TOWN OF BLUFFTON
BOARD OF ZONING APPEALS MEETING AGENDA
ELECTRONIC MEETING
Tuesday, October 6, 2020, 6:00 PM

This meeting can be viewed on the Town of Bluffton's Facebook page (https://www.facebook.com/TownBlufftonSC/)

I. CALL TO ORDER

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT
The Board of Zoning Appeals will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Board Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or an additional meeting date as determined by the Board Members.

IV. NOTICE REGARDING PUBLIC COMMENTS*
Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Board, Town Staff, and other members of the meeting. State your name and address when speaking for the record.
COMMENTS ARE LIMITED TO THREE (3) MINUTES.

V. ELECTION OF OFFICERS
1. Chair
2. Vice-Chair

VI. ADOPTION OF THE AGENDA

VII. ADOPTION OF MINUTES – June 16, 2020

VIII. PUBLIC COMMENTS*

IX. OLD BUSINESS

X. NEW BUSINESS

1. FOR ACTION

A. River Buffer Variance Request (114 Pritchard St.): A request by Andrew Fishkind on behalf of P. Ellen Malphrus, owner, for a forty-two (42) foot variance to the required one hundred (100) foot river buffer from the South Carolina Office of Ocean and Coastal Management (OCRM) Critical Line to allow a river buffer of fifty-eight (58) feet, as required by Unified Development Ordinance Sec. 5.5.2, to allow an addition to an existing residence. The property is identified by Beaufort County Tax Map Number R610 039 00A 0054 0000 and is located at 114 Pritchard Street. The property is zoned Neighborhood Conservation-Historic District (HD) (ZONE-09-20-014539). (Staff-Alan Seifert)

XI. DISCUSSION

XII. ADJOURNMENT

*Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at dmclain@townofbluffton.com. Comments will be accepted up 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Board of Zoning Appeals Committee.

NEXT MEETING DATE: Tuesday, November 3, 2020

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Commission. Public comment must not exceed three (3) minutes.

TOWN OF BLUFFTON BOARD OF ZONING APPEALS
Electronic Meeting

Tuesday, June 16, 2020, Minutes

Present: Stephan Halpern; Gerald Workman; Lawrence Garrison, Daniel Grove;

Absent: Carletha Frazier

Staff: Kevin Icard, Planning & Community Development Manager; Darby McLain, Growth Management Coordinator

I. CALL TO ORDER

Chairman Halpern called the meeting to order at 6:00 p.m.

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT

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V. ADOPTION OF THE AGENDA

Board Member Garrison made a motion to adopt the June 16, 2020 Board of Zoning Appeals Agenda. Board Member Grove seconded the motion, all were in favor and the motion passed.

VI. ADOPTION OF MINUTES – May 19, 2020

Board Member Garrison made a motion to approve the adoption of the May 19, 2020 minutes, Board member Workman seconded the motion. All were in favor and the motion passed.

VII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

No Public Comments

VIII. OLD BUSINESS

No Old Business

DRAFT

IX. NEW BUSINESS

1. FOR ACTION

A. Special Exception: The Applicant, Nelson Pinto, of Animal Eye Clinic of Savannah, LLC, is requesting a Special Exception to place an Animal Eye Clinic at 70 Pennington Drive Suite 10, in Sheridan Commercial Center.

The property is identified by Beaufort County Tax Map Number R610 031 00D 0015 0000 and is in the Sheridan Commercial Center located off Fording Island Road. The property is zoned General Mixed-Use and regulated by the Unified Development Ordinance. (ZONE-05-20-14229)

Staff member Will Howard presented; sighting that per section 4.5 of the Unified Development Ordinance, an animal clinic is deemed a special exception use and requires the approval of The Board of Zoning Appeals.

The applicant, Nelson Pinto, stated that this is for a specialty animal eye clinic, as an outpatient only service, with no overnight boarding or kennel services.

Board member Workman asked if The Town received any comments showing concern from nearby property owners. Staff member Will Howard stated that no comments were received. Howard also noted that the Property Owners Association provided a letter in favor of this project.

Board member Garrison made a motion to grant the exception as presented. Board member Grove seconded the motion, all were in favor and the motion passed.

X. ADJOURNMENT

Board Member Garrison made a motion to adjourn The May 19, 2020 Board of Zoning Appeals meeting, Board Member Grove second the motion and the meeting adjourned at 6:14 p.m.

