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TOWN OF KIAWAH ISLAND  
BOARD OF ZONING APPEALS  
MEETING OF OCTOBER 19, 2015

CASE#: BZAV-9-15-22198  
264-02-00-082  
35 Berkshire Hall

Variance request for the reduction of the required  
30-foot rear yard setback (lagoon) for  
approximately 81.6 square feet encroachment for a  
proposed swimming pool and catch basin within the  
existing rear deck footprint and for approximately  
46.1 square feet to relocate the rear stairs.

DATE: OCTOBER 19, 2015

TIME: 4:00 PM

LOCATION: TOWN OF KIAWAH ISLAND  
JOHNS ISLAND, SOUTH CAROLINA

REPORTED BY: ANNE BOULEY MEYER, RPR  
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A P P E A R A N C E S

BOARD MEMBERS PRESENT:

RON HACKER, CHAIRMAN

THOMAS BURKE

JACK BRADEN

BEN FARABEE

ALSO PRESENT:

DENNIS RHOAD (TELEPHONICALLY)

JENNIFER WERKING

1 MR. HACKER: I would like to call to  
2 order the October 19th, 2015, meeting of the Town  
3 of Kiawah Island Board of Zoning Appeals. The  
4 Board members who will hear the case are Thomas  
5 Burke, Jack Braden, Ben Farabee, and myself, Ron  
6 Hacker. And also Randy Gilmore if he arrives in  
7 time to hear the whole case.

8 The staff member present is Jenny  
9 Werking, and Dennis Rhoad is on the phone as our  
10 attorney for the BZA.

11 Our case rulings for this and any BZA  
12 meeting are available for public review and  
13 inspection during normal business hours at the town  
14 hall. At this time I'd like to explain to the  
15 public the workings of the BZA.

16 The Board of Zoning Appeals is a  
17 quasi-judicial body established to interpret and  
18 grant relief for the zoning ordinance. The Board  
19 of Zoning Appeals has jurisdiction over three types  
20 of cases: Appeals, variances, and special  
21 exceptions.

22 Appeals are heard regarding  
23 administrative actions for decisions by the zoning  
24 administrator or staff. Variances may be granted  
25 when strict application of the zoning ordinance

1 would cause an unnecessary hardship.

2 This Board's actions must be based on  
3 specific standards as contained in the South  
4 Carolina Local Government Planning Enabling Act of  
5 1994, and the Town of Kiawah Island Zoning  
6 Ordinance. Special exceptions allow the Board to  
7 permit uses if certain conditions are -- contained  
8 in the zoning ordinances met -- are met.

9 A simple majority of the quorum present  
10 is required to grant a variance or to overturn the  
11 decision of the zoning administrator in an appeal,  
12 or to grant a special exception.

13 Because today's hearing is a public  
14 fact-finding meeting, we are in compliance with the  
15 Freedom of Information Act and South Carolina code  
16 6-29-70. Fifteen days prior to this hearing, an  
17 announcement was printed in the Post and Courier; a  
18 sign was posted on or near the designated property;  
19 and a notice was mailed to the applicant or  
20 representative, to residents within 300 feet of the  
21 application, and to parties of interest.

22 Persons, organizations and the news  
23 media that have requested declaration of our  
24 meeting have also been notified. The Freedom of  
25 Information Act does not require notification of

1 anyone other than the applicant and the parties of  
2 interest.

3 Our purpose today is for interested  
4 parties to be heard in order to assist the Board in  
5 gathering evidence pertinent to each case. If the  
6 members of the BZA feel the need for further  
7 information to clarify a case, the Board has the  
8 authority to subpoena witnesses.

9 In addition to your testimony, our  
10 Board has been presented with information submitted  
11 to the staff by the applicant or their agent for  
12 each case. This information is now considered to  
13 be evidence and is entered into the permanent  
14 record of this body. It is assumed that it is  
15 complete, true and accurate.

16 Also we have been presented data  
17 assembled by the staff for the purpose of  
18 clarifying the location and the effect of  
19 surrounding property. Our Board is empowered to  
20 approve, approve with conditions or to deny your  
21 request. We are also authorized to defer a case  
22 should there be a need to attain additional  
23 information.

