



## COUNTY COUNCIL OF BEAUFORT COUNTY

### Beaufort County Planning & Zoning

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, October 22, 2020, at the Beaufort County Administration Bldg., Council Chamber, Beaufort, South Carolina.

#### MEMBERS PRESENT

Mr. Kevin Mack, Chairman  
Mr. John Chemsak  
Mr. Mark McGinnis  
Mr. Cecil Mitchell

#### MEMBERS ABSENT

Mr. Bernard Rivers  
Mr. Chester Williams  
Ms. Lynne Hoos

#### VACANCY

None

#### STAFF PRESENT

Mr. Eric Greenway, Acting County Administrator  
Ms. Hillary Austin, Zoning Administrator  
Mrs. Lisa Anderson, Zoning Analyst III

#### ATTORNEY PRESENT

None

**CALL TO ORDER:** Mr. Mack called the meeting to order at 5:21 p.m.

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

#### **ADOPTION OF AGENDA:**

**MOTION:** Mr. Chemsak made a motion to adopt the agenda. Mr. McGinnis seconded the motion. The motion passed unanimously.

**ADOPTION OF MINUTES:** September 24, 2020

**MOTION:** Mr. Mitchell made a motion to adopt the September 24, 2020, minutes as written. Mr. McGinnis seconded the motion. The motion passed (FOR: Mitchell, McGinnis, Mack, Chemsak; ABSENT: Williams, Hoos, Rivers; VACANCY: None).

#### **WALTER ROGERS RIVER BUFFER/SETBACK VARIANCE:**

Mr. Rogers stated the house was built in 2001, and remodeled in 2007 with a dysfunctional porch, which was just a walkway. He is requesting to expand the walkway 5-feet toward the marsh. This expansion will be a covered/screened porch.

Mr. Chemsak wanted to know what was to the left of the structure.

Mr. Rogers stated the left portion is a part of the heated square footage of the house.

Mr. Rogers stated that only a portion of the new construction would be covered. He stated he wants to extend the deck so that he will be able to place a dining table. Presently, the deck is too narrow; it appeared to have been an afterthought of the previous owner. He also stated the structure at Lot #4 is closer to the marsh than his new structure would be. He also stated that his lot is much more shallow than the others to the left and right of him.

Mr. Chemsak stated that he had a problem with Mr. Rogers' statement that the addition would make the home more marketable. He stated that Section 7.2.140.2.C specifically states that a variance shall not be granted to make the structure more marketable.

Mr. Rogers stated his application was poorly worded, and he wants to make the deck more usable/livable not marketable.

Mr. Greenway stated that the Board should consider that the lot is on a cul-de-sac, and the marsh cuts into the lot making that the potential hardship. He stated that he posted the property so he was able to see the layout of the site. He stated if the Board approved the variance, one condition would be for Mr. Rogers to landscape the buffer to mitigate any runoff to the marsh.

Mr. McGinnis stated he did not think granting the variance would be a special privilege because the existing deck was built as a walkway and not a deck.

**PUBLIC COMMENTS:** There were no public comments.

**MOTION: Mr. Mitchell made the motion to approve the variance with the condition that the buffer is planted to prevent runoff into the marsh. Mr. McGinnis second the motion. Mr. Mack stated he did not see a problem with granting the variance. The motion passed. (FOR: Mitchell, McGinnis, Mack; AGAINST: Chemsak).**

**NEW BUSINESS:** Adoption of Meeting Schedule and Review and Adoption of Rules and Procedures.

**MOTION: Board unanimously agreed to move the items to the November meeting.**

**ADJOURNMENT:**

**MOTION: Mr. Chemsak made a motion to adjourn. Mr. McGinnis seconded the motion. The motion passed unanimously.**