



COUNTY COUNCIL OF BEAUFORT COUNTY  
**BEAUFORT COUNTY PLANNING DIVISION**

Beaufort County Government Robert Smalls Complex  
Administration Building, 100 Ribaut Road, Room 115  
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228  
Phone: (843) 255-2140 • FAX: (843) 255-9432

PLANNING COMMISSION

Monday, June 6, 2016

6:00 p.m.

Council Chambers, Administration Building  
100 Ribaut Road, Beaufort, South Carolina

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting.

1. COMMISSIONER'S WORKSHOP – 5:30 P.M.  
Planning Office, Room 115, County Administration Building
2. REGULAR MEETING – 6:00 P.M.  
Council Chambers
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MINUTES  
A. May 2, 2016 ([backup](#))
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. LADY'S ISLAND MAP AMENDMENT / REZONING REQUEST FOR R200 010 000 0022 0000 (KNOWN AS GREENHEATH PLANNED UNIT DEVELOPMENT (PUD), 98.35 ACRES OFF BRICKYARD POINT ROAD AND FIDDLER DRIVE) FROM PUD TO LADY'S ISLAND ; OWNER: GREENHEATH LLC, AGENT: DAVID TEDDER, ESQ. ([backup](#))
9. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), TABLE 7.2.30.A (ALLOWABLE MODULATIONS) TO ALLOW AN INCREASE IN MAXIMUM BUILDING HEIGHT FOR STRUCTURES REQUIRED FOR PUBLIC SAFETY REASONS; APPLICANT: BEAUFORT COUNTY ([backup](#))
10. OTHER BUSINESS  
A. Next Meeting – Thursday, July 7, 2016, at 6:00 p.m.
11. ADJOURNMENT





COUNTY COUNCIL OF BEAUFORT COUNTY  
**BEAUFORT COUNTY PLANNING DIVISION**  
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
ADMINISTRATION BUILDING, 100 RIBAUT ROAD  
POST OFFICE DRAWER 1228, BEAUFORT, SOUTH CAROLINA 29901-1228  
Phone: 843-255-2410 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, May 2, 2016, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Robert Semmler, Chairman      Mr. Randolph Stewart, Vice-Chair      Ms. Diane Chmelik  
Ms. Caroline Fermin              Mr. Marque Fireall                      Mr. Ed Pappas  
Mr. Eric Walsnovich

**Members Absent:** Mr. George Johnston, and VACANCY-Northern Beaufort County representative (Mr. Charles Brown)

**Staff Present:**

Mr. Anthony J. Criscitiello, Planning Director  
Mr. Robert Merchant, Long Range Planner  
Mr. Eric Larson, Environmental Engineering Director  
Ms. Barbara Childs, Administrative Assistant to the Planning Director

**CALL TO ORDER:** Chairman Robert Semmler called the meeting to order at approximately 6:05 p.m.

**PLEDGE OF ALLEGIANCE:** Mr. Semmler led those assembled in the Council Chambers with the pledge of allegiance to the flag of the United States of America.

**REVIEW OF MINUTES:** The Commission reviewed the following meeting minutes:

- A. **December 7, 2015:** No discussion occurred. **Motion:** Ms. Diane Chmelik made motion, and Mr. Eric Walsnovich seconded the motion, **to accept the December 7, 2015, minutes as written.** The motion **carried (FOR: Chmelik, Semmler, and Walsnovich; ABSTAIN: Fermin, Fireall, Pappas, and Stewart; ABSENT: Johnston; and VACANCY: Northern Beaufort County representative).**
- B. **March 7, 2016:** No discussion occurred. **Motion:** Mr. Marque Fireall made motion, and Mr. Eric Walsnovich seconded the motion, **to accept the March 7, 2016, minutes as written.** The motion **carried (FOR: Chmelik, Fireall, Semmler, and Walsnovich; ABSTAIN: Fermin, Pappas, and Stewart; ABSENT: Johnston; and VACANCY: Northern Beaufort County representative).**

**CHAIRMAN'S REPORT:**

- **Welcome to New Commissioners:** Mr. Semmler welcomed two new Planning Commissioners--Mr. Ed Pappas, who replaced Mr. Ed Riley, and Ms. Caroline Fermin, who replaced Ms. Carolyn Davis. He noted that the Commission was getting more and more really good people from across the community and Mr. Semmler is happy with that.

- **Other:** Mr. Semmler remarked that people should not lose faith in the Atlanta Braves because they will do better. They are in the basement right now; but, I have faith that by the time of the All-Star break, we will have a much better team.

**PUBLIC COMMENT on non-agenda item:** None were received.

**TEXT AMENDMENTS TO ARTICLES 1, 2, 3, 4, 5, 6, AND 7 OF THE COMMUNITY DEVELOPMENT CODE AS A RESULT OF THE ONE-YEAR REVIEW OF THE CODE ADOPTED DECEMBER 4, 2014; APPLICANT: BEAUFORT COUNTY**

Mr. Semmler noted that when the Community Development Code (CDC) was adopted, a codicil was included where the CDC would be reviewed six months and one year from its adoption. If any changes were found, they would be added to the CDC via the amendment process. He stated that it does not mean that other amendments would not occur in the future. He noted that there were many meeting attendees who wanted to speak on the tree amendment (Article 5) and he would allow them to address that portion last. The remaining amendments would be discussed first.

**Text Amendments to Articles 1, 2, 3, 4, 6, and 7 (excluding Article 5):**

Mr. Robert Merchant briefed the Commissioners on the one-year review of the CDC. He noted that staff suggested the amendments after they had used the CDC. There are several types of amendments:

- Transect zone amendments that included reducing the side yard setbacks in T3-N, and using T4-HCO or T4-NC in the place type overlay section.
- Parking amendments that included allowing 20% parking increase that matches what was in the former zoning and development standards ordinance (ZDSO), and changing the parking requirements for restaurants, banks, and medical offices.
- Sign amendments that included allowing wall signs in S1 and T2 zoning districts and one menu sign per drive-thru order lane.
- Corrections, clarifications, and Provisions from the ZDSO that included planned unit development (PUD) changes, driveway separation standards, manufactured home community density and side yard setback standards, the dedication of right-of-way in thoroughfare design, a community care facility typographical correction, changing the gross density of single family density in the C3 zoning district, setting 100-foot buffers for campgrounds, adding more flexibility for accessory uses and structures/outbuildings in T2-Rural District, and setting stormwater standards for the pond size to be appropriate to the use/expected runoff.
- Definition amendment that allows height flexibility for chimneys, cupolas, and spires.

**Discussion by the Commissioners** included clarification on planned unit development (PUD) minor changes (*Mr. Merchant stated that major changes include increase in the density cap, the addition of commercial uses, or the reduction of open space; minor changes are all items, unless the Staff Review Team (SRT) determines otherwise*); kudos to increasing restaurant parking; a query on driveway setbacks for manufactured housing; clarification of screening buffers for campgrounds; a query regarding accessory uses to store RVs rather than leaving them out in the open (*Mr. Merchant noted that it was at the discretion of the Planning Director for T2-R zoning districts*); and clarification on the PUD changes, especially subparagraph c regarding legacy PUDs getting extensions beyond the buildout schedule and the sunset clause for PUDs.

