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APPEARANCES

BOARD MEMBERS PRESENT:

FRANK CASSIDY, Chairman  
LIN O'LEARY  
J. JAY LEWIS  
J. PHILLIP ADAMS  
LARRY ROSENFELD  
MORRIS HANAN

STAFF MEMBERS PRESENT:

JOHN TAYLOR, JR.  
DANIEL VINCENT

1 CHAIRMAN CASSIDY: Okay. Good  
2 afternoon, everyone. I'd like to call to order  
3 this December 16th, 2024, meeting of the Town of  
4 Kiawah Island Board of Zoning Appeals.

5 I'm Frank Cassidy, the board chair. In  
6 addition to myself, the members hearing your case  
7 today are Jay Lewis, Larry Rosenfeld, Morris  
8 Hanan, Lin O'Leary, and Phil Adams. And here  
9 from staff are our planning director, John  
10 Taylor, and Dan Vincent from our planning staff.  
11 And Boone Aiken is our legal counsel.

12 Our case rulings from this and any BZA  
13 meeting are available for public review and  
14 inspection during normal business hours at the  
15 Town Hall.

16 Since our meeting is being conducted  
17 virtually via Zoom, please be reminded that in  
18 order to obtain a clean and clear record for  
19 persons listening live, it's important that all  
20 participants not speak over one another. I'd  
21 like -- if you'd like to speak, please raise your  
22 hand, I'll recognize you, and you can come to the  
23 mike.

24 At this time I'd like to explain to the  
25 public the workings of the BZA. The Board of

1 Zoning Appeals is a quasi-judicial body,  
2 established to interpret and grant relief from  
3 the zoning ordinance. The Board of Zoning  
4 Appeals has jurisdiction over three types of  
5 cases: Appeals, variances, which is what we'll  
6 be considering today, and special exceptions.

7 Appeals are heard regarding  
8 administrative actions or decisions by the zoning  
9 administrator or staff. Variances may be granted  
10 when strict application of the zoning ordinance  
11 would cause an unnecessary hardship.

12 This board's actions must be based on  
13 specific standards, as contained in SC Local  
14 Government Planning Enabling Act of 1994 and our  
15 Town's zoning ordinance.

16 Special exceptions allow the board to  
17 permit uses if certain conditions as contained in  
18 the zoning ordinance are met.

19 A simple majority vote of the quorum  
20 present is required to grant a variance or to  
21 overturn the decision of the zoning administrator  
22 in an appeal or to grant a special exception.

23 Because today's hearing is a public  
24 fact-finding meeting, we are in compliance with  
25 the Freedom of Information Act and SC Code

1 6-29-70. 15 days prior to this hearing, an  
2 announcement was printed in the Post and Courier,  
3 a sign was posted on or near the designated  
4 property, and a notice was mailed to the  
5 applicant or representative, to persons --  
6 residents within 500 feet of the application, and  
7 to parties of interest.

8           Persons, organizations, and the news  
9 media that have requested declaration of our  
10 meeting have also been notified. These are the  
11 only folks who are required to be served under  
12 the Freedom of Information Act.

13           Our purpose today is for interested  
14 parties to be heard in order to assist the board  
15 in gathering evidence pertinent to the case. If  
16 members of the BZA feel the need for further  
17 information to clarify a case, the board has the  
18 authority to subpoena witnesses.

19           In addition to testimony, our board has  
20 been presented written information submitted to  
21 the staff by the applicant or their agent for  
22 each case. This information is now considered to  
23 be evidence and is entered into the permanent  
24 record of this body. It's assumed that it is  
25 complete, true, and accurate.

1           Also, we've been presented data  
2 assembled by the staff for the purpose of  
3 clarifying the location and the effect on  
4 surrounding property.

5           Our board is empowered to approve,  
6 approve with conditions, or deny a request. In  
7 granting a variance, the Board of Zoning Appeals  
8 may attach to it such conditions regarding  
9 location, character, and other features of the  
10 proposed building structure or use as the board  
11 may consider advisable to protect established  
12 property values in the surrounding area or to  
13 promote the public health, safety, and general  
14 welfare.

15           We are also authorized to defer a case  
16 should there be a need to obtain additional  
17 information.

18           If an applicant's request is approved  
19 for a special exemption, a variance, or an appeal  
20 of the decision by the zoning administrator, they  
21 must go to the Town of Kiawah Island to apply for  
22 permits. Variances and special exceptions  
23 granted by the BZA are valid for 12 months after  
24 this meeting.

25           However, if an applicant's request is

1 disapproved and they wish to appeal the decision  
2 of this board concerning their case, appeals must  
3 be addressed to the Circuit Court.

