

Deposition of Kiawah Island BZA Meeting

TOWN OF KIAWAH ISLAND
BOARD OF ZONING APPEALS
MEETING OF APRIL 21, 2014

APPLICANT: Robert A.M. Stern Architects
Gary Brewer

PROPERTY OWNER: James Rubright

PROPERTY LOCATION: 88 Jackstay Court

TMS#: 264-15-00-023

ZONING DISTRICT: Residential (R-1)
Zoning District

LOT SIZE: 31,091 square feet
Total lot area (0.71 acres)

DATE: APRIL 21, 2014

TIME: 4:00 PM

LOCATION: TOWN OF KIAWAH ISLAND
JOHNS ISLAND, SOUTH CAROLINA

REPORTED BY: Anne Bouley Meyer, RPR
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Deposition of Kiawah Island BZA Meeting

A P P E A R A N C E S

BOARD MEMBERS PRESENT:

BEN FARABEE

MICHAEL CLAWSON

CHARLES LARSEN

TOM BURKE

RANDY GILMORE

RON HACKER

ALSO PRESENT:

DENNIS RHOAD

JENNIFER WERKING

1 MR. LARSEN: I would like to call to
2 order the April 21st, 2014 meeting of the Town of
3 Kiawah Island Board of Zoning Appeals. The Board
4 members who will be hearing your case today are Ron
5 Hacker, Tom Burke, Mike Clawson, Randy Gilmore, Ben
6 Farabee, and myself, Charles Larsen.

7 Representing the staff are Jenny
8 Werking and --

9 MS. WERKING: This is Mary. She's my
10 intern.

11 MR. LARSEN: Our case ruling from this,
12 and any BZA meeting, are available for public
13 review and inspection during normal business hours
14 at the town hall.

15 At this time, I would like to explain
16 to the public the workings of the BZA. The Board
17 of Zoning Appeals is a quasi-judicial body
18 established to interpret and grant relief from the
19 zoning ordinance.

20 The Board of Zoning Appeals has
21 jurisdiction over three types of cases; appeals,
22 variances and special exceptions. Appeals are
23 heard regarding administrative actions or decisions
24 by the zoning administrator or staff.

25 Variances may be granted when strict

1 application of the zoning ordinance would cause
2 unnecessary hardship. This Board's actions must be
3 based on specific standards as contained in the
4 South Carolina Local Government Planning Enabling
5 Act of 1994, and the Town of Kiawah Island Zoning
6 Ordinance.

7 Then there's special exceptions which
8 allow the Board to permit uses if certain
9 conditions, as contained in the Zoning Ordinance,
10 are met.

11 A simple majority vote of the quorum
12 present is required to grant a variance or to
13 overturn the decision of the zoning administrator.

14 Because today's hearing is a public
15 fact-finding meeting, we are in compliance with the
16 Freedom of Information Act in South Carolina code
17 6-29-7. Fifteen days prior to this hearing, an
18 announcement was printed in the Post and Courier, a
19 sign was posted on or near the designated property,
20 and a notice was mailed to the applicant or
21 representative, to residents within 300 feet of the
22 application, and to parties of interest.

23 Persons, organizations and the news
24 media that have requested a declaration of our
25 meeting have also been notified. The Freedom of

1 Information Act does not require notification to
2 anyone other than the applicant and parties of
3 interest.

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

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

16 It is assumed that it is complete,
17 truthful and accurate. Also, we have been
18 presented data assembled by the staff for the
19 purpose of clarifying the location and the effect
20 on surrounding property.

21 Our Board is empowered to approve,
22 approve with conditions, or to deny your request.
23 We're also authorized to defer a case should there
24 be a need to attain additional information.

25 If an applicant's request is approved

1 for a special exemption, a variance, or an appeal
2 of the decision by the zoning administrator, they
3 must go to the Town of Kiawah Island to apply for
4 permits.

5 Variances and special exceptions
6 granted by the BZA are valid for 12 months after
7 this meeting. However, if an applicant's approval
8 or request is disapproved and they wish to appeal
9 the decision of this Board concerning their case,
10 appeals must be addressed to the circuit court.

11 SC Code 6-29-820 states that the appeal
12 must be filed by the applicant within 30 days after
13 the decision of the Board is mailed to them.
14 Failure to file an appeal within the time limit,
15 deprives the court of the jurisdiction to hear the
16 matter.

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

23 Because of this, each person who wishes
24 to addresses the Board will be sworn in. In order
25 to expedite the procedure, those wishing to speak

1 today will please stand as a group. Mr. Rhoad, our
2 attorney, will administer the oath.

3 MR. RHOAD: If you are going to present
4 evidence to the Board, or think that you may,
5 please stand and raise your right hand.

6 I will say the oath, and you will say I
7 do. The oath: I swear that the evidence or
8 testimony I present to the Board will be the truth
9 and only the truth.

10 (All standing respond in the
11 affirmative.)

12 MR. LARSEN: Thank you. I shall now
13 call case BZAV-3-14-18112 at 88 Jackstay Court.
14 Staff will present facts pertinent to the case. I
15 shall then call the applicant to address the case.

16 The applicant shall please stand and state
17 their name and current address for the record
18 before presenting testimony. I will then ask for
19 all those speaking either in support or against the
20 case, and they shall follow the same procedure for
21 identifying themselves.

22 They are limited to two minutes each.
23 The applicant will also have two minutes for
24 rebuttal. I think since this is the only case, we
25 may go easy on that two minutes.

1 Thank you. And if you would present
2 the case.

3 MS. WERKING: Gary Brewer with Robert
4 A.M. Stern Architects, representing the property
5 owner, James Rubright, is requesting the following
6 variances at 88 Jackstay Court. TMS number
7 264-15-00-023 as follows: Reduction of the
8 required OCRM building setback for a proposed 159
9 square foot screened porch/covered porch
10 encroachment, beyond the required OCRM building
11 setback by 5 feet 2 inches at the greatest extent;
12 reduction of the required OCRM building setback for
13 a proposed 223 square foot open stairs
14 encroachment, beyond the required OCRM building
15 setback by 16 feet 10 inches at the greatest
16 extent; and reduction of the required 15 foot side
17 yard setback for a proposed 15 square foot
18 cantilevered grill porch encroachment, beyond the
19 required side yard setback by 2 feet at the
20 greatest extent.

