



## Board of Zoning Appeals

Tuesday, December 05, 2023 at 6:00 PM

Theodore D. Washington Municipal Building, 20 Bridge Street, Henry "Emmett" McCracken Jr.  
Council Chambers

### AGENDA

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. NOTICE REGARDING ADJOURNMENT**

The Board of Zoning Appeals will not hear new items after 9:30 p.m. unless authorized by a majority vote of the Board Members present. Items which have not been heard before 9:30 p.m. may be continued to the next regular meeting or a special meeting date as determined by the Board Members.

**IV. NOTICE REGARDING PUBLIC COMMENTS\***

Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Board, Staff or other members of the Meeting. State your name and address when speaking for the record. COMMENTS ARE LIMITED TO THREE (3) MINUTES.

**V. ADOPTION OF THE AGENDA**

**VI. ADOPTION OF MINUTES**

A. August 1, 2023 Minutes

**VII. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA\***

**VIII. OLD BUSINESS**

**IX. NEW BUSINESS**

A. **2 Marianna Way (Variance):** The Applicant, Houssam Aboukhater, on behalf of Herkus, LLC, is requesting a variance from Unified Development Ordinance (UDO) Section 5.13.3.D to allow a 7 square foot directional sign. The property is identified by tax map number R610 039 000 0497 0000 and is located at 2 Marianna Way in the Neighborhood General – HD Zoning District. (ZONE-11-23-018643) (Staff - Jordan Holloway)

B. **15 Meriwether Ct (Variance):** The Applicant, BFL Builders, is requesting a variance from Unified Development Ordinance (UDO) Section 5.15.5.C to encroach 5' into the 10' side setback. The property is identified by tax map number R610 039 00A 0388 0000 and is located

at 15 Meriwether Court in the Neighborhood General – HD Zoning District. (ZONE-11-23-018631) (Staff - Jordan Holloway)

C. Adoption of 2024 Meeting Dates: (Staff - Jordan Holloway)

**X. DISCUSSION**

**XI. ADJOURNMENT**

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*“FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies.”*

*In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or [adacoordinator@townofbluffton.com](mailto:adacoordinator@townofbluffton.com) as soon as possible but no later than 48 hours before the scheduled event.*

*Executive Session – The public body may vote to go into executive session for any item identified for action on the agenda.*

*\*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. To submit a public comment online, please click here:*

*<https://www.townofbluffton.sc.gov/FormCenter/Town-15/Public-Comment-60>*

*Public comment is limited to 3 minutes per speaker.*

## Board of Zoning Appeals

Theodore D. Washington Municipal Building, 20 Bridge Street, Henry "Emmett" McCracken Jr.  
Council Chambers

August 01, 2023

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### I. CALL TO ORDER

Board Member Grove called the meeting to order at 6pm.

### II. ROLL CALL

PRESENT

Board Member Daniel Grove

Board Member Gerry Workman

Board Member Larry Garrison

Board Member Paul Reinhard

Board Member Tim Dolnik

### III. ADOPTION OF THE AGENDA

Board Member Garrison made a motion to adopt the agenda as written.

Seconded by Board Member Dolnik.

Voting Yea: Board Member Grove, Board Member Workman, Board Member Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and the motion passed.

### IV. ADOPTION OF MINUTES

#### A. June 7, 2022 Minutes

Board Member Garrison made a motion to approve the minutes as written.

Seconded by Board Member Dolnik.

Voting Yea: Board Member Grove, Board Member Workman, Board Member Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and the motion passed.

#### B. June 28, 2022 Minutes

Board Member Garrison made a motion to approve the minutes as written.

Seconded by Board Member Dolnik.

Voting Yea: Board Member Grove, Board Member Workman, Board Member Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and the motion passed.

### V. ELECTION OF OFFICERS

Board Member Garrison made a motion to nominate Daniel Grove to Chairman.

Board Member Reinhard seconded.

Voting Yea: Board Member Grove, Board Member Workman, Board Member Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and Daniel Grove was elected to Chairman.

Chairman Grove made a motion to nominate Larry Garrison to Vice Chairman.

Board Member Dolnik seconded.

Voting Yea: Board Member Grove, Board Member Workman, Board Member Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and Larry Garrison was elected to Vice Chairman.

#### **VI. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA\***

#### **VII. OLD BUSINESS**

#### **VIII. NEW BUSINESS**

**A. 1203 May River Road (Variance):** The Applicant, Daniel Keefer, on behalf of the property owner, Ed Goeas/ERB Enterprises, LLC, requests a variance from UDO Section 5.3.7.B.2.b to encroach 35' into the 50' Highway Corridor Overlay District buffer. The property is identified by tax map number R610 039 000 0114 0000 and is located at 1203 May River Road in the Neighborhood Core Zoning District.

Staff presented. The applicant was in attendance. There was discussion about the zoning requirements for adjacent parcels and easements for access.

Board Attorney LaBruce reviewed what the Board needs to consider while reviewing the request.

Vice Chairman Garrison made a motion to approve the variance as requested.

Seconded by Board Member Dolnik.

Voting Yea: Chairman Grove, Board Member Workman, Vice Chairman Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and the motion passed.

#### **IX. DISCUSSION**

#### **X. ADJOURNMENT**

Vice Chairman Garrison made a motion to adjourn.

Seconded by Board Member Dolnik.

Voting Yea: Chairman Grove, Board Member Workman, Vice Chairman Garrison, Board Member Reinhard, Board Member Dolnik

All were in favor and the meeting adjourned at 6:20pm.





# BOARD OF ZONING APPEALS

## STAFF REPORT DEPARTMENT OF GROWTH MANAGEMENT

<b>MEETING DATE:</b>	December 5, 2023
<b>PROJECT:</b>	2 Marianna Way – Variance Request
<b>PROJECT MANAGER:</b>	Jordan Holloway, Senior Planner

**APPLICATION REQUEST:** The Applicant, Houssam Aboukhater, on behalf of Herkus, LLC, is requesting a variance for the following application (Attachment 1):

ZONE-11-23-018643 - The Applicant is requesting a variance from Unified Development Ordinance (UDO) Section 5.13.3.D to allow a 7 square foot directional sign.

