

Board of Zoning Appeals Meeting

Theodore D. Washington Municipal Building, Henry “Emmett” McCracken Jr. Council Chambers, 20
Bridge Street, Bluffton, SC

January 07, 2025

I. CALL TO ORDER

Vice Chairman Garrison called the meeting to order at 6pm.

II. ROLL CALL

PRESENT

Vice Chairman Larry Garrison
Board Member Tim Dolnik
Board Member Donald Emerick
Board Member Amy Aldana

ABSENT

Board Member Gerry Workman

III. ADOPTION OF MINUTES

A. December 5, 2023 Minutes

Board Member Dolnik made a motion to adopt the minutes as written.

Seconded by Board Member Aldana.

Voting Yea: Vice Chairman Garrison, Dolnik, Emerick, Aldana

All were in favor and the motion passed.

IV. ELECTION OF OFFICERS

1. Election of Chair

Dolnik made a motion to nominate Larry Garrison as Chair.

Voting Yea: Garrison, Dolnik, Emerick, Aldana

All were in favor and the motion passed.

2. Election of Vice-Chair

Garrison made a motion to nominate Tim Dolnik as Vice Chair.

Voting Yea: Chairman Garrison, Dolnik, Emerick, Aldana

All were in favor and the motion passed.

V. PUBLIC COMMENT

Ron Yarnell 17 Rosewood Lane: Mr. Yarnell stated he was opposed to 375 Hampton Parkway variance request. His objection included site aesthetics including sight and sound, the removal of the trees in the buffer, and if the parkway is widened, how that could affect his property.

Susan Bonner 19 Rosewood Lane: Ms. Bonner stated her opposition to the 375 Hampton Parkway

variance request. She stated she was speaking on behalf of two other families at 21 and 23 Rosewood Lane. Their concern is when the parkway is widened, they will have to give up their property because of the variance.

VI. OLD BUSINESS

VII. NEW BUSINESS

- A. 1181 May River Road (Variance):** The Applicant, Jason Broene of Court Atkins Architects, Inc., on behalf of the property owner Trevor Wells, is requesting a variance from Unified Development Ordinance (UDO) Section 5.3.7.B.2.b to allow a 35-foot encroachment into the 50-foot Highway Corridor Overlay District vegetative buffer along SC HWY 46 (May River Road). The property is zoned Neighborhood Core - Historic District (NC-HD) and consists of approximately 0.36 acres identified by tax map number R610 039 000 097A 0000 within Old Town Bluffton. (ZONE-12-24-019470) (Staff – Dan Frazier)

Staff presented. The applicant was in attendance. The Board discussed the space for utilities and previously approved nearby lots. Attorney LaBruce for the Board of Zoning Appeals introduced himself. LaBruce discussed the background of previous variance applications near this property. LaBruce discussed the obligation that the Board has in this case.

James Atkins with Court Atkins discussed the property and the potential plans for the look of the structure.

Vice Chairman Dolnik made a motion to approve the variance as presented.

Seconded by Board Member Emerick.

Voting Yea: Chairman Garrison, Vice Chairman Dolnik, Emerick, Aldana

All were in favor and the variance request was approved.

- B. 375 Hampton Parkway (Variance):** The Applicant, Melvin Fields of Fields and Company, LLC, on behalf of the property owners Menachem M. Hertz and Sheina N. Groner, is requesting a variance from the Beaufort County Development Standards Ordinance 90/3 Section 4.3.3. (A) to allow an approximately 4-foot encroachment in the 35-foot setback requirement from Hampton Parkway. The property is zoned Buckwalter PUD and consists of approximately 5.37 acres identified by tax map number R610 029 000 2482 0000 within the Parcel 10A, 10B, and 10D Master Plan. (ZONE-12-24-019474) (Staff – Dan Frazier)

Staff presented. The property owner was in attendance. Staff reviewed the criteria and the findings applicable to each criteria. The board discussed the portion of the house that would be over the encroachment, the background timeline and series of events on the project, the current status of the project and if this was a multi development or one single lot. Michael Mogil, attorney for the applicant, Melvin Fields Construction, was present. Mr. Mogil presented a survey that was given to the builder from the surveyor. It does not show the typical marking of the 35-foot setback. (*This is on file with the minutes.*) Mr. Mogil discussed the status of the build and the layout of the lot. Attorney LaBruce stated this is a case-by-case scenario. LaBruce discussed how the Board will need to evaluate the case using the criteria and facts that were presented. The Board reviewed each criteria and how it applied to this request.

Vice Chairman Dolnik made a motion to approve the variance.

Seconded by Board Member Emerick.

There was discussion about the options for the house and the criteria.

Voting Yea: Chairman Garrison, Vice Chairman Dolnik, Emerick, Aldana

All were in favor and the motion passed.

C. Adoption of 2025 Meeting Dates: (Staff - Dan Frazier)

Board Member Aldana made a motion to adopt the 2025 meeting dates as presented.

Seconded by Vice Chairman Dolnik.

Voting Yea: Chairman Garrison, Vice Chairman Dolnik, Emerick, Aldana

All were in favor and the motion passed.

VIII. DISCUSSION

IX. ADJOURNMENT

Vice Chairman Dolnik made a motion to adjourn.

Seconded by Board Member Emerick.

Voting Yea: Chairman Garrison, Vice Chairman Dolnik, Emerick, Aldana

All were in favor and the motion passed. The meeting adjourned at 7:07pm.