

May 12, 2023

Board of Zoning Appeals-Zoning  
C/o Penny Ashby, Senior Planning Administrator  
2 George Street, Suite 3100 Charleston, SC 29401  
ashbyp@charleston-sc.gov

Dear BZA-Z Board,  
Re: 17 Orange Street We are writing to submit

We would like to add our concerns about the request for zoning variances for 17 Orange St. addition to the kitchen house.

We are opposed to the two story, three car garage and storage/apartment area being connected to the existing kitchen house. We believe that the new structure is too big for the space.

As we can foresee, this current request for the approval of the addition leads to a bigger concern for the residents of Orange Street which will be the next request to remove part of the Orange Street wall to create a driveway for 17 Orange Street.

As a resident of Orange Street for 40 years, we hope that the board will deny the request for the variance. We feel that the proposal is not in the best interest for Orange St. and would be detrimental to the character of the neighborhood.

Thank you for taking our concerns into consideration.

*Rebecca C. Johnson*  
*William H. Johnson*  
Becky & Bill Johnson

6 Orange Street

(843)722-6122

bandbj@bellsouth.net

Handwritten text, possibly a signature or name, located in the lower right quadrant of the page.

## Ashby, Pennye

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**From:** Brooks Holt <brooksholt413@gmail.com>  
**Sent:** Monday, May 15, 2023 11:35 AM  
**To:** Ashby, Pennye  
**Cc:** Mike Laughlin  
**Subject:** 17 Orange Street  
**Attachments:** letter to zoning appeal.docx

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Please find the attached letter regarding 17 Orange



May 15, 2023

City of Charleston  
Board of Zoning Appeals

RE: 17 Orange Street

We are the proud owners of 2 historical homes on Orange Street. Our resident is 7 Orange built in 1769 and our 2<sup>nd</sup> home is 3 Orange which was also built in 1769. When we purchased 3 Orange we were made aware that the Preservation Society had an easement on the property to protect the antiquity of the home.

The idea of the owners of 117 Broad and 17 Orange and suggesting to tear down a portion of an 18<sup>th</sup> century wall for a driveway is the antithesis of what Charleston history is noted for especially Orange Street.

Not only would you be tearing down a portion of history, it would make parking on Orange Street more limited.

As a lover of Charleston and Orange Street we are begging you not to destroy a historical wall. The historical fabric of Charleston is being changed before our eyes. Please do not let this happen.

If this is approved then we would like the Preservation Society to remove the easement on 3 Orange.

If you love this city as we do, please STOP people from wanting to change the beauty of Historic Charleston.

Sincerely,

Dennis & Brooks Holt  
7 Orange Street  
843-805-7777  
dholt@theusim.com  
Brooksholt413@gmail.com



## Ashby, Pennye

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**From:** Ellis Lesemann <erl@lalawsc.com>  
**Sent:** Monday, May 15, 2023 12:03 PM  
**To:** Ashby, Pennye  
**Cc:** Batchelder, Lee; Nina M. Thomas  
**Subject:** RE: Letter in Opposition to Variance Request - Edward Rutledge House - BZA-Z Agenda Item # B-3  
**Attachments:** BZA-Z 1 - Opposition to Request for Variance - Edward Rutledge House.pdf

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Pennye,

As I hit send, I noticed a typo in the third paragraph. If it is possible to substitute this version, which corrects that typo, it would be appreciated.

Best regards,

Ellis

---

**From:** Ellis Lesemann  
**Sent:** Monday, May 15, 2023 11:59 AM  
**To:** Ashby, Pennye <ASHBYP@charleston-sc.gov>  
**Cc:** Batchelder, Lee <BATCHELDERL@charleston-sc.gov>; Nina M. Thomas <nmt@lalawsc.com>  
**Subject:** Letter in Opposition to Variance Request - Edward Rutledge House - BZA-Z Agenda Item # B-3

Dear Pennye and Lee,

Please see the attached letter in opposition that was are submitting on behalf of the owners of 15 Orange Street.