4 SC Code 6-29-820 states that the appeal  
5 must be filed by the applicant within 30 days  
6 after the decision of the board is mailed to  
7 them. Failure to file an appeal within the time  
8 limit deprives the Court of the jurisdiction to  
9 hear this matter.

10 For the case, staff will present  
11 information, the applicant will present their  
12 case, and we'll hear from others, if any, who may  
13 wish to speak. Be reminded to direct your  
14 comments to the board and not to the applicant or  
15 other speakers.

16 To expedite the meeting, I'd ask that  
17 all persons who intend to speak today to stand,  
18 and Boone will administer the oath.

19 (Oath administered to all  
20 speakers.)

21 MR. AIKEN: Thank you, everyone.  
22 Mr. Chairman, I'll turn it back  
23 over.

24 CHAIRMAN CASSIDY: I'll now call  
25 case BZA-24-000022 at 81 Bittern Court.

1           First we'll hear from staff, then the  
2 applicant, and then others, if any. All speakers  
3 should come to the podium, state your name and  
4 current address for the record before presenting  
5 testimony.

6           I'll limit any comments by the public to  
7 three minutes and the applicant will have a  
8 chance for rebuttal, if necessary.

9           Dan, the floor is yours.

10           MR. VINCENT: Thank you, Mr. Chair.

11           Members of the BZA, we have one case  
12 today, case number BZA-24-000022. The applicant  
13 and property owner, William and Anne Sherrill,  
14 being represented by Randy Rice of Rice  
15 Architecture, are requesting a variance for the  
16 reduction of the required 30-foot rear setback by  
17 approximately 86 square feet for proposed  
18 renovations of an existing single-family home.

19           The lot 81 Bittern Court is located in  
20 the R-1 residential zoning district. The lot  
21 size is approximately 24,556 square feet or .57  
22 acres in size. The TMS number for the subject  
23 property is 207-08-00-045.

24           Per Charleston County records, the lot  
25 was acquired by William and Anne Sherrill on

1 May 15th of 2009, and the home was constructed in  
2 1978, according to Charleston County records.

3 Pursuant to the Town of Kiawah Island's  
4 Land Use Planning and Zoning Ordinance, the R-1  
5 zoning district does require a 25-foot front  
6 setback off of Bittern Court, 15-foot side  
7 setbacks on either side, and a 30-foot rear  
8 setback. The maximum lot coverage for the  
9 subject property is 33 percent.

10 Here's a zoning map of the subject  
11 property. The adjacent properties to the south,  
12 west, and across the lagoon are located in the  
13 R-1 zoning district, and directly across from the  
14 subject property sits an R20 zoning district.  
15 Here is a Charleston County GIS aerial view.

16 Staff took a few photos on  
17 November 27th, 2024. Signs were posted in  
18 accordance to the Board of Zoning Appeals rules  
19 and procedures. Again the request is for 86  
20 square feet for proposed renovations. Picture of  
21 the front. Adjacent properties across the street  
22 and to the left. Here's the subject property,  
23 which is the rear. A few more pictures of the  
24 rear and the side.

25 The applicant's proposed plans include

1 renovations of the existing single-family home,  
2 including relocating a staircase in the rear yard  
3 and converting an existing open deck into  
4 conditioned area that is currently beyond the  
5 rear setback.

6           The home is currently nonconforming in  
7 regards to setbacks. As you can see on the slide  
8 in front of you, the left is an existing site  
9 plan. Portions of that site plan are encroaching  
10 into that rear setback.

11           The existing staircase currently  
12 encroaches approximately 15 feet, 9 inches, into  
13 the required rear 30-foot setback. The distance  
14 from the existing staircase to the rear lot line  
15 is approximately 14 feet, 3 inches. The total  
16 encroachment of the existing staircase is  
17 approximately 70 square feet. And existing  
18 staircase, you can see my cursor, is this box  
19 right here.

20           The proposed staircase, which is the  
21 gray area right here, it will be relocated  
22 further south and will encroach approximately 16  
23 feet, 1 inches, into the required 30-foot  
24 setback. The distance from the proposed  
25 staircase to the rear lot line is approximately

1 13 feet, 11 inches.

2 The total encroachment of the proposed  
3 staircase is approximately 43 square feet. The  
4 proposed plans reduce the encroachment by  
5 approximately 28 square feet at this particular  
6 location.

7 The existing open deck, which is south,  
8 right here, in this gray area, extends  
9 approximately 5 feet, 5 inches into the required  
10 rear 30-foot setback.

