

Minutes
Regular Meeting of the Florence County Board of Zoning Appeals
Tuesday, February 16, 2021 at 6:30 p.m.
County Complex, Council Chambers, Room 803
180 N. Irby St., Florence, South Carolina 29501

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the County Complex and on the information board in the lobby of the Planning and Building Inspection Department building.

The agenda was also mailed to the media.

I. Call to Order

Prior to the meeting being called to order Mr. J. Shawn Brashear, Director of Planning and Building ensured that all commissioners and public that desired to attend the meeting were connected and on line in the live stream webinar meeting. He conducted a roll call of the board members and provided information to the members present on how the voting and motions would take place to ensure that everyone knew who was making the motion, second, and also the voting of each item; he further stated that the Board of Appeals did have a quorum and the meeting could begin.

Chairman Toney Moore called the meeting to order at 6:34 p.m. He thanked the staff and everyone for attending the webinar and ensuring that everyone who was able to get online did so including the public who was in attendance in the webinar.

II. Attendance:

Board Members Present: Toney Moore, Chairman
Brian Casey, Vice-Chairman
Craig Floyd
Brenda Deas
Wallace Smith

Board Members Absent: Bryant Hollowell
Daniel Jackson
Kenneth E. McAllister
James Cooper, Jr.

Staff Present: Mr. J. Shawn Brashear, Planning Director
Derrick Singletary, Senior Planner
Nickolas Ammons, Planning Manager
Ethan Brown, Senior Planner
Lacey Kelly, Secretary III
Lisa M. Becoat, Secretary III

Public Attendance: See sign-in sheet on file at the Florence County Planning Department.

III. Election of Officers:

Chairman Toney Moore administered and requested the nomination and votes for election of officers for the 2021 calendar year.

Motion – Brian Casey made a motion that all officers remain the same for the calendar year 2021.

Second – Mr. Wallace Smith / No other nominations were made. The vote carried 5 to 0 that all officers would remain the same for the calendar year 2021.

IV. Review and motion of the minutes:

- **Meeting of June 16, 2020.**

Motion to approve the minutes as presented - Mr. Brian Casey / Second – Ms. Brenda Deas / Minutes of June 16, 2020, meeting were unanimously approved 5 to 0.

V. Public Hearings:

BZA#2021-01 **An appeal by Buc-ee’s South Carolina, LLC from requirements of the Florence County Code of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE V. – SIGN REGULATIONS, Sec. 30-202. - Signs on private property, for property located at 3390 North Williston Road, Florence, SC 29506 as shown on Florence County Tax Map No. 00202, Block 01, Parcel 079.**

Mr. J. Shawn Brashear presented the staff report to the Board. A Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://www.florenceco.org/offices/planning/bza/>).

Mr. Brashear informed the board that the land area for the item in question was 29.75 acres and the applicant desired to place signs on the property facing Interstate 95, and Highway 327 Williston Road.

Mr. Brashear further informed the Board that two inquiries had been received one from Joe Jeffers and another from Billy Gerald. Ms. Jeffers saw the posted sign on the property and wanted additional specifics of the request and Mr. Gerald received an adjacent property letter and desired additional information regarding the specifics of the request. Neither person provided a position for or against the proposed request.

He additionally stated that the ordinance allowed a building to have two signs and the applicant was requesting to have three signs placed on the building. The applicant had submitted a site

plan of where the desired three signs were anticipated on the building. Mr. Brashear within his presentation provided images of how the property would be laid out on the parcel with respect to the three roads. He stated that typically the ordinance allowed one sign per building unless the building fronted two streets and then two signs were allowed. The applicant in this case proposed that the building and property would be fronting three roads and thus desired a third sign. Mr. Brasher further explained in the image the wooded line displayed on the site plan indicating the road for future development within the site and thus the property at that time would front three separate roads. He described the images of the site plan in his presentation to the Board, showing the proposed location of the travel center, the gas dispensing stations, parking and additional parking lots. He indicated that the applicant desired to place signs on the North, West and South sides of the building. He indicated that public notice signs had been posted on the property, with letters also sent to adjacent property owners making them aware of the request and the meeting.