The property is identified by tax map number R610 039 000 0497 0000 and is located at 2 Marianna Way in the Neighborhood General – HD Zoning District. The BZA hearing was advertised in The Island Packet on November 19, 2023 (Attachment 2), the property was posted, and adjacent property owners were notified via certified mail.

**INTRODUCTION:** The subject development (Palmetto Square, formally known as Old Village Square) is a mixed-use development consisting of five buildings on a single lot, approved in 2004. Palmetto Square consists of 16 residential units and 11 commercial units within the five buildings (Attachment 3).

**BACKGROUND:** Palmetto Square was approved in 2004 before the UDO and before the establishment of the Historic District. The parcel was previously zoned Village Commercial and was regulated by the Town's Zoning Ordinance. Section 5.13.3.D of the UDO allows directional signage to be a maximum of 1.5 square feet. The Applicant is requesting a larger directional sign to be located internal to the development to assist with vehicle and pedestrian circulation within the site.

**BOARD OF ZONING APPEALS ACTIONS:** As granted by the powers and duties set forth in Section 2.2.6.D.2 of the UDO, the Board of Zoning Appeals has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant.

**REVIEW CRITERIA & ANALYSIS:** In assessing an application for a Variance, the Board of Zoning Appeals is required to consider the criteria set forth in Section

3.7.3 of the UDO. The seven criteria are provided below followed by a Staff Finding for each criterion.

As expressed in Section 3.7.3.B.1., a variance may be granted as applicable, and the application must comply with the following:

Unnecessary Hardship. A Variance from a dimensional or design standard may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship upon a finding that all the following standards are met:

1. Section 3.7.3.B.1.a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

*Finding.* Palmetto Square was approved in 2004, prior to the UDO and prior to the establishment of the Historic District. The development would not be able to exist in its current form with the current UDO requirements, which allow only one principal structure and one accessory structure per lot.

2. Section 3.7.3.B.1.b These conditions do not generally apply to other property in the vicinity, particularly those in the same zoning district;

*Finding.* The conditions at Palmetto Square do not generally apply to other property in the vicinity or zoning district because Palmetto Square was approved in 2004, and recently finished construction on their final building. All other development within the zoning district would need to comply with the current UDO.

3. Section 3.7.3.B.1.c Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property in a manner consistent with others in the zoning district;

*Finding.* The existing conditions on this lot are unique for the zoning district as well as the general neighborhood. The development was approved in 2004 before the creation of the UDO and Historic District. Because of this, the current UDO and Historic District sign standards unreasonably restrict the development's ability to have effective directional signage.

4. Section 3.7.3.B.1.d The need for the Variance is not the result of the Applicant's own actions;

*Finding.* The need for the variance is not the result of the Applicant's own actions, as the UDO and Historic District were created after the development plan's approval in 2004.

5. Section 3.7.3.B.1.e The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance;

*Finding.* The approval of the requested variance would not substantially conflict with the Comprehensive plan or the purposes of the ordinance.

6. Section 3.7.3.B.1.f The authorization of a Variance will not result in a substantial detriment to adjacent property or the public good, and the character of the District will not be harmed by the granting of the Variance;

*Finding.* The approval of the requested variance would not result in substantial detriment to adjacent property owners or the public good. The Applicant would install the directional signage internal to the development and adhere to all design standards in the current UDO and site feature permit process.

7. Section 3.7.3.B.1.g The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably.

*Finding.* The reason for the variance is to provide adequate directional signage for patrons and the general public in the Palmetto Square development. The signage will help identify residential buildings and commercial buildings throughout the development.

**CONCLUSION:** Applying the seven variance criteria, the Board of Zoning Appeals must determine if the literal interpretation and enforcement of the UDO and provisions of the Ordinance would result in unnecessary hardship to the property owner(s). Findings of fact and using the criteria will be required.

**ATTACHMENTS:**

1. Application, Narrative, and Proposed Site Plan
2. Public Advertisement
3. Site Plan



# TOWN OF BLUFFTON VARIANCE APPLICATION

Growth Management Customer


Attachment 1

Section IX. Item #A.

20 Bridge Street  
Bluffton, SC 29910  
(843)706-4500

www.townofbluffton.sc.gov

applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Houssam Aboukhater		Name: Herkus, LLC	
Phone: 603-205-5555		Phone: 603-205-5555	
Mailing Address: 10 Anson Park Rd. E, Bluffton, SC		Mailing Address: 10 Anson Park Rd. E, Bluffton, SC	
E-mail: hak@herkusllc.com		E-mail: hak@herkusllc.com	
Town Business License # (if applicable): 05-21-037369			
Project Information			
Project Name: Palmetto Square		Project Location: Marianna Way	
Zoning District: Old Town		Acreage:	
Tax Map Number(s): R610 039 000 0497 0003			
Project Description: <h1>Installation of a directional sign</h1>			
Request: We request a variance from the Town of Bluffton Unified Development Ordinance Section 5.13.3, Exempt Signs; in particular, we would like a variance from 5.13.3.D.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Mandatory Application Check-In Meeting scheduled.			
<input type="checkbox"/> 2. Digital files of applicable plans and/or documents depicting the subject property.			
<input checked="" type="checkbox"/> 3. Recorded deed and plat showing proof of property ownership.			
<input checked="" type="checkbox"/> 4. Project Narrative describing reason for application and compliance with the criteria in Article 3 of the UDO.			
<input type="checkbox"/> 5. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
<b>Note: A Pre-Application Meeting is required prior to Application submittal.</b>			
<b>Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this application.</b>			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 11/6/23	
Applicant Signature: 		Date: 11/6/23	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



## TOWN OF BLUFFTON VARIANCE APPEAL APPLICATION PROCESS NARRATIVE

The following Process Narrative is intended to provide Applicants with an understanding of the respective application process, procedures and Unified Development Ordinance (UDO) requirements for obtaining application approval in the Town of Bluffton. While intended to explain the process, it is not intended to repeal, eliminate or otherwise limit any requirements, regulations or provisions of the Town of Bluffton's Unified Development Ordinance. The Town of Bluffton's Mission and Vision Statements help navigate staff to ensure that the goals outlined by Town Council are being met. As each project is being reviewed, Town staff will use the Mission Statement, Vision Statement, The Covenant for Bluffton and the current Strategic Plan to guide their review. Compliance with these procedures will minimize delays and assure expeditious application review.

