



THE CITY OF  
**GOOSE CREEK**

BERKELEY CO. EST. 1961 SO. CAROLINA

**ZONING BOARD OF APPEALS  
TUESDAY, NOVEMBER 19, 2019  
6:30 PM**

**MARGUERITE BROWN MUNICIPAL CENTER  
CITY HALL COUNCIL CHAMBERS  
519 N. GOOSE CREEK BLVD.  
GOOSE CREEK, SOUTH CAROLINA**

# MEMORANDUM

**TO:** MEMBERS OF THE ZONING BOARD OF APPEALS

**FROM:** LILI ORTIZ-LUDLUM, ADMINISTRATIVE ASSISTANT

**DATE:** NOVEMBER 13, 2019

**SUBJECT:** MEETING NOTIFICATION

**WHERE:** CITY HALL COUNCIL CHAMBERS

This is to remind everyone that the next meeting of the Zoning Board of Appeals is scheduled for Tuesday, November 19, 2019 at 6:30 p.m. at City Hall.

You will be asked to review one application for a variance request pursuant to your duties and powers as defined in Zoning Ordinance Section 151.171 below.

The applicant will be seeking a variance from the sign regulations of 151.084 for the property identified as TMS 243-08-05-053. Information regarding the request(s) are included in your packet.

Should you have any questions or comments prior to Monday's meeting, please don't hesitate to contact Brenda Moneer, Planning and Zoning Technician (x.1116) or Mark Brodeur, Planning and Zoning Director(x.1118) at 843-797-6220.

## **§ 151.171 DUTIES AND POWERS.**

### **VARIANCES**

- (B) To hear and decide appeals for variance from the requirements of this chapter when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the ZBA makes and explains in writing the following findings, and that all of the following

factors shall be met. The following are provisions of S.C. Code, 1994 § 6-29-800, as amended:

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (2) These conditions do not generally apply to other property in the vicinity;
- (3) 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;
- (4) The authorization of a variance shall not be of substantial detriment to adjacent property or to the public good, and the character of the district shall not be harmed by the granting of the variance;
- (5) The ZBA may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a non-conforming use of land, or to change the zoning district boundaries shown on the official zoning map approved by City Council and on file with the Planning Director and City Clerk. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;
- (6) In granting a variance, the ZBA may attach to it the conditions regarding the location, character, or other features of the proposed building, structure, or use as the ZBA may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety or general welfare; and
- (7) The ZBA shall not grant use variances. A use variance involves the establishment of a use not otherwise permitted in a zoning district or extends physically a non-conforming land use or changes the zoning district boundaries shown on the official zoning map approved by City Council and on file with the Planning Director and City Clerk.



**CITY OF GOOSE CREEK  
ZONING BOARD OF APPEALS**

**AGENDA  
NOVEMBER 19, 2019 AT 6:30PM  
MARGUERITE BROWN MUNICIPAL CENTER  
CITY HALL COUNCIL CHAMBERS  
519 N. GOOSE CREEK BLVD.**

- I. CALL TO ORDER** – Chairman Butch Clift
  
- II. REVIEW OF MINUTES:** June 19, 2019
  
- III. PUBLIC HEARING** – To solicit public input concerning a request for a variance at property identified as 119 St. James Ave (TMS# 243-08-05-053). The applicant will be seeking a variance from the sign regulations of 151.084 of the City’s Zoning Ordinance.
  
- IV. END OF YEAR BUSINESS**
  - a) Election of Chairman
  - b) Election of Vice Chairman
  - c) Commission Member Terms
  
- V. COMMENTS FROM THE COMMISSION**
  
- VI. COMMENTS FROM STAFF**
  
- VII. ADJOURNMENT**

# **REVIEW OF MINUTES**

**MINUTES  
CITY OF GOOSE CREEK  
ZONING BOARD OF APPEALS MEETING  
JUNE 19, 2019 6:30 P.M.  
GOOSE CREEK COUNCIL CHAMBERS  
519 N. GOOSE CREEK BOULEVARD**

**I. CALL TO ORDER:**

Chairman Clift called the meeting to order at 6:30 p.m. He initiated the Pledge of Allegiance and a moment of silence.

**II. ROLL CALL:**

Chairman Clift defined the duties and powers of the Zoning Board of Appeals (ZBA) per the City's Code of Ordinance. Mrs. Moneer initiated roll call.

