

**TOWN OF HILTON HEAD ISLAND**  
**Board of Zoning Appeals**  
**Minutes of the January 22, 2018 2:30 p.m. Regular Meeting**  
**Benjamin M. Racusin Council Chambers**

Board Members Present: Chairman David Fingerhut, Vice Chairman Jerry Cutrer, Lisa Laudermilch, Charles Walczak, John White

Board Members Absent: Robert Johnson (excused)

Council Members Present: David Ames

Town Staff Present: Nicole Dixon, Development Review Administrator; Brian Hulbert, Staff Attorney; Shari Mendrick, Planner; Darrin Shoemaker, Traffic & Transportation Engineer; Taylor Ladd, Senior Planner; Teresa Haley, Senior Administrative Assistant

---

**1. Call to Order**

**2. Pledge of Allegiance to the Flag**

**3. Roll Call**

**4. Freedom of Information Act Compliance**

Public notification of the Board of Zoning Appeals meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the requirements of the Town of Hilton Head Island Land Management Ordinance.

**5. Welcome and Introduction to Board Procedures**

Chairman Fingerhut welcomed the public and introduced the Board's procedures for conducting the business meeting.

**6. Approval of Agenda**

Chairman Fingerhut asked for a motion to approve the agenda. Vice Chairman Cutrer moved to approve. Ms. Laudermilch seconded. The motion passed with a vote of 5-0-0.

**7. Approval of the Minutes – December 18, 2017 meeting**

Chairman Fingerhut asked for a motion to approve the minutes of the December 18, 2017 meeting. Mr. White moved to approve. Mr. Walczak seconded. The motion passed with a vote of 4-0-1. Vice Chairman Cutrer abstained as he was absent from the meeting.

**8. Unfinished Business – None**

**9. New Business**

**Public Hearing**

**VAR-002836-2017**: Colin Kinton, P.E., on behalf of Beaufort County, is requesting a variance from LMO Section 16-6-104.F, Specimen Tree Preservation in order to remove two specimen trees located within the limits of the Jenkins Island Improvements project on US 278.

Ms. Mendrick presented an in depth review of the project as described in the Staff Report provided in the Board's packet. Staff recommends the Board of Zoning Appeals approve the

application, based on the Findings of Fact and Conclusions of Law contained in the Staff Report.

Chairman Fingerhut asked for comments from the Board. The Board asked whether mitigation planting or mitigation payment is required from the County. Staff is awaiting feedback from the Town attorney on the issue. If the LMO requires mitigation, then the Town will enforce it. However, the Board has the authority to make mitigation a condition. When the Town's Environmental Planner reviewed the project, he determined the applicant is exempt due to the imminent danger. The Board asked about the timing of the project construction, and for clarification on a certain part of the roadway that will have a traffic signal for turns.

Chairman Fingerhut asked the applicant to come forward. The applicant presented statements regarding the grounds for the variance and answered questions presented by the Board.

Chairman Fingerhut opened the meeting for public comments and none were received. Chairman Fingerhut asked for additional comments from the Board members and none were received. Chairman Fingerhut then asked for a motion.

Vice Chairman Cutrer moved to approve VAR-002836-2017 based on the Findings of Facts and Conclusions of Law contained in the Staff Report with the condition that the applicant pay into the tree mitigation fund, if applicable, as determined by Town Staff. Mr. White seconded. The motion passed with a vote of 5-0-0.

**10. Board Business – None**

**11. Staff Report**

a) Waiver Report – The Waiver Report was included in the Board's packet.

Ms. Dixon indicated no applications have been submitted for the February meeting. The application deadline is Friday. Staff will update the Board on this item following the deadline.

Ms. Dixon introduced the Town's new Senior Planner and BZA Coordinator, Taylor Ladd. The Board welcomed Ms. Ladd.

**12. Adjournment**

The meeting was adjourned at 2:49 p.m.

Submitted by: Teresa Haley, Secretary

Approved: March 26, 2018

---

David Fingerhut, Chairman