



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development

Beaufort County Robert Smalls Complex
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The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, October 25, 2018, in the Council Chambers, Beaufort County Administration Building, at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. John Chemsak
Mr. Cecil Mitchell, III
Mr. Joseph Passiment
Mr. Chester Williams

MEMBERS ABSENT

Mr. Thomas Gasparini, Chairman
Mr. Kevin Mack, Vice-Chairman

VACANCY

Northern Beaufort County

STAFF PRESENT

Ms. Hillary Austin, Zoning Administrator
Mr. Eric Greenway, Community Development Director
Mrs. Audra Antonacci, Codes Enforcement Director

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

Neither Mr. Gasparini, Chairman, nor Mr. Mack, Vice-Chairman, were present, Mr. Williams was nominated as acting chairman.

PLEDGE OF ALLEGIANCE: Mr. Williams led those assembled with the Pledge of Allegiance.

REVIEW OF AGENDA:

MOTION: Mr. Passiment made a motion to adopt the agenda as written. Mr. Chemsak seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

REVIEW OF MINUTES:

MOTION: Mr. Chemsak made a motion to adopt the August 23, 2018 meeting minutes as written. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

NEW BUSINESS

JENNIFER HEWETT'S APPEAL – SHORT TERM RENTALS

Ms. Jennifer Hewett stated, "This is a request to appeal a determination that was made when the decision that short term rentals were allowed was overturned; I'm appealing that overturn. I also want to clarify in the context of short term rentals; that this is an accessory dwelling unit, so that is typically an above garage apartment; it's not my primary residence. I occupy the main residence, and this is just rental potential above my garage. Habersham is the new urbanism design concept in Beaufort, and the design

principles revolve around sustainable, livable mixed income townships. Within Habersham we've got flats, we've got condos, we've got multi-million dollar homes on the water, and I think that's what makes Habersham great. Habersham is not gated, so there's no restriction on who can come in and out of the neighborhood. In fact, the more foot traffic the better to help support some of the local businesses. Within Habersham there's a high prevalence of accessory dwelling units (ADUs), again those are defined as a secondary dwelling located on the same grounds as your regular single family home. Specifically in my case, this is an above garage apartment. Another point that I'll make too is part of the architectural charm I believe is around some of these accessory dwelling units. When I purchased in Habersham, my Realtor said it's a great opportunity for some passive income or just overflow housing, so everybody kind of speaks the benefit of the value of accessory dwelling units in the Community. Utilization of ADUs in Habersham rental becomes prevalent. I think anytime you go on VRBO, Airbnb; you'll find listings within Habersham. Within the Habersham covenants there's no specification that ADUs are not allowed, and prominence of these rentals in the Community. There is nothing in the use restrictions that address short term rentals, and nothing that puts any limitation on what you do with your ADU. I included in my appeal packet the covenants as well as some articles supporting ADUs. In the spring of 2017, there was a topic of short term rentals at an HOA Steering Committee, and obviously there were a lot of objections to short term rental of your primary residence. I agree with that, I wouldn't want my next door neighbor blatantly renting their house out, but an accessory dwelling unit is different. My feeling is that the majority of Habersham agrees with that. As a result, the consensus at the meeting was that the covenants don't address short term rentals for ADUs, let's reach out to the County. At that point, Audra and Hillary checked the PUD and the Zoning Code and determined that there was nothing restricting renting your ADU, assuming, that you occupy the primary residence; all the criteria that I met. So, at that point, short term rentals were officially cleared by the County. Press forward, the decision was overturned; I was notified by Audra of that determination. It was overturned, due to a complaint from a neighbor within Habersham, and in a document that I received from the Zoning team. The justification was that there was a vote within Habersham that said that short term rentals are not allowed, which did not happen; there was not a vote. Then it cited essentially if there is a Restrictive Covenant in place that prohibits such, then that would trump the County's determination, which I understand. But there's not a Restrictive Covenant, I've asked multiple times for this Restrictive Covenant, and no one can produce it because it doesn't exist. So in that sense what I'm asking for is to not infringe upon my right as a property owner of what I can and can't do with a unit that has no Restrictive Covenants tied to it. I think based on the prevalence within the Community, I actually reached out to DPZ, a popular design firm that built Habersham along with several other communities, and there was never any intent to restrict the use of those ADUs. As a result, I just think that the decision was overturned incorrectly, and I appreciate the opportunity to appeal it. If there was a Covenant within our Restrictive Use Covenant within our HOA documents that said I couldn't do it, fine then no problem at all; but there's nothing that says that, and that's proven by the number of people that conduct these rentals. The last thing, my priority is to be a good steward of the Habersham Community, as well as Beaufort County, and follow the rules. But I think that this rule has been unfairly forced upon me without being anchored in facts or documentation."

