City of Charleston

BOARD OF ZONING APPEALS-ZONING

September 7, 2021
5:15 PM

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY
www.charleston-sc.gov/bza-z

****Video and microphone is currently disabled for all attendees.****
This meeting is being recorded.

Go to www.charleston-sc.gov/bza-z for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.

Zoom Meeting Protocol

Order on Each Application:

- Chair announces each application followed by staff presentation and recommendation
- Staff presents application and City's recommendation. Staff will control slide presentation
- Staff announces comments received and whether anyone has signed up to speak
- Applicant, after being sworn in, will be allowed to present their application if opposition or questions are raised, followed by public comments from pre-registered attendees in favor. Each speaker will be sworn in before speaking
- Staff then recognizes registered attendees for public comments in opposition. Each speaker will be sworn in
- Staff then recognizes the applicant for a short rebuttal before Chair closes public comments and begins Board discussion

Providing Comment:

- People who sign up to speak prior to the 12 noon deadline will be called on when it is your turn to speak and your microphone will be enabled. You may only speak once on each item.
- Your microphone will be disabled after you are finished speaking.

Go to www.charleston-sc.gov/bza-z for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.

Board of Zoning Appeals-Zoning

Your Board of Zoning Appeals-Zoning Members are:

Michael Robinson - Chair
John Bennett
Allison Cannon Grass
Walter Jaudon
Howell Morrison
Robben Richards
Geiza Vargas-Vargas

Your City of Charleston Staff are:

Lee Batchelder, *Zoning Administrator*
Scott Valentine, *TRC Coordinator*
Pennye Ashby, *Senior Planner*
Vanessa Ellington, *Clerk*

The Board of Zoning Appeals—Zoning has the authority to do three things:

1. Hear appeals to decisions of the Zoning Administrator;
2. Grant special exceptions, a fact finding function of the Board; and
3. Grant variances to the Zoning Ordinance if the application meets the hardship test outlined in Section 54-924 of the ordinance.

Go to www.charleston-sc.gov/bza-z for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.

Board of Zoning Appeals-Zoning

Requirements for Granting a Variance

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;

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

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

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.

Agenda Item #A-1

Approval of August 17, 2021 BZA-Z Minutes

(click on link below)

https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_08172021-6789

Agenda Item #A-2

62 CHURCH STREET

(CHARLESTOWNE)

TMS # 458-13-01-097

Request special exception under Sec. 54-110 to allow a horizontal expansion (garden room) and vertical extension (hall/closet/exercise/laundry) that extends a non-conforming 6.2-ft. south side setback (9-ft. required).

Request variance from Section 54-301to allow a 2-story addition having a 43% lot occupancy (35% limitation; existing lot occupancy 37%).

Zoned SR-4

SR-5
SR-5
SR-5
SR-4
Church St
E Bay St
SR-3
SR-4
SR-3
DR-1F
SR-5
SR-5
SR-3
SR-4
SR-3
SR-4

Church Street

4581301017
69
4581301141
4581301139
4581301101
70
4581301140
68
4581301100
4581301059
21
4581301060
66
4581301099
SR-4
61
SR-4
4581301066
23
64
4581301098
3
81301018
South of Broad
59
CHURCH ST
Charlestowne
62
4581301097
4581301019
60
4581301096
4581301095
58

TRADD ST
LONGITUDE LN
STOLL'S ALY
CHURCH ST
ATER ST
CHURCH ST
SR-4
SR-5
14UT
0
50
100ft

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: _____

Property Address 62 Church St TMS # C 458130109 7

Property Owner Erika and George Wallace Daytime Phone 804-301-6120

Applicant George Wallace Daytime Phone 804-301-6120

Applicant's Mailing Address 62 Church St, Charlesron, SC 29401

E-mail Address skip@islandarchitects.com

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

Zoning of property SR4

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 _____ **Date** 5/27/21

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):

A variance is requested to increase the lot occupancy which is currently over the allowable lot coverage of 35%(1678 sq. ft.) by 103 sq. ft.(37.14%). We are requesting to add a one room addition on the rear (East) side of the residence not visible from Church Street of 279 sq. ft., bringing the total lot occupancy to 2,060 sq. ft. (42.96%). The house is 213 years old, is currently 2,554 sq. ft. of conditioned 2 story space on a lot that is 4,795 sq. ft., and is surrounded by much larger residences. We desire to add a Loutrel Briggs inspired "Garden Room" off the back (East) side of the house in order to have a sun filled room to eat casual meals and lounge in a "Garden". Our original gardens were designed by Loutrel Briggs in 1974, one of his last in Charleston. These requirements do not exist with our neighboring houses as they are much larger and modernized more recently. Because of these conditions, the allowable 35% lot coverage would only allow a footprint of 1678 sq. ft. (and the existing footprint of 1,781 sq. ft.), and would inhbit the ability of the house to function appropriately in the 21st Century. The granting of this variance would not be of substantial detriment to the adjacent properties (not visible at all from the residence at 64 Church St.) or to the good of the public, and being not visible from Church Street at all, the character of the district will not be harmed by the granting of the variance.

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:

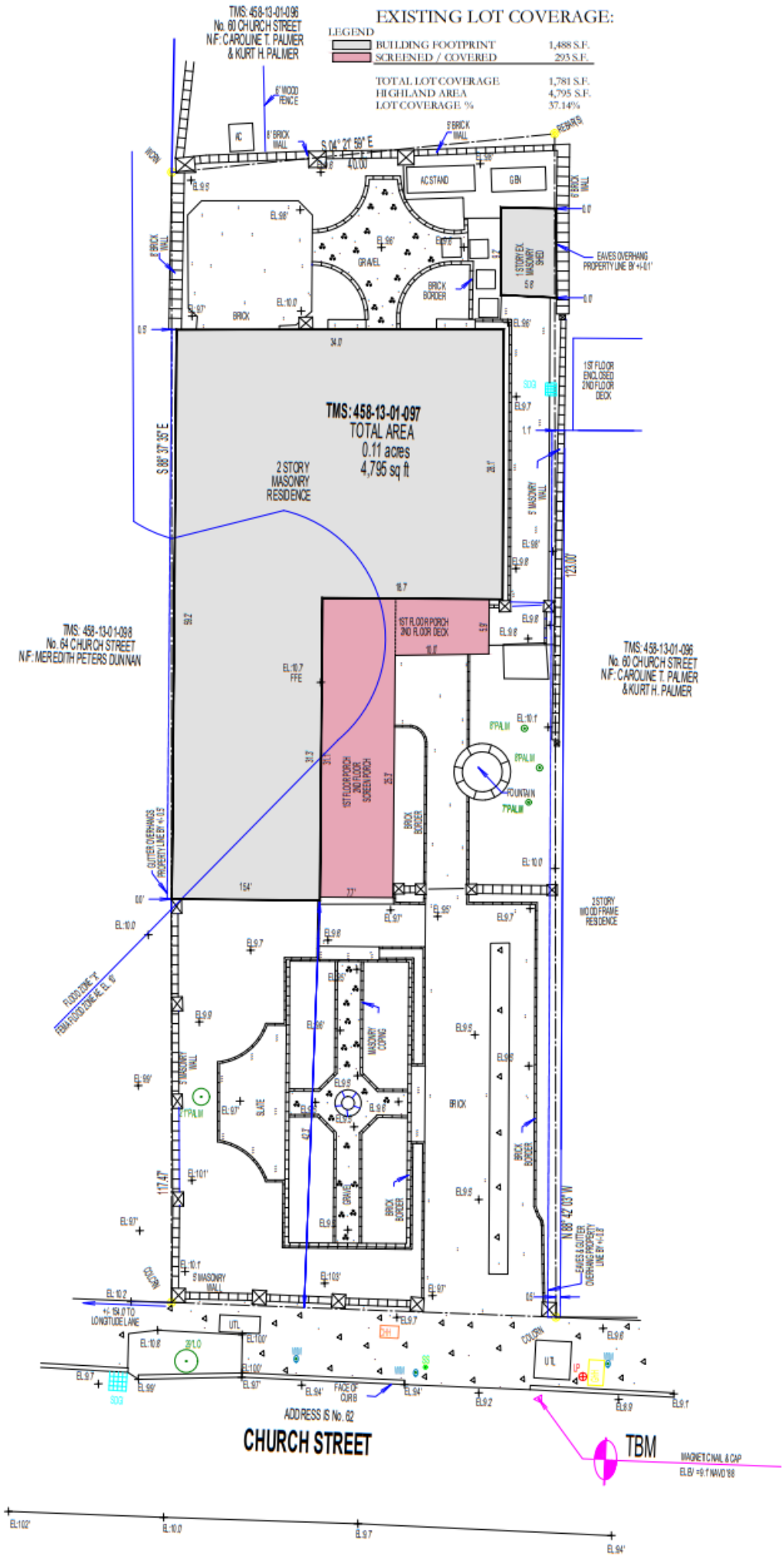
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit 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):

We are requesting a zoning special exception to extend the non-conforming South side setback (Sec. 54-110.f.). The current house sits 5'-1 5/8" from the South property line (a pre-existing encroachment of 3'-10 3/8" into the 9' setback from the South property line), and our proposed room sits 6'- 2 3/8" from the South property line (an encroachment of 2'- 9 5/8" into the 9' South setback). The existing Tool Shed built in 1973 also encroaches and sits fully within the South setback . One proposed brick wall of the Garden Room extends 39 1/2" to the West of the existing shed, and one proposed brick wall extends 21 1/8" to the East of the existing shed. Both proposed walls are 11'-6" tall. We propose to connect the existing shed to the proposed Garden Room with an 8" connecting brick wall that will sit 2" inside the exterior walls of the existing shed and 2" below it's existing roof. We will leave the existing shed in it's existing form but intend to expose the old brick on the exterior parged wall and replace an old rotted door with an antique salvaged window (see Architectural Drawings).

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.



EC-0.1

EXISTING SITE PLAN

SCALE 1"=10'-0"

DATE 14 JUNE 2021

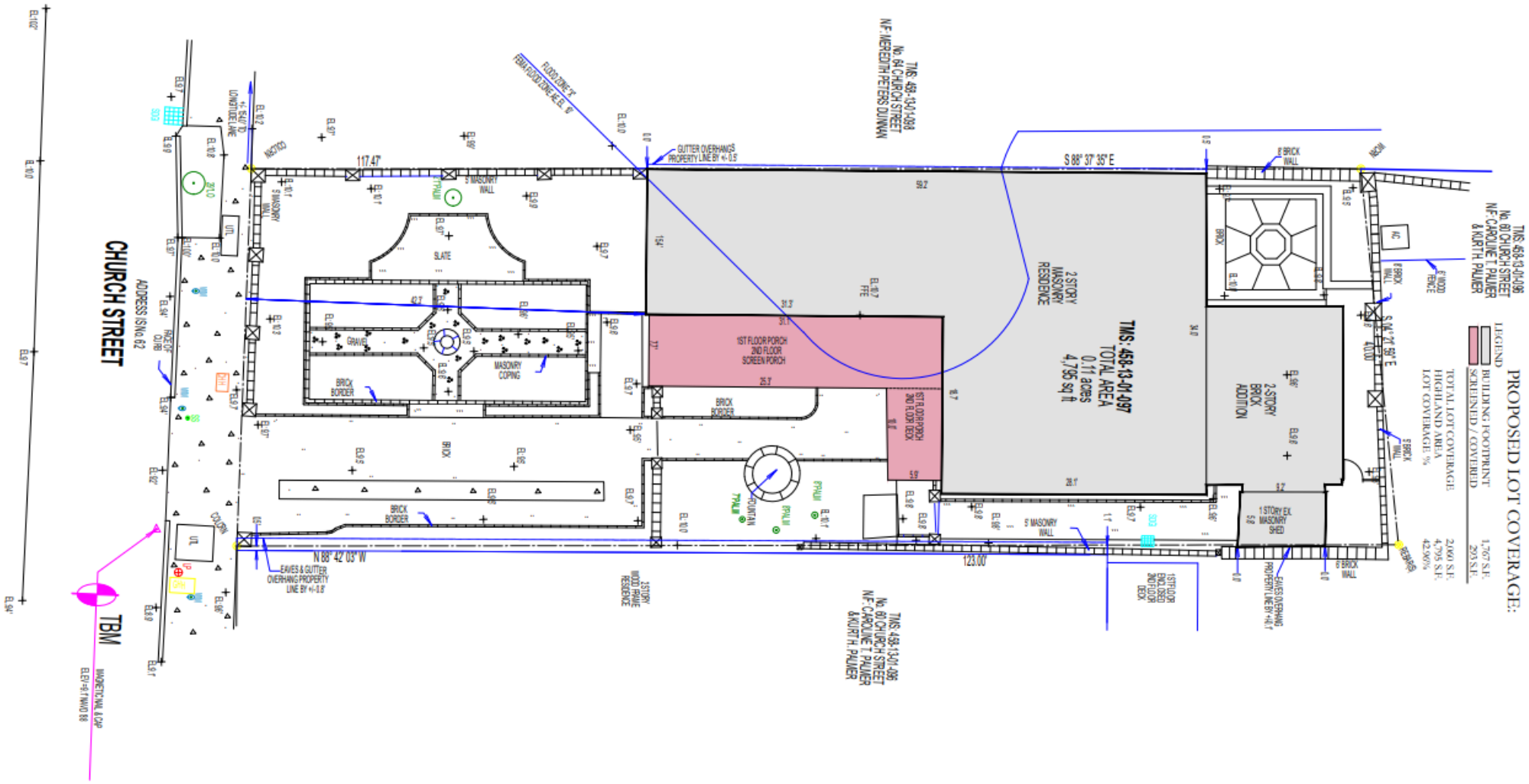
I S L A N D

A R C H I T E C T S

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
A R C H I T E C T S

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1"=10'-0"

DATE
14 JUNE 2021

A-0.1

PROPOSED SITE PLAN

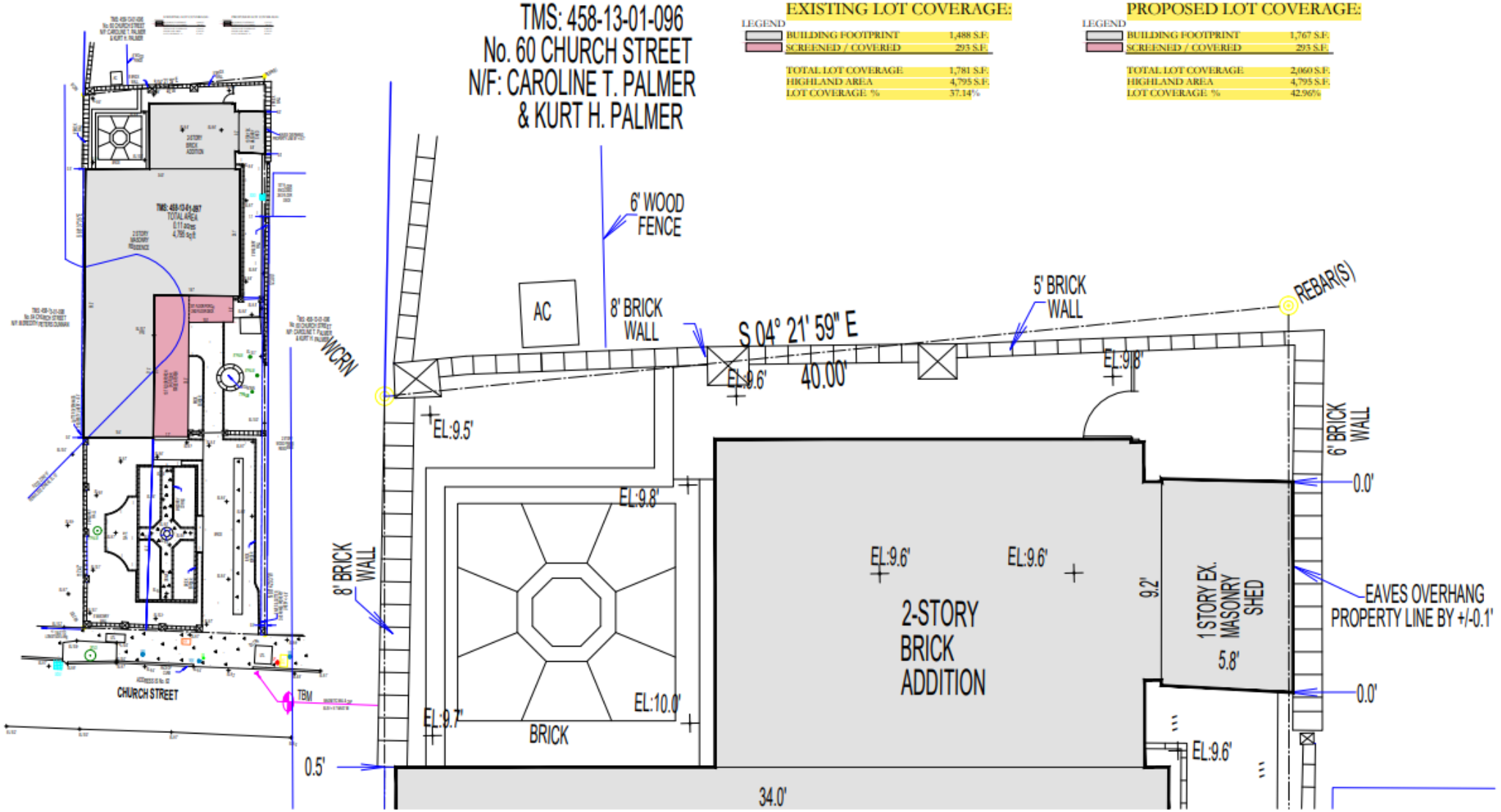
TMS: 458-13-01-096
No. 60 CHURCH STREET
N/F: CAROLINE T. PALMER & KURT H. PALMER

EXISTING LOT COVERAGE:

LEGEND		
	BUILDING FOOTPRINT	1,488 S.F.
	SCREENED / COVERED	293 S.F.
	TOTAL LOT COVERAGE	1,781 S.F.
	HIGHLAND AREA	4,795 S.F.
	LOT COVERAGE %	37.14%

PROPOSED LOT COVERAGE:

LEGEND		
	BUILDING FOOTPRINT	1,767 S.F.
	SCREENED / COVERED	293 S.F.
	TOTAL LOT COVERAGE	2,060 S.F.
	HIGHLAND AREA	4,795 S.F.
	LOT COVERAGE %	42.96%



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
ARCHITECTS

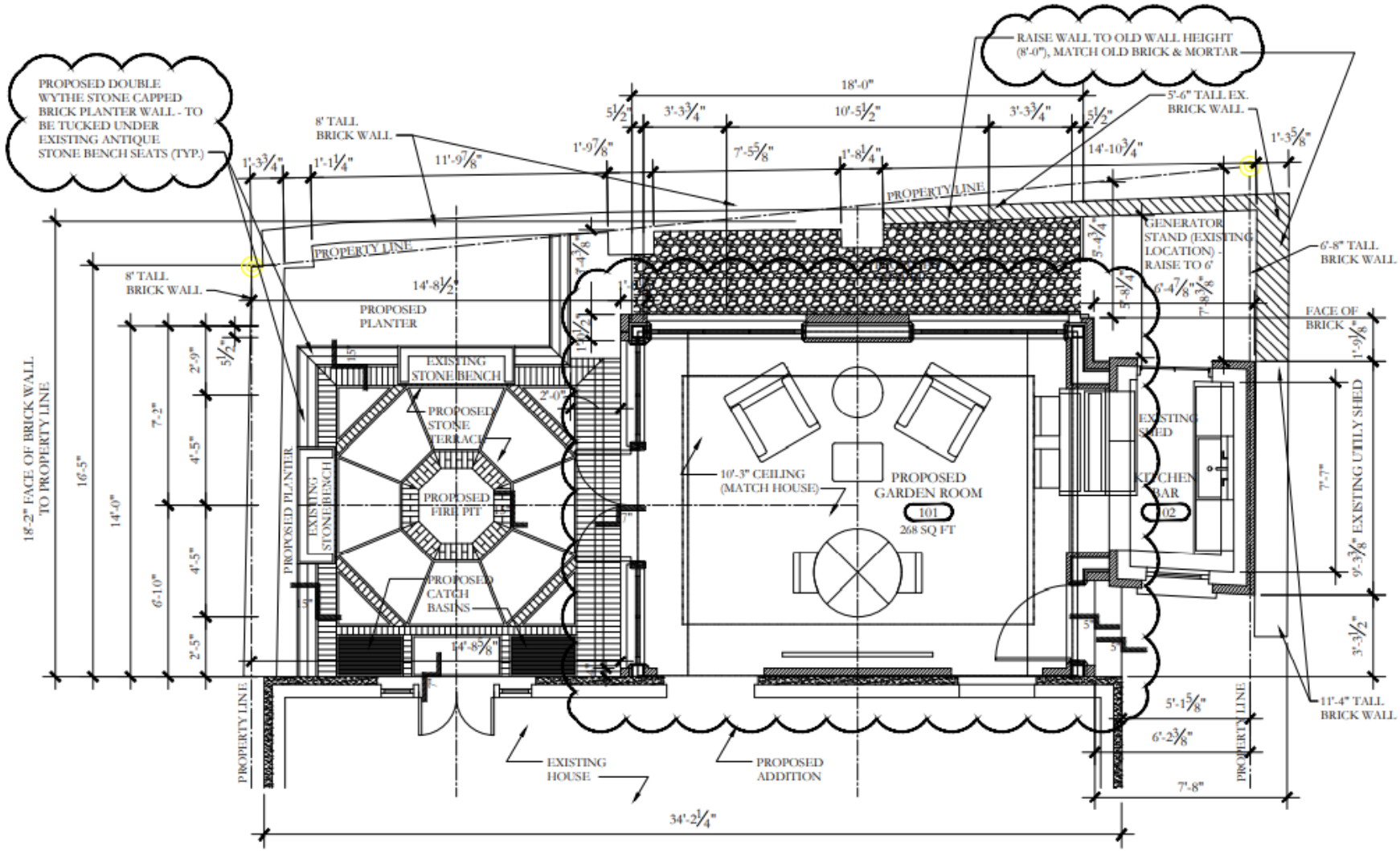
62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1"=20'-0"
1/4"=1'-0"

DATE
14 JUNE 2021

A-0.2

PROPOSED SITE PLAN DETAIL



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

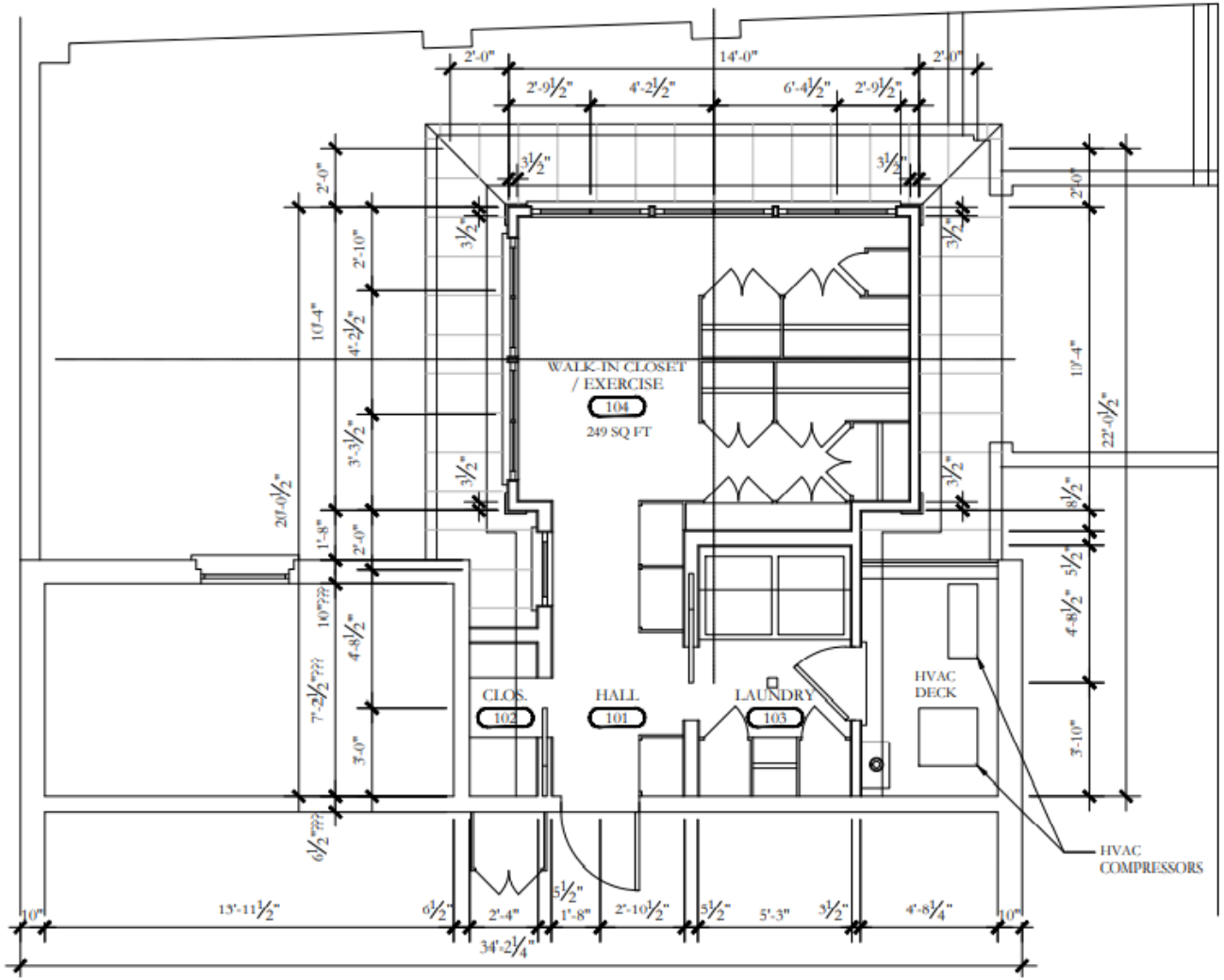
I S L A N D
ARCHITECTS

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-1
TERRACE & GARDEN PLAN



ADDITION & GARDEN
TERRACE AT
CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
A R C H I T E C T S

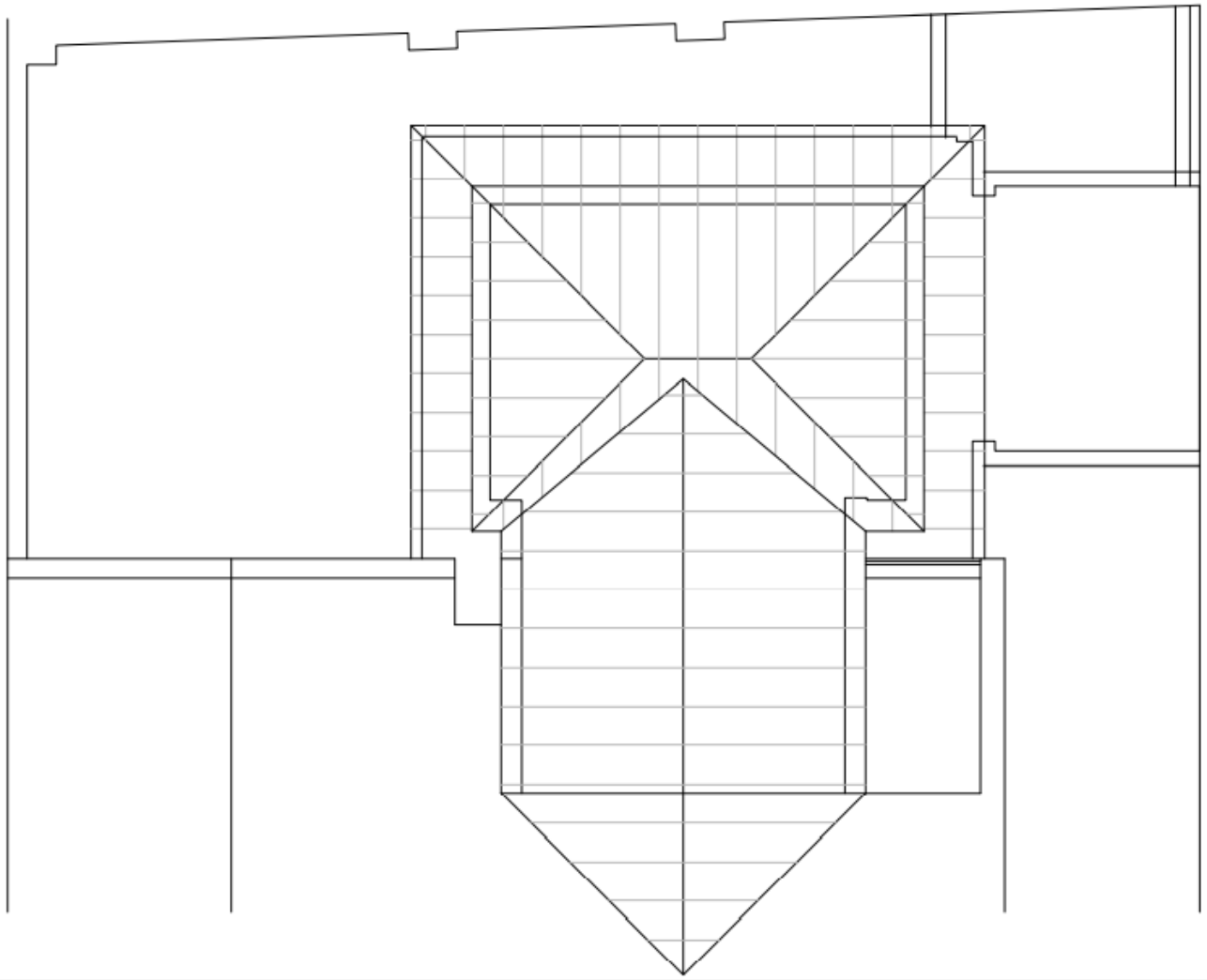
62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-2

UPPER FLOOR
PLAN



ADDITION & GARDEN
TERRACE AT
CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
ARCHITECTS

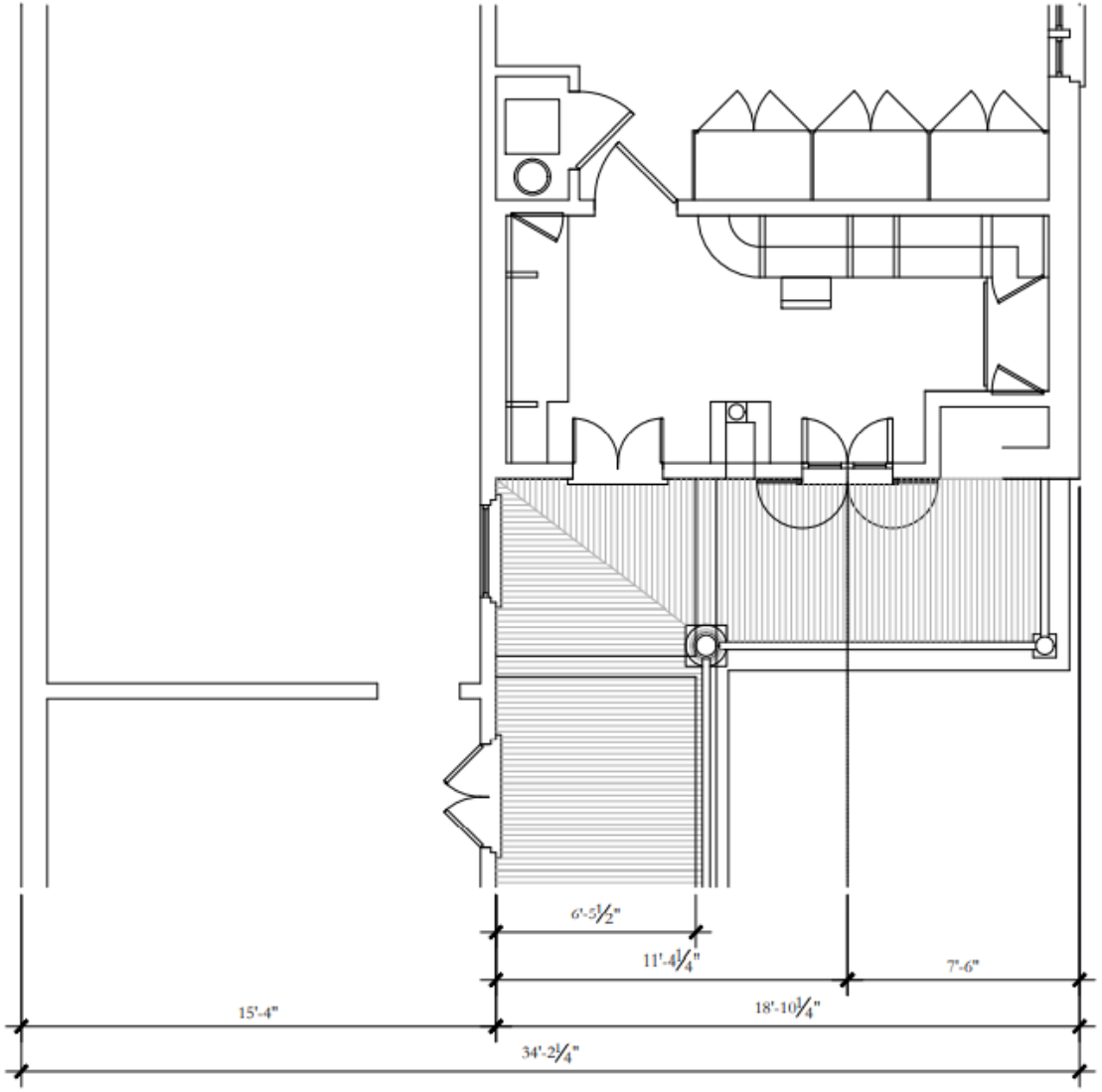
62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-3

ROOF
PLAN



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

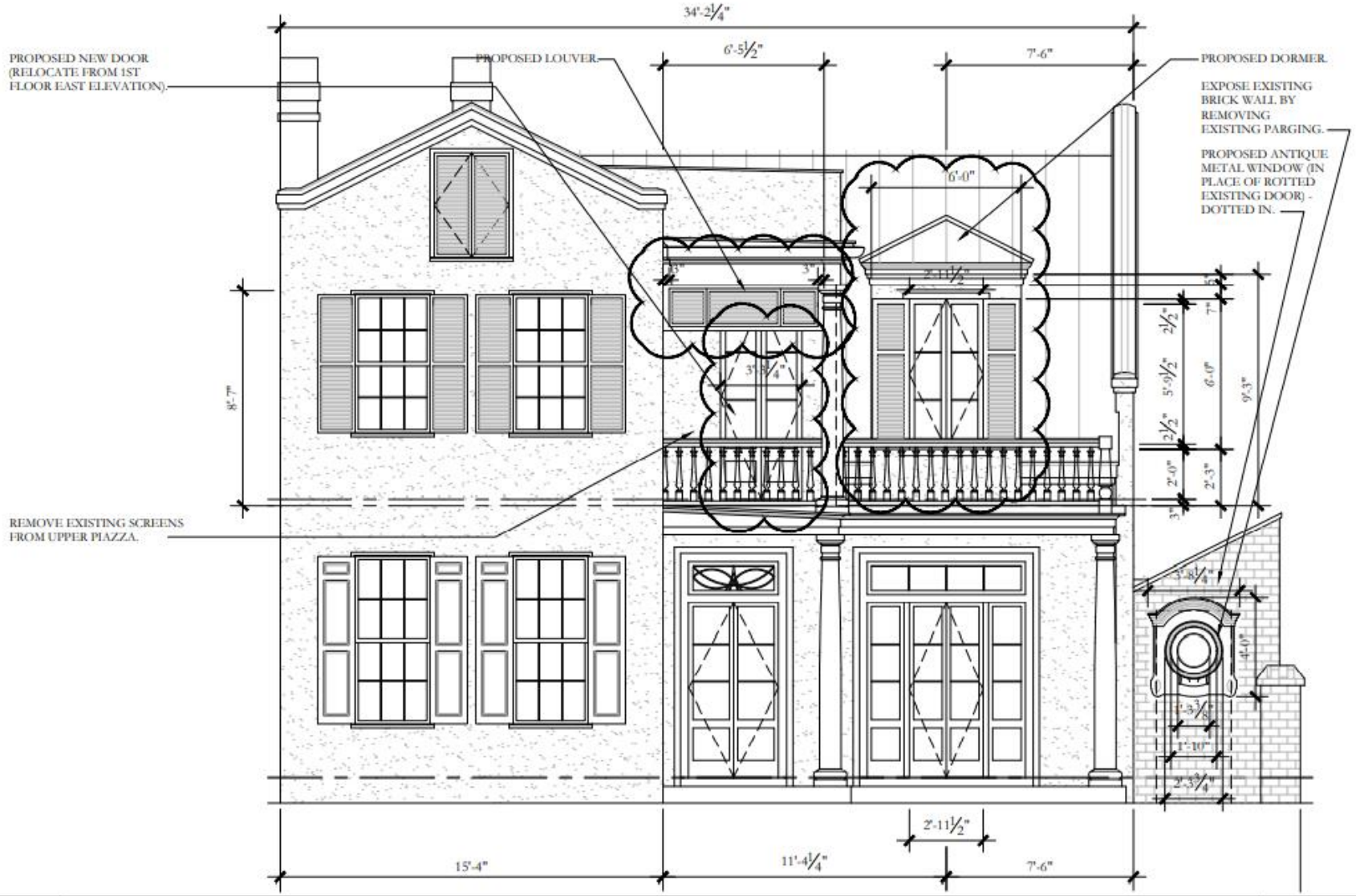
I S L A N D
ARCHITECTS

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-4
UPPER FLOOR OFFICE & PORCH PLAN



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

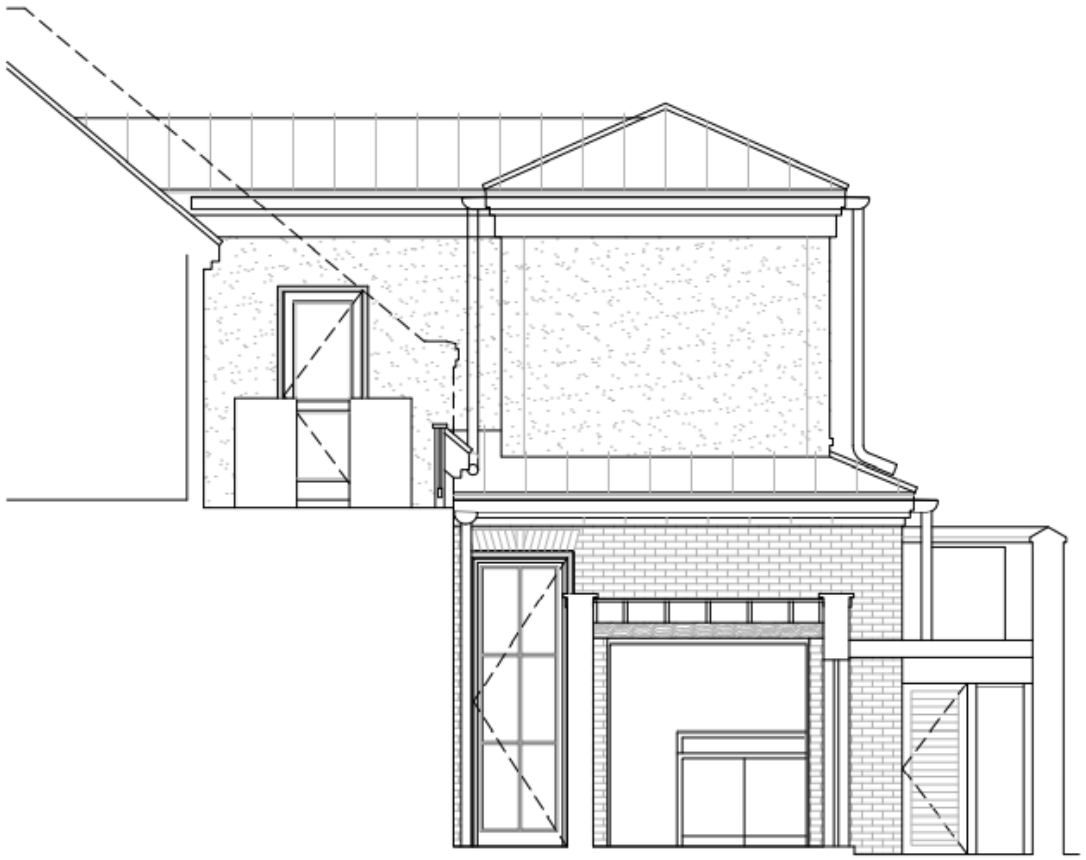
I S L A N D
A R C H I T E C T S

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
¼"=1'-0"

DATE
24 AUG 2021

A-6
SOUTH EXTERIOR ELEVATION



ADDITION & GARDEN TERRACE AT CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
ARCHITECTS

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-7

SOUTH EXTERIOR ELEVATION

ADDITION & GARDEN
TERRACE AT
CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
ARCHITECTS

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-8

EAST
EXTERIOR
ELEVATION

ADDITION & GARDEN
TERRACE AT
CHURCH STREET

62 CHURCH STREET
CHARLESTON, SC 29401

I S L A N D
ARCHITECTS

62 CHURCH ST | CHARLESTON SC 29401 | ISLANDARCHITECTS.COM

SCALE
1/4"=1'-0"

DATE
14 JUNE 2021

A-9
NORTH
EXTERIOR
ELEVATION

62 CHURCH STREET

Looking East down side alley to Tool Shed

Tool Shed (door rotted)

Looking North at rear yard

Looking East at rear wall

Looking SE at Tool Shed and HVAC platform

Looking South at Tool Shed

Looking West at rear of Existing House

HVAC Platform (existing)

Generator Platform behind Tool Shed (existing)

HISTORIC CHARLESTON FOUNDATION

To: Members of the Board of Zoning Appeals (BZA-Z)
Lee Batchelder, Zoning Administrator

From: April Wood, Manager of Easements and Technical Outreach

Date: August 3, 2021

Re: 62 Church Street

Historic Charleston Foundation has a preservation easement on the property at 62 Church Street and has met with the applicant multiple times to review the proposed alterations to the property to confirm that the work complies with the terms of the easement.

The historic house is set on the rear portion of the lot with an exceptional Loutrel Briggs garden in the front portion of the parcel. The proposed alterations were carefully designed to attach to the non-historic "L" addition to the house with minimal impact to historic fabric. We have been impressed with the applicants' thoughtful consideration of the historic structure and the important garden elements as they developed this proposal.

The Foundation is in support of the request for a special exception under Section 54-110 to allow a horizontal expansion and vertical extension that extends a non-conforming 6'2" south side setback, and the request for a variance from Section 54-301 to allow a 2-story addition having a 43% lot occupancy. We respectfully request approval of this application.

City of Charleston
Board of Zoning Appeals

June 16, 2021

Re: 62 Church St Zoning Variance & BAR Application

To Whom it may Concern,

We are the property owners of 64 Church St directly to the North of the Wallace's home located at 62 Church St. Erika and Skip have shown us their Architectural Plans for their proposed Garden Room addition, and we are in favor of granting them a variance for the density to be 42% which we realize exceeds the allowable 35% density for the property. We are also in favor of granting them the variance for the South wall of the Garden room addition which will extend into the required 9' setback by 2' 9 5/8", which is set back 12.75" from the existing encroaching wall of the current house and is therefore not visible from Church St. As far as the design of the addition goes, we approve the drawings that we were shown dated June 14, 2021 consisting of 15 sheets, including the removal of the screened porch from the Upper Piazza, the addition of the louvered panel on the West side of the Upper Piazza, the addition of the dormer on the West façade, as well as the addition on the East side of the house of a (2) story Garden Room, the attaching to the existing Tool Shed and the elevating of the existing generator platform to the East of the existing shed. We also are in favor of them extending the historic brick wall in the rear of their property to the South property line, replacing the newer and lower brick wall there currently.

Yours truly,

Meredith Dunnan

John and Meredith Dunnan
64 Church St.
Charleston, SC 29401

City of Charleston
Board of Zoning Appeals

August 18, 2021

Re: 62 Church St Zoning Variance & BAR Application

To Whom it may Concern,

We are the property owners of 68 Church St three lots to the North of the Wallace's home located at 62 Church St. Erika and Skip have shown us their Architectural Plans for their proposed Garden Room addition, and we are in favor of granting them a variance for the density to be 43% which we realize exceeds the allowable 35% density for the property. We are also in favor of granting them the variance for the South wall of the Garden room addition which will extend into the required 9' setback by 2' 9 5/8", which is set back 12.75" from the existing encroaching wall of the current house and is therefore not visible from Church St. As far as the design of the addition goes, we approve the drawings that we were shown dated June 14, 2021 consisting of 15 sheets, including the removal of the screened porch from the Upper Piazza, the addition of the louvered panel on the West side of the Upper Piazza, the addition of the dormer on the West façade, as well as the addition on the East side of the house of a (2) story Garden Room, the attaching to the existing Tool Shed and the elevating of the existing generator platform to the East of the existing shed. We also are in favor of them extending the historic brick wall in the rear of their property to the South property line, replacing the newer and lower brick wall there currently.

Yours truly,

Bart and Cindy McLean
68 Church St.
Charleston, SC 29401

City of Charleston
Board of Zoning Appeals

August 18, 2021

Re: 62 Church St Zoning Variance & BAR Application

To Whom it may Concern,

We are the property owners of 69 East Bay St at the East end of Longitude Lane. This Lane connects us to Church Street five houses North of where the Wallace's home is located at 62 Church St. Erika and Skip have shown us their Architectural Plans for their proposed Garden Room addition, and we are in favor of granting them a variance for the density to be 43% which we realize exceeds the allowable 35% density for the property. We are also in favor of granting them the variance for the South wall of the Garden room addition which will extend into the required 9' setback by 2' 9 5/8", which Is set back 12.75" from the existing encroaching wall of the current house and is therefore not visible from Church St. As far as the design of the addition goes, we approve the drawings that we were shown dated June 14, 2021 consisting of 15 sheets, including the removal of the screened porch from the Upper Piazza, the addition of the louvered panel on the West side of the Upper Piazza, the addition of the dormer on the West façade, as well as the addition on the East side of the house of a (2) story Garden Room, the attaching to the existing Tool Shed and the elevating of the existing generator platform to the East of the existing shed. We also are in favor of them extending the historic brick wall in the rear of their property to the South property line, replacing the newer and lower brick wall there currently.

Yours truly,

Michael and Alison Brewer
69 East Bay St.
Charleston, SC 29401

Agenda Item #A-3

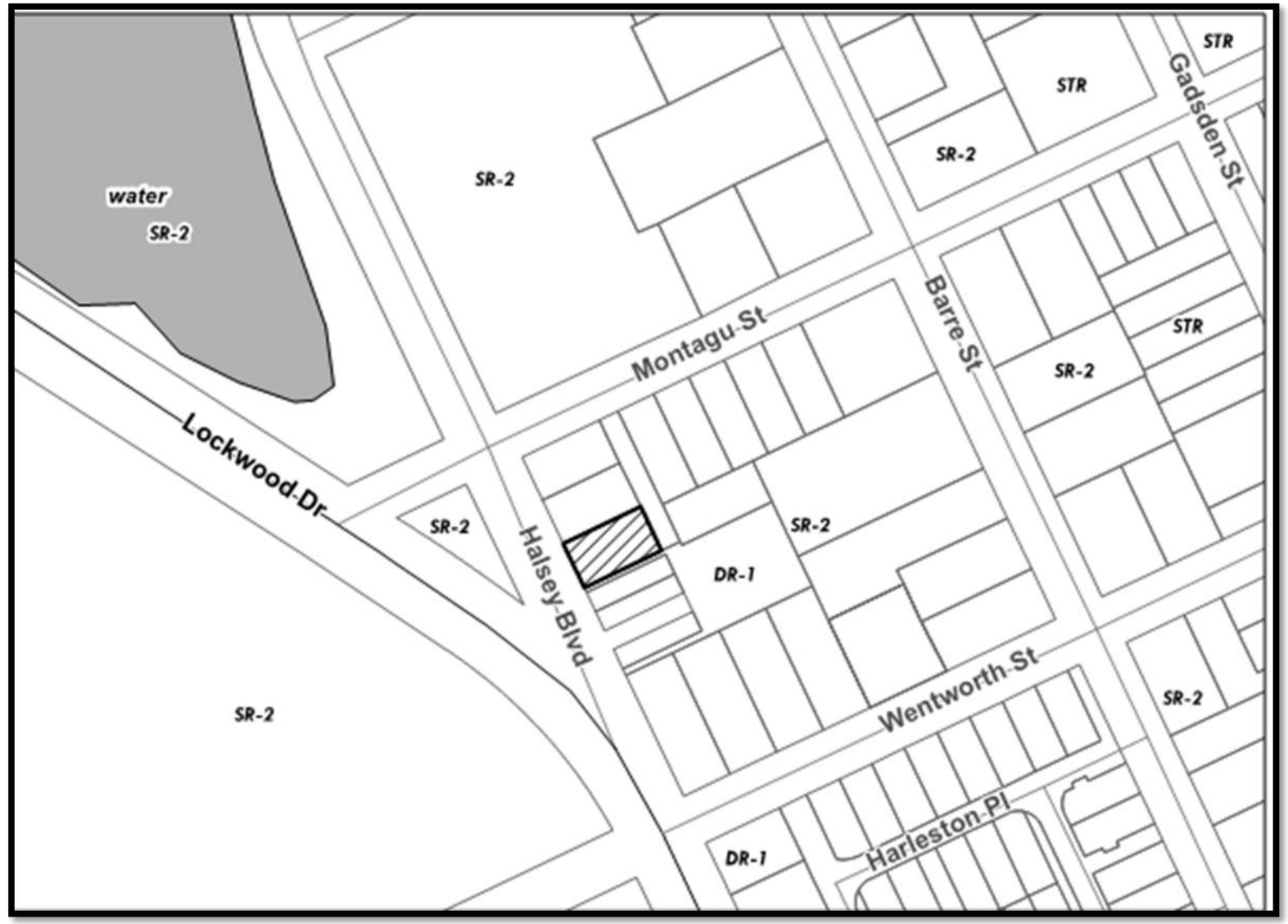
42 HALSEY BOULEVARD

(HARLESTON VILLAGE)

TMS # 457-03-03-169

Request variance from Sec. 54-301 to allow construction of a single-family residence with a 7.4-ft. south side setback, a 10.3-ft. total side setback, having a 44% lot occupancy (9-ft., 15-ft. required, 35% limitation).

