

AGENDA
TOWN OF MEGGETT BOARD OF ZONING APPEALS
April 18, 2016
7:00 P.M.
South Carolina Produce Association Building
4770 Highway 165, Meggett, SC 29449

NOTICE OF THIS MEETING WAS PUBLISHED IN THE POST AND COURIER ON **APRIL 1, 2016**

- I. BRIEF THE PUBLIC ON PROCEDURES OF THE BZA

- II. ADMINISTER THE OATH TO THOSE PRESENTING TESTIMONY

- III. APPROVAL OF THE MARCH 9, 2016 MEETING MINUTES

- IV. REVIEW THE FOLLOWING APPLICATION:

BZAS-3-16-23484
TMS# 164-00-00-404
7439 Rep Road
Special Exception request for the establishment of a kennel in the
Agricultural General (AG) Zoning District.

- V. ADDITIONAL BUSINESS:

Election of Officers

- VI. NEXT MEETING DATE (TO BE DETERMINED)

- VII. ADJOURNMENT



BZA Meeting of April 18, 2016

Case Number: BZAS-3-16-23484

Attached, you will find the following packet contents:

- Staff review
- Staff presentation
- Application
- Applicant's Letter of Intent (including responses to Approval Criteria)
- Site Plan

Review of Application:

The applicant, Kelli Collins and Jeff Schettler, representing the property owner, Skylar Ashby, are requesting a Special Exception to establish a kennel in the Agricultural General (AG) Zoning District on property located at 7439 Rep Road (TMS # 164-00-00-404). The subject property currently contains a single family residence and attached garage. The adjacent properties to the east, west, and south are also located in the AG Zoning District and are primarily undeveloped or contain residential uses. Adjacent properties to the north, across Rep Road, are located in the Town of Hollywood or unincorporated Charleston County and also primarily undeveloped or contain residential uses.

Article 4.9, Table of Permitted Uses, indicates Kennels & Animal Boarding – Indoor/Outdoor, in the AG Zoning District is a use type allowed only if it complies with all other applicable regulations and is approved by the BZA as a Special Exception. “Kennel” is defined in the *Town of Meggett Zoning and Land Development Regulations Ordinance* as, “A facility that provides boarding for three or more dogs, cats, or other household pets for a fee, and may include grooming, breeding, training, or selling of animals.”

The applicant’s letter of intent explains *“Our program is dedicated to teaching law enforcement and military K9 teams how to successfully and safely search for missing, at risk, or fleeing subjects...We are looking to expand our civilian obedience and behavior business to the Town of Meggett, SC. This property would also house our law enforcement puppy program dogs in training. These puppies are hand selected at 8 weeks of age to begin training in the discipline of trailing (searching for missing/at risk or fleeing persons)....This property is centered on a 7-acre tract and includes an existing structure with space for a caretaker and an attached masonry garage that is well suited for a training facility and indoor lodging for the dogs. No construction would need to take place....Our operation is not a general boarding facility. We will only house dogs that are in training or have been previously trained and understand the rules. We maintain a quiet business and don’t tolerate incessant barking. The dogs that are brought to us are here to learn manners and obedience. Therefore, we can’t allow barking or obnoxious behavior.”*

The project has completed the Site Plan Review process and has a site plan in an approvable state, pending the approval of the Special Exception (ZSPR-2-16-23332). Staff conducted a site visit on March 31, 2016. Please review the attachments for additional details regarding this request.

Approval Criteria of §10.10.5:

According to Section 10.10.4 of the *Town of Meggett Zoning and Land Development Regulations Ordinance*, the Board of Zoning Appeals shall approve, approve with conditions, or deny the proposed Special Exception based on the Approval Criteria of Section 10.10.5. Listed below are the applicant’s responses to each criterion.

