



# TOWN OF PAWLEYS ISLAND ZONING BOARD OF APPEALS MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585  
12/1/2021 – 3:30 PM

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**PRESENT:** Harold Wyatt, Heide Johnson, Matt Ellis

**ABSENT:** Hugh Buyck, David Ellerbe

**STAFF PRESENT:** Kristal Infinger (Georgetown County Zoning Administrator), Nata Fata (Attorney)

## I. DETERMINATION OF A QUORUM – AGENDA

Harold Wyatt called the meeting to order. He expressed the need to elect a chairman since Chairman High Buyck was absent. Harold asked for a motion to elect a chairman. Heide Johnson motioned to elect Harold Wyatt as a temporary chairman. Matt Ellis seconded the motion. All approved to elect Harold Wyatt as temporary chairman.

Harold asked if anyone had any problems with the minutes. No one had any problems, so Harold stated that the minutes are approved as they are presented.

## II. PUBLIC COMMENT

Harold asked for any public comments. No public comments were given

## III. NEW BUSINESS

- A. A request from Michael and Melissa Santorelli, for a variance to Article 3: District Boundaries, Section 3-2.2 Low Density Residential (R-1) (E) Minimum Required Yards (2) Side. This request involves a proposed addition to a single-family dwelling. The property is located at 610 Doyle Ave in Pawleys Island. Tax Map Number 42-0174-099-00-00. VAR-10-21-29276.**

Harold called up Michael and Melissa to explain their variance case. Melissa stated that the variance they are seeking is to encroachment into the setback by 3 feet to build a bathroom/closet addition to the master bedroom. Melissa stated that the house is already encroaching into the setback however it is grandfathered in. Harold asked melissa about the lot coverage of the house. Melissa stated that it'll add an additional 140 squared feet. So, they are asking for a set back variance and a variance to go over the impervious surface rule as well. Melissa stated that the need for this is because there is not a bathroom or closet for the master bedroom, and they are limited with the amount of space they have if they do not seek a variance. Heide asked is this was for the purpose of style and convenience only. Melissa stated that it is out of convenience, but it is done for them only. This house is their primary residence. Kristal stated that the property is located at 610 Doyle Ave, they have a 10 ft side setback and are requesting a 3 ft variance, they are also bringing their impervious square footage from 1888 square feet to 2220 squared feet which goes over the impervious surface requirement. Kristal stated that there are no exceptional conditions to the property. Heide asked if Pawleys and Georgetown have the same setback and impervious surface rules. Kristal stated that Georgetown does not have an impervious surface requirement and the setback rules depends on the lot. Kristal stated that if applicant was in the county, they would also have to seek a variance. Harold called for a motion to step down into executive session. Matt Ellis seconded the motion. Heide Johnson seconded the motion. All approved. Harold stated that the

board stepped out of executive session. Harold also stated that the board does not have to vote, and the application could be withdrawn to look at other options. Harold discussed that the board has no choice regarding the impervious surface resolution other than to deny it. Nate Fata clarified with the applicants that their choices were to have the board vote today or redraw the application considering the board's comments. Kristal stated that if the board denies the application than it will be a year until they can resubmit. Melissa withdrawals the application.

**B. A request from Lauren and John O. Radeck, Jr. for a variance to Article 3: District Boundaries, Section 3-2.2 Low Density Residential (R-1) (E) Minimum Required Yards (2) Side and (3) Rear. This request involves the addition of a catwalk, and the enclosure of an existing porch with screen to a single-family residence. The property is located at 588 Myrtle Ave in Pawleys Island. Tax Map Number 42-0174-085-00-00. VAR-10-21-29277.**

Harold called up the next applicant which were Lauren and John O. Radeck, Jr. John introduces themselves and stated that they live in Mt Pleasant and the home at 588 Myrtle Ave will act as a rental/secondary property. They are seeking two variances to add a catwalk to connect their two porches which will encroach into the setback, and they are seeking to enclose their back porch with a screen which will require encroachment into the setback. They want to do these improvements for safety and shade purposes for their family members. Kristal discussed that this variance is located at 588 Myrtle Ave, it is zoned R-1, 10 ft side setback, 15 ft rear setback. They are seeking to encroach 4.3 ft into the side setback and 7.5 ft into the rear setback. Kristal stated that per the documents it complies with the Pawleys Island Flood Ordinance and the lot appears to be smaller in size in relation to the surrounding lots. There are no exceptional conditions to be found on this lot. John stated that they want to add the catwalk to connect the purpose to add an extra route to escape in case of a fire. They want to screen in the once porch due to the constant sun and zero shade that the porch gets. Heide asked for John to elaborate on the house structure more. John explains the layout of the disconnected porches and the unscreened porch. Harold asked if they are looking to extend the roof over the deck to add the screen. John said yes. Harold asked if it would be possible for them to add extra stairs on the other deck. John said yes but they would have to add additional square footage to the house. Harold asked to step down into executive session. Matt Ellis motioned to step into executive session. Heide Johnson seconded the motion. All approved. Harold stepped out of executive session and called the meeting back to order. Harold called for a motion to approve or disapprove the variance. Matt Ellis motioned to disapproved. Heide did not motion and elaborated on why it was on its way to be disapproved. Heide stated that it is not a personal decision the variance just does not fall under the legal categories of approval. Lauren wants to withdrawal the application to avoid disapproval. Lauren asked if she could get some feedback on why it does not meet the legal parameters of approval. The back of the house does not have an exit and there needs to be an additional exit in case of an emergency such as a fire that is blocking the only exit. Heide explained that it did not fall under the rules of approval. John stated that the house is already encroaching into the setback so anything will need a variance to be approved. Lauren stated that even adding stairs would need a variance. John and Lauren believe this does fall under the conditions. Lauren stated that they already fixed the railing on the house since it was not up to date, and they wanted to make the house safer. This was their