24 If an applicant's request is approved  
25 for a special exception, a variance or an appeal of

1 the decision by the zoning administrator, they must  
2 go to the Town of Kiawah Island to apply for  
3 permits. Variances and special exceptions granted  
4 by the BZA are valid for 12 months after this  
5 meeting; however, if an applicant's request is  
6 disapproved and they wish to appeal the decision of  
7 the Board concerning their case, appeals must be  
8 addressed to the circuit court.

9 South Carolina code 6-29-820 states  
10 that the appeal must be filed by the applicant  
11 within 30 days after the decision of the Board is  
12 mailed to them. Failure to file an appeal within  
13 the time limit deprives the court of the  
14 jurisdiction to hear the matter.

15 Because this is a quasi-judicial Board,  
16 everything said in this meeting must be complete,  
17 true and accurate. All of the information provided  
18 by -- provided to the BZA is considered evidence,  
19 and this Board may certify contempt of the circuit  
20 court if false statements are made either in  
21 writing or orally.

22 Because of this, each person who wishes  
23 to address the Board will be sworn in. In order to  
24 expedite the procedure, those wishing to speak will  
25 please stand as a group right now.

1 Mr. Rhoad, our attorney, will  
2 administer the oath.

3 Dennis.

4 MR. RHOAD: Thank you, Mr. Chairman.  
5 All standing please raise your right hand, repeat  
6 after me.

7 I, and then state your name, do hereby  
8 solemnly swear to tell the truth, the whole truth,  
9 and nothing but the truth -- I'm sorry, I'll say  
10 again -- to tell the truth, the whole truth and  
11 nothing but the truth, so help me God.

12 (All comply.)

13 MR. RHOAD: There you go.

14 MR. HACKER: Thank you very much.

15 I shall now call case BZAV-9-15-22198  
16 at 35 Berkshire Hall. Staff will present facts  
17 pertinent to the case. I shall then call the  
18 applicant to address the case. The applicant shall  
19 stand and state his name and current residence  
20 address for the record before presenting testimony.

21 I will then ask for those speaking  
22 either in support or against the case, and they  
23 shall follow the same procedure by identifying  
24 themselves and are limited to two minutes each.  
25 The applicant will also have two minutes for

1 rebuttal.

2 At this time then I would like to hear  
3 the staff findings.

4 MS. WERKING: The applicant, Tyler  
5 Smyth, is representing the property owner, Mary  
6 Mannix, in requesting a variance for the reduction  
7 of the required 30-foot rear yard setback, lagoon,  
8 for approximately 81.6 square feet encroachment for  
9 a proposed swimming pool and catch basin within the  
10 existing rear deck footprint, and for approximately  
11 46.1 square feet to relocate the rear stairs at 35  
12 Berkshire Hall. And that's TMS number  
13 264-02-00-082.

14 Per Charleston County records, the  
15 existing residence was built in 1982. The subject  
16 property and surrounding properties are located in  
17 the R-1 Residential Zoning District within the  
18 Developed Lands of Kiawah Island. The subject  
19 property is bordered by a lagoon to the east.

20 The Town of Kiawah Island Land Use  
21 Planning and Zoning Ordinance requires a 25-foot  
22 front yard setback from Berkshire Hall, 15-foot  
23 side yard setback, and a 30-foot rear yard setback,  
24 lagoon, with an allowed maximum lot coverage of  
25 40 percent.

1           The existing lot coverage is  
2   39.74 percent. If approved, the new lot coverage  
3   percentage would be 36.71 percent. The subject  
4   property is 11,163 square feet, or 0.26 acres in  
5   size.

6           The applicant's letter of intent  
7   explains, in quotes, We are proposing a renovation  
8   at 35 Berkshire Hall on Kiawah Island, and we are  
9   requesting that the Board of Zoning Appeals would  
10  allow a portion of the footprint of a proposed pool  
11  and catch basin to extend over the rear setback by  
12  8 feet, 11-and-a-half inches. The area over the  
13  setback of the pool and catch basin would be 81.6  
14  square feet.

15          Additionally, we are requesting that  
16  the supporting deck stairs from the pool deck to  
17  the landscaped patio would be allowed to extend  
18  beyond the setback by 7 feet, 5 inches. The area  
19  over the setback of these stairs is 46.1 square  
20  feet. In total, we propose adding 127.7 square  
21  feet over the setback, about half the size of the  
22  existing deck over the setback, end quotes.

