TOWN OF SULLIVAN'S ISLAND

BOARD OF ZONING APPEALS

Thursday, November 10, 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 September 8, 2016

C. APPLICANT AND PARTICIPANT OATH

D. VARIANCE REQUESTS

1. 2014 Gull Avenue: Pat Ilderton, applicant, requests approval of a dimensional variance from the RC-2 setback requirements of Zoning Ordinance section *§21-23 E. (1) (b).* (TMS# 529-05-00-066)

2. 956 Osceola Avenue: Meadors Incorporated, applicant, requests approval of a dimensional variance from the assessory structure setback requirements of Zoning Ordinance section *§21-138 A. (1).* (TMS# 523-06-00-009)

E. ADMINISTRATIVE APPEALS

F. PUBLIC INPUT

G. ADJOURN

Town of Sullivan's Island

BOARD OF ZONING APPEALS

STAFF REPORT

To: Board of Zoning Appeals

From: Joe Henderson, Zoning Administrator

DRB Meeting Date: November 10, 2016

Agenda Item: D.1 –2014 Gull Avenue (Variance)

DESCRIPTION OF REQUEST:
Pat Ilderton, applicant, requests approval a dimensional variance from the RC-2 setback requirements of Z.O. *§21-23 E. (1)(b).*

ENCLOSURES:
- Zoning Ordinance Regulations
- Application
- Plans & Site Photos

ZONING DISTRICT:
RS (Residential Single-Family)

OVERLAY:
None

TMS#:
529-05-00-066

REQUEST:
Zoning Ordinance **Z.O. *§21-23 E. (1)(b)*** establishes a build-to line for all homes constructed adjacent to the RC-1 District (marsh). The applicants are requesting to vary from this build-to line and encroach beyond the home built closest to the marsh along Gull Drive (2002 Gull and 2018 Gull, respectively). The applicants believe the SCE&G electrical substation located to the west of the subject property could cause adverse health problems for the new residents of the property if the home is constructed in accordance with the build-to line.

SITE ANALYSIS:
The parcel's area is 21,989 sq. ft. (101' x 70'), and currently contains a noncompliant (FEMA) ranch-style home, which is proposed to be demolished. The owners are requesting to place the home main massing of the home 30' past the build-to line and setback 50' from the marshward property line.

The subject property is bounded to the west by the SCE&G property and to the east by 2018 Gull Drive (residential property). 2002 Gull Drive is home located closest to the marsh on the block and effectively sets the standard for the build-to line; approximately 159' from the centerline of the road.

STAFF RECOMMENDATION:
The BZA must state separately, the findings of fact and conclusions of law when considering the below standards for granting variances.

1. **Extraordinary conditions.** There are extraordinary and exceptional conditions pertaining to the particular piece of property. (Size, shape, topography, historic trees, ect.)
2. **Other property.** These conditions do not generally apply to other property in the vicinity.
3. **Utilization.** 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.
4. **Detriment.** The authorization of a 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.

OTHER FACTORS APPLICABLE TO A VARIANCE

- ***Profitability.*** The fact that the property may be used more profitably, if a variance is granted, may not be considered as grounds for a variance. ***(**Hardship may not be self-imposed)***

- ***Conditions.*** In granting a variance, the board may attach conditions to it. These conditions may affect the location, character or other features of the proposed building, structure or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety or general welfare.

- ***Aesthetics and Design***. The fact that a certain design feature or the location of design elements may be more aesthetically pleasing or more conveniently located, such as a taller roof or the location of an addition, generally does not allow a variance to be authorized.

APPLICABLE ZONING ORDINANCE STANDARDS

Z.O. Section *§21-24 C*


PENSKE


Sullivan's Island, South Carolina
Street View - Feb 2015

Town of Sullivan's Island
NOTICE OF APPEAL-FORM 1
BOARD OF ZONING APPEALS

Date Filed: _____ Permit Application No. _____ Appeal No.

This form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent.
An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

THE APPLICANT HEREBY APPEALS [indicate one]:

____ From action of a zoning official as stated on attached Form 2
__X__ For a variance as stated on attached Form 3
____ For a special exception as stated on attached Form 4

APPLICANT [print] Patrick Ilderton

MAILING ADDRESS: PO BOX 727, Sullivan's Island, SC 29482

Telephone (843) 883-3708 [work] _____ [home]

Interest: setback variance Owner(s): _____ Adjacent Owner(s) Other _____

[Use reverse side if more space is needed]

PROPERTY ADDRESS: 2014 Gull Avenue

Lot 229 1/2 Block _____ Subdivision _____

Tax Map No. 529-05-00-066 Plat Book 0658 Page 819

Lot Dimesions: 105.0' (W), 210.2' (L), 104.04' (W), 211.04' (L) Area: 21,989 sq. ft.

DESIGNATION OF AGENT [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____ _____
Owner Signature(s)

I (we) certify that the information in this application and the attached Form 2,3, or 4 is correct.

Date: 7/18/16
9/8/16

_____
Applicant Signature(s)

Town of Sullivan's Island
Variance Application – Form 3
Board of Zoning Appeals

Date Filed: _____ Permit No.: _____ Appeal No.: _____

1. Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the Zoning Ordinance:
Health risks involved with being located within close proximity to SCE&G substation.
so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Setback variance
Z.O. 21.23 E. (1) (b) RC-2 District Setback
for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State law and the ordinance are met by the following facts.

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: The adjoining property is the location of an SCE&G electrical substation.

b. These conditions do not generally apply to other property in the vicinity as shown by: ____
No other properties except on the other side.

c. 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: Medical documentation states that the electrical & magnetic rays generated by transformers & cables are health threats and have been proven to cause/lead to Leukemia & cancerous growth.

d. 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 following reasons: The house located on the property will eventually be demolished, and the new structure could be even with mine.

3. The following documents are submitted in support of the application: _____
_____ A plot plan must be submitted].

Date: ~~7/29/16~~ 9/8/16

_____
Applicant's Signature

TOWN OF SULLIVAN'S ISLAND

BOARD OF ZONING APPEALS

IN ACCORDANCE WITH ***ZONING ORDINANCE SECTION 21-175***,

I Patrick C. Ilderton HAVE SUBMITTED A COMPLETED BOARD OF ZONING APPEALS APPLICATION, FOR THE MEETING DATE OF ~~September 8, 2016~~ October 13, 2016, WHICH WILL BE HELD AT SULLIVAN'S ISLAND TOWN HALL LOCATED AT **2050-B MIDDLE STREET, SULLIVAN'S ISLAND, SOUTH CAROLINA**.

ADDITIONALLY, I UNDERSTAND THAT THE BOARD MAY POSTPONE OR PROCEED TO DISPOSE OF A MATTER ON THE RECORD BEFORE IT IN THE ABSENCE OF AN APPEARANCE ON BEHALF OF AN APPLICANT.

