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A P P E A R A N C E S

BOARD MEMBERS:

FRANK CASSIDY, CHAIRMAN  
BEN FARABEE  
LIN O'LEARY  
LARRY ROSENFELD  
PHILLIP ADAMS  
JAY LEWIS (Via VC)

TOWN STAFF:

JOHN TAYLOR  
DAN VINCENT

ON BEHALF OF THE BOARD OF ZONING APPEALS:

HAYNSWORTH SINKLER BOYD P.A.  
BY: STAFFORD J. (MAC) McQUILLIN, III  
134 Meeting Street, 3rd Floor  
Charleston, SC 29401

1 MR. CASSIDY: With that, I'll call  
2 to order the August 18, 2025, meeting of the Town  
3 of Kiawah Island Board of Zoning Appeals. I'm  
4 Frank Cassidy. I'm the board chair. And in  
5 addition to myself, the members hearing the case  
6 today are Lin O'Leary, Jay Lewis, Morris Hanan,  
7 Ben Farabee, Phil Adams, and Larry Rosenfeld may  
8 join us.

9 MR. ROSENFELD: I am --

10 MR. CASSIDY: There you are. You  
11 are here, Larry.

12 MR. ROSENFELD: I am here.

13 MR. CASSIDY: Got ya. Staff  
14 members present are Dan Vincent from our planning  
15 staff; John Taylor, our planning director; and  
16 Mac McQuillin, our town attorney.

17 Our case rulings from this and any BZA  
18 are available for public review and inspection  
19 during the normal business hours at the town  
20 hall. Because of the unfortunate flooding  
21 incident at the town hall, obviously we're  
22 conducting this meeting virtually via Zoom. I'm  
23 going to try very hard to conduct an orderly and  
24 efficient meeting, and I ask for your patience  
25 and indulgence in helping me do that.

1           If you wish to speak, at other times  
2 with and with other boards, I have used Microsoft  
3 Teams, which has a function where you can  
4 actually push a button to raise your hand. But  
5 they currently don't have that on Zoom. So raise  
6 your hand or just -- just yell, and I'll  
7 recognize you. But let's try not to speak over  
8 one another because that makes for a poor record.

9           At this time, I would like to explain to  
10 the public the workings of the BZA. The Board of  
11 Zoning Appeals is a quasi judicial body  
12 established to interpret and grant relief from  
13 the zoning ordinance. The Board of Zoning in  
14 terms -- the Board of Zoning interprets and  
15 grants relief from the zoning ordinance.

16           The board has jurisdiction over three  
17 types of cases; appeals, variances, and special  
18 exceptions. Appeals are heard regarding  
19 administration actions or decisions by the zoning  
20 administrator.

21           Variances may be granted when strict  
22 application of the zoning ordinance would cause  
23 an unnecessary hardship. The board's actions  
24 must be placed on -- based on specific standards,  
25 as contained in SC Local Government Planning

1 Enabling Act of 1994 and the Town of Kiawah  
2 Island Zoning Ordinance. And of course those are  
3 what we're considering today.

4 Special exceptions allow the board to  
5 permit uses if certain conditions, as contained  
6 in the zoning ordinance, are met. A simple  
7 majority vote of the quorum present is required  
8 to grant a variance or to overturn the decision  
9 of the zoning administrator in appeal to grant a  
10 special exemption.

11 Because today's hearing is a public  
12 fact-finding meeting, we are in compliance with  
13 the Freedom of Information Act and SC Code  
14 6-29-70. 15 days prior to the meeting, an  
15 announcement was posted in the Post and Courier.  
16 A sign was posted on or near the designated  
17 properties. And a notice was mailed to the  
18 applicant or representative to persons within  
19 500 feet of the application and the parties of  
20 interest. Persons, organizations, and the news  
21 media that have requested declaration of our  
22 meeting certification also been notified. The  
23 Freedom of Information Act does not require  
24 notification of anyone other than the applicant  
25 and the parties of interest.

1           Our purpose today is for interested  
2 parties to be heard in order to assist the board  
3 in gathering evidence pertinent to each case. If  
4 the members of the BZA feel the need for further  
5 information to clarify a case, the board has the  
6 authority to subpoena witnesses.

7           In addition to your testimony, our board  
8 has been presented with written information  
9 submitted to the -- to the staff by the applicant  
10 or their agent for each case. This information  
11 is now considered to be evidence and is entered  
12 into the permanent record of this body. It's  
13 assumed that it's complete, true, and accurate.

14           Also we have been presented data  
15 assembled by the staff for the purpose of  
16 clarifying the location and the effect on  
17 surrounding property. Our board has the power to  
18 approve, approve with conditions, or to deny your  
19 request. In granting a variance, the Board of  
20 Zoning Appeals may attach to it such conditions  
21 regarding the location, character, or other  
22 features of the proposed building, structure, or  
23 use as the board may consider advisable to  
24 protect established property values in the  
25 surrounding area or to promote the public health,

1 safety, or general welfare.

2 We are also authorized to defer a case  
3 should there be a need to obtain additional  
4 information. If an applicant's request is  
5 approved by -- for a special exemption,  
6 exception, a variance, or an appeal of a decision  
7 by the zoning administrator, they must go to the  
8 Town of Kiawah Island to apply for permits. The  
9 variances and special exceptions granted by the  
10 BZA are valid for 12 months after this meeting;  
11 however, if the applicant's request is  
12 disapproved and they wish to appeal the decision  
13 of this board concerning their case, appeals must  
14 be addressed to the circuit court.

15 SC Code 6-29-8 states that the appeal  
16 must be filed by the applicant within 30 days  
17 after the decision of the board is mailed to  
18 them. Failure to file an appeal within this time  
19 limit deprives the court of jurisdiction to hear  
20 the matter.

21 Staff will present information, the  
22 applicant will present their case, and we'll hear  
23 from any others for which to speak. Be reminded  
24 to direct your comments to the board, not the  
25 applicant or other speakers.

1           To expedite the meeting, I would ask all  
2 persons who expect to speak today, please raise  
3 your right hand and Mac is going to administer  
4 the oath.

5                           (Witnesses sworn by Mr. McQuillin.)

6           MR. McQUILLIN: All right. Thanks,  
7 everyone.

8           MR. CASSIDY: Thank you, Mac. I  
9 will now call case BZA 25-000011 and 13 at  
10 1031 Warbler Court. First we'll hear from staff,  
11 then the applicant, then others. All speakers  
12 should state your name and current address for  
13 the record before presenting testimony. I'll  
14 limit comments by the public to three minutes,  
15 and the applicant will have a chance for  
16 rebuttal, if that's necessary.

17                   Dan, you're up.

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

19                   I'm going to share my screen. Can  
20 everybody see the presentation up on the screen?

21           MR. ROSENFELD: Yes.

22           MR. VINCENT: Okay.

23           MR. FARABEE: No. I'm good.

24           MR. VINCENT: All right. So our  
25 first and second case are related to the same

1 property. That property is 1031 Warbler Court.  
2 I'll read them both simultaneously, and then I'll  
3 read the criteria separately per each case. But  
4 these two cases are together for one specific  
5 project, not two projects; one project on one  
6 property.

7 So the first case today, BZA 25-000011,  
8 is in relation to a variance request for the  
9 increase in lot coverage by approximately  
10 .64 percent or 26 square feet for a proposed  
11 addition located at 1031 Warbler Court.

12 Our second variance case is 000013,  
13 which is also located at 1031 Warbler Court, and  
14 that is in relation to the reduction of the  
15 required 5-foot side setback by approximately  
16 31 square feet, and that is also for a proposed  
17 addition.

18 Our representative today joining us on  
19 Zoom is Mr. Dukes; the applicant property owner,  
20 Mr. David and Ms. Catherine -- Catherine Gish;  
21 and the TMS number for the subject property is  
22 207-06-00-032.

23 The total size of the property is  
24 4,112.33 square feet, or about .09 acres.  
25 According to Charleston County records, the home

1 was constructed in 1976. The home was also  
2 acquired by David and Catherine Gish in 2014.  
3 The Town of Kiawah Island's Land Use Planning and  
4 Zoning Ordinance requires a front setback of 20  
5 feet, side setback of 5 feet, and a rear setback  
6 of 10 feet. The maximum allowable lot coverage  
7 for this lot is 50 square feet -- or, sorry,  
8 50 percent. The current lot coverage is legally  
9 nonconforming, as well as the setbacks.

10 Here is a zoning aerial view of the  
11 subject property. The subject property is  
12 located in the R20 residential zoning district.  
13 Adjacent properties to the north, south, east,  
14 and west across Warbler Court are also located in  
15 the same R20 zoning district. Surrounding  
16 neighborhood is primarily developed with  
17 single-family homes.

18 There's a GIS aerial view of the subject  
19 property.

20 Staff -- staff took a site visit on  
21 July 30th, 2025, and took a few site pictures.  
22 This is the front of the property, adjacent  
23 properties across the street, adjacent  
24 properties' neighboring sides, the rear, and the  
25 subject property.

1            Located on your screen now is the  
2 proposed site plan provided by Mr. Dukes. And  
3 again, this contains two parts to the variance.  
4 One part of the variance is increasing the lot  
5 coverage by .64 percent, 26 square feet. The  
6 size of the new addition is located at the bottom  
7 right of your screen in a red hexed area. This  
8 is about 64 square feet.

9            The applicants' plans also propose  
10 destroying a portion of the boardwalk walkway on  
11 the front of the property located to the north  
12 and replacing it with the pervious pavers. This  
13 has resulted in an offset to the lot coverage by  
14 approximately 38 square feet or about  
15 .92 percent. The total proposed increase in lot  
16 coverage is 54.97 percent, and the total  
17 secondary lot coverage is approximately  
18 .92 percent.

19            I'm just going to skip over to 13.  
20 Okay. So the applicants' plans also include the  
21 same addition, which is adding approximately  
22 64 square feet. The areas of new addition within  
23 the side setback is approximately 30.65 square  
24 feet. Now, at the furthest point of  
25 encroachment, the proposed structure encroaches

1 approximately 4.7 feet into that required 5-foot  
2 setback. And then again, the applicants' plans  
3 propose to move that front boardwalk entrance and  
4 replace it with pervious pavers. Again, the  
5 total increase in primary lot coverage is  
6 approximately -- the total proposed lot coverage  
7 is approximately 54.97 percent, and then the  
8 total secondary lot coverage is approximately  
9 .92 percent.

10 Moving on to the criteria. And again,  
11 I'll read through the criteria for the first BZA  
12 case, BZA 11, and then afterwards I'll read 13,  
13 and then we will have a discussion.

14 Okay. So Criteria A there, may be  
15 extraordinary and exceptional conditions  
16 pertaining to the particular piece of property.

17 There may be extraordinary and  
18 exceptional conditions pertaining to the  
19 particular property due to the small size of the  
20 lot. The lot size is approximately 4,112 square  
21 feet. Per the applicants' letter of intent,  
22 quote, The unusual condition regarding this  
23 property is lot size related to other properties  
24 in the community.

25 Criteria B, These conditions may be

1 unique to the subject property and may not  
2 generally apply to other properties in the  
3 vicinity.

4           These conditions may be unique to the  
5 subject property and may not generally apply to  
6 other properties in the vicinity. The subject  
7 property is located in the R20 zoning district.  
8 Adjacent properties and properties across  
9 Warbler Court are also located in the R2  
10 residential zoning district.

11           Existing structures in the vicinity may  
12 or may not have similar encroachments based on  
13 those current setback standards. Per the  
14 applicants' letter of intent, quote, These  
15 conditions do not apply to other properties in  
16 the vicinity, which exceeded the lot coverage  
17 restrictions when lot lines were established,  
18 many of the existing properties with similar lot  
19 sizes and smaller two-bedroom cottages, which may  
20 not exceed lot coverage restrictions.

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

1           The application of this ordinance to  
2 1031 Warbler Court would prohibit the  
3 construction of the proposed addition as the  
4 proposed structure will increase the lot coverage  
5 over the maximum allowable 50 percent; however,  
6 it does not unreasonably restrict the  
7 utilization.

8           Criteria D, The authorization of the  
9 variance will not be of substantial detriment to  
10 the adjacent properties or the public good, and  
11 the character of the zoning district will not be  
12 harmed by the granting of this variance.