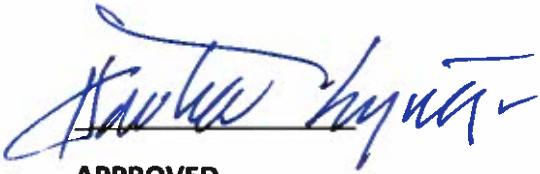
next step in making it safer. Heide suggested that they speak with the Town or the County on further recommendations to make it safer. John formally withdraws the application.

- C. A request from D. Dwayne Vernon, as agent for Glen Cox for a variance to section 5-4: Provisions for flood hazard reduction (S) and section 2-25: Definitions: Design Flood Elevation. This request involves the addition of an elevator to a single-family dwelling. The property is located at 248 Myrtle Avenue in Pawleys Island. Tax Map Number 42-0163-056-00-00. VAR-10-21-29282.**

Harold called Dwayne Vernon and Glenn Cox up to explain their variance. Dwayne stated that this is their second time going before the board for this variance. Dwayne found a way to reduce the square footage by 2/3 of the elevator to help sway the board towards approval. The elevator is for the purpose of handicap accessibility and the new drawings given to the board show the modification of the application. Dwayne stated that the elevator will consist of a glass tube that is vacuum tight. Kristal explained this variance to the board. Kristal explained that they withdrew the application at the previous meeting, the land does not meet an extraordinary condition, the variance is to allow more close space for the elevator, all houses on the Island are under the Pawleys Island Flood Ordinance. The flood ordinance was put into effect to regulate construction in flood zones to decrease flood insurance rates on the Island. Kristal stated that this elevator will take up an additional 31 squared feet of enclosed space. So, it will go from around 380 squared feet to over 410 squared feet. The max for Pawleys Island is 299 square feet. Kristal also stated that two emailed came in from Glenn Cox's neighbors in support of the variance. Dwayne stated that the 386 squared feet was grandfathered in. He stated that it is not possible to put the elevator in the existing enclosed space due to it not lining up correctly with the house and the tube would go directly through the bedroom. Dwayne suggested tearing at 31 square feet of the existing enclosed space however would rather not do that. Glenn Cox discussed the need for the elevator due to his wife needing assistance of getting in and out of the house to go to doctor's appointments. She is unable to get out of the house easily. Glenn stated that this is all for safety and it is not for convenience. Glenn spoke to FEMA and the SC Disability Association, and they said that the Town should add an ADA exception in their flood ordinance. Glenn stated that he will have to leave the Island if he cannot get this elevator approved. Harold brought up that the elevator would be adding additional square footage to the upper floor of the house. Dwayne stated that adding this square footage is not an issue and it can be done without a variance. Heide asked what was in the existing enclosed space and Glenn stated that there are lawn mowers, tools, and other storage items. Heide asked if the elevator could be added if they brought the enclosed space back under 299 square feet. Glenn stated that would have to tear apart half of his shed. Harold asked to step down into executive session. Heide motioned to step down into executive session. Matt Ellis seconded the motion. All approved. Dwayne added that he did not seem to sound snappy with the board. Harold stepped out of executive session and called the meeting back to order. Harold stated there are two options which are that if we can agree the square footage can be 299 square feet we can vote or to leave the application as is and vote. Nate added that Harold meant that they could resubmit an application meeting the 299 square footage requirements. Dwayne stated that there would be no reason to get a variance at that point because the requirement would be met. The point of applying for a variance would no longer be.

Dwayne added "Is that a fair statement". Nate stated that he could not give legal advice. Dwayne asked for the board to proceed with the vote as it stands today. Harold asked for a motion to approve or disapprove the variance. Matt Ellis motioned to approve. Harold Wyatt seconded the motion. All approved. Nate stated that the board needs to state on what grounds they approve the variance.

**IV. ADJOURNMENT**



**APPROVED**

10-27-22

**DATE**



**ATTEST**

10-27-22

**DATE**