

MINUTES

AGENDA

BOARD OF ZONING APPEALS-ZONING

JULY 20, 2021

5:15 P.M.

“virtually via Zoom Webinar”

8:30 P.M.

MEMBERS PRESENT: MICHEAL ROBINSON, HOWELL MORRISON, ALLISON GRASS, WALTER JAUDON, ROBBEN RICHARDS, GEIZA VARGAS-VARGAS, JOHN BENNETT
STAFF PRESENT: LEE BATCHELDER, PENNYE ASHBY, SCOTT VALENTINE

A. Review of Minutes and Deferred applications from previously advertised BZA-Z agendas. For information, call 724-3765.

1. REVIEW OF MINUTES OF THE JUNE 15, 2021 BOARD MEETING APP. NO. 2107-20-A1

APPROVED XX WITHDRAWN 0
DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: H.Morrison SECOND: W.Jaudon VOTE: FOR 7 AGAINST 0

**2. 80 ASHLEY AVE. (HARLESTON VILLAGE) APP. NO. 2107-20-A2
(457-03-04-068)**

Request use variance from Sec. 54-203 to allow a cafe with indoor and outdoor patron use areas and garden shop, with on-premises consumption of beer and wine and liquor. Café limited hours: Monday to Friday 7:30 a.m. to 6:30 p.m.; Saturday and Sunday, 8:00 a.m. to 6:30 p.m. Garden store: Monday to Sunday, 10:00 a.m. to 6:30 p.m. Café staff arriving 1 hour earlier and leaving 1 hour later. Alcohol (beer, wine and liquor) sales to be tied to 7:30/8:00 a.m. breakfast service. Request variance from Sec. 54-317 to allow a café with indoor and outdoor patron use areas and garden shop with 2 off-street parking spaces (13 spaces required).
Zoned STR

Owner: John B. Howard
Applicant: SWB Holdings, LLC, Steve Brown

APPROVED 0 WITHDRAWN 0
DISAPPROVED XX DEFERRED 0

MOTION: Disapproval.

MADE BY: A.Grass SECOND: W.Jaudon VOTE: FOR 4 AGAINST 0
*M.Robinson, H. Morrison, J.Bennett recused

B. New applications.

1. 1 ASHLEY BLVD. (CHARLESTOWNE) (457-11-01-039) APP. NO. 2107-20-B1

Request the second one-year extension of a vested right that expires on June 5, 2021, pursuant to Sec. 54-962. Vested right is an approved variance under Sec. 54-353 for attached dwelling units (duplexes) in a STR (Single-Two Family Residential) zone district.

Owner: Barnes, Moultrie, Ward, LLC
Applicant: Neil Stevenson Architects (Tara Romano)

APPROVED XX WITHDRAWN 0
DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: H.Morrison SECOND: W.Jaudon VOTE: FOR 7 AGAINST 0

**2. 411 MEETING ST. (CANNONBOROUGH/
ELLIOTBOROUGH) (459-09-03-114)**

APP. NO. 2107-20-B2

Request the fourth one-year extension of a vested right that expires on December 31, 2021, 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.

Owner: Bennett Meeting Street, LLC
Applicant: Womble Bond Dickinson (US) LLP

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: H.Morrison SECOND: W.Jaudon VOTE: FOR 6 AGAINST 0

*J.Bennett recused

3. 19 HAGOOD AVE. (WESTSIDE) (460-00-00-017)

APP. NO. 2107-20-B3

Request the second one-year extension of a vested right that expires on July 17, 2021, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on July 17, 2018 with conditions for a 250-unit accommodations use in a MU-2/WH (Mixed Use 2 Workforce Housing) zone district.

Owner: South Park Ventures, LLC
Applicant: Womble Bond Dickinson (US) LLP

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: W.Jaudon SECOND: A.Grass VOTE: FOR 7 AGAINST 0

4. 246 SPRING ST. (WESTSIDE) (460-10-02-005)

APP. NO. 2107-20-B4

Request the fourth one-year extension of a vested right that expires on December 31, 2021, 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 2 Work Force Housing) zone district.

Owner: Spring Street Ventures, LLC
Applicant: Womble Bond Dickinson (US) LLP

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: A.Grass SECOND: R.Richards VOTE: FOR 7 AGAINST 0

5. 317 SAVANNAH HWY. (421-07-00-003)

APP. NO. 2107-20-B5

Request the fourth one-year extension of a vested right that expires on December 4, 2021, 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.