21 The Board may approve, approve with
22 conditions or deny all or portions of this request.

23 The Town of Kiawah Island Land Use
24 Planning and Zoning Ordinance, Property Setback
25 Requirements Appendix requires a 20 foot front yard

1 setback, from lot 87; 15 foot side yard setbacks,
2 from lot 72 and from the beach access; and a rear
3 yard setback, as shown on the attached plat.

4 I will show you on our board, and it's
5 in your packets as well. But the plat is here, and
6 it shows the critical line along the lots. And it
7 looks like they have bigger versions of the Sheets
8 L1, L2. But they're also up here, filled in by 17.

9 The subject property and surrounding
10 properties to the north, east, and west are located
11 in the Residential, R-1, Zoning District within the
12 Developed Area of Kiawah Island. The subject
13 property is bordered to the south by the beach and
14 to the west by a pedestrian access easement. The
15 subject property contains 31,091 square feet total
16 lot area, or 0.71 acres.

17 The existing home was built in 1980,
18 per Charleston County records. The current
19 property owner, Mr. Rubright, purchased the
20 property in January 2013 and proposes to demolish
21 the existing home and build a new home as shown on
22 the proposed plans.

23 Sheet L1.1 shows the proposed home
24 overlaid on an existing conditions plan, the
25 existing home is shown in red. Sheets L1.2 and

1 L1.3 depict the requested variance encroachment
2 areas in light orange, and also contain photographs
3 of the subject property and properties -- and
4 photographs of the trees to be preserved.

5 And then Sheet L1.4 is the site plan
6 overlaid on an aerial photograph. The applicant
7 has also provide elevations and floor plans of the
8 proposed residence and a 2013 survey of existing
9 conditions. The existing home, deck and steps are
10 located within the required setbacks in the
11 buildable area.

12 A site visit was conducted on March
13 31st, 2014, at which time the following
14 determinations were made regarding the Approval
15 Criteria for Variances, as stated in Chapter 12 of
16 the Town of Kiawah Island Land Use Planning and
17 Zoning Ordinance, Article II, Division 5, Section
18 12-163.(4).

19 Findings of Fact: The BZA may grant a
20 variance only if exceptional circumstances exist,
21 and where practical difficulty or unnecessary
22 hardship is so substantial, serious and compelling
23 that relaxation of the general restrictions ought
24 to be granted. No variance shall be granted unless
25 the applicant shall show and the BZA shall find

1 that: Criteria A, there are extraordinary and
2 exceptional conditions pertaining to the particular
3 piece of property.

4 Staff Response: There may be
5 extraordinary and exceptional conditions pertaining
6 to the --

7 MR. RHOAD: May not be.

8 MS. WERKING: Excuse me. There may not
9 be extraordinary and exceptional conditions
10 pertaining to the 0.71 acre property because the
11 screened porch/covered porch, open stairs and
12 cantilevered grill porch could be built within the
13 required rear setback if the overall footprint is
14 reduced.

15 The existing home, decks and steps are
16 located within the required setbacks in the
17 buildable area. However, the front of the property
18 contains several grand trees and the rear setback
19 line crosses the rear of the property at an angle,
20 decreasing the building envelope.

21 As explained in the applicant's letter
22 of intent, in quotes, the property has two
23 extraordinary and exceptional conditions. The
24 first is the existence of several stands of
25 existing grand live oaks on the street side of the

1 property, as seen in the image on Sheet L1.2.

2 It is both our desire, and that of our
3 clients, to preserve and maintain these fantastic
4 trees, which is in the best tradition of the Kiawah
5 community.

6 Second, as this is a waterfront
7 property, an OCRM setback line is applicable, but
8 despite the general continuity of the beach and
9 dune line and its parallel relationship the
10 property, the OCRM setback line crosses the
11 property at an unusual angle that dives deeply into
12 the buildable area of the property, end quote.

13 Criteria B. These conditions do not
14 generally apply to other property in the vicinity.

15 Staff Response: These conditions may
16 apply to other property in the vicinity, including
17 71 to 74 Forestay Court and 89 to 92 Jackstay Court
18 which require similar rear setbacks from the ocean
19 front as depicted on the approved recorded plat
20 AN-12.

21 However, grand tree locations vary
22 throughout the area. Additionally, 89 Jackstay
23 Court to the east and 75 Forestay Court to the west
24 both contain significant encroachments into the
25 rear setback. These homes were built in 1982 and

1 1984 respectively, per Charleston County records.

2 As explain in the applicant's letter of
3 intent, in quotes, these conditions seem to be
4 unique to this property. As Sheet L1.1 shows, the
5 OCRM setback line moves especially far inland on
6 this property when compared to its east and west
7 neighbors.

8 Further, Sheet L1.4 demonstrates that
9 this property, though of consistent depth with
10 properties along the beach in the area, has a
11 similar [sic] buildable area and is forced to
12 retreat farther from the beach than most of the
13 neighbors because of the particular position of the
14 OCRM setback line, end quote.

15 Criteria C. Because of these
16 conditions, the application of this Ordinance to
17 the particular piece of property would effectively
18 prohibit or unreasonably restrict the utilization
19 of the property.

20 Staff Response: The application of the
21 Ordinance, required rear and side setbacks, to 88
22 Jackstay Court may not unreasonably restrict the
23 utilization of the property because the screened
24 porch/covered porch, open stairs and cantilevered
25 grill porch could be built within the required rear

1 setback if the overall footprint is reduced. The
2 application of this Ordinance would prohibit the
3 proposed design and could affect the tree
4 protection plan.

5 Criteria D. The authorization of a
6 variance will not be of substantial detriment to
7 adjacent property or to the public good, and the
8 character of the zoning district will not be harmed
9 by the granting of the variance.

10 Staff Response: The authorization of
11 this variance may not be of substantial detriment
12 to adjacent properties or to the public good and
13 the character of the zoning district may not be
14 harmed by the granting of the variance.

15 The applicant's letter of intent
16 contends, Sheet L1.3 demonstrates that the proposed
17 position of the house will be in line with, but not
18 further seaward than, that of the adjacent houses
19 on the east and west, and consequently will not
20 disrupt views from either property.