13           The authorization of the -- of this  
14 variance may not be of substantial detriment to  
15 the adjacent properties or the public good. The  
16 proposed addition is positioned in the rear of  
17 the home and does not stretch farther than the  
18 existing portion of the rear of the home. Per  
19 the applicants' letter of intent, quote, The  
20 addition will only be visible by one of the  
21 adjacent properties, and that neighbor has not  
22 voiced -- has voiced non-objection to the planned  
23 addition, end quote.

24           Criteria E, the BZA shall not grant a  
25 variance the effect of which would not allow the

1 establishment of a use not otherwise permitted in  
2 a zoning district, to extend physically a  
3 nonconforming use of land, or to change the  
4 zoning district boundaries shown on the official  
5 zoning map. Granting of this variance would not  
6 allow the establishment of a use not otherwise  
7 permitted, extend physically a nonconforming use  
8 of land, or change the zoning district  
9 boundaries.

10 Per the applicants' letter of intent,  
11 quote, The planned addition would add  
12 approximately 64 square feet of lot coverage  
13 calculation; however, this will be reduced to  
14 26 square feet by replacing the front boardwalk  
15 with pervious pavers.

16 Criteria F, The fact that the property  
17 may be utilized more profitably should a variance  
18 be granted may not be considered grounds for the  
19 variance. The BZA may not consider profitability  
20 when considering a variance request.

21 Per the applicant's letter of intent,  
22 quote, The addition being planned is not for  
23 profitability.

24 Criteria G, The need for the variance  
25 shall not be the result of the applicant's own

1 actions.

2 The need of the variance may not be the  
3 result of the applicants' own actions. The  
4 existing structure is legally nonconforming in  
5 regards to lot coverage and setback requirements.  
6 The home was also constructed in 1976.

7 Criteria H, the proposed lot coverage  
8 increase -- sorry -- granting of this variance  
9 will not be contrary to the public or  
10 neighborhood interest nor will not adversely  
11 affect other properties in the vicinity, nor  
12 interfere with the harmony, spirit, intent, and  
13 purposes of these regulations.

14 The proposed lot coverage increase is  
15 minimal. The applicant is also partially  
16 offsetting the new lot coverage by replacing the  
17 existing entrance walkway with pervious pavers.  
18 Per the applicants' letter of intent, quote, The  
19 planned addition would add approximately 64  
20 square feet of lot coverage calculation, but it  
21 will be reduced to 26 square feet by replacing  
22 that front boardwalk with pervious pavers.

23 Criteria I, Granting of this variance  
24 does not substantially conflict with the  
25 plan -- comprehensive plan or the purposes of

1 this ordinance.

2 The granting of this variance may not  
3 substantially conflict with the comprehensive  
4 plan or the purposes of this ordinance.

5 Okay. I will switch over to 13 and go  
6 through the same criteria. And, again, this  
7 Variance Case Number 13 is a variance request for  
8 the reduction of the required 5-foot setback or  
9 approximately 31 square feet for a proposed  
10 addition.

11 Okay. So Criteria A, There may be  
12 extraordinary and exceptional -- there are  
13 extraordinary and exceptional conditions  
14 pertaining to the particular piece of property.

15 There may be extraordinary and  
16 exceptional conditions pertaining to the piece of  
17 property due to the setback lines of the property  
18 being established after construction of the  
19 property. The residence was constructed in 1976,  
20 according to Charleston County records, and the  
21 recorded plat dated June 2, 1976, indicates a  
22 zero lot line on the left side of the property.  
23 Under current regulations, the Kiawah Island  
24 Property Setback Appendix requires a 5-foot side  
25 setback on both sides.

1           Per the applicants' letter of intent,  
2 quote, The setback lines for the properties were  
3 established years after the cottage was built.  
4 Since the property has zero lot lines on both  
5 sides with the adjacent properties, the existing  
6 setback lines show the house to be invading the  
7 setback areas on both sides.

8           Criteria B, These conditions do not  
9 generally apply to other properties in the  
10 vicinity.

11           These conditions may be unique to the  
12 subject property and may not generally apply to  
13 other properties in the vicinity. While all the  
14 currently developed lots on Warbler Court are  
15 subject to either a 5-foot or 7-foot side yard  
16 setback, the recorded plat reflects a zero lot  
17 line condition on one side of each lot. The  
18 majority of the developed lots of Warbler Court  
19 requires a one side zero lot line -- one side as  
20 a zero lot line.

21           The subject parcel is also zoned R20  
22 residential overlay district, consistent with the  
23 adjacent properties. Existing structures in the  
24 vicinity may or may not have these similar  
25 encroachments based on current setback standards.

1 Per the applicant's letter of intent, quote, The  
2 condition of having both sides of the house  
3 encroach setback areas is unique.

4 Criteria C, Application of this  
5 ordinance to the subject property would prohibit  
6 the construction of the proposed addition due to  
7 the encroachment into the required 5-foot side  
8 yard setback; however, such application does not  
9 appear to unreasonably restrict the overall use  
10 of the property.

11 Per the applicant's letter of intent,  
12 quote, The ability to have an additional bathroom  
13 greatly increases the livability of the cottage.  
14 There is no bathroom on the left side of the  
15 house.

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

21 The authorization of this variance may  
22 not be of substantial detriment to the adjacent  
23 properties or the public good. The proposed  
24 addition is located at the rear of the structure  
25 and does not extend beyond the existing rear

1 building line of the existing home.

2 Per the applicant's letter of intent,  
3 quote, A large percentage of the cottages on  
4 Sparrow Pond have made this addition. The  
5 addition is located at the rear of the cottage  
6 and is not visible from the street. The addition  
7 fits well into the overall design of the cottage  
8 and matches the existing colors in the roof.

9 Criteria E, The BZA shall not grant a  
10 variance the effect of which would be to allow  
11 the establishment of a use not otherwise  
12 permitted, to extend physically a nonconforming  
13 use, or to change the zoning district boundaries.

14 Granting of this variance would not  
15 result in an establishment of a use not otherwise  
16 permitted in the R20 zoning district, would not  
17 physically extend any nonconforming use of land,  
18 nor alter any zoning district boundaries.

19 Per the applicant's letter of intent,  
20 quote, No zoning boundaries will change as a  
21 result of this project. The use of the property  
22 will continue to be that of a vacation home with  
23 periodic rentals.

24 Criteria F, The fact that the property  
25 may be utilized more profitably should a variance

1 be granted may not be considered grounds.

2 The potential for increased  
3 profitability may not be considered grounds for  
4 granting the variance. Per the applicants'  
5 letter of intent, quote, The sole reason for the  
6 variance is to make the property more livable and  
7 to enhance its comfort and appearance.

8 Criteria G, The need for the variance  
9 shall not be the result of the applicant's own  
10 actions.

11 The need for the variance may be  
12 directly attributable to the applicants' own  
13 actions as the structure was built prior to the  
14 implementation of the current setbacks and is  
15 considered legally nonconforming.

16 Per the applicants' letter of intent,  
17 quote, The need for this variance is the result  
18 of the setbacks that were established after the  
19 property was built upon and placed the house  
20 structure inside the setbacks.

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

1 these regulations.

2 The requested variance does not appear  
3 to adversely affect neighboring properties, nor  
4 does it conflict with the intent, purpose, or  
5 applicable regulations. The purpose -- the  
6 proposed side setback does not exceed the extent  
7 of the existing structure.

8 Per the applicants' letter of intent,  
9 quote, Granting the variance will allow  
10 significant improvement in the appearance of a  
11 property built approximately 45 years ago and  
12 continue to foster the improvements that have  
13 been made and are being made in the Sparrow Pond  
14 community.

15 And Criteria I, granting of the variance  
16 does not substantially conflict with the  
17 comprehensive plan or the purposes of this  
18 ordinance.

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

22 The Board of Zoning Appeals may approve,  
23 approve with conditions, or deny Case Number  
24 BZA 25-000011 and 13. And again, the first  
25 variances are variance requests for the increase

1 in maximum lot coverage by approximately  
2 .64 percent, and the second variance request,  
3 number 13, is a variance request for the  
4 reduction of the 5-foot side setback for  
5 approximately 31 square feet for a proposed  
6 addition.

7           Should the Board of Zoning Appeals  
8 consider approval of the variance, planning staff  
9 requests that the BZA consider the following  
10 conditions, and that is: The applicant shall  
11 provide an as-built survey to the planning  
12 director, ensuring the proposed addition conforms  
13 to the requested and approved encroachment; and  
14 number two, prior to the issuance of a zoning  
15 permit and construction, the applicant shall  
16 provide a landscape plan to the -- to be approved  
17 by the planning director, showing enhanced  
18 landscaping corresponding to the proposed  
19 additions which provides buffering to the street  
20 and adjacent properties.

21           This concludes our presentation on cases  
22 11 and 13.

23                       MR. CASSIDY: Okay. Thank you,  
24 Dan.

25           All right. I think -- I believe I can

1 see everybody. So if you would like to ask a  
2 question, please raise your hand and unmute, and  
3 I will recognize you.

4 Ben?

5 MR. FARABEE: Yes. Dan, does the  
6 ARB have any interest in this tree that has to be  
7 removed, the big pine tree?

8 MR. VINCENT: I'll defer to  
9 Mr. Dukes on that. He has -- from last time we  
10 spoke, he has not reached out to ARB.

11 MR. FARABEE: Does ARB have any  
12 jurisdiction in this area?

13 MR. VINCENT: I believe they do.

14 MR. FARABEE: Normally we hear from  
15 them in the write-up.

16 MR. VINCENT: That is correct.

17 Mr. Dukes, do you have any comments  
18 regarding --

19 MR. DUKES: Yes, I --

20 MR. CASSIDY: Excuse me, Mr. Dukes.  
21 Just for the record, could you state your name  
22 and your business address?

23 MR. DUKES: Yes. My name is  
24 Ken Dukes. I'm representing Catherine and David  
25 Gish in these two variance requests. I'm a

1 contractor. I've been a contractor for several  
2 years, and I do -- have done several projects at  
3 Kiawah, and almost all of them have been in the  
4 Sparrow Pound community.

5 To answer the question about the ARB, I  
6 did go by the ARB to get a preliminary review of  
7 this addition, and they told me they were just so  
8 backed up with major improvement requests  
9 currently that they were unable to provide the  
10 time to review this right now.

11 MR. CASSIDY: But you'll need to  
12 deal with them when you're done with us, I guess.

13 MR. DUKES: Yes, exactly.

14 MR. FARABEE: You can't put that  
15 addition, though, without cutting down that tree.  
16 And after you cut down that tree --

17 MR. DUKES: The -- yes, I'm aware  
18 of that. I have not applied -- made an  
19 application for the removal of the tree to this  
20 point. That would be my next step, considering  
21 the variances are approved.

22 MR. FARABEE: Usually it's done the  
23 other way around, go to the ARB first and then  
24 come to us.

25 MR. DUKES: Well, it was my

1 understanding and based on the last project that  
2 I was involved in that the Town is -- has  
3 not -- has dropped the requirement for the ARB  
4 permit before they issue a building permit. They  
5 are now recommending an ARB permit, but they are  
6 proceeding ahead with work permit -- with  
7 building permits.

8 MR. TAYLOR: Mr. Farabee, I can  
9 jump in. This is John Taylor, planning director.  
10 The approval of Architectural Review Board is not  
11 a formal requirement for us to issue a zoning  
12 permit. Historically there has been a deference  
13 to allow the applicant to submit to the ARB as to  
14 timing and sequence of permitting makes it  
15 definitely easier for them to receive ARB  
16 approval prior to a zoning permit based on the  
17 purview of the Architectural Review Board. But  
18 it's not a requirement that they have ARB  
19 approval because there are two independent  
20 processes that would -- but your decision of this  
21 particular case could take anything into the  
22 record regarding the review.

23 MR. FARABEE: Does the ARB have to  
24 approve it before they can move forward, the  
25 construction can move forward?

1 MR. TAYLOR: The -- I don't want to  
2 speak for the Architectural Review Board, number  
3 one, but I would say that the Town does not have  
4 a tree removal administrative process based on  
5 our standards in our zoning code. So if you're  
6 asking specifically about the removal of a tree,  
7 then we would not have any standards that would  
8 apply to single-family residential, and that  
9 would be deferred, if you will, to the  
10 Architectural Review Board. Prior to beginning,  
11 the Architectural Review Board would need to  
12 issue approval for this type of addition.

13 MR. FARABEE: If I understand you  
14 right, you said that we can go ahead and approve  
15 this, but they cannot do any work on it until  
16 that Architectural Review Committee gives them  
17 the okay. Is that what you said?

