



# CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

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## MEETING RESULTS

APRIL 4, 2023

5:15 P.M.

2 GEORGE STREET

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7:53 P.M.

BOARD MEMBERS PRESENT: John Bennett, Robben Richards, Allison Grass, Chappy McKay, Howell Morrison

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

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

#### 1. Review Minutes of the March 21, 2023 Board Meeting

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Howell Morrison SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

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#### 2. 35 Dunnemann Ave.

**Wagener Terrace | TMS #463-14-02-060 | Zoned: SR-2**

Request variance from Sec. 54-306.A. to permit a 2 story accessory building with an eave height of 13.25-ft. (Ordinance limits height to 1 ½ stories and 11' eave height).

Request special exception under Sec. 54-110 to allow construction of a detached 2 story accessory building that extends a non-conforming 0.9-ft. rear setback and extends a non-conforming 3.67-ft. west side setback (25-ft. and 9-ft. required).

Owner: Lynne Fuller and Rich Schwarz

Applicant: Julie O'Connor-American Vernacular, Inc.

**DECISION: DENIED**

MOTION: Deny (Variance Request)

MADE BY: Howell Morrison SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

NOTES: **Second Request (Special Exception):**

**DECISION: APPROVED**

MOTION: Approval with condition; Accessory Building shall not exceed 1 ½ story.

MADE BY: Howell Morrison SECOND: Chappy McKay

VOTE: FOR: 5 AGAINST: 0

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#### 3. 360 King St.

**TMS #457-04-02-018**

Request special exception under Sec. 54-220 to allow a 12-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Owner: Eric Johnson, Sole Member of Owner

Applicant: William Stroud, Attorney

**DECISION: DENIED**

MOTION: Deny

MADE BY: Howell Morrison SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 0

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## B. New Applications

### 1. 363, 367 and 369 King St.

**TMS #457-04-02-027, 028 and 029 | Zoned: MU-2/WH**

Request the fourth one-year extension of a vested right that expires on April 3, 2023, pursuant to Sec. 54-962. Vested right pertains to a special exception granted with conditions under Sec. 54-511 for 21 parking spaces to allow 9,139sf of retail space and 70 dwelling units.

Owner: 23 Bond Owner, 363-369 King Street

Applicant: Kyra Brower, LS3P

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Howell Morrison SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 0

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### 2. 10 Westedge St. Suite 200

**Westside | TMS #460-00-00-040 | Zoned: GB**

Request the first one-year extension of a vested right that expires on May 4, 2023, pursuant to Sec. 54-962. Vested right pertains to a special exception granted with conditions under Sec. 54-506 (γ) to allow a late night use restaurant and bar within 500 feet of a residential zone district.

Owner: Mt. Pleasant Investments LLC

Applicant: Stephen Ramos

**DECISION: APPROVED**

MOTION: Approval

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

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### 3. 116 East Bay St.

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

Request reconsideration of the BZAZ Board's decision on February 21, 2023, 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 and café' permit.

Owner: Burnie Maybank

Applicant: Theron Sandy II

**DECISION: DENIED**

MOTION: Deny

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

NOTES: Howell Morrison-Abstains

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### 4. 375 King St.

**TMS #457-04-02-025 | Zoned: GB**

Request special exception under Sec. 54-511 to allow 1,113sf of outside patron use area for proposed courtyard and 593sf of outside patron use area for proposed rooftop without providing required parking spaces (14 spaces required).

Owner: 375 King Property LLC

Applicant: 375 King Property LLC, John P. Carroll; Counsel

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Howell Morrison SECOND: Robben Richards VOTE: FOR: 5 AGAINST: 0

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**5. 430 Meeting St.**

**Eastside | TMS #459-09-01-034 | Zoned: GB**

Request special exception under Sec. 54-206 (y) to allow a late night use restaurant and bar within 500 feet of a residential zone district.

Owner: 430 Meeting St., LLC

Applicant: Erika V. Harrison

**DECISION: DEFERRED**

MOTION: \_\_\_\_\_

MADE BY: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: FOR: \_\_\_ AGAINST: \_\_\_

NOTES: Deferred prior to meeting

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**6. 686 King St.**

**Westside | TMS #463-16-03-004 | Zoned: GB**

Request special exception under Sec. 54-511 to allow 1,240sf of office area with one parking space (three spaces required).

Owner: 40 Nunan LLC

Applicant: Allen Biggers (Manager)

**DECISION: APPROVED**

MOTION: Approval

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

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**7. 2 Parkwood Ave.**

**Hampton Park Terrace | TMS #460-07-01-091 | Zoned: DR-1F**

Request special exception under Sec. 54-110 to allow a vertical extension (master bedroom/closet/bathroom) to a non-conforming building having a 1-ft. north side setback (3-ft. required).

Owner: Stewart Sanford and Kelli Young

Applicant: Andrew Julie O'Connor-American Vernacular, Inc.

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Allison Grass SECOND: Robben Richards VOTE: FOR: 5 AGAINST: 0

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**8. 5 Rose Ln.**

**Cannonborough/Elliottborough | TMS #460-08-03-116 | Zoned: DR-2F**

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size Lot area 968sf; 2,500sf required). Request variance from Sec. 54-301 to allow construction of a single-family residence having a 1-ft. north side setback, a 3-ft. south side setback, a 4-ft. total side setback and 62% lot occupancy (3-ft., 7-ft. and 10-ft. required; 50% lot occupancy limitation). Request variance from Sec. 54-317 to allow construction of a single-family residence without providing off-street parking spaces (2 spaces required).

Owner: Cameron Glaws

Applicant: Andrew Gould, Designer

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Howell Morrison SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 0

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**9. 14 Colonial St.**

**Charlestowne | TMS #457-12-03-009 | Zoned: STR**

Request special exception under Sec. 54-110 to allow a vertical extension (bedroom/bathroom/balcony) to a non-conforming building footprint having a 2-ft. north side setback, a 20.2-ft. rear setback (6-ft. and 25-ft. required). Request variance from Sec. 54-310 to allow a porch enclosure (kitchen expansion/mudroom) having a 20.2-ft. rear setback (25-ft. required).

Owner: Clayton and Rachel Cowherd

Applicant: Tyler Smyth Architects

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Howell Morrison SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

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