



Town of Hilton Head Island
Board of Zoning Appeals Meeting
Monday, November 28, 2011
2:30 p.m. Council Chambers
AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

1. Call to Order

2. Roll Call

3. Freedom of Information Act Compliance

Public notification of the Board of Zoning Appeals meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the requirements of the Town of Hilton Head Island Land Management Ordinance.

4. Wireless Telephone Usage

Please turn off all wireless telephones so as not to interrupt the meeting.

5. Welcome and Introduction to Board Procedures

6. Approval of Agenda

7. Approval of Minutes – Meeting of October 24, 2011

8. Unfinished Business

None

9. New Business

Public Hearing

SER110005: Michael McCoy is requesting a special exception to operate a liquor store in the Stoney Mixed Use (SMU) Zoning District. The subject parcel is located at 160 William Hilton Parkway (Fairfield Square) and is further identified as parcel 72A on Beaufort County Tax Map 7. *Presented by: Nicole Dixon*

10. Board Business

11. Staff Report

Waiver Report - *Presented by: Nicole Dixon*

12. Adjournment

Please note that a quorum of Town Council may result if four or more Town Council members attend this meeting.

TOWN OF HILTON HEAD ISLAND
Board of Zoning Appeals
Minutes of the Monday, October 24, 2011 Meeting
2:30p.m. - Benjamin M. Racusin Council Chambers

DRAFT

Board Members Present: Chairman Roger DeCaigny, Vice Chairman Peter Kristian,
Jack Qualey, Stephen Murphy and Glenn Stanford

Board Members Absent: Alan Brenner and Michael Lawrence, Excused

Council Members Present: None

Town Staff Present: Anne Cyran, Senior Planner
Heather Colin, Development Review Administrator
Teri Lewis, LMO Administrator
Kathleen Carlin, Board Secretary

1. CALL TO ORDER

Chairman DeCaigny called the meeting to order at 2:30p.m.

2. ROLL CALL

3. INTRODUCTION TO BOARD PROCEDURES

Chairman DeCaigny stated the Board's procedures for conducting today's business meeting.

4. APPROVAL OF THE AGENDA

Vice Chairman Kristian made a **motion** to approve the agenda as presented. Mr. Qualey **seconded** the motion and the motion **passed** with a vote of 5-0-0.

5. APPROVAL OF THE MINUTES

Mr. Stanford made a **motion** to **approve** the minutes of the August 22, 2011 meeting as presented. Vice Chairman Kristian **seconded** the motion and the motion **passed** with a vote of 5-0-0.

6. UNFINISHED BUSINESS

None

7. NEW BUSINESS

Public Hearing

VAR110002: A request for a variance from LMO Sections 16-5-806B, Adjacent Street Buffers and 16-5-1207, Parking Area Design. Don Guscio, on behalf of Frank Guidobono, is requesting a variance from adjacent street buffers and parking area design in order to construct a drive aisle for a drive up window at SCBT Bank. The property is located at 5 Park Lane and is further identified as parcel 235 on Beaufort County Tax Map 15C.

1
2 Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the
3 Board of Zoning Appeals **disapprove** the application based on the Findings of Facts and
4 Conclusions of Law.
5

6 Ms. Cyran stated that the Community Development Department has received an
7 application for a variance from Don Guscio, on behalf of Frank Guidobono, for the
8 following Sections of the Land Management Ordinance (LMO): 16-5-704, Adjacent Street
9 Setback; 16-5-806, Adjacent Street Buffers; and 16-5-1207, Parking Area Design.
10

11 The applicant is requesting the variances from adjacent street setbacks and buffers and
12 parking area design requirements in order to add a drive-thru window with a canopy and a
13 drive aisle to an existing building to make the tenant space more marketable to future
14 tenants, particularly banks. Ms. Cyran stated that the subject parcel is bounded by William
15 Hilton Parkway on the north, Park Lane on the south and east, and 1 Park Lane (an office
16 building) on the west.
17

18 The 6,048 square foot building, which is divided into two suites, was built in 2005. One
19 suite is currently leased by Charter I Realty. South Carolina Bank & Trust (SCBT) will
20 vacate the other suite this November. The parcel is located in the OL (Office/Institutional
21 Low Intensity) Zoning District. Land uses permitted in the OL Zoning District are
22 primarily office and institutional with light traffic. Permitted commercial uses include
23 institutions, eating establishments without a drive-thru, offices and banks or financial
24 institutions.
25