23          The Kiawah Island Architectural Review  
24  Board, KIARB, variance request letter dated August  
25  20, 2015, states, in quotes, The variance to locate

1 a portion of the proposed pool in the rear setback  
2 is approved as the raised pool cavity extends no  
3 further into the rear setback than the adjacent  
4 screened porch and the infinity edge's trough will  
5 minimize the impact of the pool at the rear of the  
6 home.

7 The variance request is granted with  
8 the contingency that the home be brought into  
9 compliance with current ARB guidelines as detailed  
10 below: Removal of the second curb cut to the  
11 street and minimizing the driveway in front of the  
12 home while maintaining required elements of the  
13 driveway. Removal of the existing raised deck in  
14 the rear setback. The landscape at the rear of the  
15 home should be improved in keeping with the design  
16 guidelines.

17 A site visit was conducted on  
18 October 6th, 2015, at which time the following  
19 determinations were made regarding the Approval  
20 Criteria for Variances, as stated in Chapter 12 of  
21 the Town of Kiawah Island Land Use Planning and  
22 Zoning Ordinance, Article II, Division 5, Section  
23 12-163.(4):

24 Staff findings: The BZA may grant the  
25 variance only if exceptional circumstances exist,

1 and where practical difficulty or unnecessary  
2 hardship is so substantial, serious, and compelling  
3 that relaxation of the general restrictions ought  
4 to be granted. No variance shall be granted unless  
5 the applicant shall show and the BZA shall find  
6 that:

7 Section 12-163.(4)a: There are  
8 extraordinary and exceptional conditions pertaining  
9 to the particular piece of property.

10 Staff's response: There may be  
11 extraordinary and exceptional conditions pertaining  
12 to the property due to the legal nonconforming  
13 status of existing deck and stairs that encroach  
14 into the required rear yard (lagoon) setback. The  
15 existing home was built in 1982, per Charleston  
16 County records, prior to the establishment of  
17 setbacks.

18 Criteria b: These conditions do not  
19 generally apply to other property in the vicinity.

20 Staff's response: These conditions may  
21 not generally apply to other properties in the  
22 vicinity. Existing structures in the vicinity may  
23 or may not have similar encroachments based on  
24 current setback standards.

25 Criteria c: Because of these

1 conditions, the application of this ordinance to  
2 the particular piece of property would effectively  
3 prohibit or unreasonably restrict the utilization  
4 of the property.

5 Staff's response: The application of  
6 this ordinance to 35 Berkshire Hall would prohibit  
7 the reconfiguration of the deck and stairs and the  
8 addition of the swimming pool. The applicant's  
9 letter of intent states, By not being able to build  
10 up to the existing extents of the house, the  
11 30-foot rear yard setback, in this instance,  
12 unreasonably restricts the utilization of the  
13 property, end quotes.

14 Criteria d: The authorization of a  
15 variance will not be of substantial detriment to  
16 adjacent property or to the public good, and the  
17 character of the zoning district will not be harmed  
18 by the granting of the variance.

19 Staff's response: The authorization of  
20 this variance may not be of substantial detriment  
21 to the adjacent properties or to the public good.  
22 The applicant's letter of intent contends, in  
23 quotes, This proposed pool design would be within  
24 the bounds of the existing deck and eliminates a  
25 significant portion of non-compliant structure, end

1 quotes.

2 Therefore, the granting of this  
3 variance may not harm the character of the R-1  
4 zoning district.

5 Criteria e: The Board of Zoning  
6 Appeals shall not grant a variance the effect of  
7 which would be to allow the establishment of a use  
8 not otherwise permitted in a zoning district, to  
9 extend physically a nonconforming use of land, or  
10 to change the zoning district boundaries shown on  
11 the official zoning map.

12 Staff's response: Granting of this  
13 variance would not allow the establishment of a use  
14 not otherwise permitted in this zoning district,  
15 extend physically a nonconforming use of land, or  
16 change the zoning district boundaries.

17 Criteria f: The fact that property may  
18 be utilized more profitably, should a variance be  
19 granted, may not be considered grounds for a  
20 variance.

21 Staff's response: The BZA may not  
22 consider profitability when considering the  
23 variance request.

24 Criteria g: The need for the variance  
25 shall not be the result of the applicant's own

1 actions.