<b>Step 1. Pre-Application Meeting</b>	<b>Applicant &amp; Staff</b>
Prior to the filing of a Variance Application, the Applicant is required to consult with the UDO Administrator or designee at a Pre-Application Meeting for comments and advice on the appropriate application process and the required procedures, specifications, and applicable standards required by the UDO.	
<b>Step 2. Application Check-In Meeting</b>	<b>Applicant &amp; Staff</b>
Upon receiving input from Staff at the Pre-Application Meeting, the Applicant shall submit the Variance Application and required submittal materials during a <b>mandatory</b> Application Check-In Meeting where the UDO Administrator or designee will review the submission for completeness. Call 843-706-4500 to schedule.	
<b>Step 3. Review by UDO Administrator or designee</b>	<b>Staff</b>
If the UDO Administrator or designee determines that the Variance Application is complete, the application is placed on the next available Board of Zoning Appeals (BZA) Meeting agenda.	
<b>Step 4. Board of Zoning Appeals Meeting</b>	<b>Applicant, Staff &amp; Board of Zoning Appeals</b>
The Board of Zoning Appeals (BZA) shall review the application for compliance with the criteria and provisions in the UDO. The BZA may approve, approve with conditions, or deny the application.	
<b>Step 5. Issuance of Decision Letter</b>	<b>Staff</b>
The UDO Administrator or designee shall issue the decision letter reflecting the ruling by the Board of Zoning Appeals.	

## Narrative

Herkus LLC, owner of Palmetto Square, is requesting a variance from the Town of Bluffton Unified Development Ordinance Section 5.13.3, Exempt Signs; in particular, we would like a variance from 5.13.3.D. - Directional/Informational Signs, which would allow us to install a sign larger than 1.5 square feet for the direction or convenience of the public.

Palmetto Square is a mixed-use development consisting of five buildings on a single lot, approved in 2004, and zoned a "Neighborhood General – HD in Old Town." Subsequent to the approval of Palmetto Square, the ordinances were changed to allow only one building per lot in Old Town Bluffton.

The hardship we face is that under the current ordinance, we are only able to install a sign no larger than 1.5 square feet for the entire development, which consists of **16** residential units and 11 commercial units within the five buildings. We would like to install a larger informational and directional sign to help traffic flow within the development. This sign would, of course, complement the architecture and character of Palmetto Square, as well as the Old Town Bluffton Historic District.



**Houssam Aboukhater**  
Managing Partner

Herkus LLC  
*Real Estate Development & Management*

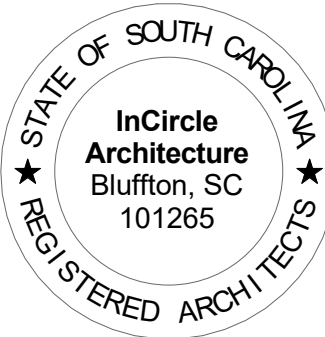




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**Phone:** 843.593.9506      **Email:** CRE@incirclearchitecture.com      **Web:** incirclearchitecture.com

**Client:** Incirle Architecture      **Phone:** 843.593.9506      **Email:** CRE@incirlearchitecture.com      **Web:** incirlearchitecture.com

**Architect:** Incircle Architecture  
**Phone:** 843.593.9506

## Old Village Square

Brian Smith

6 SHULTS RD, Bluffton, SC 29910

**Architect:** Incircle Architecture

Project number	2017 0
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Drawn By	C
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Checked By	C
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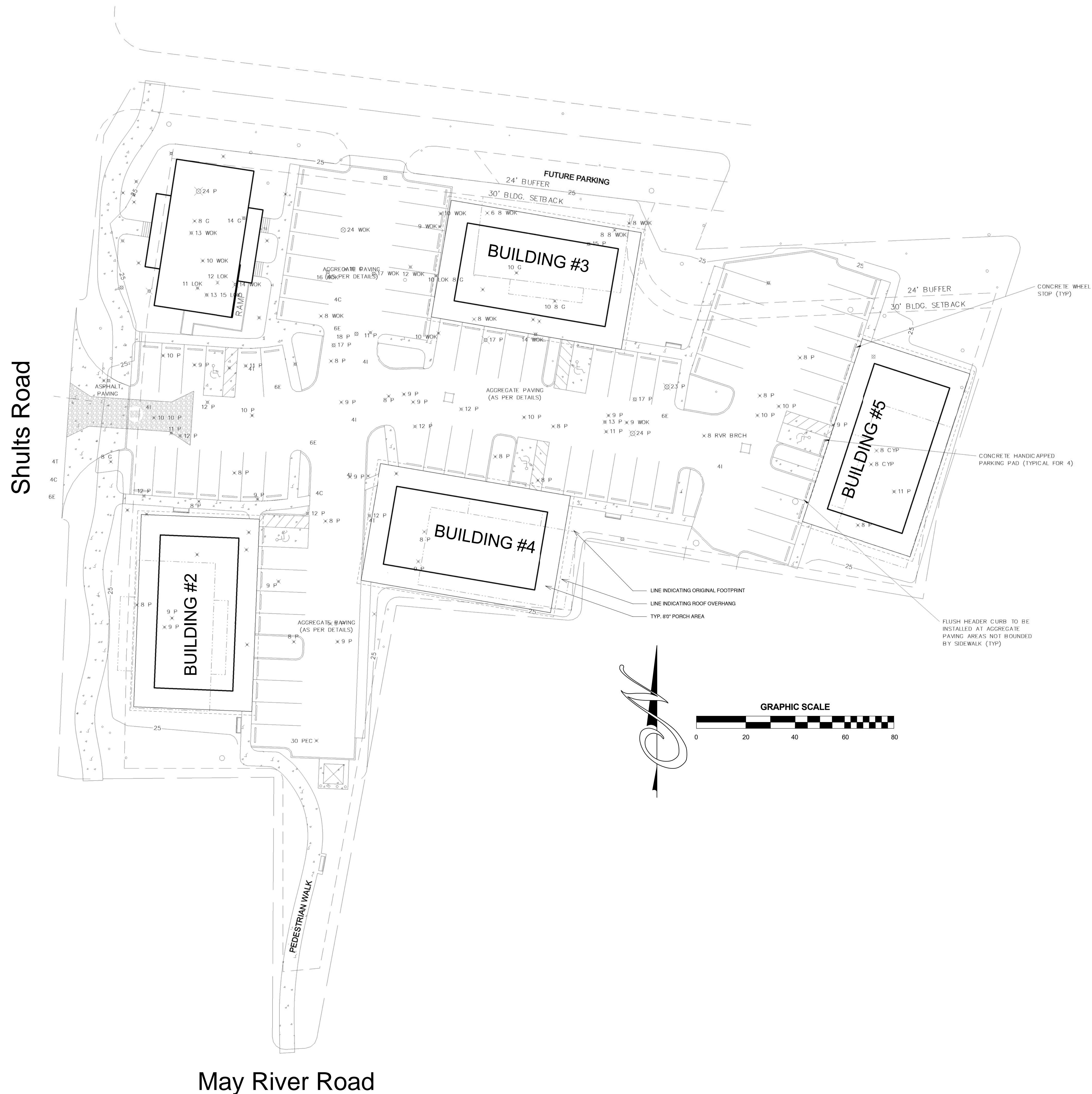
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# May River Road





