



**Town of Sullivan's Island, South Carolina
Board of Zoning Appeals
Meeting Minutes
Thursday, December 11, 2025**

A Board of Zoning Appeals Meeting was held on the above date at 4:00 p.m., all requirements of the Freedom of Information Act having been satisfied.

Present were:

Elizabeth Tezza, Chair
Jeremy Graves, Board Member
James Elliott, Board Member
Jackie Edgerton, Board Member
Arthur Hanlon, Board Member

Charles Drayton, Director of Planning and Zoning
Rebecca Fanning, Director of Resilience and Natural Resource Management
Bridget Welch, Staff Member

I. Freedom of Information Act Requirements

Chair Elizabeth Tezza called the meeting to order at 4:00 p.m. and stated the press and public had been notified in accordance with State Law. There were twenty (20) members of the public present and no members of the media present.

II. Approval of Minutes-November 13, 2025

Motion was made by Jackie Edgerton, seconded by James Elliott, to approve the Board of Zoning Appeals Meeting Minutes of November 13, 2025, passed unanimously.

III. Appeal Request

1. **2201, 2205, and 2213 Atlantic Avenue (Application):** W. Andrew Gowder, Jr. and Justin Price, applicants on behalf of the property owners, are appealing the zoning administrator's zoning determination letters, issued on October 21, 2025, which state the properties (2201, 2205, and 2213 Atlantic Avenue) are split-zoned, with portions of the properties located in the RS, Single-Family Residential, Zoning District, and the remaining portions of the properties located in the RC-1, Recreation and

Conservation, Zoning District, according to the language in Section 21-68 A. (1) of the Zoning Ordinance. (PIN#s 529-09-00-046, -045, & -043, respectively)

Charles Drayton presented staff opinion, first highlighting the verbiage in §21-68 A. (1) of the Zoning Ordinance which describes the boundary of the RC-1 Zoning District. He also reviewed the Department of Environmental Services (DES) baseline regulations, R30-13 F. (4) that states “no native plant material growing on the frontal dunes may be disturbed unless it can be demonstrated that the condition of the dune will be improved” and stated the DES also has jurisdiction over these areas of the properties. Zoning maps were provided showing that the three subject properties are split-zoned, with the back part of property being RC-1. Staff recommendation is that the ordinance is clear in its delineation of the zoning boundaries, and the Zoning Administrator’s determination should be upheld. He then took questions from the Board.

Andy Gowder, a representative for two property owners, Todd and Jessica Aaron and High Tide Productions, thanked the Board for their hard work. Attorneys Justin Price and Michael Tims were also present, representing other the other subject parcel owner and other property owners on the block, respectively. Mr. Gawder then laid out the basis for their appeal, stating the properties were unique and they feel the ordinance needs to be corrected. They feel the zoning map is labeled incorrectly, because that is not owned by the Town and cannot be labeled as RC-1 conservation land. He reviewed the Kings Grant land for six properties on Atlantic Avenue that was originally purchased as one property and states the property line extends to the low water line. Due to an error in 1991, parts of the private properties were put into a conservation easement by the Lowcountry Land Trust at the Town’s bequest. In 2020, the error was recognized and the conservation easement was lifted over those portions of the private properties, but the zoning was not changed. Because of language in the zoning ordinance, they feel the property has been incorrectly zoned and would like the Board to correct this mistake and rezone the entire property as RS-1. He then took questions from the Board.

Public Comment:

The following residents voiced their support for the homeowners and feel the decision should be overturned;

- Kimberly Brown, 2118 Pettigrew St
- Ian McCarthy, 2065 Pettigrew St
- Todd Aaron, 2213 Atlantic Ave
- Chauncey Clark, 2119 Pettigrew St
- Bunky Wichmann, 2211 I’On Ave
- Brian Gilhuly, 2118 Pettigrew St
- Jennifer Turchetta, 2301 Atlantic Ave

Mr. Gowder stated he feels it would be appropriate for the Board to instruct or recommend to the Planning Commission to allow these property owners to continue their regular tree maintenance on the properties as a grandfathered, nonconforming use of the property.

There was discussion among the Board, with Jackie Edgerton stating this is a jurisdiction issue and is not something the BZA has authority over. Chair Tezza stated her concern is more with the 1987 zoning decision, but this board cannot assume what happened and is not able to reverse past decisions made. The Board can only make a decision about whether or not the Zoning Administrator made an accurate ruling that aligns with the current Zoning Ordinance.

Motion was made by James Elliott, seconded by Jackie Edgerton, to uphold the findings of the Zoning Administrator that the applicants' properties, based on the evidence that has been submitted to us, that these properties are split-zoned, RS and RC-1, that the Zoning Administrator's determination is based on the fact that those properties were zoned in that fashion and concluded that the activities taking place on the RC-1 portions of those properties was in violation of the RC-1 regulations; therefore we uphold the findings and conclusions of the Zoning Administrator, passed unanimously.

IV. Adjourn

Motion was made by Jackie Edgerton, seconded by James Elliott, to adjourn the Board of Zoning Appeals meeting at 5:30 p.m., passed unanimously.

Respectfully submitted,
Bridget Welch
Board of Zoning Appeals Staff


Chair, Elizabeth Tezza