

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, April 7, 2008, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Jim Hicks, Chair  
Ms. Mary LeGree  
Mr. Edward Riley III

Mr. Brian Flewelling  
Mr. Frank Mullen  
Mr. E. Parker Sutler

Ms. Diane Chmelik  
Mr. Ronald Petit

**Members Absent:** None

**Member Vacancies:** One (At-Large representative--formerly Alan Herd since November 2007)

**Staff Present:**

Ms. Delores Frazier, Asst. Planning Director  
Mr. Brian Herrmann, Community Planner  
Ms. Barbara Childs, Admin. Asst. to Planning Director

**CALL TO ORDER:** Chairman Hicks called the meeting to order at approximately 6:06 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Hicks led those assembled in the Chambers with the pledge of allegiance to the U.S.A. flag.

**REVIEW OF MINUTES:** The Commission reviewed the March 3, 2008, meeting minutes. An error was noted for the fourth line of the second full paragraph on page 6 that should read "...use for the site,...." **Motion:** Mr. Sutler made a motion, and Ms. Chmelik seconded, **to accept the March 3, 2008, minutes as amended.** The motion was **carried** (FOR: Chmelik, Flewelling, Herd, LeGree, Petit, Riley and Sutler; ABSTAIN: Mullen).

**CHAIRMAN'S REPORT:** Chairman Hicks noted that a briefing was given at the March 28, 2008, Northern Regional Plan Implementation Committee meeting on setting up a Transfer of Development Rights (TDR) Program. The Planning staff believes that details must be worked out before proceeding with the Program. Chairman Hicks noted that the Commission would receive the same briefing in the near future.

**PUBLIC COMMENT** for items other than agenda items: Mr. Harold Rivers asked the Commission to assist in renaming the portion of the road he lives on back to Wallace Road. The problem lies between Orange Grove and Sam Doyle Roads on St. Helena. He spoke to Ms. LeGree and she recommended he bring his concern to the Commission. He noted that his mail was being misdirected because there is no Wallace Road street sign. Mr. Rivers is asking for a distinction between Wallace and Orange Grove Roads, from Perry through Sam Doyle Roads.

After discussion by the Commissioners, Chairman Hicks asked the Planning staff to contact Emergency Management regarding Mr. River's situation.

**PORT ROYAL ISLAND ZONING MAP AMENDMENT/REZONING REQUEST FOR R100-24-23 (4.49 ACRES OFF RUG RACK ROAD IN BURTON); FROM RURAL WITH TRANSITIONAL OVERLAY (R-TO) ZONING DISTRICT TO RURAL-RESIDENTIAL WITH TRANSITIONAL OVERLAY (RR-TO) ZONING DISTRICT; APPLICANT AND OWNER: M. M. JENNINGS**

Mr. Herrmann briefed the Commissioners. The Port Royal Island Subcommittee and the staff recommended approval of the request.

Applicants' Comments: Ms. Misty Jennings agreed with Mr. Herrmann's presentation.

Discussion by the Commission included a consideration of a refund to Ms. Jennings.

**Public Comment:** None were received.

**Motion:** Mr. Flewelling made a motion, and Mr. Riley seconded, **to forward to County Council a recommendation of approval for the Zoning Map Amendment/Rezoning Request for R100-24-23 (4.49 Acres off Rug Rack Road in Burton; from Rural with Transitional Overlay (R-TO) Zoning District to Rural-Residential with Transitional Overlay (RR-TO) Zoning District.** The motion was carried unanimously (FOR: Chmelik, Petit, LeGree, Flewelling, Hicks, Mullen, Riley and Sutler).

Chairman Hicks noted that since the staff reviews the rezoning applications, the Commission would like the staff to consider a policy waiving the application fee on rezoning applications that correct a County mapping error.

**TEXT AMENDMENTS TO BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO):**

**A. Article VI, Section 106-1616. Bufferyard Requirements (clarifies uses permitted within bufferyards).**

Ms. Frazier briefed the Commission.

Discussion included clarification of a bufferyard.

Public Comment: None were received.