2 Staff's response: The need for the  
3 variance may not be the result of the applicant's  
4 own actions. The existing deck, stairs, and a  
5 portion of the screened in porch and residence are  
6 nonconforming structures. The applicant's letter  
7 of intent contends, in quotes, Presently the rear  
8 portion of the house is sited over the setback.

9 Criteria h: Granting the variance will  
10 not be contrary to the public or neighborhood  
11 interest nor will not adversely affect other  
12 property in the vicinity, nor interfere with the  
13 harmony, spirit, intent and purpose of these  
14 regulations.

15 Staff's response: Granting of this  
16 variance may not be contrary to the public or  
17 neighborhood interest, may not adversely affect  
18 other property in the vicinity, nor interfere with  
19 the harmony, spirit, intent and purpose of these  
20 regulations.

21 On August 19th, 2015, the KIARB  
22 approved the variance with the contingency that the  
23 property be brought in compliance with the current  
24 ARB guidelines as outlined in the KIARB letter.

25 Criteria i: Granting of the variance

1 does not substantially conflict with the  
2 Comprehensive Plan or the purpose of this  
3 ordinance.

4 Staff's response: Granting of the  
5 variance may not substantially conflict with the  
6 Comprehensive Plan or the purposes of the ordinance  
7 because the proposal would remove 261 square feet  
8 of a lower deck and stairs that are located  
9 entirely over the setback.

10 The Board of Zoning Appeals' action:  
11 The BZA may approve, approve with conditions, or  
12 deny the case based on the BZA's findings of fact,  
13 unless additional information is deemed necessary  
14 to make an informed decision.

15 In the event the Board decides to  
16 approve the application, the Board should consider  
17 the following condition recommended by Staff.

18 One, the home shall be brought into  
19 compliance with current ARB guidelines as detailed  
20 below: Removal of the second curb cut to the  
21 street and minimizing the driveway in front of the  
22 home while maintaining required elements of the  
23 driveway. Removal of existing raised deck in the  
24 rear setback. The landscape at the rear of the  
25 home should be improved in keeping with the design

1 guidelines.

2 And there were two letters in the  
3 packet from adjacent property owners, 34 and 36, in  
4 support of this request as well.

5 Did you have any questions?

6 MR. HACKER: Thank you. Any questions  
7 for Ms. Werking?

8 MR. FARABEE: Is the landscaped patio  
9 included in the lot coverage?

10 MS. WERKING: I believe it's pervious.

11 MR. SMYTH: It is.

12 MR. FARABEE: It is?

13 MR. SMYTH: Yes, sir.

14 MR. FARABEE: So how did the lot  
15 coverage become less to this proposal? That's what  
16 I don't understand.

17 MS. WERKING: Because a portion of it  
18 can count, like to the pervious surface.

19 MR. FARABEE: Yes, and I see it. But  
20 I'm particularly looking at the drawing, and I  
21 think it would be out of scale and it doesn't seem  
22 to represent it, that's all.

23 Maybe the architect can answer it at  
24 the time.

25 MR. SMYTH: Sure. I'd be happy to.

1 MR. HACKER: Any other questions for  
2 Jenny?

3 If not, then Tyler Smyth, would you  
4 care to speak on behalf of the proposal?

5 MR. SMYTH: Yes. My name is Tyler  
6 Smyth, 386 Ashley Avenue, Charleston. I'm working  
7 with Mary Mannix, the owner, and she would like to  
8 add a pool to her house. And there is an existing  
9 deck, which is 261 square feet.

10 If you can turn to the site plan, that  
11 would probably be the most helpful drawing to start  
12 with. So the site plan here, the existing site  
13 plan is on your left, and the site plan with the  
14 pool is on the right. With the deck on the back  
15 here, this deck is about 4-and-a-half feet off of  
16 grade, it has a bench around it, and we would like  
17 to take this deck off.

18 This deck is entirely over the rear  
19 setback. And what we'd like to put in is a small  
20 splash pool that would be built inside of the  
21 existing bounds of the deck with a pair of stairs  
22 that would flank the pool leading down to the lower  
23 area that would be no more than 36 inches above  
24 grade, which is allowed.

25 Because we are going from a

1 261-square-foot deck to a 120-something square feet  
2 between the pool and the stairs, we are going to  
3 take about half of the existing area that is the  
4 deck and we're going to -- we would like to claim  
5 it back for the pool and the catch basin element in  
6 which the pool would overflow so that we would have  
7 no railings there on the back.