Best regards,

Ellis

Ellis R. Lesemann  
**Lesemann & Associates LLC**  
418 King Street, Suite 301  
Charleston, SC 29403  
Phone: (843) 724-5155  
Mobile: (843) 367-8001  
Email: [erl@lalawsc.com](mailto:erl@lalawsc.com)  
Website: [www.lalawsc.com](http://www.lalawsc.com)

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# LESEMANN & ASSOCIATES LLC

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May 15, 2023

Board of Zoning Appeals – Zoning (“BZA-Z”)  
c/o Penny Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401  
[ashbyp@charleston-sc.gov](mailto:ashbyp@charleston-sc.gov)

Re: *Opposition to May 16, 2023 BZA-Z Agenda Item #B-3 (17 Orange Street, TMS No. 457-12-04-116, Requesting variance from Sec. 54-301 to allow a 1 ½ story addition to an existing carriage house having a 7.7-foot south side setback (9 feet required)*

Dear Members of the BZA-Z:

We represent Martin K. Alloy and Daris Clifton-Alloy, who live at 15 Orange Street. Please accept this letter in opposition to the request by “117 SOB Project, LLC” to violate the applicable setback requirement for the purpose of building a parking and “conditioned storage” facility in an improper location on a historic property. For the reasons set forth below, the Applicant’s request should be denied.

The residence at 15 Orange Street is immediately adjacent to the proposed parking and conditioned storage facility. The home was designed to have living spaces and windows on the northern side of the property, which would be blocked by the mammoth “addition” that the Applicant is asking to build within the setback. If a variance were to be allowed (which would be entirely unjustified under the City’s Variance Test), the parking and conditioned storage facility would significantly devalue and undermine the design of 15 Orange Street.

Approximately ten (10) months ago, the Applicant purchased the Edward Rutledge House. It was once the home of Edward Rutledge, who was a founding father and the youngest person to sign the Declaration of Independence before serving as our state’s Governor. The Edward Rutledge House was built in 1760 and has been declared a National Historic Landmark by the United States Department of the Interior. A large residence and kitchen house already exist on the property, as well as approximately twelve (12) off-street parking spaces. Until recently, the existing structures on the Edward Rutledge House property served as a hotel, but are now a part-time, private residence.



Mr. and Mrs. Martin K. Alloy and Daris Clifton-Alloy  
15 Orange Street  
Charleston, SC 29401  
[alloymk@stanleymartin.com](mailto:alloymk@stanleymartin.com)  
703-932-0073

May 11, 2023

Board of Zoning appeals- Zoning (BZA-Z)  
C/O Penny Ashby, Senior Planning Administrator  
2 George Street Suite 3100  
Charleston, SC 29401  
[ashby@charleston-sc.gov](mailto:ashby@charleston-sc.gov)

Hand delivered and emailed

Dear Ms. Ashby:

The need for a response to this application for a variance as a next-door neighbor is very upsetting to my wife and me. We have moved to Downtown "Historic" Charleston to enjoy our retirement years enjoying the pocket parks and historic structures as we walk the neighborhoods, and most importantly by viewing the rear of the of the Historic Landmark, the Edward Rutledge House. In 1972 it was designated a Registered National Landmark. The Preservation Society of Charleston in 2004 placed a plaque on the Laurens-Rutledge House built in 1760. One would think there is some significance in these two plaques that the integrity of the building and gardens have some significance to historic Charleston and would be substantially unchanged in the character of the two buildings main house and kitchen house (now two rooms for guests).

My home is immediately adjacent to the property in question. We have three large windows 38" X 70"; 2 in our kitchen and 1 in our dining room. We love the view of both the kitchen house and the main house as well as what was maintained as beautiful gardens. We now have new owners who seem to care very little about the property's historic beauty but would rather build a three-car garage with a potential apartment 46' X 20' on top. The birds will fly away, and the squirrels can find another place to eat and play. I have trouble imagining looking at a brick wall rather than a pleasant view. We also enjoy seeing the sightseers on Broad Street from both our kitchen and dining room.

There is also an ulterior motive in this application for a variance which is the next application to breach the historic wall on Orange Street. The previous application to approve windows on the historic Laurens-Rutledge House somehow had a site plan for the house with a driveway terminating before giving access to 17 Orange Street thus land locking 17 Orange Street so that this 3-car garage will need access to a public street if not the adjacent Historic Laurens-Rutledge House.

Addressing the application with comments by Simons Young.

The approximate 6 x 6 x6 transformer that serves the Lauren-Rutledge House and the houses on Orange Street may be a ruse of some kind as:

- 1a. I am not a title attorney, but I would think that the electricity from Dominion Energy with the transformer regulating the power for many years is a non-issue.

