

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
APRIL 7, 2021 4:00 P.M.
MARGUERITE H. BROWN MUNICIPAL CENTER**

I. CALL TO ORDER

Chairman Clift called the meeting to order at 4:00 p.m. and initiated the Pledge of Allegiance.

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, Tom Volkmar, Gerald Stinson, James Fisk, Bakari Jackson
Absent: Larry Monheit, Jason Dillard
Staff Present: Planning and Zoning Director Mark Brodeur
Planning Technician Brenda Moneer

III. REVIEW OF MINUTES FROM FEBRUARY 1, 2021

MOTION: A motion was made to approve the February 1, 2021 minutes with correction regarding the date. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Fisk.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

Chairperson Clift made the decision to change the sequence of the agenda.

IV. PUBLIC HEARING: NEW BUSINESS

A. A REQUEST FOR A REAR BUILDING SETBACK VARIANCE FOR PARCEL IDENTIFIED AS TMS#235-10-04-023, LOCATED AT 168 VANGO DRIVE, GOOSE CREEK, SC.

MOTION: A motion was made to open the public hearing. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Stinson.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

Mr. Robert Hugo, owner of the parcel, spoke on behalf of his application. He is requesting a variance to encroach five (5) feet into the rear setback of the twenty (20) feet allowed. Mr. Hugo would like to construct a 10.3' (w) x 12.75' (d) building addition to be added onto the rear of the primary structure. He stated he will build this structure on the existing pad.

No one from the public spoke in favor or against the request. Board Member Volkmar reviewed the several criteria for a variance request with the applicant:

1. **There are extraordinary and exceptional condition pertaining to the particular piece of property:** Mr. Hugo stated his plan is to build the structure on the existing pad, he is not extending it over the pad.
2. **These conditions do not generally apply to other property in the vicinity:** Mr. Hugo stated there are a lot of porches that are built right on the pads.
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:** Mr. Hugo stated the pad that the builder poured when they built the house sits four (4) and ½ feet past the 20-foot set back.
4. **The authorization of the 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 granting of the variance:** Mr. Brodeur stated the city has not received communication in favor or opposed regarding this request.

The board decided this was poor planning on the builder and had no further questions for the applicant.

MOTION: A motion was made to close the public hearing. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Stinson.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

MOTION: A motion was made to approve the application for a variance request from the rear setback requirements to include the existing porch area, as requested, having found that the application satisfies four (4) criteria requirements set forth for a variance as outlined in section §151.171(c) of the Zoning Ordinance. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Stinson.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

MOTION: A motion was made to go into public session. **MOVED BY** Board Member Stinson. **SECONDED BY** Board Member Volkmar.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

V. PUBLIC HEARING: OLD BUSINESS

A. A REQUEST FOR A MULTI-FAMILY CONDITIONAL USE PERMIT FOR DEVELOPMENT OF PARCELS IDENTIFIED AS TMS#243-08-06-001/002/003/004/005 LOCATED OFF OF MARILYN STREET, GOOSE CREEK, SC.

Mr. Brodeur presented staff report. He stated this is the second time this item has come before the board as last time we did not have a quorum. Staff believes the proposed use of multi-family housing may be an appropriate conditional use for this property. He stated the property is zoned General Commercial (GC) and allowed uses in this zoning include vehicle repair shops, used auto sale shops, body and fender shops, emergency medical care, funeral homes and or gas stations. Mr. Brodeur stated those uses are permitted by right, meaning the establishment of their use is not at the discretion of a board or staff. He stated the ZBA may attached any conditions it feels appropriate, and staff has suggested conditions in this report. Mr. Brodeur stated at the last meeting the ZBA requested a traffic impact analysis to be completed by the applicant. Mr. Brodeur stated staff has reviewed the analysis. He stated the conclusion of that report is that the proposed project would generate less traffic than many of the uses that are permitted by right in the GC zone. He stated staff suggest the ZBA grants the conditional use with the following conditions.

1. Use a durable brick or stone waterboard around the base of the building (all sides).
2. Require the use of a very durable exterior wall surface that is low in maintenance such as a horizontal fiber cement siding or better.
3. The use of hip and gable roof forms shall be expressed on the building. A single hip roof is unacceptable.
4. Require the use of covered porch entries that extend outward from the façade.
5. Require the submittal of a landscape plan to City staff for review and approval by the Director.
6. Provide covered parking for all of the spaces (60) away from the building island/lease office.
7. Work with SCDOT to install a four-way stop at the corner of Marylin and Francis streets.
8. Provide a five-foot wide concrete sidewalk along Francis and Marilyn Street.

