



# CITY OF CHARLESTON

## BOARD OF ZONING APPEALS – ZONING

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### MEETING RESULTS

SEPTEMBER 19, 2023

5:15 P.M.

2 GEORGE STREET

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7:20 P.M.

BOARD MEMBERS PRESENT: Jeffrey Tibbals, Allison Grass, Bill Goodwin, Jr., Chappy McKay, John Bennett, Robben Richards

STAFF MEMBERS PRESENT: Lee Batchelder, Penny Ashby, Emma McQuarrie, Alison Craig

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#### A. Review of Minutes and Deferred Applications from Previously Advertised BZA-Z Agendas

##### 1. Review Minutes of the September 5, 2023 Board Meeting

**DECISION: APPROVED**

MOTION: Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 6 AGAINST: 0

NOTES:

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#### B. New Applications

##### 1. 33 Lockwood Blvd.

**TMS # 460-14-00-007 and 026 | Zoned: GB**

Request an appeal of the Zoning Administrator's decision to allow the use of a temporary construction trailer for a business office.

Owner: The Harborage at Ashley Marina

Applicant: John Linton, Walker Gressette & Linton, LLC

**DECISION: DEFERRED**

MOTION: \_\_\_\_\_

MADE BY: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: FOR: \_\_\_\_ AGAINST: \_\_\_\_

NOTES:

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##### 2. 728 Rutledge Ave.

**North Central | TMS # 463-15-04-132 | Zoned: DR-1F**

Request an appeal of the Zoning Administrator's decision to deny a Category 2 Residential STR permit application.

Owner: Angela M. Smith/D. Hayden Smith

Applicant: D. Hayden Smith

**DECISION: DENIED**

MOTION: Deny

MADE BY: Bill Goodwin, Jr. SECOND: John Bennett VOTE: FOR: 6 AGAINST: 0

NOTES: See notes continued on Page 2.

NOTES:

1. The Board makes the following findings of fact which are supported by the evidence:

*The Board found that the Zoning Administrator properly exercised his discretion in determining that the proposed STR was not an accessory use to the principal residential use on the property per Section 54-208 of the City's zoning ordinance. The Zoning Administrator based his determination on the size, age and location of the structures on the property. Appellant's arguments relating to the use of the outdoor area were duly considered but insufficient to overturn the Zoning Administrator's discretion.*

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3. **2 F St.**

**Westside | TMS # 463-16-03-035 | Zoned: DR-1**

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 2,554sf; 4,000sf required).

Owner: William Easterlin  
Applicant: Chamberlain Chesnut

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Robben Richards VOTE: FOR: 6 AGAINST: 0

NOTES:

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4. **161 Tradd St.**

**Charlestowne | TMS # 457-11-04-029 | Zoned: DR-1**

Request special exception under Sec. 54-110 to allow a horizontal expansion (1-story bedroom/bathroom) addition that extends a non-conforming 1-ft. 8 ¾ inch east side setback (3-ft. required).

Request variance from Sec. 54-301 to allow a (1-story bedroom/bath) addition having a 43.25% lot occupancy (35% limit, existing lot occupancy 37.3%).

Owner: Ross Miller and Jennifer Hoffman  
Applicant: Sebastian von Marschall Architect, LLC

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

NOTES: John Bennett-recused

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5. **2 Unity Alley and 155 East Bay St.**

**French Quarter | TMS # 458-09-01-004 and 458-09-01-003 | Zoned: LB**

Request special exception under Sec. 54-511 to allow a restaurant use at 2 Unity Alley on the first and second floors with 4,208sf of inside patron use area, and at 155 E. Bay St. on the first and second floors with 997sf of inside patron use area, without providing off-street parking spaces (53 spaces required).

Owner: CF-CH Realty Holdings, LLC  
Applicant: Trenholm Walker c/o Walker Gressette & Linton, LLC

**DECISION: APPROVED WITH CONDITIONS**

MOTION: Approval with Conditions

MADE BY: John Bennett SECOND: Allison Grass VOTE: FOR: 6 AGAINST: 0

NOTES: Conditions: 1. No live music; 2. No outdoor patron use area on Unity Alley or roof top; 3. 11:00 P.M. closing time.

