



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, May 25, 2023, at the Beaufort County Administration Bldg., Council Chambers, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Kevin Mack, Chairman

Mr. John Chemsak

Mr. Evan Bromley

Ms. Lynn Hoos

Mr. Dennis Nielsen

MEMBERS ABSENT

Mrs. Jane Frederick, Vice Chairwoman

Mr. Cecil Mitchell

VACANCY

None

STAFF PRESENT

Mr. Robert Merchant, Planning/Zoning Director

ATTORNEY PRESENT

Mr. Brian Hulbert, Deputy County Attorney, for Staff

Mr. Chester Williams, for the Applicants

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.

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

ADOPTION OF AGENDA:

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

ADOPTION OF MINUTES: April 27, 2023 (Correction)

MOTION: Mr. Chemsak made a motion to adopt the minutes of April 27, 2023. Mr. Bromley seconded the motion. The motion passed. (FOR) Chemsak, Bromley, Nielsen, Hoos, Frederick. (ABSTAINED) Mitchell.

Mr. Mack instructed the public that anyone who wishes to speak on an agenda item will have 3 minutes and they should sign up to speak.

LISA COAKLEY'S SPECIAL USE – LODGING, SHORT-TERM RENTAL

Mrs. Coakley stated that she is the applicant and requesting approval for a short-term rental unit at her property.

Mr. Mack asked if she owned two (2) lots, because the plat in the application appears to be a subdivision.

Mrs. Coakley stated that she owned lot B and after working with a family member she swapped lot B for C and D and which was given to her by her brother. She explained that the mobile home was on the wrong lot, so she made the swap.

Mr. Chemsak asked about the Fire Safety Standard Form which stated that it was approved for zoning only and no fire inspection has been completed.

Mrs. Coakley stated that she had all the alarms tested, and she also has the property registered with a company that does all of the testing (Smoke and Radon).

Mr. Chemsak asked if the fire extinguishers were in place in the house.

Mrs. Coakley answered yes.

Mr. Merchant stated that this request must be compliant with Division 7.20.130.D of the Community Development Code, and from the staff's standpoint, we recommend approval for the special use. Mr. Merchant also stated that the staff is sure that there are no covenants and restrictions for the property.

PUBLIC COMMENT

Keith Frazier stated that he owns the property at 284 Bay Pines Road, his sister owns the property at 562 and 564. He stated that 30 feet of her mobile home sits on his property. He stated he has sent certified letters asking her to contact him and has received no response. He stated that he is opposed to people coming into the neighborhood. He also stated that she has been renting the place for the last three (3) years and has had tenants get drunk and throw empty bottles on his property. He again stated that he does not want this type of behavior in the neighborhood. He stated that she does not live here, and she does not keep up with her renters.

Mr. Chemsak asked how long the mobile home has been on the property.

Mr. Frazier stated five (5) years.

Mrs. Bianca Green-Hall stated that this is all about sibling rivalry. She stated that Mrs. Coakley is just trying to have her place and rent it out when she is not there.

Ms. Danette Frazier stated that she lives next door to the property, and throughout the year it gets wild, ongoing partying every night. She continued to state that one night there were a lot of marines, and they were driving their trucks around all night and that party went on until 3 – 4

o'clock in the morning. She stated that does not feel safe, she lives alone, and these types of activities do not make her feel safe at all.

Mr. Mack closed **PUBLIC COMMENT**

Mr. Bromley wanted to know if all the proposed parking is going to be on parcel B.

Mrs. Coakley stated no, the property is 1.1 acres, and all the information she is hearing today, she has never heard before.

Mr. Bromley stated he wanted to be clear that the parking was not on Parcel B, because the drawing indicated that they are on Parcel B.

Mrs. Coakley stated that this is all sibling rivalry, and she has done all that she can do to be civil.

Mr. Mack stated that he understands, but the Board must go on the information that is in front of them, and as it turns out, the parking is on Mr. Frazier's property.