21 Also, as is shown on all sheets, the
22 requested variance shows a relatively small amount
23 of structure over the OCRM setback line compared to
24 the adjacent properties on the east and west, and
25 consequently would not change or harm the character

1 of the zoning district.

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

9 Staff Response: Granting of this
10 variance would not allow the establishment of a use
11 not otherwise permitted in this zoning district,
12 extend physically a nonconforming use of land, or
13 change the zoning district boundaries.

14 Criteria F. The fact that the property
15 may be utilized more profitably, should a variance
16 be granted, may not be considered grounds for a
17 variance.

18 Staff Response: The BZA may not
19 consider profitability when considering this
20 variance request.

21 Criteria G. The need for the variance
22 shall not be the result of the applicant's own
23 actions.

24 Staff Response: The need for the
25 variance may be the result of the applicant's own

1 actions based on the desired development of the
2 property. However, as previously stated, the front
3 of the property contains several grand trees and
4 the rear setback line crosses the rear of the
5 property at an angle decreasing the building
6 envelope.

7 H. Granting the variance will not be
8 contrary to the public or neighborhood interest nor
9 will not adversely affect other property in the
10 vicinity, nor interfere with the harmony, spirit,
11 intent and purpose of these regulations.

12 Staff Response: Granting of this
13 variance may not be contrary to the public or
14 neighborhood interest, may not adversely affect
15 other property in the vicinity, nor interfere with
16 the harmony, spirit, intent, and purpose of these
17 regulations.

18 The Kiawah Island Architecture Review
19 Board issued conditional approval for the
20 conceptual review for the home in their letter
21 dated March 7th, 2014 that states, in quotes, given
22 the existing grand tree locations and canopies, the
23 request for a 2 foot encroachment of the grill
24 porch into the east side setback and the porch/wood
25 stair encroachment into the rear setback are

1 approved, end quote.

2 Finally, I. Granting of the variance
3 does not substantially conflict with the
4 Comprehensive Plan or the purposes of this
5 Ordinance.

6 Staff Response: Is that granting of
7 this variance may not substantially conflict with
8 the Comprehensive Plan and the purposes of this
9 Ordinance because the proposal preserves grand
10 trees, does not project further into the rear than
11 adjacent properties and is below the 33 percent lot
12 coverage maximum required for the site. The
13 applicant is proposing 31.16 percent lot coverage.

14 Additionally, the applicant's letter of
15 intent states, in quotes, the requested variance
16 allows for the preservation of existing grand trees
17 and the design of a house of appropriate size, mass
18 and character for the Island, and consequently does
19 not substantially conflict with the Comprehensive
20 Plan, end quote.

21 Action: The Board of Zoning Appeals
22 may approve, approve with conditions or deny Case
23 #BZAV-3-14-18112, that's for the variance request
24 for the reduction of the required setback, as noted
25 at 88 Jackstay Court, based on the findings of

1 fact, unless additional information is deemed
2 necessary to make an informed decision.

3 Do y'all have any questions for staff?

4 MR. LARSEN: Any questions for staff?

5 Not at this time.

6 MS. WERKING: Okay.

7 MR. LARSEN: And I believe Mr. Brewer
8 is going to be speaking for the applicant. If you
9 would --

10 MR. BREWER: So I'm here with Bryan
11 Hale from our office and Scott Parker from Design
12 Works, and we are the architects of --

13 MR. LARSEN: And your address is?

14 MR. BREWER: 460 West 34th Street, New
15 York, New York. And we have been working on Kiawah
16 for 15-plus years. We did the beach clubhouse, we
17 did an oceanfront house on Bally Bunion, and then
18 most recently finished up the Ocean Course
19 clubhouse, which was my project.

20 So we're working now on 88 Jackstay.
21 And I'm also working on a house on Eugenia. So we
22 have drawings and the model. We have read your
23 letter, and are here -- findings, and we're here to
24 kind of address them.

25 So just to review the site. This is 88

1 Jackstay. This is the ocean. This is the
2 neighbors across the way, and then the two adjacent
3 houses.

4 So this is the proposed design of the
5 house, which is in the model in white. The house
6 to the west is the beige model to your left. And
7 then this is the house to the east, which is the
8 existing house.

9 The OCRM setback is this red line right
10 here. So you can see the house to the west,
11 everything that is gray is over the setback; and
12 then the house to the east, their corner, which is
13 right here and over the setback; and then there's a
14 kind of free-standing pavilion stair which is over
15 it.

16 The next board shows in more detail the
17 88 Jackstay site. So there is a 20 foot front yard
18 setback. These are the north and south setbacks,
19 and then this line right here is the OCRM setback
20 line.

21 So from the front setback to the OCRM
22 line, that overall dimension from here to here is
23 131 feet, which is quite a large north-south
24 dimension. There are two stands of live oaks.
25 There is one on the northwest, and there's one on

1 the southeast.

2 So from the OCRM setback to the most
3 southern edge of the drip line, which is where we
4 need to be so as to preserve that tree, that
5 dimension gets reduced from 131 feet to this line
6 is 95 feet back from the 20-foot front yard
7 setback, which leave an overall north-south
8 envelope for building of 36 feet from the northern
9 part to the OCRM line.

10 In addition, the existing house is at
11 elevation 18. And so we're proposing putting the
12 existing house -- or the new house -- at elevation
13 18. And to grade up to that elevation within this
14 36-foot envelope, we're going to need some sort of
15 dimension here for a buffer, or to kind of get the
16 steps to go up to the front entry.

17 And then on the south at the OCRM line,
18 we're also going to need that sort of dimension.
19 So if you estimate or guesstimate that you need,
20 say, 7-and-a-half feet on each side, that reduces
21 the 36 foot north-south dimension to roughly 21
22 feet, which is quite challenging in a north-south
23 direction.

24 MR. LARSEN: That's because you are
25 going to grade --

1 MR. BREWER: We're trying to grade up.

2 MR. LARSEN: But again, that's your
3 choice, or the applicant's choice as opposed to
4 doing it on pilings.

5 MR. BREWER: Well, the -- I think I
6 understand. What I am trying to say is that if the
7 elevation is at 18, we're going to need steps that
8 bring you up. And that 18 is the FEMA hurricane
9 code, and we're trying to match the existing house.

