# BOARD OF ZONING APPEALS

## STAFF REPORT
## DEPARTMENT OF GROWTH MANAGEMENT

| | |
|---|---|
| **MEETING DATE:** | October 4, 2016 |
| **PROJECT:** | 23 Plantation Park Drive Suite 304 – Special Exception Request |
| **APPLICANT:** | Denise D'Amico |
| **PROJECT MANAGER:** | Kevin P. Icard, AICP, Planning & Community Development Manager |

**BACKGROUND INFORMATION:**
The applicant is requesting a special exception to place a pet grooming facility at 23 Plantation Park Drive Suite 304, a 3.91 acre property zoned General Mixed-Use within the Town of Bluffton., by virtue of Section 4.5.1.A of the Unified Development Ordinance. The parcel is currently developed with five (5) separate retail/office multi-tenant buildings with associated parking. The applicant wishes to place her facility in suite 304 (See Attachment #1).

A dog grooming business is considered under the category Animal Hospital, Veterinary Clinic, Kennel which requires a Special Exception (Table 4.3 of the UDO).

**SURROUNDING PROPERTIES:**
The subject parcel is bordered by other commercial uses to the North, East and West. It is bordered to the South by residential uses zoned Planned Unit Development within the Estates at Westbury Park (apartment complex). The subject parcel is indicated on the attached Zoning Map (See Attachment #2).

| | Zoning | Land Use |
|---|---|---|
| **North** | General Mixed-Use | High Intensity Commercial |
| **South** | Unincorporated Beaufort Co. | Residential |
| **East** | General Mixed-Use | High Intensity Commercial |
| **West** | General Mixed-Use | High Intensity Commercial |

**ANALYSIS:**
The Board of Zoning Appeals shall approve a Special Exception application upon a finding that all of the following standards are met based on the Town of Bluffton Unified Development Ordinance, Section 3.6.3, Application Review Criteria.

A. **The use is allowed as a Special Exception in the zoning district;**

a. Per table 4.3 of the UDO, the use is a Special Exception in the General Mixed Use District.

B. **The application meets the standards of Section 4.5, if applicable;**

a. The applicant has met the two (2) requirements as set forth in section 4.5.1 of the UDO;

1. All Structures being used as an animal hospital, veterinary clinic or kennel shall be no closer than 200 feet to any residential dwelling or zoning district.

*The building is approximately 200 feet from the rear of the Estates at Westbury Park. There is an existing power line easement and two separate mature vegetative buffers from the 2 structures. (See Attachment #3)*

*2.* All kennel arrangements must be maintained within an enclosed building.

*The use of a grooming business is completing enclosed in the building.*

C. **The application must be in conformance with applicable provisions provided in Article 5, Design Standards of the UDO;**

a. The proposed use will be located in an existing multi-tenant building. The property met the design standards at the time of development, which may be different than the current design standards in Article 5.

D. **The Application complies with applicable requirements in the Applications Manual**;

a. The applicant has submitted a complete application.

E. **The proposed Special Exception use is consistent with the spirit, purpose and intent of the Town of Bluffton Comprehensive Plan;**

a. The intent of "Section 6.3: Local Economy" in the Comprehensive Plan is to foster new business opportunities within the Town while also retaining existing commercial activity. The Comprehensive Plan "encourages the growth of business which is compatible with existing businesses" within the Town of Bluffton. The proposed use will enhance the variety of commercial uses within the Town, adding to the "full spectrum of services" available to its citizens, and will not create a detriment to future commercial activity in the Plantation Business Park. The applicant is starting this as a new business.

F. **The proposed Special Exception use is consistent with the "purpose and intent" statement of the applicable zoning district;**

a. *Section 4.2.6 General Mixed Use (A) Purpose and Intent (the UDO).* The GM district is intended to provide for regional commerce and accommodate large-scale, high intensity, mixed-use development.
The Plantation Business Park meets the purpose and intent of the district by providing multiple buildings over multiple properties an opportunity to allow for a mixture of businesses including; retail uses, restaurants, office & medical office, health care and other professional services.

G. **The proposed Special Exception use will be constructed , operated and maintained so as to be compatible with the existing or intended character of the applicable district and so as not to change the essential character of the area in which it is proposed;**
   a. The use will be located within a fully enclosed building in an existing business park. There will be no physical changes to the exterior of the existing structure which would cause the property to no longer be compatible with the existing character of the area.

