

**MINUTES
CITY OF GOOSE CREEK
ZONING BOARD OF APPEALS MEETING
MAY 24, 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, Larry Monheit, James Fisk, Bakari Jackson
Absent: Jason Dillard, Sarina Freinle
Staff Present: Planning and Zoning Director Mark Brodeur
Planning Technician Brenda Moneer

III. REVIEW OF MINUTES FROM APRIL 07, 2021

MOTION: A motion was made to approve the April 7, 2021 minutes as presented. **MOVED BY** Board Member Volkmar. **SECONDED BY** Board Member Fisk.
DISCUSSION: None
VOTE: All in favor (5-0). Motion carried.

IV. PUBLIC HEARING: NEW BUSINESS

- 1. 2021-032 CUP: CAROLINA AVENUE (TMS#243-08-05-009/-010) CONDITIONAL USE PERMIT FOR APARTMENTS CONSISTING OF 1 BUILDING WITH 20 UNITS (GLOUCORE LLC) (GC).**

The applicant was not present. The board moved on to the next item on the agenda.

- 2. 2021-033 CUP: FOXBOROUGH HOUNDS RUN II – TOWNHOMES (TMS#234-11-04-020) CONDITIONAL USE PERMIT FOR 15 TOWNHOMES (STEPHEN VAUGHN)**

Chairman Clift read the public hearing request, gave testimony of oath to those parties to speak for or against the request, and opened the public hearing.

Mr. Brodeur presented staff report. He stated the property owner, Steven Vaughn, is appearing before the Zoning Board of Appeals (ZBA) for a Conditional Use Permit (CUP) to construct fifteen (15) townhome units in the Residential High Density (R-3) zoning district along St. James Avenue.

Mr. Brodeur stated the parcel is approximately an acre and the number of units being proposed is consistent with the table in the Zoning Ordinance for multi-family uses. He stated R-3 is an appropriate zoning designation for multi-family uses in most cities; unfortunately, in the City of Goose Creek, it still requires the owner to obtain a CUP to construct townhomes.

Mr. Brodeur stated at this point, the applicant has not fully developed site plans and architectural elevations for Hounds Run. Since this is a conditional use, the ZBA may place conditions of approval on the ultimate development of the site. Staff has the following recommendations for conditions of approval.

1. Any access to St. James Avenue is taken through existing curb cuts. No new curb cuts along St. James Avenue shall be allowed.
2. If parking is to be located between the dwellings and St. James Avenue (as shown on Plat), then a 20-foot-wide landscaped buffer shall be installed to meet the buffer requirements.
3. All required parking shall not utilize paved surfaces from adjacent sites to maneuver unless a reciprocal access agreement is executed.
4. The applicant shall state for the record what the "Future Development" site has, if any, to the relationship with subject site.
5. Direct the applicant to return with plans, specifications, and architectural drawings for approval by the Zoning Administrator.

Mr. Vaughn stated he bought this property in 1993 from the bank. It was sold to him at an auction based on a pad ready site. At the time, the site had everything including the striping for the parking spots. He stated water, sewer, sidewalks, and curb cuts are already in. He stated this property has sat since 1993 and now we are choosing to move forward. He stated he does not have the plans as he has someone interested in purchasing the property. He stated he thought it was premature for the interested party to invest in plans before a conditional approval from the ZBA was made. He stated we are not changing the use.

Chairman Clift clarified that the applicant is requesting permission for the new owners to build town homes on this site. Mr. Vaughn stated yes. The board discuss their concerns regarding the changing of building codes in the last thirty (30) years. The board stated it will be difficult to decide without knowing what will be built on the site. The board reviewed the seventeen criteria for a CUP that Mr. Vaughn submitted with his application.

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:** Structures will adhere to minimum setbacks which will sufficiently protect adjacent properties from adverse influence of items listed. Natural

buffer exists along Saint James Avenue / Highway 176, and a combination of natural and planted buffer exists along Brush Boulevard. Both buffers have existed for many years and will effectively screen the newly constructed structures.