9. Enclose dumpster with six-foot masonry walls to match the perimeter wall.

Mr. Matt Sotirolou, the applicant, stated his takeaway from the last meeting was the neighborhood's concern with traffic. He stated he had a traffic study done and it concluded that his proposed use of multifamily would significantly produce less traffic than it is currently zoned. He stated the engineer came back with a weekday daily number of 330 trips. He stated as a comparison, the development alternative for a general office would produce 400 daily trips; a medical office would produce 1310 trips, and a free-standing discount store would produce 2550 trips a day. He stated this was favorable information.

Mr. Sotirolou called the Goose Creek Police department and asked them to provide collision data for the past ten (10) years of that area. He stated there was eleven (11) collisions over that time period and one (1) was a car vs. pedestrian collision.

Mr. Sotirolou stated another concern the board had was regarding a crosswalk. He stated he did start a conversation with SCDOT. He gave SCDOT's permitting department his information and they said they would consider a four-way stop. He stated SCDOT stated it looks good to have a crosswalk installed across Carolina Ave.

The board reviewed all the information the applicant provided and inquired what Mr. Sotirolou would do regarding separating the property. Mr. Sotirolou stated he would install a six-foot-high fence. He stated the affordability aspect of what we are trying to build is being encroached by the upgrades and stipulations staff has outlined. He stated having to do hardy plank, brick, and now being advised to cover sixty (60) or more spaces add to the cost of the total project. He stated this is causing issues with making it affordable. He stated hardy plank and covered parking is pretty tough to work with in this unit size. The original plan would have been a high-quality vinyl. The cost difference between hardy and vinyl is about \$80,000 as hardy has to be painted.

Mr. Sotirolou stated a compromise was made between him and staff to have the interior walkways be vinyl and the exterior be hardy. He stated it was agreed upon that the fence be wood. Mr. Sotirolou stated Ring doorbells will be included for security and the company Aldolase agreed to manage the current FARMS property as well as this proposed property.

The board required a fence to be installed around the retention pond. The board inquired if section eight would be allowed. The applicant stated it depends on the budget. He stated if we could afford to have units set aside to do that, then we will.

One person from the audience spoke in favor of the request.

Mr. Brodeur stated staff suggested approving the project with the condition's outlined in staff report but with modifications. The modified conditions are outlined in the motion.

MOTION: A motion was made to close the public hearing. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Stinson.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

MOTION:

A motion was made to approve the CUP for a multi-family development for the parcels identified as TMS#243-08-06-001/002/003/004/005 located off of Marilyn Street, Goose Creek, SC having found the application satisfies the fifteen criteria for a conditional use permit as outline in section 151.71 (c) of the zoning ordinance with the following conditions to be added:

1. Use a durable brick or stone waterboard around the base of the building (all sides). A waterboard is the lowest portion of the exterior wall from the ground upward to a maximum height of 42 inches.
2. Require the use of a very durable exterior wall surface that is low in maintenance such as a horizontal fiber cement siding or better. The use of T111 or vinyl is prohibited.
3. The use of hip and gable roof forms shall be expressed on the building. A single hip roof is unacceptable.
4. Require the use of covered porch entries that extend outward from the façade. To add architectural interest and provide weather protection.
5. Require the submittal of a landscape plan to City staff for review and approval by the Zoning Administrator.
6. Continue to work with SCDOT to install a four-way stop at the corner or crosswalk and Marylin and Francis streets.
7. Provide a five-foot wide concrete sidewalk that is ADA compatible along Francis and Marilyn Street.
8. Enclose dumpster with six-foot masonry walls to match the project wall.
9. Install four-foot fencing around the retention pond.

MOVED BY Board Member Volkmar. **SECONDED BY** Board Member Fisk.

DISCUSSION:

None

VOTE:

All in favor (5-0). Motion carried.

MOTION:

A motion was made to open the public hearing. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Fisk.

DISCUSSION:

None

VOTE:

All in favor (5-0). Motion carried.

VI. CLOSING REMARKS AND ADJOURNMENT

Mr. Brodeur stated the comp plan will go to City Council for review and approval later this month.

MOTION: A motion was made to adjourn. **MOVED BY** Board Member Fisk.
SECONDED BY Board Member Fisk.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

The meeting ended at 4:53 p.m.

_____ **Date:** _____, **2021**
Butch Clift, Chairman