Mr. Passiment asked Ms. Hewett, "When did you purchase the property?"

Ms. Hewett replied, "I purchased it in July of 2016. I read the Covenants prior to making the purchase."

Mr. Passiment asked Ms. Hewett, "Is this the first time you would be renting the ADU or have you rented it before?"

Ms. Hewett replied, "So once the initial determination was made that I could rent the ADU, I was renting it."

Mr. Williams asked Ms. Hewett, "Who is Mr. and Mrs. Michael Foy?"

Ms. Hewett replied, "My next door neighbor." Ms. Hewett also stated, "I'm just trying to defend what I feel to be my right as a property owner. But when Audra said, you can't do it, I didn't rent obviously."

Mr. Williams asked Ms. Hewett, "Do you recall when you started running it?"

Ms. Hewett replied, "I closed on the house in July 2016, I probably started September."

Mr. Chemsak asked Ms. Hewett, "You never had a Zoning permit to do this?"

Ms. Hewett replied, "Correct, I didn't know it was required."

Mr. Mitchell asked, "Does everyone, like Harbour and Fripp Island, get a Zoning permit?"

Ms. Hillary Austin stated, "It's a different situation, they're considered resorts."

Mr. Chemsak asked Ms. Hewett, "Was a business license required?"

Ms. Hillary Austin stated, "Business license would be required for a VRBO, they're renting it out, so you need to pay the accommodation taxes."

Ms. Hewett stated, "That's all taken care of through the Airbnb."

Mr. Eric Greenway, Community Development Director stated, "This situation existed prior to my arrival in January, so I'm a little sketchy on history and details. I do understand that we had a situation that was confusing where initially we informed Ms. Hewett that potentially she could do the short term rental, as long as she complied with a policy that I think has been established by the ZBOA through past interpretation of what constitutes as short term rentals. We do not have in the Community Development Code a definition that specifically addresses short term rentals. We allow by policy for short term rentals to occur in any Zoning district that allows lodging to occur within those districts, but anywhere else other than the resort areas and certain Community Preservation districts they're not allowed, unless specified in those areas."

Mr. Williams asked Mr. Greenway, "Did I miss it or was the original letter to Ms. Hewett not included in our packet? Was there a formal written determination, saying yes, you're okay?"

Ms. Hillary Austin replied, "There was no formal letter."

Mr. Williams asked Ms. Austin, "When was that decision made and how was it communicated to Ms. Hewett, the original decision saying yes it was okay to do that?"

Ms. Hewett stated, "It was verbal; she stated I was fine to conduct the short term rentals."

Mr. Eric Greenway stated, "So apparently, we verbally told her that it was okay, underneath the normal circumstance. We're processing an amendment right now through the Planning Commission and the Council to deal with this issue on a comprehensive basis to actually establish parameters on limited rentals and extended rentals. We are basically following the Charleston County guidelines that had a Steering Committee because our environments are very similar as far as our makeup and community. We'll be dealing with that over the next few months. Apparently, we gave her verbal approval before she started renting the home; we got a complaint from the neighbor. We communicated what process needed to be done, and you all have this in your packet; minutes from a meeting that occurred with the Habersham Homeowners Association, and that is a part of the record. Basically, there is no information here on a vote that took place, it just says here that based on the above information it was determined in accordance with the County Zoning regulations, short term rentals can only be operated in areas of Habersham zoned as commercial or neighborhood center. I'm assuming but I don't know this, but I'm assuming that they made that determination based on the fact that that's generally where we allow those types of districts and the County Community Development Code is where we allow lodging so they were making that seem a determination. Even in these two areas, the owner must abide by county regulations, apply for a business license and pay accommodations tax to Beaufort County and ensure that the short-

term rental meet all building code requirements pertaining to lodging. Any owner who is operating a short-term rental outside areas zoned as commercial or neighborhood center is in violation of the county zoning regulations, and should cease operations immediately. Based on that information, we wrote a letter to Mr. & Mrs. Foy.”