Zoned DR-1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Montagu St
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Lockwood Dr
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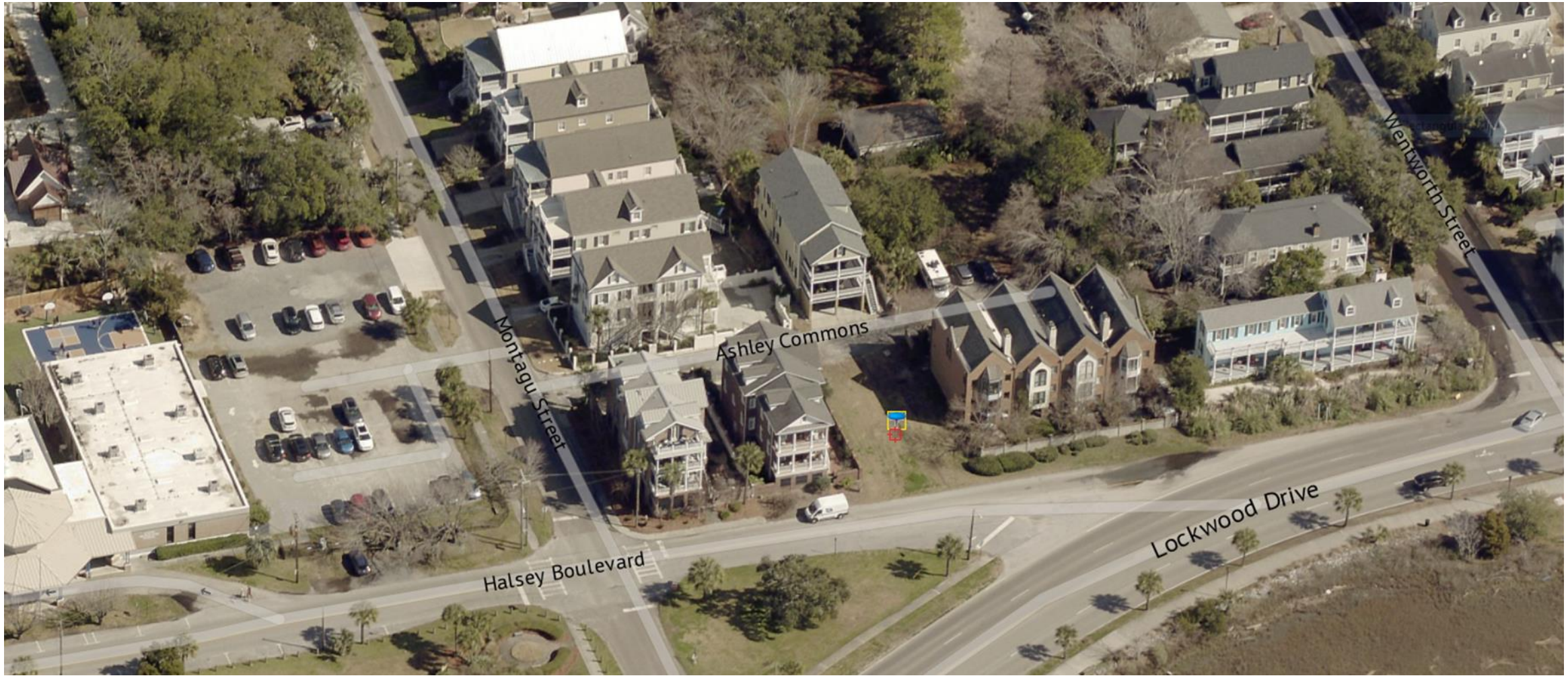
Halsey Blvd
SR-2
DR-1
Wentworth St
SR-2
SR-2
DR-1
Harleston Pl


Montagu Street
Ashley Commons
Wentworth Street
Halsey Boulevard
Lockwood Drive

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SR-2
SR-2
SR-2
MONTAGU ST
HALSEY BLVD
LOCKWOOD DR
BARRE ST
WENTWORTH ST
HARLESTON PL
HARLESTON PL
DR-1
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Harleston Village
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271/2
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Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: AUGUST 3, 2021

Property Address 42 HALSEY BLVD TMS # 457-03-03-169

Property Owner LINDSAY COLBERT AND GARRETT VOEGELI Daytime Phone _____

Applicant AJ ARCHITECTS Daytime Phone 843.810.0029

Applicant's Mailing Address 538 KING ST, CHARLESTON SC 29403

_____ E-mail Address ashley@ajarch.net

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

Zoning of property DR-1

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 _____ **Date** 7.2.21

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 letter 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 § 54-110, § 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.

aj architects

Pennye Ashby, Senior Zoning Planner
City of Charleston Zoning Department
2 George Street, Suite 3100
Charleston SC 29401

Re: Zoning Request - 42 Halsey Blvd

Dear Pennye,
Please consider this letter an attachment to the Zoning application for 42 Halsey Blvd. My clients have purchased this vacant lot and would like to build a single family residence. The lot is zoned DR-1, is fronted by Halsey Blvd and has alley-way access from Wasbee Range in the rear. This area is in a flood zone and the new house must be elevated at least 8'-0" above grade. A 10'-0" rear-yard utility easement must be maintained. So, the proposed design will require the following Zoning approvals:

VARIANCE:
•**Construction of a single family residence with non-conforming s/w side-yard setbacks.**
Ordinance requires a minimum n/e side-yard setback of 9'-0" (12'-0" combined) and the proposed structure encroaches into the combined setback 5'-2" with an exterior stair element.
•**Construction of a single family residence that exceeds maximum lot coverage.**
The proposed house occupies 44% of the lot, which exceeds the ordinance maximum of 35%.

With regards to the variance test, this property is unique, and has several factors that are driving the design:
•The flood zone - elevating a structure a full story requires access from grade with a large exterior stair. This stair is the element that creates the side yard encroachment and also affects the total footprint size.
•Rear utility easement - the rear easement limits the length of the structure to work within side yard setbacks.
•Dual access - having street frontage on both the east and west sides of the lot creates a duality that must be addressed from a design perspective, limiting placement of mechanical units and other functional elements.

While these conditions do apply to other properties in the neighborhood, many have exceeded lot coverage and have encroached into set-backs. We do not believe that the proposed design will impact immediate neighbors negatively, since the n/e side yard setback is being maintained. We believe this is a reasonable request.

Thank you for your consideration,

Ashley Jennings

PROPOSED SINGLE FAMILY RESIDENCE: 42 HALSEY BLVD

CONTACT INFORMATION

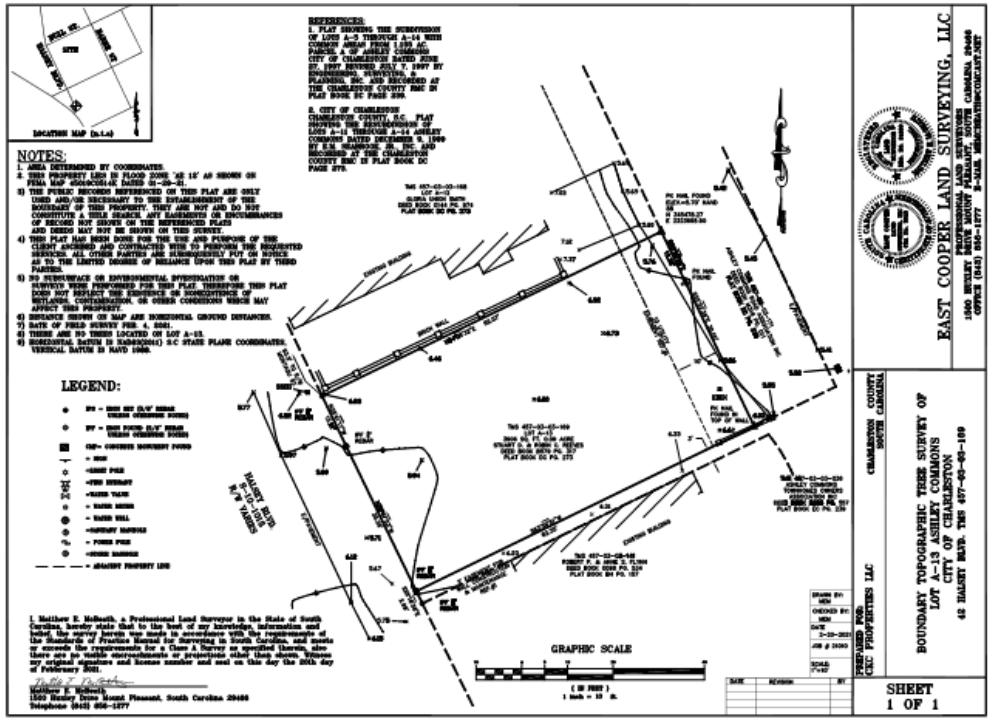
OWNER: LINDSAY COLBERT AND GARRET VOEGELI

ARCHITECT: AJ ARCHITECTS, LLC
CONTACT: ASHLEY JENNINGS
538 KING STREET, CHARLESTON, SOUTH CAROLINA 29403
T. 843 810 0029

STRUCTURAL ENGINEER: TBD

SCOPE OF WORK/BZA REQUEST:
A NEW SINGLE FAMILY RESIDENCE ON A VACANT LOT. THE PROPOSAL FOR THE NEW RESIDENCE EXCEEDS THE 35% MAXIMUM LOT COVERAGE BY 9%, AND ENCROACHES INTO THE 9'-0" /combined 12'-0" S/W SIDE YARD SETBACK BY 5'-2".

PREVIOUS APPROVALS:
NONE



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aj architects

538 KING STREET
CHARLESTON, S.C.
2 9 4 0 3
843-577-7030 phone
843-577-8060 fax

residence
42 HALSEY BLVD
CHARLESTON, SC

BZA

DESIGNED
DRAWN
CHECKED

DATE
7-12-2021
REVISIONS

SHEET
COVER

LOCATION MAP (n.t.s)

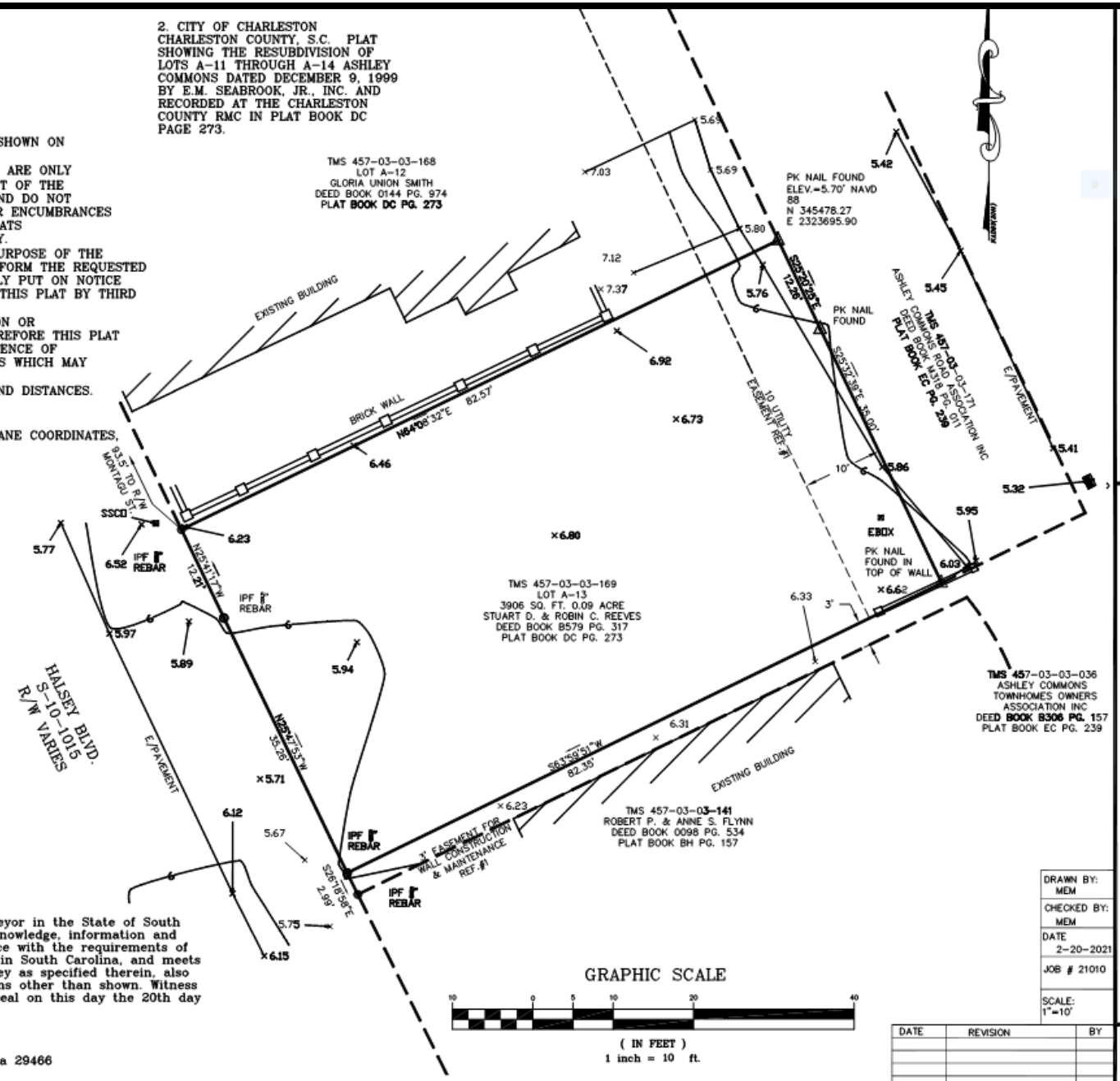
2. CITY OF CHARLESTON CHARLESTON COUNTY, S.C. PLAT SHOWING THE RESUBDIVISION OF LOTS A-11 THROUGH A-14 ASHLEY COMMONS DATED DECEMBER 9, 1999 BY E.M. SEABROOK, JR., INC. AND RECORDED AT THE CHARLESTON COUNTY RMC IN PLAT BOOK DC PAGE 273.

NOTES:

1. AREA DETERMINED BY COORDINATES.
2. THIS PROPERTY LIES IN FLOOD ZONE 'AE 12' AS SHOWN ON FEMA MAP 45019C0514K DATED 01-29-21.
3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANY EASEMENTS OR ENCUMBRANCES OF RECORD NOT SHOWN ON THE REFERENCED PLATS AND DEEDS MAY NOT BE SHOWN ON THIS SURVEY.
4) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH TO PERFORM THE REQUESTED SERVICES. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
5) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION 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.
6) DISTANCE SHOWN ON MAP ARE HORIZONTAL GROUND DISTANCES.
7) DATE OF FIELD SURVEY FEB. 4, 2021.
8) THERE ARE NO TREES LOCATED ON LOT A-13.
9) HORIZONTAL DATUM IS NAD83(2011) S.C STATE PLANE COORDINATES, VERTICAL DATUM IS NAVD 1988.

LEGEND:

- IPS = IRON SET (5/8" REBAR UNLESS OTHERWISE NOTED)
- IPF = IRON FOUND (5/8" REBAR UNLESS OTHERWISE NOTED)
- CMF= CONCRETE MONUMENT FOUND
- = SIGN
- =LIGHT POLE
- =FIRE HYDRANT
- =WATER VALVE
- = WATER METER
- = WATER WELL
- =SANITARY MANHOLE
- = POWER POLE
- =STORM MANHOLE
- = ADJACENT PROPERTY LINE



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

I, Matthew E. McBeath, a Professional Land Surveyor in the State of South Carolina, hereby state that to the best of my knowledge, information and belief, the survey herein 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. Witness my original signature and license number and seal on this day the 20th day of Febbruary 2021.

Matthew E. McBeath
1500 Huxley Drive Mount Pleasant, South Carolina 29466
Telephone (843) 856-1277

DRAWN BY:	MEM
CHECKED BY:	MEM
DATE	2-20-2021
JOB #	21010
SCALE:	1"=10'

DATE	REVISION	BY

EAST COOPER LAND SURVEYING
PROFESSIONAL LAND SURVEYORS
1500 HUXLEY DRIVE MOUNT PLEASANT, SOUTH CAROLINA
OFFICE (843) 856-1277 E-MAIL MEMCBEATH@

PREPARED FOR:
CKC PROPERTIES LLC

CHARLESTON COUNTY
SOUTH CAROLINA

BOUNDARY TOPOGRAPHIC TREE SURVEY OF LOT A-13 ASHLEY COMMONS CITY OF CHARLESTON

42 HALSEY BLVD. TMS 457-03-03-169

SHEET
1 OF 1

HALSEY BLVD
1650
1650
1650
1650
890 SF (53%)
890 SF (53%)
890 SF (53%)
890 SF (53%)
1,703SF footprint (49%)
44 HALSEY BLVD 1705 SF (44%)
3907
44 HALSEY BLVD 1868 SF (50%)
3690
46 HALSEY BLVD 1562 SF (43%)
3660
MONTAGU STREET
WASBEE RANGE
3980
1813 SF (45%)
3489
95 MONTAGU ST 1453 SF (42%)
3492
95 MONTAGU ST 1518 SF (43%)
MASON PREP
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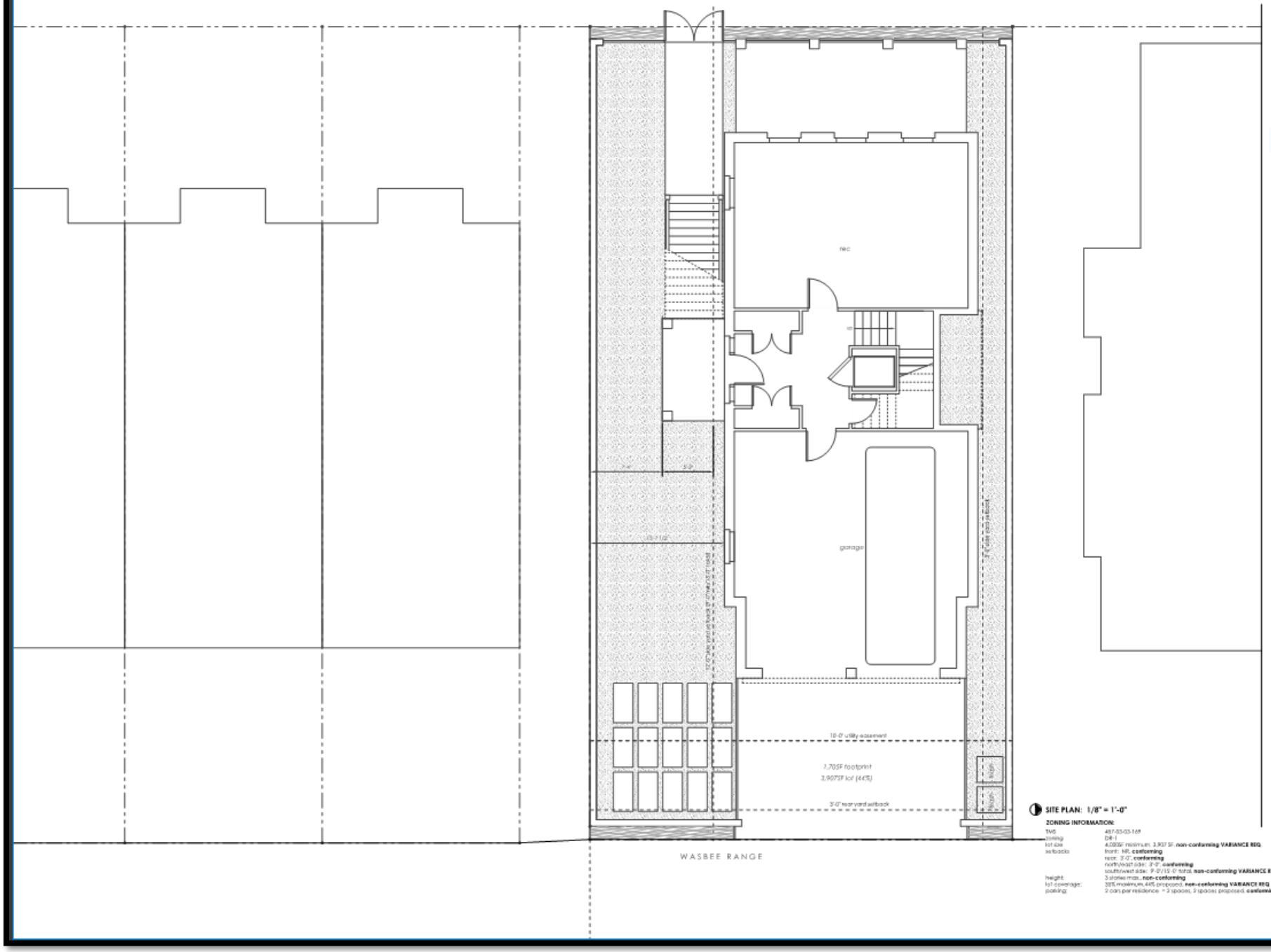
Rectangular Snip
STATE OF SOUTH CAROLINA
ASHLEY ELLIOTT JENNINGS
Charleston, SC
05303
REGISTERED ARCHITECT
STATE OF SOUTH CAROLINA
AJ ARCHITECTS LLC
Charleston, SC
897003
REGISTERED ARCHITECT
538 KING STREET
CHARLESTON, S.C.
29403
843-577-7030 phone
843-577-9060 fax
residence
42 HALSEY STREET
CHARLESTON, SC
RZA
DESIGNED
aaj
DRAWN
aaj
CHECKED
aaj
DATE
5-17-2021
REVISIONS
SHEET
A1.0
CONTEXT PLAN



SITE PLAN: 1/8" = 1'-0"

ZONING INFORMATION:

TMS	457-03-03-169
zoning	DR-1
lot size	6,000SF minimum, 3,907 SF, **non-conforming VARIANCE REQ.**
setbacks	front: NR, **conforming**
	rear: 3'-0", **conforming**
	north/east side: 3'-0", **conforming**
	south/west side: 9'-0"/15'-0" total, **non-conforming VARIANCE REQ**
height	3 stories max., **non-conforming**
lot coverage:	35% maximum, 44% proposed, **non-conforming VARIANCE REQ**
parking	2 cars per residence = 2 spaces, 2 spaces proposed, **conforming**

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CHARLESTON, SC

RZA

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aj
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aj
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5-17-2021
REVISIONS

SHEET
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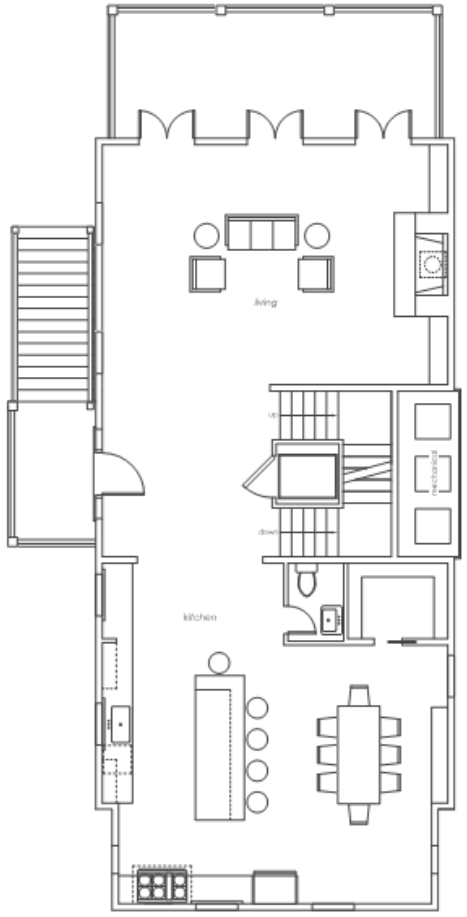
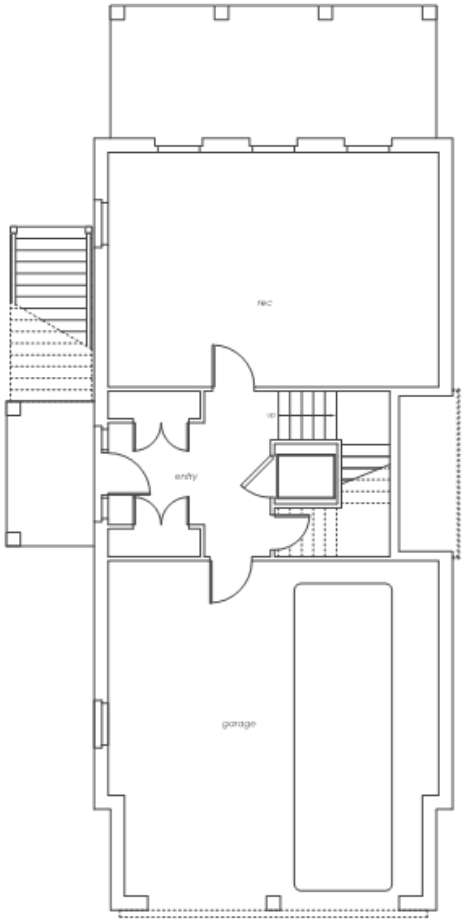
SITE PLAN



first floor plan: 1/4" = 1'-0"



ground floor plan: 1/4" = 1'-0"

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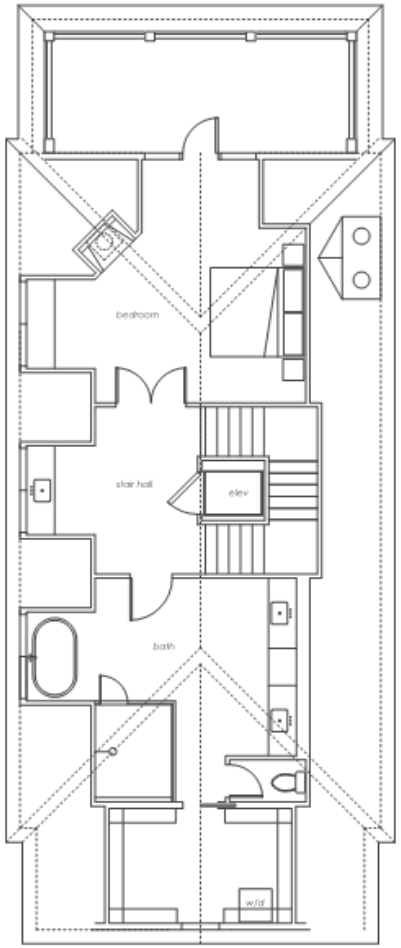
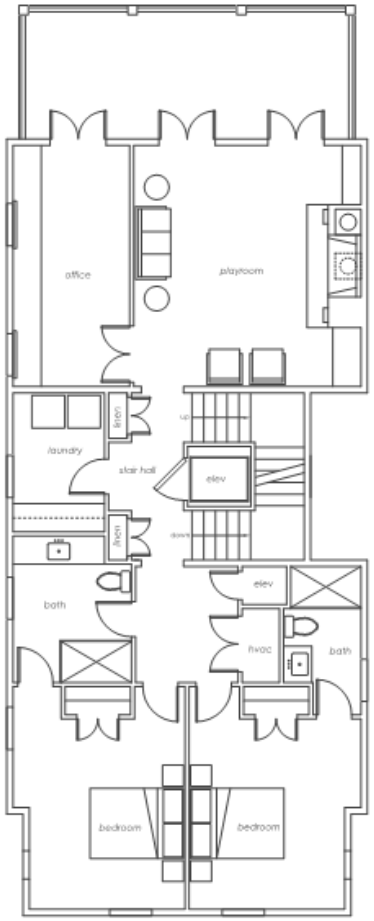
FLOOR PLANS



attic plan: 1/4" = 1'-0"



second floor plan: 1/4" = 1'-0"

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residence
42 HALSEY BLVD
CHARLESTON, SC

N/A

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aj
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aj
CHECKED
aj

DATE
7-2-2021

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A3.2

FLOOR PLANS

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north elevation: 1/4" = 1'-0"

east (wasbee range) elevation: 1/4" = 1'-0"

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CHARLESTON, SC

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akj
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akj

DATE
7-12-2021

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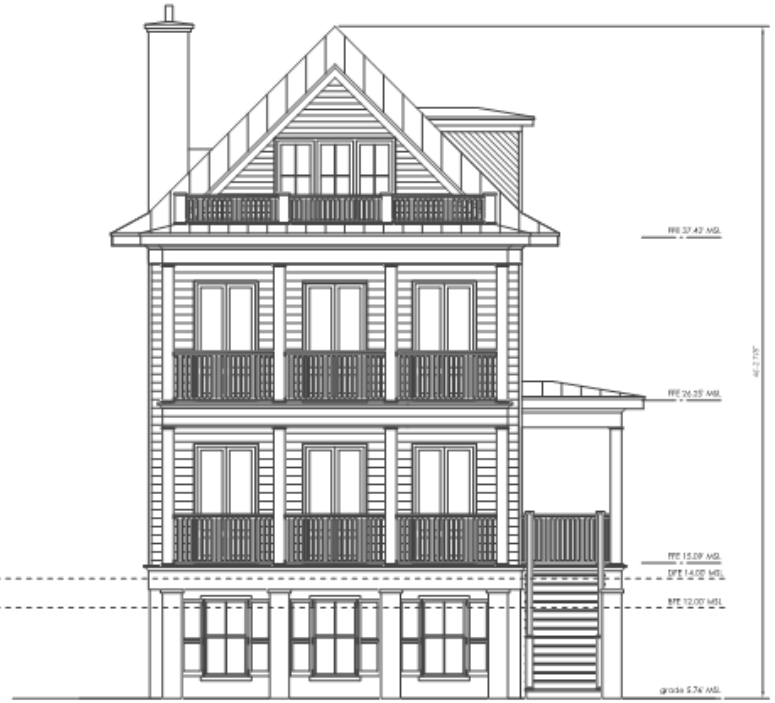
ELEVATIONS

south elevation: 1/4" = 1'-0"



west (halsey blvd) elevation: 1/4" = 1'-0"

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aj
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aj

DATE
7-2-2021
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A4.2
ELEVATIONS

existing Halsey Streetscape: 1/8" = 1'-0"

proposed Halsey Streetscape: 1/8" = 1'-0"

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residence
42 HALSEY BLVD
CHARLESTON, SC

RDA

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akj

DRAWN
akj

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akj

DATE
7-12-2021

REVISIONS

SHEET
A4.3

STREETSCAPE

Lindsay,

This is a cope of a latter we sent to the Board. We are looking forward to having you as a neighbor.

25 July 2021

To: Board of Zoning Appeals- Site Design
2 George Street
Charleston SC 29401

Regarding : 42 Halsey Blvd. Lot Coverage Variance Support Letter

From: Gloria Smith and Norman Smith
44 Halsey Blvd,
Charleston SC 29401.

We have been asked to give an opinion about plans for a house directly adjacent to us on 42 Halsey Blvd. by Lindsay Colbert. Lindsay has provide us with house plans and a drawing of how the proposed house is situated on the lot. If you are standing on Halsey Blvd our house will be to the immediate left of the proposed house. We have no objection to the house plan or the size of the house in proportion to the lot or the location of the proposed house on the lot. We perceive it as an addition or positive thing for our neighborhood.

Norman Smith

Gloria Smith

Cell 478-972 1113
NormanGeorgia@aol.com

--
Lindsay A. Colbert
(607) 227-8069

August 8th, 2021

Board of Zoning Appeals - Site Design
2 George Street
Charleston, SC 29401

Re: 42 Halsey Blvd Lot Coverage and Set Back Variance Support Letter

Dear Board Members,

I am in full support of the variance requests for an increase in Lot Coverage and reduction in the side yard Set Back that Lindsay and Garrett are requesting at 42 Halsey Boulevard.

As a neighbor, we have been anxiously waiting to see this last lot developed and fill in the final piece to a beautiful row of homes facing the Ashley river.

We hope that the home built in its place will follow the aesthetic precedence of the adjacent house and maintain a lot coverage greater than allowed with a reduced set back requirement. We feel this will allow the missing lot to relate better to the surrounding structures.

Additionally, allowing this property to maintain similar variances and lot coverage ratios to the adjacent properties within the subdivision seems to be a fair and reasonable request.

Lindsay and Garrett shared their plans with us and the house looks beautiful. This project will improve our great neighborhood and we hope the board will unanimously vote to approve this variance request.

Thank you for your time and consideration.

Respectfully,

Amy M. Fralinger

Amy Michelle Fralinger

41 Barre Street

Charleston SC 29401

August 3, 2021

Board of Zoning Appeals – Site Design

2 George Street

Charleston, SC 29401

Re: 42 Halsey Blvd Coverage Variance

Dear Board Members,

It has come to our attention that Lindsay Colbert and Garrett Voegeli have requested a variance request to build a new residence on the lot located at 42 Halsey Blvd in the Ashley Commons subdivision despite it not meeting the lot of insufficient size and lot coverage requirements. As a neighbor and resident of Harleston Village, we are invested in seeing improvements to the surrounding properties that improve, beautify, and maintain the charm of our Harleston Village neighborhood.

Accordingly, we fully support allowing this particular property to maintain similar variances and lot coverage ratios as the adjacent properties which will, in turn, keep the proposed structure in kind with the residences adjacent to the property at 42 Halsey Blvd.

Lindsay and Garrett have informed us about their plans, and we have no objection to the new house plans they have submitted and welcome this addition to the neighborhood. We feel that their planned home would be a positive addition to the community, and we look forward to having them as neighbors.

Thank you for your thoughtful consideration.

Sincerely,

Ann & Greg Pryor

42 ½ Barre St.

Charleston, SC 29401

August 11, 2021

Board of Zoning Appeals
2 George Street
Charleston SC
29401

I live at 68 Montagu Street, approximately a block from 42 Halsey Boulevard.

I support the variance request for an increase in lot coverage and a reduction in the side yard set back for 42 Halsey Boulevard.

Construction of a home there in this manner will complete the row of homes that are there and will be in concert with the adjacent homes along Halsey Boulevard, adding significantly to the character of that neighborhood as well as eliminating the vacant lot.

The builder of the home at 42 Halsey Boulevard recently built a house adjacent to 68 Montagu Street. I found him conscientious and careful in that process, always eager to respond to our concerns and questions. He readily and clearly explained the nature of the construction as well as the plans for that site insuring me that the home would be appropriate for our neighborhood.

I hope that you approve this request.

Sincerely,

William Y. Buchanan, JR. M.D.
68 Montagu Street
Charleston SC
29401 - 1237

wyb@earthlink.net
843-727-6440

R. Milton Thomas, III
46 Barre Street
Charleston, SC 29401

August 2nd, 2021

Board of Zoning Appeals - Site Design
2 George Street
Charleston, SC 29401

Re: 42 Halsey Blvd Lot Coverage Variance Support Letter

Dear Board Members,

I am writing to express my support for Lindsay Colbert's and Garrett Voegeli's variance request to build a new residence at 42 Halsey Blvd. I understand they do not meet the lot of insufficient size and lot coverage requirements.

As a neighbor, we have walked by this site for years and are excited to see a new structure be built on the overgrown site.

We feel that allowing this property to maintain similar variances and lot coverage ratios to the adjacent properties will help keep the structure in kind with the other residences within our subdivision.

Lindsay and Garrett have informed us about their plans and we know that their builder who constructed his house across from ours, will provide another quality project to our neighborhood.

We have no objection to the new house plans they have submitted. As their neighbors, we feel that their planned home would be a great addition to the community.

Thank you for your time and consideration.

Respectfully,

Mary Ann & Timothy Colbert

104 ½ Rutledge Avenue

Charleston, SC 29401

August 11th, 2021

Board of Zoning Appeals - Site Design
2 George Street
Charleston, SC 29401

Re: 42 Halsey Blvd Variance Support Letter

Dear Members of the Board of Zoning Appeals,

Our home is located at 104 ½ Rutledge Avenue in the Harleston Village neighborhood of downtown Charleston and we would like to voice our support for the variance requested by Lindsay Colbert and Garrett Voegeli. As a matter of disclosure, we should note that Lindsay Colbert is our daughter and we are biased in this regard, as we look forward to welcoming them to our neighborhood!

We believe the home plan submitted for your consideration is consistent with the homes directly adjacent to it. Specifically, while the plans submitted for your review exceed certain zoning requirements, they do not exceed any zoning provision to an extent greater than the immediately adjacent home. Given this previously accepted precedent for lot coverage at 44 Halsey Boulevard, it would appear to be reasonable and prudent for the BOZA to approve this request on the grounds that the plans submitted are nearly identical to those values at 44 Halsey Boulevard.

Aesthetically, the proposed home at 42 Halsey Boulevard is of a similar and complimentary architectural design as the directly adjacent homes. We believe this proposed home will complete the streetscape along this portion of Halsey Boulevard/Lockwood Drive in a harmonious manner.

It is our understanding that certain neighbors have expressed opposition to this planned home on the grounds that it will create additional traffic on the private drive servicing these homes and that it will interfere with the viewshed of the home located directly to the east of this proposed home. It does not appear that either complaint falls under the purview of the BOZA. However, we feel compelled to respond.

The home lot at 42 Halsey Boulevard is a dues paying member of the Ashley Commons Road Association, Inc. and as such has the right to utilize this private drive for access and egress.

Regarding the impact on the viewshed of the homeowner to the east of the subject property, the lot at 42 Halsey Boulevard was available for purchase for many years and this neighbor had ample opportunity to protect his viewshed by purchasing this property, but declined to do so. It should be noted that the purchase price for the land at 42 Haley Boulevard reflected the increased value of the land due to the direct views of the Ashley River and such benefit is intended to inure to the owners of 42 Halsey Boulevard.

Furthermore, the matter for your consideration is simply the requested variance from the zoning requirements and not the right to construct a home on this lot, which confers to the owner upon acquisition of the land. Thus, it is inevitable that the viewshed from the complainant's home would be impacted at some point in time.

In consideration of the above, we are fully supportive of the requested variance and thank you for your time and consideration.

Sincerely,

Mary Ann & Tim Colbert

Mary Ann & Timothy Colbert

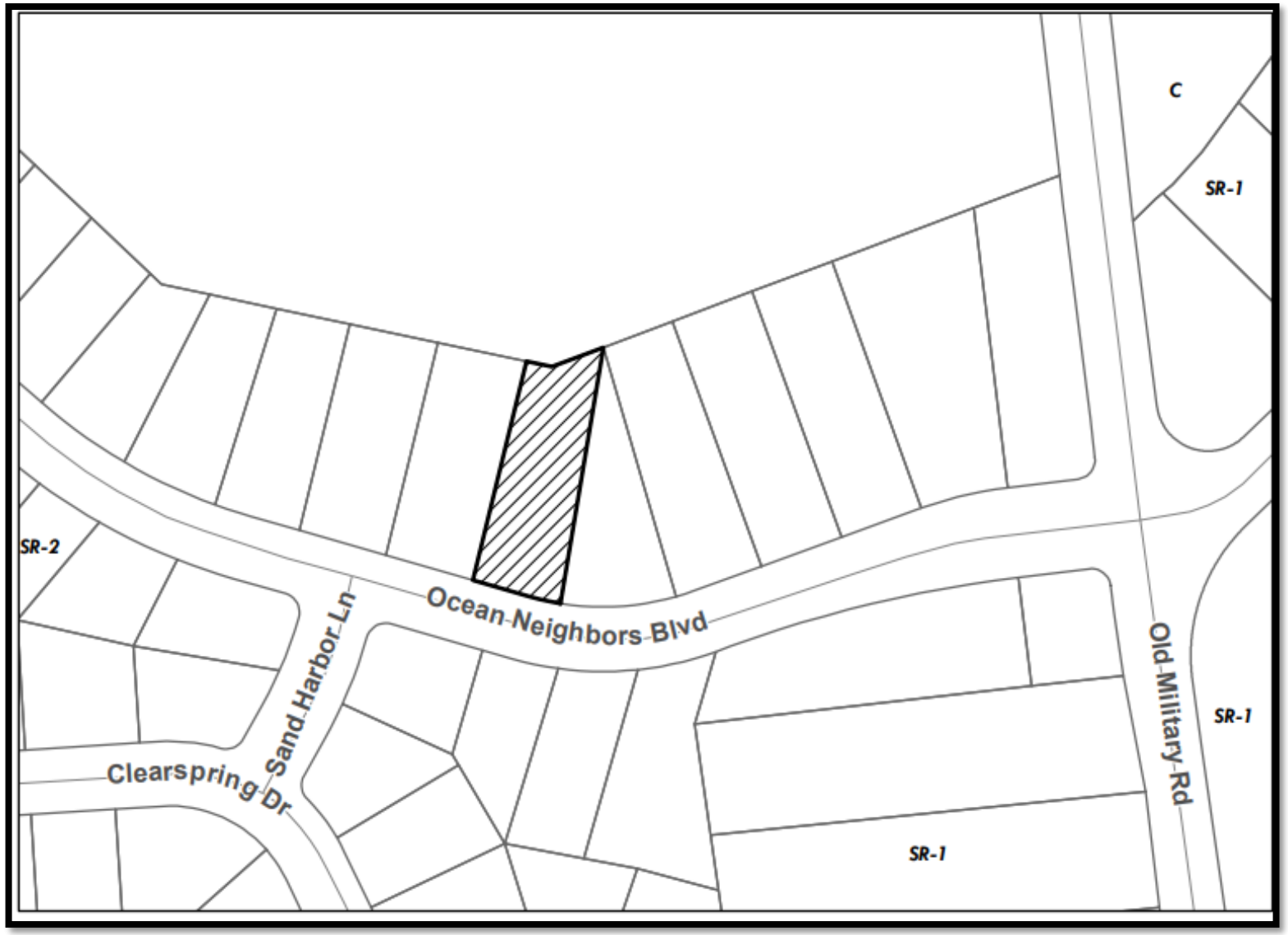
Agenda Item #B-1

1526 OCEAN NEIGHBORS BOULEVARD

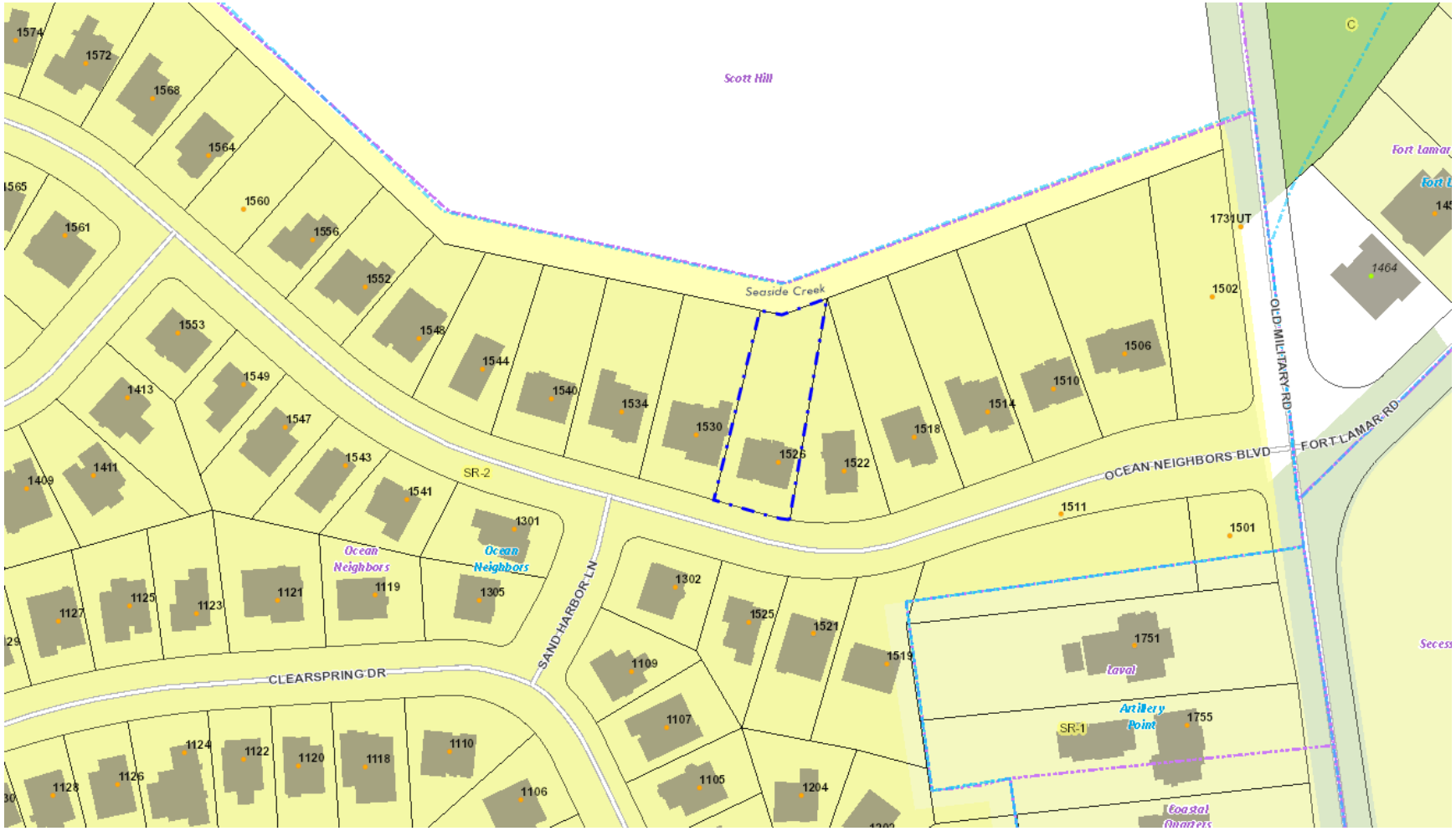
(OCEAN NEIGHBORS)

TMS# 431-00-00-039

Request reconsideration of the Zoning Administrator's decision to deny an STR permit application based on the Ocean Neighbor's HOA covenants that prohibit this use.


C
SR-1
SR-2
Ocean Neighbors Blvd
Sand Harbor Ln
Clearspring Dr
Old Military Rd
SR-1
SR-1

Ocean Neighbors Boulevard
Sand Harbor Lane


Scott Hill
Seaside Creek
OCEAN NEIGHBORS BLVD
FORT LAMAR RD
OLD MILITARY RD
SAND HARBOR LN
CLEARSPRING DR
SR-2
SR-1
Ocean Neighbors
Ocean Neighbors
Laval
Artillery Point
Coastal Quarters
1574
1572
1568
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1534
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1526
1522
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1514
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1502
1731UT
1464
1553
1549
1547
1543
1541
1413
1411
1409
1301
1305
1119
1121
1123
1125
1127
1302
1525
1521
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1511
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1751
1755
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1126
1128
1106

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: 8/3/21

Property Address 1526 Ocean Neighbors Blvd. Charleston, SC 29412 TMS # 431-00-00-039

Property Owner Heidi + Travis Kuyper Daytime Phone 703-599-0244

Applicant Heidi Kuyper Daytime Phone

Applicant's Mailing Address 1526 Ocean Neighbors Blvd.

Charleston, SC 29412 E-mail Address hlklynsma@gmail.com

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

Zoning of property

Floor plans have already been sent to Jason Rowe

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) Online says Renae will invoice upon receipt of appeal
- ☐ **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** 7/19/21

For office use only

Date application received Time application received

Staffperson Fee $ Receipt #

Scanned with CamScanner

Appeal for Reconsideration to the
Board of Zoning Appeals – Zoning (BZA-Z)

City of Charleston

Applicants appealing for reconsideration of a Board decision or decision of the zoning administrator must submit the following information with the BZA-Z application and fee, to the Permit Center at 2 George Street:

In the case of an appeal for **reconsideration of a Board decision**, applicant shall state below the grounds upon which it is considered that the Board misapprehended or misconceived the question or questions involved, or the ground or grounds upon which it is considered that the Board has erred in its finding or disposition of the appeal, application or matter (add as an attachment if necessary). **THE DEADLINE FOR SUBMITTING THIS APPEAL FORM WITH THE BZA-Z APPLICATION AND FEE IS THE CLOSE OF BUSINESS ON THE 5TH BUSINESS DAY FOLLOWING THE DATE OF THE BOARD DECISION BEING APPEALED:**

In the case of an appeal for **reconsideration of a decision of the zoning administrator**, applicant shall state below the interpretation(s) of the Zoning Ordinance being appealed, how the applicant is aggrieved by the interpretation(s), and what the applicant contends is the correct interpretation of the Zoning Ordinance (add as an attachment if necessary):

See Attachments

Signature of Applicant [signature] Date 7/19/21

For office use only

Date application received 7/23/21 Time application received 12:30 Staffperson PA

From
Heidi Kuyper
1526 Ocean Neighbors Blvd.
Charleston, SC 29412

To
City of Charleston
Department of Planning, Preservation & Sustainability
Board if Zoning Appeals – Zoning
2 George St
Charleston, SC 29401

I am filing an appeal to the City's of Charleston's Board indecision to "refrain from issuing (or denying) a permit" which in turn is making a decision and is leading to the ultimate denial of our license. I am also appealing this decision to preserve my rights while I pursue action against the Ocean Neighbors Homeowners Association ("ONHA").

The City Board has been sent false claims from the Ocean Neighbors Homeowners Association, Inc. ("ONHA") that our current CCR's and Bylaws prohibit short term rentals. There is a specific clause in our CCR's that allows up to "two unrelated roomers or boarders" (See attachment 1). The ONHA purposely left this clause out to the City Board to mislead you into thinking short term rentals are prohibited, which they are not. The ONHA is tortiously overstepping by falsely claiming they have any authority to disallow short term rentals. The only way they can disallow short term rentals is by an 80% community wide approved vote (see attachment 2), which they have not received.

The ONHA is also claiming this "policy" (see attachment 3) as the City's reason to deny our permit. However, they also fail to show that Article VII, Sec 1 (as amended) shows that we are allowed "two unrelated roomers, boarders". Therefore, the ONHA have made claim to a completely unenforceable policy.

In addition, the ONHA is claiming that they have the authority to "take any action in the absence of any meeting" but also fail to note that that clause only relates to Section 3 and Section 4 of Article IV which is in regards to only common areas. (See Attachment 4). In addition, the Board has never received the written approval of all the Directors. ONHA fail to mention that the on the May 20, 2021 ONHA Board Meeting that the Secretary of the ONHA Board voted against the policy meaning they did not receive approval from all the Directors.

Per my current CCR's both "No Business" and "Roomers and Boarders" are established. By having both clauses in the same section would mean they do not conflict with each other and that short-term rentals are not considered "business activity". My husband and I live in the house full time, with our 2 children, and therefore are in compliance with the Residential Use clause. In addition, no transaction is being had on our property, only via a website. We have no billboards or signs

advertising our business, on the property, as any normal business would, and as many of the approved business licenses in the neighborhood do with their respective vehicles. Lastly, our previous short term renters have only ever used our one bedroom in our house to sleep, eat, shower, etc… All renters' activities are purely residential in nature further bolstering the residential use of lot. In turn, short term rentals cannot mean business activity. Therefore, I hope the City Board reconsiders my husband and I to be in compliance with our CCRs regarding "Residential Use of Lots".

In addition, our CCRs allow for Tenants with no specification on duration. The SC Vacation Rental Act clearly defines the use of privately owned residences which are rented to tourists and define those tourists as Tenants. Tourists are not defined as customers or clients and therefore further prove that the "No Business" clause was in reference to full blown commercial use of residence (essentially the drafters did not want a Starbucks in the neighborhood).

If the City Board considers the two clauses to be ambiguous, then they should consider the following case laws below where the rights go to the more specific CCR (in this case the 2 roomers and boarders allowance) as well as in favor of the homeowner for free and unrestricted use of the property:

- Court of Appeals of South Carolina. Community Services Associates, Inc., Appellant, v. Stephen H. Wall and Maria P. Snyder Wall, Respondents.
- Texas Court of Appeals. Craig Zgabay and Tammy Zgabay, Appellants v. NBRC Property Owners Association, Appellee
- Supreme Court of Wisconsin. Lee Neushwander and Mary Jo Neuschwander, Defendants – Appellants v. Richard Forshee, Judith Timmerman, Verlan E Edwards, Robert Olson, Mary Edwards, Plantiffs
- Supreme Court of Virginia. William D. Scott, et la. V. Donald F. Walker, et al.
- SANTA MONICA BEACH PROPERTY OWNERS ASSOCIATION, INCORPORATED, JOE BAILEY, LEW JAMES, CINDY DOOD, JANET DICK-GRACE, ADRIAN HOLMAN, JOYCE HOSKINS, JOHN HUNTER, MARK JAMISON, BARBARA RAMLOW, GARY SALTER, STEVE SANDERS, AND BOB WHITSON, Appellants, v. DAVID A

The ONHA is also claiming our permit as "business activity" however per the report I received from FOIA (see attachment 5), they are not enforcing this rule on anyone else. On May 20, 2021 one of the ONHA Directors is even quoted mentioning that he has taken business calls at his home. The ONHA Directors also encourage community wide yard sales and allow people outside of the neighborhood to attend. If the City is denying our permit and/or neither granting it, on the basis of any information they have received from ONHA, then both entities are in turn selectively enforcing one business activity, in this case our Short Term Rental, but not others.

My husband and I operated our Airbnb listing for approximately 2 years before we knew we needed a permit. When we received our warning from Livability we immediately took down our listing and have been working with the City/Zoning to understand all the rules and regulations as well as filling out the application process. Being that we lived in the house, we did not realize we needed a Short Term Permit. We believed those permits only to apply to commercial rentals.

That said, we have always made sure that we had adequate parking, trash management, and complete control over any possible disturbances. We never once received a complaint over those two years of operation. In addition, while we knew our CCRS did not prohibit us from Short Term Rentals we tried to operate in good and neighborly faith with our community by bringing it up to our ONHA at the next Board Meeting, following our warning from the City. Since then, the ONHA has been tortiously interfering in our rights to gain a Short Term Permit.

It is the purpose of ONHA to enforce the CCRS and Bylaws that I signed when I purchased my property in March 2018 and any amended CCRs and Bylaws. My CCRS allow roomers and boarders with no specificity on timeframe. The current ONHA is in breach of contract with me and the rest of the community by falsely making up policies and trying to enforce them without a true amendment to the CCRS.

Finally, I've attached the full CCRs and Bylaws (See Separate Attachment in Email).

Thank you for your time and consideration,
Heidi Kuyper

Attachment 1

other persons occupying or visiting their lots comply fully with these Declarations at all times.

2. The following shall be added to the end of Article VII, Section 1 ("Residential Use of Lots):

Only one single-family residential dwelling shall be permitted on any Lot, and not more than one family may occupy any such dwelling. A "family" shall mean any number of persons related by blood or marriage and living together as a single housekeeping unit, plus not more than two unrelated roomers, boarders, or domestic servants; or not more than three unrelated persons living in a dwelling. Regular overnight visitors shall be considered living in the dwelling.

