



THE CITY OF  
**GOOSE CREEK**

BERKELEY CO. EST. 1961 SO. CAROLINA

**ZONING BOARD OF APPEALS  
TUESDAY, JUNE 15, 2021**

**PUBLIC MEETING: 5:00 PM**

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

# MEMORANDUM

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**TO:** MEMBERS OF THE ZONING BOARD OF APPEALS

**FROM:** LILI ORTIZ-LUDLUM, ADMINISTRATIVE ASSISTANT

**DATE:** June 9, 2021

**SUBJECT:** MEETING NOTIFICATION

**WHERE:** CITY HALL COUNCIL CHAMBERS

This is to remind everyone that the next meeting of the Zoning Board of Appeals is scheduled for Tuesday, June 15, 2021 at 5:00 p.m. at City Hall.

Please review the enclosed packet. Should you have any questions or comments prior to Monday's meeting, please do not hesitate to contact Brenda Moneer, Planning and Zoning Technician (x1116) or Mark Brodeur, Planning and Zoning Director(x.1118) at 843-797-6220.



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MINUTES

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**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.

<b>Present:</b>	Butch Clift, Tom Volkmar, Larry Monheit, James Fisk, Bakari Jackson
<b>Absent:</b>	Jason Dillard, Sarina Freinle
<b>Staff Present:</b>	Planning and Zoning Director Mark Brodeur Planning Technician Brenda Moneer

**III. REVIEW OF MINUTES FROM APRIL 07, 2021**

<b>MOTION:</b>	A motion was made to approve the April 7, 2021 minutes as presented. <b>MOVED BY</b> Board Member Volkmar. <b>SECONDED BY</b> Board Member Fisk.
<b>DISCUSSION:</b>	None
<b>VOTE:</b>	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**





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**NEW BUSINESS:**

2021-037 CUP

COKERS COMMONS CUP REQUEST

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THE CITY OF  
**GOOSE CREEK**  
BERKELEY CO. EST. 1961 SO. CAROLINA

## Department of Planning and Zoning

**Mark Brodeur**  
DIRECTOR

519 N. GOOSE CREEK BOULEVARD  
P.O DRAWER 1768  
GOOSE CREEK, SC 29445-1768  
TEL (843) 797-6220 EXT. 1118  
FAX (843) 863-5208

## Staff Report

**TO:** Members of the Zoning Board of Appeals  
**FROM:** Mark Brodeur, Planning and Zoning  
Director, City of Goose Creek  
**DATE:** June 15, 2021  
**SUBJECT:** Cokers Commons “Conditional Use Permit”

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### Proposal:

The property owner, William “Tripp” Presnell is appearing before the Zoning Board of Appeals (ZBA) for a Conditional Use Permit to construct six townhouse units on a small .43-acre parcel zoned General Commercial.

### Background:

The subject parcel TMS number is 235-06-10-087 and is approximately 18,730 square feet. The site has a swimming pool and associated structures that have fallen into serious disrepair. The site also has numerous off-street parking spaces that have been utilized by the surrounding community for additional parking. The property is zoned General Commercial (GC) and Multi-family development is allowed with a Conditional Use Permit. The property is adjacent to other GC zoning with similar townhouses built upon them.


If approved, the parcel will need to be subdivided (See draft plan) into individual parcels consistent with the size of surrounding properties so that they “fit” within the same look of the neighborhood. The Zoning Code establishes the minimum lot sizes for each unit depending on the number of stories and the number of bedrooms provided.

### Discussion:

At this point, the applicant has not fully developed site plans and architectural elevations for the proposed townhouse units. The applicant has worked with the members of the existing HOA to gain support for the removal of the swimming pool and the construction of townhomes consistent with surrounding designs. See letter from HOA.

Since this is a Conditional Use, the ZBA may place conditions of approval on the ultimate development of the site. Staff has the following recommendation to the ZBA to be placed as conditions of approval.

1. All six front facades must look different from one another. Employing a different color is not enough.
2. Each unit shall employ a front porch for the entire width of the townhouse (except garage door) and be a minimum of four feet deep.
3. Each unit shall employ the use of a single car garage and a driveway capable of parking two cars in tandem.
4. The public parking spaces that are currently on the one side of the pool parcel shall remain in place for visitor parking for the rest of the subdivision. The HOA must maintain those spaces.
5. One street tree shall be planted in front of each unit. A 15-gallon tree of the owners choosing.

