



CITY OF CHARLESTON BOARD OF ZONING APPEALS - ZONING

PUBLIC COMMENT SEPTEMBER 6, 2022

A meeting of the Board of Zoning Appeals - Zoning (BZA-Z) will be held on **Tuesday, September 6, 2022 at 5:15 p.m.** in the **Public Meeting Room, 1st Floor, 2 George Street.**

The following written comments were submitted to the Mayor's Office of Innovation Public Meetings Portal or staff. The comments will be provided to the board members 24 hours in advance of the meeting and also be acknowledged into the record and summarized. The public is encouraged to attend the meeting in person to speak in order for comments to be fully heard.

Application information will be available at www.charleston-sc.gov/bza-z in advance of the meeting. Please check the website on the meeting date to view any withdrawn or deferred agenda items.

For additional information, please contact:

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY
2 George Street, Suite 3100 Charleston, SC 29401 | (843) 724-3781

Board of Zoning Appeals - Zoning (BZA-Z)
Public Comments
September 6, 2022 Meeting

A meeting of the Board of Zoning Appeals - Zoning (BZA-Z) will be held on Tuesday, September 6, 2022 at 5:15 p.m. in the Public Meeting Room, 1st Floor, 2 George Street. The following written comments were submitted on the Mayor's Office of Innovation Public Meetings Portal (<http://innovate.charleston-sc.gov>) and will be provided to the board members 24 hours in advance of the meeting. The comments will also be acknowledged into the record and summarized. The public is encouraged to attend the meeting in person to speak in order for comments to be fully heard. Application information is available at www.charleston-sc.gov/bza-z in advance of the meeting. Questions can be directed to the Department of Planning, Preservation and Sustainability at 843-724-3781.

Name	Address	Submitted Comment	Item Type	Item Description	Date/Time Submitted
Rainey Evans	14 Bedons Alley, Charleston, SC 29401	BOARD OF ZONING APPEALS Agenda - Tuesday, September 6/ Item # 8 9 & 11 Elliott Street - "After the Fact" request for special exception for the pool equipment housing. My name is Rainey Evans and I am a lifetime resident of Charleston. I have resided at 14 Bedons Alley for the past 25 years. I strenuously OBJECT to the request now before you to give a special exception to the owner of #9 & #11 Elliott Street to add the features listed to the owner's already disproportionate, offensive structure. It appeared suddenly above the wall so this is our first chance to comment. However, we have called the City on many occasions to complain about the party noise problem. It, and the pool itself, is far too close to the historic wall and threatens its stability. The wall has been protected for over 100 years. How did the owner get a permit to situate the pool so close to the wall?! And then add that outlandish wooden stand?! First hurricane and it will be in the pool. I was majorly shocked to see the construction crew walking back and forth on the wall working on the equipment housing and on to the neighbor's property without permission. This was and is, unacceptable ! Our quiet, respectable neighborhood has morphed on the weekends into a mini Las Vegas around the pool with its colored strobe lights lasting into the wee hours, blaring music and screeching laughter. Needless to say this is so offensive to the residents who work diligently to keep our neighborhood ambiance and beauty as it was when we moved here. We value our lifestyle and are willing to stand together for our, here-to-for, long enjoyed, peace and quiet. We ask that you respect our way of life as long time residents. I ask that this request be denied with no chance for refileing. That the structure be removed and placed elsewhere on the owners property, at the owner's expense, and placed the required number of feet from ALL THREE WALLS. Thank you in advance. Rainey Evans 14 Bedons Alley Charleston 843-577-5666	8	9 & 11 Elliott, Charles Towne	Aug 27 2022 1:56PM

