



**Town of Sullivan's Island, South Carolina
Board of Zoning Appeals
Meeting Minutes
Thursday, January 11, 2024**

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:

Michael Scruggs, Vice-Chair
James Elliott, Board Member
Jeremy Graves, Board Member
Cindy Kirkland, Board Member

Charles Drayton, Director of Planning and Zoning
Bridget Welch, Staff Member

I. Freedom of Information Act Requirements

Vice-Chair Michael Scruggs 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 two (2) members of the public present and no members of the media present.

II. Approval of Minutes-November 9, 2023

Motion was made by James Elliott, seconded by Jeremy Graves, to approve the Board of Zoning Appeals Meeting Minutes of November 9, 2023, passed unanimously.

III. Re-Approval of Chair and Vice-Chair

Motion was made by James Elliott, seconded by Jeremy Graves, to approve Elizabeth Tezza as Chair of the Board of Zoning Appeals and Michael Scruggs as Vice-Chair, passed unanimously.

IV. Variance Requests

1. 3209 Marshall Boulevard (application): Sullivans Point, LLC, applicant, is requesting a variance from Section 21-23 (C), Minimum Side Yard Setback, of the Zoning Ordinance, to allow two small portions of the proposed home and the entry stairs to encroach into the minimum side yard setback 8 feet 4.75 inches. (PIN# 529-12-00-107)

Charles Drayton presented on behalf of the Town Staff, showing photos of the property and how it is in both the Residential Zoning and Recreation and Conservation Zoning districts. He provided plans showing where and how much the home would be encroaching on the property line. Because of its location, the buildable area of the lot is about a third of what a typical area is for the lot size. Staff believes that all four of the hardship tests for granting this variance have been met and staff recommends approval. Several lots along the ocean-front side of Marshall Boulevard have also received variances for similar reasons. Mr. Drayton then answered questions from the Board.

Architect Kevin Hoertdoerfer presented on behalf of the owner and showed a slideshow, detailing the need for this variance. He also showed a 3D comparison between the existing building and the proposed plan to show the volume of the proposed encroachment compared to the existing encroachment.

Property owner Patrick Marr made comments to the Board about his decision-making process for the structure and shape of the proposed building. He would like to retain the historic shape of the building.

Motion was made by Jeremy Graves, seconded by Michael Scruggs, to approve the variance request from Section 21-23 (C), Minimum Side Yard Setback, of the Zoning Ordinance, to allow two small portions of the proposed home and the entry stairs to encroach into the minimum side yard setback 8 feet 4.75 inches. This meets all four of the conditions in that there are extraordinary and exceptional conditions pertaining to the particular piece of property, the conditions do not generally apply to other property in the vicinity and that these because of these conditions the application of the ordinance on this particular property would effectively prohibit or unreasonably restrict the utilization of the property and finally the authorization of a variance will not be a 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, passed unanimously.

V. Adjourn

Motion was made by James Elliott, seconded by Jeremy Graves, to adjourn the Board of Zoning Appeals Meeting at 6:18 p.m., passed unanimously.

Respectfully submitted,
Bridget Welch
Board of Zoning Appeals Staff


Chair, Elizabeth Tezza