



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Zoning & Development

Multi Government Center • 100 Ribaut Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
OFFICE (843) 255-2170
FAX (843) 255-9446

The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, February 23, 2017, in the Council Chambers, Beaufort County Administration Building, at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Thomas Gasparini, Chairman
Mr. William Cecil Mitchell, III
Mr. John Chemsak
Mr. Kevin Mack
Mr. Joseph Passiment

MEMBERS ABSENT

Mr. Edgar Williams, Vice Chairman
Mr. Chester Williams

STAFF PRESENT

Mr. Anthony Criscitiello, Planning Director
Mrs. Tamekia Judge, Zoning Analyst III

VACANCY

None

CALL TO ORDER: Mr. Gasparini called the meeting to order at 5:01 p.m.

PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE: Mr. Gasparini led those assembled with the Pledge of Allegiance.

REVIEW OF AGENDA:

Mr. Gasparini stated, that Items # 7,8,9,10 on the agenda will be removed and Item #12 will reviewed at the next scheduled meeting.

MOTION: Mr. Mack made a motion to adopt the amended agenda with the changes. Mr. Mitchell seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell and Passiment; ABSENT: C. Williams and E. Williams).

REVIEW OF MINUTES:

Mr. Gasparini stated that the adoption of the January 26th minutes will be put over until the next scheduled meeting due to no quorum.

FRIPP ISLAND – LOT 114, OCEAN CREEK (TURBEVILLE POOL VARIANCE)

Mr. Tom Holloway with Harvey & Battey Law Firm, a representative for the Turbevilles stated, "We are here for the third time; you will see the back porch has been removed, it has now moved to the side. I'm sorry, it's an open deck. The pool can be moved closer to the home and is now 4 feet from the home; we moved it as far out of the setbacks as possible. The neighboring property is 41 feet from the critical line and the other neighboring property is 42 feet. The pool is being dropped in with pervious paving around the pool. The plantings and buffer plantings will be per the DHEC booklet. All of the drainage goes to the front and away from the critical line."

Mrs. Turbeville stated, "I wasn't accustomed to the process when we purchased the lot in 2005. The original setback was 20 feet and over the years it has gone to 50 feet and now 60 feet. The house is not too big. By working with Fripp Island we had to shift the house. In the previous information I stated that my husband has had knee surgery and back problems that the pool can help with."

Mr. Mack asked Mrs. Turbeville, "With removing the deck, you are only saving 4 feet moving the pool and deck closer to the house?"

Mr. Criscitiello, Beaufort County Planning Director stated to the Board, "The home is proposed and not yet built. The Staff's position is recommending disapproval because it is not a hardship; but it's up to the Board to make that determination. If the Board grants the Variance, there are conditions that must be applied."

Mr. Gasparini asked Mr. Criscitiello, "Can you talk about the layout of the land?"

Mr. Criscitiello replied, "I can't answer that".

Mr. Gasparini asked Mr. Holloway, "Is it a straight line?"

Mr. Holloway replied, "There are a number of homes, I don't think the geography will affect it; I live on that street, and the neighbors that live on that street approve of this."

There being no further comments from the applicant or the County and no further questions from the Board, Mr. Gasparini called for public comment. There were no public comments.

Mr. Mitchell made a motion to approve the application as drawn with the conditions as described in the Staff report.

Mr. Passiment seconded the motion.

Mr. Mitchell stated, "The Applicant has done all that they could and it's because of the lot that they have that restricts the pool location".

Mr. Passiment stated, "Obviously they are trying to comply with everything. The neighborhood and the POA are okay; what is being done will minimize disturbance."

MOTION: Mr. Mitchell made a motion to grant the Variance with the following conditions listed in the Staff report: 1) Applicant shall ensure the house design provides for the drainage or channeling of runoff away from natural watercourse, marshes, wetlands or tidal areas and that such runoff is filtered through a vegetated strip. Vegetative strips shall be retained or created in a natural vegetated or grassed condition to allow for periodic flooding, provide drainage access to the water body, and act as a filter to trap sediment and other contaminants to stormwater runoff. 2) Applicant shall ensure that there is no adverse discharge from the pool. 3) Applicant shall provide runoff information to the Building Codes Department upon request of building permit. 4) Applicant is approved to place the swimming pool and the deck at 30 feet from the critical line. Mr. Passiment seconded the motion. The motion passed (FOR: Gasparini, Mitchell and Passiment; AGAINST: Chemsak and Mack; ABSENT: C. Williams and E. Williams).

ADJOURNMENT

MOTION: There being no further business to come before the Board, Mr. Passiment made a motion to adjourn. Mr. Mitchell seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Passiment and Mitchell; ABSENT: C. Williams and E. Williams).

The meeting adjourned at approximately 5:27 p.m.