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**6. 10 Magnolia Ave.**

**North Central | TMS # 463-08-03-032 | Zoned: SR-2**

Request special exception under Sec. 54-110 to allow a horizontal expansion (master bedroom suite/stairs) and vertical extension (bedrooms/bathroom/closets) that extends a non-conforming 5.8-ft. north side setback (9-ft. required).

Request variance from Sec. 54-301 to allow a horizontal expansion and vertical extension with a 23.8-ft. rear setback (25-ft. required).

Owner: George and Louisa Gooding  
Applicant: Joel Adrian, Coastal Creek Design

**DECISION: DEFERRED**

MOTION: \_\_\_\_\_

MADE BY: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: FOR: \_\_\_ AGAINST: \_\_\_

NOTES:

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**7. 21 Colonial St.**

**Charlestowne | TMS # 457-07-04-008 | Zoned: STR**

Request variance from Sec. 54-301 to allow a detached accessory building (trellis covered outdoor dining) with a 1.5-ft. rear setback, a 4.5-ft. south side setback (25-ft., 12-ft. required).

Owner: David and Kristin Chambless  
Applicant: Elizabeth Pope, Landscape Architect

**DECISION: WITHDRAWN**

MOTION: \_\_\_\_\_

MADE BY: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: FOR: \_\_\_ AGAINST: \_\_\_

NOTES:

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**8. 942 Rutledge Ave.**

**North Central | TMS # 463-08-01-055 | Zoned: SR-2**

Request variance (after-the-fact) to allow a detached accessory structure (9-ft. tall pergola) having a 5.1-ft. rear setback (25-ft. required).

Owner/Applicant: Kathleen Eldh

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: John Bennett VOTE: FOR: 5 AGAINST: 1  
Alison Grass

NOTES:

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**9. 71 Bull St.**

**Harleston Village | TMS # 457-03-02-099 | Zoned: DR-1F**

Request special exception under Sec. 54-110 to allow a 2-story addition (bay window) that extends a non-conforming 14.5 rear setback (25-ft. required).

Request special exception under Sec. 54-110 to allow a 2-story addition (powder room, closet) that extends a non-conforming 0.5-ft. east side setback (3-ft. required).

Request variance from Sec. 54-301 to allow a rear 2-story addition (powder room, closet) with a 5.4-ft. rear setback (25-ft. required).

Request variance from Sec. 54-301 to allow a detached 1-story accessory building (garden pavilion/storage/fireplace) with a 3-ft. rear setback and a 3.8-ft. west side setback (25-ft. 9-ft. required).

Owner: J. Walker Layne, Jr. and Nicole Layne  
Applicant: Kate Campbell, Beau Clowney Architects

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Bill Goodwin, Jr. VOTE: FOR: 6 AGAINST: 0

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**10. 118 Dunnemann Ave. and 1 Eighth Ave.**

**Wagener Terrace | TMS # 463-14-01-033 | Zoned: SR-2**

Request special exception under Sec. 54-110 to allow a 1-story and 2-story addition that extends a non-conforming 6.2-ft. rear setback (25-ft. required).

Request special exception under Sec. 54-110 to allow a 1-story addition (sunroom) that extends a non-conforming 18.6-ft. rear setback (25-ft. required).

Request variance from Sec. 54-301 to allow a 2-story addition with a 3.9-ft. side setback (9-ft. required).

Owner: The Winsome Company, LLC

Applicant: Nick and Jess Connolly

**DECISION: DEFERRED**

MOTION: Deferred

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 6 AGAINST: 0

NOTES: Deferred to meet with Wagener Terrace N.A. to address their concerns.

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**11. 1602 Seloris Ct.**

**Ancrum Hill | TMS # 351-07-00-133 | Zoned: SR-6**

Request variance from Sec. 54-301 to allow construction of a 1.5-story single-family residence with a 13-ft. front setback (18-ft. required).

Owner: Mavros, LLC

Applicant: Keith Waring, Manager

**DECISION: APPROVED**

MOTION: Approval

MADE BY: Chappy McKay SECOND: Robben Richards VOTE: FOR: 5 AGAINST: 0

NOTES: Bill Goodwin, Jr.-recused

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