1. CALL TO ORDER.

Chairman Ott called the meeting to order at 6:30 p.m. Members present: Chairman Ott, Vice-Chairman Willm, and members Courtney, Lauer, and Lanham. Members Murdock and Watson were absent. A quorum was present. Others present: Town Clerk Herrmann and Building, Planning & Zoning Director Morris.

2. PLEDGE OF ALLEGIANCE.

Chairman Ott led the Pledge of Allegiance.

3. AGENDA APPROVAL.

Ms. Lauer moved to approve the agenda. Mr. Willm seconded. All voted in favor. MOTION CARRIED.

4. ELECTION OF OFFICERS.

Mr. Lanham moved to elect Mr. Ott chairman. Mr. Willm seconded. All voted in favor. MOTION CARRIED.

Chairman Ott moved to elect Mr. Willm vice-chairman. Mr. Lanham seconded. All voted in favor. MOTION CARRIED.

5. HEARING APPEAL. (This portion verbatim.)

Appeal No. ZA2015-01 by ASL Signs, agent for Wyndham Vacation Rentals for a variance from Section 17-266(c) of the zoning ordinance to allow property at 213 Surfside Drive (TMP#195-04-09-020) to allow for the encroachment of a freestanding sign within 10 feet of the front property line. Chairman Ott opened the hearing at 6:31 p.m.

Ms. Leggio: My name is Kristin. I’m president of ASL Signs, along with my husband, and we are here to talk about Wyndham Vacation Rentals.

Chairman Ott: Would you mind raising your right hand, this is a hearing. (Clerk Herrmann asked for the speaker’s full name.)

Ms. Leggio: Kristin Leggio, L-e-g-g-i-o.

Chairman Ott: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Leggio: Yes, sir. So, I have, my client is Wyndham Vacation Rentals. They have taken over the location at 213 Surfside Drive. We are proposing to have a free standing monument sign to be installed in the location of an existing sign that used to locate there previously. Of course, it is out of ordinances for the new, the new ordinances, so we are requesting for a variance to be done, and see if we can have approval to have the sign located there. It is a prime location for both traffic going, you know, east and west on Surfside Drive. It’s most visible to the area and it is a prime location for the sign. It also has electrical there, so it’s going to be an illuminated sign,
Chairman Ott: Do you have anything else at this time?

Ms. Leggio: I don’t know if there’s any other, you know, photos, I have photos, if there’s different views you’d like to see of the property.

Chairman Ott: Okay.

Ms. Leggio: (Distributed photographs.) That’s the sign we are proposing to put in that spot and these are all the different, you know, views. So, as you can see, based on the, the property location, if we were to put it anywhere else, it would take up parking lot spaces or would be hidden behind the building, and would not really have as optimal viewing.

Chairman Ott: This is the hearing section. In a minute, I’m gonna close that and we’ll open up the business section, and the board will probably have some questions for you. If you have no other statements at this time, I’ll ask the town to present, Director Morris. You are finished, right?

Ms. Leggio: Yes, I’m finished.

Chairman Ott: Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Director Morris: I do. As the sign, the representatives stated, they are proposing a new free standing sign on the side of the property. It’s actually where the old sign once was. This is the area (referring to a photographs in a PowerPoint); it’s actually on the two corners, Oak Street and Pinewood Street, Surfside Drive. This is the front of the building coming from the ocean side. This is where the old sign was, and it was actually parallel with the building. It was a wooden sign. They removed it and up-lighted, it was being up-lighted from the bottom of the landscape island. You can see here it was actually parallel. This sign is a little, it’s larger. It’s solid. It’s a monument style sign, and they want it to be perpendicular to their, the street. We’ve had some concerns and we have those put in your packets tonight. Since this is the public hearing section, I’ll go ahead and share those with you, and most were in writing.

• First said the policemen that the sign perpendicular in the requested area has risen concerns for the property owners. They’re concerned with the size of the signage and the location causing line-of-sight issues when turning off of, from Oak Street, Oak Drive, excuse me, to Surfside Drive.

Director Morris: And actually, because of that complaint, this is our vehicle (referring to photograph). This is the stop sign here, and the sign would actually be this way. This is the right-of-way, so it would be here.

• Objection to the size and the style of the sign. They say that the sign is too large, commercial, industrial sign, back lit with LED, made of laser cut aluminum;

• Stated the sign will be out of place and overwhelming in a residential neighborhood;

• They requested the board require a new place, a new, excuse me, a new and more appropriate design, which is smaller, less commercial looking, and lighted from the ground lighting as was the last sign. They say that this would preserve the residential integrity of the area;
• We received one phone call received requesting the board deny the variance stating
  the ordinances are in place for reasons of line-of-sight and allowing one variance
  could allow for many additional requests, and

• Another stated that if the variance is approved for the requested location, she would
  request that the board limit the size of the sign and be a much smaller [sign] than
  what is requested.

Director Morris: I will add that if it, they do, they are required to meet the sign requirements; they
would lose this parking space, so they would have to bring it back here. They have 11 parking
spaces on the property now. Losing one would not make the building nonconforming. So they
could still operate. They could also by ordinance have a wall sign on the front.

Mr. Willm: Either or?

Director Morris: They can have both. Once the hearing is over, I'll be glad to answer any
questions you may have.

Chairman Ott: At this time I'll open the hearing to the public. Anybody here like to speak about
this request for variance? Nobody? We do have time rebuttal from the applicant.

Ms. Leggio: I have photos from the last sign that was there. It actually was not perpendicular, or
excuse me, parallel. There were additional posts that were removed prior to those photos and
the posts actually did hold the sign that way. Now, it wasn't illuminated, you know, like ours
would be, internally. It was illuminated from the ground up. However, our sign is only going to be
roughly five foot tall, and these sign posts are eight foot tall from the existing sign. So, what once,
once there, ours would actually be smaller.

