

October 10, 2013

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.

Board members present: Elizabeth Tezza, Chair  
Summer Eudy  
Jimmy Hiers  
Susan Romaine  
Delores Schweitzer  
Bachman Smith, IV  
Carlin Timmons

Staff present: Joe Henderson  
Randy Robinson

Chair Tezza called the meeting to order and stated all Freedom of Information Act requirements had been met.

**Motion was made by Jimmy Hiers, seconded by Susan Romaine, to approve the Minutes of the July 11, 2013 meeting, carried unanimously.**

Chair Tezza administered the oath to the applicants and participants. She then asked Zoning Administrator Joe Henderson to present the first application.

**313 Station 13: Beau Clowney Design, request variances from Zoning Ordinance Section 21-22 B (3)(b); Section 21-22 E (2)(b); and Section 21-25 B (2) to allow a one-story front porch addition on front elevation of a single-family home.**

Mr. Henderson stated the applicants were requesting dimensional variances on property at 313 Station 13. These variances include modification or relief from Section 21-22 B (3) (b) – front setback reduction; Section 21-22 E (2) (b) – extension of nonconforming walls; Section 21-25 B (2) – Increase of principal building coverage; and may require an additional request of Section 21-22 B (4) – authorize the Design Review Board an additional 10% modification to the additional front yard setback provision to allow the front façade, and the architectural elements association with the dormer, to encroach into the front setback. Mr. Henderson asked the applicant to present.

Attorney Bill Barr represented the owners, Raymond and Jean Marie Sweigart. He stated this house was built in 1966 and is completely non-conforming because the zoning code did not exist at that time. It is the only single story house on the street. Mr. Barr presented the plan to the Board and stated the shed would be removed. Mr. Barr continued that the relief is to extend laterally the front setback from the existing corner garage to the new corner which will roughly create a 24x24 garage. This extension would also increase the lot

coverage. The last request was for a front porch. The owners request to build a small porch on the front of the house which will make it more of a traditional island resource.

Mr. Henderson stated the fourth possible variance needed related to the additional front yard setback. There is a height issue that requires that any portion of the principal building height exceeding 20 feet shall be set back one foot for each foot over 20 feet.

The architect stated they did not realize there might be an issue with the dormer; however, they believe the dormer is much more acceptable than a second story on top of the garage. Bachman Smith stated that conditions could be attached to the motion. Jimmy Hiers inquired if the variances allowed which exceed the Design Review Board's allowance could allow owners of non-buildable lots to request relief to build a structure. Ms. Tezza stated it is an existing structure and not a vacant lot; so the request is different. Mr. Robinson stated the variance should be for the plan of this house; not for the lot.

**Motion was made by Jimmy Hiers, seconded by Bachman Smith, to grant the relief requested in the three variance requests for the structure of 313 Station 13 Street. There are extraordinary and exceptional conditions pertaining to the particular piece of property, mainly that the lot has a shallow depth and small acreage; and is a ranch-style home which will not be torn down, but will have a sympathetic addition. These conditions do not generally apply to other property in the vicinity as shown by a drive down the street to look at the other houses. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: the Board has seen a plan that showed how narrow the house would have to be to meet all the setback requirements and it is impractical to do so, and the Board also has to consider the implications of the 50% rule. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the reason that it extends an already non-conforming existing condition as well as it allows the utilization of the property by maintaining the existing residence and adding a new porch. Also, to add relief from Section 21-22 B (4) by granting the Design Review Board an additional 10% modification if they choose to exercise it on the zoning standard for this 21-22 B (4), carried unanimously.**

Motion was made by Summer Eudy, seconded by Bachman Smith, to adjourn at 6:50 pm, carried unanimously.

Respectfully submitted,



Ellen Miller