



THE CITY OF
GOOSE CREEK

BERKELEY CO. **EST. 1961** SO. CAROLINA

ZONING BOARD OF APPEALS
THURSDAY, DECEMBER 13, 2018

6:30PM

MARGUERITE BROWN MUNICIPAL CENTER
CITY HALL COUNCIL CHAMBERS
519 N. GOOSE CREEK BLVD.
GOOSE CREEK, SOUTH CAROLINA

MEMORANDUM

TO: MEMBERS OF THE ZONING BOARD OF APPEALS

FROM: BRENDA M. MONEER
PLANNING TECHNICIAN

DATE: DECEMBER 4, 2018

SUBJECT: MEETING NOTIFICATION – REQUEST FOR A CUP ALONG MONTAGUE PLANTION RD.

WHEN: THURSDAY, DECEMBER 13, 2018

WHERE: CITY HALL COUNCIL CHAMBERS

This is to remind everyone that the next meeting of the Zoning Board of Appeals is scheduled for Thursday, December 13, 2018, at 6:30 p.m. at City Hall.

You will be hearing a request for a Conditional Use Permit. Please see the enclosed staff report for the details and ordinance criteria for granting a CUP. Also the Board will be electing Chair and Vice Chair for the 2019 Calendar year.

Should you have any questions or comments prior to Tuesday's meeting, please don't hesitate to contact myself (x.1116) or Daniel Moore, Interim Planning Director(x.1112) at 843-797-6220.



CITY OF GOOSE CREEK
ZONING BOARD of APPEALS

AGENDA

THURSDAY, DECEMBER 13, 2018, 6:30PM
MARGUERITE BROWN MUNICIPAL CENTER
CITY HALL COUNCIL CHAMBERS
519 N. GOOSE CREEK BLVD.

- I. Call to order – Chairman Butch Clift
- II. Roll Call – Chairman Butch Clift
- III. **PUBLIC HEARING** – Request for a Conditional Use Permit for a Townhome Development located off Montague Plantation Road (TMS# 235-06-02-070).
- IV. **END OF YEAR BUSINESS** – Elect Chair and Vice Chairman for the 2019 Calendar year.
- V. **COMMENTS FROM THE BOARD**
- VI. **COMMENTS FROM STAFF**
- VII. **ADJOURNMENT**



Public Hearing

Request for a Conditional Use Permit
for a Townhome Development located
off Montague Plantation Road

Property Identified as TMS#235-06-02-070



CITY OF GOOSE CREEK LAND USE APPLICATION

TODAY'S DATE: 10/22/2018

PART I. PURPOSE OF SUBMITTAL

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

PART II. GENERAL INFORMATION

- 1. Development Name: Montague Plantation
2. Street Address: Montague Plantation Road
3. TMS #: 235 - 06 - 02 - 070
4. Zoning Classification: PD
5. Total Site Acres: 1.977

Table with 2 columns: Zoning District Name and Description. Includes CO, LI, R-1, R-2, R-3, GC, NC, RC, PD-MH.

PART III. CONTACT INFORMATION

Owner/Developer Name: Southwind Homes LLC
Street Address: PO Box 94, City: Sullivans Island, St: SC, Zip: 29482
Telephone: 843-860-4955, E-mail Address: freeman@mysouthwindhome.com

PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: Fee Simple Townhomes, Single family attached
Proposed Total Building Area (gross sq. ft.):
Max. Building Height: Total Number of Buildings/Units/Lots: 2 buildings
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: W. Freeman Barber, Jr., Date: 10/24/18
Signature: [Handwritten Signature]



STAFF REPORT FOR THE CITY OF GOOSE CREEK ZONING BOARD OF APPEALS

For reference, the City of Goose Creek Code of Ordinances are available online at
<https://www.cityofgoosecreek.com/government/code-ordinances>

