BOARD OF ZONING APPEALS
TOWN COUNCIL CHAMBERS
Thursday, December 28, 2017 6:30 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. AGENDA APPROVAL
4. PUBLIC COMMENTS ON BUSINESS ITEM
5. BUSINESS ITEM
   Appeal No. ZA2017-04 by First Baptist Church of Surfside requesting a variance from Section 17-630(10) of the Zoning Ordinance prohibiting off premise signs. The property is located at 811 16th Ave N. TMS# 191-12-03-001
6. PUBLIC COMMENTS - GENERAL
7. BOARD COMMENTS
8. ADJOURNMENT
Instructions – Submit this application, along with the required information and fee, to the Planning, Building & Zoning Department at 115 Hwy. 17, Surfside Beach, SC 29575. Applications are due 30 days prior to the scheduled meeting date and must be complete to be accepted and placed on the agenda. A sign will be posted on the property, and the public hearing will be conducted by the Board of Zoning Appeals.

THE APPLICANT HEREBY REQUESTS:

☐ A Variance as indicated on page 2 of this application (complete pages 1 & 2 only)
☐ A Special Exception as indicated on page 3 of this application (complete pages 1 & 3 only)
☒ An Appeal of a decision of the administrative official as indicated on page 4 of this application (complete pages 1 & 4 only)

Property Address 114 W. SULFIDE BEACH, SC 29575

Property Owner: F805 BRE LLC

Applicant: ASL Signs Services LLC

Applicant’s Mailing Address: 901 HWY 17 S, SURFSIDE BEACH, SC 29575

Daytime Phone: 843-238-0206
Daytime Phone: 843-748-0411
E-Mail Address: ASL-Signs-Services-WRING@GMAIL.COM

Relationship of applicant to owner (same, representative, prospective buyer, other)

Zoning of Property: MARKED

☐ Commercial ☒ Residential ☐ Planned Development

Information required with application: (Check information submitted)

☒ Scaled plan(s) or plat(s), including elevations of structures and locations of structures (proposed and existing) showing the variance(s) or special exception(s) being requested

☒ Stamped envelopes addressed to property owners within 150 ft. of the property requesting the variance or special exception. The return address of all the envelopes should be labeled as: Planning, Building & Zoning Dept. 115 Hwy. 17 N. Surfside Beach, SC 29575

☒ A list of same property owners on a separate piece of paper for the Planning, Building and Zoning Department file.

☒ Filing fee of $200.00

DESIGNATION OF AGENT [Complete only of owner is not applicant]:

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

[Signature]

Owner Signature

Date: 11/3/17

I hereby certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there is any, and that I am the owner of the subject property or the authorized agent of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

[Signature]

Owners Signature

Date: 11/1/17

[Signature]

Owners Authorized Agent Signature
This form is to be used to appeal a decision of the Administrative Official which the appellant believes to be contrary to the meaning of the Zoning Ordinance.

Applicants appealing the decision of the Administrative Official where it is alleged there was an error in any order, requirement, decision, or determination made must submit the following information with the Application and fee to the Planning, Building and Zoning Department at 115 Hwy. 17 N. Surfside Beach, SC 29575.

It is the power of the zoning Board of Appeals to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the Zoning Ordinance.

**Explain Appeal:**

Decision of the Zoning Administrator in which you are appealing (Include Section of Zoning Ordinance):

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I, Timothy Nicholas, am filing an appeal on behalf of First Baptist Church of Surfside allowing them to remove and update their existing signage on their adjacent property located at 811 16th Ave. North, Surfside Beach, SC 29575. The new ordinance is now considering the sign as an off-premise sign. The existing sign was allowed on this parcel which is owned by the church and is connected to the back side of the parcel. The proposed updated sign was approved in 2015. The Church now has the funds to move forward with an updated sign.

