



## **COUNTY COUNCIL OF BEAUFORT COUNTY**

### **Beaufort County Planning & Zoning**

Multi Government Center • 100 Ribaut Road

Post Office Drawer 1228, Beaufort, SC 29901-1228

OFFICE (843) 255-2170

FAX (843) 255-9446

The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, September 22, 2022, at the Beaufort County Administration Bldg., Council Chambers, Beaufort, South Carolina.

#### **MEMBERS PRESENT**

Mrs. Jane Frederick, Vice Chairwoman

Mr. John Chemsak

Mr. Cecil Mitchell

Ms. Lynn Hoos

Dr. Dennis Nielsen

Mr. Evan Bromley

#### **MEMBERS ABSENT**

Mr. Kevin Mack, Chairman

#### **VACANCY**

None

#### **STAFF PRESENT**

Mr. Robert Merchant, Planning/Zoning Director

Ms. Hillary Austin, Zoning Administrator

#### **ATTORNEY PRESENT**

Mr. Kevin Dukes for Applicant

**CALL TO ORDER:** Mrs. Frederick called the meeting to order at 5:00 p.m.

**PLEDGE OF ALLEGIANCE:** Mrs. Frederick led those assembled with the Pledge of Allegiance.

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

#### **ADOPTION OF AGENDA:**

**MOTION:** Ms. Hoos made a motion to remove Items #6 and #7, and #14 and #15 and adopt the new agenda. Mr. Bromley seconded the motion. The motion passed unanimously.

#### **ADOPTION OF MINUTES: August 25, 2022**

**Mrs. Frederick stated that the adoption of the August Minutes will be put over to the next scheduled meeting.**

## **SHARON HOLMES' SHORT-TERM RENTAL UNIT SPECIAL USE**

Ms. Holmes stated she is requesting to use her home as a Short-Term Rental Unit. She was told that this use is a Special Use, therefore, she is here requesting the Special Use approval. Ms. Holmes also stated that this would be an owner-occupied rental unit.

Ms. Austin stated the County recommended approval for the Special Use Permit.

Mrs. Frederick called for PUBLIC COMMENT.

No Public Comment.

**MOTION: Mr. Chemsak made a motion to approve the Special Use for the short-term rental. Ms. Hoos seconded the motion. The motion passed unanimously.**

## **FATIMAH JORDAN'S SHORT-TERM RENTAL UNIT SPECIAL USE**

Ms. Yvette Wilson stated that she is the agent for Mrs. Jordan, and Mrs. Jordan is requesting to use her home as a Short-Term Rental Unit. She was told that this use is a Special Use, therefore, she is here requesting the Special Use approval. Ms. Wilson stated that she will be the person managing the rental and she is local.

Ms. Austin stated the County recommended approval for the Special Use Permit.

Mrs. Frederick called for PUBLIC COMMENT.

No Public Comment.

**MOTION: Ms. Hoos made a motion to approve the Special Use for the short-term rental. Dr. Nielsen seconded the motion. The motion passed unanimously.**

## **CHRISTIAN AVART'S SHORT-TERM RENTAL UNIT SPECIAL USE**

Mr. Kevin Dukes for the applicant stated that the Avarts are requesting to use their home as a Short-Term Rental Unit. He also stated that per the title search conducted by a reputable company, there are no covenants and restrictions on this property. He continued to state that this property was not a part of the Coffin Point Subdivision, therefore, was not subject to those recorded covenants and restrictions.

Ms. Austin stated that she also did her research to ensure that this parcel was not a part of the Coffin Point Subdivision and found that it was not, and therefore could not find any covenants and restrictions that governed this property.

Mrs. Frederick called for PUBLIC COMMENT.

Mr. Barry Fitzgerald stated that his company will be the property manager for this property. He stated that he is local and will be on call for any complaints if any at all times.

Mrs. Diane King stated that this property is in the Coffin Point Community and is therefore, subjected to the recorded covenants and restrictions.

Mr. Ken Abate stated that the property is in the Coffin Point Community, and he is sure that it is subject to the recorded covenants and restrictions. He stated that the Board should delay approving the special use until after more research has been done. He also stated that these are private dirt roads.

Mrs. Elaine Smith spoke against the Special Use Permit.

Mrs. Frederick closed Public Comments.

Mr. Dukes stated that the applicants have offered to help with the maintenance of the road.

Mr. Merchant stated that this is a Special Use and there are criteria we use to evaluate a special use that has to do with consistency with the Comprehensive Plan, the impact on the neighborhood, and the environment. It is not a matter of meeting all of the conditions then the Board has no choice but to approve the project. The Board still has a choice whether or not to approve the request.

Mr. Bromley stated that it would be good if the applicant would reach out to the HOA on the maintenance of the road.

**MOTION: Mr. Bromley made a motion to approve the Special Use Permit. Mr. Mitchell seconded the motion. The motion passed unanimously.**

**AJOURNMENT.**

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

**The meeting adjourned at 5:31 p.m.**