**Present:** Butch Clift, Jason Dillard, Larry Monheit, Thomas Volkmar  
**Absent:** Bakari Jackson, James Fisk, Gerald Stinson  
**Staff Present:** Mark Brodeur, Daniel Moore, Brenda Moneer, Lili Ortiz-Ludlum  
**City Council Present:** Councilmember McSwain, Councilmember Harmon

**III. PUBLIC HEARING: TO SOLICIT PUBLIC INPUT CONCERNING A CONDITIONAL USE PERMIT FOR DEVELOPMENT OF AN ADDITIONAL PHASE WITHIN AN APARTMENT COMPLEX LOCATED OFF ST. JAMES AVENUE (TMS# 234-00-00-139).**

**BOARD MEMBER MONHEIT MADE A MOTION TO OPEN THE PUBLIC HEARING. BOARD MEMBER DILLARD SECONDED. ALL IN FAVOR, NONE OPPOSED. MOTION CARRIED.**

Chairman Clift read the public hearing request, gave the testimony of oath to those parties to speak for or against the request, and opened the public hearing.

Mr. Moore presented staff report. He stated the applicant is seeking to request a Conditional Use Permit (CUP) for this property, zoned Residential High Density (R3), to complete the second phase of Devon Point Apartments. Mr. Moore stated Devon Point II will consist of fifty-six (56) apartments; nine (9) buildings and one (1) fitness center. He stated City Council approved the first reading of the annexation on March 12, 2019 and the final reading of the rezoning on May 14, 2019. Mr. Moore stated the applicant originally met with Berkeley County to proceed with Phase II of Devon Forest; however, after negotiation it was determined they needed to come into the City to access City water. He stated the applicant has met all requirements.

Mr. Thomas Hill presented exhibits, photos, and a traffic study of the proposed community to the ZBA. He stated the units are averaged to be 1,100 square feet per unit with fifty percent being one (1) bedrooms and the other fifty percent two (2) bedrooms. He stated the lighting will be done by Berkeley Electric Cooperative. Mr. Hill stated the lot size of the property is 224,000

square feet. He stated the buildings will cover 71,000 square feet. He stated the required buffer is already in place, but additional buffers will be added per the City's request. Mr. Hill stated the dumpster, which is a compactor, for this property is already available in phase I. He stated there is a stoplight at Devon Blvd. but not at Grey Goose Drive. He stated another point of ingress/egress for this property is located through phase I to Dragon Way. He stated Kingdom Hall of Jehovah's Witnesses request a six (6) foot fence to be placed between the properties.

The applicant provided his explanation for meeting the Conditional Use Permit criteria's.

1. **Setbacks, buffers, fences or planting strips protect adjacent properties from adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors:** Mr. Hill stated he will install a fence in the Western boundary adjoining the Kingdom Hall of Jehovah's Witnesses to buffer the church property. He stated the property to the South is owned by a related entity and these apartments will become apart of that project. He stated to the east is Devon Blvd and located on the opposite side of Devon Blvd is a new fast food restaurant.
2. **Vehicular traffic flow would not increase, and pedestrian movement would not be diminished or endangered:** Mr. Hill stated per the traffic impact analysis completed this year, pedestrian movement will not be diminished or endangered.
3. **Off-street parking and loading, and ingress/egress points of proposed uses will be adequate as to location, capacity and design:** Mr. Hill stated his submitted sight plan displays the required and proposed parking spaces and ingress/egress points. He stated the parking is not assigned, and each unit has two (2) parking spots.
4. **Property values, general character and welfare of nearby areas will not be deteriorated:** Mr. Hill stated this would be an additional phase to an already existing apartment complex and will be of similar construction. He stated the apartments will be two-story buildings. The first floor will be nine (9) feet high, and the second floor will be eight (8) feet high. He stated there will be between six (6) to eight (8) units per building with brick and vinyl siding to match Phase I.
5. **The proposed use shall be in accordance with the purpose and intent of the city's Comprehensive Plan, this chapter and other rules and regulations:** Mr. Moore stated this property was zoned in the Comprehensive Plan for Berkeley County as single family residential; however directly across the street is neighborhood mixed use. Mr. Moore stated the City is renewing its Comprehensive Plan in 2020, and he feels this project is the best use for the corridor of Highway 176.
6. **The proposed use shall be compatible with the existing neighborhood character and be consistent with the character and purpose of the applicable zoning district:** Mr. Hill stated this project will be compatible with the existing neighborhood as it is phase II of an existing apartment community.
7. **The proposed use shall not adversely affect surrounding land use, as measured in terms of its physical size, intensity of use, visual impact and proximity to other structures:** Mr.

