

TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting

February 22, 2023



MINUTES

CALL TO ORDER

Present: Leggett, Palmer (Virtual), Pinckney, Williams

Absent: Fox

Staff Present: Zoning Administrator Newman

Mr. Leggett served as acting chairman for the meeting.

The meeting was called to order at 1:00PM and Zoning Administrator Newman confirmed notice of this meeting was posted as described by the SC Freedom of Information Act.

ELECTION OF CHAIR AND VICE CHAIR

The election of Chair and Vice Chair will be held at the March Board of Zoning Appeals Meeting.

APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: December 28, 2022

Mr. Pickney moved to approve the previous meeting minutes of December 28; Mr. Williams seconded. All voted in favor.

The previous meeting minutes of December 28th were approved.

PUBLIC HEARING ITEMS

1. Variance #180

APPLICANT:	Bill Senst (Applicant) Greg & Leigh Anne Spruetz (Owners)
ADDRESS:	3112 Marsh Gate Drive
TAX MAP NUMBER:	149-14-00-052
ZONING DISTRICT:	R-SF2 (Residential Single-Family)
CODE SECTION:	§ 10.5.A.1, Critical Area Setbacks
VARIANCE REQUEST:	1) To reduce the required 25' critical area setback to 15'-0" to allow for 561 square feet of first floor open deck and open stair.

Zoning Administrator Newman presented the request made by the Applicant Bill Senst at 3112 Marsh Gate Drive to reduce the required 25' critical area setback to 15'-0" to allow for 561 square feet of first floor open deck and open stair.

Zoning Administrator Newman noted that if the variance is approved, staff recommends adding the following:

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the Applicants and reviewed by the Board on February 22, 2023. Any modification to this site-specific plan prior to the issuance of a zoning permit, with the exception of minor corrections and/or modifications which conform to the requirements of the town's DSO, shall require further review and approval by the Board of Zoning Appeals.
- The Applicants shall prepare and submit to the Zoning Administrator an as-built survey prior to the issuance of a Certificate of Occupancy (or within 30 days of passing the final inspection if no Certificate of Occupancy is required). The as-built survey shall be prepared and stamped by a professional land surveyor who is qualified to perform such services in the State of South Carolina.
- The variance shall become null and void if the Applicants (or subsequent property owner) fail to obtain a building permit prior to the effective date of any changes to the SCDHEC-OCRM beachfront jurisdictional line and/or beachfront setback line affecting the subject property.

The Board inquired if there were any objections to the variance. Zoning Administrator Newman clarified one objection was received and was included in the agenda packet.

Bill Senest (Applicant) presented the variance request for 3112 Marsh Gate Drive.

The Board clarified where the house is currently in relation to the setback lines.

The Board inquired when the homeowners started creating their plans for this project.

Greg Spraez (homeowner), 712 Bell Out Drive Alpharetta, GA; added additional commentary to the Applicants presentation.

John Carpenter, 3092 Marsh Gate Drive, inquired if the proposed variance the proposed deck would set a precedence for setback changes. Zoning Administrator Newman and the Board clarified for Mr. Carpenter the variance process.

Zoning Administrator Newman read the letter received in opposition of this variance.

The Board discussed how the variance fits within the criteria.

Mr. Leggett noted the variance meets the criteria as follows:

- A) The size and shape of the subject property are unique conditions.
- B) The unique size and shape of the property does not appear to apply to other properties in the vicinity.
- C) Strict application of the DSO to this piece of property in combination with the unique size and shape of the lot restricts the utilization of the property.
- D) The requested variance has no impact on the existing zoning/character of the surrounding area.
- E) The use of the subject property is not changed by the granting of the requested variance.
- F) The variance request is not for profitability.
- G) The necessity for the variance is not the owner's fault.

Mr. Pinckney moved to approve Variance #180 as outlined by Mr. Leggett and with staff recommendations; Mr. Williams seconded. All voted in favor.

Variance #180 was approved with staff recommendations.

ITEMS FOR INFORMATION / DISCUSSION

None.

ADJOURN

Mr. Pinckney moved to adjourn the meeting; Mr. Williams seconded. All voted in favor.

The meeting adjourned at 1:40PM

Date: March 10, 2023

Prepared by: *Katharine E. Watkins*
Town Clerk/Treasurer