10 So to get that -- those setbacks, those
11 stairs within that setback on the south and on the
12 north side with the existing live oaks, it's kind
13 of quite challenging. Scott will come back to more
14 of the details of the site after I take you through
15 the design.

16 The next is the floor plans for the
17 house. So without going through all of the details
18 of the interior planning, this is the main level.
19 These are the existing oaks. And this red is the
20 OCRM line.

21 So we're -- because of these existing
22 trees, the northern footprint of the house bumps
23 out at this point and sets back at this point so as
24 to save those trees. Excuse me. Heat and cool is
25 in the yellow. So this south edge is well back

1 from the OCRM footprint.

2 This house -- and size is a subjective
3 thing -- but it is a relatively modestly sized
4 house for Kiawah. There are two-lot houses to the
5 west. Kitchen, dining room, living room, master
6 bedroom, TV room and entry hall.

7 So what we're showing is this 159
8 square feet, this darker yellow, is what is over
9 the setback. And that is going to allow us to have
10 a kind of traditional looking porch that is
11 following the lines of the adjacent house.

12 So, the model -- architecturally what
13 we're trying to do is do a very traditional looking
14 smallish cottagey house with a Dutch gambrel roof.
15 So we've placed this design so that the porch
16 aligns with the neighbors on either side because it
17 would be sensible to do that.

18 As I said before, on the north we have
19 a Dutch gambrel that projects out away from the
20 trees. And then we have Dutch gambrel roof that
21 runs in the east-west direction, so that the height
22 of this ridge is essentially the height of the
23 adjacent ridges.

24 MR. LARSEN: Why does it look so much
25 higher on the model?

1 MR. BREWER: I think it's pretty close.
2 I mean, we were building this model last night.
3 But it is 5 feet below the permitted height of the
4 height requirement. So what we're trying to do is
5 keep it as low as possible so that it's in scale
6 with the adjacent houses, and not make it any
7 higher.

8 So the elevations, you can see the
9 entry side is almost completely obscured by the
10 existing oaks we're working to save. But the main
11 level, the elevation of the main level is at
12 elevation 18, which is the elevation of the
13 existing house.

14 This Dutch gambrel is this piece that
15 projects out. And this piece is the piece that
16 sits back so as to not infringe upon the line of
17 the existing oaks.

18 So the expression of the house is a
19 one-story house with a Dutch gambrel roof on top of
20 it that has rooms in that roof to help kind of
21 bring that scale down to look like a kind of
22 cottagey charm that our clients are trying to
23 achieve with the traditional size.

24 We have an entry porch that's right
25 here to the side where we have stairs that go up to

1 that side. On the south -- if you can turn the
2 elevation around.

3 Again, the main elevation of the main
4 floor, the elevation is 18. We have a porch, a
5 traditional porch that was based on the porches you
6 see on the best houses in Kiawah. I'm at the main
7 living area.

8 We have a Dutch gambrel that runs in a
9 east-west direction. And in the second floor,
10 where we have bedrooms, we have a double Dutch
11 gambrel so as to get the windows that we need to
12 take advantage of the beach view that's right here.

13 So what we're working to do is to try to
14 achieve what we think is the best design for the
15 site and for Kiawah. And to make it happen with
16 these setback requirements and this setback
17 requirement, we're asking for a variance associated
18 with a small setback here, which is part of the
19 porch that is over the setback, and then the open
20 stair that brings us from elevation 18 down to the
21 lower elevation.

22 To the comments about the design of the
23 house, and that the design of the house is
24 requiring us to have the covered porch and stair
25 over the setback, we could actually take off the

1 porch completely, and the heat and cool space would
2 be within the setback.

3 But in a way, the porch not only is
4 important to the use of the house, but it's helping
5 to shade in the way that traditional architecture
6 uses the porch to kind of shade the house. And
7 it's also, in a way, it's a gift towards the beach
8 because it's costly to build a porch.

9 And so to get the porch, it needs to be
10 on the setback. There is a possibility of doing an
11 angled porch that follows the setback. But again,
12 that's not in character of the Charleston and
13 Kiawah traditional houses.

14 And so we're looking at doing a porch
15 where on the southwest corner it actually sits back
16 from the setback line, and on the southeast corner
17 it projects slightly forward. And at the ground
18 there's a stair, but it's what allows us to bring
19 down people from the porch down to the existing
20 elevation so as to have a connection to the site.

21 So I think that that covers the issues
22 associated with the house design. Scott, do you
23 want to talk about the tree?

24 MR. PARKER: Yeah. Gary has done a
25 good job, and I don't want to take up any more

1 time. But I think this drawing really represents
2 how the setback line, as we mentioned and as staff
3 mentioned, it cuts at a weird angle back into the
4 property.

5 Really what we're looking to do with
6 the variance is to bring the front of the house so
7 it's consistent with the properties on either side
8 of this; so it just feels like it's sort of casting
9 the same line that each one of those properties
10 currently has.

11 And really, the trees out front are the
12 thing that really drives that. We have some
13 pictures of those. I don't know whether you all
14 were able to visit the site itself. The owner
15 loves the trees, we love the trees, and the Town's
16 ARB obviously loves the trees.

17 Not only are they nice, but they also
18 have some limbs that are almost horizontal that the
19 owner would like to keep. We had contemplated
20 removing one of those limbs, and we would like to
21 be able to keep it if we can.

22 Currently the house is -- the garage is
23 entered from the front, from the street side. And
24 there's asphalt there. And we're hoping to do away
25 with the asphalt, bring the driveway in from the

1 side, and really help enhance the life and health
2 of those trees moving forward.

3 I have some more pictures of them if
4 you all want to look at them. But I think anything
5 I say from this point forward is really just saying
6 the same thing you've already heard. Happy to
7 answer any questions.

8 MR. LARSEN: Does anyone have any
9 questions?

10 MR. FARABEE: I have a couple.

11 MR. LARSEN: Sure. Go ahead.

12 MR. FARABEE: It doesn't seem to me
13 that there's any unique additional information that
14 came about to you, to the designers of this house,
15 before the design started that didn't exist then.

16 In other words I'm saying, you built
17 knowing what the constraints were within, but you
18 felt you could extend beyond those constraints,
19 like the OCRM line and the setbacks, in order to
20 accommodate what you wanted to do; is that correct?