MOTION: Mr. Bromley made a motion to deny the Special Use Permit. Mr. Mack added that the motion to deny is because the property that most of the activity is on is not in her name, she does not have a deed to the property. Mr. Chemsak seconded the Motion. Discussion on the motion – Ms. Hoos stated that she was confused about the situation, if she has an easement, then what is the problem? Mr. Bromley stated that she has an easement for access, but not the driveway. Mr. Merchant asked about a deferral which would give the applicant time to work out the issues and may place a driveway on her property, then she would not have to wait a year to come back to the Board. Mr. Mack asked Mrs. Coakley if she would be willing to work out an agreement with Mr. Frazier. Mrs. Coakley stated that she is not willing to do so. She is done. The motion passed unanimously.

LORIE VAN ROSSEM'S SPECIAL USE – LODGING, SHORT-TERM RENTAL CHARLES REPLOGE'S SPECIAL USE – LODGING, SHORT-TERM RENTAL

Mr. Mack stated that Items 8 and 10 would be dealt with at the same time.

Mr. Williams stated that at the last meeting the Board agreed that the Covenants and Restrictions did not prohibit commercial uses and remanded the applicants back to Staff so that they can apply for the Special Use Permits for Lodging, Short-Term Rentals. He continued to state that each applicant has submitted all the required documentation needed for Lodging, Short-Term Rental. He also stated that there is a copy of the Management Agreement that they use with Natural Retreats, who handles the rental of the properties. He also stated that there is also a Police Report from five (5) years ago where a police report was filed after someone left their personal property when they checked out.

Mr. Chemsak asked how can a three-bedroom house support 8 people?

Mr. Reploge answered that there is 1 queen bed in one room, 1 queen bed in the other room and there is a full-size bunk bed in the other room.

Lorie Van Rossem stated that there were 4 calls to the police, two (2) calls in 2022, one (1) was the guest calling for a domestic issue and the other was a health issue. In 2017 there were two (2) calls regarding a suspicious equipment parked on the street. In all four (4) instances, there were no write-ups from the police.

Mr. Merchant stated that based on the decision made by the Board at the last meeting, the staff did not see anything that would create an issue for the applications. Staff utilized the criteria of Division 7.20.130.D to evaluate the Special Use Permit.

Mr. Hulbert stated that in considering the appeal last week and determined that the covenants did not prohibit commercial activities, the Board may have neglected to give the covenants the plain and ordinary meaning of resident and residential.

Mr. Williams stated that the Board has already ruled that commercial uses are allowed.

PUBLIC COMMENTS

Stephanie Gupton stated that she has no problem with the requests.

Brandee Raines stated that there has been a problem with trespassers and animals that roam the street and in her yard. She also stated that the renters feed the deer which encourages the deer to come closer to the residence. She stated she would like the Board to deny the special use permits.

Christina Washington stated she supports the applications for short-term rentals.

Scott Bowman stated that he supports the applications for short-term rentals.

Cathy Huston stated that she supports the applications for short-term rentals.

Carol Miller stated that she supports the applications for short-term rentals.

Keith Rossman stated that he supports the applications for short-term rentals.

Anthony Roselle stated that he supports the applications for short-term rentals.

Ralph Grant stated that he supports the applications for short-term rentals.

Mr. Robert Loughran stated that renters have no stake in the community, therefore, they have no reason to care about the neighborhood. He stated that he called the police three (3) times in 2022 concerning fireworks, he did not bring the reports. He also stated that there is a huge increase in

traffic on the dirt roads which has led to erosion. He asked the Board to think about the decision they will be making tonight and how it will impact the rest of the community down the road.

Laura Patterson stated that she does not support the applications for short-term rentals.

Mr. Mack closed **PUBLIC COMMENTS**.

MOTION: **Ms. Hoos made a motion to approve the two (2) requests for the short term rentals. Mr. Bromley seconded the motion. The motion passed unanimously.**

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT:

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

The meeting adjourned at 6:15 p.m.