



Zoning Board of Appeals Meeting

Wednesday, May 16, 2018

6:30 p.m.

City of Goose Creek
Marguerite H. Brown Municipal Center
Council Chambers
519 North Goose Creek Blvd.
Goose Creek SC



MEMORANDUM

TO: Members of the Zoning Board of Appeals
FROM: Kara Browder
Planning Director
DATE: May 9, 2018
SUBJECT: Notification of Meeting

This is to inform everyone that the next meeting of the Zoning Board of Appeals has been scheduled for **Wednesday, May 16th at 6:30.**

You will be asked to review the following application pursuant to your duties and powers as defined in Zoning Ordinance Section 151.171 below for properties located at Liberty Hall Road and Henry E. Brown Blvd., zoning classification General Commercial (GC), TMS# 244-00-00-065: Application for Conditional Use Permit.

§ 151.171 DUTIES AND POWERS.

(C) To permit conditional uses subject to the terms and conditions for the uses as set forth below. (See CONDITIONAL USE.) Conditional uses may be allowed after determination by the ZBA of additional controls required, and after the holding of a public hearing. A listed conditional use ([TSO III](#), Annexation B) is eligible for location within the subject zoning district, if all of the following conditions can be clearly demonstrated to exist:

- (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;
- (2) Vehicular traffic flow would not increase and pedestrian movement would 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;
- (4) Property values, general character and welfare of nearby areas will not be deteriorated;
- (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;

- (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;
- (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;
- (8) The proposed use complies with all applicable development standards of the city;
- (9) The proposed use 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;
- (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;
- (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;
- (13) The proposed use shall not destroy, create a loss or cause damage to natural, scenic or historic features of significant importance;
- (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;
- (15) The ZBA reserves the right to revoke any conditional use permit that it has issued if it determines that the applicant or operator has failed to maintain and conduct the use in accordance with the conditions imposed on the conditional use. The ZBA shall give the applicant written notice of its intent to revoke the conditional use permit, and, if within ten calendar days of receipt of the notice the applicant submits a request for a hearing to the Secretary, the ZBA shall schedule a public hearing and provide the applicant with the opportunity to be heard prior to deciding whether to revoke the permit;
- (16) The provisions for revocation of conditional use permits shall not be deemed to preclude any other legal remedy with respect to violation of the provision of this chapter or other rules and regulations of the city; and
- (17) In approving a conditional use, the Commission may impose the conditions and restrictions as in its opinion will accomplish the intent of this chapter.



**AGENDA
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
WEDNESDAY, MAY 16, 2018 6:30 P.M.
MARGUERITE H. BROWN MUNICIPAL CENTER
519 N. GOOSE CREEK BOULEVARD**

- I. Call to Order** –Chairman Butch Clift
- II. Roll Call** – Chairman Butch Clift
- III. Review of Minutes from**
- IV. Public Hearing** – Request for two Conditional Use Permits; one to modify a previous application located at Liberty Hall Road designated as TMS#244- 00-00-079, and the other for additional multi-family units with a mixed use located at Henry E. Brown Boulevard designated as TMS# 244-00-00-065.
- V. Comments from Board**
- VI. Comments from Staff**
- VII. Adjournment**

Please note this Agenda was posted at City Hall and on the City Website prior to meeting.

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
MARCH 28, 2018 6:30 P.M.
GOOSE CREEK MUNICIPAL COURTROOM
519 N. GOOSE CREEK BOULEVARD**

I. Call to Order – Chairman Clift called the meeting to order at 6:32 p.m.

Present: Butch Clift, Jason Dillard, Larry Monheit, Gerald Stinson, Thomas Volkmar
Absent: James Fisk
Staff Present: Kara Browder

II. Public Hearing – Application for Variance to Appendix D Zoning Districts of the City’s zoning ordinance for property at 435 Old Mt. Holly Rd., TMS #234-07-05-042

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

Chairman Clift opened the floor to Staff. Ms. Browder highlighted the location, the reason for the request, explaining part of the plant is within the City and the other portion is within the County. Mr. David Tracy, of JW Aluminum, and Chris Haynes of Davis and Floyd Engineering, presented the request to the Board. Mr. Tracy gave a brief history of the facility. He added the variance request was for internal property boundaries only and would only affect JW Aluminum, not the adjacent neighboring properties. Mr. Volkmar confirmed the boundaries, and setbacks would remain. Mr. Tracy agreed. There was discussion about some concerns of noise from the plant and buffering the property. Mr. Volkmar inquired to Staff about the buffers. Ms. Browder stated that they were working with the engineers about the buffer to the rear, and increasing the density of some areas. Mr. Tracy explained two phases for development; one being early site work (approved by Berkeley County and Goose Creek), and the other would consist of a finished site work package (currently in process with Goose Creek and the State).

Chairman Clift invited anyone to speak for or against the project. There were none.

Motion: Mr. Monheit made a motion to close the public hearing. Mr. Dillard seconded.

The Board discussed the location and the uniqueness of the site.

Chairman Clift opened the public hearing.

Motion: Mr. Volkmar made a motion to approve the application for a variance from the front and rear setback requirements to Appendix D, Zoning Districts of the City's zoning ordinance for the property located at 435 Old Mt. Holly Rd., TMS#234-07-05-042. Having found that the application satisfies the conditions set forth for variances as outlined in §151.171(C) of the seven criteria. Mr. Monheit seconded.

Discussion: There was none.

Vote: All voted in favor.

Chairman Clift stated the Board had approved the variance request.

III. Comments from the Board

There were none.

IV. Comments from Staff

Ms. Browder mentioned the recruitment for the vacancy on the Boards, and member training. There was a brief discussion about the buffers for the plant, and sound proofing the new facility.

V. Adjournment

Mr. Volkmar made a motion to adjourn. Mr. Stinson seconded. All voted in favor. The meeting ended at or about 6:57 p.m.

Butch Clift, Chairman

Date: _____, 2018