



**Town of Sullivan's Island, South Carolina
Board of Zoning Appeals
Meeting Minutes
Thursday, July 9, 2026**

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
Jackie Edgerton, Board Member
James Elliott, Board Member
Jeremy Graves, Board Member
Arthur Hanlon, Board Member
Cindy Kirkland, Board Member
Michael Scruggs, Board Member

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

A. 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 ten (10) members of the public present and no members of the media present.

2. Approval of Minutes from June 11, 2026

Motion was made by Michael Scruggs, seconded by Jeremy Graves, to approve the Board of Zoning Appeals Meeting Minutes of June 11, 2026, passed unanimously.

3. Variance Requests – The Board, Staff, and the Applicants for Items A. and B. agreed that since the requests are part of a joint project the applicants are proposing together that the hearing for the variance requests would be handled as one but that each item would be voted on individually.

- A. **2414 & 2420 Raven Drive (Application):** Susan J. Middaugh, applicant/owner, is requesting a variance from §21-13, to allow the importation of fill materials onto the lots, increasing lot elevations by more than 1 foot above the existing grades. (PIN#s 529-06-00-101 & - 100, respectively) &
- B. **2424 Raven Drive (Application):** Ben A. Hagood, Jr., applicant/owner, is requesting a variance from §21-13, to allow the importation of fill materials onto the lot, increasing lot elevations by more than 1 foot above the existing grades. (PIN# 529-06-00-099).

Planning and Zoning Director Charles Drayton presented his staff report, showing maps and reviewing the history of the properties, as well as 2424 Raven. He noted there is a little bit of marsh in the RC-2 zone on the edges of the properties. He then reviewed the regulations, why these variances are requested, and flood issues that low lying properties have. Photos were provided. Staff recommends that the slab heights at 2420 and 2424 Raven Drive be allowed to elevate to 7 feet but that the ground be sloped away from the house at a grade no steeper than 4:1 and no more gradual than 10:1 (unless the engineer certifies an alternative slope is required so that the lawn height no higher than 6 feet is reached within about ten feet of the house, with appropriate contouring to direct water away from adjacent parcels and towards the marsh and the road. Addition, staff recommends that the elevation of the side yard lot (2414 Raven Drive) be elevated no higher than 5.5 feet, again with the appropriate contouring to direct away from the adjacent parcels and towards the marsh and the road. He confirmed that a certified, stamped stormwater plan from an engineer would be required before construction on these projects would begin. He also took questions from the Board.

Susan Middaugh, property owner, provided more context and history for the two properties. She stated she is happy with the staff recommendation.

Ben Hagood, property owner, provided additional context and history for his property. He feels they meet the four requirements for variance approval and is happy with the staff recommendation.

Ryne Phillips from Seamon Whiteside spoke about the stormwater aspect of the request, touching on tidal flooding and how they plan to preserve some of the trees on the property. He also took questions from the Board.

Mr. Drayton also addressed the stormwater plans and took questions from the Board before hearing public comments.

Public Comment:

- William Spielvogel, resident – does not support approving the variance
- Michael Daly, resident – does not support approving the variance

There was further discussion about the landscape berms that are currently on the three properties being discussed. Mr. Drayton stated they will be recontoured if the variance is granted. Mr. Hagood stated they did receive permits to install the berm in 2017.

The Board asked Mr. Drayton some questions and discussed the issue before coming to a decision.

Motion was made by James Elliott, seconded by Jeremy Graves, to grant the variance for 2414 & 2420 Raven Drive from §21-13 (1) of the ordinance and do so because it meets the requirements of §21-179 because there are extraordinary and exceptional conditions to pertaining property in that the information indicates that the extent frequency of flooding events impact the property are exceptional and extraordinary; these conditions on the property do not generally apply to others in the vicinity because the properties are ranked 23rd and 32nd lowest properties on our Island, the elevations applies to several properties in the vicinity, but less than 3% of the properties on the Island; the third condition not granting the variance would effectively prohibit or unreasonably restrict the utilization of the property, the evidence or information we've been provided is that there is a pattern of increasing flood events each year and limiting their use, access, and enjoyment; and four, the variance will not be a substantial detriment to the adjacent properties or the public good, the information that we've been provided is that the stormwater management plan, although just theoretical currently, will be developed by an engineer and submitted to the Town and permitted by the Town and we believe that the Town's processes will result in a plan and construction that will not cause substantial detriment to the adjacent properties, and would add to it that the condition of the variance include the recommendations of the staff (Staff further recommends that the slab height be allowed to elevate to 7 feet but that the ground be sloped away from the house at a grade no steeper than 4:1 and no more gradual than 10:1 (unless the engineer certifies an alternative slope is required) so that a lawn height no higher than 6 feet on the parcel with the home (-100) is reached within about 10 feet of the house, with appropriate contouring to direct water away from adjacent parcels and towards the marsh and the road. Additionally, staff recommends that the elevation of the side yard lot (-101) be elevated no higher than 5.5 feet, again with appropriate contouring to direct away from adjacent parcels and towards the marsh and the road.), passed 5-2, with Jackie Edgerton and Michael Scruggs objecting.