3. Completeness: Except as specifically modified or amended by this Amendment to the Declarations, the original Declarations and subsequent amendments thereto shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the Ocean Neighbors Home Owners Association, Inc. has caused this document to be executed on this 1 day of Apr. 1, 2008.

OCEAN NEIGHBORS HOME OWNERS ASSOCIATION, INC.

(Witness)

By: _____
Its: President

AND

(Witness)

By: Sara Lehr
Its: Secretary

Attachment 2

BK U 3196074

Section 3. Duration. The covenants, conditions and restrictions of this Declaration shall run with and bind the Lots for a term of twenty (20) years from the date this Declaration is recorded after which time they shall be automatically extended for successive periods of ten (10) years.

Section 4. Amendment. This Declaration may be amended by an instrument signed by not less than eighty percent (80%) of the Lot Owners; provided, however, Declarant reserves the right, at any time, to amend this Declaration so long as the Class B votes exceed the Class A votes.

Section 5. Annexation. Declarant reserves the right to annex and subject additional Lots to the within Declaration upon filing of a Supplemental Declaration subjecting such additional Lots to this Declaration. Declarant shall be entitled to its Class B membership vote for all Lots shown on the Plat.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set his hand and seal this 27th day of January, 1999.

WITNESSES:

First Witness Signs Here

Second Witness Signs Here

First Witness Signs Here

Second Witness Signs Here

DECLARANT:

JAMES ISLAND DEVELOPMENT COMPANY, LLC

By: Donald L. Berg, II

Its: Member

By: Joseph A. Margarite

Its: Member

Charleston: 167108

Attachment 3

Ocean Neighbors Home Owners Association, Inc.

BOARD RESOLUTION

Short-Term Rental Policy

WHEREAS, the Board of Directors ("Board") of Ocean Neighbors Home Owners Association, Inc. ("Association") is responsible for management, operation and control of Ocean Neighbors and the Association, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Declaration of Covenants, Conditions, Restrictions for Ocean Neighbors and By-laws of Ocean Neighbors Home Owners Association, Inc., ("Declaration" and "By-laws") recorded January 27, 1999, in Book D319 at Page 856; First Amendment to declaration of Covenants, Conditions and Restrictions recorded March 17, 1999, in Book R322 at Page 475; Amendment to Declaration of Covenants, Conditions and Restrictions (Ocean Neighbors) recorded July 6, 1999 in Book Z329 at Page 025; Third Amendment to Declaration of Covenants and Restrictions (Ocean Neighbors) recorded December 12, 2000 in Book G360 at Page 199; Supplement to Declaration of Covenants, Conditions and Restrictions for Ocean Neighbors recorded December 12, 2000 in Book G360 at Page 196; Supplement to Declaration of Covenants, Conditions and Restrictions for Ocean Neighbors recorded February 27, 2002 in Book K398 at Page 541; Fourth Amendment to the Declaration of Covenants, Conditions, and Restrictions for Ocean Neighbors Subdivision recorded April 25, 2006 in Book B581 at Page 764, Fifth Amendment to The Declaration of Covenants, Conditions, and Restrictions for Ocean Neighbors Subdivision recorded April 8, 2008 in Book H656 at Page 578; Amended By-Laws of Ocean Neighbors Homeowners Association, Inc. recorded May 24, 2010 in Book 0123 at Page 964, with the Charleston County Register of Deeds (collectively hereinafter, the Declaration and Bylaws may be referred to as "Governing Documents").

WHEREAS, the Board has determined that it is in the best interests of the Association, the Community, Property and Members to establish a short-term rental policy.

WHEREAS Article VII, Sec. 1 of the Covenants (as amended) expressly states that the lots are to be used for residential purposes only and the Board has determined that short-term transient rentals are akin to hotel/commercial operations and are thus not for residential purposes,

WHEREAS, the Section 5 of Article IV of the Amended Bylaws provides that "The directors shall have the right to take any action in the absence of a meeting (which they could take at a meeting) by obtaining the written approval of all the directors."

WHEREAS, Section 3 of Article VI of the Amended Bylaws provides that a "majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board."

WHEREAS, at a duly held and authorized meeting of the Board, this Resolution for Short-Term Rental Policy was put to a vote. The required quorum was present and this Resolution for Short-Term Rental Policy was approved by the requisite Board members.

Attachment 3, Cont'd

NOW, THEREFORE, in order to protect and preserve a safe, secure, valued and attractive community, to maintain good order and property values, and to promote the common good, the Board hereby affirms and adopts this Resolution for Short-Term Rental Policy as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution for Short-Term Rental Policy, and not mere recitals, and are fully incorporated herein by this reference.

2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws, unless the context shall clearly suggest or imply otherwise.

3. The Board hereby affirms and adopts that the Lots shall be used for residential purposes only and that no rentals for a time period shorter than six (6) months shall be allowed.

4. This Resolution was affirmed and adopted by the Board on May 20 2021.

5. Distribution. The Association and/or its' property manager is authorized and directed to circulate a copy of this Resolution for Short-Term Rental Policy to all members and owners. MEMBERS AND OWNERS ARE RESPONSIBLE FOR DISTRIBUTING THE RESOLUTION TO ALL TENANTS, OCCUPANTS AND RESIDENTS OF LOTS.

OCEAN NEIGHBORS HOME OWNERS ASSOCIATION, INC.:

Board Member/Director	5/21/21 Date	Board Member/Director	5-21-21 Date
Board Member/Director	5/21/21 Date	Board Member/Director	5.21.21 Date
Board Member/Director	Date		

Attachment 4

ARTICLE IV

COVENANT FOR MAINTENANCE ASSESSMENTS

Section 1. Creation of the Lien and Personal Obligation of Assessments. The Declarant, for each Lot owned within the Property, hereby covenants and each Owner of a Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges and (2) special assessments for capital improvements, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs, and reasonable attorneys' fees, shall be a charge on the land and shall be a continuing lien upon the Lot against which each

Attachment 4, Cont'd

such assessment is made. Each such assessment, together with interest, costs and reasonable attorneys' fees, shall also be the personal obligation of the person who was the Owner of such Lot at the time when the assessment fell due. Except as to first mortgagees as hereinafter provided, a sale or transfer of the Lot shall not affect the assessment lien and shall pass to successors in title.

Section 2. Purpose of Assessments. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety and welfare of the residents in Ocean Neighbors and for the improvement and maintenance of the Common Areas (and any improvements constructed thereon) and any ponds, creeks, marsh or drainage facilities not maintained by a public body. In addition, the assessments shall be used to maintain the Association and any expenses related thereto.

Section 3. Maximum Annual Assessment. Until January 1, 2001, **the maximum annual assessment shall be One Hundred Twenty and No/100 Dollars ($120.00)** per Lot. From and after said date, the maximum annual assessment shall be established by the Declarant and/or Board of Directors so that the total assessments paid by all Owners of Lots is sufficient to adequately maintain the Common Areas and improvements thereon and to pay any expenses related to the operation of the Association.

Section 4. In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of any capital improvement upon the Common

Attachment 4, Cont'd

Areas, provided that, any such assessment shall have the approval of at least two-thirds (2/3) of the votes of each class of Members who are voting in person or by proxy at a meeting duly called for this purpose.

Section 5. Notice and Quorum for Any Action Authorized Under Sections 3 and 4. Written notice of any meeting called for the purpose of taking any action authorized under Section 3 or 4 shall be sent to all members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting. At the first such meeting called, the presence of members and/or proxies entitled to cast at least twenty-five percent (25%) of all the votes of each class of membership shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirement and the required quorum at the subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

Section 6. Uniform Rate of Assessment. Except for Lots owned by Declarant or a Builder, both annual and special assessments shall be fixed at a uniform rate for all Lots and shall be collected on an annual, quarterly or monthly basis as determined by the Board of Directors.

Section 7. Date of Commencement of Annual Assessments; Due Dates. The annual assessments provided for herein shall commence as to each Lot on the first day of the month following the transfer of a completed dwelling on a Lot from Declarant or a Builder to a third-party buyer of the dwelling and Lot. The first annual assessment shall be adjusted according to the number of months remaining in the calendar year. The Declarant and/or the Board of Directors shall fix the amount of the annual

Attachment 4, Cont'd

RMC 86 0123 Pg 964 : Dg 3 *

ARTICLE IV

BOARD OF DIRECTORS, SELECTION, TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of three (3) directors who need not be Members of the Association. Notwithstanding any other provisions of this Article IV, until such time as the Class A membership votes exceed the Class B membership votes, the three (3) directors shall be comprised of individuals appointed exclusively by Declarant. At such time as there is no Class B membership, the Board shall be expanded to five (5) new members to be elected at the next annual meeting. One of the new members shall be elected for a term of two (2) years and the other for a term of one (1) year.

Section 2. Term of Office. At the first annual meeting, the Members shall elect one (1) director for a term of one (1) year and two (2) directors for a term of two (2) years. At each annual meeting thereafter, the Members shall elect directors for a term of two (2) years to fill any vacancies.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the Members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining Members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive any compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The directors shall have the right to take any action in the absence of a meeting (which they could take at a meeting) by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V

Attachment 5

Advanced Search | Search

Showing 1 - 9 of 9 Records

	Business Name	DBA	Busines...	Address	Business Lic...	Busine...
48537	Ctm Home Inspections, Llc	Ctm Home Inspections, Llc	2021	1125 CLEARSPRING DR CHARLESTON, SC 29412	[redacted]	Active
BL012833-10-20 19	Squeak & Bean LLC		2021	1106 CLEARSPRING DR Charleston, SC 29412		Active
BL007758-07-20 17	E4 Consultants, LLC		2021	1082 Clearspring DR Charleston, SC 29412		Active
45496	Parker Realty Llc		2021	1148 CLEARSPRING DR CHARLESTON, SC 29412		Active
BL017431-10-20 19	79 West Builders Group LLC		2021	1149 CLEARSPRING DR Charleston, SC 29412		Active
BL008861-11-20 17	Taylor Blanton	Charleston Podcast/Charleston Relish inc	2021	943 CLEARSPRING DR Charleston, SC 29412		Active
BL003467-01-20 16	Amanda Mitchell	Palmetto Gal Organics	2021	1120 CLEARSPRING DR CHARLESTON, SC 29412-9670		Active
14365	Hagan, Scott	Scott Hagan Builders	2021	944 CLEARSPRING DR CHARLESTON, SC 29412		Active
BL013649-11-20 18	Shoreline Landscapes		2021	987 CLEARSPRING DR Charleston, SC 29412		Active

Advanced Search | Search

Showing 1 - 1 of 1 Records

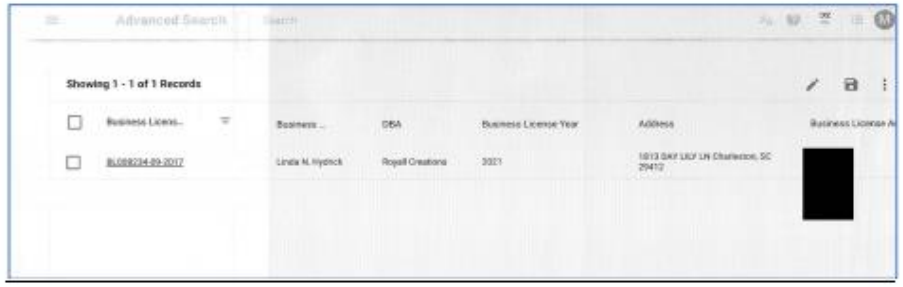
BL...	Business Name	I	Business...	Address	Busine...	Business Status
BL003766-07-2020	Lowcountry Pet Stays, LLC		2021	1406 SURFSIDE CT Charleston, SC 29412	[redacted]	Active

Attachment 5, Cont'd

Advanced Search Search

Showing 1 - 4 of 4 Records

Ru...	Business Name	DBA	Business ...	Address	Business License Actual ...
4463	Grace Electric	Grace Electric	2021	1624 OCEAN NEIGHBORS BLVD C HARLESTON, SC 29412	[redacted]
BL008541-10-2012	Ron Carpenky LLC		2021	1636 Ocean Neighbors BLVD Charl eston, SC 29412	
30340	Mccarn Court Reporting, Inc.	Mccarn Court Reporting, Inc.	2021	1634 OCEAN NEIGHBORS BLVD C HARLESTON, SC 29412	
47129	Tres Carmen	Tres Carmen	2021	1585 OCEAN NEIGHBORS BLVD C HARLESTON, SC 29412	



Advanced Search Search

Showing 1 - 1 of 1 Records

Business Licens...	Business ...	DBA	Business License Year	Address	Business License A
BL088234-09-2017	Linda M. Hydrick	Royall Creations	2021	1013 OAK LEAF LN Charleston, SC 29412	[redacted]

Advanced Search
Showing 1 - 1 of 1 Records
Busines...
Business Licen...
Address
Business License Actual ...
BL013264-01-2019
2021
1503 ANGELFISH CT Charleston, S
C 29412
[redacted]
Active

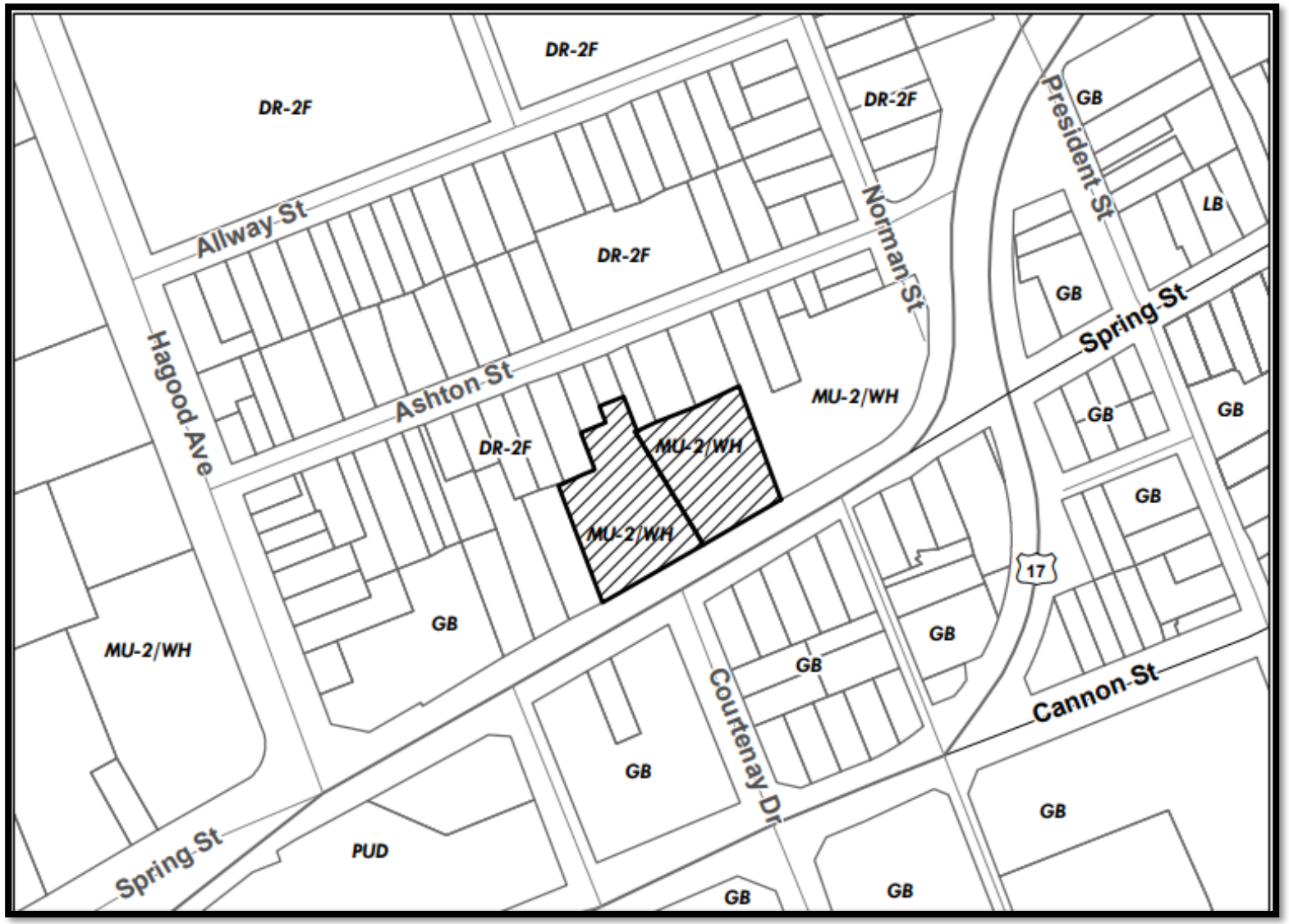
Agenda Item #B-2

200-210 SPRING STREET

(WESTSIDE)

TMS # 460-11-01-011 AND 460-11-01-013

Request first one-year extension of a vested right that expires on October 1, 2021, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on October 1, 2019 with conditions for a 152-unit accommodations use in a MU-2/WH (Mixed Use Work Force Housing) zone district.


DR-2F
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DR-2F
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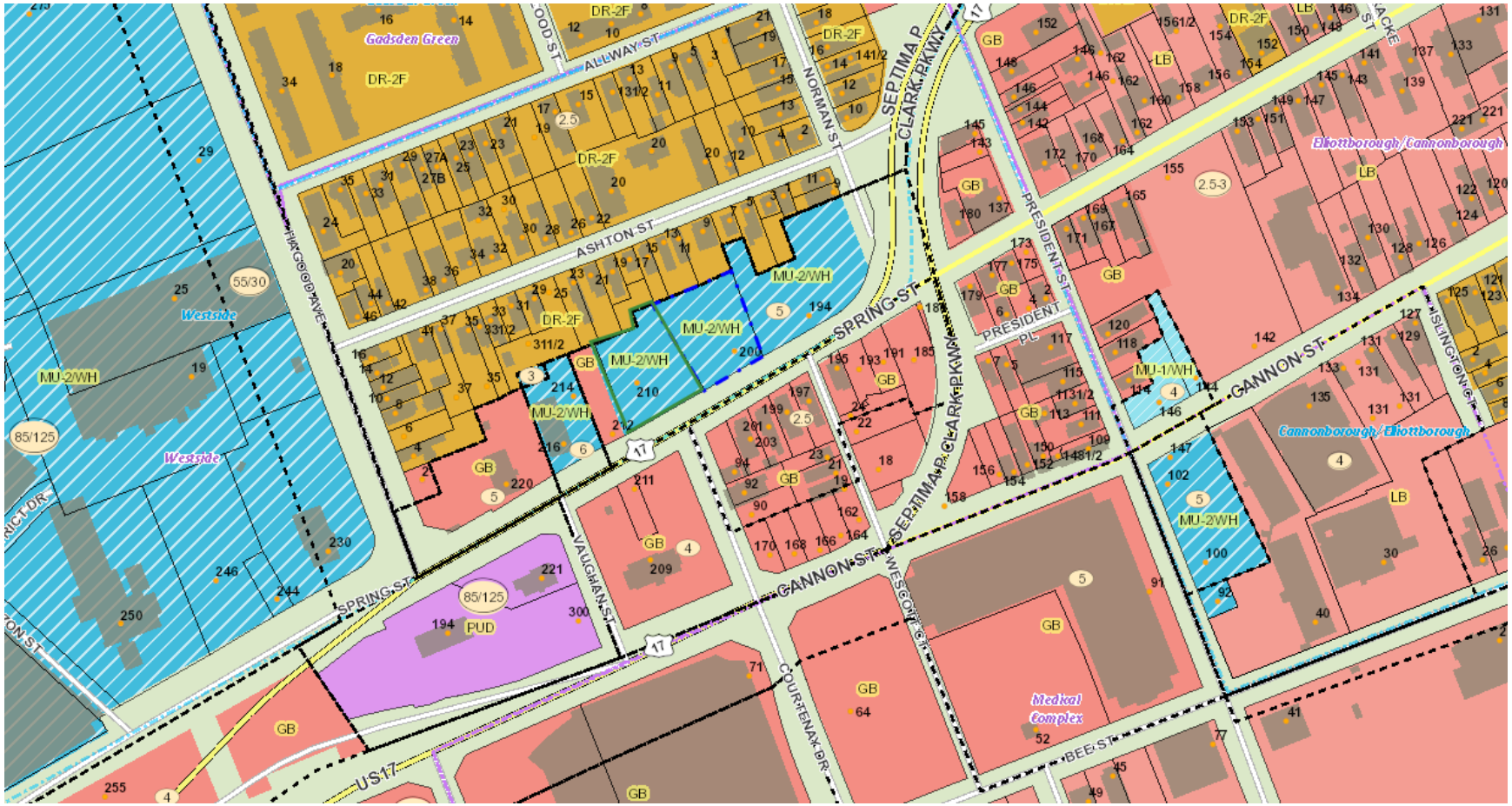
Hagood Ave
Norman St
President St
Spring St
Cannon St
Courtenay Dr
Spring St
GB
LB
GB
GB
GB
GB
GB
GB
GB
GB
GB
GB
MU-2/WH
MU-2/WH
MU-2/WH
MU-2/WH
PUD
17

Ashton Street


Gadsden Green
DR-2F
ALLWAY ST
ASHTON ST
NORMAN ST
SEPTIMA P. CLARK PKWY
PRESIDENT ST
PRESIDENT PL
SPRING ST
CANNON ST
WESCOTT DR
COURTENAY DR
VAUGHAN ST
HAGGOD AVE
BEE ST
US 17
Westside
MU-2/WH
MU-1/WH
GB
LB
PUD
Medical Complex
Elliottborough/Cannonborough
Cannonborough/Elliottborough
WASHINGTON ST

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: September 7, 2021

Property Address 200-210 Spring Street TMS # 460-11-01-011, 460-11-01-013

Property Owner 200 Spring Street Development, LLC and JJR Development, LLC Daytime Phone 843 - 224 - 1183 Daytime

Applicant Jeffrey Roberts, managing member JJR Development, LLC 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) same

Zoning of property MU-2WH

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 7-22-21

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):

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):

Extension of unexpired Special Exception for an accomodations use.

1 EXTENSION

FIRST ONE

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.

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

200 AND 210 SPRING ST. (WESTSIDE) (460-11-01-011 AND 013)
Request special exception under Sec. 54-220 to allow 152-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: with condition. 1) Adjustment to meeting/conference space on second floor to eliminate elevator lobby and hallway space; and, 2) Inclusion of conditions in MOU between Westside Neighborhood Association and owners of 200 and 210 Spring St. (attached)

Date issued: 10/1/19. 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

Store

200-210 Spring

1 October, 2019

BOARD OF ZONING APPEALS — ZONING

ADDRESS 200 and 210 Spring Street

X APPROVED
☐ DENIED
☐ WITHDRAWN

☐ AS SUBMITTED
X W/CONDITIONS

FOR: ☐ SET BACK
☐ DENSITY
☐ PARKING
☐ HEIGHT
☐ LOT OCCUPANCY
X USE/OR SPECIAL EXCER
☐ OTHER

152-unit accommodations use

10-1-19 DATE

ZONING OFFICIAL

*THIS APPROVAL EXPIRES W/IN TWO YEARS UNLESS AN EXTENSION IS APPROVED PURSUANT TO SEC. 54-082
*THIS DOES NOT CONSTITUTE APPROVAL BY OTHER CITY BOARDS OR DEPARTMENTS.

1.) adjustment to meeting/conference space on second floor to eliminate elevator lobby and hallway space; and 2.) inclusion of conditions in MOU between Westside Neighborhood Association and owners of 200 and 210 Spring Street.

mcmillan | pazdan | smith
ARCHITECTURE

Agenda Item #B-3

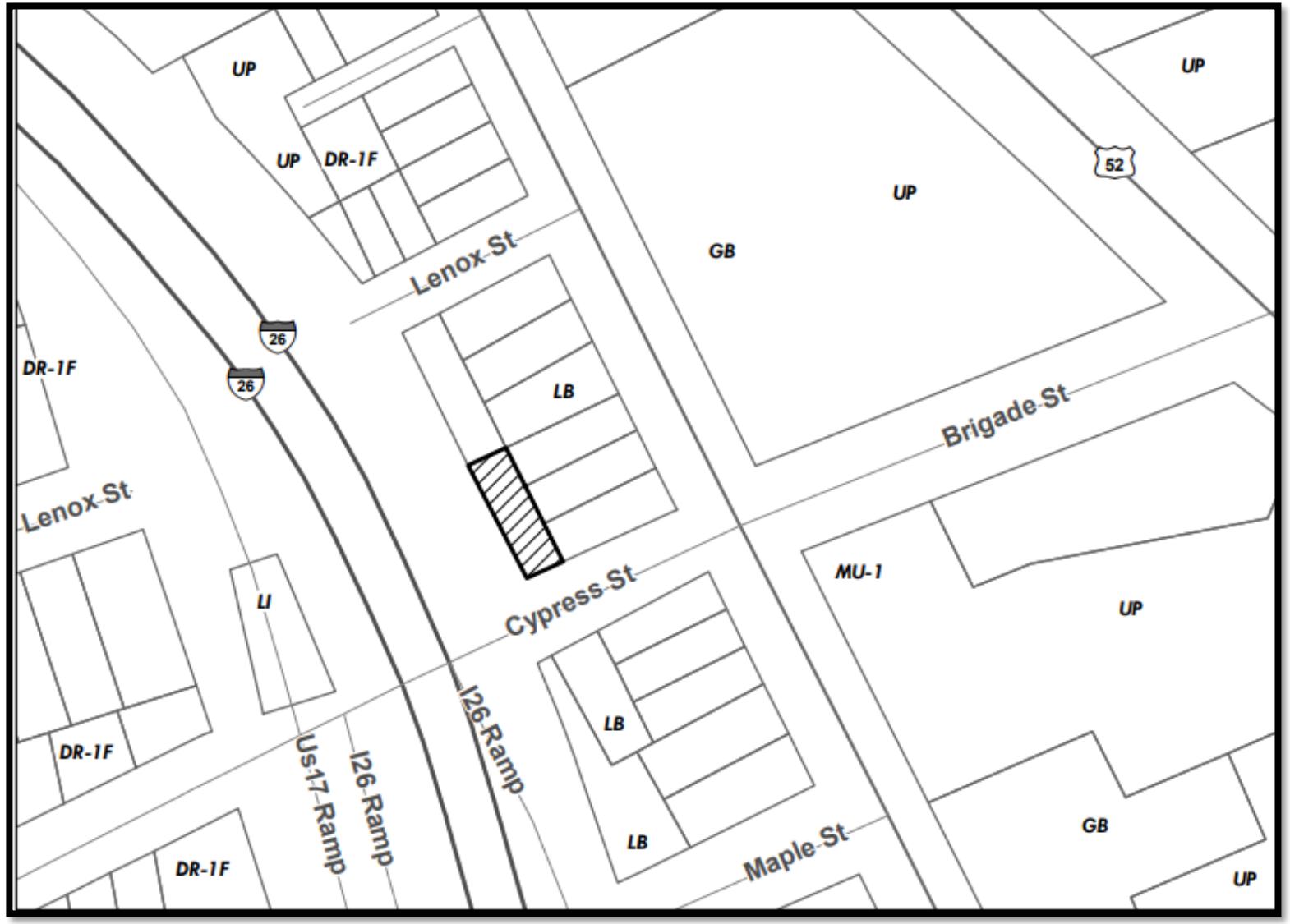
10 CYPRESS STREET

(EAST CENTRAL)

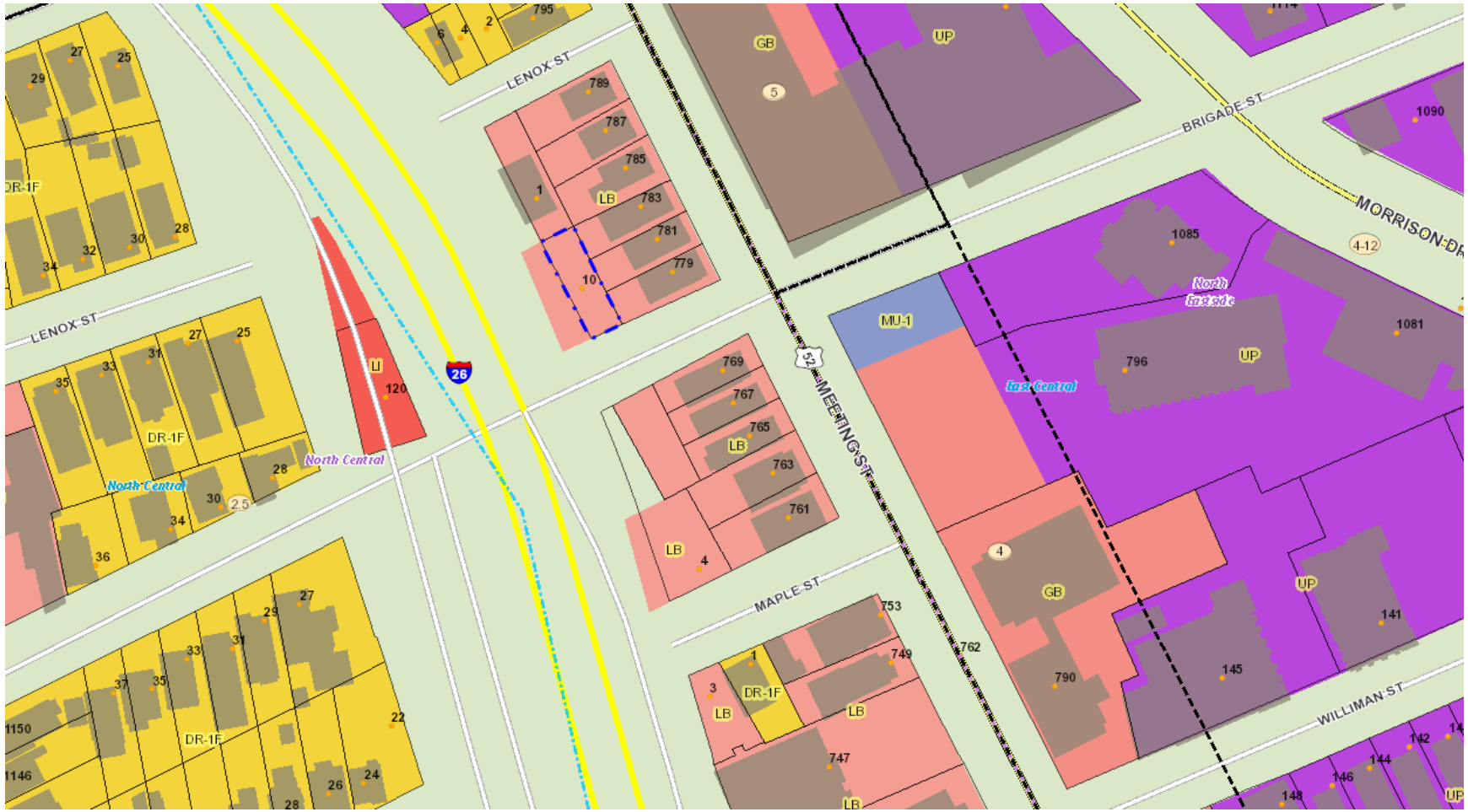
TMS # 463-12-02-005

Request variance from Sec. 54-317 to allow construction of an office building with 1,964sf of office space with 3 off-street parking spaces (4 spaces required).

Zoned LB


UP
UP
DR-1F
UP
52
UP
GB
Lenox St
26
26
DR-1F
LB
Brigade St
Lenox St
MU-1
LI
Cypress St
UP
LB
DR-1F
Us17 Ramp
I26 Ramp
I26 Ramp
LB
GB
DR-1F
Maple St
UP

779 meeting stree
Lenox Street
(I 26)
Cypress Street
Meeting Street (US 52)
Brigade Street


LENOX ST
BRIGADE ST
MORRISON DR
MEETING ST
MAPLE ST
WILLIMAN ST
North Central
North East side
East Central
DR-1F
LB
GB
UP
MU-1
LI
26
52
5
4-12
2.5
4

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

City of Charleston

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- ☐ 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: September 7, 2021

Property Address 20 Brigade Street TMS # 463-12-02-005

Property Owner Maple Cypress Development Associates, LLC Daytime Phone 843 - 224 - 1183

Applicant Patrick Head, Director of Devlopment, JJR Development, LLC Daytime Phone 917-535-7672

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

E-mail Address ptrckhd@gmail.com

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

Zoning of property LB

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)
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- ☐ 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 Director of Development JJR Development, LLC Date 7-22-21

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):

Application for a 1-car parking variance that was previously granted, but expired. See attached memo

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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July 28, 2021

To: Lee Batchelder, Zoning Administrator
City of Charleston

Cc: Pennye Ashby, Senior Zoning
Planner, City of Charleston

From: Jeffrey Roberts, managing member
Crosstown Development Partners, LLC

Re: 20 Cypress Street (Brigade Street)

Mr. Batchelder:

Enclosed, for ease of reference, is our Zoning submission for the planned new small office building at 20 Brigade Street, between Meeting St. and the RT. 26 overpass. You may remember this from several years ago as we had previously submitted the variance request and received approval from the board in 2016. We subsequently sold the parcel to an entity that was going to build the office building, but they never did. We recently re-purchased the property because it is across from our nearly finished larger office building at 4 Maple Street and we are big believers in the future of the low-line. Because the previous owner allowed the variance to lapse, we are respectfully re-submitting the original Variance Request below and attached, exactly as it was previously submitted and approved.

We plan to build a modest office of approximately 1964 net usable space that would require 4 parking spaces. Because the lot is too narrow to accommodate 4 spaces and can only fit 3, weare asking for a variance for one parking space.

Variance Test

Accordingly, we respectfully submit our plan meet all facets of the Variance Test as follows:

A variance may be issued by BZA on an individual case of unnecessary hardship if the Board makes the following findings:

a. Are there extraordinary and exceptional conditions pertaining to the property.

This is small, limited business, SCDOT remnant lot that is only 30 ft wide. It is not wide enough topark along the side as cars would not be able to turn into parking spots, nor would they be able to back out.

b. These conditions do not generally apply to others in the vicinity.

None of the other properties in the vicinity Face Brigade Street, they all face Meeting

Street and are currently utilized for multifamily/residential with single width driveways that allow 2 stacked cars. The other adjacent property is the Rt. 26 Overpass.

c. Because of these conditions, the application of the ordinance to this particular piece of property would effectively prohibit or unreasonably restrict the utilization.

Strict adherence to the ordinance insofar as the requirement to provide 1 space per 500sqft would unreasonably restrict the use of the property, allowing for a much smaller building. Currently we are only foot-printing 40% lot coverage in order to accommodate 3 on-site parking spaces.

d. The authorization of the variance would not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The plan for this small office is wholly in keeping with the scale of the neighborhood and supportive of the new business development across Meeting St. at Half-Mile, and there is substantial off-street parking on Brigade Street. It also complements the new office building across the street as well as the other new office buildings further south along the Low-Line.

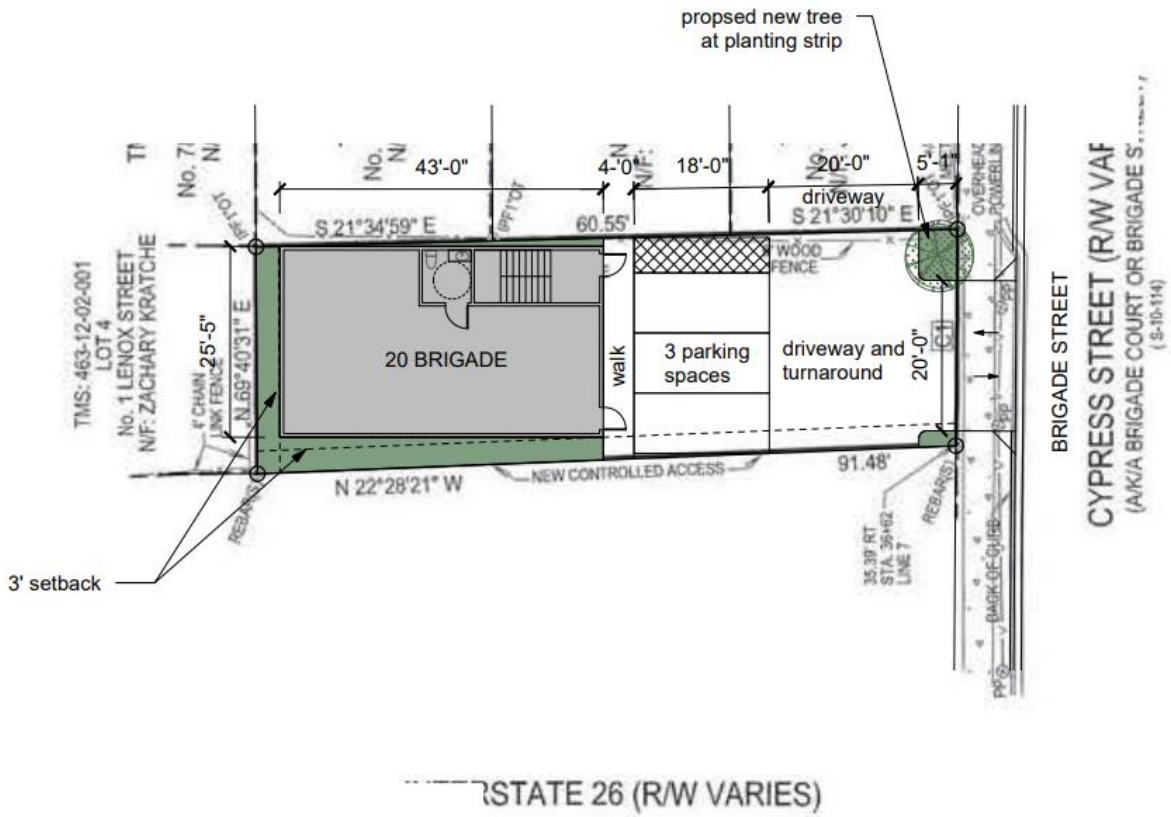
==========

In conclusion, thoughtful and sensible efforts are being put forth in this application for 20 Brigade St., and the character of the area will be substantially improved by the granting of this variance.

Yours truly:

Jeffrey Roberts, managing member
JJR Development, LLC
42 Broad Street 2nd floor
Charleston, SC 29401
843-224-1183
jeffroberts11@bellsouth.net

T.M.S. # 463-12-02-005
ZONING DISTRICT: LB
FLOOD ZONE: X
BUILDING CODE: IBC 2012



ZONING TABLE 3.1 - HEIGHT, AREA & SETBACK REGULATIONS

SETBACKS - LB

Total	Front	Rear	Total Side	South/ West	North/ East
NR	NR	NR	NR	NR	NR

MIN. LOT AREA / FAMILY

1 Fam	2 Fam	3-fam multi	Lot Cover	Max. Height
NA	NA	NA	NA	55'

1094 SQFT FOOTPRINT
847 SQFT NET OFFICE GROUND

PARKING SPACES REQUIRED
1 PER 500SQFT NET
1964 SQFT TOTAL NET AREA
4 PARKING SPACES REQUIRED
3 PARKING SPACES PROVIDED

40% LOT COVERAGE

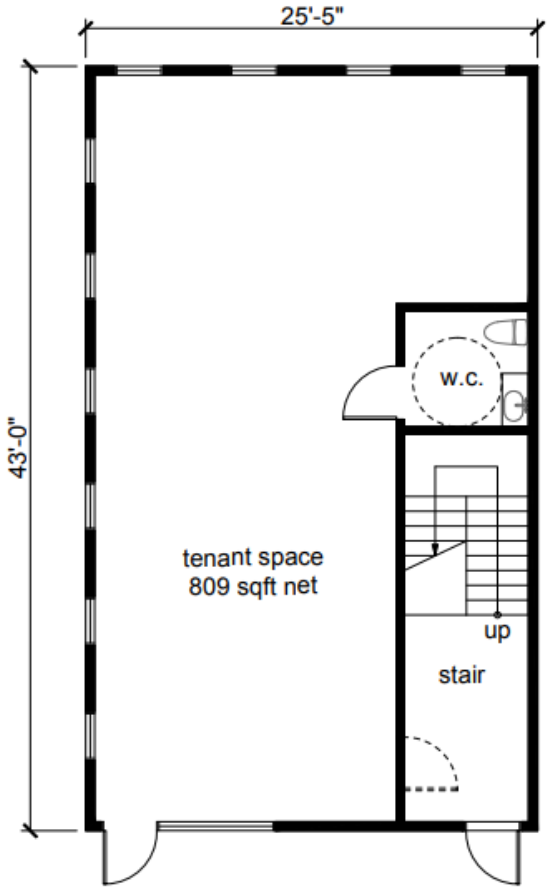
Proposed Office Building
20 Brigade St, Charleston, SC

Site Plan based on Plat by Peabody & Associates
RMC Book S15 Page 0020 January 21, 2015

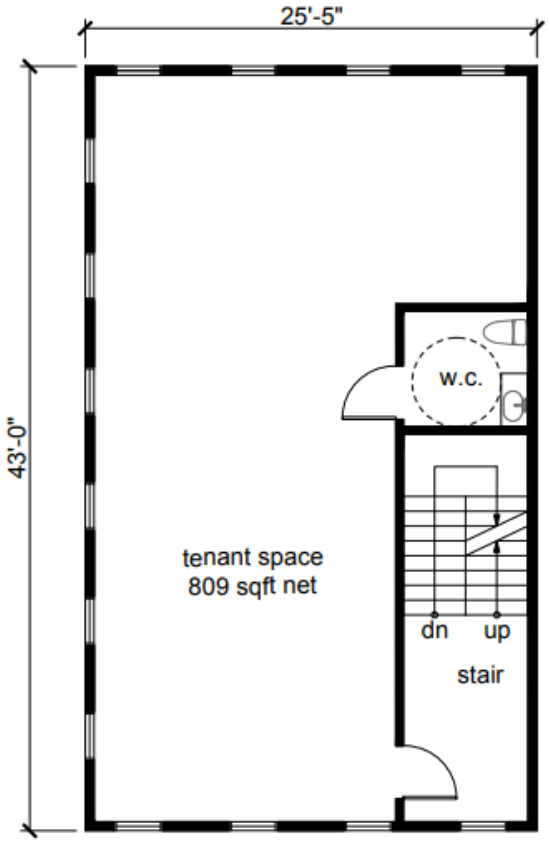
NORTH

PROPOSED
SITE PLAN
Scale: 1/16" = 1'-0"

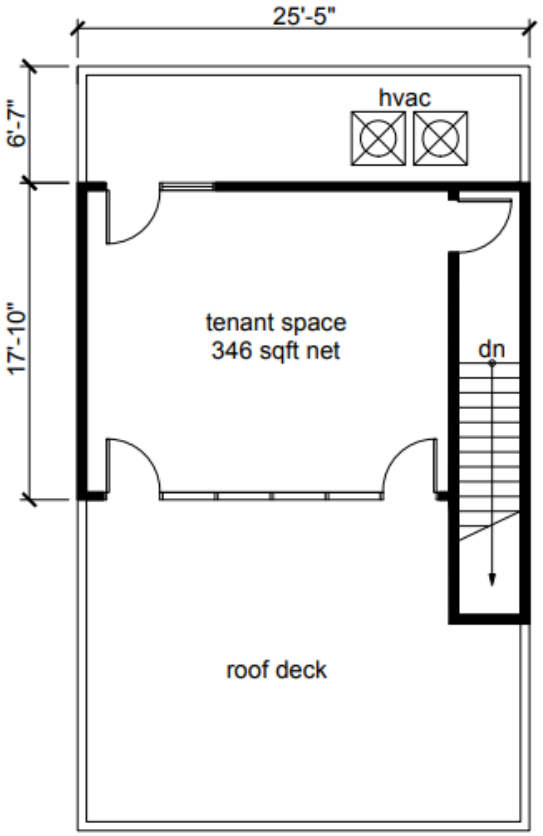
A-0
February 29, 2016



1. 1ST FLOOR PLAN



2. 2ND FLOOR PLAN



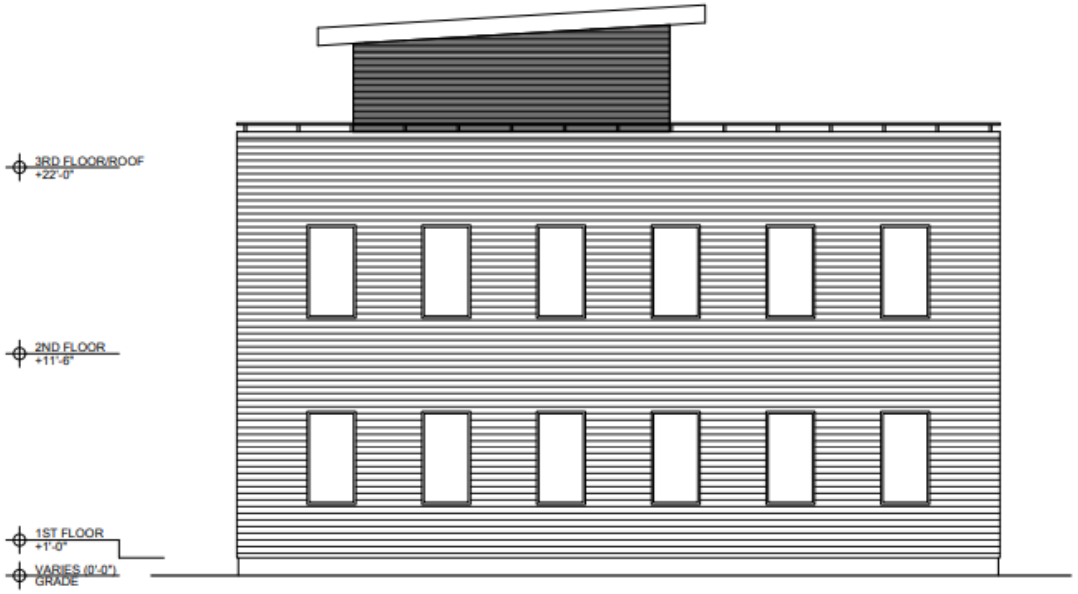
3. 3RD FLOOR/ROOF

Proposed Office
20 Brigade St, Charleston SC

NORTH

PROPOSED
FLOOR PLANS
Scale: 1/8" = 1'-0"

A-1
February 29, 2016



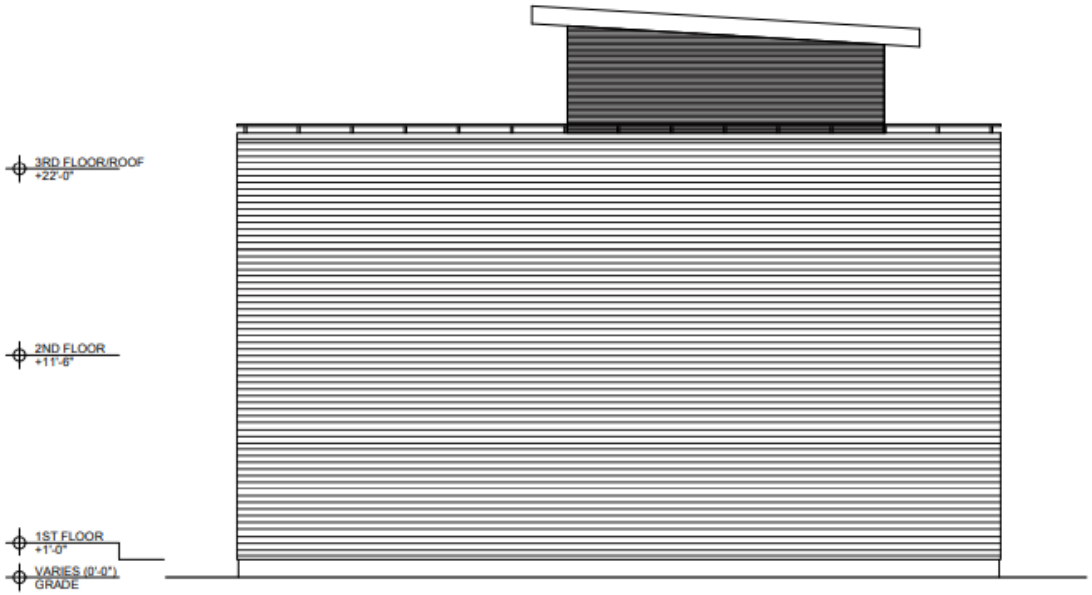
1. WEST ELEVATION

1. SOUTH ELEVATION

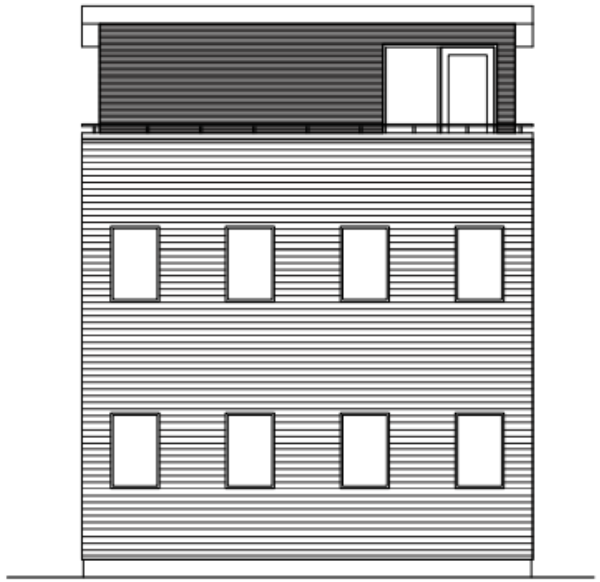
Proposed Office
20 Brigade St, Charleston SC

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

A-2
February 29, 2016



1. EAST ELEVATION



1. NORTH ELEVATION

Proposed Office
20 Brigade St, Charleston SC

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

A-3
February 29, 2016

Aerial view of Brigade Street

Close-up of 20 Brigade Street

Street View of 20 Brigade Street along DOT right of way

Proposed Office 20 Brigade St., Charleston SC		SITE PHOTOS Scale: nts	A-4 February 29, 2016

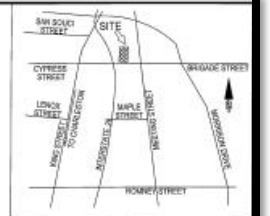
PLANNING AND RMC USE ONLY

APPROVED PLAT
DATE 1-22-15
ENGINEERING DIVISION
CITY OF CHARLESTON

RECORDED
DATE: 1/22/2015 TIME: 1:34:03 PM
Book-Page S15 0020 DocType Small Plat
Charlie Lybrand, Register, Charleston County, SC

Record Fee $10.00
Postage $3.00
TOTAL $18.00
Drawer
Clerk

Filed By:
CITY OF CHARLESTON
ATTENTION: MICHAEL DINUNZIO
Location: BRIGADE COURT



VICINITY MAP NTS

CURVE TABLE

Id	Delta	Radius	Arc Length	Chord	Ch Bear
C1	0027'09"	3833.47'	28.89'	28.89'	S 70°19'14" W

NOTES :

1. THE DESCRIBED PROPERTY ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY LIES WITHIN FLOOD ZONE "X" ON FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 45019C0512J.
MAP REVISED NOVEMBER 17, 2004.

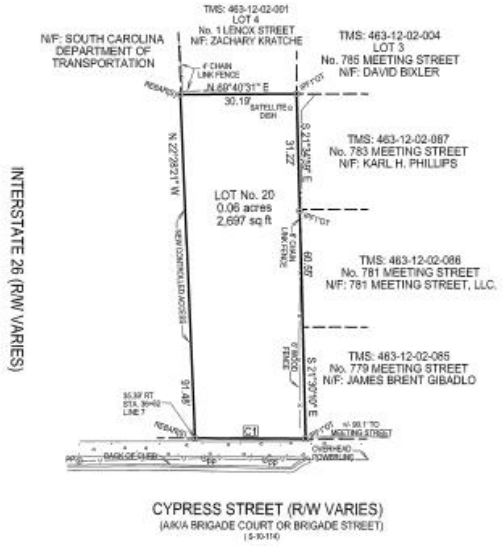
2. ANYTHING SHOWN OUTSIDE OF THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSES ONLY.

3. THE BEARINGS ARE MAGNETIC AND ARE SUBJECT TO LOCAL ATTRACTION.

LEGEND:

1. ● IPF1"OT - 1" OPEN TOP PIPE FOUND, OLD.
2. ● REBAR(S) - 5/8" REBAR SET, NEW.
3. ● PP - POWER POLE.
4. * EL:13.7' - SPOT ELEVATION 13.7' M.S.L., NGVD'29.
5. 26"ELM - 26" ELM DIAMETER AT BREAST HEIGHT.
6. 37"WOAK - 37" WATER OAK DIAMETER AT BREAST HEIGHT.
7. C/A - CONTROL ACCESS.
8. N/F: - NOW OR FORMERLY OWNED BY.

