

**PATRICK M. O'NEIL**  
MAYOR

**TOWN COUNCIL**  
CHAUNCEY CLARK, MAYOR PRO TEM  
SARAH CHURCH  
MARK HOWARD  
RITA LANGLEY  
SUSAN MIDDLEAUGH  
BACHMAN SMITH, IV

# TOWN OF SULLIVAN'S ISLAND



**ANDY BENKE**  
TOWN ADMINISTRATOR

**JASON BLANTON**  
DEPUTY ADMINISTRATOR/COMPTROLLER

**LAWRENCE A. DODDS**  
TOWN ATTORNEY

**GREG GRESS**  
WATER AND SEWER MANAGER

**JOE HENDERSON**  
ZONING ADMINISTRATOR

**DANIEL S. HOWARD**  
CHIEF OF POLICE

**ELLEN MILLER**  
TOWN CLERK

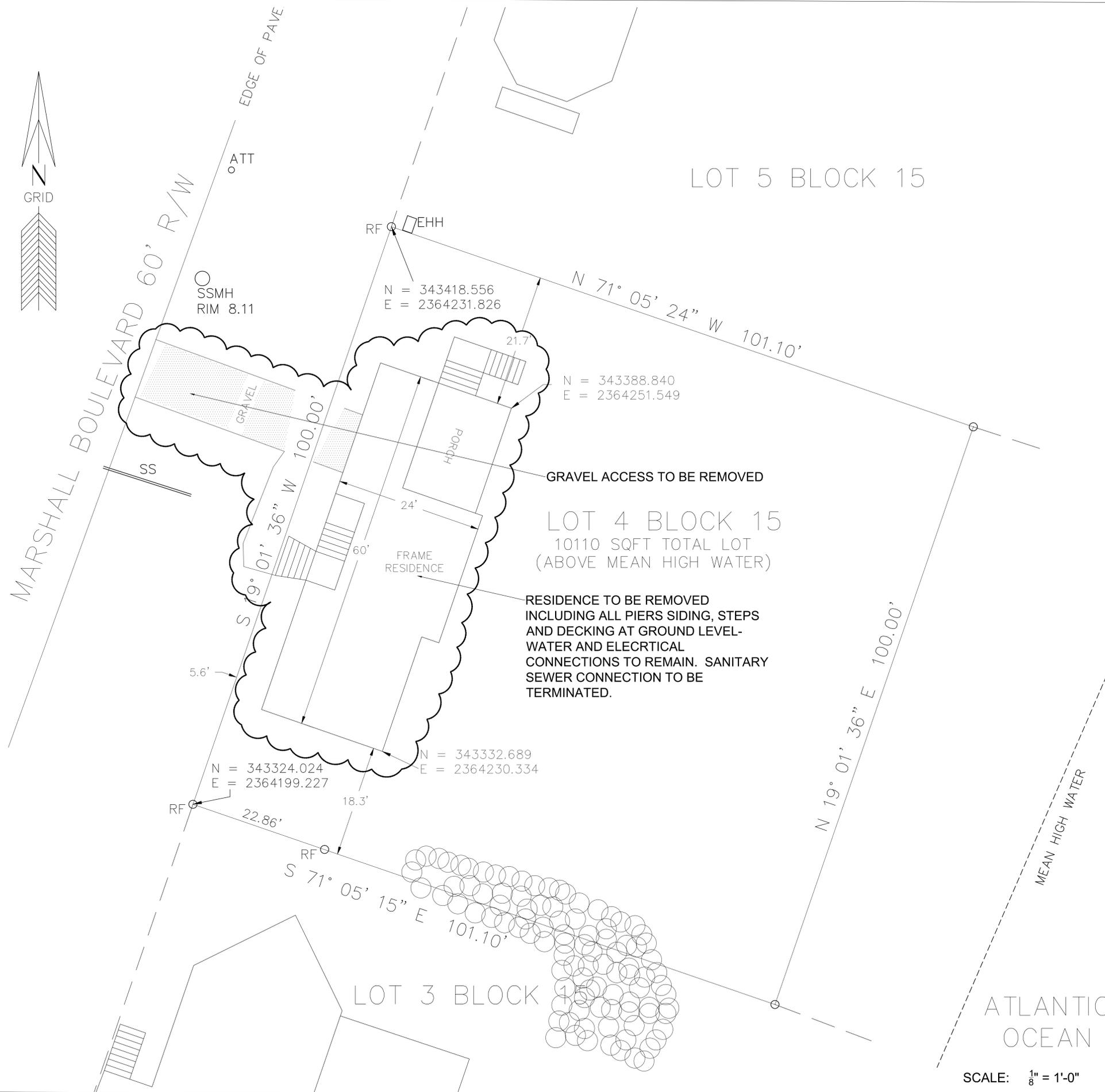
**RANDY ROBINSON**  
BUILDING OFFICIAL

**M. ANTHONY STITH**  
FIRE CHIEF

## BOARD OF ZONING APPEALS

Thursday, April 14, 2016  
6:00 P.M. Town Hall

- A. CALL TO ORDER AND NOTIFICATION THAT FREEDOM OF INFORMATION ACT REQUIREMENTS ARE MET
- B. APPROVAL OF MINUTES FROM MARCH 10, 2016
- C. APPLICANT AND PARTICIPANT OATH
- D. SPECIAL EXCEPTION REQUESTS
  - 1. 3117 Marshall Boulevard: Todd Eischeid, of 3117 Marshall LLC., requests approval of a RS-District Special Exception to establish a conservation easement use in accordance with Zoning Ordinance §21-20 C (5) and §21-178. (TMS# 529-12-00-104)
  - 2. 2102 I'on Avenue: Richard Graham, applicant, requests approval of a CC-District Special Exception to establish short-term automobile parking lot in accordance with Zoning Ordinance §21-50 C (4) and §21-178. (TMS# 529-09-00-019)
- E. ITEMS FOR CONSIDERATION
- F. PUBLIC INPUT
- G. ADJOURN



## Site Tabulation

Total Upland Area: 10110 SF  
 Potential Cabana SF: 5% (10110) + 2% Bonus = 707 SF  
 Maximum Cabana SF allowed: 450SF  
 Proposed Structure: 300SF Covered Deck + 150SF Enclosed Storage

## Notes

1. Front setback of 5' approved by BZA in 2009
2. As discussed, the house at 3117 Marshall blvd was authorized by SCDHEC-OCRM on November 22, 2010. The changes that are proposed to the existing structure at this location does not require additional authorization. Specifically, the proposed changes is to reduce the overall square footage and leave a small 450 square foot recreational and storage building. The remaining portion of the structure was previously evaluated and authorized under the November 22, 2010 Beachfront Notification authorization.

