

**Minutes
Public Hearing
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

March 7, 2007

Members Present: Mayor Samuel Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward and Joe Lee

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien, Assistant Fire Chief Jim Colwell and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the hearing to order at 6:30 pm and welcomed those present.

II. PURPOSE:

- A. Ordinance 2007-9. An ordinance amending Chapter 15.5, Section 28 the Town of Port Royal Code of Ordinances to reconcile the Overlay District Codes to comply with state law concerning vested rights.**

Mayor Murray read Ordinance 2007-9 by title.

Town Manager Willis explained the Town's Overlay District Code was in violation of State Law concerning vested time allowed for private property rights. He explained that the Town allowed only a six months waiting period when the state requires a two year waiting period. Mr. Willis told Council this change would bring the Town in compliance with State Law.

David Kell asked when this state law became effective and what consequences the Town would face if Council chose to retain the six month vested period.

Town Manager Willis said the law became effective in early 2005 and explained the Town would run the risk of takings if the owner chose to take the Town to court. He said the Town might be forced to pay for any losses due to due to the shorter period of time.

B. Ordinance 2007-10. An ordinance amending Chapter 15.5, Article II, Section 28, of the Town of Port Royal Code of Ordinances to reconcile the code to comply with state law as it pertains to appeals of decisions made by the Design Review Board

Mayor Murray read Ordinance 2007-10 by title.

Town Manager Willis explained that currently appeals made for decisions of the Town's Design Review Board are heard by the Town's Zoning Board of Adjustments and Appeals Board. He explained that State Law requires that these appeals go to a circuit court or other appropriate court. Mr. Willis said this ordinance would bring the Town in compliance with State Law.

C. Ordinance 2007-12. An ordinance amending Chapter 22, Zoning, of the Code of Ordinances of the Town of Port Royal, South Carolina concerning the lighting of communication towers and any other structures in excess of 150 feet

Mayor Murray read Ordinance 2007-12 by title and told those present the county had passed this ordinance and was requesting that the municipalities do likewise.

Town Manager Willis explained the County Council had asked the municipalities to pass the ordinance in order to have consistency across the county in the lighting of cell towers or other tall structures. He said this would help eliminate dangerous situations with towers and airplanes.

D. Ordinance 2007-13. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .33 acres as shown and described as Beaufort County Tax District 110, Map 8, Parcel 487 from Residential-17 (R-17) to Residential-5 (R-5) (located at 1821 Drayton Drive)

Mayor Murray read Ordinance 2007-13 by title.

Town Manager Willis showed the property on the map and said it fronted on both Drayton Drive and Lenora Drive. He said the Joint Municipal Planning Commission had unanimously recommended this rezoning.

E. Ordinance 2007-14. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .39 acres as shown and described as Beaufort County Tax District 110, Map 8, Parcel 121 from Residential-10 (R-10) to Residential-5 (R-5) (located at 1916 Battery Park Drive)

Mayor Murray read Ordinance 2007-14 by title.

Town Manager Willis showed the property on the map and said the JMPC had unanimously recommended this rezoning. He explained the owners had previously requested MU-2 zoning for both the Drayton Drive and Battery Park properties but said the request had been changed to R-5 to accommodate the adjoining property owners.

F. Ordinance 2007-15. An ordinance amending Chapter 12, Licenses and Business Regulations, of the Code of Ordinances of the Town of Port Royal, South Carolina providing for a short term rental permit

Mayor Murray read Ordinance 2007-15.

Town Manager Willis explained that because short term rentals were becoming an issue in the Town, he had asked Council to decide what they wanted to do about them. He said Council had chosen to regulate short term rentals and that this ordinance set up a system for monitoring these units. Mr. Willis said there were currently fifteen to twenty of these businesses in the Town.

Chuck Warren stated that there were different types of units being used for short term rentals and said they needed to meet fire code requirements in order to qualify as short term rentals.

John Ellerby asked what amount of time is considered short term.

Mayor Murray explained that less than thirty days was considered short term.

III. ADJOURNMENT:

There being no further comment, the meeting adjourned at 6:44 pm.

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the public hearing was posted in the local newspaper and on the Town Bulletin Board fifteen days before the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.