26 When the parcel received a Development Plan Review permit in 2002, banks and financial
27 institutions were not permitted uses in the OL Zoning District. An amendment to the LMO
28 in May 2004 allowed banks and financial institutions as a permitted land use in the OL
29 Zoning District with the conditions that no more than 25% of the gross floor area is utilized
30 as a teller lobby and there are no more than 2 drive up stalls. These restrictions limit the
31 amount of traffic visiting the site, which maintains the character of the low intensity OL
32 Zoning District. The owner states that, had banks and financial institutions been allowed in
33 the zoning district when the site was being developed, a drive-up window and drive aisle
34 would have been built on the site.
35

36 Ms. Cyran stated that the applicant met with Town staff in mid-August to discuss the
37 requirements for adding a drive-thru window with a canopy to the building to make it more
38 marketable to future tenants, particularly to banks. The owner stated that renovating the
39 interior of the tenant space for any use other than a bank would be prohibitively expensive.
40 Richard Spruce, the Town's Commercial Plans Review Administrator, inspected the suite
41 and determined that extensive interior renovations would not be necessary to change the
42 use from a bank to an office or institutional use due to the fact that only 25% of the floor
43 area is used as a teller lobby – the rest of the suite is designed for offices.
44

45 LMO Section 16-3-1906, Criteria for Approval of Variances, Part C, Factors not to be
46 considered, states "The fact that property may be utilized more profitably, should a
47 variance be granted, may not be considered grounds for a variance." This is supported by
48 South Carolina State Code Section 6-29-800(A)(2)(d)(i), which also states "The fact that

1 property may be utilized more profitably, if a variance is granted, may not be considered
2 grounds for a variance.”
3

4 The proposed drive-thru window and drive aisle would be added to the north side of the
5 building, near William Hilton Parkway. The building currently conforms to the required
6 adjacent street setback and to the minimum and average adjacent street buffers from
7 William Hilton Parkway. Constructing the drive-thru window and canopy would require
8 encroaching up to seven feet into the 50 foot adjacent street setback. Constructing the drive
9 aisle would require encroaching up to seven feet into the 50 foot minimum adjacent street
10 buffer. The addition of the drive aisle to the site will also change the calculations for the 60
11 foot average adjacent street buffer; adding the drive aisle will make the adjacent street
12 buffer non-conforming.
13

14 Constructing the drive-thru window and drive aisle would require the removal of several
15 trees, but the applicant states in the narrative that the owner understands that tree
16 replacement may be a condition of the project approval and he is willing to replace the
17 trees.
18

19 The site’s parking lot currently conforms to the LMO parking area design standards.
20 Constructing the drive aisle in the proposed location would require altering the existing
21 parking lot. The drive aisle would be adjacent to a disabled accessible parking space,
22 instead of being separated from the space by a landscaped median as required by LMO
23 parking area design standards. Two parking spaces would be removed, but the site will still
24 meet the minimum number of parking spaces required.
25

26 The proposed drive aisle would not meet the LMO parking area design standard of 160 feet
27 of aggregate total stacking depth without obstructing parking bays or drive aisles. The drive
28 aisle would allow approximately 60 feet of stacking depth without obstructions and 75 feet
29 of stacking depth with obstructions to adjacent parking spaces and the drive aisle. The Fire
30 Marshal and the Traffic Engineer have both reviewed the proposed plan and state that,
31 given the light amount of traffic generated by this use, the parking lot and drive aisle could
32 both function properly with 60 feet of stacking depth.
33

34 Ms. Cyran stated that if the variances are granted, the proposed addition must be approved
35 by the Town’s Design Review Board. The DRB will review the visual impact of the
36 addition and may require additional vegetation in the adjacent street buffer for screening.
37 Town staff will also review the footprint of the additions and issue tree replacement
38 requirements in an Expedited Development Review application. Ms. Cyran provided an in-
39 depth review of the application including the Finding of Facts and Conclusions of Law.
40

41 The Board and the staff discussed the Findings of Fact and Conclusions of Law. Ms.
42 Cyran stated that there is a financial issue with this application. The State Code “The fact
43 that property may be utilized more profitably, should a variance be granted, may not be
44 considered grounds for a variance specifically states that the application cannot benefit by
45 financial gain in granting the variance.
46

47 Ms. Cyran reviewed the six required Criteria with the Board. The application does not meet
48 all six of the required Criteria; the application meets only Criteria # 5 and # 6. Following

1 this discussion, Chairman DeCaigny then requested that the applicant make his
2 presentation.

