City of Charleston

BOARD OF ZONING APPEALS-ZONING

October 6, 2020
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.
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.
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.
Public Comment

Order on Each Application:
- Chair announces each application followed by staff presentation and recommendation.
- Staff will call on applicant to present their application after being sworn in by Chair.
- Staff will open the public comment period to receive comments from registered attendees in favor (first spoken, then written). Each speaker will be sworn in by the Chair.
- Staff will then recognize registered attendees for public comments in opposition after speaker is sworn in (first spoken, then written).
- Staff will recognize the applicant for a short rebuttal.
- Chair will then close the public comment period and begin Board discussion.

Providing Comment:
- If you submitted a request to speak on an item before the deadline, staff will call your name when it is your turn to speak and enable your microphone.
- Your microphone will be disabled after you are done speaking.
- You may only speak once for each item and you must state your name and address for the record or you will not be permitted to provide comment.
Board Discussion

• Following public comment period, Board members can make comments, ask questions and make motions.

• After a motion and second, Board members will vote “Aye, in favor” or “Nay, not in favor”. If vote is not unanimous, Chair will poll each member for their vote. The Chairman shall announce the vote on the motion and the final decision on the application.

• If a Board member needs to recuse, he will be temporarily removed from the meeting and placed back in the meeting at the start of the next agenda item.

• If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.
Virtual Meeting Protocol

Staff will control the slides displayed throughout the meeting.

Applicants, staff, Board members and members of the public should give their name first whenever speaking.

Applicants and members of the public must be sworn in before speaking for the first time.

Only attendees who have registered to speak before the deadline at noon today may speak during the meeting.

Video and microphone have been disabled for all attendees. Attendees will only be given the capabilities to speak when they are called on during the public comment period.

Board members who need to recuse themselves from voting will be temporarily removed from the meeting and re-admitted prior to addressing the next item.

If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.

Chat has been disabled for everyone.

This meeting is being recorded.

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Agenda Item #A-1

127 FISHBURN STREETF  
(WESTSIDE)      
TMS # 460-04-03-066

Request variance from Sec. 54-301 to allow the establishment of two dwelling units (duplex) with 2,675sf of lot area per dwelling unit (3,000sf required).

Request special exception under Sec. 54-511 to allow two dwelling units (duplex) with 2 off-street parking spaces (4 spaces required).

Zoned DR-1F
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: 9-15-20

Property Address: 127 Fashmore St. TMS #: 460-08-03-066

Property Owner: Patrick Hall

Property Owner: Arch Studio/John C. Sullivan

Applicant: Arch Studio/John C. Sullivan

Applicant's Mailing Address: 104 Fashmore St., Charleston, SC 29403

E-mail Address: archstudio.co

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

Zoning of property: OR-1F

Information required with application: (check information submitted)
☐ Scanned plans or plans, including elevations, showing the variance(s) or special exception(s) being requested (8 units)
☐ For new construction or additions within a flood zone, show HC/AC units and platform on scaled plans.
☐ Scanned 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, WHO 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? § 6-29-145 of the South Carolina Code of Laws

Optional but www etteral information:
☐ Photographs
☐ Letter of permission 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: 9-17-20

For office use only

Date application received ____________________ Time application received ____________________
Variance for Units
1) The former use, if any, makes this property extraordinary.
2) It is the only property like this in the area.
3) The 450sq feet of commercial space at floor the application of the ordinance unreasonably restricts the site.
4) Since most properties in the area are multifamily, it will not be a detriment.

Variance Test: The Board of Zoning Appeals and 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 peculiar 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)

Special Exception for 4) Parking Space for Two Units.
1) The proposed use is allowed. 2) The existing building does not allow for any added parking. 3) There is an additional parking area on site. 4) Most neighbors are multifamily. The proposed use for the rear will have less impact than original use. 5) Two is a best of individual case with a suitable parking nearby.

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.
Agenda Item #A-2

10 NASHMOR ROAD
(WAPPOO HEIGHTS)
TMS # 421-13-00-025

Request special exception under Sec. 54-110 to allow a 1-story addition (sunroom/cov-ered porch) that extends a non-conforming 7-ft. rear setback (25-ft. required).