	~~7/18/16~~ 9/1/16
APPLICANT SIGNATURE	DATE

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» Printer friendly version

Substations

Extremely low frequency EMFs index » Overview | Power lines | Substations | Electrical wiring | Electrical appliances

Substations are part of the electricity supply network that enables the widespread use of electricity at home, work, places for education, leisure, commerce, health care, etc. The size of substations can be very variable, depending on whether they serve mainly residential properties, or also commercial and industrial units, etc. Schools and institutions such as hospitals often have their own substation. The purpose of substations is to transform the voltage from long-distance high voltage powerlines to the voltages used to supply our homes.

Electric and magnetic fields are generated by the equipment inside the substation or transformer and the cables going in and out. Sometimes substations are interconnected in such a way that high magnetic field levels are created in a wide area, affecting many houses, especially those with small or no front gardens. Again, the only way to know what field levels you are exposed to is to measure them - is it impossible to give an accurate calculation or estimation.

Low power substations are found about 150-200 metres apart in a typical urban area. They are often grey metal boxes in a fenced enclosure. Sometimes they are inside brick or plastic structures. They have a 'Danger of Death' yellow sign attached to the fence. This is to warn the public of the danger of electric shocks. They change a high voltage coming into the substation, often 11,000 volts, though it can be higher, into 415/230 volts. Rural areas may have small grey box transformers attached part way up a wooden pole. The bigger the substation, the higher the electromagnetic fields are likely to be and the further away a property has to be, to be in low fields. Measure the fields, it is easy and vital to do so.

Why be concerned?

Substations are not hazardous because they are substations. It is because they are surrounded by electromagnetic fields that the equipment and cables they contain produce, that they have to be treated with caution. Measured electromagnetic fields such as those produced by substations have been associated with health effects such as cancer, depression, dementia, infertility, miscarriage, heart problems, etc. For further details see our library article Powerfrequency EMFs and Health.

Electromagnetic fields (which are associated with the health problems)

There are two types of electromagnetic fields

produced by overhead and underground cables and the substation equipment itself; electric fields and magnetic fields. The strength of the electric field depends on the voltage. Electric fields from substation equipment are unlikely to extend beyond the equipment housing, as they are screened by practically all building materials. Magnetic fields are caused by electric current flowing when people use electrical power. For all practical purposes magnetic fields cannot be stopped and will travel through walls as if they were not there.

Larger substations are associated with higher EMFs. The nearer they are to a property, the higher the levels of magnetic fields are likely to be inside.

EMFs can be measured using a hand-held, easy-to-use meter such as the EMFields-ELF or the smaller MagneMeter available to hire or purchase from EMFields.

Building materials and some trees reduce electric fields, but magnetic fields travel through pretty well everything.

Cables

There may also be underground cables leading to or away from the transformers. Electric and magnetic fields also come from underground cables. The electric fields will be zero as they are screened by earth, concrete, sand etc. The magnetic fields are very high near to the cable, higher than from overhead cables because they are closer to you. They fall off more rapidly than the fields from overhead wires, because the cables are closer together and cancel out each other's effects more quickly. You are likely to have a cable running underground at the front of your property, which can affect electromagnetic fields at the front of the house, or at the side or back, especially if you have a public footpath by the side of your property. This could give you high levels of electromagnetic fields in the garden.

Net and stray currents

Houses, or ground floor or basement flats, with very small or no front garden, may have high magnetic fields in their front rooms from distribution cables running underneath the pavement. In many built up areas the electricity companies often connect neutrals from different substations together, this can produce unpredictable 'net currents' which flow round the system the wrong way and can give rise to high magnetic fields over wide areas (e.g. round 4 or 5 streets). It can create very high magnetic fields in houses, usually with no way of reducing them, as the electricity companies do not believe high magnetic fields are a problem. The ONLY way to find out if this is a problem is to measure the magnetic fields at the house, preferably at a "busy"time - e.g. 8 am or 6 pm. If the electricity company takes readings for you (in some areas this is a possibility), they may not be taking readings at these peak times.

If there is a 'net current' in the street, the magnetic field levels will be similar throughout the property, and most of the other nearby houses, not reducing much with distance from the substation. In our surveys about one quarter of the properties can have net current problems. Please see the links to SAGE2 report lower down this page for further detailed information.

'Stray' currents are due to faults in the neighbourhood electricity system that have transferred on to metal gas and/or water pipes and can be detected by holding the EMF measurement meter close to the pipes where they come into the house. In flats, measure close to all water and gas pipes. Stray currents are surprisingly common and can be stopped, but this is not always easy and there is a cost involved.

- 'Net' currents and 'stray' currents are unpredictable, and can only be detected by measuring the field levels.
- Check the area for high fields due to net currents by measuring the magnetic fields at times of the day when people are using electricity; 7.30 - 9.00 am

and 5.00 - 6.30 pm are good times to measure. If there is no gas in the area, 1.00 a.m. (i.e. after midnight) is a good time to measure in cold weather when most off-peak heating systems will have switched on.

Health effects

In cities, flats, workplaces and sometimes houses can have substations next to, or under the property (in a basement), as part of the building structure. These can produce high magnetic field levels in rooms on the same floor as the substation or in the floor above (Ilonen 2008, Thuroczy 2008). Magnetic fields can also cause computer 'wobble' which can make operators feel ill and is against Health and Safety at Work regulations.

- If there is a substation in the building where you live or work, the field levels on the same floor and the floors above and below could easily exceed the levels at which serious health effects, such as cancer, dementia or depression have been reported.

Property values

Sally Sims and Peter Dent of Oxford Brookes University in 2005 published a study (400 KB file) that showed that the close presence of a substation could reduce the number of potential buyers by up to 63%, depending on the type of property concerned and the size and visibility of the substation. The study in reported that visible substations and cables reduce the value of a property; the percentage reduction depended on the type of property.

- Substations close to the house make properties harder to sell.

What you can do

Read about the Department of Health led PW SAGE2 report and download and read the full SAGE2 report (1 MB file) which was released and sent to the Health Minister on the 8th June 2010. That has masses of useful details about substations and what can be done to reduce EMFs from substations and associated mains electricity supply cables.

The local electricity board may provide you with a plan of underground cables, to see how close the main cables are to you. They are not always accurate, but their actual position can easily be detected using a powerfrequency field meter, such as the PRO or 3030B, from EMFields. It is possible that the electricity company will only supply plans of cables to a property's owner, so some negotiation may be necessary if you haven't purchased the property yet.

The only way to get a reliable idea of the field from cables is to measure them. It is very difficult to calculate the estimated level because of the possible variability, due to trench size and depth and layout of the cables.

For most people, it is where you spend a lot of time relatively unmoving that it is advisable to have low fields. If there is a substation adjacent to the house it is very important to measure the field levels. Until you have done

so, put any beds in the room as far as possible from the substation, with the bed-head at the furthest point. Remember the critical precautionary level for magnetic field levels (which cannot be reduced by screening) is below 0.1 microtesla in bedrooms and 0.15 microtesla in play or sitting areas. Ideally, areas in the garden, which are used for play or relaxing should have fields of less than 0.2 microtesla.

