

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, June 10, 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

MEMBERS ABSENT

Mr. Robert Klink, County Engineer

STAFF PRESENT

Mr. Tony Criscitiello, Planning Director
Mrs. Audra Antonacci, Codes Enforcement Supervisor
Mrs. Amanda Flake, Natural Resource Planner
Mrs. Lisa Glover, Zoning Analyst III
Ms. Judy Timmer, CRB Coordinator

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).

3. LIFE HOUSE CHURCH EXPANSION (REVISIT/FINAL)

Mr. Cummings stated, that he recommends this project be approved as submitted.

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

4. HARRELL TRACT PHASE 4 – 1188 CENTRE (PERMIT EXTENSION)

Ms. Austin stated, that she recommends approval of this permit extension for one year.

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

5. MAZZANNA LANDSCAPE (SPECIAL USE/PRE-APPLICATION)

Ms. Frazier asked the applicant, "Did you bring any documentation to the meeting with you?"

Mr. Mazzanna stated, that he brought a letter dated May 8, 2009, approving his business. Mr. Mazzanna stated, that the letter stated, that his business was grandfathered, and to come to the Zoning Department to obtain a Zoning Permit.

Mr. Criscitiello asked Mr. Mazzanna, "Are you referring to the May 8th, 2009 letter from Mrs. Audra Antonacci, the Codes Enforcement supervisor?"

Mr. Mazzanna answered, "Yes".

Mr. Criscitiello read into the record, the letter from Mrs. Antonacci, dated May 8th, 2009. Mr. Criscitiello stated, that the letter does not say that the applicant is approved for the business, but it is saying that the applicant is eligible to receive permission, through the home business section of the ordinance, through the special use process.

Ms. Frazier asked Mr. Mazzanna, "How many employees do you employ on the site?"

Mr. Mazzanna answered, "35 employees".

Ms. Frazier stated, that this application does not meet the home business criteria. Ms. Frazier asked Mrs. Antonacci, "In the letter that you wrote on May 8th, 2009, can you enlighten the board about the applicant obtaining a zoning permit for a home business?"

Mrs. Antonacci stated, that she was not aware that the applicant had 35 employees. Mrs. Antonacci stated, that when the board discussed this project with the Development Review Team, the applicant advised the board that he had a Beaufort County Business License, and kept renewing the license every year. Mrs. Antonacci stated, that she was looking at the home-based business section of the zoning ordinance, because she didn't know the extent of the business at that location.

Mr. Cummings asked Ms. Austin, "Would this use be allowed at this location under the zoning ordinance?"

Ms. Austin answered, "Only as a cottage industry". Ms. Austin stated, that there are some issues with the cottage industry requirements that the board has to deal with.

The board discussed the background history with the applicant, to determine if he would qualify for a cottage industry.

Ms. Frazier stated, that one of the requirements of the cottage industry is the road access.

Ms. Austin stated, that the business has to come off of an arterial or collector road, and Johnson Landing Road is a local road.

Mr. Criscitiello asked the board, "Would that requirement involve obtaining a variance from the Zoning Board of Appeals?"

Ms. Frazier answered, "Yes".

Mr. Criscitiello asked the board, "Would the variance have to be granted before the special use permit is approved, or simultaneously with the special use permit?"

Ms. Austin stated, that the variance should be approved before the special use permit.

Ms. Frazier stated, that she believes that when the Zoning Board of Appeals reviews the special use permit, they also will look at the use of the property; she believes the variance and the special use process should be done at the same time.

Ms. Austin stated that per section 106-1218, "In the rural district, cottage industry shall meet the following requirements 1) The building associated with the cottage industry may not exceed 5,000 square feet of combined floor space. 2) All operations associated with the cottage industry, shall be completely screened from adjoining residential uses and districts with a 100-foot wide buffer yard, providing 100 percent opacity. 3) One non-illuminated sign not more than 12 square feet in area to advertise the business. 4) There shall be no perceptible increase in noise, odor, vibration or electrical interference beyond the property line as a result of the cottage industry. Outdoor light fixtures, if any, shall be cut-off

fixtures mounted in such a manner that the cone of light is not directed at any property line. 5) Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m., Monday through Saturday. 6) The operator of a cottage industry shall own or reside on the property or immediately adjacent thereto. 7) Cottage industries shall meet the minimum landscape surface ratio (LSR) applicable to "other permitted uses" in table 106-1562 (minimum LSR = .85 for the rural district). All buildings, work areas, and outside storage areas must be shown on the site plan and shall be considered non-landscaped areas in the LSR calculation for the site". Ms. Austin stated, that the site does not meet the 100-foot buffer requirement.

