



City of Charleston

BOARD OF ZONING APPEALS - ZONING

June 2, 2020

5:15 PM

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY

www.charleston-sc.gov/zoning

Agenda Item #B-1

363, 367, AND 369 KING STREET

TMS # 457-04-02-029, 028 AND 027

Request the first one-year extension of a vested right that expires on April 3, 2020, pursuant to Sec. 54-962. Vested right pertains to a special exception granted with conditions under Sec. 54-11 for 21 parking spaces to allow 9,139sf of retail space and 70 dwelling units.

Zoned MU-2/WH



City of Charleston

Instructions – Submit this application, along with the required information and fee, to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 363, 367, 369 King Street TMS # 457-04-02-029, 028, 027

Property Owner 23 Bond Owner, 363-369 King Street Daytime Phone _____

Applicant Stephen Ramos, LS3P Daytime Phone 843.958.5419

Applicant's Mailing Address LS3P / 205 1/2 King Street, Charleston, SC 29403

E-mail Address stephenramos@ls3p.com

Relationship of applicant to owner (same, representative, prospective buyer, other) design consultant

Zoning of property MU-2/WH

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Stephen Ramos Date 2/3/2020

For office use only	Date application received <u>2/3/2020</u>	Fee \$ <u>150</u>	Time application received <u>3:30 pm</u>
Staffperson <u>Craig Bennett</u>			Receipt # <u>971552</u>

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

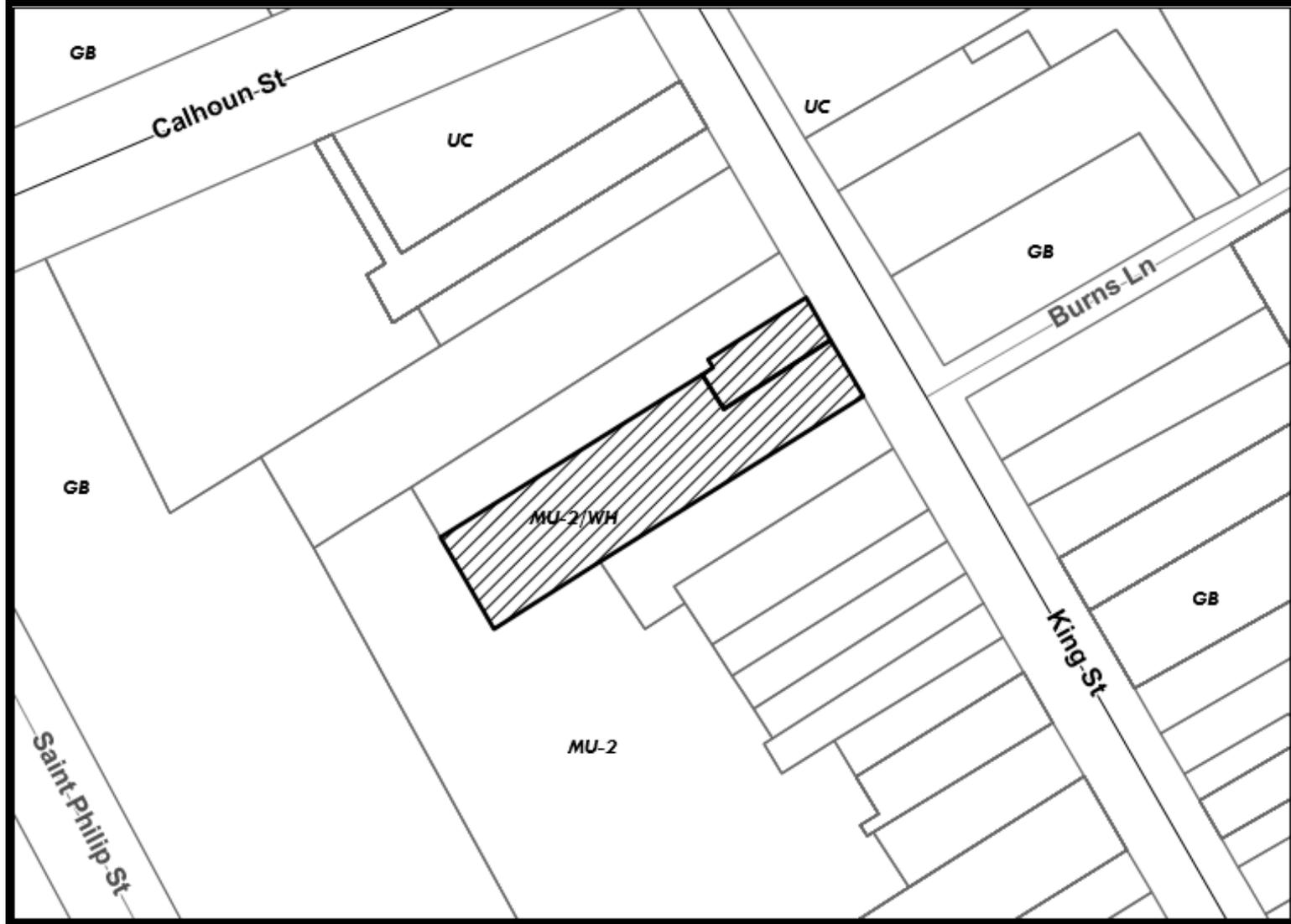
- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

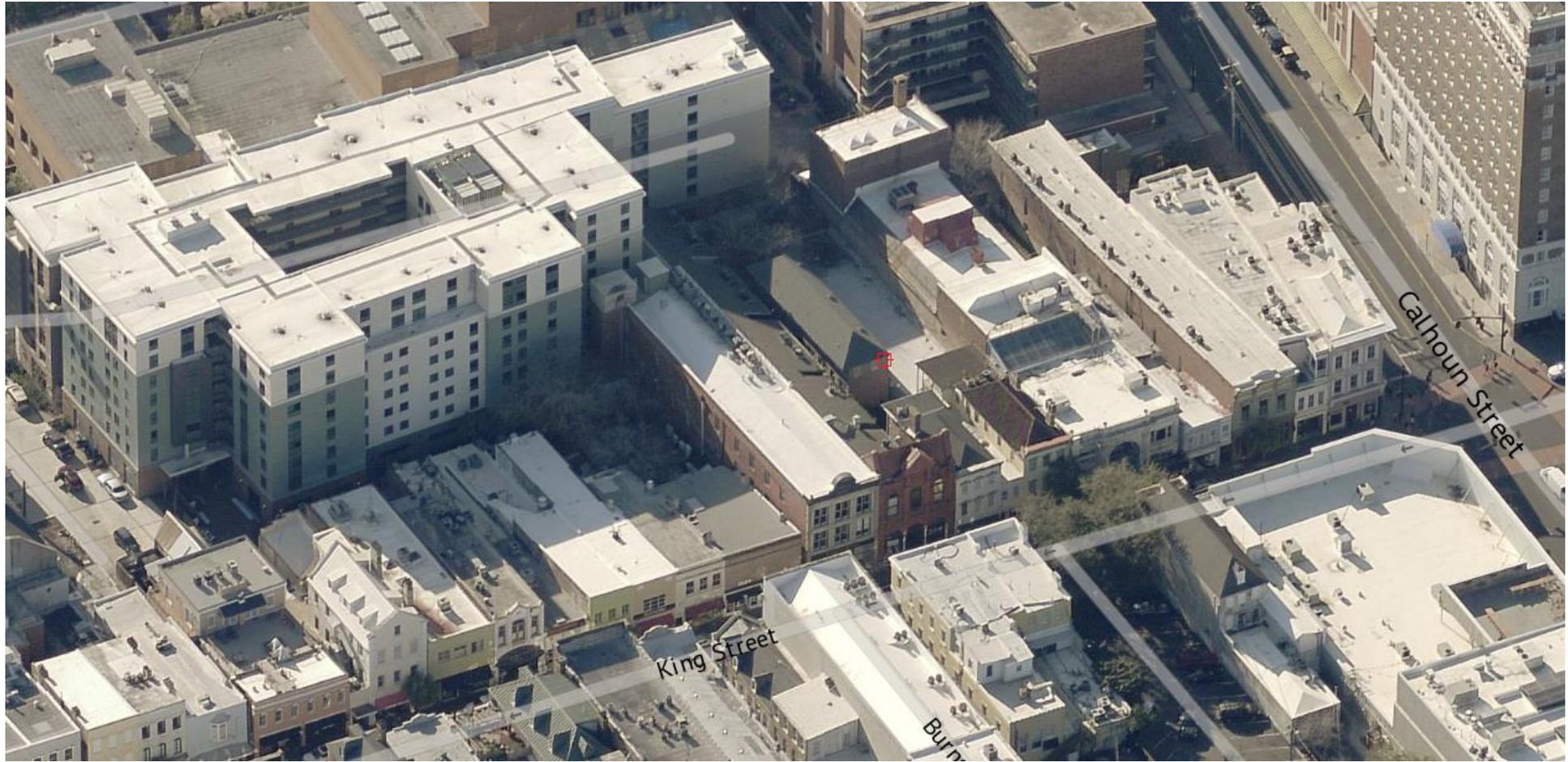
In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

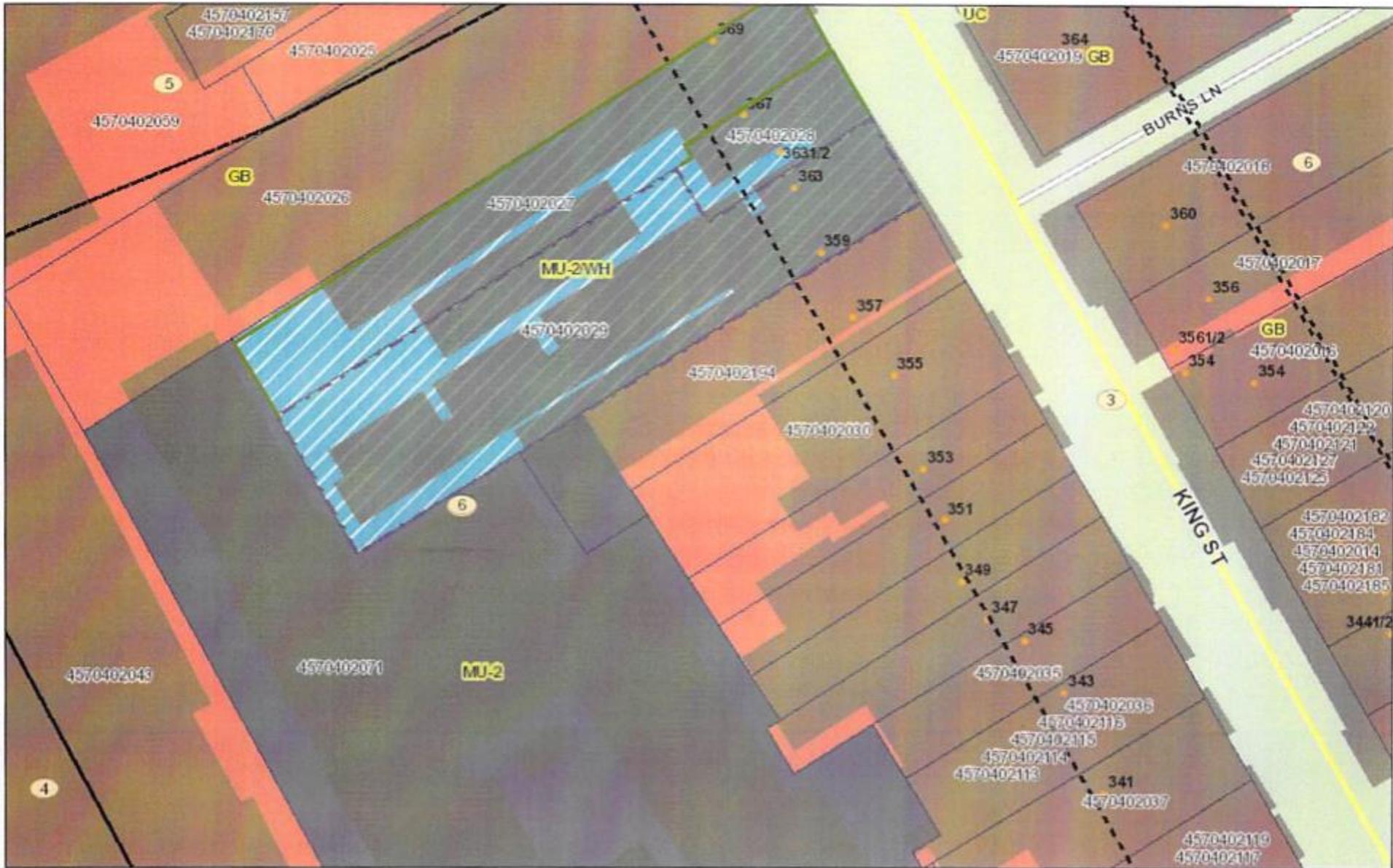
For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

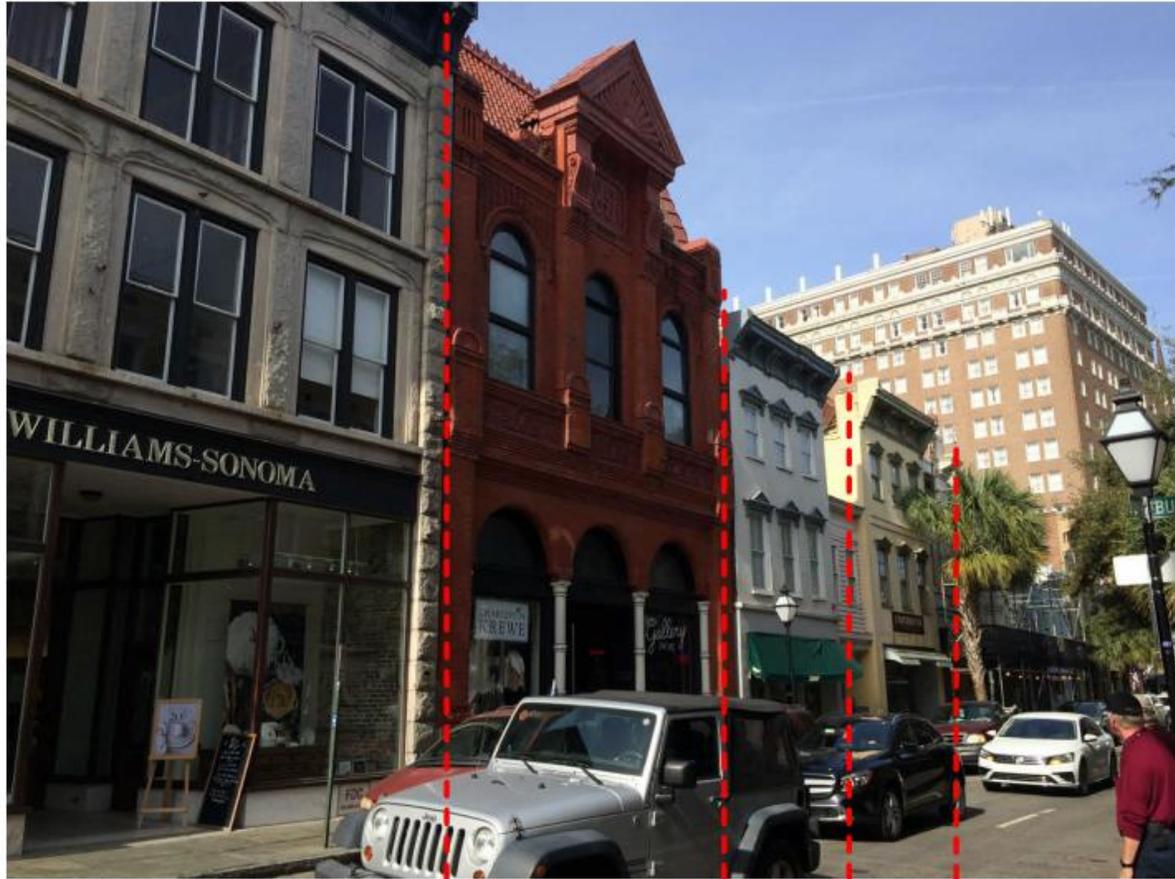
- Requesting 1 year extension of parking special exception granted on April 3, 2018 and approved at City Council on September 18, 2018 for 21 parking spaces.
- Original approval at the April 3, 2018 BZA meeting was a parking special exception for 8 parking spaces. This was in addition to the 60 existing grandfathered parking spaces.
- There was a mediation settlement approved by City Council on September 18, 2018 to increase the # of 8 spaces to 21 spaces. This is in addition to the 60 spaces already grandfathered, therefore the total exemption is 81 parking spaces.

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.









363 KING

367 KING

369 KING

⊕ SCALE:

KING STREET ELEVATIONS | _A003



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

363, 367 AND 369 KING ST. (457-04-02-029, 028 AND 027)
Request special exception under Sec. 54-511 to allow 83 residential units and 9,139sf of retail space without required off-street parking spaces (94 spaces required; site is grand fathered for 60 spaces). Zoned MU-2/WH.

Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

1) no short term rentals by records doc or records removal for accommodation only zone 2) driveway access out back to Beale St. (more conditions attached)

Date issued: 4/3/12 Chairman [Signature]

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
1/09

Agenda Item #B-2

19 HAGOOD AVENUE

(WESTSIDE)

TMS # 460-00-00-017

Request the first one-year extension of a vested right that expires on July 17, 2020, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on July 17, 2018 for a 250-unit accommodations use with conditions in a MU-2/WH (Mixed Use 2 Workforce Housing) zone district.



City of Charleston

Instructions - This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals - Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 19 Hazard Avenue TMS # 460-00-00-017

Property Owner South Park Ventures, LLC Daytime Phone 843-722-8169

Applicant Wamble Bank Dickinson (DBS) LLP Daytime Phone 843-720-4640

Applicant's Mailing Address Attn: James Wilson, 5 Exchange St, Chas, SC 29401

E-mail Address James.wilson@wbdt-us.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property MU-2/WH - Accommodations

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 2/14/20

For office use only	Date application received	Time application received
Staffperson <u>[Signature]</u>	<u>2/14/20</u>	<u>11:51</u>
Fee \$ <u>5,000.00</u>	Receipt # <u>9911561</u>	

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

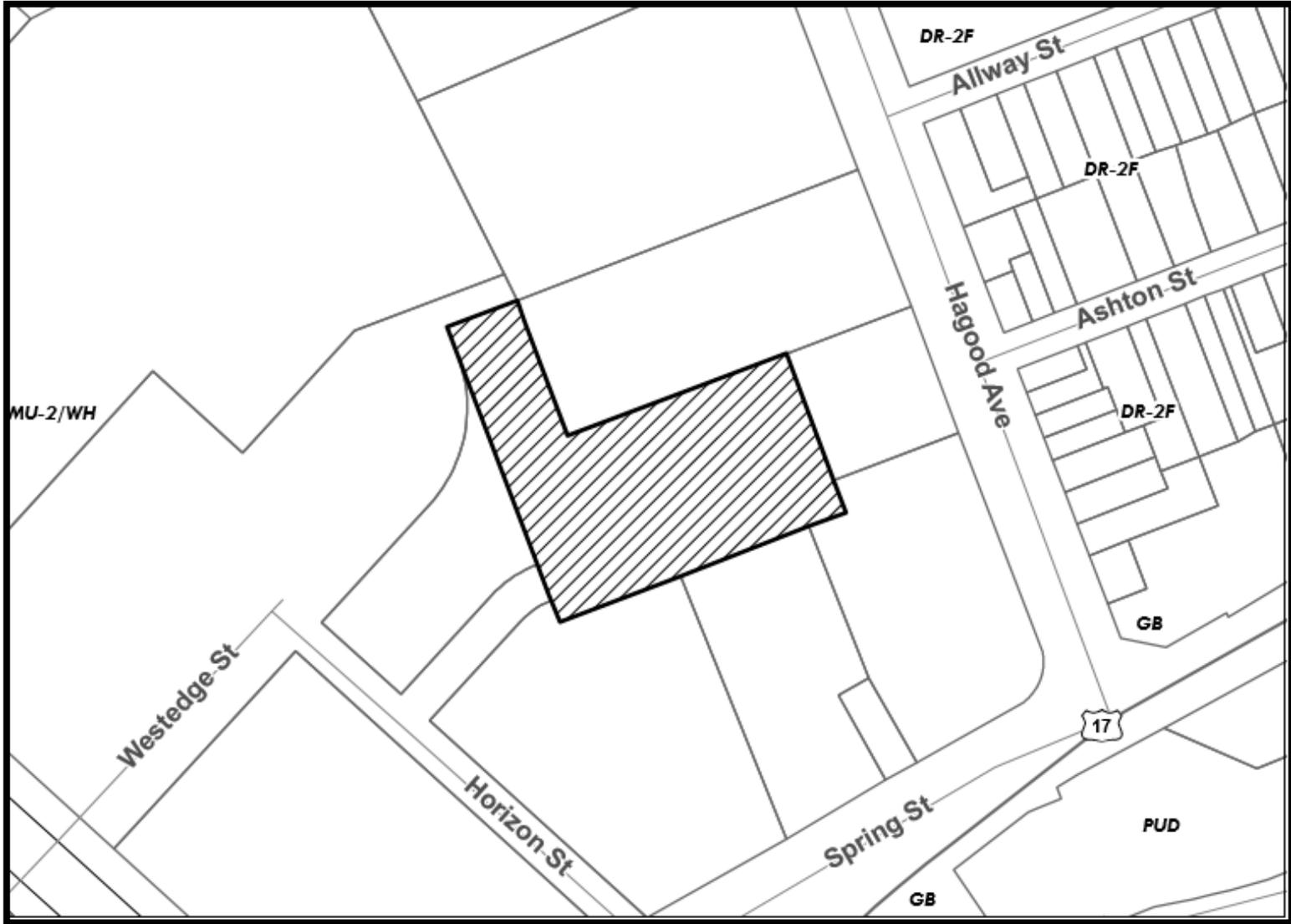
See Attached Exhibit A

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

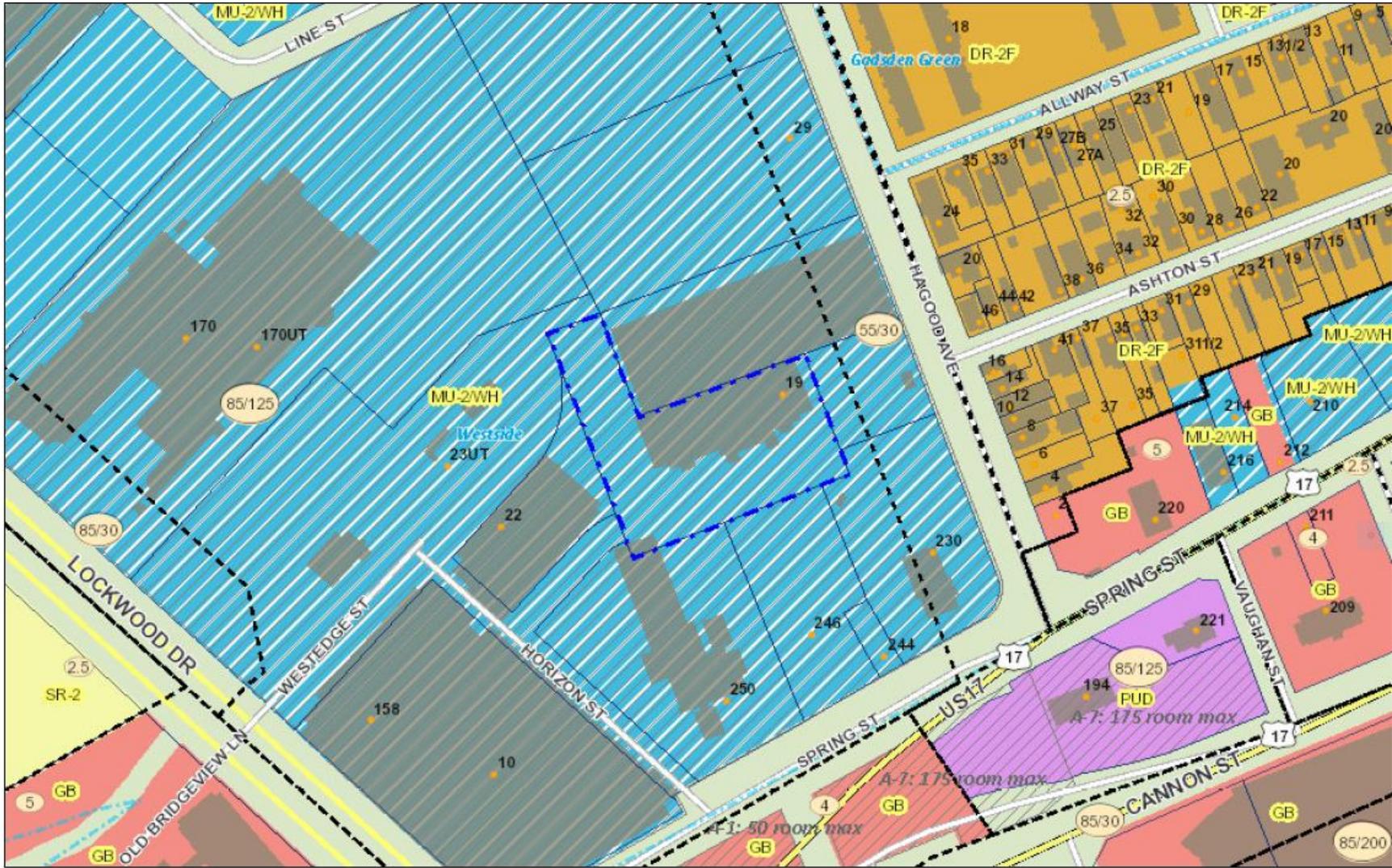
EXHIBIT A
to
Application for Extension of Special Exception

Pursuant to Section 54-962 of the Ordinances of the City of Charleston, the Owner hereby requests a one-year extension of the previously approved Special Exception for a 250 room hotel project to be constructed at 19 Hagood Avenue. A copy of the Minutes from the previously approved Special Exception granted by the BZA on July 17, 2018, is attached hereto and incorporated herein by reference. This is the first one-year extension being requested.

The initial two-year vested right term for the Special Exception for 19 Hagood Avenue commenced on July 17, 2018 and extends through July 17, 2020. This first one-year extension period should commence on July 17, 2020 and extend through July 17, 2021.









PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

19 HAGOOD AVE. (WESTSIDE) (460-00-00-017)

Request special exception under Sec. 54-220 to allow a 250-unit accommodations use in a MU2/AH (Mixed Use 2 Workforce Housing) zone district.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Construction would be conducted in the rear yard. 195 sq. ft. to be reserved in parking garage; shutter screen be provided for front yard area.

Date issued: 7/7/18 Chairman [Signature]

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
1/09



SPECIAL EXCEPTION:
 250' Front Set
 40' Parking On Site
 No Residential Displacement
 10' Minimum Drop Off

1. Construction to be in accordance with the approved site plan and all applicable codes.
 2. The applicant shall provide a site plan showing the location of the proposed structure and the location of the proposed parking spaces to be provided in parking garage.
 3. The applicant shall provide a site plan showing the location of the proposed structure and the location of the proposed parking spaces to be provided in parking garage.

APPROVED BY: [Signature]
 DATE: [Date]
 OFF: [Signature]

19 HAGOOD AVENUE

 SUBJECT SITE



BENNETT  HOSPITALITY

BZA-001

BOARD OF ZONING APPEALS — ZONING

ADDRESS 19 Haggood Avenue

APPROVED FOR 250-unit accommodations use

- DENIED
- WITHDRAWN
- AS SUBMITTED
- W/CONDITIONS
- DENSITY
- PARKING
- HEIGHT
- LOT OCCUPANCY
- USE/OR SPECIAL EXCEPT
- OTHER

DATE 7/17/18 ZONING HA

*THIS APPROVAL EXPIRES 7/17/21 (70 YEARS UNLESS)

SPECIAL EXCEPTION:

- 250 Room Hotel
- All Parking On Site
- No Residential Displacement
- Offstreet Drop Off

1. Construction traffic won't be directed through residential neighborhood
2. 195 parking spaces to be reserved in parking garage
3. Shuttle service to be provided to and from historic areas.