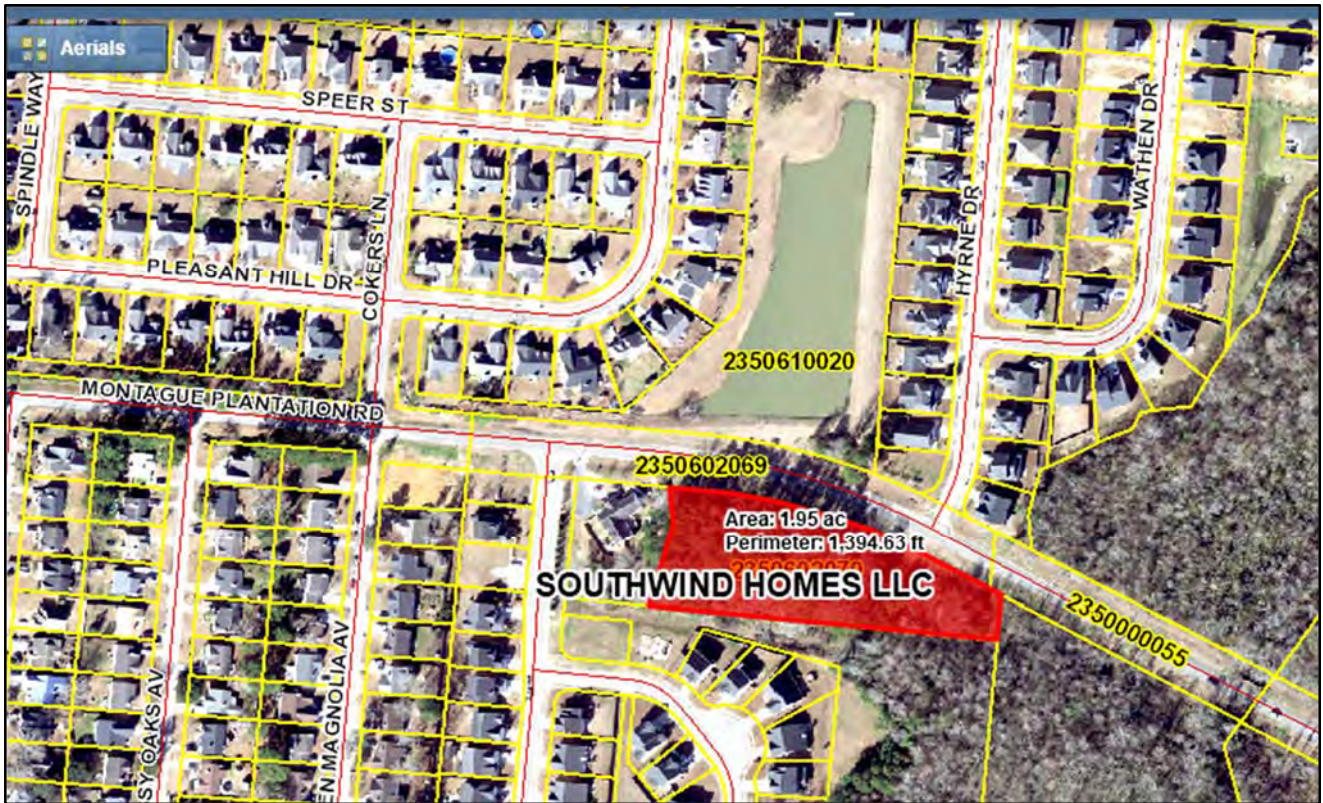
Agenda Item	
Request #:	To be determined
Applicant:	W. Freeman Barber, Jr.
Location/Address:	Montague Plantation Road
Property Owner:	Southwind Land Development LLC
Tax Map Number:	235-06-02-070
Plat Book & Page:	CAB S-259B Berkeley County GIS
Current Zoning:	Planned Development (PD)

Description of the request
The applicant is requesting to construct a townhome development consisting of 12 townhome units on approximately 1.97 acres along Montague Plantation Road.

Zoning Ordinance Reference
The applicant is making his request in accordance with the Brickhope Development Agreement Extension.

Property Zoning to the:		Property Uses to the:	
North:	Residential Medium Density (R2)	North:	Residential Single Family Neighborhood
South:	Planned Development (PD)	South:	Residential Single Family Neighborhood
East:	Residential Low Density (R1)	East:	Residential Single Family Neighborhood
West:	Planned Development (PD)	West:	Current Child Care Facility with a CUP