**Public Comment:** Ms. Sandy Stephen, a Lady's Island resident, is concerned with the grandfathering of PUDs. *(Mr. Semmler noted that PUDs were not grandfathered. Mr. Anthony Criscitiello clarified that a PUD was a designation on the zoning map and that removal of the PUD designation must occur through the rezoning process.)*

**Motion:** Mr. Randolph Stewart made a motion, and Ms. Diane Chmelik seconded the motion, **to recommend approval to County Council on the Text Amendments to Articles 1, 2, 3, 4, 6, and 7 of the Community Development Code (CDC) as a result of the one-year review of the Code adopted December 4, 2014.** The motion **carried (FOR: Chmelik, Fermin, Fireall, Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Johnston; and VACANCY: Northern Beaufort County Representative).**

**Text Amendments to Article 5 - Tree Amendments:**

Mr. Criscitiello noted that the tree amendments included increasing the language for buffers to include no vegetation or tree removal or other construction activities shall occur within the perimeter buffers; adding standards regarding activity such as sidewalks, trails, and other elements associated with passive recreation in perimeter buffers to be approved by the Planning Director; protecting perimeter buffers during construction; including section 5.8.90 reference in the tree protection paragraph; tree removal standards on preservation of existing trees; and tree removal criteria requiring the approval of the Planning Director.

Regarding the tree amendments, Mr. Semmler noted that he had received comments from Mr. Gordon Fritz and Ms. Kate Shaefer of Coastal Conservation League, and had spoken to Ms. Eliza Hill, the landscape architect of the City of Beaufort. Mr. Semmler noted that some of the public believe the tree amendments are not strong enough. There will be many opportunities for further changes. However, stopping these amendments would not be wise.

**Public Comment:**

1. Mr. Joseph Allard, a Lady's Island resident, thinks the amendment is reasonable and would work. It would be what we want for the lowcountry area. There should be more teeth to prevent developers from clearcutting.
2. Ms. Kate Shaefer of the Coastal Conservation League had a handout for the Commissioners. She thanked the Commission for reviewing the amendment. She has spoken to colleagues and municipal personnel regarding this amendment. Having buffers and preserving trees on site are important goals. She has posted the recommendations on her website and garnered over 200 signatures which are part of her handout. She advocates greater consistency with the local municipalities, an emphasis on habitat connectivity between forested and open spaces, and insuring that the fines and incentive system is scaled to the development. The County's tree ordinance should be consistent with the neighboring municipalities. Inconsistencies include when a permit is required; and the standards for a specimen tree, especially in the T3 and T4 zones. She wants to include protection of long-leaf pine and red cedar trees. She advocates connectivity for wildlife habitat. Forest cover should be maintained using Table 5.11.90. Perimeter buffers should also include critical area and waterfront buffers to preserve corridors for wildlife travel. She noted one of the municipalities required a percent of shading of the built environment which is an important ecosystem service that trees provide. She asked for consideration to adjust the language regarding tree removal based on the number and types of trees that

were removed. She offered providing incentive opportunities such as clustering or setbacks, etc. Replacement should be two times the cost of a tree rather than 1.25 times. Penalties for removed trees should increase according to the size removed. On Hilton Head Island, the Zoning Board of Appeals hears requests for removal of large trees. (*Mr. Semmler thanked the Coastal Conservation League for their work and gave kudos to Mr. Reed Armstrong, a League member.*)

3. Mr. Chuck Newton, representing the Sea Island Corridor Coalition, noted that many Coalition members were in the audience tonight. He acknowledged the County's swift action during the Oyster Bluff tree removal incident. By enlarge, he supports the amendments; however, there were missing pieces in the amendment, especially penalties and enforcement. He believes that the recommendations deal minimally and somewhat cautiously regarding penalties. The offender is require to plant back even with a 25% penalty, and that is offensive in light of the build-out of a major development. With D.R. Horton putting 51 homes on the Oyster Bluff property, penalties have to hurt especially since it happened only after the (tree removal) damage is done. The penalties do not protect trees; it only requires the developer to factor in the cost of tree replacement. A 25% penalty is not particularly significant. Send a signal that trees are important. Retaining treed properties should be a priority. Trees are not just a natural source or just a renewable resource, it is a public resource that demands protection, irrespective of property ownership. Stronger tree protection means increasing the staff. He encouraged the use of the Safebuilt application on smartphones to be used to report violations.
4. Mr. Gordon Fritz, a Beaufort resident since 1972, has seen a lot of changes in Beaufort. It's one of the great places to live and retire. He taught school for 10 years. He became a developer and a real estate broker. There's no excuse for poor development. We want good growth. He's hoping that the staff will work toward that. You are the front line defense for preventing the developers from ruining the area. No regulation is too severe or too strict. (*One Commissioner noted that jail time was suggested, but it was not considered.*)
5. Mr. Robert Hendrick, a six-year resident of Beaufort County, owns two homes—one on Dataw and one on Habersham. This county allowed trees to get big. It's not overcrowded. It's disappointing to see the intense development. There's an overstressing on specimen trees. List trees that can be found—i.e., sweetgum, pine (on Dataw)—pines should be in groups to protect them. Reliance on arborists, most big trees are unhealthy (like humans). He stated he would forward his recommendations to the Planning staff.
6. Ms. Sandy Stephen appreciated the after-the-fact effort regarding the tree amendments. She suggested a site review board to consult with staff on large developments to arbitrate the development. Pine trees are a wonderful thing. We need those pine trees. Go thru thinking about specimen trees. Replacement trees should be increased from 2.5-inch.

Commission discussion included utility tree trimming, tree protection support, lots of opportunity for improvement, desired conversation regarding tree banks, and lamenting that entities such as SCDOT and School District having authority to trim trees without discretion,

**Motion:** Mr. Randolph Stewart made a motion, and Mr. Ed Pappas seconded the motion, **to recommend approval to County Council on the Text Amendments to Article 5 of the Community Development Code (CDC) as a result of the one-year review of the Code adopted December 4, 2014. The motion carried (FOR: Chmelik, Fermin, Fireall, Johnston,**

**Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Johnston; and VACANCY: Northern Beaufort County representative).**

*Note: Mr. Semmler recessed the meeting at 7:31 p.m., and resumed at 7:36 p.m.*

**SOUTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING FOR THIRTEEN (13) PROPERTIES TOTALING 39.02 ACRES LOCATED IN THE BLUFFTON AREA BETWEEN ULMER ROAD AND DEVONWOOD DRIVE; APPLICANT: BEAUFORT COUNTY:**

- **From T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); and**
- **From T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000.**

Mr. Robert Merchant briefed the Commissioners on the map amendment. During the six-month review of the CDC, there were two map amendments. This amendment is similar. Staff believes that this amendment should occur. There are several non-residential uses in the area including the Lowcountry Regional Transportation Authority (LRTA), and a concrete plant. The new zoning more closely resembles the past zoning from the Zoning & Development Standards Ordinance (ZDSO). The property of the Bluffton Fire District is also included in the map amendment; the property is split zoned and that would make it difficult for the fire department to develop their property.

**Discussion by the Commissioners** included the Town of Bluffton zoning for the adjoining properties, clarification on the fire station and its fire tower, clarification on what were the adjoining properties, the buffer size, the tower height (*45 feet to train fire personnel, per Bluffton Fire Chief John Thompson*), the non-requirement of lighting the tower, whether mitigation had occurred on the rezoned Fire District property that was heavily forested but clearcutted for the fire maintenance building, the tower being permitted under the ZDSO, residential use being allowed in T2 Rural Center, affirming that Devonwood Drive was a dirt road, disagreeing with the proposed zoning because the Town of Bluffton zoning was different from the proposed County zoning, whether the Town of Bluffton had been notified of the rezoning, the impact of the rezoning on the fire tower construction if the Commission defers their decision until next month (*the Bluffton fire fighters would train at the Lady's Island Airport, per Fire Chief Thompson*), the text amendment regarding height would be heard by the Commission at its June 2016 meeting, clarification on the existing zoning properties, and consistent zoning for fire station split zoned property.