- 1b. This is an historic property, and the building already exists and as a historic property this kitchen house belongs to the main house and was not contemplated to become another major home.
- 1c. The real question is should this wall that was built over 260 years ago be breached at all since there is access to Broad Street even though the owners may have a controlled company own lot 17.
- 1d. The current owner bought the property with their eyes wide open and should have known the difficulties.
- 2. The transformer is not an issue as it was solved many years ago. From the comment that no other property has a transformer on it really needs the applicant to do a study of all streets in Charleston where overhead lines were put underground and where were the overhead transformers placed?
- 3. I am not sure what paragraph 3 means as the request is for a 3-car garage and a potential apartment on top with no vertical dimensions. Transformers in yards are not unusual in Palm Beach, Florida where a major project to place underground utilities have some transformers in yards. They are also in Chevy Chase, Maryland when utilities were placed underground, and I am sure that this has been in other older neighborhoods before electric lines were run to homes. Regarding the comments about views, I am vehemently opposed to looking at a brick wall rather than the beautiful historic house and kitchen. My home was designed for the view not the back of a huge 3 car garage. Most 3 car garages are 30' to 33'. Large cars today are around 7' maximum width 3' to 3.5' between. Many garages in Charleston are only 20' wide for two cars. Most homes have no garages. Why not put a smaller garage near the transformer? I challenge the public benefit to enable a view that is still diminished for me and everyone else.
- 4a. The proposed garage could be relocated to another spot.
- 4b. Who cares about shadows when there is no view but a brick wall. My current view is above the separation boundary wall.
- 4c. I am not sure what public good means in this instance to build a 3-car large garage with a room on top. When the property was a B & B 12-15 cars were parked in the rear of the main house.
- 4d. This solution is not a benefit to anyone. It is close to the rear of my several hundred-year-old carriage house where the help lived to care for the horses and carriages. My guest love to stay in our carriage house and they also view the kitchen house
- 4e. Transformer is not a problem as it was a method for everyone on Orange Street including the Rutledge house to benefit.
- 4f. Pictures do not show any dormers or garages; thus, the statement seems incorrect.

I am totally against the construction of the 46' X 20' 3-car garage and room on top. There is already parking for 12-15 cars when property was used for a B & B. Is it necessary for a 3-car personal garage? The property being historic, should remain historic or remove the historical placards on front as they do not mean anything. The property is controlled by one family. The wall on Orange Street is also historic at least 260+ years and the ruse to separate the two lots will require a future request to breach it for a driveway entrance.

Sincerely,

Martin K. Alloy

cc:

Lee Batchelder, Zoning Administrator

[batchelder@charleston-sc.gov](mailto:batchelder@charleston-sc.gov)



## Ashby, Pennye

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**From:** Jeff Leath <jeff@leathesq.com>  
**Sent:** Friday, May 12, 2023 10:11 AM  
**To:** batchelder@charleston-sc.gov; Ashby, Pennye  
**Subject:** 17 Broad Street Variance Request

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We , Patti and Jeff Leath, are the owners of the John Stuart House at the Corner of Tradd and Orange Streets, the other National Historic Landmark property on Orange Street. We write together with our neighbors in opposition to this zoning variance.

First of all, the variance request on its face fails to meet any of the code-required four tests. The only hardship the applicant's consultants can seem to find is the location of a transformer on the Southeast corner of this very large property. This transformer in no way would prevent the construction of the proposed additional building, and there is no necessity for any alteration/addition to a listed historic structure.

Additionally, not only is this addition to a historic structure unnecessary, but also is problematic in its very essence of altering a listed building. It is highly doubtful that this scheme could survive a thorough B.A.R. review and appeal even if approval were granted.

The neighborhood is greatly concerned that this proposal is in fact only a precursor to a later attempt to install a driveway onto Orange Street cutting through a historic wall. Further, this concept, if permitted would inevitably lead to the possibility of a subdivision of the property to which the neighborhood is unalterably opposed.

We anticipate that the Board will carefully consider this application in light of its failure to meet the variance tests, and will deny it.

Respectfully,

Patti and Jeff Leath

106 Tradd and 1 Orange Street



## Ashby, Pennye

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**From:** Grimball, Henry <Henry.Grimball@wbd-us.com>  
**Sent:** Friday, May 12, 2023 2:24 AM  
**To:** Ashby, Pennye; Batchelder, Lee; Michael Laughlin (mjlaughlin147@gmail.com)  
**Subject:** 17 Orange

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am currently out of town and will be unable to attend the hearing on this issue. Nonetheless, I wish to express my strong opposition to the proposed construction at 17 Orange Street.

I have lived at 11 Orange Street since 1981. The historic wall that runs north from our house to Broad Street contributes greatly to this street. For decades, 17 Orange Street shared a driveway onto Broad Street with 117 Broad Street.

