



**CITY OF BEAUFORT**  
ZONING BOARD OF APPEALS  
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**MINUTES**

CITY OF BEAUFORT  
**ZONING BOARD OF APPEALS**  
Monday, August 23, 2010, 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.

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**Members Present**

Alice Howard, Chairman  
Brad Hill  
Eric Powell  
Joan Sedlacek

**Staff Present**

Libby Anderson, City of Beaufort Planning Director  
Julie Bachety, Recorder

**I. Call to Order**

Alice Howard, Chairman, called the meeting to order at 5:30 P.M. and led in the Pledge of Allegiance. Ms. Howard introduced the board members, Brad Hill, Joan Sedlacek, and Eric Powell, and City of Beaufort staff, Libby Anderson, Planning Director, and Julie Bachety, Recorder.

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### **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 Minutes:**

#### **A. Minutes of July 19, 2010**

**Motion:** Ms. Sedlacek made a motion, seconded by Mr. Powell, to accept the minutes as submitted. The motion carried with a vote of four to zero.

#### **A. 916/918 Lafayette Street, Lot Area and Lot Width Variances.**

Ms. Anderson welcomed everyone to the new council chambers. Ms. Anderson presented her staff report. The applicant would like to subdivide the property into two lots. Before the lot could be subdivided, in addition to the variances, the existing duplex would need to be removed. Ms. Anderson said one of the issues we look at is how compatible these lots would be with other lots in the area. Ms. Anderson referred to a survey she did on the lots in the area. Letters regarding this variance request were sent to adjoining property owners on August 4, 2010. The property was also posted on August 4, 2010. The public hearing notice referencing this application appeared in the August 8 edition of *The Beaufort Gazette*. To date, staff has not received any public comments. Staff believes the Board can make all findings necessary to approve the variances with the conditions that no side yard or rear yard setback variances are granted for future construction on the lots and that the new dwellings to be constructed on the lots be raised a minimum of 18" above grade.

Ms. Howard asked if the board members had any questions. Mr. Powell agreed with the comments regarding lots on Woodward Avenue. He also asked if there are currently separate sewer taps for each side of the duplex. Ms. Anderson said it is the City's policy on smaller two-lot subdivisions that the owner is the developer and so the owner will be responsible for this. Mr. Hill asked about some of the buildings in the neighborhood whether or not they are non-conforming. Ms. Howard asked how the proposed conditions could be tracked in the future. Ms. Anderson said we can track this through the building permit software.

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Diane King, owner, said these duplexes were moved here from Parris Island and she purchased the property in 1992. She said putting a lot of money into this structure, which was not high quality in its original condition, is just not feasible. Ms. Sedlacek asked about trees. Ms. King said there are not any trees in the way. Ms. King said the way the setbacks are currently there will be no problem. Ms. Howard asked how old are the duplexes? Ms. King said she believes they were built in the forties. Ms. Sedlacek asked if maybe just one house could be built instead of two. Ms. King said putting one large home on the lot would not be keeping with the community but two small cottages would be. She said we have building codes now that people didn't have in 1940.

Ms. Howard opened the floor for public comment.

**John R. Perrill** owns the property two doors down from the property. He said there is one duplex on the block, another one on the next block, a four unit duplex and also one at 901 Laudonniere Street. He said his feelings are that the owner has not invested in anything in this and granting the variances would change the entire neighborhood of Pigeon Point. He recommended the owner put a little money into this property to fix it up. He is very much opposed to the request. Mr. Hill asked how would taking down a duplex and putting up two small single-family homes change the neighborhood. Mr. Perrill said it's an old established neighborhood, why would you want to change it.

**Roger M. Blocker** lives at 909 Woodward Avenue and owns 905 Woodward Avenue which back up to this property. He said he has lived in this area for many years and wants the area to stay the way it is. He asked that the board members to vote against this request.

**Rod Mattingly** lives in Pigeon Point and he said he's lived here for four years. He was really excited when the City took on the Comprehensive Plan and thanked Ms. Anderson for the staff report. He referred to Section CS1.2 of the Comprehensive Plan. He said some rentals are not kept up. He feels a 1,500 square foot house is certainly not going to change the character of the neighborhood but would also enhance the neighborhood. He felt the other three mentioned duplexes are not enhancing the area. He agreed with Ms. Anderson's recommendations.

Ms. Howard closed the public comment.

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**Motion:** Mr. Hill made a motion to approve the variances based on staff's findings with the following conditions:

- no side yard or rear yard setback variances are granted for future construction on the lots; and
- that the new dwellings to be constructed on the lots be raised a minimum of 18" above grade.

Mr. Powell seconded the motion.

The motion carried with a vote of three to one with Ms. Sedlacek being opposed.

**IV. Old Business**

No old business.

**V. New Business**

Ms. Sedlacek said we need to elect a Vice-Chairman. Ms. Anderson said we can put this on the next agenda. Ms. Sedlacek asked if there was anyone interested in replacing James Lane's position. Ms. Anderson said not yet. Michael McFee, Councilman, was present and he said council has some applications submitted and the applicants are flexible with what Board they would like to be elected to.

**VI. Adjournment**

The Meeting adjourned at 6:30 P.M.

Submitted by Julie A. Bachety, Recorder