

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA**  
In The Court of Appeals

Joseph M. Bettelli, Jr., and Susan B. Bettelli, Appellants,

v.

Town of Awendaw Board of Zoning Appeals and  
Berkeley Electric Cooperative, Respondents.

Appellate Case No. 2013-001286

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Appeal From Charleston County  
J. C. Nicholson, Jr., Circuit Court Judge

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Unpublished Opinion No. 2014-UP-384  
Submitted September 1, 2014 – Filed November 5, 2014

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**AFFIRMED**

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Christopher M. Holmes, of the Law Offices of  
Christopher M. Holmes, of Mount Pleasant, for  
Appellants.

John B. Williams and J. Jay Hulst, both of Williams &  
Hulst, LLC, of Moncks Corner, for Respondent Berkeley  
Electric Cooperative; and Dwayne Marvin Green, of  
Hampton Green, LLC, of Charleston, for Respondent  
Town of Awendaw Board of Zoning Appeals.

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**PER CURIAM:** Joseph and Susan Bettelli appeal the circuit court's order affirming the Town of Awendaw Board of Zoning Appeals' grant of a variance, arguing the circuit court erred in affirming the variance when (1) the record contained no evidence Berkeley Electric Cooperative would have suffered an unnecessary hardship without the variance and (2) the grant of the variance constituted an arbitrary action and an abuse of discretion because of a conflict of interest. We affirm pursuant to Rule 220(b), SCACR, and the following authorities: *Austin v. Bd. of Zoning Appeals*, 362 S.C. 29, 33, 606 S.E.2d 209, 211 (Ct. App. 2004) ("On appeal, we apply the same standard of review as the circuit court below: the findings of fact by the Board shall be treated in the same manner as findings of fact by a jury, and the court may not take additional evidence."); *id.* ("In reviewing the questions presented by the appeal, the court shall determine only whether the decision of the Board is correct as a matter of law."); *id.* ("Furthermore, '[a] court will refrain from substituting its judgment for that of the reviewing body, even if it disagrees with the decision.'" (quoting *Rest. Row Assocs. v. Horry Cnty.*, 335 S.C. 209, 216, 516 S.E.2d 442, 446 (1999))).

**AFFIRMED.**<sup>1</sup>

**HUFF, SHORT, and KONDUROS, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.