8           Along with taking the deck away, we are  
9 also going to, as Jenny mentioned, we're going to  
10 take away one of the two curb cuts which is on the  
11 house, and we're going to take away a fair bit of  
12 the existing driveway there. Those curb cuts were  
13 there prior to our client buying the house last  
14 year, and they're happy to take this other curb cut  
15 away if it would please the Board and, you know, it  
16 would help us along our way to have this pool  
17 added.

18           And as Jenny said, the back of the pool  
19 will be no farther back than the back of the  
20 existing screen porch, which is currently across  
21 the rear setback slightly. So the screen porch  
22 goes back by about 5 feet, I think, and her pool  
23 would meet that. And then at the lower level we  
24 would have the catch basin that would be another  
25 two feet beyond that.

1           As we said, we have spoken to each of  
2 the neighbors on either side and they're both very  
3 pleased with this and they would both like to see  
4 this happen.

5           I think that's it unless you have  
6 questions.

7           MR. FARABEE: So the answer to my  
8 question is -- just in looking at the drawing, it  
9 doesn't look like the lower deck square footage is  
10 bigger than the landscaped patio.

11          MR. SMYTH: Oh, well, because the  
12 36-inch above grade elevated landscaped element  
13 does not count --

14          MR. FARABEE: That was my question.

15          MR. SMYTH: -- against the lot coverage  
16 figure.

17          I'm sorry, I didn't understand the  
18 question.

19          MR. FARABEE: Okay. I thought you  
20 answered that part of the question with it is  
21 included, so.

22          MR. SMYTH: It is not. Actually, it's  
23 only the width of the wall itself. So we did count  
24 the 8-inch-thick wall itself.

25          MR. FARABEE: Okay. So not the patio

1 area itself.

2 MR. SMYTH: Correct.

3 MR. FARABEE: Which is made of what?  
4 What's that going to be?

5 MR. SMYTH: We're not sure yet, but  
6 it's going to be something that will allow the  
7 water to drain through. I think it will be maybe,  
8 you know, like a crushed granite perhaps, or some  
9 type of a landscape stone with grass gaps.

10 We're not sure yet. This is the first  
11 step is we're trying to --

12 MR. HACKER: So this is not a wooden  
13 deck --

14 MR. SMYTH: Not wooden.

15 MR. HACKER: -- this is all going to be  
16 like almost a dirt or landfill type.

17 MR. SMYTH: Right. Right. Yes, sir.  
18 And as long as it is not 36 inches above grade,  
19 then we are allowed to have it under the current  
20 Kiawah Island zoning ordinance.

21 MR. FARABEE: Okay.

22 MR. SMYTH: Yes, sir. So that's not a  
23 part of this Board of Zoning Appeal application.

24 MR. FARABEE: Okay. Thank you.

25 MR. HACKER: Any other questions for

1 Mr. Smyth?

2 Thank you.

3 MR. SMYTH: Thank you.

4 MR. HACKER: Is there anyone else  
5 speaking on behalf of this variance?

6 MS. LOONEY: Barbara Looney from the  
7 Kiawah ARB. If you all have any questions  
8 regarding the letter or clarifications?

9 I think Tyler answered all your  
10 questions.

11 MR. HACKER: Any questions for Barbara  
12 from the ARB?

13 Thank you for being here.

14 MS. LOONEY: Thank you.

15 MR. HACKER: If there are no other  
16 questions for anyone I will close the information  
17 section and entertain a motion from the floor.

18 MR. BURKE: I will make a motion. I  
19 move that the Board approve the variance request  
20 based upon the findings of the staff review,  
21 including the recommendations of the staff on  
22 page 4 of the summary, and in accordance with the  
23 testimony we have heard this afternoon.

24 MR. HACKER: Is there a second to the  
25 motion?

1 MR. FARABEE: Second.

2 MR. HACKER: It's been moved and  
3 seconded that we approve the variances according to  
4 Mr. Burke's statements.

5 Any discussion?

6 MR. FARABEE: I think it's pretty  
7 straightforward. There has been certainly efforts  
8 made to improve the property. When I viewed the  
9 property, I noticed there was a house, a brand-new  
10 house being built right next door, which in an  
11 older neighborhood. I think that this improvement  
12 to this particular house would go along with what's  
13 being accomplished there in the neighborhood.