Hill stated this project is a Phase II of an existing apartment community, these apartments are compatible with the existing neighborhood.

8. **The proposed use complies with all applicable development standards of the city:** Mr. Hill stated he has complied with all applicable development standards of the City with the aid of Mr. Moore.
9. **The proposed use is not detrimental to the public health, safety or general welfare of the city and its citizens:** Mr. Hill stated the proposed use of this property is not detrimental to the public health, safety or general welfare of the city and its citizens.
10. **The proposed use shall not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, of the vehicular movement, of noise or fumes or of the type of physical activity:** Mr. Hill stated this property will not constitute a nuisance or hazard to vehicular movement as addressed in the traffic impact analysis.
11. **The proposed use shall not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site:** Mr. Hill stated this property will not create or aggravate any hazards as addressed in the traffic impact analysis.
12. **The proposed use shall not create glare from vehicular and stationary lights and the extent to which the lights will be visible from the adjacent zoning districts:** Mr. Hill stated glare will not be a problem as Phase I is located to one side of the proposed development, and a fence will be installed on the side adjacent to the church.
13. **The proposed use shall not destroy, create a loss or cause damage to natural scenic, history features of significant important.** Mr. Hill stated he has followed all rules and regulations including the delineation of the wetlands as not to cause any scenic heartbreak.
14. **In the consideration of a conditional use, the ZBA shall not grant permission based on the circumstances of the applicant, or on unnecessary hardship:** Mr. Hill stated this is understood.

Mr. Hill answered questions regarding jurisdiction, ingress/egress, full-time representation on the property and zoning.

For the record of the minutes nobody from the public spoke for or against the request.

**BOARD MEMBER MONHEIT MADE A MOTIONED TO CLOSE THE PUBLIC HEARING. BOARD MEMBER DILLARD SECONDED. ALL IN FAVOR, NONE OPPOSED. MOTION CARRIED.**

Discussion occurred amongst board members.

**MOTION:** A motion was made to approve the Conditional Use Permit for the property located at TMS 234-00-00-139; having found that the application satisfy the seventeen (17) criteria requirements as set forth for the Conditional Use Permits as outline in section §



**151.171** of the Zoning Ordinance; with the condition that a six (6) foot privacy fence of substantial nature be installed on the western boundary neighboring the existing church and to include the existing vegetative buffer mandated by the Zoning Ordinance. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Monheit.

**DISCUSSION:** None

**VOTE:** All in favor (4-0), none opposed. Motion carried.

**BOARD MEMBER DILLARD MADE A MOTIONED TO CLOSE THE PUBLIC HEARING. BOARD MEMBER MONHEIT SECONDED. ALL IN FAVOR, NONE OPPOSED. MOTION CARRIED.**

**IV. APPROVAL OF MINUTES:**

**MOTION:** A motion was made to accept the Zoning Board of Appeals (ZBA) Minutes from October 4, 2017; May 16, 2018; July 11, 2018 and April 8, 2019 meetings. **MOVED BY** Board Member Volkmar **SECONDED BY** Board Member Monheit.

**DISCUSSION:** None

**VOTE:** All in favor (4-0), none opposed. Motion carried.

**V. Comments from the Board:**

There was none.

**VI. Comments from Staff:**

Mr. Moore introduced Mr. Mark Brodeur the new Director of Planning. Mr. Moore stated now that all Boards and Commissions are fully staffed, training will be scheduled soon. Mr. Moore introduced Councilmember Christopher Harmon the new City Council liaison to the ZBA. Mr. Moore introduced Lili Ortiz-Ludlum his Administrative Assistant.

**VII. Adjournment:**

Board Member Monheit made a motion to adjourn. Board Member Dillard seconded. All voted in favor. The meeting ended at 7:09 p.m.

