

In the Matter Of:

Town of Sullivan's Island v
In Re: Board of Zoning Appeals

Board of Zoning Appeals Meeting
August 11, 2016

A. William Roberts, Jr. and Associates
We're About Service... Fast, Accurate and Friendly
(800) 743-DEPO
www.scheduledepo.com



A. William Roberts, Jr. & Associates

Court Reporting & Litigation Solutions
www.scheduledepo.com | 800-743-DEPO



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF SULLIVAN'S ISLAND
BOARD OF ZONING APPEALS

Approved on September 8, 2016

COPY

HEARING BEFORE: CHAIRMAN ELIZABETH TEZZA

DATE: August 11, 2016

TIME: 6:00 PM

LOCATION: Sullivan's Island Town Hall
2050-B Middle Street
Sullivan's Island, SC

REPORTED BY: PRISCILLA A. NAY
Certified Shorthand Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

Fast, Accurate & Friendly

Charleston, SC (843) 722-8414	Hilton Head, SC (843) 785-3263	Myrtle Beach, SC (843) 839-3376
----------------------------------	-----------------------------------	------------------------------------

Columbia, SC (803) 731-5224	Greenville, SC (864) 234-7030	Charlotte, NC (704) 573-3919
--------------------------------	----------------------------------	---------------------------------



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES :

ELIZABETH TEZZA, CHAIRMAN
CARLIN THOMAS, BOARD MEMBER
PETER RICHARDSON, BOARD MEMBER
EMILY BRASHER, BOARD MEMBER
JAMES ELLIOTT, BOARD MEMBER
JODY M. LATHAM, BOARD MEMBER
JOE HENDERSON, ZONING ADMINISTRATOR
COURTNEY LILES, ADMINISTRATIVE SPECIALIST
RANDY ROBINSON, BUILDING OFFICIAL
BRUCE A. BERLINSKY, ESQUIRE
JAMES QUARLES
JESSICA CARROLL

ALSO PRESENT:

TIM EVANS
LARRY MORRIS

1 THE CHAIRMAN: It is six o'clock and I
2 am going to call this meeting to order. Courtney,
3 have the Freedom of Information requirements been
4 met?

5 MS. LILES: They have.

6 THE CHAIRMAN: Thank you very much. We
7 will now move to the approval of the minutes from
8 June the 9th. Did we not do that in July?

9 MS. LATHAM: We didn't do that in July.
10 We didn't have a meeting.

11 MR. ELLIOTT: That would be the --

12 MS. LATHAM: There was no meeting in
13 July.

14 THE CHAIRMAN: There was no meeting in
15 July. Thank you. So now we have approval of the
16 minutes from June 9th.

17 MS. LATHAM: I move to approve the
18 minutes from June 9th.

19 THE CHAIRMAN: Is there a second?

20 MR. ELLIOTT: Second.

21 THE CHAIRMAN: All in favor signify by
22 saying aye.

23 (All Board members stated aye.)

24 THE CHAIRMAN: Like sign opposed? The
25 minutes are approved. Now we'll proceed to the

1 applicant/participant oath. So anyone who is going
2 to speak before the Board of Zoning Appeals, please
3 rise.

4 (Oath administered to applicants and
5 participants.)

6 THE CHAIRMAN: Also, if you are going
7 to be speak before the BZA and you're not a staff
8 member, make sure that you have signed in.

9 A few announcements before we start.
10 If you have a cell phone, please turn it off or on
11 vibrate. All comments are to be addressed to the
12 Board of Zoning Appeals and not to the other
13 members of the audience.

14 (The proceedings were interrupted.)

15 THE CHAIRMAN: That was very timely.
16 That should have happened like 10 seconds ago.
17 We will be following our rules of procedure,
18 Article 4, Hearing Procedure Section 5, with
19 respect to time limitations.

20 The way we will operate is we'll have a
21 statement of the matter to be heard from our
22 agenda; presentation by the Town official,
23 10-minute limit; presentation by the applicant,
24 10-minute limit; presentation by the public,
25 10-minute limit; and then a rebuttal by the

1 applicant for five minutes. The Board may question
2 participants at any point in the hearing.

3 After we have moved through those
4 presentations and heard public comment we will
5 close the public comment and the Board deliberates
6 without any public comment unless we ask a
7 question.

8 2624 I'ON AVENUE

9 So the first thing we're going to do
10 is hear a request for a continuance. So under
11 Section F, Administrative Appeals, 2624 I'on
12 Avenue, they are requesting a continuance because
13 the owner of the property cannot attend.

14 Mr. Berlinsky, would you like to
15 officially request that?

16 MR. BERLINSKY: Thank you. Yes. I
17 officially request it just until next month. She
18 wanted to be here and unexpectedly had to go out of
19 town.

20 THE CHAIRMAN: So if there is no
21 opposition, let's move for a continuance to the
22 September meeting. Do all approve?

23 MS. TIMMONS: Yes.

24 MS. BRASHER: I approve.

25 THE CHAIRMAN: So moved. We'll see you

1 next month.

2 MR. BERLINSKY: Thank you.

3 2850 Jasper Boulevard

4 THE CHAIRMAN: We'll now move to the

5 next item on the agenda which is a special

6 exception request for 2850 Jasper Boulevard.

7 Clowney Architects request approval of the

8 accessory dwelling and the special exception.

9 Joe, would you please present.

10 MR. HENDERSON: Thank you. Members of

11 the Board, Agenda Item D-1 is a special exception

12 request being made for a historic property, a

13 traditional island resource located at 2850

14 Jasper Boulevard. This request is being made in

15 accordance with Zoning Ordinance Section 21-20

16 C.(2).

17 This is a special exception that allows

18 an accessory or the historic structure to become an

19 accessory dwelling, a second dwelling on the lot,

20 and allow a second building to be built elsewhere

21 on the property. There are required conditions for

22 the operation and that's 21-20 C.

23 The Design Review Board previously

24 reviewed this project on June 15th and granted

25 conceptual approval provided several conditions be

1 met. I'll just briefly touch on those. The
2 historic cottage was allowed to be elevated by one
3 foot. It was also allowed to be relocated slightly
4 to the east on this property.

5 I'll show you a site plan for the
6 proposed location. Additionally, several
7 additions, decking, and stairs are to be removed
8 from this structure that are not original to the
9 property. The square footage remaining will be
10 1,136 square feet, I believe.

11 James, isn't that correct?

12 MR. QUARLES: Yes.

13 MR. HENDERSON: It's 1,136. Let's see.
14 In order to grant the special exception the second
15 step in this process is for the BZA to go through
16 the findings for issuing the special exception.
17 These are statutory requirements and those are
18 listed in 21-178.