Mr. Mitchell stated, “I thought there was no definition of short term rentals.”

Mr. Greenway replied, “There is no definition of short term rentals.”

Mr. Mitchell stated, “According to this, there is.”

Mr. Williams stated, “They are claiming that someone from the County told them there is.”

Mr. Greenway stated, “The way I understand it is, and Hillary can correct me, but it’s my understanding that the definition was established by policy through past administrative appeals from this body, the Zoning Board of Appeals.”

Mr. Williams stated, “I don’t ever recall dealing with short term rentals.”

Ms. Austin stated, “That may have been before you.”

Mr. Williams stated, “I’ve been on this board fourteen years.”

Ms. Austin stated, “There was a meeting over on St. Helena, McTeer Drive, we had the meeting here, and she appealed my decision; it was determined that short term rentals policy would be anything less than 30 days, and allowed in areas where inns and hotels were allowed in the zoning districts that allowed those uses. We’ve been using it since that meeting.”

Mr. Williams asked Ms. Austin, “If that was the case, then why was Ms. Hewett told it wasn’t okay?”

Ms. Austin stated, “She’s in Habersham, and we don’t use the Community Code for Habersham. We use the Habersham Standards. When she came in, I looked through this code, and it said lodging and home occupation uses are permitted with an accessory structure if the activity is that of the property owner, and the property owner is in residence of the primary dwelling. So I went through the standards and I said okay it allows some commercial, then I went through and looked at Neighborhood General, and it didn’t say it wasn’t allowed, so I said well, it might be allowed there. So I made the determination based on that.”

Mr. Williams asked Ms. Austin, “You were the Zoning Administrator at the time?”

Ms. Austin replied, “Yes, and I passed the information on to Audra, and she passed it on to Ms. Hewett.”

Mr. Williams asked Ms. Austin, “Your initial determination, was it the result of a complaint with Ms. Hewett to start with?”

Ms. Austin replied, “Yes, so when they complained to Audra, we sat down and went through the Habersham standards and it doesn’t say it’s not allowed, so we allowed it. I would say it’s allowed in Neighborhood General, so we told her, it was okay.”

Mr. Williams asked Ms. Austin, “Is Ms. Hewett’s residence in the Neighborhood General area?”

Ms. Austin stated, “Yes. In January, the Foys came to me, and with not knowing that before that the Steering Committee had met with Rob Merchant and talked about short term rental and where it’s allowed per the code.”

Mr. Williams asked Ms. Austin, “Rob’s not the Zoning Administrator or is he?”

Ms. Austin replied, "No, he's the Community Planner. They had a meeting and decided this is what's going to be allowed in the commercial area of Habersham, the Neighborhood Center of Habersham, and that's it."

Mr. Williams asked Ms. Austin, "What gives them the authority to make that decision?"

Ms. Austin replied, "They're the POA."

Mr. Williams stated, "The POA doesn't have authority to make zoning decisions."

Ms. Austin stated, "In their neighborhood they do."

Mr. Williams stated, "That's an illegal delegation, it's through the private entity if you're letting the POA make zoning decisions. They may be able to make decisions under their restrictive covenants."

Ms. Austin stated, "But this is not a zoning decision."

Mr. Williams asked Ms. Austin, "Then why are we here if it's not a zoning decision?"

Ms. Austin stated, "Well that I can't speak to, but they decided they wanted short term rental in their Neighborhood Center and in the commercial area of Habersham. It's not a zoning district; it's a zoning use per the PUD."

Mr. Williams asked Ms. Austin, "And you've made a determination that this was a permitted use in the Neighborhood General area?"

Ms. Austin replied, "I did."

Mr. Williams asked Ms. Austin, "And now the POA has the ability to overrule your decision?"

Ms. Austin replied, "Yes."

Mr. Williams asked Ms. Austin, "Where does it say that the POA has that authority?"

Ms. Austin asked Mr. Williams, "Where does it say that I can give someone a permit that is contrary to their covenants and restrictions?"

Mr. Williams stated, "Well, that brings up another issue; show me in the covenants and restrictions where it says that they have the authority."

Ms. Austin stated, "I didn't read the covenants and restrictions, I don't have it."

