

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
March 11, 2009

The Isle of Palms Planning Commission met in the Building Department conference room, 1301 Palm Boulevard on March 11, 2009, at 4:30PM. Members attending included Barbara Bergwerf, Pat Campbell, Ron Denton, Lisa Safford, David Stevens and Sandy Stone; also the Director of Planning, Douglas Kerr was present. Dick Watson was absent. The press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

Chairman Ron Denton called the meeting to order.

APPROVAL OF MINUTES

The next item on the agenda was the review of the minutes of the February 11th, 2009 meeting. Mr. Campbell made a motion to approve the minutes as written and Ms. Bergwerf seconded the motion. The vote was unanimous in favor of the motion.

RECOMMENDATION ON ORDINANCES 2009-03

Mr. Kerr explained that he had drafted this ordinance with the assistance of the City Attorney in response to members of City Council objecting to the Board of Zoning Appeals granting a variance to the height requirement to allow the projection of an elevator shaft above 40 feet. He explained that at the last meeting, the Commission reviewed and recommended approval of a partner ordinance that amended the variance provisions. He explained that this ordinance would specifically delete the exceptions to the height requirement for church spires, chimneys and aerials; as these are points that the Board of Zoning Appeals focused on as they deliberated the elevator shaft variance request.

Mr. Stone explained that he was very concerned about the number of homes that would become non-conforming if this ordinance were adopted. He explained that any owner that had a house with a chimney over 40 feet that was substantially damaged would be required to restructure their roof or potentially lose an entire floor of usable space in their home.

Ms. Bergwerf explained that these owners could request a variance. Mr. Kerr explained that the Board generally does not grant variances and he would not expect that they would grant a variance in the situation described by Mr. Stone.

Mr. Stone explained that it was not clear how this change would prohibit the Board from granting future variance requests for elevator shaft projections. Mr. Kerr explained that it would not prohibit them from doing so, but the objective

was to give City Council an amendment to consider that would provide the Board with guidance on future requests.

Mr. Campbell explained that he went and looked at the structures that had been granted variances and he explained that he thought that they did not appear to be objectionable. He explained that he felt that the negative consequences of adopting this ordinance outweighed any benefit and he made a motion to recommend that City Council disapprove the ordinance. Mr. Stevens seconded the motion and the vote was unanimous in favor of the motion.

DISCUSSION OF RENTALS AND HOUSE SIZES

Mr. Denton explained that the Commission had received input from members of City Council and he would summarize their points as: improving safety inside rentals, improve the rental owner's accountability, review the maximum size of allowed rentals and review the occupancy levels allowed in rentals.

He explained that he would like to look at each point, but first he would like to review the Planning Commission's original recommendation compared to what Council approved. The Commission went through each item suggested to City Council and identified the following points that were not adopted by City Council: the Commission recommended that the program apply only to SR1 and SR2, City Council made the provisions apply island wide; the Commission included a definition of a bedroom, City Council removed this definition; the Commission recommended not counting children under eight years old, City Council lowered the age to two years; the Commission recommended counting violations and revoking a license after four violations, City Council did not adopt this provision; and the Commission recommended making owners notifying their neighbors of contact numbers, City Council did not adopt this provision.

Mr. Campbell explained that felt everybody was aware that it would take some time for the administration of the program to become effective and he thought the Commission should focus on the administration of the program rather than the requirements of the program. The Commission agreed that it would be helpful to discuss the administration of the program with the Chief of Police to hear his input on the program.

Mr. Denton explained that he would like to go back to the list of objectives identified by Council members and discuss some of the points. He asked for comments on the suggestion of looking at the maximum size of rentals. The Commission discussed that the point has been raised that the size of the house itself was rarely the issue; it was either the number of people in the house or the

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behavior of the people in the house. The Commission generally agreed that the size of the house was not an issue that needed to be addressed in relation to dealing with short term rentals.

Mr. Denton explained that at future meetings he would like to continue to work through the issues raised.

EXECUTIVE SESSION- ANNUAL BRIEFING BY DEPUTY CITY ATTORNEY

The Commission went into executive session and Mr. Denton explained that there was no miscellaneous business to be discussed on the agenda, so there would be no further discussions after the Commission comes out of executive session.

ADJOURNMENT

There being no more business, the meeting was adjourned at 6:10 p.m..
Respectfully submitted, Ron Denton, Chairman.