19 I'll display that on the slide here. I
20 will yield to the Board for any questions about
21 this application or the standards that we are
22 required to review.

23 THE CHAIRMAN: Why is the home being
24 moved to the east? Is it because it's in the
25 current setback?

1 MR. HENDERSON: Yes.

2 THE CHAIRMAN: It looks like it's very
3 close.

4 MR. RICHARDSON: That's the extension
5 of 28 and a half.

6 MR. HENDERSON: So the current --

7 MS. TIMMONS: It's in the street.

8 THE CHAIRMAN: Yeah, but there's still
9 a setback.

10 MR. HENDERSON: So the current location
11 of the structure -- let me zoom into this a little
12 bit more. So this is actually a right-of-way. So
13 Jasper Boulevard is here on the bottom. It appears
14 as though it's just a driveway, but it is actually
15 a right-of-way extension of 28 and a half.

16 So this could be developed as a road
17 sometime in the future that could access the marsh
18 up here. The structure is about four feet off of
19 the property line or even less.

20 THE CHAIRMAN: Okay. That's what it
21 looked like.

22 MR. HENDERSON: So it's just being slid
23 laterally. It's not being moved to the front or to
24 the back. It's going to meet a 20-foot side
25 setback right-of-way. So staff supports this.

1 THE CHAIRMAN: Okay. So where is the
2 access to -- where is the driveway? Is it off that
3 28-and-a-half extension?

4 MR. HENDERSON: The site plan here --
5 and do you have --

6 MR. QUARLES: Yes.

7 MR. HENDERSON: -- a larger rendering
8 of the site plan?

9 MR. QUARLES: Not larger. So this is
10 the 28-and-a-half extension right here and this is
11 Jasper. We had an existing curb cut here, but we
12 do anticipate having not -- not using that one, but
13 using this one back here to service the house back
14 here and this house. (Pointing to diagram)

15 THE CHAIRMAN: Okay. So are you going
16 to abandon that curb cut?

17 MR. QUARLES: Most likely. We will not
18 have two curb cuts. So --

19 MS. LATHAM: So we'll have one coming
20 this way?

21 MR. QUARLES: Yes.

22 THE CHAIRMAN: Okay. I wanted to be
23 clear on where the entrance is moving.

24 MR. HENDERSON: I don't think it was
25 ever used. So this is an aerial. That's one of

1 those DOT curb cuts they put in without --

2 THE CHAIRMAN: Ascertaining where the
3 property is?

4 MR. HENDERSON: For no reason at all.

5 THE CHAIRMAN: Got you.

6 MS. LATHAM: They eyeballed it.

7 MR. HENDERSON: You're going to be
8 accessing from 28 and a half, correct?

9 MR. QUARLES: Yes.

10 MR. HENDERSON: Which is the preferred
11 design.

12 THE CHAIRMAN: I just wanted to clarify
13 that if the historic house was moving where the
14 access was going to be. Do y'all have any
15 questions for Joe?

16 MR. QUARLES: My name is James Quarles.
17 I'm with Beau Clowney Architects and I'm here today
18 to request approval to use this historic structure
19 as a dwelling unit so that in the future we may
20 build a new residence on the backside of the
21 property.

22 So this is a request for the special
23 variance. It's a -- currently it's an existing
24 structure that's less than 1,200 square feet.
25 We're not really adding on any heated square

1 footage outside of the existing envelope. We are
2 removing a rear deck and ramp and building a new
3 deck in its place.

4 We will have to do some structural
5 renovations to the backside of the house because
6 there's an old enclosed porch that has just kind of
7 giving way, but the front of the house is pretty
8 sound.

9 We are moving it about 12 feet, I
10 guess, to the east or northeast and that is -- one,
11 we're in violation of the current setbacks of the
12 property. It we creates a problem for the future
13 house, but really it's just so close to that
14 property line and there's just a group of great
15 oaks that are just growing right into the house.

16 It just allows us to get away from
17 those oaks because we do plan to rebuild the
18 foundation. We are going to elevate up to a foot.
19 Hopefully we won't have to elevate all if we ever
20 get new flood maps. So that's the other reason for
21 relocating.

22 THE CHAIRMAN: So do they anticipate
23 building the structure soon or we're not doing
24 anything about an additional house on the lot at
25 this point?

1 MR. HENDERSON: No. The owners were up
2 in the air.

3 MR. QUARLES: There is no design for
4 a future house. If we do have limitations that
5 the DRB dictates we're not allowed for any
6 exceptions or overage requests, the 25 percent
7 square footage --

8 MR. HENDERSON: No increases in the
9 coverage requirements of the ordinance.

10 MR. QUARLES: So in the future when we
11 go to plan a house it will be less than 3,000
12 square feet with less than 2,200 square --

13 THE CHAIRMAN: No variances
14 anticipated?

15 MR. QUARLES: No.

16 THE CHAIRMAN: Great.

17 MR. HENDERSON: I would just point out
18 one thing here and that is the build-to provision.
19 We had a special exception and lots of discussion
20 about this. So the block begins here and the house
21 furthest to the marsh sets the build-to line which
22 is right out here. (Pointing to screen)

23 THE CHAIRMAN: Okay.

24 MR. HENDERSON: The new house is
25 proposed right behind that build-to line.

1 MS. LATHAM: They're not going to
2 anticipate needing any variances for the --

3 MR. HENDERSON: No variances needed.

4 THE CHAIRMAN: Good.

5 MR. QUARLES: You can actually see in
6 this very rough diagram the property line actually
7 ends before we get to the build-to line. We don't
8 anticipate --

9 THE CHAIRMAN: Oh, okay.

10 MR. QUARLES: -- building past the
11 neighbor's --

12 MR. HENDERSON: This build-to line,
13 which is actually in the next block.

14 MR. QUARLES: Yeah, so it doesn't
15 really apply.

16 MR. HENDERSON: Thanks for showing
17 that.

18 THE CHAIRMAN: I'm glad someone is
19 going to renovate it.

20 MS. LATHAM: Are they restoring -- this
21 is not really germane, but the brick fence are they
22 going to restore that or are they going to bring
23 that down?

24 MR. QUARLES: That I can't speak to. I
25 can't --

1 MS. LATHAM: I just think it would be
2 great to see that built out again.

3 MR. QUARLES: It would be wonderful. I
4 think it would help knock down some of the sound
5 off of Jasper. We might have some planting behind
6 and some planting in front of it as well. It all
7 depends. I'm not a landscape architect. That will
8 be the next phase.

