

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, December 3, 2008, in the Executive Conference Room, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

#### **MEMBERS PRESENT**

Ms. Hillary Austin, Zoning Administrator  
Mr. Arthur Cummings, Building Codes Director  
Ms. Delores Frazier, Assistant Planning Director  
Mr. Robert Klink, County Engineer

#### **MEMBERS ABSENT**

None

#### **STAFF PRESENT**

Mr. Tony Criscitiello, Planning Director  
Ms. Audra Antonacci, Codes Enforcement Supervisor  
Mrs. Amanda Flake, Natural Resource Planner  
Mrs. Lisa Glover, Zoning Analyst III  
Mrs. Tamekia Judge, Zoning Analyst I  
Mr. Colin Kinton, Traffic Engineer  
Ms. Judy Timmer, Corridor Review Board Planner

**1. CALL TO ORDER:** Mr. Criscitiello called the meeting to order at approximately 11:05 a.m.

*Mr. Criscitiello explained, that the members of the Development Review Team reviewed each item independently and provided their comments to the Zoning Administrator.*

#### **2. REVIEW OF MINUTES:**

**MOTION:** Mr. Cummings made a motion to approve the minutes as submitted. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

#### **3. SHIPMAN'S WHARF (FINAL)**

Ms. Austin stated, that the narrative shall be revised to indicate 12 lots, instead of 13 lots. Ms. Austin stated, that since this is a major subdivision, the narrative shall also be changed to reflect that the road will be paved, instead of gravel. Ms. Austin stated, that the applicant shall submit a copy of the design specification, referred to in the DHEC permit. The applicant shall place a note on the plat and the covenants & restrictions that states, that the installation of the on-site waste disposal systems shall not result in the removal of any specimen trees on the disposal sites. The applicant shall delineate the protected resource area on the construction plans and the final plats.

Ms. Frazier stated, that the delineation of the protected resource area was already placed on the final construction plans, but not on the plats.

Ms. Austin stated, that the applicant shall correct the tree removal plans, indicating the trees to be removed within the protected area. Ms. Austin stated, that the applicant shall revise the Fire Marshall approval, to state 12 lots, instead of 13 lots. The applicant shall submit updated permits to construct water lines, and an updated SCDOT encroachment permit. Ms. Austin stated, that the applicant shall meet with her to discuss discrepancies in the covenants & restrictions.

Mr. David Tedder, attorney for the applicant stated, that in 2001, they were trying to create a Lowcountry look, and the reason why they decided to use the oyster shell roads, was because the Fire Marshall signed off on the low capacity. Mr. Tedder stated, that he recalls that there's a letter on file that indicates the road being engineered for an oyster shell pervious road; he will try to locate the letter so this subdivision can be in character with the neighborhood.

Mr. Klink stated, that he's okay with the oyster shell pervious road, if the ordinance does not prohibit it.

Ms. Austin stated, that the ordinance states, that the road has to be paved.

Mr. Tony Constant, neighbor, stated to the board, that he agrees with the impervious roads, since everything in the area is impervious. Mr. Constant stated, that he's under construction for a house directly across the street, and he has a 50-foot setback from his property line, and that needs to remain consistent, if there's no property adjacent to Oakland Drive.

Ms. Frazier stated, that no lots in that subdivision fronts Oakland Drive.

Mrs. Katherine Constant, neighbor, asked the board, was the applicant proposing to remove the shrimp boats?

Mr. David Tedder stated, that they are working on getting someone out there to help them remove the shrimp boats prior to construction.

**MOTION: Ms. Frazier made a motion to defer the project, until the applicant revise the narrative to state 12 lots, instead of 13 lots; the narrative shall address the type of road to be built. The applicant shall meet with the ZDA to discuss discrepancies noted in the submitted covenants & restrictions. The applicant shall submit the entire septic tank permits. The applicant shall submit updated permits to construct the waterlines, revise the Fire Marshall Safety Standard Form to state 12 lots, instead of 13 lots, and update the SCDOT encroachment permit. The applicant shall submit an updated tree removal within the areas designated "Protected Forest". Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

#### **4. BROAD RIVER BOAT LANDING - RESTROOMS (FINAL)**

Mr. Klink stated, that this is a county project, and they need a waiver to go through the buffer area for the water and sewer lines; the buffer area has no vegetation.

Ms. Frazier stated, that there were two issues concerning the waiver, one was the extension of the water and sewer lines through the buffer, and the second was the location of the building in regards to the setback from the critical line. Ms. Frazier stated, that the applicant shall also receive approval from the Corridor Review Board.

**MOTION: Mr. Cummings made a motion to defer the project, until the applicant obtained a variance from the Zoning Board of Appeals to extend the water and sewer lines, and place the building within the OCRM buffer area. The applicant shall receive approval from the Corridor Review Board and receive a waiver from the Zoning Board of Appeals, prior to resubmitting to the Development Review Team for final approval. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

#### **5. HALLMARK HOMES @ MALPHRUS (FRONT-YARD MODULATION)**

Ms. Frazier stated, that this project has already been built, and inspected by the County, and she recommends approval for this front-yard modulation.

**MOTION: Ms. Frazier made a motion to approve the project as submitted. Mr. Klink seconded the motion. The motion passed (FOR: Cummings, Frazier, Klink; OPPOSED: Austin).**

## **6. SUN CITY HH – BLOCKS 68 – 72 (AMENDMENT)**

Mr. Criscitiello stated, that he received a letter from the County Administrator, Mr. Gary Kubic, requesting that this project be deferred until the State of South Carolina DHEC Water Division issues the results of their Water Enforcement Review, which was scheduled June 2008.

Ms. Austin stated, that the applicant requested a deferral.

