

**TOWN OF EDISTO BEACH
ZONING BOARD OF APPEALS**

Monday, April 16, 2018

5:00 P.M.

Regular Meeting

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

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

Staff attending: Margaret Green, Danielle Messer and Patrick Brown

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

Review of Minutes – January 22, 2018, Special Meeting February 5, 2018

Chair Marie Bost asked for a motion to approve the minutes as presented. Member Marci Cook made a motion to approve the minutes, with Sally Altman seconding. The minutes were approved unanimously.

Old Business: None

New Business:

A request from the Owners of a property in the R-1 District, 506 Palmetto Blvd, Lot 3, Block G for a variance from Sec. 86-135 (e) 4 of the Zoning Ordinance.

Ms. Bost explained that the Zoning Ordinance section is actually 86-145 (d) 1 – Beach Management Overlay Zoning District. Patrick Brown, Town of Edisto Beach Building Code Administrator confirmed. Ms. Bost asked anyone who will speak during the meeting to stand to be sworn in to testify. She administered the oath and asked that the record reflect that all witnesses were property sworn and placed under oath to tell the truth.

Ms. Bost asked the applicant to step forward. Zack Wheeler appeared for the LLC he and his father, Jeff Wheeler, own. He stated that Lee Frank surveyed the property and provided the site plan which reflects the need for the zoning variance. He explained that the Town of Edisto Beach leased the property for use during the beach re-nourishment project after Hurricane Matthew, which delayed their plans to build a house on the property. He listed various contractors and local businesses they have been working with to accomplish the goal of building the new house. He called attention to the fact that they already have DHEC approval and OCRM approval. He stated that they are requesting a 5-foot variance for the home and that the houses on either side extend past the Town of Edisto Beach's and OCRM's lines. Member Beverly Sandifer asked if it would be rental property and Mr. Wheeler confirmed it will be mainly rental property.

Ms. Bost asked Mr. Brown if he had any comments or questions. Mr. Brown stated he had no comments nor questions but would be happy to answer any questions the board had for him. Member Joe Dreher asked about the adjacent homes. Mr. Frank stated that on one side of the lot a house is adjacent, but there is an empty lot between the lot and the next house on the other side.

Joe Inabinet introduced himself and stated that his parents own a home directly across the street from 506 Palmetto. He referred to a prior ZBA meeting when a similar variance request was denied. He also stated that the notification the adjacent property owners received referenced Sec. 86-135 (e) 4. Mr. Inabinet was given a copy of Sec. 83-135 for review. Ms. Bost explained that Sec. 83-145 (d) 1 deals with the Beach Management Overlay Zone, item (d) deals with set-back lines. Mr. Inabinet stated that increasing the profitability of a property is not a legitimate reason to grant a variance. He also stated that the property can be built upon without needing a variance. He asked that the Board consider the various aspects of the ordinance and decide not to grant the variance.

Joe Dreher asked why some people are against the variance being granted. Mr. Inabinet said because the lot is across the street from their house. He further stated that he did not believe that the applicant had met the requirements necessary for the Board to grant the variance. Chair Bost asked for a motion to grant the variance. There being no motion to grant the variance, Beverly Sandifer made a motion to deny the variance. Joe Dreher seconded the motion. The motion was **denied unanimously**.

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

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

APPROVED BY THE ZONING BOARD OF APPEALS



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

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