The board continued to discuss the existing site conditions with the applicant.

Ms. Frazier asked Mr. Mazzanna, "Is there a fence around this property?"

Mr. Mazzanna answered, "It's all wooded".

Ms. Frazier asked Mr. Mazzanna, "What is the concrete slab in the front of the property used for?"

Mr. Mazzanna answered, "Boat storage, and at one time we had a camper out there".

Ms. Austin stated, that the setbacks for "other permitted uses" are 100 feet (front), 50 feet (sides) and 100 feet (rear); buffers are 50 feet (front), 100 feet (sides) and 100 feet (rear). Ms. Austin stated, that the board may modulate the buffers, as long as the applicant agrees to ensure the existing 100 percent buffer opacity is maintained as a cottage industry use. Ms. Austin stated, that the site shall have 85 percent Landscape Surface Ratio (LSR).

Ms. Frazier stated, that the applicant shall provide the Natural Resource Calculations. Ms. Frazier also stated, that the applicant is required to submit a portion of the Community Impact Statement; the applicant shall show how the perimeter of the site is being screened. The Traffic Impact Analysis may be required by the Traffic Engineer, Colin Kinton. Ms. Frazier stated, that since the business exists on site, she doesn't believe that the Environmental Impact Analysis is applicable.

Ms. Austin stated, that the Fire Marshall shall sign off on this project. The chicken coop shown on the site plan shall be relocated from the adjacent property and the required buffer.

THE DEVELOPMENT REVIEW TEAM DECIDED THAT A VARIANCE WOULD BE NEEDED TO MEET THE REQUIREMENT, OF THE PROPERTY BEING LOCATED ON AN ARTERIAL OR COLLECTOR ROAD. JOHNSON LANDING ROAD IS DESIGNATED AS A LOCAL ROAD; THEREFORE, DOES NOT MEET THE REQUIREMENT. THE SETBACKS ARE 100 FEET (FRONT), 50 FEET (SIDES), AND 100 FEET (REAR). THE BUFFERS ARE 50 FEET (FRONT), 100 FEET (SIDES), 100 FEET (REAR). BUFFERS MAY BE MODULATED BY THE DEVELOPMENT REVIEW TEAM, AS LONG AS THE APPLICANT AGREES TO ENSURE THE EXISTING 100 PERCENT BUFFER OPACITY IS MAINTAINED AS A COTTAGE INDUSTRY USE. THE SITE SHALL HAVE 85 PERCENT LANDSCAPE SURFACE RATIO. THE APPLICANT SHALL PROVIDE THE NATURAL RESOURCE CALCULATIONS. THE APPLICANT WAS TOLD THAT THE ADJACENT PROPERTIES OWNED BY MAZZANNA LANDSCAPE SHALL NOT BE USED AS A PART OF THIS APPROVAL FOR THE BUSINESS. THE TWO HOMES ON THE ADJACENT LOTS SHALL BE USED AS SINGLE FAMILY HOUSES, AND NOT AS WORKER HOUSING, FARM HOUSING, OR GROUP/BOARDING HOUSES. THE APPLICANT WAS TOLD THAT THE CHICKEN COOP SHOWN ON THE SITE PLAN, BE RELOCATED FROM THE ADJACENT PROPERTY AND THE REQUIRED BUFFER. THE APPLICANT WAS TOLD, THAT ONLY A PORTION OF THE COMMUNITY IMPACT STATEMENT WILL BE REQUIRED. THE APPLICANT SHALL SHOW THE PERIMETER OF THE SITE BEING SCREENED. THE TRAFFIC IMPACT ANALYSIS MAY BE REQUIRED, AS DEEMED NECESSARY BY THE TRAFFIC ENGINEER. THE APPLICANT WAS TOLD THAT THE APPROVAL BY THE ZONING BOARD OF APPEALS WILL BE NEEDED FOR THE VARIANCE AND SPECIAL USE PERMIT, AND CAN BE SUBMITTED AT THE SAME TIME. THE APPLICANT WAS ENCOURAGED TO SUBMIT FOR CONCEPTUAL APPROVAL.