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6. Foundation shrub plantings shall be installed on the front of each unit.
  7. Direct the applicant to return with plans, specifications and architectural drawings for approval by the Zoning Administrator.

**Recommendation:**

Approve the Conditional Use request with suggested conditions.

TODAY'S DATE: 5/8/2021

**PART I. PURPOSE OF SUBMITTAL**

- Site Plan (See Checklist)
- Plat Review
- Rezoning\*
- Subdivision Plan (See Checklist)
- Variance\*
- Conditional Use Permit\*

**PART II. GENERAL INFORMATION**

- 1. Development Name: Cokers Commons - Pool property
- 2. Street Address: 117 Kirkland Street
- 3. TMS #: 235 06 10 087
- 4. Zoning Classification: GC  
Requested Classification: \_\_\_\_\_ (For rezoning only)
- 5. Total Site Acres: 0.43

**GOOSE CREEK ZONING DISTRICTS**

<b>CO:</b> Conservation Open Space	<b>BPO:</b> Business Professional Office
<b>CI:</b> Commercial Industrial	<b>RC:</b> Restricted Commercial
<b>GI:</b> General Industrial	<b>GC:</b> General Commercial
<b>LI:</b> Light Industrial	<b>NC:</b> Neighborhood Commercial
<b>R-1:</b> Residential Low Density	<b>PD:</b> Planned Development
<b>R-2:</b> Residential Medium Density	<b>PD-MH:</b> PD for Mobile Home
<b>R-3:</b> Residential High Density	

**PART III. CONTACT INFORMATION**

Owner/Developer Name: Presstar2011, LLC / William "Tripp" Presnell

Street Address: [REDACTED] City: [REDACTED] St: [REDACTED] Zip: [REDACTED]

Telephone: [REDACTED] Cell Phone: [REDACTED] Fax: n/a

E-mail Address: [REDACTED]

**PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)**

Proposed Building Use: Attached single-family townhouse

Proposed Total Building Area (gross sq. ft.): <12,000

Max. Building Height: 30' Total Number of Buildings/Units/Lots: 6

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 H. Presnell, Jr Date: 5/8/2021