18 MR. TAYLOR: Yes, but knowing that  
19 we, the Town, have no input in that process of  
20 the Architectural Review Board. That's an  
21 independent process.

22 MR. FARABEE: Well, they go hand in  
23 hand, John. I hear what you're saying, but it's  
24 gobbledygook to me.

25 MR. TAYLOR: Yeah, let me say this,

1 Mr. Farabee. Like I said, the processes are  
2 independent. If you're concerned about that  
3 particular tree, you have the ability to take  
4 that into consideration of whatever your thinking  
5 is regarding this particular application. So  
6 whether that's -- I don't want to give you any  
7 suggestive answers to that. Whatever mitigation  
8 or things that you would require or sequencing,  
9 that could be something that you take into  
10 consideration of your recommended decision on  
11 this matter.

12 MR. CASSIDY: The staff's review  
13 says that the property's subject to review by the  
14 Kiawah Island Architectural Review Board. I know  
15 John's being careful not to speak for the board,  
16 but it seems clear that they would need to  
17 approve this project before anything starts.

18 MR. ROSENFELD: John, this is  
19 Larry.

20 MR. CASSIDY: Larry?

21 MR. ROSENFELD: One question: Are  
22 you saying that we can disprove the project  
23 simply because they have -- they would have to  
24 remove a tree, or are you saying that we could  
25 allow the removal of the tree? What is the

1 Town's -- you say the Town doesn't have any  
2 specific tree, you know, removal process involved  
3 in this. But my question is: Suppose our board  
4 says, We don't want the tree removed, does that  
5 just close the whole project?

6 MR. TAYLOR: So I think to your  
7 first question, we do have a tree landscape  
8 preservation ordinance. That particular  
9 ordinance exempts single-family residential from  
10 its applicability.

11 Regarding the BZA's purview, you can  
12 take into consideration any of the site  
13 conditions in your decision, to weigh in any  
14 further onto that. But you have the purview to  
15 consider any site conditions, whether that be  
16 setbacks, trees, adjacent properties, in looking  
17 at those approval criteria. So if that tree is  
18 within, you feel, one of those approval  
19 criterias, then you can lean on that as part of  
20 your decision.

21 MR. ROSENFELD: Okay. Thank you.

22 MR. CASSIDY: Jay?

23 MR. LEWIS: Again, just trying to  
24 understand why we separated this into two cases  
25 because they're connected. Just for either Dan

1 or John. Can you walk us through?

2 MR. VINCENT: Yeah, I'll give a  
3 brief background on how we got to these two  
4 cases. Mr. Dukes applied for -- applied for his  
5 first variance after a pre-application meeting.  
6 During that pre-application meeting, we noticed  
7 that the lot coverage was already over the  
8 allowed 50 percent, and we did not dive too deep  
9 into the setbacks at that time.

10 A few weeks later, after his  
11 application, staff dove further into the setback  
12 requirements and noticed that instead of a zero  
13 lot line on that right side of the property, it  
14 was actually -- it's actually a 5-foot setback  
15 requirement.

16 And so two weeks later, Mr. Dukes was  
17 advised to apply for another variance for the  
18 same project, and that is for that right side  
19 setback encroachment.

20 MR. CASSIDY: Phil, you had a  
21 question?

22 MR. ADAMS: Yeah, actually I've got  
23 two sort of separate ones on this very same  
24 point. And this is, I guess, for John. Were the  
25 board to say, Okay, we approve the variance but

1 unlikely though it may be, ARB says, We don't  
2 want you to take the tree down, does that sort of  
3 set up a conflict between what the Town has said  
4 you can do and what the ARB has said you can't  
5 do?

6 MR. TAYLOR: There would be a  
7 conflict if the Town -- if you guys approve the  
8 variances and hypothetically the Architectural  
9 Review Board says, You can't remove the proposed  
10 tree. There would be a conflict, naturally.  
11 That means the applicant would need to review  
12 whatever requirements of the Architectural Review  
13 Board in order to move forward.

14 But I want to keep the process simple --  
15 separated, is what I'm trying to -- I understand  
16 that there's an indication to keep them together,  
17 but I'm trying to keep these processes separate  
18 because we have no ability to dictate what the  
19 Architectural Review Board shares as an approval  
20 or condition of approval or disapproval.

21 MR. ADAMS: Understood.

22 MR. HANAN: I -- go ahead.

23 MR. ADAMS: I guess maybe the  
24 question is: Does it make sense or not make  
25 sense to -- if we were otherwise going to approve

1 it to say, Subject to the ARB being okay with the  
2 removal of the tree, so that the two dovetail? I  
3 don't know. It's just a -- or just approve it  
4 and let the chips fall where they're going to  
5 fall at the ARB --

6 MR. TAYLOR: Not --

7 MR. ADAMS: -- if otherwise we  
8 were -- if we were otherwise inclined to approve  
9 it.

10 MR. TAYLOR: If I can pause process  
11 wise just a minute. I kind of think we're kind  
12 of going into deliberations. So I -- before we  
13 go too far advance of deliberations of the  
14 project, we can get that question answered. I  
15 just don't -- from a procedural standpoint, I  
16 just want to make sure that the applicant, before  
17 you guys begin to problem solve and provide  
18 recommendation for a decision that we have all of  
19 the opportunity for the applicant or any others  
20 to participate in the process.

21 MR. CASSIDY: Fair enough, John.

22 Are there other questions by the board?

23 MR. FARABEE: Yeah.

24 MR. CASSIDY: I'm sorry. Go ahead,  
25 Phil.

1 MR. FARABEE: This is Ben Farabee;  
2 yeah, I have a procedural question. This whole  
3 process, are we subservient to the ARB? Is the  
4 BZA subservient to the ARB?

5 MR. ADAMS: Jesus.

6 MR. TAYLOR: Is that Ben?

7 MR. FARABEE: Yeah. This is Ben  
8 Farabee, yeah.

9 MR. TAYLOR: No, so the Town can  
10 make a decision on this absent whatever the ARB  
11 decides.

12 MR. ROSENFELD: John, this is  
13 Larry. Who has final say in this case? This is  
14 an interesting quandary. I mean, if we say yes  
15 and the ARB says no, does that mean it's no? If  
16 we say no and the ARB says yes, does that mean  
17 it's a no or a yes?

18 MR. TAYLOR: It --

19 MR. ROSENFELD: Who has final say  
20 in this? Do you have any input on this?

21 MR. TAYLOR: No, no, I would want  
22 to -- I can explain a little bit. What I'm  
23 trying to communicate here is that the applicant  
24 would need to meet both processes. They would  
25 need to meet the standard of both processes. So

1 you guys have one process, and the ARB has a  
2 second process. If the applicant doesn't meet  
3 both, they can't move forward.

4 MR. McQUILLIN: That's right. This  
5 approval is sort of on two parallel tracks.  
6 They've got to -- in order to complete this  
7 project, they're going to have to get approval of  
8 the variance from the BZA, which only the BZA can  
9 give. And ARB can give approval on design,  
10 aesthetics, trees, et cetera. The one thing you  
11 potentially can do -- I know the ARB has done  
12 this before -- is they have approved designs  
13 subject to the applicant obtaining a variance.  
14 It could be the same thing here. We will approve  
15 the variance if the ARB ultimately approves the  
16 other thing. Because ultimately John's right.  
17 They need approvals from both separate and  
18 distinct bodies.

19 MR. ROSENFELD: Thanks, Mac. Just  
20 a point, Frank. Most of us here have been on  
21 this board for multiple years. I do not recall  
22 one case where the ARB's approval,  
23 recommendation, whatever you want to call it, has  
24 not been presented with this package for the BZA  
25 to vote. And that upsets me that this is not

1 going along with the procedures that we have  
2 adhered to for all of these years. I've done  
3 multiple renovations on my home, and I was  
4 essentially informed by the BZA -- I mean, by the  
5 ARB in my discussions with them, which were  
6 informal, that their opinion had to be issued  
7 prior to any final decisions being made.

8           So -- in which case I think that that's  
9 an integral part of the information that we need  
10 to vote on this particular case. And if we don't  
11 have the ARB's opinion, then I think this whole  
12 thing has to be tabled. That's just my opinion  
13 at this moment.

14           MS. O'LEARY: John, it's Lin. Can  
15 I just ask a question of Mr. Dukes?

16           MR. CASSIDY: Why don't we -- why  
17 don't we let Mr. Dukes have his -- make his case,  
18 and then we'll continue with commentary and  
19 questions. I see a lot of questions here.

20           Jay, you were first, I think.

21           MR. LEWIS: Yeah, I would just  
22 comment that we probably don't have a view to how  
23 many times the ARB has declined something and it  
24 never got to us. It was always -- again, not to  
25 puddle on here, but we always had the approval

1 from the ARB before we would even review it.

2 So --

3 MR. CASSIDY: Let me just say I do  
4 recall a case or two where it was submitted to  
5 the ARB but not yet approved by them and we got  
6 the case. But I don't recall one where it hadn't  
7 even been submitted yet.

8 MR. LEWIS: Yeah.

9 MR. CASSIDY: Phil?

10 MR. ADAMS: Yeah, I have a separate  
11 question. It was not clear to me, and maybe I  
12 just wasn't listening closely enough, from Dan's  
13 presentation whether the neighbor who will have  
14 visibility onto -- onto the modification has not  
15 offered up any objection -- has not weighed in on  
16 it or has weighed in on it and has no objection,  
17 which is --

18 MR. VINCENT: So, Phil, in the  
19 staff review, we did note that Kent Dukes did  
20 comment on that, and he voiced there was a  
21 non -- let me get the specific part. It was in  
22 point I believe, Mr. Dukes, if you want to  
23 confirm, there was a non-objection from the  
24 neighbor.

25 MR. DUKES: Yes, this is Ken Dukes.

1 The property owner contacted the neighbor and had  
2 a voiced non-objection from the neighbor. Also  
3 about the tree, they contacted -- asked about the  
4 tree, and the neighbor said the tree was also  
5 kind of a detriment to their property, their  
6 deck. It sheds a lot of debris on their deck,  
7 and they would like to see the tree go.

8 MR. ADAMS: The neighbor  
9 affirmatively stated they had no objection to the  
10 proposed construction?

11 MR. DUKES: Exactly, yes.

12 MR. ADAMS: Okay. Thank you.

13 MR. CASSIDY: Any other questions  
14 for Mr. -- for Dan?

15 Mr. Dukes, any other questions you would  
16 like to make -- any other comments you would like  
17 to make?

18 MR. DUKES: Did you say me,  
19 Mr. Dukes?

20 MR. CASSIDY: Yes, mm-hmm.

21 MR. DUKES: Yes, I always like to  
22 make a couple of comments, if I could.

23 As has been submitted, I'm representing  
24 Catherine and David Gish in this variance  
25 request. The 50 percent limit, the fact that it

1 exceeds the 50 percent limit, the -- as  
2 Mr. Vincent said, that setback was implemented  
3 several years after the cottage was built, and  
4 that placed the living -- living space that you  
5 see on this site plan in blue, that placed that  
6 living space and the cottage into the setback  
7 area. So the extension of that with the new  
8 addition simply extends that existing -- that  
9 area of setback by about 6 feet.

10           And the second variance for the lot  
11 coverage, the lot coverage was -- as has been  
12 said, the past -- or the lot coverage percentage  
13 exceeds the 50 percent limit. It exceeded it  
14 when the house was built. The -- the cottage  
15 that we're looking at is the same floor plan as  
16 the other three-bedroom cottages in Sparrow Pond.  
17 So the lot coverage overage is not because the  
18 lot -- the floor plan of the cottage is larger or  
19 anything like that. It's just the fact that the  
20 lot is very small.

21           If I could, I would like to address what  
22 was just said about the ARB. The intention is  
23 that the tree removal require -- requires a  
24 different process than, as I understand  
25 it -- well, I've done it before. There is a

1 vegetation removal or permit required by the ARB,  
2 and that is a different process than the actual  
3 ARB review of the building plans.

4           Take that one step further, and it was  
5 my understanding and the recent project that I  
6 completed at 1016 Thrasher Court, when we got to  
7 the point of an ARB permit and the ARB being very  
8 far behind in their workload, the Town informed  
9 me that they had changed things somewhat and that  
10 building permits are now being issued with a  
11 recommendation for an ARB permit, but they are no  
12 longer requiring an ARB permit before issuing a  
13 building permit. And that was the case on this  
14 recent project that I just completed.