PROPERTY LINE
ADJACENT PROPERTY LINE
FENCE LINE
OVERHEAD POWER LINE



CYPRESS STREET (R/W VARIES)
(A/K/A BRIGADE COURT OR BRIGADE STREET)
(S-10-114)

PLAT

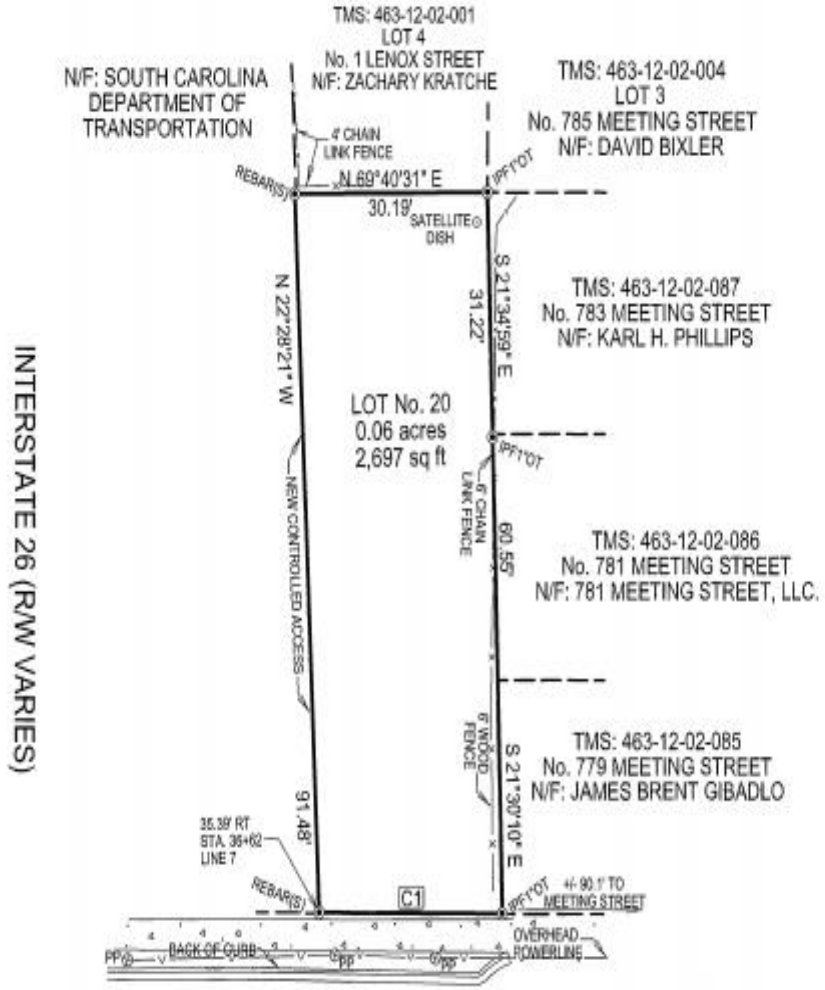
OF LOT No.20 (A/K/ANo. 20 BRIGADE COURT) (0.6 ACRES),
CITY OF CHARLESTON, CHARLESTON COUNTY.
PREPARED FOR PARALLEL CAPITAL, LLC.

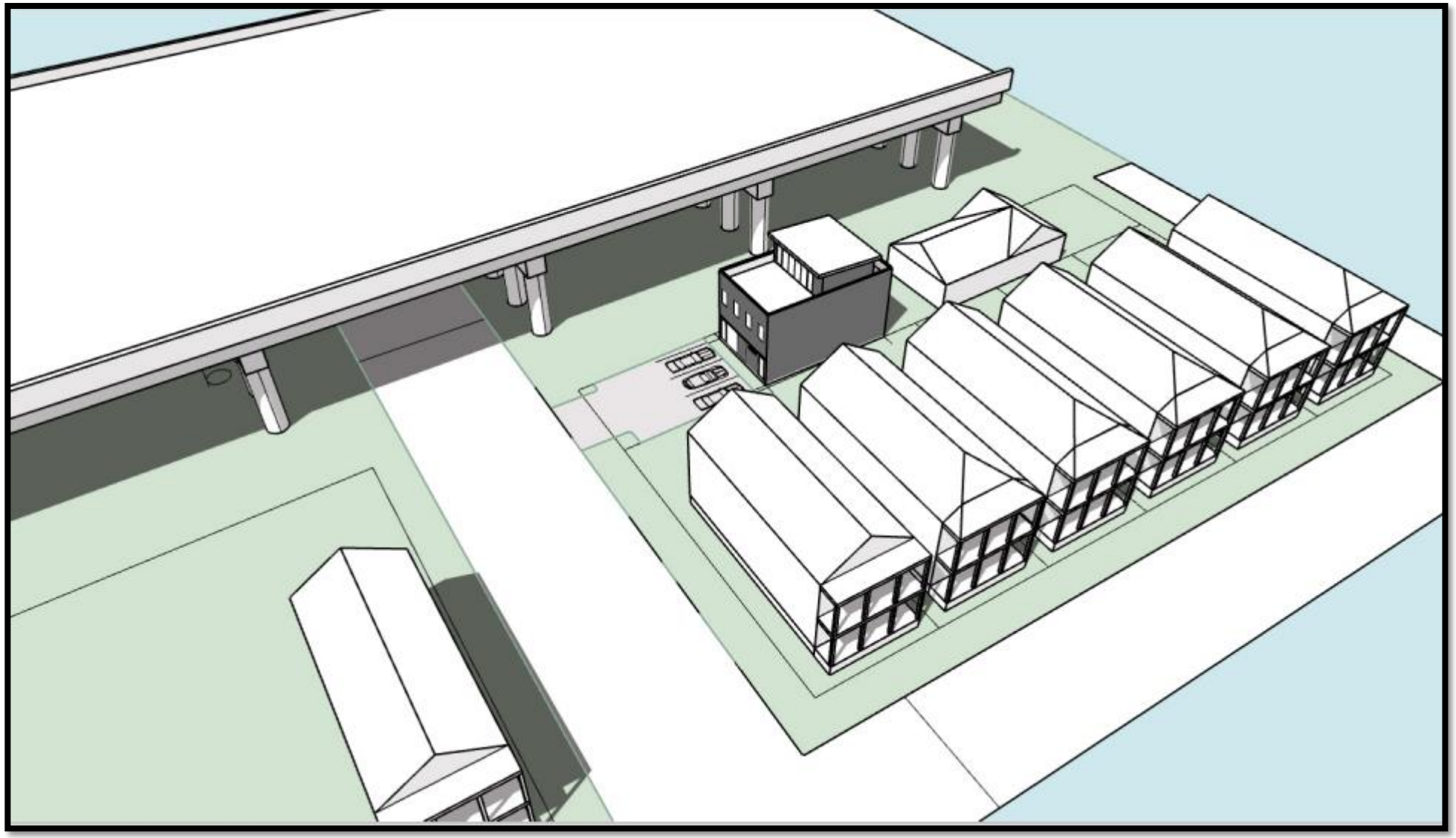
20 10 0 20
SCALE: 1" = 20'

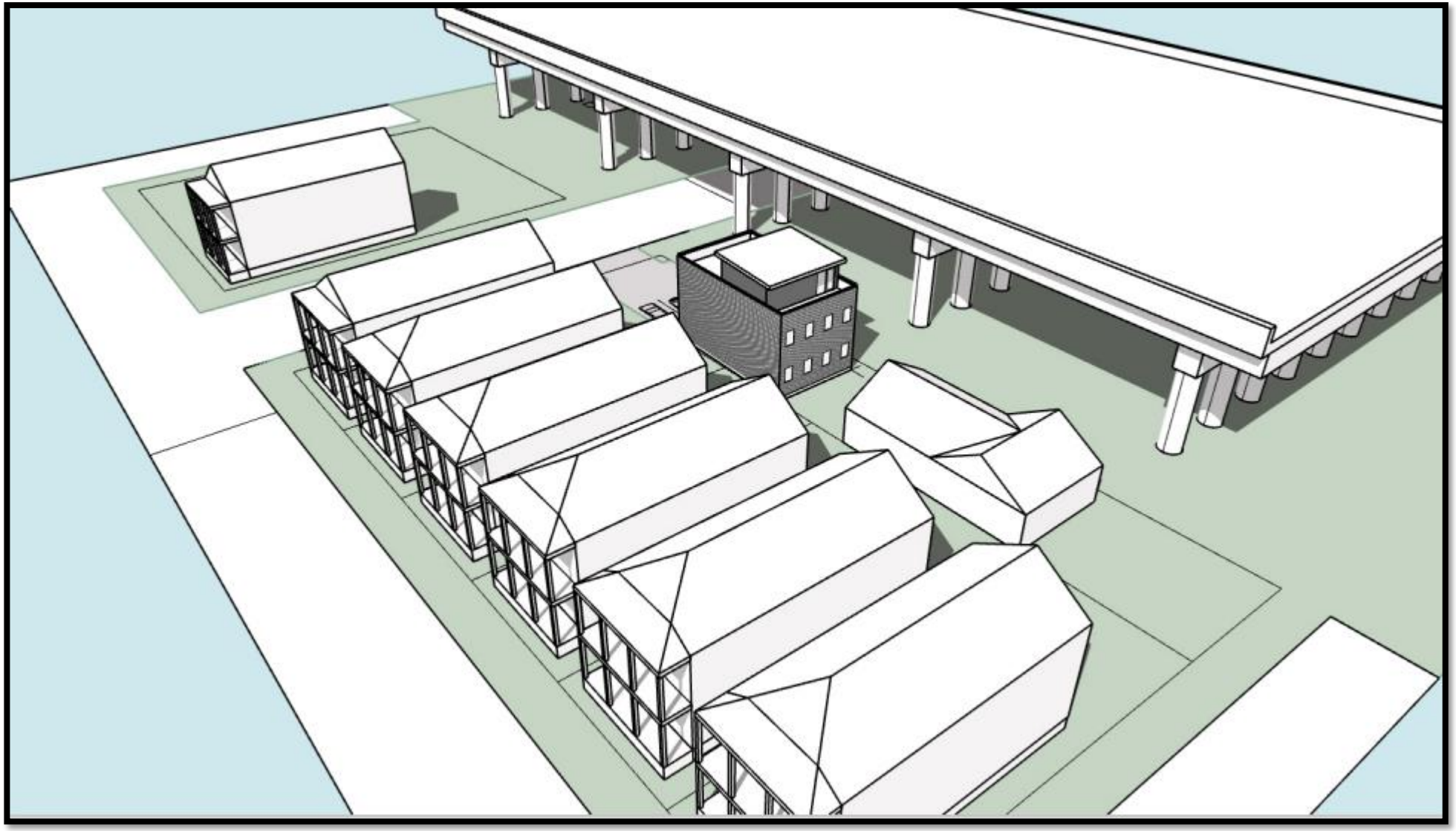
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED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

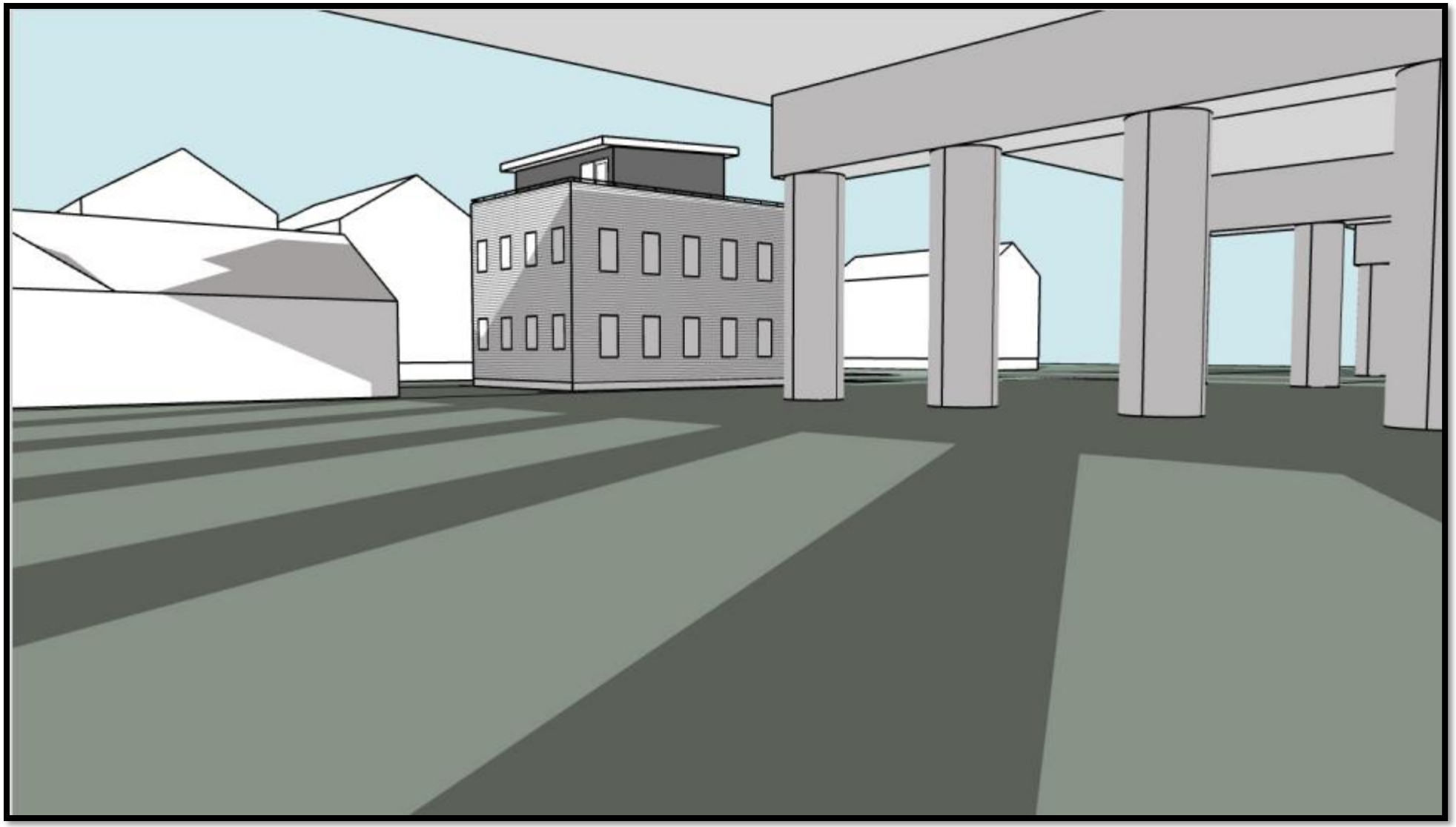
SOUTH CAROLINA PEABODY & ASSOCIATES, INC. No. C0104 CERTIFICATE OF AUTHORIZATION

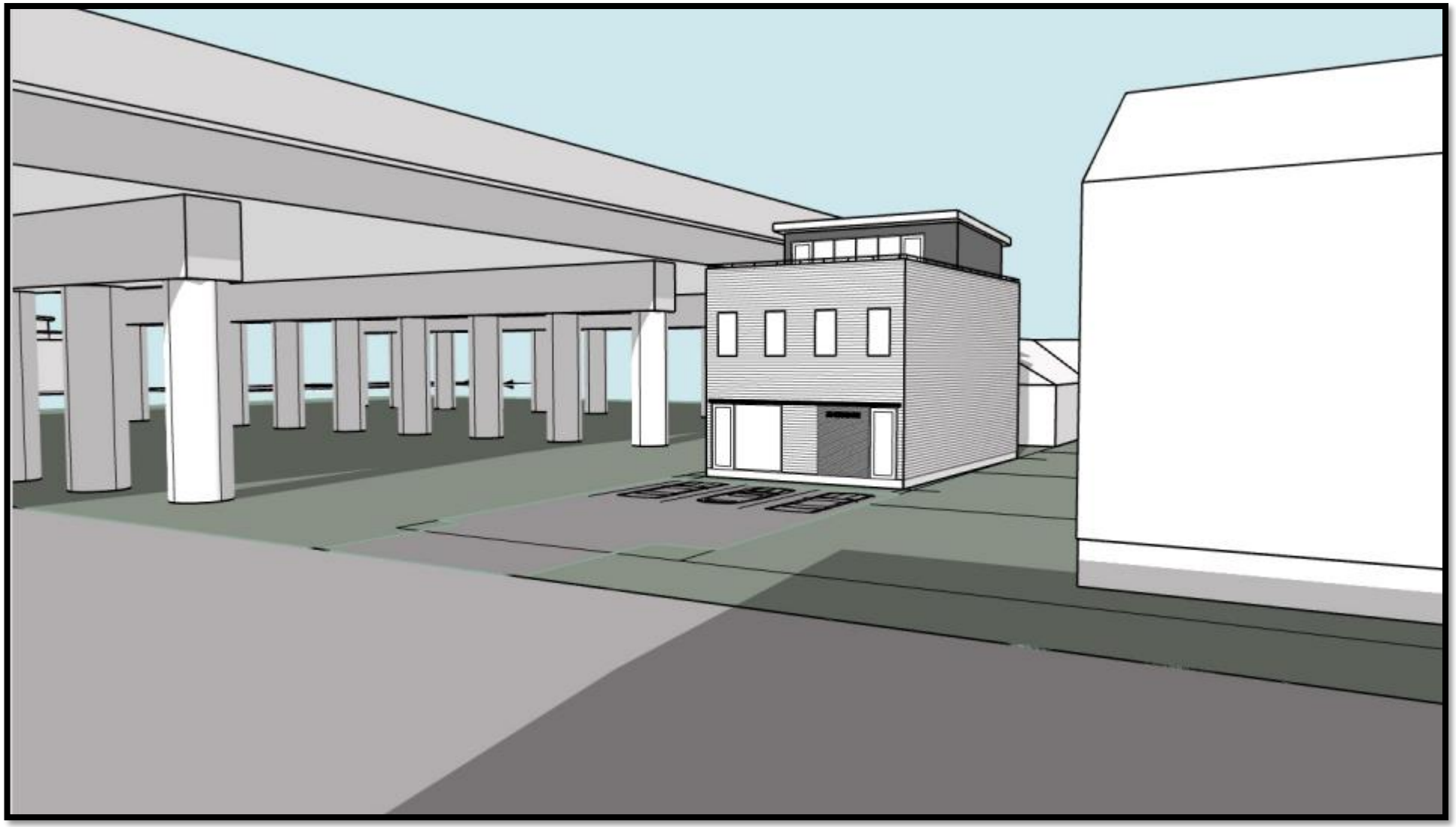
SOUTH CAROLINA PROFESSIONAL ENGINEER


INTERSTATE 26 (R/W VARIES)
N/F: SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
TMS: 463-12-02-001
LOT 4
No. 1 LENOX STREET
N/F: ZACHARY KRATCHE
TMS: 463-12-02-004
LOT 3
No. 785 MEETING STREET
N/F: DAVID BIXLER
TMS: 463-12-02-087
No. 783 MEETING STREET
N/F: KARL H. PHILLIPS
TMS: 463-12-02-086
No. 781 MEETING STREET
N/F: 781 MEETING STREET, LLC.
TMS: 463-12-02-085
No. 779 MEETING STREET
N/F: JAMES BRENT GIBADLO
4' CHAIN LINK FENCE
REBAR(S)
N 69°40'31" E
30.19'
SATELLITE DISH
IPF1"OT
N 22°28'21" W
91.48'
NEW CONTROLLED ACCESS
LOT No. 20
0.06 acres
2,697 sq ft
S 21°34'59" E
31.22'
6' CHAIN LINK FENCE
60.55'
6' WOOD FENCE
S 21°30'10" E
35.39' RT
STA. 36+62
LINE 7
C1
+/- 90.1' TO MEETING STREET
OVERHEAD POWERLINE
BACK OF CURB
CYPRESS STREET (R/W VARIES)
(A/K/A BRIGADE COURT OR BRIGADE STREET)
(S-10-114)









Agenda Item #B-4

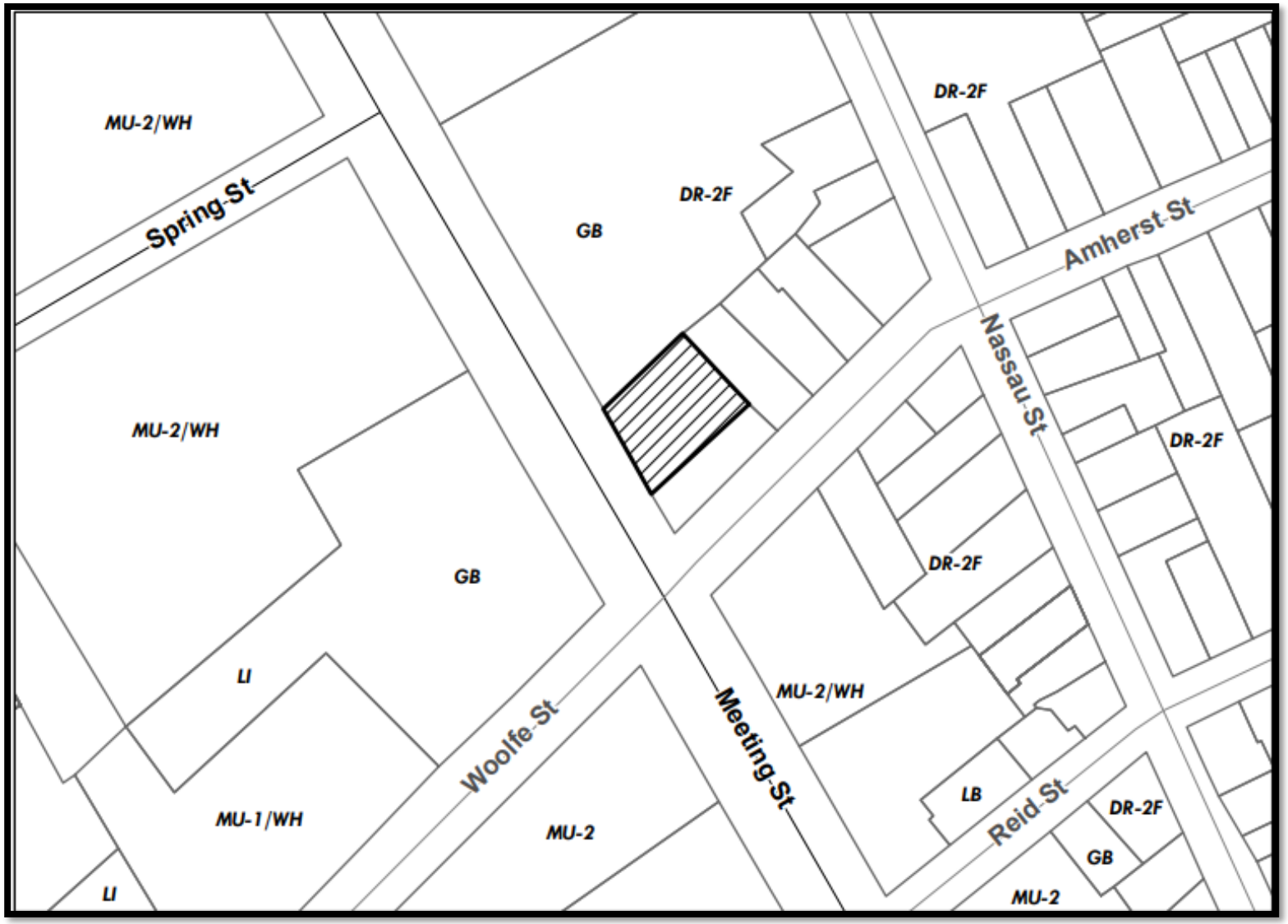
430 MEETING STREET

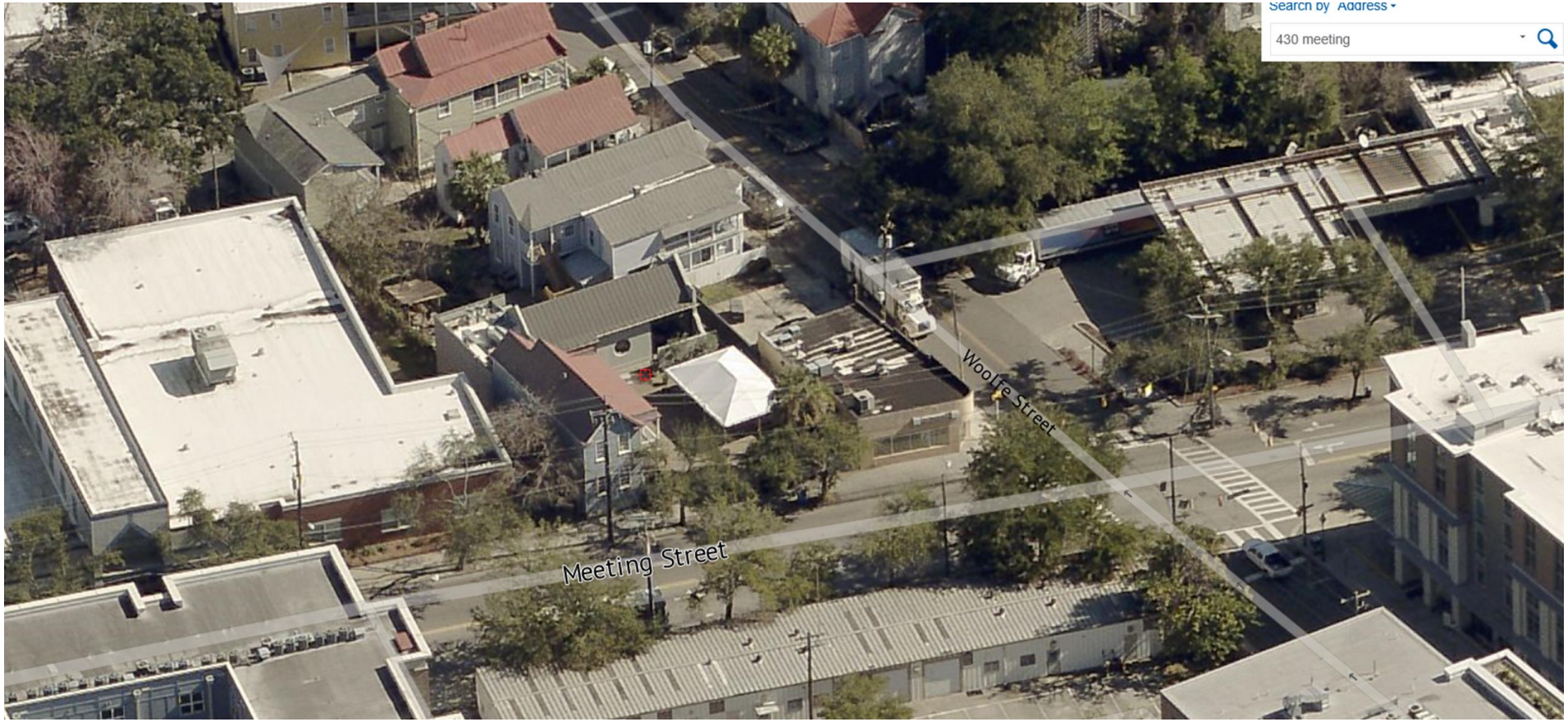
(EASTSIDE)

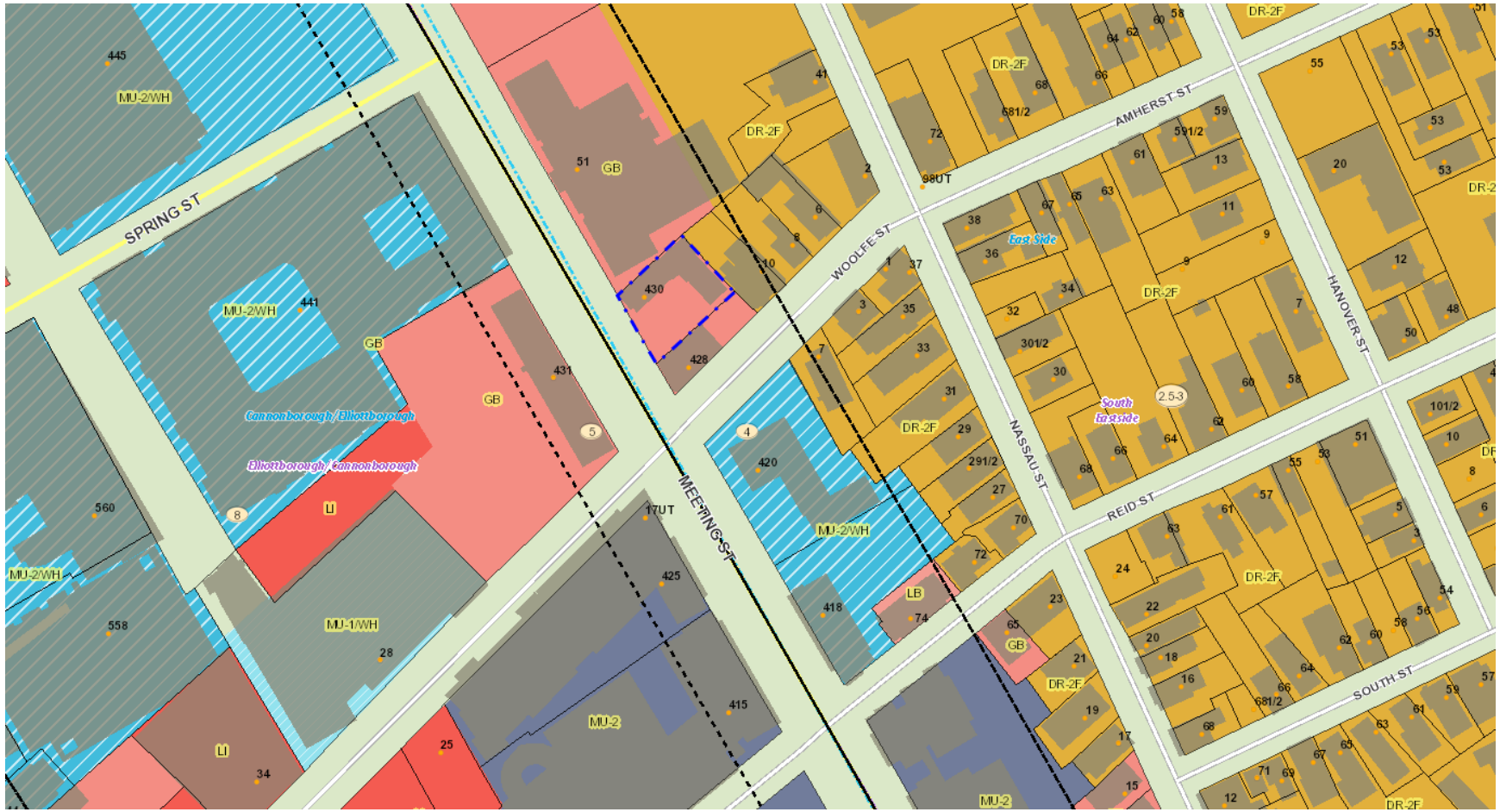
TMS # 459-09-01-034

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

Zoned GB


MU-2/WH
Spring St
MU-2/WH
GB
LI
MU-1/WH
LI
Woolfe St
MU-2
GB
DR-2F
Meeting St
DR-2F
Amherst St
Nassau St
DR-2F
DR-2F
MU-2/WH
LB
Reid St
DR-2F
GB
MU-2


Search by Address
430 meeting
Woolfe Street
Meeting Street


SPRING ST
MEETING ST
WOOLFE ST
AMHERST ST
NASSAU ST
REID ST
SOUTH ST
HANOVER ST
MU-2/WH
GB
LI
MU-1/WH
MU-2
LB
DR-2F
Cannonborough/Elliottborough
Elliottborough/Cannonborough
East Side
South Eastside
2.5-3

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: August 3, 2021

Property Address 430 Meeting Street TMS # 459-09-01-034

Property Owner Brendan Kirkpatrick Daytime Phone (201) 344-1175

Applicant Robbie Marty Daytime Phone (843) 906-4794

Applicant's Mailing Address 164 Market Street Suite 340 Charleston, SC 29401

E-mail Address robbie@rmachs.com

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

Zoning of property GB

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 RBBatts **Date** 7/2/2021

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):

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):

Seeking a ~~varie~~special exception from ordinance 54-206 (y) to allow on premise consumption of alcohol after midnight. Cover sheet of the attached application addresses the six points outlined in the 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.

430 MEETING STREET
CHARLESTON, SOUTH CAROLINA 29403

SCOPE OF WORK:

ON-PREMISE CONSUMPTION OF ALCOHOL

INTERIOR

EXISTING RESTAURANT IS SEEKING TO OBTAIN A LATE NIGHT SPECIAL EXCEPTION
- SECTION 54-206 (y) TO ALLOW ON-PREMISE CONSUMPTION OF ALCOHOL, BEER OR WINE AFTER MIDNIGHT.

RESTAURANT IS LOCATED ON THE GROUND FLOOR. THE ENTRANCE IS LOCATED ON THE MEETING STREET SIDE OF THE BUILDING. THERE IS NO OUTDOOR SEATING.

PROPOSED RESTAURANT:

TOTAL INDOOR AREA: 2,227 SQFT.

CODE / ZONING INFORMATION

ZONING JURISDICTION

CITY OF CHARLESTON

ZONING DISTRICT: GB

T.M.S. #: 459-09-01-034

PROPERTY AREA: 6,132 SF

APPLICABLE CODES

ALL WORK, MATERIALS, AND INSTALLATION SHALL BE IN STRICT ACCORDANCE WITH ALL ORDINANCES, AND THE LATEST ADOPTED ADDITION OF THE NATIONAL, STATE AND LOCAL BUILDING CODES, INCLUDING BUT NOT LIMITED TO THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE NEC, NFPA CODES, SAFETY AND HEALTH REQUIREMENTS AND ENERGY CODE.

CITY OF CHARLESTON ZONING CODE SECTION 54-206

y.1. Garbage, recycling, maintenance equipment and supplies are stored in a manner so as not to be visible from adjoining properties, public right-of-way or other public property; and

y.2. Storage areas for all garbage, recycling, maintenance equipment and supplies are designed to contain odors and prevent the wafting of odors onto adjoining properties, public rights-of-way and other public property; and

y.3. The location for garbage and recycling pick-up is safe; and

Garbage, recycling, maintenance & storage are all within fully enclosed spaces, reference sheet A2.1 for specific location. Storage is also located on the second floor with offices and back of house operations.

y.4. Measures have been incorporated into the structure to address adverse impacts of noise to properties in a residential zoning district; and

The restaurant is located on the ground floor of a stand alone building on Meeting Street. The patron area is fully enclosed and there is no outdoor dining. The picnic tables in the photographs are left over from Covid service and will be removed. The drive entrance, parking and patron entrance are all from Meeting Street. The North, East and South sides of the property are walled. It is not possible to exit the premesis into the residential district.
The building entrance and parking all face Meeting Street.
The property is surrounded on three sides by commercial properties. The portion of the property that backs up to the residential district is fully enclosed, directing any noise from the property towards the commercial corridor of Meeting Street.

y.5. The operation of the establishment will not be of substantial detriment to parking in adjoining residential zoning districts; and

All parking is provided on site. Reference site plan
Additionally, there is street parking on the West side of Woolfe Street toward the commercial corridor

y.6. The establishment will not result in a heavy concentration of establishments of the same kind within a block, or if so, the applicant demonstrates to the satisfaction of the Board that, due to factors such as the geographic or physical attributes of the block or to other measures incorporated into the structure, the addition of the establishment will not harm the character of the block, the intent of this provision being to encourage vibrant night time activity while maintaining an appropriate balance and mix of uses within the blocks of the districts. In its consideration of a special exception that involves a heavy concentration of establishments, the Board may impose conditions on its approval it deems appropriate and in furtherance of the intent of this Section.

Reference Concentration Map sheet A1.4

PROJECT CONTACT INFORMATION

PROJECT #: 20.114

PROJECT ADDRESS:
430 MEETING STREET
CHARLESTON, SC 29403

OWNER:
STB2015 LLC
CONTACT PERSON: BRENDAN KIRKPATRICK
430 MEETING STREET
CHARLESTON, SC 29403
PH. (201) 344-1175

ARCHITECT (THIS APPLICATION ONLY):
ROBBIE MARTY ARCHITECT, LLC
CONTACT PERSON: ROBBIE MARTY
164 MARKET STREET SUITE 346
CHARLESTON, SC 29401
PH. (843) 906-4794
E-MAIL: ROBBIE@RMACHS.COM

DRAWING INDEX

Sheet Number	Sheet Name	07/02/2021 Zoning Issue	8/24/2021 Zoning Revision
A0.0	COVER SHEET	○	○
A0.1	PHOTOS	○	
A0.2	PHOTOS	○	
A0.3	PHOTOS	○	
A0.4	PHOTOS	○	
A1.1	AREA MAP	○	
A1.2	SITE PLAN	○	
A1.3	AREA ZONING PLAN	○	
A1.4	CONCENTRATION MAP	○	
A2.1	GROUND FLOOR PLAN - PROPOSED	○	○
A2.2	SECOND FLOOR PLAN - EXISTING		○
A9.1	TU RESTAURANT (ORIGINAL LAYOUT)		○

CITY OF CHARLESTON ZONING CODE
SECTION 54-206

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Reference Concentration Map sheet A1.4

430 MEETING PRIMARY ENTRANCE

430 MEETING PARKING ENTRANCE FROM COURTYARD

430 MEETING ENTRANCE

PARKING AREA LOOKING SOUTHEAST

ROBBIE Lacy ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

PHOTOS

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A0.1

ADJACENT PROPERTY TO THE NORTH

ADJACENT PROPERTY TO THE SOUTH

PROPERTY DIRECTLY ACROSS MEETING STREET

ROBBIE Lady ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

PHOTOS

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A0.2

ADJACENT PROPERTY TO THE EAST - FRONTS WOOLFE STREET

SOUTH SIDE OF WOOLFE STREET

SOUTH SIDE OF WOOLFE STREET

ROBBIE ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

PHOTOS

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A0.3

SOUTHWEST CORNER OF MEETING AND WOOLFE

441 MEETING STREET

ROBBIE
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

PHOTOS

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A0.4

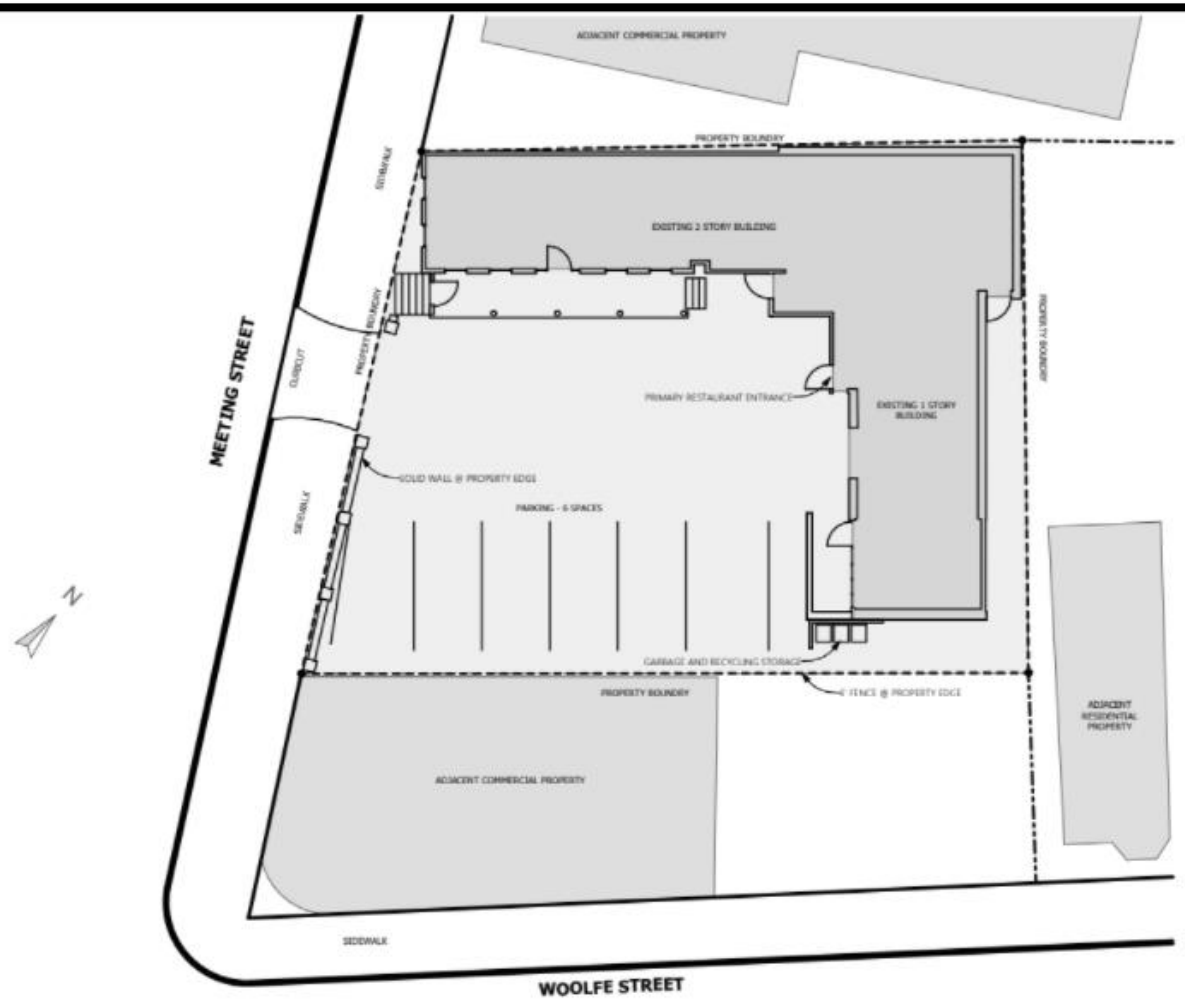
ROBBIE
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

AREA MAP

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A1.1



SITE PLAN

SCALE: 1/16" = 1'-0"

ROBBIE
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

SITE PLAN

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A1.2

ARROWS INDICATE DISTANCE FROM PROPERTY TO CLOSEST RESIDENTIALLY ZONED DISTRICT

The limit to requiring a Special Excption is 500 feet. The property abuts the DR-2F zoning district to the East.

LOCATION MAP

RED - GB GENERAL BUSINESS
YELLOW - SR-2 RESIDENTIAL DISTRICT
ORANGE - DR-2F RESIDENTIAL DISTRICT
DARK ORANGE - DR-2 DIVERSE RESIDENTIAL
BLUE - MU-Z/WH MIXED USE 2, WORKFORCE HOUSING
PURPLE - PUD PLANNED UNIT DEVELOPMENT

ROBBIE
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

AREA ZONING PLAN

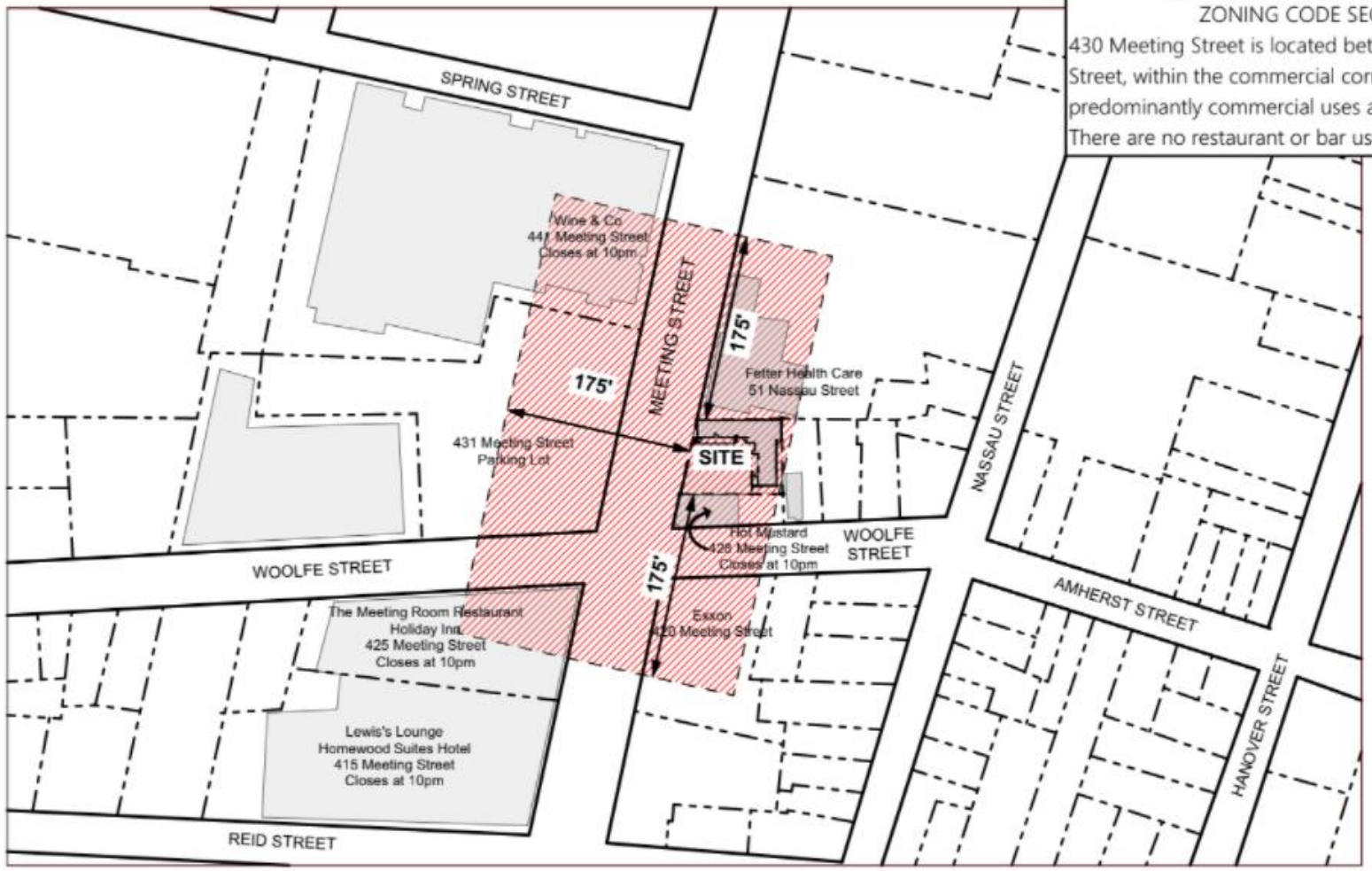
BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A1.3

SHADED AREA INDICATES 'A BLOCK' AS DEFINED BY ZONING CODE SECTION 54-206.

430 Meeting Street is located between Woolfe and Spring Street, within the commercial corridor. It is surrounded by predominantly commercial uses and multi-family buildings. There are no restaurant or bar uses within 175 feet.



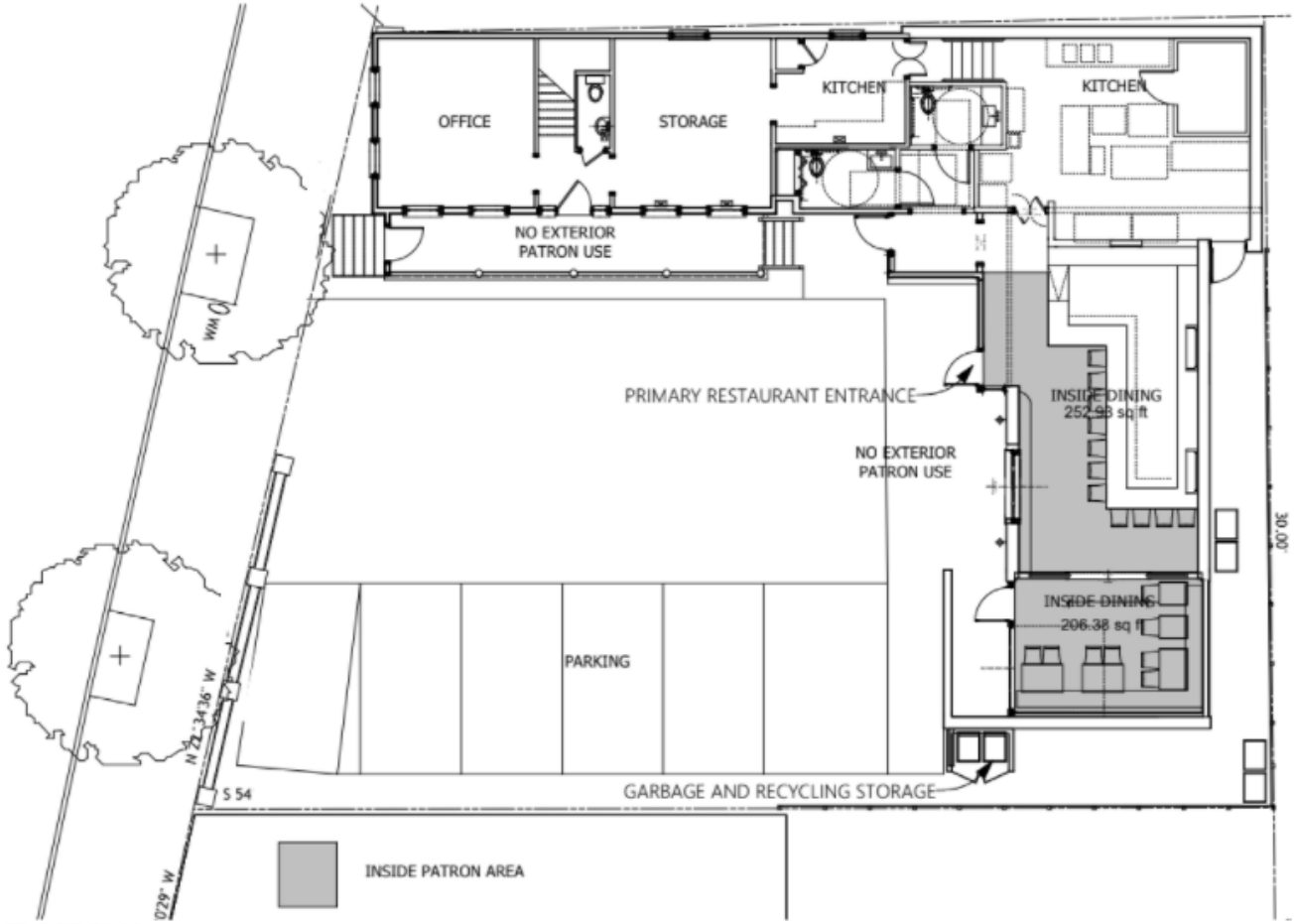
ROBBIE
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@mmachs.com

CONCENTRATION MAP

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021

A1.4



GROUND FLOOR PLAN

SCALE: 3/32" = 1'-0"

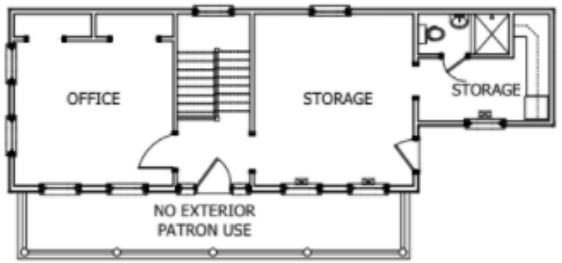
ROBBIE ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

GROUND PLAN - PROPOSED

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021
ZONING REVISION	08/25/2021

A2.1



SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

ROBBIE ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

SECOND FLOOR PLAN

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021
ZONING REVISION	08/25/2021

A2.2

PARKING

EATING AND DRINKING PLACES; SIT DOWN ESTABLISHMENTS SERVING FOOD AND BEVERAGE (on the peninsula) 1 PER 100 SQFT OF INSIDE PATRON USE AREA (EXCLUDING BATHROOMS) EXCEPT THAT FOR A LOT WITH THIS USE THAT IS MORE THAN 150 FEET AWAY FROM ANY LOT WITH A RESIDENTIAL ZONING DESIGNATION, MEASURED CLOSEST POINT OF THE LOT TO CLOSEST POINT OF THE LOT, THE NUMBER OF SPACES REQUIRED FOR INSIDE PATRON USE AREA SHALL BE 1 PER 150 SQFT (EXCLUDING BATHROOMS), AND 1 PER 130 SQFT OF OUTSIDE PATRON USE AREA.