11 The proposed conditioned covered space  
12 will encroach approximately 5 feet into the  
13 required rear setback. The proposed renovation  
14 of the existing deck to screen porch is  
15 approximately 11 square feet. The proposed new  
16 conditioned area encroachment is approximately 33  
17 square feet. The total square footage  
18 encroachment of the existing deck to conditioned  
19 or covered space is approximately 44 square feet.  
20 The total encroachment of both the staircase and  
21 conditioned area is approximately 86 square feet.

22 The applicant's current total lot  
23 coverage is 24.3 percent, and the applicant's  
24 proposed plans include 7,283 square feet, with a  
25 total proposed lot coverage of 29.7 percent. The

1 subject property is allowed a maximum coverage of  
2 33 percent.

3 The BZA may grant a variance only if  
4 exceptional circumstances exist and where  
5 practical difficulty or uncertain -- or  
6 unnecessary hardship is so substantial, serious,  
7 and compelling that relaxation of the general  
8 restrictions ought to be granted.

9 No grant shall be granted unless the  
10 applicant shall show and the BZA shall find that  
11 the following conditions are met.

12 Criteria A: There are extraordinary and  
13 exceptional conditions pertaining to the  
14 particular piece of property.

15 There may be extraordinary and  
16 exceptional conditions on this property. The  
17 unique shape of the lot and the orientation of  
18 the home on the lot are exceptional conditions.  
19 The home is also nonconforming in regards to  
20 setbacks.

21 The lagoon is located roughly 52 feet  
22 from the required 30-foot rear setback. The  
23 space between the rear lot line and the lagoon  
24 provides additional screening for the home.

25 Per the applicant's letter of intent,

1 quote, The lot is irregular in shape and heavily  
2 treed. The organic shape of the easement creates  
3 an additional condition of not having a rear lot  
4 line that is parallel to the rear of the house  
5 frame. And while the house does respond to the  
6 change in lot profile, the logical addition fits  
7 a 25-foot setback, much like the existing home.

8 It is possible, due to the large number  
9 of trees throughout the site, that the home was  
10 simply located in the most tree friendly  
11 location. And since moving the house closer to  
12 the large easement had only a positive effect on  
13 its neighbors; regardless, there is an extensive  
14 nonconformity that exists across much of the rear  
15 of this home, resulting in extraordinary and  
16 exceptional conditions.

17 Criteria B: These conditions do not  
18 generally apply to other properties in the  
19 vicinity.

20 These conditions may be unique to the  
21 subject property and may not generally apply to  
22 other properties in the vicinity. The property  
23 is located in the R-1 zoning district. Adjacent  
24 properties along Bittern Court are also located  
25 in an R-1 zoning district. The lot sits adjacent

1 to a lagoon to the north and east. Properties  
2 across the lagoon are located in the R20  
3 residential zoning district.

4 Existing structures in the vicinity may  
5 or may not have similar encroachments based on  
6 these setback standards.

7 Per the applicant's letter of intent,  
8 quote, In addition to a setback requirement of 30  
9 feet to the property line, there is an additional  
10 25-foot of drainage easement, high ground, before  
11 the lagoon actually begins, resulting in an  
12 expanse of around 50 feet along the back of the  
13 nonconforming structure as it stands today from  
14 building to water.

15 In a sense, the home does not abut the  
16 lagoon but an easement. This would indicate an  
17 25-foot-to-conditioned-structure setback as a  
18 reason given to the accommodation that the  
19 easement already provides between the home and  
20 the lagoon.

21 Criteria C: Because of these  
22 conditions, the application of this ordinance to  
23 the particular piece of property would  
24 effectively prohibit or unreasonably restrict the  
25 utilization of the property.

1           The application of this ordinance to the  
2 subject property may not or unreasonably restrict  
3 the utilization of the property.

4           Per the applicant's letter of intent,  
5 quote, The site location of the existing  
6 structure unreasonably restricts the utilization  
7 of the property without this variance. It seems  
8 clear that during the construction of the home,  
9 the ordinance in question was either not in  
10 effect or was not applied to this property, and  
11 as the natural evolution of architecture over  
12 time to improve its quality and update its  
13 usefulness becomes impossible without this  
14 variance.

15           Criteria D: The authorization of a  
16 variance will not be of substantial detriment to  
17 adjacent property or to the public good, and the  
18 character of the zoning district will not be  
19 harmed by the granting of this variance.

20           The authorization of this variance may  
21 not be of substantial detriment to the adjacent  
22 properties or the public good. The existing  
23 buffer beyond the 30-foot rear setback is  
24 substantial. Per the applicant's letter of  
25 intent, quote, the authorization of this variance

1 will not be a detriment to the adjacent property  
2 or to the public good as the area in question is  
3 in the rear of the lot beside a heavily treed  
4 lagoon area and out of sight from all adjacent  
5 properties.