§10.10.5.A(1): *Is consistent with the recommendations contained in the Town of Meggett Comprehensive Plan and the character of the underlying zoning district, as indicated in the zoning district "Description";*

Applicant Response: **"Property is zoned agricultural. There is no current restriction to the use of the property for a dog training business."**

§10.10.5.A(2): *Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;*

Applicant Response: **"Georgia K9 National Training Center trains law enforcement and military canine teams from across the US and Europe. The added enforcement presence in the area will help with the safety and security of the Town of Meggett residents."**

§10.10.5.A(3): *Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;*

Applicant Response: **"The structure and buffering already exists. There will be no additional construction or changes to the existing buffers and vegetation. The amount of traffic will average no more than three clients per day."**

§10.10.5.A(4): *Where applicable, will be developed in a way that will preserve and incorporate any important natural features;*

Applicant Response: **"Not applicable – no additional development to occur."**

§10.10.5.A(5): *Complies with all applicable rules, regulations, laws, and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and*

Applicant Response: **"There are no current restrictions to the proposed use."**

§10.10.5.A(6): *Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.*

Applicant Response: **"We will have very limited traffic in and out of our facility. At no time will our operations violation any traffic laws or ordinances."**

Board of Zoning Appeals' Action:

According to Article 10.10 Special Exceptions, Section 10.10.5 Approval Criteria of the *Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR)*, Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all of the Approval Criteria of 10.10.5.

In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare (10.10.5.B).

The Board of Zoning Appeals may approve, approve with conditions, or deny Case # BZAS-3-16-23484, [Special Exception to a kennel in the Agricultural General (AG) Zoning District on property located at 7439 Rep Road (TMS # 164-00-00-404)] based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision. A majority of members present and voting are required to approve a Special Exception pursuant to §10.10.4.C.

Town of Meggett Board of Zoning Appeals

April 18, 2016
7:00 PM

BZAS-3-16-23484

Applicant: Kelli Collins and Jeff Schettler

Property Owner: Skylar Ashby

Property Location: 7439 Rep Road (TMS 164-00-00-404)

Zoning District: Agricultural General (AG) Zoning District

Request: Special Exception request to establish a Kennel

Requirement:

- Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR), Art. 4.9, Table of Permitted Uses, indicates Kennels & Animal Boarding – Indoor Outdoor, in the AG Zoning District is a use type allowed only if it complies with all other applicable regulations and is approved by the BZA as a Special Exception.
- A "Kennel" is defined as, *"A facility that provides boarding for three or more dogs, cats, or other household pets for a fee, and may include grooming, breeding, training, or selling of animals."*

CASE # BZAS-3-16-23484
TMS # 164-00-00-404

UNINCORPORATED
CHARLESTON
COUNTY

SUBJECT
PROPERTY

AG

TOWN OF MEGGETT

TOWN OF HOLLYWOOD

LORINE DR

BOCK RD

REP RD

KUZIA RD

INMAN RD

NEW RD EXT

STORAGE RD

CLARANCE CT

ANDY RD

MIZELL RD





CASE # BZAV-3-16-23484
BZA MEETING OF APRIL 18, 2016
SUBJECT PROPERTY: 7439 REP RD (TMS 164-00-00-404)

Request: Special Exception to establish a Kennel



SUBJECT PROPERTY



SPECIAL EXCEPTION APPROVAL CRITERIA

According to Article 10.10 Special Exceptions, Section §10.10.5 Approval Criteria of the Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR), Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all of the Approval Criteria of 10.10.5. Listed below are the applicant's responses to each criterion.

- 1) Is consistent with the recommendations contained in the Town of Meggett Comprehensive Plan and the character of the underlying zoning district, as indicated in the zoning district "Description";**
Applicant Response: "Property is zoned agricultural. There is no current restriction to the use of the property for a dog training business."
- 2) Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;**
Applicant Response: "Georgia K9 National Training Center trains law enforcement and military canine teams from across the US and Europe. The added enforcement presence in the area will help with the safety and security of the Town of Meggett residents."
- 3) Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;**
Applicant Response: "The structure and buffering already exists. There will be no additional construction or changes to the existing buffers and vegetation. The amount of traffic will average no more than three clients per day."