21 MR. PARKER: Yeah. We were looking at
22 the properties on either side of us and how they
23 had addressed the situation. And we were basically
24 just asking to be able to address it in the same
25 way that they did.

1 MR. FARABEE: Yeah, but those
2 properties were built 30 years ago, and I don't
3 know what the restrictions were at that point in
4 time. But also, every one of these considerations
5 of ours, these variance requests, are dealt with on
6 an individual unique basis. Just as your request
7 comes to us in saying, we have unique
8 circumstances, and theirs would too.

9 And without digging up what those
10 circumstances are, we don't think it's a
11 consideration. If you tell me they have extended
12 beyond the OCRM, then for various reasons they were
13 approved that way 30 years ago.

14 So I'm saying that's not a condition
15 that we take into consideration for your argument.

16 MR. PARKER: Well, we were kind of
17 hoping you would. We were really looking at the
18 uniqueness of that setback line.

19 The fact that it does -- you know, you
20 would think that it would parallel the beach and
21 parallel the ocean. And for whatever reason, when
22 the setback line was established 70 years ago,
23 prior to the time that the houses on either side of
24 us were built, it takes a weird angle just at this
25 one lot.

1 And we noticed that, you know, the
2 houses on either side of us were given a variance
3 to proceed forward of that line for their porches
4 and their steps. And, you know, it kind of made
5 sense.

6 We were thinking, well, when you look
7 at the houses they should sort of respond to the
8 edge of the beach in a parallel manner. You walk
9 down the beach, I mean, that's generally what you
10 see.

11 And so we were looking to do the same
12 thing. And we were confident that coming up and
13 meeting that same setback line that those two
14 houses have, we would not adversely affect any
15 views that they would have going forward.

16 So, yes, we -- ours is unique. And the
17 uniqueness is the fact that the line does jut back
18 in at a funny angle. And then the other uniqueness
19 is these stands of trees at the front. And we
20 would like to preserve those and enhance the health
21 of those moving forward. So --

22 MR. FARABEE: But you can do that by
23 making a little smaller house, take a foot out of a
24 room. I mean, we're talking about two feet here.

25 MR. BREWER: The house for the porch

1 side, the guidelines are such that the OCRM setback
2 line, one part of our porch is projecting over by,
3 say, 1 foot 9. But on the other side, we're
4 actually sitting back from the OCRM setback line by
5 that dimension, or slightly more.

6 And so what Scott is saying is that if
7 the OCRM line was laid out at in a kind of more
8 intuitive manner, meaning being parallel -- or
9 perpendicular to the site and parallel to the
10 beach, how does it work in terms of one part being
11 -- one part of the porch being set back from the
12 OCRM, and the other part of the porch being over
13 it?

14 I mean, is there any consideration in
15 terms of that?

16 MR. FARABEE: Well, there can be.
17 That's why you're here today.

18 MR. BREWER: Okay.

19 MR. FARABEE: I mean, if the rationale
20 is sufficiently injurious enough to your design, we
21 have to permit that.

22 MS. WERKING: I mean, the setbacks are
23 always the minimum standards. The setback is even
24 further on the one -- I mean, I see what he is
25 saying.

1 MR. LARSEN: I heard you say something
2 about the OCRM line years ago. Do we know what the
3 OCRM line was when the house was built?

4 MR. PARKER: Yes.

5 MR. LARSEN: The Ordinance has also
6 changed from when the house was built. And that's
7 one of the issues with any teardown is that you are
8 starting over. You're starting over with a clean
9 sheet of paper, and here's the Ordinance from 2006,
10 or whatever the time was, and that's what applies
11 when there's a teardown.

12 And that's why I was so surprised with
13 Amanda's letter. I'm looking at you, Ms. Olsen,
14 because to me it seems unusual to have the ARB say,
15 yeah, we approve it, knowing what the ordinance is.

16 MR. PARKER: Are you asking her?

17 MR. LARSEN: My question -- you had
18 said something about what the OCRM line was X
19 number of years ago. And I didn't know we had that
20 information.

21 MR. PARKER: Yes, sir. It shows up on
22 the plat. And, I mean, what you are seeing in red
23 there is the OCRM line.

24 MR. FARABEE: I understand, today's
25 OCRM line.

1 MR. PARKER: Right. Well, it's
2 basically --

3 MR. LARSEN: You referred to an OCRM
4 line a number of years ago, and I was asking you
5 how you had that information?

6 MR. PARKER: It's on that original
7 plat.

8 MS. WERKING: It was recorded in 1979.

9 MR. LARSEN: So the red line is from
10 '79?

11 MS. WERKING: Yes.

12 MR. HACKER: So it hasn't changed.
13 It's the same as when the original house was built
14 as it is today.

15 MR. GILMORE: This is more of a comment
16 than a question. The relevance of the houses on
17 the east and west being over the line has no
18 bearing at all on this situation because if they
19 decided to tear those houses down and build, they
20 would have to have a variance to cross the line.

21 So it's not a -- just because they're
22 over on the east and west is not relevant to what
23 we're discussing today. We're discussing today a
24 plan to build a new house, and whether it should be
25 given a variance or not; whether there's reasons,

1 pursuant to the Ordinance, why this group should
2 approve it.

3 That's all we're talking about. Houses
4 east and west, doesn't make any difference.

5 MR. PARKER: The only reason we brought
6 it up is we just felt that we weren't adversely
7 affecting the condition of those houses as they
8 exist today by replacing --

9 MR. GILMORE: I hear your argument. I
10 hear your argument. There's just no relevance to
11 it.

12 MR. PARKER: Okay.

13 MR. LARSEN: Are there any other
14 questions for the applicant?

15 MR. FARABEE: I have. What is your
16 response to the staff's statement in the condition
17 A where it says that the covered screened
18 porch/covered porch, open stairs, cantilevered
19 grill porch could be built within the required rear
20 setback in the overall footprint -- if the overall
21 footprint is reduced?

22 So they're saying you can contain it in
23 that porch area, make a smaller porch that contains
24 everything you wanted in that.

25 MR. BREWER: Well, you could -- if I

1 understand the question -- there are two ways to do
2 it. One is leave the heat and cool space exactly
3 as it is and pull the whole porch back so that's
4 not over the setback.