\_\_\_\_\_ **Date:** \_\_\_\_\_, 2019  
**Butch Clift, Chairman**

# **PUBLIC HEARING**



CITY OF GOOSE CREEK LAND USE APPLICATION

TODAY'S DATE: 10-7-19

PART I. PURPOSE OF SUBMITTAL

- Site Plan (See Checklist)
Plat Review
Rezoning\*
Subdivision Plan (See Checklist)
Variance\*
Conditional Use Permit\*

PART II. GENERAL INFORMATION

1. Development Name: OPTHEAT Impressions, Inc.

2. Street Address: 119 ST. James Ave - Santa A.

3. TMS #: 243 - 08 - 05 - 053

GOOSE CREEK ZONING DISTRICTS

- Zoning Classification:
Requested Classification: (For rezonings only)
CO: Conservation Open Space
BPO: Business Professional Office
CI: Commercial Industrial
RC: Restricted Commercial
GI: General Industrial
GC: General Commercial
LI: Light Industrial
NC: Neighborhood Commercial
R-1: Residential Low Density
R-2: Residential Medium Density
R-3: Residential High Density
PD: Planned Development
PD-MH: PD for Mobile Home

PART III. CONTACT INFORMATION

Owner/Developer Name: Lanny Richard

Street Address: [Redacted] City: Goose Creek St: SC Zip: 29506

Telephone: [Redacted] Cell Phone: [Redacted] Fax: [Redacted]

E-mail Address: [Redacted]

PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: Retail/Professional

Proposed Total Building Area (gross sq. ft.):

Max. Building Height: Total Number of Buildings/Units/Lots:

Is The Property Restricted by Any Recorded Covenant Which Conflicts With or Prohibits The Proposed Use:

AGENT WAIVER

In filing this plan as the property owner, I do hereby agree and firmly bind myself, my heirs, executors, administrators, successors and assignees jointly and severally to construct all improvements and make all dedications as shown on this proposed site plan as approved by the City of Goose Creek, South Carolina. I hereby designate to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: Lanny Richard Date: 10-7-19

Signature: [Handwritten Signature]



## Department of Planning and Zoning

### Mark Brodeur

DIRECTOR

519 N. GOOSE CREEK BOULEVARD  
P.O. DRAWER 1768  
GOOSE CREEK, SC 29445-1768  
TEL (843) 797-6220 EXT. 1118  
FAX (843) 863-5208

## Staff Report

**TO:** Members of the Zoning Board of Appeals  
**FROM:** Mark Brodeur, Planning and Zoning  
Director  
**DATE:** November 19, 2019  
**SUBJECT:** Variance Request – Sign – 119 St. James  
Avenue

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### Variance Request:

To permit the continued existence of a fascia wall sign which exceeds the maximum number of signs permitted (two) for this business. The Zoning Administrator cited the owner of the business for having the third illegal sign. Rather than comply and remove the sign, the applicant wishes to have the Zoning Board of Appeals grant a variance due to special circumstances.

### Background:

Under the current sign regulations, a business is permitted only so many signs. This regulation has worked well and helps avoid the over-proliferation of signs competing for the driver's attention. The maximum number of wall signs permitted in this location is **two**.

*"It is the city's intent to reduce the proliferation of signs, reduce distractions and obstructions to motor vehicle operators and pedestrians that might lead to accidents or traffic congestion, enhance and preserve the natural scenic beauty or aesthetic features of highways, streets and adjacent areas and beautify the community by removing obstructions to light, air and open space."*

Optical Impressions is located at 119 St. James Avenue and has several signs oriented toward St. James Avenue. See picture here.



The illegal sign is located on the backside of this elevation and is pictured here.



**Discussion:**

According to Chapter 151.084 – SIGNS, of the Zoning Code, the number of signs allowed by any business depends on their distance from the roadway. Optical Illusions is less than 100 feet from St. James Avenue and thus is **allowed two wall signs**.

The owner of Optical Illusions suggests that having the extra sign on the backside of the building can better be seen by vehicles travelling in a northerly direction permitting them to decelerate and enter the middle lane of St. James Avenue. By the time they see the signs up on the parapet of the building, it's too late and they must make a U-Turn to access the driveway into the business.

**Recommendation:**

Open the hearing, receive a brief staff report and ascertain if the applicant can convince the Board of the unusual conditions presented by the site in order to grant the variance request.

- 151.171(B)(1) The way the Building sits on lot it is much easier to see with sign coming from Hwy 52 Direction. It (The sign) allows time for people to pull into correct lane in a timely manner.
- 151.171(B)(2) The others Building in area were located on a corner of Block and have a different orientation to the road.
- 151.171(B)(3) The entrance into Building makes it difficult to be in the correct lane to turn in without info (sign) coming from Hwy 52 Direction.
- 151.171(B)(4) The sign is professional design and manufacture it is consistent with other signs in area and on our Building.
- 151.171(B)(5) We ask for the Variance based on <sup>DESIRE</sup> ~~with~~ for a sign more efficient visibility for all to use Building. we are not asking for any change land use.
- 151.171(B)(6) We ask for variance to promote public safety for knowing where Building is coming from Hwy 52 Direction and protect against the possibility of accidents from people make last minute lane changes.
- 151.171(B)(7) we are not asking for any changes that would affect land use or zoning boundaries.