H. **The proposed Special Exception use is compatible with the existing uses adjacent to and near the property;**
   a. Provided in the application is a copy of a letter from Rogers Clifford, with Peninsula Property Management Services that has provided approval of the use being located in the complex. Mrs. D'Amico will be required by the Board of Directors to incorporate sound attenuation measures in the interior and ceiling to insure that any noise does not affect the operation of other units in the area.

I. **The proposed Special Exception use does not have an adverse effect on any site or feature of historical, cultural, natural, or scenic importance;**
   a. Since the applicant is going into an existing building, there are no known features of importance that could be affected by the business.

J. **The proposed Special Exception use is consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property;**
   a. The site has an established pedestrian and vehicular circulation plan for the property.

K. **The adjacent streets and highways are or will be adequate to carry any additional traffic generated by the proposed Special Exception use;**
   a. The property is on Plantation Park Drive which connects to Simmonsville Road, Fording Island Road (HWY 278) and Buck Island Road.

L. **The proposed Special Exception use will be adequately served by public facilities and services, such as traffic operations along streets, police and**

**fire protection, drainage structures, water and sewage facilities and primary and secondary schools;**

a. The property has adequate services and will not burden any utility system or the school system.

M. **The proposed Special Exception use will not involve uses, activities, processes, materials and equipment or conditions of operation that, in comparison to by right permitted uses in the district, will be hazardous, detrimental or disturbing to the natural environment, or the public health, safety and welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance; and**

a. The use of a dog grooming business could potentially create excessive noise from dogs barking. However, based on the application materials, the applicant will be installing sound attenuation measures on the walls and ceiling so that the other uses in the building will not be adversely affected.

N. **The proposed Special Exception use will conform to any specific criteria or conditions specified for that use in the applicable zoning district.**

a. The two conditions set forth in Section 4.5 of the UDO (as stated in criteria B above) will be met by the applicant.

ACTION BY THE TOWN:

After review of a Special Exception application and a public hearing on the application, the Board of Zoning Appeals shall make a written finding and **approve**, **approve with modifications or conditions**; or **deny the application.**

RECOMMENDATION:

Planning Staff recommends Zoning Board of Appeals **Approve** the special exception based on the analysis of the criteria, with the following conditions:

1. Prior to a certificate of occupation that the applicant installs the necessary sound attenuation measures that will satisfy the Board of Directors of Plantation Common II OA.

2. The applicant obtains all applicable business licenses with the Town of Bluffton.

ATTACHMENTS:

1. Application
2. Zoning Map
3. Site Photographs
   a. 23 Plantation Park Drive Buffer
   b. Power Line Easement Buffer
   c. Estates at Westbury Buffer

ATTACHMENT 1

RECEIVED
SEP 09 2016
BY

# TOWN OF BLUFFTON
## BOARD OF ZONING APPEALS APPLICATION

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843) 706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

| Applicant | Property Owner |
|---|---|
| Name: Denise D'Amico | Name: Dino J. Calamari |
| Phone: 843-757-2012 609 661-2226 | Phone: 843-681-4133 / 384-7202 |
| Mailing Address: 29 Bass Creek Lane Bluffton SC 29910 | Mailing Address: 29D Hunter Rd. HHI SC 29926 |
| E-mail: HHIBeachBums@Hargray.com | E-mail: dcalamari@ |
| Town Business License # (if applicable): | |

### Project Information

| | | |
|---|---|---|
| Project Name: | ☐ Variance | ☒ Special Exception |
| Project Location: 23 Plantation Pk Dr Suite 304 Bluffton | ☐ Administrative Appeal | |
| Zoning District: Rose Hill PUD - General Mixed Use | Acreage: | |
| Tax Map Number(s): R610 031 000 0155 0000 | | |
| Project Description: Pet Grooming salon | | |
| Request: | | |

### Minimum Requirements for Submittal

☐ 1. Two (2) paper copies and digital files of applicable plans and/or documents depicting the subject property.
☐ 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO.
☐ 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.

