



## COUNTY COUNCIL OF BEAUFORT COUNTY

### Beaufort County Zoning & Development

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The scheduled meeting of the Beaufort County Zoning Board of Appeals was held on May 25, 2005, in the County Council Chambers of the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

#### MEMBERS PRESENT

Mr. Thomas Gasparini, Chairman  
Mr. Philip LeRoy

Mr. Charles Bootle  
Mr. Claude Dinkins

#### MEMBERS ABSENT

Mr. Edgar Williams, Vice Chairman  
Mr. Chester Williams  
Mr. Kevin Mack

#### STAFF PRESENT

Ms. Hillary Austin, Zoning Director  
Mrs. Lisa Glover, Zoning Analyst III  
Mr. Arthur Cummings, Building Codes Director

**CALL TO ORDER:** Mr. Gasparini called the meeting to order at approximately 5:10 p.m.

**INVOCATION:** Mr. Gasparini led those assembled in prayer.

**ADOPTION OF AGENDA:** Mr. Gasparini stated that item #7 (Bobby & Jo Keith's Variance) has withdrawn their application, and item #8 (Steven & Helene Blankenship's Appeal) has requested a continuation, and will be heard first.

**MOTION:** Mr. Bootle made a motion to adopt the agenda with the noticed changes. Mr. Leroy seconded the motion. The motion passed unanimous (FOR: Bootle, Dinkins, Gasparini, Leroy)

#### REVIEW OF MEETING MINUTES:

**MOTION:** Mr. Dinkins made a motion to adopt the minutes as submitted. Mr. Leroy seconded the motion. The motion passed unanimous (FOR: Bootle, Dinkins, Gasparini, Leroy)

#### STEVEN & HELENE BLANKENSHIP'S APPEAL

Mr. Gasparini stated to the board that the required notice was not given as a result of a mix-up between Mr. Tedder and his client, and Mr. Tedder asked for a continuance until the approximate notices has been given. This appeal will be on the June agenda. *The board granted the continuance.*

#### ROSS GREENBERG'S VARIANCE (REVISIT)

Mr. Tom Davis, attorney for the applicant, stated that last month there was a jurisdictional problem with not giving the approximate notices to the surrounding property owners.

Mr. Larry Grimsley, representative for the applicant, stated that the Architectural Review Board is the house size police. Mr. Grimsley showed and explained to the board a site plan of the various houses, along with the decks, and the size of the houses.

*"Professionally we serve; Personally we care!"*

Mr. Gasparini asked Mr. Grimsley, is he asking for a variance on the setback on the street side, and the ocean side?

Mr. Grimsley said yes.

Mr. Robert Mathison, representative of the neighbors, stated that he has a considerable objection to what the applicant is proposing on his application. Mr. Mathison stated that the board set precedence by approving Mr. Grimsley house in the past. Mr. Mathison passed to the board some correspondence received to him in opposition of the application.

Mr. Bootle asked Mr. Mathison, does Mr. Drery have standing in this case?

Mr. Mathison said Mr. Drery was at the meeting before, so he is submitting his correspondence. Mr. Mathison stated that Mr. Drery is no longer the owner of the lot on that property.

Mr. Gasparini stated to Mr. Mathison that his understanding of the Zoning & Development Standards Ordinance is that the ordinance talks about setbacks not square footage of the house, that is a matter for the Architectural Review Board.

Mr. Mathison stated that the Architectural Review Board has jurisdiction in its own mind to determine size, but he feels that the board has jurisdiction to determine size also.

Mr. Gasparini asked Mr. Mathison, to show him the ordinance that talks about the size in connection with the setbacks?

Mr. Mathison stated that there is none that he is aware of that talks specifically about size.

Mr. Robert Minerr stated that he lives on Sea Horse Road, and he lived in California for two years before he moved back to South Carolina. Mr. Minerr stated that he would like to see a natural setting where houses are not touching each other.

Mr. Gasparini stated, whether notices that were or were not given in other cases that came before this body is not the issue tonight, and he does not think that this board has jurisdiction over the size of the house.

**MOTION: Mr. Dinkins made a motion to approve the variance as submitted. Mr. Bootle seconded the motion. The motion passed unanimously (FOR: Bootle, Dinkins, Gasparini, Leroy)**

#### **DAVID REED'S VARIANCE**

Mr. David Reed explained to the board that after he purchased this property there was an existing mobile home on the property; he removed the mobile home, and placed a garage on the property. After he placed the garage on the property, he added a porch to the garage and turned it into a house. During the final stage of development, he did not know he infringed on the easement setback by 6 – ½ feet. Mr. Reed explained that instead of focusing on the setbacks, he focused on the property line.

Ms. Austin stated that there is a building permit issued for this project; the zoning permit was issued for a garage, not a house.

Mr. Arthur Cummings, Building Codes Director, stated that when Mr. Reed came into the office to get a permit, the permit application was for a garage. Sometime later it was determined that Mr. Reed was building a single-family home, instead of a garage. The Building Codes Inspector told him that if he is building a single-family home, he have to amend the building plans; Mr. Reed was not informed that he needed another zoning permit for the single-family home. Mr. Cummings stated that something got mixed-up when he came into the office to amend the plans.

Mr. Gasparini asked Mr. Reed, are there any other homes on the street, and were notices duly issued to the surrounding neighbors?

Mr. Reed said, yes. Mr. Reed showed and explained the plat to the board where the other homes were in the neighborhood.

Mr. Bootle asked Mr. Reed, how did it start out as a garage, and ended up as a house?

Mr. Reed said that Home Depot had a 22' x 28' two-story garage with vinyl sidings and a medal roof outside the front of the store. Once the two-story garage was brought on the property, he got a permit for the two-story garage. Mr. Reed stated that after he started making alterations to the garage, it turned into a house.

Mr. Gasparini asked, does the County oppose this application?

Mr. Cummings and Ms. Austin answered, no.

**MOTION: Mr. Leroy made a motion to grant the variance as requested. Mr. Dinkins seconded the motion. The motion passed unanimously. (FOR: Bootle, Dinkins, Gasparini, Leroy).**

**MOTION: Mr. Bootle made a motion to adjourn. Mr. Leroy seconded the motion. The motion passed unanimously. (FOR: Bootle, Dinkins, Gasparini, Leroy).**

*The meeting adjourned at approximately 6:08 p.m.*