Please see the attached Drawings for the new proposed Sign that will enhance the church property as well as the City of Surfside Beach. The sign will also include a full color LED Message Board allowing the Church to bring in new members and provide updates to future events such as bible studies, Vacation bible school. Most importantly, it will provide information regarding meals for the homeless and persons in need of help. Consider this, if this sign package draws in at least one person in need and changes his/her life, it will do exactly what the sign and the church meant for it to do. The Message Center will also allow the church to alert the public of severe weather alerts and amber alerts.

Thank you in advance for your time and consideration.

Kindest Regards,

[Signature]

Timothy A Nicholas

ASL Signs and Services, LLC
ARTICLE VI. SIGNS

Temporary Signs are allowed twice a year for a period of 6 months each.

Two temporary signs: no more than six (6) square feet each and no height to exceed 2 ft. (if placed); and no more than twenty-four (24) square feet (each) if a banner is used.

- Must only be located on property that is owned by the person or business whose sign it is and must not be placed on any utility pole, street light, similar object, right of way, easement or on public property;
- Must not be illuminated;
- Must be maintained and free of tears, fading and deterioration;
- Permit applications for banners/placards can be found on the town website at www.surfsidebeach.org or at the Planning, Building & Zoning Department.

Owner consent to property being offered for sale or lease.

One temporary sign no larger than sixteen (16) square feet on the property when:

- The owner consents and that property is being offered for sale through a licensed real estate agent;
- If not offered for sale or lease through a real estate agent, the sign is owned by the property owner; and
- Sign shall not exceed six (6) feet in height;
- Signs must not be located on any public property, right-of-way easement; and
- For a period of 15 days following the date on which a contract of sale has been executed by a person purchasing the property.

DIVISION 3. GENERAL REQUIREMENTS APPLICABLE TO ALL SIGNS

SECTION 17-630. PROHIBITED SIGNS

The following signs are prohibited in all zoning districts:

1. Any sign which by color, location or design resembles, imitates, or conflicts with an official traffic control sign or signal.
2. Privately-owned signs located within any street, road, or public right-of-way, including a public beach access.
3. Any sign which obstructs free ingress or egress from a required door, window, fire escape or other required exit way.
4. Portable signs, including fluttering ribbons, pennants, streamers, inflated or tethered balloons, inflatable signs, spinners or other attention seeking devices are prohibited in all zoning districts.
5. Signs painted on or attached to trees, rocks or other natural features, fence, fence posts, or utility poles.
6. Flashing signs and/or signs involving rotation, animation, or other forms of movement or moving illumination, excluding electronic message boards when complying with the requirements of this article.
7. Abandoned, obsolete, or dilapidated signs.
9. "Spin' Advertising: persons standing on street corners or on private property with a sign to advertise a business, they toss, twirl and maneuver the cardboard and or any other type material used for signage like a button to entertain and catch the eye of people who walk or drive by their performance.
10. Off-premise signs, outdoor advertising signs and billboards.
11. Any sign which exhibits any pornographic pictures or words.
12. Any sign that violates any laws of the State of South Carolina.
13. Signs erected upon, against, or above a roof or roof eave, or on top of the parapet.
14. Any sign which emits a sound, odor or visible matter.
15. Any vehicle sign where the sign projects beyond the manufacturer's profile of the vehicle and is displayed in public view under such circumstances as to indicate that the primary purpose of such display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for such vehicle; flows in parade shall not be included in this prohibition.

SECTION 17-631. CONSTRUCTION AND MAINTENANCE REQUIREMENTS

1. All signs shall comply with the following standards for construction and maintenance. Signs which do not meet the requirements of these provisions shall be repaired, corrected, or removed within thirty (30) days after receipt of

TOWN OF SURFSIDE BEACH ZONING ORDINANCE
Town of Surfside Beach  
Sign Permit Application  

Instructions for Sign Permit Application

All signs erected, replaced or refaced within the town require a Sign Permit and must be obtained prior to beginning any work. Sign information and requirements can be found in Chapter 17 Article VI of the Town’s Code of Ordinances. This can be viewed on line at www.surfsidebeach.org.

