

Board of Zoning Appeals
Minutes
May 13, 2008

I. Call to order

Vice Chairman Arnold Karig called the regular meeting of the Board of Zoning Appeals to order on May 13, 2008 at 5:30PM in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were Suzanne Galloway and Tom Miller also the zoning administrator, Douglas Kerr, was present. Guy Taylor and Mike Layman were absent. Mr. Kerr explained that the meeting was advertised in the paper and the agendas for the meeting posted at City Hall 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 April 8, 2008 meeting. Mr. Miller made a motion to approve the minutes as written and Ms. Galloway seconded the motion. The vote was unanimous in favor of the motion.

III. Home Occupations

2600 Waterway Boulevard

Mr. Kerr explained that the request was for a special exception to allow the establishment of a home builders office at 2600 Waterway Boulevard. He indicated that the applicant would do office work only at the house and there would be no business related traffic coming to the residence and no exterior evidence of a business.

Mr. Smith asked if he could have a vehicle sign and Mr. Kerr answered not while the vehicle was at the house. Mr. Miller stated that this request was on the agenda the previous month and asked if there had been any change since that time. Mr. Smith answered no, that there had not been any changes. Ms. Galloway made a motion to approve the request and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

13 Dunecrest Lane

Mr. Kerr explained that the request was for a special exception to allow the establishment of an advertising and public relations business at 13 Dunecrest Lane. He indicated that the applicant would do office work only at the home and there would be no business related traffic coming to the residence and no exterior evidence of a business.

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

IV. Variances and Special Exception

Isle of Palms Methodist Church, #12- 21st Avenue

Mr. Kerr explained that the United Methodist Church is proposing to expand their facilities at 21st Avenue by enlarging the existing sanctuary (1,303 square feet) and constructing a new fellowship hall (17,856 square feet). He added that the original application also included a request to convert the existing residence to the north of the property (#16 – 21st Avenue) to a parking lot, but the owners of the property had not signed the application, so it would not be considered at this time.

He explained that the property is in the SR1 zoning district (single-family residential), which allows church facilities as a Special Exception granted by the Board of Zoning Appeals. Additionally, the proposed expansions would exceed the maximum lot coverage requirements and allowable floor area requirements. The applicant is requesting two variances and a special exception to allow the expansion of their facilities at #12- 21st Avenue.

Mr. Kerr stated that the first variance is from the maximum enclosed living area limit of 7,000 square feet. The request is to allow a new fellowship hall of 17,856 square feet and an addition to the sanctuary of 1,303 square feet (11,218 existing for a total proposal of 12,521 square feet in the sanctuary). The applicant has indicated that the property is unique because it is the only property available to the existing church site and that that an unnecessary hardship will result if the standards of the ordinance are met, because the church will be prevented from further growth. The applicant claims that the authorization of the variance will not be of substantial detriment to adjacent properties because buffer yards would be installed according to the buffer ordinance and the church has been in place for many years, and the additions will be in keeping with the present architectural character of the church.

Mr. Kerr explained that the second variance is from the maximum lot coverage limit of 7,000 square feet. The applicant is requesting a variance to allow a new fellowship hall with a footprint of 8,928 square feet and an addition to the sanctuary of 1,303 square feet, which has an existing footprint of 9,350 square feet for a total of 10,653. All driving and parking surfaces will be of previous materials and therefore will not be calculated into the lot coverage. The applicant

has indicated that the property is unique because it is the only property available to the existing church site and that that an unnecessary hardship will result if the standards of the ordinance are met, because the church will be prevented from further growth. The applicant claims that the authorization of the variance will not be of substantial detriment to adjacent properties because buffer yards would be installed according to the buffer ordinance and the church has been in place for many years, and the additions will be in keeping with the present architectural character of the church.

Additionally, Mr. Kerr explained that the applicant is requesting a special exception to allow the expansion of the church in the SR1 zoning district. The proposed expansion includes a new fellowship hall and an addition to the sanctuary. The applicant is proposing to meet all zoning requirements (including buffer, parking, setbacks, and height), except those noted within these applications.

Mr. Kerr explained that parking requirements for churches is based on the number of seats in the sanctuary and at the time the application was originally filed, the proposal included additional parking spaces on the adjacent property, so he did not believe that the expansion of the sanctuary complied with the parking requirements. Therefore, if the Board approved these requests, the applicants would still have to either reconfigure their parking to have more spaces or come back to the board with a parking proposal before the addition to the sanctuary could be approved.

Mr. Karig explained that he was concerned, because no matter what, it appeared that the applicant would have to come back. Mr. Kerr answered that, if the Board approved the requests, the fellowship hall could move forward without coming back, but the addition to the sanctuary could only move forward if the church finds a way to comply with the parking requirements or comes back for a variance or an expansion of the site.

Mr. Workman, of Trehel Construction, explained that they may be able to fit a few more parking spaces on the site. Mr. Karig asked if they would be willing to come back at the next meeting with a revised proposal that had more information on the parking layout.

Mr. Lipscome, a member of the church, explained that the sanctuary addition, which is contingent on the parking issue, is not critical in the short term; but that the fellowship hall is necessary immediately. So he would prefer having the Board consider just the new fellowship hall at this time.

Mr. Miller asked what the plan was for the trees on the site. Ms. Tedesco, of RSCT Architecture, explained that there are several trees that would need to be removed and replaced. Mr. Kerr added that if the trees are live oaks, larger than 16 inches in diameter, the building would have to be built around the trees if possible.

Mr. Karig explained that he felt that the Board's options were either remanding the case for additional information, continuing the case to allow more time to study the case, or acting on some portion of the requests. Mr. Miller made a motion to continue the case until the next meeting and Ms. Galloway seconded the motion. The vote was unanimous in favor of the motion.

V. Adjournment

With no other business, the meeting was adjourned at 6:25pm.