He stated that staff could not outright approve the request and that Florence County had a desire to make the most of their interstates to have an impact on economic development. On the North and West sides of the property there would not be any more of an impact to the residence of that area than it already would be with the two signs. So allowing a third sign on the South side would only allow additional advertisement and attract additional business from the interstate. Staff would recommend the allowance of the third sign for the applicant with the understanding that the three signs would reside on different sides of the building as presented in the applicant's site plan.

There were questions and discussion by the Board.

In response to questions and discussions by the Board Mr. Brashear indicated that the variance request is for signs that would be applied only to the sides and fronts of the building and not out in the yard. The front of the travel center would face Foundation Boulevard which presently is the tree line eastward and then veered off to the north. The new developed road would be installed and would be one of two entrances into the property. There would also be a single lane entrance off 327 Williston Road. The larger amount of traffic is expected to come in through the two lane new developed road Foundation Boulevard.

Chairman Toney Moore inquired if there was any public who desired to speak in favor of the requested variance appeal.

Mr. Stan Beard was present and spoke in favor of the requested variance appeal request. He indicated that he is the Director of Real Estate for Buc-ee's and he was in his truck at a Walgreen's parking lot in Texas due to the extreme weather conditions and no power. He stated that he appreciated the Board coming together to consider their appeal request. The request is critical to their business model. The property resides on three rights of way, the rear of the building faces Interstate 95 with approximately a hundred thousand vehicles going by daily, and they would like travelers to see the sign and consider stopping in. Presently there are stuck possibly having to have a sign on their main front door entrance or placing one sign only where the majority of people driving by would see it. The applicant desired and is requesting to have a

sign on each right of way and Mr. Beard, indicated he would answer any questions presented by the Board.

In response to questions by the Board Mr. Beard, indicated that the signs would be approximately 270 square feet each for a total of approximately 800 square feet for the whole building. The information provided in the Florence County Ordinance indicated that a business could have as much as a 1,000 square foot sign on one side of the building. With their calculations, they would have less square footage than what is allowed per the ordinance.

There was no public in appearance to speak in opposition of the requested variance appeal.

There was discussion by the Board concerning the recommendations and four findings of fact.

The recommendations and four findings of fact considered by the Board were as follows:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property:

Finding: The property would be situated on three separate roads, which is not the usual normal for properties within Florence County.

- b. These conditions do not generally apply to the other property in the vicinity:

Finding: It is very rare in the County for a property to affront three separate roads.

- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property:

Finding: As the property, affronts three separate roads, the business could possible not be identified to some public traveling due to the ordinance only allowing for two building signs on the property.

- d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Finding: Granting the variance appeal request would allow the business to be identified from all rights of way and thus could add to the regions expected economic growth in the creation of employment and possible additional development within Florence County.

There was no further discussion by the Commission.

Motion: Mr. Brian Casey made a motion to grant the variance appeal request as proposed and presented by staff. **The motion was seconded** by Mr. Wallace Smith and Ms. Brenda Deas. The motion was unanimously approved with a vote of 5 to 0.

VI. Other Business:

Chairman Toney Moore inquired of the Board if they had reviewed the draft and proposed 2021 Board of Zoning Appeals Meeting Calendar.

Motion – Ms. Brenda Deas made a motion that the 2021 Board of Zoning Appeals Meeting Schedule Calendar be approved as presented. / **Seconded** - Mr. Wallace Smith. The 2021 Board of Zoning Appeals Meeting Schedule Calendar was unanimously approved with a vote of 5 to 0.

VII. Adjournment

Chairman Toney Moore inquired of the Board and Staff if there was any additional business to discuss, there being none, the meeting was adjourned at 6:58 p.m.

Lisa M. Becoat, Secretary

Approved by:

J. Shawn Brashear, Planning Director

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.