

TOWN OF HILTON HEAD ISLAND
Board of Zoning Appeals
Minutes of the Monday, June 24, 2013 Meeting
2:30p.m. - Benjamin M. Racusin Council Chambers **Approved**

Board Members Present: Chairman Roger DeCaigny, Vice Chairman Peter Kristian,
Alan Brenner, Michael Lawrence and Glenn Stanford

Board Members Absent: Irv Campbell and Stephen Murphy

Council Members Present: Mayor Drew Laughlin

Town Staff Present: Nicole Dixon, Senior Planner & Board Coordinator
Heather Colin, Development Review Administrator
Kathleen Carlin, Secretary

- 1. Call to Order**
Chairman DeCaigny called the meeting to order at 2:30p.m.
- 2. Roll Call**
- 3. Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.
- 4. Introduction to Board Procedures**
Chairman DeCaigny stated the Board's procedures for conducting the business meeting.
- 5. Approval of the Agenda**
Vice Chairman Kristian made a **motion** to **approve** the agenda as presented. Mr. Stanford **seconded** the motion and the motion **passed** with a vote of 5-0-0.
- 6. Approval of the Minutes**
Mr. Stanford made a **motion** to **approve** the minutes of the April 22, 2013 meeting as presented. Vice Chairman Kristian **seconded** the motion and the motion **passed** with a vote of 5-0-0.
- 7. Presentation of the Crystal Award to outgoing members, Mr. Roger DeCaigny and Mr. Alan Brenner**

Mayor Drew Laughlin presented the Town's Crystal award to outgoing members, Mr. Roger DeCaigny and Mr. Alan Brenner. Mayor Laughlin stated his appreciation to Mr.

DeCaigny and to Mr. Brenner for providing six years of excellent service to the Board of Zoning Appeals and to the community. A Farewell Reception was held in Council Chambers for Mr. DeCaigny and Mr. Brenner following the meeting.

8. Unfinished Business

None

**9. New Business
Public Hearing**

SER130001: Request for Special Exception for an Eating Establishment with a Drive-thru in the Commercial Center (CC) Zoning District. Ernest Marchetti, on behalf of Karen Watson, is proposing to construct a Zaxby's restaurant. The property is located at 4 Marina Side Drive, and is further identified as Parcel 166 on Beaufort County Tax Map 11. Chairman DeCaigny introduced the application and opened the public hearing. Chairman DeCaigny then requested that the staff make their presentation.

Ms. Nicole Dixon made the presentation on behalf of staff. The staff recommended that the Board of Zoning Appeals *approve* the application based on the Findings of Fact and Conclusions of Law contained in the staff's report.

Ms. Dixon presented an in-depth overhead review of the application including a vicinity map and a conceptual site plan. The applicant is proposing to construct a Zaxby's drive-thru restaurant on the undeveloped property located at 4 Marina Side Drive.

On June 7, 2011, Town Council approved the rezoning of the property from OL (Office Institutional Low Density) to CC to allow for commercial uses on the property. The property is surrounded by the Verizon Wireless business to the south, a self-storage facility to the west, Christ Lutheran Church and a gas station/convenience store across William Hilton Parkway to the east and a restaurant to the north. Ms. Dixon presented a brief review of the Findings of Fact and Conclusions of Law.

At the completion of staff's presentation, Chairman DeCaigny requested that the applicant make his presentation.

Mr. Ernest Marchetti presented statements in support of the application. The Board and the applicant discussed the application including the criteria for granting a Special Exception. At completion of the applicant's presentation, Chairman DeCaigny requested public comments and none were received. Chairman DeCaigny then stated that the public hearing for the application is closed.

The Board discussed the application including the Findings of Fact and Conclusions of Law. Following this discussion, Chairman DeCaigny requested that a motion be made.

Mr. Stanford made a **motion** to **approve** SER130001 based on the Findings of Fact and Conclusions of Law contained in the staff's report. Vice Chairman Kristian **seconded** the motion and the motion **passed** with a vote of 5-0-0.

10. Board Business

Nomination and Election of Officers for July 1, 2013 – June 30, 2014

Mr. Lawrence made a **motion** to **elect** Mr. Peter Kristian to serve as Chairman for the July 1, 2013 – June 30, 2014 term. Mr. Brenner **seconded** the motion. Mr. Kristian **accepted** the nomination to serve as Chairman, and there were no additional nominations for the office. The vote to elect Mr. Kristian as Chairman **passed** 5-0-0.

Mr. Brenner then made a **motion** to **elect** Mr. Glenn Stanford to serve as Vice Chairman for the July 1, 2013 – June 30, 2014 term. Mr. Kristian **seconded** the motion. Mr. Stanford **accepted** the nomination to serve as Vice Chairman, and there were no additional nominations for the office. The vote to elect Mr. Stanford as Vice Chairman **passed** 5-0-0.

Mr. Kristian made a **motion** to **elect** Ms. Kathleen Carlin to serve as Secretary for the July 1, 2013 – June 30, 2014 term. Mr. Stanford **seconded** the motion and the motion **passed** with a vote of 5-0-0.

11. Staff Report

A) Waiver Report - Ms. Nicole Dixon presented the Waiver Report on behalf of staff.

B) Board Training – Floodplain Training was presented by Mr. Richard Spruce and an overview of the CRS Program was presented by Ms. Nicole Dixon. A Farewell Reception for the Mr. DeCaigny and Mr. Brenner was held in Council Chambers following the meeting.

12. Adjournment

The meeting was adjourned at 2:50p.m.

Submitted By:

Approved By:

July 22, 2013

Kathleen Carlin
Secretary

Peter Kristian, Chairman
(on behalf of previous Chairman, Roger DeCaigny)