

Board of Zoning Appeals
Minutes
February 9, 2010

I. Call to order

Chairman Guy Taylor called the regular meeting of the Board of Zoning Appeals to order on February 9, 2010 at 5:30PM in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were Frances Anderson, Arnold Karig, Mike Layman and Tom Miller; also Secretary Douglas Kerr was present. Mr. Kerr explained that the meeting was advertised in compliance with the Freedom of Information Act.

II. Approval of Minutes

The next item on the agenda was the review of the minutes of the January 12, 2010 meeting. Mr. Miller made a motion to approve the minutes and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion.

III. Home Occupations

Mr. Taylor explained that the Board acted as a quasi-judicial body and all comments made were treated in the same manner as court testimony and therefore any person who would like to speak to the Board should be sworn in. He then swore in all members of the audience that would be speaking.

1 Pelican Reach

Mr. Kerr explained that the applicant is requesting a special exception to allow the establishment of a photography business in her home. He explained that the applicant would be doing computer work only at the house and has indicated that there will be no business related traffic coming to the house, no exterior evidence of a business and no employees working at the house.

Mr. Taylor asked the applicant if she would like to add anything beyond what her application already stated. The applicant, Ms. Dales, answered no. Mr. Miller asked if all photography would be digital and if there would be any chemicals associated with the business. The applicant stated that all photography would be digital and there would be no chemicals associated with the business. Mr. Taylor asked how she would handle showing the photos to her clients. Ms. Dales answered that this all happened online and she posted the photos online and the client purchased the photos online. Mr. Karig made a motion to approve the request and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion to approve the request.

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#38- 21st Avenue

Mr. Kerr explained that the applicant is requesting a special exception to allow the establishment of an artists business at the home. He explained that the applicant had previously been approved to operate out of the adjacent home, but has now moved and needed to be approved to operate of this home prior to resuming business. He explained that there would be no traffic to the residence and no exterior evidence of a business and no employees working at the house other than family members.

Mr. Spencer, the applicant, added that he and his wife had art at various galleries and they painted at the house. Mr. Karig made a motion to approve the request and Mr. Layman seconded the motion. The vote was unanimous in favor of the motion to approve the request.

#24- 23rd Avenue

Mr. Kerr explained that the applicant is requesting a special exception to allow the establishment of a home care and maintenance business. He explained that the applicant has indicated that the home will be used for office work only and that there will be no business related traffic coming to the house and no exterior evidence of a business.

Mr. Taylor asked the applicant to please explain specifically what he would be doing. The applicant, Mr. Richmond, explained that he would be taking care of clients' homes while they were out of town which could include changing air filters, stocking the refrigerator, organizing maid services, preparing the house for a party and even picking the owner up from the airport. He explained it was similar to a personal butler service.

Ms. Anderson asked if the business was already established. The applicant answered that the business plan was drawn up and advertising materials had been prepared, but he was waiting until the outcome of this meeting until he began operations.

Mr. Karig asked if there would be any equipment associated with the business that would be kept at the house. Mr. Richmond answered no. Mr. Taylor asked if the business had a name yet for licensing purposes. Mr. Richmond answered that he had a few choices, which he would decide on prior to acquiring the license, but he was leaning towards Island Home Services.

Ms. Anderson made a motion to approve the request and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

8 Hidden Green Lane

Mr. Kerr explained that the applicant is requesting a special exception to allow the establishment of an interior design business. He explained that the home would be used for office work only and there would be no traffic coming to the residence, no exterior evidence of a business and no employees working at the house other than family members.

Ms. Anderson explained that there are many types of interior design businesses and she asked the applicant to clarify what she would be doing. Ms. Renee Reddy, the applicant, answered that she did primarily residential design associated with remodeling and she did about 10% commercial work. Ms. Anderson asked if she would have samples at the house. Ms. Reddy answered yes, that she would keep some samples at the house, but that they would be reviewed by her clients at the client's home. Mr. Taylor asked if a name had been chosen for the business and Ms. Reddy answered The Reddy Design Group. Mr. Miller made a motion to approve the request and Mr. Layman seconded the motion. The vote was unanimous in favor of the motion.

#29- 31st Avenue

Mr. Kerr explained that the applicant is requesting a special exception to allow the establishment of a heavy equipment sales business. He explained that the home would be used for office work only and there would be no traffic coming to the residence, no equipment stored at the residence, no exterior evidence of a business and no employees working at the house other than the applicant.

Mr. Robertson, the applicant, explained that he bought and sold equipment all over the world and if there was ever a need for the equipment to come to South Carolina, it would go to a yard in North Charleston. He explained that all of his work is done via phone and e-mail.

