

Board of Zoning Appeals  
Minutes  
March 6, 2012

I. Call to order

Chairman Mike Layman called the regular meeting of the Board of Zoning Appeals to order on March 6, 2012 at 5:30PM in the City Hall Conference Room, 1207 Palm Boulevard. Other members present were Scott Davidson, Arnold Karig and Tom Miller; also Secretary Douglas Kerr was present. Frances Anderson was absent. 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 February 7, 2012 meeting. Mr. Karig made a motion to approve the minutes and Mr. Davidson seconded the motion. The vote was unanimous in favor of the motion.

III. Home occupations

Mr. Layman 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.

**202 Carolina Boulevard**

Mr. Kerr explained that the applicants were requesting a special exception to allow the establishment of a sewing business at their home. He stated that the applicants have indicated that the home will be used for sewing and office work only, that there will be no business-related traffic coming to the residence and that there will be no employees working in the residence.

The applicant, Mr. Walls, explained that his wife did embroidery and that she would take orders and conduct business on the internet, use an embroidery machine at their home and then mail or deliver the product and that no business would be coming to the house.

Mr. Layman asked if there would be any signs associated with the business and Mr. Walls answered no. Mr. Karig asked if there would be any deliveries coming to the house. Mr. Walls answered nothing unusual for a residence.

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

IV. Special exception

**Forest Trail wastewater treatment facility**

Mr. Kerr explained that the Isle of Palms Water and Sewer Commission is requesting a special exception to allow the replacement of the Forest Trails wastewater treatment plant. He explained that the wastewater treatment facility is located in the SR1 zoning district (single-family residential) and that Section 5-4-32(9) of the City's code establishes criteria for the construction or alteration of wastewater treatment facilities. He explained that the code includes one set of criteria for alterations that can be approved by the Zoning Administrator and a second set of criteria that establishes alterations that must be approved by the Board of Zoning Appeals as a special exception and that because the building is taller than 30 feet (but less than the maximum limit of 40 feet), this request must be approved by the Board of Zoning Appeals as a special exception.

Mr. Kerr explained that the site is a 2.19 acre parcel on the corner of Waterway Boulevard and 41<sup>st</sup> Avenue. The proposed structure has a proposed footprint of approximately 4,500 square feet and a proposed height of 34.9 feet. The proposed structure and all existing structures comply with the setback requirement of 30 feet. Much of the site has an existing vegetative buffer, but the applicant is proposing to install additional vegetation in the areas that are not already heavily vegetated. The proposed lot coverage is approximately 18%. He explained that the applicant has stated that odor and noise control measures will be installed to protect adjacent properties. Additionally, the applicant claims that the structure has been designed to architecturally fit into the surrounding area better than the existing facility.

The applicant's engineer, Mark Yodice of Thomas and Hutton, addressed the Board and showed the Board renderings of the new structure and the site plan and stated that he would answer any questions.

Mr. Karig asked if there were quantifiable figures regarding the reduction of noise and odor that he could present to the Board. Mr. Yodice answered that the only noise that would be audible would be the generator, which will be approximately 55 decibels at the property line, which is about 28 percent less than what is currently occurring. He said that this level of noise is approximately the same level of noise as a person talking loudly. In regard to the odor, he explained that he had visited sites using the proposed technology and stood over the tanks and there was almost no odor.

Mr. Layman asked to clarify that this request could have been approved at the staff level if the building could be kept less than 30 feet in height. Mr. Kerr confirmed that he was correct. Mr. Layman asked the applicant why the building could not be less than 30 feet. Mr. Yodice explained that the equipment had to be above the required flood elevation, and that the level of the new equipment had to be compatible with the height of other existing equipment, and the City's code required that the height be measured above the road, which was considerably lower than the elevation of the grade on the site. He stated that these three factors have dictated that the structure be above 30 feet in height.

Mr. Miller asked the general manager of the Isle of Palms Water and Sewer Commission, George Gross, if there would be any new capacity with this system. Mr. Gross answered no that the amount discharged would be the same as the existing system. Mr. Miller asked if the system would generate sludge that would have to be hauled away. Mr. Gross answered yes, but the new system would generate less sludge to be hauled away than the current system.

Mr. Gross explained that the standards governing wastewater treatment facilities are constantly becoming more stringent. He explained that this newer technology is being considered because it creates discharge that is much cleaner than the existing standards and he believes it will be compliant into the future under more stringent standards.

Mr. Davidson asked if considerable electrical work would be done in connection with this project. Mr. Yodice answered yes that the system required a substantial amount of electrical power, but that all new electrical systems would be either underground or in the new building.

Mr. Karig stated that he was glad to see additional buffer material being installed. Mr. Karig made a motion to approve the request and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

#### V. Adjournment

With no other business, the meeting was adjourned at 6:15 p.m.