EXISTING RESTAURANT (TU)

INTERIOR PATRON AREA: 585 SQFT/150 = 3.9 OR 4 SPACES

EXTERIOR PATRON AREA: 340 SQFT/200 = 1.7 OR 2 SPACES

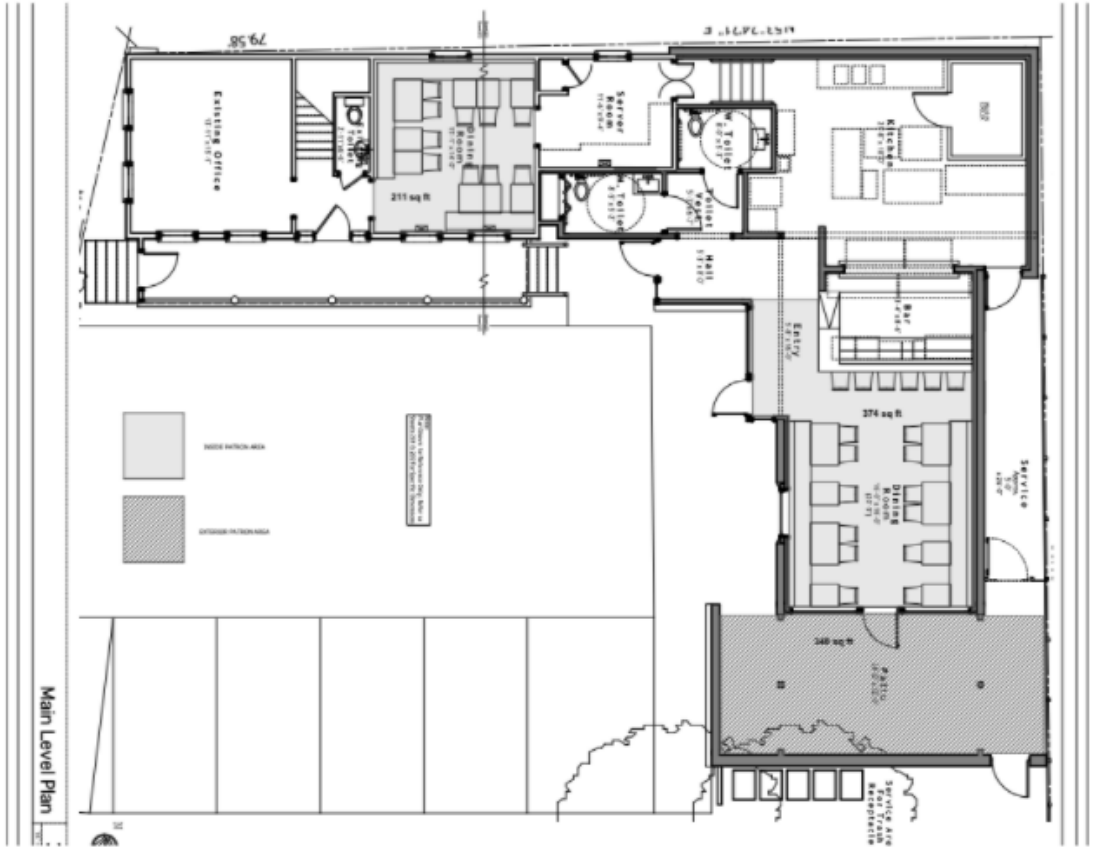
REQUIRED SPACES: 6 **PROVIDED: 6**

PROPOSED RESTAURANT (BEDFORD FALLS)

INTERIOR PATRON AREA: 459.31 SQFT/100 = 4.59 OR 5 SPACES

EXTERIOR PATRON AREA: NONE

REQUIRED SPACES: 5 **PROVIDED: 6**



ROBBIE Design ARCHITECT
CHARLESTON, SOUTH CAROLINA
843.906.4794 robbie@rmachs.com

TU RESTAURANT ORIGINAL LAYOUT

BEDFORD FALLS
430 MEETING STREET CHARLESTON
SOUTH CAROLINA 29403

ZONING	07/02/2021
ZONING REVISION	08/25/2021

A9.1

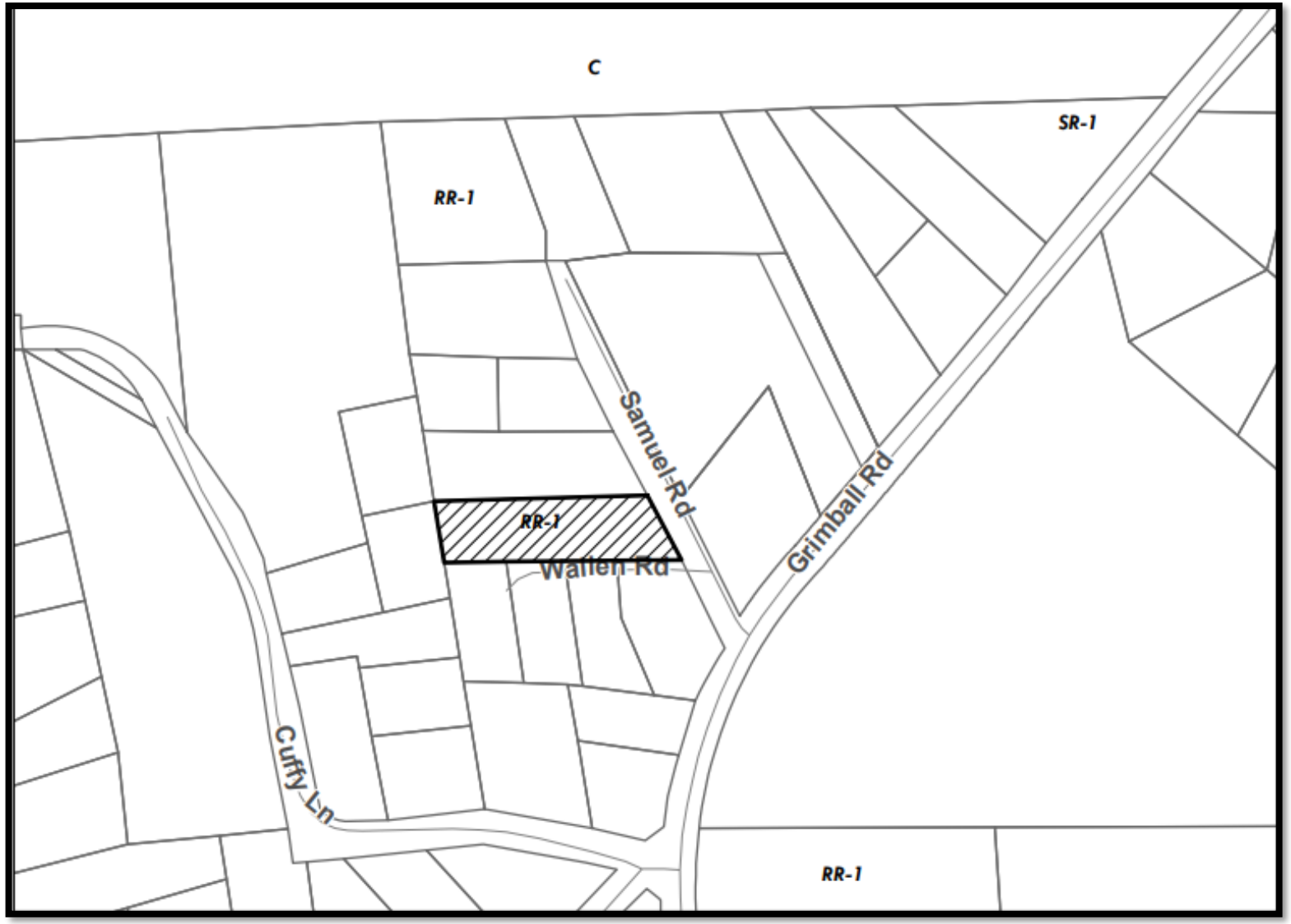
Agenda Item #B-5

1625 SAMUEL ROAD

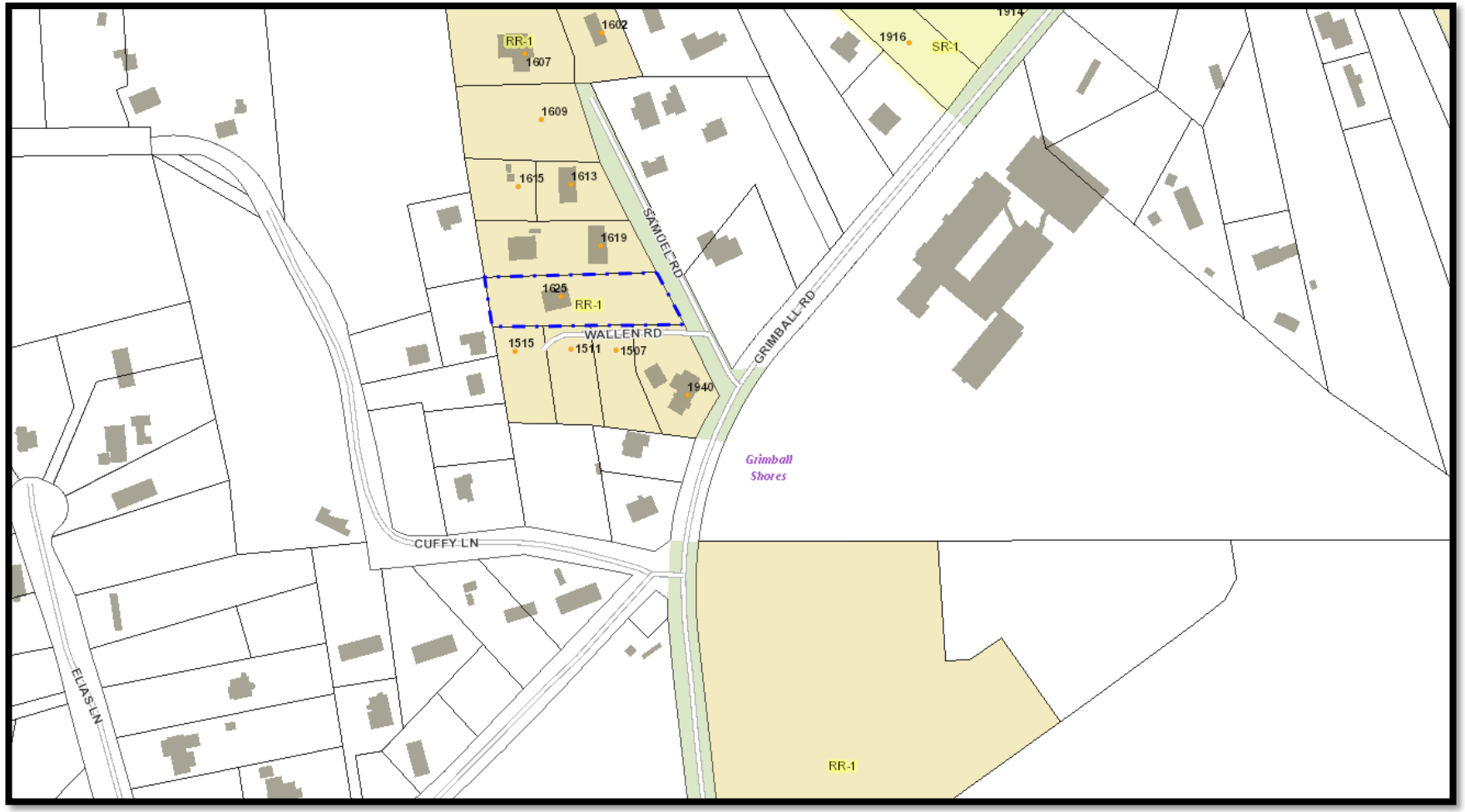
TMS # 334-04-00-040

Request variance from Sec. 54-824 to allow a subdivision to create two lots and to allow Lot A to not have frontage on a public right-of-way.

Zoned RR-1


C
SR-1
RR-1
RR-1
Samuel Rd
Grimball Rd
Wallen Rd
Cuffy Ln
RR-1

Sea Water Drive
Cuffy Lane
Samuel Road
Grimball Road


RR-1
1607
1602
1609
1615
1613
1619
1625
RR-1
WALLEN RD
1515
1511
1507
1940
SAMUEL RD
GRIMBALL RD
1916
SR-1
1914
Grimball
Shores
CUFFY LN
ELIAS LN
RR-1

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: 9/7/2021

Property Address 1625 Samuel Rd. Charleston SC 29412 TMS # 334-01-00-040

Property Owner James Tillman Daytime Phone 843-906-6130

Applicant Mary Austin, Richard Heatherly Daytime Phone 843-754-2338

Applicant's Mailing Address 1606 Teal Marsh Rd. Charleston SC 29412

E-mail Address katie.austin@carolinaom.com

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

Zoning of property Res - Sfr

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 Mary C Austin, Richard Heatherly Date 8/5/2021

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.

Variance Test Answers:

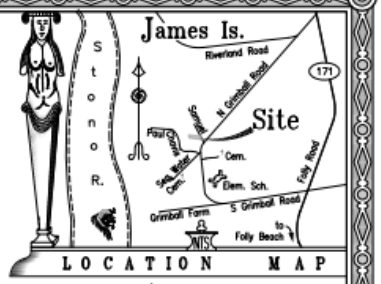
1) Yes, the extraordinary and exceptional condition of this property is that it is not currently being used in its highest and best form in the most reasonable capacity. The requested variance is to put the land to its most reasonable use by subdividing the lot into two parcels that both meet lot size requirements, and each can hold a single-family home that is in line with the other lots and single family homes in the surrounding environment. This variance request is only for the frontal road requirement which we will remedy with the access easement in our plans that will grant access to the back lot.
2) There are other lots in the vicinity that have been subdivided as such without public frontal road access before this rule was changed. There are several other parcels in the general vicinity that do not have public road access. parcel 334-04-00-038, directly next door to 1625 Samuel, was subdivided into 4 lots in 2014. That subdivision created the additional parcels of 334-04-00-039, 334-04-00-116 and 334-04-00-117 which do not have public frontage but have access to the public road via easement.
3) Because the most reasonable use of the home is to easily fit 2 lots on the parcel once subdivided that meet the land square footage requirements and because other properties have been granted this ability in the past, the current ordinance does restrict the most reasonable use of the property in its current condition.
4) The authorization of this variance will not be of substantial detriment to adjacent properties or the public good because the proposed subdivision will resemble many other properties and the character in the vicinity.

Subdivision PLAT

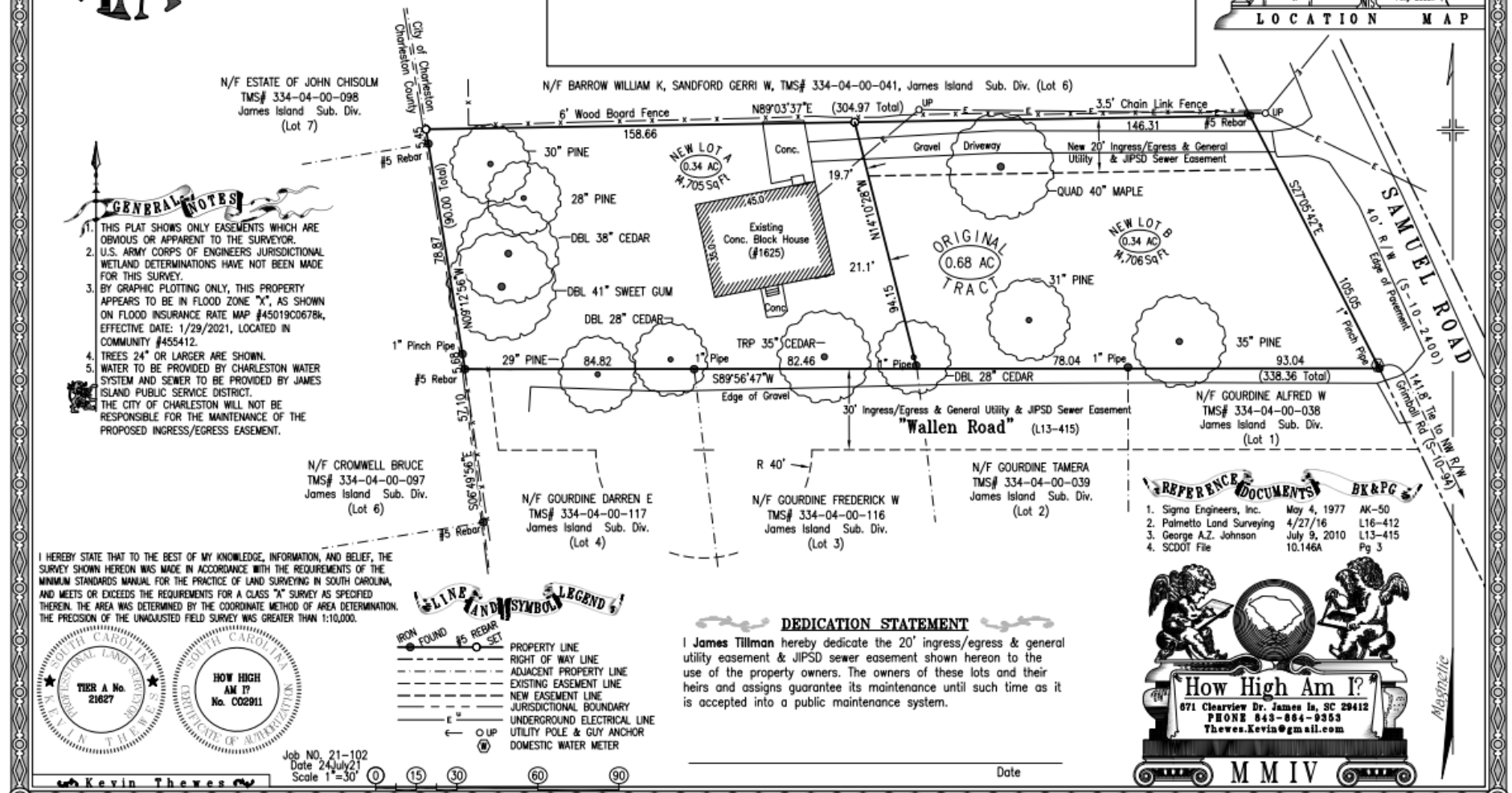
of a 0.68 Acre Tract of Land, TMS# 334-04-00-040, Property of James Tillman, located on James Island, in The City of Charleston, Charleston County, SC.

Surveyed at the Request of Bryan Heatherly
July 2021

PLANNING AND ROD USE ONLY



LOCATION MAP



GENERAL NOTES

1. THIS PLAT SHOWS ONLY EASEMENTS WHICH ARE OBVIOUS OR APPARENT TO THE SURVEYOR.
2. U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLAND DETERMINATIONS HAVE NOT BEEN MADE FOR THIS SURVEY.
3. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY APPEARS TO BE IN FLOOD ZONE "X", AS SHOWN ON FLOOD INSURANCE RATE MAP #45019C0678k, EFFECTIVE DATE: 1/29/2021, LOCATED IN COMMUNITY #455412.
4. TREES 24" OR LARGER ARE SHOWN.
5. WATER TO BE PROVIDED BY CHARLESTON WATER SYSTEM AND SEWER TO BE PROVIDED BY JAMES ISLAND PUBLIC SERVICE DISTRICT.

THE CITY OF CHARLESTON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE PROPOSED INGRESS/EGRESS EASEMENT.

REFERENCE DOCUMENTS

		BK&PG
1. Sigma Engineers, Inc.	May 4, 1977	AK-50
2. Palmetto Land Surveying	4/27/16	L16-412
3. George A.Z. Johnson	July 9, 2010	L13-415
4. SCDOT File	10.146A	Pg 3

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. THE AREA WAS DETERMINED BY THE COORDINATE METHOD OF AREA DETERMINATION. THE PRECISION OF THE UNADJUSTED FIELD SURVEY WAS GREATER THAN 1:10,000.

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR
KEVIN THEWES
TIER A No. 21627

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION
HOW HIGH AM I?
No. C02911

LINE AND SYMBOL LEGEND

IRON FOUND — #5 REBAR SET

- PROPERTY LINE
- RIGHT OF WAY LINE
- ADJACENT PROPERTY LINE
- EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- JURISDICTIONAL BOUNDARY
- E — UNDERGROUND ELECTRICAL LINE
- UP — UTILITY POLE & GUY ANCHOR
- DOMESTIC WATER METER

DEDICATION STATEMENT

I **James Tillman** hereby dedicate the 20' ingress/egress & general utility easement & JIPSD sewer easement shown hereon to the use of the property owners. The owners of these lots and their heirs and assigns guarantee its maintenance until such time as it is accepted into a public maintenance system.

Date

Job NO. 21-102
Date 24July21
Scale 1"=30'

0 15 30 60 90

Kevin Thewes

How High Am I?
671 Clearview Dr. James Is, SC 29412
PHONE 843-864-9353
Thewes.Kevin@gmail.com

MMIV

Agenda Item #B-6

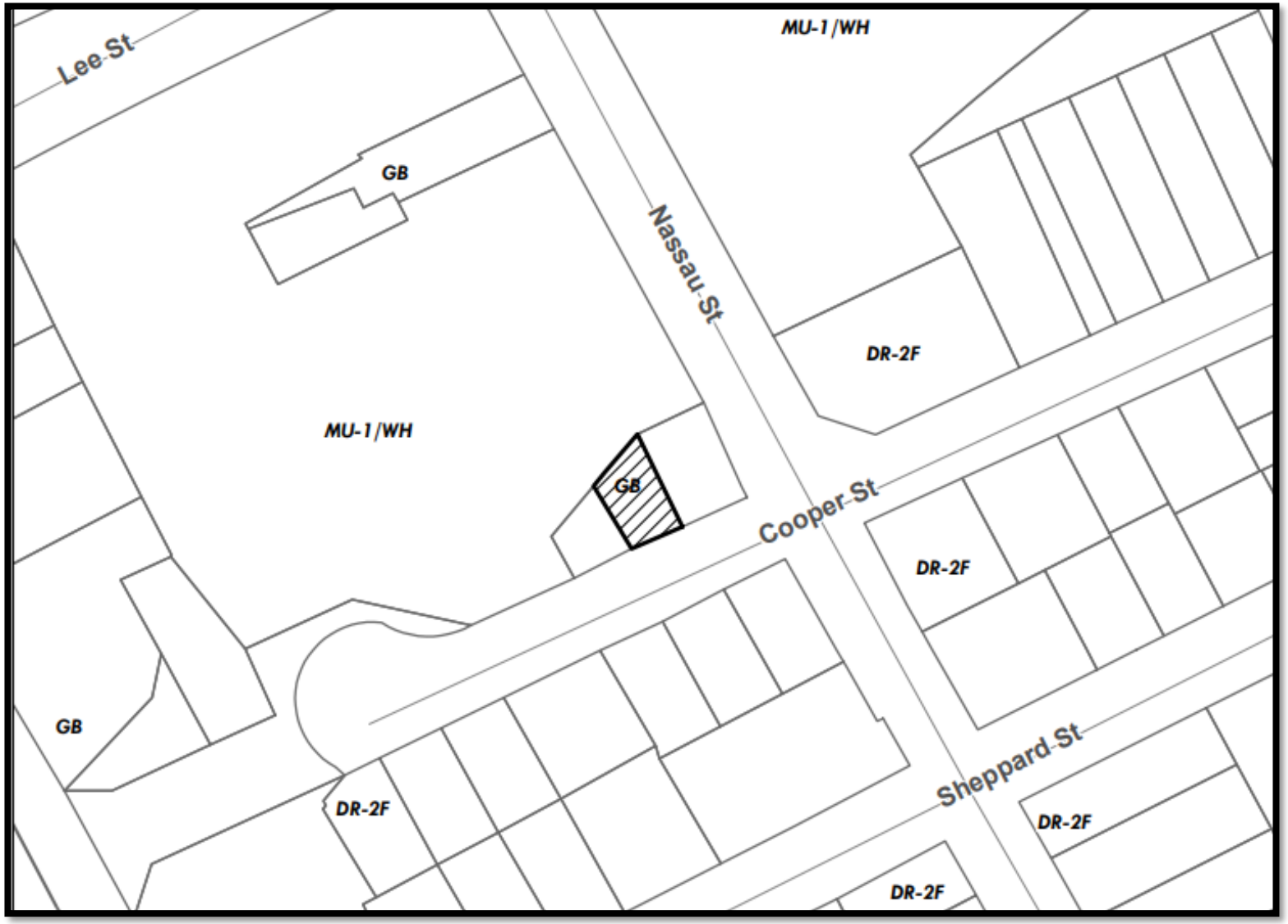
106 COOPER STREET

TMS # 459-05-03-007

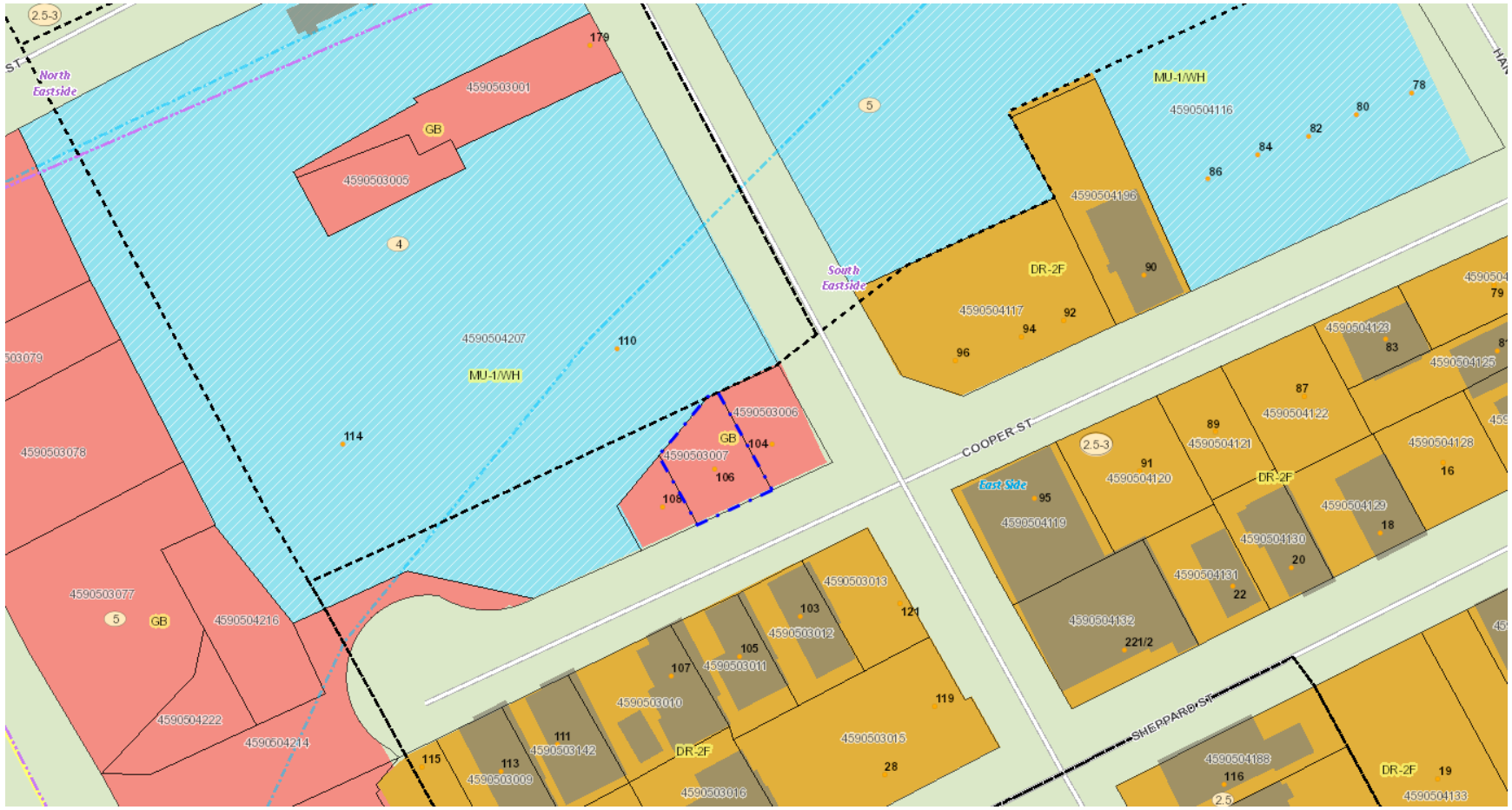
Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 1,637sf; 2,500sf required).

Request variance from Sec. 54-301 to allow construction of a single-family residence with a 3.5-ft. west side setback, a 13-ft. total side setback having a 50.5% lot occupancy (9-ft., 15-ft. required, 50% limitation).

Zoned GB


Lee St
MU-1/WH
GB
Nassau St
DR-2F
MU-1/WH
GB
Cooper St
DR-2F
GB
Sheppard St
DR-2F
DR-2F
DR-2F

Meeting Street (US 52)
Cooper Street
Nassau Street
Sheppard Street
ard Street


2.5-3
North Eastside
179
4590503001
GB
4590503005
4
4590504207
MU-1/WH
110
114
4590503006
GB
104
4590503007
106
108
4590503078
4590503077
5
GB
4590504216
4590504222
4590504214
5
South Eastside
MU-1/WH
4590504116
78
80
82
84
86
4590504196
DR-2F
90
4590504117
92
94
96
COOPER ST
2.5-3
91
4590504120
89
4590504121
87
4590504122
4590504123
83
4590504125
79
4590504128
16
East Side
95
4590504119
DR-2F
4590504129
18
4590504130
20
4590504131
22
4590504132
221/2
4590503013
121
103
4590503012
105
4590503011
107
4590503010
119
4590503015
28
111
4590503142
115
113
4590503009
DR-2F
4590503016
SHEPPARD ST
4590504188
116
2.5
DR-2F
19
4590504133

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: Soon as possible

Property Address 106 Cooper Street, Charleston SC 29403 TMS # 4590503007

Property Owner Mulberry Street Development Daytime Phone 843 518 2027

Applicant Chamberlain Chesnut Daytime Phone 843 518 2027

Applicant's Mailing Address 134 A Congress Street, Charleston SC 29403

E-mail Address chesnutr@gmail.com

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

Zoning of property GB

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 *R. Chamberlain Chesnut II* Date *July 14, 2021*

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):

Requesting a 9" 6 1/2" North/ East side yard setback due to existing location of curb cut, required 3', but 15' total

Requesting a 3' 5" South/West side yard setback due to location of driveway/ curb cut, required 9'

The existing curb cut for the lot is on the opposite side of the lot than what GB zoning setbacks would require, meaning we have to position the house

house closer to the west setback than the codes require because thats where the driveway has to go. We could have moved the curb cut, but there is a large storm drain on the other side

We are stuck with the setback as we have shown them

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 build on a lot of insufficent size, 2500 required, this lot is 1637 sf

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.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	23.77'	1383.97'	0°59'03"	23.77'	S48°07'35"W

NOTES & REFERENCES:

1. REFERENCE DEED RECORDED IN THE CHARLESTON CO. R.O.D. OFFICE IN DEED BOOK 0638 AT PAGE 119.
2. REFERENCE PLATS RECORDED IN THE CHARLESOTN CO. R.O.D. OFFICE.
   BOOK L12-0029 BY LEWIS SMITH MOORE
   BOOK S16-0248 BY JAMES G. PENINGTON
   BOOK L17-01212 BY LEWIS SMITH MOORE
3. THIS SURVEY DOES NOT REFLECT A TITLE SEARCH AND IS BASED ENTIRELY ON THE ABOVE REFERENCED DOCUMENT(S). ANY EASEMENTS OR ENCUMBRANCES OF RECORD NOT SHOWN ON THE REFERENCE PLAT MAY NOT BE SHOWN ON THIS SURVEY.
4. FLOOD ZONES ARE SUBJECT TO ONGOING FLOOD STUDIES AND MUST BE VERIFIED BY THE CITY OF CHARLESTON FLOOD PLAIN MANAGER.
6. CERTIFICATION IS TO THE PARTY/PARTIES FOR WHOM THIS SURVEY WAS PREPARED AND IS NOT TRANSFERABLE TO ANY OTHER INSTITUTIONS OR INDIVIDUALS.

FLOOD ZONE: AE (EL 13')
F.I.R.M.: 45019C 0512 J
EFFECTIVE: NOV. 17, 2004
COMMUNITY NO: 455412
COMMUNITY NAME: CITY OF CHARLESTON

LEGEND:
- ABANDONED BOUNDARY
- ADJACENT PROPERTY LINE
- PROPERTY LINE
- PROPERTY CORNER FOUND

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

PLANNING AND ROD USE ONLY

PLANNING USE ONLY
ENGINEERING DIVISION
CITY OF CHARLESTON
DATE PLAT APPROVED
APPROVED BY CITY ENGINEER
APPROVED BY: FOR CITY ENGINEER

RECEIVED 2/25/2021
PER CLERK SLW
ROD OFFICE
CHARLESTON COUNTY, SC
521-0043

SOUTH CAROLINA REGISTERED LAND SURVEYOR 9758 JAMES KELLY DAVIS

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.

JAMES KELLY DAVIS, P.L.S. No. 9758

SOUTH CAROLINA ATLANTIC SURVEYING, INC. COA No. 3421 CERTIFICATE OF AUTHORIZATION

THE DRAWING HEREON IS THE PROPERTY OF ATLANTIC SURVEYING AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT WILL BE SUBJECT T

BOUNDARY SURVEY SHOWING AN EXISTING LOT (0.038 AC) 106 COOPER STREET, TMS 459-05-03-007, ONCE PART OF LOT 24 LOCATED ON THE NORTH SIDE OF COOPER STREET AND THE WEST SIDE OF NASSAU STREE IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLIN

PROPERTY OF CLEMENT B. WILLIAMS, ETAL

DRAWING TITLE

REVISED	CHKD	DATE
ADDRESSED CITY OF CHARLESTON COMMENTS	SD/AB	02/26/21

PROJ.	CHECKED	JOB NO.	SCALE
SD/CBN	SD/AB	19-21282	1"=10'
DR.	APPROVED	DATE	
JED	CBN	AUG. 12, 2020	

AREA OF SITE: 1637 SF
COVERAGE AREA: 827.5 SF
COVERAGE CALC: 50.5 %

VARIANCE REQUESTED FOR LOT OCCUPANY BASED ON LOT SIZE HARDSHIP AND INCORRECT INFORMATION/CALCULATION BASED ON CITY RECORD OF LOT SF SIZE

.038 AC = 1655 SF

NO REAR SET BACK VARIANCE NEEDED

VARIANCE REQUESTED FOR NORTH/EAST SIDE YARD SET BACK DUE TO EXISTING LOCATION OF DRIVEWAY/CURB CUT

GB ZONING FOR THIS EXACT LOCATION IS ANOMALY. VARIANCE REQUESTS FOR THIS PROPERTY ADHERE TO ADJACENT DR-2RF.

COMBINATION OF GB ZONING, CURB CUT, ELEVATED BUILDING/REQUIRED STAIRS AND LOT SHAPE GREAT CONSTRAIN VIABLE SFD.

VARIANCE REQUESTED FOR SOUTH/WEST SIDE YARD SET BACK DUE TO EXISTING LOCATION OF DRIVEWAY/CURB CUT

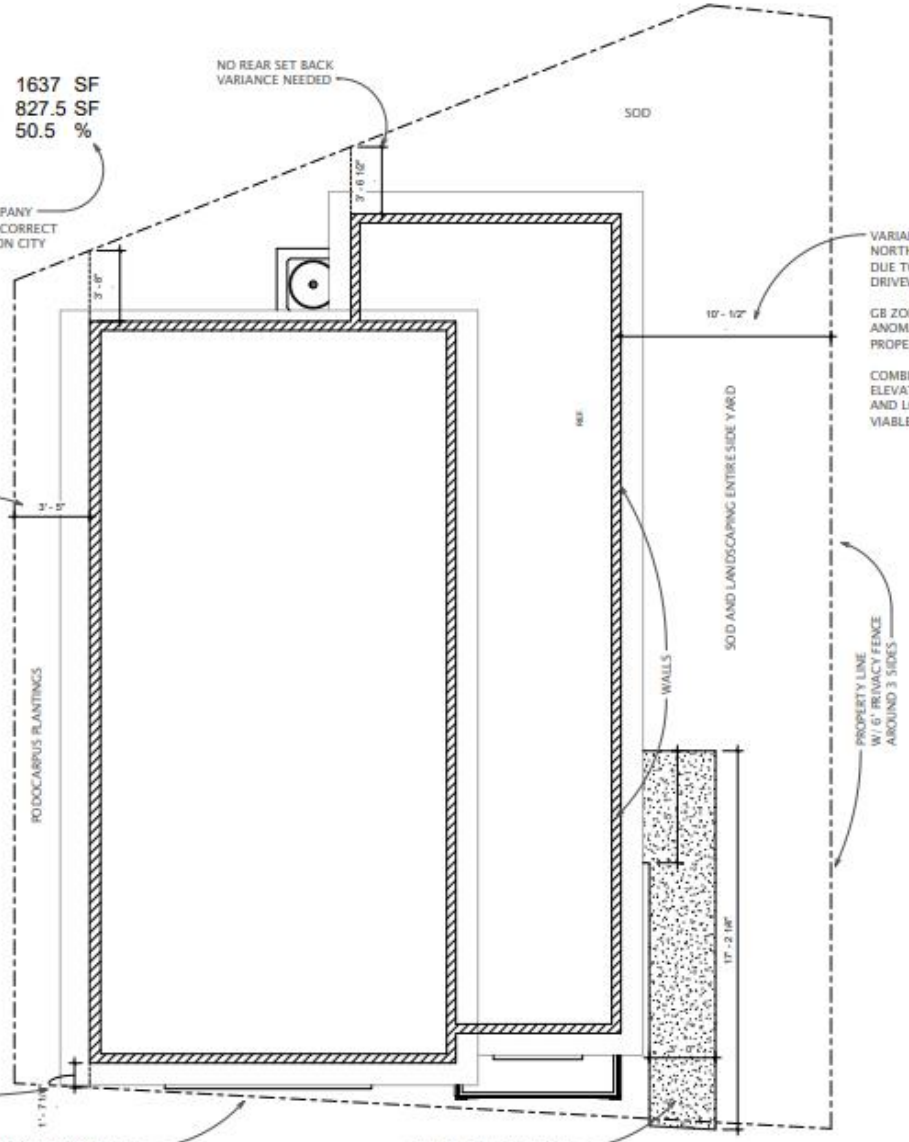
REQUEST TO "SWAP" WITH NORTH/EAST SETBACK

NO FRONT SET BACK VARIANCE NEEDED

CONNECT NEW DRIVEWAY TO EXISTING CURB CUT ANY LENGTH OF DRIVEWAY FROM SIDEWALK TO GARAGE SLAB SHALL BE OYSTER SHELL FINISH

OYSTER SHELL SIDEWALK TO GARAGE ACCESS & BASE OF FRONT STAIRS

AREA OF CONC. APPROX. 50SF



1 Site 3/8" = 1'-0"

TAX MAP: TMS 459-05-03-007

EXISTING CONDITIONS: SOUTH STREET ELEVATION

SURVEY SNIP SHOWING PROPERTY LINE DIMENSIONS

APPROXIMATE NORTH

MULBERRY STREET DEVELOPMENT

SINGLE FAMILY DWELLING
106 COOPER STREET

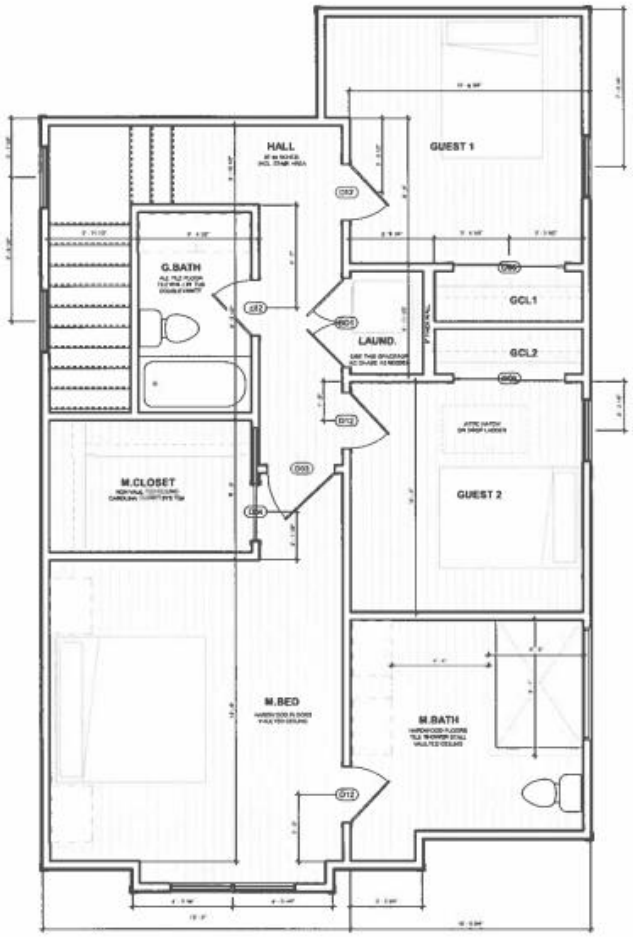
No.	Description	Date

SITE PLAN

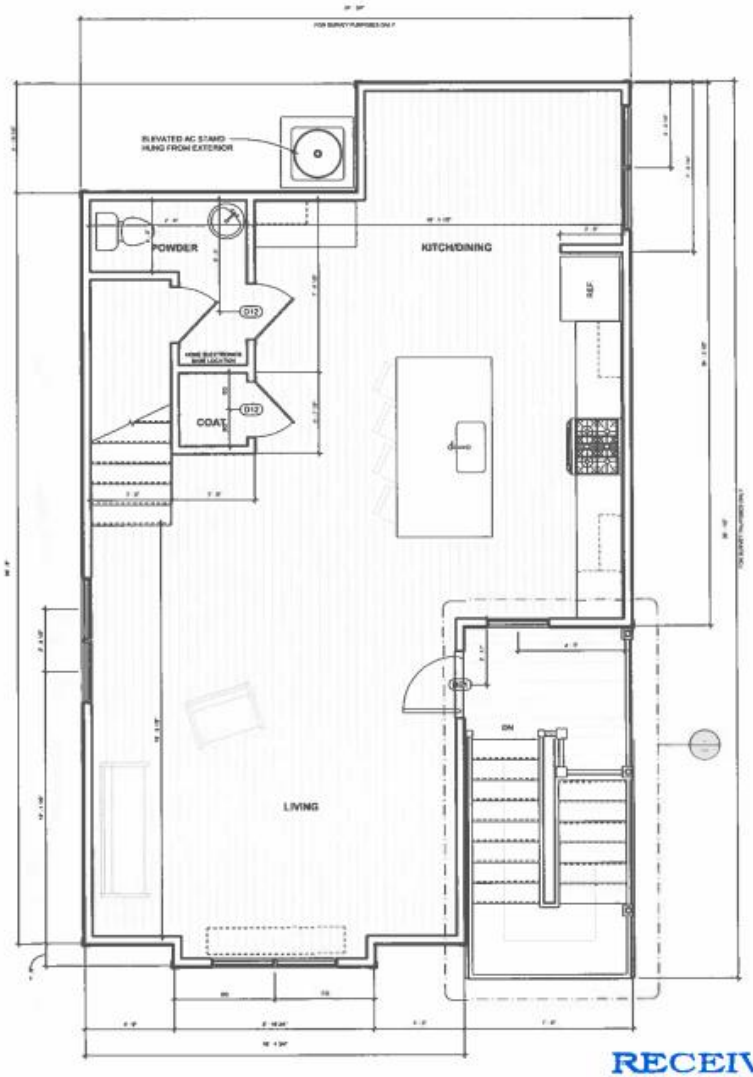
Project number	CHS-106-21
Date	Issue Date
Drawn by	WWE
Checked by	WWE

C1

Scale 3/8" = 1'-0"



② Proposed - Second Level
3/8" = 1'-0"



① Proposed - First Level
3/8" = 1'-0"

RECEIVED
AUG 16 2021

MULBERRY STREET DEVELOPMENT

SINGLE FAMILY DWELLING
106 COOPER STREET

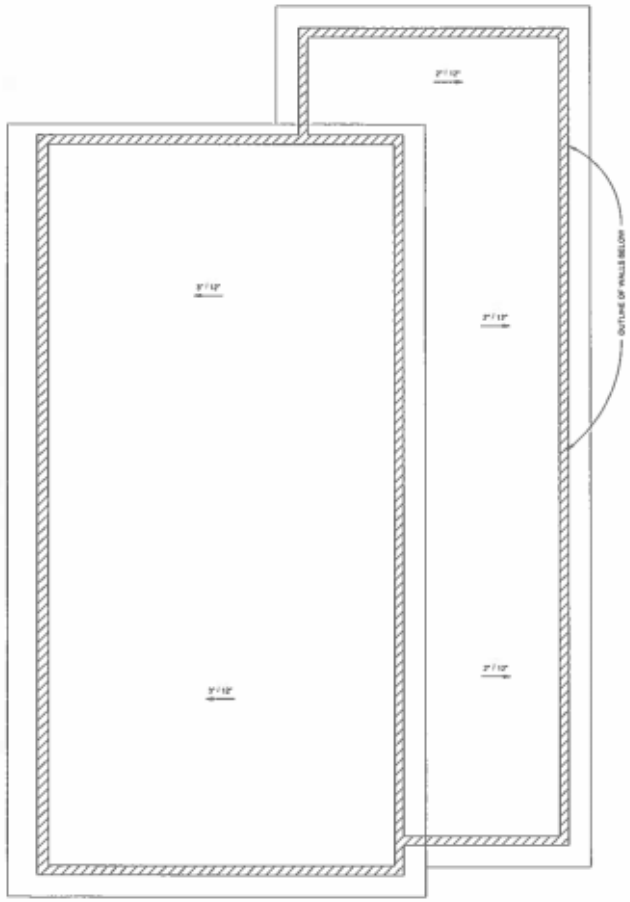
No.	Description	Date

Floor Plans

Project number	CHS-106-21
Date	Issue Date
Drawn by	Author
Checked by	Checker

A1

Scale	3/8" = 1'-0"



1 Proposed - Roof Level
3/8" = 1'-0"

MULBERRY STREET DEVELOPMENT

SINGLE FAMILY DWELLING
106 COOPER STREET

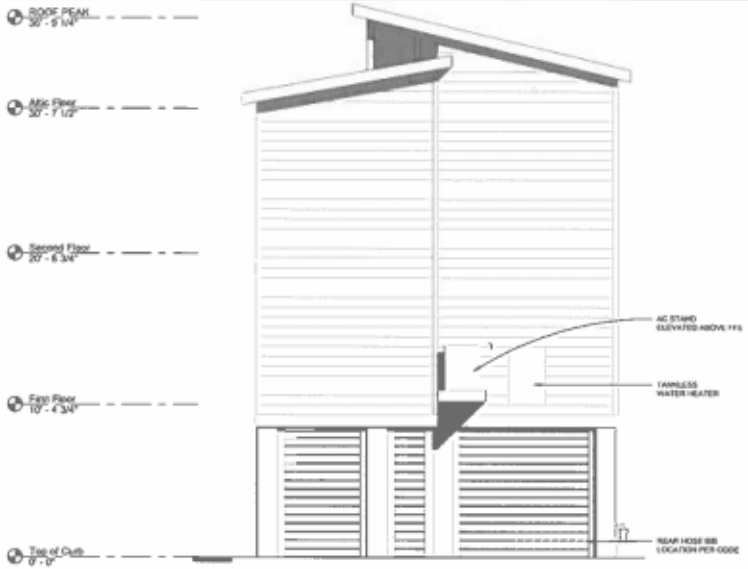
No.	Description	Date

Roof Plan

Project number	CHS-106-21
Date	Issue Date
Drawn by	Author
Checked by	Checker

A2

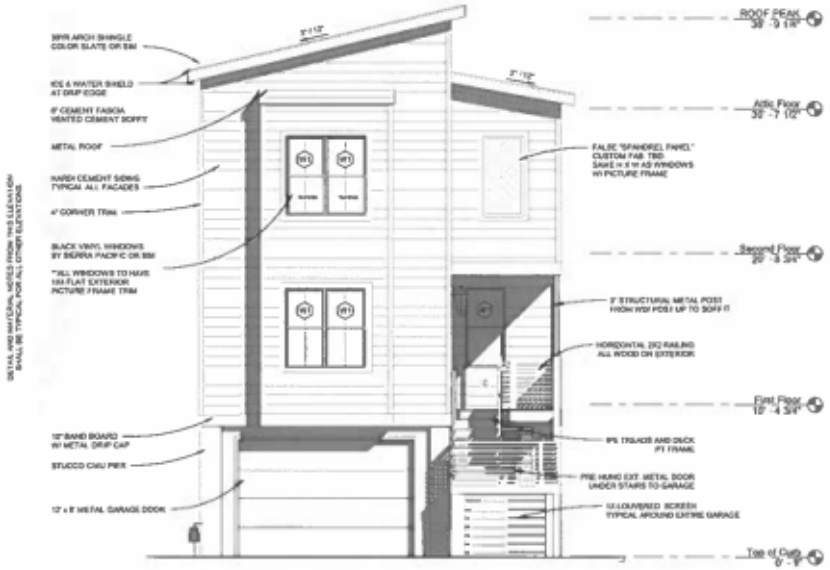
Scale 3/8" = 1'-0"



2 Elevation - North
1/4" = 1'-0"

3 Elevation - East
1/4" = 1'-0"

4 Elevation - West
1/4" = 1'-0"



1 Elevation - Front
1/4" = 1'-0"

MULBERRY STREET
DEVELOPMENT

SINGLE FAMILY DWELLING
106 COOPER STREET

No.	Description	Date

Elevations

Project number	CHS-106-21
Date	Issue Date
Drawn by	Author
Checked by	Checker

A3

Scale 1/4" = 1'-0"

Agenda Item #B-7

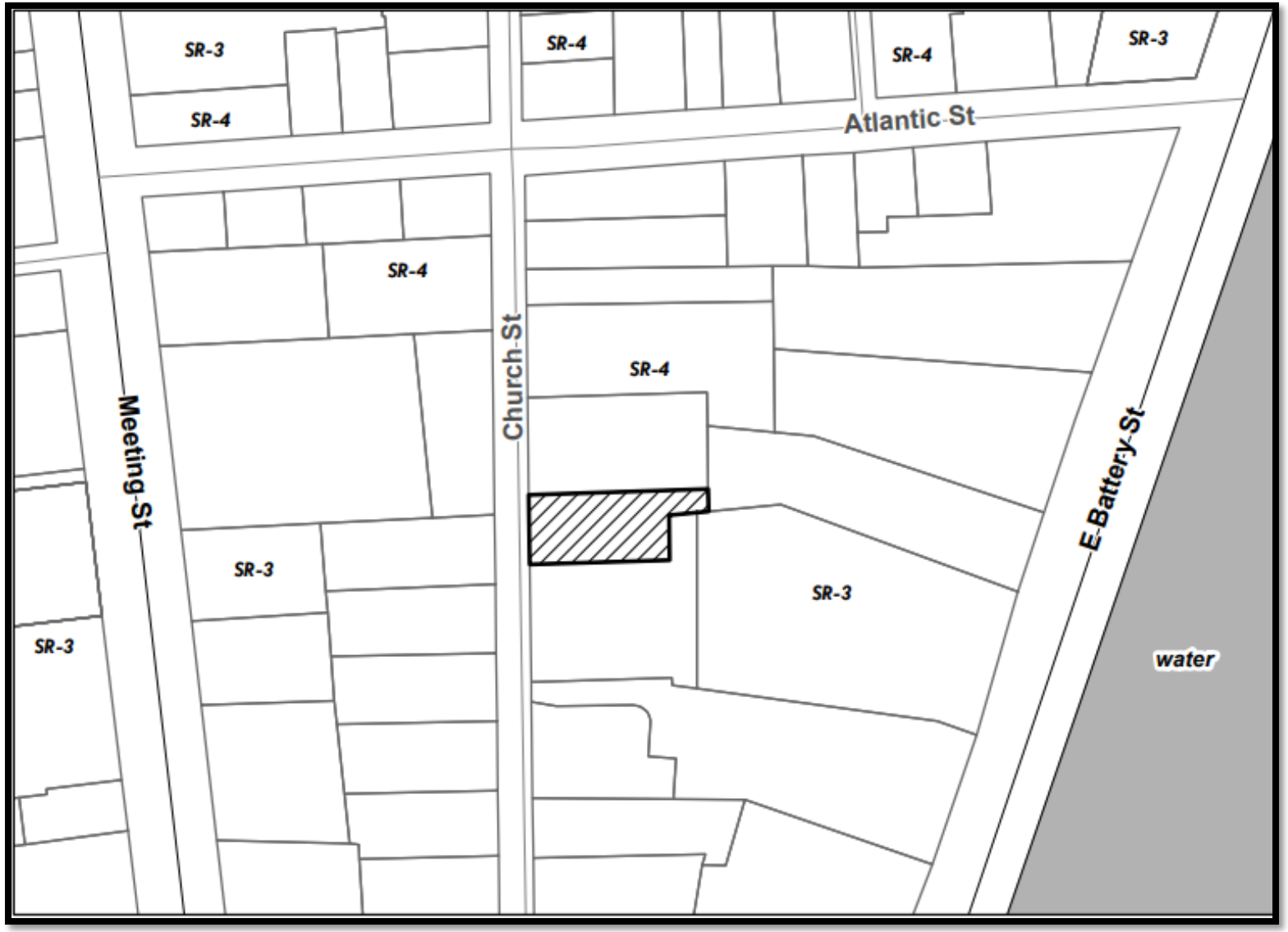
16 CHURCH STREET

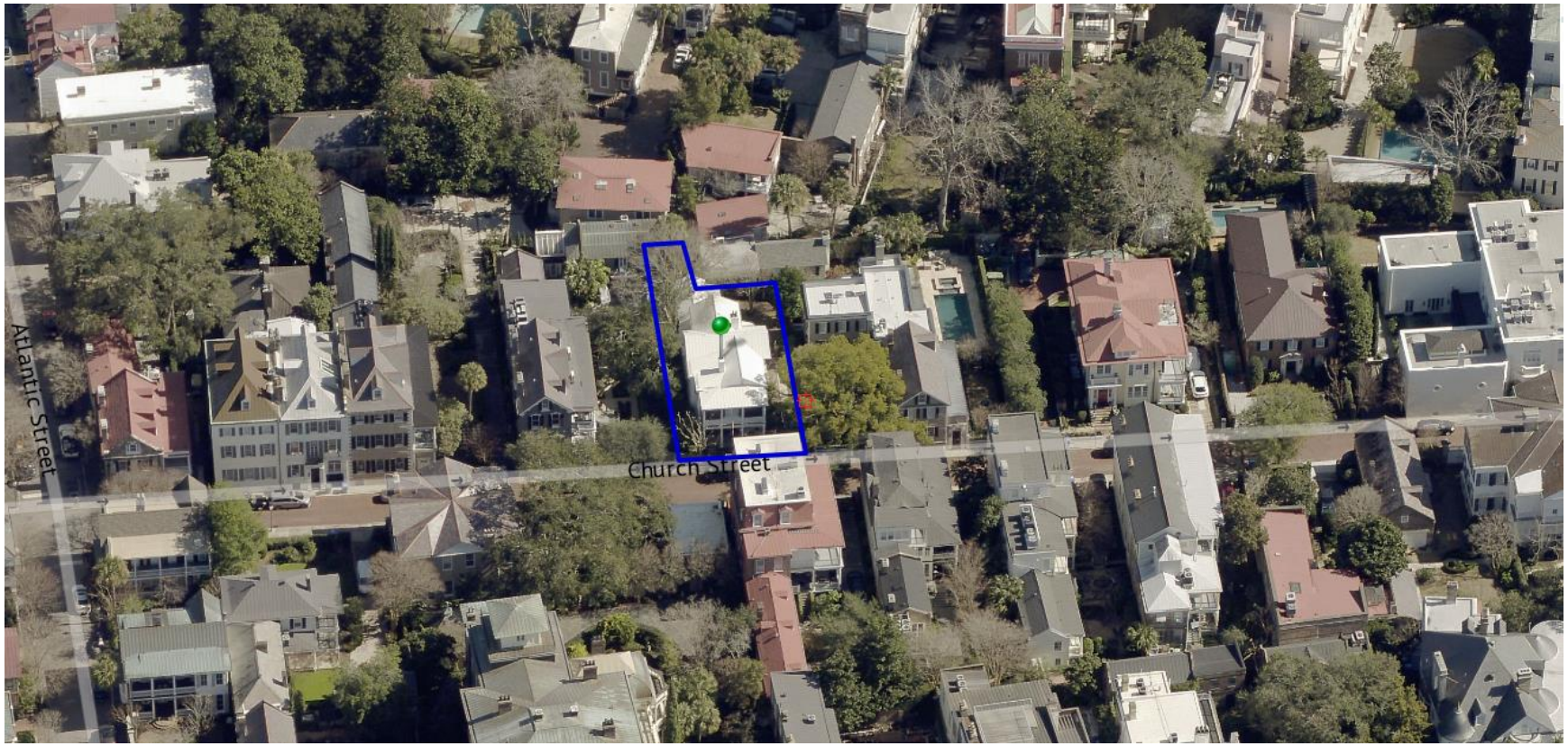
(CHARLESTOWNE)

TMS # 457-16-04-047

Request variance from Sec. 54-301 to allow a family room expansion/powder room and closet addition having a 38% lot occupancy (35% limitation; existing lot occupancy is 37%).