BZA-001

HOSPITALITY

Agenda Item #B-3

411 MEETING STREET
(CANNONBOROUGH/ELLIOTBOROUGH)

TMS # 459-09-03-114

Request a third one-year extension of a vested right that expires on December 31, 2020, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on June 7, 2016 with conditions for a 300-unit accommodations use in a MU-2 (Mixed Use) zone district.



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 411 Meeting Street TMS # 459-09-03-114

Property Owner Bennett Meeting Street, LLC Daytime Phone 843-722-8169

Applicant Wamble Bank Dickinson (DBS) LLP Daytime Phone 843-720-4640

Applicant's Mailing Address Attn: James Wilson, 5 Exchange St, Chs, SC 29401

Email Address james.wilson@wbdl-us.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property MU-2/-Accommodations

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 2/14/20

For office use only	Date application received <u>2/14/20</u>	Time application received <u>11:51</u>
Staffperson <u>[Signature]</u>	Fee \$ <u>6,200.00</u>	Receipt # <u>471558</u>

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

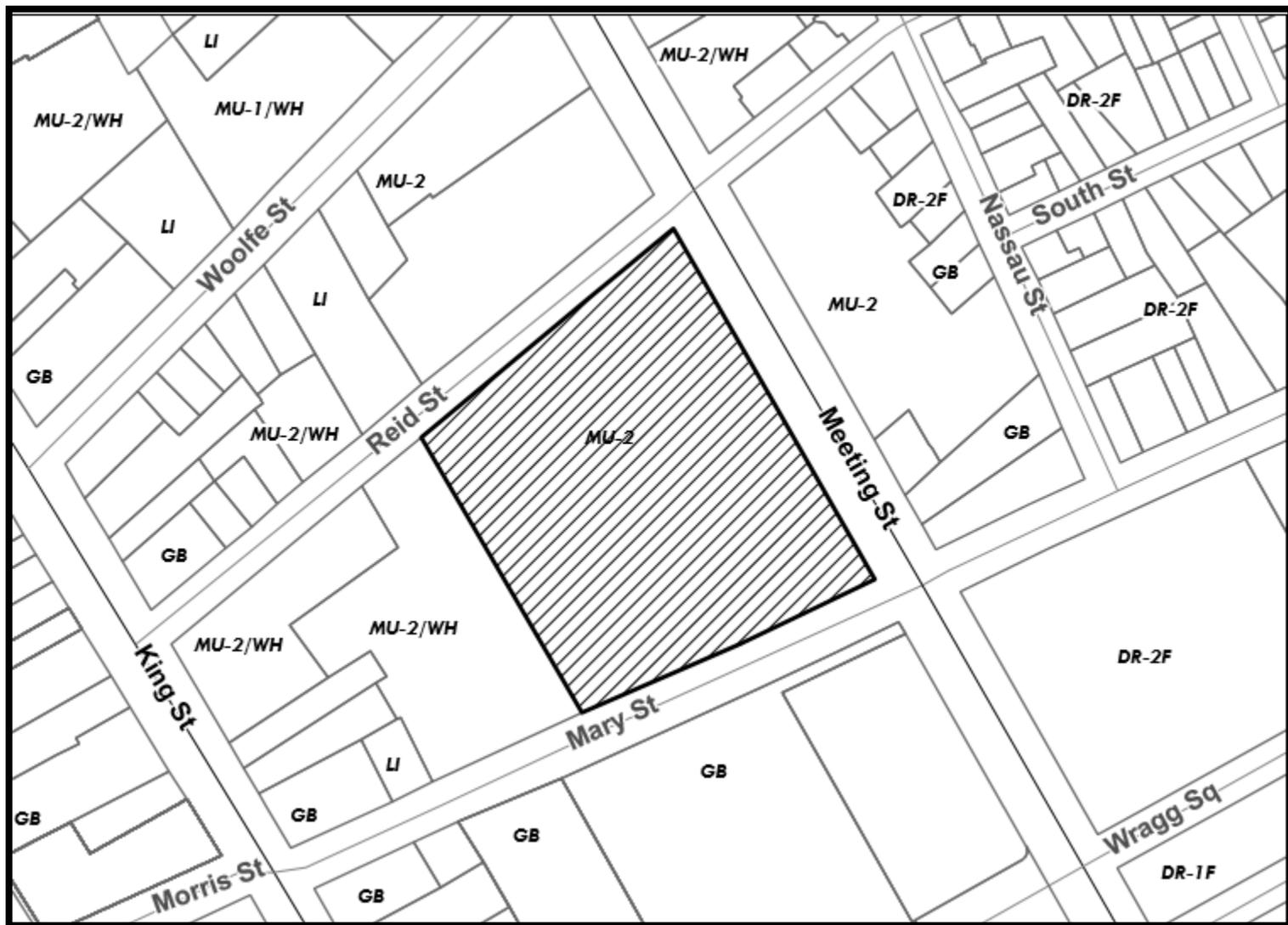
See Attached Exhibit A

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

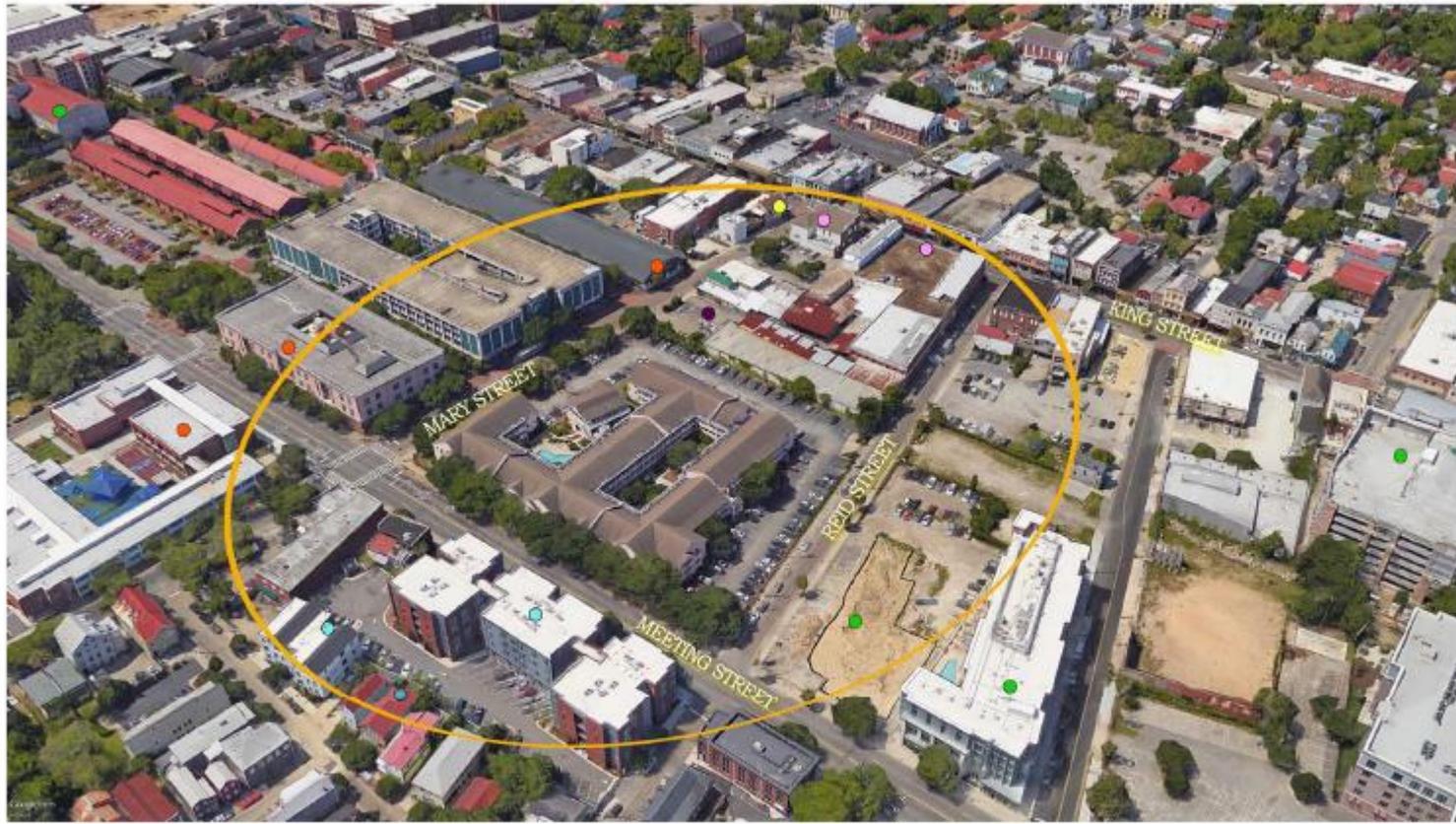
EXHIBIT A
to
Application for Extension of Special Exception

Pursuant to Section 54-962 of the Ordinances of the City of Charleston, the Owner hereby requests a one-year extension of the previously approved Special Exception for a 300 room full service conference hotel and residential unit project to be constructed at 411 Meeting Street. A copy of the Minutes from the previously approved Special Exception granted by the BZA on June 7, 2016, along with copies of the previously approved first and second one-year extensions granted by the BZA on May 1, 2018, and March 19, 2019, are attached hereto and incorporated herein by reference. This is the third one-year extension being requested.

Pursuant to Section 54-962, the Permit Extension Joint Resolutions of 2010 and 2013 (as defined in Section 54-961) had the effect of suspending the running of the period of a vested right until December 31, 2016. As a result, the two-year vested right term for the Special Exception for 411 Meeting Street commenced on January 1, 2017 and extended through December 31, 2018. The first one-year extension period granted by the BZA commenced on January 1, 2019 and extended through December 31, 2019. The second one-year extension granted by the BZA commenced on January 1, 2020 and extends through December 31, 2020. Based on the foregoing, the third one-year extension period should commence on January 1, 2021 and extend through December 31, 2021.







DISTANCE TO
MAJOR ATTRACTIONS:
MARION SQUARE .31 MI.
CHARLESTON MUSEUM .15 MI.
VISITORS CENTER .12 MI.
SC AQUARIUM .71 MI.
WATERFRONT PARK 1.1 MI.

411 MEETING STREET
SURROUNDING USES

- EDUCATION
- RESIDENTIAL
- RETAIL
- COMMERCIAL
- OFFICE
- HOSPITALITY
- RESTAURANT

BENNETT **BH** HOSPITALITY

BZA-005



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

411 MEETING STREET (CANNONBOROUGH/ELLIOTBOROUGH) (459-09-03-114)

Request one year extension of a vested right that expires on December 31, 2018, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on June 7, 2016, with conditions for a 300-unit accommodations use in a MU-2 (Mixed Use) zone district.

~~Order on Special Exception Request~~

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any: Same conditions attached to 6/7/2016 approval. Extension will vest this approval through December 31, 2019.

Date issued: 5/1/18 Chairman [Signature]

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

- APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 2. These conditions do not generally apply to other property in the vicinity;
 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

411 MEETING ST. (CANNONBOROUGH/ELLIOTBOROUGH) (459-09-03-114)
Request a second one-year extension of a vested right that expires on December 31, 2019, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on June 7, 2016, with conditions for a 300-unit accommodations use in a MU-2 (Mixed Use) zone district.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

*Subject to conditions of original accommodations special
except by appeal. Extension will not be approved through
December 31, 2020.*

Date issued: 3/19/19 Chairman 

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

Agenda Item #B-4

317 SAVANNAH HIGHWAY

TMS # 421-07-00-003

Request a third one-year extension of a vested right that expires on December 4, 2020, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 4, 2007 for a 150-unit accommodations use in a GB-A (General Business-Accommodations) zone district.



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020
 Property Address 317 Savannah Highway TMS # 421-67-00-003
 Property Owner Riverview Ventures, LLC Daytime Phone 843-722-8169
 Applicant Wumble Bond DeKuson (US) LLC Daytime Phone 843-720-4640
 Applicant's Mailing Address Attn: James Wilson, 5 Exchange St, Chs, SC 29401
 E-mail Address james.wilson@wbd-us.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property BB - Accommodations

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 2/14/20

For office use only	Date application received	Fee	Time application received
	<u>2/14/20</u>	<u>\$ 3,200.00</u>	<u>9:11:56</u>
Staffperson			Receipt # <u>9411560</u>

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. [SC Code of Laws § 6-29-800]

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-1-10, § 54-206, or sections in Article 5 (add as an attachment if necessary):

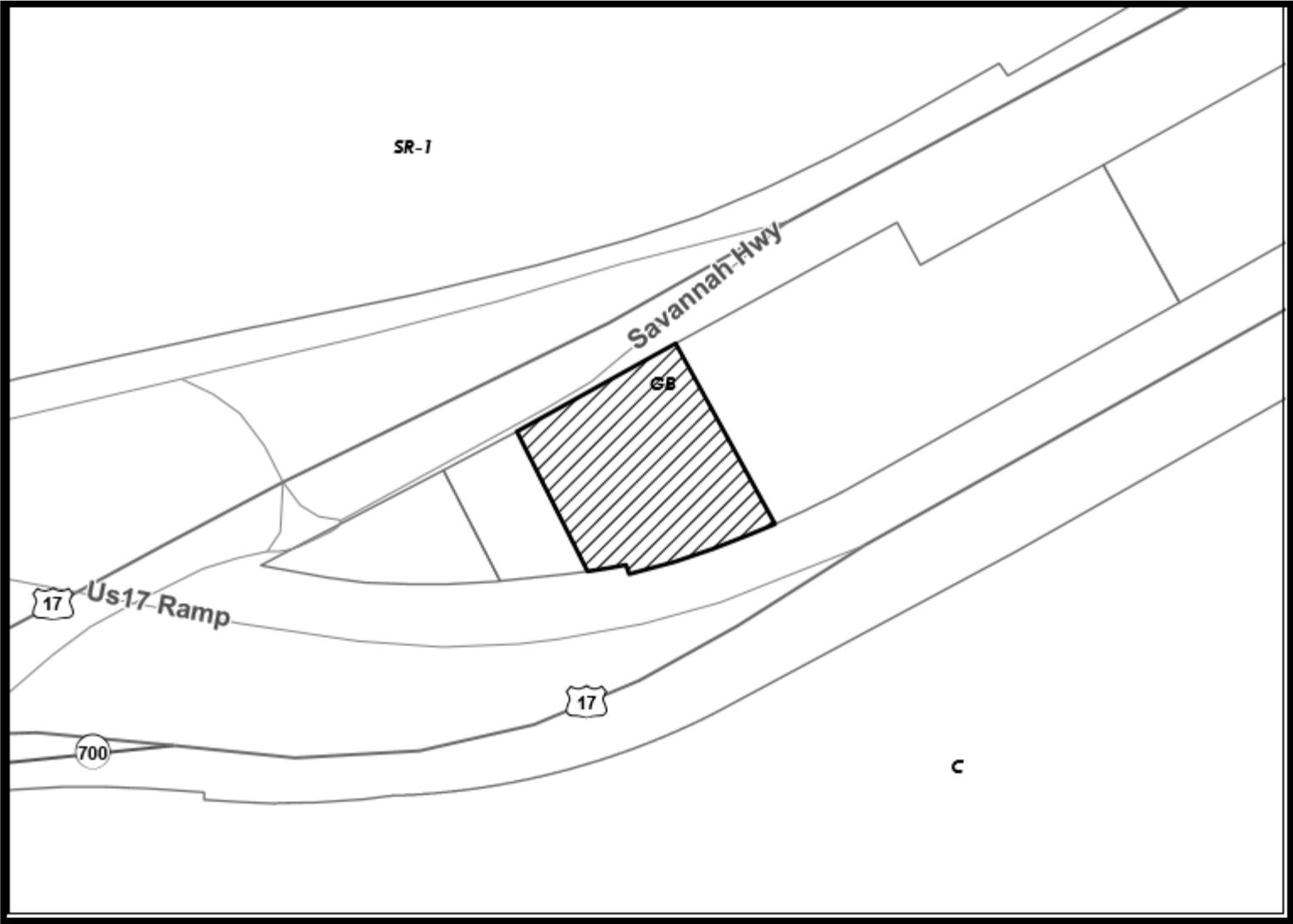
See Attached Exhibit A

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

EXHIBIT A
to
Application for Extension of Special Exception

Pursuant to Section 54-962 of the Ordinances of the City of Charleston, the Owner hereby requests a one-year extension of the previously approved Special Exception for a 150 room hotel project to be constructed at 317 Savannah Highway. A copy of the Minutes from the previously approved Special Exception granted by the BZA on December 4, 2007, along with copies of the previously approved first and second one-year extensions granted by the BZA on November 6, 2018, and June 18, 2019, are attached hereto and incorporated herein by reference. This is the third one-year extension being requested.

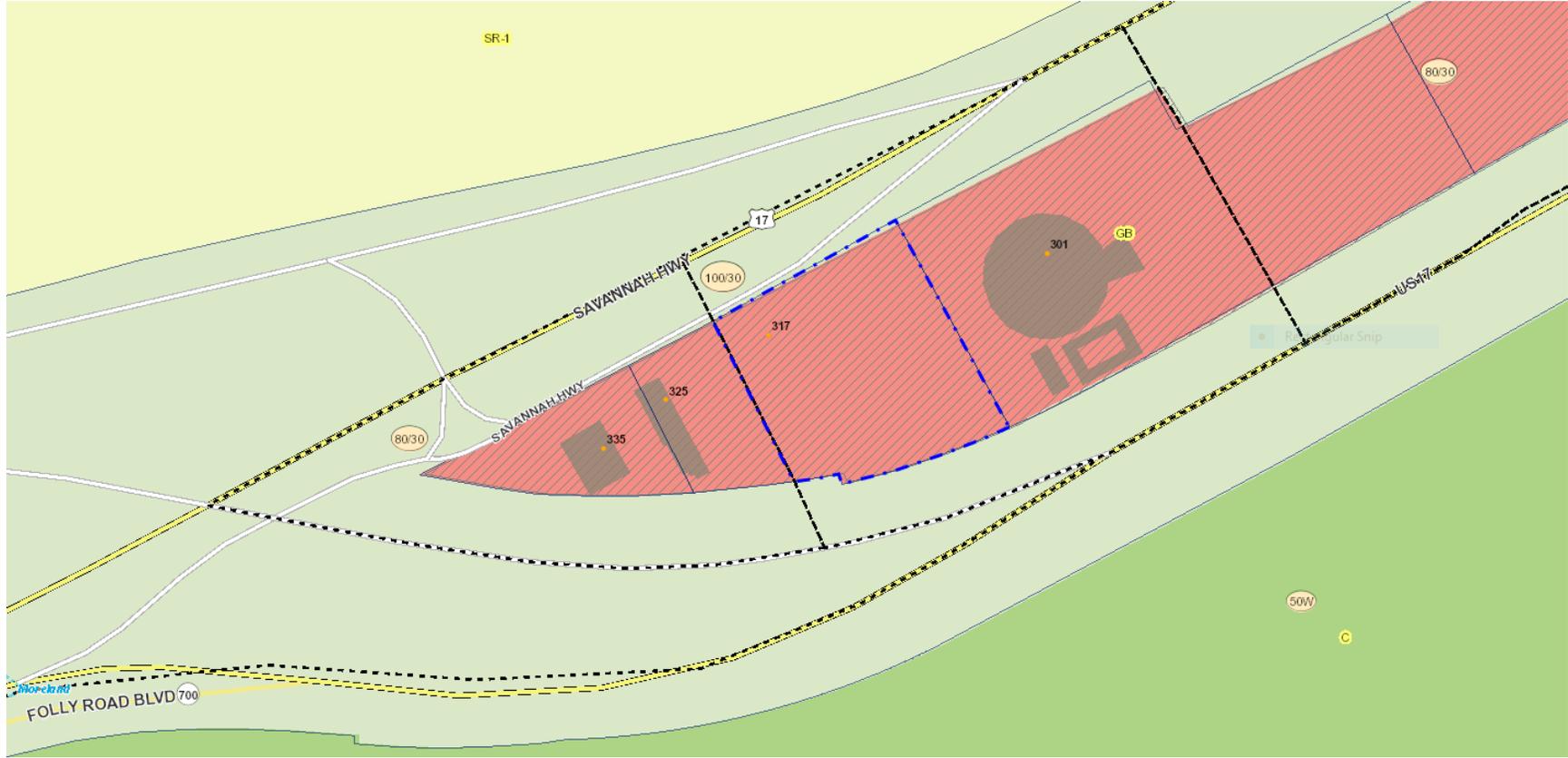
Pursuant to Section 54-962, the Permit Extension Joint Resolutions of 2010 and 2013 (as defined in Section 54-961) had the effect of suspending the running of the period of a vested right from January 1, 2008 until December 31, 2016. As a result, the two-year vested right term for the Special Exception for 317 Savannah Highway commenced on December 4, 2007, was suspended from January 1, 2008 until December 31, 2016, re-commenced on January 1, 2017, and extended through December 4, 2018. The first one-year extension granted by the BZA commenced on December 5, 2018 and extended through December 4, 2019. The second one-year extension granted by the BZA commenced on December 5, 2019 and extends through December 4, 2020. Based on the foregoing, this third one-year extension period should commence on December 5, 2020 and extend through December 4, 2021.





Saint Andrews Boulevard

Saint Andrews Boulevard





PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

317 SAVANNAH HWY (421-07-00-003)

Request one-year extension of a vested right that expires on December 31, 2018, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 4, 2007 for 150-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

vested right extension application granted
through 12/31/19.

Date issued: 11/6/18 Chairman [Signature]

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any: _____



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

317 SAVANNAH HWY (421-07-00-003)

Request a second one-year extension of a vested right that expires on December 4, 2019, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 4, 2007 for a 150-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Approval - Vested Rights Extension granted through December 4, 2020.

Date issued: 6/18/19 Chairman:

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

- APPROVED. The Board concludes that
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 2. These conditions do not generally apply to other property in the vicinity;
 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman: _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
1/09

Agenda Item #B-5

246 SPRING STREET

(WESTSIDE)

TMS # 460-10-02-005

Request a third one-year extension of a vested right that expires on December 31, 2020, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 18, 2012 for a 125-unit accommodations use in a MU-2/WH (Mixed-Use2 Work Force Housing) zone district.



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 246 Spring Street TMS # 460-10-02-005

Property Owner Spring Street Ventures, LLC Daytime Phone 843-722-8169

Applicant Womble Bond Dickinson (US) LLP Daytime Phone 843-720-4640

Applicant's Mailing Address Attn: James Wilson 5 Exchange St, Cls, SC 29401

E-mail Address James.wilson@wbdl-us.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property MU-2/wtl - Accommodations

- Information required with application: (check information submitted)
- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
 - For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
 - Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
 - Plans or documents necessary to show compliance with special exception requirements (3 sets)
 - Check, credit card or cash (make checks payable to the City of Charleston)
 - YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

- Optional but very helpful information:
- Photographs
 - Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 2/14/20

For office use only	Date application received <u>2/14/20</u>	Time application received <u>11:51</u>
Staffperson <u>[Signature]</u>	Fee \$ <u>2,700.00</u>	Receipt # <u>971359</u>

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

See Attached Exhibit A

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

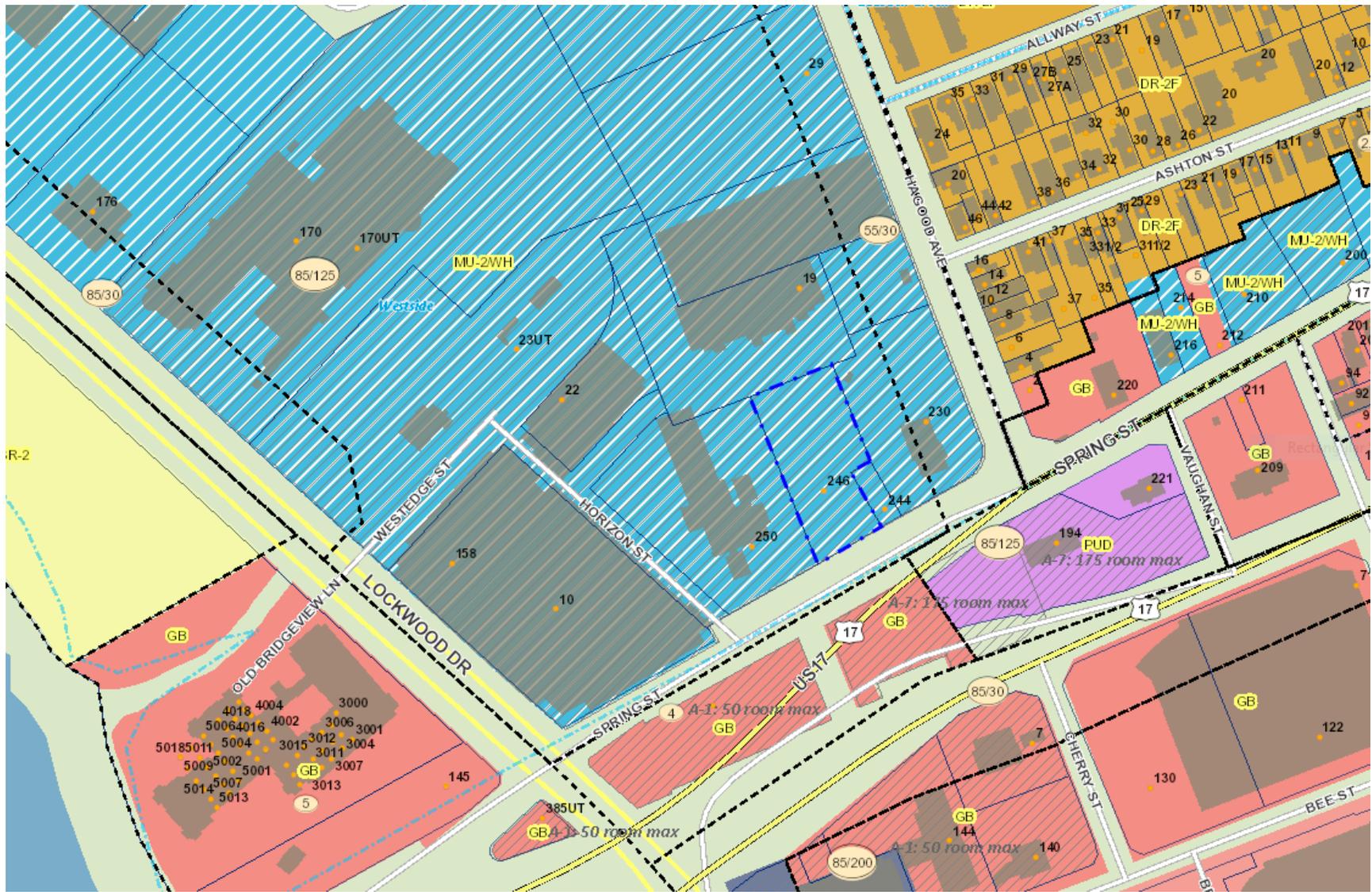
EXHIBIT A
to
Application for Extension of Special Exception

Pursuant to Section 54-962 of the Ordinances of the City of Charleston, the Owner hereby requests a one-year extension of the previously approved Special Exception for a 125 room hotel project to be constructed at 246 Spring Street. A copy of the Minutes from the previously approved Special Exception granted by the BZA on December 18, 2012, along with copies of the previously approved first and second one-year extensions granted by the BZA on November 6, 2018, and June 18, 2019, are attached hereto and incorporated herein by reference. This is the third one-year extension being requested.