# BOARD OF ZONING APPEALS

## STAFF REPORT DEPARTMENT OF GROWTH MANAGEMENT

<b>MEETING DATE:</b>	December 5, 2023
<b>PROJECT:</b>	15 Meriwether Court – Variance Request
<b>PROJECT MANAGER:</b>	Jordan Holloway, Senior Planner

**APPLICATION REQUEST:** The Applicant, BFL Builders, is requesting a variance for the following application (Attachment 1):

ZONE-11-23-018631 - The Applicant is requesting a variance from Unified Development Ordinance (UDO) Section 5.15.5.C to encroach 5' into the 10' side setback.

The property is identified by tax map number R610 039 00A 0388 0000 and is located at 15 Meriwether Court in the Neighborhood General – HD Zoning District. The BZA hearing was advertised in The Island Packet on November 19, 2023 (Attachment 2), the property was posted, and adjacent property owners were notified via certified mail.

**INTRODUCTION:** The subject property consists of a .174-acre parcel located at 15 Meriwether Court. The parcel is currently vacant/undeveloped. The Applicant is proposing to construct a single-family detached dwelling and carriage house on the site (Attachment 1). As the property is located within the Historic District, a Certificate of Appropriateness will be required prior to building permit issuance.

**BACKGROUND:** Section 5.15.5.C of the UDO requires a 10' side setback for a "cottage" building type as well as "additional building type". Due to the 34" caliper live oak that is situated towards the front of the lot, other building types would not be buildable on this lot. There is also a 30' drainage easement that runs along the rear property line and the top of bank for Verdier Cove, further constricting the developable area of the lot. Both "cottage" and "additional building type" homes require a 10' side setback. The Applicant is proposing to encroach 5' into the 10' side setback to preserve the 34" live oak on the property. Encroaching 5' into the side setback allows for 7' of separation from the tree to the home.

The Applicant has had an arborist assess the condition of the live oak, in which the arborist recommends fertilization, pruning, and building the house and porch on piers so as not to disturb the majority of the area under the canopy (Attachment 3).

**BOARD OF ZONING APPEALS ACTIONS:** As granted by the powers and duties set forth in Section 2.2.6.D.2 of the Unified Development Ordinance, the Board of

Zoning Appeals has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant.

**REVIEW CRITERIA & ANALYSIS:** In assessing an application for a Variance, the Board of Zoning Appeals is required to consider the criteria set forth in Section 3.7.3 of the UDO. The seven criteria are provided below followed by a Staff Finding for each criterion.

As expressed in Section 3.7.3.B.1., a variance may be granted as applicable, and the application must comply with the following:

Unnecessary Hardship. A Variance from a dimensional or design standard may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship upon a finding that all the following standards are met:

1. Section 3.7.3.B.1.a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

*Finding.* 15 Meriwether Court has a 34" live oak situated towards the front-center of the property, a 30' drainage easement at the rear property line, top of bank for Verdier Cove, and an awkward parcel shape that limits the buildable area of the lot.

2. Section 3.7.3.B.1.b These conditions do not generally apply to other property in the vicinity, particularly those in the same zoning district;

*Finding.* Other lots in this zoning district and neighborhood do not generally have the parcel shape, or the existing conditions of a rear drainage easement, top of bank for a cove, or the live oak that the subject property has.

3. Section 3.7.3.B.1.c Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property in a manner consistent with others in the zoning district;

*Finding.* The existing conditions on this lot are unique for the zoning district as well as the general neighborhood. The Applicant would not be requesting a variance if the 34" live oak was not located on the property. The Applicant is requesting to encroach 5' into the side yard setback to preserve the tree.

4. Section 3.7.3.B.1.d The need for the Variance is not the result of the Applicant's own actions;

*Finding.* The subject parcel was not created by the Applicant as it was an existing lot and the variance request is not the result of the Applicant's own actions.

5. Section 3.7.3.B.1.e The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance;

*Finding.* The approval of the requested variance would not substantially conflict with the Comprehensive plan or the purposes of the ordinance.

6. Section 3.7.3.B.1.f The authorization of a Variance will not result in a substantial detriment to adjacent property or the public good, and the character of the District will not be harmed by the granting of the Variance;

*Finding.* The approval of the requested variance would not result in substantial detriment to adjacent property owners or the public good. The property to the east of the subject parcel is POA owned open space and then Thomas Heyward Street. The design of the structures will be reviewed by the Historic Preservation Commission through the Certificate of Appropriateness process to ensure compliance with the character of the district.

7. Section 3.7.3.B.1.g The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably.

*Finding.* The reason for the variance is to allow the property to be utilized in a similar fashion as the other properties within the Landen Oaks neighborhood and the Neighborhood General – HD Zoning District.