From Optical Impressions, Inc.

**END OF YEAR BUSINESS**

# **MISCELLANEOUS**



**§ 151.084 SIGN REGULATIONS.**

It is the city's intent to reduce the proliferation of signs, reduce distractions and obstructions to motor vehicle operators and pedestrians that might lead to accidents or traffic congestion, enhance and preserve the natural scenic beauty or aesthetic features of highways, streets and adjacent areas and beautify the community by removing obstructions to light, air and open space.

(A) *Definitions.* Specific definitions of types of signs and related terminology is contained in the definitions of sign above.

(B) *General provisions.* All signs shall comply with the following.

(1) *Traffic.* No advertising sign shall interfere with motorists' vision, nor simulate traffic control or emergency vehicle lighting.

(2) *Hazard and directional signs.* Signs less than four square feet in area, consisting of arrows, name and colors of the business, graphics or such words as "Step", "Fire", "Escape", "Danger" or similar symbols, shall not be included in computing maximum allowable sign area.

(3) *Illumination.*

(a) No sign lighting is allowed which switches on and off intermittently, changes intensity and/or color or otherwise creates an illusion of flashing or movement;

(b) All bare light bulbs, except bulbs less than 15 watts, shall be directed toward the face of the sign;

(c) Signs within 50 feet of a residential district shall be shielded from casting glare into the district; and

(d) Signs within residential districts shall be shielded from casting illumination into residences within 100 feet.

(4) *Height, setback and location.*

(a) A projecting wall sign shall project no more than five feet from a building, have bottom ten feet (minimum) above grade and top 25 feet above grade or height of the building, whichever is lower and have no exposed guy wires;

(b) Free-standing signs, awning signs, canopy signs, marquee signs and temporary signs shall have a minimum setback of ten feet from the street curb, and shall not be installed within, nor project into the vertical plane of, the street right-of-way;

(c) Fascia signs may project no more than 18 inches from a wall, and extend no more than 18 inches above the parapet, eaves or building facade;

(d) Roof mounted signs may project no more than ten feet above the highest point of the roof or parapet;

(e) Combination roof/wall mounted signs must comply with points of divisions (B)(4)(a) and (d) above;

(f) No sign shall be attached to or obstruct any fire escape or opening intended as a fire fighting point of ingress or egress, interfere with any opening required for legal ventilation or prevent free passage from one part of a roof to another;

(g) Street furniture, such as benches, waste receptacles, fountains and the like shall not be used for advertising purposes; and

(h) When a sign extends over sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least eight feet above the ground.

(5) *Construction of signs.* All permanent signs shall conform to International Building Code

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and National Electrical Code requirements as to design, materials, support, installation, fixtures and wiring. Specifically, all permanent signs must be able to withstand a pressure of 24 pounds per square foot, which is equivalent to 110 mph wind. The Administrator may require certification by an engineer when he or she is uncertain that the proposed method of construction is adequate.

### (C) Administration and enforcement.

(1) *Sign permit required.* Except for signs described in division (D)(1) below, a permit must be obtained prior to placing a sign within the city limits:

(a) A new petition for a sign permit must be obtained if an owner wishes to alter a sign for which a permit has been issued;

(b) At the time of passage of this chapter, the existence of a permanent sign not conforming to these regulations constitutes a vested right; however, the sign shall not be replaced if removed or renovated at a cost over 50% of the sign replacement cost, except that it be replaced in conformity with these regulations;

(c) A temporary sign shall be allowed only once, and only for 30 days, to advertise the establishment of a new business. In addition, temporary signs are only allowed if the business has a new owner, or has changed its business name. Relocation of a business shall not qualify the business owner for a temporary sign. The temporary sign permit (protected from weather) shall be attached to the sign structure during its permitted use;

(d) Pennants or bench signs are prohibited; and

(e) *Portable signs.* Portable signs shall be permitted in the Commercial and Light Industrial zoning districts and shall comply with the following:

1. There shall be only one portable sign permitted per business.
2. The portable sign shall be located within ten feet of subject business entrance.
3. The portable sign shall not exceed 24 inches in width or 36 inches in height.
4. The portable sign shall be heavy enough or otherwise weighted to prevent being blown over.
5. The portable sign shall not be internally or externally illuminated.
6. The portable sign shall only be displayed during the hours of operation of the subject business and shall be removed daily after close of business.
7. The portable signs shall employ a high level of traditional design and material and shall not include reader boards, changeable letter copy, plastic or similar material.