Pursuant to Section 54-962, the Permit Extension Joint Resolutions of 2010 and 2013 (as defined in Section 54-961) had the effect of suspending the running of the period of a vested right until December 31, 2016. As a result, the two-year vested right term for the Special Exception for 246 Spring Street commenced on January 1, 2017 and extended through December 31, 2018. The first one-year extension granted by the BZA commenced on January 1, 2019 and extended through December 31, 2019. The second one-year extension granted by the BZA commenced on January 1, 2020 and extends through December 31, 2020. Based on the foregoing, this third one-year extension period should commence on January 1, 2021 and extend through December 31, 2021.









PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

246 SPRING ST. (WESTSIDE) (460-10-02-005)
Request special exception under Sec. 54-220 to allow a 125-unit accommodations use in a MU-2/WH
(Mixed Use 2, Workforce Housing) zone district.

Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Date issued: 12/19/12 Chairman: *[Signature]*

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman: _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

246 SPRING ST. (WESTSIDE) (460-10-02-005)

Request one-year extension of a vested right that expires on December 31, 2018, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 18, 2012, for a 125-unit accommodations use in a MU-2/WH (Mixed Use Work Force Housing) zone district.

~~Order on Special Exception Request~~

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

vested rights extension granted through 12/31/19.

Date issued: 11/6/18

Chairman

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

APPROVED. The Board concludes that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:



PROPERTY LOCATION, TMS NUMBER(S) AND DESCRIPTION OF REQUEST(S):

246 SPRING ST. (WESTSIDE) (460-10-02-005)

Request a second one-year extension of a vested right that expires on December 31, 2019, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on December 18, 2012 for a 125-unit accommodations use in a MU-2/WH (Mixed Use Work Force Housing) zone district.

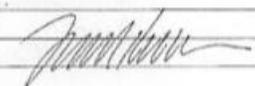
Order on Special Exception Request

The Board of Zoning Appeals-Zoning held a public hearing to consider the above appeal for a special exception which may be permitted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

DENIED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s) be denied.

APPROVED. The Board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s) be granted, subject to the following conditions, if any:

Approval-Vested Rights Extension granted through
December 31, 2020.

Date issued: 6/18/19 Chairman 

Order on Variance Request

The Board of Zoning Appeals-Zoning held a public hearing to consider an appeal for a variance from the strict application of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of facts and conclusions.

DENIED. The Board concludes that the requirements for granting a variance have not been met and, therefore, orders that the variance be denied.

- APPROVED. The Board concludes that:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 2. These conditions do not generally apply to other property in the vicinity;
 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 4. Authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

THE BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted, subject to the following conditions, if any:

Date issued: _____ Chairman _____

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Section 54-962. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

Agenda Item #B-6

28 BLAKE STREET

(EASTSIDE)

TMS # 459-06-01-048

Request variance from Sec. 54-301 to allow 7 residential dwelling units with 1,466sf of lot area per dwelling unit (1,650sf required).

Zoned DR-2F



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: June 2, 2020

Property Address 28 Blake Street, Charleston, SC TMS # 459-06-01-048

Property Owner S.C. Palmetto Properties, LLC Daytime Phone (301) 252-0623

Applicant Mark S. Sharpe, Esq. /Burr Forman McNair Daytime Phone (843) 973-6859

Applicant's Mailing Address 100 Calhoun St. Suite 400, Charleston, SC 29401

E-mail Address msharpe@burr.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Attorney

Zoning of property DR-2F

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request. See Exhibit C.

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Mark S. Sharpe Mark S. Sharpe Date May 18, 2020

For office use only	
Date application received _____	Time application received _____
Staffperson _____	Fee \$ _____ Receipt # _____

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

See attachment.

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

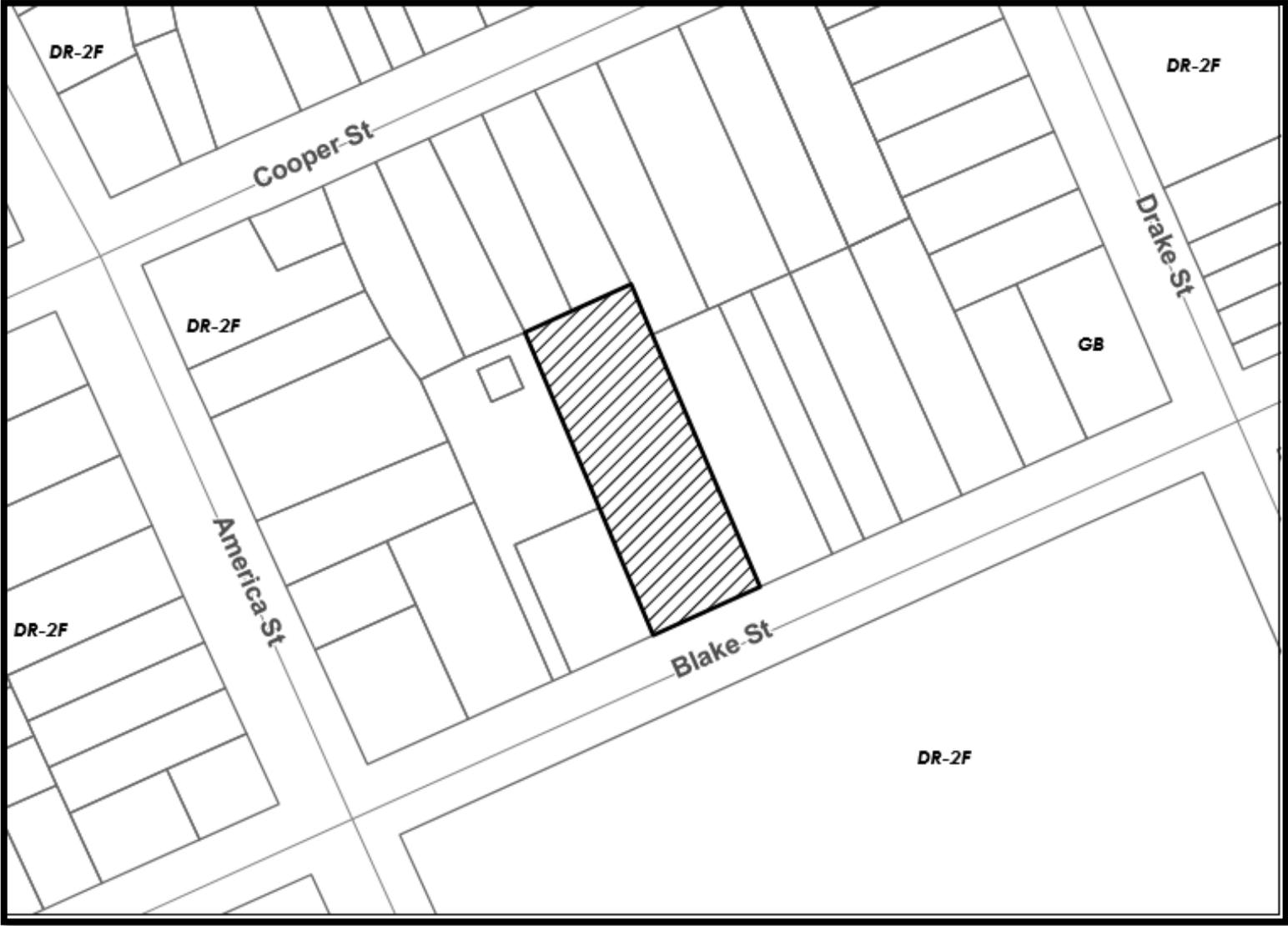
**Attachment to BZA-Z Application
for 28 Blake Street, Charleston, SC**

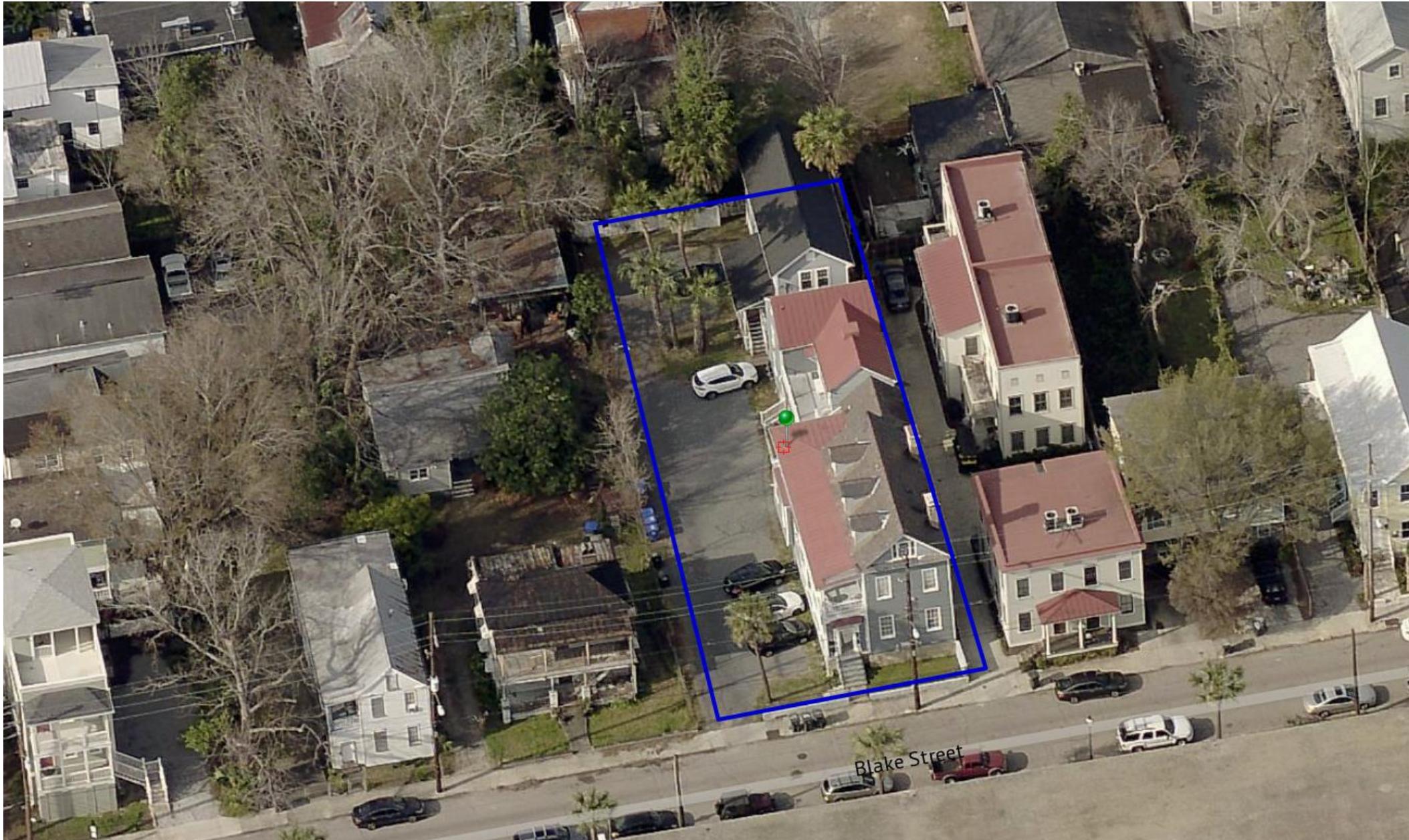
For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

This property has seven (7) apartments units as shown on the attached plat by Parker Land Surveying, LLC, dated November 5, 2019, and last revised November 25, 2019 (Exhibit A). It also has seven (7) electric meters and water meters for each unit. Owner has acquired this property and wishes to convert to a seven-unit condominium. However, we cannot find the variance that would allow seven units, which would require the lot to be 11,550 sq. ft. According to a plat by E.M. Seabrook Engineers/Surveyors dated February 12, 2020, and attached as Exhibit B, the lot is 10,236 sq. ft. The property can support the parking requirement for seven units, which requires 11 parking spaces, as shown on Exhibit B.

Variance Test:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property: From the zoning map one can see that this lot and the adjacent lot are two of the largest lots in the block, bounded by Cooper, Drake, America and Blake Streets. The property already has seven units which are functioning and not creating a problem in the neighborhood and has adequate parking on site to support seven units. The location of the seven units are shown on the plats attached as Exhibit A and Exhibit B, and in more detail on the floor plans by E. M. Seabrook Engineers/Surveyors attached as Exhibit C.
2. These conditions do not generally apply to other property in the vicinity: As one of the largest lots, it can support the required parking for the seven units. Based upon the seven actual electric meters and water meters and the actual use, which appears to have gone on for years, this would qualify as a Non-Conforming Use.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property: Since this is the existing use and the seven units have functioned as separate units with their own meters, the best utilization of the property is to allow the seven units. There is a large need for affordable housing and these units will be more affordable for individuals to own in this neighborhood.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. To the Applicant's knowledge, this property has functioned with seven units without disturbing the neighborhood. The owner is making improvements to the property, which will encourage other improvements in the neighborhood. There is adequate parking for the seven units. Attached as Exhibit D is a letter of support. We have also sent letters to Ms. Latonya Gamble of the Eastside Community Development Foundation requesting support, but have not heard from her.





Blake Street



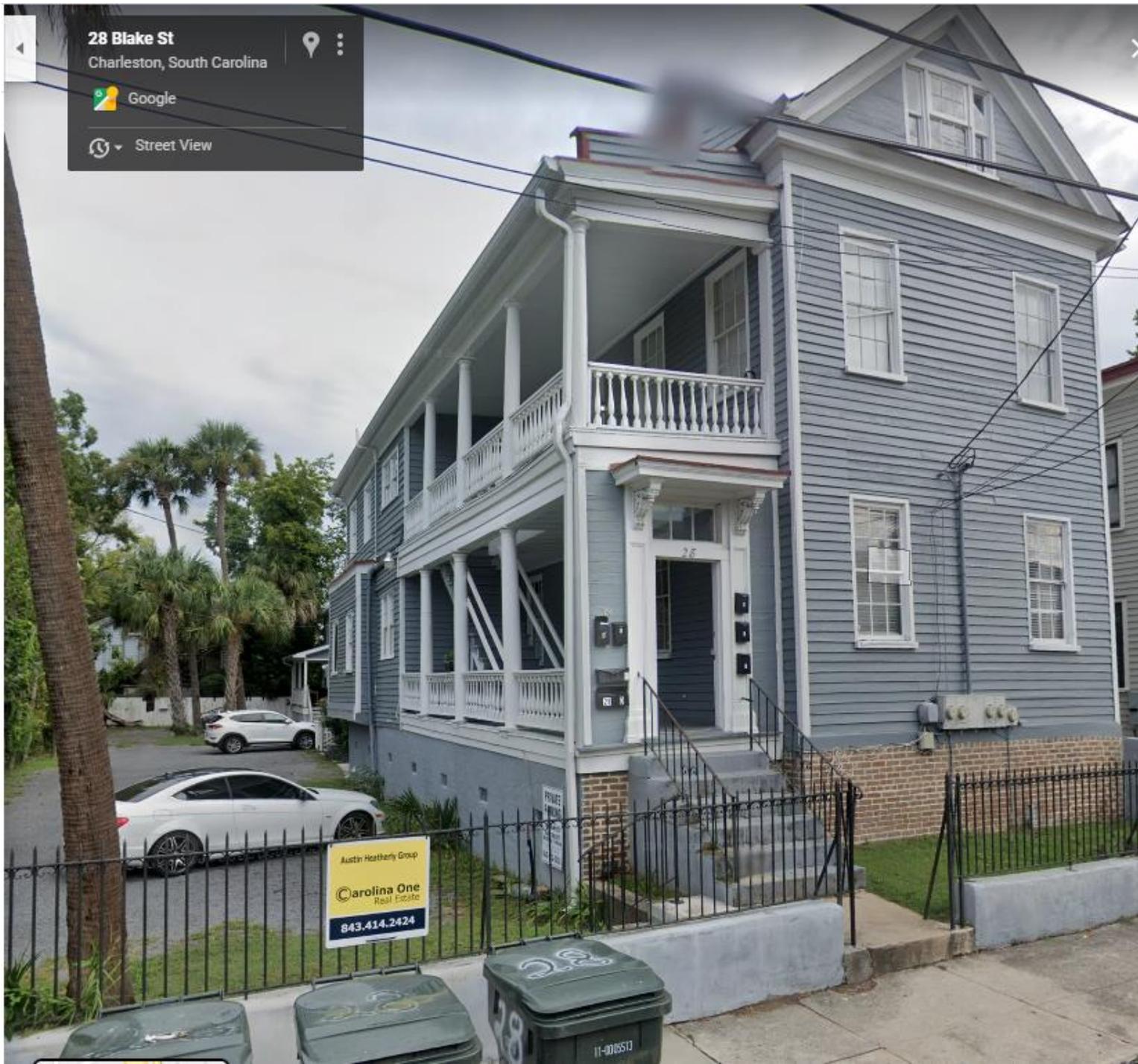
28 Blake St
Charleston, South Carolina



Google



Street View





LOCATION MAP
N.T.S.

REFERENCES.

1. PLAT IN PLAT BOOK D, PAGE 188 IN CHARLESTON COUNTY R.O.D. OFFICE.
2. PLAT IN PLAT BOOK A, PAGE 162 IN CHARLESTON COUNTY R.O.D. OFFICE.
3. PLAT IN PLAT BOOK 80, PAGE 096 IN CHARLESTON COUNTY R.O.D. OFFICE.
4. DEED RECORDED IN BOOK 0473, AT PAGE 501.
5. DEED RECORDED IN BOOK 0344, AT PAGE 434.
6. DEED RECORDED IN BOOK 0026, AT PAGE 200.
7. DEED RECORDED IN BOOK 0418, AT PAGE 302.
8. CHARLESTON COUNTY TMS # 459-06-01-048

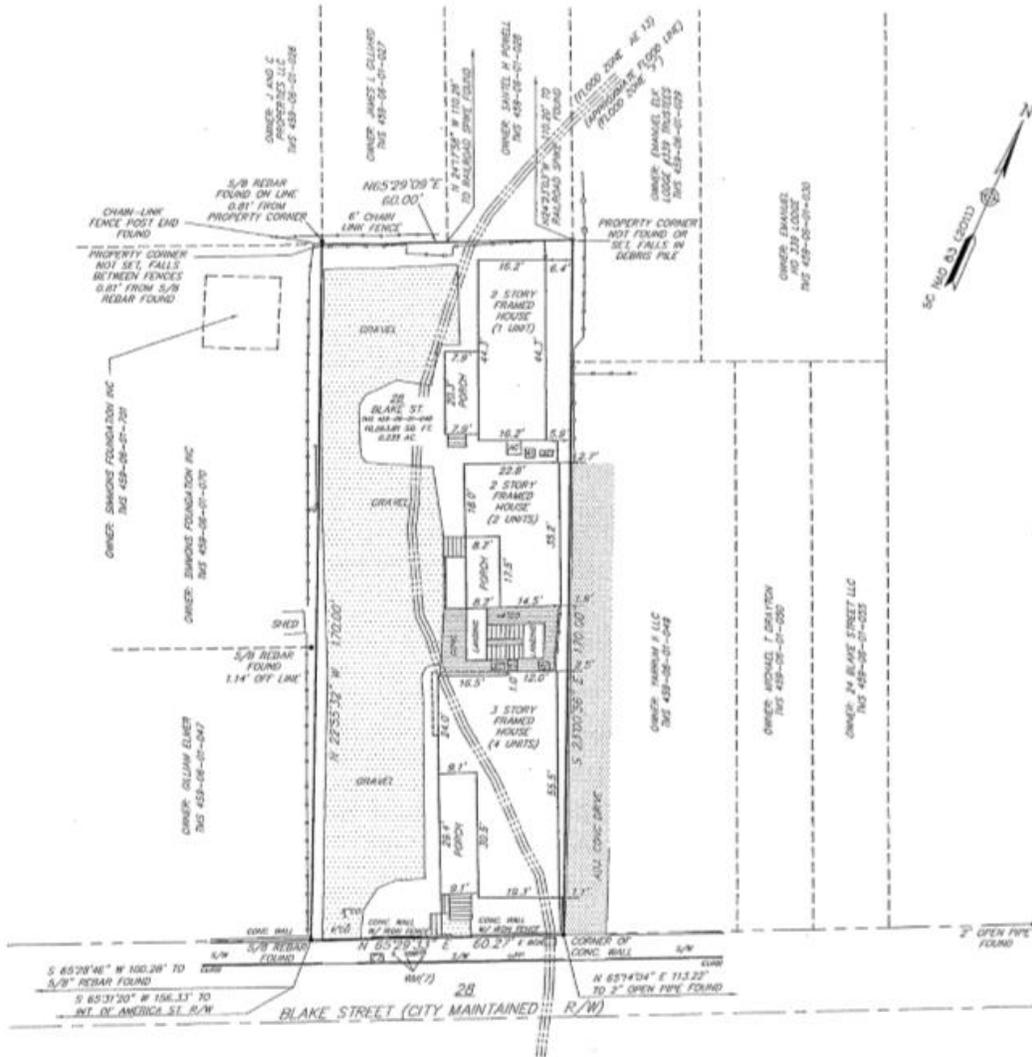
NOTES.

1. BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND FLOOD ZONE "AE" (ELEV. 13), PER FEMA MAP COMMUNITY PANEL NO. 45019C 0526 4 MAP EFFECTIVE NOVEMBER 11, 2004.
2. THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
3. ALL PROPERTY CORNERS SET ARE 3/4" REBAR UNLESS OTHERWISE NOTED.
4. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
5. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY; THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
6. EASEMENTS SHOWN ARE PER REFERENCED PLATS; PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT OBVIOUS OR APPARENT TO THE SURVEYOR.
7. ZONED DR-2F

ZONING PER ONLINE ORDINANCES AND SHOULD BE VERIFIED WITH ALL GOVERNING MUNICIPALITIES AND ASSOCIATIONS.

LEGEND

- PROPERTY LINE WITH PROPERTY CORNER FOUND (AS DESCRIBED)
- PROPERTY LINE WITH PROPERTY CORNER (AS DESCRIBED)
- STREET FRONT OF WAY LINE
- CENTER LINE OF RIGHT OF WAY
- ADJACENT PROPERTY LINE
- 6" WOOD FENCE
- 4" CHAIN-LINK FENCE



PLANNING USE ONLY
ENGINEERING DIVISION
CITY OF CHARLESTON
DATE PLAT APPROVED: 11-25-19
APPROVED BY CITY ENGINEER: [Signature]
APPROVED BY FOR CITY ENGINEER: [Signature]

RECORDED

DATE: 11/23/19 TIME: 8:47:11 AM
Book Page: 819 0255 DocType: Small Plat
Recorder: [Signature]
Recorder Title: [Signature]
City of Charleston, Charleston County, SC

REC'D BY: [Signature]
CITY OF CHARLESTON
ATTENTION: CLERK
DATE: 11/23/19
TIME: 8:47:11 AM
LOCATION: BLAKE ST

FOR PLANNING AND R.O.D. USE

Parker Land Surveying, LLC
5910 Griffin Street
Hampton, SC 29410
Phone: (843) 554-7777
Fax: (843) 554-7779

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

[Signature]
LAUREN MAURICE WILDER
P.L.S. 29523

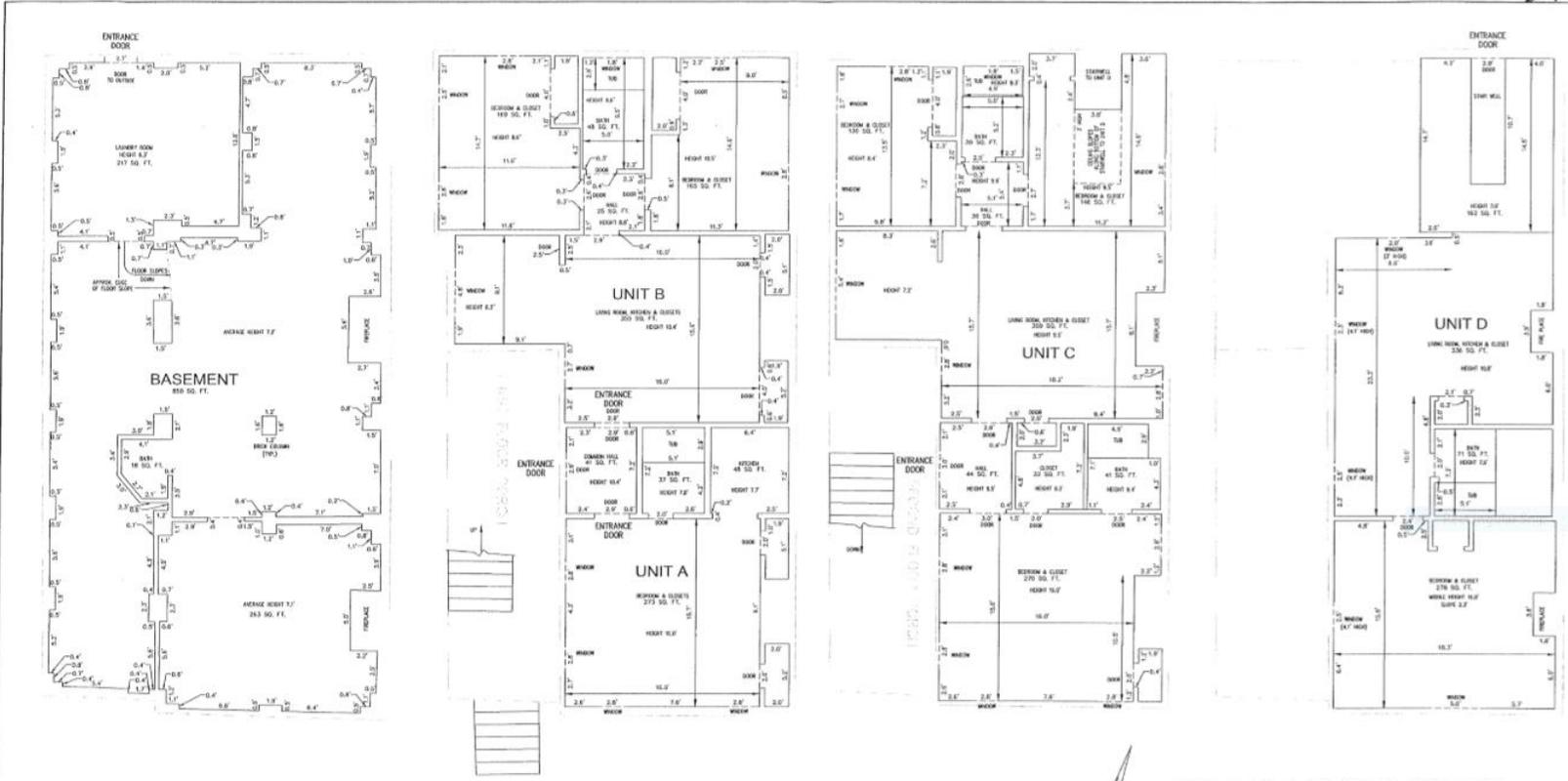


PLAT
SHOWING 28 BLAKE STREET (0.235 AC.), TMS# 459-06-01-048,
LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY,
SOUTH CAROLINA

DATED: NOVEMBER 5, 2019
REVISED: NOVEMBER 25, 2019

SCALE: 1" = 20'

B-1



UNITS A AND B ARE ON THE FIRST FLOOR.
 UNIT C IS ON THE SECOND FLOOR.
 UNIT D IS IN THE ATTIC.