SPECIAL EXCEPTION APPROVAL CRITERIA

According to Article 10.10 Special Exceptions, Section §10.10.5 Approval Criteria of the Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR), Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all of the Approval Criteria of 10.10.5. Listed below are the applicant's responses to each criterion

- 4) Where applicable, will be developed in a way that will preserve and incorporate any important natural features;
Applicant Response: "Not applicable – no additional development to occur."

- 5) Complies with all applicable rules, regulations, laws, and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and
Applicant Response: "There are no current restrictions to the proposed use."

- 6) Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.
Applicant Response: "We will have very limited traffic in and out of our facility. At no time will our operations violation any traffic laws or ordinances."

- i In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare (§10.10.5.B).

BOARD OF ZONING APPEALS' ACTION

- i The Board of Zoning Appeals may **approve**, **approve with conditions**, or **deny** Case # BZAS-3-16-23484, [Special Exception to a kennel in the Agricultural General (AG) Zoning District on property located at 7439 Rep Road (TMS # 164-00-00-404)] based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.
- i A majority of members present and voting are required to approve a Special Exception pursuant to §10.10.4.C.

Application for Special Exception

Town of Meggett Board of Zoning Appeals

Zoning/Planning Department
Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405
Phone 843-202-7200
Fax 843-202-7222
www.charlestoncounty.org



This application must be complete and submitted in person to the Zoning/Planning Department in order to apply for a Special Exception. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is filed. **This application will be returned to the applicant within fifteen (15) working days if these items are not submitted with the application or if any are found to be inaccurate:**

- 1) Completed Special Exception application signed by the current property owner(s).
- 2) Copy of **Current Recorded Deed** to the property (Owner's signature must match documentation). If the applicant is not the owner of the property, the **Current Property Owner(s)** must sign and print the **Designation of Agent** found below.
- 3) **Restrictive Covenants & Posted Notice Affidavit(s)** signed by the applicant or current property owner(s).
- 4) A **letter of intent** signed by the applicant or property owner(s) stating the reason for the request that explains why this request should be granted and how it meets the Approval Criteria of §10.10.5. All proposed Special Exceptions, except manufactured home placements, shall satisfy the Site Plan Review process and attend at least one Site Plan Review meeting prior to submitting this application.
- 5) An accurate, legible **Site Plan drawn to Engineers Scale** must be attached. The site plan must show property dimensions, dimensions and locations of all existing and proposed structures and improvements, parking areas, Grand trees (Live Oaks 24" DBH or greater), wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), holding basins and buffers when applicable.
One 24 x 36 copy & twenty (20) 11 x 17 copy.
- 6) Copy of a legible **Approved and Recorded Plat** showing present boundaries of property.
- 7) **Fee \$250** check made out to "Charleston County" or cash.

Samantha@gak9.com

Applicant Name: Kelli Collins & Jeff Schettler
 Mailing Address: 2998 W. Montague Ave # 118
 City, State, Zip Code: N. Charleston SC 29418 Daytime Phone: 678 592 6761
 Subject Property Address: 7439 Rep Rd Meggett SC 29449
 Present Use of Property: Residential Home
 Special Exception Description: Canine Training Center

Applicant Signature: [Signature] Date: 2/13/16

Designation of Agent

(Complete only if owner is not applicant): I hereby appoint the person named as Applicant above as my (our) agent to represent me (us) in this application.