9 THE CHAIRMAN: There's room between
10 the fence and the easement. So unlike other
11 properties on --

12 MR. ELLIOTT: Do you know if you guys
13 need a special exception to renovate the historic
14 cottage from us?

15 THE CHAIRMAN: No.

16 MR. QUARLES: No.

17 THE CHAIRMAN: Once we grant it --

18 MR. QUARLES: No. This is a request
19 for the ability or the permission to build the new
20 house on the back.

21 MS. LATHAM: Yes.

22 MR. QUARLES: It gives us more
23 incentive to renovate --

24 MR. ELLIOTT: I understand.

25 MR. QUARLES: -- the existing

1 structure.

2 THE CHAIRMAN: Okay. Any questions?
3 Okay. Is there anyone who would like to make
4 public comment on this application?

5 Hearing none, I will close public
6 comment and the Board will consider the special
7 exception request. Any thoughts?

8 MS. TIMMONS: I think it is great.

9 MS. LATHAM: I don't see any reason not
10 to grant it.

11 THE CHAIRMAN: Any time someone is
12 going to restore a historic structure --

13 MS. LATHAM: I love that old cottage.

14 THE CHAIRMAN: -- and keep an old
15 cottage, I'm all for it.

16 MR. ELLIOTT: Joe, has there been any
17 concern from the public about these plans, about
18 whether these plans would impact the character of
19 the street or the welfare?

20 MR. HENDERSON: No. We had one
21 concerned citizen that came in and reviewed the
22 plans, but I they're okay with it. He's okay with
23 it.

24 MR. RICHARDSON: Really?

25 MR. HENDERSON: I think it was a member

1 of the Richardson family.

2 MR. ROBINSON: But only one.

3 THE CHAIRMAN: We can guess which one.
4 Would anybody like to take a try? Have a try?

5 MS. TIMMONS: I'll do it. Okay. I
6 move that we grant the special exception to this
7 proposal because it does meet all of the criteria
8 of Zoning Ordinance 2120 C.(2) and all of the
9 conditions of 21-178 and the conditions of
10 21-140. If you'd like for me to read them all I
11 will, but --

12 MR. HENDERSON: I don't think that's
13 necessary.

14 MS. LATHAM: We're good.

15 MS. TIMMONS: I think as -- so that's
16 my motion.

17 THE CHAIRMAN: Okay. I think that's --

18 MS. LATHAM: I second.

19 THE CHAIRMAN: There's a second. Is
20 there any further discussion?

21 MR. ELLIOTT: None.

22 THE CHAIRMAN: All in favor, signify by
23 saying aye.

24 (All Board members stated aye.)

25 THE CHAIRMAN: Like sign opposed?

1 Thank you very much.

2 MR. QUARLES: Thank you, members of the
3 Board.

4 MR. HENDERSON: Thank you.

5 414 PATRIOT STREET

6 THE CHAIRMAN: And now we will move to
7 the variance request for 414 Patriot Street.

8 Jessica Carroll is requesting approval
9 of a dimensional variance for the setback of the
10 RS Zoning District. Joe, would you please present
11 for the Town.

12 MR. HENDERSON: Sure. This is Agenda
13 Item E.(1). It's a dimensional variance request.
14 The applicants are requesting a variance from the
15 rear setback requirement of the zoning ordinance
16 listing in 21 and 22 E.(1). A request is being
17 made for a 15-foot encroachment or 60 percent
18 variance into this 25-foot rear setback.

19 The pool -- this is for a pool. The
20 edge of the coping for this pool will stop at
21 10 feet from the property line. I would just draw
22 your attention to the standards for granting
23 variances under 21-179. I have these in front of
24 you and I will reserve some time to issue a staff
25 recommendation if you would like me to do so.

1 I yield to the Board for any questions.

2 I also have a copy of the plans here to review.

3 This is the site layout, Patriot Street on the
4 bottom. This is an interior lot. The pool is
5 proposed in the rear yard.

6 THE CHAIRMAN: And you sent us some
7 information on the other pools in that area because
8 there is one pool on that street which did receive
9 back in 1999 a variance. I believe it was less of
10 a variance than this one. Then there is another
11 for which there was not a variance needed and there
12 were several that were denied.

13 So can you compare this variance to
14 those? There are actually -- there are two
15 problems. There is the setback and impervious
16 surface. So this has two that's complicated.

17 MR. HENDERSON: We have -- and I'll
18 pull up an aerial of the street here. We have
19 resolved the impervious surface requirements. So
20 they will -- the applicant has proposed to meet the
21 impervious surface requirements.

22 So the only request being made today is
23 the variance to the rear setback. The Board
24 requested that I pull together some history on pool
25 variances issued not only on this street but in the

1 area. In the application it is referenced that --

2 THE CHAIRMAN: 2024 and 2020.

3 MR. HENDERSON: -- 2024 and 2020 both
4 have pools. So this property here is 2024.

5 THE CHAIRMAN: They received a variance
6 from the setback on the marsh side. Those are
7 side -- those two pools are in the side yard. So
8 side setbacks are --

9 MR. HENDERSON: 420 and 424. Right.
10 I'll start all over again. Okay. Here's the table
11 that I sent out to you just detailing the history
12 of pool variances issued. So 424 Patriot Street in
13 May of 1999 was granted a variance from the RC-2
14 setback.

15 I believe then it was 25 feet from the
16 RC-2 line. Today it is 30 feet. It was granted to
17 be in the side yard no closer than six feet to the
18 property line. The Board at that time deemed that
19 the property conditions showed an unreasonable --
20 provided a hardship because they couldn't
21 reasonably use the property for a pool.

22 In September of 2012 for 2213 Myrtle
23 Boulevard there was a hearing but a decision wasn't
24 rendered by the BZA. I believe the Board actually
25 requested more information from the applicant.

1 There was some opposition because the
2 request was for a pool to be placed within the rear
3 setback for that property. The property owner
4 directly behind the subject property came out and
5 voiced opposition to it.

6 In those minutes the Board explained
7 the setbacks are there for a reason and there was
8 discussion on that, i.e. uses on those properties;
9 rear setbacks need to respect the neighbors.

10 No vote was taken. So it was deferred
11 and then the applicant withdrew their application
12 permanently and no pool was built.

13 In June 2014 at 1802 Back Street the
14 Board denied the variance because they deemed that
15 an inability to construct the pool does not
16 unreasonably restrict the use of the entire
17 property.

