

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
October 4, 2017 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 6:32 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, James Fisk, Ralph Hayes, Larry Monheit, Gerald Stinson, Thomas Volkmar
Absent:	None
Staff Present:	Kara Browder, Brenda Moneer

III. PUBLIC HEARING: REQUEST FOR VARIANCE FROM FRONT SETBACK REQUIREMENTS FOR THE PROPERTY LOCATED AT 103 WATERSTONE WAY, DESIGNATED AS TMS 234-10-01-039.

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.

Ms. Browder stated the applicant request a variance from the front setback of the property located at 103 Waterstone Way. She stated the City's Zoning Ordinance requires a thirty (30) foot front set-back and the applicant is requesting a setback of twenty-five (25) feet. Ms. Browder presented a copy of the permit to each board member which was originally submitted with stairs encroaching into the front setback by five (5) feet. She stated it was explained to the applicant that there was a setback requirement. The applicant then provided a revised site plan that met the setback requirement.

Mr. Richard Dresel Jr., the applicant, stated his full intention was to meet the setback requirements as he presented to the Board the revised site plan. He stated due to an error in measurement, he is requesting a variance of an additional five (5) feet. He stated the packet presented to the ZBA includes photos of multiple homes that have encroached into the thirty (30) foot setback in his neighborhood. Ms. Browder stated the photos that Mr. Dresel presented are homes located on Loganberry Circle. She stated City staff researched homes on Waterstone Way to which all met the thirty (30) foot setback.

Mr. Dresel stated the extraordinary condition for the variance is that he needs stairs to get into the front porch. He stated he does not feel it affects other properties on his street. Board Member Volkmar stated that Mr. Dresel was aware of the encroachment because he modified the original set of plans.

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

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

Discussion occurred amongst board members.

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

Discussion occurred between the Board and Mr. Dresel regarding a discrepancy of the number of stairs on the different site plans. Mr. Dresel stated the numbers on paper are guidelines.

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

Discussion occurred amongst board members.

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

MOTION: A motion was made to deny the application variance for the front and rear setback requirements of the residential structure for the property located at 103 Waterstone Way, TMS 234-10-01-039; having found that the application did not satisfy the four (4) criteria requirements as set forth for the variance outline in section § 151.171(C) of the Zoning Ordinance. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Monheit.

DISCUSSION: None

VOTE: All in favor (7-0), none opposed. Motion carried.

IV. 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, FOR THE PROPERTY DESIGNATED AS TMS 244-01-01-059, AUTO SUPPLY DRIVE.

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.

Ms. Browder stated this request is for a variance to section § **151.082** DESIGN STANDARDS (F)(1) No building shall be placed on a lot not located on an existing publicly maintained paved street. She stated this property is located on Auto Supply Drive. She stated the same request came before the board in August of 2016 by a different applicant. Ms. Browder stated this request comes before the board a second time in reference to section § **151.174** DECISIONS OF THE ZBA (B)(3) Upon approval of an application for the appeal, the applicant shall apply for occupancy or construction permits within sixty (60) days after the ZBA's decision. She stated the original applicant did not apply for a construction permit within that sixty (60) days which is why the new applicant, Phoenix Landscaping of Charleston Building, is making this request.

Mr. Trey Linton with Forsberg Engineering spoke on behalf of the owner Phoenix Landscape Management. Mr. Linton stated it is their view that this property meets the full requirements that would result in an unnecessary hardship. Mr. Linton stated it is their understanding that this property previously received a variance for the same section in the Ordinance. He stated the paved road currently ends prior to their property. He stated it is part of the owner's future plans to extend Auto Supply Drive with asphalt pavement to the site. Mr. Linton stated without a variance; this piece of property would be unusable hence the applicant considers to be an extra ordinary circumstance.

Mr. Linton stated this project will be completed in a timely manner as plans have already been submitted to the Planning Commission and Berkeley County Stormwater. Board Member Hayes inquired if the applicant would be responsible for all future upkeep of that piece of property. Ms. Browder stated yes that is correct.

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

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

Discussion occurred amongst board members.

BOARD MEMBER VOLKMAR MADE A MOTIONED TO OPEN THE PUBLIC HEARING. BOARD MEMBER HAYES SECONDED. ALL IN FAVOR, NONE OPPOSED. MOTION CARRIED.