Name	Address	Submitted Comment	Item Type	Item Description	Date/Time Submitted
Victoria Hodges	10 Bedons Alley, Charleston, SC 29401	<p>I am the owner of #10 Bedons Alley, with visual proximity to the above mentioned location. I am particularly concerned that a deliberate violation of a PERMIT acquisition is the foundation of this request for exception. The property owner is a practicing attorney, who knowingly sought to avoid the requirement of a permit. There is ample precedent for all neighbors in this close community to contact each other when construction issues of all kinds arise, and seek consensus and helpful opinion. This violation not only occurred with intention and avoidance of neighbor communication, but the resulting expansion and vertical extension does not in any way meet CODE requirements that we are all subject to and follow lawfully. The legal setback requirement is particularly significant here when the construction had other opportunities (garage use for pool & HVAC) and the historic original walls are forced to align with a non-conforming setback. It seems only fair and prudent that the structure be removed and placed elsewhere on the property, and with compliance to the required number of feet from all original SHARED walls.</p> <p>Granting any exception, especially when “after the fact” is a deliberate attempt to modify the outcome for personal satisfaction, sets an unfortunate precedent of unfairness and disregard for the historic and aesthetic preservation. Respectfully, Victoria F. Hodges 10 Bedons Alley</p>	8	9 and 11 Elliot Street. Charlestowne	Aug 30 2022 12:07PM

Name	Address	Submitted Comment	Item Type	Item Description	Date/Time Submitted
Cindy Wofford	8C Elliott Street	<p>As a resident of Elliott Street directly located across the street from 9 Elliott, I encourage the request for exemption be DENIED. The equipment should have never been installed “mid-air” - as it was done so without approval by the city. There is a very detailed approval process for a reason - and requesting approval “after the fact” should never be allowed. It destroys the city’s perview process. The equipment encroaches on the property line and shared brick wall of immediate neighbors. Restrictions to encroachment of that wall need enforcing. The equipment is a physical and visible eyesore looming over the neighborhood’s respectfully protected brick wall for both the residents and all tourists who are encouraged to enjoy the serene beauty of our historic street and architecturally respected neighborhood. The equipment is a safety hazard for all surrounding properties with the approach of hurricane season. Unfortunately, your committee cannot correct the increase of noise and lights and increase of traffic on the street that the pool parties are creating. You can, however, correct the non-compliance eyesore visuals of the current location of the pool equipment. Many thanks for your strong voice of DENIAL of this request. And - many thanks for protecting and preserving the beauty of our city via your enforcement of process.</p>	458-09-03-101	9 and 11 Elliott Street	Aug 31 2022 3:13PM
Victor Sellier	2 Bedons Alley, Charleston	<p>This “after the fact” application for a special exception should be emphatically denied, both because of its immediate structural and cosmetic effects, but also because of the dangerous precedent it would set for those considering making non conforming changes to structures in our neighborhood, and throughout historic districts of Charleston. There is ample evidence that the applicant was fully aware that his project was non conforming, yet nevertheless chose to proceed with the work with a total disregard for the impact on his neighbors, and the integrity of the regulations intended to protect the architectural culture of our neighborhood. With the amount of renovation work being done, and planned, in our community, many eyes will be on this decision, and if approved, that action will reinforce the philosophy that “it is better to ask for forgiveness, than to ask for permission”. The BZA should fulfill its responsibility to our neighborhood, and to the broader Charleston community, by rejecting this after the fact special exception.</p>	#8	9 & 11 Elliot	Aug 31 2022 10:14AM