15           And they say they recommend -- the reason  
16 for the recommendation of the ARB permit is to be  
17 sure that the property owner and the contractor  
18 understand the covenants in the Sparrow Pond area  
19 and so forth. And this was about the fifth  
20 project like this that I have completed or I have  
21 done, and I'm very familiar with the covenants in  
22 Sparrow Pond. I'm a property owner in Sparrow  
23 Pond. So I did not apply for an ARB permit, and  
24 the Town issued the building permit.

25           MR. FARABEE: Did you proceed

1 without the ARB's review?

2 MR. DUKES: Yes.

3 MR. FARABEE: What was the outcome?  
4 Did they eventually review it?

5 MR. DUKES: No. I never applied.

6 MR. FARABEE: Are you still in  
7 error?

8 MR. DUKES: Still what?

9 MR. FARABEE: Are you still in  
10 error? Should you have applied?

11 MR. DUKES: As I say, I was  
12 informed by the Town building services that that  
13 was no longer a requirement prior to getting a  
14 building permit, and that turned out to be  
15 exactly what happened, that I received the  
16 building permit, went through construction, all  
17 of the inspections and so forth, and an ARB  
18 permit was never required.

19 There would be -- in this project, there  
20 will be an ARB permit required for the vegetation  
21 removal, and I plan on doing that as soon as we  
22 get the building permit. But we will not start  
23 any construction until we have the vegetation  
24 removal permit. But there is not an ARB permit  
25 required. There's probably going to be a

1 recommendation for an ARB permit, and that's the  
2 way things are today.

3 MR. FARABEE: It would -- it would  
4 be nice to hear that clarification from our Town  
5 people.

6 MR. CASSIDY: Yeah. Mac, do you  
7 have a view on this? Because it seems to me that  
8 any other project that we have ever reviewed of  
9 this type where the external look of the -- of  
10 the structure has been changed, it requires an  
11 ARB approval.

12 MR. McQUILLIN: Yeah, that's  
13 separate process. I did just ask John to send  
14 me -- John Taylor. I just sent him an email  
15 asking if he can send y'all's rules of procedure.  
16 One potential recommendation is kind of continue  
17 this hearing, let the ARB weigh in, and bring it  
18 back before the Board of Zoning Appeals at that  
19 time.

20 MR. TAYLOR: Yeah, I think  
21 Mr. Rosenfeld shared earlier that you guys can  
22 table it. If that is a concern of ARB approval,  
23 I think that would be in the -- your purview to  
24 table for further information, which would be  
25 submittal to the ARB, if that is the desire of

1 the board.

2 MR. CASSIDY: I would entertain a  
3 motion that we table these two -- these two  
4 requests until the ARB acts.

5 MR. FARABEE: Second it, Farabee.

6 MR. CASSIDY: Okay. There's a  
7 motion made and seconded to table this. Is there  
8 any further discussion, Jay?

9 MR. TAYLOR: I think --

10 MR. LEWIS: Was there anyone else  
11 that was going to speak on the case for or  
12 against?

13 MR. ROSENFELD: The case I'm  
14 stating is that it just bothers me that at no  
15 point has anyone even applied to the ARB. It's  
16 like they're just bypassing that. And the fact  
17 that the Town has indicated to him that they  
18 don't need it, to me, that's inane because why  
19 issue a building permit if the ARB's going to  
20 eventually say, You shouldn't do this. You  
21 should not do that. We never worked on cases  
22 where, as Frank pointed out, had never been  
23 applied for even.

24 This just bothers me to no end. So I  
25 would move to deny both things right off the top,

1 but obviously that's not going to be the motion.  
2 So I'll make a motion to table it and give them  
3 time to apply for a permit before I think this  
4 thing should even come before us.

5 MR. CASSIDY: We have that motion  
6 made and seconded.

7 Phil, you had a comment?

8 MR. ADAMS: Yeah. I mean, the  
9 language is getting a little bit loose here.  
10 When you refer to permit, we're not talking about  
11 a Town permit, construction permit. We're  
12 talking about an ARB permit, right?

13 MR. ROSENFELD: Yes.

14 MR. ADAMS: And if you -- if, in  
15 fact, the Town doesn't require an ARB permit in  
16 this neighborhood for this type of -- for this  
17 type of construction, tabling it until they get  
18 the ARB permit, which they don't have to get and  
19 which they may not intend to get, is essentially  
20 the same as sort of denying it because it puts it  
21 on the table indefinitely. And that doesn't seem  
22 fair to the homeowner.

23 MR. McQUILLIN: That was going to  
24 by my question, Mr. Dukes. Are you agreeable to  
25 us tabling this just for a reasonable amount of

1 time to allow the applicants to at least go  
2 before the ARB to see what's needed?

3 MR. DUKES: I'm a little --

4 MR. ADAMS: I'm sorry. I apologize  
5 for interrupting, but are you suggesting that we  
6 take action to compel the homeowner to go to the  
7 ARB in a circumstance when the homeowner is not  
8 required to do so?

9 MR. McQUILLIN: No. I think with  
10 respect to the tree and given that this is two  
11 sort of -- there are kind of two issues at play  
12 here, I was just trying to see if we could all  
13 kind of reach an agreement that look, you'll  
14 apply and come back to us, bring this back next  
15 month for consideration, something like that,  
16 within a reasonable amount of time.

17 MR. FARABEE: Mr. Dukes?

18 MR. DUKES: Yes. I'm just a little  
19 confused about what is required to initiate  
20 construction. I've always been under the  
21 impression that once a building permit -- the  
22 Town issues a building permit, then construction  
23 can begin. And it -- it would not be up to the  
24 homeowner or the applicant or whoever to decide  
25 that. It's up to the building permit office

1 whether or not they would issue a building permit  
2 without an ARB permit.

3 MR. McQUILLIN: That  
4 is -- Mr. Dukes, that's correct. I think the  
5 issue is, though, if you get a -- if the Town  
6 determines you can get a building permit but the  
7 ARB doesn't approve the design or has issues with  
8 how it looks, you're kind of doing that -- the  
9 homeowner's doing that at their own risk. So I  
10 think that's kind of the concern of the BZA, is  
11 they want to make sure that your folks have  
12 checked the boxes so that this doesn't create  
13 inconsistent decisions or an issue down the road,  
14 which I think benefits everybody.

15 MR. DUKES: I see.

16 MR. CASSIDY: Yeah, Mr. Dukes, I  
17 would suggest for your own protection, I think  
18 you need to clarify where you stand with the ARB  
19 and what's needed.

20 MR. McQUILLIN: Are you comfortable  
21 with that, though, Mr. Dukes, at least maybe  
22 delaying a month to talk with ARB, get an  
23 application in, and then once you've heard from  
24 them what's needed, what's not needed, whether  
25 they approve or not, then coming back to the BZA

1 on that?

2 MR. DUKES: I assume we really have  
3 no choice. But again, I would say that I  
4 would -- with current -- with my understanding of  
5 the current load -- the current load of the ARB,  
6 I'm not sure a month is even in the picture for  
7 them to review an application or an improvement  
8 application. They're talking like it's many  
9 weeks behind.

10 MR. McQUILLIN: Which I -- yeah, I  
11 think we -- yeah, I threw out a month. I don't  
12 know how long the ARB takes, but I just wanted to  
13 give you some assurance that as soon as you heard  
14 from them, we can work with you to try to get  
15 something scheduled. We're not going to  
16 unnecessarily delay this.

17 MR. ADAMS: Is he required to go to  
18 the ARB at all here?

19 MR. DUKES: That's my question  
20 also.

21 MR. TAYLOR: So the ARB -- based on  
22 the covenants, he would be required to get ARB  
23 approval.

24 MR. ADAMS: For the ARB or for the  
25 tree thing?

1 MR. TAYLOR: The entire thing, tree  
2 and -- tree included.

3 MR. ADAMS: That's not what I  
4 thought I heard earlier, but okay.

5 MR. DUKES: That's not my recent  
6 experience either with the Town -- with the Town  
7 building office.

8 MR. FARABEE: I have a question for  
9 Mr. Dukes. This is Ben Farabee.

10 MR. CASSIDY: Yes, sir.

11 MR. FARABEE: Mr. Dukes, if we were  
12 to give approval on this, would you proceed, cut  
13 down that tree without any ARB approval?

14 MR. DUKES: No, sir, I would not  
15 because the ARB has a different process for the  
16 tree removal, and I fully would follow that  
17 process.

18 The answer then about the -- an approval  
19 to get an ARB permit as an improvement, building  
20 improvement process, yes, I -- I would not be  
21 entering that process.

22 MR. FARABEE: Thank you.

23 MR. ROSENFELD: Question then. If  
24 this is -- if getting the tree removed is  
25 contingent upon putting in the addition and it's

1 a separate process through the ARB that would not  
2 be constrained by time, why haven't you done  
3 that?

4 MR. DUKES: Because I was unsure of  
5 the variance approval that we're going through  
6 today, and I knew that there was going to be  
7 a -- and the property owner knows that there  
8 would be a very big expense to remove the tree  
9 and then not be able to -- for the -- to get the  
10 variance for the construction.

11 MR. ROSENFELD: This sounds more  
12 and more fishy the more I listen to it.

13 MR. LEWIS: It sounds perfectly  
14 reasonable to me.

15 MR. DUKES: Yeah, I just -- it was  
16 going to cost a lot of money for the tree removal  
17 and so on, and until you --

18 MR. ROSENFELD: But you can't do  
19 the addition unless you remove the tree, correct?

20 MR. DUKES: And I can't do the  
21 addition without the variances.

22 MR. ROSENFELD: So they're both  
23 part and parcel of this project. So if you can't  
24 do one -- you can't do the project without one or  
25 the other, one would assume that you would apply

1 for both of those. And by the fact that you  
2 didn't apply for even the tree removal is really  
3 suspect.

4 MR. CASSIDY: Okay. I'm going to  
5 suggest that --

6 MR. ADAMS: That's --

7 MR. CASSIDY: -- we give the  
8 applicant a month to talk to the ARB and talk to  
9 Town staff and clarify exactly what approvals are  
10 needed before this project can commence.

11 MR. ROSENFELD: And I'm thinking in  
12 writing.

13 MR. CASSIDY: I'm sorry?

14 MR. ROSENFELD: I would like to see  
15 something in writing. I don't want to hear,  
16 Well, the Town told me --

17 MR. CASSIDY: Yeah.

18 MR. ROSENFELD: -- that they  
19 don't -- it's not necessarily needed. I want  
20 something in writing.

21 MR. FARABEE: I don't understand  
22 why the Town people cannot tell us what the  
23 process is.

24 MR. TAYLOR: We -- I --

25 MR. FARABEE: We're going

1 individual tracks down this when we've never done  
2 this before.

3 MR. TAYLOR: This has been  
4 a -- Mr. Farabee, I've tried to clarify that  
5 we've -- this has not been what I would call a  
6 new practice within the last -- or a newer  
7 practice that's within the last year, the last  
8 two years. What the Town has historically done  
9 is, upon submittal for a zoning permit, that the  
10 applicant would have evidence that they already  
11 submitted to the Architectural Review Board.  
12 Under our current administration, that practice  
13 has been shifted to where it is no longer part of  
14 that application requirement that ARB approval  
15 will be submitted with that zoning application.

16 And so staff still takes the perspective  
17 that we encourage the applicant to reach out to  
18 the Architectural Review Board for purposes of  
19 what we're experiencing right now, where there  
20 might be something to review that the  
21 Architectural Review Board takes upon their  
22 review prior to us issuing a zoning permit.

23 So it isn't anything that's separately  
24 as far as a new practice. It's just that this  
25 particular case is one that we've seen in more

1 recent times that has not received ARB review  
2 prior to reaching you-all from the Board of  
3 Zoning Appeals.

4 MR. FARABEE: It seems to me you're  
5 asking the applicant to do something that we  
6 can't even figure out how to do. And you're  
7 telling me we can't proceed without -- you know,  
8 without their approval. And you're telling him  
9 to go get it, and yet he hasn't even done it in  
10 the past. I'm just as confused as he is about  
11 what the process might be now.

12 MR. McQUILLIN: Well, let me try to  
13 provide some clarity on that. So one, the BZA  
14 grants or denies variance requests. And that's  
15 what's before y'all today. There is a separate  
16 process under the general covenants where the  
17 ARB, a separate entity, has its own approval  
18 process. And both of those boxes have to get  
19 checked ultimately before -- to get ultimate  
20 approval because there's a situation where we  
21 could approve -- the BZA could approve the  
22 variance but the ARB may not approve the tree  
23 removal and/or the construction, in which case  
24 they could bring some sort of enforcement action.  
25 So the homeowner's safest bet is to go through

1 both of those processes.

