

A meeting of the **Zoning Board of Appeals was held on June 25, 2012 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Vice-Chairman Brad Hill, Joan Sedlacek, Rod Mattingly, Eric Powell, and Don Starkey, and City of Beaufort Planning Director Libby Anderson and Town of Port Royal Planning Director Linda Bridges.

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

CALL TO ORDER

Chairman Hill called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

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.

Vice-Chairman Hill called the meeting to order at 5:30 p.m. He read the Freedom of Information Act and reviewed the procedure for obtaining a variance and the procedures of ZBOA review. He then led the Pledge of Allegiance.

MINUTES

Mr. Mattingly made a motion, second by Mr. Powell, to accept the minutes of the April 23, 2011 meeting as written. The motion passed unanimously. Mr. Starkey abstained because he was not present at the meeting.

REVIEW OF PROJECTS

1106 Laudonniere Street identified as District 120, Tax Map 2, Parcel 119, Special Exception Applicant: Eric and Jan Horan (ZB12-08)

The applicant is requesting a special exception for a short term rental.

Ms. Anderson said the property is in the Pigeon Point neighborhood. There's a single family dwelling on the lot. The applicant has provided photos of the property and adjacent property. The applicant wants to rent the property on a short term basis. The criteria for a special exception are different from the variance, Ms. Anderson said. The applicant lives next door to the property that they would like to be a short term rental. They will require a three-night stay, and it won't be rented when they are out of town. In regard to parking, there's adequate on-site parking, Ms. Anderson said. Public notice was made. There was one public comment, which the committee received.

Staff response to special exception criteria:

1. **The use is compatible with existing land uses in the surrounding area:** Ms. Anderson said this property is near Pigeon Point Park and has easy access to Boundary Street and the commercial corridor. It's a short bike ride to downtown.

2. **The site plan is consistent with the character of the surrounding area:** No changes are proposed to the property.
3. **Likely impact on infrastructure:** Staff feels it will make no more impact on infrastructure than if it were used for long-term rental.
4. **Conformity with city's comprehensive plan and other plans:** The proposed use is in conformity with the Comprehensive Plan and the Sector One Master Plan.
5. **Impact on public health and safety:** Staff feels the impact will be negligible since the property owners live next door.
6. **Potential creation of nuisance:** Staff feels the potential is little; also, the applicant will have to have a monitored fire alarm system installed, and the property owner lives next door.

Staff recommends approval with the provision that a monitored fire alarm system is installed.

Jan Horan said the original intention for the house was a long-term rental. They've been "able to keep a handle on what's next door." For the house to "qualify" for **Eric Horan's** parents to live in it, they did a big renovation. When the parents left, it was set up, he said, for a short term rental. They have found long-term rental was too difficult, and they'd rather sell it than have long-term rental again.

Mr. Starkey thanked the applicants for their thoroughness and said it would be good in the letter they give to people to let them know that guests have to park in the rear "parking lot" they built.

Mrs. Horan said the person who was concerned about the short term rental and had written an email, wasn't home when they went to visit. They had invited this person to attend the ZBOA meeting. Mr. Starkey said the letter was considered, and he feels the intent of the ordinance was met.

Mr. Mattingly said this will be the sixth short term rental in Pigeon Point. He agrees that the short term rentals are kept up as least as well if not better than the long-term rentals. The Horans' property is well-kept up. Ms. Sedlacek said she thinks the property is very attractive, and she agreed with what the applicants said about short term rentals vs. long-term rentals.

There was no public comment.

Ms. Sedlacek made a motion that the short term rental be approved as outlined, with the condition that the fire alarm system be installed. Mr. Powell seconded. The motion passed unanimously.

APPOINT REPRESENTATIVE FOR FORM-BASED CODE COMMITTEE

Ms. Anderson said one formal representative was needed for the committee from the ZBOA, but someone could apply as a "general citizen." Mr. Mattingly said he's interested but will not be in town for every meeting. He had spoken to Ms. Anderson about having a co-member to cover for him when he is absent. Ms. Anderson said the review probably wouldn't get started

until August at the earliest. Vice-Chairman Hill asked if the role of the representative was to give the ZBOA's standpoint on the Form-Based Code. Ms. Anderson said yes and also because committee members are aware of the details of the ordinances. The process will be changed by the Form-Based Code, and their ideas would be welcome as people who have been involved in city activities.

Mr. Starkey said he would be the alternate to Mr. Mattingly on the committee. Ms. Anderson said when they have a meeting, whoever's attended can report back to ZBOA and query the group for their input on important decisions.

Ms. Anderson said she was unsure if there would be a ZBOA meeting in July.

Ms. Sedlacek said as she was going through papers, she found a front page article in the Gazette which was Vice-Chairman Hill's first meeting; she shared it with the board. Ms. Sedlacek said she was retiring from the board and recalled "the Wal-Mart challenge." Vice-Chairman Hill thanked her for her six years of service on the board.

ADJOURNMENT

There being no further business to come before the Board, Vice-Chairman Hill adjourned the meeting at 5:53 p.m.