

BOARD OF ZONING APPEALS—ZONING/FEBRUARY 7, 2012
PAGE 2

2. 5 GUIGNARD ST. (RAFERS ALLEY) (458-05-03-138) APP. NO. 122-07-B2

Request an amendment to the conditions of the board approval on January 5, 1993 to eliminate the requirement that surface parking lot remain in use as public parking only.

Request special exception under Section 54-220 to allow 29 accommodations units in a GB-A (General Business-Accommodations) zone district.

Owner-Apex Real Property, LLC/Applicant-Shook Associates

APPROVED XX WITHDRAWN 0

DISAPPROVED 0 DEFERRED 0

MOTION: Approval with conditions recommended by staff: 1) 23 parking spaces to be provided on site for hotel guests and employees with valet parking provided. Requirement to provide valet parking for minimum of 23 spaces to be put in the form of a deed restriction to be recorded in the RMC office; and 2) No public bar or restaurant is to be operated within the hotel or on the rooftop; rooftop is to be for use by hotel guests only.

MADE BY: S.Altman SECOND: M.Robinson VOTE: FOR 5 AGAINST 1
*R.Rosen

*S.Altman leaves.

3. 73 RUTLEDGE AVE. (HARLESTON VILLAGE) APP. NO. 122-07-B3
(457-03-04-011)

Request use variance from Section 54-203 to allow the Charleston Symphony Orchestra Designer Show House from March 14, 2012 to April 15, 2012.

Zoned STR.

Owner-Charleen Baxter/Applicant-Janet Knorr

APPROVED XX WITHDRAWN 0

DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: W.Smalls SECOND: M.Robinson VOTE: FOR 5 AGAINST 0

4. 495 KING ST. (RADCLIFFEBOROUGH) APP. NO. 122-07-B4
(460-12-02-087)

Request special exception under Section 54-511 to allow a roof top deck addition with 2,105 sf of outside patron use area for a restaurant without off-street parking spaces (Ordinance requires 11 spaces).

Zoned GB.

Owner-T-Monse LLC/Applicant-David Thompson Architect

APPROVED XX WITHDRAWN 0

DISAPPROVED 0 DEFERRED 0

MOTION: Approval with conditions recommended by staff: 1) There shall not be any amplified music on the rooftop deck at any time. "Amplified" refers to music that is amplified above a normal conversational tone; 2) There shall be no increase in the total number of seats on the rooftop above the number of seats shown on the plans submitted with the application, which is 77 seats; 3) Approval of building permits to begin construction of the rooftop deck for the restaurant use shall be contingent upon the Zoning Division receiving final executed leases for a minimum of 50 off-street parking spaces in close proximity to the restaurant (this is the same

BOARD OF ZONING APPEALS—ZONING/FEBRUARY 7, 2012
PAGE 3

condition that applies to the BZA approval granted 10/4/11 for the interior restaurant/banquet room space); and 4) This approval for the special exception shall be revoked and use of the rooftop for restaurant patron use area shall cease if there is a conviction in Municipal Court for violating conditions one or two listed above.

MADE BY: M.Robinson SECOND: R.Rosen VOTE: FOR 5 AGAINST 0

5. 353 KING ST.(2nd FLR) (457-04-02-031) APP. NO. 122-07-B5

Request special exception under Section 54-511 to allow a deck addition with 393 sf of outdoor patron use area for an existing bar without required parking spaces (Ordinance requires 2 spaces).

Zoned GB.

Owners-Inessa Tsveer, Josif Tsveer/Applicant-Ken Newman

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval with condition: No amplified music on deck after 11:00 p.m.

MADE BY: R.Rosen SECOND: M.Smith VOTE: FOR 5 AGAINST 0

6. 186 ST. PHILIP ST. (CANNONBOROUGH/
ELLIOTBOROUGH) (460-12-02-064) APP. NO. 122-07-B6

Request special exception under Section 54-511 to allow a Laundromat with 1,410 sf of gross floor area and a restaurant with 921 sf of inside patron use area without required parking spaces (Ordinance requires 11 spaces).

Zoned GB.

Owner-Ottomen Investments/Applicant-David F. Thompson

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferred to February 21, 2012.

MADE BY: _____ SECOND: _____ VOTE: FOR _____ AGAINST _____

7. 2028 BEES FERRY ROAD (358-10-00-011) APP. NO. 122-07-B7

Request use variance from Section 54-203 to allow an office use for a non-profit agency for Veterans in a SR-1 (Single-Family) residential zone district.

Owner/Applicant-Chesapeake Health Education Program

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferred to meet with Shadowmoss and Hickory Hill Neighborhood Associations.

MADE BY: R.Rosen SECOND: M.Smith VOTE: FOR 5 AGAINST 0

BOARD OF ZONING APPEALS—ZONING/FEBRUARY 7, 2012
PAGE 4

8. 513 HUGER ST. (HAMPTON PARK TERRACE) APP. NO. 122-07-B8
(460-02-04-073)

Request variance (after-the-fact) from Section 54-301 to allow carport additions with a 2-ft. rear setback, a 2-ft. west side and a 5-ft. total side setback (Ordinance requires 3-ft., 9-ft. and 15-ft. respectively).

Zoned DR-1F.

Owner-Old Bethel United Methodist Church/Applicant-Dr. Timothy J. Bowman, Pastor

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferred to address adjacent neighbors' concerns and review by building inspections.

MADE BY: R.Rosen SECOND: W.Smalls VOTE: FOR 5 AGAINST 0

9. 82 CHURCH ST. (CHARLESTOWNE) APP. NO. 122-07-B9
(458-09-03-078)

Request special exception under Section 54-110 to allow a change to a non-conforming use by allowing a change from a law office and artist studio to a publishing company.

Zoned SR-5.

Owner-Phillip H. Greenberg/Applicant-Peninsula Publishing d/b/a The Local Palate

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferred to meet with neighbors and neighborhood association.

MADE BY: R.Rosen SECOND: M.Smith VOTE: FOR 5 AGAINST 0