Applicants must have all required information in order to have the sign application reviewed. Incomplete applications will NOT be processed. The following information must be submitted:

- Completed application, with all required signatures.
- Two (2) scaled elevation drawings (plans) and sign renderings for proposed signage showing height, total square footage of sign(s), type of sign(s), color and material of sign.
- Wall Signs: Two (2) scaled elevation drawings with wall signs superimposed on building showing height, total square footage of sign(s), color, material and linear footage of unit or building in which the sign is being located.
- Two (2) copies of surveys of the property showing dimensions of lot, location and dimensions of building, parking areas, driveways, landscaped areas, and the location of existing and proposed sign(s).
- Setbacks drawn for freestanding sign (if applicable)
- If the sign(s) will be illuminated, an electrical and lighting plan.
- Two (2) sets of structural engineered sealed drawings and engineered sealed drawings with wind load information for all new freestanding signs.

At the time of submittal of the sign application, the applicant shall pay the required application/review fee in an amount as set by ordinance by town council (#13-0764).

The Planning, Building and Zoning Department issues/receives permit applications Monday – Friday from 8:00am – 1:00pm, except Holidays. The department is located at 829 N. Pine Drive, Surfside Beach, SC 29575.

Any person whose sign permit application has been denied or who is aggrieved by any sign-related decision by the code enforcement official may appeal that decision to the board of zoning appeals within fifteen (15) calendar days of notification of the denial or other sign-related decision. Appeals to the board are to follow the procedure as provided in Chapter 17 Article II of the Town’s Code of Ordinances.

I certify that all information provided is true and correct and all work performed under this sign permit shall conform to all plans, and specifications herewith submitted and shall conform to the Town’s Zoning and Building Codes and all the laws and ordinances pertaining thereto.

I further understand the process for obtaining a building permit may take up to 2 weeks. IF plans require revisions to be made, I understand the re-review process can take up to another 2 weeks to be approved.

Contractor/Responsible Party

Date submitted
# TOWN OF SURFSIDE BEACH PROHIBITED SIGNS

<table>
<thead>
<tr>
<th>Examples of Signs That Are</th>
<th>Most Common Prohibited!</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Balloons</td>
<td>No Pennants</td>
</tr>
<tr>
<td>No Flags</td>
<td>No Inflatable</td>
</tr>
<tr>
<td>No Signs on Vehicles parked visible from the street</td>
<td>No Beacons/Spotlights</td>
</tr>
<tr>
<td>No Costumes</td>
<td>No Signs on trees</td>
</tr>
</tbody>
</table>

- No Stick in Ground Signs on right of way, street or road
- No Hand Held Signs or Sign Spinners
- No Portable signs
All Of The Following Signs Are Prohibited In Town of Surfside Beach:

The following signs are prohibited in all zoning districts with the Town of Surfside Beach:

(1) Any sign which by color, location or design resembles, imitates, or conflicts with an official traffic-control sign or signal.

(2) Privately-owned signs located within any street, road, or public right-of-way, including a public beach access.

(3) Portable signs and special event signs (including fluttering ribbons, pennants, banners, streamers, and inflated or tethered balloons) are prohibited in all zoning districts as permanent advertising devices; however, these signs may be permitted as a temporary use subject to the conditions imposed by sections 17-208 and 17-654 of this chapter.

(4) Hand held signs or sign spinners; no costumes.

(5) Signs painted on or attached to trees, rocks or other natural features, fence posts, or telephone or other utility poles.

(6) Flashing signs and/or signs involving rotation, animation, or other forms of movement or moving illumination, excluding electronic message boards when complying with the requirements of the article.

(7) All billboards are prohibited, except for those billboards that legally exist within town limits and for which a valid sign permit has been issued and has not expired as of the date on which this provision, or when a prior version of this article containing the same provision, was adopted. This prohibition is not applicable to any existing billboard that is relocated or rebuilt in accordance with section 17-650 of this article.