Zoned SR-1
Application for Variance / Special Exception. Request for Extension

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 [BZA]. 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 [appeal form].
☐ Extension of an unexpired variance and/or special exception approval.

Meeting Date Requested: NEXT AVAILABLE

Property Address: 10 NASHWICK

Property Owner: ARTHUR GALEB

Property Owner’s Address: 531 5TH ST

Applicant: BILL MARSHALL

Applicant’s Address: 843 4TH ST

Applicant’s Mailing Address: P.O. BOX 208 CHARLESTON, S.C. 29407

Relationship of Applicant to Owner (name, representative, prospective buyer, other) DESIGNER

Zoning of property

Information required with application: [Exact information submitted]

☐ Scaled plans or plots, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show MVA axes 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 [ ] NO [ ] This Property is located on any recorded covenant that contains covenants that restrict or prohibit the proposed land use as encompassed in this permit application? [ ] $39.41% of the South Carolina Code of Laws

Optional but very helpful information:

☐ Photographs
☐ Letters or written 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 meeting and inspection. Check all that apply.

Applicant:

Date of submittal: 2/15/2023

For office use only:

Date application received:

Time application received:

Time application requested:

Endorsement:

Fee:

Receipt:

[Signature]

[Name]

[Address]
BZA-2 Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain why the variance is not consistent with the objectives of the Zoning Ordinance as stated in Article 5 of the Zoning Ordinance.

Variance Test: The Board of Zoning Appeals 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 granting of the variance will not be of substantial detriment to any adjacent property or to the public health, safety, or general welfare.

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 of the lot or building as are in the best interest of the public welfare, and will be consistent with the general purpose and intent of the Zoning Ordinance.

For Special Exception requests, applicants should list the specific exception(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as §54-136, §54-206, or sections in Article 5 (add as an attachment if necessary).

THE EXISTING RESIDENCE DOES NOT COMPLY WITH THE CURRENT MASTER PLAN APPLIED TO THE PROPERTY. THE FRONT ELEVATION WAS DESIGNED TO EASE THE S. DE STRESS WHICH LIMITS ENTRANCE TO AND A CONSTRUCTION TO THE AREA. UNDERTAKEN THE APPEAL IS NOT GOING TO BE ANY CATER TO THE SITUATION PREVIOUSLY LIVES. THEN THE EXISTING STRUCTURE.
Existing Nashmore Road Elevation
1/16” = 1’-0”
EXTEND ROOF FRONT TO BACK

Proposed Nashmore Road Elevation
1/16” = 1’-0”
TIE DOWNSPOUTS TOGETHER AND PIPE TO DAYLIGHT ON THE NASHMORE ROAD SIDE OF THE DRIVE

Existing Palmetto Road Elevation
1/16” = 1’-0”

Proposed Palmetto Road Elevation
1/16” = 1’-0”
NEW GUTTER
Existing Rear Elevation

Standing Seam Metal Roof
10" Round Permacast Doric Column w/ Entasis

Proposed Rear Elevation

Continue Existing Roof
New Gutter

Tooth New Brick into Old
Decorative Iron Framework to Support Planting

Existing Left Side Elevation

Proposed Left Side Elevation

Downspouts every 20' piped to drain to tie to underground around corner and then daylight towards open ditch.
**Existing Lot Coverage**

1. **4,063 SF COVERAGE**
2. **19,675 SF LOT AREA**
3. **LOT COVERAGE 20.65%**

**Proposed Lot Coverage**

1. **4,780 SF COVERAGE**
2. **19,675 SF LOT AREA**
3. **LOT COVERAGE 24.29%**
Agenda Item #B-1

4A ORRS COURT
(WESTSIDE)
TMS # 460-07-02-079

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 2,088sf; 2,500sf required).
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 expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: November 1, 2020

Property Address: 850 Osceola Street, TMS #: 4600040279

Applicant: Chamberlain Chester

Daytime Phone: 843-511-8067

Applicant’s Mailing Address: 334 Congress Street Charleston SC 29403

Email Address: cheamate@gmail.com

Relationship of applicant to owner: [same, representative, prospective buyer, other] Representative