**Note:** **A Pre-Application Meeting is required prior to Application submittal.**

**Disclaimer:** **The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.**

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.

| | |
|---|---|
| Property Owner Signature: [signature] owners agent | Date: 9/8/16 |
| Applicant Signature: Denise D'Amico | Date: 9/6/16 |

***For Office Use***

| | |
|---|---|
| *Application Number:* ZONE 9-16 10093 | *Date Received:* 9/12/16 |
| *Received By:* [signature] | *Date Approved:* |

ATTACHMENT 1

Denise D'Amico
609-661-2226

RECEIVED
SEP 01 2016
BY:

Location
23 Plantation Park
Unit 304

Looking to open a grooming shop at this location

3.6.3

A. yes
B. yes
C yes
D.
E. yes
F. yes
G yes
F. yes
G yes
H yes
I NO ?
J yes
K yes
L yes
M yes
N yes. I understand about excessive Noise

23 Plantation ~~Drive~~ Park 304 unit
Denise D'Amico - 609-[redacted] 226-2221

## 3.6 Special Exception

### 3.6.1 Intent

This Section is intended to provide procedures and standards to facilitate the review of *Special Exception Applications* and to ensure that the Special Exception uses listed for each zoning district are located and designed to be compatible with other uses in the vicinity. Review of Special Exception Applications shall consider the following objectives:

A. Ensure impacts associated with a specific use can be accommodated or are mitigated;

B. Ensure site design and operational standards minimize negative impacts on adjoining or nearby properties; and

C. Provide a mechanism for public input.

### 3.6.2 Applicability

Special Exceptions are uses that require a heightened level of scrutiny due to intensity of land use and potential impact on neighboring properties, compared to the range of uses permitted by right in a particular zoning district. The Board of Zoning Appeals shall determine whether Special Exceptions should be allowed and may prescribe appropriate conditions and safeguards to protect surrounding property owners and property values.

### 3.6.3 Application Review Criteria

The Board of Zoning Appeals shall approve a Special Exception application upon a finding that all of the following standards are met:

A. The use is allowed as a Special Exception in the zoning district;

B. The application meets the standards of *Section 4.5*, if applicable; 200' from residential All indoor Kennelling

C. The application must be in conformance with applicable provisions provided in *Article 5, Design Standards*; and Landscape, parking

D. The application complies with applicable requirements in the Applications Manual.

E. The proposed Special Exception use is consistent with the spirit, purpose and intent of the Town of Bluffton *Comprehensive Plan*;

F. The proposed Special Exception use is consistent with the "purpose and intent" statement of the applicable zoning district;

G. The proposed Special Exception use will be constructed, operated and maintained so as to be compatible with the existing or intended character of the applicable district and so as not to change the essential character of the area in which it is proposed; Section 4.2.6 UDO Page 4-21

H. The proposed Special Exception use is compatible with the existing uses adjacent to and near the property;

I. The proposed Special Exception use does not have an adverse effect on any site or feature of historical, cultural, natural, or scenic importance;

J. The proposed Special Exception use is consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property; Example: # of clients / use previous traffic. etc.

Ordinances & Manuals. Unified Development Ordinance

ATTACHMENT 1

**PLANATION COMMONS II OA**
23 Planation Park Drive suite 201
PO Box 3798
Bluffton SC 29910
843-815.6768 (fax) 843-815-2296