6           The encroachment into the rear yard  
7 would not be any closer than it already exists.  
8 There is no substantial detriment to the public  
9 good as the overall area of new impervious  
10 surface in the rear setback is minimal.

11           Criteria E: Board of Zoning Appeals  
12 shall not grant a variance, the effect of which  
13 would be to allow the establishment of a use not  
14 otherwise permitted in a zoning district, to  
15 extend physically a nonconforming use of land, or  
16 to change the zoning district boundaries shown on  
17 the official zoning map.

18           Granting of this variance would not  
19 allow the establishment of a use not otherwise  
20 permitted in the zoning district, extend  
21 physically a nonconforming use of land, or change  
22 the zoning district boundaries.

23           Per the applicant's letter of intent,  
24 quote, The variance, if granted, would not allow  
25 the establishment of a use not otherwise

1 permitted in the zoning district. The current  
2 land use is conforming, and there would be no  
3 change to the zoning map with an approved  
4 variance.

5 Criteria F: The fact that the property  
6 may be utilized more profitably should a variance  
7 be granted shall not be considered grounds for a  
8 variance.

9 The BZA may not consider property value  
10 when considering this variance request.

11 Criteria G: The need for this variance  
12 shall not be the result of the applicant's own  
13 actions.

14 The need for the variance may not be the  
15 result of the applicant's own actions. The  
16 subject property is legally nonconforming in  
17 regards to setbacks.

18 Per the applicant's letter of intent,  
19 quote, There has been no work done on the  
20 existing lot.

21 Criteria H: Granting of this variance  
22 will not be contrary to the public or  
23 neighborhood interest nor will not adversely  
24 affect other properties in the vicinity nor  
25 interfere with the harmony, spirit, intent, and

1 purposes of these regulations.

2 Granting of this variance may not be  
3 contrary to the public or neighborhood interest,  
4 may not adversely affect other properties in the  
5 vicinity, or interfere with the harmony, spirit,  
6 intent, or purposes of these regulations.

7 Per the applicant's letter of intent,  
8 quote, There is no contrary effect to the public  
9 or neighborhood interest nor will not adversely  
10 affect other properties in the vicinity while  
11 being in harmony with the spirit, intent, and  
12 purposes of these regulations.

13 And criteria I: Granting of this  
14 variance does not substantially conflict with the  
15 comprehensive plan or the purposes of this  
16 ordinance.

17 Granting of this variance may not  
18 substantially conflict with the comprehensive  
19 plan or the purposes of this ordinance.

20 The Board of Zoning Appeals may approve,  
21 approve with conditions, or deny case number  
22 BZA-24-000022 for the variance request for the  
23 reduction of the required 30-foot rear setback  
24 for approximately 86 square feet for proposed  
25 renovations of an existing single-family home at

1 81 Bittern Court based on the BZA's findings of  
2 facts, unless additional information is deemed  
3 necessary to make an informed decision.

4 Staff has not received any letters in  
5 regards to this case.

6 And I would also like to point out a few  
7 things in the Town's code in regards to uncovered  
8 stairs and at-grade patios. Pursuant to section  
9 1264 in regards to setbacks, Uncovered stairs or  
10 stair landings to building entrances may extend  
11 up to 5 feet into any required setback.

12 Uncovered at-grade patios may extend  
13 into any required setback; however, they shall  
14 maintain a minimum 10-foot distance from the  
15 property line. And uncovered decks may extend up  
16 to 5 feet into any required rear yard setback.

17 This concludes staff's presentation.

18 CHAIRMAN CASSIDY: Thank you, Dan.  
19 I'll ask you, Dan -- I'll ask the applicant if  
20 you don't know, but this drainage easement, what  
21 is there, a pipe under there or something?

22 MR. VINCENT: I'm not sure. I  
23 would refer to the applicant for that. From a  
24 site visit, it just looked like an empty --

25 CHAIRMAN CASSIDY: Yeah. It looks

1 like nothing, so it's hard to understand what  
2 it's there for.

3 MR. VINCENT: It looked like an  
4 empty kind of buffer area.

5 CHAIRMAN CASSIDY: Okay. Thank  
6 you.

7 Any other questions for Dan?

8 MR. ADAMS: Yeah, I have one. The  
9 proposed renovation, the closest point of the  
10 proposed renovation to the setback line looks  
11 like it's about 13 feet and change. What's the  
12 closest point currently? I think it's the  
13 existing staircase. How far is that from the  
14 setback?

