

TOWN OF EDISTO BEACH
ZONING BOARD OF APPEALS

Monday, February 5, 2018
5:00 P.M.
Special Meeting

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

Members attending: Marie Bost, Marci Cook, Beverly Sandifer, Sally Altman and Lou Rasmussen. Joe Dreher and Bill Davies were absent with prior notification.

Staff attending: Margaret Green, Danielle Messer and Patrick Brown

With a quorum present, Marie Bost called the meeting to order at 5:00 p.m.

Old Business:

A request from the Owners of property in the R-1 District, 1702 Lee St, Block CC, Lot 6, for a variance from Sec. 86-186 (a) 4 of the Zoning Ordinance.

Chair Bost stated the Special Meeting is for the request from the Owners of property in the R-1 District, 1702 Lee St, Block CC, Lot 6, for a variance from Sec. 86-186 (a) 4 of the Zoning Ordinance. She explained that the matter was deferred for a re-hearing to allow for the applicant to obtain a survey for the Board to review. At this point, she asked that all parties who may speak during this portion of the hearing to stand and take the oath. She asked that the record reflect that all parties who stood had been properly sworn and placed under oath to tell the truth.

Chair Bost asked applicant Tom Smith to the podium to provide additional information regarding his request. A discussion between Mr. Smith and Ms. Bost ensued regarding the exact nature of Mr. Smith's request. Applicant Smith asked if Building Code Administrator Patrick Brown could help explain. Chair Bost asked Mr. Brown to stand to be sworn in to be allowed to speak in the meeting. Mr. Brown stood and was properly sworn and placed under oath.

Ms. Bost asked Mr. Smith if he had any additional testimony to add to his request. He explained that given the amount of money he already had invested in the concrete, it would be a financial hardship to have to bring it into compliance.

Ms. Bost briefly explained the previous discussion regarding the applicant's request and asked Mr. Brown for feedback and confirmation of his understanding. Mr. Brown explained that the applicant applied for a variance to the 500 sq ft of impervious surface outside of the footprint of the house. He also explained that he believes Mr. Smith is seeking to use the part of the ordinance that restricts total impervious surfaces for a lot to be 30% or less. Mr. Brown also stated that a financial hardship or burden cannot be used as criteria for granting a variance.

Further questions were asked of Mr. Brown related to drainage, run-off and the possibility to transform a pervious service into an impervious service. Mr. Brown explained the ordinances have a definition of impervious surfaces and that it would be difficult to convert the impervious service at the owner's home.

Chair Bost asked Mr. Brown if he wanted to discuss or share any other information to assist the Board in making the decision. Mr. Brown asked for a few minutes to retrieve some information, which was granted by Chair Bost. Mr. Smith was thanked for his input.

During the brief pause, Chair Bost welcomed Member Sally Altman who was attending her first meeting. Mr. Rasmussen asked if any past requests were granted for such matters. Member Sandifer stated that she could not remember it happening in the past. Mr. Brown returned and distributed a document entitled, "Standards for Granting Variances" to further assist the Board. The Board spent a few minutes to review the document.

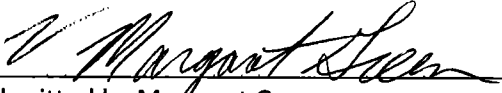
Member Rasmussen addressed the Chair and explained he wanted to recuse himself due to a similar situation applying his own property.

Chair Bost called for a motion for the submitted variance request. Marci Cook made a motion to approve the variance request. Being no second to the motion, the motion died and the request was denied the for impervious surface variance.

Chair Bost asked for a motion to adjourn. Member Sandifer made a motion to adjourn, with Member Cook seconding. A vote was taken to adjourn the meeting and the **vote was unanimous to adjourn.**

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

APPROVED BY THE ZONING BOARD OF APPEALS


Submitted by Margaret Green
Building Permit Technician, Town of Edisto Beach

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