**Public Comment:** None were received.

**Motion:** Mr. Marque Fireall made a motion, and Mr. Ed Pappas seconded the motion, to recommend approval to County Council on the Southern Beaufort County Map Amendment / Rezoning for Thirteen (13) Properties totaling 39.02 acres located in the Bluffton area between Ulmer Road and Devonwood Drive; Applicant: Beaufort County:

- **From T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); and**
- **From T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000.**

The motion carried (**FOR: Chmelik, Fireall, Pappas, and Semmler; AGAINST: Fermin, Stewart, and Walsnovich; ABSENT: Johnston; and VACANCY: Northern Beaufort County representative**).

**OTHER BUSINESS:**

1. **Lady’s Island Community Preservation Committee Nominations:** Mr. Semmler read the brief histories of Mr. Cecil Mitchell and Mr. Paul Butare, who were nominated for membership to fill the two vacancies on the Lady’s Island Community Preservation Committee. No discussion occurred. **Motion:** Mitchell: unanimous. Butare: Unanimous.
2. **Next Meetings:** Mr. Semmler noted that the next Special Planning Commission meeting will be Tuesday, May 10, 2016, at 5:30 p.m.; and the next Planning Commission meeting is scheduled for Monday, June 6, 2016, at 6:00 p.m.

Mr. Stewart acknowledged the presence of Ms. Cameron Heyward as a meeting observer.

**ADJOURNMENT: Motion:** Ms. Caroline Fermin made a motion, and Mr. Ed Pappas seconded the motion, **to adjourn the meeting.** The motion carried (**FOR: Chmelik, Fermin, Fireall, Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Johnston; and VACANCY: Northern Beaufort County representative**). Mr. Semmler adjourned the meeting at approximately 8:09 p.m.

**SUBMITTED BY:**

\_\_\_\_\_  
Barbara Childs, Admin. Assistant to the Planning Director

\_\_\_\_\_  
Robert Semmler, Beaufort County Planning Commission Chairman

**APPROVED: June , 2016, as written**

*Note: The video link of the May 2, 2016, Planning Commission meeting is:  
[http://beaufort.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=2653](http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=2653)*



## MEMORANDUM

**TO:** Beaufort County Planning Commission  
**FROM:** Anthony Criscitiello, Beaufort County Planning Director  
**DATE:** May 31, 2016  
**SUBJECT:** Lady's Island Rezoning Request/ Greenheath Planned Unit Development (PUD) to Lady's Island Community Preservation (LICP)

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### **STAFF REPORT:**

#### **A. BACKGROUND:**

**Case No.** ZMA-2016-04  
**Owner/Applicant:** Greenheath, LLC; David Tedder, Agent for Owner  
**Property Location:** Lady's Island, directly west of Coosa Elementary School, bounded by Brickyard Point Road on the south and Fiddler Drive on the north and west.  
**District/Map/Parcel:** R200 010 000 0022 0000  
**Property Size:** 98.35 acres  
**Future Land Use**  
**Designation:** Neighborhood/Mixed-Use  
**Current Zoning District:** Planned Unit Development (PUD)  
**Proposed Zoning District:** Lady's Island Community Preservation (LICP)

#### **B. SUMMARY OF REQUEST:**

The applicant is proposing to rezone the Greenheath PUD to Lady's Island Community Preservation (LICP). County Council originally approved the Greenheath PUD in 1997, for 313 dwelling units and 25,000 square feet of commercial development on 98.35 acres at a gross density of 3.18 dwelling units per acres (du/ac). After recently pursuing an amendment to the PUD that would have permitted lots fronting Fiddler Drive, the applicant is now proposing to abandon the PUD master plan and rezone the property to the surrounding LICP district, which permits residential development at a gross density of 2 du/ac.

**C. ANALYSIS:** Section 7.3.40 of the Community Development Code states that a zoning map amendment may be approved if the proposed amendment:

- 1. Is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code.***

The Greenheath PUD is designated Neighborhood/Mixed-Use in the Beaufort County Comprehensive Plan. In these areas, residential is the primary use, with some supporting, small-scale commercial development. The LICP zoning district was created to recognize existing residential neighborhoods on Lady's Island, and to promote new and infill development with a similar density and character. The proposal is consistent with this purpose.

**2. *Is not in conflict with any provision of this Development Code, or the Code of Ordinances.***

The proposal does not conflict with the CDC or Code of Ordinances.

**3. *Addresses a demonstrated community need.***

The proposal does not address a demonstrated community need.

**4. *Is required by changing conditions.***

The proposal is not required by changing conditions.

**5. *Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land.***

The property is surrounded by single-family residential development zoned LICP and is adjacent to an elementary school (Coosa) to the east. The LICP district is appropriate for this site.

**6. *Would not adversely impact nearby lands.***

Rezoning this property to LICP will ensure that future development is similar in density and character as other residential neighborhoods in this portion of Lady's Island.

**7. *Would result in a logical and orderly development pattern.***

See item 6 above.

**8. *Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.***

The Greenheath PUD included 23.7% open space (23.3 acres) versus a 20% open space requirement in the LICP district (19.7 acres). No adverse impacts on the environment are anticipated from this rezoning action.

**9. *Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, storm water management, solid waste collection and disposal, schools, parks, police, and fire and emergency facilities)***

The proposed rezoning will result in a substantive reduction in the number of dwellings that can be built on this property (313 units under the PUD, and roughly 200 units under LICP), thereby reducing impacts to public facilities compared to the existing PUD.

**D. STAFF RECOMMENDATION:**

After review of the guidelines set forth in Section 7.3.40 of the Community Development Code, staff recommends **Approval** of the requested Zoning Map Amendment.

#### **E. METROPOLITAN PLANNING COMMISSION RECOMMENDATION:**

On March 21, 2016, the Metropolitan Planning Commission met to review the map amendment/rezoning request for the Greenheath Planned Unit Development (PUD) to Lady's Island Community Preservation (LICP) District. Present were: Chairman Joe DeVito, Commissioners James Crower, Robert Semmler, Bill Harris, and Tim Rentz. Absent: Commissioner George Johnston.

Also present were Anthony Criscitiello, Beaufort County Planning Director; and Lauren Kelly and Libby Anderson, City of Beaufort planners.

**Anthony Criscitiello**, Beaufort County Planning Director, said Greenheath is a 98.35-acre parcel located off of Brickyard Point Road and Fiddler Drive. It's currently zoned PUD, and the applicant is proposing to rezone it to Lady's Island Community Preservation (LICP). This would reduce density from 3.18 dwelling units per acre to 2 dwelling units per acre. LICP is primarily a residential district. Mr. Criscitiello said county staff recommends approval because this application is consistent with the Comprehensive Plan and is not in conflict with the community development code. The property is surrounded by single-family residential and is adjacent to an elementary school, he said. It requires approximately the same amount of open space as it does as a PUD. The impact on needed public facilities will be reduced because of the reduced number of dwelling units.

Chairman DeVito said in item 3 in the report, Mr. Criscitiello had said it does not "address a demonstrated community need," but Chairman DeVito feels it does. Mr. Criscitiello said, "It's a matter of interpretation of what that means," and he explained his interpretation, which was more literal as to need.

Commissioner Harris asked if the new zoning allows other types besides single-family residential, and Mr. Criscitiello said it is "segregated into different zones" that are more office- or commercial-oriented, but it's primarily residential.