**BASEMENT, UNITS A, B, C AND D
 28 BLAKE STREET
 INTERIOR PLAN VIEW**

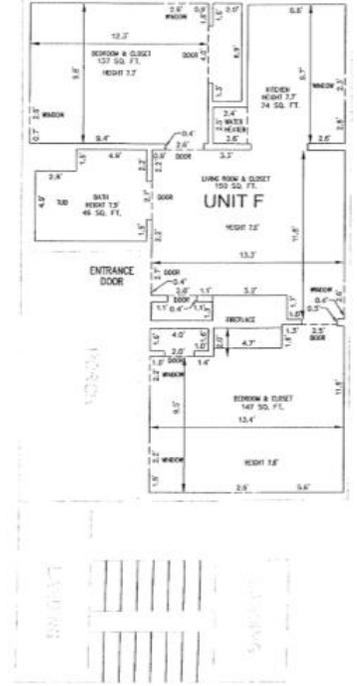
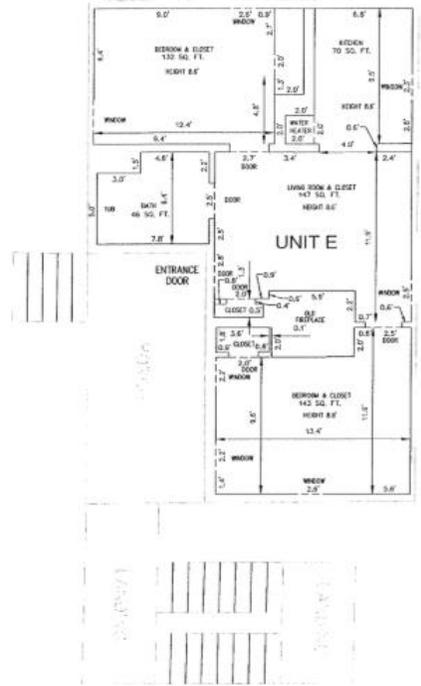
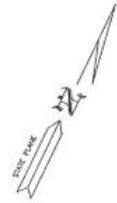
SCALE: 1" = 4'

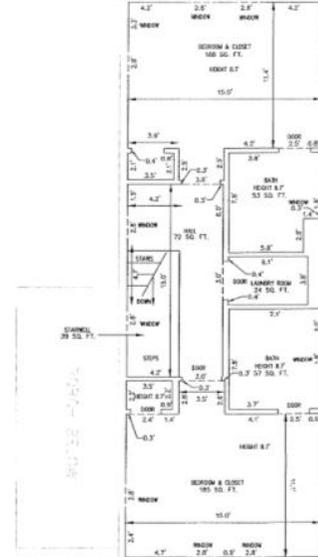
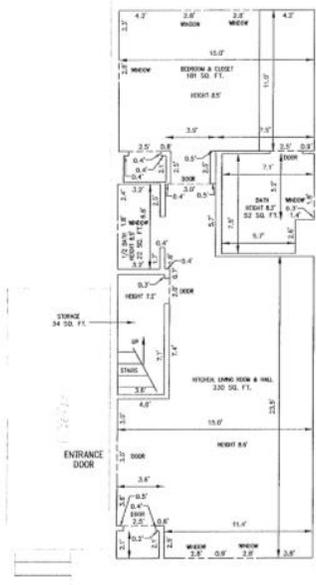


LEWIS E. SEABROOK
 CIVIL ENGINEER & LAND SURVEYOR
 S. C. REG. NO. 70980
 411 ALEXANDER S. C. 29405
 (843) 584-4506



E.M. SEABROOK
 Engineers | Surveyors
 1037 Chas. DeLoach Blvd
 Building 2 - Suite 200
 Mount Pleasant, SC 29568
 Phone (843) 861-4490
 www.emseabrook.com





UNIT G IS ON THE FIRST AND SECOND FLOORS.

UNIT G
28 BLAKE STREET
INTERIOR PLAN VIEW
SCALE: 1" = 4'



LEWIS E. SEABROOK
CIVIL ENGINEER & LAND SURVEYOR
S. C. REG. NO. 09950
P. O. BOX 96
MOUNT Pleasant, S. C. 29465
(843) 884-4496



E.M. SEABROOK
Engineers | Surveyors
1037 Chuck Dewey Blvd
Building F - Suite 300
Post Office Box 96
Mount Pleasant, SC 29465
Phone (843) 884-4496
www.emseabrook.com

Agenda Item #B-7

60 HANOVER STREET

(EASTSIDE)

TMS # 459-05-04-102

Request variance from Sec. 54-301 to allow the reestablishment of two dwelling units (duplex) with 1,750sf of lot area per dwelling unit (2,000sf required).

Request variance from Sec. 54-301 to allow a hvac platform with a 0-ft. north side setback (3-ft. required).

Request special exception under Sec. 54-511 to allow two dwelling units (duplex) with three off-street parking spaces (four spaces required).

Zoned DR-2F



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 60 Hanover Street, Charleston, SC 29407 TMS # 459.05.04.102

Property Owner Green Rock Investments, LLC Daytime Phone (843) 801-8774

Applicant Green Rock Investments, LLC c/o Shane Laagdale Daytime Phone (843) 801-8774

Applicant's Mailing Address 2130 Weaver Street, Charleston, SC 29403

E-mail Address shane.laagdale@yahoo.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Same

Zoning of property DR-2F

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
Plans or documents necessary to show compliance with special exception requirements (3 sets)
Check, credit card or cash (make checks payable to the City of Charleston)
YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date February 13, 2020

For office use only
Date application received 2/13/2020
Staffperson [Signature]
Fee \$ 150.00
Time application received 3:30
Receipt # 471559

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

(1) **Request for Zoning Variance from Sec. 54-301 to Allow the re-establishment of Two Dwelling Units (Duplex):** The proposed zoning variance would allow 1,760 sf of lot area per dwelling unit (2,000 sf required).

- The building has long been utilized as duplex and is physically configured as such with two entrances. One in the front and an exterior stairway through the piazza. Because of these conditions, which do not generally apply to other adjacent properties, the application of the ordinance would unreasonably restrict the utilization of the property.

(2) **Request for Variance from Sec. 54-301 to Allow a HVAC Platform:** Request zoning variance to allow an HVAC platform to be located 0-ft. north side setback (3-ft. required).

- The authorization of this variance will not be of substantial detriment to the adjacent property.

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

(1) Request Parking Special Exception from Sec.54-511: Although the rear of the property may accommodate some vehicle parking,

it does not strictly conform to zoning off-street parking requirements. The special exception would allow two dwelling units (duplex)

with three (3) off-street parking spaces (four (4) required).

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.







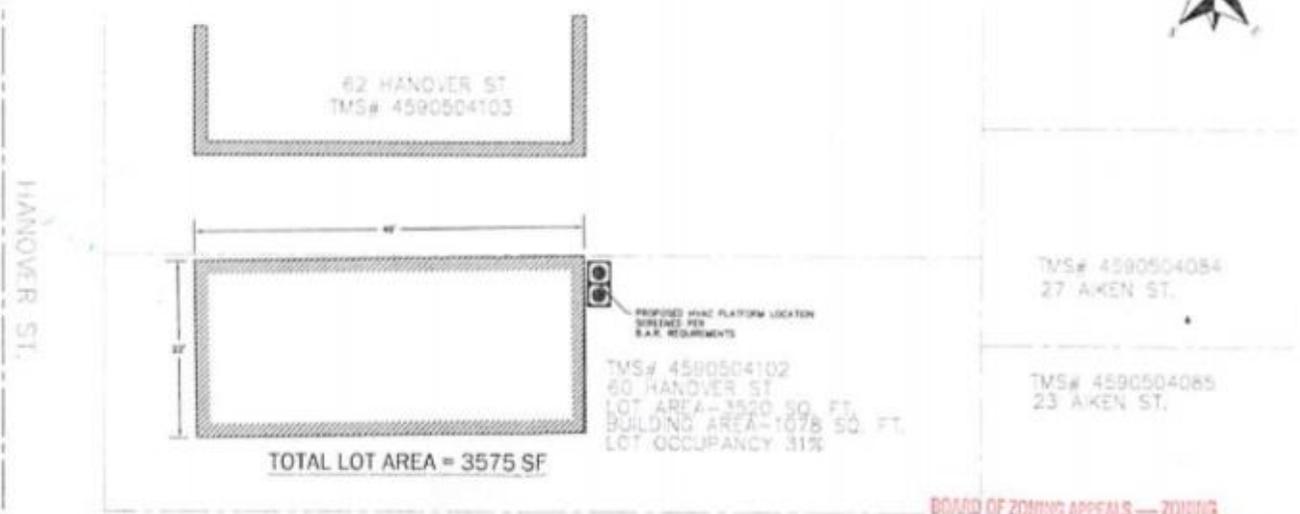
07/27/2009 15:21

60 HANOVER ST.

BOARD OF ZONING APPLICATION FOR VARIANCE AND SPECIAL EXCEPTION

REQUESTED VARIANCES/SPECIAL EXCEPTIONS:

1. DENSITY VARIANCE TO RE-ESTABLISH PROPERTY AS DUPLEX USE
2. OFFSET VARIANCE FOR HVAC PLATFORM
3. PARKING SPECIAL EXCEPTION



TOTAL LOT AREA = 3575 SF

TMS# 4590504102
 60 HANOVER ST.
 LOT AREA - 3500 SQ. FT.
 BUILDING AREA - 1078 SQ. FT.
 LOT OCCUPANCY 31%



LOCATION MAP
 SCALE: NTS

SITE PLAN
 SCALE: 1/16" = 1'

BOARD OF ZONING APPEALS — ZONING

ADDRESS 60 Hanover Street

<input checked="" type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> SET BACK	hvac platform
<input type="checkbox"/> DENIED	<input checked="" type="checkbox"/> DENSITY	
<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> PARKING	
	<input type="checkbox"/> HEIGHT	
<input checked="" type="checkbox"/> AS SUBMITTED	<input type="checkbox"/> LOT OCCUPANCY	
<input type="checkbox"/> UNCONDITIONAL	<input checked="" type="checkbox"/> VARIANCE/SPECIAL EXCEPTION - parking	
	<input type="checkbox"/> OTHER	

DATE 7/16/17 SPECIAL OFF

*THIS APPROVAL EXPIRES TWO YEARS UNLESS AN EXTENSION IS APPLIED TO THE BOARD OF ZONING APPEALS. THIS DOES NOT CONSTITUTE AN ENDORSEMENT BY THE BOARD OF ZONING APPEALS.

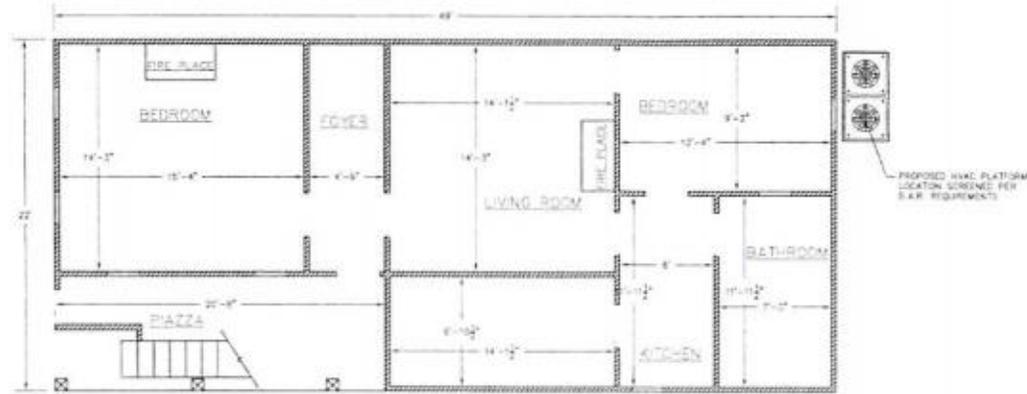
60 HANOVER ST
 CHARLESTON, SC
 29403



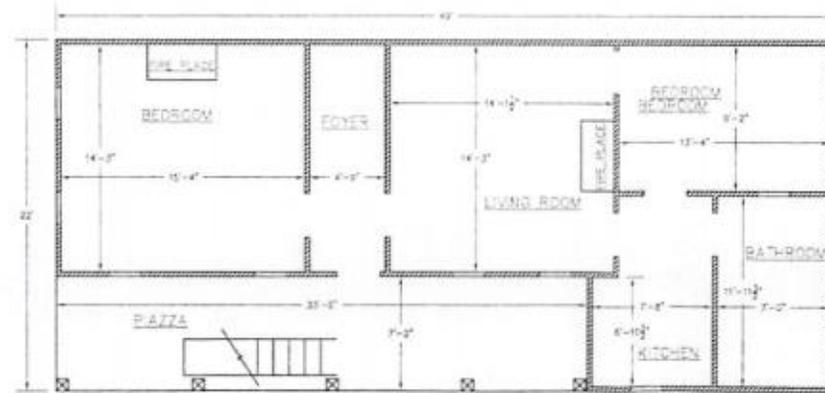
DESIGNED BY:	MEB
DRAWN BY:	MEB
CHECKED BY:	DMW
DATE:	6/16/17
REV. DATE:	

C1
 SITE PLAN

60 HANOVER ST
CHARLESTON, SC
29403



FIRST FLOOR PLAN-UNIT A
(930 SQ. FT.)
SCALE: 1/8" = 1'



SECOND FLOOR PLAN-UNIT B
(820 SQ. FT.)
SCALE: 1/8" = 1'

DESIGNED BY: MEB
DRAWN BY: MLM
CHECKED BY: DEM
DATE: 6/26/17
REV. - DATE: _____

A2
FLOOR PLANS

60 HANOVER ST
 CHARLESTON, SC
 29403



DESIGNED BY:	NRB
DRAWN BY:	MLM
CHECKED BY:	DMW
DATE:	6/16/17
REV.	DATE:

A1
 ELEVATIONS



FRONT ELEVATION
 SCALE: 1/8" = 1'



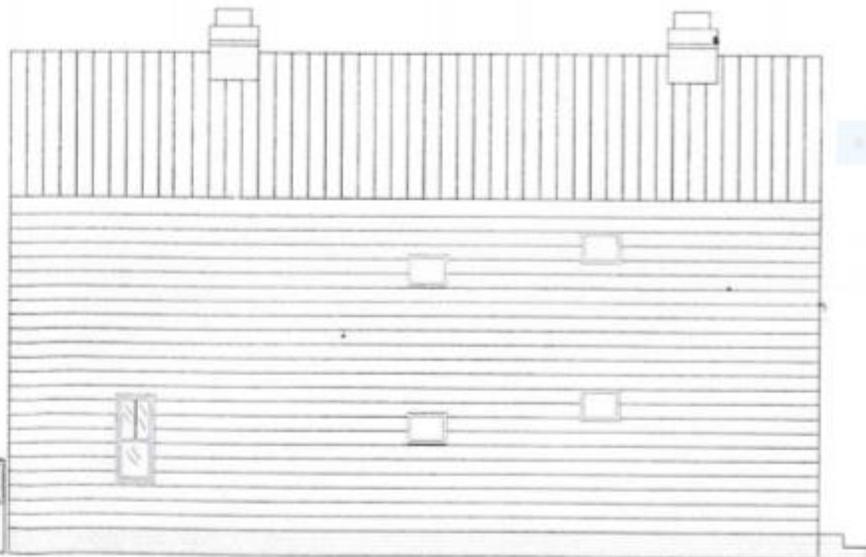
REAR ELEVATION
 SCALE: 1/8" = 1'

PROPOSED HVAC PLATFORM
 LOCATION SCREENS PER
 S.A.S. REQUIREMENTS



RIGHT ELEVATION
 SCALE: 1/8" = 1'

PROPOSED HVAC PLATFORM
 LOCATION SCREENS PER
 S.A.S. REQUIREMENTS

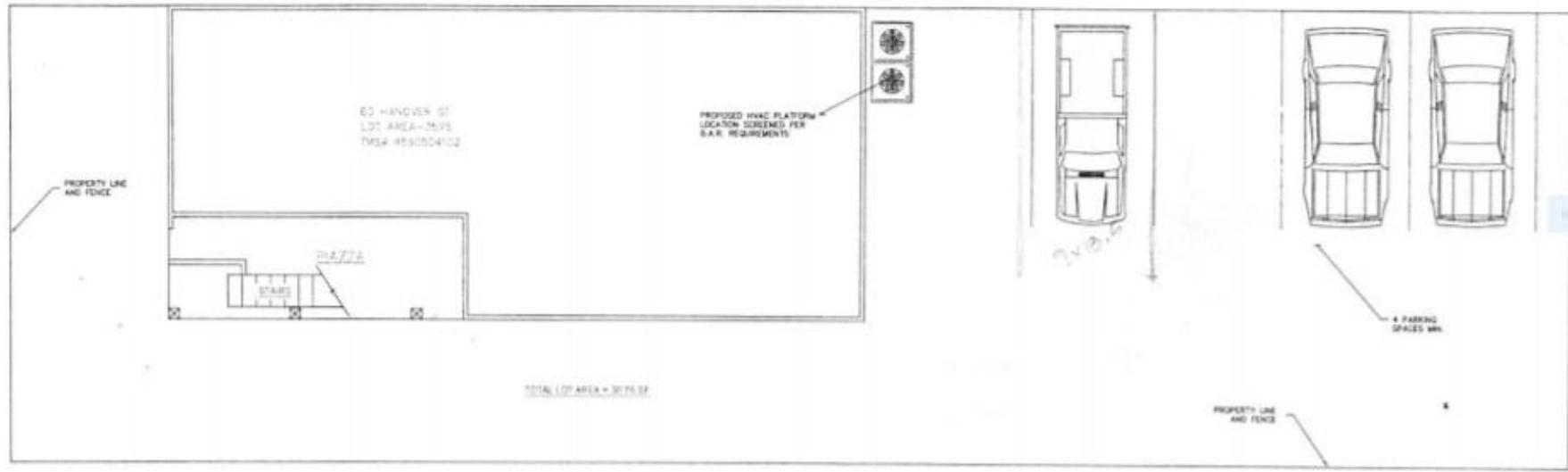


LEFT ELEVATION
 SCALE: 1/8" = 1'



McDowsey Engineers
 123 Capitol Street
 Charleston, SC 29403
 (843) 874-3627
 www.mcdowseyengineers.com

HANOVER ST.



60 HANOVER ST
 LOT AREA - 3675 SF
 TMS# 4830004102

PROPOSED HVAC PLATFORM
 LOCATION SCREENED PER
 S.A.R. REQUIREMENTS

TOTAL LOT AREA = 3675 SF

4 PARKING
 SPACES MIN.

PARKING PLAN
 SCALE: 1/8" = 1'

60 HANOVER ST
 CHARLESTON, SC
 29403



DESIGNED BY:	MSB
DRAWN BY:	MSB
CHECKED BY:	DBM
DATE:	1/18/17
REV.:	DATE:

P-01
 PARKING PLAN

Agenda Item #B-8

963 BATTERY AVENUE
(MARYVILLE/ASHLEYVILLE)
TMS # 418-06-00-113

Request special exception under Sec. 54-501 to allow a single-family residence on a lot of insufficient size (Lot area 5,524sf; 6,000sf required).

Request variance from Sec. 54-301 to allow a single-family residence with a 6-ft. east side setback (porch) (9-ft. required).

Zoned SR-2



City of Charleston

Instructions - This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals - Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: ~~March 3, 2020~~ ^{4th} March 4, 2020

Property Address 963 Battery Avenue, Charleston SC 29407 TMS # 46180600113

Property Owner Charleston Redevelopment Corporation Daytime Phone 803-665-5562

Applicant Jillian Ready, PLA with Johnson, Laschober & Associates Daytime Phone 706-724-5756

Applicant's Mailing Address 701 East Bay Street, Suite 304, Charleston, SC 29403

E-mail Address jready@thelagroup.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Representative

Zoning of property SR-2

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- n/a For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- n/a Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Jillian Ready Date 2-14-20

For office use only			
Date application received	<u>2/14/20</u>	Fee \$	<u>150.00</u>
Staffperson	<u>[Signature]</u>	Time application received	<u>10:00</u>
		Receipt #	<u>97855</u>

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

See attached

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

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3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
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See attached

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.



MEMO

Memo No: 002

Date: 5/19/2020

To: Charleston Board of Zoning Appeals

Job #: 5902.2002

From: JILLIAN READY

Subject: 963 Battery Avenue House Relocation

To Whom It May Concern,

JLA is working with the Charleston Redevelopment Corporation (CRC), as well as the Historic Charleston Foundation (HCF) in order to relocate a historic house to a site that is better suited for the structure. The existing house is located at 912 Sycamore Avenue and will be relocated to 963 Battery Avenue and will face 5th Avenue.

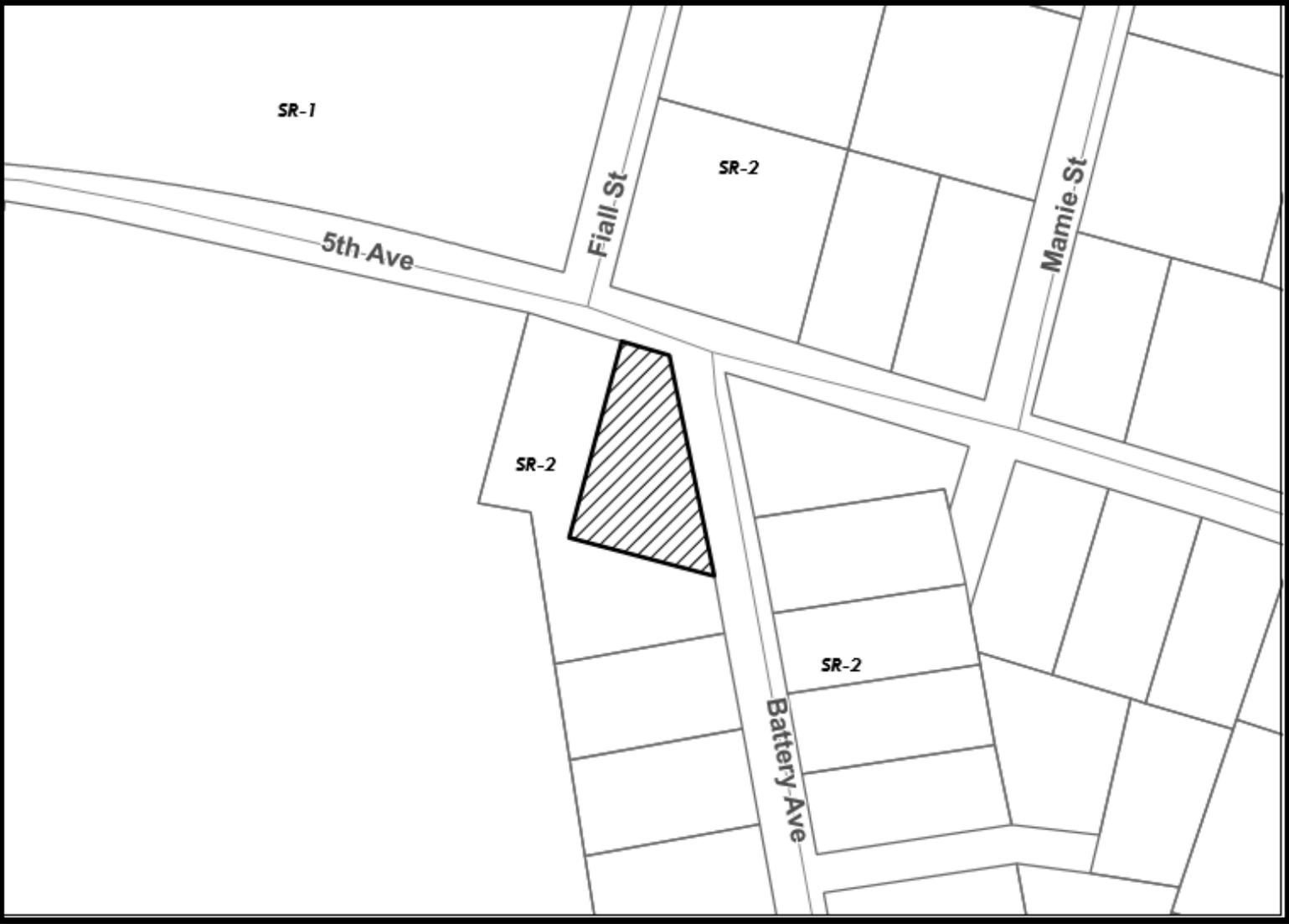
One of the elements of the application addresses the request for a variance for the front porch. JLA considered the Variance Test offered in the BZA application as guidance for our requests. The following are our responses to the four findings:

1. The lot in question is of sufficient size with the setback requirements that it currently has.
2. The existing lot size is typical for a lot in this neighborhood and we are trying to keep unity within the neighborhood.
3. Due to the shape and size of the lot, it is JLA's opinion that utilization of the lot would not be possible without a variance.
4. In relocating the house to lot 963 on Battery Avenue, there will be no harm to the character of the neighborhood. Attached is a letter of support from the Maryville/Ashleyville Neighborhood Association.

Thank you for considering these requests. If you need any additional information, please feel free to contact me directly.

Sincerely,

Jillian Ready, PLA
Johnson Laschober & Associates
706-724-5756
jready@thejlagroup.com









EXISTING GRAND TREES TO REMAIN



EXISTING GRAND TREE TO REMAIN



FRONT PORCH TO BE SALVAGED AND RECONSTRUCTED AT NEW LOCATION

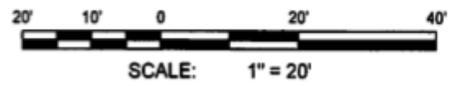


REAR PORCH TO BE SALVAGED AND RECONSTRUCTED AT NEW LOCATION

K:\19922002\Civil\BZA Site plan.dwg Plotted:2/12/2020 2:49 PM By:Jillian Ready

8x11.DWG 11/15/2017 BLB

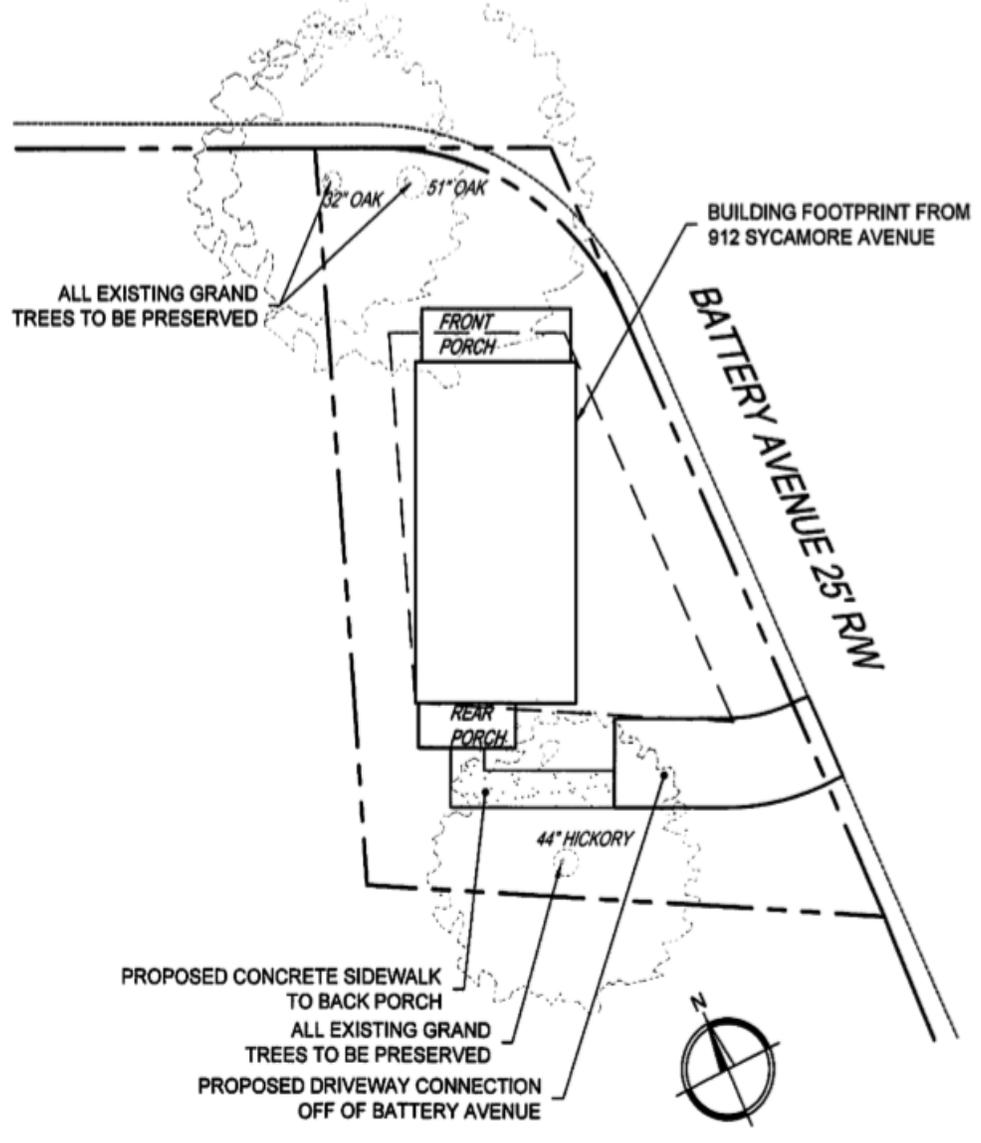
5TH AVENUE R/W VARIES



K:\59022002\Civil\BZA Site plan.dwg Plotted:2/12/2020 2:53 PM By:J.Eisen Ready

8x11.DWG 11/15/2017 BLB

5TH AVENUE R/W VARIES



ALL EXISTING GRAND TREES TO BE PRESERVED

BUILDING FOOTPRINT FROM 912 SYCAMORE AVENUE

BATTERY AVENUE 25' R/W

FRONT PORCH

REAR PORCH

44" HICKORY

PROPOSED CONCRETE SIDEWALK TO BACK PORCH
ALL EXISTING GRAND TREES TO BE PRESERVED
PROPOSED DRIVEWAY CONNECTION OFF OF BATTERY AVENUE



SCALE: 1" = 20'



Agenda Item #B-9

1, 3, 5, AND 7 FATHER GRANTS COURT (EASTSIDE)

TMS # 459-09-02-132, 183, 184 AND 185

Request variance from Sec. 54-301 to allow a subdivision to create six lots that do not meet the required minimum lot size of 2,500sf (Lot sizes range from 1,275sf to 2,105sf).