18 That's kind of where the Board is today
19 is that the statutory requirement -- and I'll go
20 back to -- under utilization it states that in
21 order to grant a variance the piece of property
22 would effectively prohibit or unreasonably restrict
23 the utilization of the property, the entire
24 property. The utilization of this property is if a
25 single family home and the applicants can enjoy

1 those benefits today. So it's the staff's
2 recommendation that pools or accessory structures
3 for recreational uses are not a justification or a
4 hardship and thus cannot be granted a variance.
5 That's the staff recommendation.

6 THE CHAIRMAN: Just to clarify, the
7 pool at 420 did not require a variance.

8 MS. TIMMONS: Correct.

9 THE CHAIRMAN: Is that correct?

10 MR. HENDERSON: That's correct.

11 THE CHAIRMAN: Yeah, because these
12 are -- just to reiterate, 420 and 424 are pools on
13 the side. The ones that have been denied or
14 withdrawn have been in the back --

15 MR. ELLIOTT: Sure.

16 THE CHAIRMAN: -- because those
17 setbacks are bigger, larger.

18 MR. ELLIOTT: Joe, with the Google map
19 could you show which house it was again for 414?

20 MR. HENDERSON: So 424 -- so this --
21 this is the subject property. Is that right?

22 MRS. CARROLL: That's right.

23 MR. HENDERSON: This is the subject
24 property and this is 424. This is 420. Here is
25 the location of the 424 pool six feet from the

1 property line and the pool here -- is that an
2 elevated pool?

3 MR. ROBINSON: It is.

4 MR. HENDERSON: It is an elevated pool
5 and it meets the 10-foot required setback. It is
6 in compliance with the ordinance. Let me see if I
7 can get a picture of the back yard here.

8 THE CHAIRMAN: You're making me dizzy.
9 I'll wait until you're done.

10 MR. HENDERSON: That's not intentional.

11 MRS. CARROLL: That's it right there.

12 MS. LATHAM: There.

13 MR. HENDERSON: Here we go.

14 THE CHAIRMAN: Do y'all have any more
15 questions for Joe?

16 MR. ELLIOTT: I have one more. Joe,
17 what is the staff's idea of the purpose of the
18 setback?

19 MR. HENDERSON: Setbacks are intended
20 to separate uses of property whether that be the
21 residential use of a structure or -- setbacks are
22 applied to accessory uses as well.

23 So if you put a shed on your property
24 typically it's a lesser setback required. On
25 Sullivan's Island we decided that we want

1 recreational uses and structures like decks,
2 patios, pools, basketball courts, and tennis courts
3 to meet the setbacks of that zoning district, of a
4 residential district.

5 It is a more restrictive way to apply
6 setbacks; nonetheless, that's what we've decided to
7 do as the Town, as Town Council, is to require
8 those uses to be brought back to allow folks, you
9 know, neighbors not to be disturbed by splashing
10 and, you know, folks using those --

11 MR. RICHARDSON: So that's the primary
12 reason for a setback is not to infringe on the
13 neighbor's --

14 MR. HENDERSON: That's correct.

15 THE CHAIRMAN: The right to quiet
16 enjoyment basically.

17 MR. RICHARDSON: I think the neighbor
18 is fine with this. Do you remember -- it seems
19 to me there was -- on Raven extended we did a
20 15-foot setback allowance for two or three of those
21 lots so that somebody could have a larger house, I
22 think, than the Carrolls have.

23 MR. HENDERSON: So this is the Raven
24 extension with the small lots that have the
25 critical line coming into them.

1 MR. RICHARDSON: Right.

2 MR. HENDERSON: Well, if you look at
3 the standards here it says that you issue the
4 variance if it effectively prohibits the
5 utilization of the property period, the entire
6 property.

7 If you applied the setbacks to those
8 properties on Raven then you would be left with --

9 THE CHAIRMAN: A tiny --

10 MR. HENDERSON: -- a building envelope
11 that will allow a dog house. It couldn't allow the
12 building of a house to use the property. So I
13 think those are very different.

14 I think that's a justified variance.
15 Accessory structures -- this is kind of the norm
16 across the country. Granting dimensional variances
17 for accessory structures is not typically justified
18 because it doesn't prohibit you from utilizing the
19 entire property.

20 MR. RICHARDSON: Did you say elevated
21 pools have a different setback?

22 MR. HENDERSON: No.

23 MR. RICHARDSON: Okay.

24 THE CHAIRMAN: That one has to meet a
25 10-foot setback. That particular side -- the pool

1 that's elevated on the side there's only a 10-foot
2 side setback because that's on the side.

3 So they were able to meet -- they did
4 not require a variance to build that pool. They're
5 not in the setback, but it is a lesser setback on
6 the sides. Any more questions for Joe before we
7 open it to the applicants?

8 Okay. Would the applicants like to
9 present? Mr. and Mrs. Carroll.

10 MRS. CARROLL: I'm Jessica Carroll.
11 My husband is actually on call tonight.
12 Unfortunately, he couldn't be here.

13 As Joe stated, we're looking to have a
14 reduction in that rear setback variance from 25 to
15 10 feet and the reason being, as was the case with
16 424 Patriot back in 1999 with this lot, is there
17 are exceptional conditions. With these lots it's,
18 you know, a sixth of an acre.

19 In looking through the zoning
20 ordinances these are meant to be applied to much
21 larger properties than a sixth of an acre
22 properties and mostly because the way that the
23 house -- you know, we didn't build the house.

24 We bought it. We're second owners of
25 the home. Initially in looking at it we thought we

1 would be able to build a pool in the back yard
2 without knowing what the ordinances were at the
3 time.

4 Obviously only having 26 feet from the
5 rear of our home to the property line, you know, I
6 believe that that unreasonably restricts our use of
7 the property because, you know, we essentially
8 can't do anything with it with that -- with the
9 setback that's in place currently.

10 More importantly, as stated previously,
11 all of our neighbors are in support of this. There
12 is a substantial buffer in every direction of where
13 this pool would be placed unlike what was not even
14 needed to be approved for a variance with 420
15 Patriot Street. We rented the house at 424 for two
16 years before we bought on that street.

17 I know how close that pool is to their
18 house. We're not in that same situation at all.
19 Every property that borders to the rear and each
20 side has said they would love for us to be able to
21 have a pool in our back yard and that it wouldn't
22 infringe on their property at all.

23 Let me see if there's anything else I
24 want to add here. I have included some photos of
25 our property and other properties that we've

1 referenced in here for you guys to take a look at.