2           Typically -- I understand what Larry's  
3 saying. Typically they start at the ARB and then  
4 come to the BZA. So as I see it, there's really  
5 a couple of options for the board. One is to  
6 defer the request. I have a copy of your rules  
7 of procedure up in front of me, and number 17 in  
8 your rules of procedure says, Cases to be heard  
9 by the BZA may be deferred for a period of not to  
10 exceed 90 days. For the record, the reasons  
11 given for postponement must be clearly stated in  
12 the motion for deferral.

13           So that's one option, is to defer it  
14 for 90 -- up to 90 days, give the applicant time  
15 to go to the BZA. The other option is to approve  
16 the request, to deny the request, or to approve  
17 the request with conditions; you know, we're  
18 going to approve the variance subject to the ARB  
19 signing off on their aspects of the project. But  
20 ultimately that's fully up to this body as to  
21 what they want to do.

22           MR. TAYLOR: And if I could add  
23 my -- the other thing I want to reference is  
24 within our code, Section 12-28, which speaks to  
25 private restrictions, the Town, we can't enforce

1 any of the ARB's covenants. So I just want that  
2 to be part of the record. So even though we are  
3 encouraging the applicant to engage with the ARB,  
4 the Town cannot enforce the ARB Architectural  
5 Review Board guidelines or standards.

6 MR. FARABEE: Does the ARB have a  
7 covenant that says they can table something until  
8 they get a decision out of us?

9 MR. McQUILLIN: I don't think  
10 there's anything in the general covenants that  
11 says that. But they certainly have approval  
12 authority based on the covenants, and they  
13 certainly have the ability to institute  
14 enforcement actions. But as John pointed  
15 out -- and John, it's a very good clarification,  
16 that is separate and apart from anything the Town  
17 does. That's the ARB.

18 MR. CASSIDY: Thank you.

19 MR. FARABEE: So, for example, the  
20 board could hypothetically approve the variance  
21 conditioned on the homeowner getting whatever  
22 required approvals there are from the ARB. I  
23 think that -- I think that last part is probably  
24 unnecessary because they've got to do it anyway.

25 MR. TAYLOR: Yeah, that was going

1 to be my comment. If you guys were going to lead  
2 to approving it, the condition of adding or a  
3 requirement of seeking Architectural Review Board  
4 approval would be meaningless, in my opinion.

5 MR. McQUILLIN: John's probably  
6 right on that.

7 MR. ADAMS: But conceptually,  
8 that's what we would be doing.

9 MR. TAYLOR: Conceptually correct.

10 MR. McQUILLIN: Yes.

11 MR. FARABEE: We have had numerous  
12 projects where we've denied that the ARB's  
13 approved and for obviously different reasons.  
14 But I'm just saying this again would be a  
15 different reason, as I guess it should be.

16 MR. TAYLOR: If I can just pull  
17 back and -- and I just wanted you guys to  
18 understand the scope of what your review is, is  
19 that if there is a concern regarding the actual  
20 tree, then I would say discuss the merits of the  
21 tree regarding the application and not the  
22 Architectural Review Board process. So  
23 that -- if I'm just pulling back a bit.

24 MR. FARABEE: No, I -- it isn't  
25 about the tree, nor is the ARB interested in that

1 tree. It's a pine tree. They don't care about  
2 pine trees. And so -- I mean, I don't think it's  
3 that tree. It's just an issue that I, as a board  
4 member, wouldn't want to approve this and --  
5 without the ARB being involved in it and then the  
6 ARB feel like they should have -- just like I  
7 would feel the same way if it was vice versa,  
8 that the ARB says, Go ahead. No problem with  
9 that.

10 I think we've got the -- we've kind of  
11 got ass backwards a little bit.

12 MR. CASSIDY: Let's start off with  
13 the fact that we have a motion made and seconded  
14 to defer this application while the applicant  
15 talks to the ARB. Now, we've got to do something  
16 with that motion.

17 Okay. If I call into question --

18 MR. LEWIS: Can we take a vote?

19 MR. CASSIDY: So I'll take a vote  
20 on that now.

21 Ben?

22 MR. FARABEE: Repeat -- repeat the  
23 motion.

24 MR. CASSIDY: The motion is to  
25 defer action on this -- on these two applications

1 until the applicant speaks to the ARB about  
2 what's required.

3 MR. FARABEE: Yes.

4 MR. CASSIDY: Jay?

5 MR. FARABEE: Yes.

6 MR. CASSIDY: Lin?

7 MS. O'LEARY: Yes.

8 MR. CASSIDY: Larry?

9 MR. ROSENFELD: Yes.

10 MR. CASSIDY: Morris?

11 MR. HANAN: Yes.

12 MR. CASSIDY: Phil?

13 MR. ADAMS: No.

14 MR. CASSIDY: Okay. And Frank,  
15 yes. Motion I carries six to one.

16 We're going to defer this, and I would  
17 strongly suggest that the applicant at least get  
18 a sense of what approvals are necessary and  
19 whether you're working with both the Town  
20 building department, and the ARB --

21 MR. TAYLOR: I just want to --

22 MR. CASSIDY: -- so we are all  
23 clear on exactly what needs to be done here when  
24 the applicant comes back?

25 MR. TAYLOR: Just for the record, I

1 wanted to ensure that that was for both cases?

2 MR. CASSIDY: It is for both cases.

3 MR. ROSENFELD: And I would like to  
4 see the information that is returned to us be in  
5 writing. I would not like hearsay anymore. I  
6 need something that's concrete. That's my  
7 feelings. I don't know about the rest of you.

8 MR. FARABEE: Did you get that from  
9 the ARB?

10 MR. ADAMS: I mean, the ARB's going  
11 to do what it's going to do. We can't compel  
12 them to write a letter.

13 MR. ROSENFELD: I understand that,  
14 but they always do write a letter.

15 MS. O'LEARY: Can I just ask a  
16 quick question of John and Daniel? When you guys  
17 get a packet and you're looking to send this to  
18 us, is there a checklist? Like, because did we  
19 notice at any point before this meeting today  
20 that we didn't have anything about this tree from  
21 the ARB? Because if the ARB knew this was coming  
22 before the BZA today, I would have thought that  
23 somehow it would have gotten a priority, because  
24 it is a pine tree, to sort of move this along.

25 So we're just sort of talking in circles

1 here. I'm just curious. When you guys do a  
2 packet, is there a checklist to see if the ARB's  
3 needed for something, that there's a letter in  
4 there so that if -- when the -- when the  
5 homeowner comes to present this to us, they  
6 have -- they're ready?

7           And I think that's just a little bit of  
8 my frustration here. It seems like he didn't  
9 think he needed to have this, and we think he  
10 does need to have it because it's what we've had  
11 all along. So I'm just curious, the process that  
12 you and Daniel have, John, when you look at a  
13 packet, do you double-check that if a tree needs  
14 to be removed that you have something so that  
15 Mr. Duke isn't coming here thinking he's got a  
16 complete packet when he really doesn't?

17           MR. TAYLOR: So, yes, we do have a  
18 checklist, and ARB approval is not required in  
19 order to submit for a variance.

20           MS. O'LEARY: Okay.

21           MR. VINCENT: And, Lin, I -- when  
22 Mr. Dukes and I talked first about this variance.  
23 He included that in his -- in the discussion,  
24 that he did not apply to ARB, and he wanted to  
25 see if he could get BZA approval prior to ARB

1 approval. So staff did know that he did not have  
2 any ARB talks, and that's not a requirement, so  
3 we proceeded with his application.

4 MR. McQUILLIN: And just for the  
5 record, there's nothing wrong with doing it in  
6 the order he did. But it's a risk to the  
7 homeowner because they -- like, to the extent the  
8 board was inclined -- rather than deferring it  
9 today, but if they were inclined to grant it and  
10 he ultimately didn't get ARB approval, he's in a  
11 bind.

12 MR. CASSIDY: I think where the  
13 confusion comes in for me is that the applicant  
14 apparently has done previous projects of this  
15 nature where he has not gotten ARB approval and  
16 it has gone through. To me, that is -- that's  
17 not correct, that there should have been -- I'm  
18 not a lawyer here, but there should have been ARB  
19 approval as well. Every other project where the  
20 exterior of a building is being changed, it  
21 requires ARB approval.

22 So, yeah, I agree with Mac. I don't  
23 think the ARB has to go first, but -- but it  
24 certainly has to go at some point.

25 Okay. Are we done with this case?

1 MS. O'LEARY: Yes.

2 MR. ROSENFELD: Yes.

3 MR. LEWIS: Yes.

4 MR. CASSIDY: Okay. Then thank  
5 you, everyone, and let's hope we can find our way  
6 through this.

7 I will now call case BZA 20-0000012 at  
8 1053 Shoveler Court.

9 Dan, you are up.

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

11 I am sharing my screen once again. Hold  
12 on a second.

13 All right. Can everyone see the  
14 PowerPoint? Our next case being presented today  
15 is case number BZA 25-000012. This is a variance  
16 request for the increase in maximum lot coverage  
17 on approximately .35 percent or 12 square feet  
18 for a proposed AC stand. The representative is  
19 Mr. Curt Watts, and the applicant and property  
20 owner are Mr. Peter and Mary Anne Collins.

21 The property location is  
22 1053 Shoveler Court, located in the same  
23 neighborhood as our first case. TMS number is  
24 207-06-00-054. Lot size is approximately  
25 3,471 square feet, or .08 acres. And the zoning

1 district is the R-2-0 residential overlay  
2 district.

3           The Town of Kiawah Island's land use and  
4 planning ordinance allows a maximum lot coverage  
5 of 50 percent for the subject property and allows  
6 for a 15-foot front setback, a zero lot line side  
7 setback on one side, and a 10-foot rear setback.  
8 This property is legally nonconforming in regards  
9 to lot coverage.

10           Per Charleston County records, the  
11 existing residence was previously constructed in  
12 1976, and the subject property was acquired by  
13 Mr. Peter Collins and Mary Anne Collins in 2022.  
14 Here is an aerial view of the subject parcel, a  
15 GIS aerial.

16           Staff took a site visit on July 30th,  
17 2025. During the inspection, staff observed  
18 active construction activities on the property.  
19 The construction of the AC stand was not in the  
20 scope of work being done at the time of the site  
21 visit. Staff notified the applicant,  
22 Mr. Curt Watts, of a violation pertaining to the  
23 unpermitted work being constructed without an  
24 approved zoning permit.

25           The applicant submitted a zoning permit

1 subsequently on July 31, 2025. The scope of work  
2 included interior renovations within the existing  
3 footprints, installation of new windows, and  
4 minor repairs of the siding and decking. Zoning  
5 permits were subsequently approved on Monday,  
6 August 4, 2025.

7 Here are a few pictures staff observed  
8 on that July 30th; the front of the property,  
9 adjacent properties. This is the left side of  
10 the property, the rear side, and the subject  
11 property.

12 The applicant's proposed plans include  
13 updating an existing HVAC system located beneath  
14 the home. A new HVAC stand is proposed to the  
15 rear east side of the existing residence, which  
16 is located at the north -- northeast of your  
17 screen here where it says, Proposed AC deck.

18 The proposed HVAC stand would add  
19 approximately 22 square feet of impervious area,  
20 increasing the total lot coverage by  
21 approximately .35 percent. The existing lot  
22 coverage is approximately 66.7 percent now. The  
23 proposed lot coverage would be 67.05 percent.

24 The proposed HVAC stand encroaches into  
25 the rear setback by approximately 1 foot 5

1 -- 1'8". Ordinance -- the Town of Kiawah  
2 Island's land use and planning ordinance allows  
3 administrative relief of a side setback or rear  
4 setback of up to 5 feet for construction of the  
5 HVAC stand, so if all conditions are met  
6 according to Section 1264 Setbacks.

7           The applicant has filed for an HVAC  
8 setback separate zoning permit. That was filed  
9 on July 31st for the encroachment of the HVAC  
10 stand into the required rear setback. All  
11 conditions have been met, and the zoning permit  
12 remains pending subject approval of the lot  
13 coverage variance before you today.

14           The applicant has submitted the proposed  
15 plans to the Kiawah Island Architectural Review  
16 Board, and the Kiawah Island Architectural Review  
17 Board has approved variance stating, Due to the  
18 existing building extending past the setback  
19 lines shown in the construction drawings, a  
20 variance is approved.