MOTION: A motion was made to approve the variance request for the access road for the property located at TMS 244-01-01-059, Auto Supply

Drive; having found that the application satisfies the criteria requirements set forth in the variance as outline in sectioned § 151.171 (C) of the Zoning Ordinance with the following condition; the developer will extend the access road to provide access to the site and maintain that road. **MOVED BY** Board Member Volkmar **SECONDED BY** Board Member Monheit.

DISCUSSION: None

VOTE: All in favor (7-0), none opposed. Motion carried.

V. PUBLIC HEARING: REQUEST FOR VARIANCE FROM BUFFER REQUIREMENTS AND SIGN HEIGHT REQUIREMENTS FOR THE COMMERCIAL DEVELOPMENT FOR THE PROPERTY DESIGNATED AS TMS #234-00-00-047, PLANTATION NORTH BOULEVARD.

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.

The applicant requests a sign variance for the Goose Creek Village project. Ms. Browder stated the proposed development is considered a Shopping/Commercial Center in accordance with section §151.028 DEFINITIONS OF WORDS AND TERMS. Shopping/ Commercial Center is a Business Use of land which locates two or more separately licensed businesses on a common parcel or parcels sharing access. She stated there are different sign requirements for shopping centers. She stated the applicant will go through the process to secure a sign permit and will have to appear before the Architectural Review Board (ARB). Ms. Browder stated if the ZBA agrees that this property is defined as a shopping center, this request is not needed at this time.

The applicant had nothing to present.

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

Discussion occurred amongst board members. It was stated no vote was needed since this request was not applicable.

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

Mr. Gary Berenyi (Owner) and Mr. Dean Cooper (Senior Engineer) with Hoyt and Berenyi introduced themselves. Chairman Clift stated the applicant is requesting a variance of section §155.085 (correct section in Ordinance is §151.085) which requires a Buffer 3 between General Commercial (GC) and Residential High Density (R3) zones for developments that are larger than

five (5) acres. He stated the applicant is requesting a variance to reduce the width requirements of Buffer 3 from fifty (50) feet to thirty-four (34) feet between this GC zoned property and the adjoining R3 zoned property to the west.

Ms. Browder stated the applicant is requesting a variance for the side buffer. Mr. Cooper stated there are several reasons for this request. He stated on the south half of the property there are wetlands and a flood plain that consumes over half of the property . He stated this does not allow us to utilize the property to it's fullest potential. He stated that forces the development to spread further in an east west fashion. Mr. Cooper stated without this variance approximately twenty (20) parking spaces and close to a thousand (1000) square feet of building number one (1) would be lost. He stated there is an existing vegetated row that is along the west side that would not be touch as it provides a very good screen. Mr. Cooper stated there is also a very large drainage ditch between us and the neighboring property. He stated there are physical barriers that currently exist, and they can certainly meet all the landscaping requirements to provide the necessary screening and landscaping within buffer.

Board Member Monheit inquired if the applicant was aware that wetlands existed on the property when it was purchased. Mr. Cooper stated yes. Board Member Hayes suggested that building number one (1) be shifted. Mr. Berenyi stated it is more complex than moving buildings. He stated the property is an old fill site. He stated they have done test bits down to twelve (12) feet and discovered trees and vegetation in that depth. He stated this site will have to be mucked out six (6) feet and then new material must be brought back onto this site. He stated this is why the density currently laid out in the plan makes it work. Mr. Berenyi stated there are five (5) new restaurants coming into this development to which leases have already been signed. He stated additionally we are working with the City to develop the round about to be a historical element which requires the parking that is shown around the traffic circle.

Mr. Berenyi stated the existing buffer will not be impacted. He stated the landscape plan is to add to the buffer located on the edge. He stated the wetland will not be impacted. Board Member Volkmar inquired if Mr. Berenyi would be okay if a condition was added to increase a physical barrier that would make up the fifteen (15) feet. Mr. Berenyi stated absolutely. Board Member Monheit expressed his concerns with this development being close to residential homes regarding lighting and noise. Mr. Berenyi stated they met the parameters of the Architectural Review Board (ARB) with low density lighting. He stated the standard buffer requirement for a commercial development is typically ten (10) to fifteen (15) feet to which they will provide thirty-six (36) feet.

Ms. Janet Driggers of Westminster Heights stated she is concerned with the additional flooding, noise, and traffic this development will bring. She stated she is not comfortable with this development. Board Member Volkmar stated that having this development may help with the drainage as the developer would need to stabilize this issue. Board Member Monheit inquired if the ditch behind the Walmart is on the developer's property. Mr. Cooper stated half is on the property and the other half is on the residential side. Mr. Cooper stated it is a drainage easement maintained by the county.