Zoned SR-4


SR-3
SR-4
SR-4
SR-4
SR-3
Atlantic St
SR-4
SR-4
Church St
Meeting St
SR-3
SR-3
SR-3
E Battery St
water


Atlantic Street
Church Street

ATLANTIC ST
LAMBOLL ST
MEETING ST
CHURCH ST
E BATTERY ST
S BATTERY ST
Charlestowne
South of Broad
SR-3
SR-4

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: September 7, 2021

Property Address 16 Church Street TMS # 457-16-04-047

Property Owner Mike & Susan O'Neill Daytime Phone

Applicant Glenn Keyes Architects Daytime Phone 722-4100

Applicant's Mailing Address 12B Vanderhorst Street

E-mail Address gk@glennkeyesarchitects.com

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

Zoning of property SR-4

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 _____ **Date** 8-9-21

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):

Requesting a 9" 6 1/2" North/ East side yard setback due to existing location of curb cut, required 3', but 15' total

Requesting a 3' 5" South/West side yard setback due to location of driveway/ curb cut, required 9'

The existing curb cut for the lot is on the opposite side of the lot than what GB zoning setbacks would require, meaning we have to position the house

house closer to the west setback than the codes require because thats where the driveway has to go. We could have moved the curb cut, but there is a large storm drain on the other side

We are stuck with the setback as we have shown them

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 build on a lot of insufficent size, 2500 required, this lot is 1637 sf

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

1. There are extraordinary & exceptional conditions pertaining to the property

The existing residence currently exceeds the allowable lot coverage by a small amount. This lot is somewhat smaller than other residential lots in the immediate vicinity.

2. These conditions do not generally apply to other properties in the vicinity

Other surrounding properties on the street have larger lots. This house is small compared to its neighbors and the request to minimally increase living space at the back of the house is reasonable.

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

The ordinance is restrictive because the house already exceeds the allowable lot coverage and the proposed alteration is minor. The net increase in lot coverage is less than 100 square feet.

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

The new construction is limited to enclosing an existing shallow porch and will have no impact on surrounding properties. It is at the back of the house and will be minimally visible from the public right of way. Letters of support from neighbors have been included in this submittal.

1 SOUTHWEST ELEVATION

2 EAST ELEVATION

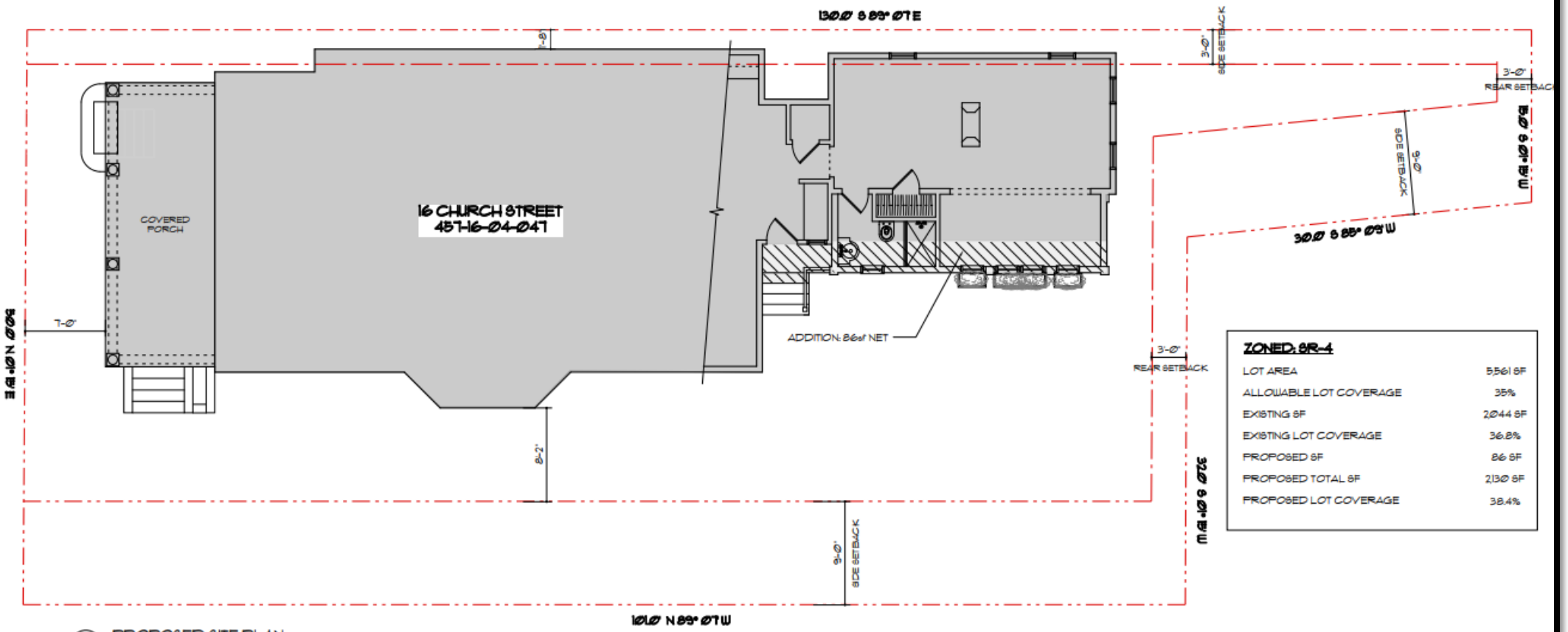
3 EAST ENTRANCE

4 SOUTH ELEVATION

Glenn Keyes
Architects

12 Vanderhorst Street
Charleston, SC 29403
(843) 722-4100
www.glennkeyesarchitects.com

Modifications to: ***16 Church Street*** *c. 1905*	P-1



PROPOSED SITE PLAN
SCALE: 1/4=1'-0"

ZONED: SR-4

LOT AREA	5,561 SF
ALLOWABLE LOT COVERAGE	35%
EXISTING SF	2,044 SF
EXISTING LOT COVERAGE	36.8%
PROPOSED SF	86 SF
PROPOSED TOTAL SF	2,130 SF
PROPOSED LOT COVERAGE	38.4%

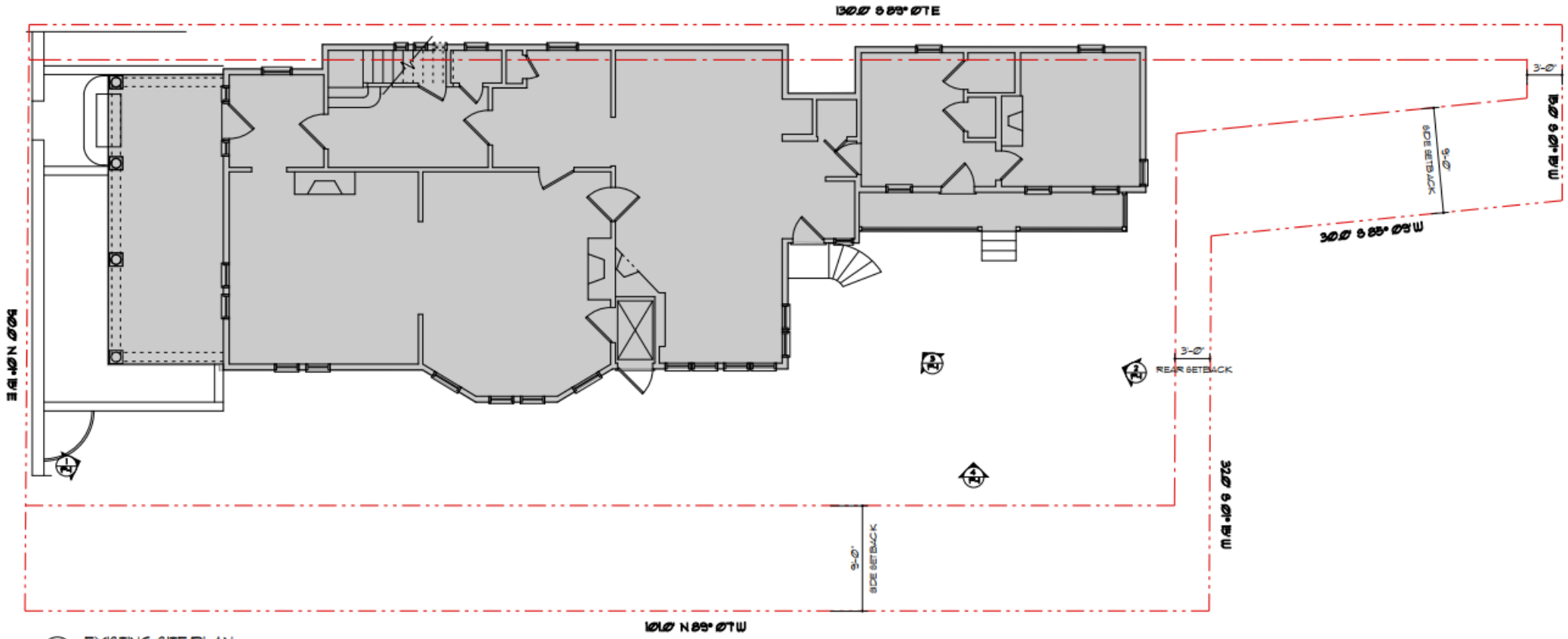
N

Glenn Keyes
Architects

12 Vanderhorst Street
Charleston, SC 29403
(843) 722-4100
www.glennkeyesarchitects.com

Modifications to:
16 Church Street
c. 1905

A001



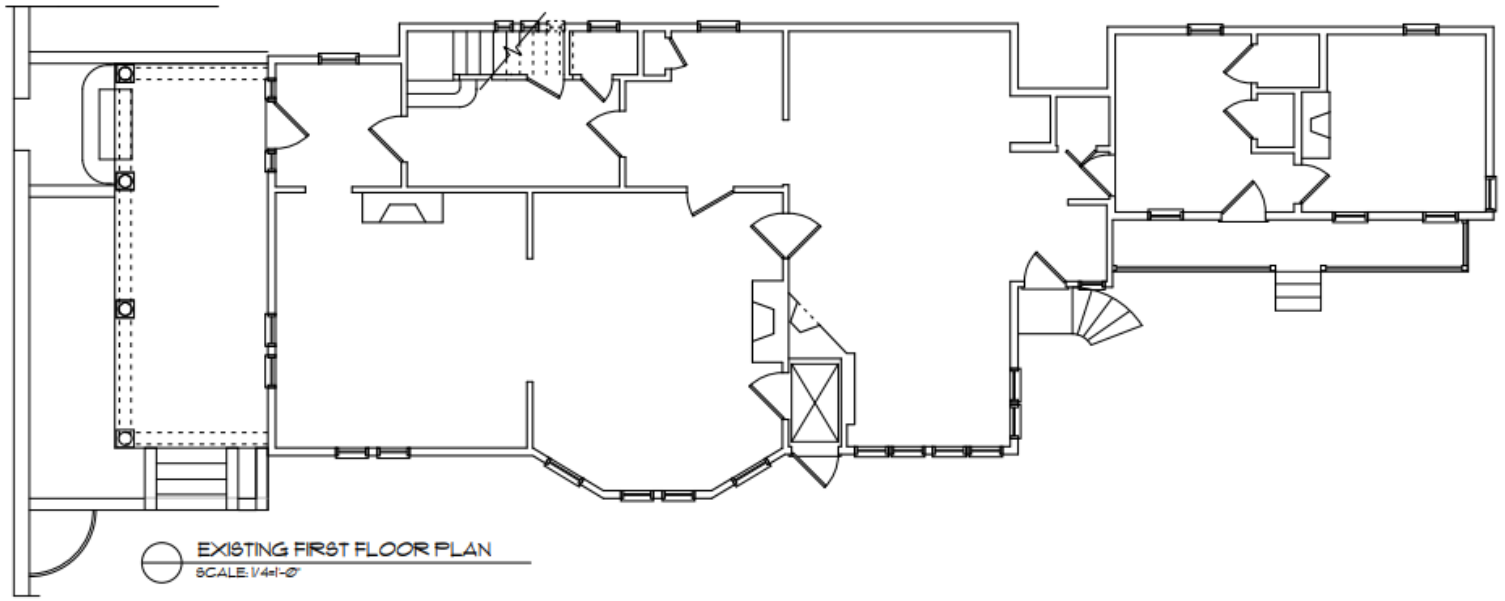
EXISTING SITE PLAN
SCALE: 1/4=1'-0"

Glenn Keyes
Architects

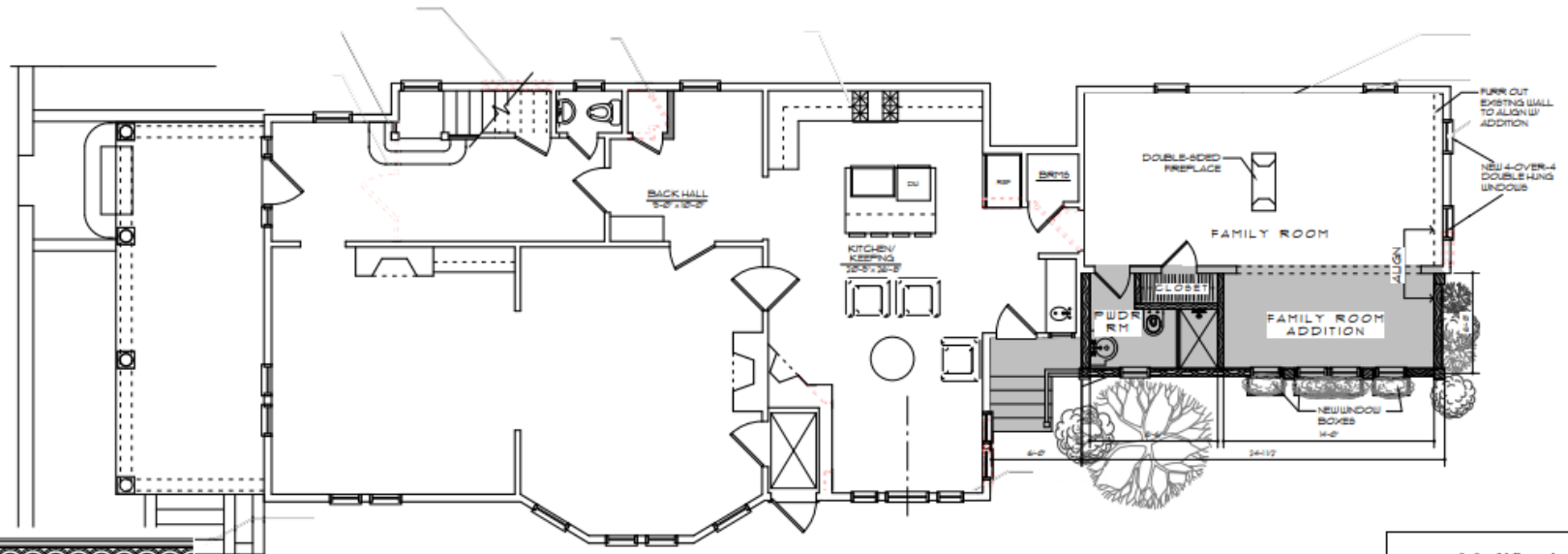
12 Vanderhorst Street
Charleston, SC 29403
(843) 722-4100
www.glennkeyesarchitects.com

Modifications to:
16 Church Street
c. 1905

EA001



EXISTING FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



PROPOSED FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

Glenn Keyes Architects
12 Vanderhorst Street
Charleston, SC 29403
(843) 722-4100
www.glennkeyesarchitects.com

Modifications to:
16 Church Street
c. 1905

A101

EXISTING SOUTH ELEVATION
SCALE: 1/4=1'-0"

PROPOSED SOUTH ELEVATION
SCALE: 1/4=1'-0"

Glenn Keyes Architects
12 Vanderhorst Street
Charleston, SC 29403
(843) 722-4100
www.glennkeyesarchitects.com

Modifications to:
16 Church Street
c. 1905

A201

Agenda Item #B-8

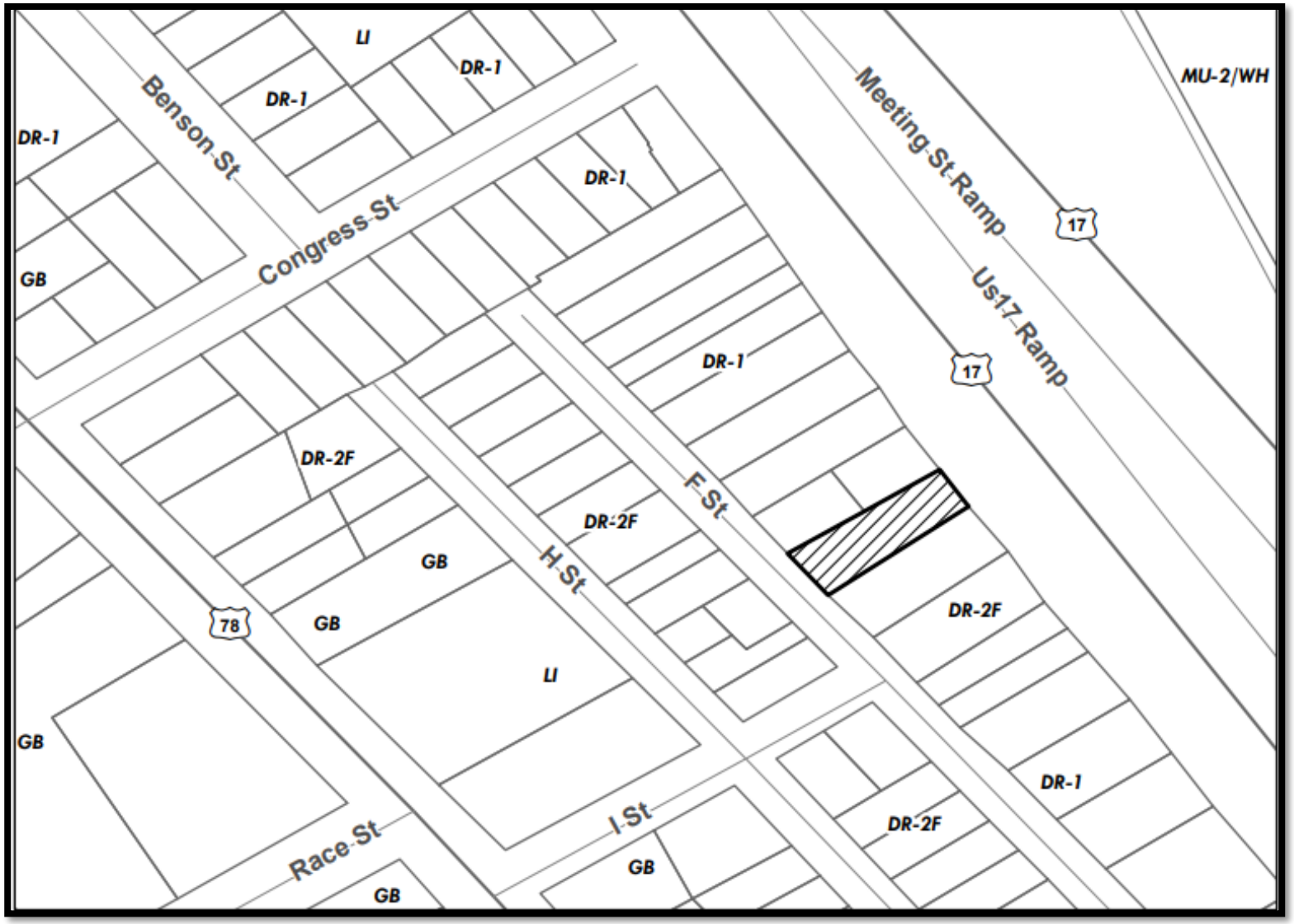
30 F STREET

(WESTSIDE)

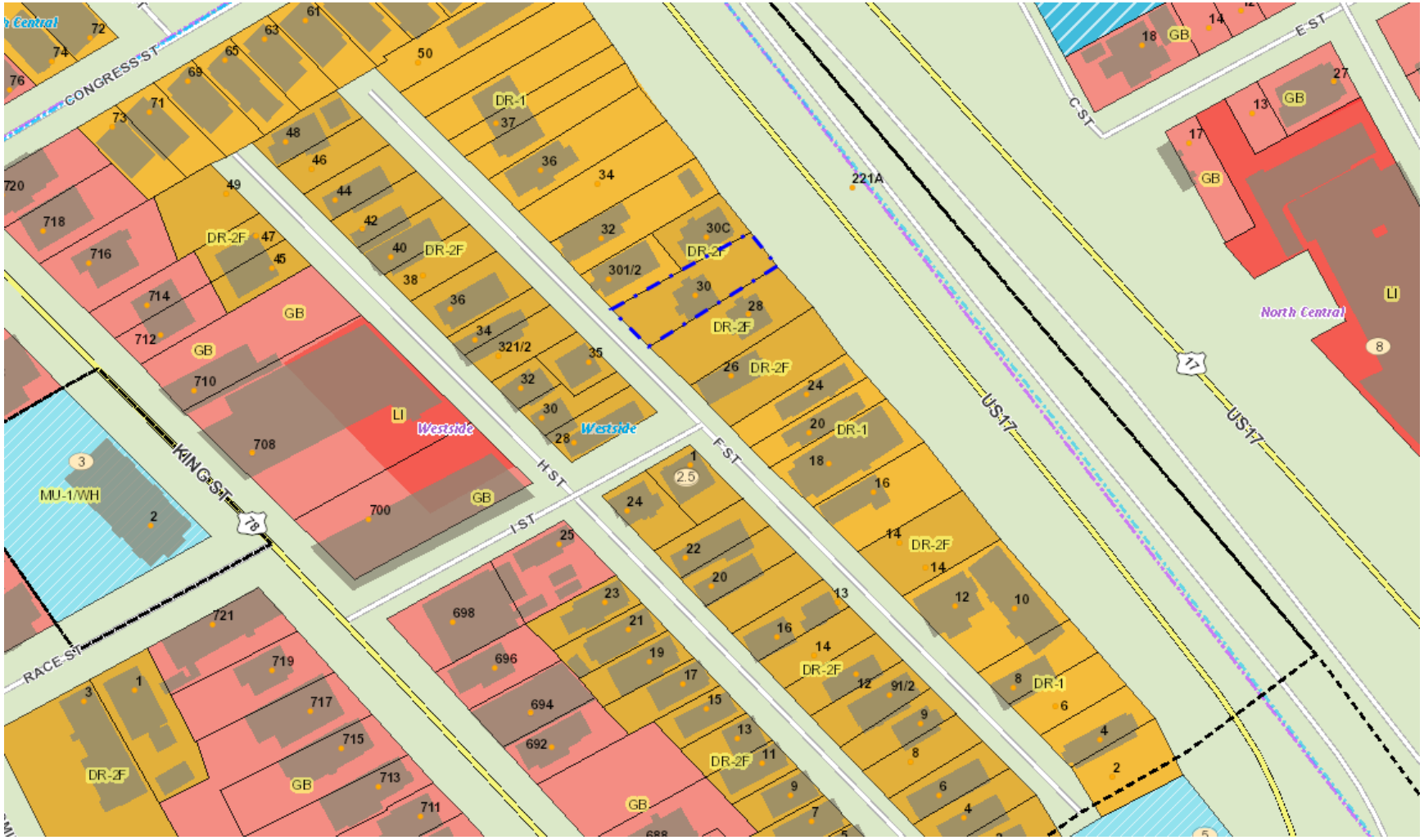
TMS # 463-16-03-049

Request variance from Sec. 54-301 to allow two detached single-family residences with a 0-ft. north side setback (3-ft. required).

Zoned DR-2F


LI
DR-1
DR-1
DR-1
DR-1
DR-1
DR-1
DR-2F
DR-2F
DR-2F
DR-2F
DR-1
GB
GB
GB
GB
GB
LI
MU-2/WH
Benson St
Congress St
Meeting St Ramp
Us17 Ramp
F St
H St
I St
Race St
17
17
78

Septima Clark Expressway (US 17)
Septima Clark Expressway (I 26)
(US 17)
F Street
H Street
I Street
Congress Street


CONGRESS ST
KING ST
RACE ST
H ST
I ST
F ST
C ST
E ST
US-17
Westside
North Central
LI
GB
DR-1
DR-2F
MU-1/WH

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

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: _____

Property Address 30F Street, Charleston SC TMS # 463-16-03-049

Property Owner ELP PROPERTIES Daytime Phone _____

Applicant David Richards, Architect Daytime Phone 843-7008

Applicant's Mailing Address 158 Broad Street, Charleston SC

E-mail Address davidrichardsarchitect@comcast.net

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

Zoning of property DR2F

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)
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- ☐ Check, credit card or cash (make checks payable to the City of Charleston)
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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 _____ **Date** 8/9/2021

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):

Submission fo.r moving existing one story residence to adjacent property. Varinace from Setback on NOrth side to allow for four parking spaces to fit better on the site.

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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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)

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30 F STREET, CHARLESTON, SOUTH CAROLINA
HOUSE RELOCATION AND REMODEL

PROJECT, ZONING & BUILDING CODE INFORMATION

BUILDING OWNER

ELP PROPERTIES LLC

ARCHITECT:

DAVID RICHARDS, ARCHITECT
159 BROAD STREET, CHARLESTON, SC 29401
TELE: 843-723-0093

STRUCTURAL ENGINEER:

PAUL CURRY LLC, STRUCTURAL ENGINEERING
2076 ASHEBURTON WAY, MT. PLEASANT SC 29466
TELE: 843-392-9687

ZONING INFORMATION:

30F ST. STREET CHARLESTON SC:
TMS: 463-16-03-049
DR-2F: DIVERSE RESIDENTIAL ZONING (MULTI-FAMILY RESIDENTIAL)
OLD CITY HEIGHT DISTRICT: 2.5
ZONING OVERLAY LAYERS: AR (AMUSEMENT AND RECREATION) OVERLAY
SHORT TERM RENTALS OVERLAY ZONE - SR CAT 2.
OLD CITY DISTRICT
SUBDIVISION: NORTH CENTRAL
NEIGHBORHOOD COUNCILS: WESTSIDE

PER CHARLESTON COUNTY ORDINANCE; ARTICLE 3 - SITE REGULATIONS
PART 1 - SECTION 54-301.
DR2- FRONT: 25; REAR: 3; TOTAL 3'
SIDEYARD: TOTAL: 10 SW: 7' NE: 3'
MINIMUM LOT: TWO FAMILY: 2,000
MINIMUM LOT: MULTI FAMILY 1,650
MAX. LOT PERCENTAGE OF LOT OCCUPIED BY BUILDINGS: 50%
MAX. HEIGHT LIMITS STRUCTURE: 50' 3 STORY
MAX. HEIGHT LIMITS FENCE/WALLS: 6'

PERCENTAGE OF LOT COVERAGE SITE INFORMATION

PER CHARLESTON COUNTY ORDINANCE; ARTICLE 3 - SITE REGULATIONS
PART 1 - SECTION 54-301.
ALLOWABLE LOT COVERAGE: **50%**

CURRENT SITE SQUARE FOOTAGE:
TOTAL: SQ. FOOTAGE: .105 ACRES (4,561. SQ. FT) (APPROX.)

EXISTING BUILDING FOOTPRINT:
TOTAL BLDG. FOOTPRINT: 727.5 SQ. FT.(APPROX.)

TOTAL EXISTING LOT COVERAGE PERCENTAGE: 15.8%

PROPOSED TOTAL BUILDING FOOTPRINTS:
TOTAL CONDITIONED BLDG. FOOTPRINT: 1,706 SQ. FT.(APPROX.)
TOTAL PORCHES AND STEPS: 210 SQ. FT.(APPROX.)
TOTAL BLDG. FOOTPRINT: 1,916 SQ. FT.(APPROX.)

TOTAL EXISTING LOT COVERAGE PERCENTAGE: 42%

OFF-STREET PARKING REQUIRMENTS

IN ACCORDANCE WITH ZONING ORDINANCE, CHARLESTON, SOUTH CAROLINA. [PART 4 - OFF STREET PARKING, SEC. 54-317 TABLE 3.3]

CATEGORY: RESIDENTIAL "TWO FAMILY DWELLING" REQUIRES TWO PARKING SPACES PER UNIT.
EXISTING RESIDENTIAL UNITS: 1 UNIT.
TOTAL PARKING REQUIRED: TWO SPACES
PROPOSED RESIDENTIAL UNITS: 2 UNITS.
TOTAL PARKING REQUIRED: FOUR SPACES

SOUTH CAROLINA BUILDING CODES COUNCIL
WIND SPEED ZONES AND SEISMIC DESIGN CATEGORIES

WIND SPEED RANGE (MPH): 140
SEISMIC ZONE (IRC): D2
NOTE: ALL PRODUCTS AND BUILDING SYSTEMS SHALL BE INSTALLED IN ACCORDANCE STIPULATIONS AS SET FORTH BY THE INTERNATIONAL BUILDING CODE IN REGARD TO WIND SPEED AND INDICATED SEISMIC ZONES.

FEMA / FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

99 ST. PHILIP STREET MAP PANEL NUMBER:
DESIGNATED BASE FLOOD ZONE & ELEVATION: AE13
TOP OF BOTTOM FLOOR: 14.34 BFE

APPLICABLE BUILDING CODES & GOVERNING REGULATIONS

2018 INTERNATIONAL BUILDING CODE WITH SC MODIFICATIONS
2018 INTERNATIONAL RESIDENTIAL CODE WITH SC MODIFICATIONS
2018 INTERNATIONAL FIRE CODE WITH SC MODIFICATIONS
2018 SOUTH CAROLINA FIRE CODE
2018 INTERNATIONAL PLUMBING CODE OR
2018 SOUTH CAROLINA PLUMBING CODE
2018 INTERNATIONAL MECHANICAL CODE WITH SC MODIFICATIONS
2009 INTERNATIONAL ENERGY CONSERVATION CODE
2018 INTERNATIONAL FUEL GAS CODE WITH SC MODIFICATIONS
2017 NATIONAL ELECTRICAL CODE (NEC) WITH SC MODIFICATIONS
2017 ICC A117.1 ADA STANDARDS FOR ACCESSIBLE DESIGN

INDEX OF DRAWINGS

CS1	COVER SHEET
CS2	EXISTING SURVEY
SP1	SITE PLAN
A101	EXISTING FIRST FLOOR PLAN - BOTH BUILDINGS
A102	FIRST FL. FLOOR PLAN - BOTH BUILDINGS

PRELIMINARY
NOT FOR
CONSTRUCTION

DAVID RICHARDS, ARCHITECT
159 Broad Street Charleston, SC 29401
Phone 843 723 0093
Email: davidrichards@earthlink.net

THE HOUSE RELOCATION AND REMODEL OF:
30F STREET
CHARLESTON, SOUTH CAROLINA

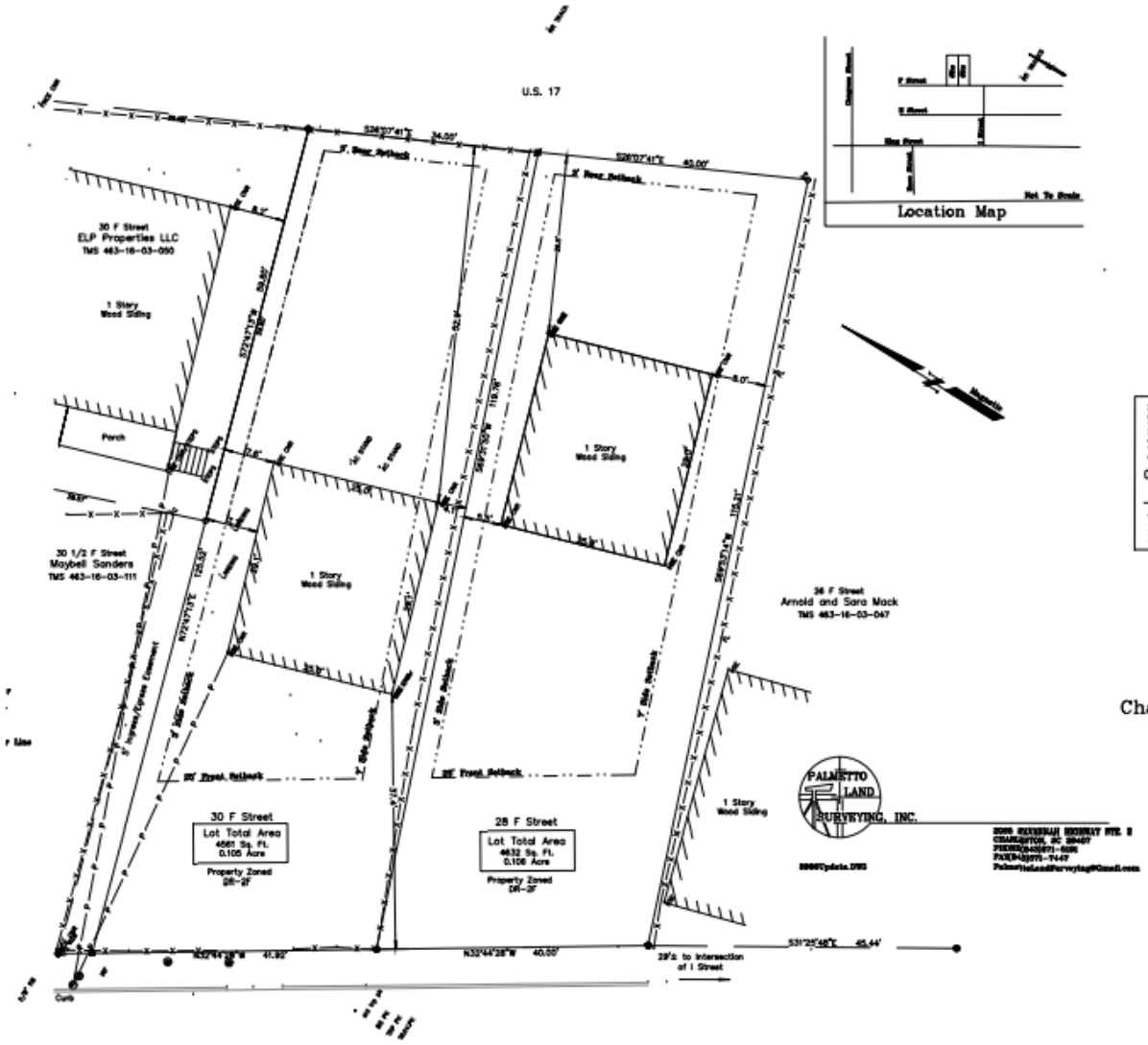
COVER SHEET

PROJ. NO. 20.XX
DRAWN BY: DR
ISSUE DATE: 8.9.2021

REVISIONS

date/date	sub(revision)

CS1



Location Map

NOTES:

1. Reference Tax Map Number: 463-16-03-049 (30 F Street)
   463-16-03-048 (28 F Street)
2. Reference Plat Book [illegible], Page [illegible]
3. Survey requested by Derek Hagerty
4. The locations of underground utilities are not shown hereon.
5. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
6. Declaration is made to Original Purchaser of the survey. It is not transferable to additional institutions or subsequent owner.
7. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge said lot is located in flood zone X And AE 10' FEMA Map No. 45019C0810 K 01/06/2021 Flood zone should be verified with the governing municipality before design and construction.
8. Anything shown outside the defined boundary of this survey is for descriptive purposes only.
9. Subsurface and environmental conditions were not examined or considered as a part of this survey.
10. Verify setbacks with the City of Charleston before design and construction.

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 Standard 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

C:\Users\palme\Desktop\Signature Scan.jpg

James G. Pennington, P.L.S. No. 10094
Palmetto Land Surveying, Inc.
2068 Savannah Highway Suite 2
Charleston, S.C. 29407 571-5181

Boundary Survey
30 & 28 F Street
Located
City of Charleston
Charleston County, South Carolina

FIELD DATE: July 1, 2021 SCALE 1"= 10'
DRAWING DATE: July 2, 2021

0 10 20

PALMETTO LAND SURVEYING, INC.

2068 SAVANNAH HIGHWAY STE. 2
CHARLESTON, SC 29407
PHONE:(843)571-5181
FAX:(843)571-7447
PalmettoLandSurveying@Gmail.com

2020Update.DWG

EXISTING SURVEY
SCALE: 1/8"=1'-0" (24x36)
SCALE: 1/16"=1'-0" (12x18) 0 1' 5' 10'

PRELIMINARY
NOT FOR
CONSTRUCTION

DAVID RICHARDS, ARCHITECT
118 Broad Street, Charleston, SC 29401
Phone: 843-518-0883
Email: d.richards@dwrdarchitect.com

THE HOUSE RELOCATION AND REMODEL OF:
30F STREET
CHARLESTON, SOUTH CAROLINA

EXISTING SURVEY

PROJ. NO. XX.XX
DRAWN BY: DR
ISSUE DATE: 8.9.2021

REVISIONS:

DATE	DESCRIPTION

CS2

WEST ELEVATION

NORTH ELEVATION

EAST ELEVATION

SOUTH ELEVATION

PRELIMINARY
NOT FOR
CONSTRUCTION

DAVID RICHARDS, ARCHITECT

THE HOUSE RELOCATION AND REMODEL OF:

30F STREET

CHARLESTON, SOUTH CAROLINA

EXISTING PHOTOS

PROJ. NO. XX.XX

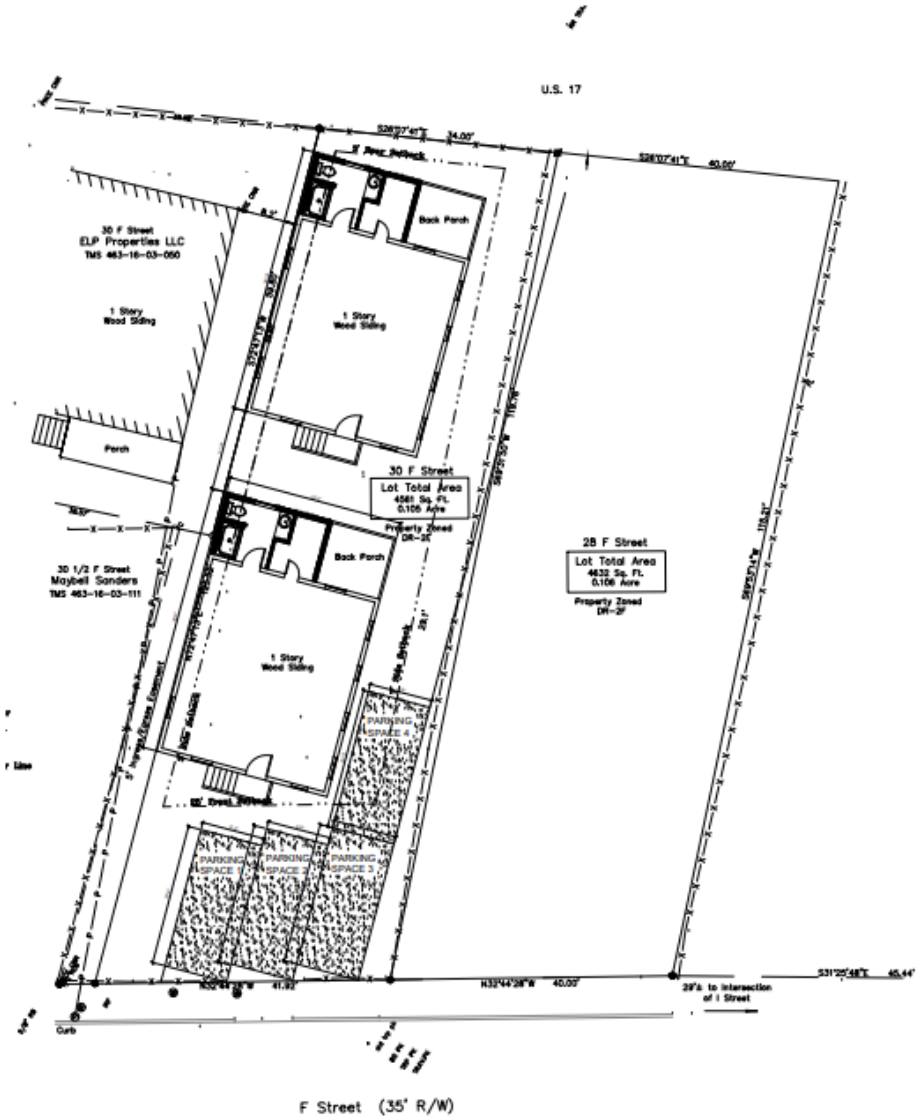
DRAWN BY: DR

ISSUE DATE: 8.5.2021

REVISIONS:

DESCRIPTION	DESCRIPTION

CS3



A2 SP1 **SITE PLAN**

SCALE: 1/8"=1'-0" (24x36)
SCALE: 1/16"=1'-0" (12x18) 0 7' 8' 10'

PRELIMINARY
NOT FOR
CONSTRUCTION

DAVID RICHARDS, ARCHITECT
130 Broad Street, Charleston, SC 29401
Phone: 843.577.00.00.3
Email: d.and.richards@gmail.com

THE HOUSE RELOCATION AND REMODEL OF:

30F STREET

CHARLESTON, SOUTH CAROLINA

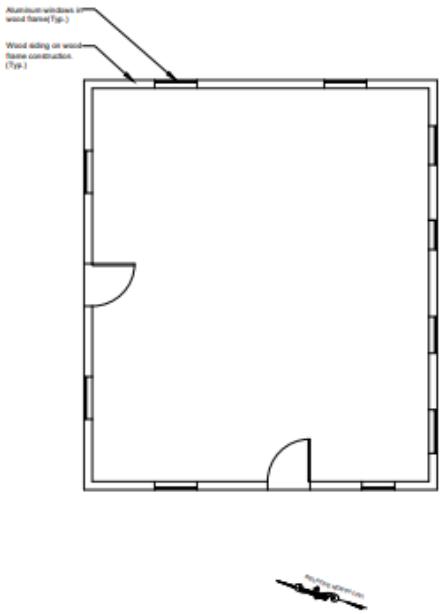
SITE PLAN

PROJ. NO: XX.XX
DRAWN BY: DR
ISSUE DATE: 8.8.2021

REVISIONS

DATE/DATE	DESCRIPTION/DESC

SP1

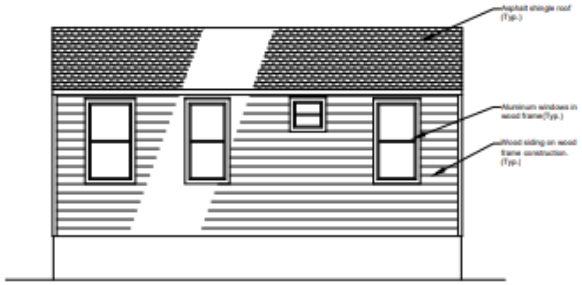


EXISTING FIRST FLOOR PLAN

EXISTING FRONT (WEST) ELEVATION

EXISTING NORTH ELEVATION

EXISTING EAST ELEVATION



EXISTING SOUTH ELEVATION

PRELIMINARY NOT FOR CONSTRUCTION

DAVID BOCHARDS, ARCHITECT
118 Broad Street, Charleston, SC 29401
Tel: 843-723-1689
Email: david@bochardsarchitect.com

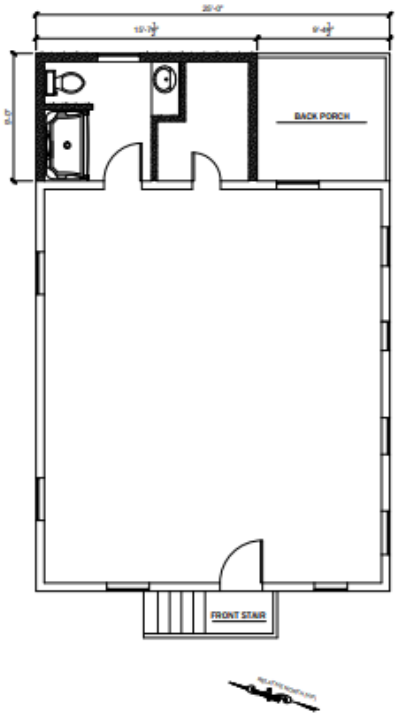
THE ALTERATION OF:
30 F STREET
CHARLESTON, SOUTH CAROLINA

EXISTING PLANS AND ELEVATIONS

PROJ. NO: XX-XX
DRAWN BY: DB
ISSUE DATE: 8/6/2021

REVISIONS:

A101



FIRST FLOOR PLAN

FRONT (WEST) ELEVATION

NORTH ELEVATION

EAST ELEVATION

SOUTH ELEVATION

WALL TYPE SCHEDULE

SYMBOL	DESCRIPTION
	One Hour Rated Fire Rated Wall Construction. Refer to Detail E2/A402.
	Two Hour Rated Fire Rated Wall Construction. Refer to Detail E2/A402.
	Existing Wall Construction.
	Existing Wall Construction To be removed. Protect adjacent surfaces.
	New Wall Construction - Wood framing walls (unless otherwise noted, see Structural). Wall Finish Per Finish Schedule. Note: Install Batt Insulation at all exterior walls and around Kitchen and bathrooms.