DRAFT

BOARD OF ZONING APPEALS

STAFF REPORT
DEPARTMENT OF GROWTH MANAGEMENT

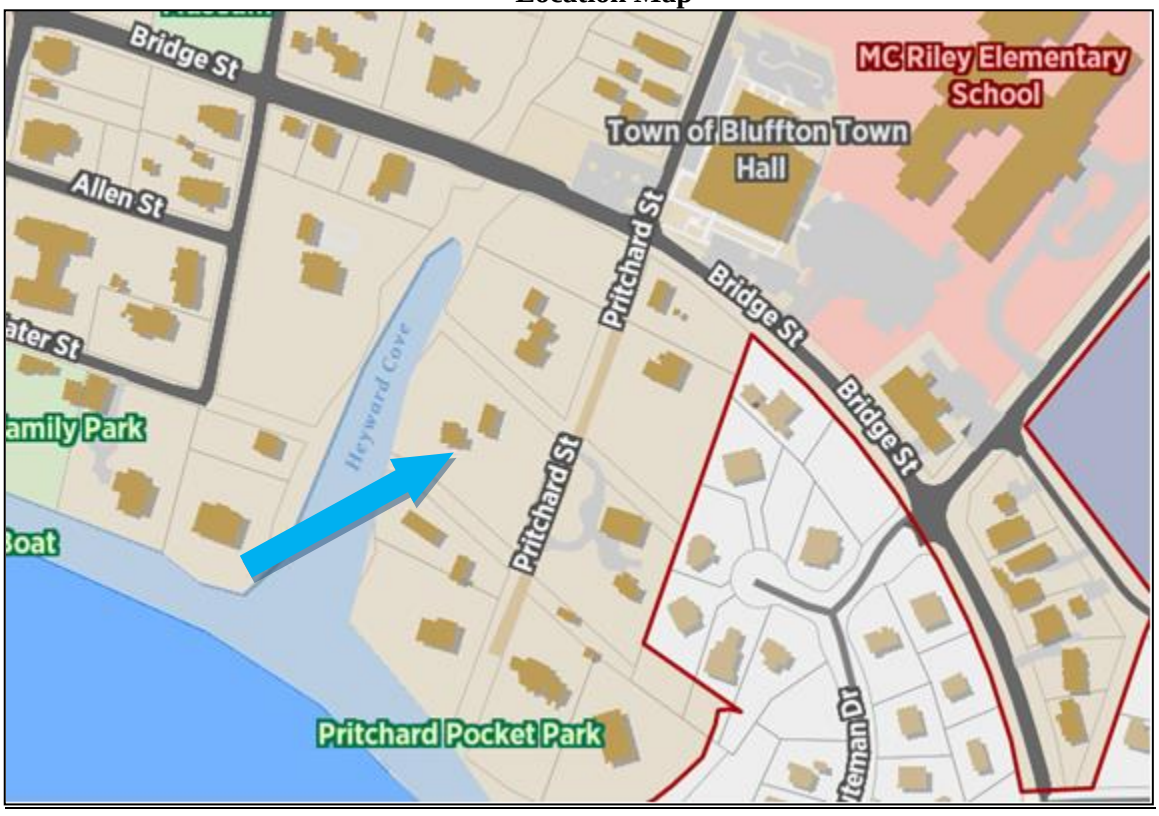
MEETING DATE:	October 6, 2020
PROJECT:	114 Pritchard Street – Variance Request
PROJECT MANAGER:	Alan Seifert, AICP Senior Planner

APPLICATION REQUEST: The Applicant, Andrew L. Fishkind, on behalf of the owner, P. Ellen Malphrus, is requesting approval from the Board of Zoning Appeals for the following application:

ZONE-09-20-014539 The Applicants are requesting a forty-two (42) foot variance to the required one hundred (100) foot river buffer from the South Carolina Office of Ocean and Coastal Management (OCRM) Critical Line to allow a river buffer of fifty-eight (58) feet, as required by Unified Development Ordinance Sec. 5.5.2, Natural Resources: River Buffer, to allow an addition to an existing residence.

The property is identified by Beaufort County Tax Map Number R610 039 00A 0054 0000 and is located at 114 Pritchard Street. The property is zoned Neighborhood Conservation-Historic District (HD). (See Attachment 1)

Location Map



INTRODUCTION: The Applicant is proposing a 48-foot x 58-foot addition to the left side of the home. The proposed addition will not be closer to the cove than the existing home, which Beaufort County tax records indicate was built in 1970. Under the current Unified Development Ordinance (UDO), adopted in November 2011, Section 5.5, Natural Resources: River Buffer, requires a 100 buffer from the South Carolina Office of Ocean and Coastal Resource Manamagement (OCRM) Critical Line. (See Attachment 3)

