COM   |
| 2) TAX MAP ID:           | 108-00-00-041   |
| 3) ADDRESS OF PROPERTY:  | 43.89 AC  |
| 4) CURRENT ZONING:       | RD  |
| 5) PROPOSED ZONING:      | R7  |
| 6) PARKING REQUIREMENTS: | OFF STREET PARKING PROVIDED: 2/LOT<br>GUEST PARKING REQUIRED: 1 SPACE/UNITS + 166 UNITS = 42 SPACES<br>GUEST PARKING PROVIDED: 42 SPACES<br>RESIDENTIAL TOWNHOMES |
| 7) PROPOSED USAGE:       |   |
| 8) SETBACKS:             |   |
| FRONT MINIMUM:           | 5'  |
| FRONT MAXIMUM:           | 25'   |
| SIDE MINIMUM:            | 5'  |
| REAR MINIMUM:            | 25'   |
| 9) UNIT COUNT:           |   |
| 22' UNITS:               | 74 UNITS  |
| 28' UNITS:               | 92 UNITS  |
| TOTAL:                   | 166 UNITS   |
| 10) OPEN SPACE:          | 28.61 AC  |
| 10) DENSITY:             | 0.26 AC/UNIT  |

G:\AAA-ACTIVE JOBS\2021\2021-0662\_MARTINTOWN RIDGE\AC-DRAWINGS\X-REFS\2021-0662\_LAYOUT3.DWG 3/4/2022 3:46 PM



### PROJECT INFORMATION

- |                          |   |
|--------------------------|---|
| 1) OWNER/DEVELOPER:      | STANLEY MARTIN HOMES  |
| ADDRESS:                 | 3740 WALTON WAY EXTENSION   |
| CONTACT:                 |   |
| PHONE:                   | 803-466-3747  |
| EMAIL:                   | BOATRIGHLT@STANLEYMARTIN.COM  |
| 2) TAX MAP ID:           | 106-00-00-041   |
| 3) ACREAGE OF PROPERTY:  | 43.80 AC  |
| 4) CURRENT ZONING:       | RD  |
| 5) PROPOSED ZONING:      | R7  |
| 6) PARKING REQUIREMENTS: | OFF STREET PARKING PROVIDED: 2/LOT<br>GUEST PARKING REQUIRED: 42 SPACES<br>GUEST PARKING PROVIDED: 42 SPACES<br>RESIDENTIAL TOWNHOMES |
| 7) PROPOSED USAGE:       |   |
| 8) SETBACKS:             |   |
| FRONT MINIMUM:           | 5'  |
| FRONT MAXIMUM:           | 25'   |
| SIDE MINIMUM:            | 5'  |
| REAR MINIMUM:            | 25'   |
| 9) UNIT COUNT            |   |
| 22'-UNITS:               | 74 UNITS  |
| 26'-UNITS:               | 92 UNITS  |
| TOTAL:                   | 166 UNITS   |
| 9) OPEN SPACE:           | 25.61 AC  |
| 10) DENSITY:             | 0.26 AC/UNIT  |

### CONCEPT PLAN

FOR

## MARTINTOWN RIDGE TOWNHOMES

NORTH AUGUSTA, SC

MARCH 3, 2022

PREPARED BY



# CRANSTON

CONCEPT 11" X 17"  
2021-0662

