

RICHLAND COUNTY BOARD OF ZONING APPEALS



Wednesday, 5 March 2014

1:00 p.m.

Council Chambers

RICHLAND COUNTY BOARD OF ZONING APPEALS

March 5, 2014



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 13-07 V	William Goldsmith Gator St. Andrew's LLC	06008-01-07	817 Saint Andrew's Road Columbia, SC 29210	Dickerson



**Richland County
Board of Zoning Appeals
Wednesday, March 5, 2014
2020 Hampton Street
2nd Floor, Council Chambers**

Agenda

I. CALL TO ORDER & RECOGNITION OF QUORUM **Joshua McDuffie, Chairman**

II. PUBLIC NOTICE ANNOUNCEMENT

III. RULES OF ORDER **Amelia Linder, Attorney**

IV. APPROVAL OF MINUTES – December 2013

V. PUBLIC HEARING **Geonard Price,
Deputy Planning Director/ Zoning Adm.**

OPEN PUBLIC HEARING

13-07 V
Gator St. Andrew LLC.
817 St. Andrews Rd.
Columbia, SC 29223
TMS# 06008-01-07

**Requests a variance to exceed the height limitation for a sign
on property zoned General Commercial (GC)**

WITHDRAWN

VI. OTHER BUSINESS

VII. ADJOURNMENT



REQUEST, DISCUSSION AND RECOMMENDATION

CASE:

13-07 Variance

REQUEST:

The applicant is requesting the Board of Zoning Appeals to grant a variance to exceed the maximum height for a pylon sign in the GC (General Commercial) district.

GENERAL INFORMATION:

Applicant: William Goldsmith
Gator St. Andrew's LLC

TMS: 06008-01-07

Location: 817 St. Andrews Road, Columbia, SC 29210

Parcel Size: 8.64 acres

Existing Land Use: Currently there is a 70,000+ square foot structure on the site which was previously anchored by a Kroger grocery store.

Proposed Land Use: Unknown.

Character of Area: The area is commercially developed along St. Andrews Road.

ZONING ORDINANCE CITATION:

Section 26-33 (a) (2) of the Land Development Code empowers the Board of Zoning Appeals to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in an unnecessary hardship. Such appeals shall be made in accordance with the procedures and standards set forth in Sec. 26-57 of this chapter.

CRITERIA FOR VARIANCE:

Standard of review. The board of zoning appeals shall not grant a variance unless and until it makes the following findings:

- a. That there are extraordinary and exceptional conditions pertaining to the particular piece of property; and
- b. That these conditions do not generally apply to other property in the vicinity; and
- c. That because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

DISCUSSION:

The applicant is proposing to erect a 100 foot tall pylon sign which will exceed the maximum allowed height in the GC district by 65 feet.

According to the applicant, "...the subject property is off-set and visibility is compromised by existing conditions, neighboring property and geographical visibility limitations." The applicant also states that the "...Limited visibility to all vehicular traffic due to geographical limitations restrict all tenant signage."

It is staff's opinion that there is ample visibility along Saint Andrew's Road for any proposed signage. The allowed signage for this development would be similar to that of the other businesses along Saint Andrew's Road. Also, it appears that the purpose of the applicant's request is to gain visibility along Interstate 26. The businesses along Saint Andrew's Road do not enjoy additional visibility along the interstate by way of on-premise signage. A majority of the visible signs from the interstate are off-premise (billboards).

If the variance is denied, the applicant will be allowed to establish a sign with a height of 35 feet.

Staff believes that the subject parcel does not meet all of the criteria required for the granting of a variance. Staff recommends that the request be denied. According to the standard of review, a variance shall not be granted until the following findings are made:

a. Extraordinary and exceptional conditions

Staff was unable to determine that extraordinary and/or exceptional conditions apply to the subject parcel.

b. Conditions applicable to other properties

c. Application of the ordinance restricting utilization of property

d. Substantial detriment of granting variance

CONDITIONS:

26-57(f)(3)

Conditions. 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 of zoning appeals may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare. The board of zoning appeals may also prescribe a time limit within which the action for which the variance was sought shall be begun or completed, or both.

