

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, July 22, 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
Mr. Robert Klink, County Engineer

MEMBERS ABSENT

Ms. Delores Frazier, Assistant Planning Director

STAFF PRESENT

Mr. Tony Criscitiello, Planning Director
Mrs. Amanda Flake, Natural Resource Planner
Mrs. Lisa Glover, Zoning Analyst III
Mrs. Audra Antonacci-Ogden, Codes Enforcement Supervisor
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 11:00 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. Klink made a motion to approve the July 8th, 2009 minutes as submitted. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Klink).

MOTION: Mr. Klink made a motion to approve the July 15th, 2009 minutes as submitted. Mr. Cummings seconded the motion. The motion passed (FOR: Cummings, Klink; ABSTAINED: Austin).

3. CROSS ROAD S/D (REVISIT/CONCEPTUAL)

Ms. Austin stated, that last month, the applicant was told to submit the following information; (1) submit a copy of the deed, giving the applicant permission to relocate the access easement, (2) submit new construction plans showing the statement, "Existing access easement to be relocated", (3) submit new construction plans revising the entrance, as stated by the Traffic Engineer, (4) remove the label "Open Space" from the natural resource plans, (5) submit the Army Corp of Engineers wetland delineation letter, (6) and ensure the nitrogen treatment of storm water requirement is addressed. Ms. Austin stated, that the applicant submitted a copy of the deed, and a copy was sent to the staff attorney for review. The applicant did not submit new construction plans with the easement relocation statement. The applicant submitted a "line of site" document, and the traffic engineer stated, that the applicant shall provide tangent between access road intersection radii and adjacent driveways. The applicant submitted new natural resource plans, removing the label "Open Space"; the natural resource planner was okay with the natural resources. Ms. Austin stated, that there were some issues regarding the tree removal and tree protection plan. Ms. Austin stated, that the applicant submitted a phasing plan that showed Phase 1 as the first phase, but the access to the adjacent property will not be built in Phase 1. Ms. Austin stated, that the applicant should show the access to the rear property, to be constructed in Phase 1.

Mr. Ryan Lyle from Andrews & Burgess Engineering stated, that they will construct the access in Phase 1.

Ms. Austin stated, that the applicant is proposing seven phases, but is showing 54 lots. Ms. Austin stated, that the applicant can submit separate applications and documents for all seven phases simultaneously, and be issued separate development permits for each phase. Ms. Austin stated, that the applicant shall revise the construction plans showing the following information; (1) provide approval from the adjacent property owner, to outfall to their existing pond, (2) show the proposed sewer line and pump station on the tree removal plan, and identify the trees to be removed, (3) since lot 16 does not meet the minimum lot width requirement, the applicant shall check all of the lots to ensure they meet all of the requirements, and show a construction envelope on the lots, (4) show the correct tree protection on the tree removal plan, and remove the proposed fire hydrant from the base of the 36" live oak tree, (5) and remove the asphalt turnaround that is shown on lots 21, 20, and 19 from the tree removal plans.

Ms. Timmer stated to the applicant, to re-route the road, and try to save some of the trees.

Ms. Austin stated, that at final submittal, the applicant shall meet the requirements of Table 106-1677 of the zoning ordinance, for lots that are less than 1,200 square feet.

MOTION: Ms. Austin made a motion to conceptually approve the project, subject to the applicant revising the construction plans showing the statement, "Existing access easement to be relocated". The applicant shall ensure that all of the lots meet the minimum requirement of the zoning ordinance; show construction envelopes where the minimum lot width requirements are located. The applicant shall show the proposed sewer line and pump station on the tree removal plan. The applicant shall show the correct tree protection on the tree removal plan; the proposed fire hydrant shall be removed from the base of the 36" live oak tree. The applicant shall show the access to the rear property being constructed in Phase 1. The applicant shall remove the asphalt turnaround that is shown on lots 21, 20 and 19 of the tree removal plan. The applicant shall address the comments from the Traffic Engineer, in regards to providing the tangent between access road intersection radii and the adjacent driveways. The applicant shall submit separate applications and documents for each proposed subdivision phases at final submittal. The applicant shall submit an approval letter from the adjacent property owner to outfall to their existing pond at final submittal. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Klink).

4. HARDING STREET ACCESS ROAD (PRE-APPLICATION)

Mr. Earl DuPriest from Carolina Engineering Consultants explained to the board, that the applicant is proposing to construct an access road, in order to subdivide an existing parcel located on Harding Street, and provide access to a proposed subdivision located within the City of Beaufort's jurisdiction.