When I learned the applicant wanted a second driveway by breaking a 20' opening in the wall for access to Orange Street, he immediately submitted new plans to the city for his 117 Broad Street property which effectively ended 17 Orange Street's driveway across 117 Broad Street onto Broad Street. It is obvious he did this to force the city to approve access of 17 Orange Street through the historic wall on Orange Street. I appeared at the hearing on the new plans for 117 Broad and urged they be denied for that reason. The BAR-S nevertheless approved the plans, reasoning they dealt only with 117 Broad and not with 17 Orange. Yes, AND no.

The plans for 17 Orange now include the new proposed construction. This construction will have two unreasonable results. First, treating 17 Orange as if the applicant did not own 117 Broad, the applicant will now argue 17 Orange has no driveway and has to breach the Orange Street wall, causing a severe change in that structure and additional driving and parking difficulties for Orange Street residents. Second, the construction will ruin the views from the windows on the north walls of 15 Orange Street. Even if the construction were entirely legal, I can think of an act no more unneighborly than that.

Thank you for your consideration,

Henry Grimball

**Henry Grimball**  
Partner  
Womble Bond Dickinson (US) LLP

d: 843-720-4615  
m: 843-609-8222  
e: [Henry.Grimball@wbd-us.com](mailto:Henry.Grimball@wbd-us.com)

5 Exchange Street  
PO Box 999 (29402)  
Charleston, SC 29401



[wombledickinson.com](http://wombledickinson.com)



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## Ashby, Pennye

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**From:** Lisa Field <lisafield@me.com>  
**Sent:** Thursday, May 11, 2023 5:25 PM  
**To:** Ashby, Pennye  
**Cc:** batchelder@charleston-sc.gov  
**Subject:** 17 Orange Street Rejection  
**Attachments:** 17 Orange Street.pdf

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Ashby,

Please see my attached letter of objection to the 17 Orange Street application that is coming before your board.

I strongly believe your Board has maintained the integrity of the treasured homes of Downtown Charleston for years. Passing this application does not stand in accordance with those tenets and your consideration is essential in maintaining South of Broad as a historic neighborhood.

Respectfully,

Lisa Field

-----  
Lisa Field  
[www.lisafieldphotography.com](http://www.lisafieldphotography.com)



*Ms. Lisa Field*  
*101 Tradd Street*  
*Charleston, South Carolina 29401*

May 11, 2023

Board of Zoning Appeals-Zoning (BZA-Z)  
C/o Penny Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401

Re: 17 Orange Street

Dear Board of Zoning Appeals-Zoning,

I would like to voice my clear objection to passing the requested 3 car garage and apartment above at 17 Orange Street. In addition, I strongly object to any additional requests to break through the historic 250 year old wall on Orange Street.

I currently own two historic homes on Tradd Street a block away from this historic building in discussion. I have followed Historic Charleston Foundation Easements Requirements and have taken great consideration in my recent renovation keeping in mind where the house is located in the historic district on the peninsula. The new owners of 17 Orange Street were fully aware of the location, the historic nature of 17 Orange and clearly have plenty of parking on site as this property was used for a B&B for years. If they claim they were not properly informed of the limitations of this property than their Real Estate Broker should be formally blamed. We, as neighbors, should not have to bare the cost of an uninformed broker.

Orange Street is a unique street downtown. It is very narrow and I am not aware of any other street that has parking on the sidewalk. The owners of 17 Orange have already tried to ask for a 20ft opening in the historic wall that runs the last portion of Orange Street. The limited parking on the street will be even less with this wall break. There is currently a driveway onto Broad that has been sufficient for all the guest at the B&B for years.

Please understand our frustration with zoning lapses that are not protecting the neighborhood we cherish. We all deliberately purchased our historic homes and all believe we are stewards in maintaining Charleston's rich history.

Please do not allow one of our crown jewels to be altered in such a drastic way that life on on the corner of Orange and Broad streets is compromised.

Thank your for your efforts in preserving Charleston.

*Lisa Field*



May 12, 2023

Board of Zoning Appeals-Zoning (BZA-Z)  
C/o Pennye Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401  
[ashbyp@charleston-sc.gov](mailto:ashbyp@charleston-sc.gov)

Dear BZA-Z Board,

Our family has owned and lived at 12 Orange Street for thirteen years where we have enjoyed the small and historic neighborhood which we are so fortunate to be a part of. We bought our home from a local family who raised their family in the home and I am quite sure loved the house as much as we do but time had taken its toll on the property and we had to restore both the house and garden. During the renovation we often stayed at the Governor's House Inn, so we know it well. It is a beautiful historic home that in our opinion needed a total renovation and we are happy to see someone take on this large project that many would shy away from. However, we do not think that entitles the owners to do what is being proposed at the detriment of our very special historic neighborhood. The following highlights our reasons for opposition.