Commissioner Crower asked if it would be one parcel when it was rezoned, and any subdivisions or roads shown in the PUD documents would be null and void. Mr. Criscitiello said yes, it's just one parcel; the master plan for the PUD "goes away entirely." No roads are designated at this time. Once the MPC and the Planning Commission recommend zoning, staff would make such determinations, he said. Commissioner Crower asked if the same were true of commercial; Mr. Criscitiello said home occupations "and things of that nature" would be allowed, but it's being zoned "primarily residential . . . Other districts that are in the CP plan are in other locations that are primarily commercial." Commissioner Crower asked if the community preservation district has sub-districts; Mr. Criscitiello said yes, "in other locations," and pointed it out on the map.

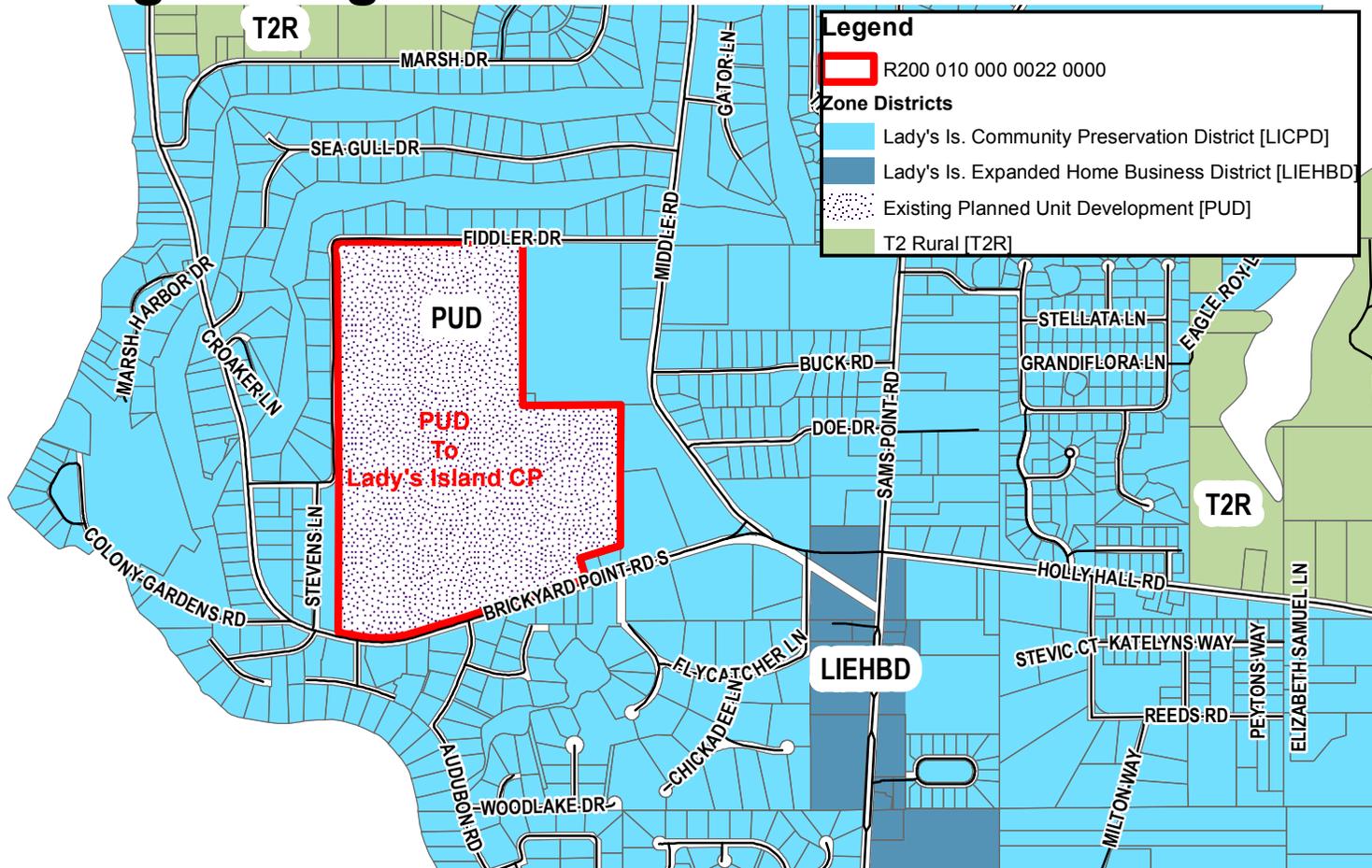
**Christopher Inglese**, an attorney in **David Tedder's** office, said, "We concur with staff's report." He said the applicant had wanted the zoning that was best for this development.

**Motion: Commissioner Semmler made a motion, seconded by Commissioner Crower, to recommend approval of the map amendment / rezoning request. The motion passed unanimously.**

