

September 11, 2008

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
Jimmy Hiers
Susan Middaugh
Betsy Richardson
Bachman Smith

The minutes from the July 10, 2008 meeting were unanimously approved. Chairman Keenan administered the oath to all applicants and participants.

Ploch, Samantha. 1502 Thompson Avenue. Variance from RC-2 setback.

Chairman Keenan asked Zoning Administrator Kent Prause to present. Mr. Prause stated the applicant is requesting a variance to build a tree-house, which is an accessory use because it will have a roof. It can meet the 10 ft side yard setback. The other setbacks are 20 ft from the primary façade of the house and 30 ft from the RC-2 district boundary line. Based on those setbacks, an accessory use could not be placed anywhere on the lot – it would be prohibited due to the physical characteristics of the property. He continued that this variance meets the four-part variance test, and the applicant is entitled to relief; however, it is the Board's decision whether to grant the relief, and also the extent of the relief or any conditions to place on the relief.

Sabrina Cochran of Stephen Herlong & Associates, represented the Ploch family. Ms. Cochran stated that the lot is very shallow. The owners are requesting to build the tree house within three ft of the property line. The tree house will not touch the tree; however, it will be nestled in the tree toward the waterway. It will be built up from the existing masonry area where the sandbox currently is. The dimensions are approximately 10 x 10 x 15 ft; and the Design Review Board has already approved the final.

Motion was made by Jimmy Hiers, seconded by Susan Middaugh, to approve the request for the variance with some stipulations; there are extraordinary and exceptional conditions pertaining to this particular piece of property and it is a very narrow lot; these conditions do not generally apply to other properties in the vicinity; because of these conditions the application of the ordinance of this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as the owners would not be able to build any accessory play structure; the authorization of the variance would not be of substantial detriment to adjacent property or the public good; the character of district would not be harmed by granting the variance because the owners state that it would be within similar setback distances as other nearby adjacent property structures; stipulations the Board attaches are that the structure is a no greater than 10x10x15 feet and have no plumbing or electricity, and that the bottom area be kept open; to clarify the variance would be for a three foot rear yard setback and that the structure will be 10 feet off the side line, carried unanimously.

The meeting was unanimously approved for adjournment at 7:35 p.m.

Respectfully submitted,

Ellen McQueeney

Approved:

Date:
