



Town of Hilton Head Island
Board of Zoning Appeals Meeting

September 26, 2022, at 2:30 p.m.

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from the Board: Chair Patsy Brison, Peter Kristian, Kay Bayless, Charles Walczak, Robert Johnson

Absent from the Board: Vice Chair Anna Ponder, David Fingerhut

Present from Town Council: Glenn Stanford; Alex Brown; Tamara Becker

Present from Town Staff: Josh Gruber, Deputy Town Manager; Chris Yates, Development Services Manager; Nicole Dixon, Development Review Program Manager; Michael Connolly, Senior Planner; Shari Mendrick, Floodplain Administrator; Danielle Tison; Senior Fire Inspector; Trey Lowe, Planner; Karen Knox, Senior Administrative Assistant; Brian Glover, Administrative Assistant

Other's Present: Kathleen Duncan, J.K. Tiller Associates; Dr. Louise Miller Cohen, Director Gullah Museum, Jay Nelson, May River Custom Homes, Craig Lamb; Barbara Grimes, Crosswinds ARB

1. Call to Order

Chair Brison called the meeting to order at 2:30 p.m.

2. FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call – See as noted above.

4. Swearing In Ceremony of Reappointed Board Member Robert Johnson

Josh Gruber, Deputy Town Manager swore in reappointed Board Member Robert Johnson and thanked him for his service to the Town.

5. Welcome and Introduction to Board Procedures

Chair Brison welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

6. Approval of Agenda

Chair Brison asked for a motion to approve the agenda as presented. Mr. Walczak moved to approve. Mr. Kristian seconded. By way of roll call, the motion passed with a vote of 5-0-0.

7. Approval of Minutes

a. July 25, 2022, Meeting

Chair Brison asked for a motion to approve the minutes of the July 25, 2022, meeting. Mr. Kristian moved to approve. Mr. Johnson seconded. By way of roll call, the motion passed with a vote of 5-0-0.

8. Appearance by Citizens

Two comments were received via the Open Town Hall HHI portal. Copies were sent to the Board and made part of the record.

9. Unfinished Business – None

10. New Business

a. Public Hearing

VAR-001890-2022 – Request from Kathleen Duncan of J.K. Tiller Associates, Inc. on behalf of Dr. Louise Miller Cohen, for a variance from LMO Section 16-5-102.D, Adjacent Use Setbacks to allow two outbuildings and a manufactured office building to encroach within the setbacks. The property is known as the Gullah Museum of Hilton Head Island and is located at 12 Georgianna Drive, with a parcel number of R510 003 000 0048 0000. *Presented by Michael Connolly*

Mr. Connolly provided staff's presentation as included in the packet. Staff recommended that the application be approved with the following conditions:

- The applicant submit an application for and receive approval through the Development Plan Review process
- The applicant submit an application for and receive approval through the Design Review Board prior to any development
- The proposed outhouse buildings would only be developed at the locations shown on the survey
- Any ramp and deck proposed to access the outhouse buildings would not encroach in the adjacent use setback
- A landscape plan will be required for the buffer along the property line to screen the proposed outhouse buildings from view as part of the Development Plan Review application

Mr. Connolly answered questions from the Board. The applicant added a short presentation on the project. Following their presentation, the applicant answered questions from the Board. The Applicant stated that the conditions included by staff are acceptable to their clients.

Staff did not submit a rebuttal. Chair Brison asked for further comments from the applicant and the public. After receiving none, the Board moved to discussion. Following discussion, Chair Brison asked for a motion on the agenda item. Mr. Kristian submitted a motion to approve with staff conditions. Ms. Bayless seconded. By way of roll call, the motion passed with a vote of 5-0-0.

b. Public Hearing

VAR-002173-2022 – Request from Jay Nelson of May River Custom Homes, on behalf of Dawn and Craig Lamb, for a variance from LMO Section 16-5-102.C, Adjacent Street Setbacks to allow a proposed porch and stairs to encroach within the setback. The property is located at 9 Mossy Oaks Lane, with a parcel number of R510 012 000 0487 0000. *Presented by Michael Connolly*

Mr. Connolly provided staff's presentation as included in the packet. Staff recommended that the application be denied. Mr. Connolly answered questions from the Board. He clarified specifics on the parcel's unusual setback requirements and the previous variance granted

for the parcel. The previous variance was submitted by a different applicant, permitted different setback encroachments, and expired before this application.

The Applicant provided a short presentation on the project. They clarified what part of the proposed house encroaches the street setbacks and how far into the setback it goes. The Applicant answered questions from the Board. Barbara Grimes, a representative from the Crosswinds Architectural Review Board, spoke on behalf of the Applicant. The Board asked why the ARB chose to suggest an encroachment on the street setback instead of the adjoining properties.

Following the presentations, Chair Brison asked for any questions before moving to discussion. The Board asked the property owner about the choice to encroach on the street setback. The Board asked further questions about the house plan and layout.

Staff did not submit a rebuttal.

Chair Brison asked for further comments from the Applicant and the public. Mrs. Knox stated that there were two portal comments received and the comments will be made part of the official record.

The Board moved to discussion. The Board stated that there could be solutions to the situation without granting a variance. The Board also stated that there could be other variances which might be better solutions for the situation. Additionally, concerns were expressed about road safety when encroaching closer to the road. Chair Brison asked staff about the review process for the Board and the Applicant if the Board makes a motion on their request.

The applicant withdrew their application.

11. Board Business

a. Review and Adoption of 2023 Meeting Schedule.

Chair Brison asked for a motion to approve the 2023 Meeting Schedule. Mr. Kristian moved to approve. Mr. Johnson seconded. By way of roll call, the motion passed with a vote of 5-0-0.

12. Staff Reports

a. Status of Appeals to Circuit Court

Curtis Coltrane was not in attendance to report on the item.

b. Status of LMO Amendments

Nicole Dixon provided the report on LMO amendments progress. She stated that staff was working to schedule the next LMO Committee meeting and looking to present the proposed amendments at the November Planning Commission meeting.

13. Adjournment

With no other business before the Board, the meeting was adjourned at 4:27 p.m.

Submitted by: Brian Glover, Administrative Assistant

Approved: October 24, 2022