1. The large and deep property at the rear of the house should not require a variance from the zoning setback just because a three-car garage is wanted at the total disregard of the neighboring property whose windows will now look out onto a wall at a very close distance.
2. The existing property is large and its parameters were known when purchased therefore it should work within the existing setback ordinance if a garage is the priority. The property to the rear of the house previously had enough room to accommodate a garden and parking for 12 cars. Most people in our city neighborhoods have no garage and many, no off-street parking.
3. We believe the approval of the setback variance of a large three car garage and living space above at 17 Orange Street will lead to a request for an exit on Orange Street through a 20-foot opening as this idea was previously presented to the neighbors. This has a huge impact on the City and Neighborhood. This is a very early wall which is a part of the character of our neighborhood and city. We have a narrow yet charming Street which struggles with much greater spatial issues than our neighbors at 17 Orange are dealing with. Many owners have to park on the street and those who do not already worry about the safety issues of exiting our driveways with children walking to school and tourists and cars who are unaware of the dangers of cars exiting driveways on such a narrow street.

Please deny the request for a variance at 17 Orange Street to preserve the historic character of our neighborhood and ensure our safety.

Respectfully ,

Richard and Jacqueline Whalen  
12 Orange Street  
Charleston, SC 29401  
[rwhales11@gmail.com](mailto:rwhales11@gmail.com)  
[jdwhalen@comcast.net](mailto:jdwhalen@comcast.net)  
cell: 781-718-8504





*Charlestowne Neighborhood Association  
PO Box 548  
Charleston, South Carolina 29402*

May 12, 2023

VIA U.S. MAIL AND HAND DELIVERY

City of Charleston  
Board of Zoning Appeals - Zoning (BZA-Z)  
Penny Ashby, Senior Zoning Planner  
2 George Street, Suite 3100  
Charleston, South Carolina 29401

Re: May 16, 2023 Meeting, Agenda Item B-3  
17 Orange Street, TMS #457-12-04-116 (the "*Property*")

To Whom It May Concern:

The mission of the Charlestowne Neighborhood Association's ("*CNA*") BAR/BZA-Z Committee is to help preserve architectural integrity and quality of life in the Charlestowne historic district. This Committee has reviewed the application submitted by Simons Young requesting a variance from the setback regulations set forth in Section 54-301 of the City's Zoning Ordinance with respect to a three car garage to be built on the *Property* (the "*Application*").

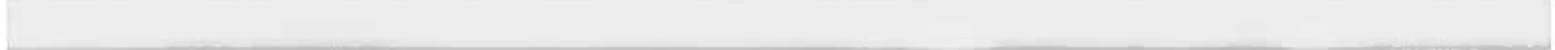
Nothing in the *Application* identifies how the garage will be accessed. Both *CNA* and a number of Orange Street residents are concerned that the *Property* owner may desire to access the garage by breaching the historic wall separating the *Property* from Orange Street instead of using the current access to Broad Street. Orange Street is difficult to navigate due in part by its narrow nature, heavy traffic and limited parking and *CNA* and the residents are sensitive to the idea of cutting a hole in the historic wall to access the garage and the *Property* from Orange Street. Doing so would only exacerbate the issues on Orange Street by further limiting parking, increasing traffic and altering the nature of the historic wall.

As long as there is no access from the *Property* to Orange Street, *CNA* has no objection to the *Application* or the variance requested therein. However, if the *Property* owner intends to create access to and from Orange Street by breaching the historic wall, then *CNA* objects to the *Application* and objects to any request to disturb the wall.

Sincerely yours,



Lee Higdon, President  
President, Charlestowne Neighborhood Association



## Ashby, Pennye

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**From:** Michael Laughlin <mjlaughlin147@gmail.com>  
**Sent:** Monday, May 15, 2023 12:13 PM  
**To:** Ashby, Pennye  
**Cc:** Batchelder, Lee; Ellis Lesemann  
**Subject:** Re: 17 Orange Street  
**Attachments:** Attachment to Laughlin ZBA-Z Letter re 17 Orange.pdf

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You should be able to open this version, Thank you, Mike.

> On May 15, 2023, at 12:11 PM, Michael Laughlin <mjlaughlin147@gmail.com> wrote:

>

> Sorry, I'm resending it in PDF format.