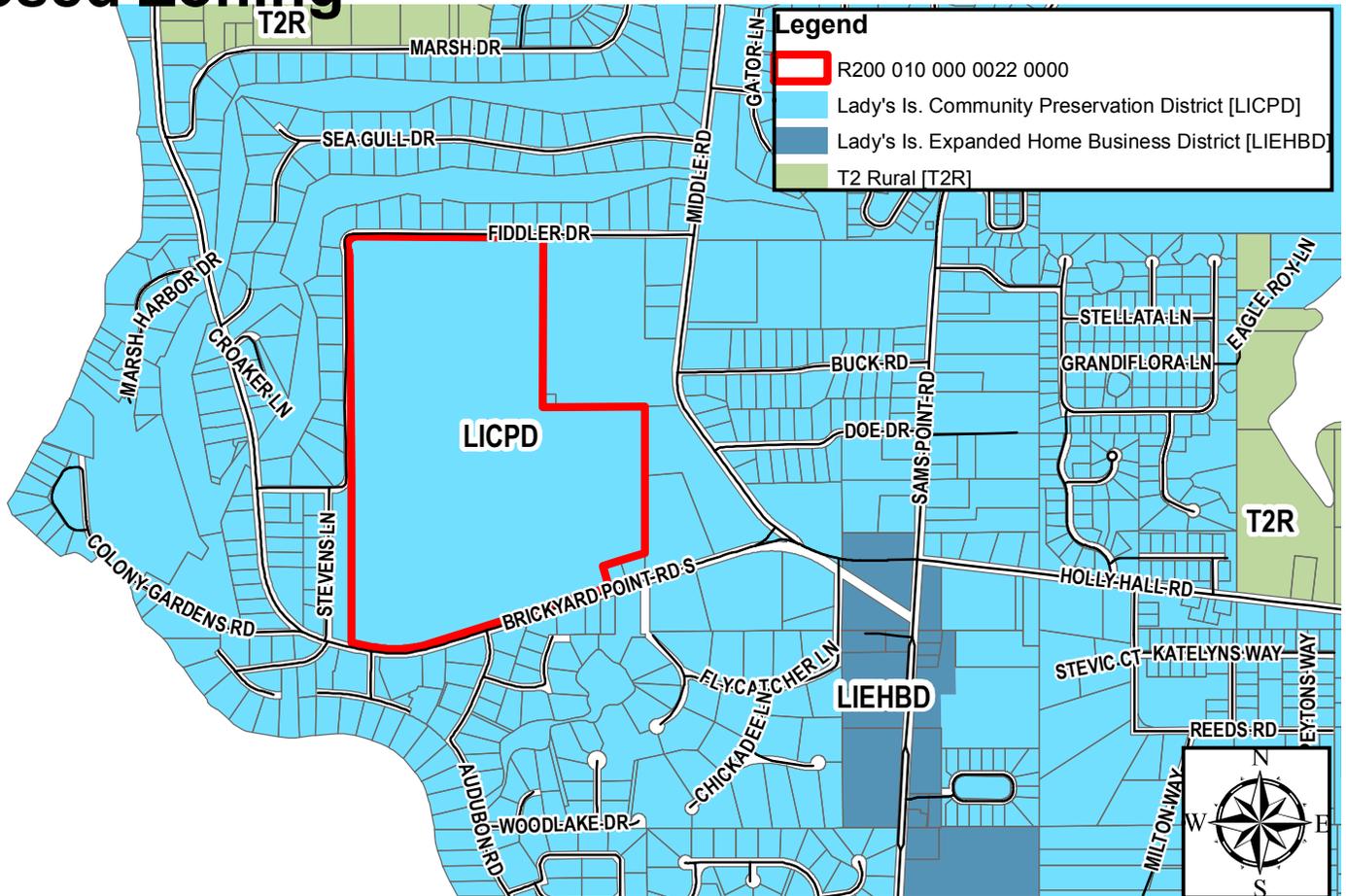
**F. ATTACHMENTS:**

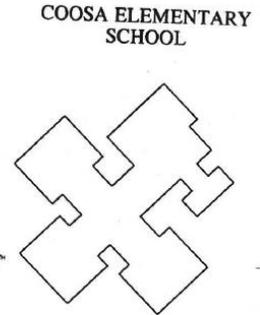
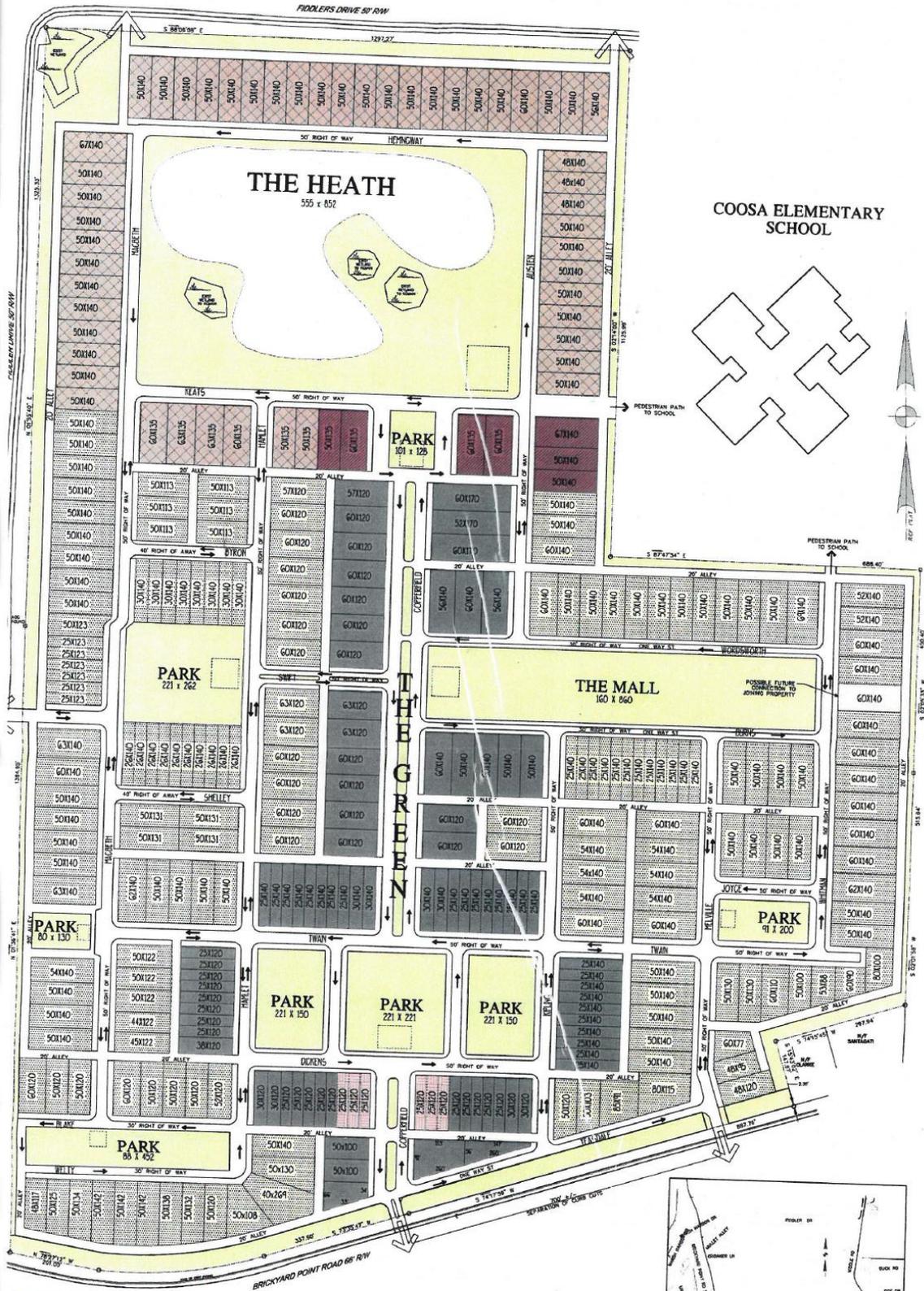
- Zoning Map (existing and proposed)
- Greenheath PUD Master Plan
- Application

# Existing Zoning



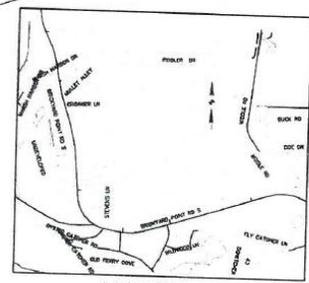
# Proposed Zoning





# Existing GREENHEATH Master Plan

■ THE HEATH  
 ■ VILLAGE GENERAL  
 ■ THE GREEN  
 ■ COMMERCIAL ONLY  
 ■ COMMUNITY COMMERCIAL  
 ■ POSSIBLE CIVIC SITES  
 DWELLING UNITS: 313  
 COMMERCIAL: 25,000 sq. ft.  
 TOTAL ACREAGE: 98.35



**ALLISON RAMSEY**  
**ARCHITECTS** Inc.  
Members of the American Institute of Architects



**COUNTY COUNCIL OF BEAUFORT COUNTY  
BEAUFORT COUNTY PLANNING DIVISION**

Beaufort County Government Robert Smalls Complex  
Physical: County Administration Building, 100 Ribaut Road, Room 115  
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228  
Phone: 843-255-2140 / FAX: 843-9432

May 4, 2016

**RE: Notice of Public Meetings to Consider a Lady's Island Map Amendment/Rezoning Request for R200 010 000 0022 0000 (known as Greenheath Planned Unit Development (PUD) off Brickyard Point Road and Fiddler Drive) from PUD to Lady's Island Community Preservation (LICP) District; Owner: Greenheath LLC / Applicant: Fred G. Trask / Agent: David L. Tedder, Esq.**

Dear Property Owner:

In accordance with the Beaufort County Community Development Code (CDC), Section 7.4.50, a public hearing is required by the Beaufort County Planning Commission and the Beaufort County Council before a map amendment/rezoning request can be adopted. You are invited to attend the following meetings and public hearings to provide comments on the subject proposed map amendment of the parcel known as Greenheath PUD.

