

June 9, 2005

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
Alice Paylor

Motion was made by Susan Middaugh, seconded by Alice Paylor, to approve the minutes of the May 12, 2005 meeting, carried unanimously.

Susan and Henry Smythe, 1424 Thompson Avenue, appeal of Tree Commission decision regarding tree removal at 1450 Thompson Avenue. Attorney Bill Barr stated the Smythes were requesting to defer for one month. Motion to defer the Smythe appeal for one month was made by Jay Keenan, seconded by Alice Paylor, carried unanimously.

Hal Coste dba CW Coste of SC, LLC; 3318 Jasper Boulevard, variance for rear setback. Mr. Coste was represented by Steve Keutzer. Mr. Coste wants to connect the upper level porch and add a trellis across the top. Mr. Keutzer stated the issue is the change in the setbacks, as when the house was built, it would now be considered over the rear setback. He stated they would be building over existing construction that is over the setback, but nothing on the second floor would extend farther than the first floor below. Mr. Prause stated he did not locate record of a variance for the house to be built where it is, however, they might not have needed a variance at that time. There is record of a Certificate of Occupancy signed March 5, 1982 by Zoning Administrator Blaine Miller. Mr. Prause stated Mr. Coste needs to meet hardship requirements, and would need to submit the exact figure of the variance requested. Mr. Keutzer stated he wished to withdraw his variance request at this time.

H. Brewton and Elizabeth E. Hagood, 1722 Atlantic Avenue, variance for side setback. The Hagoods were represented by Attorney Bill Barr. Mr. Barr stated the house was built in the 1960's. The Hagoods purchased the home in 1988 and added a third story and an exterior stairwell. They want to reconstruct an exterior stairwell to have two forms of ingress/egress. The recent renovations revealed that the original staircase was not substantial enough; it was underdesigned for its purpose. The interior staircase is in the center of the house and goes straight up to the third floor. In the event of a fire, that would be their only means to get out of the house. Mr. Barr stated the lot is 85 feet wide with a 30 foot combined setback, reduced by 1/3 foot for every foot under 105 feet. In this case, the setback comes to be a total of 23.34 feet. They have 10'6" on the eastern side of the property; and a little over 12' on the western side of the property. Only the switchback from the second to the third floors will be outside of the setback, because the platform had to be pushed out due to the chimney. The Hagoods are asking for a 3.14 foot variance only from the second floor to third floor landing. The family has two small children, and only one method of ingress/egress. The hardship is that there is no other place to put another stairwell for additional ingress/egress; the house was constructed in the 1960's, so they were not able to design a stairwell into the system during construction, and the location of the chimney causes the platform to be pushed out two feet. Steve Herlong, architect, stated that he studied the alternatives, and found that this is the least obtrusive for stairs that meet the building code. Mr. Prause stated that in the context of the application, this is not something that is required; it is something the Hagoods

would like to have. Alice Paylor stated it is a good idea to have more than one way to get out of a house in case of a fire or emergency. Mr. Hagood stated he will not rent out the third floor of his home.

Motion was made by Susan Middaugh, seconded by Alice Paylor, to approve the variance as requested as there are extraordinary and exceptional conditions primarily relating to the fact that the house was built in the 1960's and the stairwell that was built onto the house was well within the setbacks required at that time; the house is being renovated, the stairwell could not be repaired so it has to be replaced, and it is being replaced in essentially the same location as it was before. These conditions do not generally apply to other property in the vicinity. Because of these conditions, the application would unreasonably restrict the utilization of the property in that the staircase was put in as a safety feature, the existing stairwell within the house goes up three stories and is likely to be a hazard in case of fire; the authorization of the variance will not be of substantial detriment to the adjacent property as the staircase has essentially been there for quite sometime, and the main problem now is the width of the staircase has to meet current code of 3 feet, and in order for the staircase to meet code, the stretch of the staircase from the second floor landing to the third floor landing will be 3.14 feet into the side setback, carried unanimously.

Chairman Hiers stated that due to vacations of various members, the Board would not have a quorum in July. The next meeting will be the regular August meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Ellen McQueeney

Approved:

Date: _____