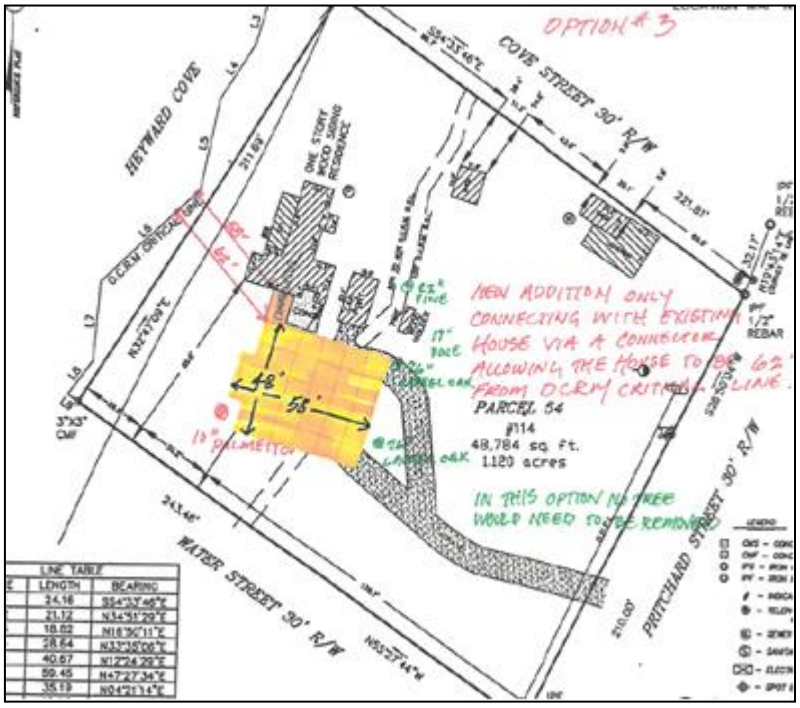
It has been determined that the intent of the River Buffer is to maintain a 100' area of land (setback) which is undisturbed surrounding the OCRM Critical Line, with the ability for existing lots to be able to maintain usable space. As such, lot development, including subdivision and combination of lots, must be done in the following manner to maintain the intent of the above referenced section.

1. Existing Lot
    a. If an existing lot has OCRM Critical Line near it, then there is a 100' setback from the OCRM Critical Line, unless more than 40% of the lot is within the setback, then the line may be reduced back to allow 60% of the lot to be buildable (at no point will the setback from the Critical Line be less than 25').

114 Pritchard Street Proposed Addition

Based on the current proposal, the proposed improvements are almost entirely within the undevelopable portion of the River Buffer based on the floor plan provided.

Therefore, a variance is requested allow the construction of the 48' x 58' addition. The applicant has provided photos of the existing home and property.
(See Attachent 4)



BACKGROUND: On August 14, 2020, Growth Management Staff provided the applicant's architect, Ansley Manual, with a zoning verification letter explantion the OCRM River Buffer requirements and outlined possible options including demolition of the existing structure and construction of a compliant residential structure or to seek a variance to allow for the construction of the proposal as shown. (See Attachment 5)

REVIEW CRITERIA & ANALYSIS: In assessing an application for a Variance, the Board of Zoning Appeals is required to consider the criteria set forth in Section

3.7.3 of the Unified Development Ordinance. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date.

1. Section 3.7.3.A. The application must comply with applicable requirements in the Applications Manual.

   Finding. The application has been reviewed by Town Staff and has been determined to be complete, meeting all requirements of the Applications Manual.

2. Section 3.7.3.B.1. Unnecessary Hardship. A Variance from a dimensional or design standard may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship upon a finding that all of the following standards are met.

   A. Section 3.7.3.B.1.a. There are extraordinary and exceptional conditions pertaining to the particular piece of property.

   Finding: The home exists as an allowed non-conformity as it was constructed in 1970 before the adoption of the UDO and does not comply with the 100-foot River Buffer required by UDO Section 5.5.2.

   Finding: The current proposal indicates that no tree removal would be required for construction. Any new home may require removal of existing mature trees.

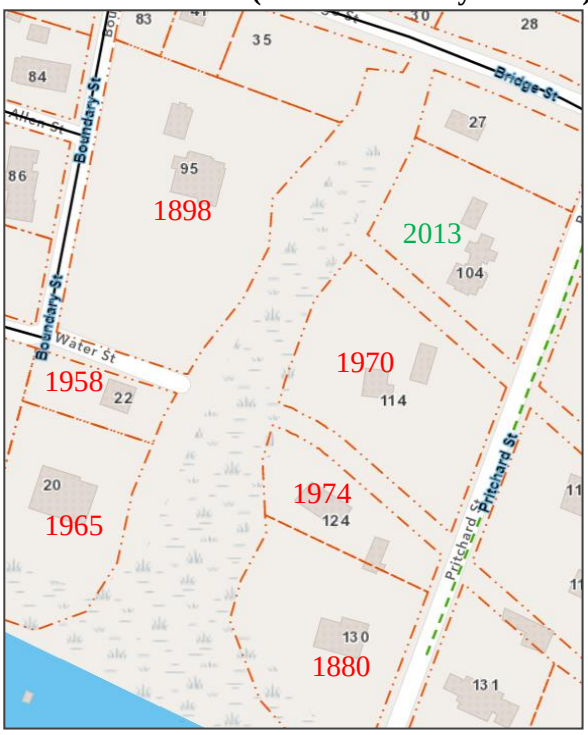
   Finding: Not all properties within this zoning district are affected by the River Buffer requirements.