1. The Metropolitan Planning Commission: **Monday, May 16, 2016**, at 5:30 p.m. at the City of Beaufort Council Chambers, 1911 Boundary Street, Beaufort, SC 29902.
2. The Beaufort County Planning Commission (public hearing): **Monday, June 6, 2016**, at 6:00 p.m. in the County Council Chambers, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
3. The Natural Resources Committee of the County Council: **Tuesday, June 21, 2016**, at 2:00 p.m. in the Executive Conference Room, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
4. Beaufort County Council usually meets second and fourth Mondays at 6:00 p.m. in the County Council Chambers of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC. County Council must meet three times prior to making a final decision on this case. Please contact the County Planning Department for specific dates, times, and locations.

Documents related to the proposed amendment are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, in the Beaufort County Planning Department office located in Room 115 of the Beaufort County Administration Building. If you have any questions regarding this case, please contact the Planning Department at (843) 255-2140.

Sincerely,

Delores Frazier  
Assistant Planning Director

Attachment: Map of R200 010 000 0022 0000 (current and proposed zonings)

**PROPERTY OWNERS NOTIFIED OF MAP AMENDMENT/REZONING REQUEST FOR R200 010 000 0022 0000**

(known as Greenheath PUD) from Planned Unit Development to Lady's Island Community Preservation (LICP) District

PIN	Owner1	MailingAdd	City	State	ZIP
R200 10 0076	ACKERMAN JEFFERSON P & KIMBROUGH Z	5 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10A 0123	AMELLY ALFREDO & JOMARIS	42 MIDDLE ROAD	BEAUFORT	SC	29907
R200 10A 0143	AMELY ERIC J SR MARISEL	34 MIDDLE ROAD	BEAUFORT	SC	29907
R200 10E 0087	ANDREAS LINDSEY L	16 FIDDLER DRIVE	LADYS ISLAND	SC	29907
R200 10 038A	ARAND DONNA WHITE	53 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 038D	BALE BRYAN	POST OFFICE BOX 1143	BEAUFORT	SC	29901
R200 10E 0098	BANK LAWRENCE & GLENDA J.	38 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 0324	BEAUFORT COUNTY SCHOOL DIST	POST OFFICE DRAWER 309	BEAUFORT	SC	29901-0309
R200 10 0335	BEAUFORT JASPER WATER & SEWER AUTHORITY	6 SNAKE ROAD	OKATIE	SC	29909
R200 10E 0063	BOSLEY JEFF E & KATHRYN L.	41 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10E 0095	BOWERSOX GREGORY S & TRACY M	32 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0060	CANADAY CHRIS K STACEY P	55 MILLER DRIVE EAST	BEAUFORT	SC	29907-2636
R200 10E 0094	CARRICK MATTHEW R BRENDA E	30 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 0371	CARRINGTON ETHEL P ETAL	156 BRICKYARD POINT. ROAD	BEAUFORT	SC	29907-9806
R200 10 0057	CARROLL L CROWTHER REVOC TRUST	18 OLD FERRY ROAD	BEAUFORT	SC	29907
R200 10 0073	CARTER ALBERT H LASHWAN R	8 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10E 0103	CLARE M PATRICK ELEANOR M	48 FIDDLER DRIVE	BEAUFORT	SC	29907-1316
R200 10 72 & 365	CLARKE MARSHALEE ELIZABETH	6 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10E 0090	CONFARE ROBERT P CARRIE J	22 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 0166	COOK MARIAN A	16 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10 0040	COUNTRY CLUB BLUFF LAKE ASSOCIATION	POST OFFICE BOX 507	BEAUFORT	SC	29901
R200 10 040E	CROWTHER CARROLL L TRUSTEE	18 OLD FERRY COVE	BEAUFORT	SC	29907
R200 10E 0058	DAVIS JACKSON C	3 CROAKER LANE	BEAUFORT	SC	29907
R200 10A 0124	DEAL RANDY L ROSE M	38 MIDDLE ROAD	BEAUFORT	SC	29907
R200 10 0160	EDMONDS MICHAEL P KAREN M	4 WILDWOOD LANE	LADYS IS	SC	29907-9335
R200 10E 0071	FEARN BARBARA J	17 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10E 0093	FOSTER KENNETH A & LYNDA S	28 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0104	FUNK RODNEY A	105 WEST WIND DR LAKE REDWING PLANTATION	NEWMAN	GA	30263-6637
R200 10 0303	GOERTZ WILMA L	164 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907-9804
R200 10 36A & 458	GRACE GENE W	509 NORTH STREET	BEAUFORT	SC	29902
R200 10 021C	GRAVES MICHAEL EDWARD & WILLIAMS GEORGE STEPHEN	77 TUSCARORA AVENUE	BEAUFORT	SC	29907
R200 10 0022	GREEN HEATH LLC	POST OFFICE BOX 1256	BEAUFORT	SC	29901
R200 10E 0107	GRICE JOSEPH MICHELLE ET AL	182 BRICKYAROAD POINT ROAD	BEAUFORT	SC	29907
R200 10 038E	HAMILTON K PAIGE	2244 PALMWOOD DRIVE UNIT B	DUNEDIN	FL	34698
R200 10 0161	HAMM WILLIAM E Jr & CHERYL JEAN	6 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10 038I	HARDEE MARY G TYLER	7 STEVENS LANE	BEAUFORT	SC	29907-9339
R200 10 0326	HARLIN CLAYTON T Jr & ASHLEY J	14 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10 022D	HARRELL RYAN J	54 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10 0304	HASKELL CHRISTOPHER F	160 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907

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 (known as Greenheath PUD) from Planned Unit Development to Lady's Island Community Preservation (LICP) District