(2) *Petition for sign permit.* A petition for the permit required by this section shall be filed with the Zoning Administrator, and prepared in the form required, to include a scale drawing of the proposed sign(s), a plat of the property the sign is to be located on or a rendering of subject building elevation, to illustrate proposed sign location(s).

(3) *Action on petition.* The petition shall be promptly investigated by the Zoning Administrator, and action taken for approval or denial.

(4) *Sign permit issuance, refusal or appeal.* If a sign is authorized as described in the petition, a sign permit will be issued. The permit expiration date of temporary sign permit will be indicated on the permit:

(a) If not authorized as described in the petition, the petitioner will be promptly informed; and

(b) Appeals of refused petition shall be made to the Zoning Board of Appeals.

(5) *Sign permit records.* A duplicate of the permit shall be attached to the petition and

maintained on file in the city offices.

(6) *Enforcement.* Violation of these sign regulations shall be a misdemeanor, punishable as described in division (C)(8) below and § 151.192.

(7) *Penalty.*

(a) *Abandonment.* Obvious lack of maintenance or abandonment shall be reported to the property owner by the Administrator, with a request for sign removal within 30 days. After 30 days, the city shall have the sign removed and the owner shall be responsible for expenses incurred.

(b) *Appeal.* Appeal of a decision by the Administrator that a sign has been abandoned shall be made to the Zoning Board of Appeals, who shall instruct the Administrator in writing of the disposition of the matter.

(8) *Fees.*

(a) Fees shall be paid upon filing a petition for a sign permit, in the amount established in the fee schedule on file in the City Clerk's office. Signs erected, or work begun, without obtaining a permit, shall be subject to penalty, as described in § 151.061;

(b) Signs in division (D)(1) below are exempt from fees, but shall conform in all other respects to these regulations; and

(c) A sign confiscated in violation of the city's sign ordinance may be reclaimed upon payment of a \$25 fee. Any sign confiscated by the city will not be kept more than 30 days from the date the sign was confiscated.

(D) *Regulations by zoning district.*

(1) *Residential.* Only the following signs are allowed in any residential district:

(a) One sign, no more than three square feet in area, attached to a rod or post not more than five feet high, or attached to the building, stating only the street number or occupants name, or both. Separate street numbers attached to the building shall not be included in computing sign area;

(b) One sign, bulletin board or entrance marker not exceeding 32 square feet in area for each church or institution, however, if building street frontage exceeds 100 feet, up to three signs may be placed, one sign per 100 feet of frontage, or portion thereof;

(c) One "For Sale", "Sold" or "For Rent" sign not over eight square feet in area, advertising the lot on which the sign is placed, for each licensed realtor listing the property, to be removed within 30 days after sale;

(d) One builder's or developer's sign not over 20 square feet in area, on a lot where the building is under construction, and one sign not over eight square feet per subcontractor, all to be removed within 30 days after project completion; and

(e) Subdivision entrance sign(s), to be approved as part of Planning Commission's subdivision review procedure.

(2) *Multi-Family, Business and Light Industrial.* Only the following signs are allowed:

(a) Signs allowed in division (D)(1) above, or, for any lot or parcel of two acres or larger and lots or parcels with a front footage exceeding 199 linear feet, one "For Sale", "Sold" or "For Rent" sign not over 20 square feet in area, advertising that lot or parcel on which the sign is placed. All signs are to be removed within 30 days after sale, rental or lease;

(b) One freestanding sign, no more than 50 square feet in area, nor exceeding ten feet height above grade, and of a monument design. A business may substitute a freestanding sign for one additional building sign, provided that the cumulative square footage does not exceed the maximum allowable area pursuant to division (D)(2)(d) below;

(c) Reader board signs may be mounted onto the free-standing sign provided that the signs have been approved by the Architectural Review Board for aesthetic purposes, the signs

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are within the 50 square feet limit and are permanently attached as close to the free-standing sign as possible in order to provide a unified appearance;