Signature: William H. Presnell, Jr

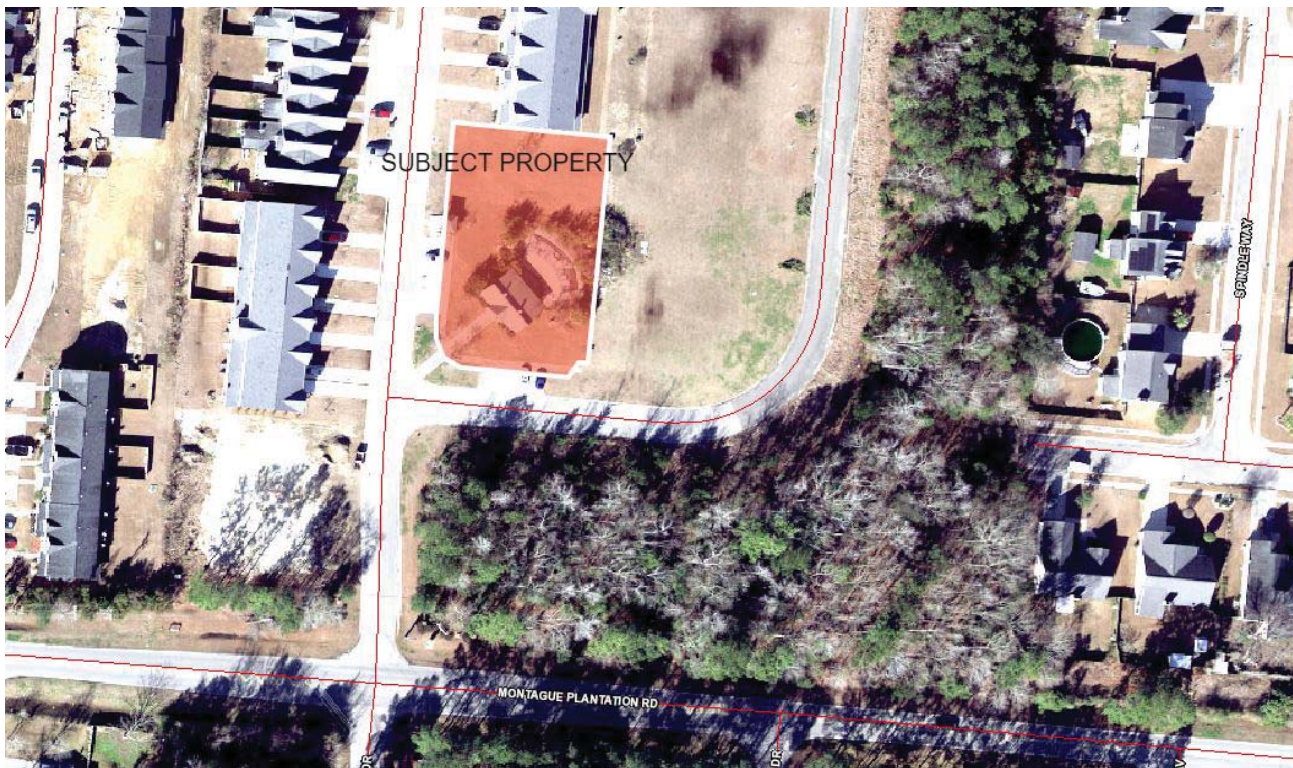
# STAFF REPORT FOR THE CITY OF GOOSE CREEK ZONING BOARD OF APPEALS



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

Agenda Item 2021-037 CUP			
<b>Request #:</b>	Conditional Use Permit		
<b>Applicant:</b>	Presnell, William H.		
<b>Location/Address:</b>	Corner of Kirkland St., Goose Creek, SC 29445		
<b>Property Owner:</b>	Presstar 2011, LLC		
<b>Tax Map Number:</b>	235-06-10-087		
<b>Current Zoning:</b>	General Commercial (GC)		
<b>Proposed Site:</b>	Development of a 6 Townhomes		
<b>Parcels combined:</b>	.43 acres		
Property Zoning to the:		Property Uses to the:	
<b>North:</b>	General Commercial (GC)	<b>North:</b>	Townhomes
<b>South:</b>	General Commercial (GC)	<b>South:</b>	Townhomes
<b>East:</b>	General Commercial (GC)	<b>East:</b>	Townhomes
<b>West:</b>	General Commercial (GC)	<b>West:</b>	Townhomes

**Satellite Imagery of Subject Property located at the corner of Kirkland Street in Cokers Commons**



**LEGEND**

-  R1 – Low Density Residential
-  R2 – Medium Density Residential
-  R3 – High Density Residential
-  PD – Planned Development (Crowfield Plantation)
-  CO – Conservation Open Space
-  Subject Property – Condition Use Permit Application

Zoning Map of Subject property located at the corner of Kirkland Street in Cokers Commons