Request variance from Sec. 54-824 to allow six lots that do not meet the minimum 50-ft. lot frontage requirement (Lot frontages will range from 23.98-ft. to 49.84-ft.).

Request variance from Sec. 54-301 to allow (Lot 1 with a 0-ft. front setback, (Lots 2,3 and 4) with a 1.5-ft. front setback (Lot 6) with a 6-ft. front setback and a 3-ft. south side setback (25-ft., and 7-ft. required).

Zoned DR-2F



Instructions - This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals - Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020

Property Address 1.3.5.7 Father Grants Court, Charleston, SC TMS # 459-09-02-132, 183, 184, 185

Property Owner City of Charleston (JJR Development by Development Agreement) Daytime Phone _____

Applicant JJR Development, LLC Daytime Phone 843-224-1183

Applicant's Mailing Address 42 Broad Street, 2nd Floor Charleston, SC 29401

E-mail Address jeffroberts11@bellsouth.net

Relationship of applicant to owner (same, representative, prospective buyer, other) Developer

Zoning of property DR-2F

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 2-14-20

For office use only	Date application received <u>2/14/20</u>	Time application received <u>11:01</u>
Staffperson <u>[Signature]</u>	Fee \$ _____	Receipt # _____

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

See attached

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-1 10, § 54-206, or sections in Article 5 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

Variance Test

City of Charleston

The following is excerpted from Section 54-924 of the City of Charleston Zoning Ordinance. This test is based on S.C. Code Ann. § 6-29-800.

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes the following findings:

- a. there are extraordinary and exceptional conditions pertaining to the particular piece of property;

The Subject property has been designated for use as Affordable Housing and under a development agreement to develop and construct deed-restricted single family homes in conjunction with the City of Charleston's Department of Housing and Community Development under the Homeowner's Initiative Program" . The property is uniquely suitable for small, proportional single family homes in the current configuration proposed.

- b. these conditions do not generally apply to other property in the vicinity;

This property exists on Charleston's Eastside and is considered Urban Core, with a wide variety of multi family rentals in immediate proximity. There exists a scarcity of available/suitable building lots to construct small, fee-simple single family homes to fulfill a primary City of Charleston Objective of propagating more Affordable Housing in the Urban Core that is accessible to transit or walkable.

- c. because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

Because no existing homes on Father Grant's Court have been yet constructed, there exists no context to line up the front houses in conformity. Because of good and prevailing architectural standards, front setback variances will be required. The switching of side setbacks on one of the rear homes is being done for the purposes of good planning and architectural design as well. Not granting the Variance would prohibit the construction of small, sensible single family homes that are designated as Affordable, and in the Urban Core of the City, and alternatively , force undesirable and inefficient site planning.

- d. the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will

not be harmed by the granting of the variance.

The authorization of the Variance would allow the sensible construction of 6 modest 2 bedroom homes that will be owner-occupied and designated Affordable. The adjacent property is a subsidized multi-family 6-plex on a much smaller lot with 4 parking spots. The subject property is Zoned DR2-F and entitled for Multi Family. Currently the land mass allows for 5 multi-family units of 4 bedrooms per unit (total of 20 bedrooms). With the original configuration of the parcel owning the Father Grant's Court right of way as a private drive, the subject would be entitled to build 7 apartments with 4 bedrooms per unit (totaling 28 bedrooms). The plan proposed for 6 small homes of 2 bedrooms per home and substantially DE-INTENSIFIES what can be done under current zoning, reducing the bedroom count by at least 8, to a maximum of 16 less than what is planned, while populating the site with homeowners. (actual number counts attached in Appendix Table and end). Additionally, all proposed homes have 2 car maneuverable parking and are on lots with less than 50% lot coverage. Granting of the Variance would be of substantial benefit to the surrounding properties, the neighborhood, and the city at large.

However, an affirmative vote of two-thirds (2/3) of the Board members present and voting shall be required before a variance may be granted for a use of land, a building or a structure that is prohibited in a given district ("Use Variance") by ordinance or resolution; provided, however, that City Council may overrule the decision of the Board pursuant to S.C. Code Ann. § 6-29-800 and such other laws as may apply. For a Use Variance that has been granted by the Board, no vested right shall attach thereto and no permit shall be issued for 15 days from the date of the granting of a Use Variance by the Board to determine whether City Council intends to consider overruling such Use Variance. If the Mayor or any member of City Council delivers notice to the Zoning Administrator of intent to consider overruling a Use Variance within 15 days of the granting of a Use Variance by the Board, then the Board's decision shall be held in abeyance, no vested right shall attach to the Use Variance granted by the Board and no permit shall be issued until City Council has determined whether to overrule the Board's granting of the Use Variance. No person with a substantial interest in the Use Variance granted by the Board shall have a right to appeal such decision to City Council and may only appeal such decision to Circuit Court for errors of law pursuant to S.C. Code Ann. § 6-29-820 and § 54-930 of the Zoning Ordinance of the City of Charleston and such other provisions as may apply. Because S.C. Code Ann. § 6-29-820 and § 54-930 of the Zoning Ordinance of the City of Charleston establish the time limit for appeals of decisions of the Board, any person with a substantial interest in the granting of a Use Variance by the Board shall file an appeal with the Circuit court within 30 days after the decision of the Board is mailed and shall deliver a

copy of such appeal to the City. If an appeal is filed and a timely notice of intent to consider overruling a Use Variance granted by the Board is delivered to the

Zoning Administrator by the Mayor or a member of City Council in accordance with this section, such appeal shall not divest City Council of its right to consider overruling the granting of a Use Variance by the Board and City Council may proceed to hear the matter of whether to overrule the Use Variance pending appeal to Circuit Court. City Council shall consider the matter of overruling the granting of a use variance at its next regularly scheduled meeting after the decision of the Board is mailed or as soon thereafter as may be practicable. City Council may defer or continue its deliberations on the matter, but shall make a final decision on the appeal within three (3) regularly scheduled City Council meetings after it is first considered. In the event City Council does not consider the matter at its regularly scheduled meeting after the decision of the Board is mailed, City Council shall be divested of its right to consider overruling the granting of such Use Variance by the Board.

re: Special Exceptions for lots of insufficient size

*** The enclosed site plan for the proposed new homes present no detriment whatsoever, and all have lot coverage of 31 % to 49%, less that what is required, and all lots requiring the Special Exception have 2 spots per home of maneuverable parking. As noted in "D" of the above Variance Test, the granting of the Special Exception would provide for the substantial and sensible development of proportional single family homes and propagate the City's civic goals of providing Affordable Housing, with a de-intensified development paradigm.**

APPENDIX TABLE

Properties sit in DR-2F zoning.
Multifamily density equals 1 unit per 1,650 sqft

Current total area for all 6 lots is 9,305 sqft
 $9,305 / 1,650 = 5.64$ units allowed for multifamily.

Total lot area of 67 America prior to the creation of the City maintained father
Grants Court was 12,972 sqft. See attached Property Record Card for 67 America.
 $12,972 / 1,650 = 7.86$ units allowed for multifamily.

Additional Calculations

Current Lot Calculations for Proposed Single Family Houses

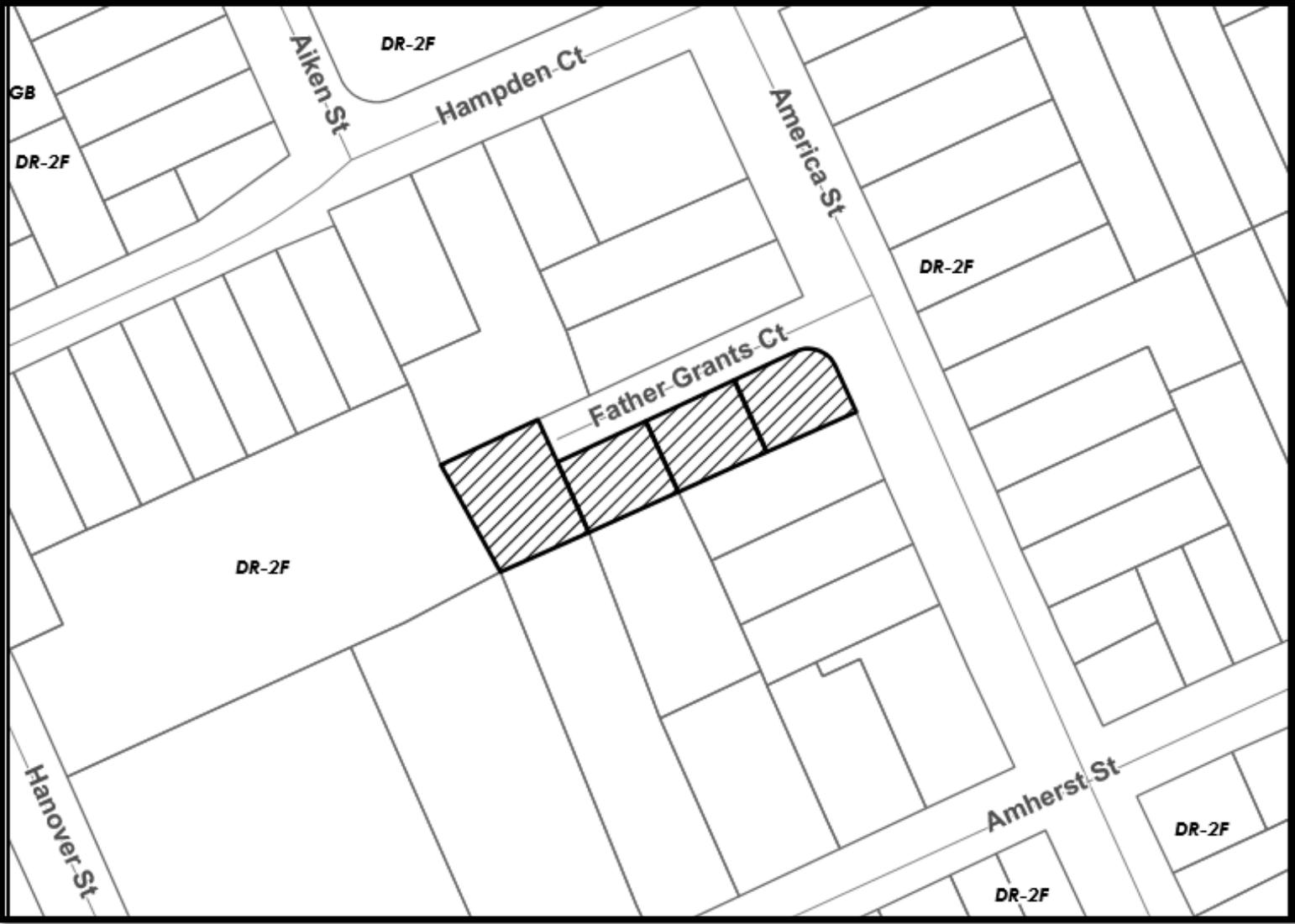
Total Lot area = 9,305 sqft
Proposed Lot Coverage = 3,923 sqft (42%)
Proposed Units = 6
Proposed Bedrooms = 12
Proposed Parking = 12

Current Lot Calculations for Multifamily

Total lot are 9,305 sqft
Allowable lot coverage = 4,652.5 sqft (50%)
Allowable Units = 5 units
Allowable Bedrooms = 20 bedrooms
Required Parking = 5 parking spaces under affordable rules

Larger Original Lot Calculations for Multifamily

Total Lot area = 12,972 sqft
Allowable lot coverage = 6,486 sqft (50%)
Allowable Units = 7 units
Allowable Bedrooms = 28 bedrooms
Required Parking = 7 parking spaces under affordable rules





America Street





NOTES AND REFERENCES

- 1) THIS SURVEY IS DONE AT THE REQUEST OF J.R. DEVELOPMENT LLC.
- 2) THE EXISTING TMS NUMBERS ARE
 - A) TMS 459-09-02-132 - DEFINED BY A-B-F-I-C-D-E-A OWNED BY: A S.C. PASTORS - 1 FATHER GRANTS CT. - 0.045 ACRES.
 - B) TMS 459-09-02-183 AS DEFINED BY F-G-J-M-H-I-F OWNED BY: A S.C. PASTORS - 3 FATHER GRANTS CT. - 0.046 ACRES.
 - C) TMS 459-09-02-184 - DEFINED BY J-K-H-O-R-S-T-L-M-J OWNED BY: A S.C. PASTORS - 5 FATHER GRANTS COURT - 0.046 ACRES.
 - D) TMS 459-09-02-185 - DEFINED BY S-R-O-P-Q-U-V-S OWNED BY: A S.C. PASTORS - 7 FATHER GRANTS COURT - 0.076 ACRES.
- 3) THE TOTAL AREA SURVEYED IS 0.213 ACRES.
- 4) PROPERTY LIES IN A FLOOD ZONE. ACCORDING TO FLOOD INSURANCE RATE MAP 45019C0316 J DATED 11/17/2004 THIS PROPERTY LIES IN A FLOOD ZONE AE(1).
- 5) REFERENCE PLAT BY COVERT B. NELSON DATED MARCH 12, 2002 AND RECORDED IN THE CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK L12 PAGE 0136.
- 6) THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH FOR THE 4 EXISTING PARCELS. THERE MAY BE EXISTING EASEMENTS NOT SHOWN ON THIS SURVEY.
- 7) THIS SURVEY IS NOT INTENDED TO SHOW THE EXISTENCE OR NON EXISTENCE OF US ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.

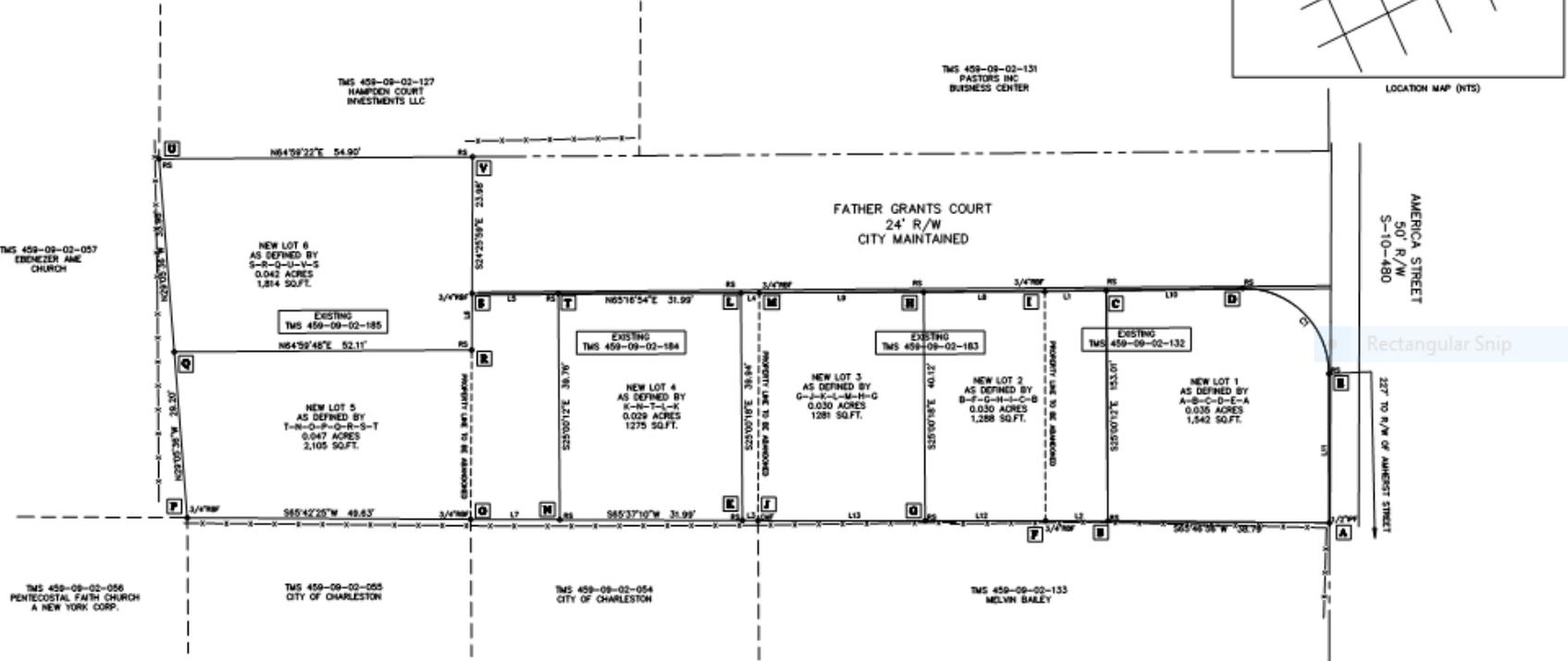
PARCEL CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	35.66'	15.67'	90°27'11"	N67°41'17"W	21.37'

PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N84°24'00"E	16.39'
L2	N85°49'36"E	16.82'
L3	N85°37'16"E	2.72'
L4	N85°16'54"E	3.22'
L5	N85°16'54"E	15.69'
L6	S34°44'42"E	8.82'
L7	S65°37'10"W	15.82'
L8	N85°07'30"E	21.27'
L9	N85°07'30"E	26.78'
L10	N84°24'00"E	23.69'
L11	N24°49'21"W	26.19'
L12	N85°29'30"E	21.07'
L13	S85°29'30"W	26.28'

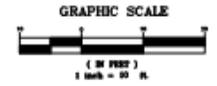
LEGEND

RS - 5/8" REBAR SET
 RPF - REBAR FOUND
 RFP - IRON PIPE FOUND
 CMF - CONCRETE MONUMENT FOUND

--- FENCE LINE
 - - - BOUNDARY LINE
 - - - R/W LINE
 - - - ADJACENT PROPERTY LINE



FOR CHARLESTON COUNTY AND CITY OF CHARLESTON USE ONLY



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARD OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

LEWIS SMITH MOORE, P.L.S. No. 27021

FORSBERG ENGINEERING AND SURVEYING, INC.
 1527 SAVANNAH HIGHWAY SUITE B
 CHARLESTON, SOUTH CAROLINA 29417
 (843) 732-5200 FAX (843) 732-0790
 CIVIL ENGINEERING AND LANDSCAPE ARCHITECTURE

LEWIS SMITH MOORE
 LICENSED PROFESSIONAL SURVEYOR
 STATE OF SOUTH CAROLINA
 LICENSE NO. 27021

LEWIS SMITH MOORE
 LICENSED PROFESSIONAL SURVEYOR
 STATE OF SOUTH CAROLINA
 LICENSE NO. 27021

PLAT SHOWING THE SUBDIVISION OF LOTS A, B, C, & D INTO NEW LOTS 1, 2, 3, 4, 5 & 6 FATHER GRANTS COURT
 CITY OF CHARLESTON, CHARLESTON COUNTY S.C.

DATE: 02/10/2020
 DRAWN/CHECKED: LSM/MJ
 LAST REVISED:
 APPROVED: LSM
 SCALE: 1"=30'
 PROJECT NO.:
 FILE NO.:
 SHEET NUMBER: **1**

NOTES AND REFERENCES

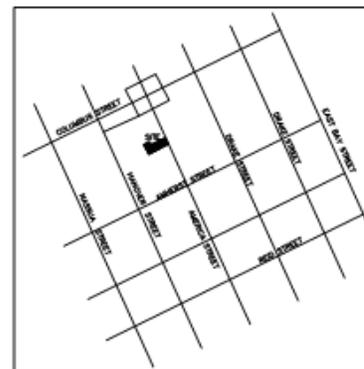
- 1) THIS SURVEY IS DONE AT THE REQUEST OF J.R. DEVELOPMENT LLC
- 2) THE TOTAL AREA SURVEYED IS 0.213 ACRES.
- 3) PROPERTY LIES IN A FLOOD ZONE ACCORDING TO FLOOD INSURANCE RATE MAP 45010C0516 J DATED 11/17/2004 THIS PROPERTY LIES IN A FLOOD ZONE AE(1).
- 4) REFERENCE PLAT BY COVERT B. NELSON DATED MARCH 12, 2002 AND RECORDED IN THE CHARLESTON COUNTY ROO OFFICE IN PLAT BOOK L12 PAGE 0136.
- 5) THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH FOR THE 4 EXISTING PARCELS. THERE MAY BE EXISTING EASEMENTS NOT SHOWN ON THIS SURVEY.
- 6) THIS SURVEY IS NOT INTENDED TO SHOW THE EXISTENCE OR NON EXISTENCE OF US ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.

PARCEL CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	33.66'	15.60'	90°27'11"	N89°41'07"W	31.30'

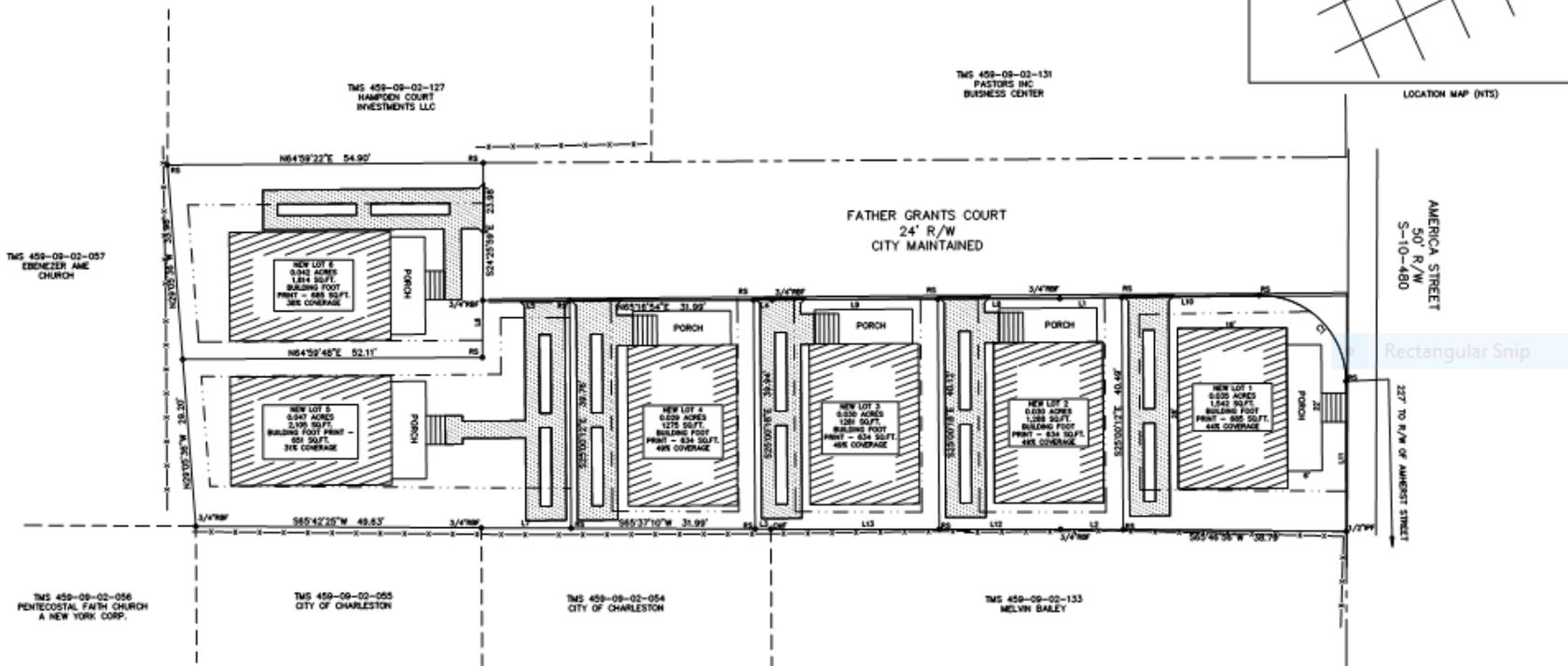
PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N84°24'00"E	10.39'
L2	N80°48'50"E	10.82'
L3	N80°37'10"E	2.72'
L4	N80°10'54"E	3.22'
L5	N80°10'54"E	15.60'
L6	S34°14'42"E	8.82'
L7	S80°37'10"W	15.82'
L8	N80°10'30"E	21.37'
L9	N80°10'30"E	28.78'
L10	N84°24'00"E	23.80'
L11	N24°40'21"W	28.18'
L12	N80°20'30"E	21.07'
L13	S80°20'30"W	28.38'

LEGEND

- RS - 5/8" REBAR SET
- RF - REBAR FOUND
- RF - IRON PIPE FOUND
- CMF - CONCRETE MONUMENT FOUND
- FENCE LINE
- BOUNDARY LINE
- R/W LINE
- ADJACENT PROPERTY LINE
- SETBACK LINE



LOCATION MAP (NTS)



LOADING TABLE 3.1 HEIGHT AREA AND SETBACK REGULATIONS

ZONED DR-2P
 FRONT SET BACK - 0'
 REAR SETBACK - 3'
 TOTAL SIDE 10'
 SOUTH/WEST - 3'
 NORTH/EAST - 3'

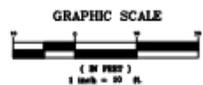
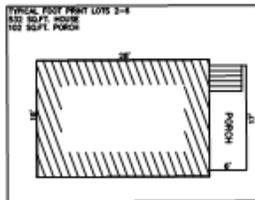
MIN LOT AREA/FAMILY
 1 FAM - 2,500 SQFT.
 2 FAM - 2,000 SQFT.
 3 FAM (MAX 3) - 1,500 SQFT.
 LOT COVERAGE - 30%
 MAXIMUM HEIGHT - 37/3 STORY

NEW PROPOSED SINGLE FAMILY RESIDENCES AT FATHER GRANTS COURT

THIS 459-09-02- PARCELS 132, 133, 134 & 135
 FLOOD ZONE AE(1)
 BUILDING CODE RC 2018
 ZONING DISTRICT - DR-2P

PROPOSED LOT AREAS
 1,278 SQFT - 3,105 SQFT.
 SMALLEST LOT - LOT 4 (2,125 SQFT.)
 LARGEST LOT - LOT 5 (3,105 SQFT.)

