



CITY OF BEAUFORT
ZONING BOARD OF APPEALS
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(843) 525-7011

MINUTES

CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Monday, July 19, 2010, 5:30 p.m.
BEAUFORT CITY HALL – 302 Carteret Street
Beaufort, South Carolina

STATEMENT OF MEDIA NOTIFICATION: “In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media duly notified of the time, date, place, and agenda of this meeting.

Members Present

Alice Howard, Chairman
Brad Hill
Eric Powell
Joan Sedlacek

Staff Present

Libby Anderson, City of Beaufort Planning Director
Julie Bachety, Recorder

I. Call to Order

Alice Howard, Chairman, called the meeting to order at 5:35 P.M. Ms. Howard introduced the board members, Brad Hill, Joan Sedlacek, and Eric Powell, and City of Beaufort staff, Libby Anderson, Planning Director, and Julie Bachety, Recorder.

II. FREEDOM OF INFORMATION ACT COMPLIANCE

Public Notification of the Zoning Board of Appeals meeting has been published in compliance with the *Freedom of Information Act* requirements and the *City of Beaufort Unified Development Ordinance* (UDO).

III. Review Minutes:

A. Minutes of June 28, 2010

Motion: Mr. Hill made a motion, seconded by Mr. Powell, to accept the minutes as submitted. The motion carried with a vote of four to zero.

IV. Review of Full Projects:

A. 1000 Hamar Street, identified as District 120, Tax Map 3, Parcel 27B, Special Exception.

Applicant: Teddy Binette of CrossFit Beaufort, LLC (ZB10-14)

The applicant is requesting a special exception in order to open an exercise facility.

Ms. Anderson reminded the board members that this is an application for a special exception and there are certain uses in the ordinance that are allowed only under special exceptions that we feel may be appropriate in many places not but in all places so it is permitted by special exception and approval of the Zoning Board of Appeals. Ms. Anderson presented her staff report. There are two industrial/warehouse buildings located on the site and the applicant proposed to open an exercise facility/gym in the building that faces Hamar Street. Ms. Anderson said there is an existing recreation center across the street. The property is zoned Limited Industrial District. Section 5.1 of the Unified Development Ordinance allows Indoor Recreation uses such as exercise facilities in the Limited Industrial District by special exception. Ms. Anderson said there are few outstanding questions for the applicant such as how many square feet of the building will be used for the business; what are the hours of operation; how many persons are expected on the premises at any one time; and how will parking be handled. Ms. Anderson said the property was posted on July 2. The public hearing notice appeared in the July 4 edition of *The Beaufort Gazette*. Letters were sent to adjoining property owners on July 7. Staff has received one public comment in advance of this meeting via e-mail. Ms. Anderson passed out a copy to all the members and the applicant. Staff believes the Board can make a determination that the proposed gym will have no significant negative impact on residents or surrounding property, upon the general public and recommends approval.

Teddy Binette of Cross Fit Beaufort was present. He said he's been in Beaufort for a very long time and his children were raised here and their children are being raised here. He said he's been very active all his life and now wants to open his own

place. He said CrossFit is a place that specializes in functional style movement which doesn't include machines. He believes in body weight exercises, swimming, running, medicine balls, dumbbells, and pull-up bars. He passed out some photos of similar places. He feels the location on Greene Street is perfect for him. He said his clientele can be from 8 to 80 years old. He said there is not a CrossFit in Beaufort but there is one that just opened in Hilton Head. He doesn't want clients so he can take their money to be rich, but to make people's lifestyle better. He referred to the Birdseye picture and his layout that he submitted and spoke about what used to be a gravel parking lot. He said it's not formalized and is good for about 8 parking spaces. He said along Hamar Street it is paved in front of the building next door all the way to Green Street for 4-5 parking spaces, but the spots are not designated. He said the Baggett Street side of the lot has probably about 5-6 parking spaces not currently being utilized by the current business owner that he will have some access to. He said he offers group classes and at any given time he will have a maximum of 12 people. He said the operation hours are 6:30 am - 9:30 am and then he re-opens at 5:00 pm to 7:30 pm.

Mr. Hill asked what the building next door is. Mr. Binette said it's for event set ups like weddings. Mr. Hill asked how many employees Mr. Binette will have. Mr. Binette said two at the most. Mr. Hill also asked how many classes are done at a time. Mr. Binette said a typical work out is done in 20 minutes so we won't have people lining up. Ms. Anderson asked if any of the activities will be outdoors like having people running through the neighborhood. Mr. Binette said yes the run will be done through the neighborhood and it's typically about ¼ mile.

Ms. Howard opened the floor for public comment.

Ms. Howard referred to the one public comment that was received via e-mail prior to the meeting from Steve Tully. Ms. Howard said it was a positive comment.

Angela Heckstrom said she lives in the Depot Road area. She said this sounds compatible to the neighborhood. She is concerned that once this zoning is issued for the fitness business and the fitness business doesn't work out, the applicant may want to open a bar or restaurant under this zoning because the zoning is labeled, "entertainment". She requested that a stipulation be put in writing.

Ms. Anderson said it is a good comment but the special exception is unique to this application and this use is the only type that is allowed. Ms. Howard asked how the City would know if they are conducting another business. Ms. Anderson said ideally the applicant should let City know of their change but if not, then a neighbor most likely will let us know.

Ms. Howard closed the public comment.

Zoning Board of Appeals

July 19, 2010

Page 4

Motion: Mr. Hill made a motion, seconded by Mr. Powell, to approve the special exception application based on staff's comments with the condition that the applicant provides wheel stops for the parking areas and that applicant's photos are part of the file.

V. Old Business

No old business.

VI. New Business

No new business.

VII. Adjournment

The Meeting adjourned at 6:05 P.M.

Submitted by Julie A. Bachety, Recorder