OTHER RELEVANT SECTIONS:

26-57 (f) (1) Formal review.

(1) Action by the board of zoning appeals. Upon receipt of the application for a variance request from the planning department, the board of zoning appeals shall hold a public meeting on the proposed variance request. Any party may appear in person or be represented by an authorized agent. In considering the application, the board of zoning appeals shall review the application materials, the staff comments and recommendations, the general purpose and standards set forth in this chapter, and all testimony and evidence received at the public hearing. After conducting the public hearing, the board of zoning appeals may:

a. Approve the request;

b. Continue the matter for additional consideration; or

c. Deny the request.

Any approval or denial of the request must be by a concurring vote of a majority of those members of the board of zoning appeals both present and voting. The decision of the board of zoning appeals shall be accompanied by written findings that the variance meets or does not meet the standards set forth in the Standard of Review. The decision and the written findings shall be permanently filed in the planning department as a public record. The written decision of the board of zoning appeals must be delivered to the applicant.

CASE HISTORY:

No record(s) of previous special exception or variance request.

ATTACHMENTS:

- Site Plans

RICHLAND COUNTY
BOARD OF ZONING APPEALS
VARIANCE APPEALS



Rcpt# 3-03896

Application# _____

Paid \$ \$100.00

Filed 7/9/13

1. Location 817 St. Andrews Rd. Columbia, Sc 29223
2. Page D6008 Block 01 Lot 07 Zoning District GC
3. Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property as described in the provisions of Section _____ of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: Increase Allowable Signage for Interstate Signage
5. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-502.3b(1) of the Richland County Zoning Code are met by the following facts.
 - a) There are extraordinary and exceptional conditions pertaining to the particular piece of property as following: _____
 - b) Describe how the conditions listed above were created: _____
 - c) These conditions do not generally apply to other property in the vicinity as shown by: _____
 - d) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: _____
 - e) The authorization of the variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: _____
6. The following documents are submitted in support of this application [a site plan must be submitted]:
 - a) Exhibit A
 - b) Exhibit B
 - c) Exhibit C

(Attach additional pages if necessary)

Explanation Sheet for Application for a Variance "Exhibit A"

5. a. Extraordinary and exceptional conditions pertaining to the particular piece of property:

Relief from 50. ft. Height maximum area because strict enforcement of the present sign ordinance would impose a hardship to the subject property because the subject property is off-set and visibility is compromised by existing conditions, neighboring property and geographical visibility limitations. The variation request is in harmony with the general intent and purpose of the sign ordinance and current zoning district.

100 ft. Overall height of signage is the minimum needed relief to satisfy the hardship.

Current existing sign area is approximately 35 Ft Tall.

5. b. the extraordinary conditions listed above were created:

The conditions were created from years of growth of geographical limitations i.e neighboring trees. blocking the referenced properties visibility

5.c. These conditions do not generally apply to other property in the vicinity as shown by:

Attached "Exhibit B" neighboring centers with unobstructed geographical visibility limitations along highway i-26.

5.d. Because of these conditions, the applications of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

Limited visibility to all vehicular traffic due to geographical limitations restrict all tenant signage.