(d) The size, area and numbers of all signs to be located in Commercial and Light Industrial Districts of the city shall be governed by the following table. This shall include any combinations of building, projecting wall, painted wall and/or window, roof mounted, marquee or illuminated signs which are located interior to a business and visible from the exterior of a business establishment:

| <b><i>Distance From Front Property Line To Business Front:</i></b> | <b><i>Business Frontage</i></b> | <b><i>Total Area (Square Feet) Not To Exceed:</i></b> | <b><i>Total Number Of Signs Not To Exceed:</i></b> |
|--|---------------------------------|---|--|
| 0-99 feet  | 1                               | 200   | 2  |
| 100-399  | 1.5                             | 300   | 3  |
| 400 feet or more   | 2                               | 400   | 4  |

Note: The intent of this section is to not have a sign dominating the overall size of the building. Any sign is subject to the aesthetic review of the Architectural Review Board.

(e) A shopping center may erect a maximum of two freestanding signs with a maximum total area of one square foot per frontage foot, but not to exceed 500 square feet per sign. The freestanding sign(s) shall advertise the shopping center development, and are not considered in the requirements of division (D)(2)(d) above. Businesses located in established shopping centers are not authorized to erect freestanding signs;

(f) Petroleum product pumps and dispensers shall be permitted to display only information required by law and the brand name and type of product being dispensed. Height of letters for price and information shall not exceed six inches. Pump and dispenser signs shall not exceed ten square feet in surface area per side, and shall not exceed the face of the pump. Pumps and dispenser signs shall not be counted in the maximum number of building signs for a business; however, the designs of the signs shall meet with the approval of the City Planner;

(g) Gasoline canopy signs shall be subject to the maximum size and number of building signs for each business except height-warning signs;

(h) Holiday decorations such as Christmas lights and ornaments may be installed with the exception that the decorations cannot flash, and decorations shall contain no commercial copy or commercial graphics;

(i) Permanent signs on windows or doors (interior or exterior, or a combination thereof) shall not exceed 50% of the gross transparent area of any one window or door;

(j) Exterior vending machines, newspaper stands and telephone booths on the property shall not bear advertisements for the businesses and shall advertise only the products or services available from those machines or booths;

(k) Informational signs are permitted provided that no sign shall exceed six square feet. Informational signs shall not count toward the maximum number of signs allowable or the maximum allowable sign area;

(l) Special event sign/banner, professional in appearance that is intended to inform the public of a special event. An applicant is limited to two special event signs/banners during the calendar year and must obtain a permit from the Zoning Administrator. The sign or banner must be located on the property on which the event is being held and be germane to that event. Special event signs/banners are restricted to businesses, churches, schools and governmental entities and are subject to the following conditions:

1. Banners and special event signs do not include pennants, flags or bench signs;
2. Only one banner or special event sign is allowed for each business at any given time;
3. Banners and special event signs may be displayed up to a maximum of 30 days and no more than twice per year. The frequency of displaying banners by local municipal government entity shall be subject to the permission of the city. Applicants shall indicate on the permit the number of days for banners to be displayed;
4. Banners and special event signs shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement. Banners shall not be strewn between buildings or utility poles;
5. Banners and special event signs may be used as temporary signs for the opening of a new business, or to promote special events. Banners shall be treated as temporary in nature, and shall not be perceived as permanent signs;
6. Banners and special event signs are exempt from review by the Architectural Review Board;
7. The maximum size of a banner or special event sign shall be 50 square feet;
8. The design, colors and overall appearance of the banner or special event sign shall be subject to staff review and approval. Gaudy, distasteful or cluttered-looking banners shall not be permitted; and
9. Street banners as proposed for the city as part of the strategy of the Downtown Business District shall not be subject to the requirements of this section.

(m) Painted wall and/or window signs, signs painted directly on an externally visible wall or window (including glass doors) to advertise the business in the building may be allowed only in the commercial and light industrial zoning districts, subject to division (D)(2) above and upon approval by the Zoning Administrator. Painted wall or window signs may be allowed for the purpose of advertising nationally recognized trademarks or logos, or legitimate business names, but shall not display any other pictorial scenes, free-hand advertising creations, "sale" or pricing information. A permit for a painted wall or window sign shall be granted only upon presentation of a guarantee that the sign will be well-maintained, re-painted at intervals frequent enough to guarantee its professional appearance and painted over or removed upon cessation of the business at that location.

(E) *LED (light emitting diode) signs.* LED signs are permitted within the city under the following restrictions.