>

> Sent from my iPhone

>

>> On May 15, 2023, at 12:10 PM, Ashby, Pennye <ASHBYP@charleston-sc.gov> wrote:

>>

>> Greetings,

>> I am not able to open the attachment.

>>

>> Pennye

>>

>> -----Original Message-----

>> From: Michael Laughlin <mjlaughlin147@gmail.com>

>> Sent: Monday, May 15, 2023 12:07 PM

>> To: Ashby, Pennye <ASHBYP@charleston-sc.gov>

>> Cc: Batchelder, Lee <BATCHELDERL@charleston-sc.gov>; Ellis Lesemann <erl@lalawsc.com>

>> Subject: 17 Orange Street

>>

>> CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>>

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>> Please add this attachment to my letter perviously submitted, Thank you. Michael Laughlin.

>>

>>



## Ashby, Pennye

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**From:** Michael Laughlin <mjlaughlin147@gmail.com>  
**Sent:** Friday, May 12, 2023 11:27 AM  
**To:** Ashby, Pennye  
**Cc:** Batchelder, Lee; Ellis Lesemann  
**Subject:** Letter of Opposition--17 Orange Street  
**Attachments:** BZA-Z May 10, 2023.pdf

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find an attached our letter opposing the request at 17 Orange Street, Charleston, SC for a variance to construct a new garage to be attached to and existing outbuilding. We will also be present to speak at the ZBA-Z meeting at 2 George Street on Tuesday, May 16, 2023 at 5:15 p.m. Thank you very much for your kind assistance. Mike Laughlin.



May 16, 2023

Board of Zoning Appeals-Zoning  
C/o Penny Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401  
[ashbyp@charleston-sc.gov](mailto:ashbyp@charleston-sc.gov)

Dear BZA-Z Board,  
Re: 17 Orange Street

We are writing to submit arguments opposing the request for a variance from Sec. 54-301 at a property adjacent to the one across the street from us on Orange Street in Charleston. Our opposition is based on the following criteria:

1. Since 2001, we have lived near by and dealt with personally from time to time the previous owners of 17 Orange Street. During that time there was never mention of any hardship that would justify a variance. On the contrary, there is ample space currently to accommodate most reasonable changes needed.
2. There is nothing unusual about 17 Orange Street that would require a disregard of zoning setback requirements more than many other Charleston properties. In fact this property has more space to work with than most.
3. Orange Street is a very small, narrow road that is frequently singled out by tour operators and former Mayor Riley for its charm and "fragile" appeal. There are currently 15 properties on Orange and another four on the corners of Tradd and Broad Streets that use Orange Street as a passageway to work, school or other activities. Almost all of these properties have similar or worse constraints to live with as 17 Orange Street.
4. The current setback ordinance as applied would not prohibit or unreasonably restrict 17 Orange Street's ability to use all of its property. For example, there is sufficient space now at 17 Orange Street to park multiple vehicles if needed. Some on Orange Street either have no off street parking or have to legally park one or more vehicles on a portion of the sidewalk.
5. We believe that approval of the requested setback variance for 17 Orange Street will create a significant detriment to the adjacent property at 15 Orange Street, and severely threaten the character of our neighborhood and ultimately the public good.

For the reasons stated above, we ask the Board to deny the request for a variance at 17 Orange Street. Thank you for your consideration.

Respectfully yours,

Sigrid G. Laughlin  
14 Orange Street  
Charleston, SC 29401  
[sigilaughlin44@gmail.com](mailto:sigilaughlin44@gmail.com)  
Cell: (508) 241-0728

Michael J. Laughlin  
14 Orange Street  
Charleston, SC 29401  
[mjlaughlin147@gmail.com](mailto:mjlaughlin147@gmail.com)  
Cell: (774) 722-2499





## Attachment to Laughlin Letter re: 17 Orange Street

### Key Focus Issues:

#### Hardship.

There is currently no hardship imposed on the owners of 17 Orange Street that could not be anticipated or known when they purchased the property as part of a transaction that included 117 Broad Street. At that time (August 5, 2022) the buyers closing attorney said that "the new owners have no intention of selling 17 Orange."

The only hardship that could be created is if they proceed with a plan to isolate 17 Orange Street from its current access to Broad Street. Hardship would then be transferred to their neighbors on Orange Street should they proceed with a plan to construct a new driveway and gate access through a proposed 20 foot opening to Orange Street. (See July 26, 2022 e-mail marked "A".