Name	Address	Submitted Comment	Item Type	Item Description	Date/Time Submitted
Sandra Mohlmann	16 Bedons Alley, Charleston, SC 29401	<p>I am a long time Bedons Alley resident (30 years). I am writing with concerns about the platform at 9-11 Elliott Street. After talking to the BZA office I was surprised to learn the request for the special exception AFTER THE FACT at 9-11 Elliott was not the Height of the High Rise Platform but the distance of the High Rise Platform from the Historic Wall, which should be 3' and is only 1'. My concern is the height of the platform with its multiple tanks, mechanical equipment and air conditioner. From the garden view it looks like this platform could have been built below the wall height. Which makes the dangerous high-rise platform at #9-11 Elliott especially egregious; erected without thought or care for the visual impact on the neighbors. The platform height rises above the historic wall and is a blight to behold. Obviously the homeowner agrees. A privacy fence hiding the large containers and mechanical items from the garden/pool of 9-11 Elliott was built after the initial platform was completed 2 + months ago. Only In the last few weeks has a privacy fence been added to the open (north) side of the platform. Is this platform safe? Is it insured? Will the mechanical items on top of the platform be safe during a Hurricane? Fall over the wall, topple into the pool, fly through the air? Is 9-11 Elliott allowed access to the wall? The architectural drawings show an access gate on the east side of the platform, yet the ladder ends at the top of the wall. The workmen stood on the wall the entire time while erecting the fence. Were they trespassing? If they had fallen into the neighboring garden below and been injured who would be responsible? The photograph taken from ground level on Elliott Street is looking UP at this structure. "Shooting up" from the ground effectively "screens" the mechanicals from view. It is NOT the view I see from my window which is eye level. I hope that you address this situation. It is the obligation of every resident living in such close quarters to be respectful and considerate of their neighbors. My concern in granting any exception, especially "after the fact" sets an unacceptable precedent. What happens the next time a homeowner fails to do his/her due diligence and applies for a "special exception" after the fact? Respectfully, Sandra L. Mohlmann</p>	TMS #458-09-03-101	9 & 11 Elliott St.	Sep 1 2022 2:57PM

ARWEN STUDIO

ARCHITECTURE - RESTORATION
- PROJECT MANAGEMENT

July 18, 2022

RE: 37 F Street – Unit C, Charleston, SC

On the morning of Friday, July 15, 2022, property owner Harold Barrow and Architect Patrick Orefice met with Mr. Hal Washington, property owner of 37 F Street, Unit B, on the site of 37 F Street Unit. The intent of this meeting was to review the proposed construction of a new detached single-family house and how this construction would affect the residence at 37 F Street, Unit B.

Mr. Washington expressed concerns about the demolition of the existing brick façade at 37 F Street, Unit C, and what the removal would affect on his home. The following items were discussed and addressed:

1. The cutting and removal of the brick along the facades of the two properties facing F Street (West Elevation).
 - a. Parties agreed that the brick façade would be saw cut approximately 12" from the existing party wall. This will allow the front façade of Unit B to remain unaltered, keep the existing electrical meter in place, and allow for a clean trim detail behind the brick to seal and weatherproof the corner.
2. The exposed existing masonry wall between properties/party wall (South Elevation).
 - a. Parties agreed this wall will be sided with fiber cement lap siding. This will blend with the front face of Unit B as well as match the facades of the new Unit C building. The use of fiber cement siding will provide a weather tight façade and pleasing aesthetic.
3. The cutting and removal of the brick facades of the two properties at the rear (East Elevation).
 - a. A similar approach to the front façade will be used, saw cutting approximately 12" from the existing party wall.
 - b. This will mostly be seen only at the second floor level as the first floor level has a utility room.
4. The cutting and removal of the utility room at the rear of the properties.
 - a. Currently there are back-to-back utility rooms along the property line. Supply water for washing machines are in the shared wall between utility rooms.
 - b. The room on Unit C side will be completely demolished.
 - c. The studs in the shared wall have rotted away at the bottom and will be replaced.
 - d. The exterior wall facing Unit C will receive fiber cement lap siding like the rest of the South Elevation.
 - e. A new roof will be needed over the Utility Room structure at Unit B.

These items will be addressed during the design and Construction Document drawings. Construction work as presented in this document and the Construction Document drawings will be paid for by Mr. Barrow as part of the construction of the new detached dwelling at Unit C.

With the items noted above are addressed, and to be completed as noted, Mr. Washington, as owner of the property at 37 F Street, Unit B, fully supports the proposed new construction project of a detached single-family house at 37 F Street, Unit C. If, for some reason, the new project at 37 F Street, Unit C does not proceed to construction, the work at Unit B will not be addressed.

Document prepared by:

Patrick J. Orefice, RA

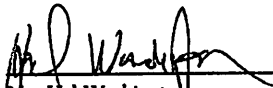
Patrick Orefice, Architect, LEED AP

Arwen Studio, LLC

843-996-2383

patrick@arwenstudio.com

A party's signature below confirms the accuracy of this on-site discussion as noted in this document, and as such, work will be addressed as noted.