**CONCLUSION:** Applying the seven variance criteria, the Board of Zoning Appeals must determine if the literal interpretation and enforcement of the UDO and provisions of the Ordinance would result in unnecessary hardship to the property owner(s). Findings of fact and using the criteria will be required.

**ATTACHMENTS:**

1. Application, Narrative, and Proposed Site Plan
2. Public Advertisement
3. Arborists Report



**TOWN OF BLUFFTON**  
**BOARD OF ZONING APPEALS APPLICATION**

Growth Management Custom

Section IX. Item #B.

20 Bridge Street

Bluffton, SC 29910

(843)706-4522

www.townofbluffton.sc.gov

[applicationfeedback@townofbluffton.com](mailto:applicationfeedback@townofbluffton.com)

Attachment 1

Applicant		Property Owner	
Name: BFL Builders		Name: Same	
Phone: 843.473.3679		Phone:	
Mailing Address: PO Box 21484 HHI, SC 29925		Mailing Address:	
E-mail: barry@hbdllc.com		E-mail:	
Town Business License # (if applicable):			
<b>Project Information</b>			
Project Name: Landen Oak	<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Special Exception	
Project Location: 24 Thomas Heyward Street	<input type="checkbox"/> Administrative Appeal		
Zoning District: NG-HD	Acreage: .174		
Tax Map Number(s): R610 039 00A 0388 0000			
Project Description: Lot 1 of Landen Oak Subdivision			
Request: Zoning variance to extend building envelope approximately 5 feet into the left side setback adjoining Landen Oak common area and the sidewalk on Thomas Heyward Street.			
<b>Minimum Requirements for Submittal</b>			
<input type="checkbox"/> 1. Two (2) paper copies and digital files of applicable plans and/or documents depicting the subject property.			
<input type="checkbox"/> 2. Recorded deed and plat showing proof of property ownership.			
<input type="checkbox"/> 3. Project Narrative describing reason for application and compliance with the criteria in Article 3 of the UDO.			
<input type="checkbox"/> 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
<b>Note: A Pre-Application Meeting is required prior to Application submittal.</b>			
<b>Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.</b>			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: <i>Barry L. Bayet</i>		Date: October 30, 2023	
Applicant Signature: <i>Barry L. Bayet</i>		Date: October 30, 2023	
<b>For Office Use</b>			
Application Number:		Date Received:	
Received By:		Date Approved:	



## TOWN OF BLUFFTON BOARD OF ZONING APPEALS APPLICATION PROCESS NARRATIVE

The following Process Narrative is intended to provide Applicants with an understanding of the respective application process, procedures and Unified Development Ordinance (UDO) requirements for obtaining application approval in the Town of Bluffton. While intended to explain the process, it is not intended to repeal, eliminate or otherwise limit any requirements, regulations or provisions of the Town of Bluffton's Unified Development Ordinance. Compliance with these procedures will minimize delays and assure expeditious application review.

<b>Step 1. Pre-Application Meeting</b>	<b>Applicant &amp; Staff</b>
Prior to the filing of a Board of Zoning Appeals Application, the Applicant is required to consult with the UDO Administrator or their designee at a Pre-Application Meeting for comments and advice on the appropriate application process and the required procedures, specifications, and applicable standards required by the UDO.	
<b>Step 2. Application Check-In Meeting</b>	<b>Applicant &amp; Staff</b>
Upon receiving input from Staff at the Pre-Application Meeting, the Applicant shall submit the Board of Zoning Appeals Application and required submittal materials during a mandatory Application Check-In Meeting where the UDO Administrator or designee will review the submission for completeness.	
<b>Step 3. Review by UDO Administrator</b>	<b>Staff</b>
If the UDO Administrator determines that the Board of Zoning Appeals Application is complete, the application is placed on the next available Board of Zoning Appeals (BZA) Meeting agenda.	
<b>Step 4. Board of Zoning Appeals Meeting</b>	<b>Applicant, Staff &amp; Board of Zoning Appeals</b>
The Board of Zoning Appeals (BZA) shall review the application for compliance with the criteria and provisions in the UDO. The BZA may approve, approve with conditions, or deny the application.	
<b>Step 5. Issue Variance or Special Exception</b>	<b>Staff</b>
If the BZA approves the application, the UDO Administrator shall issue the Variance or Special Exception.	

# Board of Zoning Appeals

## Project Narrative

BFL builders, the developer and builder of the Landen Oak subdivision located at 24 Thomas Heyward Street respectfully requests a variance for the left side setback of lot 1, 15 Meriwether Court from the UDO approved 10 feet to 5 feet.

15 Meriwether Court is a 7,318 sf lot located on the west side of Thomas Heyward Street approximately 100 yards from its intersection with May River Road. A key feature of this lot is a specimen 34 inch live oak at the front right portion of the lot viewed when facing the lot from Meriwether Court.

After consulting with an arborist (letter attached) it was determined that the best course of action to preserve and protect this live oak is to change our standard building practice of turn down slab foundation to block piers and keeping the footers at least 7 feet from the outermost bark of the tree.

BFL Builders desires to construct a historically appropriate 1,362 sf 2 bed, 2 bath cottage on this lot. In order to maintain the suggested spacing and maximize the building footprint, the envelope would need to extend approximately 5 feet into the side setback abutting the community open space and the sidewalk on Thomas Heyward Street. This will not affect any homeowners of Landen Oak subdivision or the residents of adjacent Thomas Heyward Street. The rear portion of this lot is the stormwater outflow easement and cannot be built upon. In fact, were this lot addressed on Thomas Heyward Street, the UDO states that the building must be placed within 10 feet of Thomas Heyward Street and would extend past the lot line into what is now community space.









JIM DEMMON/USA TODAY NETWORK

Milwaukee Bucks forward Giannis Antetokounmpo, rear, tries to shoot over Charlotte Hornets forward Miles Bridges during the second half of Friday's game.

## Bridges' return can't save Hornets in loss to Bucks

Field Level Media

Damian Lillard scored 27 points for the visiting Milwaukee Bucks, who spoiled the return to action of Charlotte Hornets forward Miles Bridges in a 130-99 victory Friday night during an NBA in-season tournament game.

The Bucks also received 20 points from Malik Beasley. Lillard and Beasley combined to make 11 of 20 shots from 3-point range as part of Milwaukee's 22-for-45 (48.9 percent) shooting from deep.