14 And it's a pretty setting, and I think  
15 it would be an asset.

16 MR. BRADEN: I agree.

17 MR. HACKER: Any other comments?

18 If not, I will call the question.

19 All those in favor of the variance say  
20 aye.

21 (All respond with Aye.)

22 MR. HACKER: All those opposed?

23 (No response.)

24 MR. HACKER: Let it be known that the  
25 variance has been approved unanimously and for the

1 reason that it fits the criteria, also the  
2 recommendation of the ARB and of the staff  
3 findings, and therefore you got the zoning.

4 Thank you, Tyler.

5 MS. WERKING: I think you guys know  
6 that Stan retired on Thursday, so he was the  
7 secretary for your Board. So your new director is  
8 Joel Evans. I don't know if you want to go ahead  
9 and make him officially your secretary.

10 MR. HACKER: Okay. Do we have to vote  
11 on that to accept him as secretary? Or just  
12 announce that our new secretary for the Board of  
13 Zoning Appeals is Joel Evans?

14 MS. WERKING: He is the new director.  
15 He officially becomes the new Kiawah director.

16 MR. RHOAD: I think just an  
17 announcement is fine, Mr. Chair.

18 MR. HACKER: Okay. Then we have done  
19 that. So if there is no other business then today,  
20 the meeting is adjourned.

21 (The meeting was concluded at 4:28 PM.)

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

I, Anne Bouley Meyer, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the witnesses in the foregoing meeting were duly sworn to testify to the truth, the whole truth and nothing but the truth in the within-entitled cause; that said meeting was taken at the time and location therein stated; that the testimony of the witnesses and all the comments made at the time of the presentation were recorded stenographically by me and were thereafter transcribed by computer-aided transcription; and that the foregoing is a full, complete and true record of the testimony of the witnesses and of all the comments made at the time of the presentation.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal on 26th day of October, 2015, at Charleston, Charleston County, South Carolina.

Anne Bouley Meyer  
NCRA  
REGISTERED PROFESSIONAL REPORTER  
My Commission expires  
February 5, 2023

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| <b>crushed</b> (1)        | <b>element</b> (2)        | <b>find</b> (1)          | <b>harmony</b> (2)     |
| <b>curb</b> (5)           | <b>elements</b> (2)       | <b>findings</b> (5)      | <b>hear</b> (4)        |
| <b>current</b> (6)        | <b>elevated</b> (1)       | <b>fine</b> (1)          | <b>heard</b> (3)       |
| <b>currently</b> (1)      | <b>eliminates</b> (1)     | <b>first</b> (1)         | <b>hearing</b> (2)     |
| <b>cut</b> (3)            | <b>empowered</b> (1)      | <b>fits</b> (1)          | <b>help</b> (2)        |
| <b>cuts</b> (2)           | <b>Enabling</b> (1)       | <b>flank</b> (1)         | <b>helpful</b> (1)     |
| < D >                     | <b>encroach</b> (1)       | <b>floor</b> (1)         | <b>hereunto</b> (1)    |
| <b>data</b> (1)           | <b>encroachment</b> (2)   | <b>follow</b> (1)        | <b>home</b> (8)        |
| <b>DATE</b> (1)           | <b>encroachments</b> (1)  | <b>following</b> (2)     | <b>hours</b> (1)       |
| <b>dated</b> (1)          | <b>entered</b> (1)        | <b>footage</b> (1)       | <b>house</b> (8)       |
| <b>day</b> (1)            | <b>entertain</b> (1)      | <b>footprint</b> (3)     |                        |
| <b>days</b> (2)           | <b>entirely</b> (2)       | <b>foregoing</b> (2)     |                        |
| <b>decides</b> (1)        | <b>established</b> (1)    | <b>Freedom</b> (2)       | < I >                  |
| <b>decision</b> (5)       | <b>establishment</b> (3)  | <b>front</b> (3)         | <b>identifying</b> (1) |
| <b>decisions</b> (1)      | <b>Evans</b> (2)          | <b>full</b> (1)          | <b>II</b> (1)          |