August 31, 2016

Mr. Bruce Klein
17 Cardinal Court
Hilton Head Island SC
29926

Dear Mr. Court,

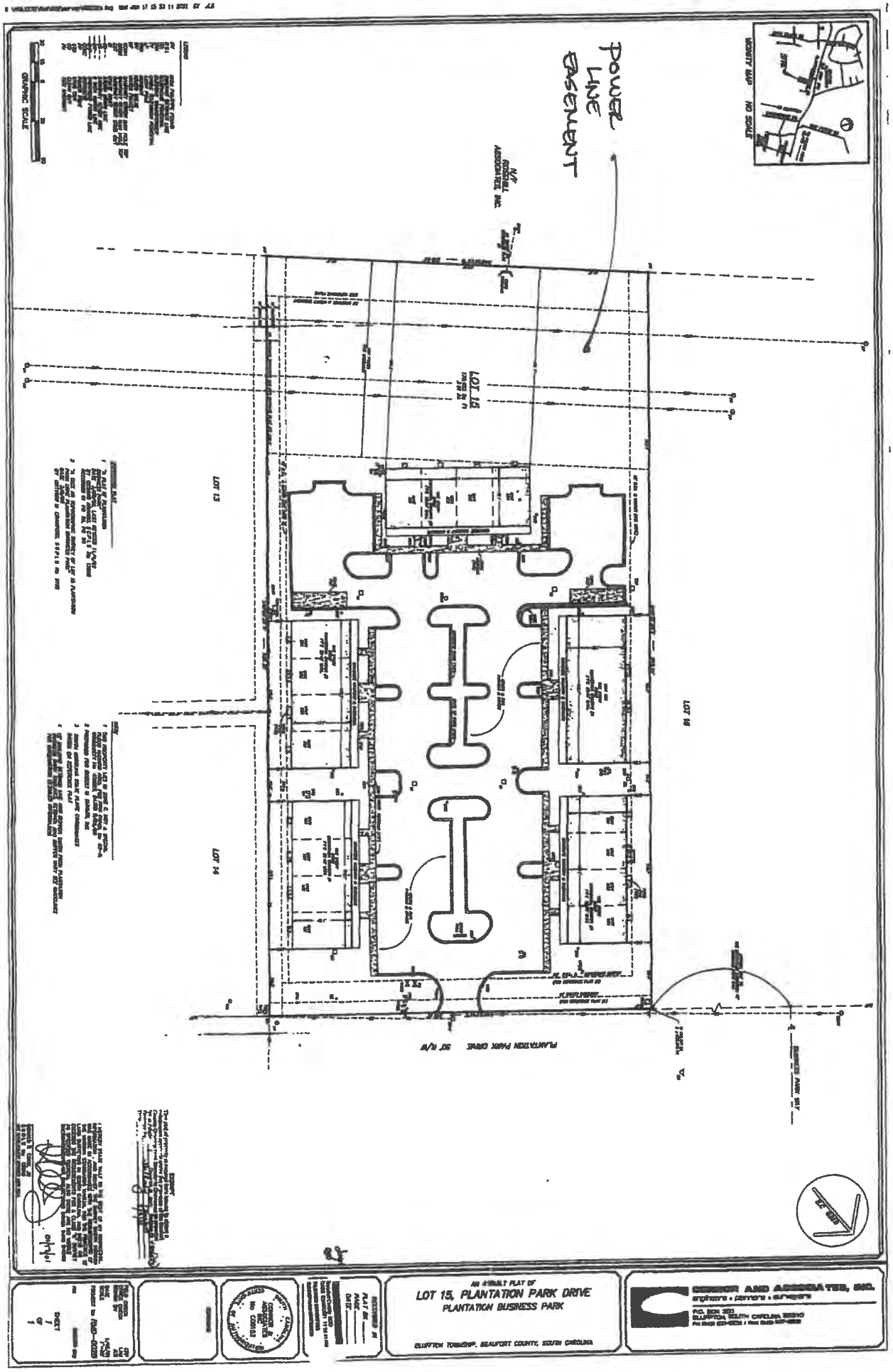
I have met with the Board of Directors for the Planation Commons I Owners Association to discuss your potential purchase of unit 304 located at 23 Planation Park Drive to open a pet grooming salon. The Board has approved the use as a conforming use for the Association

In giving the approval, the Board does note the type of business and the need to incorporate sound attenuation measures in the interior and ceiling of the unit to insure that noise does not affect the operation of other units in the area. You and I discussed several items that you have agree to incorporate into your design to insure that there are no issues and we feel that the addition of those measure should help to insure a normal operation for all businesses in the area.

If you have any questions or need anything else from us please do not hesitate to contact us at 843-815-6768.

Sincerely yours,

Rogers M. Clifford CPM
Peninsula Property Management Services LLC


POWER LINE EASEMENT
LOT 15
LOT 13
LOT 14
LOT 16
PLANTATION PARK DRIVE 50' R/W
AN AS-BUILT PLAT OF
LOT 15, PLANTATION PARK DRIVE
PLANTATION BUSINESS PARK
BLUFFTON TOWNSHIP, BEAUFORT COUNTY, SOUTH CAROLINA
DAVID AND ASSOCIATES, INC.
engineers • planners • surveyors

300
301

Off Market (-- beds, -- baths, -- sqft) Save home Save image Close

1 of 7

Coastal Chic
Home Furnishings
Dairy Queen Brazier
Kobe Japanese
Steakhouse & Sushi Bar
Domino's Pizza
Fording Island Rd
Fording Island Rd
Court Atkins Group Inc
23 Plantation
Park Drive #304
Bird Decorative
Hardware
The Estate At Westbury

