

February 8, 2007

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: Jay Keenan, Chairman
Brian Hellman
Jimmy Hiers
Susan Middaugh
Alice Paylor
Betsy Richardson
Bachman Smith, III

Motion was made by Bachman Smith, seconded by Alice Paylor, to approve the January 11, 2007 minutes, carried unanimously. Chairman Keenan swore in all applicants and participants. Chairman Keenan noted for the record that a letter of recusal was received from Betsy Richardson concerning the application for 2850 Jasper Avenue, as she is part owner of the adjoining property.

Jose Biascochea, 2850 Jasper Boulevard, special exception requested for historic structure used as accessory dwelling unit. Mr. John Ferrell, engineer, represented Mr. Biascochea. He stated that they have submitted the most restrictive plans to the Design Review Board, so even if the property line dispute was lost, their plans would still be within the setbacks of the property line in question. Mr. Ferrell stated that the Design Review Board has given conceptual approval to the plans, and he is requesting the BZA to give a special exception condition on DRB's final approval.

Mr. Prause noted that Section 21-178F of the Code encourages applicants to discuss with the Design Review Board before presenting to the Board of Zoning Appeals.

Susan Middaugh stated the matter should be deferred, as the conceptual approval without specifics does not give adequate information to make a decision.

Billy Richardson, 2678 Goldbug, stated the attorneys are involved with the property line dispute, and he objects to any decisions being made until the survey is straightened out.

Motion was made by Susan Middaugh, seconded by Jimmy Hiers, to defer this application until after the next meeting of the Design Review Board, and return to the Board of Zoning Appeals with more specifics so this Board can make a determination. Bachman Smith noted that the issues are reserved to the DRB. Mr. Biascochea received DRB conceptual approval; it meets the setbacks; the applicant has met Section 21-178 in his opinion. Brian Hellman concurred. Chairman Keenan stated that all four items of Section 21-178 (C) have to be met. With the conceptual plans, it is not possible to know about traffic, buffers, compatibility, etc.

Call for the question: Motion failed by a vote of 3-3. In favor of motion; Susan Middaugh, Jay Keenan, Jimmy Hiers. In opposition to motion: Brian Hellman, Alice Paylor, Bachman Smith.

Motion was made by Bachman Smith, seconded by Alice Paylor, to approve a special exception with the condition that the applicant must receive final approval from the Design Review Board prior to moving forward to obtaining a permit. Motion failed by a vote of 3-3. In favor of motion: Brian Hellman, Alice Paylor, Bachman Smith. In opposition to motion: Susan Middaugh, Jimmy Hiers, Jay Keenan.

Motion was made by Bachman Smith, seconded by Susan Middaugh, to defer this application until the next meeting, motion carried unanimously.

Rules of Procedure Approval

After discussion, motion was made by Alice Paylor, seconded by Jimmy Hiers, to approve the Rules of Procedure with the following changes; Article IV, Section 5; reverse order of items b and c; Item f: delete word "Unsworn," carried unanimously.

Motion was made by Jimmy Hiers, seconded by Alice Paylor to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney

Approved:

Date: _____