#### Transformer.

On March 1, 2012, the owner of 117 Broad Street granted a right of way to South Carolina Electric and Gas Company to install, operate, and maintain all new underground electric facilities including a transformer for the benefit of 117 Broad Street, 113 Broad Street, 102 Tradd Street, 106 Tradd Street and all properties on Orange Street including 17 Orange Street where SCE&G and The Governors House Inn agreed to place it. See attachment "B, par 5.

There are other properties on the peninsula where this type of arrangement exists. Normally the transformer would be installed under the street or sidewalk if possible. They could not do that in this case because of the fragile nature of Orange Street, its sidewalks and the nearby wall. For example, underneath Orange Street is a 1850's storm sewer system that is part of a 10-mile underground network of brick tunnels that lead to the harbor as well as the Ashley and Cooper rivers.

#### Garage.

The proposed three-car "Carriage House" as shown attached to the existing "Kitchen House" does not include driveway access. Currently legal access is achieved as it has been all along from Broad Street as it was intended. Shared access is common on the peninsula and encouraged by City zoning between adjoining properties where parking is hard to find in residential areas with many houses packed tightly together. Fewer driveways give a more attractive, cleaner look and a safer streets by reducing traffic access points. So called "pipe-stem" driveways exist not at 177 Broad Street, 50 Lagare Street, 11 Orange Street, and at least eleven properties on Meeting Street and Church Street between South Battery and Broad Streets.

The historic outbuilding at 17 Orange Street is on a lot large enough to add a reasonable garage with setback variance. The only reason to change the footprint is to create enough space to squeeze in a new driveway leading to Orange Street. The property is barely viewable by the public from Orange Street, but is quite visible to the public from Broad Street. The Kitchen House is hardly visible from the public ROW on Orange Street as stated in the appeal letter on April 17, 2023.



## Ashby, Pennye

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**From:** Edward G. R. Bennett, Jr. <edward.g.r.bennett@gmail.com>  
**Sent:** Friday, May 12, 2023 3:18 PM  
**To:** batchelder@charleston-sc.gov; Ashby, Pennye  
**Subject:** 17 Orange Street / Edward Rutledge House

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Penny and Lee,

I am writing to oppose the proposed variance at the Edward Rutledge House / 17 Orange Street. As a resident of 16 Orange Street, my wife, daughter and I will be directly impacted by the proposed variance, directly across the street from our house, and the concomitant material alterations to the street and its character. The subject property already has sufficient access -- I note that the property was run as a commercial inn for many years with the existing set up, so it is difficult to imagine why a private residence suddenly needs additional access. Orange Street is a quiet, residential street whose character and integrity are now at risk; I am additionally concerned about my daughter's safety if cars will be, inevitably, swinging in and out of our driveway and onto the curb in front our house in order to make the tight turn into such a driveway on the already narrow street. I am deeply concerned about the proposed addition to the house, with an additional apartment, and why the owners, who purchased it with full knowledge of the setup of the property and existing neighborhood, should now receive special treatment allowing them to violate the rules. I can think of nothing more indefensible than this variance, which has widespread community opposition. I urge you to deny any application for variance to the property and access to 17 Orange Street.

Edward Bennett, Jr.  
16 Orange Street



## Ashby, Pennye

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**From:** Sandy Michaels <smichaels202@gmail.com>  
**Sent:** Friday, May 12, 2023 3:51 PM  
**To:** Ashby, Pennye  
**Cc:** batchelder@charleston-sc.gov  
**Subject:** 17 Orange Street, Charleston, SC

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Board of Zoning Appeals-Zoning (BZA-Z)  
C/o Pennye Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401  
[ashbyp@charleston-sc.gov](mailto:ashbyp@charleston-sc.gov)

Dear BZA-Z Board,

I am writing in opposition to the variance request from Sec. 54-301 for a new three car garage and storage/apartment. Currently the plans do not show an exit onto Broad Street. Therefore, this makes the 17 Orange Street kitchen house and the new proposed 3 car garage and carriage house landlocked.

This is an indirect method for the next step to request a new driveway from the 17 Orange Street property, the proposed carriage house and three car garage through a new cut through into the historic wall onto Orange Street. Orange Street is unique and more cars and traffic are not needed on this narrow street from a kitchen house occupants, a carriage house occupants and a 3 car garage. Therefore, changes need to be made to the current plans to allow for 17 Orange Street property to have access to Broad Street. The 17 Orange Street property is not currently landlocked and has access to Broad Street.

In addition the transformer information is not relevant as it benefits 117 Broad Street including the houses on the other three corners of Tradd Street and Broad Street plus the residents on Orange Street.

