



Town of Hilton Head Island
Board of Zoning Appeals Meeting

November 28, 2022, at 2:30 p.m.

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from the Board: Chair Anna Ponder, Peter Kristian, Kay Bayless, David Fingerhut, Robert Johnson, Charles Walczak

Present from Town Council: Glenn Stanford, Tamara Becker

Present from Town Staff: Shawn Colin, Assistant Town Manager Community Development; Nicole Dixon, Development Review Program Manager; Chris Yates, Development Services Manager; Michael Connolly, Senior Planner; Karen Knox, Senior Administrative Assistant; Brian Glover, Administrative Assistant

Other's Present: Curtis Coltrane, Esquire

1. Call to Order

Chair Ponder 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

As noted above.

4. Welcome and Introduction to Board Procedures

Chair Ponder welcomed all in attendance and explained the Board's procedures for conducting the meeting.

5. Approval of Agenda

Chair Ponder advised the Board that VAR-002641-2022 has been withdrawn. The item was withdrawn because it did not fall under BZA jurisdiction. Ms. Dixon provided additional details on the withdrawal. Mr. Kristian moved to approve the agenda as amended. Mr. Johnson seconded. By way of roll call, the motion passed with a vote of 6-0-0.

6. Approval of Minutes

a. October 24, 2022, Meeting

Chair Ponder asked for a motion to approve the minutes of the October 24, 2022, meeting. Ms. Bayless moved to approve. Mr. Kristian seconded. By way of roll call, the motion passed with a vote of 6-0-0.

7. Appearance by Citizens

No citizens spoke. Comments received to the Open Town Hall Portal were distributed to the Board and will be made part of the official record.

8. Unfinished Business

None

9. New Business

a. Public Hearing

VAR-002628-2022 – Request from Willie Young for a Variance from LMO Sections 16-5-102, Setback Standards, and 16-5-103, Buffer Standards, to allow three existing manufactured homes to remain in the adjacent street and adjacent use setbacks and buffers to be able to subdivide the property. The property is addressed as 5, 7, and 9 Palm Tree Place with a parcel number of R510 004 000 0418 0000. - *Presented by Nicole Dixon*

Ms. Dixon provided the staff's presentation as included in the packet. Staff recommended approval of the application.

The Board asked Ms. Dixon many questions, including the following:

- The Board asked about the creation and approval of the plans which did not meet the LMO requirements.
- The Board asked if extraordinary features are required to be physical features.
- The Board asked about the change in use which would be granted by the variance.
- The Board asked about the differences between the existing access easement and the right-of-way.
- The Board asked about the ability to move the homes from their existing locations.
- The Board asked about the process and requirements for the replacement of the homes.

Chester Williams spoke on behalf of the applicant. The Board asked Mr. Williams about the landscaping improvements included in the right-of-way plans and when the homes were placed on the property.

Dr. Ponder asked for any further information from both town staff and the applicant. Dr. Ponder asked for public comment. Dr. Ponder closed the public meeting and the Board moved to the discussion.

Following Discussion by the Board, Dr. Ponder asked for a motion. Mr. Walczak moved to approve. Mr. Christian seconded the motion. The Motion carried with a vote of 6-0-0.

b. Public Hearing – This item was withdrawn.

VAR-002641-2022 – 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.D Adjacent Use Setback Requirements, to allow a proposed utility room, HVAC and garage 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*

This item was withdrawn from the agenda.

10. Board Business

a. Election of new Chair and Vice Chair.

Mr. Walczak nominated Mr. Fingerhut as Chairman. Ms. Bayless seconded. Mr. Fingerhut was elected with a vote of 5-0-0.

Dr. Ponder nominated Ms. Bayless as Vice-Chair. Mr. Johnson seconded. Ms. Bayless was elected with a vote of 5-0-0.

11. Staff Reports

a. Status of VAR-00245-2022 (33 Corine Lane)

The applicant has worked with staff to redesign their project so that it fits within the requirements of the LMO. They no longer require a variance and have withdrawn their application.

b. Status of Appeals to Circuit Court

None

c. Status of LMO Amendments

Ms. Dixon provided an update on the timeline for upcoming LMO amendments.

12. Adjournment

Being no further business, the meeting was adjourned at 3:12 p.m.

Submitted by: Brian Glover, Administrative Assistant

Approved: May 22, 2023