Mr. Williams asked Ms. Austin, "Then how can you make a determination that it's in violation of the covenants and restrictions?"

Ms. Austin stated, "Well, I made a determination that they're in violation of the Steering Committee who stated that they wanted these things in that district, in the different communities, and that's what I did."

Mr. Williams asked Ms. Austin, "So, what you're doing is referring to the Steering Committee's decision?"

Ms. Austin replied, "For their community, yes. It's not a zoning district, so I'm not telling them in the Code you can't, because it's not a zoning district. Their PUD is their zoning district."

Mr. Williams asked Ms. Austin, "I understand that, but you have authority to make determinations of the Code as to permitted uses, correct?"

Ms. Austin replied, "Yes, and they can go through and change their covenants and restrictions also, and put what they want in them too."

Mr. Williams asked Ms. Austin, "Have they done that?"

Ms. Austin replied, "I don't know, I haven't spoken to them."

Mr. Williams stated, "I'm not sure I understand how you can make a decision, that this is a violation of covenants and restrictions if you haven't gone through the covenants and restrictions and made that determination yourself."

Ms. Austin stated, "I went with the minutes from the Steering Committee to make my decision. If I'm wrong, I'm wrong."

Mr. Greenway stated, "I don't know that we're obligated to make that determination. Does the letter from the Steering Committee cause the State law article 629-1145 to kick in? We don't have the covenants and restrictions, we were never provided those covenants and restrictions by the neighborhood Steering Committee, but we were provided minutes from the Steering Committee where they made the determination that they would only as a neighborhood permit short term rentals in the commercial districts. So you have to make the determination as to whether or not we were correct in reversing the prior approval or not, that's essentially the issue, does the minutes that we were given constitute enough notice to actually say that we cannot proceed with the issue for Ms. Hewett to operate her short term rental in this area in violation of this neighborhood perceived uses or written restrictive covenants."

Mr. Williams stated, "Correct me if I'm wrong, but I don't see anything in these minutes that says short term rentals is a violation of the restrictive covenants."

Mr. Greenway stated, "That's correct, there is nothing in those minutes. I would agree with you, I'm just telling you what the determination was. I wasn't here, I don't know why that determination was made, it's irrelevant, it's just that you all have got to decide is that enough evidence, and enough actual notice to kick in the requirements of that State law, which states we cannot issue a permit for something until covenants and restrictions are lifted."

Mr. Mitchell stated, "From what I hear, I hear that you all are saying that it's the PUD's obligation to decide where they want the short term rentals in their area. I think the owner needs to get with their POA."

Ms. Austin stated, "It's up to the POA."

Mr. Greenway stated, "I think it's unclear honestly, because the provisions of the PUD; under urban provisions for accessory structures it talks about lodging and home occupations are usually permitted to an accessory structure, the activity that is that of the property owner. And the property owner is in residence of the primary dwelling. Accessory cannot be rented to businesses. So, if you go up to this chart right here, you're sliding across a scale okay, you're going from Urban to Rural. The more you go to the right, the more rural you're getting. So, at what point and I don't think this plan is clear, and what point does the urban provision stop, and the rural provision start. I don't think that's clear, wouldn't have been clear to me. I would have probably done the same thing that Ms. Austin did, issued the approval initially, and then if the neighborhood came in and said, hey, we don't want that, then we would have had a decision about what to do. Apparently, that discussion was made that we were going to revoke the verbal approval that we issued to Ms. Hewett at that time."

Mr. Chemsak stated, "The Steering Committee said this, did the POA vote on this?"

Mr. Greenway replied, "I don't know, we don't think so."

Mr. Chemsak stated, "That's strictly a recommendation from the Committee."

Mr. Mitchell stated, "So basically, what should happen is when they come to the County for their short term rentals, make sure the PUD gives them a letter that says they are allowed to do it, within their covenants, and then you can grant approval for the business license."

Ms. Austin stated, "Most of them won't come to us for a permit, they just operate it. We won't know, but we'll hear all the complaints."

Mr. Greenway stated, "What we have to do is correct this problem through a Zoning amendment, and that's what we're currently doing. There's going to be a list of procedures that talks about and codify this stuff so it's clear moving forward. Whatever determination is made tonight, we'll either issue an approval or we will say if you know these other addresses, if you want to give those to us, if you uphold Staff's decision, we'll go out there and do our best to try and enforce the regulations on those other people in these areas."