Ms. Austin stated, that according to the county's tax records, Keisha Barnes owns the property where the applicant is proposing to place the easement. Ms. Austin stated, that she needs approval from Keisha Barnes to split the lot.

Mr. DuPriest stated, that the applicant is considering his options, as far as purchasing the lot or a portion of the lot, in order to construct a road and gain access to the property.

Ms. Austin stated, that if the board does not have permission from Keisha Barnes to build the access road, she doesn't feel it should be addressed today.

Mr. DuPriest asked the board, could they make the assumption that his client owns the property, so he could get some guidance on what needs to be done to construct the access road?

Mr. Criscitiello stated, that he is okay with Mr. Dupriest's suggestion, but he would like to be clear that the board really needs that agreement from Keisha Barnes prior to a decision being rendered.

Ms. Timmer stated, that the applicant will be required to show on the plans a 35-foot building setback from the proposed right-of-way. The applicant shall provide permission from SCDOT for the two easements they will be crossing, and submit an Encroachment Permit from SCDOT for the road. Ms. Timmer stated, that the applicant shall ensure that there are no Covenants and Restrictions that will restrict the lot from being subdivided. Ms. Timmer stated, that since the road crosses through the river buffer in two areas, the applicant would have to obtain a variance from the Zoning Board of Appeals.

Ms. Austin asked Mr. DuPriest, "Do you need wetland fill from the Army Corp of Engineers for the salt marsh?"

Mr. DuPriest stated, that he doesn't think there are fresh water wetlands on the property.

Ms. Timmer stated, that the applicant shall also complete the Natural Resource Analysis with Amanda Flake, Natural Resource Planner.

Ms. Austin explained to the applicant, that when he goes in front of the Zoning Board of Appeals for a variance, he should also request a special use permit to install the water and sewer line in the river buffer.

Mr. DuPriest stated, that they are not proposing to put water and sewer lines through the river buffer at this time, because it's no point to design plans for the water and sewer lines if the road can not be built.

Ms. Austin stated, that if there are no Covenants and Restrictions, and the property owner grants permission for the easement, she believes everything would be okay to move forward.

Mr. DuPriest stated, that they do not know what the water and sewer requirements would be, because the lots are not laid out yet.

Ms. Austin stated, that the applicant would need a variance from the Zoning Board of Appeals for the road to cross the river buffer in two locations; once the applicant decide to install the water and sewer lines within the buffer, a special use permit is required from the Zoning Board of Appeals.

Mr. DuPriest stated, that based on the previous conversation, could he submit the OCRM wetland documentation, instead of the Army Corp of Engineers wetland letter?

Ms. Austin stated, that the applicant would need to submit a letter from the Army Corp of Engineers and OCRM to fill the marsh area from the road.

THE DEVELOPMENT REVIEW TEAM TOLD THE APPLICANT, THAT A FORMAL PRE-APPLICATION MEETING WOULD NOT BE CONDUCTED WITHOUT APPROVAL FROM THE PROPERTY OWNER, BUT THE BOARD WOULD BE WILLING TO DISCUSS SOME CONCERNS. THE APPLICANT SHALL RECEIVE A VARIANCE APPROVAL FROM THE ZONING BOARD OF APPEALS, IN ORDER TO CONSTRUCT THE PROPOSED ROAD THROUGH THE RIVER BUFFER; ONCE THE APPLICANT DECIDE TO INSTALL THE WATER AND SEWER LINES, A SPECIAL USE PERMIT WOULD BE REQUIRED. THE APPLICANT SHALL SUBMIT A LETTER FROM THE ARMY CORP OF ENGINEERS AND OCRM TO FILL THE MARSH AREA FROM THE ROAD. THE APPLICANT SHALL SHOW A 35-FOOT BUILDING SETBACK FROM THE PROPOSED RIGHT-OF-WAY. THE APPLICANT SHALL PROVIDE PERMISSION FROM SCDOT FOR THE TWO EASEMENTS THEY WILL BE CROSSING, AND SUBMIT AN ENCROACHMENT PERMIT FROM SCDOT. THE APPLICANT SHALL ENSURE THERE ARE NO COVENANTS AND RESTRICTIONS THAT WILL RESTRICT THE LOT FROM BEING SUBDIVIDED. THE APPLICANT SHALL COMPLETE THE NATURAL RESOURCE ANALYSIS WITH AMANDA FLAKE, NATURAL RESOURCE PLANNER.

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