

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, December 17, 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
Ms. Judy Timmer, Corridor Review Board Planner

1. CALL TO ORDER: Mr. Criscitiello called the meeting to order at approximately 11:03 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 December 3rd, 2008 minutes as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

MOTION: Mr. Cummings made a motion to approve the December 10th, 2008 minutes as submitted. Ms. Frazier seconded the motion. The motion passed (FOR: Austin, Cummings, Frazier; ABSTAINED: Klink).

Mr. Criscitiello stated, that the applicant for Melrose – Lots 375 & 376 requested to be placed at the end of the agenda.

3. FRIPP ISLAND – LOT 904, DEER RUN (RIVER-BUFFER WAIVER)

Mr. Cummings stated, that there was a question regarding the side-yard and front-yard setback, because it was closer than the required 10' setback.

Ms. Austin stated, that the applicant revised the site plan to add a deck, after the recommendation was sent to the applicant; the deck was closer to the front of the property than was originally submitted.

Ms. Timmer asked, "Does the applicant have a house design?"

Ms. Frazier answered, "No".

Ms. Timmer stated, that the house should be redesigned to better fit the lot.

Ms. Frazier stated, that the applicant has to either redesign the house or apply to the Zoning Board of Appeal for a variance for the side-yard setback. Ms. Frazier stated, that the applicant qualifies for a variance from the river-buffer setback requirement.

Mr. Criscitiello asked, "Is the applicant here?"

Mr. Klink stated, that it appears that the applicant is not here.

MOTION: Ms. Frazier made a motion to defer the waiver, until the Development Review Team is able to ask the applicant more questions, as it relates to the waiver. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

4. 1 GULLAH ISLAND (SEPTIC SYSTEM WAIVER)

Mr. Klink stated, that he recommends approval.

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

5. TIDAL CREEK FELLOWSHIP (REVISIT/CONCEPTUAL)

Ms. Frazier stated, that she recommends approval.

Ms. Austin stated, that a condition should be placed on the conceptual approval, that the applicant checks with the Fire Marshall regarding the turning radius in the parking area.

Mr. Brian Pennell, Key Engineering stated, that he has no problem going to the Fire Marshall to ensure that the turning radius is okay.

Mr. Klink stated, that 50 percent of the parking shall be pervious, per the new BMP manual.

MOTION: Ms. Frazier made a motion to conceptually approve the project, with the condition that the applicant verifies with the fire marshal the turning radius in the parking area; 50 percent of the parking shall be pervious. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

6. BEAUFORT ACADEMY – MASTER PLAN (SPECIAL USE/CONCEPTUAL)

Ms. Frazier stated, that this master plan amendment went before the Corridor Review Board, and the Development Review Team would like to discuss the findings with the applicant.

Mr. Greg Baisch, Ward Edward explained, that the nature of what they are proposing is very conceptual; they were asked to submit a conceptual master plan. Mr. Baisch stated, that the Corridor Review Board did not know what to do with the project, because of the conceptual nature of the project. Mr. Baisch stated, that he addressed the plan for the encroachment into the 50-foot buffer.

Ms. Timmer stated, that the two biggest issues that the Corridor Review Board had, was the parking area located along the front; the Corridor Review Board suggested that the buildings be brought forward and the parking be placed behind the building, where less visibility would take place.

Mr. Criscitiello asked, "How do we ensure that the applicant saves significant specimen trees in the forested area?"

Mr. Baisch stated, that he believes that the school would like to save anything that would increase the esthetics of their campus.

Ms. Frazier asked Mr. Baisch, "What's going to be in the proposed main 2,500 square foot building, sitting by the shed?"

Mr. Baisch stated, that the building will be a main concession building, which will serve the whole athletic field.

Mr. Tim Rentz, Coastal Contractors explained to the board, that they are basically trying to get permission to do what the school has already intended to do, but the current zoning doesn't allow the use. Mr. Rentz stated, that most of the buildings would be built 10 – 30 plus years from now, and as they build each building, they would go through the whole application process as it relates to trees, parking, buffers, etc. Mr. Rentz stated, that they didn't want to put a building to the road with parking behind it, because it's a safety issue for the kids.

Ms. Frazier asked Mr. Baisch, "In Phase 1, is the proposed 5,000 square foot building, the only building going to be built in the near future?"

Mr. Tim Johnston, Head of Beaufort Academy stated, that this entire plan is all about what they would regret not planning 25 years from now. Mr. Johnston stated, that they don't have the ability to build five projects at once; this is a one project at a time plan.

Ms. Frazier stated, that the Chairman of the Lady's Island Community Preservation Committee is interested in sitting down with the applicant, and discussing making changes to the Expanded Home Business District to address the school. Ms. Frazier stated, that she would like to suggest the applicant apply for a special use permit showing the proposed building; the rest of the buildings would be shown as future development, in order to get the proposed building approved.

Mr. Rentz stated, that he would like to get the conceptual master plan approved.

Ms. Frazier stated, that some changes would be made prior to approving the conceptual master plan. Ms. Frazier stated, that if the applicant wants to continue with the conceptual master plan instead of the changes to the Expanded Home Business District Ordinance, then the Development Review Team would be more than happy to provide comments, as it relates to the changes that have to be made.

Mr. Klink stated, that the Development Review Team should defer this project, and give the applicant comments regarding choices in moving forward with this project.

Ms. Austin stated, that since this use is not allowed in the zoning district, the applicant should get the master plan approved, and phase each one of the buildings.

MOTION: Mr. Klink made a motion to defer the project, until the Development Review Team provides comments regarding improvements to the master plan. The applicant shall contact the Planning Department to schedule an appointment with the Chairman of the Lady's Island Community Preservation Committee to discuss changes in the zoning ordinance in regards to the school. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

7. MELROSE PUD – LOTS 375 & 376 (FINAL)

Mr. Criscitiello read into the record, a letter from Mr. Ronald M. Gaudiano, objecting to the proposed subdivision.

Ms. Austin stated, that between lots 373 & 372 and lots 328 & 329, it is labeled open space on the approved plats, that were approved by the Joint Planning Commission in 1987. Ms. Austin stated, that she could not find any plats removing the open space areas off of the plats.

Ms. Frazier stated, that if the applicant changes the plat from open space to single family lots, County Council would have to amend the approved master plan. Ms. Frazier stated, that the only way the Development Review Team can do a minor amendment, is to receive letters from all of the adjoining property owners, and the property owners association, agreeing to the amendment to the master plan.

Mr. Rentz Jones, attorney for the applicant explained to the board, that Ms. Austin was incorrect that this was recorded open space, and the reference plat was a reference point on the plat. In order for open space to be recorded, it has to be shown with dimensions and corners.

Mr. Jack Tibbles, attorney for Melrose POA, explained to the board, that the POA's position is that this is recorded open space, and the purchaser of the lots had a right to rely on the recorded plats and the designations of open space. The Covenants & Restrictions incorporate the 1986 & 1987 plats into the declaration, and become a part of the reliance that the purchaser relies on when they purchase a lot. The Property Owners Association opposes the request to subdivide within the open space area.

MOTION: Mr. Klink made a motion to disapprove the project, because the proposed lots are being subdivided from properties that have been designated as open space. The applicant has the option to appeal the Development Review Team's decision to the Planning Commission within 30 days from the date of this hearing, or request a major amendment to the PUD from County Council. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

The meeting adjourned at approximately 12:01 p.m.