



Town of Hilton Head Island

# Construction Board of Adjustments & Appeals Special Meeting

Tuesday, March 30, 2021 at 5:00 pm Virtual Meeting

## MEETING MINUTES

**Present from the Committee:** Chairman Jay Owen, Vice Chairman Neil Gordon, Will Okey, Ling Graves, Frank Guidobono, Randy May, Joe Nix, Douglas Pine, Michael Lynes

**Absent from the Committee:** Mark Ellis (excused), Robert Zinn (excused)

**Present from Town Staff:** Teri Lewis, Deputy Community Development Director; Chris Yates, Building Official; Shari Mendrick, Floodplain Administrator; Teresa Haley, Senior Administrative Assistant; Vicki Pfannenschmidt, Temporary Administrative Assistant

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### 1. Call to Order

Chairman Owen called the meeting to order at 5:00 p.m.

### 2. FOIA Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

### 3. Swearing in of new and reappointed members.

Mr. Yates administered the Oath of Office to reappointed members Jay R. Owen and Douglas O. Pine.

### 4. Election of Chairman and Vice Chairman

Mr. Gordon moved to nominate Jay Owen as Chairman. Mr. Okey seconded the motion. By way of roll call, the motion passed with a vote of 7-0-0. (Mr. Owen did not vote and Mr. Nix was having technical difficulties)

Mr. Owen moved to nominate Neil Gordon as Vice Chairman. Mr. Pine seconded. By way of roll call, the motion passed with a vote of 9-0-0.

### 5. Roll Call – See as noted above.

### 6. Approval of Agenda

Mr. Gordon moved to approve the agenda as presented. Mr. Okey seconded. By way of roll call, the motion passed by a vote of 9-0-0.

### 7. Approval of Minutes – Meeting of November 26, 2019

Mr. Gordon moved for approval. Mr. Nix seconded. By way of roll call, the minutes of the regular meeting of November 26, 2019, were approved by a vote of 9-0-0.

### 8. Appearance by Citizens

Public comments concerning agenda items were to be submitted electronically via the Open Town Hall portal. There were no comments on the portal. Citizens were also provided the option to give public comment during the meeting by phone. There were no requests to give public comment by phone.

### 9. Unfinished Business – None

## **10. New Business**

### **a. Harbourmaster Office Variance**

Shari Mendrick presented the Application as described in the Staff Report. She explained that Sea Pines Resort is proposing to redevelop the property containing the Quarterdeck Restaurant, which previously housed the Harbourmaster Office. She pointed out that as part of the redevelopment project, Sea Pines Resort is proposing to construct a separate, detached office for the Harbourmaster. Ms. Mendrick stated Municipal Code Section 15-9-312(b) states nonresidential construction must be elevated so that the lowest floor is located no lower than two feet above the base flood elevation or eleven feet above mean sea level using NAVD88, whichever is higher. Ms. Mendrick further explained Municipal Code Section 15-9-411(b) states that if the development is necessary to conduct a functionally dependent use, provided the other criteria of Municipal Code Section 15-9 are met, no reasonable alternatives exist, and the development is protected by methods that minimize flood damage and creates no additional threat to public safety, the applicant may apply for a variance. Ms. Mendrick confirmed all criteria was met and stated Staff recommends the Construction Board of Adjustments Appeals approve the application based on the Findings of Fact and Conclusions of Law contained in the staff report.

The applicant further noted the location of the Harbourmaster in proximity to the water as well as better access to the fuel pumps. He added the need for the location for safety reasons and conducting business.

After comments and questions from the Board, Mr. Nix moved to approve the request for variance based on the Findings of Fact and Conclusions of Law contained in the staff report. Mr. Gordon seconded. By way of roll call, the motion passed with a vote of 9-0-0.

### **b. Review of proposed changes to the Rules of Procedure**

Ms. Mendrick explained changes are needed to the CBAA Rules of Procedure to update the references to the Floodplain Regulations. She reviewed the proposed changes in Article II, Section 3 and answered questions from the Board. After discussion, Mr. Gordon moved for approval. Mr. Pine seconded. By way of roll call, the motion passed with a vote of 9-0-0.

## **11. Commission Business**

### **a. Adoption of 2021 Meeting Schedule**

Mr. Gordon moved to approve the Construction Board of Adjustments and Appeals 2021 Meeting Schedule. Mr. Nix seconded. By way of roll call, the motion passed with a vote of 9-0-0.

### **12. Chairman's Report - None**

### **13. Committee Reports - None**

### **14. Staff Report - None**

### **15. Adjournment**

The meeting was adjourned at 5:30 p.m.

**Submitted by:** Vicki Pfannenschmidt, Secretary

**Approved:** October 26, 2021