Chairman Ott: Do you have those with you?

Ms. Leggio: I do.

Chairman Ott: Would you like to pass those to the board? Thank you.

Ms. Leggio: As far as the look to the sign, you know, we've tried to accommodate a classy, you
know, a classy look to the sign. The entire sign does not illuminate. Only the necessary portions
such as the name and vacation rentals. So, it's not going to be, you know, a huge commercial,
typical looking sign. We've tried to keep it lower to the ground. Classy looking, as I said, and still
trying to meet our customer's requests, of course. But, you know, it's not going to be a big, bright
illuminated in the way sign, as much as possible. That's all. Thank you.

Chairman Ott: Do you have any rebuttal?

Director Morris: Well, I apologize, I was told, it was before my time they had the sign up there. I
was told it was parallel, not perpendicular. The concerns of it being it is a solid sign. There is
another location that the sign could go, although they would lose a sign, a parking space. There
are other alternatives. Also, they could put a sign, again, on the building that would be visible. I
just would request you consider all of that and the four point criteria required by State Law, before
you make a decision.

Chairman Ott: There's no other questions, no other, any other rebuttal to this?

Ms. Leggio: (** Speaking from audience.)

Chairman Ott: You have to speak into the microphone. We're recording verbatim.
Ms. Leggio: Alright, sorry. Just a comment towards the parking space. We were trying to eliminate having to move the sign there for, you know, for reasons of moving, moving power, digging up the concrete, you know, of course, things like that. But, also because it will then be further behind the building and you would lose its visibility from, you know, one direction of Surfside Drive. So we were trying to, you know, do our best for our customer to try and be able to maximize the visibility of the sign. Thank you.

Chairman Ott: Director Morris?

Director Morris: No, I have nothing.

Chairman Ott call for a motion to close the public hearing at 6:43 p.m. Ms. Lauer so moved; Mr. Lanham seconded. All voted in favor. MOTION CARRIED.

6. BUSINESS. Appeal No. 2015-01 by ASL Signs, agent for Wyndham Vacation Rentals for a variance from Section 17-266(c) of the zoning ordinance to allow property at 213 Surfside Drive (TMP#195-04-09-020).

Ms. Lauer was concerned with safety. A sign of any height in the location requested would prevent drivers from seeing clearly from the stop line at the stop sign. Not only would sight be limited for cars, it would also be limited for golf carts, bicycles, and pedestrians. She believed placing a sign in the location requested perpendicular to the building would be an accident waiting to happen. She welcomed the business in town, and said knowing that the sign could be placed in the parking space or on both sides of the building would properly promote the business.

Mr. Courtney asked how far the sign would be from the road. Director Morris said the right-of-way on Surfside Drive is 75-feet from the middle of the road. The landscaping is the property line. The line-of-sight is a 20-foot radius from the stop sign; if the sign is placed in the parking space, it would be just beyond the 20-foot radius. Mr. Courtney was also concerned with safety.

Mr. Willm asked if the old sign was nonconforming. Director Morris said yes; it was grandfathered.

Chairman Ott asked if the building was legal nonconforming and if the proposed sign size was allowed. Director Morris said the building was legal nonconforming, and the proposed sign actually met the sign ordinance requirements. Chairman Ott asked if different areas were considered for the sign. Director Morris said there were alternatives. The sign could be placed in the parking space; electrical was available, and the pavement would have to be cut if they want a free standing sign. The option is to eliminate the free standing sign and have wall signs both sides of the building, or a single sign could be placed on the front of the building.

Mr. Lanham asked if a wall sign could be perpendicular to the building. Director Morris said the sign would have to be smaller and could not intrude into the right-of-way, if the board prefers that instead of a free standing sign.

Mr. Willm asked where the sign would have to be located to be in compliance. Director Morris said in the parking space. If the sign was placed there, a variance would not be necessary.

Ms. Lauer asked if the proposed lighting was allowed. Director Morris said the lighting was allowed; and said all the sign components met the ordinance requirements.

Mr. Willm asked if there were other properties in the area to which this problem might apply. Director Morris said the commercial building directly across to the road. Mr. Willm said that one criteria would prevent granting a variance, because the State Law requires all four criteria to be met.
After much discussion, Mr. Lanham moved to deny the request because the situation is not particular to the subject property. Mr. Courtney seconded. All voted in favor. MOTION TO DENY CARRIED.

7. BOARD COMMENTS.

Ms. Lauer hoped the business did well, but was concerned with the safety on that corner.

Chairman Ott said the board was required by State Law to determine whether the variance met all four of the criteria. In this case the property failed to meet more than one of the criteria.

Director Morris reminded the members that Waccamaw Regional will be providing annual training in August here at town hall. The information will be sent as soon as the schedule was set.

8. ADJOURNMENT.

Mr. Lanham moved to adjourn at 7:16 p.m. Ms. Lauer seconded. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: _____________________________

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Ron Ott, Chairman

Darrell Willm, Vice Chairman

Timothy Courtney, Board Member

Terri Lauer, Board Member

Guy Lanham, Board Member

Holly Watson, Board Member

Vacant Seat

Note: Be advised that these minutes represent a summary of items with a verbatim transcript of the hearing section insofar as can be determined by the recording thereof of the board of zoning appeals and are not intended to represent a full transcript of the meeting. The audio recording of the meeting is available upon request; please provide a flash drive on which to copy the audio file. An agenda of this meeting was published pursuant to FOIA §30-4-80(a), and made available to all interested parties.