



Zoning Board of Appeals Meeting

Thursday, January 21, 2016

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: Sarah Hanson

DATE: January 14, 2016

SUBJECT: Notification of Meeting

This is to inform everyone that the next meeting of the Zoning Board of Appeals has been scheduled for Thursday, January 21, 2016.

You will be asked to review the following variance requests pursuant to your duties and powers as defined in Zoning Ordinance Section 151.171 below for property located at 116 Gavins Way, Falling Leaf at Montague Point, zoning classification Medium Density Residential (R2), TMS# 235-05-09-009: Request for Variance to Front Setback Requirement.

§ 151.171 DUTIES AND POWERS.

(A) To hear and decide appeals where it is alleged there is error in an order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this chapter.

(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.



**AGENDA
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
THURSDAY, JANUARY 21 2016 6:30 P.M.
MARGUERITE H. BROWN MUNICIPAL CENTER
519 N. GOOSE CREEK BOULEVARD**

- I. Call to Order –Chairman Butch Clift**
- II. Review of Minutes From December 14, 2015**
- III. Public Hearing – Request for Variance to Front Setback Requirement at 116 Gavins Way, Falling Leaf at Montague Point (TMS# 235-05-09-009)**
- IV. Comments from Board**
- V. Comments from Staff**
- VI. 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
DECEMBER 14, 2015 5:30 P.M.
GOOSE CREEK MUNICIPAL COURTROOM
519 N. GOOSE CREEK BOULEVARD**

I. Call To Order – Chairman Clift called the meeting to order at 5:30 p.m.

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

II. Review of Minutes from October 28, 2015 Meeting

Mr. Fisk recused himself from voting on the minutes since he was not present at the meeting.

Motion: Mr. Monheit made a motion to approve the minutes as written. Mr. Hayes seconded.
Discussion: There was none.
Vote: All voted in favor. (5-0)

III. Discussion – Schedule January meeting date Conditional Use Permit (CUP)

A date of January 26th was set by the Board for the CUP public hearing.

IV. Reorganization of Board – Election of Chairperson and Vice Chairperson for calendar year 2016

Motion: Mr. Monheit made a motion to continue with officers Butch Clift as Chairperson and Tom Volkmar as Vice Chairperson of the ZBA for the 2016 calendar year. Mr. Stinson seconded.
Discussion: There was none.
Vote: All voted in favor. (6-0)

V. Discussion – Current City Business

Chairman Clift inquired about training for 2016. There was some discussion about possible training options to provide to the Board.

Ms. Hanson informed the Board of the current and upcoming commercial and residential projects within the City. There was some discussion about the new upcoming phases in Carnes and Liberty Village. There was also discussion about the Henry Brown Boulevard extension starting the first of the year. Ms. Hanson mentioned the commercial development for Carnes.

VI. Comments from the Board

Mr. Stinson inquired about the progress of the rooftop screening for the Walmart Neighborhood Market on St. James Avenue. Staff stated it had been completed.

VII. Comments from Staff

Ms. Hanson thanked the members for their time and service to the ZBA for the year.

VIII. Adjournment

Motion: Mr. Volkmar made a motion to adjourn. Mr. Stinson seconded.
Vote: All voted in favor.

The meeting ended at or about 5:52 p.m.

_____ **Date:** _____, **2016**
Butch Clift, Acting Chairman



CITY OF GOOSE CREEK LAND USE APPLICATION

TODAY'S DATE: 12/16/15

PART I. PURPOSE OF SUBMITTAL

- Site Plan, Subdivision Plan, Plat Review, Variance, Rezoning, Conditional Use Permit

PART II. GENERAL INFORMATION

- Development Name: MONTAGUE POINTE
Street Address: 116 GAVINS WAY
TMS #: 235 - 05 - 09 - 009
Zoning Classification: R-2
Requested Classification: (For rezonings only)
Total Site Acres: 1.85

GOOSE CREEK ZONING DISTRICTS
CO. Conservation Open Space
LI. Light Industrial
R-1. Residential Low Density
R-2. Residential Medium Density
R-3. Residential High Density
GC. General Commercial
NC. Neighborhood Commercial
RC. Restricted Commercial
PD. Planned Development
PD-MH. PD for Mobile Home

PART III. CONTACT INFORMATION

Owner/Developer Name: WILLIAM HERRING - HUNTER QUINN HOMES
Street Address: 220 CHURCH ST STE 102 City: MT. PLEASANT St: SC Zip: 29464
Telephone: (843) 277-6226 Cell Phone: Fax:
E-mail Address: WHERRING@HUNTERQUINNHOMES.COM

PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: NEW RESIDENTIAL CONSTRUCTION
Proposed Total Building Area (gross sq. ft.): 8,065.40 STRUCTURE -- 2150 SQFT
Max. Building Height: 21' - 2 3/4" Total Number of Buildings/Units/Lots: 1
Is The Property Restricted by Any Recorded Covenant Which Conflicts With or Prohibits The Proposed Use: NO