PIN	Owner1	MailingAdd	City	State	ZIP
R200 10E 0096	HAYDEN JAMES D	34 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0073	HEFT STEPHEN M & CATHERINE	11866 ISLAND LAKES LANE	BOCA RATON	FL	33498
R200 10 0069	HETRICK JOHN RICHARD RUTH ANN	20 OLD FERRY COVE	BEAUFORT	SC	29907
R200 10E 0084	HIEMAND JOHANNES HELENA	10 FIDDLER DRIVE	LADYS ISLAND	SC	29907
R200 10 62	HOLTZCLAW MICHELLE & JAMES	2 OYSTER CATCHER ROAD	BEAUFORT	SC	29907
R200 10 36H	HOLTZCLAW MICHELLE B & JAMES A	5948 CROOKER CREEK DRIVE	MANASSAS	VA	20112
R200 10 021K	HUGHES EMILY	55 MIDDLE ROAD	BEAUFORT	SC	29907
R200 10E 0068	HYATT FRED KATHLEEN	27 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10A 0144	JACKSON ELIZABETH ANNE	24 DOE DRIVE	BEAUFORT	SC	29907
R200 10 0071	JANKE JIMMIE E BETTY D	4 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10E 0067	JOHNSON G DENISE	29 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 038C	JUDSON LINDA C / RAINO FRANCIS NICOLE	156 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10E 0100	KAMPPI JAMES J VICTORIA A	42 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0065	KIMBLE KENNETH E TONI K	33 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10E 0102	KREBS JOSEPH P SHELLEY R	46 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 0159	KUHN H FRED SR EMMA JEAN	POST OFFICE BOX 432	BEAUFORT	SC	29907-0432
R200 10 0039	LADY'S ISLAND BAPTIST CHURCH	POST OFFICE BOX 284	BEAUFORT	SC	29901
R200 10 0267	LADY'S ISLAND FIRE DISTRICT ST HELEN	237 SEA ISLAND PARKWAY	BEAUFORT	SC	29907-1535
R200 10D 0143	LADY'S ISLAND LLC	139 FRANCIS MARION CIRCLE	BEAUFORT	SC	29907
R200 10 0167	LASHLEY EUGENE K	21 FLYCATCHER LANE	BEAUFORT	SC	29907
R200 10 021F	LASHLEY GREGORY A DORIS M	55 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10E 0061	LAVIGNE BENOIT SALLY SUE SOLLIDAY J	47 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 0155	LEON DONNATO & ANTIONETTE D	17 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10 022A	MADERA KATTY MABELL	71 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10 0066	MAJANOJA LP	10 OLD FERRY COVE	BEAUFORT	SC	29902
R200 10 038J	MARLOWE FAMILY LIVING TRUST	305 MARLOWE LANE	LYMAN	SC	29365
R200 10 0360	MARTIN JOHN W III MARY J	10 OLD FERRY COVE	BEAUFORT	SC	29902
R200 10 036I	MARTIN MARY JANE M	10 OLD FERRY COVE	BEAUFORT	SC	29907
R200 10E 0086	MARTIN TONYA R	14 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0106	MCGARRY MARK THOMAS ROBIN D	170 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10 040B	MESSICK ANDREW S AUDRONE G	2937 PALM BEACH BOULEVARD	FORT MYERS	FL	33916
R200 10E 0066	MITCHELL TERRY ALLAN DEBORAH RUTH	31 SEA GULL DRIVE	BEAUFORT	SC	29907 1315
R200 10E 0089	MOLZER EUGENE JR	4 TUCKER AVENUE	LADYS ISLAND	SC	29907-1628
R200 10 0156	MOORE JOHN STEPHEN & NORMAN-MOORE ROSE MARIE	15 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10 0075	MUJICA OSVALDO L NORIS S	3 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10E 0064	MUTH ERIC V & DEBORA K.	35 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 0068	NEIKIRK RICHARD P VIANN	505 WOLCOTT AVENUE	MIDDLETOWN	RI	02842-5947
R200 10 0163	NELSON DAVID T Jr / TONYA E	10 WILDWOOD LANE	BEAUFORT	SC	29907
R200 10E 0092	OUNKHAM SOUTSANASOUVANNARATH	26 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 0158	PICARO VITO J	11 WILDWOOD LANE	BEAUFORT	SC	29907

**PROPERTY OWNERS NOTIFIED OF MAP AMENDMENT/REZONING REQUEST FOR R200 010 000 0022 0000**

(known as Greenheath PUD) from Planned Unit Development to Lady's Island Community Preservation (LICP) District

PIN	Owner1	MailingAdd	City	State	ZIP
R200 10E 0088	PIERCE RICHARD E LINDA G	18 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0057	PIZNIKE KARL M MARILYNN E	4 CROAKER LANE	BEAUFORT	SC	29907
R200 10E 0072	PORTER SCOTT RICHARD JAMEY S	15 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 0055	POWELL WILLIAM B AUDRA L	198 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10 0231	PRESCOTT ROBERT MITCHELL VICKI DREW	14 FLYCATCHER LANE	BEAUFORT	SC	29907
R200 10E 0097	RAIFF MICHAEL E & NICOLE A	5462 STAFFORD CIRCLE	PACE	FL	32571-6839
R200 10 0070	RASMUSSEN BIRGER K & NANCY A	2 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10A 0162	RHOTEN WILLIAM B DONNA K	208 GREEN WINGED TEAL DRIVE S.	BEAUFORT	SC	29907-1053
R200 10 0246	RICE WILLIAM M JACQUELINE M	17 FLYCATCHER LANE	BEAUFORT	SC	29907
R200 10 0074	RICHARD R THOMAS & DEBORAH	1 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10 0308	RODOLFO MAGLIO REVOCABLE LIVING TRUS	1080 CREST ROAD	GREEN OAKS	IL	60048
R200 10 022E	SANTAGATI ELIZABETH A & TIFFANY	52 BIRCKYAROAD POINT ROAD	BEAUFORT	SC	29907
R200 10E 0062	SANTALOCI MARK JOSEPH & MARGARET JETTON	45 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 40C & 67	SCHREINER SARAH B	14 OLD FERRY COVE	BEAUFORT	SC	29907
R200 10E 0069	SHAFFER LARRY RICHARD & JENNIFER D	25 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 0061	SMITH ANDREA LYNN	4 OYSTER CATCHER ROAD	BEAUFORT	SC	29907
R200 10E 0085	SOBIECH ROMAN J ANNA M	19 WADE HAMPTON DRIVE.	BEAUFORT	SC	29907
R200 10E 0099	SOMMERVILLE BRENDA S	40 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10A 0122	SOUTHERN FAMILY HOMES OF SAVANNAH IN	POST OFFICE BOX 115475	SAVANNAH	GA	31416
R200 10E 0070	STERN RICHARD A DEBORAH L	273 BELMONT PLACE	MAHWAH	NJ	07430-3269
R200 10 038F	STEVENS LEILA TYLER A/K/A LEILA T ST	144 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 100 38K & 38M	STEVENS MYRA REGINA	138 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10 038N	STEVENS PATRICIA J N/K/A PATRICIA S	5848 BEDRIVEOCK DRIVE	PLANO	TX	75093
R200 10 038L	STEVENS RAY T HUNTING ISLAND STATE P	1888 SEA ISLAND PARKWAY	ST HELENA ISLAND	SC	29920-4827
R200 10E 0101	THOMAS GARY G RUTH A	44 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 022B	TOENNIESSEN CARL WM JR PATRICIA J	67 BRICKYAROAD POINT ROAD S.	BEAUFORT	SC	29907
R200 10E 0083	UTSMAN JOHN A & ANN L.	8 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10E 0155	WALLING JEREMY L & PAIGE S	180 BRICKYAROAD POINT ROAD	BEAUFORT	SC	29907
R200 10E 0105	WEARE ANTHONY	3311 CREEKVIEW WAY	EDEN	MD	21822
R200 10E 0091	WHITE MARIE M	24 FIDDLER DRIVE	BEAUFORT	SC	29907
R200 10 021H	WILLIAMS GEORGE STEPHEN	1455 CRICKET HOLLOW LANE	JACKSONVILLE	FL	32259
R200 10 040D	WILSON JAMES F JR DOROTHY K	16 OLD FERRY COVE	BEAUFORT	SC	29907
R200 10E 0074	WISOR RICHARD	9 SEA GULL DRIVE	BEAUFORT	SC	29907
R200 10 0077	WITKOFSKY WALTER L CAROLYN A	7 AUDUBON ROAD	BEAUFORT	SC	29907
R200 10 0157	ZENTNER KENNETH E VALERIE H	13 WILDWOOD LANE	BEAUFORT	SC	29907

AMENDED

BEAUFORT COUNTY, SOUTH CAROLINA  
PROPOSED COMMUNITY DEVELOPMENT CODE (CDC)  
ZONING MAP OR TEXT AMENDMENT / PUD MASTER PLAN CHANGE APPLICATION

TO: Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning/Development Standards Ordinance (ZDSO) be amended as described below:

