



COUNTY COUNCIL OF BEAUFORT COUNTY  
**BEAUFORT COUNTY PLANNING DIVISION**

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The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Thursday, September 6, 2012, in Executive Conference Room, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Jim Hicks, Chair  
Ms. Diane Chmelik

Mr. Robert Semmler, Vice Chair  
Ms. Mary LeGree

Mr. Charles Brown

**Members Absent:**

Mr. Ronald Petit  
Mr. E. Parker Sutler

Mr. Edward Riley III  
Mr. John Thomas

**Staff Present:**

Ms. Delores Frazier, County Assistant Planning Director  
Mr. Brian Herrmann, County Community Planner  
Ms. Barbara Childs, Admin. Asst. to County Planning Director

**CALL TO ORDER:** Chairman Hicks called the meeting to order at approximately 6:03 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Hicks led those assembled in the Chambers with the pledge of allegiance to the U.S.A. flag.

**REVIEW OF MINUTES:** The following Commission meeting minutes were reviewed:

- **February 6, 2012, Meeting: Motion:** Ms. Chmelik made a motion, and Mr. Semmler seconded the motion, **to accept the February 6, 2012, minutes as written.** No discussion occurred. The motion **was carried** (FOR: Brown, Chmelik, Hicks, and Semmler; ABSTAINED: LeGree).
- **May 8, 2012—Meeting and Workshop: Motion:** Mr. Brown made a motion, and Mr. Semmler seconded the motion, **to accept both of the May 8, 2012, minutes as written.** No discussion occurred. The motion **was carried** (FOR: Brown, Hicks, LeGree, and Semmler; ABSTAINED: Chmelik).
- **June 4, 2012: Motion:** Ms. LeGree made a motion, and Ms. Chmelik seconded the motion, **to accept the June 4, 2012, minutes as written.** No discussion occurred. The motion **was carried unanimously** (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**CHAIRMAN’S REPORT:** Chairman Hicks stated he had nothing to report; but, he did thank the Commissioners for attending tonight’s meeting thereby constituting a voting quorum.

**PUBLIC COMMENT** on items other than agenda items: None were received.

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V. USE REGULATIONS, SECTION 106-1218. COTTAGE INDUSTRY (TO REDUCE ACREAGE, SCREENING AND LIGHTING REQUIREMENTS FOR COTTAGE INDUSTRIES IN RURAL ZONING); APPLICANT: DAVID TEDDER.**

Mr. Brian Herrmann, the County Community Planner, briefed the Commission. He noted that the applicant proposed the following:

1. First Request: a- to reduce the by-right site requirement from 10 to 6 acres that is supported by the ordinance and the Staff; and b- to add the total acreage of the property where the cottage industry use is proposed and the adjacent residential property of the owner of the cottage industry use that the staff supports.
2. Second Request: a- to reduce the buffering from 100 to 50 feet that the staff recommends denial; b- to eliminate the phrase "...and district..." that the staff supports; and c- to waive the screening requirement between the cottage industry and the adjacent residential properties if both properties are owned by the same person which the staff supports.
3. Third Request: a- to changes the road requirement and to delete the word "...direct...", where both are supported by the staff; and b- to reduce the outdoor lighting standard from cut-off fixtures to standard fixtures that is not supported by the staff because they feel this would lower protection standards.

Applicant's Comments: Mr. Harvey McCormick, the applicant's representative, stated that the applicant agreed with all but two issues: the proposed 50-foot buffer and deleting cut-off lighting. The current ordinance requires 100-foot buffer for cottage industry that could make it prohibitive depending on the shape of the property. They recommend a 50-foot buffer with 100 percent opacity. A suitable alternative would be requiring a physical screen with the 50-foot buffer. If no physical screen is provided, then the 100-foot buffer should be required. Physical screening would do away with noise, odor and vibration. Generally cottage industry uses would be on smaller acreage, with buffers with 100 percent opacity; therefore using cobra versus cutoff lighting would be sufficient instead of cost-prohibitive.

Public Comment: No other public comment was received.

Chairman Hicks summarized the Applicant's Requests for clarity:

1. Reducing the minimum acreage requirement for by-right approval from 10 to 6 acres in Sec. 106-1218(a);
2. Including the property where the cottage industry would occur and the adjacent residential property of the owner of the cottage industry when calculating the minimum acreage requirement (Sec. 106-1218(a));
3. Reducing the buffer from 100 feet to 50 feet in Sec. 106-1218(a)(4);
4. Delete the phrase "...and districts..." in Sec. 106-1218(a)(4);
5. Removing the screening requirement between the two sites—cottage industry and residential—that are owned by same person (Sec. 106-1218(a)(4));
6. Changing the access requirement in Sec. 106-1218(a)(5) by deleting the word "direct";

7. Adding at the end of the sentence in Sec. 106-1218(a)(5): "..., which may be by way of a public or private road meeting the Rural Subdivision access easement requirements of Section 106-2597(1)."; and
8. Changing the outdoor lighting requirement from cutoff to standard lighting fixtures (Sec. 106-1218(a)(7)).