2 I think that's it.

3 THE CHAIRMAN: Any questions?

4 MS. BRASHER: I saw the two letters
5 from your neighbors saying they were fine with it.
6 Which -- it looks to me there are about four or
7 five houses around you.

8 Which of the neighbors are okay with
9 it? Would that -- would the pool go right where
10 that green spot is?

11 MRS. CARROLL: So, yes, these three are
12 the ones who primarily border the main side of our
13 property. It's these house and these two. Yes, it
14 would be right here in that green space.

15 MS. BRASHER: So in the packet I saw
16 two letters and --

17 MRS. CARROLL: One of them owns two of
18 those.

19 MS. BRASHER: Oh, okay. Got you.

20 THE CHAIRMAN: He owns the house to the
21 right of them and the house behind them, not from
22 that view. So...

23 MS. BRASHER: Would another reason --
24 is there -- Randy, are there other reasons for
25 setbacks or, for, example for safety?

1 Do you need a certain amount of space?

2 THE CHAIRMAN: No.

3 MR. ROBINSON: No.

4 MR. RICHARDSON: Jessica, are there
5 any modifications you could make?

6 Could you move your pad?

7 Could you make a smaller pool?

8 MRS. CARROLL: So that's -- I actually
9 sent that information over to Joe yesterday and I
10 have it with me here. So that relates to the
11 impervious coverage that we were talking about. We
12 were over by, I think, 170 square feet.

13 So we are doing just that. We're
14 moving the front walkway which is stone currently.
15 We're removing one of the AC pads, the bigger one
16 on the side, and we're reducing the length of the
17 pool from 30 feet to 27. So that gets us to the
18 allowable 36 percent.

19 MR. RICHARDSON: But it doesn't get you
20 closer to the house?

21 MRS. CARROLL: It does not.

22 MR. RICHARDSON: So you can't move the
23 rear pad?

24 MRS. CARROLL: So we wanted to keep it
25 for safety reasons at least five feet away from the

1 structure. We could move it closer, but it would
2 just shrink that distance from the edge of the
3 house to the pool. I mean, it's possible.

4 THE CHAIRMAN: You know, this is a --
5 the problem I have with it is this is a 60 percent
6 variance and that would be the largest pool
7 variance that the Board has recently granted. We
8 as the Board do not consider the 1999 decision
9 precedent setting because we've moved away from
10 that.

11 I will tell you that we have a
12 difficult time with the hardship issue when it's a
13 pool because it's an accessory structure and it
14 doesn't prevent you from using the property. Does
15 it -- might it prevent you from having a pool?
16 Yes.

17 So on this island it is just very
18 difficult to overcome that specific hardship
19 request. That's why some have withdrawn and then
20 come back with a smaller variance. So I understand
21 why you want it.

22 The thing I will say about the
23 neighbors is those neighbors might not be your
24 neighbors forever. I mean, they're -- they may
25 sell the house. So having the current neighbors

1 agree to it is a point in your favor, but that
2 property could also change hands.

3 The new owners, of course, they
4 might -- they would know about the condition
5 before they bought the house. So -- but my problem
6 is that it's a 60 percent variance.

7 MR. RICHARDSON: I mean, what has been
8 an acceptable percentage variance in the past?

9 THE CHAIRMAN: Several that have come
10 before us over the past three years have been --
11 were a house has been taken down and there's going
12 to be a new footprint and they come back with a
13 reduced variance request because we do not approve
14 those, especially when you're rebuilding.

15 We have asked -- we have asked in the
16 past for people to mitigate those variances and
17 come back to us and then we're likely to approve
18 them, but --

19 MR. RICHARDSON: So maybe a 30 percent
20 variance?

21 THE CHAIRMAN: It depends. We're not
22 going to give a number. We do like to see it
23 reduced.

24 Now, that's the Board of four, three,
25 two years ago. This is a different board, but Joe

1 is correct in why we have setbacks. It is
2 difficult for me to consider a pool -- not having a
3 pool hardship.

4 MR. ELLIOTT: I have a question,
5 Mrs. Carroll. You said in your presentation that
6 you thought the variance or the setbacks were
7 intended for larger lots.

8 What did you mean by that and what
9 research did you do to come to that conclusion?

10 MRS. CARROLL: So I reference in the
11 zoning ordinances -- and, you know, these lots are
12 given relief because of their exceptional size
13 on the side setbacks which allowed the pool at
14 420 Patriot, but we're not given any relief on the
15 rear setbacks. You know, that's where I'm having a
16 hard time with this.

17 I understand the reason for the
18 zoning or for the setback limits, but when you can
19 have 10 feet from a pool to a house on one side
20 and be very close to your neighbor's home where I'm
21 asking for the same thing and I'm -- you know,
22 30 and 40 and 50 and 60 feet from my neighbor's
23 home in any direction, you know, I don't understand
24 how that's -- that's not allowable. Let me show
25 you exactly what I'm talking about.

1 So it does not apply to other
2 properties in the vicinity. As stated, 414 Patriot
3 Street is zoned within the RS Single Family
4 District.

5 As stated in the zoning ordinances for
6 the Town of Sullivan's Island, Section 21-119 (A):
7 The regulations that apply within this district are
8 designed to encourage the formation and continuance
9 of a stable, healthy environment for one single
10 family, primarily owner-occupied, dwelling per lot
11 with each lot having an area of at least one half
12 an acre.

13 MS. LATHAM: I somewhat disagree with
14 that point. I think with smaller lots it's even
15 more important to enforce setbacks so you don't end
16 up with an area that is very closed in. So, you
17 know, I -- you know, my question is do -- of the
18 three houses you've cited it doesn't appear as if
19 any of them have a pool.

20 The one directly behind on the aerial
21 photo -- it would appear to me that the only way
22 they could get one is by getting a variance for
23 their rear setback. So, you know, their
24 endorsement could be seen as somewhat self-serving.

25 MRS. CARROLL: Those homes are much

1 larger footprints. We've got by far the smallest
2 home square-footage-wise on Patriot Street.

3 MS. LATHAM: I understand everyone's
4 desire to have a pool, but it doesn't --

5 MRS. CARROLL: It would be different
6 if --

7 MS. TIMMONS: I will say -- I think
8 we're in discussion.

9 THE CHAIRMAN: I haven't closed public
10 comment, but we can still talk to --

11 MS. TIMMONS: We're still discussing
12 it.

13 THE CHAIRMAN: Yes.

14 MS. TIMMONS: No. I don't see not
15 getting a pool -- not being able to have a pool
16 as a hardship, but at the same time I do think
17 given -- you know, 15 feet is a little bit too much
18 in my mind, but I would -- I would have sympathy
19 for these smaller lots.