ATTACHMENT 2

# 23 Plantation Park Drive Suite 304

## Zoning Map

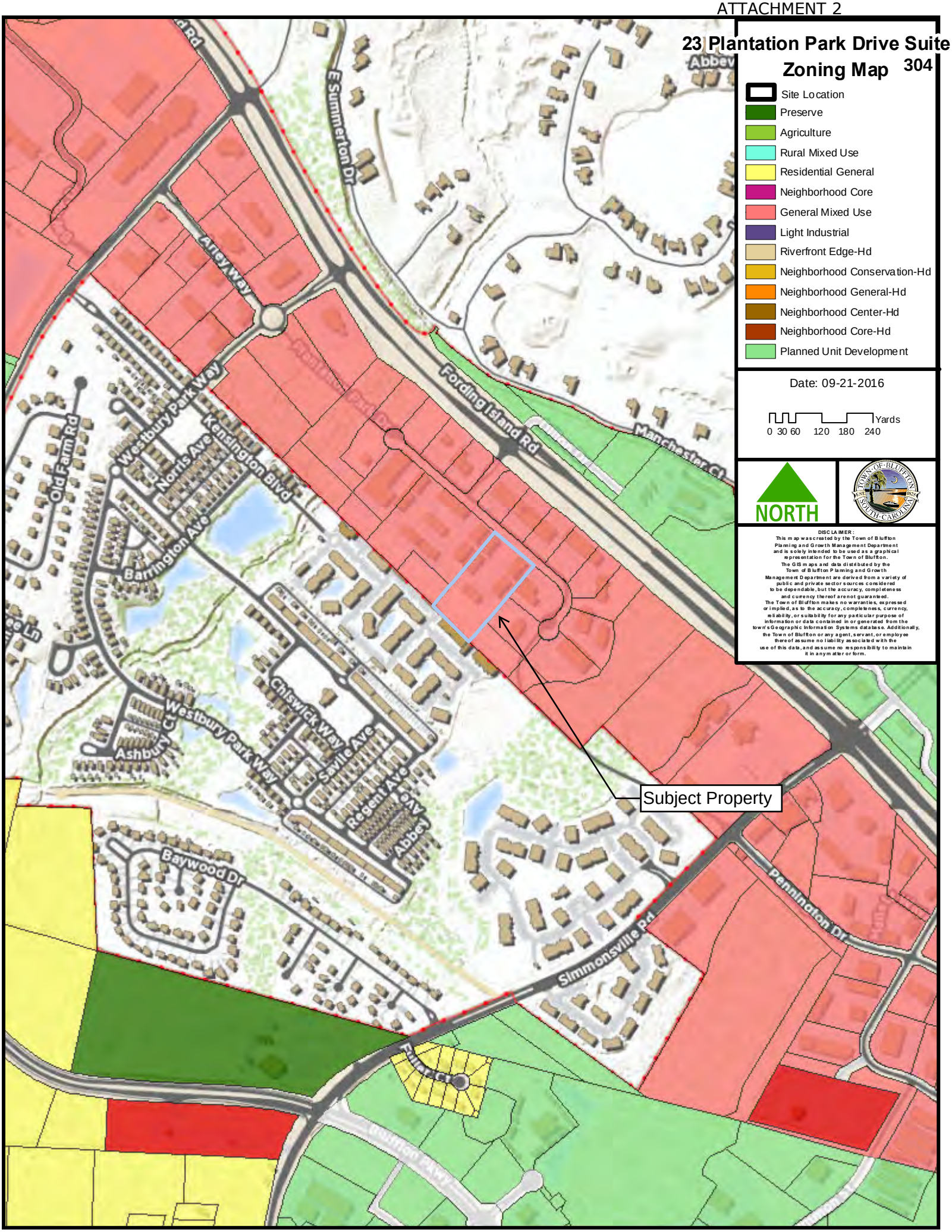
- Site Location
- Preserve
- Agriculture
- Rural Mixed Use
- Residential General
- Neighborhood Core
- General Mixed Use
- Light Industrial
- Riverfront Edge-Hd
- Neighborhood Conservation-Hd
- Neighborhood General-Hd
- Neighborhood Center-Hd
- Neighborhood Core-Hd
- Planned Unit Development