Mr. Berenyi stated the back of the development is on the flood plain. He stated everything behind it towards the wetland cannot be above existing grade because it would affect the flood way. He stated everything being done is down stream from the upstream drainage ditch, and with a little maintenance the drainage will improve. Board Member Volkmar inquired about a physical barrier. Mr. Berenyi stated he would propose an opaque fence along the backside of the parking area in order to keep the existing vegetative buffer that is there. He stated if the fence is moved closer to the drainage easement it would be difficult to maintain the drainage easement.

Mr. James Fields of Westminster Heights shared his concern with drainage and stated he wants as much buffer as possible between anything commercial and residential. He stated he wants restaurants in the City but does not want the restaurants on top of him.

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

Discussion occurred amongst board members.

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

MOTION: A motion was made to approve the application for the variance from the western setback requirement for the development as discussed for the property located at TMS 234-00-00-047 Plantation North Blvd; having found that the application satisfies four (4) criteria requirements set forth for the variances outline in section §151.171(C) of the Zoning Ordinance with the following conditions; a ten (10) foot opaque sound dampening barrier with additional plantings be installed on the western property boundary to enhance the buffer that is being reduced from fifty (50) feet to thirty-four (34) feet. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Monheit.

DISCUSSION: None

VOTE: Board Member Hayes, Board Member Dillard, Board Member Fisk, Board Member Monheit, Board Member Stinson and Board Member Volkmar voted in favor. Chairman Clift opposed. Motion carried. (6-1)

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

Chairman Clift stated the Public Hearing will be closed for five (5) minutes.

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

VI. PUBLIC HEARING - APPLICATION FOR CONDITIONAL USE PERMIT FOR A PROPOSED MULTI-FAMILY HOUSING/MIXED USE DEVELOPMENT FOR THE PROPERTY DESIGNATED AS TMS#235-01-01-053, LOCATED AT THE CORNER OF HWY. 52 AND MONTAGUE PLANTATION ROAD.

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.

Ms. Browder stated this request came before the Board in May of 2017 and was disapproved by a vote of three (3) to three (3). She stated the applicant worked to address the concerns the Board and the public expressed including adding a secondary entrance to Medway Road. She stated City staff determined the addition to this second point of ingress/egress would allow them to be furthered considered by the ZBA in accordance with section § 151.174 DECISIONS OF THE ZBA (C)(1) The new plans materially change the nature of the request. She stated the proposal is for mixed use with 15.78 acres of multi-family development along with 11.67 acres of commercial use. Ms. Browder stated the multi-family portion will consist of twelve (12) multi-family buildings for a total of two hundred and eighty-eight (288) units, a clubhouse with pool, and associated residential garages and maintenance structures. She stated the commercial development layout includes a grocery store with retail space, office space, bank and other commercial outparcels. She stated the City of Goose Creek's Comprehensive Plan recommended this area to be a neighborhood mixed use.

Ms. Sarah Stewart with Dogwood Engineering stated these changes were in direct response to the desire expressed here for more commercial options in the area. She stated in accordance with the Zoning Ordinance conditions, and the concerns of the citizens, they have provided the following property buffers:

- Northern property line Buffers: 30' Class I Buffer will have existing undisturbed vegetation. Where existing vegetation in buffers is disturbed or deemed to have insufficient screening, buffer will have supplemental plantings to obtain a planted screen of a minimum of four (4) canopy trees, six (6) understory trees and fifteen (15) shrubs per a hundred (100) feet. Buffer will have privacy screening fence for adjacent single-family parcels.
- Eastern property line Buffers: 30' Class II buffer will have existing undisturbed vegetation. Where existing vegetation in buffers is disturbed or deemed to have insufficient screening, buffer will have supplemental plantings to obtain a planted screen of a minimum of five (5) canopy trees, seven (7) understory trees and twenty (20) shrubs per a hundred (100) feet.
- Western property line Buffers: 30' Class II buffer will have existing undisturbed vegetation. Where existing vegetation in buffers is disturbed or deemed to have insufficient screening, buffer will have supplemental plantings to obtain a planted screen of a minimum of five (5) canopy trees, seven (7) understory trees and twenty (20) shrubs.
- Southern property line shared with Monarch Townhomes will have a landscaped berm.