PRELIMINARY
NOT FOR
CONSTRUCTION

DAVIDSON WILLIAMS, ARCHITECT
[illegible]

THE ALTERATION OF:
30 F STREET
CHARLESTON, SOUTH CAROLINA

EXISTING PLANS AND ELEVATIONS

PROJ. NO. XX-XX
DRAWN BY: DW
ISSUE DATE: 8/9/2021

REVISIONS

date/date	description

A102

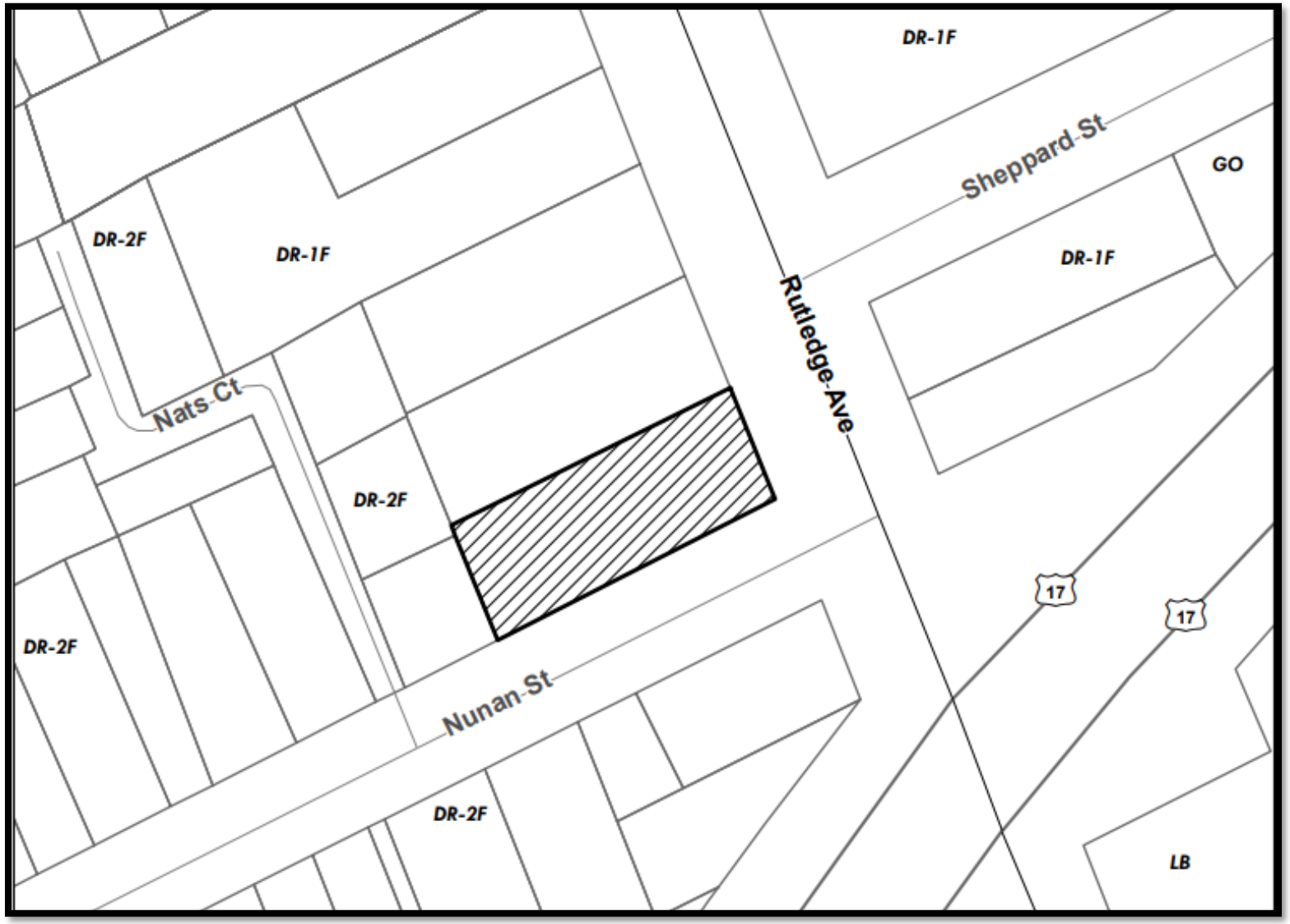
Agenda Item #B-9

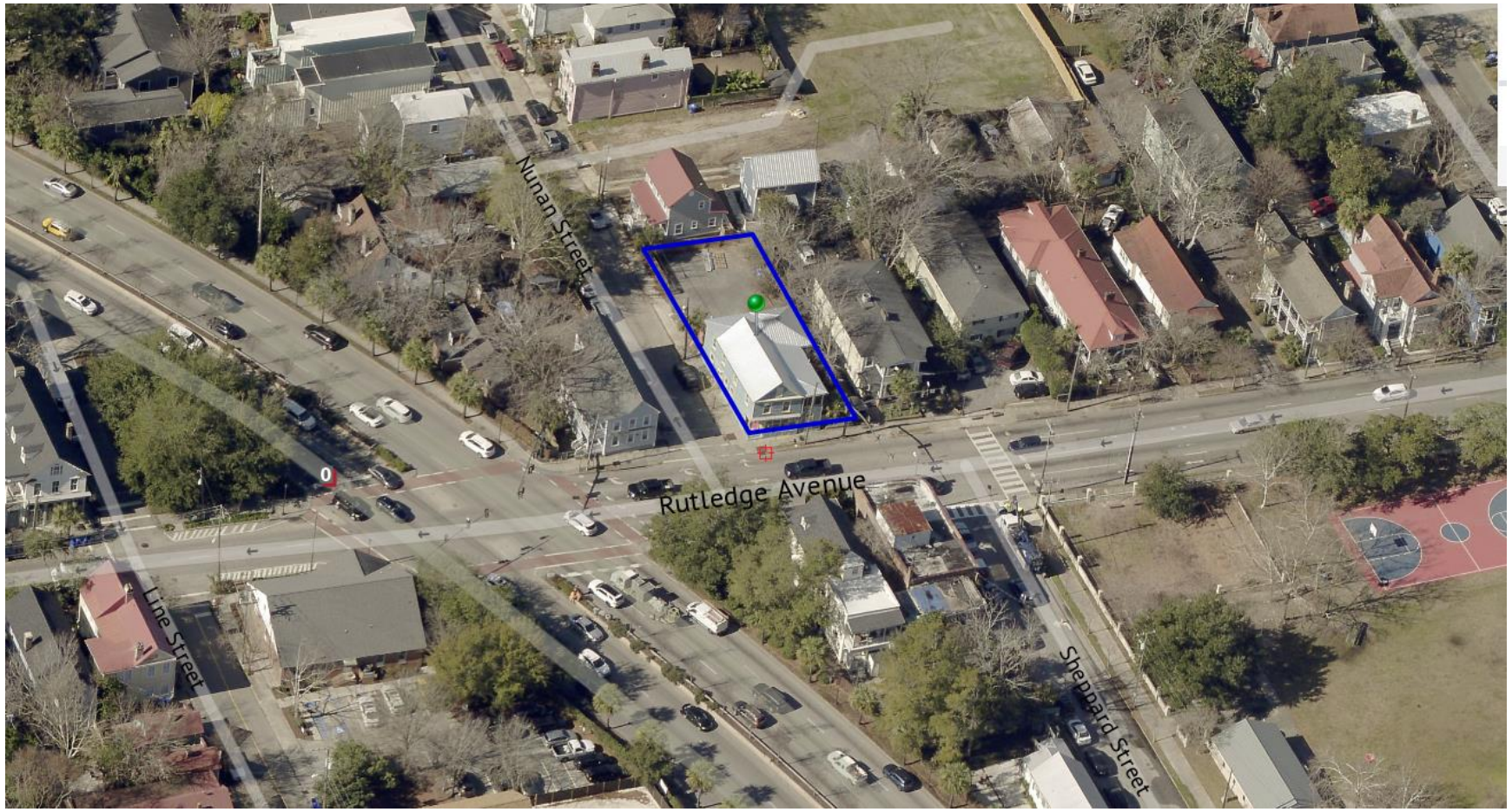
511 RUTLEDGE AVENUE

(WESTSIDE)

TMS # 460-07-02-220

Request use variance from Sec. 54-203 to allow a barber shop on the ground floor with days of operation Monday-Saturday and hours of operation 7am-6pm in a DR-1F (Diverse-Residential) zone district.


DR-1F
Sheppard St
GO
DR-2F
DR-1F
DR-1F
Rutledge Ave
Nats Ct
DR-2F
17
17
DR-2F
Nunan St
DR-2F
LB


Nunan Street
Rutledge Avenue
Line Street
Sheppard Street

FISHBURNE ST
ASHLEY AVE
ASHLEY AVE
NUNAN ST
RUTLEDGE AVE
RUTLEDGE AVE
SHEPPARD ST
TODD ST
TODD ST
SEPTIMA P CLARK PKWY
SEPTIMA P CLARK PKWY
LINE ST
HUMPHREY
NATS CT
Westside
Westside
Cannonborough/Elliottborough
Elliottborough/Cannonb
DR-2F
DR-1F
LB
GO
2.5
2.5-3
17

Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-Z)

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: SEPT 7, 2021

Property Address 511 RUTLEDGE AVE, CHAS, SC 29403 TMS # 460-07-02-220

Property Owner Richard FISHMAN C/O AGENT William DASASOV 843-729-0773 Daytime Phone 843-270-3920

Applicant CYNTHIA A. BUHLE Daytime Phone 843-478-9621

Applicant's Mailing Address 102 WALTON PLACE

SUMMERVILLE, SC 29483 E-mail Address LOWCOUNTRY.Barbershop@gmail

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

Zoning of property DRIF

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 Cynthia A. Buhle Date 08 AUG 2021

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 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 § 54-110, § 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.

My name is Cynthia Buhle Owner/Operator of Lowcountry Barbershop; I am requesting a use variance for 511 Rutledge Avenue, Charleston, SC 29403.

I have been in business in the City of Charleston since November of 2009 and need to relocate my business due to the current location being sold by its owner. I have built strong community ties within the area in my 11 years thus the reason for wanting to remain in the area.

My father was in the Air Force and was stationed in Charleston for many years and I have made Charleston my permanent home since 1986. I married a Charleston native and we have raised our family in Charleston.

The commercial space is approximately 1200 square foot and the interior would be updated to accommodate my business. Our hours of operation will be Monday thru Friday 7:00am to 6:00pm and Saturday hours 8:00am to 1:00pm.The location will operate up to 7 chairs at any given time. There are currently 8 on site parking spaces. All barbers will utilize off site parking leaving the spaces available to patrons.

On July 22, 2021 I attended the Westside Neighborhood Association meeting via zoom where the board unanimously voted to approve the variance.

I appreciate your consideration in this request and look forward to continuing to conduct business in the City of Charleston.

Thank You,

Cynthia A. Buhle

Lowcountry Barbershop

Dellz UPTOWN
Dellz
UPTOWN
511

Deltz UPTOWN

Ashby, Pennye

From: George Palmer <george.w.palmer@gmail.com>
Sent: Monday, July 26, 2021 10:53 PM
To: Ashby, Pennye
Subject: WNA Support for Projects

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

Hope that life is treating you well...

During our July 22nd Monthly meeting we voted to support the following projects...

169 Congress Street....Lot of insufficient Size Variance

511 Rutledge Ave.....Usage Variance for a Barber Shop

301 Ashley Ave,,,Variance for Deck constructed without a Permit, that does not have the correct setbacks

Thanks,

GWPalmer
President Westside Neighborhood Assoc.

Agenda Item #B-10

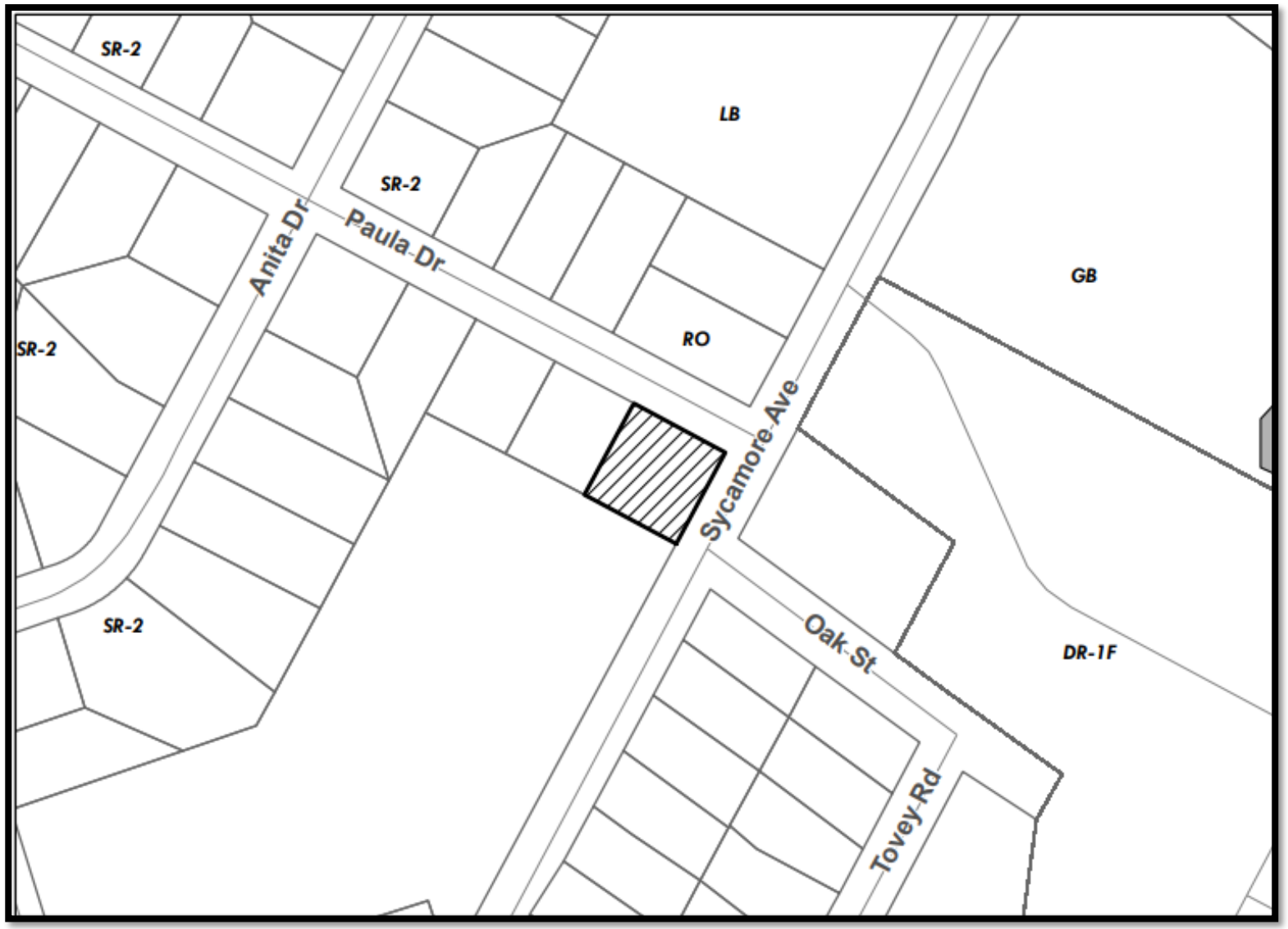
24 SYCAMORE AVENUE

(MAGNOLIA)

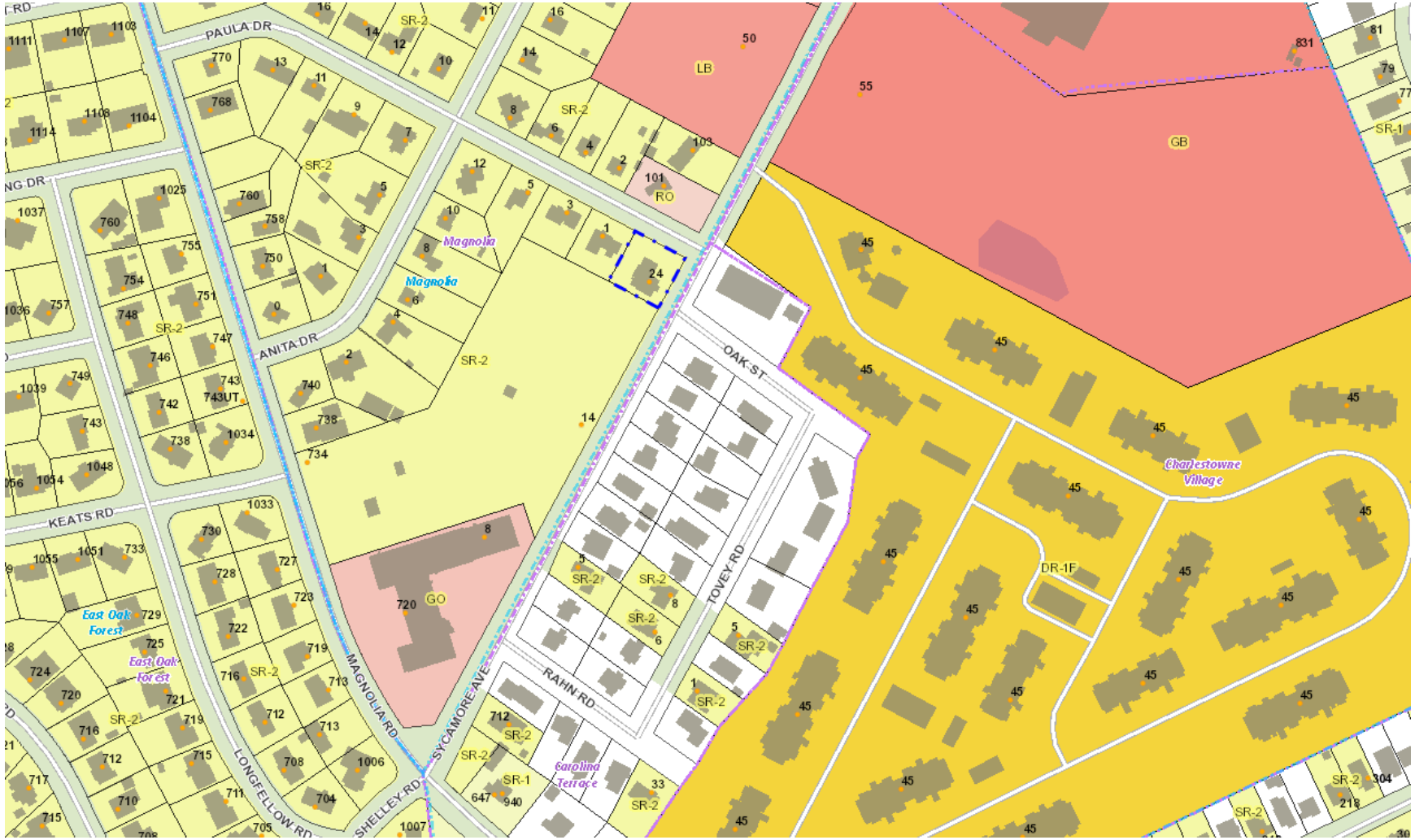
TMS # 418-09-00-005

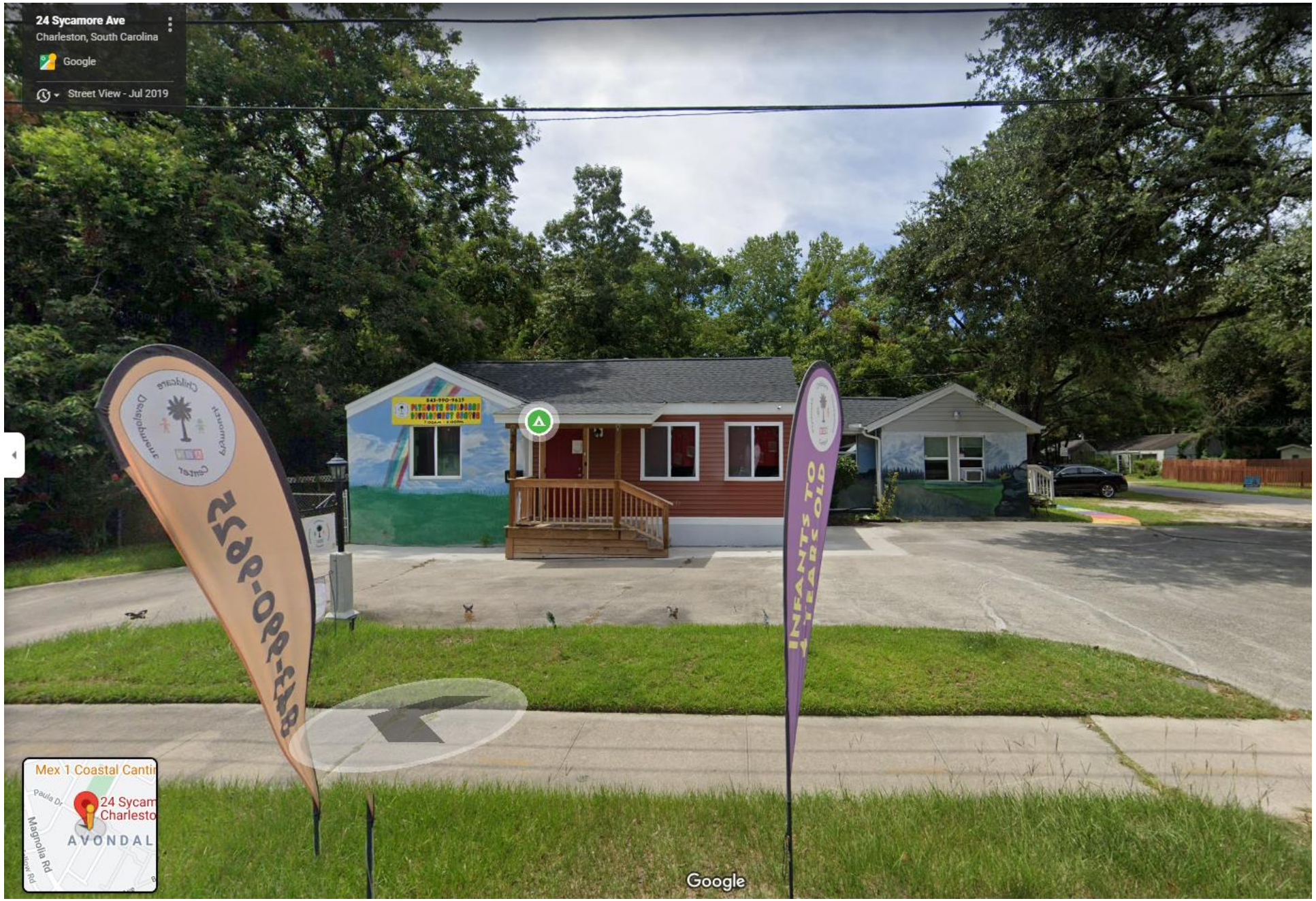
Request special exception under Sec. 54-110 to allow the expansion of an existing non-conforming use (daycare center) with a 1-story classroom addition.

Zoned SR-2


SR-2
SR-2
LB
GB
Anita Dr
Paula Dr
RO
SR-2
Sycamore Ave
SR-2
Oak St
DR-1F
Tovey Rd

Paula Drive
Sycamore Avenue
Oak Street
Hamilton Avenue


PAULA DR
ANITA DR
KEATS RD
MAGNOLIA RD
LONGFELLOW RD
SHELLEY RD
SYCAMORE AVE
RAHN RD
TOVEY RD
OAK ST
Magnolia
East Oak Forest
Carolina Terrace
Charlestowne Village
LB
GB
RO
GO
DR-1F
SR-2
SR-1


24 Sycamore Ave
Charleston, South Carolina
Google
Street View - Jul 2019
Mex 1 Coastal Cantin
24 Sycam
Charlesto
AVONDAL
Paula Dr
Magnolia Rd
Google

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

City of Charleston

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- ☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: September 7, 2021

Property Address 24 Sycamore Avenue TMS # 418-09-00-~~002~~ 005

Property Owner Ramon Washington Daytime Phone 843-216-4767

Applicant LaQuinta Washington Daytime Phone 843-990-9625

Applicant's Mailing Address 9603 River Ridge DR. Summerville, SC 29485 E-mail Address Plymouthedc24@gmail.com

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

Zoning of property R-2 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)
- ☐ 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)
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Optional but very helpful information:

- ☐ Photographs
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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 LaQuinta Washington Date 8.9.21

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

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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.

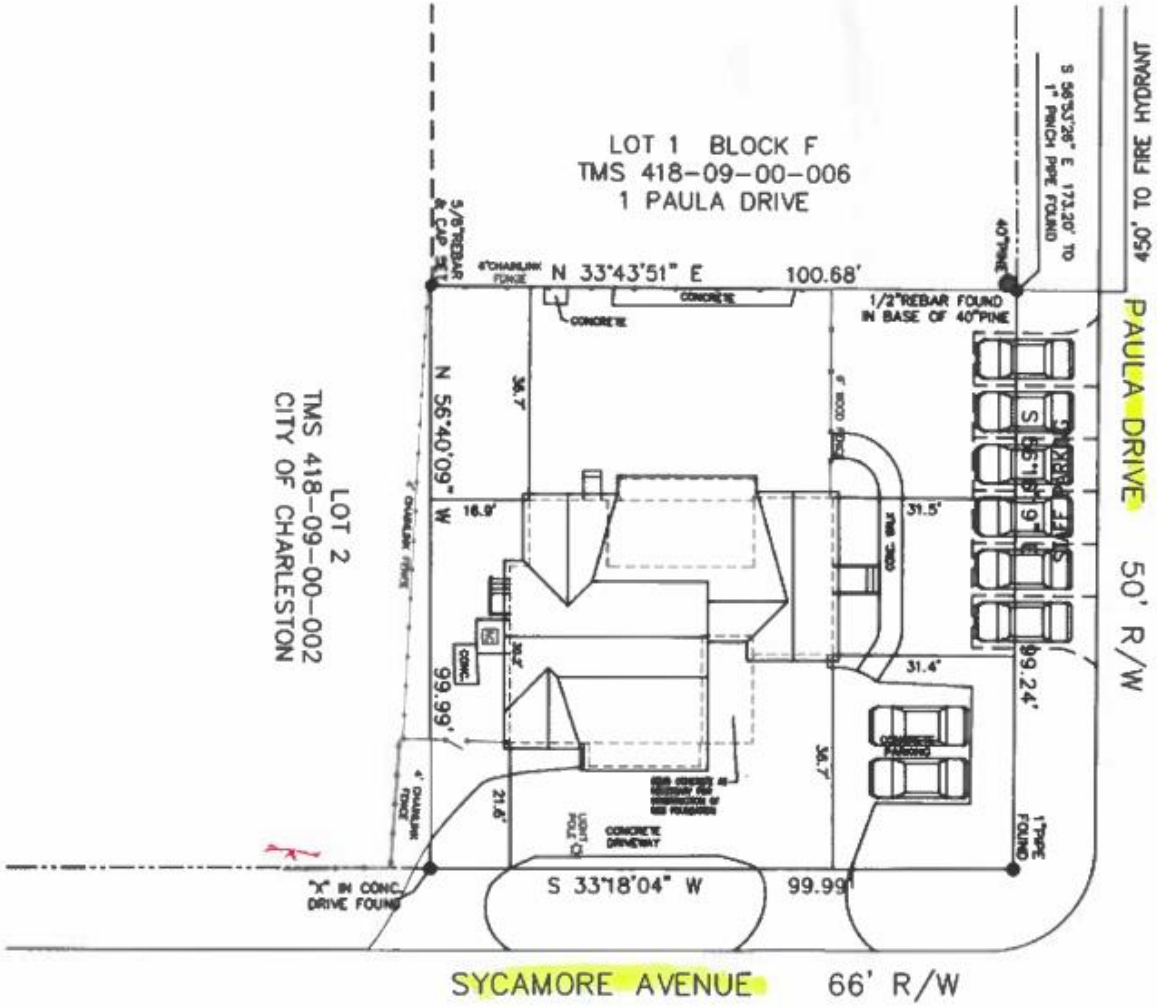
9 August 2021

From: LaQuinta Washington
Plymouth Childcare Development Center
To: City of Charleston/Department of Planning Preservation and Sustainability

Subj: PLYMOUTH CHILDCARE DEVELOPMENT CENTER BUILDING EXPANSION REQUEST

1. This letter is being submitted to request the city's permission to expand the Plymouth Childcare Development Center facility.
2. It has always been our goal to provide a quality service to the surrounding community. We pride ourselves in offering professional and quality childcare services in a nurturing environment.
3. The purpose of the expansion is to provide additional space for the First Steps 4K Program.
4. We here at Plymouth believe that this expansion will provide our wonderful community with a safe and thriving childcare facility. Thank you for your time and consideration regarding this great endeavor.

Respectfully Submitted
LaQuinta Washington
Director/Owner
Plymouth CCDC



SITE PLAN

REVISIONS

ABL

PLYMOUTH CHILDCARE 4K ADDITION
24 SYCAMORE AVENUE
CHARLESTON, SOUTH CAROLINA
EXISTING SITE PLAN

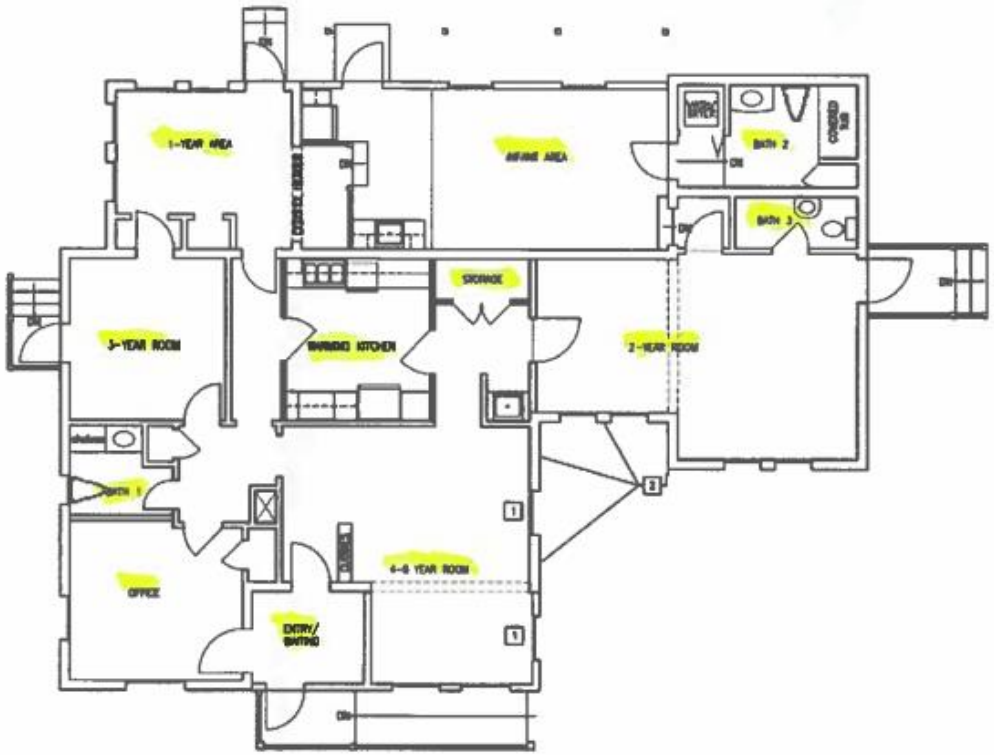
COPYRIGHT 2021

DATE: 8/7/2021
PROJECT NO.: 10003

A0

DEMOLITION NOTES:

1. REMO WALL & INSTALL HEADER TO JOIN EXISTING ROOM & ADDITION
2. REMOVE EXTERIOR MATERIALS & FINISHES AS NECESSARY TO ATTACH NEW FRAMING & CONNECT TO INTERIOR SPACE



1/A2 EXISTING FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS
NO. | DATE

ABL
ALLEN & LUNDEEN, AIA
2000 S. PALMER, SUITE 200
CHARLESTON, SC 29405
(843) 795-0715

PLYMOUTH CHILDCARE 4K ADDITION
24 SYCAMORE AVENUE
CHARLESTON, SOUTH CAROLINA
EXISTING FLOOR PLAN

COPYRIGHT 2021

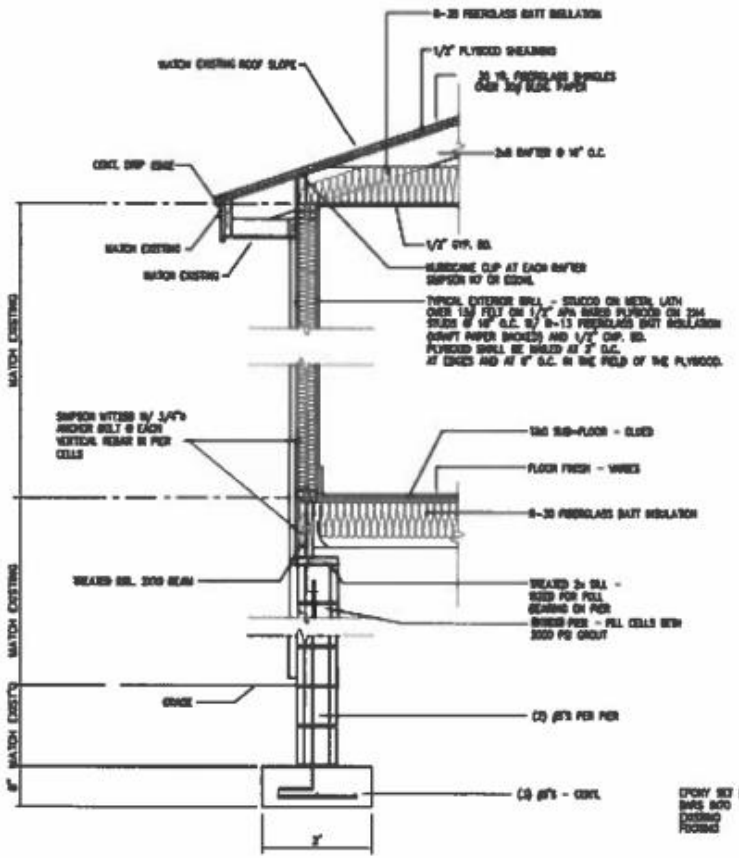
DATE: 5/7/2021
PROJECT NO.: 10503
DRAWN: ABL
CHECKED: ABL
APPROVED: ABL

A2

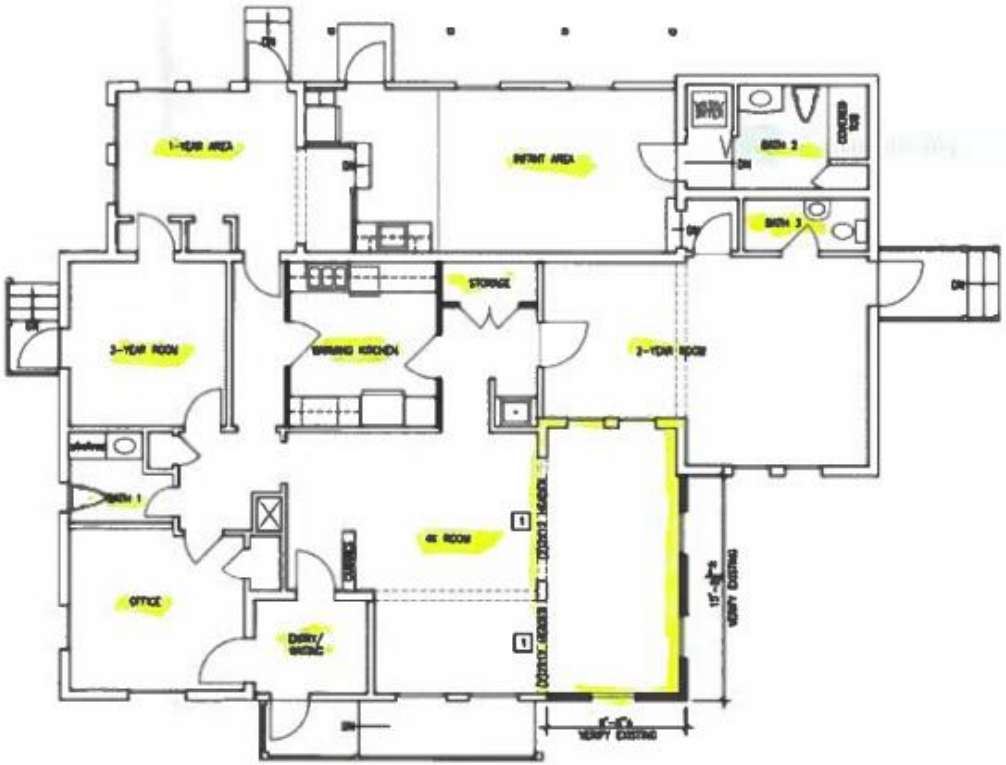
CONSTRUCTION NOTES:

1. COMO WINDOW & WALL AS NECESSARY TO EXTEND 4-6 YEAR ROOM INTO ADDITION

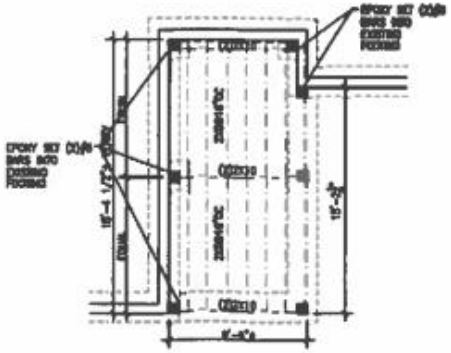
NEW WALL



WALL SECTION
SCALE 1" = 1'-0"



PROPOSED FLOOR PLAN
SCALE 1/4" = 1'-0"



FOUNDATION/FLOOR FRAMING
SCALE 1/4" = 1'-0"

TABLE 1004.1.2 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

INFANT ROOM - 272 SQ. FT. /20 NET = 13 OCCUPANTS ALLOWED, 9 PROPOSED
1-YEAR ROOM - 156 SQ. FT. /20 NET = 7 OCCUPANTS ALLOWED, 8 PROPOSED
2-YEAR ROOM - 274 SQ. FT. /20 NET = 14 OCCUPANTS ALLOWED, 10 PROPOSED
3-YEAR ROOM - 130 SQ. FT. /20 NET = 6.5 = 7 OCCUPANTS ALLOWED, 6 PROPOSED
4K ROOM - 386 SQ. FT. /20 NET = 19 = 19 OCCUPANTS ALLOWED, 12 PROPOSED
ENTRY/BATHRO - 48 SQ. FT. /7 NET = 6.8 = 6 OCCUPANTS ALLOWED, 4 PROPOSED
OFFICE - 127 SQ. FT. /100 GROSS = 1 OCCUPANT
KITCHEN - 110 SQ. FT. /200 GROSS = 1 OCCUPANT

TOTAL ---------- 49 OCCUPANTS*

*OCCUPANCY OF THIS BUILDING SHALL BE LIMITED TO 49
THE OWNERS SHALL POST A SIGN AT THE MAIN ENTRANCE STATING,
"OCCUPANCY OF THIS BUILDING SHALL BE LIMITED TO 49 OCCUPANTS"

REVISIONS
NO. DATE

ABL
ALICE & LAURIAN, INC.
2575 CHARLESTON HIGHWAY
JOHN'S ISLAND, SC 29455
(843) 768-8735

PLYMOUTH CHILDCARE 4K ADDITION
24 SYCAMORE AVENUE
CHARLESTON, SOUTH CAROLINA
PROPOSED FLOOR PLAN

COPYRIGHT 2021

DATE: 5/7/2021
PROJECT NO.: 10003
DESIGN: ABL
DRAWN: ABL
CHECKED: ABL

A3

EXISTING FRONT ELEVATION

PROPOSED FRONT ELEVATION

EXISTING RIGHT ELEVATION

PROPOSED RIGHT ELEVATION

REVISIONS

No.	Date

ABL
ALICE & LARRAINE, INC.
(843) 762-6725

PLYMOUTH CHILDCARE 4K ADDITION
24 SYCAMORE AVENUE
CHARLESTON, SOUTH CAROLINA
ELEVATIONS

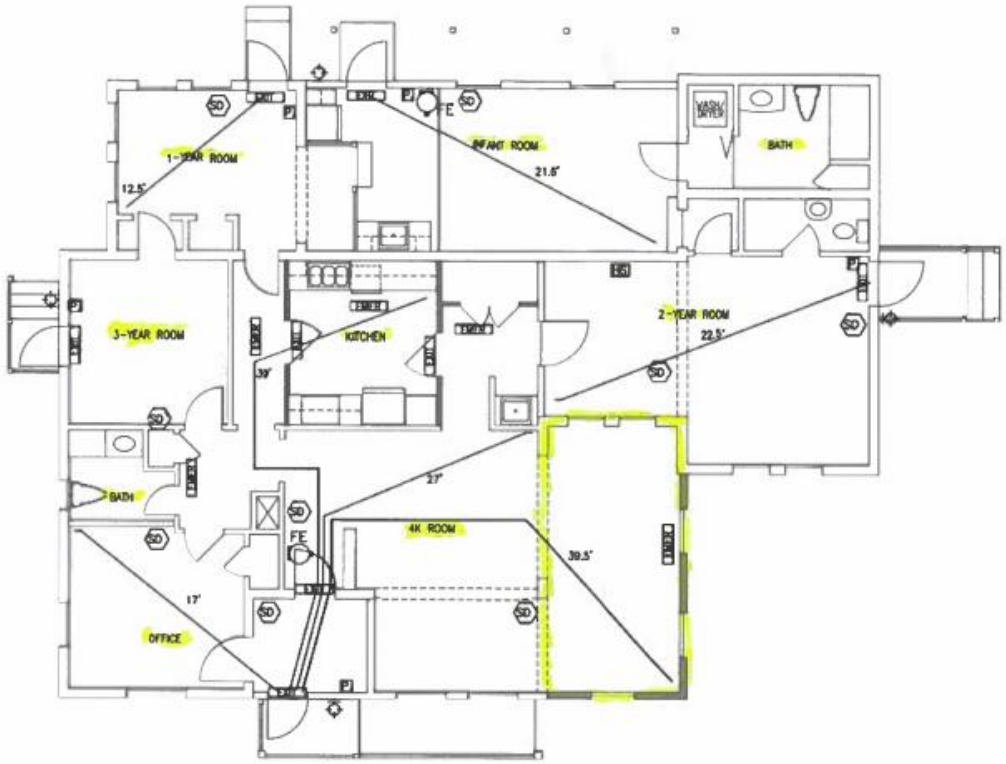
COPYRIGHT 2021

DATE: 5/7/2021
PROJECT NO.: 10503

DRAWN: ABL
CHECKED: ABL
CONTROLLED: ABL

A4

SHEET OF



1 / A5 LIFE SAFETY PLAN
SCALE: 1/8" = 1'-0"

LIFE SAFETY LEGEND

- SD — SMOKE DETECTOR
- P — PULL STATION
- S — STROBE
- HS — HORN STROBE
- EXIT WITH EMERGENCY LIGHT
- EMERGENCY LIGHT
- FE — FIRE EXTINGUISHER–NOTE 1

REVISIONS

NO.	DATE

ALICE B. LANHAM, AIA
2978 CANE SLASH ROAD
JOHN'S ISLAND, SC 29455
(843) 795-6735

ABL

PLYMOUTH CHILDCARE 4K ADDITION
24 SYCAMORE AVENUE
CHARLESTON, SOUTH CAROLINA
LIFE SAFETY PLAN

COPYRIGHT 2021
This drawing is the property of ALICE B. LANHAM, AIA. Unauthorized use of any kind, including use on other projects, is prohibited.

DATE: 5/7/2021
PROJECT NO.: 10503

Agenda Item #B-11

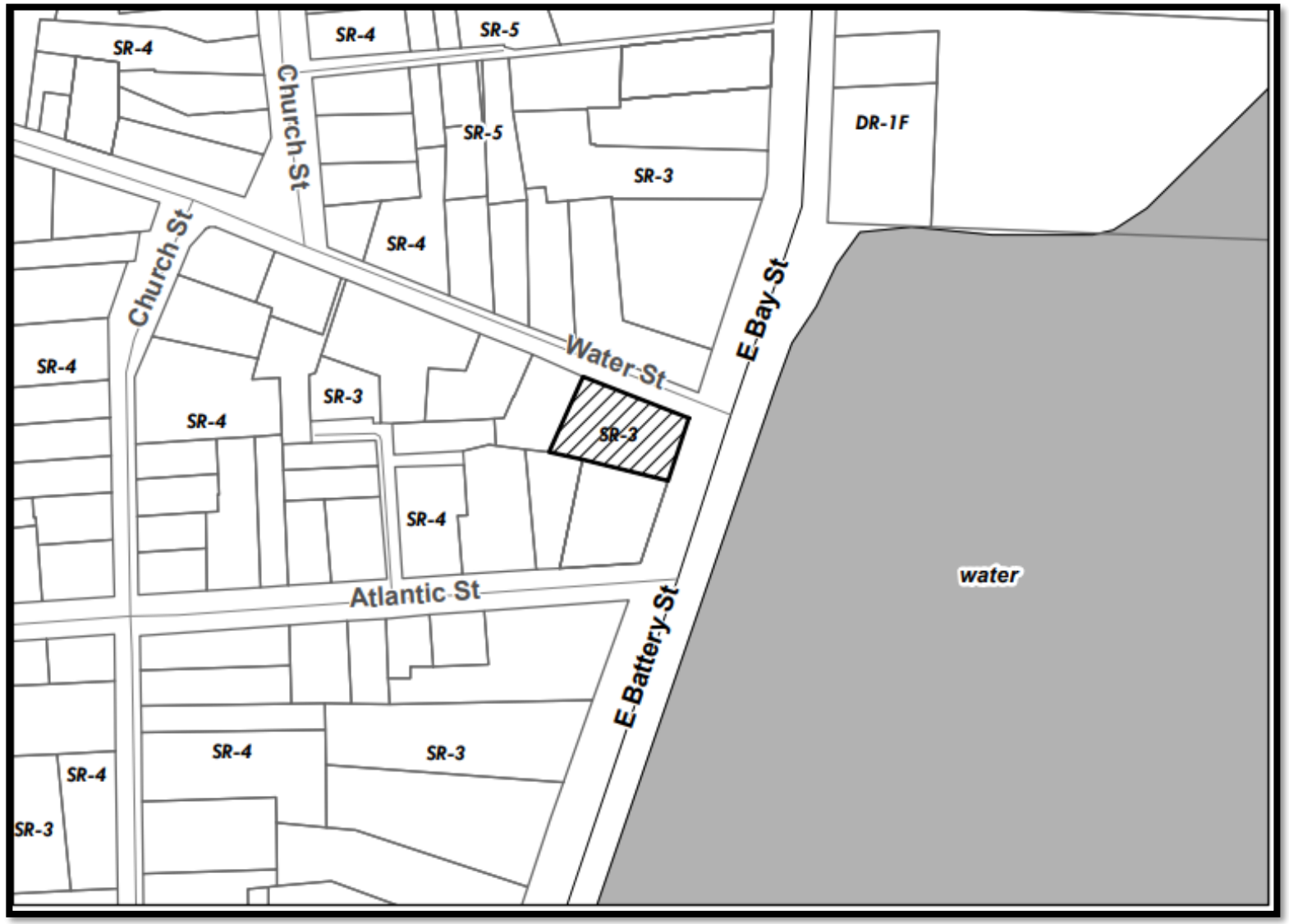
31 EAST BATTERY STREET

(CHARLESTOWNE)

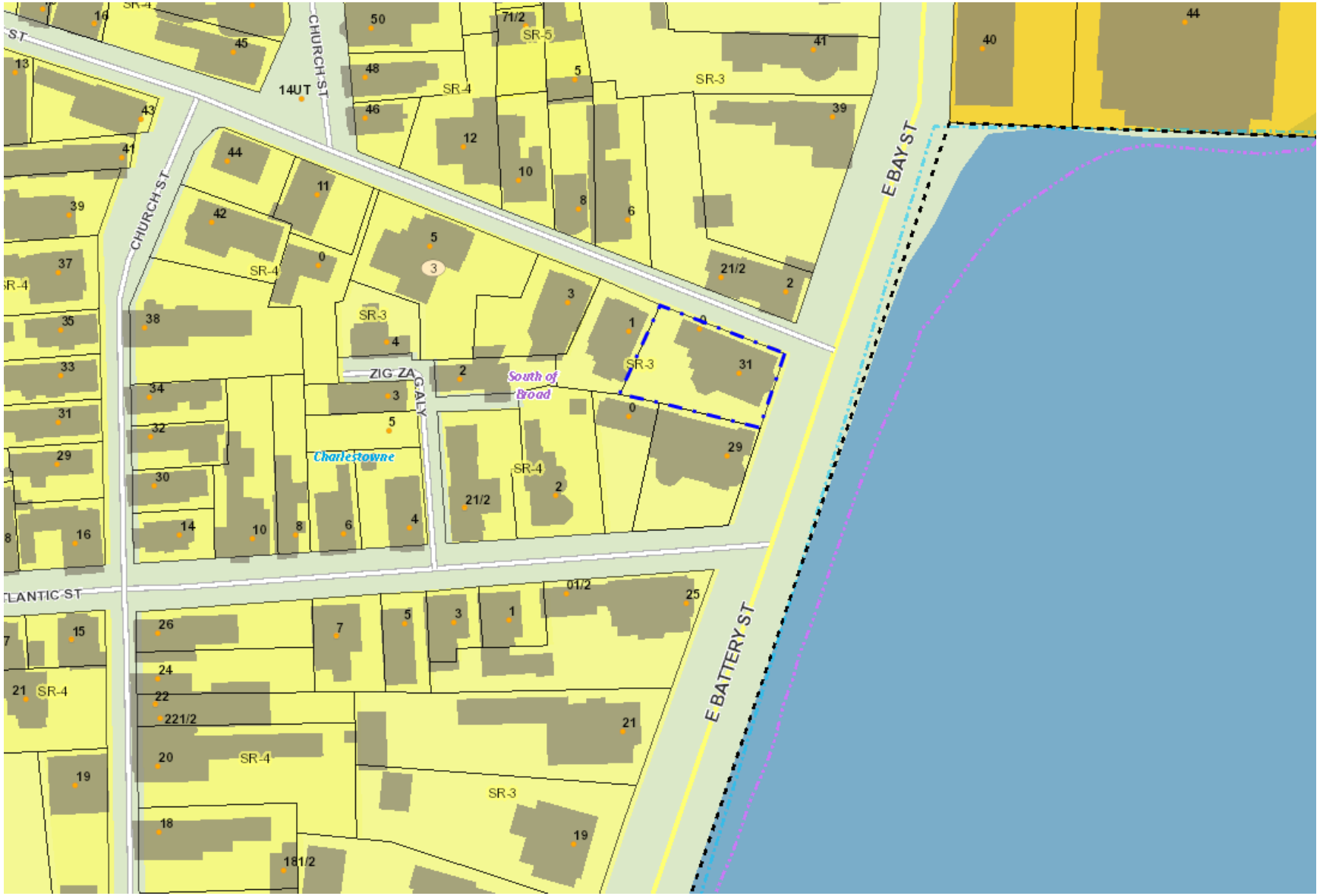
TMS # 457-16-04-064

Request variance from Sec. 54-301 to allow a 3-story addition to main house and new 2-story detached garage having a 46% lot occupancy (35% limitation; existing lot occupancy 39%).

Zoned SR-3


SR-4
SR-4
SR-5
Church St
SR-5
SR-3
DR-1F
Church St
SR-4
Water St
E Bay St
SR-4
SR-3
SR-4
SR-3
SR-4
Atlantic St
water
E Battery St
SR-4
SR-3
SR-4
SR-3

Zig Zag Alley
Atlantic Street
Water Street
East Battery
East Bay Stree


CHURCH ST
E BAY ST
E BATTERY ST
ZIG ZAG ALY
South of Broad
Charlestowne
14UT
SR-3
SR-4
SR-5

Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

City of Charleston

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- ☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 09.07.21

Property Address 31 EAST BATTERY TMS # 457 - 16 - 04 - 064

Property Owner Mr. John Streicker Daytime Phone _____

Applicant e e fava architects Daytime Phone 843.723.5099

Applicant's Mailing Address 54 Broad Street Charleston South Carolina 29401

_____ E-mail Address e@eefava.com

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

Zoning of property SR-3

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 _____ **Date** _____

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):

Request review & approval of requested lot coverage variance to allow for improvements to non-original rear section of main house (= 39.5% , existing lot occupancy is 39%) and proposed new accessory structure, where larger one had been located historically (+ 6.5% = 46%) that would fully accommodate all required accessory structure setbacks. The property is an oddly shaped, corner lot that would prohibit a functional accessory structure along water street. Historic precedent illustrate & dictate accessory structure should be located, as prior (in rear SW corner) & as requested herein. Proposed/Requested footprint/lot coverage less than what had been present prior & historically (see included sanborn maps) and is not detrimental to neighboring properties.

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):

Request review & approval of special exception (if/as required) for vertical extension at North elevation as shown at existing / non conforming northside facade to allow owner access to non visible rooftop garden above. Proposal to be reviewed at BAR post BZA submission.

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.

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Note: These drawings are strictly representations of the existing conditions of the structure located at 31 East Battery are the result of on site investigations of accessible areas. All dimensions and scaled elements noted herein are for reference only and should be verified by all individuals utilizing these documents for any other purpose.

Cover

Survey

EXISTING AND PROPOSED ARCHITECTURAL PLANS

A100 Siteplan
A101 First Floor Plan
A102 Second Floor Plan
A103 Third Floor Plan
A104 Roof Plan

EXISTING AND PROPOSED ELEVATIONS

A201 East Battery | EAST
A202 Water Street | NORTH
A203 Rear | WEST
A204 Garden | SOUTH
A205 Accessory Structure Elevations

BZA SUBMISSION SET
STREICKER 31 EAST BATTERY

31 East Battery | Charleston, South Carolina, 29401

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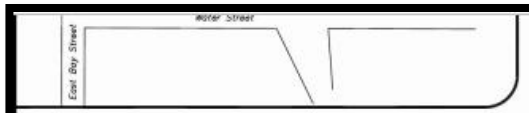
e. 08.06.2021



LOCATION MAP
N.T.S.

NOTES:

1.) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

2.) AREA DETERMINED BY COORDINATE METHOD.

3.) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.

4.) THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES ON THIS PROPERTY/THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT.

5.) CHARLESTON MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

6.) TREE SPECIES IF SHOWN HEREON ARE OUR OPINION ONLY AND HAVE NOT BEEN VERIFIED BY A CERTIFIED ARBORIST. PRIOR TO ANY DEVELOPMENT OR TREE REMOVAL TREE SPECIES SHALL BE VERIFIED.

7.) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.