   B. Section 3.7.3.B.1.b. These conditions do not generally apply to other property in the vicinity, particularly those in the same zoning district.

   Finding: As the conditions result from the home being constructed in 1970 prior to the adoption of the UDO in 2011, the conditions could possibly apply to other homes constructed on properties surrounding Heyward Cove prior to the adoption of the UDO.

   Finding: Other homes fronting the cove appear to lie within 100 feet of the OCRM Critical Line.

Date of Construction (Beaufort County Records)



C. Section 3.7.3.B.1.c. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property in a manner consistent with others in the zoning district.

Finding. Applying the 100-foot River Buffer would prevent the applicant from completing an addition to the existing home to accommodate the size of their family.

D. Section 3.7.3.B.1.d. The need for the Variance is not the result of the Applicant's own actions.

Finding. The need for a Variance to reduce the 100-foot River Buffer is the result of the requirements at the time of construction and not the result of the Applicant's actions. The applicant purchased this property in 1994 before the adoption of the River Buffer requirement.

E. Section 3.7.3.B.1.e. The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance.

Finding. The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance. The Neighborhood Conservation-HD zone is purposed to be primarily residential in nature and the Future Land Use Map envisions this area for Medium Density Residential which describes future uses in the following manner:

> *"Land area used for residential structures with a single, self-sufficient dwelling unit that is not attached to any other dwelling unit, residential structure which contain two or more attached dwelling units, mobile home parks and subdivisions developed for manufactured homes."*

The authorization of the requested Variance does not create a substantial departure from the goals and purposes of the Zoning District or Comprehensive Plan as the proposed use and building scale meet the intent of the guiding and planning documents. The location of these improvements would not substantially impair the adequacy light or air for the neighboring properties.

F. Section 3.7.3.B.1.f. The authorization of a Variance will not result in a substantial detriment to adjacent property or the public good, and the character of the District will not be harmed by the granting of the Variance.

Finding. The authorization of a Variance for this property will not have a negative impact to adjacent properties or the public good. The proposed structure is a residential addition for the purpose of providing additional space to accommodate the size of the family.

Finding. The applicant has provided signatures of adjacent neighbors in support of the application.

G. Section 3.7.3.B.1.g. The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably.

Finding. The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably.

Finding. Any addition, regardless of size, would require a variance.

CONCLUSION: The Board of Zoning Appeals must find that the requirements for approval of a Variance as set forth in Section 3.7.3 of the UDO have been met to approve the application for a forty-two (42) foot variance to the required one hundred (100) foot river buffer from the South Carolina Office of Ocean and Coastal Management (OCRM) Critical Line to allow a river buffer of fifty-eight (58) feet, as required by Unified Development Ordinance Sec. 5.5.2, to allow an addition to the existing residence.

BOARD OF ZONING APPEALS ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.D.2 of the Unified Development Ordinance, the Board of Zoning Appeals has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant.

ATTACHMENTS:

1. Application & Narrative
2. Location Map
3. UDO Section 5.5 – Natural Resources: River Buffer
4. Site Plan & Photos
5. Zoning Verification Letter

Attachment 1

TOWN OF BLUFFTON
BOARD OF ZONING APPEALS APPLICATION

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant	Property Owner
Name: ANDREW L. FISHKIND	Name: P. ELLEN MALPHRUS
Phone: 843.368.0990	Phone: 843.368.5956
Mailing Address: PO BOX 88 BLUFFTON, SC 29910	Mailing Address: 114 PRITCHARD ST. BLUFFTON, SC 29910
E-mail: afishkind@mayriver-gc.com	E-mail: ellenmalphrus@gmail.com
Town Business License # (if applicable):	

Project Information

Project Name: MALPHRUS-FISHKIND RESI	☑ Variance	☑ Special Exception
Project Location: 114 PRITCHARD ST	☐ Administrative Appeal	
Zoning District:	Acreage: 1.120 ACRES	

Tax Map Number(s): R 610 039 00A 0054 0000

Project Description: ADDITION TO HOME BUILT IN 1940'S

Request: VARIANCE TO ALLOW A PORTION OF THE NEW ADDITION TO BE AT 62' OFF THE OCRM CRITICAL LINE

Minimum Requirements for Submittal

- ☑ 1. Two (2) paper copies and digital files of applicable plans and/or documents depicting the subject property.
- ☑ 2. Recorded deed and plat showing proof of property ownership.
- ☐ 3. Project Narrative describing reason for application and compliance with the criteria in Article 3 of the UDO.
- ☐ 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.