Mr. Williams stated, "Let me make sure that I understand this, so as of September 2016 Ms. Hewett bought her home in September and sometime around November Audra came?"

Ms. Hewett stated, "That was a year later. I bought the house July 2016; I started renting it in September 2016. My neighbor said you know what; I don't like seeing people in and out, so I stopped. Then I said you know what, that's not really his decision to make. I work fulltime; I have a pretty demanding career, so I don't do this a ton. So I started doing it, and then met with the Steering Committee to make sure it was okay; this was April 2017 that Bob Turner and others on the Steering Committee who said the covenants don't address this, so let's reach out to the County for guidance. I think my neighbor beat them to reaching out to the County and reached out directly to basically complain about short term rentals. That's when it was determined in November 2017 that it was allowed. So my main issue is Habersham admits it's not addressed, let's reach out to the County for guidance; the County says yes. Then a small group of people who didn't conduct a vote put out this edict that the County says it's not allowed. It's like their referring back and forth. And then Hillary is citing a covenant that doesn't exist. She said I'm overturning this because of restrictive covenants that don't exist. So we're going to take a word document from a meeting of four to six people and use that as an official document is crazy to me. It's like they reach out to what somebody likes the most at that time."

Mr. Williams asked Ms. Austin, "Was it November 2017 when Audra told Ms. Hewett the County has decided and the Zoning Administrator has decided that short term rentals are okay?"

Ms. Austin replied, "I don't remember the date, but yes, I did say that."

Mr. Williams asked Ms. Austin, "Can we agree that at that point it was a conforming permitted use?"

Ms. Austin replied, "Yes, because of the way it's written, like Eric said is going from Urban to Rural. That property is in the middle."

Mr. Williams asked Ms. Austin, "That was a judgment decision that you were authorized to make?"

Ms. Austin replied, "Yes."

Mr. Williams asked Ms. Austin, "And you're not aware of any provisions in the Habersham covenant that prohibit this sort of rental?"

Ms. Austin replied, "No, I'm not aware of that, nor am I aware of any that approves it, so I don't know if it's allowed or disallowed."

Mr. Williams stated, "It seems to me that once a determination has been made, there has to be a valid ground to reverse that determination. Ms. Austin stated that there's nothing in the Habersham covenants that prohibit this that her reversal was made solely on the desires of the Steering Committee. The desires of the Steering Committee certainly don't rise to the level of being recorded Restrictive Covenants."

Mr. Chemsak stated, "I make a motion to approve the appeal, provided she gets the correct permits and licenses."

Mr. Williams stated, "So your motion is to grant the appeal, and reverse Ms. Austin's reversal of her original determination?"

Mr. Chemsak replied, "Yes sir."

Mr. Passiment seconded the motion.

MOTION: Mr. Chemsak made a motion to grant the appeal, reversing the Zoning Administrator's original determination of January 16, 2018 to allow short term rentals with the condition that licenses and permits are obtained. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

DR BRUCE WYLES – SPECIAL USE (ESSENTIAL ACCESS)

Dr. Bruce Wyles stated, "I'm requesting that a bridge permit be granted to build a 100-foot bridge to Black Island, which will be my future residence. The island is approximately 3-1/2 acres, and there will only be one house built there."

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

Mr. Passiment made a motion to grant the Special Use request with the condition that the applicant submits a landscape plan for final approval.

Mr. Chemsak seconded the motion.

MOTION: Mr. Passiment made a motion to grant the Special Use request with a condition that the applicant submits a landscape plan for final approval. Mr. Chemsak seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

ZOFIA PRATHER TRUSTEE – DOCK VARIANCE

Mrs. Prather stated, "My husband and I first applied for a dock permit for this property in 2001, that permit expired in 2006, we didn't follow up because my husband became sick. I applied again for the dock permit in 2015, and at that time I learned that the dock length needs to be 300 feet; I need 466 feet, so I'm requesting a Variance of an additional 166 feet. There are other docks, and today I included a map that will show you, that my property marked with X, just the visual without any measurements, it's closer to the water, than the couple of piers further down the street. The dock will not be an eyesore. It would be within the general appearance and the use of the property is zoned residential. No boats will be used there, so there will be no significant disturbance."