Hand-held, easy-to-use meters that will accurately measure both electric and magnetic fields such as the EMFields-ELF or magnetic fields such as the MagneMeter (microtesla or mG scales) are available to hire or buy in the UK from EMFields.

References

1. **Thuroczy G** *et al*, (2008) *Exposure to 50 Hz magnetic field in apartment buildings with built-in transformer stations in Hungary*, Radiat Prot Dosimetry. 2008;131(4):469-73. Epub 2008 Jul 30 [View Author's abstract conclusions] [View on Pubmed]

2. **Ilonen K** *et al*, (April 2008) *Indoor transformer stations as predictors of residential ELF magnetic field exposure*, Bioelectromagnetics. 2008 Apr;29(3):213-8 [View Author's abstract conclusions] [View on Pubmed]

3. **Sims S, Dent P**, (2005) *High-voltage Overhead Power Lines and Property Values: A Residential Study in the UK*, Urban Studies, Vol. 42, No. 4, 665-694 (2005) [View Author's abstract conclusions]

This page has links to content that requires a .pdf reader such as Adobe Acrobat Reader

Induced currents and fields

The quantum energy of 50 Hz electromagnetic fields is too small to break chemical bonds. It is clear that power-frequency EMFs or radiation does not cause ionisation in the same way that x-rays or alpha particles do. Instead, the main known way 50 Hz fields interact with people is by inducing currents.

Microshocks are a related but different phenomenon.

See also

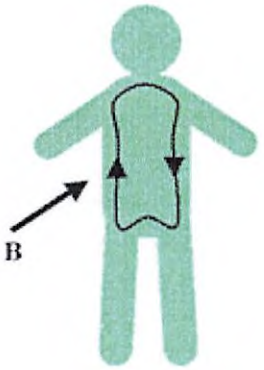
- Numerical calculations of induced currents
- Why are tissue conductivities important?
- What are

What currents do magnetic fields produce?

Any alternating magnetic field will induce an electric field, which in turn produces a current in a conducting medium. The human body

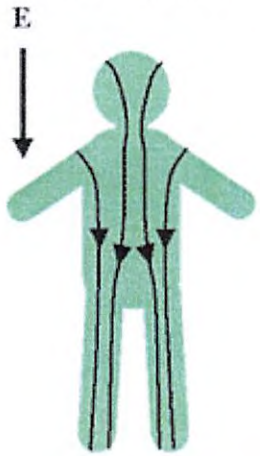
microshocks?

is conducting and will therefore have a current induced in it – albeit, usually, a very small one. As shown on the right the current circulates round the body.



In power-frequency calculations, it is common to assume the human body has a radius of 0.2 m and a conductivity of 0.2 S m^{-1}. Using this model, a magnetic field of 160 microteslas (μT) induces a peripheral current density of 1 mA m^{-2}. More accurate numerical calculations can be done which take account of the actual shape of the body and the varying conductivities of different tissues.

What currents do electric fields produce?



Alternating electric fields also induce currents in the body. As shown on the right, for a vertical field, they run up and down the body. The calculation has to take account of the perturbation to the field caused by the body itself. For a typical person standing in a vertical field, a current of 1 mA through the body is induced by 70 kV m^{-1}; more on numerical calculations.

Effects of induced currents on the body

Within the body, currents induced by fields have the same range of effects as currents injected via electrodes, e.g. in an electric shock. But these effects depend entirely on the size of the current. Thus

current densities of about 0.1 A m^{-2} can stimulate excitable tissue and current densities above about 1 A m^{-2} can cause ventricular fibrillation, as well as producing heating. However these current densities correspond to fields far larger than are ever encountered at 50 Hz.

At lower fields a range of possible effects have been reported. The established effect observed in humans at the lowest magnetic field is the magnetophosphene effect, where a flickering sensation is produced in peripheral vision by 50 Hz magnetic fields above about 10 mT (i.e. 10,000 µT). Magnetophosphenes are probably caused by induced current densities in the retina; the threshold at 20 Hz (the most sensitive frequency) is about 20 mA m^{-2}.

Microshocks are a related but separate phenomenon, caused not by a continuous current but by a one-off discharge.

What is a safe level of induced current?

Exposure guidelines are usually designed to prevent all effects of induced currents, on the basis that any effect in the brain or nervous system is potentially harmful. For example, the ICNIRP exposure guidelines currently recommend that people at work should not be exposed to current densities in the head, neck and trunk of greater than 10 mA m^{-2} (the "basic restriction") with a lower limit of 2 mA m^{-2} for the general population which may include people who are more sensitive because of medical conditions.

See more on how induced currents are calculated

What Are the Health Risks of Living Near an Electric Substation?

written by: nostolgia • edited by: Lamar Stonecypher • updated: 10/30/2012

By analyzing the cases of people living near power stations, researchers believe that humans can suffer from cancer and tumors when exposed to EMF radiation. How dangerous is it to live near a substation? Is this something you should be concerned about?

Electricity is generated in power stations and is distributed country wide by substations located near populated areas. There has to be substations located around lived in areas in order to distribute power. But can these substations be harmful to the health of those that live nearby? To understand how theses power substations are causing possible health risks to the human body, learn more about the process involved in the transmission of power from substations to a domestic user.

Image: Flickr, Vaxomatic/Patrick Finnegan, South Prairie Substation

What is an Electric Substation?

A substation is used to step down high voltage (generated in power stations) for domestic and commercial usage. The aim of these substations is to provide electricity to a populated area. A typical substation includes:

- Power lines
- Transformer
- Switches and relays

Power lines are the main source of electrical transportation to a domestic area. To minimize the power loses, electricity is transmitted at high voltage levels and minimum current levels. These high voltage lines transmit radiation called the "electro-magnetic field" or shortly EMF. Whenever a current passes through a conductor, an EMF is always associated with it. EMF contains an electric and magnetic field component oscillating at 180 degrees. The phase difference between the electric and magnetic fields is 90 degrees.

Some researchers believe that this radiation could possibly lead to cancer in human body. A device called a "Gauss meter" is used to measure the intensity of EMF.

A transformer is a small metal device of cylindrical type. Its main function is to reduce the voltage level usually from 4000V to 440V/220V for domestic usage. The EMF strength near the transformer is high, but reduces rapidly as we move away from it.

Electromagnetic induction occurs in switches and relays installed in the substation and is also a possible cause of EMF radiation.