15 MR. VINCENT: So from what staff  
16 saw, the existing staircase encroaches 15 feet, 9  
17 inches, into that required rear setback, which is  
18 about 14 feet and 3 inches from staircase --

19 MR. ADAMS: So the proposal would  
20 actually be further from the setback line -- its  
21 closest point would be closer from the setback  
22 line than it is currently?

23 MR. VINCENT: That's correct.

24 CHAIRMAN CASSIDY: Other questions?  
25 Okay. We'll hear from the

1 applicant. Mr. Rice, is it?

2 MR. RICE: Yes, sir.

3 Thank you, everybody, and happy  
4 holidays. My name is Randy -- Randolph Rice.  
5 I'm at 4250 Hope Plantation Drive, Johns Island,  
6 South Carolina, and I'm with Rice Architecture +  
7 Interiors.

8 Our client has owned this property for a  
9 while, and it's been a great place for them.  
10 They've experienced Kiawah from this property,  
11 and it's just gotten tired. And so this effort  
12 is to redo the decks, redo the exterior finishes.  
13 And of course you'll see the addition basically  
14 allows the guest room to have two ensuite guest  
15 rooms instead of one bathroom that's shared. So  
16 just sort of trying to bring the home up to the  
17 level of current amenities on Kiawah if you will.

18 There is a -- as we've discussed,  
19 there's the new conditioned wing off the bottom  
20 back right, if you will. That's part of that  
21 bedroom ensuite approach. Instead of having an  
22 open deck that's getting covered with leaves,  
23 it's going to be a covered deck so it's much more  
24 effective and usable.

25 And the rear stairs, we took care to

1 take the landing area of that stair, anything  
2 over a foot and a half, if you will, to keep  
3 that -- above grade, to keep that as far away as  
4 the original stair was from the property line.

5 And the covered deck that's there  
6 currently, perhaps that's the most covered, most  
7 encroaching area. That's that 18-4, off the  
8 current property line, and there's a deck above  
9 that area that is part of the renovation of the  
10 second floor, which doesn't pertain to you-all,  
11 but that would be enclosed.

12 So there's not an open second level  
13 deck, which got all the leaves for the last  
14 however many years for that house and created a  
15 lot of drainage problems.

16 So I think our case is fairly  
17 straightforward. As you can imagine, the house  
18 was designed and built prior to these  
19 regulations, and so they built it where it made  
20 sense at the time to them. And over time,  
21 regulations made sense to apply over these  
22 properties.

23 And so our clients are caught between  
24 sort of a rock and hard place. We have good,  
25 valid regulations, but we have a house that had

1 no control over those regulations, if you will,  
2 and so now they're here to try to get a variance  
3 to try to kind of fill in that little gap where  
4 you've got an older home that really has sort  
5 of -- a fairly specific way it could expand, and  
6 it's going to require a variance to do it. And  
7 with that, I'll leave that for any questions.

8 CHAIRMAN CASSIDY: Thank you,  
9 Mr. Rice. Questions for Mr. Rice?

10 MR. ADAMS: Was your question  
11 answered or did he not know?

12 CHAIRMAN CASSIDY: He indicated  
13 that he doesn't know the answer either.

14 MR. RICE: Oh, in terms of why  
15 there's that drainage area behind the house, is  
16 there a structure under it? I didn't come across  
17 any reason why they have that. One of my  
18 arguments about this variance was that  
19 technically this -- you know, that 30-foot  
20 setback is for lagoon properties. Technically,  
21 that part of the property is not next to the  
22 lagoon. It's next to this easement. There's a  
23 required 25-foot setback.

24 So part of the argument -- I don't want  
25 to really go down there, but, you know, really

1 seems like it ought to have a 25-foot rear yard  
2 setback. We still need a variance for these  
3 other items, so I don't think we need to go down  
4 that path, but just --

5 CHAIRMAN CASSIDY: The effective  
6 setback is way more than the actual property line  
7 setback.

8 MR. RICE: Yes, sir. I went out  
9 there again today, and just the stair not being  
10 germane to what's functionally affecting the  
11 property, to the corner of the house right now,  
12 the -- where the new stair is, if you will,  
13 there's a double column. From that column  
14 location to the lagoon, it is 46 feet.

15 And then if -- taping again -- I'm not a  
16 surveyor, but taping from the estimated corner of  
17 the new house addition on the bottom corner  
18 there, it was going to be 50 plus, 52, 53 feet  
19 still to the bank. So none of what we're doing  
20 is getting closer to that bank, you know, stair  
21 being sort of the -- you know, sort of kinds of  
22 projects with foundations and such make much more  
23 difference whether they're getting closer to that  
24 bank, so we're keeping away from that.