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- (5) Conservation Easement Uses as defined in Section 21-203 Definitions.
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- (b) Applicability. As an incentive to preserving environmentally sensitive properties zoned for residential purposes (RS District), property owners (grantor) may establish certain recreational uses and structures as part of a permanent conservation easement. These non-residential uses must include retaining or protecting natural or open-space values of real property, assuring its availability for noncommercial agricultural, forestal, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural or archeological aspects of real property. The Board of Zoning Appeals may authorize a conservation easement structure or use upon a finding that establishment of the use or structure will not be of a substantial detriment to an adjacent property or to the public good, and the granting of the use or structure will not harm the character of the district. (11-17-15)
- (c) General Conditions.
- i. Prior to issuance of a building permit the property owner must remove any previously constructed structures, driveways, recreational structures (pools, courts, sheds, etc.), pervious or impervious surfaces, and utilities associated with any previous residential or commercial development. (11-17-15)
  - ii. Use of the property for commercial or rental activity is expressly prohibited. (11-17-15)
  - iii. The use of the property shall be limited to owners and guests, not to exceed twenty-four (24) individuals at any given time. (11-17-15)
- (d) Structures.
- i. Size. One open-air structure (gazebo, cabana, pergola, arbor, or other open-air structure) not exceeding in square footage, five (5) percent of the parcel's total upland area, or two hundred fifty (250) square feet, whichever is less. A potential increase of two (2) percent will be allowed to the structure's square footage, with a 450 square foot maximum, if an existing residential structure has been removed from the parcel. (11-17-15)
  - ii. Height. Structure may not exceed a maximum height of ten (10) feet from the natural grade as measured from the center point of the proposed structure to the highest point of the roof. Height may be extended to thirteen (13) feet where the majority pitch of the structure's roof is 4/12 or more. An increase in height may be allowed if the roof's lowest horizontal structural member must be constructed above the Base Flood Elevation (BFE), however, under no circumstances may roof height exceed 3 feet over BFE. (11-17-15)
  - iii. Storage. The structure may contain no more than thirty (30) percent of the total allowed square footage as enclosed area designated for storage space. Enclosed area may include one shower stall and must be constructed with breakaway walls and designed in accordance with FEMA National Flood Insurance Program (NFIP) regulations and the Town of Sullivan's Island Flood Prevention Ordinance. (11-17-15)
  - iv. No rooftop seating or use will be permitted. (11-17-15)
  - v. Structure may not contain sewer facilities or portable sewage collection or disposal devices. Following the removal of any existing sewer facilities, all the requirements of Town Code of Ordinance Chapters 18 and 20 shall be met (Water and Sewer Utility Regulations). (11-17-15)
  - vi. Lighting. There shall be no exterior site or structural lighting. Interior lighting shall be designed and arranged to prevent glare on adjoining properties, adjacent Recreation and Conservation Area Districts, or any other area of the beach or marsh. (11-17-15)
  - vii. Building setback. Fifteen (15) foot setbacks are required from all property lines and must meet the approval of the South Carolina Department of Health and Environmental Control and Ocean and Coastal Resource Management (DHEC-OCRM) agencies prior to submitting an application for Special Exception consideration. The Board of Zoning Appeals may adjust the setback requirement in instances where severe erosion, historic structures, natural topography, or trees and vegetation poses an unnecessary hardship for meeting the required fifteen (15) foot setback. (11-17-15)
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- (h) Legal Instrument for Permanent Protection. The instrument of permanent protection shall be a permanent conservation easement recorded by the Charleston County Register of Mesne Conveyance Office (RMC), concurrent with the issuance of a Town of Sullivan's Island Building Permit and land disturbance permit: (11-17-15)
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  - ii. The Town shall receive a copy of the Annual Conservation Easement Inspection Report, and; (11-17-15)
  - iii. The Town of Sullivan's Island shall reserve a third-party right of enforcement in the conservation easement agreement. (11-17-15)