- This is a request for a change in the (check as appropriate): ( ) PUD Master Plan Change  
( ) Zoning Map Designation/Rezoning ( ) Community Development Code Text
- Give exact information to locate the property for which you propose a change:  
Tax District Number: 200, Tax Map Number: 010, Parcel Number(s): 6022  
Size of subject property: 98 acres Square Feet / (Acres) (circle one)  
Location: Lady's Island - Fiddler Drive - near Coosaw Elementary School
- How is this property presently zoned? (Check as appropriate)  
( ) T4NC Neighborhood Center ( ) T2RC Rural Center ( ) C3 Neighborhood Mixed Use  
( ) T4HC Hamlet Center ( ) T2RN Rural Neighborhood ( ) C4 Community Center Mixed Use  
( ) T4HCO Hamlet Center ( ) T2RNO Rural Neighborhood Open ( ) C5 Regional Center Mixed Use  
( ) T4VC Village Center ( ) T2R Rural ( ) S1 Industrial  
( ) T3N Neighborhood ( ) T1 Natural Preserve (  ) Planned Unit Development/PUD  
( ) T3HN Hamlet Neighborhood ( ) Community Preservation (name) Green Heath  
( ) T3E Edge (specify) \_\_\_\_\_
- What new zoning do you propose for this property? LIEP  
(Under Item 9 explain the reason(s) for your rezoning request.)
- Do you own all of the property proposed for this zoning change? (  ) Yes ( ) No  
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.
- If this request involves a proposed change in the Community Development Code text, the section(s) affected are: n/a  
(Under Item 9 explain the proposed text change and reasons for the change.)
- Is this property subject to an Overlay District? Check those which may apply:  
( ) MCAS-AO Airport Overlay District/MCAS ( ) MD Military Overlay District  
( ) BC-AO Airport Overlay District/Beaufort County ( ) RQ River Quality Overlay District  
( ) CPO Cultural Protection ( ) TDR Transfer of Development Rights  
( ) CFV Commercial Fishing Village
- The following sections of the Community Development Code (CDC) (see attached sheets) should be addressed by the applicant and attached to this application form:  
a. Division 7.3.20 and 7.3.30, Comprehensive Plan Amendments and Text Amendments.  
b. Division 7.3.40, Zoning map amendments (rezoning).  
c. Division 1.6.60, Planned Unit Developments (PUDs) Approved Prior to Dec. 8, 2014  
d. Division 6.3, Traffic Impact Analysis (for PUDs)

RECEIVED  
APR 18 2016  
PLANNING DIVISION

ZMA

9. Explanation (continue on separate sheet if needed): After pursuing an Amendment to the Greenheath PUD, applicant heard from the community, staff and the MPC that LCP would be the best zoning for this parcel.

**It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proof for the proposed amendment rests with the owner.**

Fred G. Trask 4/18/16  
Signature of Owner (see Item 5 on page 1 of 1) Date  
Printed Name: Fred G. Trask Telephone Number: 843-521-4222  
David L. Tedder, PA  
Address: 604-A Bladen St., Beaufort, SC 29902  
Email: Susan@tedderlawoffice.com

Agent (Name/Address/Phone/email): David L. Tedder, 604-A Bladen St., Beaufort, SC 29902  
dave@tedderlawoffice.com

**UPON RECEIPT OF APPLICATIONS, THE STAFF HAS THREE (3) WORK DAYS TO REVIEW ALL APPLICATIONS FOR COMPLETENESS. THE COMPLETED APPLICATIONS WILL BE REVIEWED FIRST BY THE BEAUFORT COUNTY PLANNING COMMISSION SUBCOMMITTEE RESPONSIBLE FOR THE AREA WHERE YOUR PROPERTY IS LOCATED. MEETING SCHEDULES ARE LISTED ON THE APPLICATION PROCESS (ATTACHED). COMPLETE APPLICATIONS MUST BE SUBMITTED BY NOON THREE WORKING DAYS AND FOUR (4) WEEKS PRIOR FOR PLANNED UNIT DEVELOPMENTS (PUDs) OR THREE (3) WEEKS PRIOR FOR NON-PUD APPLICATIONS TO THE APPLICABLE PLANNING COMMISSION MEETING DATE.**

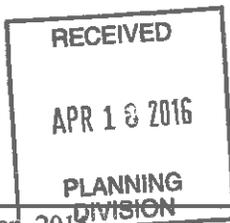
PLANNED UNIT DEVELOPMENT (PUD) APPLICANTS ARE REQUIRED TO SUBMIT FIFTEEN (15) COPIES TO THE PLANNING DEPARTMENT. CONSULT THE APPLICABLE STAFF PLANNER FOR DETAILS.

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN DIV. 7.4.50 OF THE COMMUNITY DEVELOPMENT CODE.

**CONTACT THE PLANNING DEPARTMENT AT (843) 255-2140 FOR EXACT APPLICATION FEES.**

**FOR PLANNING DEPARTMENT USE ONLY:**

Date Application Received:  
(place received stamp below)



Date Posting Notice Issued:

Application Fee Amount Received:

Receipt No. for Application Fee:

WAIVED by Anthony Criscitello,  
N/A Planning Director



## MEMORANDUM

**To:** Beaufort County Planning Commission  
**From:** Anthony J. Criscitiello, Planning & Development Director  
**Date:** June 6, 2016  
**Subject:** Proposed Amendment to the Beaufort County Community Development Code (CDC), Table 7.2.30.A (Allowable Modulations)

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**CDC Section(s)** – Article 7 (Procedures); Division 7.2 (Application Specific Review Procedures); Section 7.2.

**Summary of Proposed Amendments** – The proposed amendment would allow a modulation of the maximum building height when the Director deems that the modulation is necessary to accommodate a structure required for public safety purposes.

**Source of Proposed Amendments** – Beaufort County Planning Staff.

**Justification** – The Bluffton Fire District submitted an application for a development permit that included is a fire training tower to be located next to Station #30 on Burnt Church Road. The prepackaged structure would allow personnel to train in essential fire fighting functions under controlled conditions. The 3 ½ story tower, however, exceeded the maximum 2 ½ story building height permitted in the district. Staff was generally supportive of the proposed tower since it would serve a clear public safety purpose; however, staff had no provision in the code to modulate the maximum building height. The proposed amendment would restrict any modulation of building height to structures that serve a public safety function. This restriction would limit the effect of this amendment to very limited circumstances that may include such structures as fire towers and air traffic control towers.

**Proposed Amendment:** (proposed deletions to the text are shown as ~~strike-through~~ and proposed additions to the text are underlined. **All proposed changes are highlighted.**)

**Table 7.2.30.A: Allowable Modulations (continued)**

Modulation	Required Findings	Maximum Modulation
<b>Building Form</b>		
Building Height: An increase in the maximum building height.	Modulation is necessary to accommodate a structure required for public safety purposes.	Minimum increase necessary
<b>Landscaping</b>		
Landscape Plan: Deviation from landscaping standards in Division 5.8 (Landscaping, Buffers, and Screening Standards), including: <ul style="list-style-type: none"> <li>• An adjustment to planting locations.</li> <li>• A reduction in the count, spacing, or species diversity standards.</li> </ul>	The site or development conditions make compliance with the standards impossible or impractical.	Minimum necessary
Location of tree islands and ratio of parking spaces to tree islands. See Section 5.8.80.B.3.	Modulation is necessary to save and protect existing trees and provide context-based flexibility in design.	12 spaces in a row without a tree island
<b>Architectural Standards</b>		
Application of an architectural style not provided for in Division 5.3 (Architectural Standards and Guidelines).	<p>Architectural style is found within Beaufort County or other adjacent Lowcountry counties;</p> <p>Documentation in the form of photographs and/or architectural drawings of existing precedents are provided to staff for review; and</p> <p>The submitted building plans are in compliance with the proposed architectural style.</p>	Allowed

<sup>1</sup> Requirement for a Private Frontage shall still apply, and any modulation shall not preclude the use of a Private Frontage.