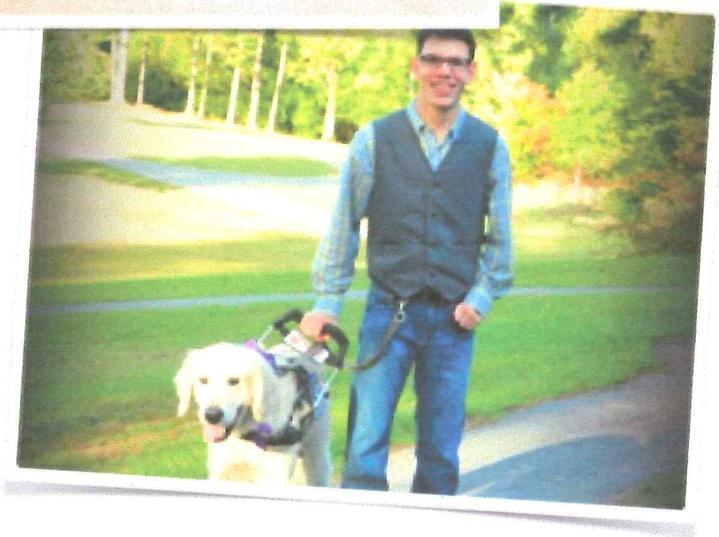
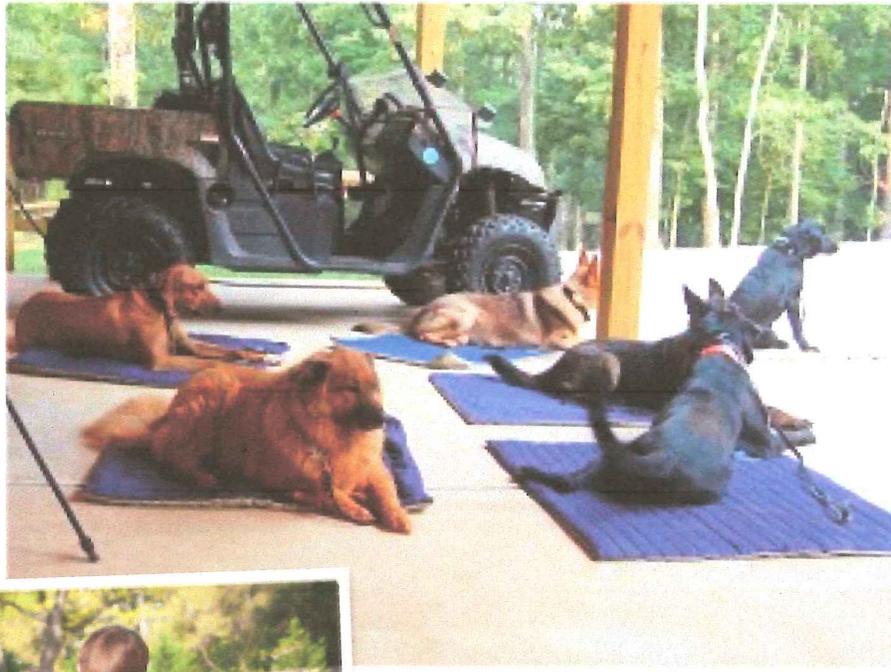
Owner Print Name: Skylar T. Ashby Date: 2/15/16
 Owner Mailing Address: 7349 Rep Rd. Meggett, SC 29449
 Owner Signature: [Signature] City, State, Zip Code: _____

FOR OFFICE USE ONLY:	
Application #: <u>BZAS-3-16-23484</u>	Flood Zone: <u>Y</u>
Zoning District: <u>AG</u>	Fee Paid : (\$250) <u>\$250.00</u>
Date Filed: <u>3/4/16</u>	Zoning Officer: <u>ADS</u>
TMS#: <u>164-00-00-404</u>	



Georgia K9 National Training Center

Canine Training Center Proposal





GEORGIA K9 NTC

ABOUT US:

Georgia K9 National Training Center, the South's premier K9 training company.

Georgia K9 is a partnership of professional K9 trainers from across the United States and in Europe with a wide range of dog training experience.

We are nationally certified and work with dogs and handlers throughout the United States. We are specialists in a wide variety of K9 disciplines from dog obedience training, service dog work, dog tracking and trailing, to canine detection.

WHY IS DOG OBEDIENCE TRAINING IMPORTANT?

