CITY OF BEAUFORT
ZONING BOARD OF APPEALS
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MINUTES
CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Monday, January 24, 2011, 5:30 p.m.
City Hall Council Chambers – 1911 Boundary Street
Beaufort, South Carolina

STATEMENT OF MEDIA NOTIFICATION: "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media duly notified of the time, date, place, and agenda of this meeting.

Members Present
Alice Howard, Chairman
Brad Hill, Vice-Chairman
Rod Mattingly
Joan Sedlacek

Members Absent
Eric Powell

Staff Present
Libby Anderson, City of Beaufort Planning Director
Gail Westerfield, Recorder

I. CALL TO ORDER

Alice Howard, Chairman, called the meeting to order at 5:30 pm, and led the Pledge Of Allegiance. Ms. Howard introduced the board members: Rod Mattingly, Joan Sedlacek, Alice Howard, and Brad Hill, and City of Beaufort staff, Libby Anderson, Planning Director, and Gail Westerfield, Recorder.

II. FREEDOM OF INFORMATION ACT COMPLIANCE

Public notification of the Zoning Board of appeals meeting has been published in compliance with the *Freedom of Information Act* requirements and the *City of Beaufort Unified Development Ordinance* (UDO).

III. REVIEW OF PROJECTS

A. <u>2518 Azalea Drive, identified as District 120, Tax Map 8, Parcel 23B.</u> Accessory Structure Variance.
Applicant: Theresa M. Pulliam (ZB11-01)

The applicant is requesting an accessory structure variance to allow two additional garages to be located on the property. Chairman Howard reviewed the conditions under which a variance can be granted. Ms. Anderson indicated on a map where the property is located. The lot is zoned R2 Medium Density Single-Family Residential District. The property was originally platted as two lots. There is a detached garage with a car port that straddles the two lots lines. The ordinance allows a residential lot to have a garage or workshop (one large structure) and one shed. The owners want to install two pre-fabricated garages on the rear of the lot, in line with the existing garage. The buildings will house 2 classic cars. Ms. Anderson reviewed the questions staff and the board would like the applicant to address in their presentation. Public notice was given and no comments were received.

Ms. Anderson said that staff feels the property could be subdivided if the garage on the property were removed or moved. She said it appears this lot is one of the largest in the neighborhood. This is not the result of the applicant's own actions. Granting a variance would not conflict with the comp plan. The ordinance is not an unreasonable restriction, staff feels. If the lot were divided, Lot 2 could have up to 3 structures. The property can't be subdivided if the two structures were added. By installing them, the applicant forfeits her right to subdivide the property. Granting the variances could be made, staff finds. There would be no more structures and perhaps fewer than if the property were subdivided. Ms. Anderson said the garages are located to the rear of the lot, which is the appropriate site for such structures. They could be removed fairly easily if need be because of their being pre-fabricated.

Ms. Anderson said staff recommends approval with the condition that the driveway leading up to the structures be made of a pervious surface and that subdivision not be permitted until the two accessory structures were removed.

Ms. Pulliam said Wes Priester is her husband, and they have different addresses. This address is on his property. She is buying the buildings and owns the cars that will be put on his property. They might want to move when the real estate market is better. Mr. Mattingly said they are not planning to build a separate driveway. Ms. Pulliam said no, they are classic cars, and they don't need another driveway as little as they are driven.

Chairman Howard asked if they have an image of what the buildings will look like. Ms. Pulliam said the buildings will be built per their specifications. She showed a building similar to what they will have. It will be white, and the doors will open outward, not roll-up. There are two windows, and a main and a side door.

Mr. Hill said the little building was there when the applicant's husband and his late wife moved in. Chairman Howard asked if they planned to keep the shed, and Ms. Pulliam said they didn't plan to tear it down. Ms. Pulliam said the buildings will not be visible from the street and they will be attractive. Chairman Howard said Ms. Pulliam seems to understand the ramifications of if she wants to subdivide and Ms. Pulliam said she understands.

Ms. Sedlacek asked if they were pre-built, brought to the property and could be taken out. Ms. Pulliam said yes, they come in a truck. They have floors in them and don't need a slab. They will have someone make sure everything is level, and they'll put some kind of clay material to set the building in. They "need to be tied down." They will have to have a little ramp to roll them up into the structure.

There was no public comment.

Ms. Sedlacek asked if there were any problem with the shed staying there. Ms. Anderson said the shed was brought up because of the potential to subdivide. The garage is on the property line today, so it couldn't be subdivided today. There are 3 big buildings per lot. The additional 2 garages would not be any *more* than they would be allowed if it were subdivided. Ms. Anderson said she likes that a slab need not be poured, which removes an obstacle to removal in the future.

Motion: Mr. Hill made a motion, seconded by Mr. Mattingly, to approve the variance, provided there's no driveway built and the approach is grass only; and the applicant understands that the structures need to be removed if the property is subdivided; and the building itself must be approved by staff when the final design is decided upon.

Ms. Sedlacek said it looks to her like 2 large sheds, and she personally doesn't like it. The motion passed unanimously.
Ms. Anderson said the variance is good for a year before it expires. The applicant can request an extension if there are extenuating circumstances. Ms. Pulliam said it will be done within a year.

New Business
Ms. Anderson said there will be a meeting next month with two applications, both variances.

Mr. Mattingly asked the status of short-term rentals. Ms. Anderson said the matter is back before the Planning Commission. Ms. Anderson said after all the public comment, the y had a lot of discussion and said they might turn it over to the Build Beaufort team. Then the commissioners asked about addressing the existing short-term rentals out there. The Planning Commission agreed those that are out there have posed no harm, and they wanted to make them legal in the year while the Build Beaufort team does its work. Ms. Anderson said under zoning they are permitted, so the Planning Commission came back around to the idea that after all of this energy has been put into the issue, they're going to have another look, so it's still going on.

Ms. Anderson said the Planning Commission meetings are on the 3rd Monday of each month. Chairman Howard asked what will happen after that. Ms. Anderson said she'd write a report to the city council and the city manager, and it will be up to them as to what happens after that. Ms. Anderson said an applicant is involved, and they need a decision one way or the other. She would hope for a decision at some point. Ms. Anderson said it's "still at the conceptual level." The accessory dwelling option seems acceptable for short-term rentals, and if that's the situation – that the owner lives on the premises – there will need to be fewer criteria. The zoning has to be adjusted to allow it.

There being no further business, Chairman Howard adjourned the meeting at 6:01 pm.