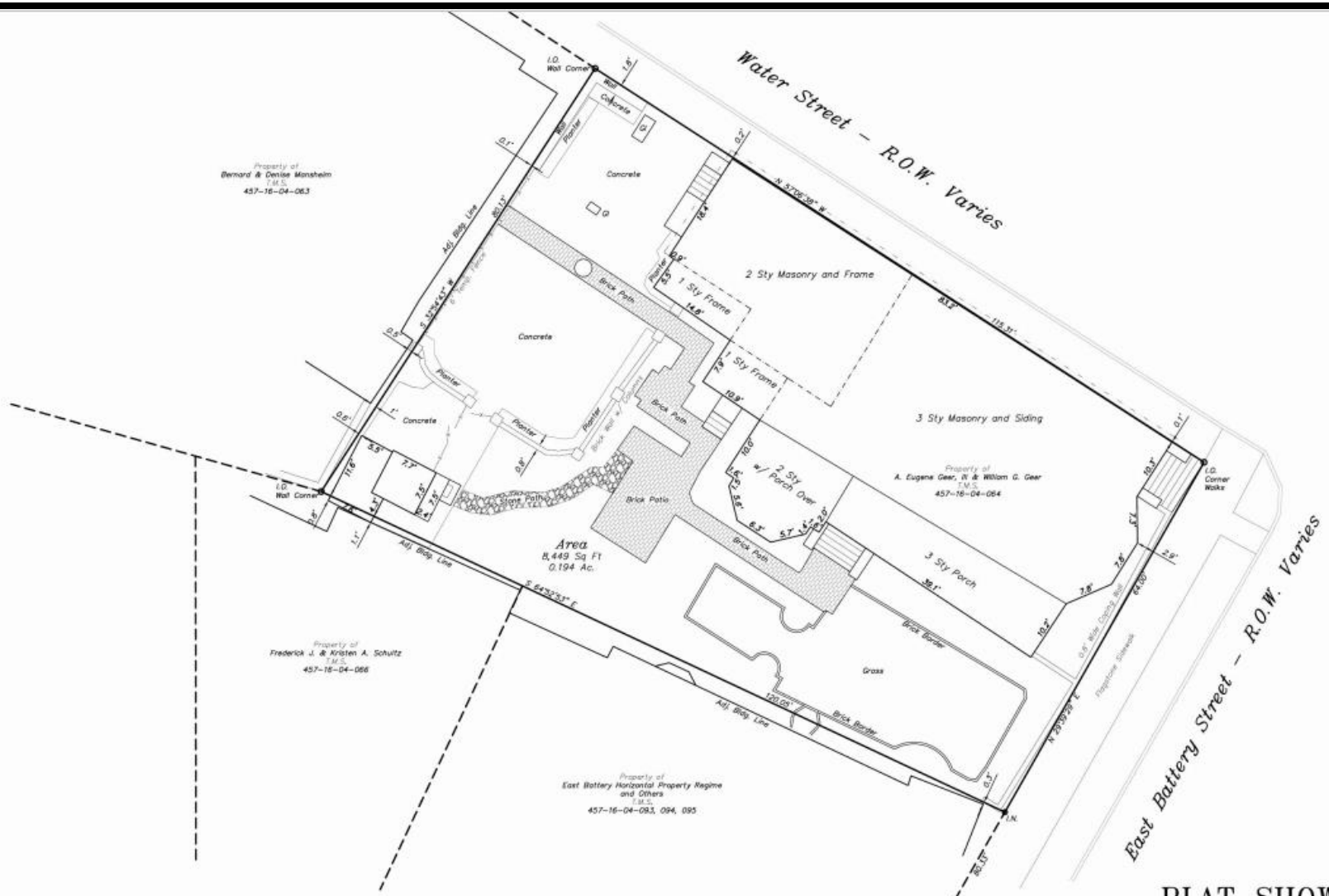
8.) THIS PROPERTY IS LOCATED IN FLOOD ZONE VE ELEVATION 15 & 16, AS PER FEMA MAP COMMUNITY-PANEL No. 455412 0518 J, DATED NOV. 17, 2004.
IT IS THE OWNER'S/BUILDER'S RESPONSIBILITY TO VERIFY THIS FLOOD ZONE WITH LOCAL AUTHORITIES PRIOR TO BUILDING.

9.) DECLARATION IS MADE TO THOSE PERSONS FOR WHOM THIS PLAT WAS PREPARED. IT IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS. THIS DRAWING/PLAT IS AN INSTRUMENT OF SERVICE AND IS THE SOLE PROPERTY OF GEORGE A.Z. JOHNSON, JR., INC. IT SHALL NOT BE REPRODUCED OR USED IN ANY WAY, WHATSOEVER, WITHOUT THE WRITTEN PERMISSION OF F. STEVEN JOHNSON, Jr., PE & PLS, SC REG No. 25478. COPYRIGHT © 2020, F. Steven Johnson, Jr.

10.) USE OF UNSEALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL OR LAND TRANSACTION, OR FILING WITH ANY PUBLIC AGENCY OR OFFICE IS UNAUTHORIZED USE AND IS A VIOLATION OF FEDERAL COPYRIGHT LAWS.

11.) "SURVEY INSPECTIONS" OR "UPDATES" OF THIS MAP ARE PROHIBITED.

12.) THESE CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



PLAT SHOWING
No. 31 EAST BATTERY STREET
A 0.194 ACRE PARCEL
LOCATED IN THE CITY OF CHARLESTON
CHARLESTON COUNTY, SOUTH CAROLINA

DATE: OCT. 15, 2020 SCALE: 1" = 10'

10 5 0 10 20 30
SCALE IN FEET

GEORGE A.Z. JOHNSON, JR., INC.
ENGINEERS · PLANNERS · LAND SURVEYORS
6171 SAVANNAH HIGHWAY
RAVENEL, SOUTH CAROLINA 29470
(843) 889.1492 Charleston No. 722.3892 sjohnson@gazj.net
Fax No. (843) 889.1054

General Property Survey

I, F. Steven Johnson, Jr., a Registered Professional Land Surveyor in the State of South Carolina, certify to owner(s) shown hereon that this 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.

SOUTH CAROLINA ★ No. 25478 ★ F. STEVEN JOHNSON, JR. PROFESSIONAL ENGINEER & LAND SURVEYOR

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION George A.Z. Johnson, Jr., Inc. Engineers Land Surveyors No. C00213

F. Steven Johnson, Jr., PE & PLS S.C. No. 25478
This plat not a valid, true copy unless bearing the raised, embossed seal of the surveyor.

JOB# 24785 F.B.# 964 DRAWN BY: fsj

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Note: These drawings are strictly representations of the existing conditions of the structure located at 31 East Battery and the result of on site investigations of accessible areas. All dimensions and scaled elements noted herein are for reference only and should be verified by all individuals utilizing these documents for any other purpose.

August 6, 2021

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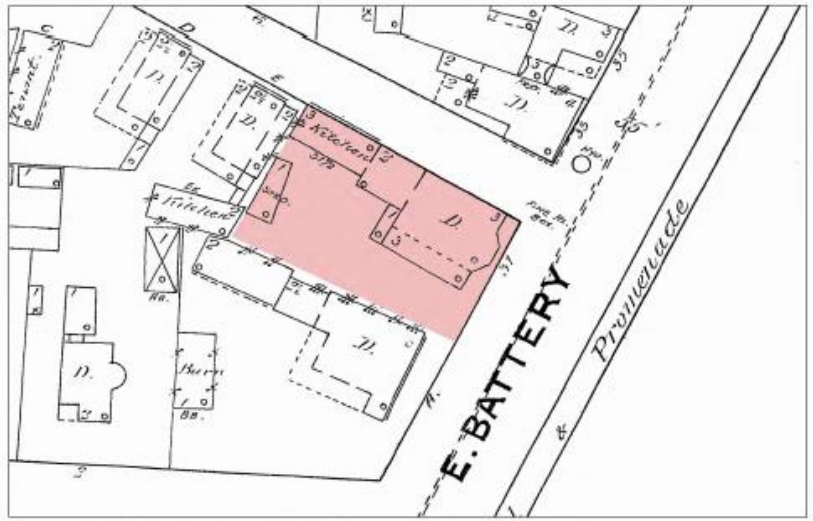
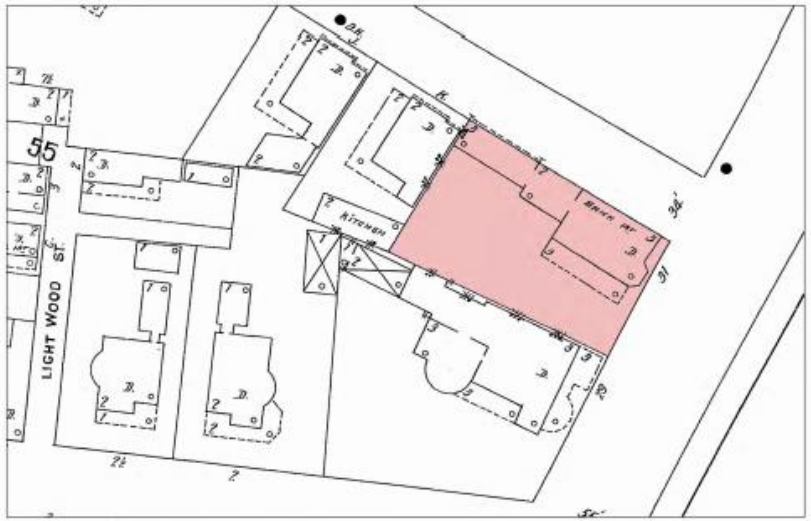
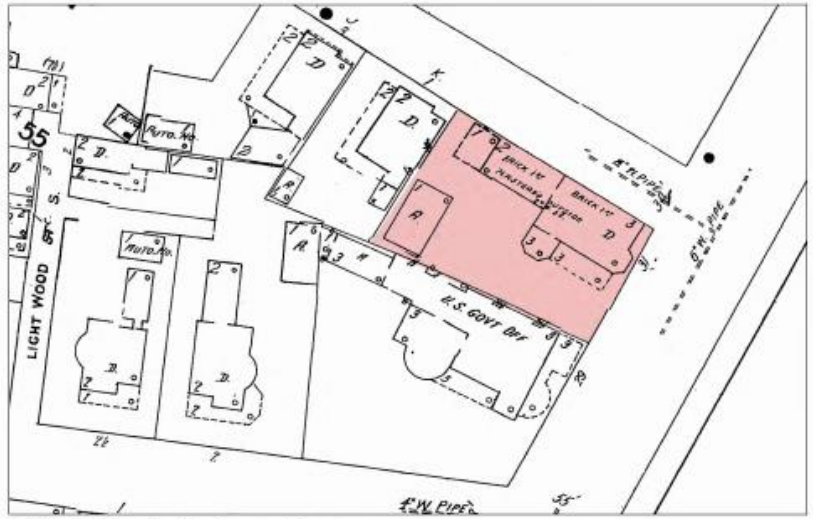
e. Existing Condition Photographs
PH101



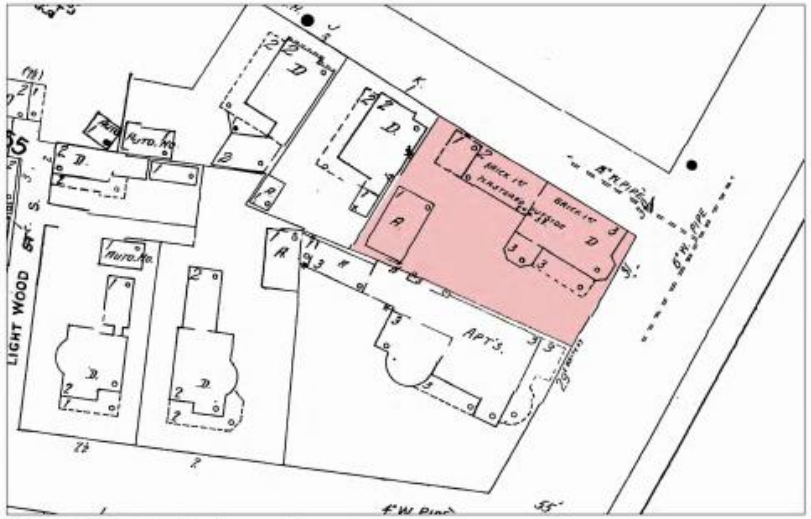
1888 Historic Sanborn Map Map



1902 Historic Sanborn Map Map



1944 Historic Sanborn Map Map



1951 Historic Sanborn Map Map

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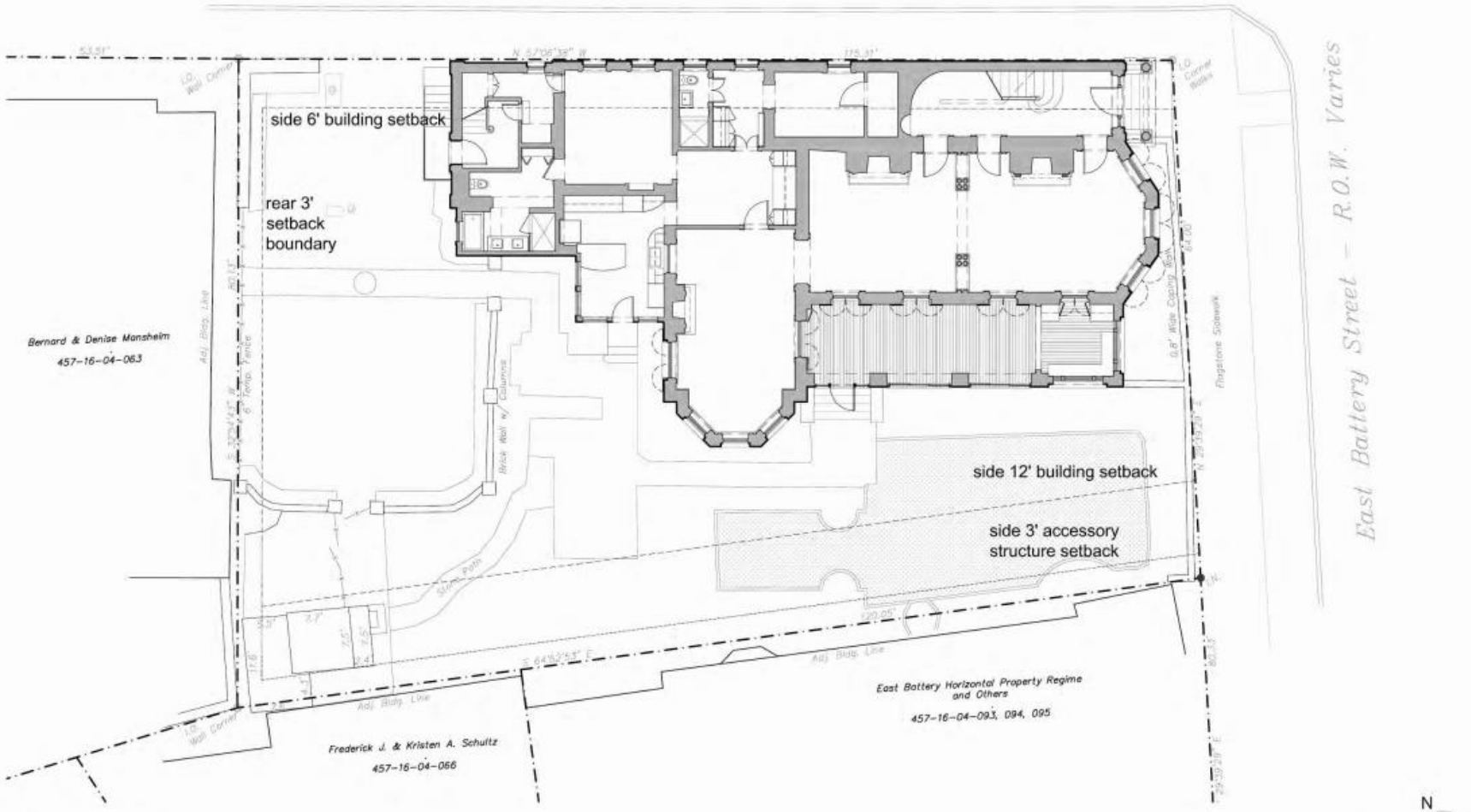
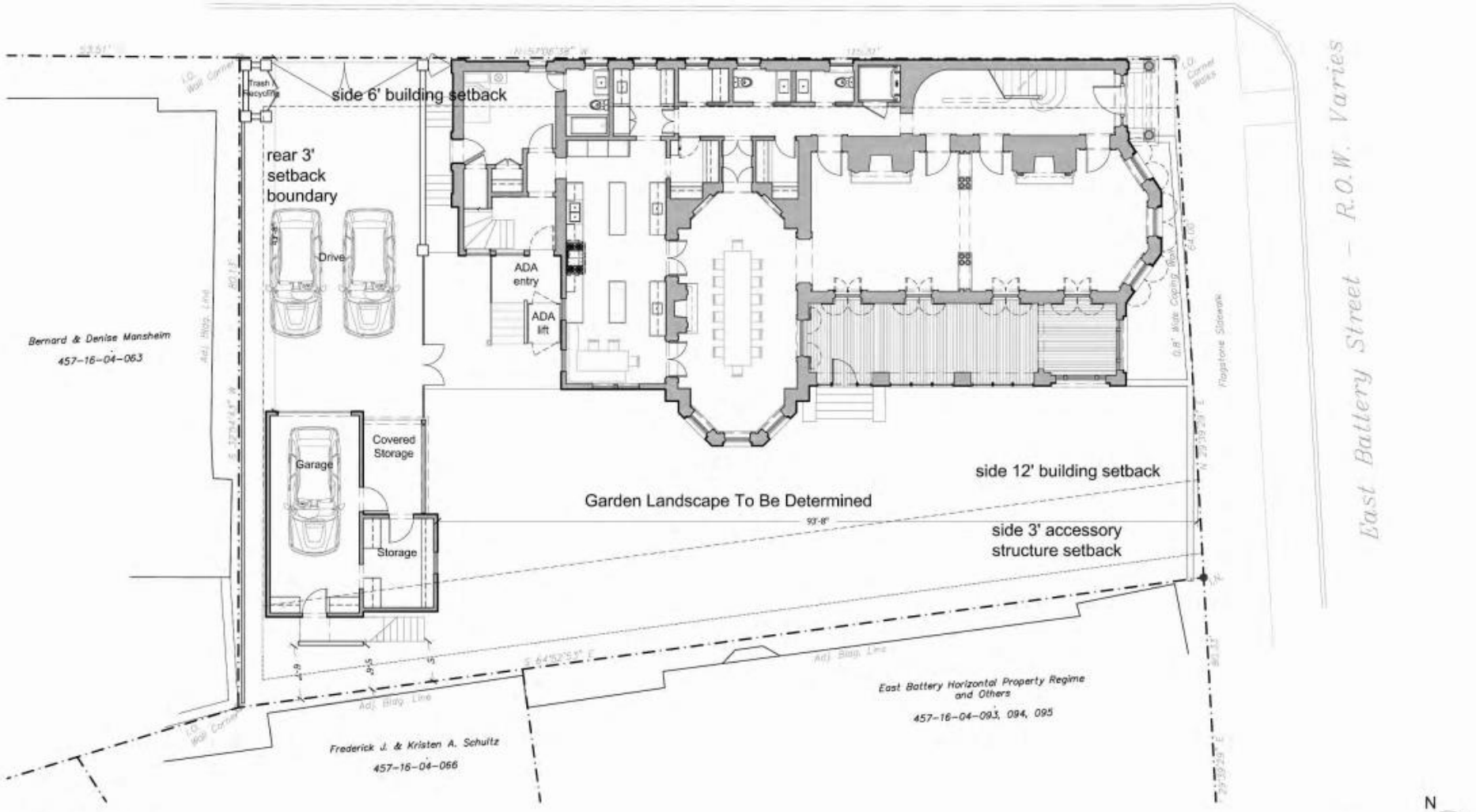


1 Existing Siteplan

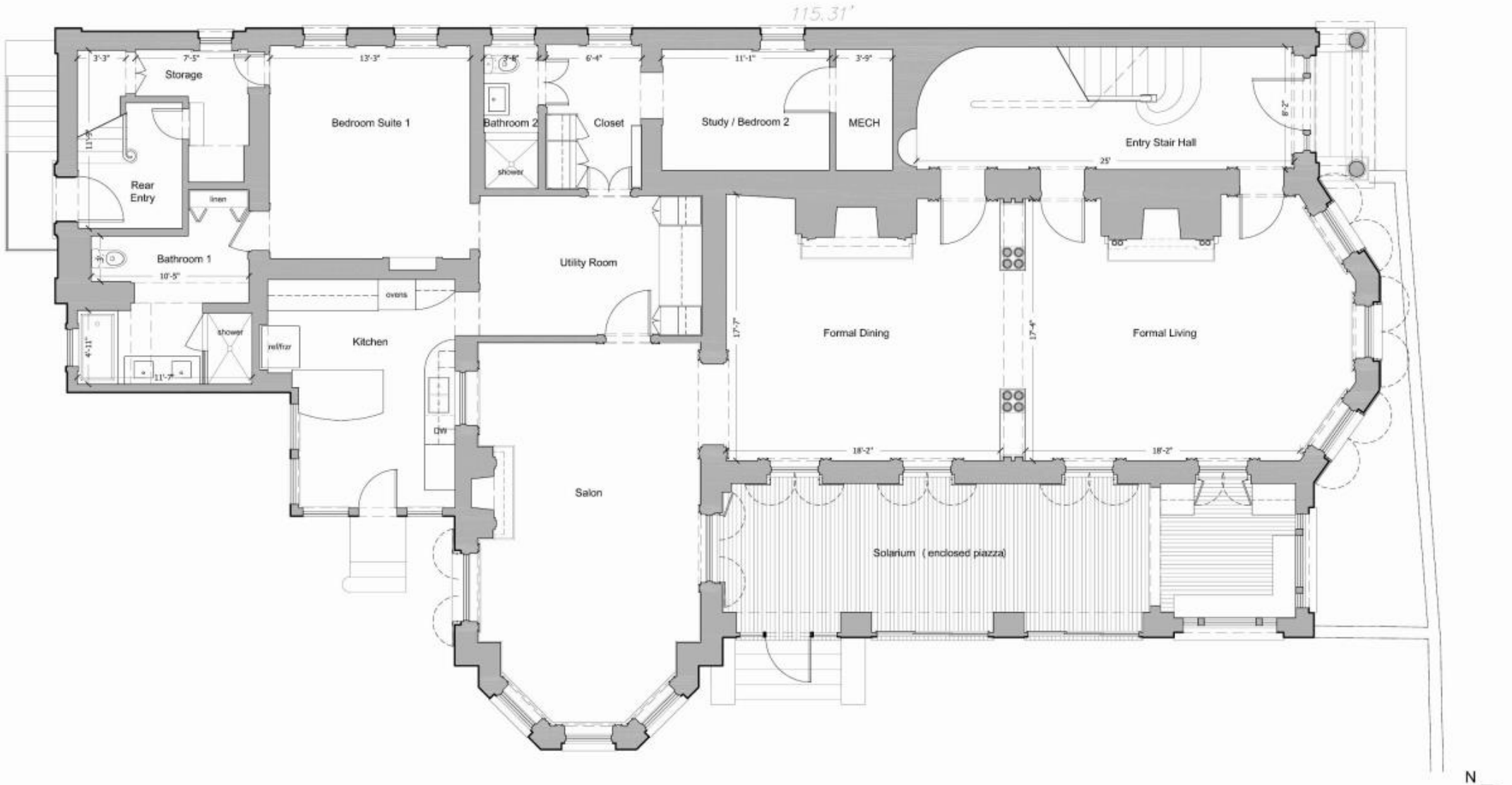
Scale 1/8" = 1'



2 Proposed Siteplan

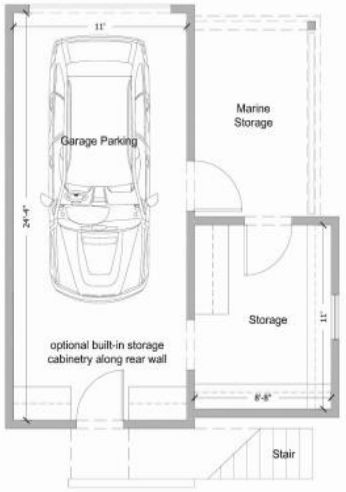
Scale 1/8" = 1'

ANY PROPOSED EXTERIOR MODIFICATIONS ARE FULLY CONTINGENT UPON APPROVAL BY CITY REVIEW BOARDS



1 Existing First Floor Plan

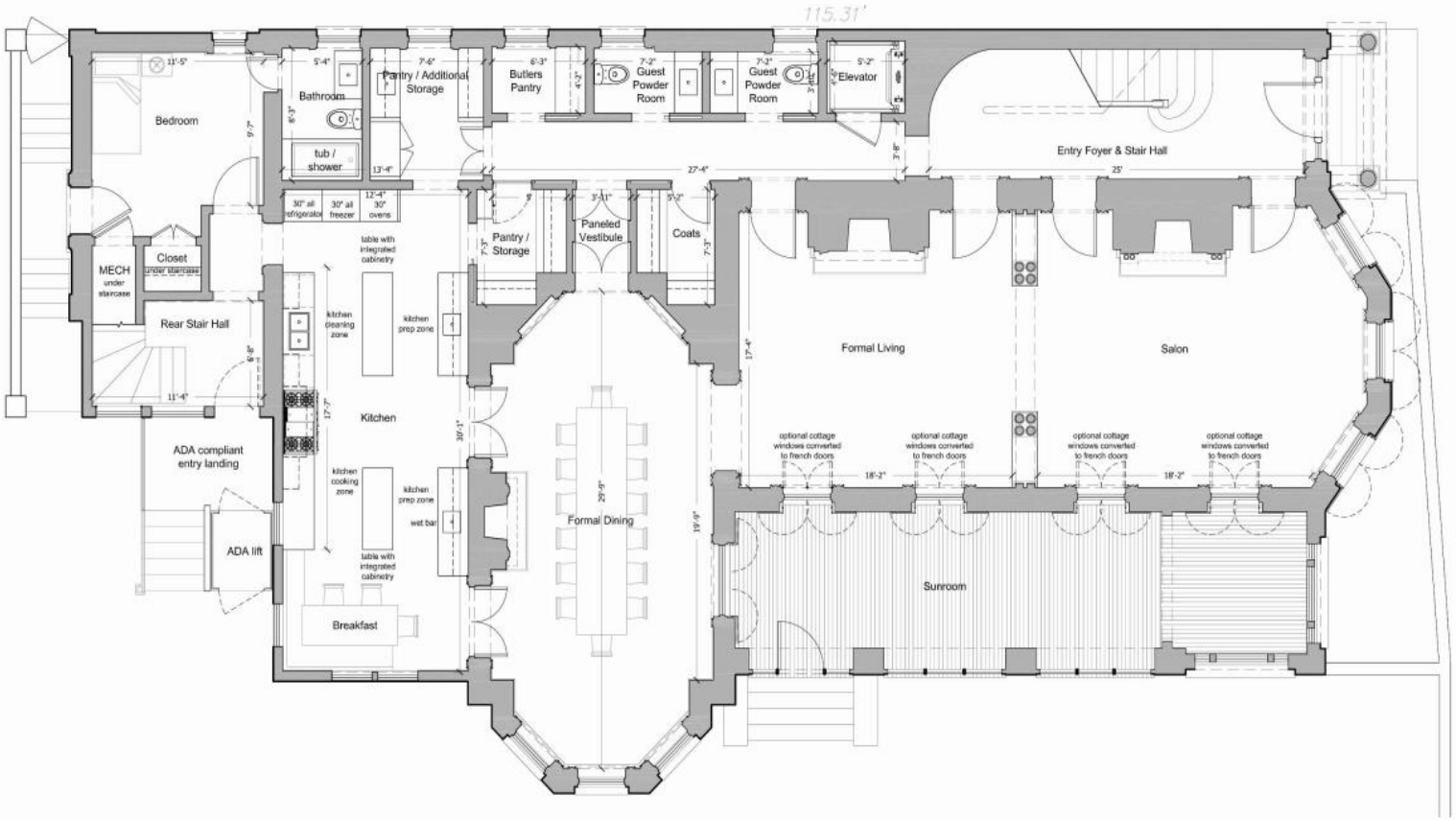
Scale 1/4" = 1'



note : conditioned space, mechanical equipment and appliances cannot be located in the flood plain

3 Accessory Structure First Floor Scale 1/4" = 1'

NOTE: ACCESSORY STRUCTURE MEETS ACCESSORY SETBACK REQUIREMENTS

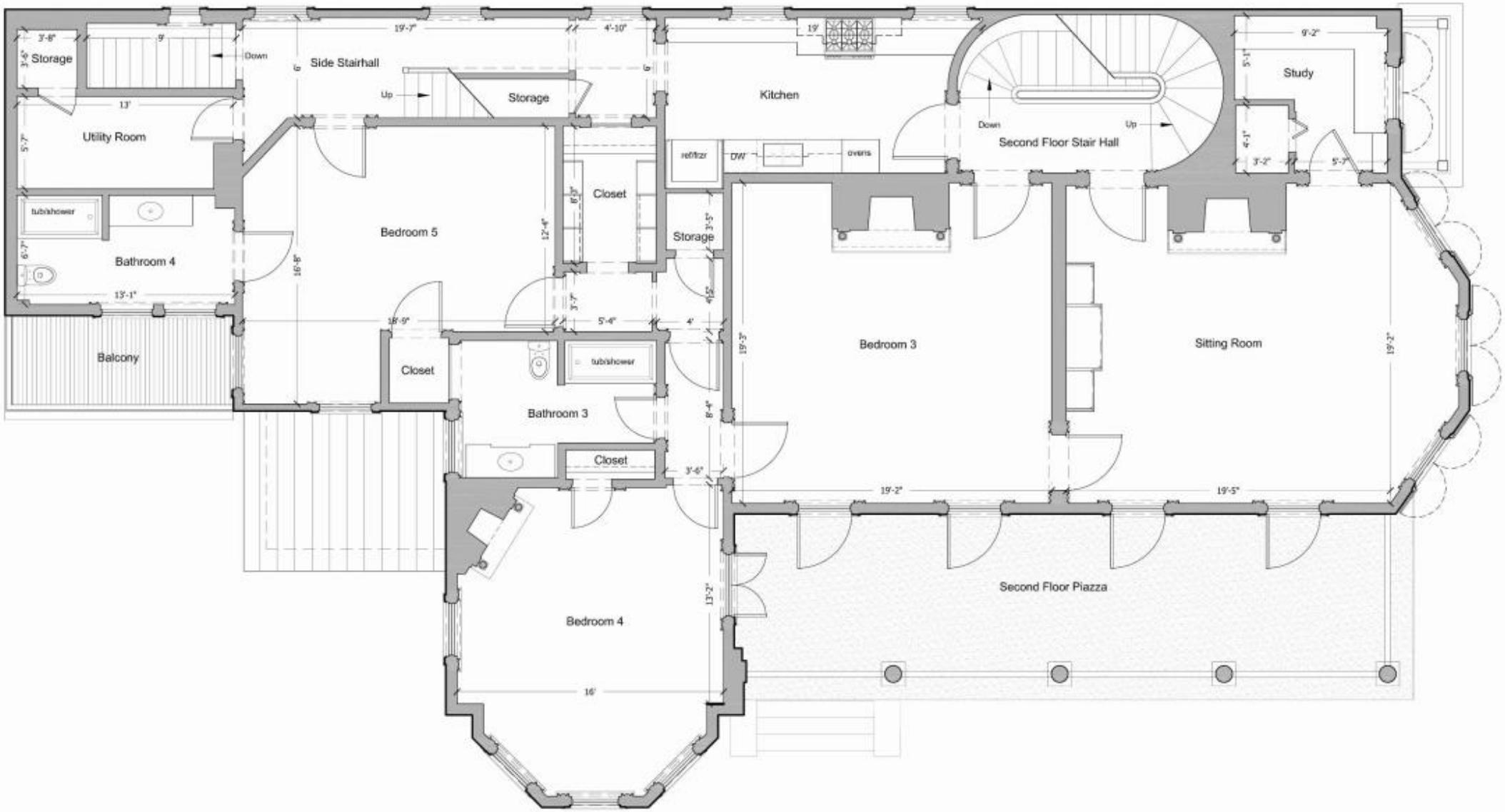


2 Proposed First Floor Plan Scale 1/4" = 1'

N

ANY PROPOSED EXTERIOR MODIFICATIONS ARE FULLY CONTINGENT UPON APPROVAL BY CITY REVIEW BOARDS

August 6, 2021

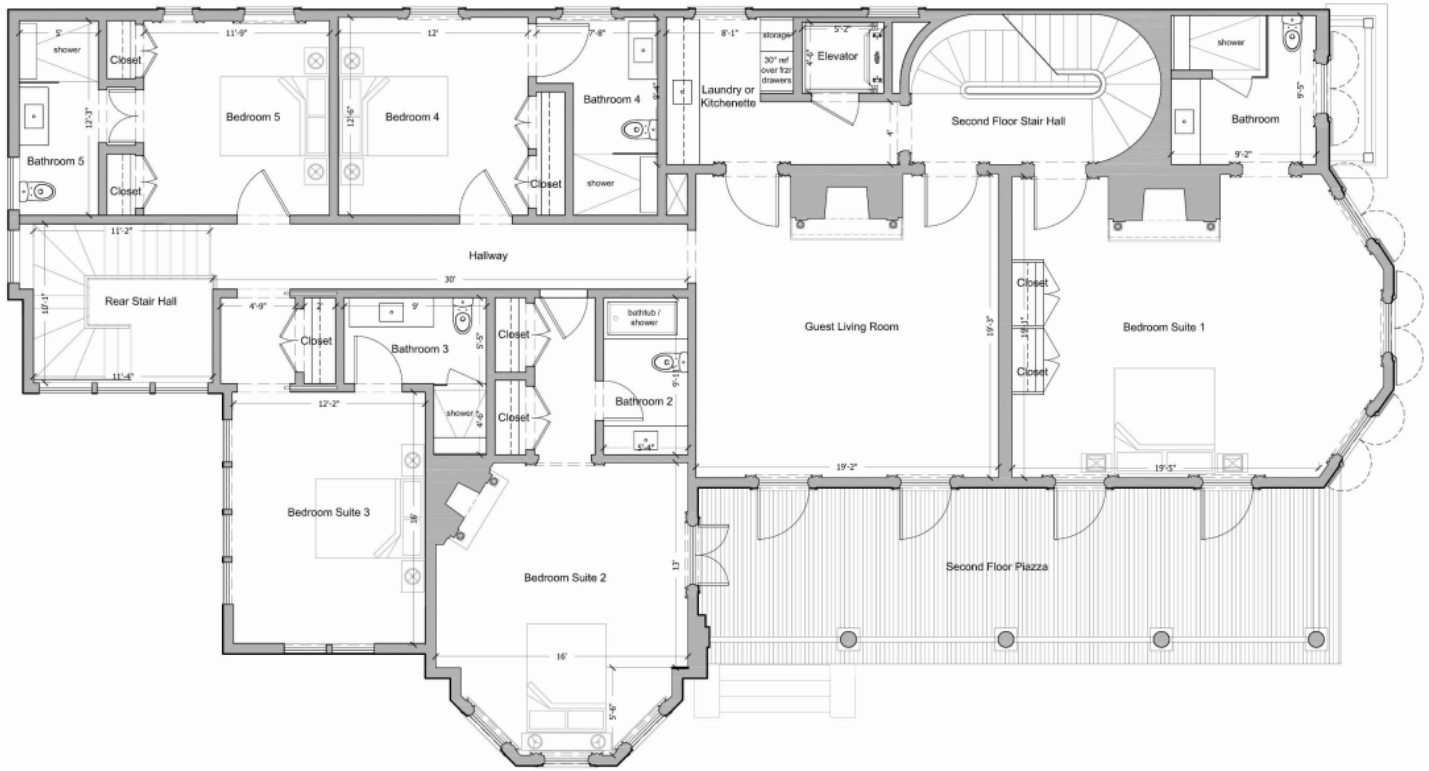


1 Existing Second Floor Plan

Scale 1/4" = 1'

3 Accessory Structure Second Floor Scale 1/4" = 1'

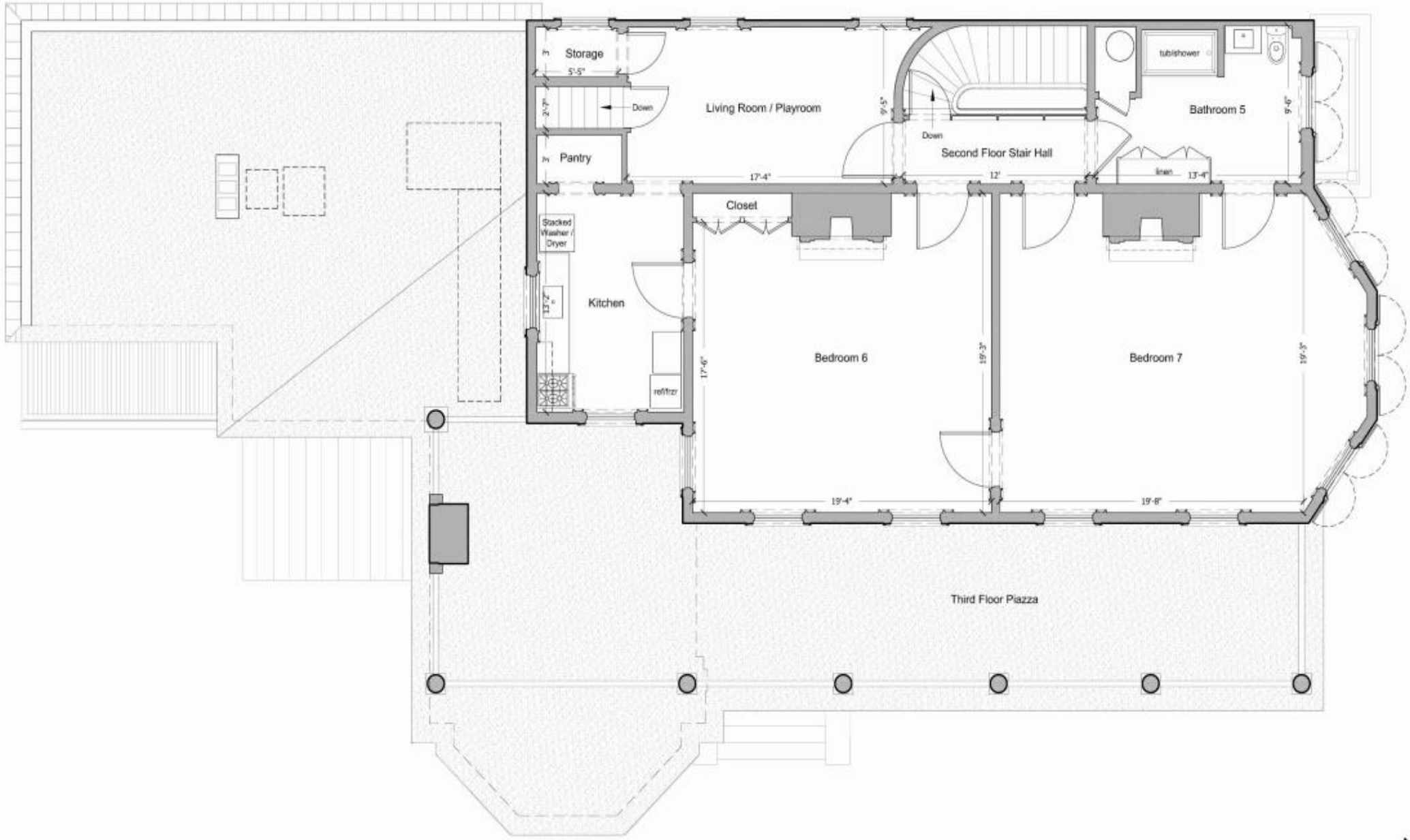
NOTE: ACCESSORY STRUCTURE MEETS ACCESSORY SETBACK REQUIREMENTS



2 Proposed Second Floor Plan Scale 1/4" = 1'

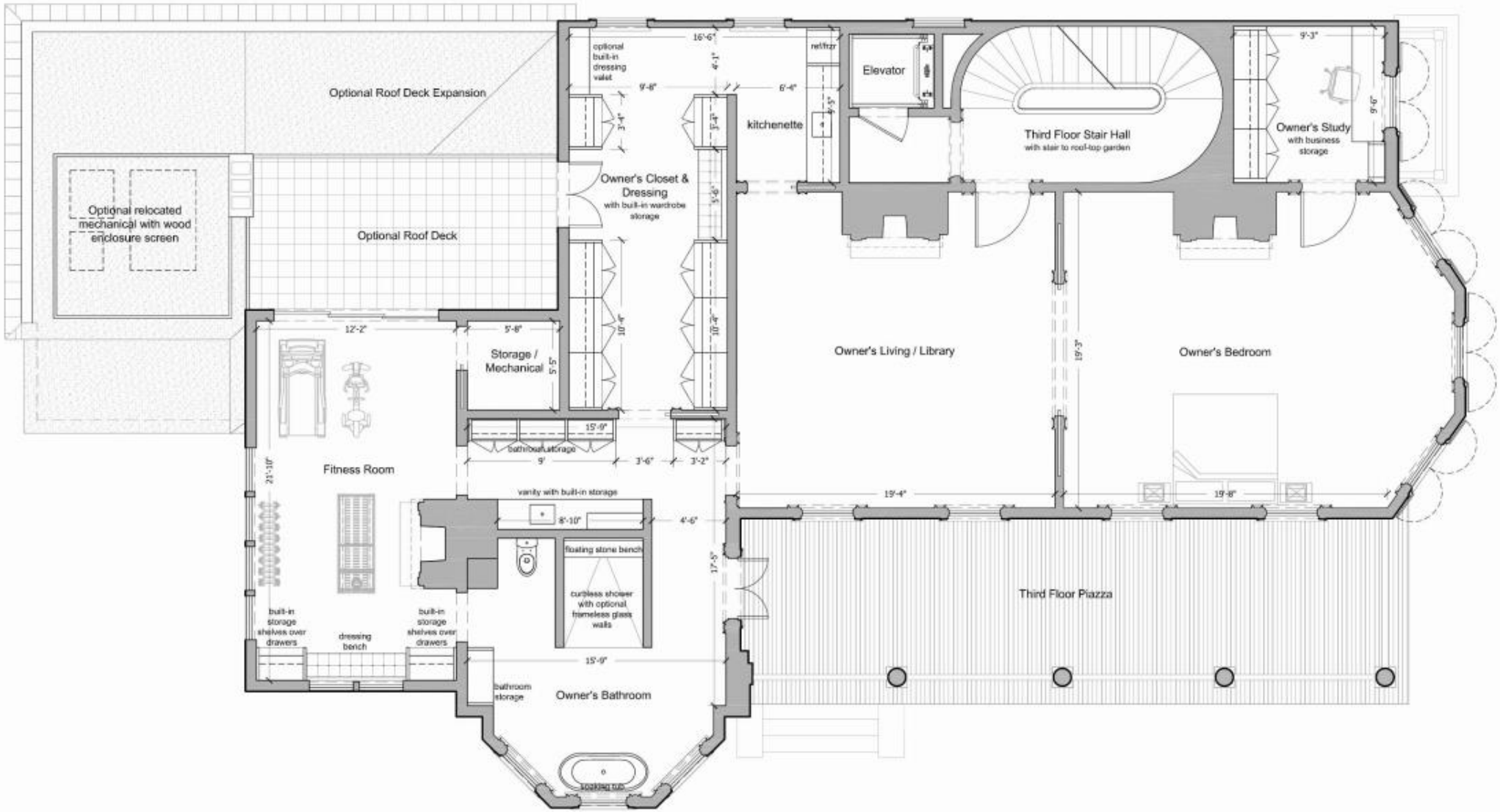
N

ANY PROPOSED EXTERIOR MODIFICATIONS ARE FULLY CONTINGENT UPON APPROVAL BY CITY REVIEW BOARDS



1 Existing Third Floor Plan

Scale 1/4" = 1'



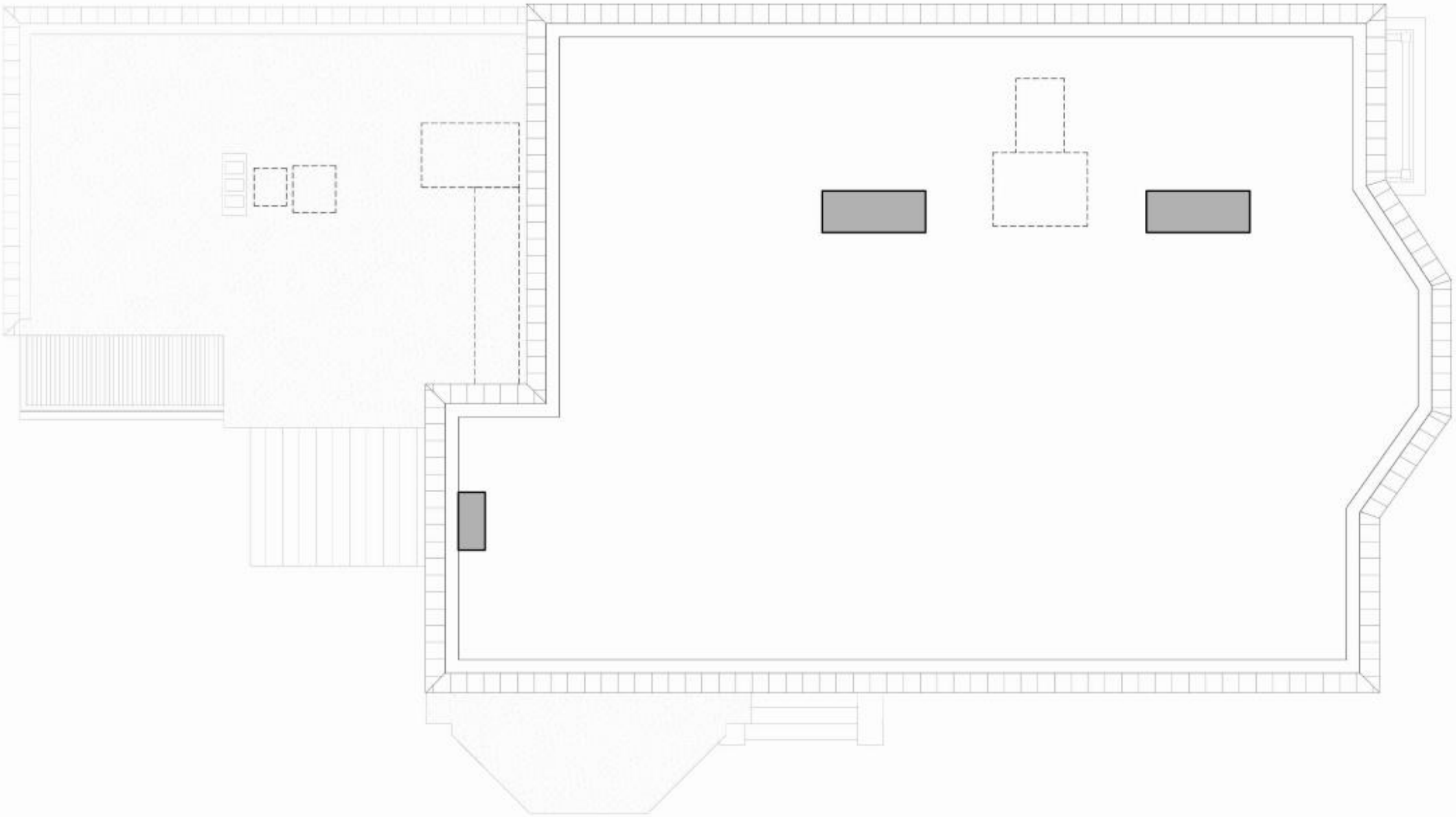
2 Proposed Third Floor Plan

Scale 1/4" = 1'

N

ANY PROPOSED EXTERIOR MODIFICATIONS ARE FULLY CONTINGENT UPON APPROVAL BY CITY REVIEW BOARDS

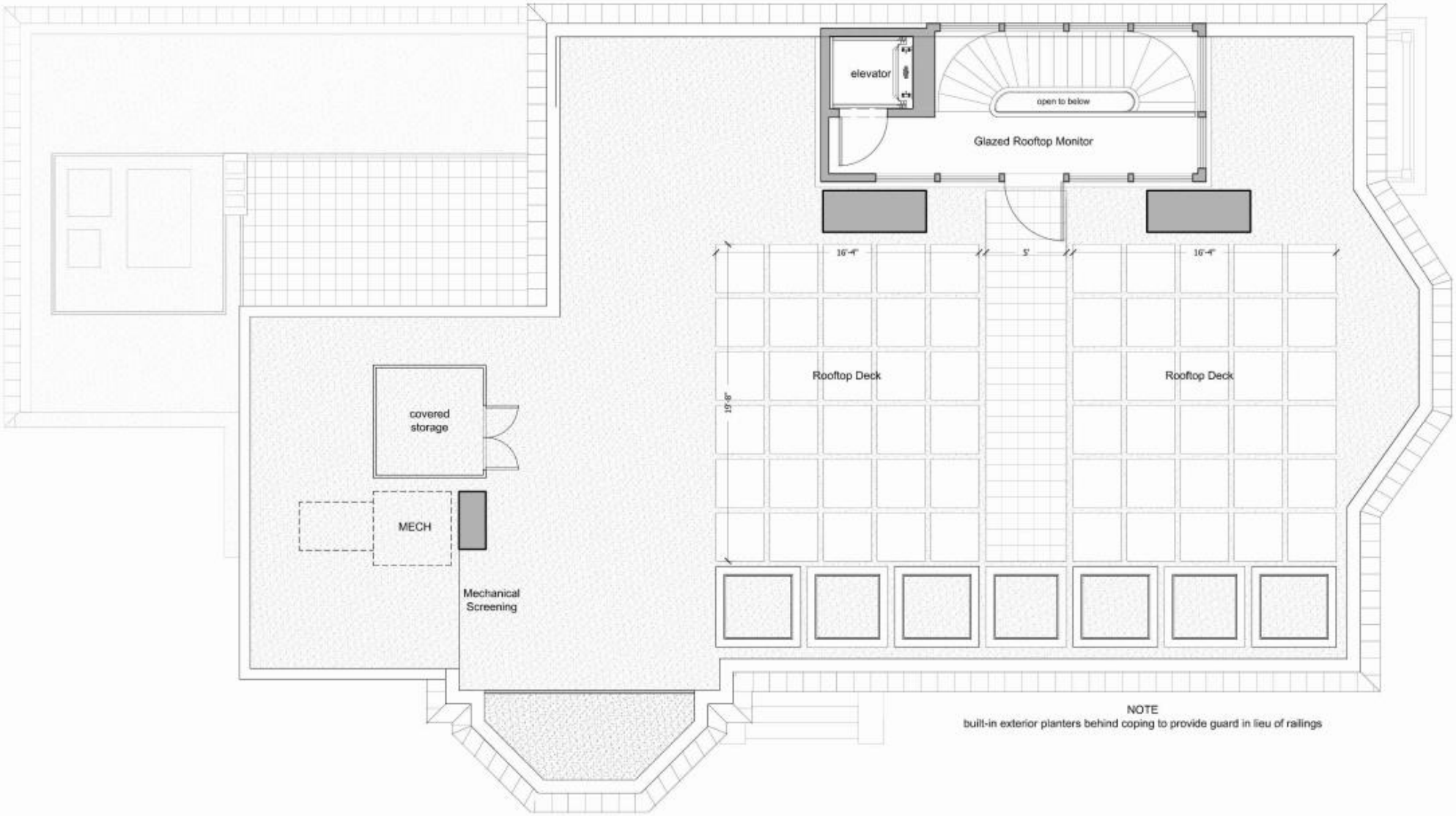
August 6, 2021



1 Existing Roof Plan

Scale 1/4" = 1'

N



2 Proposed Roof Plan

Scale 1/4" = 1'

N

ANY PROPOSED EXTERIOR MODIFICATIONS ARE FULLY CONTINGENT UPON APPROVAL BY CITY REVIEW BOARDS

Existing East Battery Elevation .
EAST

1
A201

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

Proposed East Battery Elevation .
EAST

2
A201

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

Existing Water Street Elevation .
NORTH

1
A202

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

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Existing and Proposed Elevations

e. A202

1
A203

Existing Rear Elevation . WEST

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

2
A203

Proposed Rear Elevation . WEST

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

1
A204

Existing Garden Elevation . SOUTH

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

Proposed Garden Elevation .
SOUTH

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1 A205 Carriage House Drive . NORTH
SCALE: 1/4" = 1'-0"

2 A205 Carriage House Rear . WEST
SCALE: 1/4" = 1'-0"

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e. Carriage House Elevations
A205