5 And, you know, the porch is there for
6 outdoor living. And the depth of that porch would
7 make that porch virtually unusable in groups and
8 whatnot.

9 The other way is to kind of cut square
10 footage because we can't go any farther north. We
11 haven't broached the idea of cutting down of a
12 tree. I mean, we do that in the northeast, but we
13 would never imagine doing it down here because it's
14 just a given on the site. So we can't move the
15 house any farther north unless we cut a tree down.

16 And so if we took cuts through here,
17 the overall square footage of this house, and these
18 rooms, would become quite small. I mean, the
19 square footage of this floor plan is about 3,400
20 square feet, which is, you know, pretty -- by
21 Kiawah standards, and somebody who has spent the
22 amount of money for a lot on the ocean front like
23 this, it makes it difficult to get, you know, a
24 second house.

25 And so we did do those studies before

1 coming here, and we looked at those with the
2 client. And the sense was for the value of the
3 lot, for the consideration of saving the existing
4 oaks -- and I have not heard the discussion about
5 top-quality architecture, but we want to produce a
6 house which is an iconic, beautiful, pre-war
7 looking house.

8 And so the idea of having a porch that
9 isn't deep enough like you see on a pre-war house,
10 or having an angled porch -- which you never see --
11 that didn't enter into the conversation of a way to
12 change the house.

13 So what we're hoping is that with the
14 existing trees, with the dimension of what you need
15 to build a reasonably sized house, and a porch to
16 look like a traditional porch, that we would
17 essentially be trading a little bit of the porch
18 over the setback for a part of the porch that's set
19 back from the setback.

20 MR. LARSEN: I have a question, as long
21 as you had that there. I've heard a lot of
22 comments on, we don't want to cut down a tree. But
23 I also know that the foyer is close to 30 feet away
24 from the tree.

25 MR. BREWER: This?

1 MR. LARSEN: That corner of -- well,
2 that's the entry porch. I'm talking about the
3 foyer itself. How close -- and the kitchen is
4 about 40 feet from the tree. There's no way to
5 have that be back five feet without cutting down a
6 tree? I didn't see any issue there.

7 MR. BREWER: Well, the TV room, this
8 room, is approximately 14 by 15. And for, you
9 know, a house of this price point, for a lot that
10 costs the amount of money that an oceanfront lot
11 costs, that room couldn't be made any smaller. We
12 could get rid of it.

13 MR. LARSEN: I'm talking about shifting
14 the whole house to the north.

15 MR. BREWER: Well, the drip line of the
16 existing trees and growth of them in the future
17 doesn't allow us to push the kitchen any farther
18 forward.

19 So to get the house over the southern
20 setback, if we pulled it in this dimension, this
21 line here and this line here would go over the drip
22 line of the existing oaks and would affect, you
23 know, they may not make it through the
24 construction.

25 MR. GILMORE: There's been asphalt

1 around those trees for 25, 30 years.

2 MR. BREWER: It doesn't cover it all.
3 Scott.

4 MR. PARKER: It does cover a portion of
5 it. Basically that edge right there matches the
6 edge of the existing house. So we just didn't want
7 to --

8 MR. GILMORE: I hear what you are
9 saying. But I'm also saying that there's asphalt
10 under the drip line of the tree, at least my walk
11 of the lot showed asphalt, and that asphalt has
12 been there since 1981 or '2?

13 MR. PARKER: Right.

14 MR. GILMORE: And the tree has
15 survived. And asphalt smothers roots faster than
16 anything. So if you get rid of the asphalt, you
17 are going to do more for the tree. I'm not an
18 arborist, but I've lived on Kiawah a long time.

19 MR. BREWER: You are absolutely right,
20 and we're doing what you are suggesting, which is
21 we're removing the asphalt. But what Scott is
22 saying is we didn't want to push the footprint of
23 the new house and foundation --

24 MR. GILMORE: I understand what you are
25 saying. I'm just saying that there are lots of

1 ways to skin this cat. Nobody wants to protect the
2 old oaks here more than I do. But at the same
3 time, this oak has been stressed for a long, long
4 time already, and it seems pretty pretty.

5 MR. BREWER: Well, the simplest thing
6 to do, and we have Scott's eagle eye watching over
7 us, the simplest thing to do would be to keep the
8 house exactly as it's designed and push it back and
9 infringe into it and hope for the best because --

10 MR. GILMORE: That's not our job.
11 We're just -- we have to deal with the line.

12 MR. HACKER: And also, looking at this
13 drawing, and the way you've drawn the drip line of
14 those trees, there is not a lot of space on the
15 right-hand side that the house could go back
16 farther, as opposed to the drawings where you have
17 big green circles and the tree looks much closer.

18 And that's what we're all concerned
19 about. It looks like the house is --

20 MR. BREWER: That drawing -- this
21 drawing shows the actual drip lines and the canopy
22 lines more closely. And this was produced, this
23 drawing was produced after that drawing because we
24 went back -- Scott went back and got real
25 dimensions about the drip line, about the size of

1 the canopy of the tree, and particularly there's
2 one very low limb that projects out over the entry.

3 And we had discussed with the client
4 the ability of cutting that limb down -- but it's
5 quite a big limb -- so that we could push the house
6 forward, but they felt strongly that they -- again,
7 they were pushing with us to preserve --

8 MR. GILMORE: Where's the driveway?
9 Coming on the west side? Where is it proposed to
10 go? On the west side?

11 MR. BREWER: Right. So we sited the
12 driveway, we don't have a big motor court, we have
13 just a small pullover that is for two cars that is
14 situated between these trees here. And then the
15 drive comes and enters to the side right here.

16 So, you know, there's -- beyond that
17 setback and beyond this right here and these trees
18 here, there are many constraints associated with
19 putting a house on this site. And we have done our
20 best to, you know -- this design, we worked on this
21 design for three months back and forth with the
22 client, the landscape architect, to try to come up
23 with threading the needle, so to speak, and then
24 also trying to do kind of top-notch architecture
25 that our offices are known on Kiawah for.

1 MR. HACKER: I think it's very
2 interesting that the main part, the heated part of
3 the house is well within the setback. What we're
4 talking about is stairs and a corner of that porch.