(8) Abandoned, obsolete, or dilapidated signs.

(9) Beacons/spotlights.

(10) Signs on vehicles parked visible from the street.

(11) Any sign that violates any laws of the State of South Carolina.

Disclaimer: The information provided is intended as a guide only. If you have a sign that you are not sure is permitted please contact the Zoning Office at 843-913-6341. The use of Prohibited Signs will result in a Notice of Violation followed by monetary fines.

Name: [Signature] Date: 10/20/17
SIGN PERMIT APPLICATION  
SIGN PERMIT REQUIRED SIGNATURE PAGE

I understand, agree and acknowledge by signing below that the issuance of this permit grants the Code Enforcement Official(s) access during normal business hours to the property as listed above and it does not constitute a privilege to violate any Town ordinances, codes or regulations and that any omission or misrepresentation of facts or changes from this application or permit without the approval of the Building & Zoning Department shall constitute sufficient grounds for revocation of any permits issued. All permits are non-transferable and non-refundable.

× For Sign Location Address: 711 N. 16th Ave, Surfside Beach, SC 29575
× Name of Building Owner: First Baptist Church of Surfside
× Address 711 N. 16th Ave City, State, Zip Surfside Beach, SC 29575
× Phone Number: 843-238-0204 Town business License #

I do hereby grant permission for the construction, operation, maintenance, or displaying of the sign described within this application for a Sign Permit.

Signed: [Signature] 10/20/17

Building Owner

Date

Name of Building Occupant: Same

(If different from Building Owner)

Address __________________________ City, State, Zip __________________________

Telephone Number: __________________________ Town Business License # __________________________

I do hereby grant permission for the construction, operation, maintenance, or display of the sign described within this application for a Sign Permit.

Signed: [Signature] 10/20/17

Building Occupant

Date

Name of Sign Contractor/Installer: ASL Signs Services LLC

Address 901 Hwy 17 S. City, State, Zip Surfside Beach, SC 29575

Telephone Number: 843-748-0411 Town Business License # 54869

Cost for Proposed sign(s) (including installation): $24,820.00

Signature of Sign Contractor: [Signature] 12/19/17
Applicants must have all required information in order to have the sign application reviewed. Incomplete applications will NOT be processed. The following information must be submitted:

- Completed application, with all required signatures.
- Two (2) scaled elevation drawings (plans) and sign renderings for proposed signage showing height, total square footage of sign(s), type of sign(s), color and material of sign.
- Wall Signs: Two (2) scaled elevation drawings with wall signs superimposed on building showing height, total square footage of sign(s), color, material and linear footage of unit or building in which the sign is being located.
- Two (2) copies of surveys of the property showing dimensions of lot, location and dimensions of building, parking areas, driveways, landscaped areas, and the location of existing and proposed sign(s).
- Setbacks drawn for freestanding sign (if applicable)
- If the sign(s) will be illuminated, an electrical and lighting plan.
- Two (2) sets of structural engineered sealed drawings and engineered sealed drawings with wind load information for all new freestanding signs.

### Name of Business Sign will Identify

**Name of Business:** First Baptist Church of Surfside

**Site Address for Proposed Sign(s):** 211 W. Ave N. Surfside Beach, SC Zoning District

### Sign Contractor Information

**Sign Contractor:** A&L Signs Services LLC

**Address of Business:** 901 Hwy 705 City Surfside Beach State SC Zip 29575

**Phone No.:** 843-748-6611 **Contact Person Name:** Timothy A Nichols

**Email address:** A&LService48@gmail.com **Total Contract Price:** $24,326.00

### Message on Sign – Write the message that will appear on the sign here (also attach required drawings/specifications)

“First Baptist Church of Surfside, The Family Church at the Family Beach,” including Message Center

