

Board of Zoning Appeals  
Minutes  
February 5, 2013

I. Call to order

Chairman Mike Layman called the regular meeting of the Board of Zoning Appeals to order on February 5, 2013 at 4:30PM in the City Hall Conference Room, 1207 Palm Boulevard. Other members present were Frances Anderson, Scott Davidson, and Glenn Thornburg; also Secretary Douglas Kerr was present. Arnold Karig 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 January 15, 2012 meeting. Ms. Anderson made a motion to approve the minutes and Mr. Thornburg seconded the motion. The vote was unanimous in favor of the motion.

III. Home occupation- 1010 Ocean Boulevard

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.

**1010 Ocean Boulevard**

Mr. Kerr explained that the applicant was requesting a special exception to allow the establishment of a life and fitness coaching business at his home. He stated that the home will be used for office work only, that there will be no business-related traffic coming to the residence, and there will not be any employees working in the residence.

Mr. Layman asked the applicant, Mr. Kirk McMillan, where he would meet with clients. Mr. McMillan answered either at the client's home or at a fitness facility, but not his home. Mr. Layman asked if there are any signs on his vehicles or elsewhere that would be visible. Mr. McMillan answered no.

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

Mr. Layman explained that there was one more special exception on the agenda, but asked if the Board would agree to reorder the agenda as the applicant was absent and may be running late. The Board agreed to reorder the agenda.

IV. Executive session

Mr. Layman explained that the next item on the agenda was an executive session to hear the annual briefing by the City Attorney on legal matters. A vote was made, seconded and unanimously approved to go into executive session.

The Board came out of executive session and it was explained that legal advice was given, but there were no other discussions or decisions made.

V. Home Occupation- 9 Live Oak

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 he swore in all members of the audience that would be speaking.

Mr. Kerr explained that the applicant was requesting a special exception to allow the establishment of a landscape architecture business at her home. He stated that the home will be used for office work only, that there will be no business-related traffic coming to the residence, and there will not be any employees working in the residence.

Ms. Messier, the applicant, explained that she has had a business license for the Isle of Palms in previous years, but in August she moved from Sullivan's Island to the Isle of Palms and she did not realize there was a need to have her home approved for as a special exception until she went into the Building Department to renew her business license.

Mr. Layman asked if there were any signs that would be visible. Ms. Messier answered no. Ms. Anderson asked how she would market the business to attract new clients. Ms. Messier answered that her business has always been based on referrals. Ms. Anderson asked if anyone would ever have reason to come to her home. Ms. Messier answered no and that her only listed address for the business is still her Sullivan's Island post office box.

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

VI. Adjournment

With no other business, the meeting was adjourned at 5:40 p.m.