PROGRESS  
 SET-NOT FOR  
 CONSTRUCTION

**3117 MARSHALL BOULEVARD**

LOT 4 BLOCK 15  
 TOWN OF SULLIVAN'S ISLAND  
 CHARLESTON COUNTY, SOUTH CAROLINA

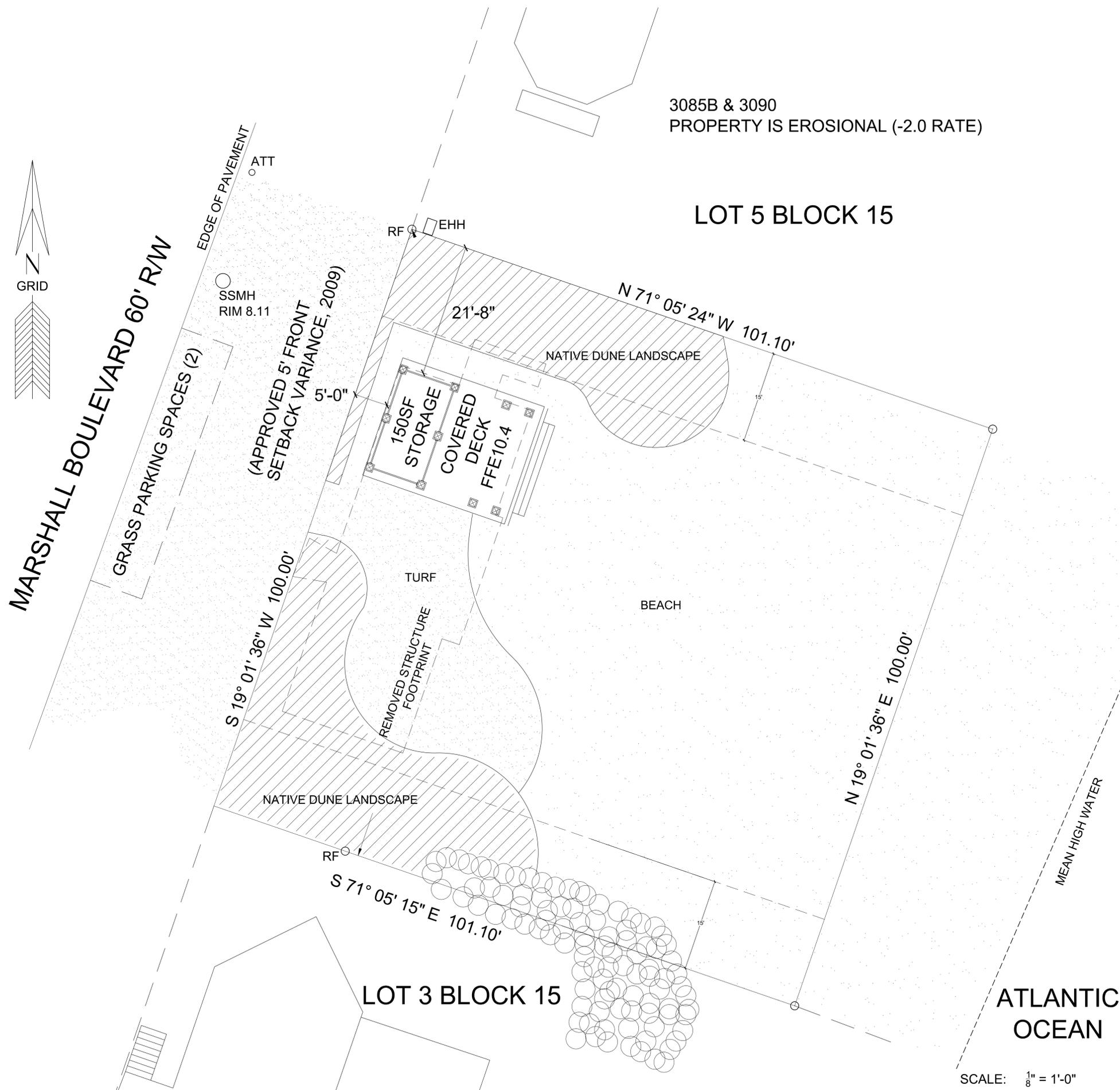
3/11/2016- PRELIMINARY REVIEW, TOWN OF SI

3/14/2016- REVISED CABANA

3/25/2016- REVISED CABANA

DEMOLITION  
 PLAN

**A-1**



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CONSTRUCTION

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LOT 4 BLOCK 15  
TOWN OF SULLIVAN'S ISLAND  
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3/11/2016 - PRELIMINARY REVIEW, TOWN OF SI
3/14/2016 - REVISED CABANA
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SITE PLAN

A-2

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CONCEPTUAL  
 PLAN AND  
 ELEVATIONS

