



TOWN OF KIAWAH ISLAND

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 768-9166 • FAX (843) 768-4764

posted 5-11-07

William G. Wert, Mayor

**Planning Commission
Thursday, May 17, 2007, 3:00 PM
Kiawah Island Municipal Center
Council Chambers**

Council Members
Alan L. Burnaford
Charles R. Lipuma
Donald H. McIver, Jr.
G. Steven Orban

Town Administrator
Tumiko Rucker

AGENDA

- I. **Call to Order:**
- II **FOIA:** Notice of this meeting has been published, and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- III. **Roll Call**
- IV. **Approval Of Minutes**
 - A. Planning Commission Minutes for April 26, 2007
- V. **Subdivision Request- None**
- VI. **Old Business:**
 - A. Subcommittee report for Critical Line Setbacks
 - B Subcommittee report for Front/Back /and Side Yard Setbacks
- VII. **New Business:**
 - A. None
- VIII. **Correspondence-**
- IX. **Commissioner's Report**
- X. **Citizen's Comments**
- XI. **Adjournment**



T O W N O F K I A W A H I S L A N D

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Minutes

I. **Call to Order: Mrs. Makely called the meeting to order at 3:00 PM.** ^{Town Administrator} Tumiko Rucker

II **FOIA:** Notice of this meeting has been published, and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

III. **Roll Call**

Present: Jo Anne Makely, Chair
Joe Colvin, Vice- Chair
Wayne Juchatz
Ronald Tedesco
Andrew Capelli
Fred Peterson

Absent: Joyce Neuman

Also Present: William G. Wert, Mayor
Alan L. Burnaford, Mayor Pro Tem
Tumiko Rucker, Town Administrator
Amber Simmons, Town Clerk
Brandon White, Chas. Co. Planning
Joel Evans, Chas. Co, Planning
Amanda Mole, Kiawah Island ARB

Mrs. Makely moved to amend the agenda by adding item B under New Business, Approval of Text Amendment Application for Charleston County, motion seconded by Mr. Colvin. Motion carried unanimously.

IV. **Approval Of Minutes**

A. **Planning Commission Minutes for March 22, 2007**

Mrs. Makely moved to approve the Planning Commission minutes of March 22, 2007, motion seconded by Mr. Capelli.

Mrs. Makely, Mr. Peterson, and Mr. Colvin had corrections to the minutes. With those corrections the minutes were approved unanimously.

B. Planning Commission Setback Subcommittees Minutes for April 11, 2007.

Mr. Colvin moved to approve the minutes for April 11, 2007. Motion seconded by Mr. Capelli.

Mr. Colvin had several corrections to the minutes and Mr. Capelli had two corrections. With those corrections the minutes were approved unanimously.

V. Subdivision Request- None

VI. Old Business:

A. Subcommittee report for Critical Line Setbacks

Mr. Juchatz, Mr. Peterson and Mr. Capelli made additional changes to Article 12A-216 (copy attached).

Mr. Colvin moved to conduct a public hearing on June 4, 2007 at 2:00 PM pertaining to Critical Line Setbacks; motion seconded by Mr. Juchatz. Motion carried.

Mr. Juchatz asked Mrs. Mole if she had any additional recommendations or suggestions for the Planning Commissioners pertaining to this issue. Mrs. Mole expressed her gratitude to the Planning Commissioners on behalf of the Kiawah Island Development Partners for their consideration of the previous 2005 zoning ordinance. Mrs. Mole did have additional suggestions and a copy of her suggestions is attached. The Planning Commission agreed to incorporate the first two recommendations made by Mrs. Mole; which are included in the new draft of Article 12A-216 Waterfront development standards to properties adjacent to saltwater/ marshes/wetlands and waterways. In reference to Mrs. Mole's third recommendation the Planning Commission will need to review this request and make a recommendation at a later time.

B. Subcommittee report for Front/Back /and Side Yard Setbacks

Mr. Colvin stated that the subcommittee met on Monday,

April 17, 2007 and reviewed the draft ordinance that was presented by Charleston County Planning staff. Mr. Colvin said that after reviewing the ordinance and taking under consideration suggestions from the public, the subcommittee recommends a conceptual approach to address this issue. The subcommittee recommended that the setbacks for existing lots that were platted and contained in the Kiawah Island Property Setback Requirements are the correct requirements and that those are the requirements that apply going forward. Mr. Colvin noted that this document is kept by the Kiawah Island Architectural Review Board and contains all those requirements. Mr. Colvin noted that Kiawah Island Property Setback requirements were included in the 1994 development agreement, and listed all lot requirements. This document is maintained current and reflects the lot requirements from 1994 forward.