Dog Obedience Training plays a huge role in the quality of a dog's life, allowing him/her to live a longer, happier life with his/her family. Dog Obedience Training provides a dog with structure, leadership, socialization, communication, and attention. Obedience training sets the foundation for a healthy relationship as well as helping to prevent behavioral problems from arising.

We specialize in K9 behavioral problem solving with REAL training methods that work.



LAW ENFORCEMENT & MILITARY TRAINING:

This school is truly the first of its kind in the United States. Never before has there been a full time training program specifically designed for law enforcement tracking. Our program is dedicated to teaching law enforcement and military K9 teams how to successfully and safely search for missing, at risk, or fleeing subjects. Georgia K9 NTC produces and develops proven K9 teams. There is no other K9 Trainer in the world today that trains more professional military and police K9 trackers than we do. We are the "Go To" source for specialized combat tracking for our military as well as tactical support operations for Law Enforcement SWAT. Our school is attended by Law Enforcement and Military K9 teams from across the US and Europe.

General Plan:

We are looking to expand our civilian obedience and behavior business to the town of Meggett, SC. This property would also house our law enforcement puppy program dogs in training. These puppies are hand selected at 8 weeks of age to begin training in the discipline of trailing (searching for missing/at risk or fleeing persons).

Purchase property @ 7439 Rep Rd, Meggett SC 29449 (TMS#: 1640000404) for Dog Obedience Training, Law Enforcement, and Military Training. This property is centered on a 7 acre tract and includes an existing structure with space for a caretaker and an attached masonry garage that is well suited for a training facility and indoor lodging for the dogs. No construction would need to take place.

Approximate # of Employees: 3-4 Shift Employees (2 onsite per shift)

Average # of Dogs: 15-20 (Maximum 25)



General Plan (Continued):

Hours open to the public: 9am - 5pm (By Appointment Only) M-F, Very limited appointments taken on weekends.

(Employees 7am - 10pm 7 days per week)

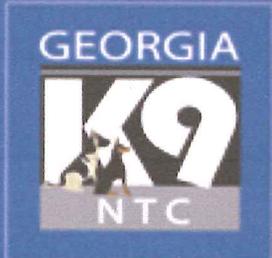
****There will be an onsite caretaker living on the property****

Our operation is not a general boarding facility. We will only house dogs that are in training or have been previously trained and understand the rules. We maintain a quiet business and don't tolerate incessant barking. The dogs that are brought to us are here to learn manners and obedience. Therefore, we can't allow barking or obnoxious behavior.