Note: **A Pre-Application Meeting is required prior to Application submittal.**

Disclaimer: **The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.**

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.

Property Owner Signature: [signature] Date: 31 August 2020

Applicant Signature: [signature] Date: 8.21.20

For Office Use

Application Number: ZONE-09-20-014539	*Date Received:* 9/01/20
Received By: [signature]	*Date Approved:*

August 26, 2020

Town of Bluffton
Board of Zoning Appeals
Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC29910

Malphrus – Fishkind Residence
114 Pritchard Street
Bluffton, SC 29910
Request for a 62' Setback Variance from the OCRM Buffer / Critical Line

Project Narrative:

Members of the Development Board,

We are requesting that the Development Board grant us a variance to allow an addition to our existing home located at 114 Pritchard Street in Old Town Bluffton. We have prepared this narrative for the board's consideration based on the following understanding of the intent of the OCRM Buffer/ Critical line:

> The Buffer is intended to provide a natural vegetated area between a structure, driveway, or other building element and all saltwater wetlands and waterways to protect water quality and wildlife habitat.
>
> Beaufort has a has recently increased their critical line from 50' to 60.' Bluffton has the critical line set at 100.'

We love the May River. We understand the intent of the Critical Line and respect the May. When Ellen made the cottage her home in the late 80's it was because of its proximity to the river. If we had been able to afford this addition in 2003 when we first planned it, we would have had quite a view of the river. Now we hope to at least get a glimpse of it.

The existing house on our property was built by Phil Shuie shortly after WWII. George Heyward and his family also lived in the house for some years. Then Mary Mackin, a well-known artist, lived in the house until 1988 when Ellen moved in. The house is a true concrete block river-house that is very small, but solid and is our home. This bit of history is offered to support the cultural significance of the cottage.

In the August 14, 2020 letter from Kevin Icard, Planning & Community Development Manager, Kevin suggested that to get a building permit from the Town of Bluffton we had 2 options. The first was to demolish the house and build a new house at the location within the OCRM Critical line. The second was to seek a variance which would allow us to keep the existing house and add on to it.

Demolition is not an option. We love our house and are working very closely with our architect, Ansley Manuel, to try and come up with a solution that the Board of Zoning & Appeals would find acceptable.

As you can see on the attached plat the existing house is, at its closest point, 40' to the Critical Line. We have provided 3 Options with the footprint of the addition in orange.

Option # 1 illustrates the best plan for us as we would connect the new addition directly to the Bedroom, aligning new with existing.

Option # 2 moves the addition 11' east towards Pritchard Street, but we are still 51' from the OCRM Critical Line.

Option # 3, which we are hopeful is found to be a reasonable solution, puts the new addition at 62' from the Critical Line with a connector at 58'. In this design the 48'x 58' addition would be moved 12' south or away from the existing house and eastward towards Pritchard Street, an additional 11' from the OCRM Line. In this plan the addition would be built away from the existing house and attached via a library connector. Pulling the new addition away from the existing structure allows us the opportunity to use pervious drain fields between the buildings to capture the rain water from the roofs and send it back into the earth rather than run off which would end up in the river. To further respect the river, there will be no paved surfaces for driveways or sidewalks. All surfaces will be pervious, reducing any runoff to the cove.

When evaluating our situation please consider this; if a new house were built 100' from the Critical Line with a concrete driveway and patio, there would be far more fresh water runoff entering the river than that which is proposed in our Option # 3.

Application Review Criteria 3.7.3

a. *There are extraordinary and exceptional conditions pertaining to the particular piece of property:*

   The existing house, built in the late 1940's following WWII, is a solid concrete block structure with a metal roof, has a great deal of Bluffton cultural history, and is our home.