How EMF affects the Human Body

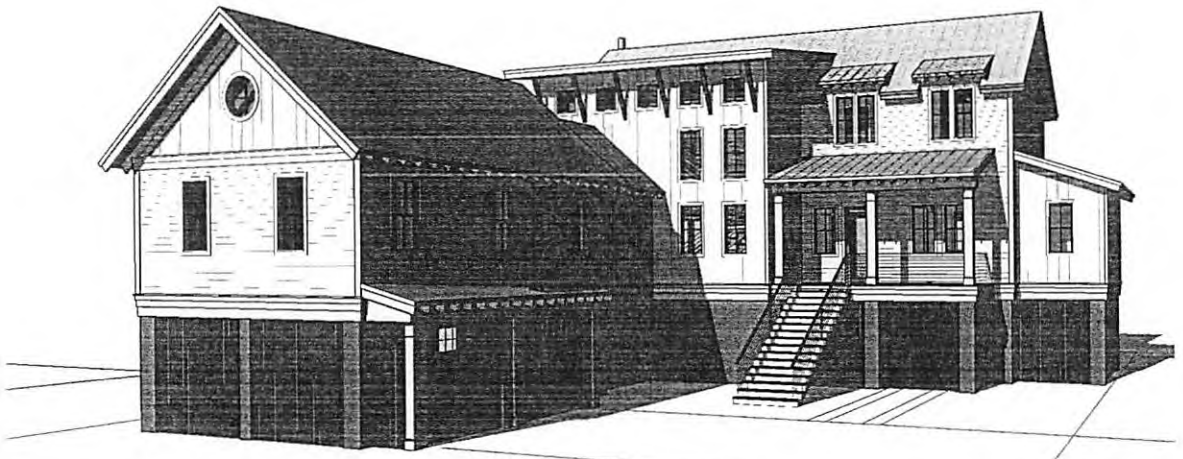
EMF contain both electric and magnetic field at 90 deg of phase difference and oscillating at angle of 180 deg.The electric field traverses the air and starts oscillating human cells at high frequency, causing them to heat up. Thus high-power EMF can damage body cells. Similarly the varying magnetic field induces an electric current in human cells and tissues. Since skin is directly exposed to these radiations, it can be badly damaged.

Studies have been done on people that live within 300 meters of a substation. There is some evidence to suggest an increased risk of some type of cancer. However, the evidence has not been conclusive enough to change any legal stance on the issue.

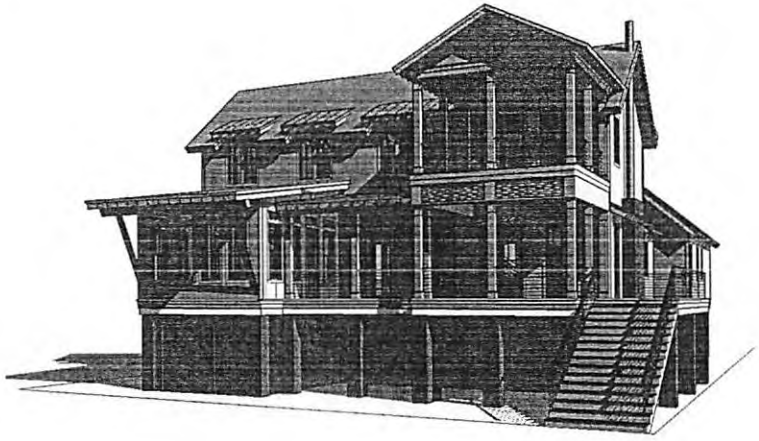
Researchers who believe that humans can suffer from cancer and tumors when exposed to EMF radiation get their data from studies of people living near power stations. But they fail to give proper justifications, like the relation between EMF field stength and the possible risk associated with it or the mechanisms that can trigger processes like cancer and the creation of tumors. Solving this mystery will require that further full-fledged research be conducted.

References

- Substations Fact Sheet - http://www.powerwatch.org.uk/elf/substations.asp
- Questions and Answers about EMF - http://www.lessemf.com/pamphlet.html



1 E Front Right



2 E Rear Right

THE
Middleton
GROUP

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Charleston, SC 29403

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F 843.278.9289

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NOT FOR CONSTRUCTION

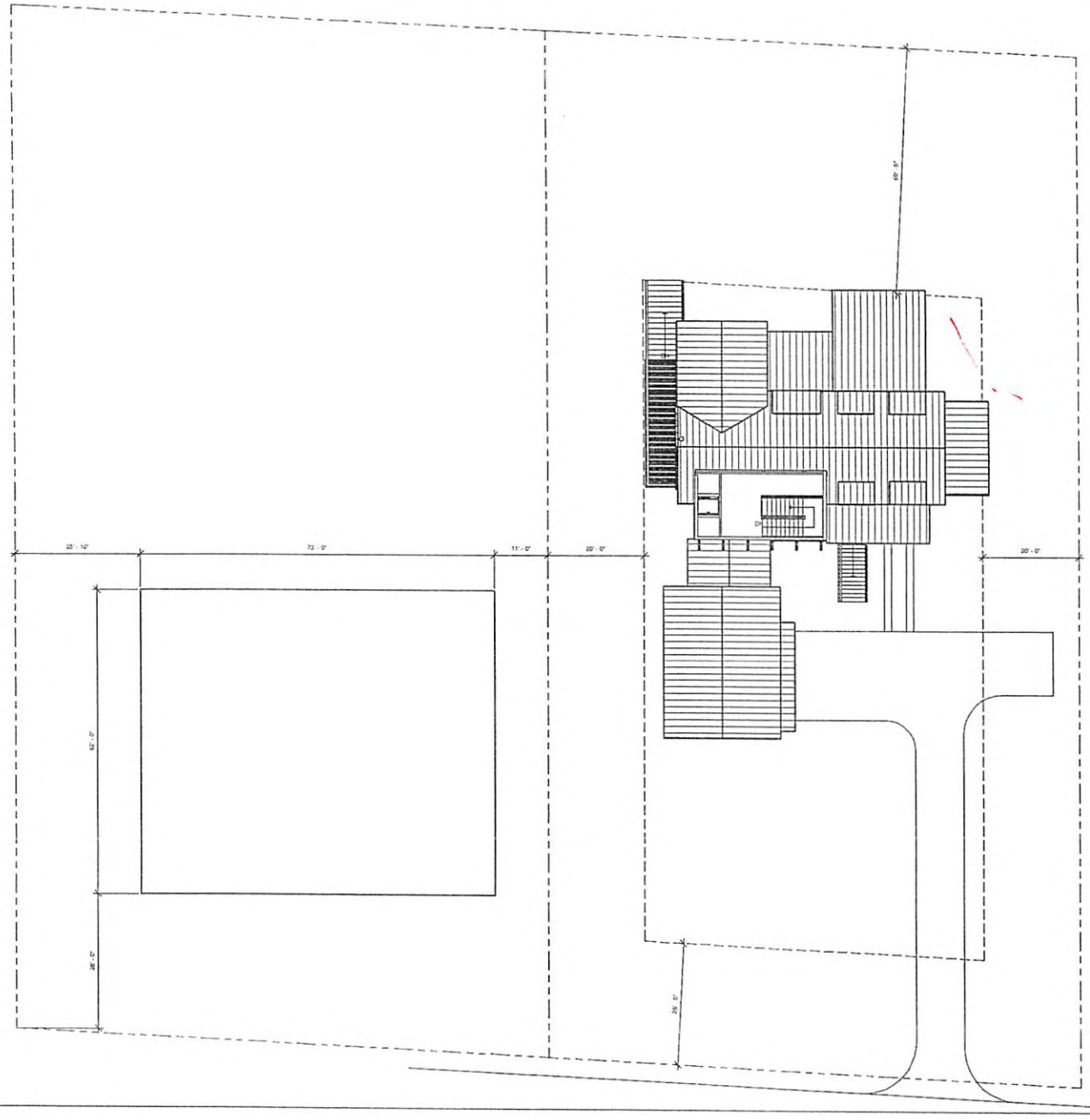
Gull Drive Residence

Sullivan's Island, SC

Project Number	0803
Date	Issue Date
Drawn By	Author
Checked By	Checker

Title Sheet

A0



Site Plan
1" = 10'-0"