ALLOWED LOT COVERAGE 30%
 MAXIMUM PROPOSED LOT COVERAGE LOT 4 - 48%



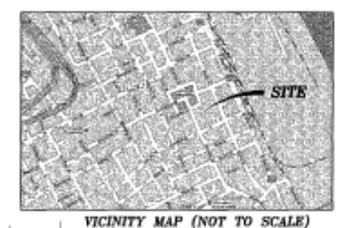
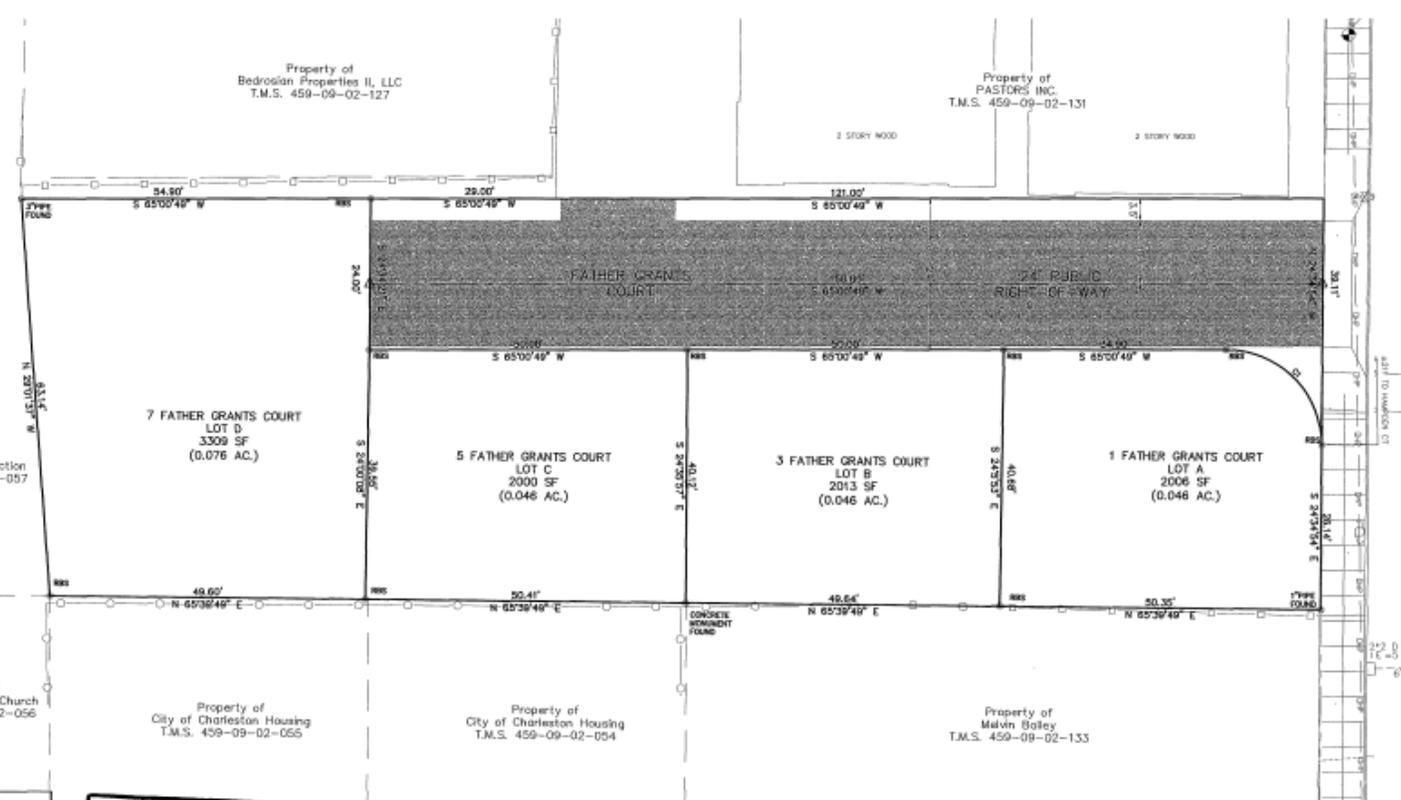
IF SHEET IS LESS THAN (24" X 36") IT IS A REDUCED PRINT. SCALE REDUCED ACCORDINGLY.

FORSBERG ENGINEERING AND SURVEYING, INC.
 1327 SAVANNAH AVENUE SUITE B
 CHARLESTON, SOUTH CAROLINA 29417
 (843) 799-1100
 CIVIL ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE

PROPOSED SITE PLAN
 LOTS 1, 2, 3, 4, 5 & 6
 FATHER GRANTS COURT
 CITY OF CHARLESTON, CHARLESTON COUNTY S.C.

LEWIS SMITH MOORE
 DATE: 02/10/2020
 DRAWN/CHECKED: LSM/MJ
 LAST REVISED:
 APPROVED: LSM
 SCALE: 1"=10'
 PROJECT NO.:
 FILE NO.:
 SHEET NUMBER: **1**

THE DRAWINGS AND DESIGN HEREON ARE THE PROPERTY OF ATLANTIC SURVEYING AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT OF THE SURVEYOR AND ANY INFRACTION WILL BE SUBJECT TO LEGAL ACTION



- NOTES**
1. THIS CONSTITUTES A SURVEY OF TMS 459-09-02-132. BOUNDARIES WERE ESTABLISHED BY RETRACEMENT OF DEEDS AND PLATS REFERENCED HEREON AND LOCATION OF FIELD SURVEY MONUMENTATION FOUND.
 2. ONLY THOSE MONUMENTS ON THIS PROPERTY AND ADJOINING PROPERTIES AND RIGHTS-OF-WAY PERTINENT TO THE BOUNDARIES OF THIS TRACT WERE SURVEYED AND SHOWN AS EVIDENCE. THIS PLAT CONSTITUTES A BOUNDARY SURVEY OF ONLY THE SUBJECT PROPERTY, AND IS NOT A SURVEY OF ADJOINING TRACTS.
 3. NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATIONS OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
 4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP 45019C 0516 J DATED 11/17/2004, THIS PROPERTY IS SITUATED IN FLOOD ZONE "AE(1%)".
- REFERENCE:**
- 1.) DEED BOOK V339 PAGE 742 RECORDED IN RMC OFFICE CHARLESTON COUNTY
 - 2.) PLAT BY JOSEPH NEEDLE DATED JUNE 23, 1980 PLAT BOOK W PAGE 134 RECORDED IN RMC OFFICE CHARLESTON COUNTY
 - 3.) PLAT BY PAUL C. LAWSON DATED MARCH 18, 2002 PLAT BOOK 80 PAGE 185 RECORDED IN RMC OFFICE CHARLESTON COUNTY
 - 4.) PLAT BY COVERT B. NELSON DATED JUNE 12, 2011, REVISED 7-01-11 PLAT BOOK 011 PAGE 133 RECORDED IN RMC OFFICE CHARLESTON COUNTY
 - 5.) TMS No. 459-09-02-132

LEGEND
 RBS - 3/4" REBAR SET
 HACK - HACKBERRY
 MAG - MAGNOLIA

APPROVED PLAT
 DATE: 5/24/12
 BY: [Signature]
 ENGINEERING DIVISION
 CITY OF CHARLESTON

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	23.87'	15.06'	97.94°	21.38'	89°24'29" N

PLANNING AND RMC USE ONLY

RECORDED
 DATE: May 24, 2012 TIME: 10:34:47 AM
 Book: 0112 Page: 9138 Office: (LARGE) 252
 Charles Lybman, Registrar, Charleston County, SC

GRAPHIC SCALE
 0 5 10 20
 (IN FEET)
 1 inch = 10 ft.

Record Fee: \$ 500.00 CITY OF CHARLESTON
 TOTAL: \$ 1,000.00 LITURGICAL RECORDS DIVISION
 Owner: [Name] 252527
 Clerk: [Name] 252527
 Location: AMERICA STREET



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



ATLANTIC SURVEYING, INC.
 CHARLESTON, SOUTH CAROLINA 29405
 (803) 799-1111
 WWW.ATLANTICSURVEYING.COM

Atlantic
 Surveying, Inc.

FINAL SUBDIVISION PLAT SHOWING TMS 459-09-02-132 OWNED BY THE CITY OF CHARLESTON BEING SUBDIVIDED INTO 4 LOTS LOT A, LOT B, LOT C & LOT D CITY OF CHARLESTON, CHARLESTON COUNTY S.C.

DATE	5/24/12	TIME	10:34:47 AM
BOOK	0112	PAGE	9138
OFFICE	LARGE 252		
REGISTRAR	CHARLES LYBMAN		
CITY	CHARLESTON		
STATE	SOUTH CAROLINA		
DATE	MAY 15, 2012		
TIME	7:50 P		

SHEET

Agenda Item #B-10

36 SOUTH STREET
(EASTSIDE)

TMS # 459-09-03-027

Request special exception under Sec. 54-110 to allow a 2-story addition (storage/kitchen expansion/bedrooms/baths) that extends a non-conforming 3-ft. 8-inch west side setback (7-ft. required).

Zoned DR-2F



City of Charleston

Instructions - Submit this application, along with the required information and fee, to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals - Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- A Variance and/or Special Exception as indicated on page 2 of this application.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: MARCH 17, 2020

Property Address 36 SOUTH ST. TMS # 459-09-03-097

Property Owner M. WEBER & KYLE PARKER Daytime Phone ---

Applicant BARBARA LUDNEY ARCHITECT LLC Daytime Phone 843-720-7492

Applicant's Mailing Address P.O. BOX 62 CHARLESTON SC 29402

E-mail Address barbara@barbaraludney.com

Relationship of applicant to owner (same, representative, prospective buyer, other) ARCHITECT

Zoning of property DR-2F

Information required with application: (check information submitted)

- Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested to ...
- For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
- Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density, variances and building additions, unless exempted by the Zoning staff (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29 11-15 of the South Carolina Code of Laws

Optional but very helpful information:

- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant Barbara Ludney Date Feb 14, 2020

For office use only	Date application received <u>2/14/20</u>	Fee \$ <u>150.00</u>	Time application received <u>10:30</u>
Staffperson <u>PT</u>			Receipt #

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

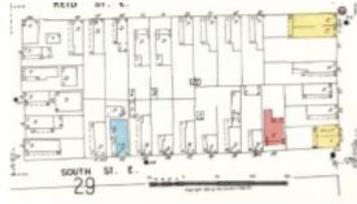
To rebuild the previously existing historic addition at rear of home requires a special exception to reduce west setback from 7' to 3'-8" (existing home is a 1' west side setback). Request to adjust west from BAR-S. Family also owns home immediately to west that will be most impacted. The 3'-8" (rather than extending 1') allows light & air to west.

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

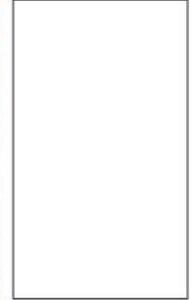








Sanborn 1953



36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

Rectangular Snip

Barbara Lottney, Architect
5 Hampton Ct.
Charleston, SC 29403

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Rev.	Revision/Issue	Date

Name:
Drawing Title:
Discipline:
Topography:

Date: 11/17/2017	Sheet No.:
Scale: As Noted	



16 Line Street



30 Sheppard Street



64 Columbus Street, detail



16 Line Street, detail



30 Blake Street



64 Columbus Street



62 Columbus Street



62 Rest Street



36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

Rectangular Slip

Barbara Looney, Architect
5 Hampton Ct.
Charleston, SC 29403

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No.	Revision/Issue	Date

Best Name
Historic Precedent

Date 8/21/2018	Sheet No.
Drawn As Noted	

I CERTIFY THAT THE MEASUREMENTS SHOWN HEREON ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS UNLESS SHOWN.
 I CERTIFY THAT THE PROPERTY SHOWN HEREON IS IN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO FEMA AND/OR FLOOD HAZARD BOUNDARY MAPS.

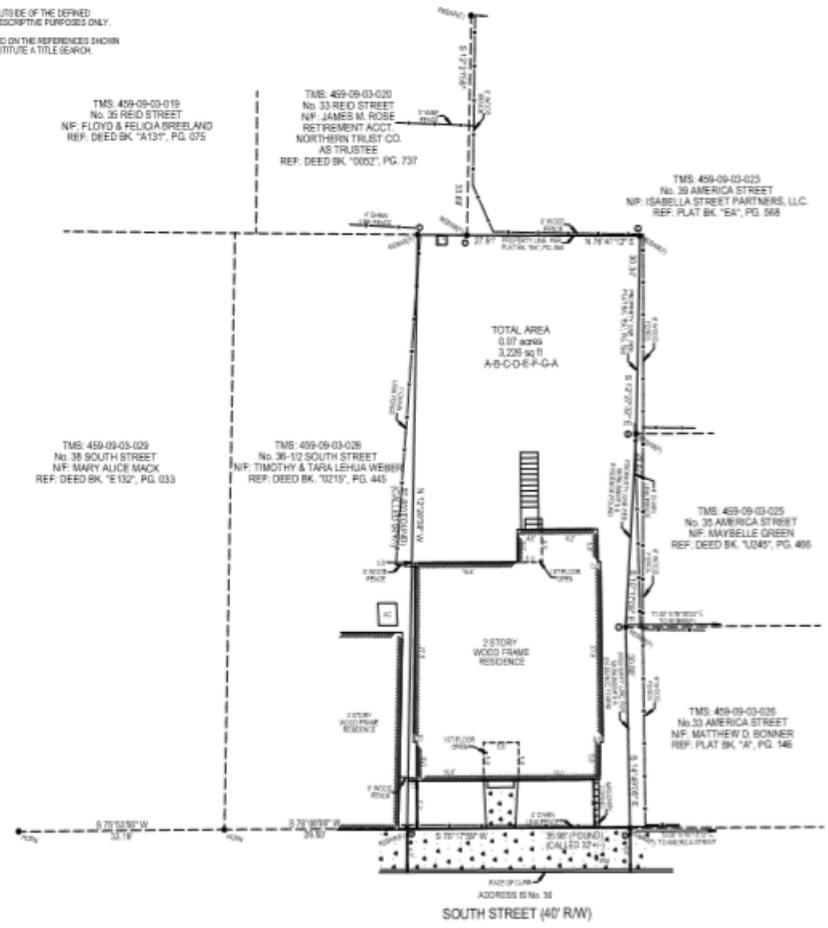
PERMITS DATA		
ID	FOUND	CALLED (PER DEED)
A-B	35.97'	32.0'
B-C	91.97'	94.9'
C-D	35.98'	32.9'
D-E-G-A	39.91'	94.0'

LEGEND:
 ● REBAR(F) - REBAR FOUND, OLD
 ■ HCN - HOUSE CORNER, OLD
 1. W.M. - WATER METER



LINE TYPE:
 W. BOUNDARY - Dashed
 L. L. BOUNDARY - Dotted
 F.W. - Solid

- NOTES:
- PROPERTY APPEARS IN FLOOD ZONE A-E, EL. 17' ON FEMA COMMUNITY PANEL NUMBER 450300041. MAP REVISED NOVEMBER 17, 2004.
 - THE BEARINGS SHOWN ARE MAGNETIC AND SUBJECT TO LOCAL ATTRACTION.
 - ANYTHING SHOWN OUTSIDE OF THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSES ONLY.
 - THIS SURVEY IS BASED ON THE REFERENCES SHOWN AND DOES NOT CONSTITUTE A TITLE SEARCH.



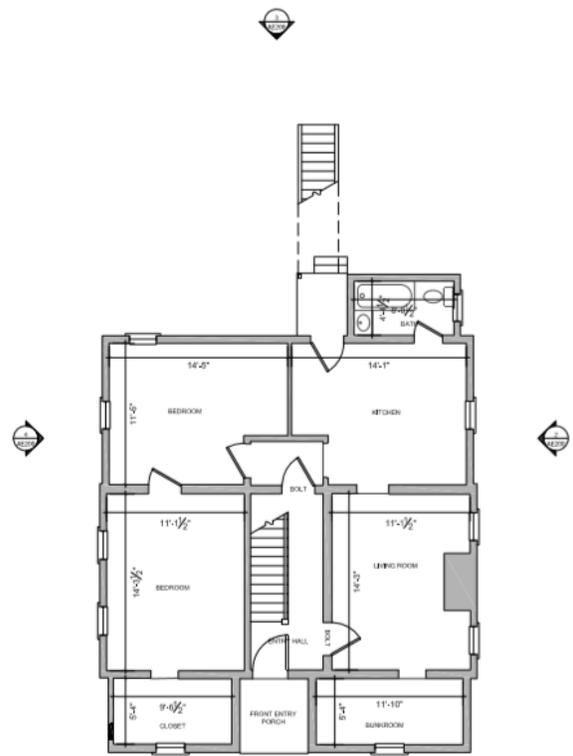
PLAT OF No. 36 SOUTH STREET,
 CITY OF CHARLESTON, CHARLESTON COUNTY,
 PRESENTLY OWNED BY JJR DEVELOPMENT, LLC.

SCALE: 1" = 10'
 DATE: SEPTEMBER 29, 2016
 REF: PLAT BK. "A", PG. 148
 REF: DEED BK. "958", PG. 854
 TMS: 459-09-03-027

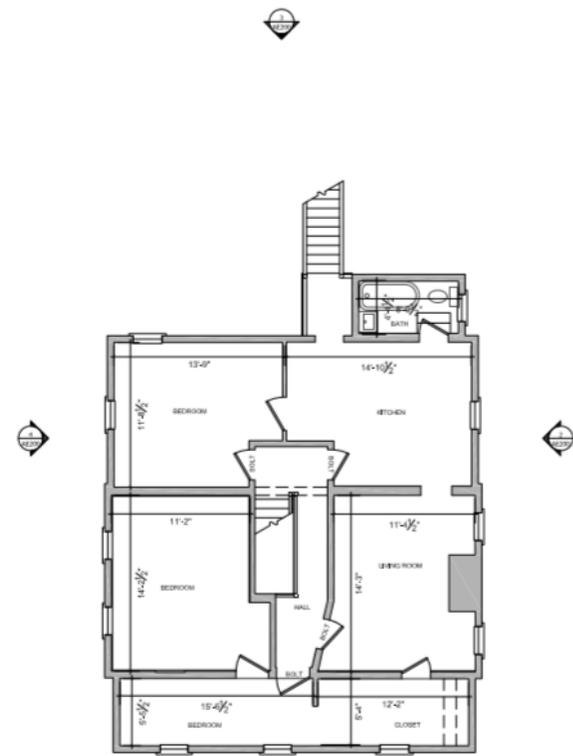
Alexander C. Peabody, P.L.C.
 ALEXANDER C. PEABODY, P.L.C.
 PEABODY & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYING
 P.O. BOX 22846 CHARLESTON, SC 29413
 OFFICE 843-733-6225 MOBILE 843-276-4847



CHARLESTON COUNTY
 SOUTH CAROLINA



1 Existing First Level Plan
Scale: 1/8" = 1'-0"



2 Existing Second Level Plan
Scale: 1/8" = 1'-0"

36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

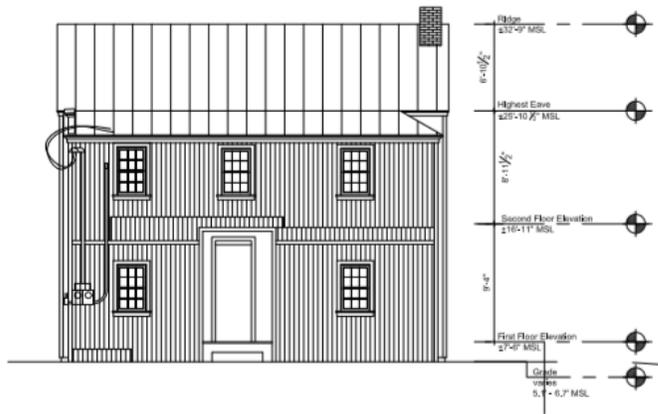
Rectangular Slip
BARBARA LOONEY,
ARCHITECT LLC
P. O. BOX 62
CHARLESTON, SC 29402

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No.	Revision/Issue	Date

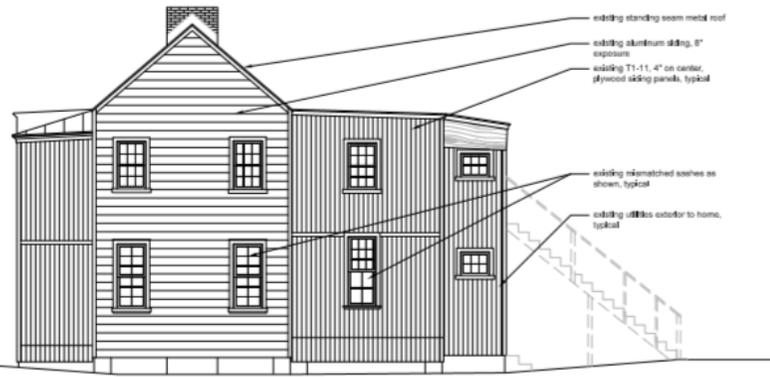
Sheet Name
Existing Plans

Date: 1/20/2020	Sheet No. AE101
Scale: As Noted	



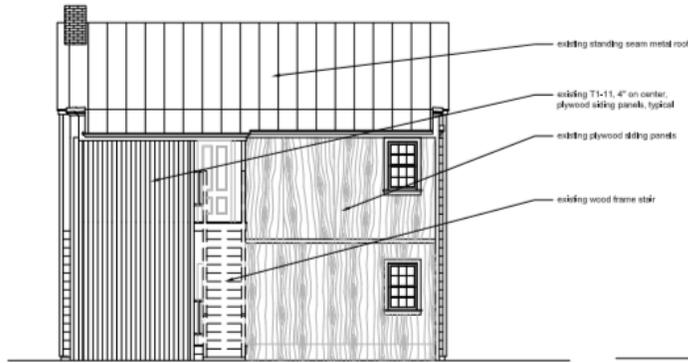
1 Existing Front (South) Elevation

Scale: 1/4" = 1'-0"



2 Existing Side (East) Elevation

Scale: 1/4" = 1'-0"



3 Existing Rear (North) Elevation

Scale: 1/4" = 1'-0"



4 Existing Side (West) Elevation

Scale: 1/4" = 1'-0"

36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

Rectangular Snip

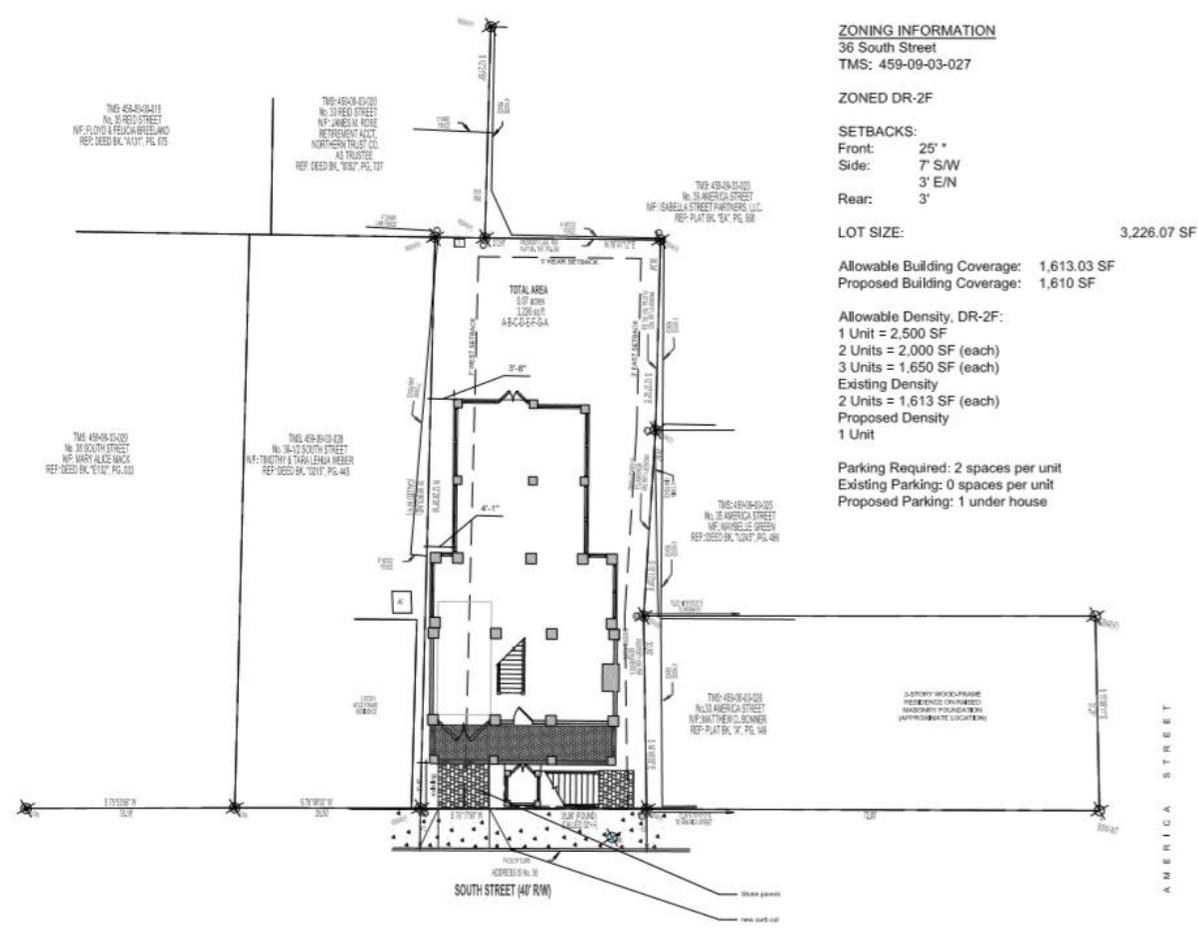
BARBARA LOONEY,
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No.	Revision/Issue	Date

Sheet Name
Existing Elevations

Date 1/20/2020	Sheet No. AE200
Scale As Noted	



ZONING INFORMATION
 36 South Street
 TMS: 459-09-03-027

ZONED DR-2F
SETBACKS:
 Front: 25' *
 Side: 7' S/W
 3' E/N
 Rear: 3'

LOT SIZE: 3,226.07 SF

Allowable Building Coverage: 1,613.03 SF
Proposed Building Coverage: 1,610 SF

Allowable Density, DR-2F:
 1 Unit = 2,500 SF
 2 Units = 2,000 SF (each)
 3 Units = 1,650 SF (each)
Existing Density
 2 Units = 1,613 SF (each)
Proposed Density
 1 Unit

Parking Required: 2 spaces per unit
Existing Parking: 0 spaces per unit
Proposed Parking: 1 under house

