

Town of Sullivan's Island
BOARD OF ZONING APPEALS
Thursday, December 13, 2018

A Board of Zoning Appeals Meeting was held on the above date at 6:00 p.m., all requirements of the Freedom of Information Act having been satisfied.

Present were: Elizabeth Tezza, Chairman
Babak Bryan, Board Member
Summer Eudy, Board Member
Peter Koepke, Board Member
Michael Koon, Board Member
Jody Latham, Board Member
Joe Henderson, Director of Planning/Zoning Administrator
Courtney Liles, Town Clerk

A. Freedom of Information Act Requirements

Elizabeth Tezza called the meeting to order at 6:00 p.m. and stated the press and public had been notified in accordance with State Law. There were four members of the public present and no members of the media present. Elizabeth Tezza took a moment to welcome new Board members, Babak Bryan and Michael Koon and returning Board member Summer Eudy.

B. Approval of Minutes from October 11, 2018

Motion was made by Jody Latham, seconded by Peter Koepke, to approve the Board of Zoning Appeals Meeting minutes of October 11, 2018. This motion passed unanimously.

C. Applicant and Participant Oath

D. Approval of 2019 Meeting Dates

Motion was made by Summer Eudy, seconded by Peter Koepke, to approve the 2019 Board of Zoning Appeals meeting dates with one correction: the proposed February 14, 2019 meeting to be changed to Thursday, February 7, 2019 with the submittal date being Friday, January 4, 2019. This motion carried unanimously.

E. Approval Time Extension

1. 2014 Gull Avenue: Pat Ilderton, property owner and applicant, requests an approval time extension in accordance with SC Code §6-29-1530 South Carolina Vested

Rights Act, for a previously approved dimensional variance from the RC-2 setback requirements of Zoning Ordinance Section §21-23 E. (1) (b.) (TMS# 529-05-00-066) Doug Smith attended the meeting on behalf of applicant, Pat Ilderton.

Director of Planning/Zoning Administrator Joe Henderson presented this application on behalf of the Town. Mr. Henderson stated that in accordance with SC Code §6-29-1530 of the South Carolina Vested Rights Act, a vested right is established for two years upon the approval of a site-specific development plan; and a landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right. The applicant is asking for his first of five annual approvals, continuation from the approval of December 8, 2016. By approval of the Board, this will extend it to December 8, 2019.

Motion was made by Jody Latham, seconded by Michael Koon, that the Board of Zoning Appeals approves the request for a one (1) year time extension in accordance with SC Code §6-29-1530 South Carolina Vested Rights Act, for a previously approved dimensional variance from the RC-2 setback requirements of Zoning Ordinance Section §21-23 E. (1) (b.) This motion passed unanimously.

F. Administrative Appeal

1. 2656 Jasper Boulevard: Maria and Sean Lowery, property owners and applicants, request an appeal of an administrative staff decision related to Zoning Ordinance §21-20 (A) (1) Permitted Uses in the RS-Single Family Residential District. (TMS# 519-07-00-013)

Board member Summer Eudy recused herself from this appeal.

Director of Planning/Zoning Administrator Joe Henderson presented this application on behalf of the Town. Mr. Henderson stated that the owners are requesting to continue living in the existing home while the construction of the new house ensues. The existence of two dwellings on the property at one time violates the density limitations established by §21-20 (A) (1), use regulations for the RS-District, which only allows one single-family detached home on a property zoned RS.

Peter Kopeke asked what the expected total time that the two properties would co-exist. Tal Askins, builder, answered eight to nine months.

Motion was made by Michael Koon, seconded by Peter Koepke, to approve the appeal of an administrative staff decision related to Zoning Ordinance §21-20 (A) (1) Permitted Uses in the RS-Single Family Residential District, subject to the security assurances that have been offered by the applicants and the details of which will be handled by Town staff. This motion passed by a vote of 4-1, with Babak Bryan opposed and Summer Eudy recused.

G. Public Input

H. Adjourn

Motion was made by Jody Latham, seconded by Michael Koon, to adjourn at 6:21 p.m. This motion passed unanimously.

Respectfully submitted,



Courtney Liles