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NOT FOR CONSTRUCTION

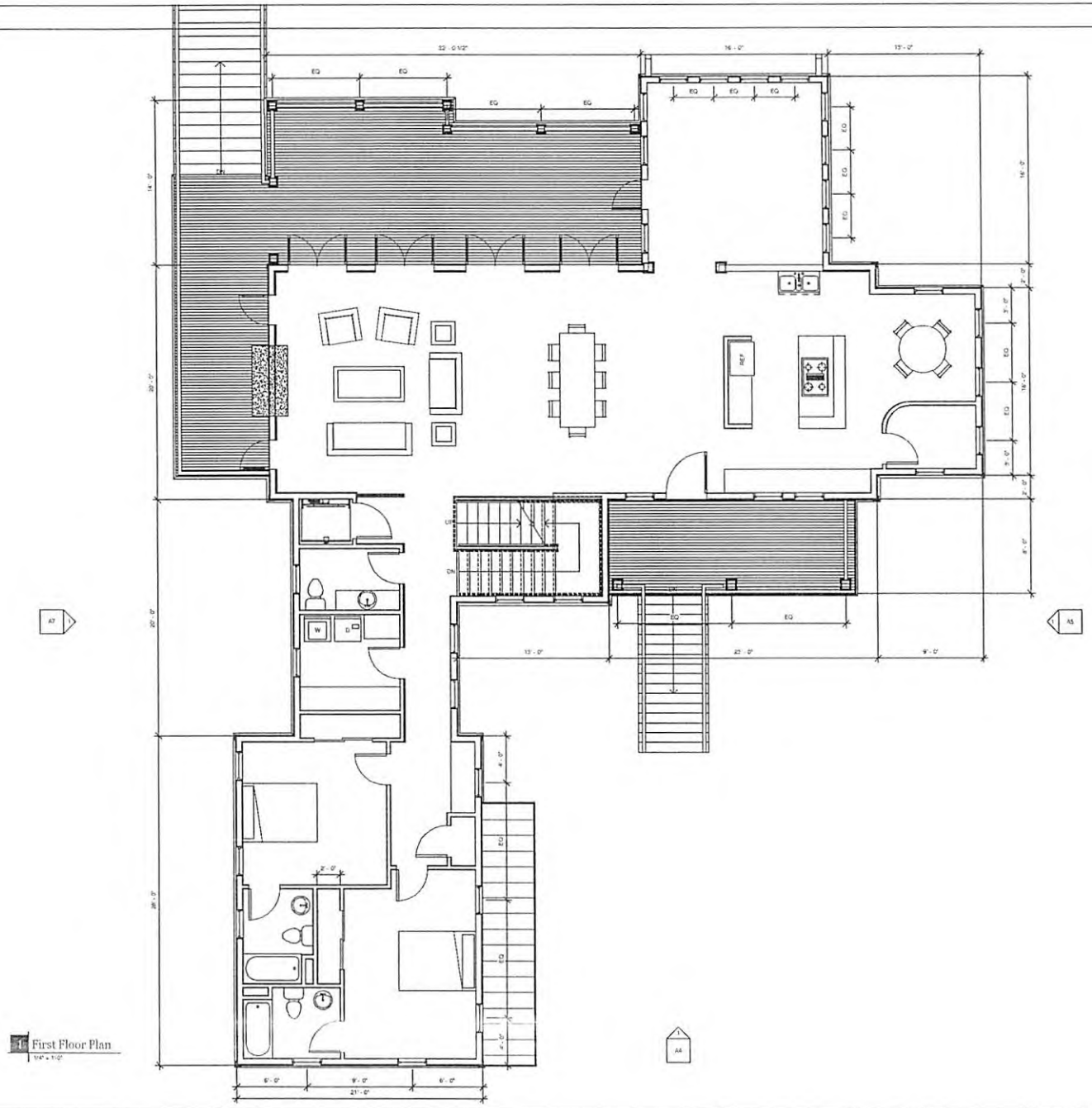
Gull Drive Residence

Sullivan's Island, SC

PROJECT NUMBER	[illegible]
DATE	Issue Date
DRAWN BY	Author
CHECKED BY	Checker

Site Plan

A1



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NOT FOR CONSTRUCTION

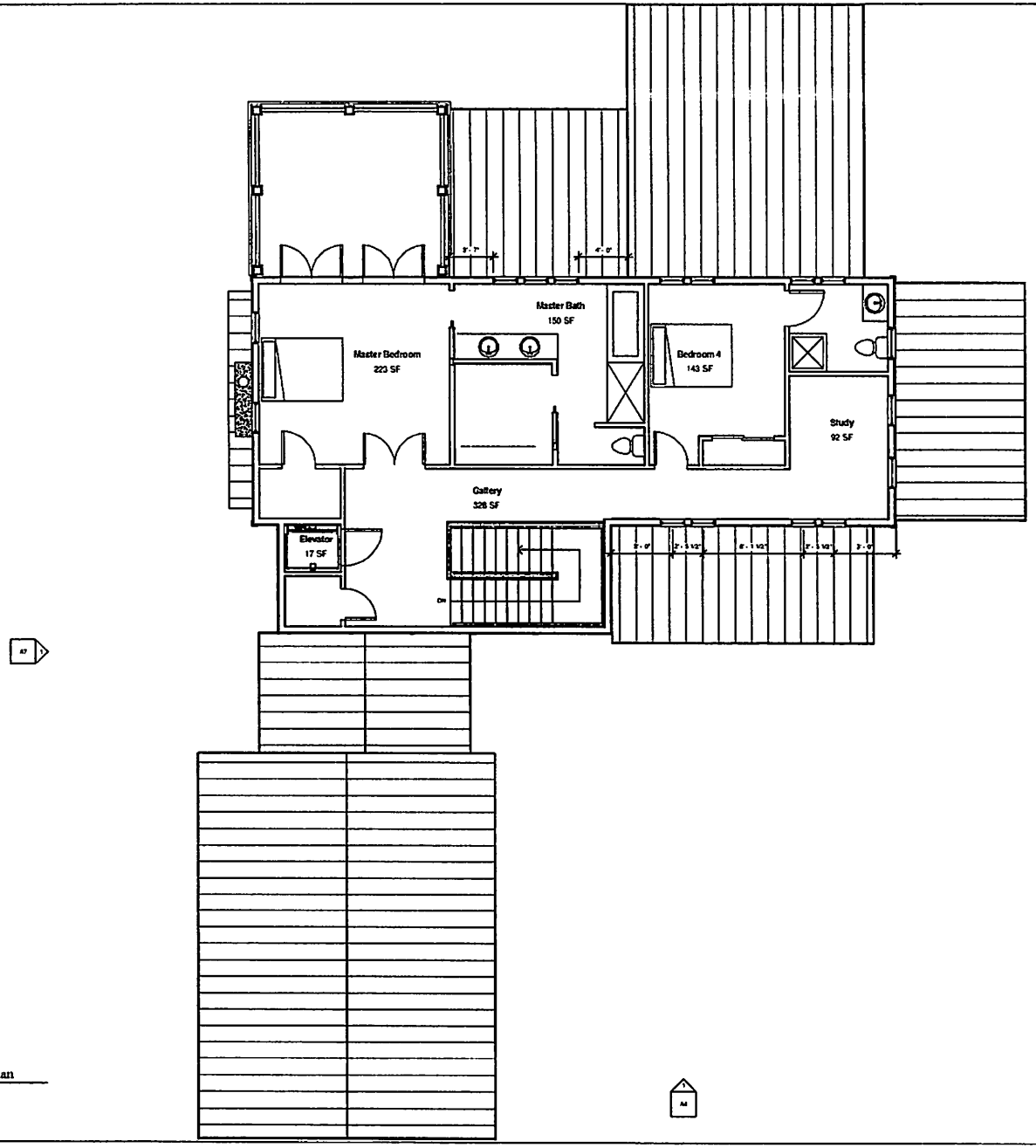
Gull Drive Residence

Sullivan's Island, SC

PROJECT NUMBER	[illegible]
DATE	[illegible]
Drawn By	Author
Ck'd/Add'd By	Checker

First Floor Plan

A2



Second Floor Plan

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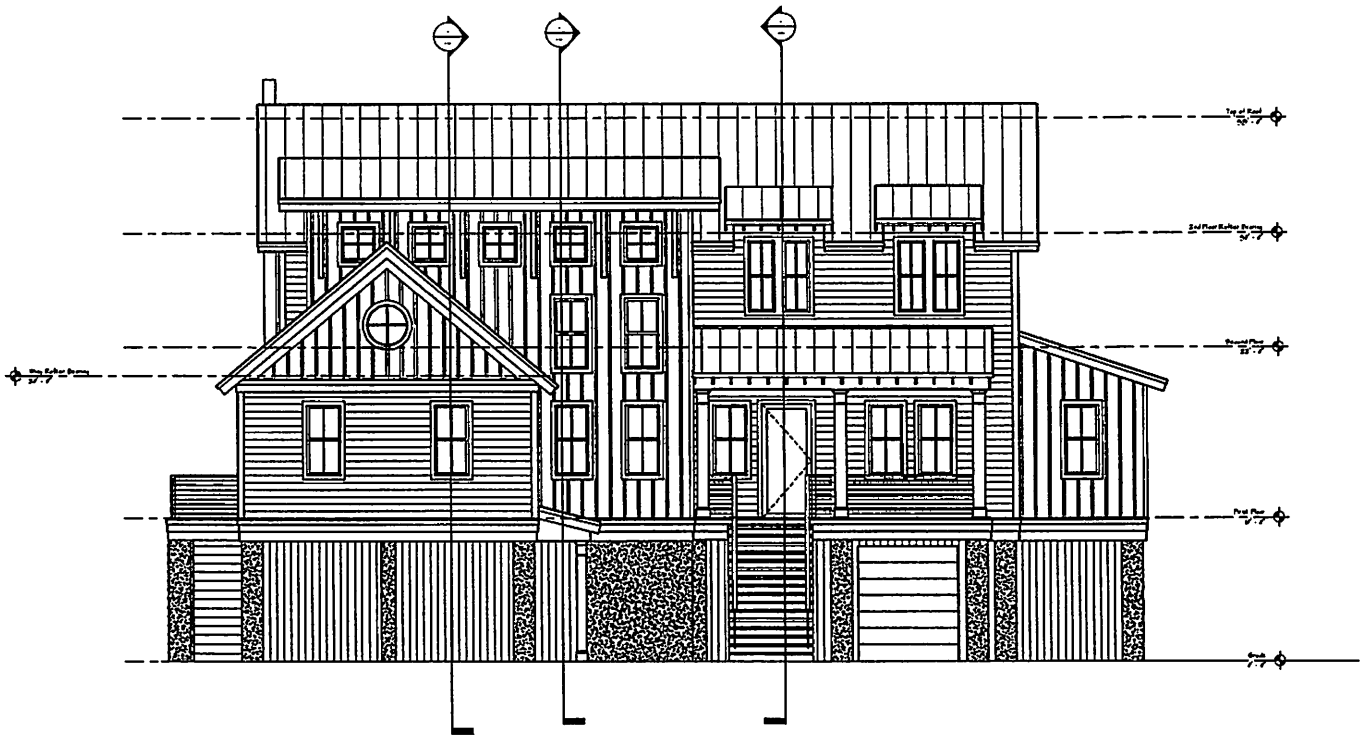
NOT FOR CONSTRUCTION

