

Town of Sullivan's Island  
BOARD OF ZONING APPEALS  
Thursday, August 8, 2019

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  
Michael Koon, Board Member  
Joe Henderson, Director of Planning/Zoning Administrator  
Courtney Liles, Town Clerk  
Randy Robinson, Building Official

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 (4) members of the public present and no members of the media present.

B. Approval of Minutes from June 13, 2019

**Motion was made by Babak Bryan, seconded by Michael Koon, to approve the Board of Zoning Appeals Meeting minutes of June 13, 2019. This motion passed by a vote of 3-1, with Summer Eudy abstaining.**

C. Applicant and Participant Oath

Members of the audience who spoke during the meeting: Eddie Fava

D. Variance Request

1. 1109 Middle Street: Eddie Fava, architect and applicant, requests a variance to the Sullivan's Island Flood Damage Prevention Ordinance in accordance with Chapter 5, Article IV, §5-78. The property is a designated Sullivan's Island Landmark property. (TMS # 523-07-00-078)

Director of Planning/Zoning Administrator Joe Henderson presented this application on behalf of the Town. Mr. Henderson gave a brief background of the property. The subject property is bounded to the north by Middle Street and to the south by the Atlantic Ocean. The structure is designated as a Sullivan's Island Landmark and is located within the Moultrieville Local and National Historic Districts. The property is identified by Card

#298 as the “Salmons-Lawson House”, constructed circa 1867. The guest cottage is referenced in the historic survey along with the kitchen house.

The applicants presented the renovation project to the Design Review Board on June 19, 2019, which included elevating the principal building and accessory structure 16’4” from grade in order to meet the VE-22 flood zone. Exceeding 50% of the fair market value in structural improvements requires compliance with Section §5-78 and which amounts to elevating the first floor of the structure 16’4” from grade or 10’ from its current location. The applicant submitted elevations outlining the existing level, fully elevated version and proposed elevation as per the requested variance. The fully compliant elevation of the principal building to meet FEMA guidelines would inadvertently trigger a violation of the Zoning Ordinance’s maximum height allowance of 38’ from natural grade bringing the total height of 42’ 11.5” from natural grade. (Zoning Ordinance §21-24)

The applicant requests an elevation variance of 8’5” from the required 16’4” (from grade). The variance would allow the owners to elevated instead 1’8” from the existing finished floor elevation rather than the 10’ required by FEMA. Staff recommends consideration of the Design Review Board’s recommendation from June 19, 2019, to allow the variance to preserve the historic fabric of the building and surrounding Moultrieville Historic District.

Deliberations took place between the Board, Mr. Henderson and the Applicant.

Mr. Bryan stated that if the Board was to hold the applicant to the FEMA requirements, there are architectural and landscape design ways to mitigate the height of the building and make the structure more aesthetically pleasing.

Mr. Bryan asked the applicant how much of the existing building historically will be preserved. Mr. Fava answered roughly 80% of the exterior will remain unchanged.

Mr. Bryan asked when the new FEMA Flood Maps are passed, what zone will the subject property be in. Mr. Henderson answered AE-11. Mr. Fava added that he took into consideration the new FEMA Flood Maps when drawing the plans and made sure the building will be zone AE-11 compliant.

Mr. Koon took a moment to thank the homeowners for taking on this project to preserve a very significant Landmark structure on Sullivan’s Island.

A motion was made by Michael Koon that the Board of Zoning Appeals grant the variance request for 1109 Middle Street regarding the Sullivan's Island Flood Damage Prevention Ordinance in accordance with Chapter 5, Article IV, §5-78. The Board indicates that the applicant demonstrated compliance with the conditions required for the issuance of a variance and having treated specifically the technical evaluations, relevant factors and all standards specified in Ordinance Chapter 5, Article IV, §5-78. Also, the applicant anticipated future new FEMA Flood Map requirements and provided the structure is completed generally as described in the documents submitted.

Babak Bryan amends the motion with the following provisions: the building must meet the requirements specifically of zone AE-11.

Michael Koon accepts the amendment.

Elizabeth Tezza amends the motion with the following provisions: that the Board of Zoning Appeals and Town Staff has reviewed and considered the 11 factors as outlined in §5-78 B. and the granting of this variance will not adversely impact according to any of the factors.

Michael Koon accepts the amendment. Summer Eudy seconds the amended motion.

This motion and amendments passed unanimously.

E. Adjourn

Motion was made by Michael Koon, seconded by Elizabeth Tezza, to adjourn at 6:41 p.m. This motion passed unanimously.

Respectfully submitted,

  
Courtney Liles