5 And I think that that's what we're
6 really looking at to make the decision, should we
7 allow a deck and stairs to get to the beach be
8 approved that's over the setback, and keep the size
9 of the house that they want. Otherwise, you are
10 shrinking the house just to move the stairs back
11 behind.

12 And that's where I think we have to
13 make up our decision. Whether it's worth to give a
14 variance to keep the house within the size that
15 seems to be appropriate for the lot.

16 MR. BREWER: Well, that's a really good
17 point. And I think I heard that the OCRM line was
18 established in 1979. And I think Kiawah, around
19 1979, you were not building traditional houses with
20 porches.

21 I think the adjacent houses kind of
22 reflect that. They don't have traditional porches
23 done in the way that it's now appropriate on
24 Kiawah.

25 So we could essentially, as you're

1 saying, we could build this house within the
2 setback lines if we didn't build the porch. But
3 the porch is part of, you know, it's a gift to the
4 ocean and the beach. And it's sort of what my
5 understanding is that the Kiawah Island
6 Architectural Review Board was hoping for all
7 projects going forward.

8 So we're not asking for a variance of
9 15 or 20 feet over the OCRM setback, we're asking
10 for a variance of about a foot-and-a-half on one
11 corner, and then on the left-hand corner, the
12 southwest corner, we're actually setting back to
13 make the porch work.

14 MR. LARSEN: Any other questions for
15 Mr. Brewer? Okay.

16 Is there anyone else that is going to
17 speak for the applicant?

18 Is there anyone that would like to
19 speak against the applicant, or against the
20 variance?

21 Yes, sir. If you'd stand and introduce
22 yourself and tell us your address, please.

23 MR. HOLLIMON: My name is Bryson
24 Hollimon. We're residents of 89 Jackstay Court,
25 the adjacent house.

1 MR. LARSEN: So you're to the west?

2 MR. HOLLIMON: Yes. The question I was
3 going to ask you is are you allowed to take a
4 question from the floor?

5 MR. LARSEN: I guess we would like to
6 hear what it is you have to say, rather than you
7 address us with questions.

8 MR. HOLLIMON: Sure. The only question
9 I was going to ask is how many square feet is this
10 house?

11 MR. LARSEN: I'm sorry, what?

12 MR. HOLLIMON: How many square feet the
13 house is.

14 MR. LARSEN: 6,000 --

15 MS. WERKING: I think he said 3,400.

16 MR. RHOAD: I understood him to say
17 3,400.

18 MR. BREWER: The square footage of the
19 main level is 3,400, and the second floor is
20 roughly 2,900 square feet. It's all -- as of right
21 now, I understand that in fact we could even make
22 it bigger.

23 MR. LARSEN: Again, the total is --

24 MR. BREWER: 6,900 square feet.

25 MR. HOLLIMON: Okay. So 89 Jackstay

1 Court. Bryson Hollimon, B-R-Y-S-O-N,
2 H-O-L-L-I-M-O-N.

3 We reside at 89 Jackstay. We've owned
4 the property now for 16 [sic] years. Bought this
5 house in 2000. And I'm very familiar with the
6 setbacks.

7 This house, actually, I did research on
8 the house that we own. There's a clipped corner
9 where the OCRM line comes across, and that was due
10 to a mistake when the house was built in 1981. So
11 that's a little bit of the history.

12 This is a little bit of deja vu because
13 the prior owners of this house came to this Board,
14 this Zoning Board seven years ago to request to
15 exceed the ocean front setback by almost the same
16 amount, 16 feet on the front side.

17 It was turned down, for all the variety
18 of reasons you folks are considering today. My
19 comment is just straightforward. These ocean
20 setbacks have been established for years. I don't
21 see why they would be accessed or a variance given.
22 And particularly in the case of a teardown, it
23 doesn't make any sense.

24 Our own specific engagement regarding
25 the setbacks, both on the ocean front side and our

1 own case, was at one point in time we wanted to
2 redesign the decks on our own house, understood we
3 couldn't violate the setbacks, and dropped it.

4 So that's the case. The only other
5 issue that I have is this is going to be a pretty
6 large house. And currently, the setbacks
7 side-to-side are 15 feet from the property line.
8 And the grill space that's also being proposed is
9 going to be encroaching on our house, on this 15
10 foot setback, which is a relatively modest setback.
11 They're side-by-side setbacks that have been
12 established.

13 MR. LARSEN: What is encroaching?

14 MR. HOLLIMON: The grill case or the
15 grill deck.

16 MR. LARSEN: I thought that was on the
17 other side from you?

18 MR. BREWER: No. That's on the east
19 side. You are on the west side.

20 MR. LARSEN: You're on the west side.

21 MR. HOLLIMON: I'm on the west side.
22 So, I mean, these setbacks are well established.
23 They have been established for years. I don't know
24 why a house this size would want to violate the
25 setbacks, particularly in the case of a teardown.

1 MR. LARSEN: Any questions for
2 Mr. Hollimon?

3 MR. FARABEE: Can I ask you the square
4 footage in your house?

5 MR. HOLLIMON: 3,400 on two levels.
6 Both combined total.

7 MR. LARSEN: A combined total of 3,400?

8 MR. HOLLIMON: Yeah.

9 MR. LARSEN: Thank you, then,
10 Mr. Hollimon.

11 MR. HOLLIMON: Oh, by the way, we do
12 have a screened-in porch.

13 MR. BREWER: Are we allowed to comment?

14 MR. LARSEN: Yes. You have two
15 minutes.

16 Is there anyone else that's going to
17 speak either for or against the variance?

18 Then you can have two minutes for
19 rebuttal. Yes, sir.

20 MR. BREWER: I think that all the
21 points that were made were good points, but you
22 need to consider that those houses were probably
23 built in the '70s. And that they both, the
24 adjacent houses, are over the setback lines by a
25 certain sort of amount.

1 And so if, you know, as an architect --
2 and it's easy to say, just as like our owner, that
3 both of those houses, if somebody bought them,
4 might consider them a teardown. And both of those
5 houses, those lots on either side, are easier to
6 build on than this lot because they don't have the
7 trees on the north side.

8 And if an architect on both of those
9 sites were to try to build a house like Kiawah
10 wants built with porches and the kind of amenities,
11 it would be easy to build on those two lots because
12 you could simply push the houses back from the
13 setback line and not have any wonderful oaks on the
14 north side of the site.