20 A pool is not really encroaching other
21 than the noise in terms of breezes and new sheds.
22 It's not like --

23 THE CHAIRMAN: I got you.

24 MS. TIMMONS: -- building a house.
25 We're building back. So this is one that at first

1 I thought, no way, Jose. Then, well --

2 THE CHAIRMAN: We denied one on --

3 MS. TIMMONS: We did.

4 THE CHAIRMAN: Is that the Myrtle one?

5 MS. TIMMONS: Right.

6 THE CHAIRMAN: And this was the same
7 exact --

8 MS. TIMMONS: Same kind of --

9 THE CHAIRMAN: -- scenario. They were
10 10 feet into the setback. In that case with that
11 property owner it would have been 15 feet from her
12 bedroom window.

13 MS. LATHAM: That was my thought, that
14 as I understand our current -- the precedent that
15 you've got for pools is --

16 THE CHAIRMAN: The variances.

17 MS. LATHAM: Yeah. I mean, you could
18 do a lap pool that's six feet wide. I mean, this
19 is a fairly substantial pool for a lot this size.

20 MR. ELLIOTT: This is my big thing
21 with -- in the meetings I've sat in it's been
22 pretty regular that we get folks who come in and
23 say, well, there was a variance on this property
24 and this was granted for this reason and -- and I
25 don't see that it's my job to go back and find out

1 why a certain board did a certain thing. I mean, I
2 don't know. Maybe they didn't know what they were
3 doing. Maybe they didn't read the statute.

4 I think it is wrong to describe it as
5 precedential meaning binding on us. I think we can
6 look at it if we want to, but I don't think we're
7 bound by a board that was just previous to us.

8 I think the problem is when you begin
9 doing that, you know, when you look back maybe
10 someone made a decision because a neighbor was
11 complaining or someone wasn't complaining. You
12 know, whatever the situation was if you don't
13 follow, you know, rules that we have set out you
14 get into these subjective things and you go astray.

15 THE CHAIRMAN: You're exactly right.

16 MS. LATHAM: And as far as being
17 denied the use of the property, they're not. They
18 have a single family house on the property.

19 MR. ELLIOTT: Right. Now to the next
20 thing. I don't see how we can conclude that
21 21-179 B.(3) is compliant with it when it says:
22 Because of these conditions the application of the
23 zoning ordinance, the particular piece of property,
24 would effectively prohibit or unreasonably restrict
25 the utilization of the property.

1 I can't conclude that based on not
2 allowing a pool.

3 MS. LATHAM: That's --

4 THE CHAIRMAN: I didn't mean that
5 anything was precedent setting.

6 MR. ELLIOTT: Yeah.

7 THE CHAIRMAN: I meant how we actually
8 approach hardship --

9 MR. ELLIOTT: Sure.

10 THE CHAIRMAN: -- because there have
11 been pendulum swings, so to speak. We're trying to
12 chart not a narrow course but a reasonable course
13 forward. So I think it is helpful to see what
14 happened. But, yes, it's not precedent setting.

15 No. You're exactly right because every
16 lot on this island is different. Even a lot that's
17 exactly the same size on the same street the
18 treescape is different and the footprint of the
19 house is different.

20 MS. LATHAM: And the elevation with --

21 THE CHAIRMAN: So --

22 MR. RICHARDSON: I do think one of the
23 things that Joe said about the lots on Raven
24 extended, there is -- is inherent to a hardship in
25 a very small lot. I'm sort of with you, Jody. I

1 mean, maybe going beyond the setbacks magnifies
2 some of the problems.

3 What is the real basis for zoning here
4 on the island? It is quality of life, I think.
5 What we want to figure out how to do is to be
6 consistent enough, I think, but help everybody
7 enjoy the quality of life they want which is why on
8 the Raven lots it wasn't a tiny little house.

9 We did that setback so they could have
10 a 2,300 or 2,400-square-foot house. Houses never
11 used to be 2,300 or 2,400 square feet, let alone
12 5,000 square feet. Well, they used to be like
13 2850 Jasper.

14 So inherently there is a problem with
15 the smaller lots. If we could frame it like that
16 and if you could come back with less of a
17 percentage infringement maybe on the setback it
18 might be worth considering. I don't know.

19 MR. HENDERSON: Just to touch on the
20 reasonable utilization of a lot for residential
21 living, we have always considered 2,400 square feet
22 a reasonable size home for Sullivan's Island. The
23 Isle of Palms has that same square footage.

24 It is 2,400 square feet. So when I
25 have spoken to their planner in the past about how

1 they consider granting variances for accessory
2 structures I say, really, what do you guys define
3 as the reasonable utilization of the properties?
4 He said about 2,400 square feet.

5 So if you applied setbacks to your
6 expensive property out here on one of these barrier
7 islands and you were left with a 900-square-foot
8 house that's a little unreasonable. So they'd
9 probably grant you --

10 MR. RICHARDSON: So you buy two lots
11 or you buy --

12 MR. HENDERSON: That wouldn't work on
13 our island because you can't subdivide and
14 recombine lots.

15 THE CHAIRMAN: You can't subdivide.

16 MR. RICHARDSON: You can combine --

17 MR. HENDERSON: So getting back to --
18 so how do you define reasonable utilization of the
19 lot for reasonable living? It's --

20 MR. RICHARDSON: That's really what
21 we're talking about, though. What is the intent in
22 terms of utilization?

23 MR. HENDERSON: Is it --

24 MR. RICHARDSON: How many square feet
25 is your house, Mrs. Carroll?

1 MRS. CARROLL: What's that?

2 MR. RICHARDSON: How many square feet
3 is your house?

4 MRS. CARROLL: 2,500 something.

5 THE CHAIRMAN: Is there any other
6 public comment? Do you have anything else you'd
7 like to say? We'll close public comment and
8 actually deliberate.

9 MRS. CARROLL: The only thing that I
10 would add was I understand with the end of the
11 street property which was 424 being six feet to
12 their property line, I'm asking for 10 feet to our
13 rear property line. They don't have anybody -- any
14 neighbors to the left of them where their pool is.

15 Where my issue lies in all of this is
16 seeing the house at 420 Patriot that did not have
17 to have a variance because the setbacks were given
18 some relief to 10 feet because of the sides of the
19 property; yet on ours there's no relief on the rear
20 setback. We have probably 15 feet on either side
21 of our house.

22 We've got, you know, substantial
23 buffers in either direction. You know, obviously
24 we didn't build the home. If we build built it and
25 we wanted to put a pool in we would have done a

1 more narrow home and put it on the side.