Zoning of property: [ ]

Information required with application: [check information submitted]

☐ Site plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or addition within a roadway show I-WAC units and plenum on scaled plans
☐ Scale floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all newly-constructed and existing 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 located by any restrictive covenant or contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-145 of the South Carolina Code of Laws

Optional but very helpful information:

☐ Photographs
☐ Letters or protests 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 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: Chamberlain Chester

Date: August 6, 2020

For office use only
Date application received: August 6, 2020
Time application received: 1:00 PM
Receipt #: 0000000000

Fee: $ 500.00
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 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. (S.C. 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. § 54-20a, or sections in Article 5 (add as an attachment if necessary):

This lot is insufficient size, and we are asking for a special exception.

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.
**ELEVEN HOUSE**

**NOTE:**

1. All elevations are shown as 3/4" = 1'-0" scale. Dimensions and locations are approximate and should be verified by the contractor prior to construction.

2. The Elevations shown are for the purpose of illustrating the design and may not represent the actual final elevations.

**CONSTRUCTION NOTES**

1. All elevations are to be used in conjunction with the floor plans and sections to ensure a coordinated design.

2. All elevations are subject to change without notice.

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**ARCHITECTURAL DETAILS**

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Agenda Item #B-2

1891 BILLS COURT
(GEDDES HALL)
TMS # 350-10-00-159

Request variance from Sec. 54-301 to allow a detached building (storage shed) with a 31-ft. front setback (60-ft. required).

Zoned SR-1
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 expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED:

September 25th

Property Address: 1891 Bill Cl.  TMS #: 35010009359

Property Owner: Rebecca Griff  Daytime Phone: 843-330-1096

Applicant: Pa-Ni Belastagi  Daytime Phone: 843-708-7186

Applicant's Mailing Address: P.O. Box 2790 Ravenel, SC 29470

E-mail Address: raventreebuilding@gmail.com

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

Zoning of property: SR-1

Information required with application (check information submitted):

☐ Scaled plans or photos, 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 walls labeled and the total floor area for each dwelling unit requesting 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 the permit application?  ❌ Section 2-11 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: Pa-Ni Belastagi  Date: 8/13/2020

For office use only:
Date application received: 8/13/2020  Fee: $150  Time application received:
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

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**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):

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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.
The owner of 1893 Bill Ct is requesting a variance regarding setbacks for accessory buildings. The proposed location is attached with the application as well as images and letters of support. I am using the variance text on the application as a guideline.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property. Due to the shape of the property there is only one area that would allow for the 60’ front setback. Delivering the proposed shed to this area would place the building less than 6’ from the dwelling (not meeting the code) or would result in the destruction of fencing and vegetation that is already established.

2. These conditions do not generally apply to other property in the vicinity. I have attached an overhead view of surrounding properties that contain accessory buildings not meeting the setbacks.

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 This property does not currently have a storage building for housing lawn equipment, tools, and other items of the like. These types of items are currently being stored in the garage and the homeowner would like to make use of her garage.

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. Letters from neighbors have been attached with this application in support of the storage building. The building will be incorporated into a new privacy fence and will be somewhat camouflaged on the property.
Dimensions:
10x12=120sf
Height-11-feet
Agenda Item #B-3

23 ANITA DRIVE
(MAGNOLIA)
TMS # 418-09-00-057

Request variance from Sec. 54-301 to allow a detached building (storage shed) with a 10-ft. rear setback (25-ft. required).
Zoned SR-2
Application for Variance, Special Exception, Reconsideration, or Extension - Page 1 of 2

City of Charleston

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

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

MEETING DATE REQUESTED: 10/06/2020
Property Address: 23 Am. Dr. Charleston, SC 29407 TMS # 4180900057
Property Owner: Bradley & Laura Skipper
Applicant: Bradley & Laura Skipper
Applicant's Mailing Address: 23 Am. Dr. Charleston, SC 29407

