



# BOARD OF ZONING APPEALS

Regular Meeting

## Minutes

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Thursday, 12 April 2018

6:00 PM

Council Chambers

This meeting's notice was published in the Post and Courier newspaper.

### **I. Call to Order**

This meeting was called to order by Commissioner Willis at 6:03 PM.

### **II. Roll Call**

In attendance were Commissioners Pinckney, Willis, Planner/Zoning Administrator Holton and Clerk-Treasurer White. Commissioners Richardson and Wolf were absent.

### **III. Invocation/Pledge of Allegiance**

Invocation was given by Commissioner Pinckney; followed by the Pledge of Allegiance.

### **IV. Adoption of Agenda**

Commissioner Pinckney made the motion to adopt the agenda as prepared; Commissioner Willis seconded and all voted in favor.

### **V. Public Comments**

*None*

### **VI. Minutes:**

Commissioner Pinckney made the motion to adopt the minutes of October 12, 2017 as prepared; Commissioner Willis seconded and all voted in favor.

### **VII. Old Business:**

*None*

### **VIII. New Business:**

*Request for Variance to the minimum size at TMS #248-00-00-052, 2.4 acres.; 248-00-00-053, 1.2 acres; 248-00-00-054, 1.2 acres on Tolbert's Cove Road:* Commissioner Willis explained that the applicant, Faith Walk Ministries, is seeking approval for a Variance to have a cemetery on land they own that has recently been annexed into the Town. Planner/Zoning Administrator Holton stated that the land annexed totals 4.8 acres and the minimum parcel size for a cemetery is 5 acres. The applicant would need to record a new plat showing the interior lot lines dissolved creating one parcel. Commissioner Willis asked if any of the neighbors commented on the property becoming a cemetery. Mr. Holton said that they were all notified in writing and no one commented except one and he did not have an issue. Commissioner Pinckney approved with the condition that the applicant adheres to the 10 requirements set forth by the Planning Commission in the Code of Ordinances Section 58-190 for cemeteries. Commissioner Willis added that the applicant also

dissolve the property lines showing a 50 foot buffer. Commissioner Willis seconded and all voted in favor.

*Request for an appeal to place a mobile home at 5590 Dixie Plantation Road at TMS #191-00-00-004, 0.71 acres:* Commissioner Willis explained that the applicant, Jillisa Singleton is seeking an appeal to the Planner/Zoning Administrator's denial of a second home on the parcel. The land annexed totals 0.71 acres. The minimum parcel size for the Rural Agriculture (RA) zoning district is approximately 0.69 acres. The parcel is slightly larger than the minimum for the zoning district, therefore cannot be subdivided. RA zoning is meant to be less dense and having two homes on a parcel meant for one is not allowed. Commissioner Willis asked if there was an additional home placed on the property at one time. The applicant, Jillisa Singleton, answered that there were two mobile homes on the property. One was placed in the front and the other in the back of the property. She said that there are two septic tanks. One of the homes was destroyed by Hurricane Hugo and she wants to replace it. She mentioned that before the storm there had always been two homes on the property. Commissioner Willis asked how was it that two homes were initially allowed on the property. Planner/Zoning Administrator Holton stated that it possibly took place before the Town had zoning. He said that there are codes in place and there is not a home there now and the code must be followed as it reads at this time. The parcel is not large enough by code to subdivide to make two conforming parcels. Commissioner Willis voiced his concern with the spacing of the septic systems in relation to the wells. Ms. Singleton explained that the wells are not functional and water is provided through Charleston Water System (CWS). Commissioner Willis asked Planner/Zoning Administrator Holton if this request can legally be done. Planner/Zoning Administrator Holton explained that the Commission cannot continue a non-conformity. Commissioner Pinckney said that she did not agree with Planner/Zoning Administrator Holton and wanted to see a copy of the code. Commissioner Willis said that he does not deny that there is a code but said that there was a home already on the property and it still has two addresses. Planner/Zoning Administrator Holton said the zoning district will not allow this and approving this request will start a precedent for others to follow. Commissioner Willis said that he felt the decision was unfair and gave an example of a house destroyed by a fire and why the owner would not be allowed to replace the home after it had been there for many years. Commissioner Pinckney made the motion to approve; Commissioner Willis seconded and all voted in favor.

## **IX. Adjournment**

The meeting was adjourned at 6:32PM.

**Prepared by:  
Tynetta White  
Clerk-Treasurer**