She stated they are providing buffers to address issues of noise, lighting, dust, nuisance, and fences. She stated regarding ingress/egress points of the site they proposed the following:

- Proposed multi-family development will be accessed from the existing Orangetip Drive roundabout.
- Any new driveways to Montague Plantation Road may be proposed as part of future commercial development and would have to be approved at such time. They will not be apart of the multi-family project.
- Provide a future access to Medway Road which will give an alternative to the Montague Plantation Road and Highway 52 intersection for residents going to the North.
- Provide a connection between the multifamily and commercial development so that anybody going to the multifamily directly to the future commercial has direct access and will not go onto Montague Plantation Road.

Ms. Stewart stated the site plan is in accordance to the City of Goose Creek's Comprehensive Plan, Zoning Ordinance, and other local rules and regulations. She provided the following summary:

- Parking quantity has been provided per requirements listed in the City's Zoning Ordinance (2 spaces per unit).
- 3.18 acres of open space provided per number and size of proposed units. Open space to be improved per requirements listed in Ordinance including walking trails, clubhouse, grilling stations, dog parks, landscaping, and swimming and recreational area. All open space areas are defined on provided site plan. Site to be landscaped with native species and plants of interest.
- Proposed units and unit size meet the City's required site area density calculations.
- Proposed to save two hundred and fifty (250) trees on site which is higher than the required twelve (12) trees per acre listed per Ordinance.
- Site is planned to accommodate fire and trash collection vehicle.
- Provided Storm pond locations to provide stormwater quality and quantity treatment.
- The current site will provide a nice transition from future commercial on the corner to multi-family, to townhomes then to single family.
- The project has received a "Willingness to Serve" to Letter from Goose Creek Public Works and will connect to existing water and sewer services currently located in roundabout at Orangetip Drive.
- Site lighting will be designed to not shine directly in adjoining properties or create a traffic hazard by means of glare.

Ms. Stewart stated, to help them adequately address the ZBA's concerns they brought in Mr. Jim Rozier. She stated Mr. Rozier was the Berkeley County Supervisor for sixteen (16) years and served four (4) years as a South Carolina Department of Transportation (SCDOT) Commission Chairman. She stated he also served on the State Infrastructure Bank Board. She stated Mr. Rozier specifically helped them explore and address the major issues brought up in the last meeting including traffic, school, growth and safety.

Mr. Rozier stated he met with Berkeley County to discuss the plans for Montague Plantation Road. He stated the plan is to widen the road and install right, left and center lanes on both sides. He stated these plans are already drawn and funded. He stated he also discussed with Berkeley County the railroad crossing. He stated currently there is only one (1) way in and one (1) way out from the Highway 52 side. Mr. Rozier suggested making Medway Road an ingress/egress for the community. He stated Berkeley County is in favor with that idea. He stated in cooperation with Berkeley County and the developers, the road will be built to allow access at one train crossing when the other is occupied by an oncoming train.

Mr. Rozier stated the Mevers School of Excellence has housed six hundred and sixty (660) students from kindergarten to sixth grade. He stated this has helped with the overcrowding of public schools. Mr. Rozier stated that seventh and eighth grade will be added in the next couple of years; this will continue to assist with the overcrowding of public schools. He did state the Mevers School of Excellence does not provide bus transportation.

Mr. Rozier stated that Berkeley County has done a good job bringing jobs into this community. He stated that if jobs are continually being brought in, a variety of housing will need to be provided. He stated Dogwood Engineering has listened and addressed all the previous concerns.

Board Member Stinson inquired if the second entrance on Medway Road was already funded. Mr. Rozier stated not at this point. A representative with the townhomes stated they would build the connection to Medway Road when they put in the next phase. Mr. Rozier stated this plan satisfies the City's Comprehensive plan.

Ms. Stewart stated a requirement for the Conditional Use Permit (CUP) was that this development does not increase traffic. She presented a memo from Short Engineering & Consulting, LLC, a traffic and transportation engineering firm, that detailed different traffic scenarios for the current proposal, commercial and apartment potential, and commercial and hotel potential. The traffic study found the least number of trips was generated under the current proposal.

Ms. Stewart stated the future commercial development will bring needed services and retail that the nearby community currently lacks. She stated after studying the Goose Creek Comprehensive Land Use Plan, she feels this project speaks directly to the needs identified for this community for diverse house options and infield redevelopment and development. Board Member Hayes inquired when this project will be complete. Mr. Clark Steward stated the project will not begin for another twelve (12) months and he estimated between eighteen (18) to twenty-four (24) months to complete. Mr. Clark could not provide a timeline for the commercial development. He stated the commercial development might not happen without the apartments.

