

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
AUGUST 30, 2016 6:30 P.M.
GOOSE CREEK MUNICIPAL COURTROOM
519 N. GOOSE CREEK BOULEVARD**

I. Call To Order – Vice Chairman Volkmar called the meeting to order at 6:30 p.m.

Present: Jason Dillard, James Fisk, Ralph Hayes, Larry Monheit, Gerald Stinson,
Thomas Volkmar
Absent: Butch Clift
Staff Present: Sarah Hanson

II. Review of Minutes from February 18, 2016 Meeting

Motion: Mr. Monheit made a motion to approve the minutes as written. Mr. Fisk seconded.

Discussion: There was none.

Vote: All voted in favor. (6-0)

III. Public Hearing – Request for Variance to Section 151.082(F) of the City’s zoning ordinance, requiring that all buildings be placed on a lot located on an existing publicly maintained paved street, in regard to TMS#244-01-01-059, Auto Supply Drive

Vice Chairman Volkmar opened the public hearing, and administered the testimony oath to all who were present to speak on behalf of or against the application for the public hearing.

Motion: Mr. Monheit made a motion to open the public hearing. Mr. Fisk seconded.

Vote: All voted in favor. (6-0)

Vice Chairman Volkmar opened the discussion to Staff. Ms. Hanson explained the applicant, Mr. Bob Glover, is requesting the Board review the requirements for section 151.082(F). She stated the language and requirements of this section, and also for Appendix B and D. She added that curbing and curb cuts shall comply with the standards of the South Carolina Department of highway and public transportation. She described the location of the property to be on Auto Supply Drive, and presented a satellite view, highlighting the vacant parcels and a significant area of wetlands. Ms. Hanson noted the property Mr. Glover wishes to use is the vacant wooded lot next to the wetlands, with a dirt drive extending from the paved drive is currently the only access to this property. There was some discussion about the property being located at the end of the road.

Ms. Hanson stated it is Staff's opinion that the potential for additional development of property beyond the two existing buildings is very slim, with the only potential being for the eventual redevelopment of the existing properties. She added that Staff believes at the time of redevelopment it will be essential to improve the means of access to these properties; however, until that time, the need for the drive to be improved beyond providing paving for safe and reasonable access is negligible. Ms. Hanson suggested in the event of an approval of the variance request a condition be considered which would require that Auto Supply Drive be improved to meet the City zoning ordinance, and if redevelopment of the existing properties is initiated with Auto Supply Drive as an access. She added that if the other parcels were redeveloped as a whole, then it would be Staff's recommendation that Auto Supply Drive be required to be improved if it would be used as the access for the new development. Ms. Hanson noted that if the redevelopment access was located off of Hollywood Drive it would be a mute point. She also mentioned that if this variance is granted it would run with the land. She added that if the properties are developed as a whole, instead of piece meal, Staff suggested a requirement be added for the entire road to be paved and improved. Ms. Hanson mentioned if the variance presently requested is approved it would not supersede that requirement. Staff had no objection to the variance request.

There was some discussion in regards to the property and the history of the property being subdivided and recorded. Ms. Hanson pointed out that the variance requested is only for the wooded parcel to the south end of Auto Supply Drive. There was a brief discussion about the owners maintaining the Auto Supply Drive access road, and the CSX recorded easement agreement granting the owners access as Auto Supply Drive.

Mr. Glover, the property owner, introduced himself to the Commission and described the property identified as TMS#244-01-01-059, along with the portion of wetlands located to the south of the property. There was discussion about the property, and if it contains wetlands on the property. Mr. Glover detailed the property, including the area to the ditch. Mr. Monheit inquired about the length of the timeline of the CSX agreement. There was some discussion about the agreement, with no specifics of the timeline given.

Vice Chairman Volkmar inquired if Mr. Glover wished to state the reasons he felt the variance met the four criteria. Mr. Glover stated the following as his response to the four criteria: 1) The extraordinary and exceptional conditions of the property are that it narrows this piece of property at the dead end because of the wetlands making it extraordinary, with the exceptional condition being the fact that nothing will be built beyond that parcel unless the wetlands law is changed. 2) These conditions do not apply to the other properties because they are already developed, and have been grandfathered in with curb cuts and driveways. 3) If no one can build on the property, it is almost rendered as useless. 4) The granting of the variance will not detrimentally affect the neighboring properties, because it will clean up the property with a modern day office facility.

Vice Chairman Volkmar stated for the record there was no other public in attendance. He opened the floor to the Board for questions to the applicant and Staff. Mr. Monheit inquired with Staff if the road is currently paved. Ms. Hanson stated it is paved until it reaches this parcel. There was discussion about the type of traffic that the proposed business would create. Mr. Glover stated it would be an office located for a landscape company, and would not have heavy

customer traffic. Mr. Stinson inquired to Staff if the City would be liable if there is damage to a vehicle. Staff stated not if the City does not own the road. Ms. Hanson added that the City would require the owner to do some improvements in order to access that property. There was inquiry if Staff had seen any conceptual plans of the elevations. Staff stated not at this time, and the owner would be required to submit a preliminary set of plans to Staff, and go before the ARB (Architectural Review Board) for approval.

Vice Chairman Volkmar inquired if Staff had additional information to summarize. Ms. Hanson stated Staff feels the request does meet the four criteria. Vice Chairman Volkmar inquired if Mr. Glover had any comments to add. Mr. Glover stated that he hoped the other property owners would help fix the pot holes and improve the access road.

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

Vote: All voted in favor. (6-0)

Discussion: Vice Chairman Volkmar opened the floor for discussion amongst the Board members. There was discussion in regards to the specifics as to the four requirements being met, and concerns in regards to the existing road being in disrepair.

Motion: Mr. Fisk moved to approve the application for the variance to Section 151.082(F) of the City's zoning ordinance, designated as TMS#244-01-01-059, located on Auto Supply Drive, having found that the application meets the conditions set forth for variance guidelines as per the zoning ordinance: the conditions surrounding the property are extraordinary; the conditions surrounding the property are unique and do not adversely affect properties within the area, the use of the property may be uncommonly restricted, and the development of the property will not adversely affect the adjacent properties and or the public good. Mr. Stinson seconded the motion.

Discussion: Acting Chair Volkmar suggested adding specifics to the four criteria.

Motion: Mr. Fisk amended his motion to include the conditions around the property in question are extraordinary, noting that other properties surrounding this property do not have the same situation as far as the availability of access or lack thereof, these conditions do not apply to other properties surrounding it, and with approval of this variance request the property and surrounding properties will benefit with the improvement. Mr. Stinson seconded.

Vote: All voted in favor. (6-0)

IV. Comments from the Board

There was none.

V. Comments from Staff

Ms. Hanson mentioned training for the year was in the planning stages, and would be in touch with members to see what dates would work best. She updated the Board with the new development within the City.

VI. Adjournment

Mr. Hayes made a motion to adjourn. Mr. Monheit seconded. All voted in favor. The meeting ended at or about 7:23 p.m.

Thomas Volkmar, Vice Chairman

Date: _____, **2016**