**MOTION: Ms. Austin made a motion to defer this project until the State of South Carolina DHEC Water Division issues the results of their water enforcement review. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

## **7. COLLETON RIVER – LOT B37 (BULKHEAD)**

Ms. Frazier stated, that she recommends approval of this bulkhead.

Ms. Austin stated, that she thought that the applicant was going to show how they were going to fill in the dirt around the trees in the buffer.

Ms. Amanda Flake, Natural Resource Planner stated to the board, that the applicant shall carefully place the fill around the trees in increments.

**MOTION: Ms. Frazier made a motion to approve the bulkhead, with the condition that the Natural Resource Planner, Amanda Flake supervises the method that will be used to fill around the roots of the trees within the area of disturbance. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

## **8. TIDAL CREEK FELLOWSHIP (REVISIT/CONCEPTUAL)**

Ms. Austin stated, that this project is removed off of the agenda.

**MOTION: The Development Review Team unanimously agreed to remove this project off of the agenda. (FOR: Austin, Cummings, Frazier, Klink).**

## **9. BULL POINT – PHASE 7 (REVISIT/CONCEPTUAL)**

Mr. Criscitiello stated, that he is recusing himself from the discussion of this project, because he doesn't want any appearance of conflict; and for the record, he has not had any influence or any opinions regarding this project at staff level. Mr. Criscitiello asked Ms. Austin to take over the meeting for this project; Mr. Criscitiello left the meeting room.

Ms. Austin stated, that there were some concerns about the off-site drainfields; Ms. Austin read a letter from the applicant, dated November 18, 2008. Ms. Austin stated, that she doesn't believe that the Development Review Team is willing to conceptually approve the project, until the deeds from the property owners are submitted, and the septic tank permits for the lots are submitted.

Mr. Stan Kirkland, applicant, stated to the board, that he has in his hand five permits for each of the lots that has the off-site locations, they originally put information that gave them the legal right to change the locations for the good of the applicant and the project. Mr. Kirkland stated, that they are replacing an off-site disposal system that travels down the road, and is replacing it with an on-site engineering system, which was approved by an engineer, a soil scientist, and Lorick Fanning. Mr. Kirkland stated, that it is a new system that is being used by DHEC, and the homeowners are obligated to deed the property back to him as soon as he can get the deeds back to them and a copy of the permit.

Ms. Austin stated, that the Development Review Team still needs to see the deeds and the de-platting of the lots.

Ms. Frazier stated, that she thinks it's great that the subdivision will have on-site systems, but it's hard to approve this project conceptually, with the property being owned by other people.

Mr. Kirkland stated, that he would like the board to approve this project with the condition that the deeds be submitted, and the lots be de-platted, so they can move on to the next level.

Ms. Frazier stated, that if the applicant gave the board a signed agreement from the property owners, that they gave him permission to submit the plan, then she would be okay; but the property is still shown as being owned by other people.

Ms. Austin stated, that the applicant shall extend all of the lot lines to the MHW, submit a legible tree survey, and indicate the tree removal on the plat.

**MOTION: Ms. Frazier made a motion to defer the project, until the applicant submits copies of the deeds from the property owners for the five-drainfield lots. The applicant shall submit plats, and de-platting of the five lots. The applicant shall provide the Development Review Team with the septic system permit for the five lots affected by the de-platting of the drainfield lots. The applicant shall extend all lot lines to the MHW. The applicant shall submit a legible tree survey, and indicate the tree removal. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

*Mr. Criscitiello was called back into the meeting at approximately 11:50 a.m.*

#### **10. BEAUFORT COUNTY SHERIFF'S DNA LAB (CONCEPTUAL)**

Mr. Klink stated, that he recommends approval of this project.

Ms. Frazier stated, that when the applicant came in for a discussion, they were advised that they needed to submit an amendment to the special use permit for the BJWSA approval; it has to go to the Development Review Team for review, and then go to the Zoning Board of Appeals for review. Ms. Frazier stated, that there is a list of items in the zoning ordinance that has to be addressed for a special use permit, that needs to be updated, to include the DNA lab; the applicant was told to submit a site plan of the entire site, to include the DNA lab. Ms. Frazier stated, that she doesn't believe that the applicant has submitted everything to the Development Review Team for a Special Use Permit approval. Ms. Frazier stated, that the applicant was told that they did not need to submit a Traffic Impact Analysis, Environmental Impact Analysis, or a Community Impact Analysis.

Ms. Austin explained to the applicant, that they can find the list for the Special Use Permit checklist from Section 106-9 (2) of the zoning ordinance.

Mr. Cummings asked the board, could the Zoning Administrator and the County Engineer review the final submittal after the Zoning Board of Appeals approval, since the building is less than 5,000 square feet?

Ms. Frazier stated, that she doesn't mind the Zoning Administrator and the County Engineer approving the final submittal, since it is a small building. Ms. Frazier stated, that since the site touches Hwy 170, and the building can be seen from the road, the applicant shall submit an application to the Corridor Review Board for approval.

Mr. Klosterman stated, that they have concerns about the location of the parking and driveway, in regards to Snake Road for the parking lot. Mr. Klosterman stated, that they were also trying to get the buffers modulated.

Ms. Austin stated, that she will review the site plan, showing the entire layout, and determine if the buffers and parking need to be modulated.

**MOTION: Ms. Frazier made a motion to defer the project, until the applicant submits a plan for the entire site; the plan shall be submitted to the Zoning Board of Appeals for approval. The applicant shall be required to request the modulations for the buffers and explain any mitigation that will be necessary for special use approval. The applicant shall receive approval from the Corridor Review Board, prior to submitting to the Zoning Board of Appeals for approval. After the Zoning Board of Appeals approve the project, the Zoning**

**Administrator and the County Engineer shall review the final submittal. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

*The meeting adjourned at approximately 11:56 a.m.*