   The house was placed on the property well before the OCRM Critical Line Ordinance was conceived and established. It sits 40' from the line now. We are on a high bluff at an elevation of 22,' above sea level and the cottage is nestled in a grove of giant pines and oaks. Our goal is to build an addition to the house disturbing as few trees as possible. The major trees have been placed on the attached drawings and plats for review.The further we move the new addition away from the existing structure (eastward) the more trees will be affected. We do not want to cut trees down to do the addition.

b. *These conditions do not generally apply to other property in the vicinity, particularly those in the same zoning district:*

   The location of the existing house, as it relates to the OCRM line, and the fact that we will not demolish the house makes our situation unique. Arguably making a reasonable case for a variance to allow us to build as per our Option # 3.

c. *Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property in a manner consistent with others in the zoning district:*

   If we are not granted a variance to build an addition on to our existing house, it would effectively prohibit or restrict the utilization of the property. The existing house is too small and is not conducive to our lifestyles, our family's growth, and our collection of art & books.

d. *The need for a variance is not the result of the Applicant's own actions:*

   Ellen, a professor at USCB, moved to the cottage in 1988 and lived there for 13 years while single. Once we married, the house was too small for our new family, so we rented the house next door and used the cottage as a writing studio and guest house. Now the time has finally come to build the addition.

e. *The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this ordinance:*

   The purpose of the ordinance and the comprehensive plan are not being jeopardized or ignored. We have a situation where our house was placed on our property over 80 years ago and is closer to the OCRM Critical line than the Town of Bluffton, or the entity who established the ordinance generally suggests. Our property is a "one off" situation that

needs some rational consideration in granting a Variance of a 58' setback to allow a building permit. This would enable us to add on to our home. We are very much aware of the natural beauty of our property, the trees and buffers that exist and the and health of the May River and Heyward Cove. If possible, we do not want to take down any of our prized trees.

f. *The authorization of a Variance will not result in a substantial detriment to the adjacent property or the public good, and the character of the District will not be harmed by the granting of the Variance:*

The granting of a Variance to build our addition in the location shown in Option # 3 would not adversely affect any of our neighbors.

The following are signatures from our neighbors directly next to use on both sides (north & south) as well as our neighbors across Heyward Cove & across Pritchard Street.

George & Lillian Heyward

124 Pritchard Street X

Ansley & Trip Manuel

104 Pritchard Street X

Joanie Heyward

Across the cove X

g. *The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably:*

We are not requesting this variance for convenience or for profit. Ellen moved to the property in 1988 but has not lived in the house for the last 20 years as it is too small for our family. We and now would like to add a kitchen, living room, dining room and a second bedroom on to the existing structure.

If we are not granted this Variance we will have to build another structure detached from the house and many large trees will have to be removed. Thank you for considering our situation. We appreciate the Board's help in guiding us through the process.

Respectfully,

Ellen Malphrus

Andy Fishkind

Attachment 2

5.5 Natural Resources: River Buffer

5.5.1 Intent

The intent of this Section is to promote sustainable watersheds including nonpoint source pollution reduction measures that protect and restore water quality by:

A. Providing for the removal or reduction of sediments, nutrients, and potentially harmful or toxic substances in runoff entering the natural waterways in and around Bluffton;

B. Minimizing erosion and stabilize stream, cove, and river banks and shorelines;

C. Providing a habitat for flora and fauna along waterways; and

D. Protecting the aesthetic character of the waterways and shorelines in and around Bluffton.

5.5.2 Applicability

This Section shall apply to all building, development, redevelopment, and site alteration on any land within 100 feet from the South Carolina Office of Ocean and Coastal Resource Management (OCRM) Critical Line adjacent to tidal wetlands and waterways in and around the Town of Bluffton. This area shall not exceed 40% of the area of the lot provided that no disturbance is closer than 25 feet to the OCRM Critical line, unless expressly permitted in Section 5.5.3

5.5.3 Standards

A. All vegetation, ground cover, understory trees and shrubs, and overstory trees shall be retained throughout the entire buffer. Removal of the existing vegetation shall only occur to accommodate the following:

1. To accommodate views, one-third of the total buffer zone area can be selectively trimmed and landscaped to provide a view between a height of 2 feet and 10 feet measured from the adjacent grade, provided that no more than a maximum contiguous area measuring 75 feet in a horizontal distance parallel to the Critical Line is selectively trimmed and landscaped at any one location, separated by a matching undisturbed buffer. Selective landscaping shall include native understory and groundcover plantings that do not require chemical treatment for survival or maintenance;
2. In addition to the standards in this Section, Tree Conservation, Landscaping and Buffers, and other applicable portions of this article shall apply.

B. Provided that the minimum land area required to serve the purpose is used, no development is permitted in the buffer with the exception of the following uses.