Gull Drive Residence

Sullivan's Island, SC

Second Floor Plan

A3



1 South Elevation

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NOT FOR CONSTRUCTION

Gull Drive Residence

Sullivan's Island, SC

South Elevation

A4

East Elevation

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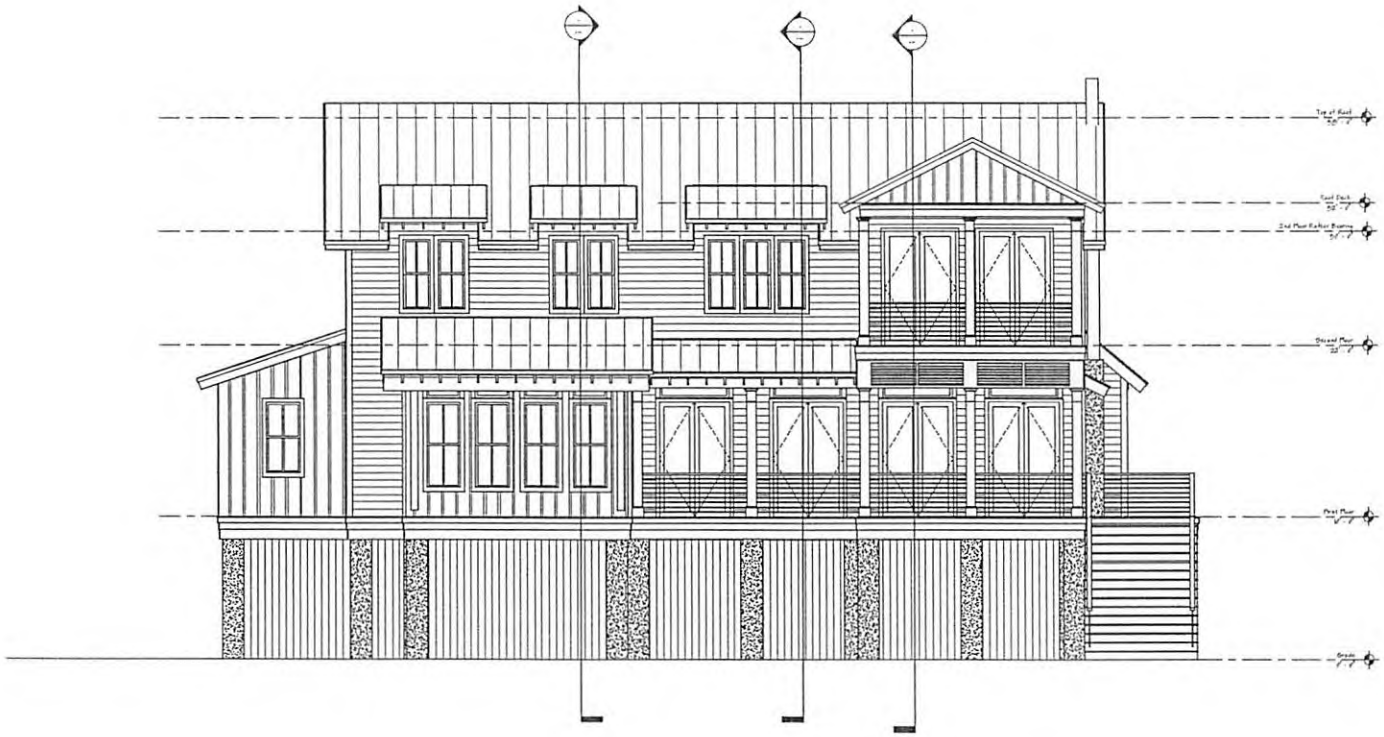
NOT FOR CONSTRUCTION