15 My second house client on Eugenia Lane,
16 that doesn't have to go in front of the Kiawah
17 Island Architectural Review Board, actually looked
18 at this site. And he said it's a wonderful site.
19 But having -- as a client, he has built houses
20 before, and he said the restrictions for this site
21 would be the diagonal OCRM line, and with the tree
22 setbacks required on the north make it too
23 difficult for us to build in comparison to buying a
24 site on Eugenia that's slightly wider, that doesn't
25 have the big oaks on the north side. And he can

1 tear down the oaks there if he wants to.

2 So what we're trying to do is do not a
3 big house, a house that has architectural
4 character, that saves the existing oaks, and has
5 roughly about a foot-and-a-half, one slight eastern
6 corner, over the setback to make those goals
7 achievable.

8 MR. LARSEN: Okay, thank you. I guess
9 I get a rebuttal of the rebuttal.

10 MR. HOLLIMON: You're over the setback,
11 but you are not considering the decking or the
12 stairway which goes 15 feet beyond the setback.

13 MR. LARSEN: Are you speaking to us or
14 to him?

15 I guess our lawyer is stating we don't
16 get to have a rebuttal of a rebuttal.

17 MR. HOLLIMON: Okay.

18 MR. LARSEN: I apologize.

19 MR. RHOAD: The applicant has the
20 burden. If you have the burden, you get the last
21 word.

22 MR. HOLLIMON: But it's 16 feet, not 2
23 feet.

24 MR. LARSEN: So if there are no more
25 people that can be talking, I would like to close

1 the meeting.

2 I'd like to find my notes on what I am
3 going to be doing. Close the discussion and ask
4 for a meeting -- for a motion, after which we will
5 be discussing the motion and then voting.

6 So could I hear a motion for or against
7 the variance?

8 MR. FARABEE: Motion to close the
9 discussion from the floor or --

10 MR. LARSEN: I've already closed the
11 discussion.

12 MR. FARABEE: Okay. So you want a
13 motion on the variance?

14 MR. LARSEN: Yes.

15 MR. FARABEE: Okay. I move that we
16 reject the variance.

17 MR. GILMORE: Second.

18 MR. LARSEN: There's a motion on the
19 floor to reject the variance, and there's a second.
20 And who would like to start the discussion?

21 MR. FARABEE: I will start the
22 discussion. I think everything has been said that
23 I don't want to repeat myself. I think this is,
24 again, just an example of someone who's designed a
25 home that can't be built on this property given the

1 known conditions on the property.

2 And there's -- and our message here is
3 that -- or our instructions here that it says, the
4 BZA may grant a variance only if exceptional
5 circumstances exist, or practical difficulty or
6 unnecessary hardship is so substantial, serious and
7 compelling that relaxation of the general
8 restrictions ought to be granted. And I don't see
9 that here.

10 MR. LARSEN: Any other comments?

11 MR. RHOAD: May I ask a question, since
12 Jenny and I have to write these opinions. Is it
13 Ben?

14 MR. LARSEN: Yes.

15 MR. RHOAD: Ben's motion, then, is the
16 articulated hardships that the applicant has set
17 forth you find unconvincing? They're not
18 substantial?

19 MR. LARSEN: That wasn't in the motion.
20 That was part of the discussion he was talking
21 about.

22 MR. RHOAD: I thought he made a motion.

23 MR. LARSEN: He did make a motion, the
24 motion was seconded then he was discussing it.

25 MR. FARABEE: The rationale in my

1 supporting this motion.

2 MR. LARSEN: And I had starred the same
3 thing because we have heard a lot of cases over the
4 years that have related to exceptional
5 circumstances, huge hardships and that has caused
6 an inability to build a house on the property.

7 And we are restricted by nine things
8 that we have to make the decision on: That there
9 has to be extraordinary and exceptional conditions;
10 that the conditions don't apply to other
11 properties; that because of these conditions, the
12 application of this ordinance would effectively
13 prohibit or unreasonably restrict the utilization
14 of the property -- we heard it from you that it
15 would not prohibit utilization or even design of
16 the house -- and then the last one on, the need for
17 the variance shall not be the result of the
18 applicant's own actions. This is clearly the
19 result of the applicant's own actions.

20 So I would say not meeting four of the
21 nine criteria that we have to decide the case is a
22 reason to reject the variance.

23 MR. GILMORE: Reject the variance,
24 there are three different variances.

25 MR. LARSEN: Yes. To support the

1 motion for those four things.

2 Any other comments?

3 MR. RHOAD: Mr. Chairman, I apologize
4 for interrupting. I just wanted to make sure that
5 I thought I understood Ben's comment. If Ben's
6 comment is based upon --

7 MR. LARSEN: He was commenting on the
8 finding -- reading this comment right here.

9 MR. RHOAD: I think you'll be okay.

10 MR. LARSEN: Okay.

11 MR. RHOAD: Because the threshold issue
12 is do you find the hardship, does this Board find
13 the hardship? And if you don't find the hardship,
14 then you don't have the power to grant the
15 variance. So that was my point. You mentioned
16 several others, but I just wanted to make sure that
17 that's what he meant by his comments.

18 MR. LARSEN: Yes.

19 Anyone call the question?

20 MR. GILMORE: Please call the question.

21 MR. CLAWSON: Second.

22 MR. LARSEN: All in favor of calling
23 the question, ending the discussion, say aye.

24 (All respond aye.)

25 MR. LARSEN: So now we vote on the

1 motion. All in favor of the motion, which is to
2 not grant the variance, please signify by saying
3 aye.

4 (All respond aye.)

5 MR. LARSEN: Opposed?

6 (No response.)

7 MR. LARSEN: The motion carries
8 unanimously. And with that, I will close the
9 meeting. Thank you very much.

10 (The meeting was concluded at 5:10 PM.)
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1 CERTIFICATE OF REPORTER

2 STATE OF SOUTH CAROLINA
3 COUNTY OF CHARLESTON

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

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

14 Witness my hand, I have hereunto
15 affixed my official seal on 7th day of May, 2014 at
Charleston, Charleston County, South Carolina.

16
17
18 Anne Bouley Meyer
NCRA
19 REGISTERED PROFESSIONAL REPORTER
My Commission expires
20 February 5, 2023
21
22
23
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25

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