1. Pedestrian and/or vehicular access ways leading to docks, fishing piers, boat landings, other access way, or other approved water/marsh uses, provided that only permeable (excluding bare ground) or semi-permeable paving materials (such as open lattice block pavers) are used;
2. Docks, fishing piers, boat landings, or other approved water/marsh uses that by design must tie into the high ground adjacent to the marsh/water;
3. Flood control devices (from rising waters or tidal surge), erosion control devices, and other activities related to soil and water conservation;
4. Utility lines, including irrigation, which must cross the buffer shall be buried and any disturbed area shall be replanted with vegetation. In such a case, utility lines must be placed approximately perpendicular to the line of the buffer. If the installation of utility lines have a significant adverse impact to the buffer, additional buffer and plantings may be required to mitigate the impacts; and

5. Roads leading to bridges or causeways that cross the waterway provided the roads are configured to minimize disturbance into and within the buffer, and provided all shoulders are vegetated.

C. Docks, Piers, Boat Landings. In order to limit the impacts to the Town of Bluffton waterways, shared multiple user docks are encouraged over single user docks.

1. Docks (other than public docks) must originate from property that has at least 75 feet of water frontage. Lots with less than this required frontage may be eligible to share a dock with an adjacent property.
2. There may be no habitable structures located on the dock, fishing pier, boat landing, or elsewhere upon waters in the Town of Bluffton limits. Only open shelters and limited storage (e.g., for water skis, anchors, fishing equipment) are permitted.

D. Utility lines which must cross the water/marsh to serve facilities on the opposite side of the water/marsh shall be submerged below the surface or buried underground. In such a case, utility lines must be placed in a configuration that minimizes impact and potential hazards.

The area shown on this plat is a representation of department (SCDHEC OCRM) permit authority on the subject property. Critical areas by their nature are dynamic and subject to change over time. By delineating the permit authority of SCDHEC OCRM, SCDHEC OCRM in no way waives its right to assert permit jurisdiction at any time in any critical area on the subject property, whether shown hereon or not.

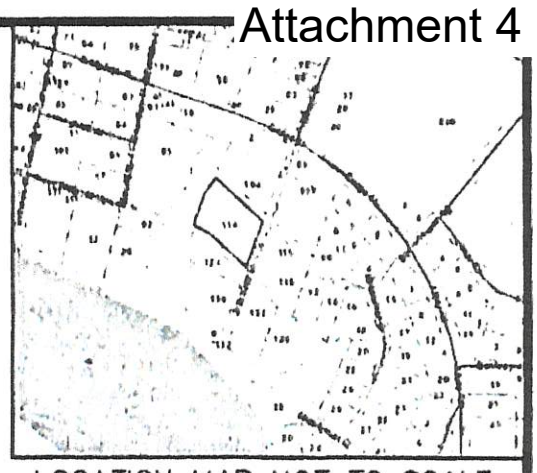
SIGNATURE _____ DATE _____

The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

REFERENCE PLAT

ZONE A6(14') | ZONE C

APPROXIMATE LOCATION OF FLOOD ZONE LINE



LOCATION MAP NOT TO SCALE

OPTION #3

HEYWARD COVE

COVE STREET 30' R/W

WATER STREET 30' R/W

PRITCHARD STREET 30' R/W

ONE STORY WOOD SIDING RESIDENCE

O.C.R.M. CRITICAL LINE

3"X3" CMF DIST.

3"X3" CMF

IPF 1/2" REBAR

IPF 1/2" REBAR

IPF 1/2" REBAR

3"X3" CMF

S54°33'46"E 211.69'

S54°33'46"E 221.81'

N32°47'09"E 59.45'

N55°27'44"W 243.46'

S26°50'04"W 210.00'

N19°43'14"E (SURVEY TIE LINE) 32.17'

N26°45'51"E (SURVEY TIE LINE) 27.23'

@ 22" PINE

17" PINE

@ 26" LAUREL OAK

@ 26" LAUREL OAK

10" PALMETTO

48'

58'

62'

58'

NEW ADDITION ONLY CONNECTING WITH EXISTING HOUSE VIA A CONNECTOR ALLOWING THE HOUSE TO BE 62' FROM OCRM CRITICAL LINE.

IN THIS OPTION NO TREE WOULD NEED TO BE REMOVED

PARCEL 54
#114
48,784 sq. ft.
1.120 acres

LINE TABLE		
LINE	LENGTH	BEARING
L1	24.16	S54°33'46"E
L2	21.12	N34°51'29"E
L3	18.82	N16°50'11"E
L4	28.64	N33°35'06"E
L5	40.67	N12°24'29"E
L6	59.45	N47°27'34"E
L7	35.19	N04°21'14"E
L8	18.27	N37°18'38"E
L9	5.71	S55°27'44"E

