

TOWN OF HILTON HEAD ISLAND
Board of Zoning Appeals
Minutes of the Monday, December 17, 2012 Meeting
2:30p.m. - Benjamin M. Racusin Council Chambers

APPROVED

Board Members Present: Chairman Roger DeCaigny, Vice Chairman Peter Kristian,
Alan Brenner, Michael Lawrence, Stephen Murphy and Glenn Stanford

Board Members Absent: Irv Campbell

Council Members Present: None

Town Staff Present: Nicole Dixon, Senior Planner & Board Coordinator
Heather Colin, Development Review Administrator
Ed Boring, Deputy Fire Chief
Kathleen Carlin, Secretary

1. Call to Order

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

2. Roll Call

3. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.

4. Introduction to Board Procedures

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

5. Approval of the Agenda

Vice Chairman Kristian made a **motion** to **approve** the agenda as presented. Mr. Lawrence **seconded** the motion and the motion **passed** with a vote of 6-0-0.

6. Approval of the Minutes

Vice Chairman Kristian made a **motion** to **approve** the minutes of the September 24, 2012 meeting as presented. Mr. Brenner **seconded** the motion and the motion **passed** with a vote of 6-0-0.

7. Unfinished Business

None

8. New Business

Public Hearing

VAR120006: Request for variance from LMO Section 16-5-1503, Elevation of Sites. The Town of Hilton Head Island is requesting a variance to raise the site elevation to 5 feet above existing grade in some areas in order to build the new Fire Station #6 to a finished floor elevation of 20 feet. The property is located at 12 Dalmatian Lane, and is further identified as Parcel 19 on Beaufort County Tax Map 12. Chairman DeCaigny requested that the staff make their presentation.

Ms. Nicole Dixon made the presentation on behalf of staff. Staff recommended that the Board of Zoning Appeals *approve* the application based on the Findings of Facts and Conclusions of Law stated in the LMO Official Determination and in the staff's report.

On behalf of the Town of Hilton Head Island, Mr. Matt Brown with Stewart Cooper Newell Architects submitted a development project review application in October of 2012 to construct the new Fire Station # 6. The building is proposed to be elevated to 20-feet from Mean Sea Level using up to five feet of fill in some areas, which is prohibited by LMO Section 16-5-1503, Elevation of Sites. According to the applicant and the Town's Fire Chief, the new fire station must be constructed at 20-feet MSL in order to provide a safe haven for Fire & Rescue personnel as well as to provide a fully functioning critical service facility before, during and after a Category 3 or lower hurricane.

In order to accommodate hurricane storm surge issues, a 20-foot finished floor elevation for all new fire stations was a policy that was implemented after the completion of Fire Station # 3 and before the design began for Fire Station # 7. Fire Stations # 4, 5 and 7 are built at an elevation of 20-feet. In 2008, the Town received variance approval from the Board of Zoning Appeals, for Fire Station # 5, to elevate the site with more than 3 feet of fire in order to building the station to 20-feet MSL.

The subject parcel is located within the Palmetto Dunes Resort Master Plan and is surrounded by Town-owned land, a debris storage yard, a recycling area and the St. Andrews multi-family development. The current Fire Station # 6 building will be utilized by Palmetto Dunes for a guest pass office. The new Fire Station # 6 will be constructed further down Dalmatian Lane in an already cleared portion of the property.

Ms. Dixon presented a brief review of the Findings of Fact and Conclusions of Law. Mr. Ed Boring, Deputy Fire Chief, presented additional comments in support of the application. The Board and Deputy Fire Chief Boring discussed the intent of the application including safety considerations. At the completion of staff's presentation, Chairman DeCaigny requested public comments and none were received. Following final discussion by the Board, Chairman DeCaigny requested that a motion be made.

Mr. Stanford made a **motion to approve** Request for Variance Application VAR120006 as presented by staff based on the Findings of Fact and Conclusions of Law stated in the staff's

report. Vice Chairman Kristian **seconded** the motion and the motion **passed** with a vote of 6-0-0.

10. Board Business

None

11. Staff Report

Ms. Dixon presented the staff's Waiver Report to the Board. Ms. Dixon reported that the staff training on Ethics that was scheduled to follow the 3:00p.m Planning Commission meeting on December 19th is canceled due to a scheduling conflict. This training will be rescheduled. Ms. Dixon also reported that the regular BZA meeting on Monday, January 28, 2013 is canceled due to a lack of agenda items. However, the staff will provide mandated Board training on this date at 2:30p.m. Mr. Rocky Browder is scheduled to present training on Tree Preservation and Pruning.

12. Adjournment

The meeting was adjourned at 3:00p.m.

Submitted By:

Approved By:

March 25, 2013

Kathleen Carlin
Secretary

Roger DeCaigny
Chairman