**A-3**

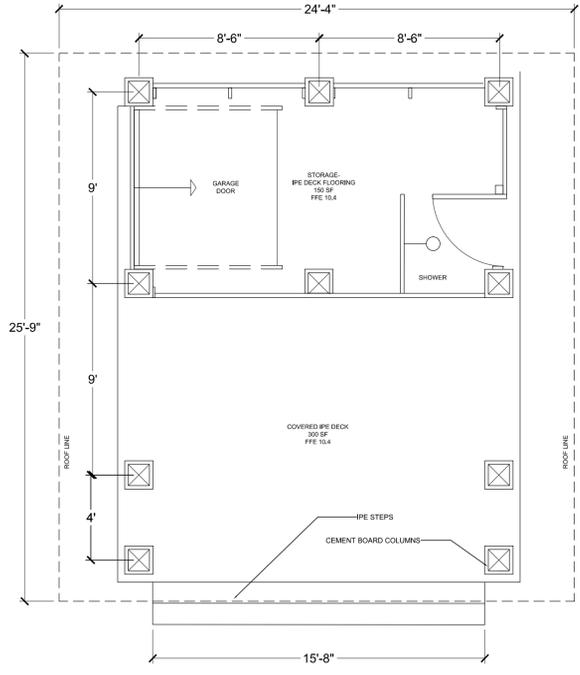
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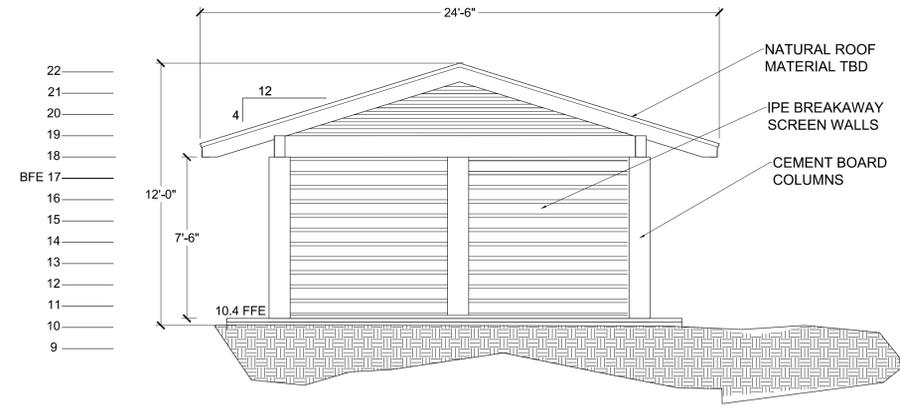
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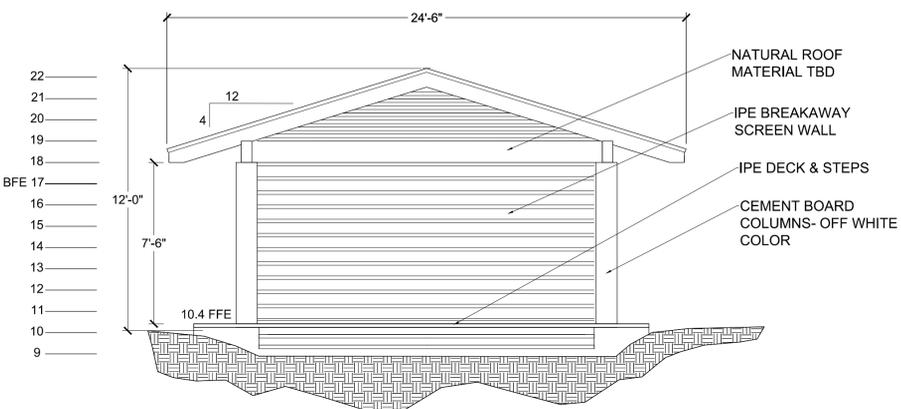
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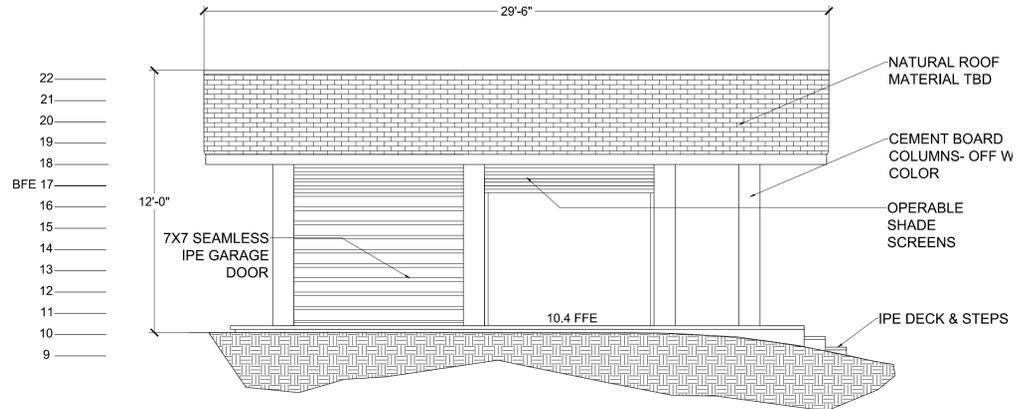
**1**  
**A-3**  
 FLOOR PLAN  
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**1**  
**A-3**  
 FRONT ELEVATION  
 1/4" = 1'-0"



**1**  
**A-3**  
 REAR ELEVATION  
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**1**  
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 SIDE ELEVATION  
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