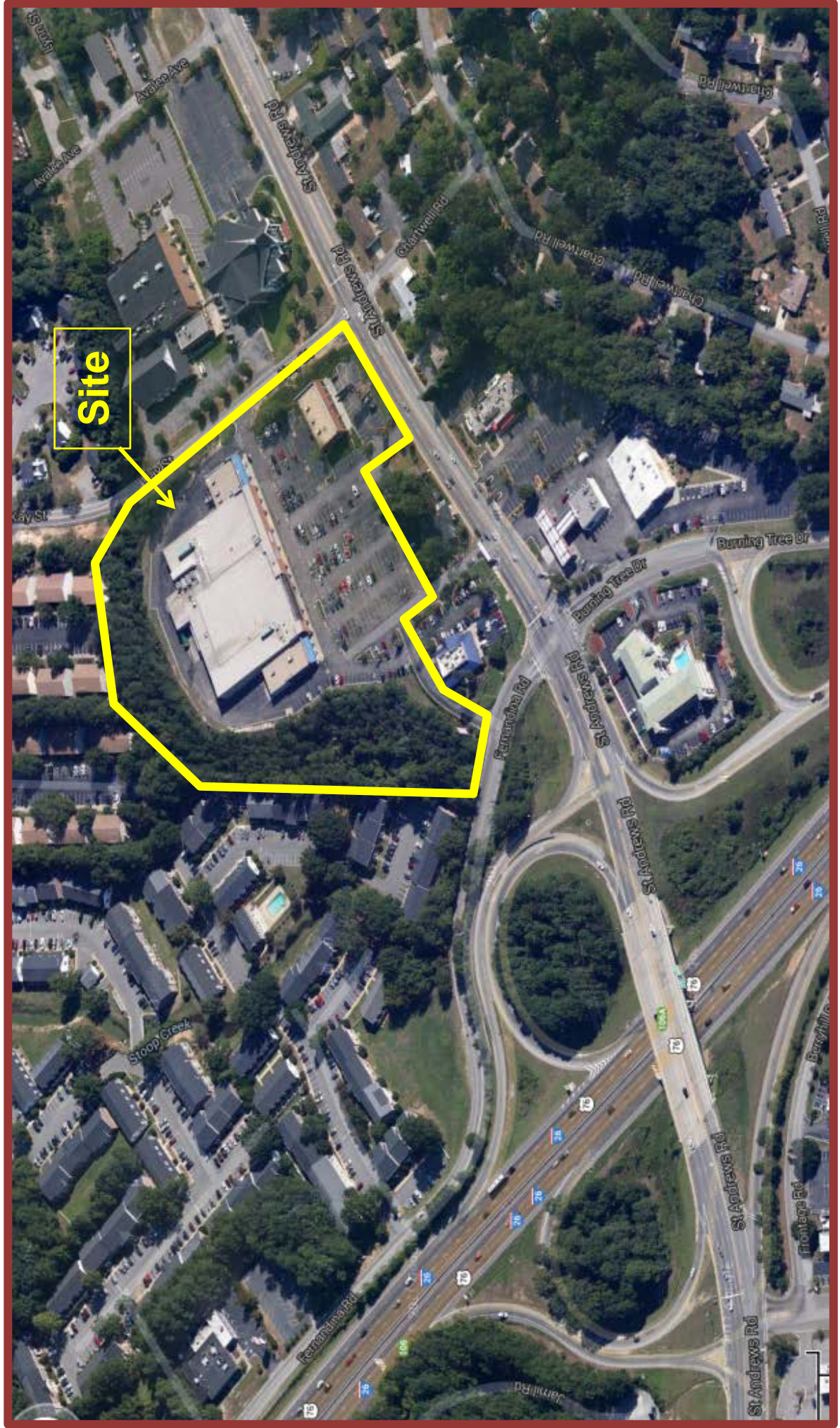
5.e. The Authorization of the variance will not be of substantial determinant to the adjacent property or to the public good and the character of the district will not be at harm by the granting of the variance for the following reasons.

Allowance of a 100 ft. sign will co inside with neighboring properties see "exhibit B". other highway properties have similar overall height proposed per this application.