LEGEND

- CMS – CONCRETE MONUMENT SET
- CMF – CONCRETE MONUMENT FOUND
- IPS – IRON PIN SET
- IPF – IRON PIN FOUND
- # – INDICATES STREET ADDRESS
- – TELEPHONE PEDESTAL/ COMMUNICATOR
- – SEWER LATERAL
- – SANITARY SEWER MANHOLE
- – ELECTRIC BOX
- – SPOT ELEVATION SHOTS
- 12' – CONTOUR LINES
- – XFMER – TRANSFORMER
- – WATER VALVE
- – WATER METER
- – FIRE HYDRANT
- – POWER POLE
- – GUY LINE
- – WELL

NOTES:
1. According To FEMA Flood Insurance Rate Map # 450251 0001 A This Lot Appears To Lie In A Federal Flood Plain Zones A6 & C, Minimum Required Elevations 14.0 & N/A Ft. NGVD29
2. This Property May Be Subject To Easements, Protective Covenants And Other Facts That May Be Revealed By A Complete Title Search.
3. All Building Setback Requirements Should Be Verified With The Proper Authorities Prior To Design And Construction.

DIST. 610, MAP 39A, PARCEL 54

REFERENCE PLAT(s):

A PLAT BY DAVID GASQUE OF LOT 3, PREPARED FOR PATRICIA ELLEN MALPHRUS.

GRAPHIC SCALE
20 0 20 40 80
1"=40 FEET

THE ABOVE PLAT PREPARED BY ME AT THE REQUEST OF

ANDREW FISHKIND

AN AS-BUILT SURVEY ON PARCEL 54 PRITCHARD STREET, DISTRICT 610, TAX MAP 39A, TOWN OF BLUFFTON, BEAUFORT COUNTY, SOUTH CAROLINA.

DATE: JULY 8, 2020

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION & BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE INDICATED.

WILLIAM J. SMITH, PLS # 26960

T-SQUARE SURVEYING
PROFESSIONAL LAND SURVEYORS
P.O. Drawer 330
139 Burnt Church Road
Bluffton, S.C. 29910
tsquare@hargray.com
Phone 843-757-2650 Fax 843-757-5758

SOUTH CAROLINA T-SQUARE SURVEYING CERTIFICATE OF AUTHORIZATION No.4595 COMPANY, LLC.

STATE OF SOUTH CAROLINA REGISTERED LAND SURVEYOR No.26960 WILLIAM J. SMITH

JOB # 20-272A

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 4

Attachment 5

Lisa Sulka
Mayor
Fred Hamilton
Mayor Pro Tempore
Marc Orlando
Town Manager

Council Members
Larry Toomer
Dan Wood
Bridgette Frazier
Kimberly Chapman
Town Clerk

August 14, 2020

TRANSMITTED ELECTRONICALLY

Ansley Manual
104 Pritchard Street
Bluffton, SC 29910

Re: 114 Pritchard Street – Development Determination

Ms. Manual,

Regarding the development of 114 Pritchard Street, we have determined the following.

> Section 5.5.2. of the Unified Development Ordinance (UDO) states:
> *This Section shall apply to all building, development, redevelopment, and site alteration on any land within 100 feet from the South Carolina Office of Ocean and Coastal Resource Management (OCRM) Critical Line adjacent to tidal wetlands and waterways in and around the Town of Bluffton. This area shall not exceed 40% of the area of the lot provided that no disturbance is closer than 25 feet to the OCRM Critical line, unless expressly permitted in Section 5.5.3.*

It has been determined that the intent of this section is to maintain a 100' area of land (setback) which is undisturbed surrounding the OCRM Critical Line, with the ability for existing lots to be able to maintain usable space. As such, lot development, including subdivision and combination of lots, must be done in the following manner to maintain the intent of the above referenced section.

1. Existing Lot
    a. If an existing lot has OCRM Critical Line near it, then there is a 100' setback from the OCRM Critical Line, unless more than 40% of the lot is within the setback, then the line may be reduced back to allow 60% of the lot to be buildable (at no point will the setback from the Critical Line be less than 25').

Based on your current proposal, we would not be able to issue a building permit as the proposed improvements are almost entirely within the undevelopable 40% of the property based on the floor plan that you provided.

In order to be issued a building permit, we suggest one of the following options:

- Demolish the existing structure and propose the new structure at the appropriate front build to zone for the Neighborhood Conservation Historic District that ranges from ten feet (10') to thirty-five feet (35') as outlined in UDO Section 5.15.5.D (Building Types); or

- Seek a variance which allows for your entire proposal to be constructed as currently shown. Your plans indicate an approximate 50-foot variance line.

For your convenience I've attached a copy of the variance application to this letter. If you wish to seek a Variance, I can set up a meeting with staff to go over the process.

If you have any questions or comments, please contact me at 843-706-4529 or kicard@townofbluffton.com.

Sincerely,

Kevin P. Icard, AICP
Planning & Community Development Manager

Cc: Heather Colin, AICP, Director of Growth Management
Cc: File