

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, May 13, 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
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: Mr. Criscitiello called the meeting to order at approximately 11:07 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: Ms. Frazier made a motion to adopt the April 29th, 2009 minutes as submitted. Ms. Austin seconded the motion. The motion passed (FOR: Austin, Cummings, Frazier; ABSTAINED: Klink).

MOTION: Mr. Klink made a motion to adopt the May 6th, 2009 minutes as submitted. Ms. Austin seconded the motion. The motion passed (FOR: Austin, Klink; ABSTAINED: Cummings, Frazier).

3. OLDFIELD MEWS – PHASES 2 & 3 (PHASING PLAN)

Ms. Frazier stated, in regards to the phasing plan, she didn't notice anything addressing phase 4 of the plan.

Ms. Austin stated, that the applicant should revise the phasing plan, adding phase 4 to the plan.

MOTION: Ms. Frazier made a motion to approve the application, subject to the applicant revising the phasing plan, labeling all four phases. Mr. Cummings seconded the motion. The motion passed (FOR: Austin, Cummings, Frazier, Klink).

4. SEVENTH DAY ADVENTIST CHURCH (REVISIT/CONCEPTUAL)

Ms. Frazier stated, that the applicant indicated in a recent letter, that they would address the road access issue at this meeting.

Mr. Ryan Lyle, Andrews & Burgess Engineering explained to the board, that he had discussions with the adjoining property owners. Mr. Lyle stated, that they plan to approve the existing access on their parcel; the adjoining landowner to the north currently have an existing gravel access on their property, and they agreed to provide the adjoining landowner an access through their property, granting them an access easement. The adjoining property owner also has another access, approximately 200 feet to the north.

Ms. Frazier asked Mr. Lyle, "Is it currently their secondary access?"

Mr. Lyle stated, that there was originally a home on the property; the adjoining property owner has a SCDOT driveway, and they are currently utilizing that access.

Mr. Kinton asked Mr. Lyle, "Is the access to the north, that the adjoining property owner is currently accessing, currently paved?"

Mr. Lyle answered, "Yes".

Ms. Austin asked Mr. Lyle, "What are you planning to do with the access to the rear of the property, and are you planning on putting the pump station there?"

Mr. Lyle stated, that they are planning to place the pump station on the north side of the church.

Ms. Austin asked Mr. Lyle, "How do you get back to Sammy Lane, since you have the pump station in the middle of the driveway?"

Mr. Lyle stated, that they could relocate the pump station anywhere on the site.

MOTION: Mr. Cummings made a motion to conceptually approve the project as submitted. Ms. Frazier seconded the motion. Ms. Austin stated, that since the pump station will be relocated to provide access to the gate/property, the applicant shall revise plans showing the relocation of the pump station. **Mr. Cummings amended the motion to conceptually approve the project, subject to the applicant revising the plans showing the relocation of the pump station. Ms. Frazier seconded the amended motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

5. DATAW ISLAND – OAK ISLAND S/D (REVISIT/CONCEPTUAL)

Ms. Frazier stated, that she wanted to address the archeological site on lot 5.

Ms. Austin stated, that the applicant shall place a conservation easement around the archeological site on lot 5, to be deeded over to the Property Owners Association.

MOTION: Ms. Austin made a motion to conceptually approve the project, with a condition, that the applicant shall place a conservation easement around the archeological site on lot 5, to be deeded over to the Property Owners Association. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

Ms. Austin stated, that she would like to say for the record, that this project has already received a variance from the Zoning Board of Appeals, for the road to encroach into the river buffer.

6. FAMILY DOLLAR (REVISIT/CONCEPTUAL)

Ms. Austin asked Mr. Sample, "Since your attorney sent the Development Review Team a letter referencing a plat, do you have the recorded book and page number for the plat?"

Mr. Robert Sample answered, "I'm not sure".

Mr. Criscitiello stated, that the Development Review Team will not consider the referenced plat from Attorney Mikell, since there's no indication of the recordation of the plat.

Mr. Sample stated, that he doesn't have legal access to the adjacent property owner's 25-foot easement; that is what he and his attorney were trying to tell the Development Review Team.

Ms. Austin stated, that when the subdivision was created in 1997, it was approved using that 50 foot shared access easement. Ms. Austin stated, that the Development Review Team has to use the plat, which created the lot.

Mr. Cummings asked Mr. Sample, "Did you previously inform me that the property owner blocked off the easement, with a fence?"

Mr. Sample answered, "Yes; the fence has been in place for a very long time, and it is located on the property line".

Mr. Baisch asked the Development Review Team, "Would it be possible for the county attorney to review the plat, and render a legal interpretation, regarding the legal rights to the existing access easement?"

Mr. Criscitiello answered, "Yes". Mr. Criscitiello asked Mr. Baisch, "Is all the information in the data box located on the plat, accurate?"

Mr. Baisch answered, "That was the intent". Mr. Baisch stated, that if there's something in the data box that is in question, he would verify it.

Ms. Frazier stated, that she believes that the applicant is asking the board to modulate down to the building setback line, but the problem is, no construction is allowed within the buffer area. Ms. Frazier stated, that if the board modulates to the setback line, there would be no room left for construction and fire equipment to get around the buffer.

Mr. Baisch asked the board, if he could leave a foot or two around the buffer area?

Ms. Frazier stated, that she doesn't know if a foot or two would be enough. Ms. Frazier stated, that the applicant shall recalculate the buffer modulation, to ensure there's enough room to get around the building.

MOTION: Ms. Frazier made a motion to defer the project, until the applicant recalculates the buffer modulation, to ensure there's enough room to construct the building. The Development Review Team shall ask the county attorney to render a legal interpretation, regarding the legal rights to the existing access easement. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

7. VILLAS @ BROAD RIVER (CONCEPTUAL EXTENSION)

Mr. Klink stated, that he would like to recommend approval, to extend the conceptual approval.

Ms. Frazier stated, that since she initially voted to disapprove this project, she will also vote to disapprove the request for an extension.

MOTION: Mr. Klink made a motion to approve the request, to extend the conceptual approval. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Klink; AGAINST: Frazier).

The meeting adjourned at approximately 11:44 a.m.