21           We'll move on to the approval criteria.  
22 Criteria A, there are extraordinary and  
23 exceptional conditions pertaining to the  
24 particular piece of property.

25           There may be extraordinary and

1 exceptional conditions containing -- pertaining  
2 to the particular piece of property due to the  
3 legally nonconforming status of the property  
4 regarding lot coverage. Existing coverage is  
5 66.7 percent, and the proposed lot coverage is  
6 67.05 percent.

7           The -- per the applicant's letter of  
8 intent, quote, The natural trees retained in the  
9 front present a natural buffer to the street and  
10 allow the home to be secluded visually from the  
11 street. This adds greatly to the streetscape and  
12 community ambience, end quote.

13           Criteria B, These conditions do not  
14 generally apply to other properties in the  
15 vicinity.

16           These conditions may be unique to the  
17 subject property and may not generally apply to  
18 other properties in the vicinity. The subject  
19 property is located in the R20 residential zoning  
20 district. Adjacent properties across and along  
21 Shoveler Court are also located in the R2  
22 residential zoning district. Existing structures  
23 in the vicinity may or may not have similar  
24 encroachments based on setback standards.

25           Per the applicant's letter of intent,

1 quote, We're not aware of similar nonconforming  
2 lot conditions in the immediate area. Each  
3 individual property has special attributes in  
4 shape, size, and orientation. We've included  
5 several pictures illustrating similar structures  
6 in the neighborhood; however, the status of their  
7 conformity is unknown.

8 Criteria C, because of these conditions,  
9 the application of this ordinance to the  
10 particular piece of property would effectively  
11 prohibit or unreasonably restrict utilization.

12 The application of this ordinance to  
13 1053 Shoveler Court would prohibit the  
14 construction of the proposed addition as the  
15 proposed structure will increase lot coverage  
16 over the allowable maximum 50 percent; however,  
17 it does not unreasonably restrict the utilization  
18 of the property.

19 Criteria D, the authorization of the  
20 variance will not be of substantial detriment to  
21 the adjacent properties or the public good, and  
22 the character of the zoning district will not be  
23 harmed by the granting of this variance.

24 The authorization of this variance may  
25 not be of substantial detriment to the adjacent

1 properties or the public good. The proposed  
2 addition is positioned in the rear of the home  
3 and will be screened from the neighbors on the  
4 right side of the property, directly adjacent to  
5 the proposed HVAC deck.

6 Per the applicant's letter of intent,  
7 quote, The residential character of the property  
8 is very secluded from the adjacent neighbors to  
9 the west. Visibility is also very natively  
10 screened and heavily canopied by existing natural  
11 vegetation. The east side neighbor is connected  
12 with the adjoining deck. The equipment is not  
13 visible from this deck, end quote.

14 Criteria E, The BZA shall not grant a  
15 variance the effect of which would be to allow  
16 the establishment of a use not otherwise  
17 permitted in a zoning district, to extend  
18 physically a nonconforming use of land, or to  
19 change the zoning district boundaries shown in  
20 the official zoning map.

21 Granting of this variance would not  
22 allow the establishment of a use not otherwise  
23 permitted in the zoning district, extend  
24 physically a nonconforming use of the land, or  
25 change the zoning district boundaries. Per the

1 applicant's letter of intent, quote, The granting  
2 of this variance will not allow for a use not  
3 permitted by the ordinance.

4 Criteria F, The fact that the -- the  
5 fact that the property may be utilized more  
6 profitably should a variance be granted may not  
7 be considered grounds. The BZA may not consider  
8 profitability when considering this variance  
9 request.

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

13 The need for the variance may not be the  
14 result of the applicant's own actions, as the  
15 existing structure is legally nonconforming  
16 regarding lot coverage. The existing lot  
17 coverage is currently 66.07 percent -- sorry,  
18 66.7 percent. The applicant purchased the  
19 property in 2022. The home was constructed in  
20 1976. Per the applicant's letter of intent,  
21 quote, The owners purchased the property in its  
22 current form and had no prior involvement in the  
23 existing nonconforming encroachments which are  
24 now in place.

25 Criteria H, Granting of this variance

1 will not be contrary to the public or  
2 neighborhood interest nor will not adversely  
3 affect other properties in the vicinity nor  
4 interfere with the harmony, spirit, intent, or  
5 purposes of these regulations.

6           The proposed lot coverage increase is  
7 minimal. The applicant is also partially  
8 offsetting the new lot coverage or -- excuse me.  
9 Per the applicant's letter of intent, quote,  
10 Granting of the variance will actually enhance  
11 the individual properties and ultimately lead to  
12 an overall improvement of the community aesthetic  
13 and allow the owners to upgrade or maintain their  
14 property over time, as is possible with adjacent  
15 properties that do not experience this particular  
16 hardship.

17           And Criteria I, Granting of this  
18 variance does not substantially conflict with the  
19 comprehensive plan or the purposes of this  
20 ordinance.

21           Granting of this variance may not  
22 substantially conflict with the comprehensive  
23 plan or the purposes of this ordinance.

24           The Board of Zoning Appeals may approve,  
25 approve with conditions, or deny case

1 BZA 25-000012. And again, this is a variance  
2 request for an increase -- for an increase in the  
3 existing lot coverage by approximately  
4 .35 percent, or 12 square feet, for the  
5 installation of a proposed HVAC stand at the  
6 subject property located at 1053 Shoveler Court.

7 This concludes staff's presentation.

8 MR. CASSIDY: Thank you, Dan.

9 Questions for Dan?

10 Ben?

11 MR. FARABEE: Dan, in your  
12 write-up, it said that the ordinance allows for  
13 administrative relief for ACAV [sic]. Is that  
14 for ACAV only?

15 MR. VINCENT: The ordinance allows  
16 for administrative relief for HVAC stands as well  
17 as generator stands.

18 MR. FARABEE: Generator stands?

19 MR. VINCENT: Yes.

20 MR. FARABEE: Okay. And is that  
21 your office that does that?

22 MR. VINCENT: That is an  
23 administrative relief. So yes, it's up to staff  
24 and the planning director to administer those.

25 MR. FARABEE: Okay. Thank you.

1 MR. CASSIDY: Phil? You're on  
2 mute, Phil.

3 Looks like we lost Phil. Oh, there he  
4 is.

5 You're still on mute, Phil.

6 Now we lost him. Any other questions?

7 MR. FARABEE: This is Ben again. A  
8 procedural one. It seems that I recall a few  
9 years back there was a similar case, and I  
10 thought I understood that ACAV couldn't be put  
11 under these units any longer; is that correct?

12 MR. TAYLOR: Yeah, it would be  
13 based on the design of them, flood elevation.  
14 They would need to meet flood elevation. So most  
15 of the older units are being replaced in order to  
16 meet flood requirements.

17 MR. FARABEE: Okay. So they've got  
18 to go -- they've got to come out from under it.  
19 So they've got to be outside the unit, right?

20 MR. TAYLOR: It can be underneath.  
21 It just needs to be able to meet flood. So if it  
22 does not meet that, then more than likely it  
23 would be on the outside adjacent.

24 MR. FARABEE: Okay. It still can  
25 be underneath?

1 MR. TAYLOR: Yeah, unless there is  
2 something that -- within that neighborhood that  
3 requires that. But as long as it meets the flood  
4 requirements, it could be placed anywhere on  
5 the -- I can't say anywhere on the site, but it  
6 could be placed there.

7 MR. FARABEE: Just the point I was  
8 going to lead up to is that all of those units  
9 back there are -- exceed the current lot  
10 coverage. So every one that gets a new HAV [sic]  
11 is going to be back here asking for a variance to  
12 coverage just to put an ACV -- AV in.

13 MR. TAYLOR: I'm going to -- the  
14 lot coverage, not necessarily.

15 MR. FARABEE: Okay. All right.  
16 Then I stand excused.

17 MR. CASSIDY: Phil, it looks like  
18 you're off mute.

19 MR. ADAMS: Yeah, sorry about that.  
20 I -- but I think the question that we're just  
21 discussing covers what I was just going to ask,  
22 which is where are the -- where is the existing  
23 HVAC stand?

24 MR. CASSIDY: Okay. Other  
25 questions?

1 All right. Mr. Watts?

2 MR. WATTS: Yes. This is  
3 Curt Watts with Watts builders. I'm representing  
4 Mary Anne and Pete Collins for 1053 Shovelers  
5 Court. So John -- Dan did a great presentation.

6 Dan, I do want to point out, I think you  
7 said in your presentation that we did not have a  
8 zoning, but we do have a zoning for the -- for  
9 the HVAC that was approved. I think it's John's  
10 signature on here. So that -- you guys did  
11 administratively approve that zoning permit.

12 In addition to that zoning permit, we do  
13 have the ARB's approval, and I've provided that  
14 documentation. We also have the community's  
15 association approval -- I should say cottage  
16 association's approval for that as well, and I  
17 provided that documentation.

18 And I really don't have anything else to  
19 say on it other than, you know, it is a small  
20 increase to the lot coverage that is already over  
21 the lot coverage and -- and that, you know, this  
22 would enhance the usability of the ground floor  
23 space and create a better situation for the  
24 air-conditioning unit to be out in the open air  
25 rather than below the house.

1 MR. FARABEE: And what's that  
2 reason again? That it needs to be outside rather  
3 than underneath?

4 MR. WATTS: Not that it needs to  
5 be. It's just they work more efficiently when  
6 they're in the open air.

7 MR. CASSIDY: Other questions?

8 Phil -- do you have a question, Phil?

9 MR. ADAMS: No.

10 MR. CASSIDY: Okay. If there are  
11 no further questions, I'll entertain any motions  
12 that anyone would care to make.

13 MR. ROSENFELD: I'll make a motion  
14 that we approve.

15 MS. O'LEARY: I make a motion that  
16 we approve this variance.

17 MR. CASSIDY: Okay. Lin has moved  
18 for approval. Is there a second?

19 MR. ROSENFELD: I second it.

20 MR. CASSIDY: Larry seconds. Any  
21 further discussion?

22 All right. We'll take the vote.

23 Ben?

24 MR. FARABEE: Yes.

25 MR. CASSIDY: Jay?

1 MR. LEWIS: Yes.

2 MR. CASSIDY: Lin?

3 MS. O'LEARY: Yes.

4 MR. CASSIDY: Larry?

5 MR. ROSENFELD: Yes.

6 MR. CASSIDY: Morris?

7 MR. HANAN: Yes.

8 MR. CASSIDY: Phil?

9 MR. ADAMS: Yes.

10 MR. CASSIDY: And Frank, yes. So  
11 it's unanimous. The variance is approved due to  
12 the very small footprint and the beneficial  
13 effects of moving the AC outside.

14 John, do we have any further business  
15 today?

16 MR. TAYLOR: No additional  
17 business. I just want to give a couple of  
18 reminders regarding, one, your continuing  
19 education. I've been pushing out the last two  
20 months opportunities for you to complete  
21 continuing ed opportunities. So if you have not  
22 completed those, Petra and I will be doing a  
23 round check for September. We don't want that to  
24 get into November, December and those have not  
25 been completed. So we'll make sure that you

1 have -- those emails that have been sent out, if  
2 you pay attention to those available dates.

3 This is just kind of a -- kind of  
4 related, I guess, to one of the cases today. Our  
5 planning commission actually has on their agenda  
6 for our upcoming September meeting to begin  
7 discussions of the Town initiating its own  
8 architectural review board or design review  
9 board. And so that essentially the architectural  
10 review controls could be a process where now the  
11 Town would be administering its own design  
12 review.

13 So that was just kind of an FYI  
14 regarding the architectural review board as that  
15 discussion of cases today.

16 No additional --

17 MR. ADAMS: That would be -- that  
18 would be --

19 MR. TAYLOR: You cut out a bit  
20 there. Could you try to repeat that one more  
21 time?

22 MR. ADAMS: That would be a  
23 replacement of the existing ARB?

24 MR. TAYLOR: So it is not  
25 necessarily a replacement of the ARB. As it's

1 being represented today, we're moving forward  
2 with the process to consider primary -- or I want  
3 to say primarily commercial and non single-family  
4 residential developments.

5           So the -- if you -- I guess I'll just  
6 give a broader context here. If you guys recall,  
7 about two and a half years ago the Town and the  
8 community association did develop a task force to  
9 review the transfer of the architectural review  
10 board to the community association. That process  
11 has stalled, and so there's still some  
12 uncertainty of where that architectural review  
13 board will land in its future.

