

Board of Zoning Appeals  
Minutes  
November 11, 2008

I. Call to order

Chairman Guy Taylor called the regular meeting of the Board of Zoning Appeals to order on November 11, 2008 at 5:30PM in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were, Arnold Karig, Mike Layman and Tom Miller; also secretary Douglas Kerr was present. Suzanne Galloway was absent. Mr. Kerr explained that the meeting was advertised in the paper and the properties were posted 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 October 14, 2008 meeting. Mr. Miller made a motion to approve the minutes as submitted and Mr. Karig 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.

**104 Palm Boulevard**

Mr. Taylor explained that the first request was for a home office for an internet marketing business at 104 Palm Boulevard. Mr. Kerr explained that the business was a pet supply internet marketing business. He explained that the application states that the home will be used for office work and mailing merchandise and samples in 8"x12" envelopes and that there will be occasional deliveries made to the house (one per month). He explained that there will be no business related traffic coming to the residence and that there will be no employees working in the residence other than family members.

Mr. Taylor explained that this case was on the previous month's agenda and asked why no one was present. The applicant, Ms. Gorlitsky, explained that she did not notice the posting on the property because the sign was on the front of the property and her driveway was on the rear of the property. Mr. Miller asked who would run the business. Ms. Gorlitsky answered that it would be her and her

son. Mr. Karig asked about the volume of mailing. Ms. Gurlitsky answered that the volume varied, but that 40 envelopes in a day would be about average. Mr. Karig asked about the volume of merchandise stored in the house. Ms. Gurlitsky answered that it would not be a large percentage of the overall area of the house. Mr. Taylor asked if all of this storage would take place under the house in the garage. Ms. Gurlitsky answered yes, it would be stored under the house. Mr. Taylor asked the applicant if she was aware of the prohibition of employees working, other than family members, working in the house. Ms. Gurlitsky answered that she is now aware of that prohibition, but that she did not know it prior to being contacted by the City. Mr. Taylor asked why she has come to the Board now. Ms. Gurlitsky answered that she was contacted by Mr. Kerr and informed that she must do this to operate out of the house. Mr. Taylor asked if there were other locations where her business was operating. Ms. Gurlitsky answered yes, they operated out of Florida and they had a storage facility in Awendaw. Mr. Taylor asked what took place in Florida. Ms. Gurlitsky answered that their merchandise comes in from Florida and they have representatives in that area. Mr. Taylor asked what the product is that is being sold. Ms. Gurlitsky answered that the products were pet products including shampoo and herbal remedies for skin problems. Mr. Taylor asked how the materials were stored in the house. Ms. Gurlitsky answered in boxes under the house. Mr. Taylor asked if there were liquids stored. Ms. Gurlitsky answered yes, shampoos and sprays. Mr. Karig asked if all of this operation stays under 25% of the area of the house. Ms. Gurlitsky answered yes.

Mr. Taylor stated that this was a different variation from the typical home occupation. Mr. Layman made a motion to approve the request and Mr. Karig seconded the motion. The vote was unanimous against the motion and Mr. Taylor explained that the motion failed and the request was therefore denied. He explained that the applicant was free to reapply with a different request.

### **245 Forest Trail**

Mr. Kerr explained that the next request was for a residential home building business at 245 Forest Trail. The business would involve no business related traffic coming to the house, no exterior evidence of a business and no employees working at the house other than family members.

Mr. Taylor explained that the typical problems with this type of business is signage on vehicles, an abundance of people coming to the house for business and materials and tools being stored at the house. He asked the applicant if he was aware that these things were not allowed at the house. The applicant, Mr. Garner, answered yes that he understood and he had no intentions of doing any

of these things. Mr. Miller asked if he would only be doing standard office work at the home. Mr. Garner answered yes. Mr. Miller asked if he would be storing materials at the home. Mr. Garner answered no, all materials would be stored on the construction site. Mr. Karig asked if had had any signs on vehicles or trailers or anything else that would be visible. Mr. Garner answered no. Mr. Miller made a motion to approve the request and Mr. Karig seconded the motion. The vote was unanimous in favor of the motion.

### **704 Palm Boulevard**

Mr. Kerr explained that the next request was for approval of a photography business at 704 Palm Boulevard. He explained that the applicant would develop a website and marketing materials at the home and there would no business related traffic coming to the house and no exterior evidence of a business.

The applicant, Ms. Hostetler, explained that no one would be coming to the house and that she would do all photography work at the client's property. Mr. Taylor asked if she were aware that no commercial activity, including photography could take place on the beach at the Isle of Palms. Ms. Hostetler answered that she was aware of this. Mr. Miller asked if the house that she was applying for approval was for sale. Ms. Hostetler explained that it had been, but it has been removed from the market. Mr. Taylor explained that the reason for asking was that the approval of a home occupation is not transferrable from property to property. Ms. Hostetler stated that she understood this. Mr. Karig made a motion to approve the request and Mr. Layman seconded the motion. The vote was unanimous in favor of the motion.

### **13 Seagrass Lane**

Mr. Kerr explained that the next request was for a home repair business at 13 Seagrass Lane. He explained that the applicant has indicated that there will be no business related traffic coming to the house, not employees and no exterior evidence of a business; but that he would like to make minor carpentry repairs in his workshop under the house.

Mr. Taylor explained that no business can take place in a detached shed. Mr. Miller asked if the noise generated by woodworking tools would be disruptive to the neighbors. Mr. Herron, the applicant, answered that the work at the house would be very minor, maybe fixing a drawer; it would not be a source of noise. Mr. Miller made a motion to approve the request and Mr. Layman seconded the motion. The vote was unanimous in favor of the motion.

IV. Miscellaneous Business

None.

V. Adjournment

With no other business, the meeting was adjourned at 6:20pm.