

TOWN OF HILTON HEAD ISLAND
Board of Zoning Appeals
Minutes of the September 26, 2016 1:00pm Meeting
Benjamin M. Racusin Council Chambers

Board Members Present: Chairman Glenn Stanford, Vice Chairman Jerry Cutrer, David Fingerhut, John White, Lisa Laudermilch, Robert Johnson

Board Members Absent: Steve Wilson (excused)

Council Members Present: John McCann

Town Staff Present: Anne Cyran, Senior Planner; Teri Lewis, LMO Official; Teresa Haley, Secretary

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. 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.

5. Welcome and Introduction to Board Procedures

Chairman Stanford welcomed the public and introduced the Board's procedures for conducting the business meeting.

6. Approval of Agenda

Chairman Stanford indicated a technicality had been raised regarding the recently revised agenda to add agenda item 8b. Motion to Reconsider APL 1006-2016 filed on September 23, 2016 by ArborNature, LLC. Ms. Lewis presented statements regarding the revised agenda as in compliance with FOIA requirements, however, State Code requires 15 day public notice. Therefore, Staff recommends the Motion to Reconsider APL 1006-2016 be heard at the Board's regular October meeting. Chairman Stanford requested a motion to adopt the revised agenda. Mr. Fingerhut moved to approve. Mr. White seconded. The motion passed with a vote of 5-0-1. (Mr. Johnson abstained from the vote due to a conflict of interest.) Chairman Stanford then requested a motion to move the Motion to Reconsider APL 1006-2016 to the October 24th BZA meeting in order to meet the State Code 15 day notice requirement. Vice Chairman Cutrer moved to approve. Mr. Fingerhut seconded. The motion passed with a vote of 5-0-1. (Mr. Johnson abstained from the vote due to a conflict of interest.)

7. Approval of the Minutes

Vice Chairman Cutrer noted in the minutes of the August 22, 2016 meeting, that Mr. Wilson (not Mr. White) made the motion to elect Mr. Cutrer as Vice Chairman. Vice Chairman Cutrer made a motion to approve the minutes of the August 22, 2016 meeting as amended. Ms. Laudermilch

seconded the motion. The motion passed with a vote of 6-0-0. Mr. Fingerhut made a motion to approve the minutes of the August 29, 2016 meeting as submitted. Mr. White seconded the motion. The motion passed with a vote of 5-0-1. Mr. Johnson abstained as he was not present at the meeting.

8. New Business

a) PUBLIC HEARING

VAR-1613-2016: Linda Piekut, on behalf of the Heritage Library Foundation, is requesting a variance from Land Management Ordinance Section 16-5-103.E, Adjacent Use Buffer, to allow parking for the Zion Chapel-of-Ease Cemetery to encroach into the adjacent use buffer. The subject parcel is Beaufort County Parcel 18 on Tax Map 8 and is located at 574 William Hilton Parkway.

Ms. Cyran presented an in-depth review of the project as set forth in the staff report. Ms. Cyran clarified concerns and answered questions by the Board. Staff recommends the Board of Zoning Appeals **approve** the application based on the Findings of Fact and Conclusions of Law contained in the staff report.

Chairman Stanford asked the applicant to present her position based on the applicable LMO criteria. Ms. Piekut, the applicant, presented her grounds for a variance as described in the staff report. The applicant answered questions by the Board.

Chairman Stanford asked for comments from the public and there were none. Chairman Stanford then requested comments from the Board. The Board asked how many parking spaces are currently available and how many additional spaces are proposed. Ms. Piekut stated that nine parking spaces exist and three more spaces would be added.

Ms. Laudermilch made a motion to **approve** the application based on the Findings of Fact and Conclusions of Law contained in the staff report. Mr. Fingerhut **seconded** the motion. The motion **passed** with a vote of 6-0-0.

9. Board Business

a) Approval of 2017 Meeting Schedule

The Board reviewed the 2017 meeting schedule. Vice Chairman Cutrer made a motion to **approve** the 2017 meeting schedule as submitted. Ms. Laudermilch **seconded** the motion. The motion **passed** with a vote of 6-0-0.

10. Staff Reports

a) Waiver Report – None

11. Adjournment

The meeting was adjourned at 1:26p.m.

Submitted by:

Approved by: November 28, 2016

Teresa Haley, Secretary

Glenn Stanford, Chairman