14           And so this is just the start of the  
15 process for the Town to initiate its own, absent  
16 the existing architectural review board. As of  
17 currently, it would be not a replacement. It  
18 would just be a town-controlled function.

19           MR. ADAMS: Thanks.

20           MR. CASSIDY: John, do we know  
21 whether there will be a September meeting?

22           MR. VINCENT: We do have two cases  
23 on the agenda for next month.

24           MR. CASSIDY: Okay. And then just  
25 one other thing, if you could -- John, if you

1 could ask Petra to let each of us know where we  
2 stand on continuing education for the year  
3 because I'm not sure I know. I know I've done a  
4 couple of things, but I'm not sure whether I've  
5 completed my requirements or not.

6 MR. TAYLOR: Okay.

7 MR. CASSIDY: Anything else,  
8 anyone?

9 MR. ROSENFELD: Yeah, Frank. I  
10 don't know if I can make the December meeting.  
11 It is the era of the Rosh Hashanah. So I don't  
12 know if I will be here or not. One way or  
13 another, we'll see what we can do.

14 MR. CASSIDY: Okay. Thank you,  
15 Larry.

16 MR. ROSENFELD: Okay.

17 MR. CASSIDY: Okay. Thanks,  
18 everyone. We're adjourned.

19 (Meeting concluded at 2:36 p.m.)  
20  
21  
22  
23  
24  
25

## 1 CERTIFICATE

2 I, Jessica Bolanos, Notary Public  
3 in and for the State of South Carolina, do hereby  
4 certify that the foregoing meeting took place  
5 virtually via video conference. The testimony of  
6 the witness and all objections made at the time  
7 of the meeting were recorded stenographically by  
8 me and were thereafter transcribed by  
9 computer-aided transcription. The foregoing is a  
10 full, complete and true record of the testimony  
11 of the witnesses and of all statements made at  
12 the time of the meeting.

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

16 Witness my hand, I have hereunto  
17 affixed my official seal at Charleston,  
18 Charleston County, on 16th day of  
19 September, 2025.

20

21 Jessica Bolanos  
22 My Commission expires  
23 April 22, 2032

24

25

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 exceeded (2)  
 exceeds (2)  
 exception (1)  
 exceptional (7)  
 exceptions (3)  
 Excuse (2)  
 excused (1)  
 exemption (2)  
 exempts (1)  
 Existing (28)  
 expect (1)  
 expedite (1)  
 expense (1)

experience (2)  
 experiencing (1)  
 expires (1)  
 explain (2)  
 extend (7)  
 extending (1)  
 extends (1)  
 extension (1)  
 extent (2)  
 exterior (1)  
 external (1)  
 extraordinary (7)

## &lt; F &gt;

fact (10)  
 fact-finding (1)  
 Failure (1)  
 Fair (2)  
 fall (2)  
 familiar (1)  
 far (3)  
 FARABEE (53)  
 farther (1)  
 features (1)  
 feel (4)  
 feelings (1)  
 feet (28)  
 fifth (1)  
 et (1)  
 figure (1)  
 file (1)  
 filed (3)  
 final (3)  
 find (1)  
 First (12)  
 fishy (1)  
 fits (1)  
 flood (5)  
 flooding (1)  
 Floor (4)  
 folks (1)  
 follow (1)  
 following (1)  
 footprint (1)  
 footprints (1)  
 force (1)  
 foregoing (2)  
 form (1)  
 formal (1)  
 forth (2)

forward (5)  
 foster (1)  
 FRANK (7)  
 Freedom (2)  
 front (10)  
 frustration (1)  
 full (1)  
 fully (2)  
 function (2)  
 further (10)  
 furthest (1)  
 future (1)  
 FYI (1)

## &lt; G &gt;

gathering (1)  
 general (3)  
 generally (6)  
 generator (2)  
 getting (4)  
 GIS (2)  
 Gish (4)  
 give (11)  
 given (2)  
 gives (1)  
 go (20)  
 gobbledygook (1)  
 going (30)  
 good (8)  
 gotten (2)  
 Government (1)  
 grant (7)  
 granted (5)  
 granting (20)  
 grants (2)  
 great (1)  
 greatly (2)  
 ground (1)  
 grounds (4)  
 guess (6)  
 guidelines (1)  
 guys (10)

## &lt; H &gt;

half (1)  
 hall (2)  
 Hanan (4)  
 hand (7)  
 happened (1)

hard (1)  
 hardship (2)  
 harmed (3)  
 harmony (3)  
 Hashanah (1)  
 HAV (1)  
 HAYNSWORTH (1)  
 health (1)  
 hear (7)  
 heard (6)  
 hearing (3)  
 hearsay (1)  
 heavily (1)  
 helping (1)  
 hereunto (1)  
 hexed (1)  
 Historically (2)  
 Hold (1)  
 home (12)  
 homeowner (7)  
 homeowner's (2)  
 homes (1)  
 hope (1)  
 hours (1)  
 house (6)  
 HVAC (12)  
 hypothetically (2)

## &lt; I &gt;

III (1)  
 illustrating (1)  
 immediate (1)  
 impervious (1)  
 implementation (1)  
 implemented (1)  
 impression (1)  
 improvement (6)  
 improvements (1)  
 inane (1)  
 incident (1)  
 inclined (3)  
 include (2)  
 included (4)  
 inconsistent (1)  
 increase (13)  
 increased (1)  
 increases (1)  
 increasing (2)

indefinitely (1)  
 independent (3)  
 indicated (1)  
 indicates (1)  
 indication (1)  
 individual (3)  
 indulgence (1)  
 informal (1)  
 Information (10)  
 informed (3)  
 initiate (2)  
 initiating (1)  
 input (2)  
 inside (1)  
 inspection (2)  
 inspections (1)  
 installation (2)  
 institute (1)  
 integral (1)  
 intend (1)  
 intent (24)  
 intention (1)  
 interest (5)  
 interested (3)  
 interesting (1)  
 interests (1)  
 interfere (3)  
 interior (1)  
 interpret (1)  
 interprets (1)  
 interrupting (1)  
 invading (1)  
 involved (3)  
 involvement (1)  
 ISLAND (8)  
 Island's (3)  
 issuance (1)  
 issue (8)  
 issued (3)  
 issues (3)  
 issuing (2)  
 its (8)

## &lt; J &gt;

JAY (7)  
 JESSICA (3)  
 Jesus (1)  
 JOHN (20)  
 John's (4)

join (1)  
 joining (1)  
 judicial (1)  
 July (5)  
 jump (1)  
 June (1)  
 jurisdiction (3)

## &lt; K &gt;

keep (3)  
 Ken (2)  
 Kent (1)  
 KIAWAH (12)  
 kind (12)  
 knew (2)  
 know (17)  
 knowing (1)  
 knows (1)

## &lt; L &gt;

Land (9)  
 landscape (2)  
 landscaping (1)  
 language (1)  
 large (1)  
 larger (1)  
 LARRY (10)  
 Larry's (1)  
 lawyer (1)  
 lead (3)  
 lean (1)  
 left (3)  
 legally (6)  
 letter (23)  
 LEWIS (10)  
 limit (5)  
 LIN (7)  
 line (7)  
 lines (6)  
 listen (1)  
 listening (1)  
 little (6)  
 livability (1)  
 livable (1)  
 living (3)  
 load (2)  
 Local (1)  
 located (17)  
 LOCATION (4)

**long** (2)  
**longer** (4)  
**look** (3)  
**looking** (3)  
**looks** (3)  
**loose** (1)  
**lost** (2)  
**lot** (65)  
**lots** (2)

**< M >**  
**MAC** (7)  
**mailed** (2)  
**maintain** (1)  
**major** (1)  
**majority** (2)  
**map** (2)  
**Mary** (3)  
**matches** (1)  
**matter** (2)  
**maximum** (6)  
**McQUILLIN** (16)  
**mean** (7)  
**meaningless** (1)  
**means** (1)  
**media** (1)  
**meet** (7)  
**Meeting** (19)  
**meets** (1)  
**member** (1)  
**MEMBERS** (4)  
**merits** (1)  
**met** (3)  
**Microsoft** (1)  
**minimal** (2)  
**minor** (1)  
**minute** (1)  
**minutes** (1)  
**mitigation** (1)  
**mm-hmm** (1)  
**modification** (1)  
**moment** (1)  
**Monday** (1)  
**money** (1)  
**month** (6)  
**months** (2)  
**Morris** (3)  
**motion** (13)  
**motions** (1)

**move** (8)  
**moved** (1)  
**Moving** (3)  
**multiple** (2)  
**mute** (3)

**< N >**  
**name** (3)  
**natively** (1)  
**natural** (3)  
**naturally** (1)  
**nature** (1)  
**near** (1)  
**necessarily** (3)  
**necessary** (2)  
**need** (22)  
**needed** (8)  
**needs** (5)  
**neighbor** (8)  
**neighborhood** (8)  
**neighboring** (2)  
**neighbors** (2)  
**neither** (1)  
**never** (6)  
**new** (10)  
**newer** (1)  
**news** (1)  
**nice** (1)  
**non** (2)  
**nonconforming** (14)  
**non-objection** (3)  
**normal** (1)  
**Normally** (1)  
**north** (3)  
**northeast** (1)  
**NOS** (1)  
**Notary** (1)  
**note** (1)  
**notice** (2)  
**noticed** (2)  
**notification** (1)  
**notified** (2)  
**November** (1)  
**number** (9)  
**numerous** (1)

**< O >**  
**oath** (1)  
**objection** (3)

**objections** (1)  
**observed** (2)  
**obtain** (1)  
**obtaining** (1)  
**obviously** (3)  
**offered** (1)  
**office** (3)  
**official** (3)  
**offset** (1)  
**offsetting** (2)  
**Oh** (1)  
**Okay** (32)  
**older** (1)  
**O'LEARY** (9)  
**once** (3)  
**ones** (1)  
**open** (2)  
**opinion** (4)  
**opportunities** (2)  
**opportunity** (1)  
**option** (2)  
**options** (1)  
**order** (7)  
**orderly** (1)  
**ordinance** (25)  
**organizations** (1)  
**orientation** (1)  
**outcome** (1)  
**outside** (4)  
**overage** (1)  
**overall** (3)  
**overlay** (2)  
**overturn** (1)  
**owner** (6)  
**owners** (2)

**< P >**  
**P.A** (1)  
**p.m** (2)  
**package** (1)  
**packet** (4)  
**parallel** (1)  
**parcel** (3)  
**part** (8)  
**partially** (2)  
**participate** (1)  
**particular** (14)  
**parties** (3)  
**parts** (1)

**party** (1)  
**patience** (1)  
**pause** (1)  
**pavers** (5)  
**pay** (1)  
**pending** (2)  
**people** (2)  
**percent** (25)  
**percentage** (2)  
**perfectly** (1)  
**period** (1)  
**periodic** (1)  
**permanent** (1)  
**permit** (47)  
**permits** (4)  
**permitted** (7)  
**permitting** (1)  
**persons** (3)  
**perspective** (1)  
**pertaining** (7)  
**pertinent** (1)  
**pervious** (5)  
**Pete** (1)  
**Peter** (2)  
**Petra** (2)  
**Phil** (15)  
**PHILLIP** (1)  
**physically** (6)  
**picture** (1)  
**pictures** (3)  
**piece** (7)  
**pine** (4)  
**place** (2)  
**placed** (6)  
**plan** (13)  
**planned** (4)  
**planning** (12)  
**plans** (6)  
**plat** (2)  
**play** (1)  
**please** (2)  
**PO** (1)  
**point** (11)  
**pointed** (2)  
**Pond** (6)  
**poor** (1)  
**portion** (2)  
**positioned** (2)  
**possible** (1)

