



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Planning & Zoning

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The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held Virtually on Thursday, May 27, 2021, at the Beaufort County Administration Bldg., Executive Conference Room, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Kevin Mack, Chairman
Mr. Chester Williams, Vice Chairman
Mr. John Chemsak
Ms. Lynne Hoos

MEMBERS ABSENT

Mr. Cecil Mitchell
Mr. Mark McGinnis

VACANCY

1 Member

STAFF PRESENT

Mr. Robert Merchant, Acting Planning/Zoning Director
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 5:04 p.m.

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

FOIA – PUBLICATION NOTICE: Mr. Mack asked if all public notices were sent out, Ms. Austin verified that they were.

ADOPTION OF AGENDA:

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

ADOPTION OF MINUTES:

MOTION: Mr. Chemsak made a motion to adopt the minutes as written. Mr. Williams seconded the motion. The motion passed unanimously.

ROBERT KEENAN'S ADDITION – RIVER BUFFER VARIANCE

Mr. Keenan stated that he and his wife have owned the property for a while, and the house was built since 1976 and they are hoping to upgrade it. He stated he is wanting to add a five (5) feet addition and an open deck. The 5 feet addition will be to enlarge the kitchen area and the existing screened porch. The open deck is to create a usable deck area. He also stated that the pond is a man-made pond with brackish water and does not believe that the pond is tidally influenced and therefore there should not be a critical line, and he does not feel he should be penalized for the setback from the pond.

Ms. Hoos wanted to know which side of the house is the kitchen located.

Mr. Keenan answered that the kitchen is in the rear of the house, and his proposal is to make the kitchen larger along with the screened porch.

Ms. Hoos stated that he should try to enlarge the kitchen to the side of the house, which would result in less encroachment into the river buffer.

Mr. Mack wanted to know if there was a structure on Lot B11, and how far into the river buffer that house encroaches.

Mr. Keenan stated that the house location is way forward on the lot, and cannot be seen because of the vegetation, and it does not encroach into the buffer.

Mr. Mack asked if the pond was tidal.

Mr. Keenan stated it was brackish and didn't think it was tidal. Because it does not rise with the tide.

Mr. Chemsak asked if the pond was a storm-water retention pond.

Mr. Keenan stated he believes that it is.

Ms. Austin stated that all the ponds on Fripp Island are tidally influenced and the plans are signed by OCRM certifying the critical line.

Mr. Mack wanted to know if the deck would be open.

Mr. Keenan stated yes, the deck would be open, but the 5-foot addition would be covered.

Mr. Williams stated that there would be an increase in impervious coverage. He also asked if the addition could be placed to side of the house.

Mr. Keenan stated that the plans are already drawn and that is not the shape of the kitchen they would want.

Mr. Mack asked if the applicant would think about putting the project off until the next meeting so that he could reevaluate the layout of the additions.

Mr. Keenan stated he does not want to put the project off until the next meeting, he would like a decision now.

Mr. Chemsak, stated he felt that only the Board and the County was making an effort to compromise, and the applicant was not making any effort to work with the County and the Board.

Mr. Williams suggested that the deck on the north-west side would extend to the edge of the buffer line and encroach approximately 5-feet into the river buffer, giving the deck a length of 9-feet.

Mr. Keenan stated that he would be willing to work with that suggestion.

Ms. Hoos stated that gutters should be added to the end of the 5-foot addition.

PUBLIC COMMENT:

Mr. Mack asked if there was any public comment.

Ms. Austin stated there was no public comment.

Mr. Mack asked for a motion.

MOTION: Mr. Williams made a motion to approve the request based on the application meeting the criteria in the Community Development Code and that the five (5) feet addition does not exceed beyond the 60-foot setback area, that the deck is constructed of pervious materials and extends into the river buffer no more than five (5) feet. The five (5) feet roofed addition shall be guttered and discharged no closer than 45 feet to the front of the lot. The new setback back from the OCRM Critical Line shall be 45-feet. Ms. Hoos seconded the motion. The motion passed unanimously.

Corrected – June 25, 2021 to add “Virtually”.