



Town of Hilton Head Island BOARD OF ZONING APPEALS MEETING Monday, April 27, 2026, 2:30 PM Minutes

1. Call to Order

Chairman Fingerhut called the meeting to order at 2:30 pm. In attendance were: Chairman Fingerhut, Vice-Chair Bayless, Amy Fee, Jeffery Greene, Dale Strecker, Peter Kristian and Michael Sackheim.

2. Welcome and Introduction to Board Procedures

Chairman Fingerhut welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

3. Adoption of the Agenda

Mr. Kristian moved to approve the agenda as presented. Ms. Fee seconded. The motion passed unanimously.

4. Approval of the Minutes

a. Regular Meeting Minutes of December 22, 2025

Mr. Greene moved to approve the minutes of December 22, 2025. Mr. Sackheim seconded. The motion passed unanimously. Mr. Strecker abstained as he was not at the meeting.

5. Unfinished Business

6. New Business

a. Public Hearing

VAR-000252-2026 - Request from John Watts representing on behalf of Carol Balazsi, owner of 12 Heath Drive, also identified as Beaufort County Tax Map Parcel R520 016 00A 0132 0000, for a variance from the LMO Section 16-6-104.F.2.a, General Requirements, to remove a specimen tree that is located on a single-family lot.

Mr. Brian Eber presented the staff report, as included in the agenda packet, regarding a variance request submitted by John Watts on behalf of Ms. Carol Balazi, property owner of 12 Heath Drive (Beaufort County Tax Map Parcel R520-16-A-0132-0000.) The request sought a variance from LMO Section 16-6-104.F.2.a (General Requirements) to allow the removal of a specimen tree located on a single-family lot.

Mr. Eber explained that this provision was added to the Land Management Ordinance within the past year, and that staff does not currently have specific review criteria for

specimen tree removal. The only available relief from such a hardship is through the Board of Zoning Appeals. Therefore, staff made no formal recommendation for approval or denial, instead advising that the Board determine an outcome that would be fair and equitable to all parties. He noted that specimen trees may only be removed when certain conditions are met, including dead, disease and decay, and referenced the variance criteria that permit the Board to grant a variance if strict enforcement of the Ordinance would result in unnecessary hardship.

Mr. Eber concluded his presentation and responded to questions from the Board regarding mitigation requirements and whether the Palmetto Dunes Property Owners Association (POA) had consented to the removal. He confirmed that the POA had approved the request and that the applicants would be required to meet the POA's mitigation requirements.

Chair Fingerhut then invited comments from the applicant. Mr. John Watts, representing the applicant, stated that he is the contractor for the property owners and believed that removal of the tree was necessary. He responded to several questions from the Board.

Following discussion, Mr. Kristian moved that, based on the information presented, the Board of Zoning Appeals find that all applicable criteria have been met and grant the variance. Vice-Chair Bayless seconded the motion. The motion passed unanimously.

b. Public Hearing

VAR-000251-2026 - Request from Daniel Kirchberg, owner of 14 Pelican Street, also identified as Beaufort County Tax Map Parcel R550 015 00A 0467 0000, for a variance from LMO Section 16-6-104.F.2.a, General Requirements, to remove a specimen tree that is located on a single-family lot.

Mr. Brian Eber presented the staff report, regarding a variance request from Daniel Kirchberg, owner of 14 Pelican Street (Beaufort County Tax Map Parcel R550 015 00A 0467 0000.) The request seeks a variance from LMO Section 16-6-104.F.2.a, (General Requirements) for the removal of a specimen tree located on a single family lot. The property in question contains one specimen tree approximately 36 inches in diameter, alongside four additional specimen live oak trees and one significant live oak tree. The proposed removal of the tree is necessitated by the owner's intention to install a 350 square foot accessory use swimming pool. Mr. Eber cited a communication dated March 19, 2026, with Jones Brothers Tree Service, where arborist Clay Jones evaluated the tree and deemed it to be healthy. Mr. Eber noted that the hardship presented by the applicant appears to be self-created, influenced by the location and design of the proposed pool. Mr. Eber concluded his presentation and addressed questions from the Board.

Chair Fingerhut invited the applicant to provide any additional comments. Mr. Kirchberg indicated that while he had optimal for privacy, the tree's location poses an obstacle.

Chair Fingerhut then sought public comment on the variance request. One resident from the adjacent property expressed opposition to the tree's removal. Another citizen urged

the Board to consider fairness in their decision-making process, while Chester Williams, Attorney voiced his support for granting the variance.

Mr. Greene motioned to table the item until the Board could receive a comprehensive report from an arborist. This would offer a clearer understanding of the potential impact on the remaining trees should the specimen tree be removed. Mr. Sackheim seconded. The motion passed unanimously.

7. Public Comment - Non Agenda Items

There was no public comments.

8. Staff Reports

There was no staff report.

9. Adjournment

The meeting was adjourned at 3:34 pm.

Approved: June 22, 2026