2 THE CHAIRMAN: I just want to say one
3 thing. The side setback is 10 feet; so they were
4 able to build a pool without asking for relief.

5 MRS. CARROLL: Right.

6 THE CHAIRMAN: So their house was
7 situated so that they could build a pool --

8 MRS. CARROLL: Right.

9 THE CHAIRMAN: -- and not encroach on
10 that 10 foot setback.

11 MRS. CARROLL: I'm saying that the
12 variances --

13 THE CHAIRMAN: So the situation was
14 different than your situation.

15 MRS. CARROLL: Right. I was saying in
16 the actual zoning ordinances there is -- you know,
17 it says a combined 40 feet on each side, but based
18 on how wide your property is it can be as -- as
19 small as 10 feet. So they're -- in the zoning
20 ordinances they have made accommodations for
21 smaller lots on the side setbacks.

22 So what I'm stating is there aren't
23 any -- there aren't any accommodations being made
24 for the rear setbacks in the same way.

25 THE CHAIRMAN: And I think that is

1 because --

2 MR. HENDERSON: It's true.

3 THE CHAIRMAN: -- it's a narrow lot. I
4 don't know it's because of the size of the lot. Is
5 it the narrowness of the lot or the street
6 frontage?

7 MR. HENDERSON: That's true. The
8 Design Review Board can actually grant modification
9 or relief to side setbacks for one reason or
10 another, for the size of the lot or
11 appropriateness.

12 MRS. CARROLL: They can grant a little
13 bit of relief for front setbacks, but there is no
14 discretionary increases or modification for rear
15 setbacks. I think that was done for a reason
16 within the zoning ordinance.

17 Randy, can you elaborate on why rear
18 setbacks are --

19 MR. ROBINSON: I can't elaborate on it,
20 but we did talk about at length about the Board
21 having some -- it kept coming back from Council,
22 no, we don't want to reduce the rear yard setback.
23 We just want to keep it consistent at 25 feet.

24 THE CHAIRMAN: I have one more
25 question. What is the distance between Lot 55 --

1 what is the distance between the back of his house
2 and the property line? The house directly behind
3 them.

4 MRS. CARROLL: It is about the same,
5 about 25 or 26 feet.

6 MR. HENDERSON: I'll have to pull it
7 up. I may be able to get it.

8 MS. TIMMONS: It might be a couple of
9 feet closer but not much.

10 THE CHAIRMAN: There's a big tree. You
11 can't --

12 MR. ROBINSON: What is the address
13 you're looking at?

14 THE CHAIRMAN: It's lot 55 on the back.
15 So that would be on --

16 MR. HENDERSON: So this could give us
17 an approximate here. So this is -- this lot --

18 THE CHAIRMAN: Yes.

19 MR. HENDERSON: -- directly behind it.
20 There is the property line and the fence is right
21 there on the property line.

22 MRS. CARROLL: I think so. I do
23 believe so. I think it's fairly identical.

24 MR. HENDERSON: It's like 23, probably
25 25 feet.

1 THE CHAIRMAN: And the distance between
2 their house, Lot 49, the Carroll's house, and the
3 fence.

4 MRS. CARROLL: I think we're at 26.

5 MR. HENDERSON: It's 26.

6 MRS. CARROLL: It's 26 feet.

7 MS. LATHAM: I mean, I understand when
8 you're looking at the property and you see it and
9 you're like, oh, this is a great spot for a pool
10 and you probably mentioned it to your Realtor.

11 Your Realtor probably should have been
12 aware of the setbacks. I mean, these are things,
13 you know --

14 MRS. CARROLL: Right.

15 MS. LATHAM: I mean, these --

16 MRS. CARROLL: We love where we live.
17 We don't want to have to move, but for us -- I know
18 it's not a hardship or requirement, but for me
19 being pregnant in the middle of August it feels
20 like a requirement, especially in the summer.

21 THE CHAIRMAN: That is definitely --

22 MRS. CARROLL: We really don't want to
23 have to move at this point, but that's our option
24 at this point if we can't put a small pool in the
25 back yard. That's we thought we would be able to

1 do so when we bought the house unfortunately.

2 So...

3 THE CHAIRMAN: Again, I'll officially
4 close public comment and --

5 MS. LATHAM: Is there any history on
6 this from the people who built the property
7 originally?

8 Was there ever a discussion of a pool
9 at that point?

10 MR. HENDERSON: I'm not -- I'm not
11 sure.

12 THE CHAIRMAN: Is this a spec house?

13 MR. HENDERSON: Do you remember when it
14 was --

15 MR. ELLIOTT: It probably used to be
16 one lot, didn't it, a long time ago?

17 THE CHAIRMAN: I think it has always
18 been --

19 MS. TIMMONS: Was a row of little brick
20 houses there. There's just one now.

21 MR. ELLIOTT: I got you. They've
22 always been --

23 MR. ROBINSON: Yeah. I mean, when they
24 were the old setback it was 20 feet.

25 THE CHAIRMAN: That's when the houses

1 were very small.

2 MR. ROBINSON: Correct, and then it
3 changed to 25.

4 MS. LATHAM: But even at 20 they
5 wouldn't be able to do it. So...

6 MS. LATHAM: Did you purchase the house
7 knowing that you were going to have to apply for a
8 variance for the pool?

9 MRS. CARROLL: No. I mean, we just --
10 obviously, you know, with the pictures I included
11 and looking at the back yard --

12 MS. LATHAM: You just assumed?

13 MRS. CARROLL: -- we didn't know the
14 setbacks were 25 feet. It was not until I actually
15 started contacting pool companies that they were
16 like, have you talked to the Town about this? I
17 was like, well, why?

18 MS. LATHAM: The Realtors know it and
19 they don't say anything.

20 MRS. CARROLL: Okay.

21 MR. ELLIOTT: Pool companies know it
22 and tree people know it.

23 THE CHAIRMAN: Not all of the pool
24 companies know it.

25 MS. LATHAM: Well, they know it.

1 They're just willing to act like they don't.

2 THE CHAIRMAN: I have had some
3 owners --

4 MS. LATHAM: We have a neighbor whose
5 philosophy to all things was to ask forgiveness
6 instead of permission; hence they have a pool in
7 front of their house that's only like eight feet
8 from the street.