3
4 The applicant, Mr. Don Guscio, and Mr. Frank Guidobono, property owner, presented
5 statements in support of the application. Mr. Guscio stated that he believes the six required
6 criteria have been met by the application. Mr. Guidobono presented statements in support
7 of the proposed use. The Board and the applicants discussed several issues including the
8 existing ordinance, variances to the existing ordinance, the buffer,
9 .

10 Following the Board's discussion, Chairman DeCaigny requested public comments and
11 none were received. Chairman DeCaigny then requested that a motion be made. Mr.
12 Qualey made a **motion to approve** Application for Variance Request, VAR110002,
13 request for a variance from LMO Sections 16-5-806B, Adjacent Street Buffers and 16-5-
14 1207, Parking Area Design subject to the following conditions: (1) the canopy of the drive
15 through window be scaled back so that it does not extend over the 50-ft buffer and 50-ft.
16 setback lines. The motion is based on the applicant's compliance with the six criteria for a
17 variance and based on the fact that the current conditions and application of the ordinance
18 would unreasonably restrict the utilization of the property so that the applicant could not
19 use it property as a bank building with a drive through. Mr. Stanford seconded the motion
20 for purposes of discussion.

21
22 Vice Chairman stated that, as much as he would like to approve the application, the
23 application does not meet the six required criteria. Ms. Cyran requested that Mr. Qualey
24 address each of the six criteria for the record. (1 – 4 for the notice of action).

25
26 Mr. Qualey stated that his motion is based on compliance by the applicant with the six
27 required criteria including the fact that there are extraordinary and exceptional conditions
28 pertaining to this particular piece of property. This condition meets Criteria # 1. This is
29 because of the impact of the setbacks from Highway 28 and the two adjoining streets. The
30 application meets Criteria # 2 because these conditions do not generally apply to other
31 properties in the vicinity, the conditions being the setbacks from Highway 278 and the two
32 adjoining streets. They do apply to some properties, but not in general to other properties
33 in the vicinity. Criteria # 3 is met because the application of the LMO to this particular
34 piece of property would effectively unreasonably restrict the utilization of the property as a
35 bank space with a drive-thru which virtually all banks require in this market. Criteria # 4 is
36 met because the hardship is not the result of the applicant's own actions. In this case, the
37 hardship is the result of the Town changing its LMO to allow banks in this zone subsequent
38 to the applicant's development permit having been approved and construction starting on
39 the site. The staff has agreed that the applicant meets Criteria # 5 and Criteria # 6.

40
41 Vice Chairman Kristian stated that he disagrees with the motion because the application
42 does not met 1 – 4 of the required criteria. Following final discussion on the motion,
43 Chairman DeCaigny requested that a vote on the motion. The motion **failed** with a vote of
44 3-1-0. Chairman DeCaigny, Vice Chairman Kristian, and Mr. Murphy voted against the
45 motion because they believed that the applicant has not met the six required criteria.
46 Chairman DeCaigny then requested that a second motion be made.
47

1 Vice Chairman Kristian made a **motion** that the Board **approves** the staff's
2 recommendation of **denial** of Application of Request for Variance, VAR110003, based on
3 the staff's Findings of Fact and Conclusions of Law. Mr. Murphy **seconded** the motion
4 and the motion **passed** with a vote of 3-2-0. Mr. Qualey and Mr. Stanford were against the
5 motion.
6

7 **8. Board Business**

8 Board of Zoning Appeals – Meeting Scheduled for 2012

9 Chairman DeCaigny requested that a motion be made for approval of the BZA – Meeting
10 Schedule for 2012.
11

12 Mr. Qualey made a **motion** to **approve** the BZA Meeting Schedule for 2012 as
13 presented by the staff. Vice Chairman Kristian **seconded** the motion and the motion
14 **passed** with a vote of 5-0-0.
15

16 **9. Staff Report**

17 Ms. Heather Colin presented the staff's Waiver Report to the Board.
18

19 **10. ADJOURNMENT**

20 The meeting was adjourned at 3:40p.m.
21
22

23 Submitted By:

Approved By:

24
25
26 _____
27 Kathleen Carlin
28 Secretary
29

30 _____
31 Roger DeCaigny
32 Chairman



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT**

One Town Center Court | Hilton Head Island, SC 29928 | 843-341-4757 | Fax 843-842-8908

