

# TOWN OF EDISTO BEACH

## ZONING BOARD OF APPEALS

Monday, July 20, 2020  
5:00 P.M.  
Regular Meeting (Virtual)

THESE MINUTES ARE NOT VERBATIM, BUT DO ACCURATELY REFLECT THE PROCEEDINGS.

Members attending: Marie Bost, Beverly Sandifer, Sally Altman, Bill Davies. Ned Kuntz and Marci Cook. Member Susan Pratt recused herself because she is one of the owners seeking the variance.

Staff attending: Margaret Green, Morgan Viars and Patrick Brown

With a quorum present, Marie Bost called the meeting to order at 5:05 p.m. Because the meeting was held virtually, Morgan Viars held a roll call to ensure all members were present and connected. Member Marci Cook experienced technical difficulties with the video portion but was able to participate.

### Review of Minutes – September 16, 2019

Chair Marie Bost asked for a motion to accept the transcribed minutes from the September 16, 2019 meeting. Member Bill Davies made a motion to approve the minutes, with Beverly Sandifer seconding. The minutes were **approved unanimously**.

**Old Business:** None

### **New Business:**

Appeal No. 2020-01, by the Owners of a property in the R-1 District, 1907 Lee Street,

Appeal No. 2020-01, by the Owners of a property in the R-1 District, 1907 Lee Street, Lot 4, Block BS for a variance from Sec. 86-135 (e) (3) of the Zoning Ordinance to allow for an encroachment within the 10' setback at side yard.

Chair Marie Bost read the 4 criteria necessary to grant a variance. Ms. Bost also read the variance request and asked all parties who may speak during this portion of the hearing to raise their right hands and take the oath. The oath was administered. She asked those who took the oath to state their name and explain the reason for attending the meeting. Those who took the oath were Patrick Brown, Building Code Administrator, and property owners Robert and Susan Pratt. She asked that the record reflect that all parties who took the oath had been properly sworn and placed under oath to tell the truth.

The property owners were asked to present their request for variance. Mr. Pratt explained that they would like to have a generator installed at their home. The contractor provided 2 sites where the generator could

be installed. The side yard site was preferable to the applicants due to closeness to the electric box, (saves cost of additional wiring), and closeness of the exhaust to the HVAC system of the rear location.

Chair Bost called for a motion. Bill Davies made a motion that the applicant has met the 4 criteria to grant the variance. Beverly Sandifer seconded, thus opening discussion.

Patrick Brown, Building Code Administrator was asked for feedback on the matter. Mr. Brown stated that, in his opinion, the owners' request did not meet the requirements to grant a variance.

Mr. Davies moved to approve the request related to Criteria 1, which is unnecessary hardship because of extraordinary and exceptional conditions. Beverly Sandifer seconded the motion, which was **denied unanimously**.

Marci Cook moved to approve the request related to Criteria 2, which is whether the conditions generally apply to other property in the vicinity. Ms. Sandifer seconded the motion, which was **denied unanimously**.

Mr. Davies made a motion to approve the request based on meeting Criteria 3, which is related to the unreasonable restriction of utilization of the property. Beverly Sandifer seconded the motion, which was **denied unanimously**.

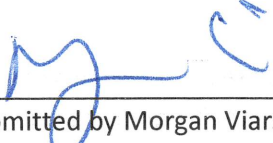
Mr. Davies made a motion to approve the request based on meeting Criteria 4, which is whether the character of the district will be harmed by granting the variance. Beverly Sandifer seconded the motion. The **motion passed with 5 in favor and Marci Cook dissenting**.

There being a motion, a second and discussion, Chair Bost called for the vote on the entire motion. The motion to grant the variance was **denied unanimously**.

There being no more business before the ZBA, Bill Davies announced his term will expire, thanked the Town for the opportunity to serve and made a motion to adjourn. Beverly Sandifer seconded the motion which was **approved unanimously**.

Freedom of Information Act, § 30-4-80(3) was complied with.

APPROVED BY THE ZONING BOARD OF APPEALS

  
Submitted by Morgan Viars  
Acting Secretary of the Zoning Board of Appeals, Town of Edisto Beach

A digital recording of this meeting is on file at Town Hall