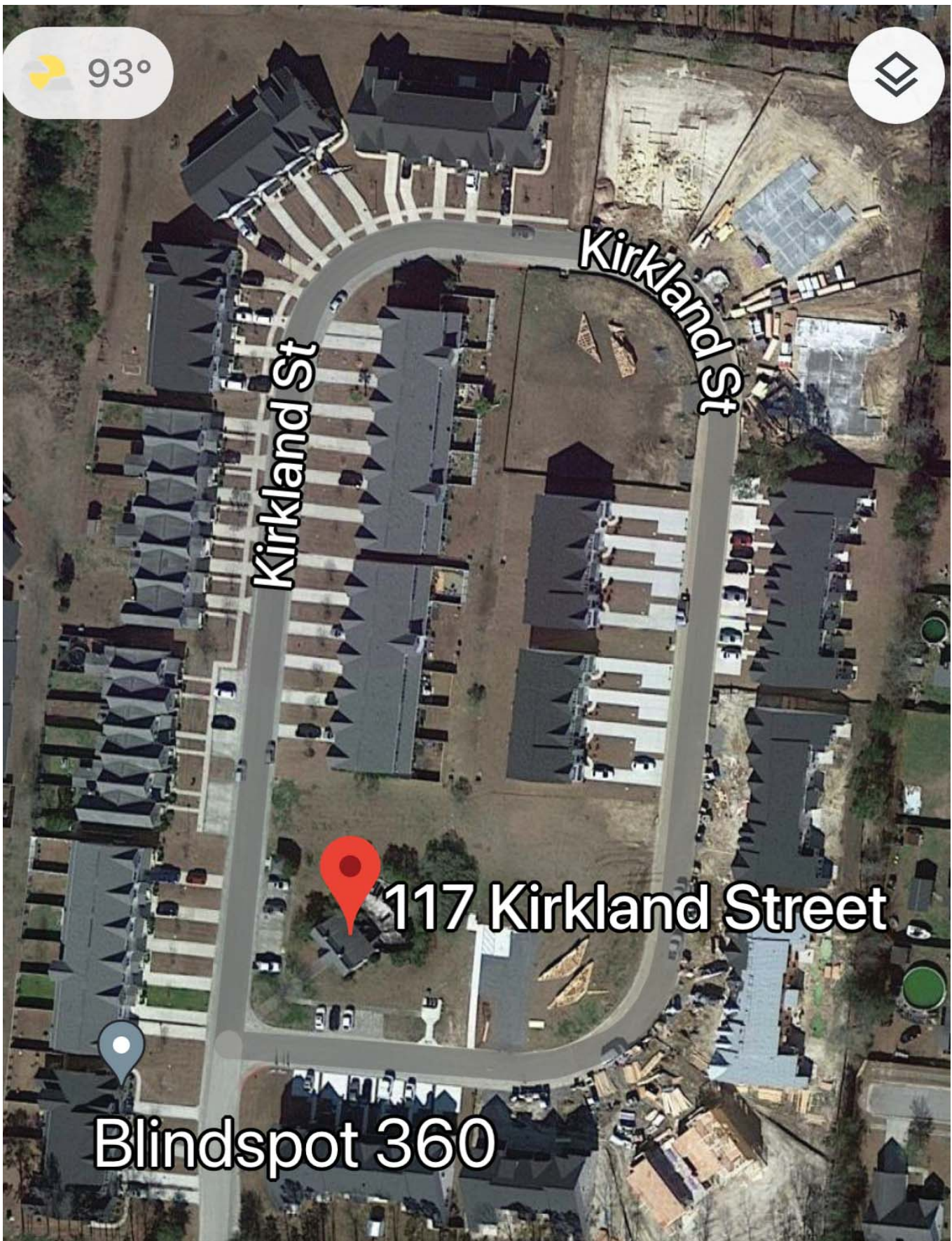


Street View of Subject Property looking East to side of Clubhouse



Street view of Subject Property at Cokers Commons Entrance corner of Kirkland Street





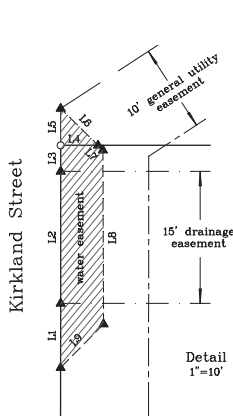


NUM	BEARING	DISTANCE
L1	N5°21'14"E	7.32'
L2	N5°21'15"E	15.00'
L3	N5°21'15"E	2.96'
L4	S84°40'24"E	4.24'
L5	N5°21'15"E	4.18'
L6	N40°05'19"W	5.95'
L7	N40°05'15"W	0.77'
L8	N5°05'55"E	19.77'
L9	N49°48'52"E	8.97'
L10	S84°40'55"E	14.99'
L11	N84°43'29"W	4.54'
L12	S37°39'40"W	13.02'
L13	N37°39'41"E	13.02'



