## Board of Zoning Appeals—Zoning

### Your Board of Zoning Appeals—Zoning Members are:
- Michael Robinson - Chair
- John Bennett
- Allison Cannon Grass

### Your City of Charleston Staff are:
- Lee Batchelder, Zoning Administrator
- Robben Richards
- Geiza Vargas-Vargas
- Scott Valentine, TRC Coordinator
- Pennyye Ashby, Senior Planner
- Vanessa Ellington, Clerk

Walter Jaudon

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.
Agenda Item #A-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).
Zoned DR-2F
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 12, 2020

Property Address: [Redacted]
TMS #: [Redacted]

Property Owner: Millbrooke Street Development
Daytime Phone: 478-965-1114

Applicant: Chamberlain Chester
Daytime Phone: 843-516-007

Applicant’s Mailing Address: 1-4 A Congress Street Charleston SC 29403

Email Address: chester@gmail.com

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

Zoning of property: [Redacted]

Information required with application: (check information submitted)
- [ ] Placed 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 IAC 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 new construction and 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 the Property restricted by any restrictive covenants 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 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: Chamberlain Chester
Date: August 6, 2020

[Form fields for fee and date of application submitted]

[Redacted areas on form]
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 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. (Section 6 of the Zoning Ordinance)

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 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.
Agenda Item #A-2

32 COOPR STREET
(EASTSIDE)
TMS # 459-06-01-006

Request use variance from Sec. 54-203 to allow an office use in an existing building in a DR-2F (Diverse-Residential) zone district.
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals - Zoning (BZA-2)

City of Charleston

Instructions – The 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 20, 2020

Property Address: 12 Cooper Street

Property Owner: Toa LLC - Jarrett Hudson and Mike Jewell

Daytime Phone: 843-460-6410

Applicant: Becky Fenna

Daytime Phone: 843-442-5532

Applicant’s Mailing Address: P.O. Box 20220, Charleston, SC 29425

E-mail Address: brenno@tenaarch.com

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

Zoning of property: Z-30F

Information required with application: [check information submitted]

☐ Scaled plans or plots, including elevations, showing the variance(s) or special exceptions(s) being requested (3 sets)

☐ Not new construction or alterations within a flood zone, show HVAC 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 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 valuable 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: Becky Fenna

Date: 9/21/20

For office use only

Date application received

File tag

Time application received

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):

1. If the piece of property is listed on the Charleston County GIS as General Commercial and has a long history of non-residential use, the building is not zoned for residential use. This building is the home of an antique shop that has been in the family for generations. The building is located in a highly visible area, and the owner has been operating the business for over 20 years. The building is zoned C-1 (commercial) on the Charleston County GIS. The property has a long history of commercial use, and the building is located in a highly visible area.

2. Other buildings in the vicinity that are zoned for residential use are designed for that use – one is zoned for commercial use and another is zoned for residential use. The existing building will not be a detriment to the adjacent property or public good for the following reasons: no housing stock will be replaced. The existing building will be maintained as the scale of the street is preserved. All parking can be accommodated on site. Lastly, the revitalization of this property will be good for the block that has numerous ‘unsold’ and vacant / disappated structures on it.

**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 the Board of Zoning Appeals may grant a variance.
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 § 6-29-808]

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.

Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401 (843) 724-3781 www.charleston-sc.gov/zoning

5/19
Looking west on Cooper Street. Number 32 is the old building on the right (north side of the street). Elks Lodge and parking is across the street on the left.

Looking west on Cooper Street from just beyond number 32. Note "unsafely" parked house on the left at number 45 as well as the "spot" at number 47.

Looking east on Cooper Street. Numbers 34 and 32 are on the left and numbers 31-37. The Elks Lodge and parking are on the right.

Looking east from closer to the corner of America Street. Note "the spot" on the right. Abandoned building (chain link) on the left. Number 32 is in the distance on the left.
32 COOPER ST

THE LOT IS IN THE D-F ZONE. BUT THE EXISTING BUILDING ON SITE HAS AN ESTABLISHED LONG TERM COMMERCIAL USE AND A CLAUS CODE ON THE CHARLESTON COUNTY GCB - GENERAL COMMERCIAL.

THIS IS SIMILAR TO OTHER PROPERTIES IN THE AREA. SEE MAPS/SPREADSHEET IN SUBMITTAL.

EXISTING BUILDING ON SITE:

- NOT A RESIDENTIAL BUILDING - SEE BUILDING PHOTOS, EXISTING PLANS AND ELEVATIONS.
- LOCATION: NEAR EAST BAY STREET. ACROSS FROM EUKOS LODGE AND PARKING. ON THE SAME BLOCK AS THE TARDEAL GROCERY
- SMALL FOOTPRINT - THREE STORY, TWO STORY STRUCTURE.
- EXTERIOR: EXPOSED CMU
- INTERIOR: OPEN SPACE FOR OFFICES/MEETING, ONE PUBLIC RESTROOM ON EACH FLOOR, ONE WATER FOUNTAIN ON EACH FLOOR, IN GOOD CONDITION.