### Sign Category (Check all that apply) (Roof signs are prohibited in C1 – except Sandy Lane & C2 Districts)

1. Building mounted
   - Ground Mounted
   - Window mounted
2. Changeable Copy
   - Projected from wall
   - Flat against wall or window (LED Message Center)
3. Freestanding
   - Hanging In Window
4. Painted on wall or window

### Type of lettering (Check one)

- Individual Letters (Channel Letters) Box Board
- Backlit Externally Illuminated Not Illuminated (LED Message Center)

### Sign Lighting (Check one)

### Lot and Building Frontage (Determined by where the public entrance is located)

**Lot Frontage:** 330 Linear Feet

Building or unit frontage _______ Linear Feet

### Sign Dimensions

The following sign dimensions are required. The sign FACE is:

- How many FEET long 8
- How many FEET high 6'-8 1/2" Total (Length x Height) 58.5 Square Feet
- How many FEET long
- How many FEET high Total (Length x Height) Square Feet

### Additional Information for all Ground Mounted Signage:

What is the total height of the sign from grade to top of sign ______ FEET

ATTACH ALL DRAWINGS AND OTHER REQUIRED INFORMATION FOR YOUR SIGN(S) TO THIS APPLICATION
STATE OF SOUTH CAROLINA  
COUNTY OF HORRY  

KNOW ALL MEN BY THESE PRESENTS,

That David L. Dean and Mun S. Dean, as Co-Trustees of the David L. Dean Revocable Trust dated November 13, 2006 and Mun S. Dean and David L. Dean, as Co-Trustees of the Mun S. Dean Revocable Trust dated November 13, 2006 in the State aforesaid for and in consideration of the sum of One Million Two Hundred Thousand and No/100—($1,200,000.00) DOLLARS to it paid by FBCSBRE, LLC in the State aforesaid, (Receipt whereof is hereby acknowledged) have granted, bargained, sold and released; and by these presents do grant, bargain, sell and release unto the said FBCSBRE, LLC, the following described property.

Grantees Address:

711 16th Ave.

Surfside Beach, SC 29575

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said FBCSBRE, LLC, its Successors and Assigns forever.

And the Grantor herein hereby binds itself, themselves, its or their successors, or his, her, and their Heirs, Executors or Administrators, (as the case may be), to Warrant and forever defend all and singular the said premises unto the said FBCSBRE, LLC, its Successors and Assigns, or
his and their Heirs and assigns, (as the case may be), against itself, themselves, and its or their successors, or his, her and their heirs, (as the case may be), and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

Witness the execution hereof by grantor this 1st day of June in the year of our Lord Two Thousand and Twelve and in the Two Hundred and Thirty-Sixth year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered in the Presence of

David L. Dean Revocable Trust dated 11-13-06
BY: [Signature]
David L. Dean, Co-Trustee

Mun S. Dean Revocable Trust dated 11-13-06
BY: [Signature]
Mun S. Dean, Co-Trustee

BY: [Signature]
David L. Dean, Co-Trustee

BY: [Signature]
Mun S. Dean, Co-Trustee

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named David L. Dean and Mun S. Dean, as Co-Trustees of the David L. Dean Revocable Trust dated November 13, 2006 and Mun S. Dean and David L. Dean, as Co-Trustees of the Mun S. Dean Revocable Trust dated November 13, 2006, Sign, Seal and as
its Act and Deed deliver the within written Deed; and that (s)he with the undersigned notary
witnessed the execution thereof.

Sworn to before me this 1st
day of June A.D. 2012.

R. A. [Signature]
(L.S.)
Notary Public for South Carolina
My Commission Expires: 4-7-15
File#AB2009
STATE OF SOUTH CAROLINA )
COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned, who being duly sworn, deposits and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred is located as Five (5) acres, bearing Horry County Tax Map Number #191-12-03-001 and was transferred by David L. Dean and Man S. Dean, as Co-Trustees of the David L. Dean Revocable Trust dated November 13, 2006 and Man S. Dean and David L. Dean, as Co-Trustees of the Man S. Dean Revocable Trust dated November 13, 2006 to FBCSBRE, LLC on June 15, 2012.