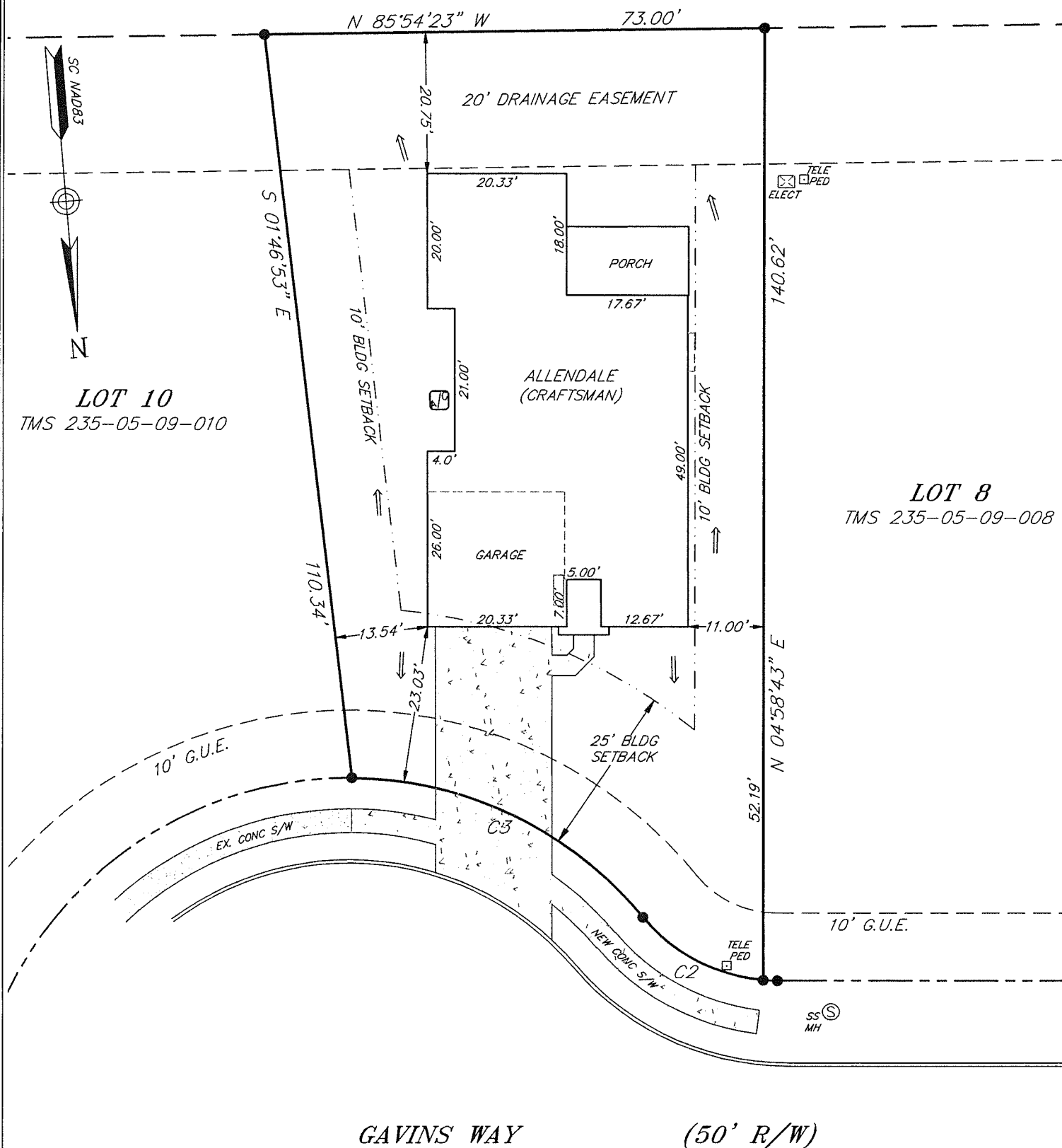
AGENT WAIVER

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: WILLIAM HERRING Date: 12/16/15
Signature: [Handwritten Signature]

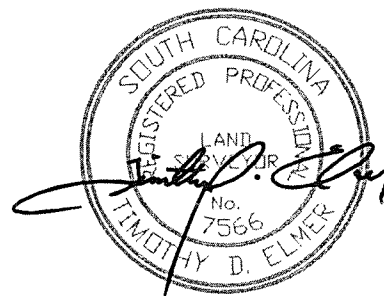
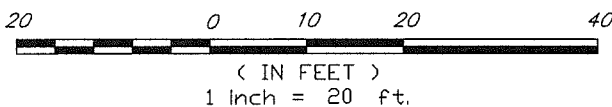
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CH BEARING	CHORD
C2	25.00'	46°39'32"	20.36'	10.78'	N 57°01'59" W	19.80'
C3	55.00'	50°53'01"	48.84'	26.17'	S 59°08'43" E	47.26'

TMS 235-00-00-024



LOT 9
 8,065.40 sq. ft.
 0.185 acre
 TMS 235-05-09-009

LOT COVERAGE:
 HOUSE & CONC 35%



**PLOT PLAN SHOWING LOT 9 116 GAVINS WAY
 FALLING LEAF at MONTAGUE PLANTATION
 LOCATED IN THE CITY OF GOOSE CREEK, BERKELEY COUNTY, S.C.**

DATE: DECEMBER 15, 2015 SCALE: 1" = 20'

REFERENCE: PLAT CABINET M, PAGE 135-H
 FLOOD ZONE: X, PER F.I.R.M. COMMUNITY PANEL 45015C 0595 D, EFFECTIVE OCTOBER 16, 2003

NOTE: NO TREES ARE ON THIS LOT

TIM ELMER RLS, LLC. TEL: (843) 482-0795
 407 COTTON HOPE LANE FAX: (843) 482-0796
 SUMMERVILLE, SC 29483 TDElmer1@aol.com

X:\Residential\Montague Pointe\Plot Plan\Gavins Way 116 Lot 9\dwg\Gavins 116 Lot 9 (2).dwg