25 CHAIRMAN CASSIDY: Other questions?

1 Hearing none, I'd entertain a motion.

2 MR. ROSENFELD: I'll make a motion.  
3 Completely out of character. I move that we  
4 approve this.

5 CHAIRMAN CASSIDY: Thank you,  
6 Larry. Is there a second?

7 MR. HANAN: I'll second.

8 MR. ROSENFELD: I can throw in a  
9 couple reasons if you care to. I mean, it's just  
10 so far away from the lagoon. The easement is  
11 irrational to me.

12 The only thing I don't buy is criteria  
13 C, where allowing this expansion will effectively  
14 prohibit or unreasonably restrict the utilization  
15 of the property. That's a crock because they can  
16 use the property fine without ever doing that.

17 But aside from the rest, as long as they  
18 don't touch some of those great trees back there,  
19 go right ahead, guys. Nobody's ever going to see  
20 anything from any other place because of the far  
21 station of the lot is basically a blind, you  
22 know, location.

23 MR. TAYLOR: Just want to make sure  
24 I understand. You believe that it meets all the  
25 criteria, just for the record?

1 MR. HANAN: Yes, for --

2 CHAIRMAN CASSIDY: It has to meet  
3 all of the criteria.

4 MR. ROSENFELD: Has to meet what?

5 MS. O'LEARY: Has to meet all the  
6 criteria, so you have to take C off the table  
7 like you were talking about.

8 MR. ROSENFELD: Am I still allowed  
9 to make the motion even if I disagree with it? I  
10 think I can.

11 CHAIRMAN CASSIDY: Yeah, I think  
12 you can too.

13 MR. ROSENFELD: It just depends on  
14 what my vote may be, that's all.

15 MR. HANAN: I'll still second.

16 CHAIRMAN CASSIDY: Any further  
17 discussion?

18 MR. ROSENFELD: I love  
19 bureaucracies. Plus the fact, you know, my  
20 vision may have compromised my view.

21 CHAIRMAN CASSIDY: All right. With  
22 no further discussion, Jay?

23 MR. LEWIS: Yes.

24 CHAIRMAN CASSIDY: Larry, yes.

25 MR. ROSENFELD: Yes.

1 MR. HANAN: Yes.

2 MS. O'LEARY: Yes.

3 MR. ADAMS: Yes.

4 CHAIRMAN CASSIDY: And yes. So  
5 motion is unanimous. It's approved because of  
6 the effective setback due to the easement. Also,  
7 it's a small encroachment to start with. And as  
8 Larry pointed out, you stand back there. No one  
9 anywhere near that property is going to see  
10 anything because it's so wooded.

11 MS. O'LEARY: I've never seen so  
12 many trees on a property. I was just like, Oh,  
13 Lord.

14 CHAIRMAN CASSIDY: So that  
15 concludes our work with this variance request.

16 I'll just mention that we may or may not  
17 have a January meeting. John is waiting for some  
18 additional information.

19 But let me remind you that, in  
20 January and February, something that I tend to  
21 forget, our meetings are the fourth Monday  
22 instead of the third because the third Mondays in  
23 January and February are holidays.

24 MR. TAYLOR: That was correct. The  
25 only note is that we will probably not have a

1 January based on what I just discussed with  
2 Daniel that we may not have a case as an update  
3 for the January meeting.

4 So typically at the beginning of the  
5 year, we would do our review of the rules and  
6 procedures. Since that, we might just bring that  
7 to the February meeting, as opposed to having a  
8 meeting where there's no items to consider.

9 So just stand by for the January date.  
10 If there is, we also have the rules and  
11 procedures for you to review annually like we  
12 typically do.

13 CHAIRMAN CASSIDY: Okay. So we may  
14 have a January meeting; we're just not sure?

15 MR. TAYLOR: Yeah, I don't believe  
16 we will, but more than likely we'll be in  
17 February for the rules and procedures.

18 MR. LEWIS: Have you published the  
19 dates for the entire year?

20 MR. TAYLOR: Yes. Town Council  
21 just approved that at their December meeting, so  
22 we'll get that circulated to you guys if you have  
23 not seen that for the January, yep.

24 MR. LEWIS: Great.

25 CHAIRMAN CASSIDY: Great. Anything

1 else, John or Daniel?

2           Okay. We stand adjourned then. Thank  
3 you, everyone.

4                   (The meeting was adjourned at  
5 1:35 P.M.)

