

The scheduled meeting of the Beaufort County Zoning Board of Appeals was held on Wednesday, August 22, 2007, in Council Chambers, Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Thomas Gasparini, Chairman
Mr. Edgar Williams, Vice Chairman
Mr. Phillip LeRoy
Mr. Chester Williams

Mr. Bill Bootle
Mr. Claude Dinkins
Mr. Kevin Mack

MEMBERS ABSENT

None

STAFF PRESENT

Ms. Hillary Austin, Zoning Administrator
Mrs. Lisa Glover, Zoning Analyst III

CALL TO ORDER: Mr. Gasparini called the meeting to order at 5:02 p.m.

INVOCATION: Mr. Gasparini led those assembled in a moment of silence.

REVIEW OF AGENDA:

MOTION: Mr. Bootle made a motion to adopt the agenda as submitted. Mr. Edgar Williams seconded the motion. The motion passed unanimously (FOR: Bootle, Gasparini, LeRoy, Mack, C. Williams, E. Williams).

REVIEW OF MINUTES:

MOTION: Mr. Chester Williams made a motion to adopt the July minutes as submitted. Mr. Edgar Williams seconded the motion. The motion passed (FOR: Bootle, Dinkins, Gasparini, LeRoy, C. Williams, E. Williams; ABSTAINED: Mack).

Mr. Gasparini briefly reviewed the ZBOA rules to the public. Mr. Gasparini limited public comment to three minutes each.

J-1 AUTO (SPECIAL USE PERMIT)

Mr. Jerry Jenkins explained to the board, that he is requesting a special use permit to re-open Bobby's Auto shop.

Mr. Bootle asked Mr. Jenkins, "How long has it been, since the septic system has been used?"

Mr. Jenkins stated, that the septic system has not been used for a long time, but in the future they will upgrade the plumbing.

Ms. Austin explained to the board, that the Development Review Team reviewed this project last week, and recommended approval with the conditions, that there be no salvage use on site, and that the plans show where the storage yard will be located.

Mr. Gasparini called for public comment; and limited the comments to three minutes each.

Ms. Ann Spencer stated, that this property is next to her property. Ms. Spencer stated, that she has lived in that house since 1992, and there's been no activity on that property since 1992; and it concerns her to have a business right next to her. Ms. Spencer stated, that the auto repair business might depreciate her property, and she's concerned about her safety, and the safety of her property. The applicant has cut down the trees on the property, and there's debris on the property; it is very distasteful. Ms. Spencer stated, that she is thinking about putting her house on the market, and she is concerned about this business, so she would like the board to disapprove this special use request.

Mr. Bootle asked Ms. Spencer, "Do you live in a house or in a mobile home?"

Ms. Spencer stated, that she lives on two acres, in a 2,200 square foot house.

Mr. Bootle asked, "Is that the old house that was there, or did they tear the old house down and build a new house?"

Ms. Spencer stated, that there was no home on the property when they purchased the property.

Mr. Mack asked Ms. Spencer, "Is there any vegetation between your property, and where they are proposing to put the building?"

Ms. Spencer stated, that she's not sure how many trees are there, but when they cut down the trees, some of their trees fell on her trees, and she had to ask them to remove their dead trees off of her trees.

Mr. C. Williams stated, that there is a landscape plan that needs to be implemented as part of this approval. Mr. Williams asked Ms. Spencer, "Have you seen the landscape plan?"

Ms. Spencer answered, "No".

Mr. C. Williams stated, that the revised plans that show the car storage area have to show a six-foot tall fence.

Mr. Dinkins asked Ms. Austin, "Is there a buffer in the rear of the property?"

Ms. Austin answered, "Yes, a 50-foot buffer".

Mr. Dinkins stated, that the plan doesn't show the 50-foot buffer. It looks like some of the trees were cut down in the rear.

Ms. Austin stated, that the applicant timbered their property two years ago, and had to wait a least one-year before they could build on their property. Ms. Austin stated, that the applicant far exceeded that one-year time frame.

Mr. LeRoy asked, "What was the original use of that property?"

Ms. Austin stated, that it used to be an auto repair shop.

Mr. C. Williams asked, is there any additional requirement for a landscape plan for the buffer adjacent to the residence?

Ms. Austin stated, that there's an additional buffer, but it would not be as thick as the corridor buffer.

Mr. Jenkins stated, that the property already has a 50-foot tree line buffer adjacent to the residence.

Ms. Austin stated, that unless they can prove that there's existing vegetation on the property, then the board can require additional buffer.

Mr. E. Williams stated, that there was no vegetation on the property from Ms. Spencer's house to the repair shop. Mr. Williams stated, that he's not sure where all of the concern is coming from.

Mr. Gasparini stated, that since the property was timbered, there had to be some trees on the property.

Mr. Bootle asked, "Do we have vegetation in the area between this land and River Oaks Road?"

Ms. Austin stated, that River Oaks Road is showing existing vegetation.

Ms. Spencer stated, that it is visible to see a car in her yard, if you are coming from Hwy 21 or Jasmine Hall Road.

Mr. Mack asked, "Could the trees be moved to the other side of the property?"

Ms. Austin stated, that it could be done, if the board makes that a condition of approval.

Mr. Bootle asked Ms. Spencer, "Knowing this auto repair shop is going in, what would ease your concerns?"

Ms. Spencer answered, "If it would not look like a junk yard, it would be pleasing to the eye, and she would not be able to see the cars that come and go".

Mr. Gasparini asked Mr. Jenkins, "How will the cars get to the fenced-in area?"

Mr. Jenkins answered, "Between the trees".

Mr. Dinkins asked Ms. Austin, "If the applicant wanted to expand, could they?"

Ms. Austin answered, "Not without requesting another special use permit".

MOTION: Mr. Edgar Williams made a motion to approve the special use permit, with the conditions, that there be no salvage use permitted on site, and that the applicant show on the plans the storage area for the cars, and the location of the privacy fence. Mr. Chester Williams stated, that he would like to amend the motion to include an additional condition, that the landscape plan with the rear buffer be approved by the Planning Staff. Mr. C. Williams stated, that it is to the discretion of the staff, that no landscaping is required, if there is existing vegetation on site. Mr. Bootle seconded the motion to amend the original motion. The motion for the amendment passed unanimously (FOR: Bootle, Dinkins, LeRoy, Mack, C. Williams, E. Williams). Mr. Bootle seconded the amended motion. The amended motion passed unanimously (FOR: Bootle, Dinkins, LeRoy, Mack, C. Williams, E. Williams).

OLD BUSINESS

Mr. Gasparini stated, that he has provided a copy of the "Rules of Procedures" for the Town of Hilton Head. Mr. Gasparini asked the board, to e-mail or mail to him any suggestions or corrections to the Beaufort County Zoning Board of Appeals "Rules of Procedures". Mr. Gasparini stated, that if there are not a lot of items on the agenda next month, maybe the board could briefly discuss the procedures.

Ms. Austin stated, that the rules that are in the Zoning Ordinance cannot be changed, unless it's through County Council.

Mr. Gasparini stated, that the board would only make changes to the rules that are not in the Zoning Ordinance. Mr. Gasparini stated, that he would like the board to indicate the things they like, and the things they would like to be added, and then the board would vote to update the "Rules of Procedures".

MOTION: Mr. Edgar Williams made a motion to adjourn. Mr. Chester Williams seconded the motion. The motion passed unanimously (FOR: Bootle, Dinkins, Gasparini, LeRoy, Mack, C. Williams, E. Williams).

The meeting adjourned at approximately 5:37p.m.