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

Zoning of property: SB-2

Information required with application: (check information submitted)
- Scaled plans or photos, including elevations, showing the variance(s) or special exception(s) being requested (1 set)
- For new construction or additions within a flood zone: show HAVC units and platform on scaled plans
- Scaled floor plans with room labels and the total floor area for each dwelling unit and lot area for each dwelling unit are required for all density variances and building additions, unless approved by the Zoning Staff (3 sets)
- Plots or documents necessary to show compliance with special exception requirements (3 sets)
- Check, cash, or cash (mail check 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 as requested in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Number of Up

Optional business 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 improvements 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: 9/02/20

For office use only

Applicant signature

Date application received

Fee $150

Time application received

Revised
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. [DC Code of Laws § 6-29-600]

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.
We are the owners of 23 Anita Drive and are requesting a variance regarding setbacks for secondary accessory buildings. The proposed location is attached with the application as well as images and letters of support. It will maintain a 9' setback from side property line and 10' setback from the rear property line. The secondary accessory building (10' by 16' shed) would be in line with the existing garage and not encroach on the park behind the property.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property. Due to the shape of the property, the required setback would force the accessory building onto already existing vegetation and yard seating area and would result in the destruction of vegetation that is already established.

2. These conditions do not generally apply to other property in the vicinity; I have attached photos of surrounding properties that contain multiple or single accessory buildings not meeting the setbacks.

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. We do not currently have another storage building for housing lawn equipment, tools, and other items of the like. These types of items are currently being stored in the garage and we would like to make use of our garage without losing valuable yard space and sightlines.

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. Letters from neighbors have been attached with this application in support of the storage building. The building will be incorporated into a privacy fence and will be somewhat camouflaged on the property.
Please note current location is 25-ft. from the rear property line.
It is 10" by 16" and 160 square feet
It is 11.6" at its peak

Sent from my iPhone
Agenda Item #B-4

741 MEETING STREET
(EAST CENTRAL)
TMS # 463-12-02-020, 021, 022 AND 026

Request variance from Sec. 54-319 to allow required off-street parking spaces (40) for a multi-use development to be located on a lot that is 1,130-ft. away from subject lot (Ordinance allows parking to be provided on a properly zoned lot within 400-ft.).

Zoned LB
Application for Variance: Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (RZ-A)
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 denial 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: October 8th, 2020

Property Address: 741 Meeting St., Charleston, SC 29403
TMS #: 461-20-01-021-022 & 026

Property Owner: MSP 741 Meeting, LLC
Daytime Phone: 918-273-8113

Applicant: MSP 741 Meeting, LLC
Daytime Phone: 918-273-8113

Applicant’s Mailing Address: 144 William St., Charleston, SC 29403

E-mail Address: marklaus@msdfuturepartners.com

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

Zoning of property: Limited Business-LR

Information required with application: (check information submitted)
☐ Scaled plans or plots, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show HVA/AC units and platforms 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 ☐ NO ☐ Is the Property identified by an actual record that a conveyance, which 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 improvements comply with private neighborhood covenants, if any are there, 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: ________________ September 3rd, 2020

For office use only
Date application received: __________________________ Fee: $ __________________________
Time application received: __________________________ Receipt #: __________________________
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 § 6-27A-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).
September 16th, 2020

The City of Charleston Board of Zoning Appeals

For Email

Re: 741 Meeting St. Off-Street Parking Variance Description

Ms. Pamela Ashley:

Thank you for contacting me regarding the variance application I submitted on behalf of MSP 741 Meeting, LLC. Please find a description of the variance and the hardship below:

VARIANCE REQUESTED
MSP 741 Meeting, LLC is requesting a variance from Section 54-319 concerning the location of the property’s required off-street parking. The zoning code permits parking spaces to be located outside of the to-be-developed property boundaries, so long as the proposed parking lot is within 400’ of the to-be-developed property. MSP has entered into a 10-year lease agreement with the City of Charleston for the necessary spaces at the Charleston Tech Center garage, but it is approximately 1,130 LF from the property.