Area Reserved for Approval and Recording Stamps

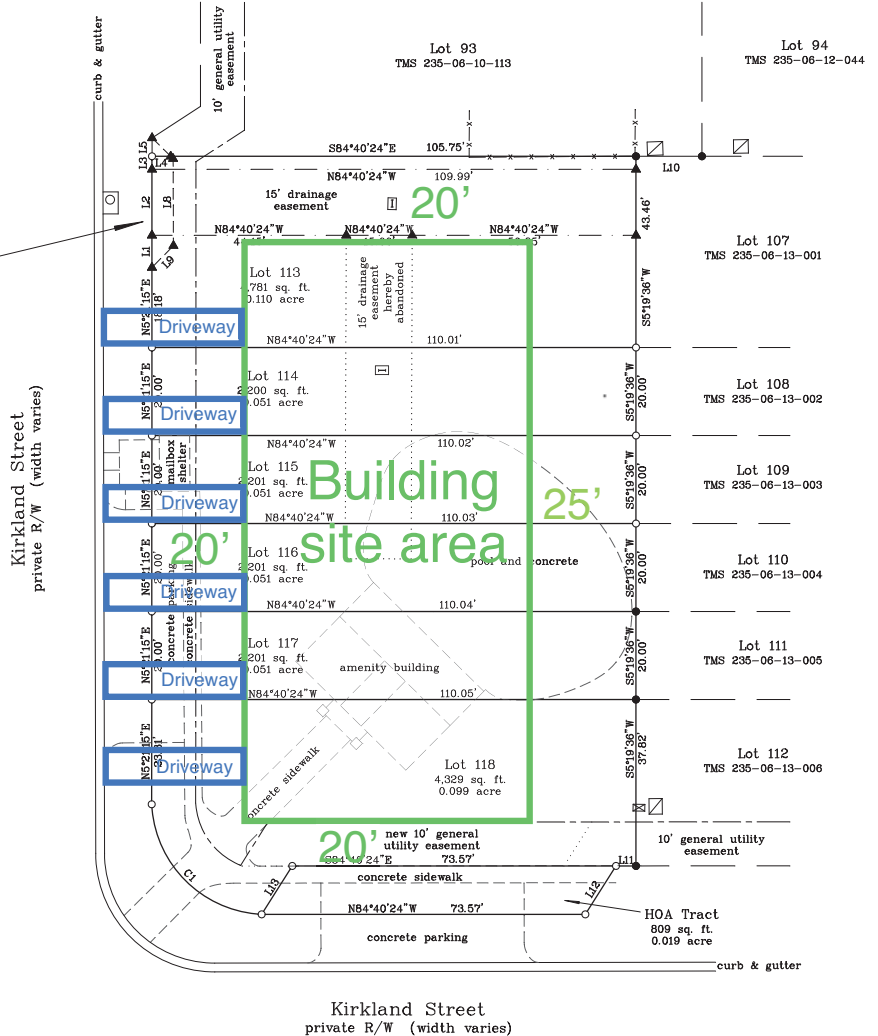
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	84°26'18"	38.77'	26.31'	N39°38'39"W	35.36'



Detail  
1"=10'

NOTES:

- Reference Tax Map Number 235-06-10-087
- Reference Plat Cabinet N, page 2H
- Property owner: Presstar 2011, LLC.
- This property may be subject to various utility easements (i.e. power, telephone, water, gas, sewer, etc.) that were not noted in the plat referenced herein, nor in the other title information noted herein. This plat does not address any subterranean conditions of any nature, unless specifically noted otherwise.
- Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Declaration is made to Original Purchaser of the survey. It is not transferable to additional institutions or subsequent owner.
- This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge said lot is located in flood zone X. FEMA Map No. 45015C0595E 12-17-18. Flood zone should be verified with the governing municipality before design and construction.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Property address: 117 Kirkland Street
- Anything shown outside the defined boundary of this survey is for descriptive purposes only.



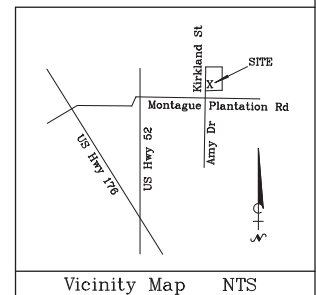
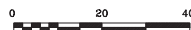
LEGEND:

- 5/8" rebar found
- 5/8" rebar set
- ▲ calculated point
- grate inlet
- curb inlet
- electric box
- fiber optic box
- x-x-x- fence
- - - - - feature to be removed
- ..... easement line abandoned

Plat to Subdivide  
Amenity Area  
Cokers Commons  
Phase IV  
Located in  
City of Goose Creek  
Berkeley County, South Carolina

FIELD DATE: November 5, 2020  
REVISED: January 19, 2021

SCALE 1"= 20'



I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown.