Aerial Map



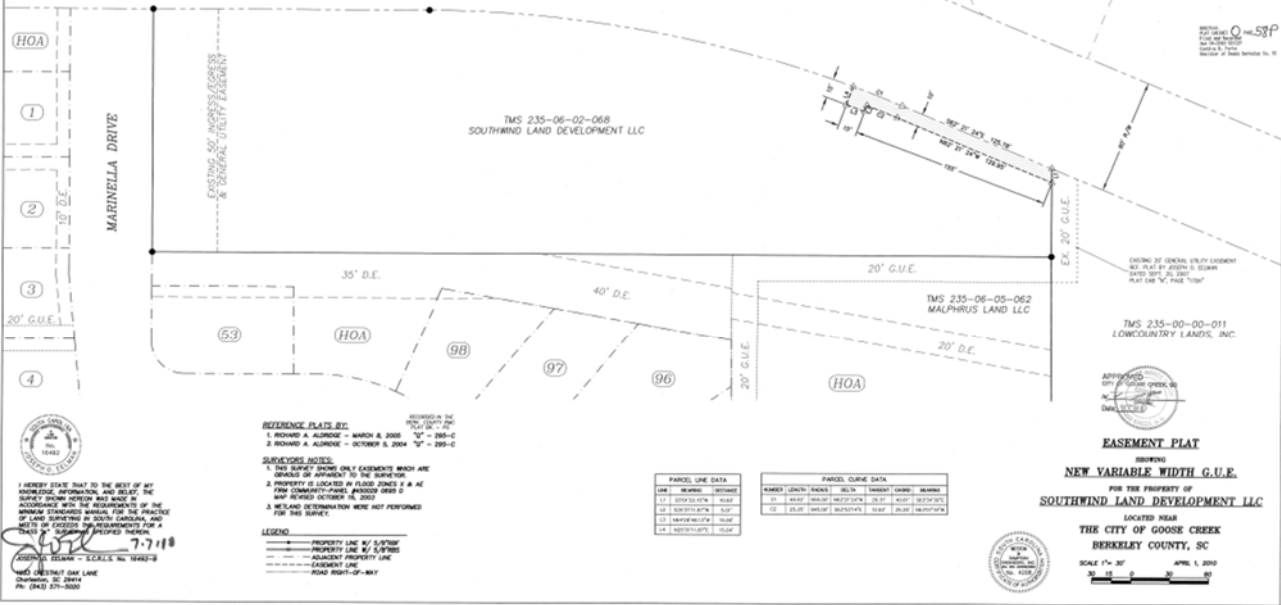
Zoning Map



RECORDED PLAT



LOCATION MAP



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANNUAL STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND THAT NO UNLAWFUL IMPROVEMENTS FOR A ROAD OR EASEMENT WERE PROVED THEREON.

7-7-10

CHARLES EDWARDS - SCALE NO. 10482-9
 10482
 10482
 CHARLES EDWARDS, INC.
 CHARLESTON, SC 29414
 PH. (843) 577-5555

REFERENCE PLATS ETC.

1. RICHARD A. ALFORD - MARCH 8, 2008 "0" - 285-C
 2. RICHARD A. ALFORD - OCTOBER 8, 2008 "0" - 286-C

SURVEYOR'S NOTES:

1. THIS SURVEY SHOWS ONLY EASEMENTS WHICH ARE SHOWN AS ATTACHED TO THE SURVEY.
 2. PROPERTY IS LOCATED IN FLOOD ZONES 1 & A2. FIRM CONVEYANCE-PANEL PARCEL DATA IS MAP REVIEWED OCTOBER 16, 2007.
 3. NO CLEAR INFORMATION WERE NOT PERFORMED FOR THIS SURVEY.

LEGEND:

— PROPERTY LINE OF A/R/W/ST
 — PROPERTY LINE N/W/S/R/W/ST
 — ADJACENT PROPERTY LINE
 - - - EASEMENT LINE
 - - - ROAD RIGHT-OF-WAY

PARCEL LINE DATA

LINE	BEARING	DISTANCE
L1	S79°33'15" E	104.00
L2	S10°11'00" E	104.00
L3	S89°48'45" E	104.00
L4	N89°48'45" E	104.00

PARCEL CURVE DATA

ARC	CHORD	BEARING	CHORD BEARING	CHORD DISTANCE
C1	104.00	S79°33'15" E	S10°11'00" E	104.00
C2	104.00	S10°11'00" E	S89°48'45" E	104.00
C3	104.00	S89°48'45" E	N89°48'45" E	104.00



EASEMENT PLAT

SHOWING
NEW VARIABLE WIDTH G.U.E.
 FOR THE PROPERTY OF
SOUTHWIND LAND DEVELOPMENT LLC

LOCATED NEAR
THE CITY OF GOOSE CREEK
BERKELEY COUNTY, SC

SCALE 1" = 30'
 APRIL 1, 2010
 30' 0" 30' 0" 30' 0"

CONDITIONAL USE PERMIT

According to § 151.171 DUTIES AND POWERS of the Zoning Board of Appeals as contained in the City of Goose Creek Zoning Ordinance:

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 (Appendix 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 ZBA may impose the conditions and restrictions as in its opinion will accomplish the intent of this chapter.