Locations: Edisto Island, South Carolina Canton, Georgia

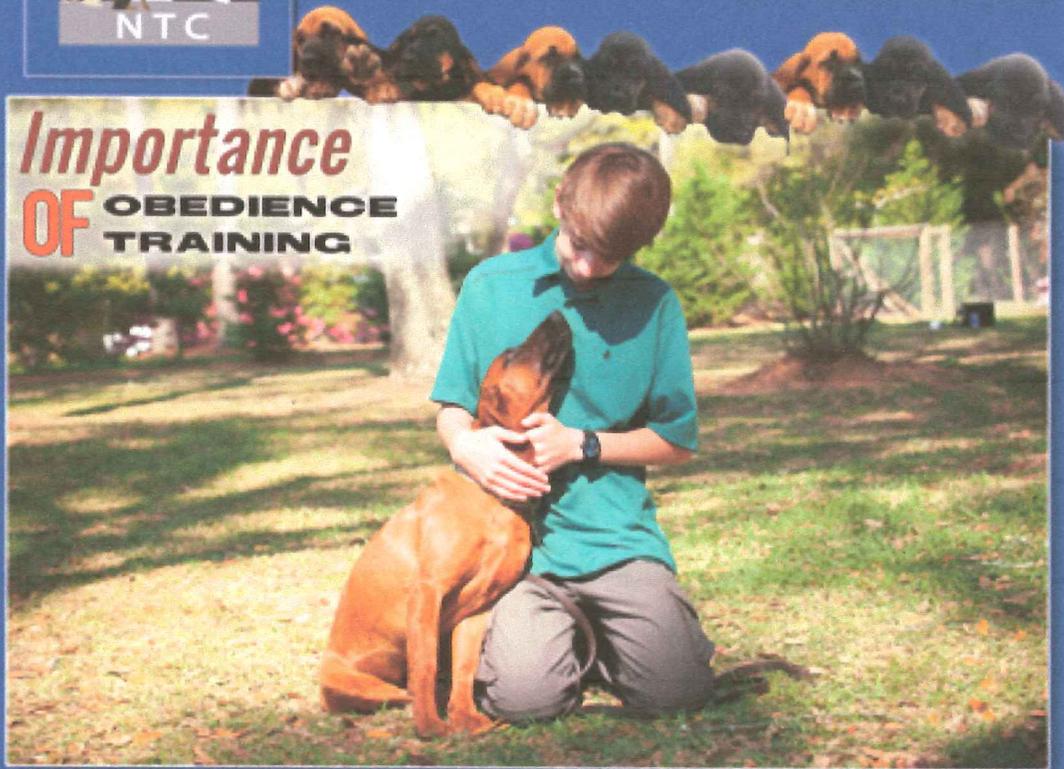
GEORGIA K9 NATIONAL TRAINING CENTER



Premier K9 Training Center

1-877-360-MYK9 (6959)

WWW.GAK9.COM



**Importance
OF OBEDIENCE
TRAINING**

WHY IS DOG OBEDIENCE IMPORTANT

Dog Obedience Training plays a huge role in the quality of a dog's life.

Puppy Preschool Basic Manners

- Puppy Selection Services
- Socialization
- Handling Exercises
- Crate Training
- House Training
- Correction and Reward

Obedience & Socialization

- Basic Obedience
- Intermediate Obedience
- Advanced Obedience
- Elite Obedience
- Socialization
- Environmental

Behavioral Issues

- Aggressive Behavior
- Housebreaking Problems
- Fear Based Conduct

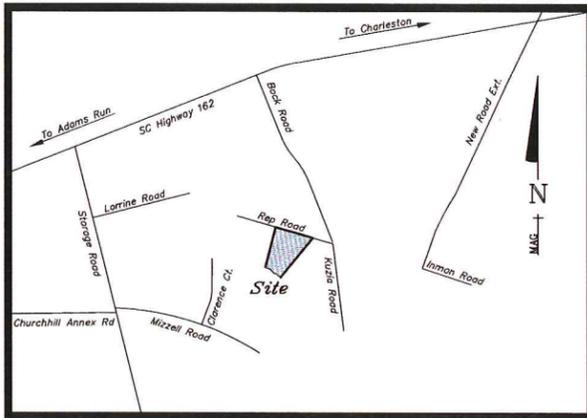
And Much More!!!

CALL TODAY 877-360-MYK9 (6959)

Applicant's Responses to Approval Criteria

Approval Criteria for Special Exceptions

1. Is consistent with the recommendations contained in the Town of Meggett Comprehensive Plan and the character of the underlying zoning district, as indicated in the zoning district "Description".
 - a. Property is zoned agricultural. There is no current restriction to the use of the property for a dog training business.
2. Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community.
 - a. Georgia K9 National Training Center trains law enforcement and military canine teams from across the US and Europe. The added law enforcement presence in the area will help with the safety and security of the Town of Meggett residents.
3. Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties for the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors.
 - a. The structure and buffering already exists. There will be no additional construction or changes to the existing buffers and vegetation. The amount of traffic will average no more than 3 clients per day.
4. Where applicable will be developed in a way that will preserve and incorporate any important natural features.
 - a. N/A – No additional development to occur.
5. Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance
 - a. There are no current restrictions to the proposed use
6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.
 - a. We will have very limited traffic in and out of our facility. At no time will our operations violate any traffic laws or ordinances.



