

TOWN OF EDISTO BEACH
ZONING BOARD OF APPEALS

Monday, March 13, 2023

5:00 P.M.

Regular Meeting

Members attending: Ned Kuntz, Marie Bost, Pat Kostell, Ron Scroggy, Heather Johnson and William Davies
Beverly Sandifer is absent without prior notice.

Staff attending: Tammy Lake, Morgan Viars and Patrick Brown

With a quorum present, Chair Ned Kuntz called the meeting to order at 5:00 p.m.

Review of Minutes – July 18, 2022 and August 15, 2022

Chair Ned Kuntz asked for a motion to accept the transcribed minutes from the July 18, 2022 meeting. Member Bill Davies made a motion to approve the minutes, with Pat Kostell seconding. The minutes were **approved unanimously**

Chair Ned Kuntz asked for a motion to accept the transcribed minutes from the August 15, 2022 meeting. Member Bill Davies made a motion to approve the minutes, with Pat Kostell seconding. The minutes were **approved unanimously**

Election of Chair, Vice Chair, and Secretary

Election of Chair: Bill Davies made a motion to nominate Ned Kuntz as Chairman and Marie Bost seconded the motion, which **passed unanimously**.

Election of Vice Chair: Marie Bost made a motion to nominate Pat Kostell as Vice Chairman and Ron Scroggy seconded the motion, which **passed unanimously**.

Election of Secretary: Marie Bost made a motion to approve Tammy Lake to continue as Planning Commission Secretary. Bill Davis seconded the motion, which **passed unanimously**.

Old Business: None

New Business: Hearings

Appeal No. 2023-01—Withdrawn

Applicants: Morgan Dotson, representative of 310 Whaley St.

Appeal No. 2023-02, by a representative of a property in the R-1 District, 310 Whaley St., Lot 46, Block BB, for a variance from Sec. 86-135(e)(3) minimum side yard setback: Ten feet.

Chair Kuntz made a motion that when voting for each criteria that only yes or no vote be made when voting on each of the 4 criteria with William Davies seconding. Chair Ned Kuntz asked all parties who may speak during this portion of the hearing to raise their right hands and take the oath. The oath was administered. Chair Ned Kuntz read the 4 criteria necessary to grant a variance.

Testimony was given regarding variance request. No representative was here from Charleston Electric.

Chair Kuntz recommended that a yes or no vote when voting on each of the 4 criteria.

Chair Kuntz called for a vote on criteria 1: **All voted NO unanimously**

Chair Kuntz called for a vote on criteria 2: **All voted NO unanimously**

Chair Kuntz called for a vote on criteria 3: **All voted NO unanimously**

Chair Kuntz called for a vote on criteria 4: **All voted NO unanimously**

Chair Ned Kuntz made a motion to deny variance with Marie Bost seconding. With there being no discussion, a vote was called which was **denied unanimously against the variance.**

Applicants: EC Carson, representative of 3311 Palmetto Blvd.

Appeal No. 2023-03, by a representative of a property in the R-1 District, 3311 Palmetto Blvd, Lot 5, Block AL, for a variance from Sec. 86-165(e)(2) minimum front yard setback: 20 feet.

Chair Ned Kuntz asked all parties who may speak during this portion of the hearing to raise their right hands and take the oath. The oath was administered. Chair Ned Kuntz read the 4 criteria necessary to grant a variance.

Testimony was given regarding variance request by EC Carson and Patrick Brown. Questions were answered.

Chair Kuntz recommended that a yes or no vote when voting on each of the 4 criteria.

Chair Kuntz called for a vote on criteria 1: **All voted YES unanimously**

Chair Kuntz called for a vote on criteria 2: **All voted YES unanimously**

Chair Kuntz called for a vote on criteria 3: **All voted YES unanimously**

Chair Kuntz called for a vote on criteria 4: **All voted YES unanimously**

Chair Ned Kuntz made a motion to approve variance. Bill Davis made a motion to amend the approval of variance subject to only the portion within the setbacks. Chair Ned Kuntz made a motion to approve the amended request on variance with Marie Bost seconding. With there being no discussion, a vote was called which was **approved unanimously for the variance.**

Adjournment

There being no more business before the ZBA, William Davies made a motion to adjourn. Marie Bost seconded the motion which was approved unanimously.

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

APPROVED BY THE ZONING BOARD OF APPEALS

A handwritten signature in blue ink that reads "Tammy Lake". The signature is written in a cursive style and is positioned above a horizontal line.

Submitted by Tammy Lake

Secretary of the Zoning Board of Appeals, Town of Edisto Beach

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