2. **Vehicular traffic flow would not increase, and pedestrian movement would not be diminished or endangered: ingress and egress roads placed away from the intersection of Carolina Ave/Marilyn street to reduce potential impact of additional traffic flow:** Two points of ingress / egress were originally designed and installed for this development; therefore, traffic flow and pedestrian movement would not be adversely impacted.
3. **Off-street parking and loading, and ingress/egress points of proposed uses will be adequate as to location, capacity, and design:** Parking is in accordance with city ordinance guidelines: 35 spaces based on 9' x 18' parking stalls.
4. **Property values, general character and welfare of nearby areas will not be deteriorated:** Construction of the new townhouses will increase the property value of existing townhouses and be built in a manner complementary to the existing townhouses. Additionally, the overall appearance will be improved with all driving and parking areas being re-asphalted. The completion of this townhouse project would alleviate issues with this developed land that is currently susceptible to litter, loitering, trespassers, etc.
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.** The completion of this development would address a need for more townhouses within the city limits while affording an additional tax base for the city.
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:** The property is zoned R-3 and has already been approved by the City of Goose Creek. The project is in conformity with permissible structures to be built in a R-3 district, and the townhouses are being built in a townhouse only development that conforms to the general character of the existing townhouses.
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:** The project is compatible and in line with existing buildings—which are townhouses.
8. **The proposed use complies with all applicable development standards of the city:** Complies with the City's development standards.
9. **The proposed use is not detrimental to the public health, safety or general welfare of the city and its citizens:** The use does not pose a threat to public health, safety, or general welfare, but does in fact offer additional housing opportunity to the public in an additional form in short supply. Additionally, the site offers emergency personnel two routes of ingress / egress to the property.

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:** The configuration of the project accounts for the necessary parking lot size and number of parking stalls to mitigate the above factors.
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:** The parking and pedestrian traffic is contained within the development. Curb and sidewalk have already been installed from the City's approval of the plat. Sidewalks giving access to residents and emergency personnel to each townhouse.
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:** Existing buffers will screen between properties and mitigate above factors. Exterior lighting installed will only be lighting to illuminate the townhouses' entry doors as required by building code. Such lighting does not produce enough lumens to create vehicular glare factors or infringe on adjacent zoning districts.
13. **The proposed use shall not destroy, create a loss, or cause damage to natural scenic, history features of significant important:** There are not any such features on the property.

Board Member Volkmar stated the City is requesting five (5) additional conditions that Mr. Brodeur mentioned in his staff report. Board Member Volkmar reviewed these additional conditions with Mr. Vaughn. No one from the public spoke in favor or in opposition of the request.

MOTION:

A motion was made to approve the CUP for a multi-family development for the parcels identified as TMS#234-11-04-020 having found the application satisfies the thirteen (13) criteria for a conditional use permit as outline in section 151.171 (c) of the zoning ordinance with the following conditions to be added:

1. Any access to St. James Avenue is taken through existing curb cuts. No new curb cuts along St. James Avenue shall be allowed.
2. If parking is to be located between the dwellings and St. James Avenue (as shown on Plat), then a 20-foot-wide landscaped buffer shall be installed to meet the buffer requirements.
3. All required parking shall not utilize paved surfaces from adjacent sites to maneuver unless a reciprocal access agreement is executed.
4. The applicant shall state for the record what the "Future Development" site has, if any, to the relationship with subject site.
5. Direct the applicant to return with plans, specifications, and architectural drawings for approval by the Zoning Administrator.

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

DISCUSSION: None

VOTE: Board Member Clift, Board Member Volkmar, Board Member Monheit and Board Member Jackson voted in favor. Board Member Fisk opposed. Motion carried (4-1).

V. CLOSING REMARKS AND ADJOURNMENT

Mr. Brodeur stated he will direct the applicant that did not show today to reschedule.

MOTION: A motion was made to adjourn. **MOVED BY** Board Member Monheit. **SECONDED BY** Board Member Fisk.

DISCUSSION: None

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

The meeting ended at 4:37 p.m.

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