

PUBLIC HEARING of CITY COUNCIL

8:07 p.m., Tuesday, November 19, 2013

1. Mayor Cronin called the Public Hearing to order and acknowledged that the press and public have been duly notified in accordance with the Freedom of Information Act.

2. Purpose

Ordinance 2013-10 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, and Article 3, Landscaping and Tree Removal Regulations, of the City of Isle of Palms Code of Ordinances to Permit Removal of Hazardous Trees Causing Structural Damages or Posing a Clear and Imminent Threat of Structural Damage to Permanent Accessory Structures that Require a Building Permit.

Director Kerr explained that this ordinance is an extension of the ordinance originally reviewed in August 2013 when the Code did not address trees that were damaging houses, i.e. a healthy tree that is causing damage to a home could not be removed. The amendment in August allowed for a tree that was damaging a home or posing a clear and imminent threat of structural damage to a house, pool or other primary structure to be removed. When the amendment was adopted in August, Council discussed the problem that trees damaging other substantial accessory structures could not be removed; Council asked that the Planning Commission look at such a circumstance and make a recommendation. The challenge to the Planning Commission was that a shed was a rather vague term; some residences on the island had large, well-built accessory buildings as sheds, but others had pre-fabricated structures that would technically qualify as sheds as well. The goal was to protect the well-built sheds while not saving the pre-fabricated structures. The trigger that will allow for the removal of a tree damaging an accessory structure is that the structure would require a building permit, thereby eliminating a pre-fabricated shed; in addition, the structure must be larger than two hundred square feet (200 sq. ft.), which is already in the Code.

Therefore, this amendment will allow an owner who has a tree damaging or posing an imminent threat of damaging a shed or other accessory building that requires a building permit to remove said tree.

3. There being no comments from the public in attendance, the Public Hearing was closed at 8:15 p.m.

Respectfully submitted:

Marie Copeland
City Clerk