LOCATION MAP
N.T.S.

NOTES:

- 1.) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
- 2.) AREA DETERMINED BY COORDINATE METHOD.
- 3.) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.
- 4.) THE PRESENCE OR ABSENCE OF U.S. ARMY CORP OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
- 5.) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.
- 6.) THIS PROPERTY IS LOCATED IN FLOOD ZONE X AND AN ELEVATION 12, AS PER FEMA MAP COMMUNITY-PANEL No. 45004D 0510 J. DATED NOVEMBER 17, 2004. IT IS THE OWNERS/BUILDERS RESPONSIBILITY TO VERIFY THIS FLOOD ZONE WITH LOCAL AUTHORITIES PRIOR TO BUILDING.
- 7.) DECLARATION IS MADE TO THOSE PERSONS FOR WHICH THIS PLAT WAS PREPARED IT IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS. THIS DRAWING/PLAT IS AN INSTRUMENT OF SERVICE AND IS THE SOLE PROPERTY OF GEORGE A.Z. JOHNSON, JR., INC. IT SHALL NOT BE REPRODUCED OR USED IN ANY WAY, WHATSOEVER, WITHOUT THE WRITTEN PERMISSION OF F. STEVEN JOHNSON, PLS, SC REC No. 10038. COPYRIGHT © 2016, F. Steven Johnson.
- 8.) USE OF UNSEALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL OR LAND TRANSACTION, OR FILING WITH ANY PUBLIC AGENCY OR OFFICE IS UNAUTHORIZED USE AND IS A VIOLATION OF FEDERAL COPYRIGHT LAWS.
- 9.) "SURVEY INSPECTIONS" OR "UPDATES" OF THIS MAP ARE PROHIBITED.
- 10.) THESE CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 11.) TREE SURVEY FROM PREVIOUS SURVEY.

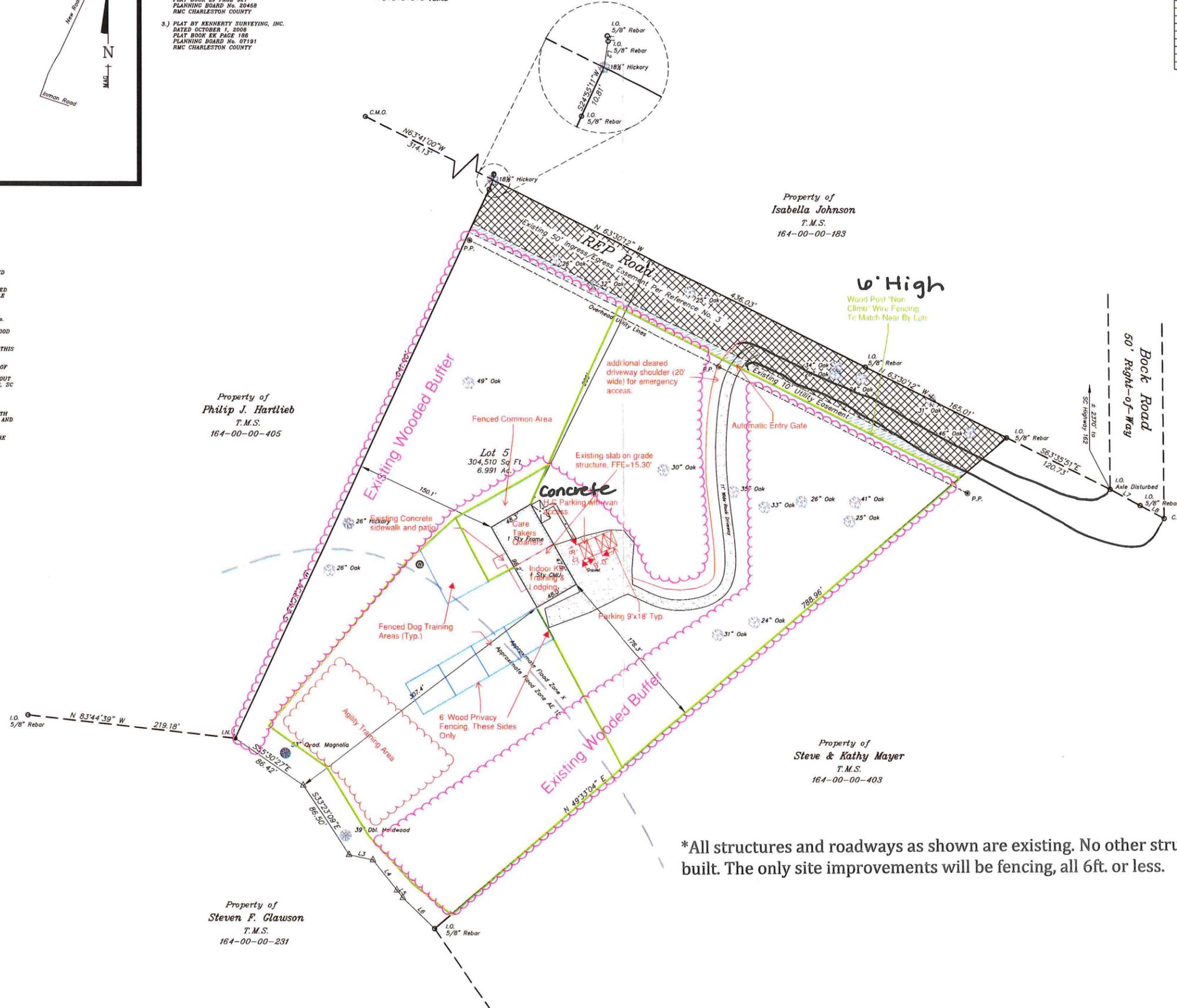
REFERENCES:

