



## **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, November 16, 2023, at the Beaufort County Administration Bldg., Council Chambers, Beaufort, South Carolina.

#### **MEMBERS PRESENT**

Mr. Kevin Mack, Chairman

Mrs. Jane Frederick, Vice Chairwoman

Mr. Evan Bromley

Mr. John Chemsak

Dr. Dennis Nielsen

Ms. Lynn Hoos

#### **MEMBERS ABSENT**

Mr. Cecil Mitchell

#### **VACANCY**

None

#### **STAFF PRESENT**

Mr. Robert Merchant, Planning/Zoning Director

Ms. Hillary Austin, Zoning Administrator

Mrs. Lisa Anderson, Assistant Zoning Administrator

Mrs. Tracey Goucher, Codes Enforcement Officer

#### **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.

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

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

**MOTION:** Mrs. Frederick made a motion to adopt the agenda, removing Item #6. Mr. Bromley seconded the motion. The motion passed unanimously.

#### **ADOPTION OF MINUTES: June 22, 2023**

**MOTION:** Mrs. Frederick made a motion to adopt the minutes of October 26, 2023, Mr. Bromley seconded the motion. The motion passed.  
**FOR:** Frederick, Bromley, Mack, Nielsen. **ABSTAINED:** Chemsak, Hoos.

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.

**RONDA STEVENS' FRONT AND SIDE STREET SETBACK VARIANCES (Continued from Last Month's Meeting)**

**APPLICANT: RONDA STEVENS**

Mr. Mack stated that the applicant is seeking variances for the front and side street setbacks.

Mrs. Jamie Rankin spoke on behalf of Ms. Stevens stating that they are seeking a variance from the 25-foot front street and the 15-foot side street setbacks. She stated that they are seeking to be 9-feet from the front property line and 10-feet from the side property line. She stated that they had to combine the two properties owned by the same owner to build this house. She also said that the owner had a letter from Beaufort County stating that he could replace the structure in the same location, and she did not see an expiration date on the letter. She also stated that there was a 28-foot buffer from the roadway to the property on Alljoy Road that would give them plenty of space if the house was 9-feet from the property line.

Mrs. Frederick stated that there is no parking shown on the property.

Mrs. Rankin stated that the septic tank and drain-field is 30 feet to the rear of the house.

Ms. Austin stated that Staff recommends disapproval.

Mr. Chemsak asked if the house could be elevated and car parks under the house.

Ms. Austin stated if the applicant agrees to move the house five feet from the rear property line, it will allow for a 18-foot front setback along Alljoy Road for parking.

**MOTION: Ms. Hoos made a motion to approve the variance with the conditions that the house be moved five feet from the rear property line, six feet from Trout Road, and five feet from the side. Dr. Nielsen seconded the motion. The Motion passed. (FOR: Hoos, Nielsen, Mack, Chemsak, Bromley) (AGAINST: Frederick)**

**ETTER HOANG & JASPERLYNN KAO'S SPECIAL USE – LODGING, SHORT-TERM RENTAL**

**APPLICANT: JASPERLYNN KAO**

Mrs. Kao stated that she and her husband are requesting a Special Use Permit to operate a Short-Term Rental Unit. She stated that she is expecting to have 6 guests.

Dr. Nielsen wanted to know if the property is owner occupied.

Mrs. Kao stated that they are at the property 20-percent of the time.

Ms. Austin stated the staff recommends approval. This property is not located in a subdivision, and there are no covenants and restrictions.

**PUBLIC COMMENTS** – Mr. Mack called for Public Comments.

Dianne Koz stated she does not want any traffic problems to affect her neighborhood.

Katherin Canavan objected to the Short-Term Rental.

Sally Atherton objected to the Short-Term Rental.

Mr. Mack closed **PUBLIC COMMENTS**.

Mr. Chemsak asked if the Fripp Point Homeowners Association covenants applied to this property.

Mrs. Kao stated no, the property was not in the subdivision and the covenants do not apply.

Mr. Chemsak wanted to know who the onsite point of contact would be.

Mrs. Kao stated that there would be no local property manager.

Mr. Chemsak stated that the number of guests should be limited to 4 only.

**MOTION: Mr. Chemsak made a motion to approve the Special Use with the condition that the number of guests be limited to four (4). Ms. Hoos seconded the motion. The motion passed unanimously.**

**FRANK & DAPHNE WOOTEN'S SPECIAL USE – LODGING, SHORT-TERM RENTAL**  
**APPLICANT: FRANK & DAPHNE WOOTEN**

Mrs. Wooten stated they are requesting a Special Use Permit to operate a short-term rental unit. She stated that the property would be occupied by them 50 percent of the year.

Ms. Austin stated that staff recommends approval, there are no covenants and restrictions that would prohibit the use.

**PUBLIC COMMENT** – Mr. Mack called for Public Comment.

No Public Comment.

Mr. Mack closed **PUBLIC COMMENT**.

**MOTION: Mrs. Frederick made a motion to approve the Special Use as submitted. Ms. Hoos seconded the motion. The motion passed unanimously.**

**SHAVAUGHN BROWN'S SPECIAL USE – LODGING, SHORT-TERM RENTAL  
APPLICANT: SHAVAUGHN BROWN**

Mrs. Brown stated she is requesting a Special Use Permit to operate a short-term rental unit.

Mr. Chemsak wanted to know who would manage the property.

Mrs. Brown stated that a local management company would oversee the property.

Ms. Austin stated that the staff will not recommend approval, the staff leaves the decision to the Board.

**PUBLIC COMMENT** – Mr. Mack called for Public Comment.

Carol Miller stated she objects to the short-term rental.

Mr. Mack closed **PUBLIC COMMENT**.

**MOTION: Mrs. Frederick made a motion to approve the Special Use as submitted. Mr. Chemsak seconded the motion. The motion passed unanimously.**

**ANGEL RIVERA'S SPECIAL USE – LODGING, SHORT-TERM RENTAL  
APPLICANT: ANGEL RIVERA**

Mr. Rivera stated he is requesting a Special Use Permit to operate a short-term rental unit.

Mrs. Frederick asked if there is a property manager for the property.

Mr. Rivera stated that yes, there is a company who will manage the property.

Ms. Austin stated the staff recommends approval. There are no covenants and restrictions that prohibits the use.

**PUBLIC COMMENT** – Mr. Mack called for Public Comment.

No Public Comment.

Mr. Mack closed **PUBLIC COMMENT**.

**MOTION: Mrs. Frederick made a motion to approve the Special Use as submitted. Ms. Hoos seconded the motion. The motion passed unanimously.**

**OLD BUSINESS:** None

**NEW BUSINESS:** None

## **ADJOURNMENT**

**MOTION: Mrs. Frederick made a motion to adjourn the meeting. Mr. Bromley seconded the motion. The motion passed unanimously.**

The meeting adjourned at 6:07 p.m.