

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, December 23, 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. Lisa Glover, Zoning Analyst III

**1. CALL TO ORDER:** Mr. Criscitiello called the meeting to order at approximately 11:04 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. HARBOR ISLAND – CAUSEWAY COTTAGES (FINAL)**

Mr. Criscitiello explained, that this project has gone through a court settlement, and a judgment was rendered to approve four (4) lots: the Development Review Team will be implementing the order of the judge. Mr. Criscitiello asked the applicant, to explain the open space stipulation in the order, which states, "The property of Preferred Island Properties lying on the Eastern side of Harbor Island Drive, as shown on Exhibit B as containing 32,881 square feet, will be donated to a mutually agreeable not profit organization or Beaufort County under the terms of a conservation easement which will prevent future residential or commercial development of that property".

Mr. David Tedder, representative for the applicant explained, that in dealing with the County Attorney, Robert Achurch, they presented a deed for approval in favor of Beaufort County; the executed deed is in his office, signed by the property owner.

Ms. Austin asked Mr. Tedder, "Is the county also taking the land?"

Mr. Tedder answered, "Yes". Mr. Tedder stated, that when Harbor Island was first approved 30 years ago, there was a consideration of public access to the beach; so Beaufort County is the owner of an access to the beach, and the public has a right to go through the gate in order to go to the beach. Mr. Tedder stated, that if the county has reservations regarding the deed, they will do whatever the county wants them to do.

Mr. Dennis Knowland, Board of Directors of the Harbor Island Owners Association stated to the board, that deeding the easement to Beaufort County is new, and has not been reported to the Harbor Island Owners Association. Mr. Knowland stated, that in regards to the easement, the matter is more complicated than the applicant suggested; there is a partial public easement to a limited degree to access to the beach, and Beaufort County could not guarantee access to a park in that little sliver behind a private gate. Mr. Knowland stated, that the property in question, is subjected to the Harbor Island Covenants & Restrictions; the Harbor Island Covenants prohibits subdivisions without approval; there have been no request for an approval for a subdivision. Mr. Knowland stated, that when they first heard that the developer was planning to market lots, they eventually went to court, and that case is pending in the local court; it is premature for the Development Review Team to approve any future action until that issue is resolved by the court.

Mr. Criscitiello stated, that the decision the Development Review Team will be making today, is on the decision that the judge rendered regarding the approval of the four lots.

Ms. Frazier stated, that she would like the Development Review Team to check with Robert Achurch, in regards to the conservation easement/property being deeded over to Beaufort County.

**MOTION: Ms. Frazier made a motion to approve the project, subject to staff meeting with the County Attorney, Robert Achurch, to discuss the open space conservation easement being deeded over to Beaufort County. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).**

*The meeting adjourned at approximately 11:13 a.m.*