This is the appropriate way to address this concern. This allows people who purchased their lot to maintain the original setbacks that were in place at the time of purchase. For lots are not contained in the Kiawah Island Property Setback Requirements document or for new lots, the tables in Article 12 A must be used to determine the appropriate setbacks.

Mr. Colvin noted the change in Table 2B pertaining to the side yard setbacks for lots that have 8,000 to 11,999 square feet. Mr. Colvin suggested that the side yard setback be changed to 10 feet instead of 15 feet, which makes it less restrictive for property owners and makes the setback consistent with the revised development agreement.

Mr. Capelli noted that Joyce Neuman is not present at the meeting today, however she is a member the subcommittee for front, back, and side yard setbacks subcommittee and agreed with this conceptual approach.

C. Subcommittee report for 911

Mrs. Makely attended the Public Safety meeting on April 17, 2007. During the meeting Chief Karl Ristow, St. Johns Fire Department, briefly explained the new Consolidated 911 System and played a 911 tape, which demonstrated an example of why they want to implement this new system. During the Public Safety meeting, Mrs. Makely asked Chief Ristow if the local fire department is comfortable with the current numbering system on the island? Chief Ristow said that the local fire personnel are comfortable with the current numbering system on the island.

VII. New Business:

A. Change of Meeting Dates for Planning Commission

Mrs. Makely noted that Charleston County Planning Department has requested that the meeting dates for the Planning Commission be changed to accommodate Planning Department Staff schedules.

Mrs. Makely moved to change the meeting dates for the Planning Commission to the second Wednesday of the month starting in July of 2007, motion seconded by Mr. Capelli. Motion carried unanimously.

Mrs. Makely noted that the Planning Commission meeting for June 6, 2007 will be on the first Wednesday of the month following the Public Hearing on Monday, June 4, 2007.

B. Approval of Text Amendment Application for Charleston County

Mrs. Makely said that Charleston County Planning Department is asking for approval for the draft Text Amendment Application (copy attached). Mrs. Makely noted that the purpose of this form is to request an amendment to the Land Use Planning and Zoning Ordinance.

Mrs. Makely moved to approve the Text Amendment Application; motion seconded by Mr. Juchatz. Motion carried unanimously.

VIII. Correspondence- None

IX. Commissioner's Report

Mr. Capelli and Mr. Juchatz asked for clarification on how we are responding to correspondence from property owners? Are responses being given in generic form as in a form letter or are they being answered specifically?

Mrs. Makely said that they are being answered specifically and that a copy of the response made by her is being forwarded to Mrs. Rucker, Town Administrator.

Mr. Juchatz asked approximately how many letters/questions had

been received? Mrs. Makely said that we have received approximately 20 letters.

The Commission agreed that it should receive all correspondence with responses and that those should be provided to each member as part of the monthly meeting materials.

No Report from Mr. Colvin, Mr. Tedesco, or Mr. Peterson.

X. Citizen's Comments

Mayor Wert said going forward; the Planning Commissioners would receive an update of the responses that Mrs. Rucker and Mrs. Makely are making to property owners pertaining to written questions. Secondly, an issue was raised pertaining to notifications and official minutes of the subcommittees. Mayor Wert noted that subcommittees of the Planning Commission are not required to notice their meetings nor are they required to keep official minutes of their meetings, unless a quorum of the Planning Commission is present during the meeting.


Mr. Capelli asked Mayor Wert if working documents of the Subcommittee are subject to release to the public under the Freedom of Information Act?

Mayor Wert said that once the information is presented to the Planning Commission then it is subject to be release to the public as required by the Freedom of Information Act.

XI. Adjournment

Mr. Tedesco moved to adjourn the meeting at 4:09 PM; motion seconded by Mr. Capelli. Motion carried unanimously.

Respectfully Submitted,


Amber Simmons, Town Clerk

APPROVED: 
Je Anne Makely, Chair

DATE: 5-19-07

CC: Planning Commission
Daniel Pennick, Chas. Co. Planning
Dennis Rhoad, Esq., Town Attorney

Mayor & Town Council
Tumiko Rucker, Town Admin
Joe Bunting, KICA
Amanda Mole, ARB

VISITOR SIGN IN SHEET

Planning Commission

Date: 05-17-07

NAME: (Please PRINT)

ADDRESS:

NAME: (Please PRINT)

ADDRESS:

Andy Lulick

38 Marsh Edge Ln

Brandon White

Chas Co Planning