1 Revised Proposed Site Plan



**36 SOUTH ST.
 CHARLESTON,
 SOUTH CAROLINA
 2 9 4 0 3**

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 CHARLESTON, SC 29402

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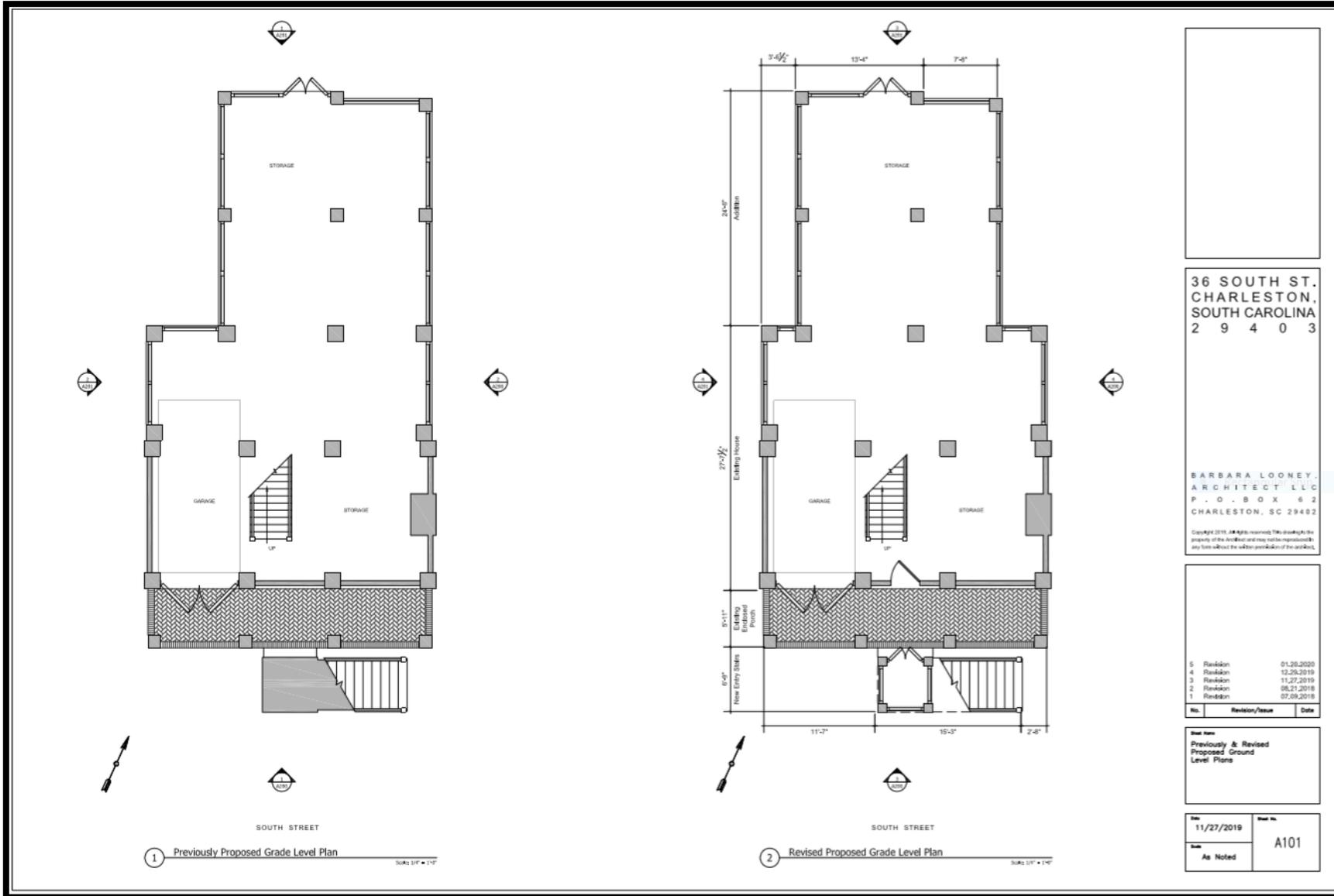
1 Revision		01.29.2020
No.	Revision/Issue	Date

Sheet Name
**Revised
 Proposed
 Site Plan**

Date	Sheet No.
9/13/2018	A100b
Scale	As Noted

AMERICA STREET

Scale: 1/8" = 1'-0"



36 SOUTH ST.
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 SOUTH CAROLINA
 2 9 4 0 3

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 ARCHITECT L.L.C.
 P. O. B O X 6 2
 CHARLESTON, SC 29402

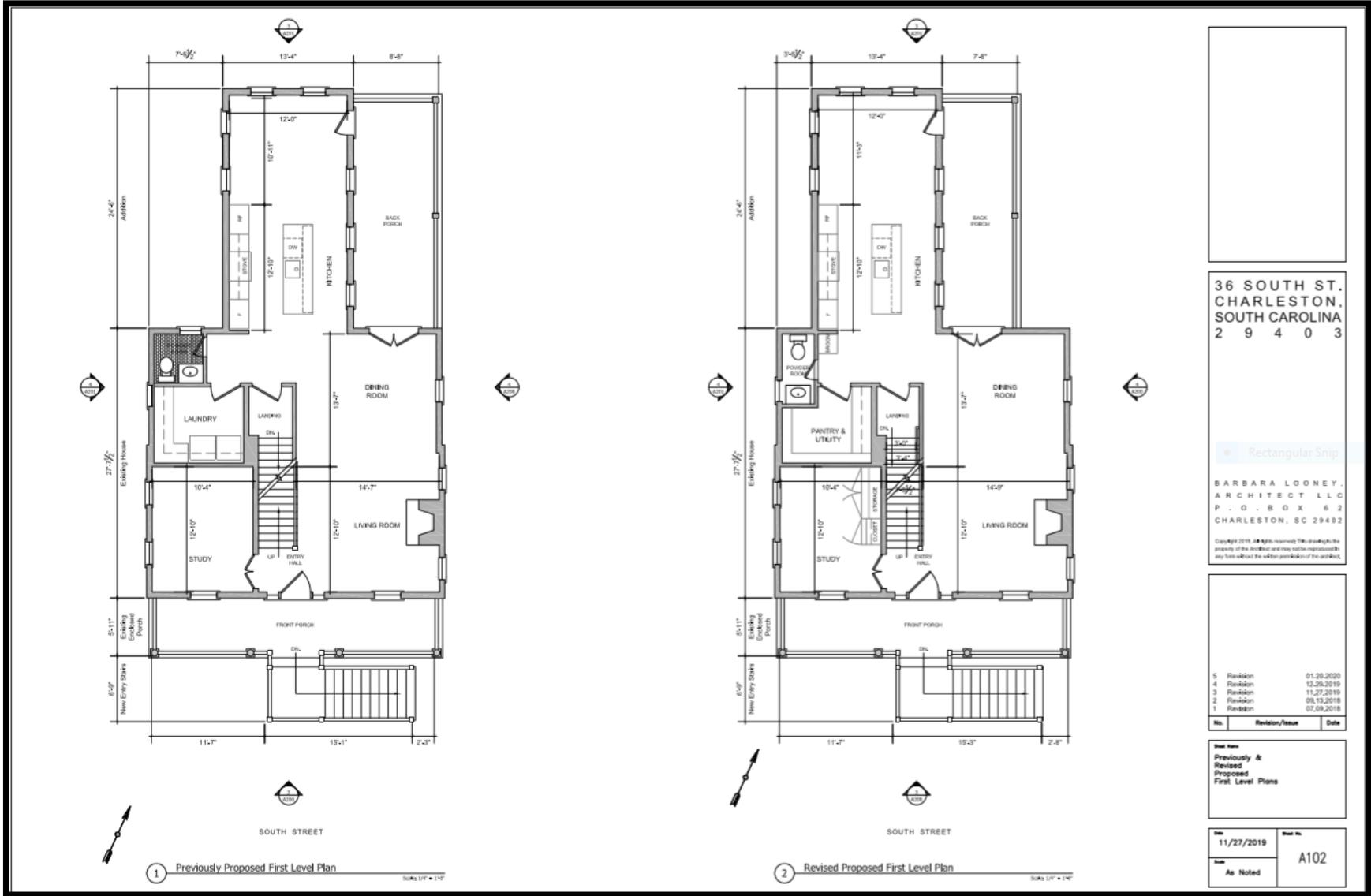
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5	Revision	01.20.2020
4	Revision	12.26.2019
3	Revision	11.27.2019
2	Revision	08.21.2018
1	Revision	07.09.2018

No.	Revision/Issue	Date
-----	----------------	------

Sheet Name
 Previously & Revised
 Proposed Ground
 Level Plans

Date	11/27/2019	Sheet No.	A101
Note	As Noted		



36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
29403

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5	Revision	01.28.2020
4	Revision	12.25.2019
3	Revision	11.27.2019
2	Revision	09.13.2018
1	Revision	07.09.2018

No.	Revision/Issue	Date
-----	----------------	------

Sheet Name
Previously &
Revised
Proposed
First Level Plans

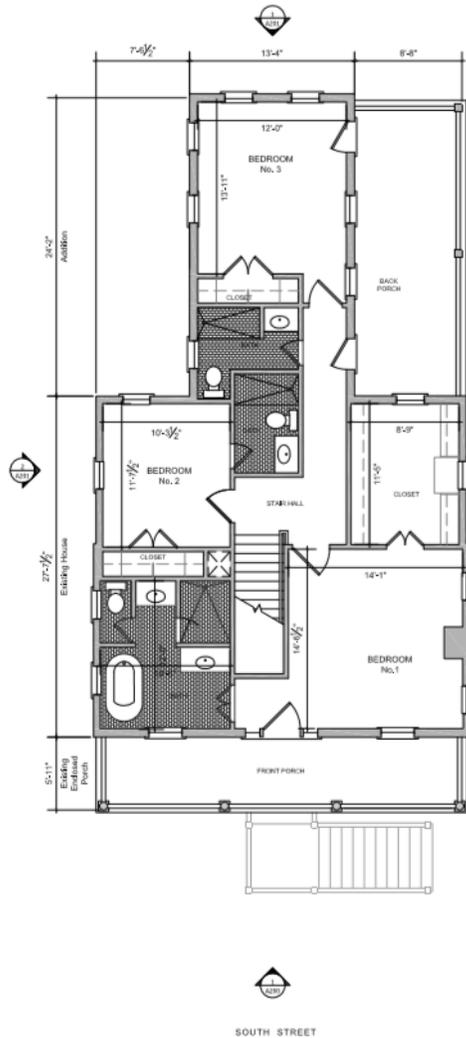
Date 11/27/2019	Sheet No. A102
Notes As Noted	

1 Previously Proposed First Level Plan

2 Revised Proposed First Level Plan

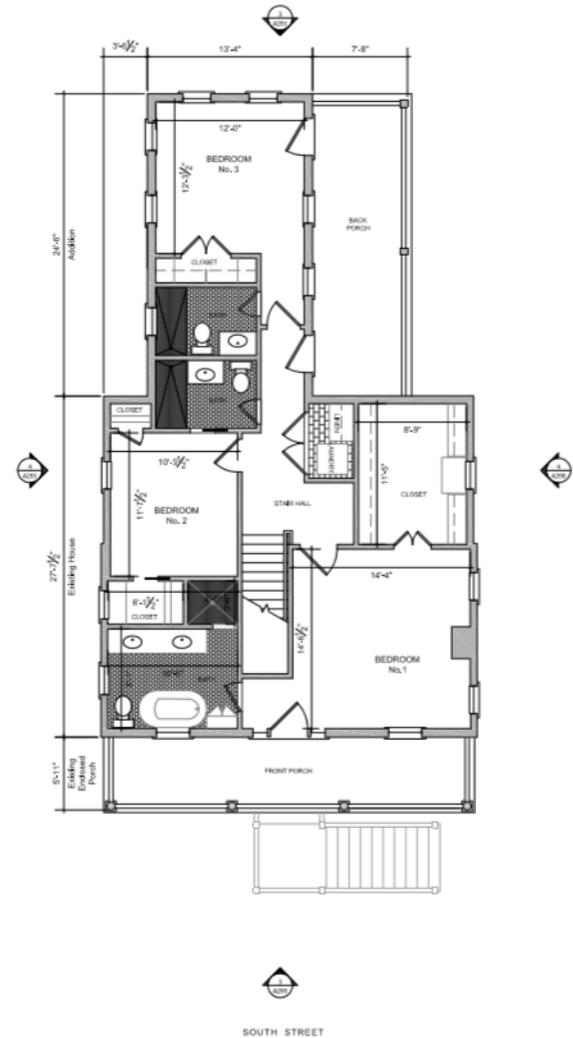
Scale: 1/4" = 1'-0"

Scale: 1/4" = 1'-0"



1 Previously Proposed Second Level Plan

Scale: 1/4" = 1'-0"



2 Revised Proposed Second Level Plan

Scale: 1/4" = 1'-0"

36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

Rectangular Snip

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ARCHITECT LLC
P. O. BOX 62
CHARLESTON, SC 29402

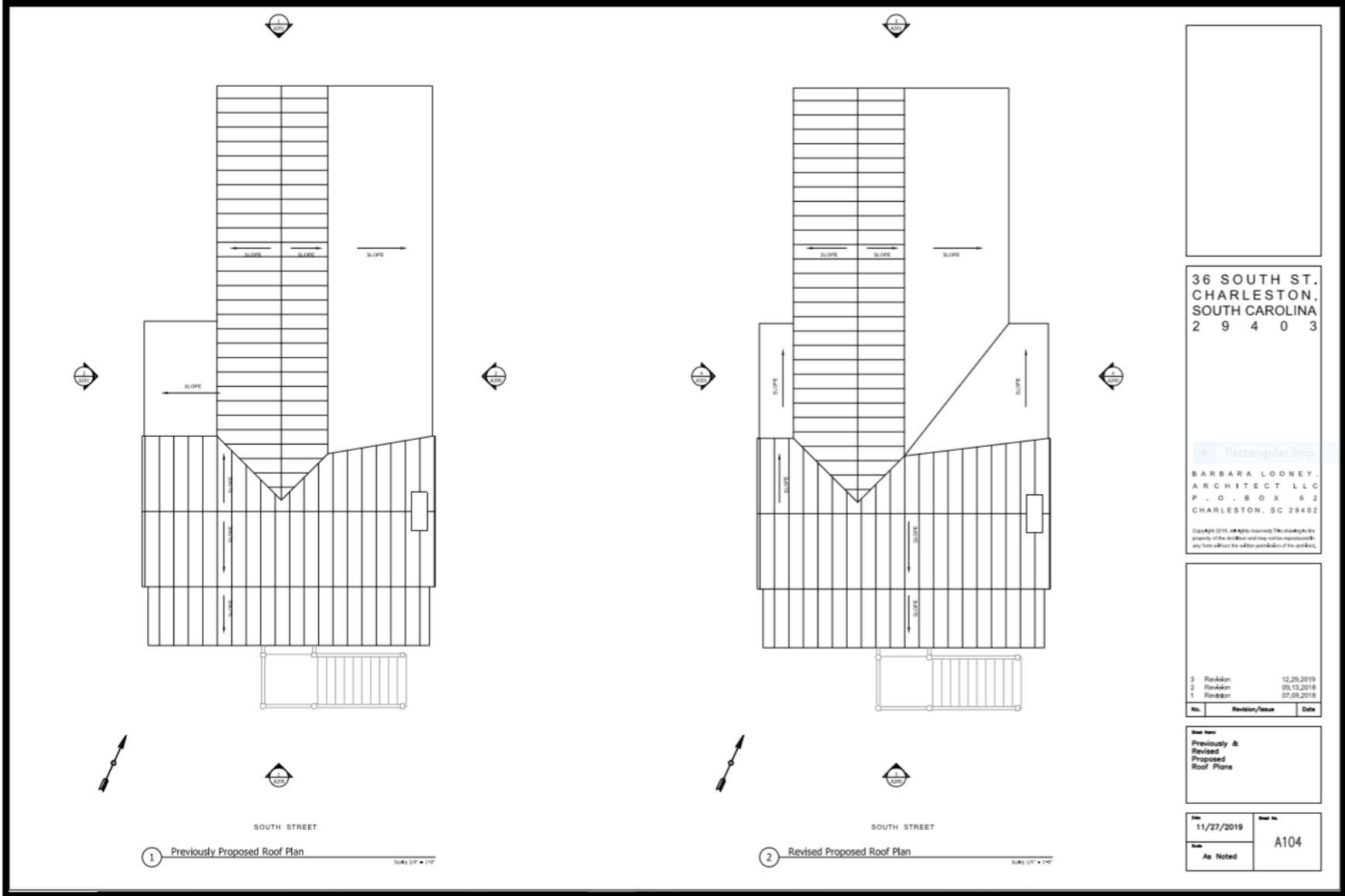
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4	Revision	01.20.2020
3	Revision	12.26.2019
2	Revision	08.13.2018
1	Revision	07.09.2018

No.	Revisions/Issue	Date
-----	-----------------	------

Sheet Name:
Previously &
Revised
Proposed
Second Level Plans

Date:	6/19/2018	Sheet No.:	A103
Drawn:	As Noted		



36 SOUTH ST.
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SOUTH CAROLINA
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No.	Revision/Issue	Date
3	Revision	12.20.2019
2	Revision	09.13.2019
1	Revision	07.09.2019

Use Item
Previously &
Revised
Proposed
Roof Plans

Date	Sheet No.
11/27/2019	A104
Notes	As Noted



36 SOUTH ST.
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3	Revision	11/27/2019
2	Revision	08/21/2018
1	Revision	07/09/2018
No.	Revision/Issue	Date

Sheet Name
 Previously & Revised
 Proposed Elevations,
 North (Rear) & West

Date	11/27/2019	Sheet No.	A201
Scale	As Noted		



2 Previously Proposed Street Elevation - North

Scale: 1/32" = 1'-0"



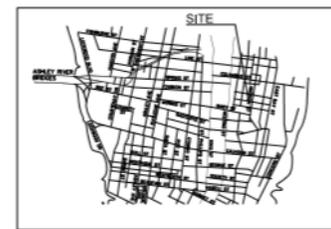
1 Previously Proposed Street Elevation - South

Scale: 1/32" = 1'-0"

36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
29403

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LOCATION MAP

No.	Revision/Issue	Date

Sheet Name
Previously Proposed
Street Elevations

Date 7/10/2018	Sheet No. A210
Scale As Noted	



2 Revised Proposed Street Elevation - North

Scale: 1/8" = 1'-0"

1 Revised Proposed Street Elevation - South

Scale: 1/8" = 1'-0"

36 SOUTH ST.
CHARLESTON,
SOUTH CAROLINA
2 9 4 0 3

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ARCHITECT LLC
P. O. BOX 62
CHARLESTON, SC 29402

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No.	Revision/Issue	Date
	Revised Proposed Street Elevations	

Date	Sheet No.
11/27/2019	A211
Scale	
As Noted	

Agenda Item #B-11

34 SAVAGE STREET

(CHARLESTOWNE)

TMS # 457-12-03-134

Request special exception under Sec. 54-110 to allow a vertical extension (2nd story exercise/office) to a non-conforming building footprint with a 6-inch north side setback and a 0-ft. rear setback (3-ft. and 25-ft. required).

Request variance from Sec. 54-301 to allow an elevator/stair/landing additions having a 55% lot occupancy (50% limitation; existing lot occupancy 52%).

Zoned DR-1F



City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- [X] A Variance and/or Special Exception as indicated on page 2 of this application.
[] Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
[] Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: March 17, 2020
Property Address 34 Savage Street TMS # 457-12-03-134
Property Owner Gary & Carolyn Gildersleeve Daytime Phone
Applicant Becky Fenno Daytime Phone 843-442-6552
Applicant's Mailing Address 1459 Stuart Engals Blvd, Suite 202, Mt. Pleasant, SC 29464
E-mail Address bfenno@fennoarch.com

Relationship of applicant to owner (same, representative, prospective buyer, other) Architect (Nicole)
Zoning of property DR-1F

- Information required with application: (check information submitted)
[X] Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
[X] For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
[X] Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
[X] Plans or documents necessary to show compliance with special exception requirements (3 sets)
[X] Check, credit card or cash (make checks payable to the City of Charleston)
[] YES or [X] NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:
[X] Photographs
[] Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant [Signature] Date 12/16/19

For office use only
Date application received 2/14/20
Staffperson [Signature] Fee \$ 150.00 Check
Time application received 11:00
Receipt # 971559

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Requesting additional lot coverage. Please see attached document describing how project

meets Variance Test.

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

Requesting to add a second story to the dependency at the east end of the property.

The rear setback on the second floor will be 5', which meets the 3' minimum but not the 25' listed under DR-1F

See attached narrative on how this project meets the requirements of the special exception ordinance.

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.

34 Savage Street

Zoning Request

By: Fenno Architecture LLC

February 14, 2020

Requesting variance for increased lot coverage: from 52% to 55% (an additional 117 sf); this exceeds the 50% allowable

-52 sf enclosed / heated and cooled to accommodate the "hyphen" to connect the main house and the dependency and space for an elevator

-65 sf exterior space that is covered by the new second floor addition (this space is counted in the lot coverage because of the "cantilever" of the second floor above

How this request meets the Variance Test:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
 - a. The area to be covered will allow construction of a "hyphen" to connect the main house and the dependency and to accommodate an elevator, required by the owner for health reasons. This area is currently covered by HVAC units and platform
 - b. The floor of the dependency is currently below grade making it susceptible to flooding and rendering the space unusable
 - c. The second floor addition was shifted away from the neighbors to preserve their light and view; this shift has added the 65 sf of exterior covered space
2. These conditions do not generally apply to other properties in the vicinity.
 - a. Each property in the neighborhood is unique; lot coverages and setbacks vary from property to property.
 - b. Many of the properties have lot coverages that are not conforming
3. Because of these conditions the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property and
 - a. The ordinance would restrict / prohibit connection of the main house to the dependency and the addition of an elevator and a small exercise room on the second floor, which the client requires for health reasons.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.
 - a. The request will not harm adjoining properties. The additional lot coverage will be used to add a hyphen between the main house and the dependency, where the HVAC units and platform are currently located. In addition, water / drainage on the property will be taken to the street / storm drains.

Requesting extension of non-conforming setbacks

-rear setback of 25' will not be met (though the 3' minimum will be met) when adding the second story over the dependency

How this request responds to the Special Exception, particularly 54-110, f.

1. Proposal will extend a rear non-conforming setback that is already in use upward for the addition of a second story
 - a. South – the existing distance to property line is in compliance
 - b. East – existing distance to property line will remain 0 on the first floor, as the existing wall will remain; on the second floor the exterior wall will be 5' from the property line which meets the minimum of 3' but not the listed setback of 25' for DR-1F
 - c. West – existing distance to the main house will remain the same

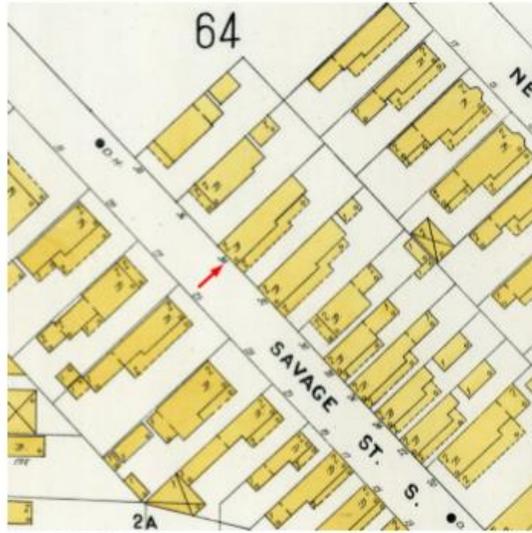
- d. North – existing distance to the property line of 6" will remain the same on the first floor as the existing wall will remain. On the first floor, the wall of the hyphen will meet the 3' setback. On the new second floor, the new wall will meet the 3' setback
2. Proposal will not result in an unreasonable intensification of the property or area.
 - a. In terms of height, the first floor is requested to match the existing house so that it will no longer flood and the space can be connected to the house and used. The ceiling heights on the first and second floors are kept as low as possible and the roof has a low pitch. The footprint is also as small as possible.
 - b. Proposed heated and cooled space added will only be 52 sf on the first floor and 237 sf on the second floor
 - c. The two story height of the dependency is similar to many in the neighborhood.
 - d. The effect on light and air of neighbors will be minimal as the second story is offset from both neighbors and allows light to come from the south onto the property at 36 Savage similar to the existing sun pattern.
 - e. All drainage will be handled on the property and taken to the street / storm water system.
 - f. Existing parking will not be affected.