The solution is to keep access for ingress and egress from 17 Orange Street onto Broad Street. This will maintain the historic wall on Orange Street. I have been on owner of 2 1/2 Orange Street since 2004 and look forward to preserving the historic wall on Orange Street and the unique character of our Orange Street.

Thank you for your consideration of my opposition to this variance.

Sincerely,

Andrice "Sandy" Michaels  
2 1/2 Orange Street  
Charleston, SC 29401  
smichaels202@gmail.com  
Cell: 202 744-4656  
Sent from iPad

Cc: Lee Batchelder

## Ashby, Pennye

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**From:** Diane Weed <dianedweed@yahoo.com>  
**Sent:** Friday, May 12, 2023 3:55 PM  
**To:** Ashby, Pennye  
**Cc:** Batchelder, Lee  
**Subject:** 17 Orange Street Variance Request

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear BZA-Z Board,

I am writing in reference to the variance request for a three car garage with a second story to be built at 17 Orange Street. I have lived at 105 Tradd Street at the beginning of Orange Street for 42 years. My front bay window looks directly up Orange Street. This street has always been a unique charming little passageway that I use on a daily basis. I would hate to see a huge two story garage rise above the historic brick wall. It would be an eyesore for such a historic property and charming street where garages never existed. This is a city known for its preservation, but lately I wonder when the Preservation Society and Historic Charleston Foundation support these changes which reflect on the quality of life of its long time neighbors. (Then ultimately they make these changes and then sell the property and the rest of us are left to view this eyesore forever. Example: 107 Tradd Street.) I sympathize with the neighbors that reside at 15 Orange Street as this will definitely affect their quality of life.

I understand that more requests are in the works if this is approved which would request a 20 foot cut in the historic brick wall to allow a driveway to Orange Street. In that case it would alleviate at least two, much needed and valued, parking spaces, not to mention the strength of the fragile 18th century brick wall would be put into jeopardy. Orange Street is way too fragile with its old storm sewers, and electric lines etc. to be changed in any way to accommodate this large building.

For the reasons stated above, I ask the Board to deny the request for a variance at 17 Orange Street. Thank you for your consideration of this request.

Respectfully yours,

Diane Weed

105 Tradd Street

Charleston, SC 29401

dianedweed@yahoo.com

843-577-0682

843-577-0682 home

Sent by Diane





## Ashby, Pennye

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**From:** Derse, John <John.Derse@mercer.com>  
**Sent:** Friday, May 12, 2023 4:00 PM  
**To:** Ashby, Pennye  
**Cc:** Batchelder, Lee; Athalie Derse  
**Subject:** 17 Orange St. - Derse Comments  
**Attachments:** ORANGE.pdf

**CAUTION:** This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon. Attached please find my letter regarding the application for 17 Orange St.

Thank you.

John

**John W. Derse, Jr.**

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# JOHN W DERSE, JR

8 Orange Street

Charleston, SC 29401

847 295 8595 H

[jwderse@gmail.com](mailto:jwderse@gmail.com)

Board of Zoning Appeals-Zoning (BZA-Z)  
C/o Penny Ashby, Senior Planning Administrator  
2 George Street, Suite 3100  
Charleston, SC 29401

May 12, 2023

Dear Board of Zoning Appeals-Zoning,

I would like to voice my wife Athalie and my objection to passing the requested 3 car garage and apartment above at 17 Orange Street. In addition, I strongly object to the requests to break through the historic wall on Orange Street.

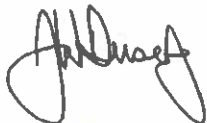
We have lived on Orange St. for three years and in that time, we have come to love the unique but fragile characteristics of this very special street. We, like our neighbors, have worked hard and invested significantly in carefully restoring and maintaining the historic nature of our homes and our street. Orange Street is very narrow and I am not aware of any other street that has parking on the sidewalk. The owners of 17 Orange have already tried to ask for a 20ft opening in the historic wall that runs the last portion of Orange Street. The limited parking on the street will be even less with this wall break.

The new owners of 17 Orange Street were fully aware of the location, the historic nature of 17 Orange and they clearly have plenty of parking on site as this property was used as a hotel for many years. It is frustrating to see attempts to breach a historic wall and disrupt a very special and vulnerable street when there are clearly very acceptable alternatives to accommodate automobiles and parking.

Please do not allow this very special street and wall to be altered in such a drastic way that life on the corner of Orange and Broad streets is compromised permanently.

Thank you for your efforts in preserving Charleston.

Respectfully,



John W. Derse, Jr.

