

May 13, 2004

The Board of Zoning Appeals for the Town of Sullivan's Island met on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied.

Present were: Jimmy Hiers  
Jay Keenan, Acting Chairman  
Susan Middaugh

Motion was made by Susan Middaugh, seconded by Jimmy Hiers, to approve the minutes of April 8, 2004, carried unanimously.

Barbara Inabinet, 2902 Jasper Boulevard, communicated by telephonic agreement to defer until the next month because only three members of the Board would be present. This constitutes her one chance to defer under the current rules of operation.

Rebecca Campbell, 2910 Jasper Boulevard, communicated by telephonic agreement to defer until the next month because only three members of the Board would be present. This constitutes her one chance to defer under the current rules of operation.

Mark Weiss, 2608 Bayonne St., variance for time limitation on permit. Mr. Keenan explained to Mr. and Mrs. Weiss their option to defer one time due to there being only three Board members present. Mr. Weiss stated that the circumstances with which they received the six month permit are the same as they were, except they now have an architect who is actively designing the home. The plans would probably take 6-8 months. Mr. Prause stated that the ordinance states that a permit has to be pulled within six months, and if it is not pulled then it cannot be applied for again for four years. Mr. Weiss could get a permit now, but not the permit that was authorized six months ago. Mr. Prause stated Section 21-66 states that if a permit is authorized by the Board and it is not gotten within the six months, then the authorization shall be null and void and no permit shall be issued thereunder for the relief that was granted previously. He also stated that Section 21-66 says when it shall appear to the administrative officer that an appeal represents substantially the same grounds which had been decided by the Board within the previous four years, he shall notify the Board and not advertise until the Board shall determine that an amendment of this Chapter or other changed conditions requires reopening the issue. Mr. Prause stated there should actually be an amendment to the Zoning Code, or some type of factual changes that would require the Board to even look at the case again. Mr. Prause stated that Cooper Consulting's recommended changes to the Zoning Ordinance state to extend the permit to one year, and an applicant couldn't come back for two years. Mr. Keenan stated to Mr. Weiss he felt the Board would like to do what they could regarding this situation, however, it would set a bad precedent for future applicants who could keep coming back for variances. Mr. Weiss deferred this request for one month, and it constitutes his one chance to defer under the current rules of operation.

Motion was made by Jimmy Hiers, seconded by Susan Middaugh, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney

Approved:

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Date: \_\_\_\_\_