

January 13, 2011

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: Jimmy Hiers, Chairman
Ward Lasso
Susan Middaugh
Bachman Smith
Elizabeth Tezza

Chairman Hiers called the meeting to order.

Motion was made by Elizabeth Tezza, seconded by Bachman Smith, to approve the minutes of the September 16, 2010 meeting, carried unanimously.

Chairman Hiers issued the applicant and participant oath.

Harriet McDougal, 2429 Atlantic Avenue, variance to prune wax myrtles to 3-1/2 feet. Chairman Hiers asked Building Official Randy Robinson to present. Mr. Robinson stated that this property was sold and the past property owner received a variance each year to cut the wax myrtles to 3-1/2 feet because it was a one-story, ground-level home. Mr. P.O. Mead of Mead's Tree Service was present to represent Ms. McDougal.

Motion was made by Susan Middaugh, seconded by Elizabeth Tezza, to approve the application on the findings as previous years that this property has extraordinary and exceptional conditions. There are only two houses that are essentially single story at ground level and since the ordinance was set up in 1995 the Board has made, on an annual basis, an exception for these two properties only. These conditions do not generally apply to other property in the vicinity and can not be taken as a precedent for any other front beach property. Because of the unusual conditions of being at ground level, the application of the ordinance as it now stands will disproportionately impact the utilization of the property. Property owners with two stories are allowed to cut wax myrtles – previously 7 feet but now to 5 feet – so that 3-1/2 feet for these two properties is proportional. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good. The character of the district will not be harmed by the granting of the variance in these two cases, as the Board has granted for since 1995, carried unanimously. Ms. Middaugh added that this variance is not definitely granted every year, that it is possible for changes in the ordinance or other situations to prohibit the variance. She requested that the owners be sent a copy of the minutes.

There was discussion of the election of officers for 2011. Motion was made by Susan Middaugh, seconded by Bachman Smith, to elect Jimmy Hiers as chairman, carried unanimously.

Motion was made by Elizabeth Tezza, seconded by Susan Middaugh, to elect Bachman Smith as vice chairman, carried by a vote of 4, with Mr. Smith abstaining.

Chairman Hiers introduced Ward Lasso, as this was his first meeting as a new Board member.

There being no more business to come before the Board, the meeting was unanimously adjourned at 7:15 p.m.

Respectfully,

Ellen Miller