<b>Post</b> (1)	<b>public</b> (15)	<b>records</b> (3)	<b>returned</b> (1)
<b>posted</b> (2)	<b>puddle</b> (1)	<b>red</b> (1)	<b>review</b> (45)
<b>postponement</b> (1)	<b>pull</b> (1)	<b>reduced</b> (2)	<b>reviewed</b> (1)
<b>potential</b> (2)	<b>pulling</b> (1)	<b>reduction</b> (3)	<b>right</b> (21)
<b>potentially</b> (1)	<b>purchased</b> (2)	<b>refer</b> (1)	<b>risk</b> (2)
<b>Pound</b> (1)	<b>purpose</b> (4)	<b>reference</b> (1)	<b>road</b> (1)
<b>power</b> (1)	<b>purposes</b> (10)	<b>reflects</b> (1)	<b>roof</b> (1)
<b>PowerPoint</b> (1)	<b>purview</b> (4)	<b>regarding</b> (13)	<b>ROSENFELD</b> (30)
<b>practice</b> (4)	<b>push</b> (1)	<b>regards</b> (2)	<b>Rosh</b> (1)
<b>pre-application</b> (2)	<b>pushing</b> (1)	<b>regulations</b> (5)	<b>round</b> (1)
<b>preliminary</b> (1)	<b>put</b> (3)	<b>related</b> (4)	<b>rules</b> (3)
<b>present</b> (6)	<b>puts</b> (1)	<b>relation</b> (2)	<b>rulings</b> (1)
<b>presentation</b> (6)	<b>putting</b> (1)	<b>relief</b> (6)	
<b>presented</b> (4)		<b>remains</b> (1)	< S >
<b>presenting</b> (1)	< Q >	<b>reminded</b> (1)	<b>safest</b> (1)
<b>preservation</b> (1)	<b>quandary</b> (1)	<b>reminders</b> (1)	<b>safety</b> (1)
<b>previous</b> (1)	<b>quasi</b> (1)	<b>removal</b> (14)	<b>saying</b> (5)
<b>previously</b> (1)	<b>question</b> (19)	<b>remove</b> (4)	<b>says</b> (11)
<b>primarily</b> (2)	<b>questions</b> (10)	<b>removed</b> (4)	<b>SC</b> (5)
<b>primary</b> (2)	<b>quick</b> (1)	<b>renovations</b> (2)	<b>scheduled</b> (1)
<b>prior</b> (11)	<b>quorum</b> (1)	<b>rentals</b> (1)	<b>scope</b> (3)
<b>priority</b> (1)	<b>quote</b> (23)	<b>repairs</b> (1)	<b>screen</b> (6)
<b>private</b> (1)		<b>Repeat</b> (3)	<b>screened</b> (2)
<b>probably</b> (4)	< R >	<b>replace</b> (1)	<b>seal</b> (1)
<b>problem</b> (2)	<b>R2</b> (2)	<b>replaced</b> (1)	<b>secluded</b> (2)
<b>procedural</b> (3)	<b>R20</b> (6)	<b>replacement</b> (3)	<b>second</b> (9)
<b>procedure</b> (3)	<b>R-2-0</b> (1)	<b>replacing</b> (4)	<b>secondary</b> (2)
<b>procedures</b> (1)	<b>raise</b> (4)	<b>REPORTED</b> (1)	<b>seconded</b> (3)
<b>proceed</b> (3)	<b>reach</b> (2)	<b>representative</b> (3)	<b>seconds</b> (1)
<b>proceeded</b> (1)	<b>reached</b> (1)	<b>represented</b> (1)	<b>Section</b> (2)
<b>proceeding</b> (1)	<b>reaching</b> (1)	<b>representing</b> (3)	<b>see</b> (15)
<b>process</b> (28)	<b>read</b> (4)	<b>request</b> (16)	<b>seeking</b> (1)
<b>processes</b> (6)	<b>ready</b> (1)	<b>requested</b> (3)	<b>seen</b> (1)
<b>profitability</b> (4)	<b>really</b> (5)	<b>requests</b> (6)	<b>send</b> (3)
<b>profitably</b> (3)	<b>rear</b> (14)	<b>require</b> (4)	<b>sense</b> (3)
<b>prohibit</b> (5)	<b>reason</b> (4)	<b>required</b> (17)	<b>sent</b> (2)
<b>project</b> (20)	<b>reasonable</b> (3)	<b>requirement</b> (8)	<b>separate</b> (10)
<b>projects</b> (4)	<b>reasons</b> (2)	<b>requirements</b> (6)	<b>separated</b> (2)
<b>promote</b> (1)	<b>rebuttal</b> (1)	<b>requires</b> (7)	<b>separately</b> (2)
<b>properties</b> (35)	<b>recall</b> (5)	<b>requiring</b> (1)	<b>September</b> (4)
<b>property</b> (68)	<b>receive</b> (1)	<b>residence</b> (3)	<b>sequence</b> (1)
<b>property's</b> (1)	<b>received</b> (2)	<b>residential</b> (10)	<b>sequencing</b> (1)
<b>propose</b> (2)	<b>recognize</b> (2)	<b>respect</b> (1)	<b>services</b> (1)
<b>proposed</b> (36)	<b>recommend</b> (1)	<b>rest</b> (1)	<b>set</b> (1)
<b>protect</b> (1)	<b>recommendation</b> (6)	<b>restrict</b> (5)	<b>setback</b> (37)
<b>protection</b> (1)	<b>recommended</b> (1)	<b>restrictions</b> (3)	<b>setbacks</b> (7)
<b>provide</b> (5)	<b>recommending</b> (1)	<b>result</b> (8)	<b>shape</b> (1)
<b>provided</b> (3)	<b>record</b> (10)	<b>resulted</b> (1)	<b>share</b> (1)
<b>provides</b> (1)	<b>recorded</b> (3)	<b>retained</b> (1)	<b>shared</b> (1)

<b>shares</b> (1)	<b>spoke</b> (1)	<b>&lt; T &gt;</b>	<b>try</b> (5)
<b>sharing</b> (1)	<b>square</b> (20)	<b>table</b> (7)	<b>trying</b> (5)
<b>sheds</b> (1)	<b>STAFF</b> (20)	<b>tabled</b> (1)	<b>turned</b> (1)
<b>shifted</b> (1)	<b>STAFFORD</b> (1)	<b>tabling</b> (2)	<b>two</b> (22)
<b>Shoveler</b> (5)	<b>staff's</b> (2)	<b>take</b> (10)	<b>two-bedroom</b> (1)
<b>Shovelers</b> (1)	<b>stalled</b> (1)	<b>takes</b> (3)	<b>type</b> (4)
<b>show</b> (1)	<b>stand</b> (12)	<b>talk</b> (3)	<b>types</b> (1)
<b>showing</b> (1)	<b>standard</b> (1)	<b>talked</b> (1)	<b>Typically</b> (2)
<b>shown</b> (3)	<b>standards</b> (7)	<b>talking</b> (4)	
<b>sic</b> (2)	<b>standpoint</b> (1)	<b>talks</b> (2)	<b>&lt; U &gt;</b>
<b>side</b> (23)	<b>stands</b> (3)	<b>task</b> (1)	<b>ultimate</b> (1)
<b>sides</b> (5)	<b>start</b> (4)	<b>TAYLOR</b> (37)	<b>ultimately</b> (6)
<b>siding</b> (1)	<b>starts</b> (1)	<b>Teams</b> (1)	<b>unable</b> (1)
<b>sign</b> (1)	<b>state</b> (3)	<b>tell</b> (1)	<b>unanimous</b> (1)
<b>signature</b> (1)	<b>stated</b> (2)	<b>telling</b> (2)	<b>uncertainty</b> (1)
<b>significant</b> (1)	<b>statements</b> (1)	<b>terms</b> (1)	<b>underneath</b> (3)
<b>signing</b> (1)	<b>states</b> (1)	<b>testimony</b> (4)	<b>understand</b> (9)
<b>similar</b> (7)	<b>stating</b> (2)	<b>Thank</b> (12)	<b>understanding</b> (3)
<b>simple</b> (2)	<b>status</b> (2)	<b>Thanks</b> (4)	<b>Understood</b> (2)
<b>simply</b> (2)	<b>stenographically</b> (1)	<b>thereof</b> (1)	<b>unfortunate</b> (1)
<b>simultaneously</b> (1)	<b>step</b> (2)	<b>thing</b> (9)	<b>unique</b> (5)
<b>single-family</b> (4)	<b>Street</b> (6)	<b>things</b> (5)	<b>unit</b> (2)
<b>SINKLER</b> (1)	<b>streetscape</b> (1)	<b>think</b> (29)	<b>units</b> (3)
<b>sir</b> (2)	<b>stretch</b> (1)	<b>thinking</b> (3)	<b>unknown</b> (1)
<b>site</b> (9)	<b>strict</b> (1)	<b>thought</b> (3)	<b>unmute</b> (1)
<b>situation</b> (2)	<b>strongly</b> (1)	<b>Thrasher</b> (1)	<b>unnecessarily</b> (1)
<b>six</b> (1)	<b>structure</b> (11)	<b>three</b> (2)	<b>unnecessary</b> (2)
<b>size</b> (7)	<b>structures</b> (4)	<b>three-bedroom</b> (1)	<b>unpermitted</b> (1)
<b>sizes</b> (1)	<b>subject</b> (24)	<b>threw</b> (1)	<b>unreasonably</b> (5)
<b>skip</b> (1)	<b>submit</b> (2)	<b>TIME</b> (17)	<b>unsure</b> (1)
<b>small</b> (4)	<b>submittal</b> (2)	<b>times</b> (3)	<b>unusual</b> (1)
<b>smaller</b> (1)	<b>submitted</b> (8)	<b>timing</b> (1)	<b>upcoming</b> (1)
<b>sole</b> (1)	<b>subpoena</b> (1)	<b>TMS</b> (2)	<b>updating</b> (1)
<b>solve</b> (1)	<b>subsequently</b> (2)	<b>today</b> (18)	<b>upgrade</b> (1)
<b>somewhat</b> (1)	<b>subservient</b> (2)	<b>today's</b> (1)	<b>upsets</b> (1)
<b>soon</b> (2)	<b>substantial</b> (6)	<b>told</b> (2)	<b>usability</b> (1)
<b>sorry</b> (7)	<b>substantially</b> (6)	<b>top</b> (1)	<b>use</b> (19)
<b>sort</b> (8)	<b>suggest</b> (3)	<b>total</b> (7)	<b>uses</b> (1)
<b>sounds</b> (2)	<b>suggesting</b> (1)	<b>TOWN</b> (40)	<b>Usually</b> (1)
<b>south</b> (2)	<b>suggestive</b> (1)	<b>town-controlled</b> (1)	<b>utilization</b> (4)
<b>space</b> (3)	<b>Suppose</b> (1)	<b>Town's</b> (1)	<b>utilized</b> (3)
<b>Sparrow</b> (7)	<b>sure</b> (7)	<b>tracks</b> (2)	
<b>speak</b> (7)	<b>surrounding</b> (3)	<b>transcribed</b> (1)	<b>&lt; V &gt;</b>
<b>speakers</b> (2)	<b>survey</b> (1)	<b>transcription</b> (1)	<b>vacation</b> (1)
<b>speaks</b> (2)	<b>suspect</b> (1)	<b>transfer</b> (1)	<b>valid</b> (1)
<b>special</b> (6)	<b>switch</b> (1)	<b>tree</b> (43)	<b>values</b> (1)
<b>specific</b> (4)	<b>sworn</b> (1)	<b>trees</b> (4)	<b>variance</b> (81)
<b>specifically</b> (1)	<b>system</b> (1)	<b>tried</b> (1)	<b>variances</b> (7)
<b>spirit</b> (3)		<b>true</b> (2)	<b>VC</b> (1)

**vegetation** (4)  
**versa** (1)  
**vice** (1)  
**vicinity** (13)  
**video** (1)  
**Videoconference** (1)  
**view** (5)  
**VINCENT** (17)  
**violation** (1)  
**virtually** (2)  
**visibility** (2)  
**visible** (3)  
**visit** (3)  
**visually** (1)  
**voiced** (4)  
**vote** (6)  
  
**< W >**  
**walk** (1)  
**walkway** (2)  
**want** (21)  
**wanted** (4)  
**Warbler** (9)  
**Watts** (7)  
**way** (5)  
**weeks** (3)  
**weigh** (2)  
**weighed** (2)  
**welfare** (1)  
**well** (10)  
**went** (1)  
**we're** (17)  
**west** (2)  
**we've** (9)  
**windows** (1)  
**wise** (1)  
**wish** (2)  
**witness** (2)  
**witnesses** (3)  
**work** (7)  
**worked** (1)  
**working** (1)  
**workings** (1)  
**workload** (1)  
**write** (2)  
**write-up** (2)  
**writing** (4)  
**written** (1)  
**wrong** (1)

**WWW.CLARKBOL**  
**EN.COM** (1)  
  
**< Y >**  
**ya** (1)  
**y'all** (1)  
**y'all's** (1)  
**yard** (2)  
**Yeah** (25)  
**year** (2)  
**years** (9)  
**yell** (1)  
**you-all** (1)  
  
**< Z >**  
**zero** (7)  
**zoned** (1)  
**ZONING** (61)  
**Zoom** (3)