HARDSHIP DESCRIPTION
The property is zoned EB and approved for a building up to three stories tall, but the size and configuration of the lot only allows for one-story construction if Section 54-319 is strictly enforced. MSP has explored alternative parking locations within 400’ of the half-mile north campus and another being the area west of the property and parallel to I-56. The owner of the half-mile north campus indicated that none of its spaces could be allocated towards 741 Meeting, and the portion of land between the Western edge and I-56 was determined to be infeasible as parking due to the ongoing renegotiation of an existing lease agreement between the City and SCDOT which currently governs this area.

Should you need additional information, please do not hesitate to call or email me directly.

Best Regards,

Glenn Maddox
Agenda Item #B-5

297 ASHLEY AVENUE
(WESTSIDE)
TMS # 460-07-02-016

Request variance from Sec. 54-301 to allow a detached accessory building (garage) with a 1.5-ft. south side setback (7-ft. required).

Zoned DR-2F
Application for Variance, Special Exception, Reconsideration, or Extension

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 expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: __________ October 6th 2020__________

Property Address: 297 Ashley Avenue, TMS #: 4600702016

Property Owner: Connor McCann, Daytime Phone: 843-729-5972

Applicant: Connor McCann, Daytime Phone: 843-729-5942

Applicant's Mailing Address: 297 Ashley Avenue, Charleston, SC 29403

E-mail Address: connormcc@gmail.com

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

Zoning of property: Residential

Information required with application (check information is desired):
☐ Scaled plans of each building (showing the variances) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show FIRM, VIMC, and elevation 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, conflict with, or prohibit the proposed land use encompassed in this permit application? § 29-1145 of the South Carolina Code of Laws

Optional but very useful 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 improvements(s) comply with private neighborhood covenants, if 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: 9/3/2020__________

For office use only
Date application received: __________ Fee: $ __________ Time application received: __________

Signature: __________
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 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, § 54-200, 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.
BZA-Z Variance Request Application Explanation

I am requesting a 1.5' variance against the 7' setback along the southern property on my lot. All other setbacks will be honored. My particular piece of property is smaller than neighboring lots because of its proximity to the intersection of Ashlay Avenue and Fishburne Street. Specifically, 110 Fishburne Street shortens the total length of my lot, which reduces the allowable gap between the front of the garage and the rear of my house. This impacts the usage of the garage by impeding entry at the front.

By obtaining a 1.5' variance, the misalignment between the driveway and the opening of the garage can be minimized and allow usage of the garage. In reviewing similar structures in the neighborhood, other garages are aligned with their driveways which means this 1.5' variance would allow the design to match that of the neighborhood. The garage will be designed and built to look original to the house and match the architecture of the neighborhood.
Request variance from Sec. 54-301 to allow a 2-story addition (master bedroom/bath/closet/bedroom/bath) with a 14.2-ft. rear setback (25-ft. required).
Zoned SR-2
Application for Variance, Special Exception, Rezoning, or Extension - Page 1 of 2

City of Chonon

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 shall be made in writing on the appeal form.

THE APPLICANT HEREBY REQUESTS
☐ A Variance and/or Special Exception as indicated on page 2 of this application
☐ A modification of any condition of an approval or decision of a hearing official (Attach Appeal Form)
☐ A modification of any condition of an approval or decision of a hearing official (Attach Appeal Form)

MEETING DATE REQUESTED: 10/14/2020

Property Address: 3565 Tueley Avenue

Property Owner: James Moore & Bridge Morris

Applicant: P. C. Construction

Applicant's Mailing Address: P.O. Box 367, Mt. Pleasant, SC 29464

Email Address: office@contractors.com

Relationship of applicant to owner (name, representative, prospective buyer, etc.): Contractor

Zoning of property: XX

Info required with application: [Check all information submitted]
☐ Sufficient plans and sketches, including elevations, showing the existing and any special exceptions being requested (3 sets)
☐ For new construction or additions within a flood zone, show FEMA, PUG, and placement of poles required for all density variances and building additions, unless exempted by the Zoning Staff (3 sets)
☐ Have or documents necessary to show compliance with flood plain exception requirements (3 sets)
☐ Check, postal card or cash (less checks payable to the City of Chonon)

YES OR NO: is (The Property conditioned by any recorded document that is contrary to a conflict with or prevents the proposed land use contemplated in this present application)

Optional but very helpful information:
☐ Photographs
☐ Letter 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 improvements 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 inspection.