Owner: Riverview Ventures, LLC
Applicant: Womble Bond Dickinson (US) LLP

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: G.Vargas-Vargas SECOND: J.Bennett VOTE: FOR 7 AGAINST 0

**6. 235 EAST BAY ST., 36 N. MARKET ST., AND
5 GUIGNARD ST. (458-05-03-041, 138 AND 036)**

APP. NO. 2107-20-B6

Request the third one-year extension of a vested right that expires on July 18, 2021, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on July 18, 2017 with conditions for a 50-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Owner: Pearce Development, LLC
Applicant: Womble Bond Dickinson (US) LLP

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: J.Bennett SECOND: H.Morrison VOTE: FOR 7 AGAINST 0

7. 16 BROUGHTON RD. (CRESCENT) (421-14-00-046)

APP. NO. 2107-20-B7

Request variance from Sec. 54-301 to allow an addition (garden room) to an existing garage with a 5.4-ft. east side setback and a 6.4-ft. rear setback (9-ft. and 25-ft. required).
Request special exception under Sec. 54-110 to allow an existing hvac platform expansion that extends a non-conforming 3.2-ft. rear setback (25-ft. required).
Zoned SR-8

Owner: H.N. Ritter, III and Ann K. Ritter
Applicant: Sebastian von Marschall Architect, LLC

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferred by applicant.

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

8. 1708 BATTERY ISLAND DR. (BATTERY ISLAND) APP. NO. 2107-20-B8
(334-05-00-023)

Request variance from Sec. 54-824 to allow a subdivision to create four lots and to allow, Lot 2, Lot 3 and residual tract to not have frontage on a public right-of-way.
Request variance from Sec. 54-301 to allow Lot 1 having a 10.9-ft rear setback and a 12.49 west side setback (25-ft. and 15-ft. required).
Request variance from Sec. 54-301 to allow Lot 2 with a 10.9-ft. front setback a 58.07 total front and rear setback (50-ft. and 75-ft. required).
Zoned RR-1

Owner: Elizabeth B. Richardson, Tara D. Backman, Yolanda B. Smalls,
and William Goss
Applicant: HLA, Inc.

APPROVED XX WITHDRAWN 0
DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: J.Bennett SECOND: H.Morrison VOTE: FOR 7 AGAINST 0

9. 12 KING ST. (CHARLESTOWNE) (457-16-02-065) APP. NO. 2107-20-B9

Request special exception under Sec. 54-110 to allow a 1-story porch addition that extends a non-conforming 1.5-ft. north side setback (3-ft. required).
Request variance from Sec. 54-301 to allow a 1-story porch addition/stair/landing having a 56% lot occupancy (35% limitation; existing lot occupancy 51.4%).
Zoned SR-4

Owner: Gordon and Bonnie Geer
Applicant: David Richards, Architect

APPROVED XX WITHDRAWN 0
DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: H.Morrison SECOND: W.Jaudon VOTE: FOR 6 AGAINST 0

*R.Richards recused

10. 75 SOUTH BATTERY ST. (CHARLESTOWNE) APP. NO. 2107-20-B10
(457-11-02-040)

Request special exception under Sec. 54-110 to allow an addition (master bedroom addition) to a non-conforming building footprint that does not meet the required 9-ft. side setback (4.8-ft. existing).
Zoned SR-2

Owner: Lyle and Alison Passink
Applicant: Victoria Goss

APPROVED XX WITHDRAWN 0
DISAPPROVED 0 DEFERRED 0

MOTION: Approval.

MADE BY: W.Jaudon SECOND: A.Grass VOTE: FOR 7 AGAINST 0

**11. 99 SOUTH BATTERY ST. (CHARLESTOWNE)
(457-11-02-049)**

APP. NO. 2107-20-B11

Request variance from Sec. 54-301 to allow a hvac platform for a generator with a 3-ft. west side setback (9-ft. required).
Zoned SR-2

Owner: Anita G. Zucker
Applicant: Andrew Wall

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: A.Grass SECOND: R.Richards VOTE: FOR 7 AGAINST 0

**12. 91 SPRING ST. (CANNONBOROUGH/
ELLIOTBOROUGH) (460-08-03-067)**

APP. NO. 2107-20-B12

Request variance from Sec. 54-301 to allow construction of a building with a 3.2-ft. west side setback (9-ft. required).
Zoned LB

Owner: 91 Spring, LLC
Applicant: Eddie Bello, Bello Garris Architects

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: R.Richards SECOND: G.Vargas-Vargas VOTE: FOR 6 AGAINST 0

*A.Grass recused

**13. 974 ASHLEY AVE. (WAGENER TERRACE)
(463-11-01-031)**

APP. NO. 2107-20-B13

Request special exception under Sec. 54 110 to allow construction of a single-family residence that extends a non-conforming 6-ft. north side setback (9-ft. required).
Zoned SR-2

Owner: Gene Plyler
Applicant: Gene Plyler

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: G.Vargas-Vargas SECOND: J.Bennett VOTE: FOR 7 AGAINST 0

14. 301 ASHLEY AVE. (WESTSIDE) (460-07-02-015)

APP. NO. 2107-20-B14

Request variance (after-the-fact) from Sec. 54-301 to allow a deck/gazebo addition with a 1.5-ft. west side setback (7-ft. required).
Zoned DR-2F

Owner: Stephen Gerhard
Applicant: Stephen Gerhard

APPROVED 0

WITHDRAWN 0

DISAPPROVED 0

DEFERRED XX

MOTION: Deferral to meet with Westside Neighborhood Association.