Discussion regarding the Applicant's requests #1 and #2 (listed above) included:

- Recalling a past project where someone wanted to repair small boat engines on St. Helena so cottage industry was devised with the various requirements of lighting, acreage, and buffering;
- Clarifying the applicant's request to calculate the acreage including the properties where the cottage industry is held and the cottage industry owner's abutting residential lot;
- Protecting the neighbors from abutting cottage industries in the rural areas; and
- Reducing the acreage requirement to 5 instead of the requested 6 acres if the goal is to promote cottage industry in rural districts.

**Motion on Request #1:** Mr. Semmler made a motion, and Mr. Brown seconded the motion, **to forward a recommendation to County Council to approve reducing the minimum acreage requirement for cottage industry in rural district from 10 to 6 acres (in Section 106-1218(a)).** No further discussion occurred. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**Motion on Request #2:** Mr. Semmler made a motion **to forward a recommendation to County Council to approve adding to the end of Sec. 106-1218(a): "The qualifying acreage may consist of the total acreage of both the property upon which the use is proposed, as well as the adjacent residential property upon which the owner resides, in accordance with Section 106-1218(a)(9)."** Discussion included a clarification that the motion would affect all properties in the county, not only the applicant's. Ms. Chmelik seconded the motion. No further discussion occurred. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

Discussion regarding the Applicant's requests #3, #4 and #5 (listed on page 2 of 4) included: staff recommending approval of this request, involving the Zoning Board of Appeals instead of amending the text because of the size and shape of the lot provided a hardship to the owner, agreement on the removal of the word "district", and clarifying the proposed screening and buffer requirements.

**Motion on Request #3:** Mr. Semmler made a motion, and Ms. Chmelik seconded the motion, **to forward a recommendation to County Council to deny reducing the bufferyard from 100 to 50 feet in Section 106-1218(a)(4).** No further discussion occurred. The motion to deny was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**Motion on Request #4:** Mr. Semmler made a motion, and Mr. Brown seconded the motion, **to forward a recommendation to County Council to approve removing the phrase "...and districts.." from Section 106-1218(a)(4).** No further discussion occurred. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**Motion on Request #5:** Mr. Semmler made a motion **to forward a recommendation to County Council to approve screening all cottage industry operations from adjoining residential properties unless such residential property is owned by the operator of the cottage industry** (Section 106-1218(a)(4)). Further discussion included clarification on the applicant's screening requirement request. Ms. Chmelik seconded the motion. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

Discussion regarding the Applicant's requests #6 and #7 (from page 2 of 4) included a clarification of the proposed road requirement to avoid over dictating where a cottage industry occurs.

**Motion on Request #6:** Mr. Semmler made a motion, and Ms. Chmelik seconded the motion, **to forward a recommendation to County Council to approve eliminating the word "direct" from the access requirement in Section 16-1218(a)5**. No further discussion occurred. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**Motion on Request #7:** Mr. Semmler made a motion **to forward a recommendation to County Council to approve adding the phrase "...which may be by way of a public or private road meeting the Rural Subdivision access easement requirements of Section 106-2597(1)" to the end of Section 106-1218(a)(5)**. Mr. Brown seconded the motion. No further discussion occurred. The motion to approve was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

Discussion for the Applicant's request #8: included clarification on using standard instead of cutoff fixtures to avoid light pollution, shielding of lighting is available for residences, candlefoot limitation, concern for losing night sky, cutoff light expense, and support for current lighting requirement

**Motion on Request #8:** Mr. Semmler made a motion **to forward a recommendation to County Council to deny the applicant's request to change the lighting requirement to standard lighting, thereby retaining the existing cutoff lighting requirement**. Ms. Chmelik seconded the motion. No further discussion occurred. The motion for denial was carried unanimously (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler).

**OTHER BUSINESS:** None were discussed.

Chairman Hicks welcomed Ms. Suzanne Larson, the former County Public Information Officer, who was in the audience.

Mr. Brian Herrmann noted that architectural students are on St. Helena. County Channel took pictures. Mr. Herrmann noted that these were 4<sup>th</sup> year architectural students who were looking at the Corners area and Fort Fremont to propose how the park could be utilized.

**ADJOURNMENT: Motion:** Mr. Brown made a motion, and Ms. LeGree seconded the motion, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Brown, Chmelik, Hicks, LeGree, and Semmler). Chairman Hicks adjourned the meeting at approximately 7:05 p.m.

**SUBMITTED BY:** \_\_\_\_\_  
Barbara Childs, Admin. Assistant to the Planning Director

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Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED:**       **October 1, 2012, as written**