



**Town of Sullivan's Island, South Carolina
Board of Zoning Appeals
Meeting Minutes
Thursday, July 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
Cammie Camp, Board Member
Jackie Edgerton, 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 June 13, 2024

Motion was made by Jeremy Graves, seconded by Jackie Edgerton, to approve the Board of Zoning Appeals Meeting Minutes of June 13, 2024, passed unanimously.

III. Variance Requests

1. **1735 and 1743 Atlantic Avenue (Application):** Atlantic Avenue Holdings, LLC, owner/application, is requesting variances from Sections 21-162 B. and 21-163 B.(5) of the Zoning Ordinance, to allow a Category 1, live oak tree to be removed from the buildable area of one lot (1743 Atlantic Avenue) to a non-buildable area on the adjacent lot (1735 Atlantic Avenue) (PIN#s 523-12-00-020 & -021, respectively).

Charles Drayton presented information about the lots with pictures of the oak tree, as well as data about the tree in regard to the lot. Mr. Drayton stated the zoning ordinance does provide relief for property owners that are in the buildable area of their lot. When presented with the option of removing and mitigating the tree, the Tree Commission asked the applicant to find a different solution. The ordinance does not allow for moving the tree from one property to another. Since the applicant owns both properties, they are asking for relief to move it so it can remain standing. The exact location for relocation is to be determined. Mr. Drayton outlined how the request meets the four requirements needed to grant the variance. If this variance is granted, the request for removal and relocation will then be determined by the Tree Commission. If denied, the application does not move forward. He then took questions from the Board and the Board had discussions about the request.

The applicant, Dane Derbyshire, then spoke about the project and their plans and took questions from the Board. Drew Underhill from Urban Forestry Works, the company that would potentially remove the tree, gave his opinion that the move would be successful based on similar relocations they have done. The Board then had a discussion.

Motion was made by Jackie Edgerton, seconded by Jeremy Graves, to grant the variances from Sections 21-162 B and 21 – 164 B.(5) of the Zoning Ordinances to allow a Category 1, live oak tree to be removed from the buildable area of one lot (1743 Atlantic Avenue) to a non-buildable area on the adjacent lot (1735 Atlantic Avenue) (PIN#s 523-12-00-020 & -021, respectively), finding that extraordinary conditions do exist, the location of the tree on this property envelopes over 40% of the central portion of the buildable area of the parcel, these conditions do not generally apply to other properties in the area, there are no other parcels in the vicinity that are developed and have a large tree located in the middle of the parcel, because of these conditions the application of the ordinance to particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property, as the buildable area of the lot is small to begin with and is bisected by the tree; because of the size of the tree, relocating it on the same property would impact the buildable area negatively no matter where it would be placed; the authorization of a variance will not be of 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, there would be no adverse or detrimental effect, should the Board choose to grant this variance, passed unanimously.

I. Adjourn

Motion was made by Jackie Edgerton, seconded by Jeremy Graves, to adjourn the Board of Zoning Appeals Meeting at 6:37 p.m., passed unanimously.

Respectfully submitted,

Bridget Welch
Board of Zoning Appeals Staff


Chair, Elizabeth Tezza