MADE BY: W.Jaudon SECOND: J.Bennett VOTE: FOR 7 AGAINST 0

15. 22 SAVAGE ST. (CHARLESTOWNE) (457-12-03-140)

APP. NO. 2107-20-B15

Request variance from Sec. 54-301 to allow construction of a garage/storage building with a 0.8-ft. rear setback and a 0.75-ft. west side setback (25-ft. and 9-ft. required).
Zoned DR-1F

Owner: Kurt and Carol Harrington
Applicant: Ginny L. Conlon

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: J.Bennett SECOND: H.Morrison VOTE: FOR 7 AGAINST 0

16. 550 RUTLEDGE AVE. (WESTSIDE) (460-04-03-136)

APP. NO. 2107-20-B16

Request use variance from Sec. 54-203 to allow a coffee shop on the ground floor (518sf) with days of operation Monday-Sunday and hours of operation 7am-9pm in a DR-1F (Diverse-Residential) zone district.
Request special exception under Sec. 54-511 to allow a coffee shop with 518sf of indoor patron use area without providing additional parking spaces (4 spaces required).
Zoned DR-1F

Owner: SD OZ Charleston Project 1, LLC
Applicant: Nate Boykin-The Middleton Group

APPROVED 0

WITHDRAWN XX

DISAPPROVED 0

DEFERRED 0

MOTION: Withdrawn.

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

17. 19 LOGAN ST. (CHARLESTOWNE) (457-12-03-085) APP. NO. 2107-20-B17

Request special exception under Sec. 54-110 to allow a horizontal expansion (kitchen expansion) and a vertical extension (bedroom/bath) that extends a non-conforming 0-ft. north side setback (3-ft. required).
Request variance from Sec. 54-301 to allow an addition with a 1-ft. rear setback (25-ft. required).
Zoned DR-1F

Owner: Karl Riner
Applicant: AJ Architects

APPROVED **XX**

WITHDRAWN **0**

DISAPPROVED **0**

DEFERRED **0**

MOTION: Approval.

MADE BY: H.Morrison SECOND: W.Jaudon VOTE: FOR 7 AGAINST 0

**18. 109 RUTLEDGE AVE. (HARLESTON VILLAGE) APP. NO. 2107-20-B18
(457-03-01-103)**

Request special exception under Sec. 54-110 to allow an existing 3-dwelling unit non-conforming use to be extended by relocating one unit from the main house to the carriage house at the back of the property.
Zoned STR

Owner: 109 Rutledge Avenue, LLC
Applicant: AJ Architects

APPROVED **XX**

WITHDRAWN **0**

DISAPPROVED **0**

DEFERRED **0**

MOTION: Approval.

MADE BY: R.Richards SECOND: H.Morrison VOTE: FOR 7 AGAINST 0

19. 477 LESESNE ST. (DANIEL ISLAND) (272-05-00-005) APP. NO. 2107-20-B19

Request variance from Sec. 54-263 (Daniel Island Master Plan) zoning regulations to allow a garage to meet the frontage requirement on a lot that is 71-ft. wide (80-ft. required per Sec. 4.1(8)).
Zoned DI-R

Owner: Scott Schools and Cindi Hubbard
Applicant: Robert Crawford

APPROVED **XX**

WITHDRAWN **0**

DISAPPROVED **0**

DEFERRED **0**

MOTION: Approval.

MADE BY: W.Jaudon SECOND: A.Grass VOTE: FOR 7 AGAINST 0

**20. 82 ½ SPRING ST. (CANNONBOROUGH/
ELLIOTBOROUGH) (460-08-03-177)**

APP. NO. 2107-20-B20

Request variance from Sec. 54-301 to allow the reestablishment of a duplex use with 1,363sf of lot area per dwelling unit (3,000sf required).
Zoned LB

Owner: Juliette T. Seabrook
Applicant: Juliette T. Seabrook

APPROVED XX

WITHDRAWN 0

DISAPPROVED 0

DEFERRED 0

MOTION: Approval.

MADE BY: A.Grass SECOND: R.Richards VOTE: FOR 7 AGAINST 0

For more information, contact the Zoning and Codes Division Office at 724-3781.

In accordance with the American with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher At (843) 577-1389 or email to schmacherj@charleston-sc.gov three business days prior to the meeting.