Mr. Taylor asked if there would be any signs associated with the business and Mr. Robertson answered no. Ms. Anderson made a motion to approve the request and Mr. Karig seconded the motion. The vote was unanimous in favor of the motion.

800 Carolina Boulevard

The applicant was not present and Mr. Karig made a motion to grant a continuance until the next meeting and Mr. Layman seconded the motion. The vote was unanimous in favor of the motion.

IV. Special Exception

#14- 24th Avenue

Mr. Kerr explained that the applicant is requesting a Special Exception to allow the establishment of a school for 25 students at the Isle of Palms Baptist Church at #14- 24th Avenue. He explained that the property is zoned SR1, which allows the establishment of schools when approved by the Board of Zoning Appeals as a Special Exception. He stated that the applicant claims that the only change that could impact the neighborhood is the traffic that will be associated with the delivery and pickup of 25 students five days a week. He explained that the applicant claims that the operations of the proposed school would not coincide with the operations of the church and that the traffic will be controlled in a manner to minimally impact the neighborhood and that the applicant claims that the other requirements for a special exception (setbacks, fencing and buffers) are met by the existing use of the property as a church.

Mr. Taylor asked if the applicant would like to add anything to what has already been stated. The applicant, Ms. Crystal Jewell, added that the church was supportive of her efforts and she had members of the church present to express their support, if the Board wanted to hear from them. Also she added that the hours of operations would be 8am until 2:45pm.

Mr. Taylor asked if the applicant expected most of the students to be Isle of Palms residents. Ms. Jewell answered that she expected most students to be from the Isle of Palms and Mount Pleasant. She explained that she worked at the Montessori School at the Lutheran Church for five years and most of their children were from Mount Pleasant, but that she was hopeful more of her students would be from the island. She added that in her application she stated that she expected to have a maximum of 25 students, but she did not intend on having this many children for a couple of years and she would only have a few children for the first years.

Mr. Taylor explained that in the case of the Lutheran Church's school approval, the Board put a limit of 25 students on that operation to address the concerns brought up by the neighborhood. He added that he felt that the Zoning Board of Zoning Appeals

Administrator needed to analyze how the parking and traffic would work for this operation and stipulate how the traffic should be controlled to minimize the impact to the surrounding properties. He explained that he felt that the traffic and parking should be kept off of the southern side of Hartnett Boulevard.

The applicant's architect, Mr. Jerry Wessinger, addressed the Board and explained that there was currently about 200 feet of usable parking area adjacent to the church's property on the northern side of Hartnett Boulevard, which would be more than enough to accommodate 25 students. He explained that he expected traffic to work in a circular pattern coming up 26th Avenue, turning onto the northern lane on Hartnett and leaving via 25th Avenue, which he felt would minimize the disruption to the surrounding area.

Mr. Karig asked if the school would be church sponsored or affiliated in any way. Ms. Jewell answered no; they would only be a landlord. Ms. Anderson asked what the age range of the children would be. Ms. Jewell answered two years old to kindergarten age. Mr. Karig asked if the applicant intended for the school to only be 25 children forever. Mr. Wessinger answered that the space leased only met DHEC requirements for 25 students, so it would have to be limited to that number.

Ms. Anderson asked if the applicant was aware of any neighborhood opposition. Mr. Wessinger stated that he was unaware of any and he felt that if there was any they would be present at this meeting to voice their opposition.

Mr. Layman asked when the operation would begin. Ms. Jewell answered this summer. Mr. Layman asked if the operation would be year-round. Ms. Jewell answered yes. Mr. Layman asked if her lease was with the church. Ms. Jewell answered yes.

Mr. Taylor asked if there were members of the audience that wanted to make comment. Ms. Diane Row, 205 Forest Trail, explained that she thought it would be great to have the children on the island able to go to school right at the church without having to travel too far.

Mr. Doug Brown explained that he was a deacon of the church and that the church would support this school anyway they could and he thought it would be a great partnership to make the school an asset to the community.

Mr. Karig made a motion to approve the request, with the condition that the school be limited to 25 students. Mr. Miller seconded the motion and the vote was unanimous in favor of the motion.

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V. Executive Session

Mr. Taylor explained that the next item on the agenda was to go into executive session for the Board's annual briefing with the City Attorney. Mr. Karig made a motion to go into executive session and Mr. Layman seconded the motion and the vote was unanimous in favor of the motion.

VI Adjournment

With no other business, the meeting was adjourned at 6:45PM.