**impact** (1)  
**improve** (1)  
**improved** (2)  
**improvement** (1)  
**inches** (4)  
**included** (2)  
**including** (1)  
**infinity** (1)  
**Information** (9)  
**informed** (1)  
**inside** (1)  
**inspection** (1)  
**instance** (1)  
**intent** (6)  
**interest** (4)  
**interested** (2)  
**interfere** (2)  
**interpret** (1)  
**ISLAND** (12)

## &lt; J &gt;

**JACK** (2)  
**JENNIFER** (1)  
**Jenny** (4)  
**Joel** (2)  
**JOHNS** (1)  
**jurisdiction** (2)

## &lt; K &gt;

**keeping** (2)  
**KIARB** (3)  
**KIAWAH** (13)  
**know** (4)  
**known** (1)

## &lt; L &gt;

**lagoon** (5)  
**Land** (4)  
**landfill** (1)  
**Lands** (1)  
**landscape** (3)  
**landscaped** (4)  
**Large** (1)  
**leading** (1)  
**left** (1)  
**legal** (1)  
**letter** (7)  
**letters** (1)  
**level** (1)

**limit** (1)  
**limited** (1)  
**Local** (1)  
**locate** (1)  
**located** (2)  
**LOCATION** (3)  
**long** (1)  
**look** (1)  
**looking** (2)  
**LOONEY** (3)  
**lot** (6)  
**lower** (4)

## &lt; M &gt;

**mailed** (2)  
**maintaining** (2)  
**majority** (1)  
**Mannix** (2)  
**map** (1)  
**Mary** (2)  
**matter** (1)  
**maximum** (1)  
**media** (1)  
**meet** (1)  
**MEETING** (11)  
**member** (1)  
**MEMBERS** (3)  
**mentioned** (1)  
**met** (2)  
**MEYER** (3)  
**minimize** (1)  
**minimizing** (2)  
**minutes** (2)  
**months** (1)  
**motion** (3)  
**move** (1)  
**moved** (1)

## &lt; N &gt;

**name** (3)  
**NCRA** (1)  
**near** (1)  
**necessary** (1)  
**need** (4)  
**neighborhood** (4)  
**neighbors** (1)  
**neither** (1)  
**new** (5)  
**news** (1)

**non-compliant** (1)  
**nonconforming** (4)  
**normal** (1)  
**Notary** (1)  
**notice** (1)  
**noticed** (1)  
**notification** (1)  
**notified** (1)  
**number** (1)

## &lt; O &gt;

**oath** (1)  
**OCTOBER** (5)  
**Office@clark-associa**  
**tes.com** (1)  
**official** (2)  
**officially** (2)  
**Oh** (1)  
**Okay** (6)  
**older** (1)  
**opposed** (1)  
**orally** (1)  
**order** (3)  
**ordinance** (10)  
**ordinances** (1)  
**organizations** (1)  
**ought** (1)  
**outlined** (1)  
**overflow** (1)  
**overturn** (1)  
**owner** (2)  
**owners** (1)

## &lt; P &gt;

**P.O** (1)  
**packet** (1)  
**page** (1)  
**pair** (1)  
**part** (2)  
**particular** (3)  
**particularly** (1)  
**parties** (3)  
**party** (1)  
**patio** (4)  
**pending** (1)  
**percent** (3)  
**percentage** (1)  
**permanent** (1)  
**permit** (1)

**permits** (1)  
**permitted** (2)  
**person** (1)  
**Persons** (1)  
**pertaining** (2)  
**pertinent** (2)  
**pervious** (2)  
**phone** (1)  
**physically** (2)  
**piece** (2)  
**Plan** (6)  
**Planning** (3)  
**please** (3)  
**pleased** (1)  
**PM** (2)  
**pool** (20)  
**porch** (4)  
**portion** (6)  
**Post** (1)  
**posted** (1)  
**practical** (1)  
**PRESENT** (5)  
**presentation** (2)  
**presented** (2)  
**presenting** (1)  
**Presently** (1)  
**pretty** (2)  
**printed** (1)  
**prior** (3)  
**probably** (1)  
**procedure** (2)  
**Professional** (2)  
**profitability** (1)  
**profitably** (1)  
**prohibit** (2)  
**properties** (3)  
**property** (20)  
**proposal** (3)  
**propose** (1)  
**proposed** (5)  
**proposing** (1)  
**provided** (2)  
**public** (8)  
**purpose** (5)  
**purposes** (1)  
**put** (1)