Gull Drive Residence

Sullivan's Island, SC

East Elevation

A5



North Elevation

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NOT FOR CONSTRUCTION

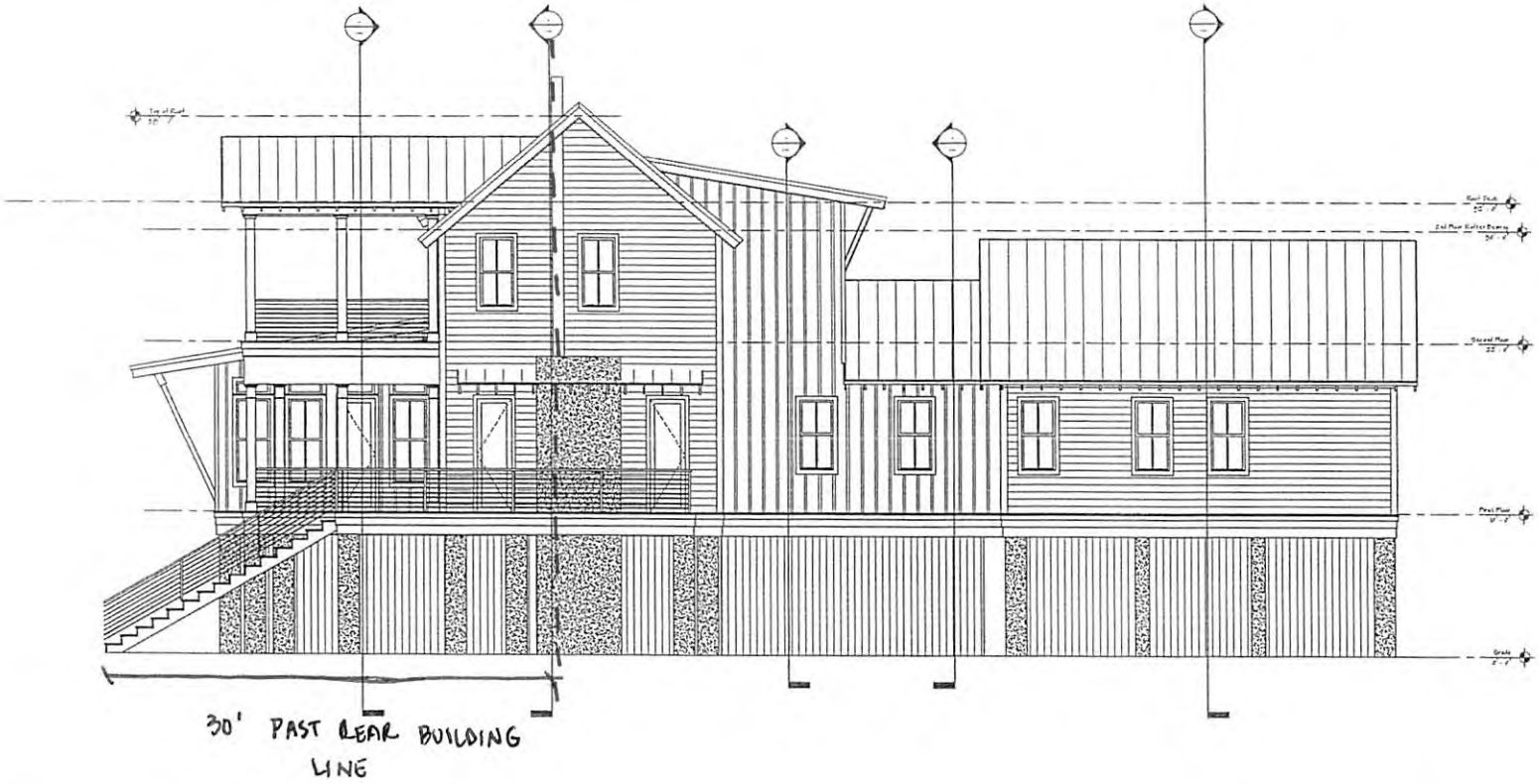
Gull Drive Residence

Sullivan's Island, SC

PROJECT NUMBER	[illegible]
DATE	Issue Date
Drawn By	Author
Checked By	Checker

North Elevation

A6



3 West Elevation

THE Middleton GROUP

557-B King Street
Charleston, SC 29403

P 843.302.0613
F 843.278.0289

www.themiddletongroup.net

NOT FOR CONSTRUCTION

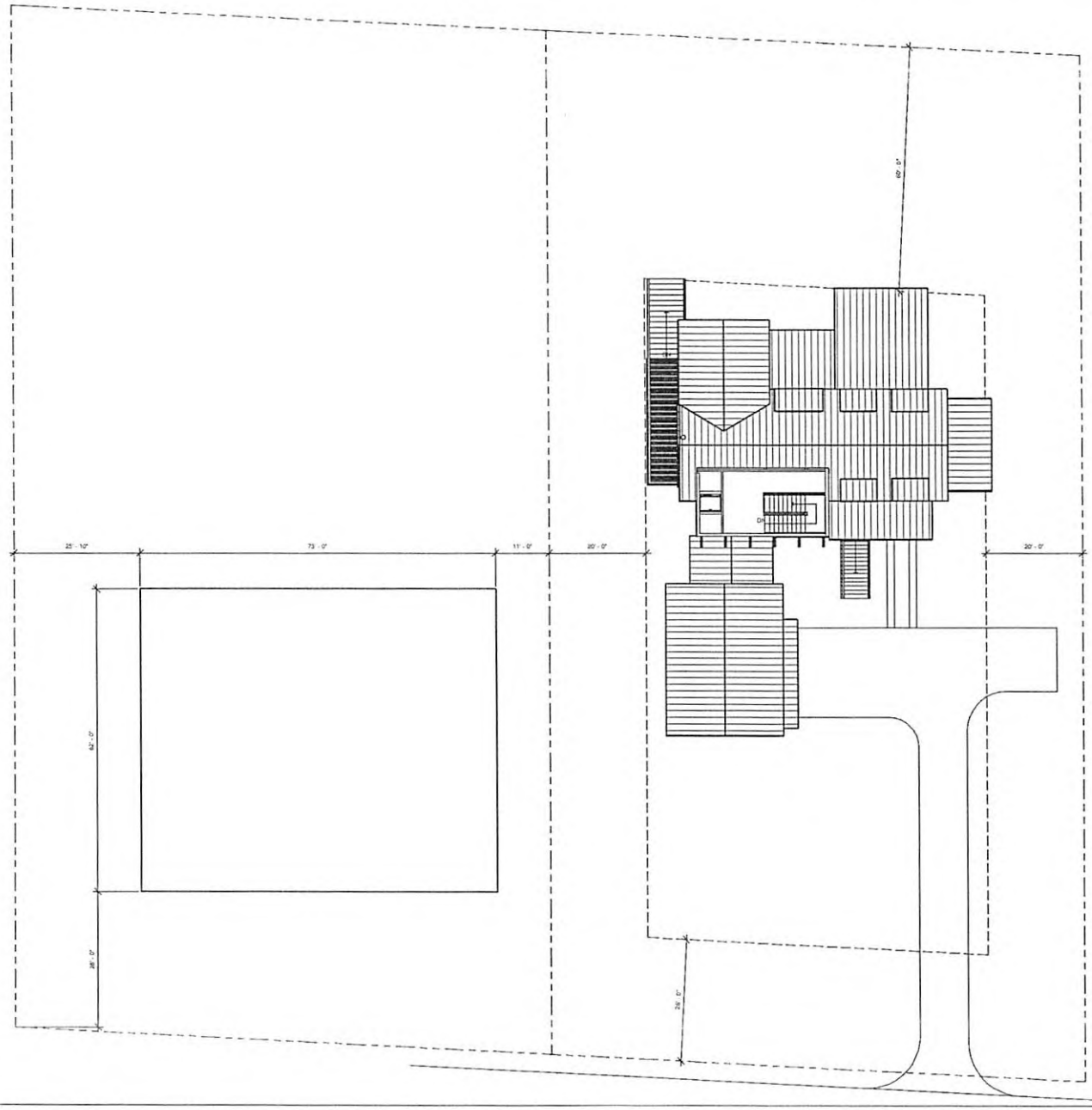
Gull Drive Residence

Sullivan's Island, SC

Project Number	[illegible]
Date	[illegible]
Drawn By	Author
Checked By	Checker

West Elevation

A7



1 Site Plan
1" = 10'-0"

THE Middleton GROUP

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NOT FOR CONSTRUCTION

Gull Drive Residence

Sullivan's Island, SC

PROJECT NUMBER	0803
DATE	Issue Date
DRAWN BY	Author
CHECKED BY	Checker

Site Plan

A1

(4) See required Setbacks for Accessory Structures in ARTICLE XV.

Sec. 21-23. Setbacks from RC-1 & RC-2 Districts.

A. Purpose.

The purpose of the Setbacks from the RC-1 and RC-2 Area Districts is to create a buffer zone that allows passive treatment of stormwater run-off before entering the waters surrounding Sullivan's Island and to provide a buffer zone from floodwater and erosion caused by storms, sea level rise and other natural conditions.

B. Structure defined.

For the purpose of this section a structure shall include any man made construction, including but not limited to, sheds, garages, gazebos, and houses (excluding stairs without landing areas or with landing areas not greater than one hundred (100) square feet, docks and boathouses).

C. Exceptions to setback.

For the purpose of determining Setbacks from front, side and rear yards, a structure or part of a structure shall not include

(1) Roof eave overhangs to thirty (30) inches;

(2) step treads below a height of six (6) feet with combined width no greater than 12 feet;

(3) HVAC stands within five (5) feet of the outside wall of the Principal Building located in the side or rear yards, or

(4) Chimneys.

D. Setbacks from RC-1 District.

(1) The following Setback requirements shall apply to structures constructed or placed on lots bordering the RC-1 District:

(a) Thirty (30) foot Setback from the lot line bordering the RC-1 District boundary line or the RC-1 District boundary line established as of the date a Certificate of Zoning Compliance and a Building Permit are issued, whichever is further landward.

(b) No structure greater than four and one-half (4 ½) feet tall shall be constructed or moved on a lot so that the seaward most point of the structure is further from the center line of the right-of-way forming the landward boundary of the Lot and running generally parallel with the ocean shoreline than the greatest distance between the centerline of said right-of-way to the most seaward point of any other dwelling on the block on which the Lot is located.

(c) Any Certificate of Zoning Compliance and Building Permit issued for construction governed by this section shall be valid for twelve (12) months. If construction has not commenced within said twelve (12) months, new applications for a Certificate of Zoning Compliance in accordance with ARTICLE XIX. Sec. 21-185 and a Building Permit shall be submitted accompanied by a plat showing the RC-1 boundary line and all lot line distances as of the date the application is submitted.

E. Setbacks from RC-2 District.

(1) The following Setback requirements shall apply to structures constructed or placed on lots bordering the RC-2 District:

(a) Thirty (30) foot Setback from the lot line bordering the RC-2 Zoning District boundary line or the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCHEC OCRM) "Critical Area Line" established as of the date the Certificate of Zoning Compliance and the Building Permit are issued, whichever is further landward from the RC-2 Zoning District.

(b) No structure greater than four and one-half (4 ½) feet shall be constructed or moved on a lot so that any portion of the structure closest to the Rear Lot Line is further from the center of the right-of-way forming the landward boundary of the Lot and running generally parallel with the marshlands then the greatest distance between the center of the said right-of-way to the furthest point of any dwelling on the block on which the lot is located.

(c) Any Certificate of Zoning Compliance and Building Permit issued for construction governed by this section shall be valid for twelve (12) months, and if construction has not commenced within said