**STAFF REPORT
SPECIAL EXCEPTION**

Case #	Name of Development	Public Hearing Date
SER110005	278 ABC	November 28, 2011

Parcel Data	Owner	Applicant
Address: 160 William Hilton Parkway Parcel #: R511 007 000 072A 0000 Zoning: Stoney Mixed Use (SMU), Corridor Overlay (COR)	JMC Holding LLC 160 Wm Hilton Pkwy Hilton Head Island SC 29926	Chandra Wilson 100 Kensington #519 Bluffton SC 29910

Application Summary

Chandra Wilson is proposing to operate a Liquor Store in the Stoney Mixed Use (SMU) Zoning District, which requires special exception approval per Land Management Ordinance (LMO) Section 16-4-1204, Use Table.

Background

In October, the applicant asked staff about the requirements for opening a liquor store in the existing, partially occupied building in Fairfield Square at 160 William Hilton Parkway. Staff informed the applicant that the use would require a special exception. A convenience store currently occupies one suite within the building; the liquor store would occupy the other suite, which was formerly occupied by a gallery. The property is bound by William Hilton Parkway on the north, Hilton Head Park (Old Schoolhouse Park) on the west, an undeveloped parcel on the east and single family residences on the south.

Applicant's Grounds for Special Exception, Summary of Facts and Conclusions of Law

Grounds for a Special Exception

The applicant is requesting special exception approval to operate a liquor store in the Stoney Mixed Use (SMU) Zoning District per the requirements of LMO Section 16-4-1204, Use Table. The applicant states in the narrative that the business will operate in an existing building and that no structural changes are required to accommodate the use. The applicant believes the proposed use will be compatible with surrounding uses because all activities will take place in the building and the proposed use will not generate noise, glare, smoke, dust, odor, fumes, water pollution or general nuisance.

Summary of Facts

1. The applicant seeks a special exception as set forth in LMO Section 16-3-1801.

Conclusion of Law

1. The applicant may seek a special exception for the proposed use as set forth in LMO Section 16-3-1801.

LMO Official Summary of Facts and Conclusions of Law

Summary of Facts

1. The application was submitted as set forth in LMO Section 16-3-1802.
2. Notice of the Application was published in the Island Packet on October 23, 2011 as set forth in LMO Sections 16-3-110 and 16-3-111.
3. Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
4. The applicant submitted an affidavit stating he met the mailed notice requirements as set forth in LMO Section 16-3-111.
5. The Board has authority to render the decision reached here under LMO Section 16-3-1804.

Conclusions of Law

1. The application is in compliance with the submittal requirements established in LMO Section 16-3-1802.
2. The application and notice requirements comply with the legal requirements established in LMO Sections 16-3-110 and 16-3-111.

As provided in LMO Section 16-3-1805, Special Exception Review Criteria, the BZA shall approve an application for use by special exception if and only if the applicant shall demonstrate that the proposed use and any associated development will be consistent with the following criteria.

LMO Official Summary of Facts and Conclusions of Law

Criteria 1: It will be in accordance with the Comprehensive Plan (LMO Section 16-3-1805.A):

Findings of Fact

The Comprehensive Plan addresses this application in the following areas:

Economic Development Element:

Section 7.5 – Potential Risks for Future Economy with Comprehensive Plan Implications

“Flexibility” (where reasonable people may disagree but must find a solution) in the application of historic regulation and ordinance was called for to improve existing nonconformities and future redevelopment.

Section 7.6 – Potential Strategies with Implication for Comprehensive Plan

Identify and prioritize areas in need of redevelopment, including any obsolete or run down commercial buildings. Incentivize the development of flexibility of streamlining in regulation of density caps, setbacks (and other controls) that enable a qualitative, principle based, asset revitalization that enhances the Island’s positive legacies.

Land Use Element:

Section 8.2 – Implication for Comprehensive Plan in Building Permit Trends

Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.

Land Use Goal 8.10 – Zoning Changes

A. The goal is to provide appropriate modifications to the Zoning designations to meet market demands while maintaining the character of the Island.

Implementation Strategy 8.6 – Build-out

A. Consider flexibility within the Land Management Ordinance to address future development and redevelopment needs.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(A).
2. Granting a special exception for this use would facilitate reuse of an existing site and provide flexibility to encourage redevelopment, while preserving the existing character of the district.

