



# CITY OF CHARLESTON

## BOARD OF ZONING APPEALS – ZONING

---

### MEETING RESULTS

**FEBRUARY 21, 2023**

**5:17 P.M.**

**2 GEORGE STREET**

---

**8:10 P.M.**

BOARD MEMBERS PRESENT: John Bennett, Allison Grass, Robben Richards, Bill Goodwin, Jr., Chappy McKay

STAFF MEMBERS PRESENT: Lee Batchelder, Pennye Ashby, Omar Muhammad

---

#### **A. Review of Minutes and Deferred Applications from Previously Advertised BZA-Z Agendas**

##### **1. Review of Minutes from the February 7, 2023 Meeting**

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Allison Grass SECOND: Robben Richards VOTE: FOR: 4 AGAINST: 0

NOTES: Chappy McKay-Abstains

---

##### **2. 1334 Rutledge Ave.**

**Garden Kiawah | TMS #464-14-00-024 | Zoned: GB**

Request variance from Sec. 54-317 to allow a restaurant use with 480sf of inside patron use area providing 2 off-street parking spaces (5 spaces required).

Owner: Flipside SC, LLC

Applicant: John Sullivan-S Arch + Studio, LLC

**DECISION: DENIED**

MOTION: Deny

MADE BY: Bill Goodwin, Jr. SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

---

## B. New Applications

### 1. 23 Reid St.

#### **Eastside | TMS #459-09-04-030 | Zoned: DR-2F**

Request the second one-year extension of a vested right that expires on February 18, 2023, pursuant to Sec. 54-962. Vested right pertains to variance granted with condition to allow a single-family residence and hvac platform.

Owner: Dawn Limberg  
Applicant: Clay Shackelford, Architect

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Robben Richards VOTE: FOR: 5 AGAINST: 0

---

### 2. 116 East Bay St.

#### **TMS #458-09-04-022 | Zoned: LB**

Request an appeal of the zoning administrator's decision to prohibit a retail use from having tables and chairs for patrons, preempt South Carolina State Law by controlling how alcohol is sold and served, revoke a sidewalk café permit, and prohibit issuance of a new sidewalk café permit.

Owner: Burnie Maybank  
Applicant: Theron Sandy, II (Beer and Wine at Rainbow LLC)

**DECISION: DENIED**

MOTION: Deny

MADE BY: Chappy McKay SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

---

### 3. 9 and 11 Elliott St.

#### **Charlestowne | TMS #458-09-03-101 | Zoned: SR-5**

Request special exception (after-the-fact) under Sec. 54-110 to allow a horizontal expansion and vertical extension (covered enclosure for pool and hvac equipment) that extends a non-conforming 2-ft. west side setback (7-ft. required).

Owner: Eric Roden  
Applicant: Jonathan Yates

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

---

**4. 84-88 Society St.**

**Ansonborough | TMS #457-04-04-025 and 113**

Request special exception under Sec. 54-220 to allow a 50-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Owner: GS LLC Acquisitions, LLC

Applicant: Brian Hellman, Hellman & Yates, PA

**DECISION: APPROVED**

MOTION: Approval With Conditions

MADE BY: Allison Grass SECOND: Bill Goodwin, Jr. VOTE: FOR: 5 AGAINST: 0

NOTES: Letter from HANA (Historic Ansonborough Neighborhood Association) dated February 21, 2023 with change to condition #4.

---

**5. 29 Gadsden St.**

**Harleston Village | TMS# 457-03-03-026 | Zoned: STR**

Request variance from Sec. 54-301 to allow a 2-story piazza with a 10-ft. 4-inch south side setback (12-ft. required).

Owner: Gregory Jackson

Applicant: Joseph A. Rubenstein

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Allison Grass SECOND: Bill Goodwin, Jr. VOTE: FOR: 5 AGAINST: 0

---