Date: 09-21-2016

0 30 60 120 180 240 Yards

NORTH

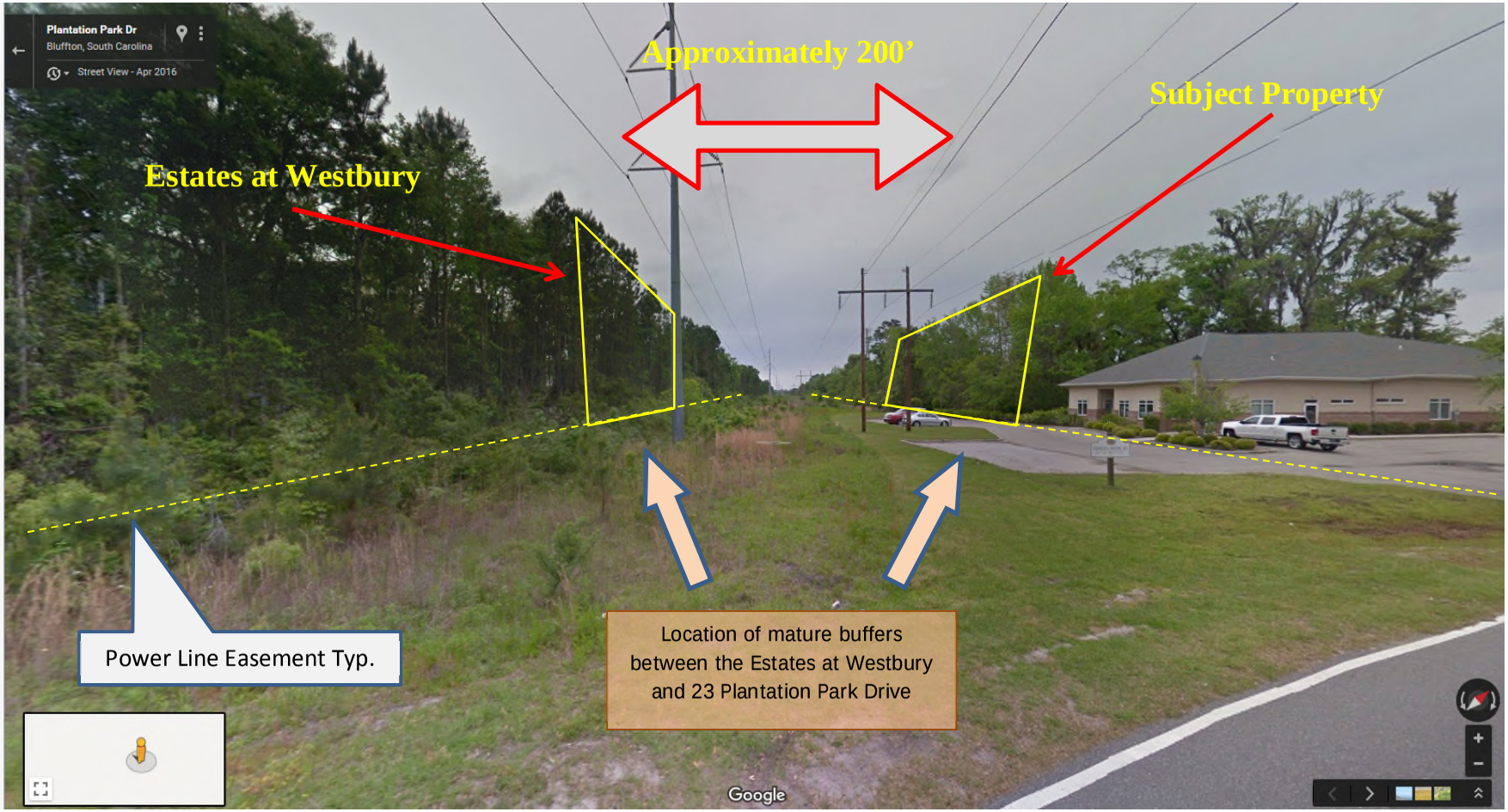
DISCLAIMER:
This map was created by the Town of Bluffton Planning and Growth Management Department and is solely intended to be used as a graphical representation for the Town of Bluffton.
The GIS maps and data distributed by the Town of Bluffton Planning and Growth Management Department are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed.
The Town of Bluffton makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the town's Geographic Information Systems database. Additionally, the Town of Bluffton or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.



ATTACHMENT 3a
Subject Property Buffer

ATTACHMENT 3a
Subject Property Buffer

ATTACHMENT 3b
Building Closest to
Suite 304
Estates at Westbury




VIEW FROM PLANTATION PARK DRIVE

BETWEEN THE POWER LINE EASEMENT