 Date: 7/19/20
Mr. Hal Washington
Property owner of 37 F St, Unit B

Date: _____
Mr. Howard Barrow
Property owner of 37 F St, Unit C

With the items noted above are addressed, and to be completed as noted, Mr. Washington, as owner of the property at 37 F Street, Unit B, fully supports the proposed new construction project of a detached single-family house at 37 F Street, Unit C. If, for some reason, the new project at 37 F Street, Unit C does not proceed to construction, the work at Unit B will not be addressed.

Document prepared by:

Patrick J. Orefice, RA

Patrick Orefice, Architect, LEED AP

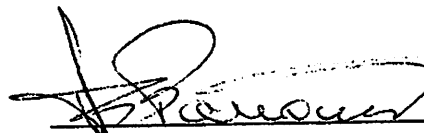
Arwen Studio, LLC

843-996-2383

patrick@arwenstudio.com

A party's signature below confirms the accuracy of this on-site discussion as noted in this document, and as such, work will be addressed as noted.

_____ Date: _____
Mr. Hal Washington
Property owner of 37 F St, Unit B

 Date: 7.19.2022
Mr. Howard Barrow
Property owner of 37 F St, Unit C

Begin forwarded message:

From: Jeff Crudup <jcrudup@gmail.com>
Date: August 24, 2022 at 6:24:44 PM EDT
To: Marc Eves <marc@mudpawbuilders.com>
Cc: Anna Crudup <annamcrudup@gmail.com>
Subject: Re: 4 Colonial

Mark,

Does this language work:

To Whom It May Concern:

Our names are Bob and Heidi Herman. We live and own the home located at 2 ½ Colonial St. which is situated directly south of 4 Colonial St. It is our understanding the owners of 4 Colonial St. have proposed a screen porch special exception to the existing non-conforming side setback on their property. In layman terms, they wish to extend their existing screen porch a few feet into their backyard.

We write to fully endorse their proposal and look forward to seeing it completed. Should you have any questions or concerns, please do not hesitate to contact us.

On Tue, Aug 23, 2022 at 8:53 AM Marc Eves <marc@mudpawbuilders.com> wrote:
Yes, directly to your south. I believe the house number is 2 1/2.

Marc Eves
Mudpaw Builders

The
Historic Ansonborough Neighborhood Association



September 1, 2022

Board of Zoning Appeals
City of Charleston
2 George Street, Suite 3100
Charleston, SC 29401

Dear Members of BZA:

The Board of Directors of Historic Ansonborough Neighborhood Association (HANA) is submitting this letter in opposition to the request by the operation known as Historic Charleston Supper Club to be located at 30 Pinckney Street to be exempt from providing two (2) parking spaces for its patrons.

According to City records, the proprietor of this business, Mr. Michael Hebb, does not have:

- a current business license to operate this business;
- a permit to operate this business at this location.

Before any consideration is given to this request, Mr. Hebb should provide proof that he holds all the proper permits and licenses required to operate this business at this location.

If Mr. Hebb can secure the required permits and licenses, he must then address the issue of parking. The ordinance governing parking spaces prohibits him from renting the mandatory spaces from the surface parking lots nearest 30 Pinckney Street. In addition, 30 Pinckney Street abuts Goldsmith's Row, a series of seven (7) single houses dating from 1894 that run from numbers 13 to 25 Anson Street. None of these houses has off street parking. Street parking on this block of both Pinckney and Anson Streets is extremely limited and should be primarily available to the residents, not the patrons of Mr. Hebb's establishment.

Because Mr. Hebb cannot satisfy the parking requirement, he is asking for an exemption. However, the residents of Anson Street should not bear the burden of Mr. Hebb's predicament and be deprived of the street parking spaces nearest their homes.

For these reasons, the Board of HANA opposes this exemption and request this petition be denied.

Sincerely,

**Angela Drake
President**