3. Check one of the following: The Deed is
   (a) X Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth
   (b) ____________ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   (c) ____________ Exempt from the deed recording fee because (See Information section of this affidavit);

   (If exempt, please skip items 4-7, and go on to item 8 of this affidavit.)

   If exempt under exemption # 14 as described in the information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase realty? Check Yes ______ or No ______

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit):
   (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $1,200,000.00
   (b) ____________ The fee is computed on the fair market value of the realty which is
   (c) ____________ The fee is computed on the fair market value of the realty as established for property tax purposes which is

   Check Yes or No XX ______ to the following: A lien or encumbrance existed on the land, tenement or realty before the transfer and remained on the land, tenement or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is:

5. The deed recording fee is computed as follows:
   (a) Place the amount listed in item 4 above here: $1,200,000.00
   (b) Place the amount listed in item 5 above here: 0.00
   (c) Subtract line 6(b) from line 6(a) and place result here: $1,200,000.00

  7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is:
   $4,440.00

6. As required by Code Section, 12-34-70, I state I am a responsible person who was connected with the transaction as

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Signed to me the 1st day of June 2012

R. Allen Beverly, Jr.,
print or type same here

Responsible person connected with transaction

Notary Public for South Carolina
My Commission Expires: S-1-13

L.S.}

R. Allen Beverly, Jr.
PROPERTY DESCRIPTION RIDER

ALL AND SINGULAR, that certain parcel or tract of land situate, lying and being in Socastee Township, Horry County, South Carolina, containing five (5) acres, more or less, being more particularly bounded and described as follows: COMMENCING at the southwestern intersection of Sixteenth Avenue North at Surfside Beach with U.S. Highway 17, running South 36 degrees 37 minutes east along the southwestern margin of Sixteenth Avenue North 612 feet to a point; thence turning and running South 46 degrees 36 minutes West 360 feet to a point; thence turning and running North 36 degrees 37 minutes West 612 feet to the southeastern margin of U.S. Highway 171 thence turning and running North 46 degrees 36 minutes East along the southeastern margin of U.S. Highway 17, 360 feet to the point of beginning, bounded now or formerly as follows: Northwest by U.S. Highway 17; East and Northeast by Sixteenth Avenue North; South and West by lands of S.A. Black and J. A. Fuller.

For a more accurate and complete description of this tract of land reference is made to a map of the northeastern portion of the Lakewood Section of Surfside Development made by J.C. Causey, Surveyor, dated March 5, 1953, and recorded June 4, 1957, in the office of the ROD for Horry County in Plat Book 23 at page 35, on which map this tract of land is shown as a five acre tract.

EXCEPTING AND RESERVING, HOWEVER, a strip of land thirty feet wide by six hundred twelve feet long along the southwestern margin of the aforesaid tract, for a road that is to be sixty feet in width.

This conveyance is made subject to the reservation made by the United States of America for all fissionable materials, with the right at any and all times to enter upon the land and prospect for mine and remove such materials. This reservation was made by the United State of America in its deed to E.E. Burroughs, et al., recorded October 6, 1947, in Deed Book 51 at page 42-A, and in deed from the United States of America to F.A. Burroughs, recorded August 21, 1947, in Deed Book 46 at page 132, Horry County ROD office.

This being the identical property conveyed to David L. Dean and Mun S. Dean, as Co-Trustees of the David L. Dean Revocable Trust dated November 13, 2006 and Mun S. Dean and David L. Dean, as Co-Trustees of the Mun S. Dean Revocable Trust dated November 13, 2006 by deed of David L. Dean recorded November 14th, 2006 in the Office of the ROD for Horry County in Deed Book 3188 at page 1035.

TMS#191-12-03-001
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https://www.horrycounty.org/gis/parcels/  12/13/2017