Ms. Calveda Ricitelli of Coker's Crossing shared her concern about overcrowded schools and traffic.

Mr. Ken Lawrence of Brickhope Plantation shared his concerns about the widening of the roads and traffic.

Mr. John Peters of Coker's Crossing shared his opposition about Medway Road.

Mr. Frank Vallie of Coker's Crossing Subdivision shared his concerns regarding the quantity of units and the strain it will put on the Police Department. He also shared his concerns regarding traffic. Ms. Sara Steward stated she spoke with Fire Chief Steve Chapman and he confirmed that existing emergency services can easily serve the proposed development.

Ms. Mary Reilly of Brickhope Plantation stated that the one (1) cent sales tax went to Volvo. She inquired as to what is the difference between this proposal and the last. Board Member Stinson stated the second exit on Medway and the County's verification of widening the road is the only difference. She stated she does not feel this development is in the best interest of the community.

Ms. Shannon Thompson of Medway Landing shared her concerns regarding the overcrowding of schools and traffic.

Mr. Joe Stern of Coker's Crossing stated he would like to see the roads built first before bringing in the development. Board Member Monheit stated the City does not own the roads. Mr. Stern shared his concerns regarding traffic.

Board Member Hayes stated he appreciated everyone's personal stories but requested for future meetings the public print the thirteen (13) criteria's the ZBA must follow in order to vote. He stated the public can make comments regarding how the agenda items do not meet those criteria. He stated the Board's role is not to tell the developers what they can and cannot build. He stated the requests either meets the thirteen (13) criteria's or it does not.

Mr. Fred Roles of Sophia Landing inquired if this plan has taken into consideration the widening of Montague Plantation Road. Board Member Hayes stated yes.

Mr. Bradley Moore of Royal Oaks stated he feels the property value will decrease as these apartments are located next to a train track.

Ms. Stewart summarized that they addressed each of the thirteen (13) criteria's specifically and brought on new team members to make sure all concerns were addressed.

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

Discussion amongst board members occurred.

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

MOTION:

A motion was made to approve the application for the Conditional Use Permit (CUP) for the property located at TMS 235-01-01-053 located at the corner of Highway 52 and Montague Plantation Road. Having found that the application satisfies the thirteen (13) criteria set forth for the conditional permit as outline in sectioned § 151.171 DUTIES AND POWERS (C) of the Zoning Ordinance were the 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; having found that vehicular traffic flow would not increase significantly beyond that of the designated General Commercial (GC) use; having found that the off-street parking and loading, and ingress/egress points of proposed uses will be adequate as to location, capacity and design; having found that the property values, general character and welfare of nearby areas will not be deteriorated; having found that the proposed use shall be in accordance with the purpose and intent of the city's Comprehensive Plan, Zoning Ordinance and other rules and regulations; having found that he proposed use shall be compatible with the existing neighborhood character and be consistent with the character and purpose of the applicable zoning district; having found that 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; having found that the proposed use complies with all applicable development standards of the city; having found that the proposed use is not detrimental to the public health, safety or general welfare of the city and its citizens; having found that 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 as compared to that of GC zoning; having found that 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 as compared to those of GC zoning; having found that 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; having found that the proposed use shall not destroy, create a loss or cause damage to natural, scenic or historic features of significant importance. **MOVED BY** Tom Volkmar **SECONDED BY** James Fisk.

DISSCUSSION:

None

VOTE:

Board Member Volkmar and Board Member Fisk voted in favor. Chairman Clift , Board Member Dillard, Board Member Hayes, Board Member Monheit, Board Member Stinson all opposed (2-5). Motion did not carry.

VII. APPROVAL OF MINUTES:

MOTION: A motion was made to accept the Zoning Board of Appeals (ZBA) Minutes from the August 2, 2017 meeting. **MOVED BY** Board Member Volkmar **SECONDED BY** Board Member Monheit

DISCUSSION: None

VOTE: All in favor (7-0), none opposed. Motion carried.

VIII. Comments from the Board:

No Comments from the board.

IX. Comments from Staff:

Ms. Moneer stated everyone on the board will need to complete a three (3) hour training session which will be forth coming.

X. Adjournment:

Board Member Monheit made a motion to adjourn. Board Member Dillard seconded. All voted in favor. The meeting ended at 9:40 p.m.

_____ **Date:** _____, **2019**
Butch Clift, Chairman