

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, March 18, 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

Ms. Audra Antonacci, Codes Enforcement Supervisor
Mrs. Amanda Flake, Natural Resource Planner
Mrs. Lisa Glover, Zoning Analyst III
Mr. Colin Kinton, Traffic Engineer
Mr. Tim Ogden, Beaufort County Fire Marshall
Ms. Judy Timmer, CRB Coordinator

1. CALL TO ORDER: Ms. Austin called the meeting to order at approximately 11:09 a.m.

Ms. Austin 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: Ms. Frazier made a motion to adopt the minutes as submitted. Ms. Austin seconded the motion. The motion passed (FOR: Austin, Frazier, Klink; ABSTAINED: Cummings).

3. CALLAWASSIE ISLAND CLUB – HOLES 4 & 5 (TRIMMING/FINAL)

Ms. Frazier stated, that she recommends approval of the request to trim the trees, but the applicant shall not trim below three (3) feet. Ms. Frazier stated, that no trees shall be removed within the wetlands, except for Tallow trees.

MOTION: Ms. Frazier made a motion to approve the project, with the conditions that the applicant doesn't trim below three (3) feet; no trees shall be removed within the wetlands, except for Tallow trees. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

4. 48 LINDEN PLANTATION (RIP-RAP REPAIR)

Ms. Frazier stated, that since the work has already been completed, and the Natural Resource Planner visited the site, and all of the vegetation has been removed from the river buffer; she recommends approval, subject to the applicant replanting vegetation within the river buffer. Ms. Frazier stated, that the applicant shall plant native species to re-vegetate the buffer; the Natural Resource Planner, Amanda Flake shall inspect the site 30 days from the date of approval.

Mr. Scott Bunton, Steadfast Marine Services stated to the board, that he was unaware that he needed a Beaufort County permit for maintenance and repair. Mr. Bunton stated, that he couldn't get the construction placard without Beaufort County's approval, and he has repaired numerous docks without a Beaufort County permit. Mr. Bunton stated, that the only vegetation that was removed from site, was from the gentlemen who did the lawn maintenance; and the only vegetation that was removed was in the revetment.

Ms. Frazier stated, that the board is not asking the applicant to re-vegetate the buffer off of the slope; the re-vegetation has been removed in the river buffer area, and it will be the responsibility of the owner to re-vegetate the buffer area with native plantings. The applicant is not allowed to replant the buffer with grass or with sod.

Mr. Cummings stated, that he believes that the county needs to put a plan in place, to prevent this situation from happening again.

Ms. Austin stated, that maybe the board should speak with OCRM about the repairs and maintenance of bulkheads, because the new bulkheads has to come before the board for approval.

MOTION: Ms. Frazier made a motion to approve the project, subject to the applicant submitting a plant back plan, showing the re-vegetation of the river buffer to the Corridor Review Planner, Judy Timmer. The Natural Resource Planner, Amanda Flake shall inspect the site 30 days from the date of approval. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

5. LOT 5, CAPER ISLAND FISH CAMP (RIVER-BUFFER WAIVER)

Mr. Cummings stated, that Dhec requires a permit for the waste disposal, for any structure that's going to be occupied for two hours or more.

MOTION: Mr. Cummings made a motion to approve the project, subject to the applicant submitting a copy of the waste disposal permit from Dhec. The house is approved at 18' from the OCRM critical line. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

6. MOSS CREEK PROFESSIONAL PLAZA (PHASING PLAN)

Ms. Austin explained to the applicant, that the county's policy is, that each phase of the project stands on its own; for example, parking, landscaping, drainage, water and sewer, OCRM, access, fire approval, turn a rounds, etc. Ms. Austin asked Mr. William Dunn, "Will the building that's labeled 1A, be the first phase?"

Mr. Dunn, Civil Engineer for the project answered, "That's Correct".

Ms. Austin explained to the applicant, that he will have to move the phasing line, because phase 2 parking cannot be in phase 1.

Ms. Frazier stated, that the applicant has to change the phasing line, so that the building and the adequate parking can be in each phase.

Ms. Austin asked Mr. Dunn, "Will all of the landscaping be put in for this building?"

Mr. Dunn answered, "Yes, for phase 1".

Ms. Austin stated, that the applicant has crossed out medical use, and put business use; the applicant shall keep the use as medical offices, as previously approved by the Development Review Team.

MOTION: Ms. Austin made a motion to defer the project, until the applicant resubmit the phasing plan, showing that all phases of the project will have the ability to stand alone. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

7. PROSPERITY LANE S/D (PERMIT EXTENSION)

Mr. Klink stated, that he recommends approval for the permit extension.

MOTION: Mr. Klink made a motion to approve the permit extension. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

8. THE LOWCOUNTRY STORE (SPECIAL USE/PRE-APPLICATION)

Ms. Austin stated, that the applicant was mailed a recommendation letter, but no response was received by the applicant.

Ms. Frazier explained, that the Planning Department comments were, that it appears that the applicant is attempting to use the special use provision of the Zoning & Development Standards Ordinance, to accomplish a rezoning of the property to Rural Business District. Ms. Frazier stated, that the special use provision was not intended for rezoning a piece of property. Ms. Frazier stated, that the special use provision, is intended for a nonconforming lot, which has been existing in that particular location for a long time, to become conforming without changing the use or necessarily modifying the entire physical nature of the nonconformity. Ms. Frazier stated, that she recommends that the applicant change the application for the special use permit, for uses that are currently on the property, with the proposed expansions; and try not to do a rezoning for Rural Business. Ms. Frazier stated, that the Traffic Engineer, Colin Kinton also submitted a comment, which stated, that the applicant shall submit additional information of the proposed use and building size, in order to determine whether a Traffic Impact Analysis is required. Ms. Frazier stated, that the applicant comment in the application stated, that he did not want to do a Traffic Impact Analysis nor a Community Impact Analysis. Ms. Frazier stated, that it is a requirement for a special use permit, so that the Development Review Team and the Zoning Board of Appeals can determine if any mitigation is needed for the project.

Mr. David Tedder, attorney for the applicant explained, that the board knows why they're not willing to spend thousands of dollars, and create a plan prior to a decision from the board. Mr. Tedder stated, that he was asked to come before the Development Review Team for a special use permit, as an alternative to the Rural Business zoning; county council would not require a Traffic Impact Analysis or a Community Impact Analysis to do a rural business zoning. Mr. Tedder stated, that the business has been in existence all of his life, and no one has had any problem with this type of use, including Mr. Bishop's property on the rear parcel. Mr. Tedder stated, that he doesn't know what could be built on the next parcel, unless someone creates a standard. Mr. Tedder stated, that he submitted an operations plan to the board, and there's not that many differences between rural and rural business. Mr. Tedder stated, that if the Development Review Team could not do the special use permit, and the Zoning Board of Appeals couldn't do a special use permit, then he will go back in front of County Council and the Land Management Committee, and inform them that what he was trying to do cannot be done under the special use permit process.

Ms. Frazier explained to Mr. Tedder, that she would like to be clear to the applicant, that the special use process is an easy process; the applicant doesn't have to spend a lot of money, they would have to submit an expansion plan, in order to get through the process. Ms. Frazier stated, that the special use process is, to recognize nonconforming uses and allow for expansions. Ms. Frazier stated, that she's going to vote against this application.

The Development Review Team decided, that they will not be able to recommend approval of this project as submitted. The Development Review Team will review the project next week for conceptual approval, and make a recommendation to the Zoning Board of Appeals. (FOR: Austin, Cummings, Frazier, Klink).

The meeting adjourned at approximately 11:46 a.m.