2065 SAVANNAH HIGHWAY STE. 2  
CHARLESTON, SC 29407  
PHONE (843) 571-5191  
FAX (843) 571-7447  
plsoffice@palmettola.com

James C. Pennington, P.L.S. No. 10291  
Palmetto Land Surveying, Inc.  
2065 Savannah Highway Suite 2  
Charleston, S.C. 29407 571-5191

EXAMPLES OF PRODUCT





**CONDITIONAL USE PERMIT** Applicant comments are shown in red.

**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;

*The proposed subdivision creates attached single-family townhouse lots identical to the existing residential lots in the rest of the community. The existing setbacks and rules in place that will be applicable to these lots ensure that there will be no adverse effect on the adjacent lots or community. On the contrary, the removal of the pool will be a significant improvement.*

(2) Vehicular traffic flow would not increase, and pedestrian movement would not be diminished or endangered;

*The addition of six additional lots in this location will create no additional burden on local traffic patterns nor will it impede pedestrian movement. The property is located at the front of the existing development, so any additional through-traffic past the existing homes would be negligible.*

(3) Off-street parking and loading, and ingress/egress points of proposed uses will be adequate as to location, capacity and design;

*In keeping with the existing design and site plans in the development, each property will have sufficient off-street parking for at least two vehicles.*

(4) Property values, general character and welfare of nearby areas will not be deteriorated;

*The current condition of the pool and bathhouse structure is an eyesore and detriment to the values in the community. Its demolition will remove a significant impairment to the value of adjacent properties and improve the overall attractiveness of the community.*

(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;

*To the best of the applicant's understanding, the proposed plan is consistent with the purpose and intent of the City of Goose Creek Comprehensive Plan and complies with all 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;

*The intent of applying for the Conditional Use Permit is to remove the pool and structures that have fallen into disrepair and redevelop the property to make it consistent and in keeping with the condition, character and use of the rest of the development.*

(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 proposed lots match the existing lots in the community in orientation, layout, and size. The townhouse proposed for development also will be in keeping with the existing size, style, and layout with the existing structures. The proposed use will have no adverse effects on the adjacent properties and will be an improved visual impact in comparison to the existing structures.*

(8) The proposed use complies with all applicable development standards of the city;

*To the best of the applicant's understanding, 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;

*As is, the pool is a potential health and safety hazard to the community. Its removal will be a significant benefit, and the lots developed will have no negative impacts on the health or safety of the community.*

(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 proposed single family lots are consistent with the neighborhood and will create no nuisance or hazards. Approval of this CUP will result in the removal of the abandoned pool and its associated health and safety risks.*

(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 lots proposed are identical in layout, size, and orientation to those that currently exist, and do not create or aggravate any vehicular or pedestrian hazards.*

(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;

*The lots proposed are identical in layout, size, and orientation to those that currently exist, and their development and use will be consistent with the residential use of adjacent properties. No glare from vehicular or stationary lights will have an impact on the adjacent parcels.*

(13) The proposed use shall not destroy, create a loss or cause damage to natural, scenic or historic features of significant importance;

*Re-development of this property will have no impact on any natural, scenic, or historic feature 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.

*We agree to all stipulations listed above  
William H. Presnell, Jr. /Presstar2011, LLC*

Presstar2011, LLC  
PO Box 574  
Brevard, NC 28712

May 8, 2021

Zoning Board of Appeals  
City of Goose Creek  
PO Drawer 1768  
Goose Creek, SC 29445

Dear Members of the Zoning Board of Appeals:

Attached you will find a copy of a Land Use Application for a Conditional Use Permit for the conversion of a General Commercial zoned property to use as attached single-family townhouse lots. This change will allow the parcel to be redeveloped in keeping with the rest of the Cokers Commons community.

The property in question is located at 117 Kirkland Street, in the Cokers Commons development, and has a tax ID of 235-06-10-087. It was originally developed to be a community pool around 2008, but the developer never deeded it over to an HOA, and then went bankrupt in 2012 after only a few homes were built. As result, the pool and structure went unmaintained, became eyesores, and the property was sold at tax sale multiple times. I was the most recent purchaser, through a business entity named Presstar2011, LLC.

