



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, July 24, 2025, at the Beaufort County Arthur Horne Building, 104 Ribaut Road, 2nd Floor Court Room, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Kevin Mack, Chairman

Mrs. Jane Frederick, Vice Chairman

Mr. John Chemsak

Dr. Dennis Nielsen

Ms. Lynn Hoos

Mr. Evan Bromley

MEMBERS ABSENT

Mr. Cecil Mitchell

VACANCY

None

STAFF PRESENT

Mr. Robert Merchant, Planning & Zoning Director

Ms. Hillary Austin, Zoning Administrator

Mrs. Lisa Anderson, Asst. Zoning Administrator

Mrs. Tracey Goucher, Code Enforcement Officer

ATTORNEY PRESENT None

CALL TO ORDER: Mr. Mack called the meeting to order at 5:01 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. Mr. Chemsak seconded the motion. The motion passed unanimously. **FOR:** Frederick, Chemsak, Mack, Mitchell, Nielsen, Bromley.

ADOPTION OF MINUTES: June 26, 2025

MOTION: Dr. Nielsen made a motion to approve the minutes of June 26, 2025 as submitted. Mrs. Frederick seconded the motion. The motion passed. **FOR:** Frederick, Chemsak, Mack, Nielsen, Bromley. Mrs. Hoos recused, was not present at June meeting.

Mr. Mack stated that the applicants will have the opportunity to present their project, then the County will state their views of the project, and then there will be public comments.

ROBERT & TONE ALLRIDGE VARIANCE RIVER BUFFER (Deferred from Last Month's Meeting)

Ashley Eastman agent for the applicant stated that the Surveyor relabeled the critical line, and the proposed wall is landward of the critical line. He stated that because of past storms trees within the river buffer were destroyed and caused the buffer area to erode. He stated that OCRM will not issue a permit for a bulkhead because the erosion is landward of the OCRM Critical Line. He also stated that he went to the SRT and was disapproved because no structures are allowed in the river buffer and because OCRM did not issue a permit for the bulkhead. He also stated that there are six (6) bulkheads to the left of the property. He also stated that they are trying to restore the remaining 30-foot buffer.

Mr. Mack asked how high the proposed wall would be?

Mr. Eastman answered about 2.5 feet.

Dr. Neilsen stated that he reached out to the Moss Creek POA and that they do not have a problem with the proposed wall.

Mr. Mack asked if the applicant looked at any other avenue like adding riprap?

Mr. Eastman stated that riprap would not do well in this situation, because eventually the water would wash away the dirt behind the riprap.

Ms. Austin stated that the reason why the property is eroding is due to the former owner placing sandbags and sand in the area, therefore, all that is being washed away is the sand. She stated according to the Natural Resource Planner; the previous owner was in violation with OCRM about the sandbags. She stated that staff still recommend disapproval, and that presently, the SRT has 13 lots that are lined up to place garden walls within the river buffer. She also stated that the Code requires a permit from OCRM, and apparently OCRM feels there is no erosion. She also stated if OCRM comes out and changes the critical line, they would be able to apply for the bulkhead permit and then the SRT would grant the approval for the bulkhead and no variance would be needed. Variances are based on the applicant proving a hardship and, in this case, the county relies on OCRM to establish the hardship and grant the approval for the bulkhead.

Mr. Allridge stated that he bought the house last year and found out that the sandbags were placed on the property illegally, and he was told by DES that the sandbags needed to be removed. He also stated that he believes that if the sandbags were not in place there would have been more erosion.

Mr. Mack stated that the only recommendation the Board can make is to have OCRM come back out and reflag the critical line.

Mr. Eastman asked the Board to defer the request until after they receive an updated delineation of the critical line from OCRM.

Mr. Mack called for **PUBLIC COMMENT**

No **PUBLIC COMMENT**

No vote was taken on the applicant's request.

PHILLIPS LAND MANAGEMENT COMPANY, LLC RIVER BUFFER VARIANCE

Mr. Ling Graves stated they are seeking a variance from the 50-foot river buffer in order to build a pool. He stated that the pool needs to be in the location because if it is closer to the house it would undermine the structural integrity of the house. He also stated that the house was built in 2000, and he was not aware that there was a 50-foot river buffer in place. He stated the house is approximately 60 feet from the critical line. He also stated that he is willing to replant the buffer.

Mr. Mack stated he is looking at two different footprints that were presented to the Board.

Ms. Austin stated that one of the footprints is the pool that was originally approved by staff and shows the pool outside of the 50-foot buffer.

Mrs. Frederick stated that she does not see a hardship, because variances are based on being able to build a single-family house on the property. The pool does not constitute hardship.

Ms. Austin stated that there is no hardship for this request. The property is very deep and there is a lot of area where the pool can be built instead of inside of the river buffer.

Mr. Mack called for **PUBLIC COMMENT**

No **PUBLIC COMMENT**

MOTION: Mrs. Frederick made a motion to deny the request for the variance because the applicant has not proven a hardship. Mr. Chemsak seconded the motion. The motion passed unanimously. FOR: Frederick, Chemsak, Mack, Bromley, Hoos, Neilsen.

KEVIN MACK'S SPECIAL USE LODGING, SHORT-TERM RENTAL

Mr. Mack Recused himself from the meeting. Mrs. Frederick took over the meeting.

Mr. Kevin Mack, Jr. and Miss. Danielle Mack stated that they are requesting to use their property for a short-term rental unit. Danielle Mack stated that she and her brother are in college, and this venture would help to have funds for college.

Mrs. Frederick asked who will manage the property when they are off at college.

Miss Mack stated that her family members would manage the property while they are away.

Ms. Austin stated that staff recommend approval.

MOTION: Mr. Chemsak made a motion to approve the Special Use Permit. Dr. Neilsen seconded the motion. The motion passed unanimously. FOR: Chemsak, Neilsen, Bromley, Hoos, Frederick.

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT:

MOTION: Dr. Neilsen made a motion to adjourn. Ms. Hoos seconded the motion. The motion passed unanimously. FOR: Hoos, Frederick, Bromley, Chemsak, Neilsen.

Meeting adjourned at 5:35 p.m.