9 THE CHAIRMAN: Randy's thinking.

10 MS. LATHAM: They've already sold the
11 house. They've moved, but, I mean the pool is
12 still there. It is a nice pool. It is lovely, but
13 it's totally --

14 THE CHAIRMAN: I know which one you're
15 talking about.

16 MR. ELLIOTT: A problem, too, is if
17 someone moves in next door and says, I can put my
18 pool right where his is --

19 MS. LATHAM: We can't figure out -- we
20 don't have one because it's like, where would it
21 go?

22 MR. ELLIOTT: I was thinking maybe the
23 side yard separation is less because a lot of
24 people don't hang out in their side yard.

25 MS. LATHAM: This is true.

1 MR. ELLIOTT: They hang out in their
2 back yard because it's not a convenient and --

3 MS. LATHAM: We hang out in the yard
4 because there's no driveway and --

5 MR. ELLIOTT: Someone asked Randy what
6 a reason was. I was trying to think of a reason
7 for that and that's the only thing that occurred to
8 me.

9 MS. LATHAM: Well, your windows tend to
10 be on the front and the back.

11 MR. ELLIOTT: You're right.

12 THE CHAIRMAN: Actually, all the houses
13 being built along Atlantic are being built in a "C"
14 and a pool in the middle for privacy so the people
15 won't stand in the dunes and look at them, I guess.
16 I don't know.

17 MR. RICHARDSON: So, Ms. Carroll, you
18 can see the dilemma here, that if we make an
19 exception for you then down the road there's an
20 exception for everybody else unless there is a way
21 for us to see how an exception is justified, either
22 justified for smaller lots or justified in a
23 certain area or justified for something and if --
24 or justified to adjust 20 percent or 30 percent
25 into the setback but not 60 percent.

1 MR. ELLIOTT: I just don't see a basis
2 for that. I mean --

3 MS. LATHAM: My issue is it's not a
4 hardship. The use of the property hasn't been
5 impaired. The desirability has potentially been
6 impaired, but not the functionality.

7 MR. ELLIOTT: If my wife finds out I
8 voted against a pool she's going to be mad at me.
9 The reality is I look at this thing as soberly as I
10 can and see how I can be fair to these folks and
11 fair to the next person coming in and I can't.

12 No one has convinced me how I can
13 satisfy 21-179 B.(3). I can't say that.

14 MS. LATHAM: That's where I am.

15 THE CHAIRMAN: That's my problem --

16 MS. LATHAM: As much as --

17 THE CHAIRMAN: -- though I will say
18 that we have granted pool variances before when the
19 variance has been 20 percent or less. Sometimes we
20 even turned down 10 percent and made them come back
21 for five.

22 The one on the end of the island -- do
23 you remember the pool on the end of the island at
24 The Point? So it's a decrease in the percentage of
25 the variance.

1 Now, I saw a pool on -- y'all ought to
2 go look at it because it's what I want. It is on
3 Marshall on the front and they built this little
4 kidney-shaped pool on the side.

5 I think it's got a little spa in it,
6 too, but it's like a little small pool. It's on
7 the side because it can't be on the front there and
8 it can't be on the back. You know, that's all they
9 could probably fit there. So, you know, it's a
10 small pool.

11 MS. LATHAM: Have you seen the -- it's
12 on Middle. It's the more modern white house that's
13 sort of set back where they put the arbor in and
14 the very narrow --

15 THE CHAIRMAN: Uh-huh.

16 MS. LATHAM: It's a very small pool.
17 It's about five feet wide and about 15 or 20 feet
18 long. It's cute and functional and they put an
19 endless pool blower in the front of it so they
20 could swim laps with it being narrow.

21 Has there been any consideration trying
22 to -- you've got 12 feet. So if you go to six feet
23 which is the width of a lane and --

24 MRS. CARROLL: I mean, it's not really
25 for us. It's more for our kids. You know, for

1 safety reasons we wanted to do it linear so that we
2 can have an automatic cover for the pool. For
3 safety reasons, yeah.

4 I mean, like I said, if it's not
5 something that we can do at a reasonable width then
6 we'll probably move and build something with a pool
7 in the middle. I just really don't want to have to
8 do that with two babies.

9 THE CHAIRMAN: Okay. James, did you
10 want to make a motion? We won't tell your wife.

11 MR. ELLIOTT: I've never moved to deny
12 a motion.

13 THE CHAIRMAN: That's all you do.

14 MR. ELLIOTT: Okay then. I guess I can
15 do that. I guess I'll move that the Board denies
16 the motion for the variance requested by Mr. and
17 Mrs. Carroll -- Dr. And Mrs. Carroll.

18 THE CHAIRMAN: Say the address. You
19 just need to say --

20 MR. ELLIOTT: I'm just looking for it.

21 THE CHAIRMAN: At 414 --

22 MR. ELLIOTT: At 414 Patriot Street.

23 THE CHAIRMAN: The motion has been
24 made. Is there a second?

25 MS. BRASHER: Second.

1 THE CHAIRMAN: Any further discussion?
2 All in favor of the motion to deny the variance
3 request signify by saying aye.

4 (All Board members stated aye.)

5 THE CHAIRMAN: Like sign opposed? I'm
6 sorry. Your variance request is denied.

7 Is there any further business to come
8 before the Board of Zoning Appeals? Hearing none,
9 is there a motion to adjourn?

10 MS. TIMMONS: I so move.

11 THE CHAIRMAN: Is there a second?

12 MR. RICHARDSON: Second.

13 THE CHAIRMAN: All in favor, signify by
14 saying aye.

15 (All Board members stated aye.)

16 THE CHAIRMAN: Like sign opposed? We
17 don't hear you. This meeting is adjourned.

18 (The meeting was adjourned at 7:03 PM.)
19
20
21
22
23
24
25

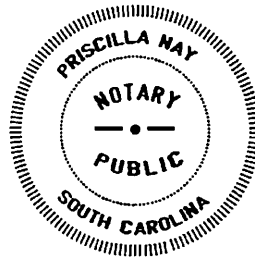
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, Priscilla Nay, Court Reporter and
Notary Public for the State of South Carolina, do
hereby certify that the foregoing transcript is a
true, accurate, and complete record.

I further certify that I am neither
related to nor counsel for any party to the cause
pending or interested in the events thereof.

Witness my hand, I have hereunto
affixed my official seal this 16th day of August,
2016 at Charleston, Charleston County, South
Carolina.



Priscilla Nay

Priscilla Nay,
Court Reporter
My Commission expires
December 2, 2021

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

	Page	Line
2624 I'ON AVENUE	5	8
2850 JASPER BOULEVARD	6	3
414 PATRIOT STREET	17	5
CERTIFICATE OF REPORTER	52	1

E X H I B I T S
(No Exhibits Proffered)