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## REPORTER'S CERTIFICATE

I, TERI L. KENNELLY, Registered Professional Reporter and Notary Public in and for the State of South Carolina at Large, do hereby certify that I correctly reported the within-entitled matter and that the foregoing is a full, true and correct transcription of my shorthand notes of the testimony and/or other oral proceedings had in the said matter.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 30th day of December, 2024, at Charleston, Charleston County, South Carolina.

Teri L. Kennelly, RPR, CRR

My commission expires  
January 8, 2029

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 located (7)  
 LOCATION (9)  
 logical (1)  
 long (1)  
 looked (2)  
 looks (2)  
 Lord (1)  
 lot (19)  
 love (1)

## &lt; M &gt;

mailed (2)  
 maintain (1)  
 majority (1)  
 map (3)  
 matter (3)  
 maximum (2)  
 mean (1)  
 media (1)  
 meet (3)  
 meeting (14)  
 meetings (1)  
 meets (1)  
 MEMBERS (5)  
 mention (1)  
 met (2)  
 mike (1)  
 minimal (1)  
 minimum (1)  
 minutes (1)  
 Monday (1)  
 Mondays (1)  
 months (1)  
 MORRIS (2)  
 motion (4)

move (1)  
 moving (1)  
 Municipal (1)

## &lt; N &gt;

name (2)  
 natural (1)  
 NCRA (1)  
 near (2)  
 necessary (2)  
 need (6)  
 neighborhood (3)  
 neighbors (1)  
 neither (1)  
 never (1)  
 new (5)  
 news (1)  
 Nobody's (1)  
 nonconforming (6)  
 nonconformity (1)  
 normal (1)  
 north (1)  
 Notary (1)  
 note (1)  
 notes (1)  
 notice (1)  
 notified (1)  
 November (1)  
 NUMBER (5)

## &lt; O &gt;

oath (2)  
 obtain (2)  
 Office@ClarkBolen.c  
 om (1)  
 official (2)  
 Oh (2)  
 Okay (5)  
 older (1)  
 O'LEARY (5)  
 open (4)  
 opposed (1)  
 oral (1)  
 order (3)  
 ordinance (10)  
 organic (1)  
 organizations (1)  
 orientation (1)  
 original (1)

ought (2)  
 overall (1)  
 overturn (1)  
 owned (1)  
**OWNER** (2)  
  
 < P >  
**P.M** (1)  
**P.O** (1)  
 parallel (1)  
 Parkway (1)  
 part (4)  
 participants (1)  
 particular (3)  
 parties (2)  
 party (1)  
 path (1)  
 patios (2)  
 pending (1)  
 percent (4)  
 permanent (1)  
 permit (1)  
 permits (1)  
 permitted (3)  
 persons (4)  
 pertain (1)  
 pertaining (1)  
 pertinent (1)  
 Phil (1)  
**PHILLIP** (1)  
 photos (1)  
 physically (2)  
 Picture (1)  
 pictures (1)  
 piece (2)  
 pipe (1)  
 place (3)  
 plan (4)  
 planning (4)  
 plans (3)  
 Plantation (1)  
 please (2)  
 plus (2)  
 podium (1)  
 point (4)  
 pointed (1)  
 porch (1)  
 Portions (1)  
 positive (1)

possible (1)  
 Post (1)  
 posted (2)  
 practical (1)  
**PRESENT** (5)  
 presentation (1)  
 presented (2)  
 presenting (1)  
 printed (1)  
 prior (2)  
 probably (1)  
 problems (1)  
 procedures (4)  
 proceedings (1)  
 Professional (1)  
 profile (1)  
 profitably (1)  
 prohibit (2)  
 projects (1)  
 promote (1)  
 properties (13)  
**PROPERTY** (39)  
 proposal (1)  
 proposed (16)  
 protect (1)  
 provides (2)  
 public (13)  
 published (1)  
 purpose (2)  
 purposes (5)  
 Pursuant (2)

< Q >  
 quality (1)  
 quasi-judicial (1)  
 question (3)  
 questions (5)  
 quorum (1)  
 quote (7)

< R >  
**R-1** (6)  
**R20** (2)  
 raise (1)  
 Randolph (1)  
**RANDY** (3)  
 really (3)  
**REALTIME** (1)  
 rear (26)

reason (2)  
 reasons (1)  
 rebuttal (1)  
 received (1)  
 recognize (1)  
 record (4)  
 records (2)  
 redo (2)  
 reduce (1)  
 reduction (2)  
 refer (1)  
 regarding (2)  
 regardless (1)  
 regards (6)  
**Registered** (1)  
 regulations (7)  
 related (1)  
 relaxation (1)  
 relief (1)  
 relocated (1)  
 relocating (1)  
 remind (1)  
 reminded (2)  
 renovation (4)  
 renovations (4)  
**REPORTED** (2)  
**REPORTER** (2)  
**REPORTER'S** (1)  
  