**Motion:** Mr. Flewelling made a motion, and Ms. Chmelik seconded, **to forward to County Council a recommendation of approval on the Text Amendments for the Zoning & Development Standards Ordinance (ZDSO), Article VI, Section 106-1616. Bufferyard Requirements--that clarifies uses permitted within bufferyards** No

further discussion occurred. The motion **was carried unanimously** (FOR: Chmelik, Flewelling, Hicks, LeGree, Mullen, Petit, Riley and Sutler).

**B. Article VI, Table 106-1617. Bufferyard and Tree Standards (adds bufferyard requirements between multifamily and nonresidential development and existing single-family residential uses).**

Ms. Frazier briefed the Commission.

Discussion included a clarification that the text amendment would not affect existing property; the ordinance providing relief through modulation where bufferyards are more than 25% of the property; the amendment would not apply in Community Preservation Districts; a clarification on the use of the table for new development; the consistency of the proposed text amendment to the municipalities; a reassurance that staff had sent the language to the City of Beaufort and the Town of Port Royal for their comment; and the amendment intent to protect single-family homes from commercial uses.

Public Comment: None were received.

**Motion:** Mr. Flewelling made a motion, and Ms. Chmelik seconded, **to forward to County Council a recommendation of approval on the Text Amendments for the Zoning & Development Standards Ordinance (ZDSO), Article VI, Table 106-1617. Bufferyard and Tree Standards--adds bufferyard requirements between multifamily and nonresidential development and existing single-family residential uses.** No further discussion occurred. The motion **was carried unanimously** (FOR: Chmelik, Flewelling, Hicks, LeGree, Mullen, Petit, Riley and Sutler).

• **Article XIII, Sec. 106-2796. Access--adds additional road access standards for new subdivisions.**

Ms. Frazier briefed the Commission.

Discussion included a clarification on major subdivisions; a concern for the non-requirements of road paving in small subdivisions; an agreement to the text amendments from the engineering staff; and a clarification on the size of the road to be paved.

Public Comment: None were received.

**Motion:** Mr. Flewelling made a motion, and Ms. Chmelik seconded, **to forward to County Council a recommendation of approval on the Text Amendments for the Zoning & Development Standards Ordinance (ZDSO), Article XIII, Section 106-2796. Access—that adds additional road access standards for new subdivisions.** No further discussion occurred. The motion **was approved unanimously** (FOR: Chmelik, Flewelling, Hicks, LeGree, Mullen, Petit, Riley and Sutler).

- **Appendix A1. Airport Overlay District / MCAS-Beaufort, Section 5. Use limitations--specifies that gross density is calculated on a site's base site area.**

Ms. Frazier briefed the Commission.

No discussion occurred.

Public Comment: None were received.

**Motion:** Mr. Flewelling made a motion, and Mr. Mullen seconded, **to forward to County Council a recommendation of approval on the Text Amendments for the Zoning & Development Standards Ordinance (ZDSO), Appendix A1, Section 5. Use limitations—specifies that gross density is calculated on a site's base site area.** No discussion occurred. The motion **was approved unanimously** (FOR: Chmelik, Flewelling, Hicks, LeGree, Mullen, Petit, Riley and Sutler).

**OTHER BUSINESS:**

1. **Next month's meeting** is Thursday, May 1, 2008.
2. **Okatie Village Plan:** The Applicants' have asked that their project not be heard by Land Management until a later date. The Applicants' have hired an independent party to do another financial analysis. Chairman Hicks noted that a standard analysis is hopefully being developed by the County for future developments. Discussion included whether the Planning staff would review the new analysis, the rationale with having a standard analysis for the County to use on any development, and concern that the Applicants' analysis would be slanted in their favor.

**ADJOURNMENT: Motion:** Mr. Sutler made a motion, and Mr. Riley seconded, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Chmelik, Flewelling, Hicks, LeGree, Mullen, Petit, Riley and Sutler). The meeting adjourned at approximately 6:50.p.m.

**SUBMITTED BY:**

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Barbara Childs, Admin. Assistant to the Planning Director

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Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED: May 1, 2008**