

November 18, 2004

The Board of Zoning Appeals for the Town of Sullivan's Island met on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied.

Present were: Jimmy Hiers
Thom Hiers, Chairman
Jay Keenan
Susan Middaugh

Motion was made by Susan Middaugh, seconded by Jimmy Hiers, to approve the minutes of September 14, 2004 as amended, carried unanimously.

Motion was made by Jimmy Hiers, seconded by Susan Middaugh, to recess until Jay Keenan arrived, carried unanimously.

The meeting was called back to order.

South Carolina Electric & Gas Co., 1735 Atlantic Avenue, appeal from action of Zoning Official regarding lot coverage. Mr. Jim Bryan, Mr. Marty Ragan, and Ms. Jan Meyer represented Scana Corporation. Mr. Bryan stated they are requesting a variance for a new swimming pool to replace the current pool, and while the lot coverage would be less than currently covered, it is over the amount allowed by ordinance. He stated that substantial improvements have been made at the Sand Dunes Club over the last year. One improvement is a retention pond, to which the new pool will be tied into. The old pool is not tied into this pond. Mr. Bryan stated that the current pool has operational challenges, as it needs a lot of upkeep due to its age. He stated a new pool would be more attractive, closer to the ground, and some of the higher lights can be eliminated since the pool would be lower. Mr. Bryan stated that 30% lot coverage is allowed by ordinance. With the old pool, there is 37% lot coverage. With the new pool, there would be 36% lot coverage. Mr. Ragan stated that they will be tearing down one of the shelters.

Motion was made by Susan Middaugh, seconded by Jay Keenan to provide a variance as requested for a new pool to replace the current pool. There are extraordinary and exceptional conditions as this is a unique property with a large swimming pool and it is not an ordinary residential property. These conditions do not apply to any other property on the island. The proposal is essentially to replace a current pool that is actually larger than proposed pool. This lot coverage should not exceed the current total lot coverage; this should include lowering the lights as they planned, that will be a benefit to the neighborhood, and the shelter torn down, which will improve the property. Because of these conditions, the application of the ordinance would effectively prohibit and unreasonably restrict the use of the property in that the current pool is having structural problems and this would replace the current pool.

Mr. Bryan stated that while the pool is for the use of Scana employees, the Town residents have been offered to use the pool over the years, and this will continue. This year, 65 Sullivan's Island families signed up to use the pool.

Mr. Prause stated that there are five separate and distinct lots on this property, but they are being used as one. If the lot lines were abandoned and it was made one lot, then that brings it more in compliance. That is what is being presented tonight; the lot coverage is currently 37% of all five lots combined.

Motion carried unanimously.

The Board reviewed the proposed Rules of Procedure. Motion was made by Jay Keenan, seconded by Jimmy Hiers, to adopt the Rules of Procedure as discussed and edited, carried unanimously.

Motion was made by Jay Keenan, seconded by Susan Middaugh, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney

Approved:

Date: _____