Bridges, who was sus-

pended for the season's first 10 games, was back after a 583-day gap between games related to a domestic violence case. He scored 17 points in 33 minutes off the bench, and he also had five rebounds and four assists.

Milwaukee forward Giannis Antetokounmpo missed the Bucks' Wednesday win in Toronto because of injury management, but he was back on the court to score 16 points, deliver nine assists and grab eight rebounds in 28 minutes.

Brook Lopez had 15 points on 7-for-8 shooting

for the Bucks. Bobby Portis had 13 points, Khris Middleton added 11 points and Pat Connaughton scored 11. LaMelo Ball led the Hornets with 37 points, bolstered by 11-for-12 success on free throws. He launched 28 shots from the field, making 12.

Mark Williams had 11 points and 16 rebounds and Brandon Miller notched 10 points for Charlotte.

The Hornets made only 6 of 26 shots (23.1 percent) from 3-point range, hurt by Ball's 2-for-9 long-range accuracy. Charlotte continues to

miss injured guard Terry Rozier, while Gordon Hayward was back from a one-game absence but managed just two points in 29 minutes.

Eight Milwaukee players made at least one 3-point basket. The Bucks won despite taking only 13 free throws, making 10.

The Bucks were up 92-81 after three quarters, largely because Lillard made four 3-point shots in the third. Connaughton had two treys during the quarter.

The Hornets held a 37-28 lead after outscoring Milwaukee 14-5 to end the first quarter. Charlotte's lead grew to 13 points in the second quarter before the Bucks got it together and led 59-57 at halftime.

The Bucks improved to 2-0 in East Group A tournament play, while the Hornets fell to 1-2.

## South Carolina tops DePaul despite poor foul shooting

Field Level Media

Mecchie Johnson scored 18 of his team-high 24 points in the first half Friday night as South Carolina overcame some poor foul shooting to stop DePaul 73-68 in the Arizona Tip-Off in Glendale.

Zachary Davis came off the bench to add 10 for the Gamecocks (4-0), who never trailed but couldn't put away the Blue Demons because South Carolina made only 20 of 34 free throws. The Gamecocks also had 17 turnovers but gave up just 14 points off them.

Chico Carter Jr. scored 24 points on 8-of-13 shooting for DePaul (1-3) but didn't get enough help. No one else reached double figures for the Blue Demons, who made only 41.1 percent of their shots from the field and were outrebounded 38-29.

South Carolina led 58-44 with 12:06 left in the game after Benjamin Romans-Verdonk got a put-back but DePaul clawed back. It got within five on two occasions down the stretch but wasn't able to even get within one possession.

The Gamecocks will play Grand Canyon, which

edged San Francisco 76-72 in Friday's first semifinal, for the tournament title on Sunday. DePaul and San Francisco will play in the day's first game for third place.

Johnson didn't waste much time putting his stamp on the game. He scored nine points in the first 4:25 as South Carolina established a 14-6 lead. The Gamecocks were able to maintain that advantage over the half's remainder, even as DePaul fought back.

Johnson hit a mid-range jumper and then converted a three-point play for a 24-10 cushion at the 10:03

mark but the Blue Demons gradually worked their way into contention after they got the lead down to 37-30 on a short jumper by Carter with 1:57 remaining in the half.

Johnson responded with a layup and two foul shots, finishing an 18-point half, as South Carolina took a 41-32 advantage to the locker room. The Gamecocks made nearly 58 percent of their shots, while DePaul checked in at just 38.5 percent.

### GAME STATS

Subscribers can find up-to-date standings and statistics from the previous day's games in our eEdition by using the section list to jump to 'Xtra Stats' in our app or online at islandpacket.com/edition.

## MEN'S COLLEGE BASKETBALL

Field Level Media

### Friday's Top 25 games

**UNC Greensboro 78, No. 14 Arkansas 72:** Keyshaun Langley poured in 23 points as UNC Greensboro pulled off an upset in Fayetteville, Ark. Langley made 5 of 8 from 3-point range, to carry the Spartans (2-1). Arkansas trailed for 35:34 of game time. **No. 3 Arizona 100, Belmont 68:** Caleb Love had his best-scoring game at Arizona with 20 points and freshman Motiejunas Krivas also scored 20 in

Tucson, Ariz. Love, a senior transfer from North Carolina, made 8 of 12 shots from the field. **No. 6 Houston 76, Utah 66:** LJ Cryer answered the Utes' big rally with a pair of 3-point baskets as the Cougars pulled out a victory in the semifinals of the Charleston Classic in Charleston, S.C. **No. 9 Duke 90, Bucknell 60:** Mark Mitchell scored a career-high 20 points as the Blue Devils beat the visiting Bison in Durham, N.C. **No. 12 Miami 79, Georgia 67:** Matthew Cleveland scored 18 points as the Hurricanes defeated the Bulldogs in the first round

of the Baha Mar Championships in Nassau, Bahamas.

**No. 13 Texas A&M 74, Oral Roberts 66:** Henry Coleman III scored 19 points and added 10 rebounds as the Aggies outlasted the visiting Golden Eagles.

**No. 17 Kentucky 101, Stonehill 67:** Reed Shepard scored 25 points off the bench to lead the host Wildcats.

**No. 18 Michigan State 74, Butler 54:** Tyson Walker scored 21 points to lead the Spartans in a Gavitt Tipoff Games contest in East Lansing, Mich. **No. 20 North Carolina 77, UC Riverside 52:** Armando Bacot pumped in 21 points and the host Tar Heels scored the first 19

points of the second half. **No. 21 Villanova 57, Maryland 40:** Tyler Burton scored 15 points and the Wildcats smothered visiting the Terrapins in the Gavitt Tipoff Games. **No. 22 Alabama 98, Mercer 67:** The Crimson Tide sank their first nine shots of the game and kept on rolling in Tuscaloosa, Ala. **No. 23 Illinois 87, Valparaiso 64:** After trailing for most of the first 25 minutes, the host Illini used a huge second-half run to claim a victory.