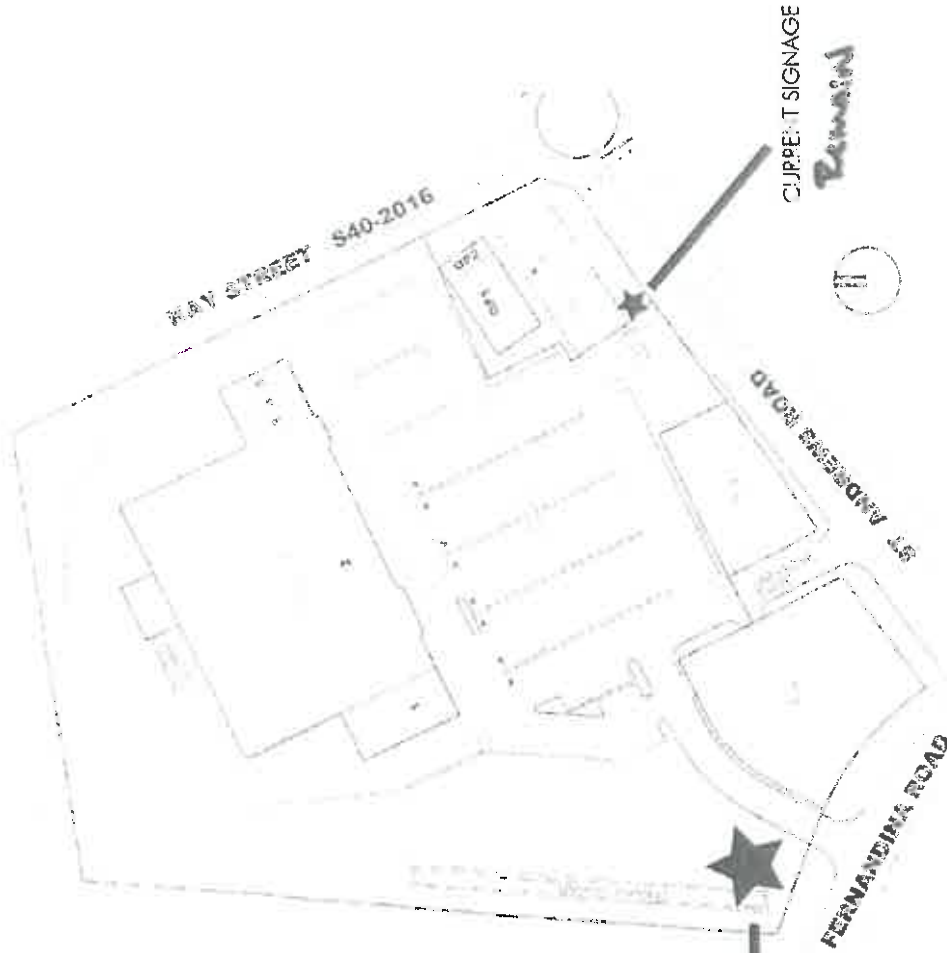
13-07 V

817 Saint Andrew's Road

TMS: 06008-01-07



KROGER PLAZA
7467 ST. ANDREWS RD.



PROPOSED SIGN PLACEMENT

*Remove Existing
Place with attached
Sign package.*

CLIPPER SIGNAGE

Remain

SITE PLAN

APPROVED APPROVED AS NOTED REVISE AND RESUBMIT

SIGNATURE: _____

DATE: _____

PROJECT: KROGER PLAZA
7467 ST. ANDREWS RD.

