



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 www.cityofgoosecreek.com/government/code-ordinances

| Agenda Item | |
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| Applicant: | Samurai Judo & Jujitsu Academy |
| Location/Address: | Corner of Hollywood Drive and Blossom Street |
| Property Owner: | Mr. Ricky Herndon |
| Tax Map Number: | 235-13-03-043 |
| Plat Book & Page: | CAB Q, Page 130J |
| Current Zoning: | Restricted Commercial (RC) |

| Description of the request |
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| The applicant is requesting a 7' relief from the 15' landscape buffer requirement. Currently the proposed |
| building meets the setback requirements as per Appendix "D" of The City Zoning Ordinance. |

| Zoning Ordinance Reference | | | |
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| The applicant is making this request in accordance with Section 151.171 DUTIES AND POWERS (D) "In exercising the | | | |
| above powers, the ZBA may, in conformity with the provisions of this chapter, reverse or affirm, wholly or in part, or | | | |
| may modify this order, requirements, decisions or determination, and to that end shall have all the powers of the | | | |
| officer from whom the appeal is taken, and may issue or direct the issuance of a permit. The ZBA, in the execution | | | |
| of the duties for which appointed, may subpoena witnesses and in case of contempt may certify the fact to the | | | |
| circuit court having jurisdiction". | | | |
| Property Zoning to the: | | Property Uses to the: | |
| North: | Goose Creek - Medium Density Residential (R-2) | North: | Developed – Single-Family Residential |
| South: | Goose Creek – General Commercial (GC) | South: | Auto Supply Drive |

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|--------------|---|--------------|---------------------------------------|
| East: | Berkeley County - Low-Density Residential (R-1) | East: | Developed – Single Family Residential |
| West: | BL – Blank; Railroad | West: | Railroad right of way |

Aerial Map



Zoning Map



| History of Property | | |
|----------------------|--------------------------------------|------------|
| Date | Type of Request | Decision |
| March 13, 2018 | Annexation | Annexed |
| June 12, 2018 | Rezoning from CO to RC | Rezoned |
| April 8, 2019 | Variance Public Hearing – ZBA | TBD |

| Staff Comments |
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| The applicant annexed the property into the City in March of 2018 under the Parent TMS#235-13-03-021 with the intent to subdivide into three parcels; with two of the three properties on Blossom Street used as residential (R-2), and the corner property on Hollywood Dr. and Blossom St. to be utilized as Restricted |

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| Commercial (RC). The property has been assigned the address of 101 Hollywood Drive, with the |
| assigned tax map number of #235-13-03-043. The applicant has proposed the structure to front Hollywood |
| Drive and has a contingent approval from the Architectural Review Board pending the ZBA granting the |
| requested variance to provide a 7' relief from the required 15' buffer on the northern property boundary. |

| VARIANCE |
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| According to § 151.171 DUTIES AND POWERS of the Zoning Board of Appeals as contained in the City of Goose Creek Zoning Ordinance: |
| 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: |
| <input type="checkbox"/> (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property; |
| <input type="checkbox"/> (2) These conditions do not generally apply to other property in the vicinity; |
| <input type="checkbox"/> (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; |
| <input type="checkbox"/> (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; |
| <input type="checkbox"/> (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; |
| <input type="checkbox"/> (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; |
| <input type="checkbox"/> (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. |