- 1.) T.M.S. 164-00-00-404
- 2.) PLAT BY KENNERTY SURVEYING, INC. DATED MAY 8, 2008. PLAT BOOK EJ PAGE 921. PLANNING BOARD No. 20458. RMC CHARLESTON COUNTY.
- 3.) PLAT BY KENNERTY SURVEYING, INC. DATED OCTOBER 1, 2008. PLAT BOOK EK PAGE 186. PLANNING BOARD No. 07191. RMC CHARLESTON COUNTY.

LEGEND:

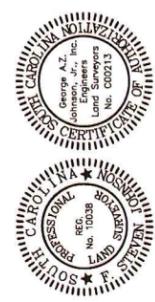
- I.O. IRON PIN OLD
- I.N. IRON PIN NEW (5/8 REBAR)
- △ C.P. CALCULATED POINT
- x-x-x-x-x- FENCE

LINE	LENGTH	BEARING
L1	1.10	S02°18'28"E
L2	5.32	S08°30'58"W
L3	25.75	S77°59'49"E
L4	40.01	S38°30'54"E
L5	10.37	S38°30'54"E
L6	46.04	S45°51'02"E
L7	35.48	S61°16'06"E
L8	28.63	S62°04'30"E



*All structures and roadways as shown are existing. No other structures will be built. The only site improvements will be fencing, all 6ft. or less.

GEORGE A.Z. JOHNSON, JR., INC.
ENGINEERS - PLANNERS - LAND SURVEYORS
8171 SAVANNAH HIGHWAY
RAVENEL, SOUTH CAROLINA 29470
(843) 889.1492 - Charleston No. 722.9892 - Edisto No. 806.1406



DATE: FEBRUARY 8, 2016 SCALE: 1" = 50'
SCALE IN FEET

ASBUILT SURVEY
LOT 5, A 6.991 ACRE TRACT
OWNED BY SKYLAR T. & DENI D. ASHBY
LOCATED IN THE TOWN OF MEGGETT
SAINT PAULS PARISH
CHARLESTON COUNTY, SOUTH CAROLINA

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