Applicant: Date

Fee: $ ________

Time application received: ________

Received: ________

Attachment: ________
For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance(s) will follow from the requirements of the Zoning Ordinance.

**Variance Text:** The Board of Zoning Appeals is authorized to approve a variance from the requirements of the Zoning Ordinance when the application is made and 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. The conditions do not generally apply to other property in the locality;
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 a stable and property values in the surrounding area or to promote the public health, safety, or general welfare. (S.C. Code of Laws § 4-29.800)

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, § 54-200, or sections in Article 5 (filed 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 for 842 Rutledge Avenue BZA-Z Application

1. The property in question is a double lot at the intersection of Rutledge Avenue and Maple Street in the North Central corridor.
2. All surrounding lots are single lots. The large lot across the street is owned/operated by Torres Suparelie.
3. Because it is a double lot and the ordinance is in place, it is not able to be utilized to its full potential. In addition, the homeowners have six children and seven grandchildren that currently would not fit in the existing footprint of the home. As they age and as their parents age, they will need a master bedroom and bathroom on the lower level.
4. The variance will allow an addition that will be in keeping with the character of the district and the original home as approved by the Charleston BAR. It will not impede any views and will be barely visible from Rutledge Avenue as it will be set back and will flow with the current house. The adjacent lot and home owner were notified of the potential addition and provided written concurrence with no exception. With the addition, the yard would still be larger than most of the surrounding yards.
MAPLE STREET 60' ROW

RUTLEDGE AVENUE 60' ROW

463-11-02-034
6,367 SF
0.15 Ac

463-11-02-035
SOUTH HAMPSHIRE PROPERTIES LLC

PLOT PLAN SHOWING THE PROPOSED ADDITION TO THE HOUSE

SHAUN P. HALSOR & JOSEPHINE REX
CITY OF CHARLESTON
Agenda Item #B-7

28 S. BATTERY STREET
(CHARLESTOWNE)
TMS # 457-16-02-056

Request variance from Sec. 54-301 to allow a detached accessory building (pool house) with a 5-ft. 8-inch west side setback an 11.4-ft. total side setback (12-ft. and 18-ft. required).

Zoned SR-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: October 6

Property Address 28 South Battery

Property Owner Elliott Merck

Applicant Glenn Keys Architects

Applicant’s Mailing Address 12 B Vanderhorst Street

Charleston, SC 29403

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

Zoning of property SR-3

Information required with application: (check information submitted)
☐ Zoned 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 NFIP limits and situs 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 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 by ____________________________

Applicant

Date

For office use only

Date application received 6-4-20

Footprint

Fee $150.00

Time application received 4:33 PM
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 separate page

Variance Test: The Board of Zoning Appeals (BOA) 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 § 6-29-409)

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

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

The existing lot coverage of the house and accessory structures is only 20.7% out of a possible 35%, but applying the east and west (side) setbacks yields only 13'-9" in buildable width for any potential garden structure or outbuilding.

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

This is one of only a few properties in the area that is extremely narrow. Other properties typically have a wider lot and more area to construct an outbuilding.

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

Since the lot is so narrow, it is reasonable to want to construct an outbuilding as part of a landscape plan. Building a pool house far back on the lot was an effective and minimally impactful way of adding a structure without affecting neighboring properties.

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 proposed guest house requiring a variance request is on the interior of the lot and will not affect any adjacent properties. There are eight foot masonry walls to the east and west, and a five foot masonry wall to the north. Additionally, the new building respects the east setback and only partially encroaches on the west setback. Since the proposed design is not visible from the public right of way, the character of the district will not be affected.
NOTE: AREA PHOTOS ARE KEYED ON SITE PLAN

ZONED: NR-3
LOT AREA: 9964.4 sf
ALLOWABLE LOT COVERAGE: 33%
ALLOWABLE BUILT AREA: 3341.52 sf
EXISTING BLDG. SIZE: 2085 sf
EXISTING LOT COVERAGE: 20.7%