**No. 24 James Madison 76, Radford 73:** Terrence Edwards Jr. scored 21 points to lead the Dukes over the Highlanders in Harrisonburg, Va.

recorded 17 points, 11 rebounds and four steals to help the Tigers (4-1) cruise past the Lions (2-2) at Hammond, La., despite All-American Angel Reese not being with the club. **No. 12 Florida State 79, Florida 75:** Florida State sophomore Ta'Niya Latson scored a career-high 35 points and rallied the

No. 12 Seminoles (3-0) past host Florida (3-1) in Gainesville.

**No. 18 Indiana 112, Murray State 79:** Sara Scallia scored 22 points and McKenzie Holmes added 20 points and 10 rebounds as the Hoosiers (2-1) rolled past the Racers (1-2) at Bloomington, Ind.

## WOMEN'S BASKETBALL

Field Level Media

### Friday's Top 25

**No. 3 UCLA 77, Princeton 74:** No. 3 UCLA outlasted Princeton on the back of center Lauren

Betts, who produced her third double-double of the season, and the hosts improved to 4-0. Kaitlyn Chen scored 24 points for Princeton (2-1) and Skye Belker added 20. **No. 7 LSU 73, SE Louisiana 50:** Flau'jae Johnson

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### Legals

**Town of Bluffton Public Notice**  
NOTICE IS HEREBY GIVEN that the Town of Bluffton Board of Zoning Appeals (BZA) will hold a hearing on December 5, 2023, at 6:00PM for the following:

**ZONE-11-23-018601** - The Applicant, BFL Builders, requests a variance from UDO Section 5.13.5.C to encroach 1' into the 10' side setback. The property is identified by its map number BE10 030 00A 0288 0000 and is located at 15 Menwerth Court in the Neighborhood General - H4 Zoning District.

**ZONE-11-23-018643** - The Applicant, Houssein Aboukhar, on behalf of Herkus, LLC, requests a variance from UDO Section 5.13.3.D to allow a 7 square foot directional sign, which is 5.5 square feet larger than the ordinance allowed maximum of 13 square feet. The property is identified by its map number BE10 030 000 0487 0000 and is located at 2 Marianna Way in the Neighborhood General - H4 Zoning District.

\*Public Comments may be submitted electronically via the Town's website at (https://blf.townpubliccomment). Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Board of Zoning Appeals.

Documents related to the above are available for public inspection, persons with comments or questions should contact the Town of Bluffton Planning and Community Development Department at (843) 706-4500.  
P.O. 014823  
Nov 19 2023

### Public Notice

The South Carolina Department of Parks, Recreation and Tourism has applied to the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management for a critical area permit for work at Rust Point Boat Landing. The work will consist of placing riprap stabilization along approximately 250 ft of shoreline, to help protect the boat landing by mitigating erosion from wave action and king tide along a portion of the access road and boat landing parking area. Rust Point Boat Landing is located on Hunting Island State Park, SE Helena, SC 29903. Comments will be received by the Office of Ocean and Coastal Resource Management, 1362 McMillan Ave Suite 400, North Charleston, SC 29405, by November 30th, 2023.  
RUST0146612  
Nov 23-10, 12-17 19 2023

**If the following vehicles are not picked up by the owner in the next 30 days they will be sold at Auction:**  
2015 Dodge Journey, VIN: 3C4JDCGB7F558724, owner Justin A. Hodge, 2008 Scion TC, VIN: JKD147-02824735, owner Dale F. V. Selszer, 2016 Chevrolet Malibu, VIN: 1G1ZS5G42F026202, owner Beverly J. Taylor or James J. Taylor, 2008 Chevrolet Impala, VIN: 201W15848B151271, owner Anastasia M. Harley. Located at Broad River Hwy 343-579-0900.  
RUST0146612  
Nov 15 19 23 2023

### TOWN OF HILTON HEAD ISLAND REQUEST FOR PROPOSALS

**RFP 2023-47**

#### Shelter Cove Lane Pathway Project

**REPOSTING**

The Town of Hilton Head Island is soliciting sealed proposals from qualified and properly licensed contractors to construct a new 1.5 mile pathway project including pathway lighting, crosswalks, and drainage improvements. The project is a section of Shelter Cove Lane from Newport Drive to the Fieger Fuel Center. A copy of RFP 2023-47 can be downloaded from the Town's webpage at <https://hiltonheadland.com/procurement>. Deadline for proposal submission: 5:00 pm Eastern Time, November 23, 2023.  
RUST0146612  
Nov 19 2023

### TOWN OF HILTON HEAD ISLAND REQUEST FOR PROPOSALS

**RFP 2023-47**

#### Workshop Facilitation and Strategic Planning Services for Town of Hilton Head Island Town Council

The Town of Hilton Head Island is soliciting sealed proposals from qualified firms to facilitate a strategic planning discussion and assist in the review and organization of the Town's strategic plan. A copy of RFP 2023-47 can be downloaded from the Town's webpage at <https://hiltonheadland.com/procurement>. Deadline for proposal submission: 5:00 pm Eastern Time, December 22, 2023.  
RUST0146612  
Nov 19 2023

### PUBLIC NOTICE

Charles E. Martin, Jr. has applied to the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management for a permit to construct a residential dock for private use at 109 Sand Creek, Beaufort, and adjacent to Battery Creek. Comments will be received by the Office of Ocean and Coastal Resource Management, 104 Parker Drive, Beaufort, SC 29906 until December 2, 2023.  
RUST0148729  
Nov 19 2023

### Announcements

#### Community Events

**The KEY**  
Local children's book author Ruth Ann Abrahamsen will perform a story-line of "The Key," the third in her series of children's chapter books which share wholesome messages of Faith, Hope, Love, Trust, Forgiveness. This particular story-line is centered right here in the chamber of the Harbourtown Lighthouse! All are welcome for this inspiring reading!

#### Local Author Story-time and Book-signing

Harbourtown Lighthouse

1PM

Friday - November 24, 2023

Local children's book author Ruth Ann Abrahamsen will perform a story-line of "The Key," the third in her series of children's chapter books which share wholesome messages of Faith, Hope, Love, Trust, Forgiveness. This particular story-line is centered right here in the chamber of the Harbourtown Lighthouse! All are welcome for this inspiring reading!