LMO Official Summary of Facts and Conclusions of Law

Criteria 2: It will be consistent with the ‘character and purpose’ statement of the applicable district (LMO Section 16-3-1805.B):

Findings of Fact

1. Per LMO Section 16-4-210, “It is the intent of the Stoney Mixed Use District to encourage cooperation between property owners in the development of their properties, to provide for connectivity between their properties, and to create an atmosphere which is more pedestrian friendly than traditional commercial development. Uses permitted in this district allow for a mix of residential, commercial, office, and some resort accommodations.”
2. The proposed use is a low to moderate intensity commercial use, which is a use that generates a low to moderate volume of traffic.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(B).
2. The proposed use will be consistent with the character and purpose statement of the SMU Zoning District because it is a low to moderate intensity commercial use in a zoning district that encourages a mix of uses, including commercial uses.

LMO Official Summary of Facts and Conclusions of Law

Criteria 3: It will be compatible with the existing uses adjacent to and near the property (LMO Section 16-3-1805.C):

Finding of Fact

1. The existing nearby uses include two eating establishments, a convenience store, a

bar, single family residences, a park, a gas station and watercraft sales and service.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(C).
2. The proposed use is compatible with the existing uses adjacent to and near the property because it will be a commercial use in an area of mixed uses.

LMO Official Summary of Facts and Conclusions of Law

Criteria 4: It will not be hazardous, detrimental or disturbing to present surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution or general nuisance (LMO Section 16-3-1805.D):

Finding of Fact

1. The applicant proposes to operate a liquor store, which will not produce any exterior noise, smoke, dust, odor, fumes, water pollution or general nuisance.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(D).
2. The proposed use will not be hazardous, detrimental or disturbing to surrounding land uses.

LMO Official Summary of Facts and Conclusions of Law

Criteria 5: It will not otherwise adversely affect the development of the general neighborhood or of the district in which the use is proposed (LMO Section 16-3-1805.E):

Findings of Fact

1. Per LMO Section 16-4-1204, the proposed use is categorized as a Liquor Store, which is permitted in the SMU Zoning District with special exception approval.
2. The site is already developed and there are no alterations proposed to the site or the building to accommodate the proposed use.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(E).
2. The proposed use will not adversely affect the development of the general neighborhood or of the district in which the use is proposed because the business will be located within an existing building and the use will not produce any external impacts.

LMO Official Summary of Facts and Conclusions of Law

Criteria 6: It will be consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property (LMO Section 16-3-1805.F):

Finding of Fact

1. The subject property is located on William Hilton Parkway where there are existing curb cuts, and the subject parcel has adequate drive aisles and parking spaces.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(F).
2. The proposed use will be consistent with the existing circulation adjacent to and near the property because the current site has the appropriate infrastructure for vehicular circulation and no changes are proposed to the site.

LMO Official Summary of Facts and Conclusions of Law

Criteria 7: It will have adequate water and sewer supply, storm water facilities, waste disposal and other public services (LMO Section 16-3-1805.G):

Findings of Fact

1. Hilton Head Public Service District provides water service to the subject parcel.
2. The subject parcel has a septic system in operation.
3. The proposed use will operate in an existing building on a developed site that has adequate storm water facilities and other public services in place.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(G).
2. The proposed use will have adequate water and sewer supply, storm water facilities, waste disposal and other public services because the subject property is already served with these utilities.

LMO Official Summary of Facts and Conclusions of Law

Criteria 8: It will be developed in a way that will preserve and incorporate any important natural features that are a part of the site (LMO Section 16-3-1805.H):

Findings of Fact

1. The proposed use will be located in an existing building on a developed site.
2. The applicant has no plans to alter the site.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(H).
2. The proposed use will preserve any important natural features that are a part of the site because no alterations are proposed to the existing site.

LMO Official Summary of Facts and Conclusions of Law

Criteria 9: It will conform to any specific criteria or conditions specified for that use by special exception in the applicable district or for the proposed use, as set forth in Chapter 4 of this Title (LMO Section 16-3-1805.I):

Findings of Fact

1. LMO Section 16-4-1335 states that liquor stores are permitted subject to two standards:
 - The liquor store is not located less than 200 feet from the nearest property line of any existing church or place of worship, public or private school, or

residential district; and

- The liquor store is not located within 500 feet of an existing liquor store.
2. The proposed liquor store is not located less than 200 feet from the nearest property line of any existing church or place of worship, public or private school, or residential district.
 3. The proposed liquor store is not located within 500 feet of an existing liquor store.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(I).
2. The proposed use meets the two criteria required for a liquor store use.