- (1) *Permitted locations.* Schools, places of worship and municipal complexes.
- (2) *Sign, style, height, width and setback.* The LED portion of the sign shall be integrated into a low profile monument sign with a brick or stone base. The sign shall not exceed eight feet in height and ten feet in width, including the base and all brickwork. The sign shall be setback with a minimum of ten feet from the front property line. The LED portion of the sign may display letters only, with a maximum of three lines of text. No characters are permitted.
- (3) *LED sign area.* The maximum area of the LED sign component shall not exceed 40 square feet or 50% of the total sign area, whichever is less.
- (4) *Color and brightness control.* Message copy shall be limited to one color, white or amber on a black background. The sign shall be equipped with photosensitive equipment which

automatically adjusts to the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

(5) *Minimum interval.* The sign may only display one new message per hour.

(6) *Movement restriction.* The use of animation, flashing, scrolling or blinking characters is prohibited.

(F) *Display of national, state and organizational flags.*

(1) Review, approval and permitting;

(2) A permit shall be required for the installation of all flag poles or flag display devices;

(3) Applicant must submit with the permit application a scaled site plan giving the location of flagpole(s) and complete dimensional and installation engineering data;

(4) Applicant must provide documentation of minimum clearance from electric, telephone or cable TV lines as certified by the proper utility prior to issuance of permit, or installation;

(5) Height of poles, types of flags, size flags and number of flags;

(6) The maximum height above grade for a ground mounted flagpole shall be 35 feet or 15 feet above the highest point of the roof or parapet of the building for roof/wall mounted installations;

(7) United States national flags, South Carolina state flags and approved organizational flags may be flown in accordance with accepted protocol, however, no flag may be flown except in conjunction with the national flag;

(8) No individual flag may exceed 50 square feet in area;

(9) No more than three flags may be displayed from a single pole or device; no more than three flags may be displayed on a single site, lot or parcel, whether on single or multiple poles;

(10) Inclement weather/hours of darkness display;

(11) All flags to be displayed must be maintained in a neat and clean condition, free of fading colors and/or frayed edges. Flags showing obvious signs of fading or wear will be immediately replaced; and

(12) Illuminated signs located interior to a business and visible from the exterior of a business establishment shall be included as part of the total square footage of signage authorized by division (D)(2) above.

(G) *Political signs and posters.* Political signs and posters promoting the candidacy of a person or persons for elected public office may be erected or posted within the City of Goose Creek 30 days prior to a general or special election. A candidate shall be limited to one political sign per lot, and signs shall be self supporting. It shall be the responsibility of the candidate for public office, whose name or advertisement appears on the signs and posters, to remove the same within 48 hours after the closing of the polls at the general or special election. Failure to remove the signs or posters constitutes a misdemeanor, and upon conviction, shall be punishable by fine not to exceed \$500 or 30 days of imprisonment. In no case shall political signs or posters be placed, erected or posted upon any public right-of-way, easement, tree or utility pole. Political signs shall be no larger than eight square feet in residential areas, and 32 square feet in commercial and light industrial areas. It is permissible for signage to appear on both sides of the sign.

(H) *Installation of signs in wetland.* In all zoning districts, the installation of signs in wetlands shall not be permitted except by governmental entities or with the permission of governmental entities.

(I) *Prohibited signs.* Except as may be hereinafter specifically permitted, it shall be unlawful after the effective date of this chapter, or amendment thereto, for any person to erect, place or use within the city, any of the following signs in addition to the requirements of this chapter:

(1) Off-premise signs;

(2) A sign which contains any moving, rotating, animated lights, visible moving or movable parts (with the exception of time and temperature signs), or giving the appearance of animation;

(3) Stationary or abandoned vehicle signs. The parking in public view of any vehicle not in operation condition or lacking current registration shall be prohibited;

(4) Any sign which emits a sound, odor or visible matter;

(5) Signs using the words "Stop", "Danger" or any word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver;

(6) Signs painted on or attached to trees, fences, rocks or natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare;

(7) Any sign towed behind a boat, raft, aircraft, helicopter or recreational vehicle;

(8) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects;

(9) Inflatable signs, including balloons;

(10) Streamers, ribbons, windblown propellers, strung light bulbs, pennants, bench or furniture signs; and

(11) Visible angle or other frames supporting projecting signs, roof and canopy signs, as well as chain supports are prohibited.

(1985 Code, Art. V, § 505) (Ord. 05-008, passed 7-12-2005; Ord. 05-018, passed 11-8-2005; Ord. 17-012, passed 5-9-2017; Ord. 18-018, passed 8-14-2018) Penalty, see § 151.999