### Real Estate

#### For Sale

**Overlooking Great Smoky & Blue Ridge Mountains**  
Perfect 4.6 Acre Mountain Top (Rare Easy Access & Flat Topography with Fantastic National Forest & Mountain Views) Multiple Cold Mountain Streams & waterfalls! Ready to RV/Camp, build & invest immediately! Perfect Location Between Murphy NC & Mc Coyville GA! Short drive to Coocoe Whitewater Center in Cherokee National Forest (Great Location)!  
Call 1-858-882-2710 Must go  
Sacrifice Price \$34,000

#### Real Estate

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**Overlooking Great Smoky & Blue Ridge Mountains**  
Perfect 4.6 Acre Mountain Top (Rare Easy Access & Flat Topography with Fantastic National Forest & Mountain Views) Multiple Cold Mountain Streams & waterfalls! Ready to RV/Camp, build & invest immediately! Perfect Location Between Murphy NC & Mc Coyville GA! Short drive to Coocoe Whitewater Center in Cherokee National Forest (Great Location)!  
Call 1-858-882-2710 Must go  
Sacrifice Price \$34,000

### HAVING A GARAGE SALE?

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### Real Estate Misc.

#### Blue Mountain Canadian

#### Ontario Golfing Club

#### Seeks Palmetto Dunes Rental

Mar 2 to Apr 13 & Oct 19 to Nov 30. No children, no pets, no guests. Just the two of us.

He is OCD.

So will keep immaculate.

Here till Nov 24.

Would like to rent direct.

And save Property Fees.

705 351 8100

Read it ReadItHill.com

### Employment

#### Employment

#### Operations Director

Professional Rotarians Inc. seeks a full-time Operations Director in Bluffton, S.C. for the following duties: Collaborates with senior leadership team on project management and reporting, including analysis, and communication of financial and operational data for decision-making and strategic planning. Works in partnership with cross-departmental teams and business leaders while implementing excellent interpersonal communication skills and relationship building. Oversees commercial contracts, performs data analysis, including reviewing financial statements, sales or activity reports, or other performance data to measure productivity or goal achievement or to identify areas needing cost reduction or program improvement. Prepares financial charts, graphs, and spreadsheets. Coordinates and plans projects across concerned with the production. Manages crew leaders, including preparing staff work schedules and commitments. Communicates instructions to staff and crew leaders in Spanish efficiently and fluently. Coordinates with suppliers to ensure they efficiently and effectively provide the necessary goods or services within budgetary limits. Plans financial budget activities to fund operations, maximize investments and increase efficiency. Directs and coordinates the creation and execution of the strategic planning, projection or implementation policies, goals, objectives, or procedures. Please mail resume to: Professional Rotarians Inc., Attn: Javier Zimbron, Jr., General Manager P.O. Box 312, Bluffton, SC 29910. EOE.

#### Service Directory

#### Home & Business Improvement

#### Handyman Services

Powerwash driveways and homes. Woodrot repair, absentee owner services. And more call today 843-227-2216. Lic & Ins

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**DAVID TEDFORD**  
*Certified State Arborist*  
TREE RISK ASSESSMENT QUALIFIED  
SO 5620A

ALL ASPECTS OF ARBOR CARE

**843-575-1620**

*Actively Practicing Arboriculture Since 1984 in Beaufort County*

Attachment 3

Section IX. Item #B.

Barry Bryant  
#15 Meriwether Court  
Bluffton, SC 29910  
843-301-3678  
barry@bcbclub.com

April 26, 2023

Bluffton Township

Hello,

My name is David Tedford, I am a South Carolina state certified arborist and tree risk assessment qualified SO 5620A, serving Beaufort County since 1984.

Mr. Bryant has asked me to inspect 2 trees on said property, one Turkey Oak 22" D.B.H. and one Live Oak 40" D.B.H.

In accordance with the International Society of Arboriculture, I have performed a level one tree risk assessment on the 22" D.B.H. Turkey Oak. It is my opinion the vast majority of the crown is dead, with sporadic growth on the tree trunk. As this tree leans over the house, the consequences of failure would be severe. Therefore I recommend this removal as well as replanting green space lost.

Mr. Bryant has also asked me to inspect and recommend my opinion on preserving the 40" D.B.H. Live Oak during and after construction. It is my opinion this Live Oak should be fertilized as well as crown pruning and dead wooding. Mr. Bryant is allowing a 7' distance from trunk of tree to be fenced off around tree. I.S.A. recommends one foot of diameter from the trunk for each inch of trunk diameter, as to mitigate this, the house and porch will be built on piers so as not to disturb the majority of the area under canopy and eliminate the need for fill and compaction associated with a torn down slab.

Thank you,

David Tedford



## TOWN OF BLUFFTON

### 2024 BOARD OF ZONING APPEALS

### Meeting and Application Submission Schedule

MEETING DATES	APPLICATION SUBMISSION DATES
January 2, 2024	December 5, 2023
February 6, 2024	January 9, 2024
March 5, 2024	February 6, 2024
April 2, 2024	March 5, 2024
May 7, 2024	April 9, 2024
June 4, 2024	May 7, 2024
July 2, 2024	June 4, 2024
August 6, 2024	July 9, 2024
September 3, 2024	August 6, 2024
October 1, 2024	September 3, 2024
November 5, 2024	October 8, 2024
December 3, 2024	November 5, 2024

MEETINGS WILL BE HELD THE FIRST TUESDAY OF THE MONTH - ONLY WHEN A ZONING APPEAL REQUEST HAS BEEN SUBMITTED.  
MEETINGS WILL BE HELD AT 6:00 P.M.

**Please Note:**

1. For submission requirements and information please consult [www.townofbluffton.sc.gov](http://www.townofbluffton.sc.gov) or phone 843.706.4500.
2. The proper forms and filing fee must accompany all submittals. Incomplete submittals will NOT be accepted.
3. Meetings will be held on scheduled meeting dates unless otherwise advertised with FOIA compliance.
4. All new applications, required revisions and information relative to previously submitted applications must be submitted four (4) weeks prior to the meeting date in order to be placed on the agenda.
5. Cases will be heard only if the applicant/applicant's representative is present.