LMO Official Summary of Facts and Conclusions of Law

Criteria 10: It will not be contrary to the public health, safety and welfare, provided that a denial based exclusively on this language shall include explicit findings regarding the way in which granting the special exception would be contrary to the public health, safety and welfare (LMO Section 16-3-1805.J):

Findings of Fact

1. Staff does not have any findings of facts to show that the proposed use will be contrary to the public health, safety or welfare.
2. Staff received no comments from the public regarding this application.

Conclusions of Law

1. Staff concludes that this application meets the criteria as set forth in LMO Section 16-3-1805(J).
2. The proposed use will not be contrary to the public health, safety or welfare because no evidence was produced to demonstrate that the proposed use will be detrimental.

LMO Official Determination

Based on the above Findings and Conclusions of law, the LMO Official determines that the request for a special exception should be granted to the applicant for the proposed Liquor Store in the SMU Zoning District because it is in conformance with the Comprehensive Plan and the Land Management Ordinance.

Staff Recommendation

Determination: Staff recommends the Board of Zoning Appeals **approve** the application based on the above Findings of Fact and Conclusions of Law.

BZA Determination and Motion

The "powers" of the BZA over special exceptions are defined by the South Carolina Code, Section 6-29-800, and in exercising the power, the BZA may "permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in the zoning ordinance..." or "may remand a matter to an administrative official, upon motion by a party or the board's own motion, if the board determines the record is insufficient for review."

This State law is implemented by the Hilton Head Island Land Management Ordinance, Chapter 2, Article III and the Rules of Procedure for the BZA. A written Notice of Action is

prepared for each decision made by the BZA based on findings of fact and conclusions of law.

PREPARED BY:

AC

Anne Cyran, AICP
Senior Planner

November 9, 2011

DATE

REVIEWED BY:

ND (HC for ND)

Nicole Dixon, CFM
Senior Planner & BZA Board Coordinator

November 10, 2011

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Aerial Photo
- C) Applicant's Narrative
- D) Storefront



Subject Parcel
Fairfield Square



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-6000

SER110005
Vicinity Map
Attachment A



This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.





TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-6000

SER110005
Aerial Photo
Attachment B



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Attachment B- Applicant s Narrative

This application meets the Town of Hilton Head Island Criteria for a Special Exception in the following manner:

1. **The use will be in accordance with the Comprehensive Plan for the Town of Hilton Head Island.** Our business will follow and adhere to the Comprehensive Plan for the Town of Hilton Head Island.
2. **The use will be consistent with the character and purpose statement of the applicable district.** Our business will consent to the character and purpose of our tax district on the north end of the island.
3. **The use will be compatible with the existing uses adjacent to and near the property.** The building will adhere to all the allowed uses near and around the property.
4. **The use will not be hazardous, detrimental or disturbing to present surrounding land use due to noise, glare, smoke, dust, odor, fumes, water pollution or general nuisance.** Our business will in no way negatively affect other tenants and will not hurt the environment in any way.
5. **The use will not otherwise adversely affect the development of the general neighborhood or of the district in which the use is proposed.** Our business will not disturb the development of the general area around it.
6. **The use will be consistent with existing and planned pedestrian and vehicular circulation adjacent to the and near the property.** Our business will consent to all existing and planned traffic circulation rules by providing parking in front of our building.
7. **The development will have adequate water and sewer supply, storm water facilities, waste disposal and other public services.** Our business will have adequate water supply and sewer facilities.
8. **The property will be developed in a way that will preserve and incorporate any important natural features that are part of the site.** Our business will make sure no natural features are adversely affected.
9. **The property will conform to any specific criteria or conditions specified for that use by special exception in the applicable district or for the proposed use, as set for in Chapter 4 of this Title.** Our business will conform to all conditions for our special exception in the applicable district set forth by Chapter 4 of the LMO.
10. **The use will not be contrary to the public health, safety and welfare, provided that a denial based exclusively on this language shall include explicit findings regarding the way in which granting the special exception would be contrary to the public health, safety and welfare.** Our business will not be contrary to any public health codes and will conform to all public safety standards.

SER110005, 278 ABC
Staff Report: Attachment D – Storefront