Motion was made by Jeremy Graves, seconded by James Elliott, to approve the variance for 2424 Raven Drive from §21-13 to allow the importation of fill materials onto the lot, increasing lot elevations by more than 1 foot above the existing grades in that there are extraordinary and exceptional conditions pertaining to that particular piece of property, the data and frequency of flooding according to tidal inundations of 2424 Raven Drive since slabs 2015 that impacting both of these properties are both exceptional and extraordinary and the lot elevations are lower than the crest of the adjacent Raven Drive; that these conditions do not generally apply to other properties in the vicinity, these properties rank as the 23rd, 31st, and 32nd lowest properties in the Island and while this low elevation does apply to several properties in the vicinity, less than 3% of the properties on the Island have lower average elevations; and that because of these conditions, the application of the Zoning Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property, that these properties are effectively utilized, but there is an established pattern of increasing number of flooding events each year that are impacting the properties and limiting access and enjoyment of single family homes and adjacent garden, flooding events have destroyed vehicles stored on the slabs stored under these houses; and finally that the authorization of a variance will not be a substantial detriment to the adjacent properties or the public good in the granting of the variance will not harm the character of the district, that the elevation of the homes to have its slab at 7 feet would displace water that formerly rested on the slab during tidal events but the volume of water displaced would not change the water levels of the incoming ocean on properties adjacent to it; additionally, with the stormwater management plan for restricting where stormwater flows on the property, the variance would not result in negative impacts of adjacent properties, the public good, or the character of the district and that they follow the recommendations of the Zoning Administrator's recommendations for grading profiles (Staff further recommends that the slab height be allowed to elevate to 7 feet but that the ground be sloped away from the house at a grade no steeper than 4:1 and no more gradual than 10:1 (unless the engineer certifies an alternative slope is required) so that the lawn height no higher than 6 feet is reached within about 10 feet of the house, with appropriate contouring to direct water away from adjacent parcels and towards the marsh and the road.), passed 5-2, with Jackie Edgerton and Michael Scruggs objecting.

- C. 3202 Jasper Boulevard (Application):** Joel Adrian of Coastal Creek Design, applicant/architect, requests a variance from the Town's Zoning Ordinance §21-23 E. to allow an addition to an existing non-conforming structure that encroaches into the RC-2 setback, to be placed further into the RC-2 setback area than the existing encroachment (PIN# 529-08-00-063).

Mr. Drayton presented the staff report, showing maps and giving an overview of the request. He noted that the property does have pieces of RC-2 recreation and conservation zoning on it. The existing home encroaches into the setback line, currently at 28'5 1/2" one place and 26'5 1/2" another. The proposed addition to be 11'2" off the critical line property line at its closest. Staff recommends that the Board consider the four hardship findings of fact that must be present for granting a variance and consider the staff's evaluation of those tests in order to make a careful and just decision on these variance requests in accordance with the standards of §21-179 of the Zoning Ordinance. Staff further recommend that the applicant study designs that would allow the living space of the home to remain intact while proposing the addition within the buildable area of the lot. The request meets the findings of fact for one and two, but not three and four. The home was built in 1994 and is currently 3330 square feet. The proposed addition would add 787 square feet, for a total of 4,117 square feet. He then took questions from the Board.

Joel Adrian of Coastal Creek and Design presented on behalf of the homeowner, Pierce Cauthen. He stated they are open to mitigating stormwater, so it does not create a detriment to the property or the marsh. He also said it was a B foundation house, which means it has deeper foundations due to its proximity to the setback line. The purpose of the addition is for family members with mobility issues to have access to the home. The current structure does not have an elevator. He stated they studied the lot for other potential locations of this addition, but this is functionally the only place for it. He provided plans for the proposal and discussed the family's need for it. He also stated they have letters of support from neighbors and said it is a unique lot because of how narrow it is.

Mr. Cauthen then spoke about his need for the project, emphasizing he has enhanced the property by opening the view corridor and building a seawall. He stated his mother-in-law is unable to get into his current home because she is wheelchair bound. He also said he has the support of neighbors.

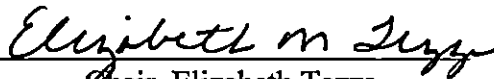
The Board then discussed and asked questions before coming to a decision. The possibility of having the addition on the other side or turned was brought up and Mr. Cauthen stated the plan is in the most logical location. They also questioned Director of Resilience and Natural Resource Management Rebecca Fanning, who feels the critical area should continue to have the protection it currently has.

Motion was made by Michael Scruggs, seconded by Jackie Edgerton, to deny the request based on the following findings; although it does meet the first two requirements of §21-179, it is an extraordinarily exception condition since it only impacts eight of the lots that have boundaries, these conditions don't generally apply in that are only four of the lots in the same vicinity and two of those have encroachments, we cannot find that this particular piece of property, that the conditions would effectively prohibit or unreasonably restrict the utilization of the property, and if we need to get to number four, it is a substantial detriment to the adjacent critical area as it's currently planned, passed unanimously.

II. Adjourn

Motion was made by Jackie Edgerton, seconded by Michael Scruggs, to adjourn the Board of Zoning Appeals meeting at 6:50 p.m., passed unanimously.

Respectfully submitted,
Bridget Welch
Board of Zoning Appeals Staff


Chair, Elizabeth Tezza