

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, January 28, 2009, 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. Amada Flake, Natural Resource Planner
Mrs. Lisa Glover, Zoning Analyst III
Mr. Colin Kinton, Traffic Engineer

1. CALL TO ORDER: Ms. Austin called the meeting to order at approximately 11:08 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 adopt the minutes as submitted. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

3. FOUR SEASONS (REVISIT/FINAL)

Mr. Criscitiello stated to the board, that he has had a conversation with the applicant and his engineer; he asked the applicant to come back before the board to explain circumstances that was not explained to the Development Review Team at the last meeting. Mr. Criscitiello read into the record, Section 106-432 (C)(3) of the Zoning & Development Standards Ordinance, which states, "Upon written request, a one-time extension may be granted by the decision-making body, for a period not to exceed that shown in table 106-432 for a good cause. No written request for an extension shall be considered, unless submitted to the applicable administrative body, no later than one month prior to expiration. Failure to submit an application for an extension within the time limits established by this section, shall result in the approval's expiration". Mr. Criscitiello asked Mr. David Karlyk to go to the podium and explain the circumstances that transpired prior to the permit expiring.

Mr. David Karyl, Carolina Engineering explained to the Development Review Team, that his client, Mr. Bailey purchased the property around 2005-2006; when the property was purchased, there was a ditch that bisected the nine acres that was purchased. The ditch was used for county drainage, but to the best of his knowledge the county had no easement on the ditch. Mr. Bailey had requested a wetland delineation around the time they purchased the property; the delineation was not given back to them in enough time. Mr. Karyl stated, that the applicant spoke to the county about relocating the ditch to the rear of the property line; the county filled in the ditch and relocated it to the rear of the property. Mr. Karyl stated, that they started the engineering on the property by site plan approval and the Corridor

Review Board approval; prior to the final approval, they were waiting on the OCRM & storm water permit; OCRM informed them that they needed a copy of the wetland letter, and if they didn't have a letter, they still needed a letter from a consultant. Mr. Karyl stated, that when they submitted a copy of the letter, they found out that the ditch that the county had filled was a wetland ditch, which was classified by the Army Corp of Engineers. Mr. Karyl stated, that they had to get the delineation re-done by the Army Corp of Engineers, and it took some time to get the delineation letter back from the Corp of Engineers. Once they got all their permits from the Army Corp of Engineers and OCRM, they found out that the conceptual approval had expired and the buffer requirement by the Corridor Review Board had changed, so they were required to provide a 50-foot buffer on sections of the property line. Mr. Karyl stated, that if his client would have left the ditch as is, he would have had the OCRM permit, and they would have been through the process; or if they would have requested an extension, they would have not been in front of the board today. Mr. Karyl stated, that since there was an error on both parts, he is asking the buffer to be at 15 foot, as originally approved.

Mr. Criscitiello stated, that the board has had an opportunity to look at the file to get a time frame of what had happened. Mr. Criscitiello asked Mr. Karyl, to explain the length of time between July 2007 and August 2008, when work and permitting was being done, which was approved in October 2008. Mr. Criscitiello asked Mr. Karyl, "Was there a length of time when everything was dormant, where no work was being done for a length of time?"

Mr. Karyl stated, that the work was dormant, because they were waiting on the letter from the Army Corps of Engineers to come in, prior to the final OCRM letter. Mr. Karyl stated, that since they got conceptual approval, they went through the Corridor Review Board process; that approval is still valid.

Mr. Criscitiello explained to the applicant, that based on the zoning ordinance, the language is pretty firm when it states, "shall expire"; the ordinance gives the Development Review Team little latitude to extend the expiration date. Mr. Criscitiello stated, that in the future, the Development Review Team should write in a letter when the approval will expire; Mr. Criscitiello informed the applicant that he should request a hardship variance from the Zoning Board of Appeals, regarding the expiration date on his approval.

MOTION: Ms. Austin made a motion to defer the project, until the applicant submits a request to the Zoning Board of Appeals (ZBOA) for consideration for a hardship variance. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

4. USCB – STUDENT CENTER (FINAL)

Mr. Kinton stated, that he's concerned about the turning radius, which is indicated on the plans.

Mr. Monson, Thomas & Hutton Engineering explained the reasoning for the turning radius, as shown on the plans. Mr. Monson suggested that the Development Review Team approve the project, subject to him resolving the turning radius issue with the traffic engineer.

Mr. Klink stated, that he recommends approval of this project, subject to the applicant meeting with the traffic engineer to discuss the turning radius issue.

Mr. Jim Sills, Assistant Fire Marshall for the Bluffton Township stated to the board, that his department has not seen the new plans.

Mr. Klink stated, that he would like to amend the motion to add, the fire marshall shall review the new plans.

MOTION: Mr. Klink made a motion to approve the project, subject to the applicant discussing the turning radius issue with the traffic engineer. The fire marshall shall review the new plans. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

5. ST. GREGORY THE GREAT FRONTAGE ROAD (CONCEPTUAL)

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

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

The meeting adjourned at approximately 11:33 a.m.