Savage Street

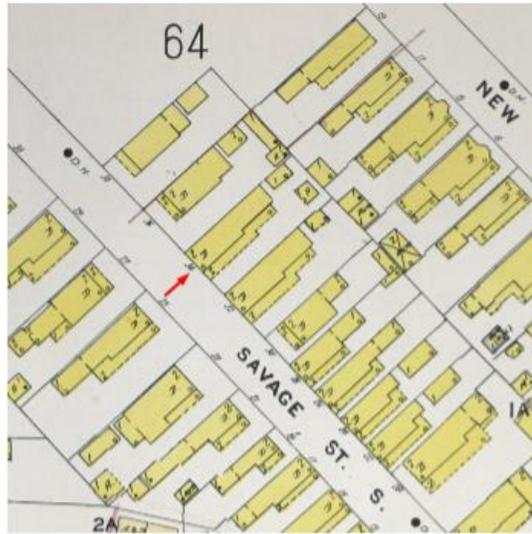




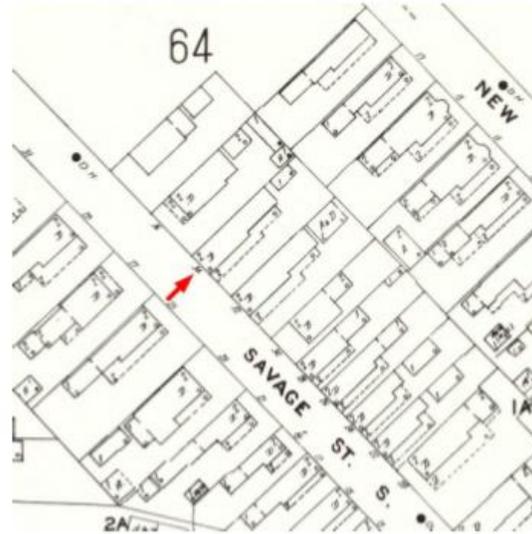
1902 - SANBORN MAP



1902 - SANBORN MAP REVISED 1944



1902 - SANBORN MAP REVISED 1951



1902 - SANBORN MAP REVISED 1955

SITE PHOTOS



FACADE FACING SAVAGE STREET



SOUTH ELEVATION SHOWING PIAZZA



EAST ELEVATION



NORTH ELEVATION FROM SAVAGE STREET



REAR OF 34 SAVAGE; DEPENDENCY OF 32 SAVAGE ON RIGHT



SOUTH ELEVATION OF DEPENDENCY



- 01 ADDRESS NUMBER
- PROPERTY LINE
- PROJECT SITE
- 1.5-2 STORIES DEPENDENCY
- 1.5-2 STORIES DEPENDENCY IN CLOSE PROXIMITY OF LOT LINE



A



B



C



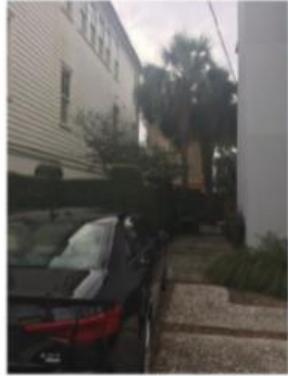
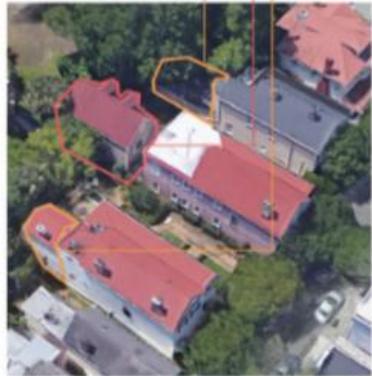
A



B



C



D

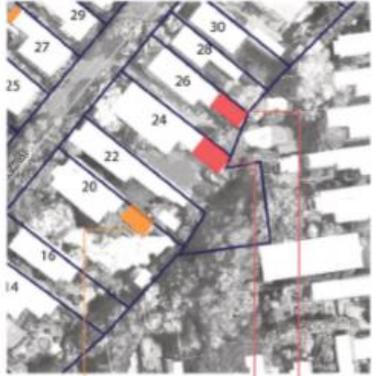


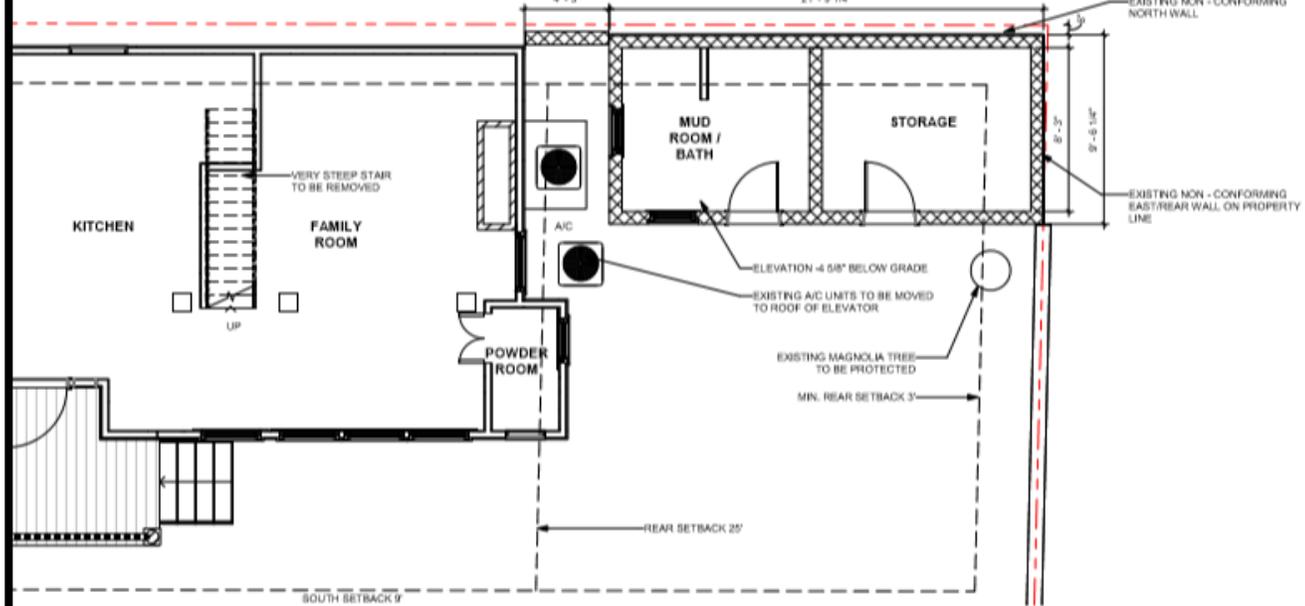
E



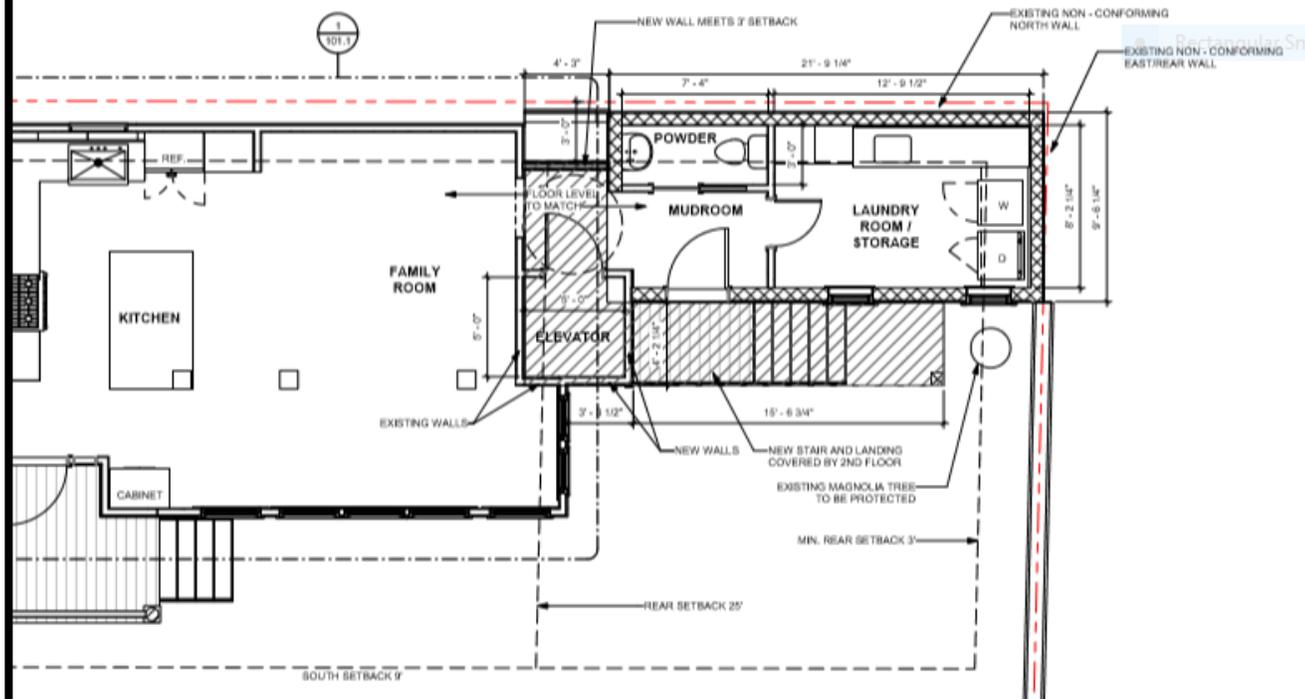
F

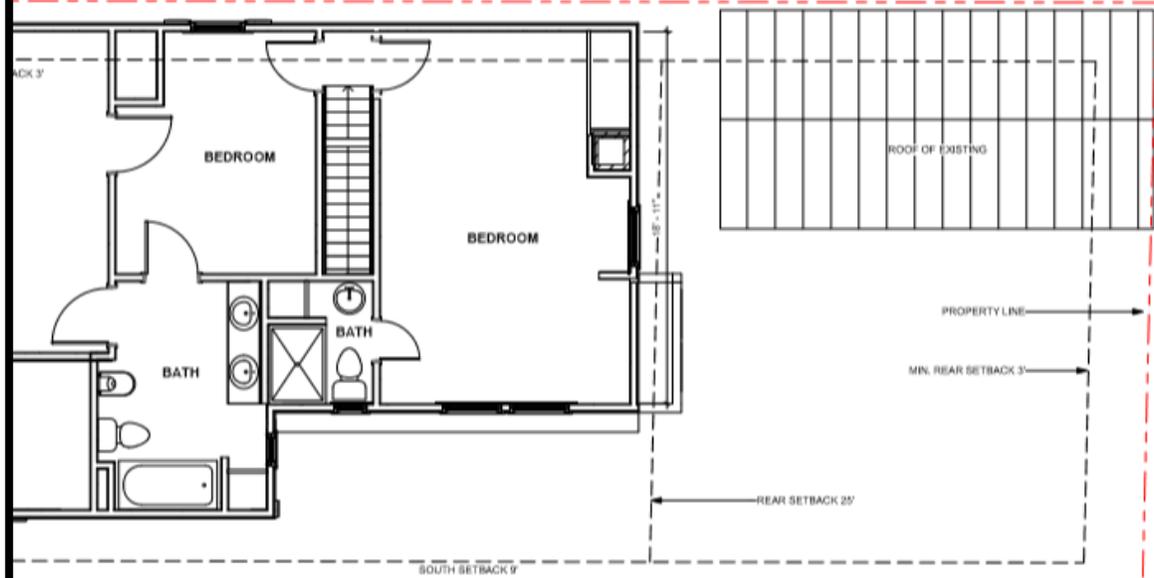






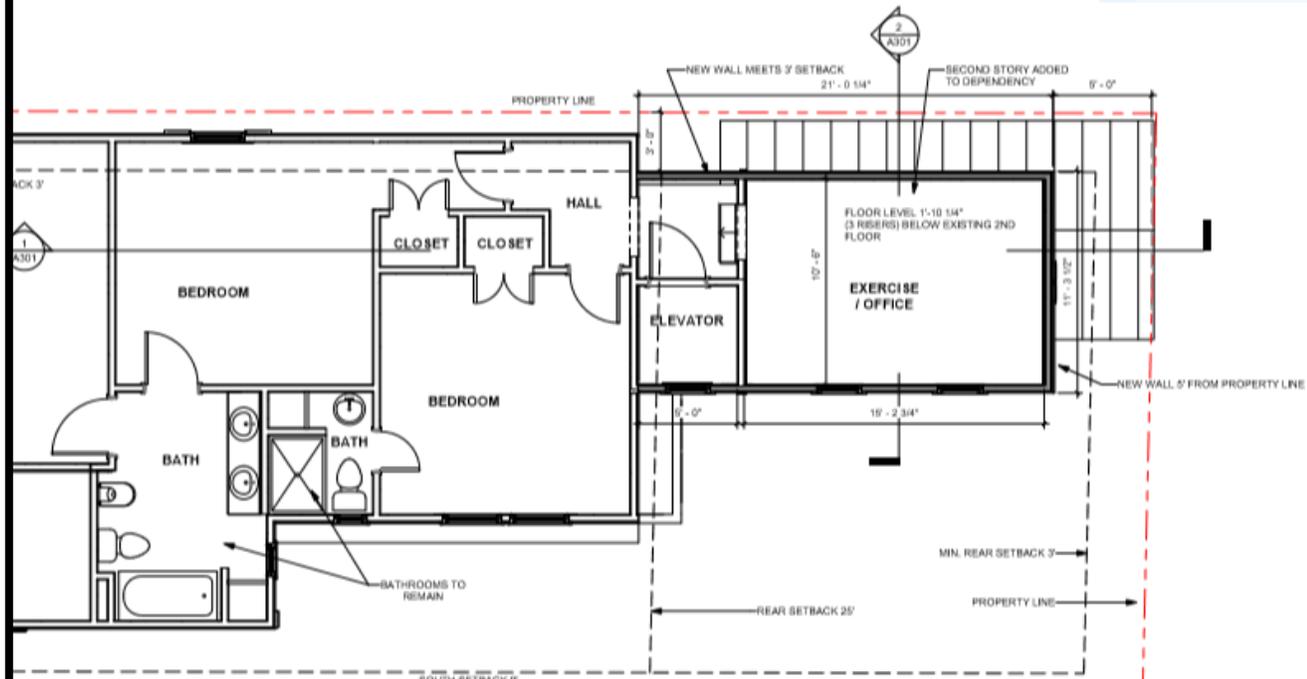
EXISTING FIRST FLOOR
1" = 1'-0"

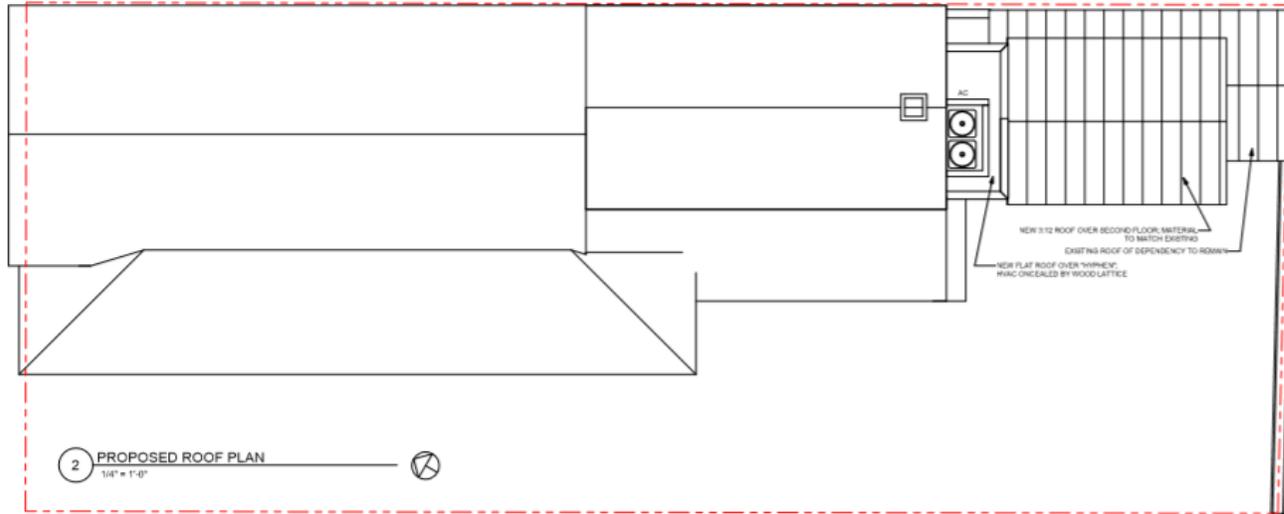
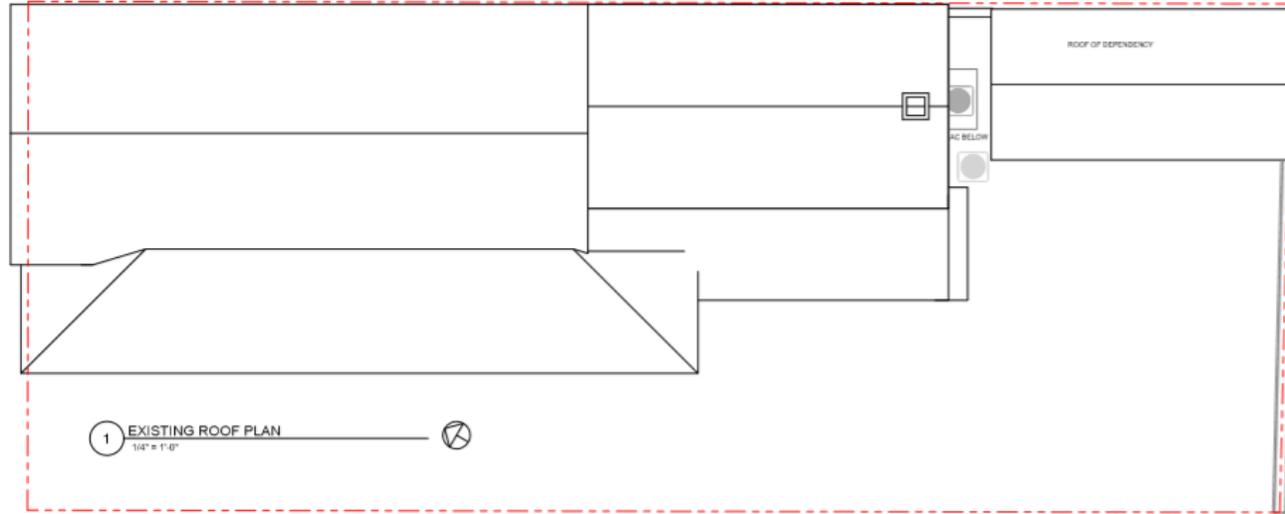




1 EXISTING SECOND FLOOR
 1/4" = 1'-0"

Rectangular Snip



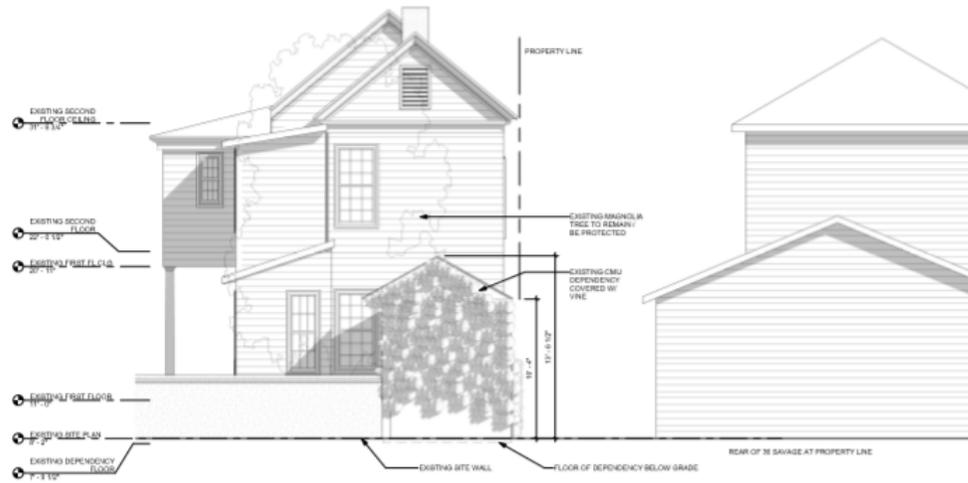




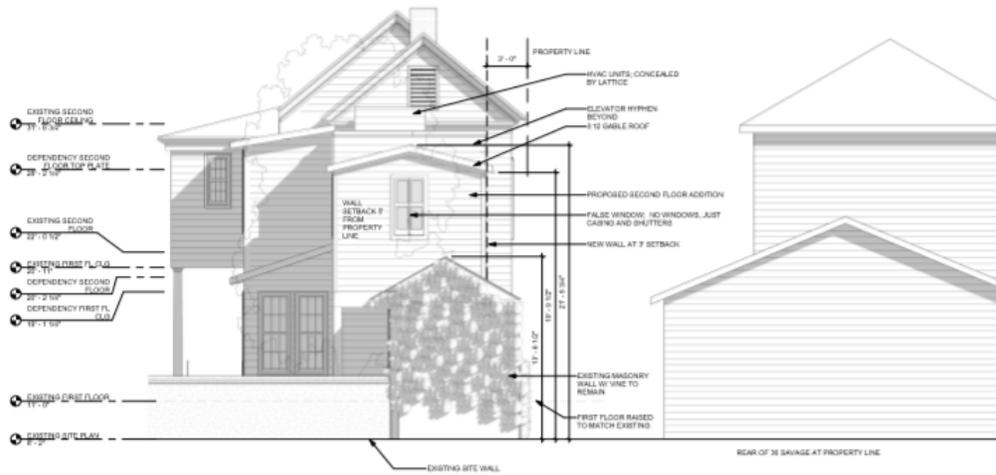
1 EXISTING NORTH ELEVATION
1/4" = 1'-0"



2 PROPOSED NORTH ELEVATION
1/4" = 1'-0"



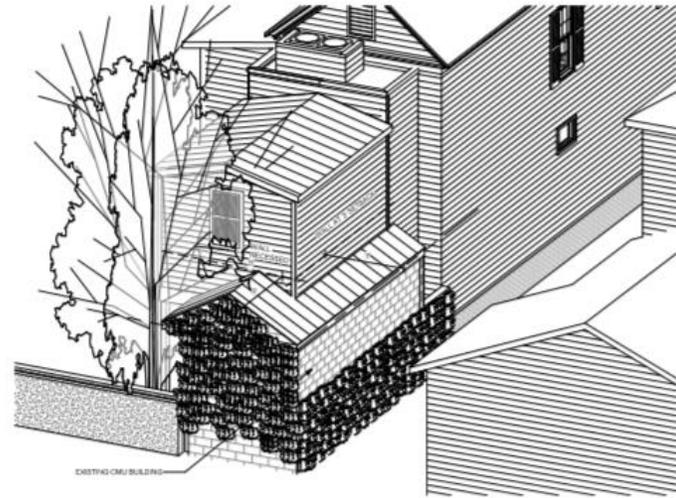
1 EXISTING EAST ELEVATION
1/4" = 1'-0"



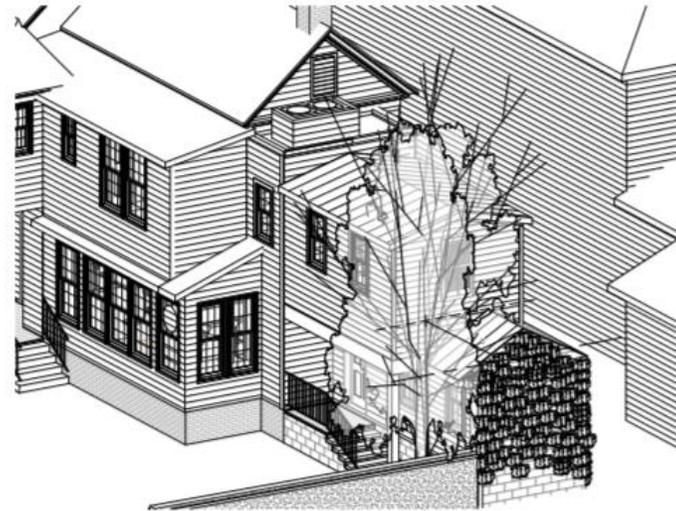
2 PROPOSED EAST ELEVATION
1/4" = 1'-0"



3 PERSPECTIVE FROM REAR



1 AERIAL VIEW 1



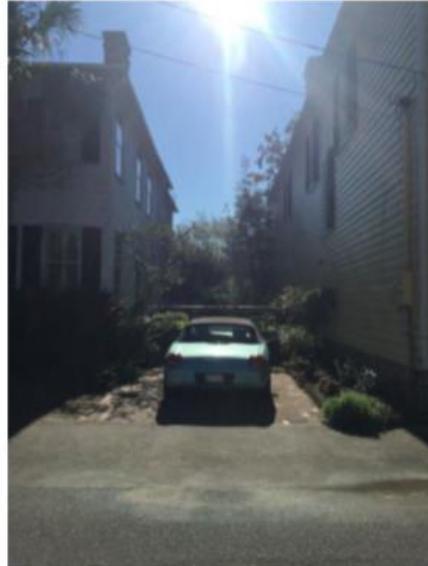
2 AERIAL VIEW 2

PHOTOS OF SUNLIGHT AT NORTH WALL AND AT 38 SAVAGE STREET
(OWNED BY PEGGY LEWIS)

WINTER SUN PATTERN



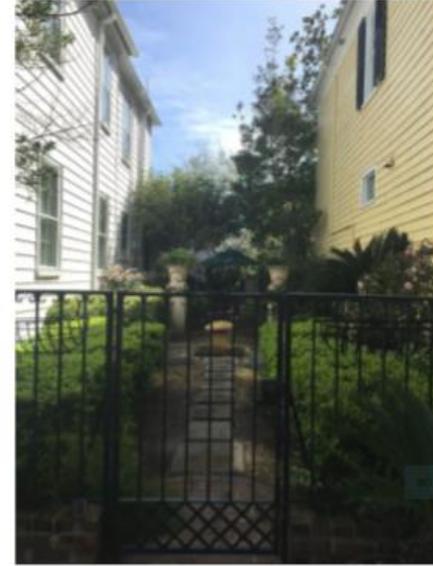
FEBRUARY 29 AT 9 AM
ADDITION WILL HAVE NO IMPACT AT THIS TIME



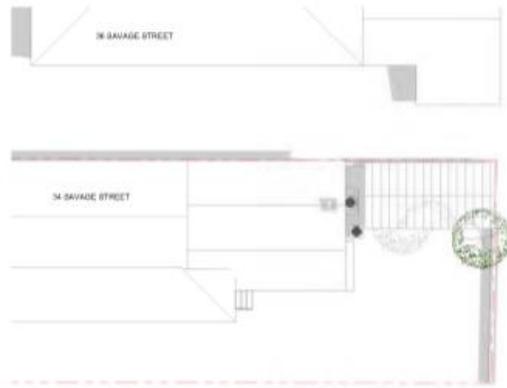
FEBRUARY 29 AT 10 AM
ADDITION WILL HAVE NO IMPACT AT THIS TIME



FEBRUARY 3 AT 11 AM -
GARDEN ALMOST FULLY SHADED BY EXISTING
BUILDING AND TREES THUS ADDITION WILL HAVE
MINIMAL IMPACT AT THIS TIME OF DAY

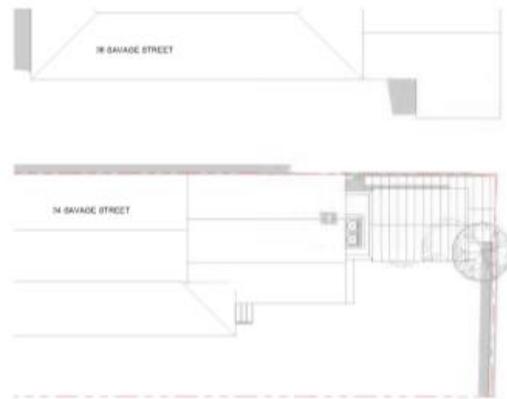


FEBRUARY 23 AT NOON -
GARDEN FULLY SHADED BY EXISTING BUILDING
AND TREES THUS THE ADDITION WILL HAVE NO
IMPACT AT THIS TIME OF DAY

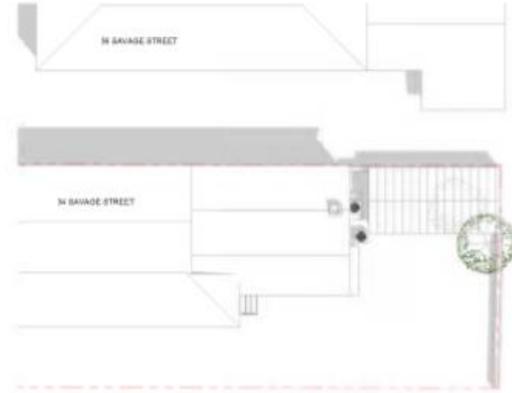


1 EXISTING SUN JUN 20 11 AM
1" = 10'-0"

NO CHANGE IN SHADOW PATTERN

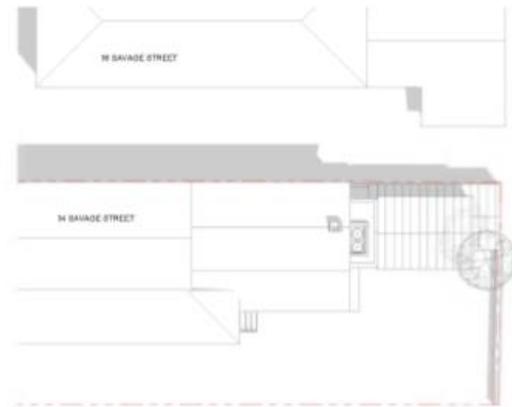


4 PROPOSED SITE PLAN JUN 20 11 AM
1" = 10'-0"

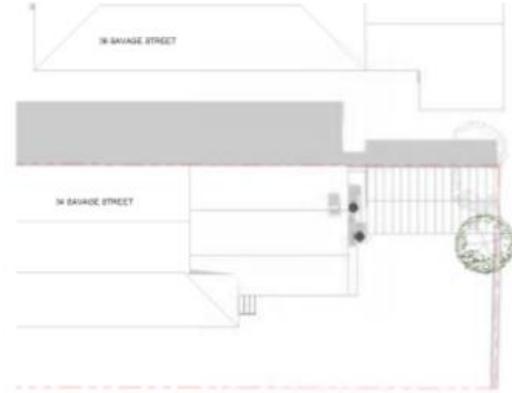


2 EXISTING SUN JUN 20 12 PM
1" = 10'-0"

MINIMAL CHANGE IN SHADOW PATTERN

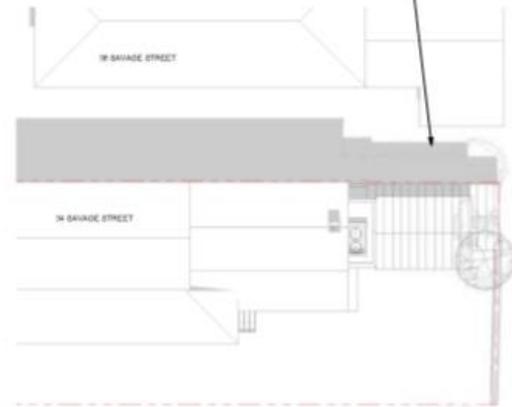


5 PROPOSED SITE PLAN JUN 20 12 PM
1" = 10'-0"



3 EXISTING SUN JUN 20 1 PM
1" = 10'-0"

MINIMAL CHANGE IN SHADOW PATTERN



6 PROPOSED SITE PLAN JUN 20 1 PM
1" = 10'-0"