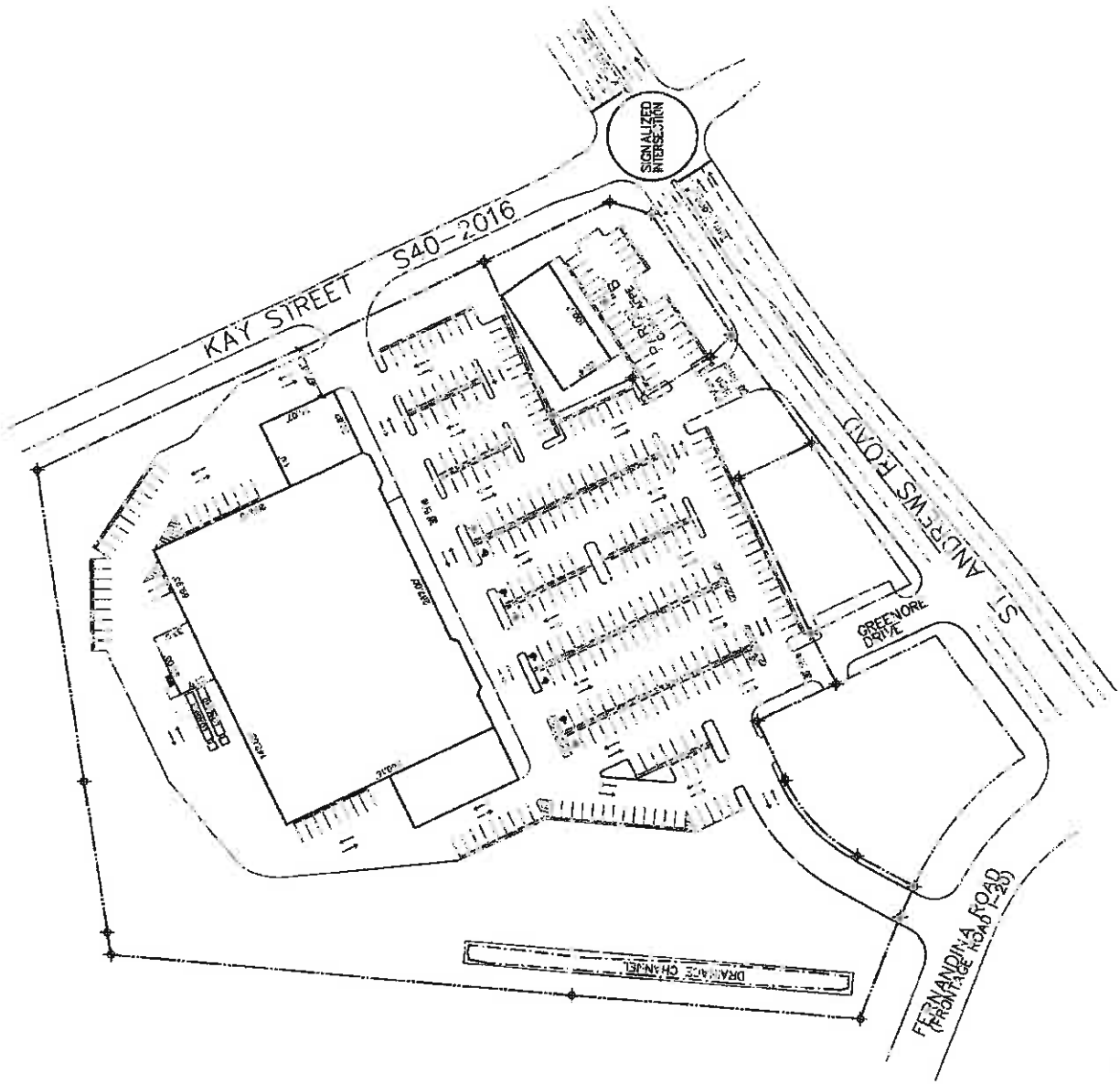
P: 803-791-7504

F: 803-739-2344



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PO BOX 3166 LENOIRTON, NC 29071 • 1016 INDUSTRIAL BLVD. LENOIRTON, NC 29072

Exhibit A



EXISTING
SITE PLAN

1" = 50'

0 50 100 150 200

NORTH

KROGER PLAZA
7467 ST. ANDREWS RD.

26'



12'

26'

88'



12'

APPROVED APPROVED AS NOTED REVISE AND RESUBMIT

SIGNATURE: _____

DATE: _____

PROJECT: KROGER PLAZA
7467 ST. ANDREWS RD.

P: 803-791-7504

F: 803-739-2344



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PO BOX 510, LENOIRTON, SC 29027 | 2019 © INDUSTRIAL SIGNS LENOIRTON, SC 29027

Exhibit C



Richland County Government
2020 Hampton Street
Columbia, SC 29204

Phone (803) 576-2180
Fax (803) 576-2182
