



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Planning & Zoning

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The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, April 28, 2022, at the Beaufort County Administration Bldg., Council Chambers, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Kevin Mack, Chairman
Mr. John Chemsak
Mrs. Jane Frederick
Ms. Lynne Hoos
Mr. Evan Bromley
Mr. Cecil Mitchell
Mr. Dennis Nielsen

MEMBERS ABSENT

VACANCY

STAFF PRESENT

Mr. Robert Merchant, Planning/Zoning Director
Ms. Hillary Austin, Zoning Administrator

ATTORNEY PRESENT

None

CALL TO ORDER: Mr. Mack called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE: Mr. Mack led those assembled with the Pledge of Allegiance.

Mr. Mack welcomed the new member of the Board, Mr. Dennis Nielsen.

FOIA – PUBLICATION NOTICE: Mr. Mack asked if all public notices were sent out, Ms. Austin verified that they were.

ADOPTION OF AGENDA:

MOTION: Mr. Chemsak made a motion to adopt the agenda. Ms. Hoos seconded the motion. The motion passed unanimously.

ADOPTION OF MINUTES:

March 24, 2022

MOTION: Mrs. Fredrick made a motion to adopt the minutes. Mr. Chemsak seconded the motion. The motion passed: **FOR:** Chemsak, Fredrick, Hoos, Mack, Bromley. **ABSTAIN:** Mitchell and Nielsen.

FIORVANTI'S ESSENTIAL ACCESS – SPECIAL USE

Mr. Fiorvanti is requesting a Special Use Permit to construct an essential access through a non-tidal wetland. Mr. Fiorvanti stated he has received all of the required permits from the Army Corps and has received conceptual approval from the Staff Review Board. He also stated that without the access, the property would be unusable.

Ms. Austin stated to the Board that Mr. Fiorvanti came before the Staff Review Team and the team recommended approval because this is the only access to the property in question. She also stated that the original developer of The Crescent PUD left this portion of the property as “Future Development” but never completed the access to the property. Therefore, the staff recommended approval.

Mr. Mack called for Public Comment.

No Public Comment.

MOTION: Mr. Mitchell made a motion to approve the Special Use Permit as set forth in Division 7.2.130 of the Community Development Code as approved by the Staff Review Team. Mrs. Fredrick seconded the motion: The motion passed unanimously.

GRATTON'S SIDE YARD SETBACK VARIANCE

Mr. Gratton stated he is requesting a variance to place a garage three (3) feet from the side property line. He stated that there is a large Live Oak tree that would prevent him from moving the garage further behind the house. He submitted a letter from the Walling Grove Homeowners Association stating that they would grant a variance if the Board granted one. He continued to state that he does not want to place the garage behind or in front of the house.

Mr. Mack asked Mr. Gratton if he is aware of any setback within the Walling Grove subdivision, Mr. Gratton stated no he was not aware of any setback requirements.

Mr. Mitchell stated that there are Covenants and Restrictions that states there is a 10-foot side yard setback, and HOA is able to grant a variance of 25% of the 10-feet, which would allow a setback of 7.5 feet from the property line.

Ms. Austin stated Staff recommended disapproval of the variance request because of the Covenants and Restrictions. She also stated that Staff is allowed to modulate the side yard setback up to 3 feet or 20% whichever is greater, but the HOA would have to grant the variance first. Ms. Austin also stated that the property is large enough so that a garage can be placed and meet the setbacks.

Mr. Mack called for Public Comment.

Mrs. Amy Bowman stated that she owns the property adjacent to the Gratton's and does not have a problem with the variance being granted. She stated that the existing driveway is on the property line, so the garage being three (3) from the property line would not be a problem. She showed the Board her tree survey showing the Live Oak in question.

Mr. David Irwin stated that he owns the property on the other side of the Gratton's and he does not have a problem with the variance being granted.

Mr. Mack closed the Public Comments.

Mr. Bromley stated that the applicant should go back to the HOA for a variance then come back to the Board.

MOTION: Mr. Bromley made a motion to continue the request so that the applicant can request and receive a variance from the HOA and provide to the Board at the next meeting the location of the tree as it relates to the proposed garage. Mrs. Frederick seconded the motion. The motion passed Unanimously.

DAVID ROWE REAR YARD SETBACK VARIANCE

Mr. Rowe is not present.

MOTION: Mrs. Fredrick made a motion to continue the request until the next meeting. Ms. Hoos seconded the motion. The motion passed unanimously.

NEW BUSINESS:

Selection of a Vice Chairman.

MOTION: Mrs. Fredrick made a motion that she would volunteer for the position of Vice Chairman. Ms. Hoos seconded the motion. The motion passed unanimously.

ADJOURNMENT:

MOTION: Mrs. Fredrick made a motion to adjourn. Mr. Nielsen seconded the motion. The motion passed unanimously.

The meeting adjourned at 5:45 p.m.