



Town of Hilton Head Island
Board of Zoning Appeals Meeting

June 8, 2023, at 1:00 p.m.

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from the Board: Chair David Fingerhut, Peter Kristian, Charles Walczak; Robert Johnson; Michael Sackheim, Steve DeSimone

Absent from the Board: Kay Bayless

Present from Town Council: David Ames; Tamara Becker; Glenn Stanford

Present from Town Staff: Brian Eber, *Development Services Manager*; Trey Lowe, *Principal Planner*; Michael Connolly, *Senior Planner*; Shari Mendrick, *Flood Plain Administrator*; Alexis Cook, *Principal Planner*; Ashley Goodrich, *Principal Planner*; Karen Knox, *Board Secretary*; Brian Glover, *Administrative Assistant*

Other's Present: Curtis Coltrane, Esquire

1. Call to Order

Chair Fingerhut called the meeting to order at 1:00 p.m.

2. FOIA Compliance

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

3. Roll Call

As noted above.

4. Welcome and Introduction to Board Procedures

Chair Fingerhut welcomed all in attendance and explained the Board's procedures for conducting the meeting.

5. Approval of Agenda

Chair Fingerhut asked for a motion to approve the agenda. Mr. Sackheim moved to approve the agenda. Mr. Kristian seconded. By a rollcall vote, the agenda was approved by a vote of 6-0.

6. Appearance by Citizens

There were several comments received on the Town's Open Town Hall Portal. The comments were sent to all Board Members and made part of the Official Record.

7. Unfinished Business

None

8. New Business

a. Public Hearing

VAR-000944-2023 – Request from Johnathan Roberts of Roberts Civil Engineering, on behalf of Beach House Resort Owner LLC, for a Variance from LMO Section 16-3-106.L, Coastal Protection Area Overlay District to allow an Event Pavilion to encroach within the Coastal Protection Area Overlay District. The property is known as the Beach House of Hilton Head Island and is located at 1 S. Forest Beach Drive, with a parcel number of R553 018 000 003A 0000.

Charles Walczak recused himself.

Mr. Connolly provided the staff's presentation as included in the packet. Staff recommended denial. The applicant provided an additional presentation. Staff provided a rebuttal, and the applicant followed with a rebuttal as well.

The Board asked many questions to staff and the applicant. They asked about the permit process for the temporary tent currently used, the number of permits pulled, and the total time used. They also asked about the new structure, its footprint, and its design.

Following all questions, Mr. Fingerhut asked for public comment. One citizen spoke in support of the applicant. After public comment, Mr. Fingerhut closed the public hearing.

The Board moved to board discussion. After discussion, Mr. Kristian moved to approve the application based upon the findings of fact and conclusions of law as stated in the applicant's application and to add an additional finding of fact in Criteria 4 that there would be positive outcomes for the flood zoning ratings on Hilton Head Island as a result of the granting of this variance. Mr. DeSimone Seconded. The motion carried with a vote of 3-2. Chair Fingerhut and Robert Johnson were opposed.

9. Adjournment

Being no further business, the meeting was adjourned at 2:43 p.m.

Submitted by: Brian Glover, Administrative Assistant

Approved: June 24, 2024