Mr. Williams asked Mrs. Prather, "How long has the property been in your family?"

Mrs. Prather replied, "The property was purchased in 1984."

Mr. Williams asked Mrs. Prather, "If you're standing at your rear property line looking out at the marsh, there are two docks over to the left, do you know when those docks were built?"

Mrs. Prather replied, "Those docks were already there in the 80's."

Mr. Passiment asked Mrs. Prather, "You said that you had a permit that expired and was granted in 2001?"

Mrs. Prather replied, "OCRM gave us a permit in 2001."

Mr. Passiment asked Mrs. Prather, "What was the size of that dock?"

Mrs. Prather stated, "There was no special considerations then, it's only in 2015 the considerations came into play."

Mr. Williams stated, "The first one is the 2001 permit, and the dimensions appear to be substantially the same as the current dimensions."

Mrs. Prather stated, "When it was issued on September 2, 2015 there were special conditions highlighted, but not in 2002."

Mr. Eric Greenway, Community Development Director stated, "This is definitely a Small Tidal creek because it is shown on the map. We are again dealing with that issue as well, by also processing an amendment to clearly define what constitutes a Small Tidal creek, so that the map will only be used as a guide and a reference and not as the actual basis for making these determinations. But we don't have that situation in this particular case, this particular property does fall and is shown on the Small Tidal Creek map. There is no hardship here, that relates to all four conditions that must be satisfied. The property can be utilized, so that in itself means that a variance should not be granted because that would violate the State statute."

Mr. Williams stated, "But that condition doesn't say prohibited, it says that you're prohibited or unreasonably restricted in the use of your property."

Mr. Greenway stated, "That's correct and the property can be used, even without the variance and without an unnecessary restriction, and that's just the facts. You all make that determination; Staff's position is that the four hardships do not exist for Small Tidal creeks. The way I understand it, it's a big issue here in Beaufort County. So were taking the position that the application should be denied."

There being no further comments from the Applicant or the County and no further questions from the Board, Mr. Williams called for public comment. The comments were limited to 3 minutes.

Mr. Frank Booth stated, "I came tonight to try to set the record straight, I live at 6016 Dowlingwood. I believe it was around 2002-2003, the gentleman that owned the property originally died. That property has been vacant, the lawn has not been cut; it's been harvested maybe two or three times since. So the whole issue of a dock is in my opinion remote. Bill and Mary Coggins who live up the street asked for a dock and it was rejected. So the logic I believe is sound, we don't need any more docks just to sit out in the marsh." Mr. Booth opposes the dock.

Mrs. Vicky Casava stated, "We live on the other side of this vacant house. One of the reasons I'm here is to see if she does get a Variance, then maybe when we get ready to do a dock, that we can get one also."

Mr. Gary Casava stated, "What we're concerned about more than anything else is that as these lots are all laid out along the marsh, there's a lot of interest in putting docks in, and we're interested in putting one in also. If there's going to be a waiver given, we would expect that same kind of consideration from the

Board. Conversely, perhaps a better approach would be to issue a dock permit that takes in a joint effort between the two sets of properties and have one dock permit between the two properties. That's probably what we would prefer to see there isn't necessary that proliferation. Zee and I have talked about it, and we're willing to go along with that. I think Zee prefers to get a single dock permit first, but from our perspective where we live, we would like to see the number of docks reduced, and be smart about what we're doing as we move forward."

Public comment session closed.

Mr. Chemsak stated, "I make a motion that we follow the County's recommendation of disapproval of this Variance."

Mr. Passiment seconded the motion.

MOTION: Mr. Chemsak made a motion to uphold the County's recommendation to disapprove the Variance request for the dock. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment; OPPOSED: Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

OTHER BUSINESS

ADOPTION OF THE 2019 MEETING CALENDAR

Mr. Passiment made a motion to adopt the 2019 calendar as presented.

Mr. Chemsak seconded the motion.

MOTION: Mr. Passiment made a motion to adopt the 2019 meeting calendar. Mr. Chemsak seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

OLD BUSINESS

There was no old business to come before the Board.

ADJOURNMENT

MOTION: Mr. Passiment made a motion to adjourn the meeting. Mr. Chemsak seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and Williams; ABSENT: Gasparini and Mack; VACANCY: Northern Beaufort County).

The meeting adjourned at approximately 6:02 p.m.