Per the attached letter from the HOA supporting redevelopment, this property is a major source of frustration and embarrassment for the neighborhood. My understanding is that the City of Goose Creek has long been aware of the issue, as well, and seemingly would also like to see it resolved. Since my purchase of the property, I have been working with the HOA to find a solution. They are not interested in purchasing it, as they do not have the budget to even maintain the pool, much less rehabilitate it. Given that no one is going to invest the funds necessary to rehabilitate the pool, the HOA and I agree the best path forward is to demolish it and redevelop the property into 6 additional townhouse lots. In order to commit to this investment, though, I need to obtain a Conditional Use Permit to subdivide the property, as it is currently zoned General Commercial.

Included with this application is a plat illustrating the six proposed new townhouse lots. The surveyor matched the orientation, layout, and dimensions to the existing lots in the neighborhood. The applicant does not have architectural plans for units proposed for this site and is seeking approval based on the intent that the units built will be consistent with the size, style, and character of the existing townhouses. As such, included are photographs of some examples of the existing structures.

Following is an analysis of the proposal with regards to the conditions for Conditional Use Permits set out in 151.171 (C):

1. The proposed subdivision creates attached single-family townhouse lots identical to the existing residential lots in the rest of the community. The existing setbacks and rules in place that will be applicable to these lots ensure that there will be no adverse effect on the adjacent lots or community. On the contrary, the removal of the pool will be a significant improvement.
2. The addition of six additional lots in this location will create no additional burden on local traffic patterns nor will it impede pedestrian movement. The property is located at the front of the existing development, so any additional through-traffic past the existing homes would be negligible.

3. In keeping with the existing design and site plans in the development, each property will have sufficient off-street parking for at least two vehicles.
4. The current condition of the pool and bathhouse structure is an eyesore and detriment to the values in the community. Its demolition will remove a significant impairment to the value of adjacent properties and improve the overall attractiveness of the community.
5. To the best of the applicant's understanding, the proposed plan is consistent with the purpose and intent of the City of Goose Creek Comprehensive Plan and complies with all rules and regulations.
6. The intent of applying for the Conditional Use Permit is to remove the pool and structures that have fallen into disrepair and redevelop the property to make it consistent and in keeping with the condition, character and use of the rest of the development.
7. The proposed lots match the existing lots in the community in orientation, layout, and size. The townhouse proposed for development also will be in keeping with the existing size, style, and layout with the existing structures. The proposed use will have no adverse effects on the adjacent properties and will be an improved visual impact in comparison to the existing structures.
8. To the best of the applicant's understanding, the proposed use complies with all applicable development standards of the City.
9. As is, the pool is a potential health and safety hazard to the community. Its removal will be a significant benefit, and the lots developed will have no negative impacts on the health or safety of the community.
10. The proposed single family lots are consistent with the neighborhood and will create no nuisance or hazards. Approval of this CUP will result in the removal of the pool and its associated health and safety risks.
11. The lots proposed are identical in layout, size, and orientation to those that currently exist, and do not create or aggravate any vehicular or pedestrian hazards.
12. The lots proposed are identical in layout, size, and orientation to those that currently exist, and their development and use will be consistent with the residential use of adjacent properties. No glare from vehicular or stationary lights will have an impact on the adjacent parcels.
13. Re-development of this property will have no impact on any natural, scenic, or historic feature of significant importance.
14. The applicant understands that the decision of the Zoning Board of Appeals is not based on the circumstances or hardships of the applicant.
15. The applicant understands that any approval of a Conditional Use Permit can be revoked by the Zoning Board of Appeals if the conditions of the approval are not met.
16. The applicant understands the Zoning Board of Appeals may also pursue other remedies if the applicant violates the Zoning Ordinance or other rules and regulations of the City.
17. The applicant understands the Zoning Board of Appeals may place additional conditions and/or restrictions on the approval of this application.

It would be my pleasure to discuss any of the above points in greater detail, or to address any additional questions or concerns you have about the proposal. Please do not hesitate to contact me by telephone at 843-592-2265 or by email at [tripp.presnell@gmail.com](mailto:tripp.presnell@gmail.com).

Best regards,

Tripp Presnell  
Managing Member