**REPRESENTATIVE**  
 (2)  
 represented (1)  
 request (7)  
 requested (1)  
 requesting (1)  
 require (2)  
 required (14)  
 requirement (1)  
**Residential** (3)  
 residents (1)  
 respond (1)  
 rest (1)  
 restrict (3)  
 restrictions (1)  
 restricts (1)  
 result (2)  
 resulting (2)  
 review (3)  
**RICE** (11)

**right** (7)  
**rock** (1)  
**room** (1)  
**rooms** (1)  
**ROSENFELD** (9)  
 roughly (1)  
**RPR** (1)  
 rules (4)  
 rulings (1)

< S >  
**safety** (1)  
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**SC** (4)  
 screen (1)  
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 seal (1)  
 second (5)  
 section (1)  
 see (5)  
 seen (2)  
 sense (3)  
 serious (1)  
 served (1)  
 setback (31)  
 setbacks (5)  
 shape (3)  
 shared (1)  
**SHERRILL** (3)  
 shorthand (1)  
 show (1)  
 shown (1)  
 side (3)  
 sight (1)  
 sign (1)  
**Signs** (1)  
 similar (1)  
 simple (1)  
 simply (1)  
 single-family (3)  
 sir (2)  
 site (5)  
 sits (2)  
 size (2)  
 slide (1)  
 small (1)  
 sort (5)  
**South** (7)  
 space (3)

**speak** (4)  
**speakers** (3)  
**special** (5)  
**specific** (2)  
**spirit** (3)  
**square** (13)  
**STAFF** (11)  
**staff's** (1)  
**stair** (6)  
**staircase** (12)  
**stairs** (3)  
**stand** (4)  
**standards** (2)  
**stands** (1)  
**start** (1)  
**state** (2)  
**states** (1)  
**station** (1)  
**straightforward** (1)  
**street** (1)  
**strict** (1)  
**structure** (4)  
**structures** (1)  
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**submitted** (1)  
**subpoena** (1)  
**substantial** (5)  
**substantially** (2)  
**sure** (3)  
**surface** (1)  
**surrounding** (2)  
**surveyor** (1)

< T >

**table** (1)  
**take** (2)  
**talking** (1)  
**taping** (2)  
**TAYLOR** (6)  
**technically** (2)  
**tend** (1)  
**TERI** (3)  
**terms** (1)  
**testimony** (3)  
**Thank** (8)  
**thereof** (1)  
**thing** (1)  
**things** (1)  
**think** (5)

**third** (2)  
**three** (2)  
**throw** (1)  
**time** (5)  
**tired** (1)  
**TMS** (2)  
**today** (7)  
**today's** (1)  
**total** (6)  
**touch** (1)  
**Town** (5)  
**Town's** (2)  
**transcription** (1)  
**tree** (1)  
**treed** (2)  
**trees** (3)  
**true** (2)  
**try** (2)  
**trying** (1)  
**turn** (1)  
**two** (1)  
**types** (1)  
**typically** (2)

< U >

**unanimous** (1)  
**uncertain** (1)  
**uncovered** (4)  
**understand** (2)  
**unique** (2)  
**unnecessary** (2)  
**unreasonably** (4)  
**update** (2)  
**usable** (1)  
**use** (9)  
**usefulness** (1)  
**uses** (1)  
**utilization** (4)  
**utilized** (1)

< V >

**valid** (2)  
**value** (1)  
**values** (1)  
**variance** (30)  
**variances** (3)  
**vicinity** (6)  
**view** (2)  
**VINCENT** (7)

**virtually** (1)  
**vision** (1)  
**visit** (1)  
**vote** (2)

< W >

**waiting** (1)  
**want** (2)  
**water** (1)  
**way** (2)  
**welfare** (1)  
**went** (1)  
**we're** (3)  
**west** (1)  
**we've** (2)  
**WILLIAM** (3)  
**wing** (1)  
**wish** (2)  
**within-entitled** (1)  
**Witness** (1)  
**witnesses** (1)  
**wooded** (1)  
**work** (2)  
**workings** (1)  
**written** (1)  
**WWW.CLARKBOL  
 EN.COM** (1)

< Y >

**yard** (4)  
**Yeah** (4)  
**year** (2)  
**years** (1)  
**yep** (1)  
**you-all** (1)

< Z >

**ZONING** (34)  
**Zoom** (1)