## &lt; Q &gt;

**quasi-judicial** (2)

|                     |                  |                      |                   |
|---------------------|------------------|----------------------|-------------------|
| question (5)        | response (10)    | spirit (2)           | thereof (1)       |
| questions (9)       | restrict (1)     | splash (1)           | think (10)        |
| quorum (1)          | restrictions (1) | spoken (1)           | THOMAS (2)        |
| quotes (7)          | restricts (1)    | square (12)          | thought (1)       |
| < R >               | result (2)       | staff (11)           | three (1)         |
| R-1 (2)             | retired (1)      | Staff's (9)          | Thursday (1)      |
| railings (1)        | review (3)       | stairs (10)          | TIME (10)         |
| raise (1)           | RHOAD (6)        | Stan (1)             | TMS (1)           |
| raised (3)          | right (6)        | stand (2)            | today (2)         |
| Randy (1)           | RON (2)          | standards (2)        | today's (1)       |
| rear (20)           | RPR (1)          | standing (1)         | total (1)         |
| reason (1)          | rulings (1)      | start (1)            | TOWN (8)          |
| rebuttal (1)        | < S >            | state (4)            | transcribed (1)   |
| recommendation (1)  | SC (1)           | stated (2)           | transcription (1) |
| recommendations (1) | scale (1)        | statements (2)       | trough (1)        |
| recommended (1)     | screen (2)       | states (3)           | true (3)          |
| reconfiguration (1) | screened (2)     | status (1)           | truth (9)         |
| record (3)          | seal (1)         | stenographically (1) | trying (1)        |
| recorded (1)        | second (4)       | step (1)             | turn (1)          |
| records (2)         | seconded (1)     | stone (1)            | two (5)           |
| reduction (2)       | secretary (4)    | straightforward (1)  | Tyler (5)         |
| regarding (3)       | Section (3)      | street (2)           | type (2)          |
| Registered (2)      | see (2)          | strict (1)           | types (1)         |
| regulations (2)     | serious (1)      | structure (1)        | < U >             |
| related (1)         | setback (22)     | structures (2)       | unanimously (1)   |
| relaxation (1)      | setbacks (1)     | subject (3)          | understand (2)    |
| relief (1)          | setting (1)      | submitted (1)        | unnecessary (2)   |
| relocate (2)        | show (1)         | subpoena (1)         | unreasonably (2)  |
| Removal (4)         | shown (1)        | substantial (3)      | Use (6)           |
| remove (1)          | side (2)         | substantially (2)    | uses (1)          |
| renovation (1)      | sign (1)         | summary (1)          | utilization (2)   |
| repeat (1)          | significant (1)  | support (2)          | utilized (1)      |
| REPORTED (1)        | similar (1)      | supporting (1)       | < V >             |
| REPORTER (3)        | simple (1)       | Sure (3)             | valid (1)         |
| represent (1)       | sir (3)          | surface (1)          | Variance (29)     |
| representative (1)  | site (5)         | surrounding (2)      | variances (5)     |
| representing (1)    | sited (1)        | swear (1)            | vicinity (5)      |
| request (9)         | size (2)         | swimming (3)         | viewed (1)        |
| requested (1)       | slightly (1)     | sworn (2)            | visit (1)         |
| requesting (3)      | small (1)        | < T >                | vote (1)          |
| require (1)         | Smyth (17)       | take (5)             | < W >             |
| required (6)        | solemnly (1)     | taken (1)            | wall (2)          |
| requires (1)        | sorry (2)        | TELEPHONICALL        | want (1)          |
| residence (3)       | SOUTH (7)        | Y (1)                | water (1)         |
| Residential (1)     | speak (2)        | tell (2)             | way (1)           |
| residents (1)       | speaking (2)     | testify (1)          | well (2)          |
| respond (1)         | special (5)      | testimony (5)        |                   |
|                     | specific (1)     | Thank (9)            |                   |

**we're** (6)  
**WERKING** (8)  
**width** (1)  
**wish** (1)  
**wishes** (1)  
**wishing** (1)  
**within-entitled** (1)  
**Witness** (1)  
**witnesses** (4)  
**wooden** (2)  
**working** (1)  
**workings** (1)  
**writing** (1)  
**WWW.CLARK-ASSOCIATES.COM** (1)

< Y >  
**yard** (7)  
**year** (1)

< Z >  
**ZONING** (28)