6. BAREFOOT BUBBA'S (SPECIAL USE/PRE-APPLICATION)

Ms. Austin explained to the board, that the applicant is requesting a special use permit, because the site is nonconforming, and the applicant is requesting to expand more than 15 percent.

Ms. Frazier stated, that the proposed 1,000 square foot building is encroaching further into the buffer area, and she asked the applicant to consider moving the building closer to the road to minimize the encroachment into the buffer.

Ms. Austin stated, that the proposed building could be lined up with the existing building along the front.

Mr. Tim Rentz, representative for the applicant explained to the board, that it is against the applicant's business plan to move the building to the front of the property.

Ms. Frazier stated, that the Development Review Team is required to get the building out of the river buffer; if it is impossible to move the building, the board would request the smallest variance possible through the special use process.

Ms. Timmer stated, that the Corridor Review Board review will be required, but the applicant does not have to meet the landscape standards.

Mr. Rentz asked the board, "Is the existing fence an issue, since the applicant shuts down in the winter time?"

Ms. Timmer stated, that the fence was placed on the property without a permit, and the applicant was brought before the Corridor Review Board to landscape the fence, but the landscaping is not thriving at this time. Ms. Timmer stated, that the fence can stay on the property because the Corridor Review Board allowed it to stay on the property, but she would like to discuss the landscape issues with the applicant.

Ms. Austin asked Ms. Timmer, "Who allowed the fence to stay on the property, without the Zoning Board of Appeals approval?" Ms. Austin stated, that fences are not allowed in the river buffer.

Ms. Timmer stated, that she was talking about the front buffer area, not the river buffer.

Ms. Frazier stated, that the Traffic Engineer shall determine if a Traffic Impact Analysis is required. Ms. Frazier also stated, that a portion of the Community Impact Analysis is required. The applicant's next step in this process is to submit for conceptual review.

Mr. Greg Baisch, Ward Edwards Engineering stated, that he would like to meet with the Planning Department to discuss some other variations in the plans, prior to coming back to the board for conceptual review.

Ms. Frazier asked Mr. Rentz, "Is the applicant renting bikes and kayaks on the site; is it an outdoor rental area?"

Mr. Rentz stated, that there are some bikes and kayaks underneath the porch.

Ms. Frazier asked the applicant to show the location on the plans.

THE DEVELOPMENT REVIEW TEAM DECIDED THAT THE APPLICANT SHALL SUBMIT A PORTION OF THE COMMUNITY IMPACT ANALYSIS. THE TRAFFIC IMPACT ANALYSIS MAY BE REQUIRED, AS DEEMED NECESSARY BY THE TRAFFIC ENGINEER. THE SETBACKS ARE 25 FEET (FRONT), 0 FEET (SIDES), AND 20 FEET (REAR). THE BUFFERS ARE 50 FEET (FRONT), 10 OR 15 FEET (SIDES), 100 FEET (REAR). OCRM BUFFERS ARE 50 FEET (OCRSM SETBACK) AND 100 FEET (BUILDING AND PARKING). THE APPLICANT WAS TOLD TO MOVE THE BUILDING TOWARD THE STREET TO GET IT AS FAR AWAY FROM THE RIVER BUFFER AS POSSIBLE. THE APPLICANT WAS TOLD THAT A VARIANCE WOULD BE NEEDED IF, UNABLE TO MEET THE RIVER BUFFER AND SETBACK REQUIREMENTS. BUFFERS IN THE FRONT AND REAR MAY BE MODULATED BY THE DEVELOPMENT REVIEW TEAM. THE SITE SHALL HAVE 45 PERCENT LANDSCAPE

SURFACE RATIO. THE APPLICANT SHALL PROVIDE THE NATURAL RESOURCE CALCULATIONS. THE SITE REQUIRES 20 PARKING SPACES. THE APPLICANT WAS TOLD TO PROVIDE THE DATE THE FENCE WAS INSTALLED ON THE PROPERTY. IT WAS NOTED TO THE APPLICANT, THAT FENCES ARE NOT ALLOWED WITHIN THE RIVER BUFFER, AND THE REMOVAL OF THE FENCE WILL BE REQUIRED.

The meeting adjourned at approximately 12:00 p.m.