PROPOSED:

- LEAVE BUILDING AS IS AND REPAIR.
- CONTINUE COMMERCIAL USE THAT IS ESTABLISHED ON THE PROPERTY. WILL NOT RESULT IN REPLACEMENT OF EXISTING HOUSING STOCK.
- CAN SATISFY PARKING ON SITE.
- PROPOSED OCCUPANT WILL HAVE LOW IMPACT. LITTLE/NO PEDESTRIAN OR VEHICULAR TRAFFIC.

NEIGHBORHOOD IMPACT:

- NO EFFECT ON "HOUSING STOCK" BECAUSE BUILDING IS NOT DESIGNED FOR RESIDENTIAL USE.
- GOOD FOR REJUVENATION OF THIS BLOCK - PROPERTIES DESIGNATED AS "UNSAFE" AT NUMBERS 30, 41, AND 45, PROPERTIES THAT ARE VACANT/DILAPIDATED AT NUMBERS 36 AND 42.
32 COOPER ST - HISTORY OF USE

MAP INFORMATION:
- 1930 Tax Map: Designation as Commercial (Commercial)
- 1932 Sanborn Map: Designation as Commercial (Commercial)
- 1933 Sanborn Map: Designation as Commercial (Commercial)
- 1934 Sanborn Map: Designation as Commercial (Commercial)
- 1935 Sanborn Map: Designation as Commercial (Commercial)
- 1936 Sanborn Map: Designation as Commercial (Commercial)
- 1937 Sanborn Map: Designation as Commercial (Commercial)
- 1938 Sanborn Map: Designation as Commercial (Commercial)

USE/OCCUPANT INFORMATION:
- 1934-1950: Little Blue Tavern
- 1950-1955: Little Blue Tavern
- 1955-1961: Little Blue Tavern
- 1961-1967: Little Blue Tavern
- 1967-1972: Little Blue Tavern
- 1972-1981: Little Blue Tavern
- 1981-1985: Little Blue Tavern
- 1985-1990: Little Blue Tavern
- 1990-1998: Little Blue Tavern
- 1998-2020: Little Blue Tavern

ADDITIONAL INFORMATION:
- 1934-1950: Little Blue Tavern
- 1950-1955: Little Blue Tavern
- 1955-1961: Little Blue Tavern
- 1961-1967: Little Blue Tavern
- 1967-1972: Little Blue Tavern
- 1972-1981: Little Blue Tavern
- 1981-1985: Little Blue Tavern
- 1985-1990: Little Blue Tavern
- 1990-1998: Little Blue Tavern
- 1998-2020: Little Blue Tavern

OWNER INFORMATION:
- 1932-1950: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1950-1955: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1955-1961: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1961-1967: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1967-1972: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1972-1981: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1981-1985: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1985-1990: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1990-1998: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star
- 1998-2020: St. John's Grand Lodge Free and Accepted Traveling Masons and Order of Eastern Star

SOURCES:
- City Directories
- Sanborn Maps (in submittal) and other resources available through room at The Charleston Public Library.
Agenda Item #B-1

471 HUGER STREET
(HAMPTON PARK TERRACE)
TMS # 460-03-03-106

Request special exception under Sec. 54-110 to allow a vertical extension (dormer) to a non-conforming building footprint that does not meet the required 9-ft. west side setback.

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 officer (attach Appeal form)
☐ Extension of an unexpired Variance and/or Special Exception approval

MEETING DATE REQUESTED: 11.03.2020

Property Address: 471 HUGER

Property Owner: KURTIS PRICE & ANNE KELLEY RUSSELL

Daytime Phone: 843-259-6927 (AK)

Applicant: KURTIS PRICE & ANNE KELLEY RUSSELL

Daytime Phone: 843-312-6032 (Kurtis)

Applicant's Mailing Address: 471 HUGER ST. CHARLESTON, SC 29403

E-mail Address: kurtisprice1199@gmail.com

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

Zoning of property: 08-DE

Information required with application (check information submitted):

☐ Scanned 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 HECR data and platform on scaled plans
☐ Scanned floor plans with rooms labeled and the total floor area for each existing and new units are requested for all existing variances and building additions, unless exempted by the Zoning staff (1 set)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check, cashier's check or cash (make checks payable to the City of Charleston)
☐ YES ☐ NO - Is the property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? 3-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

☐ Photographs
☐ Letters or petitions from neighbors or organizations affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement 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 requested.

Applicant: [Signature]

Date: 11/03/2020

For office use only

Date application received:

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):

A **Special Exception** is requested to allow a vertical extension to a non-conforming building footprint, created by a proposed dormer. Please see attached supporting documentation.

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 owners of 471 Huger request a Special Exception for a Vertical Extension to a Non-Conforming home. The residence in question is "grandfathered" in as a Non-Conforming residence (Reference Topographic Survey and Sanborn Map 1954). The owners demonstrate compliance by meeting Zoning Ordinances as published in Sec. 54-110 Non-conforming uses shall be governed by the following provisions, and specifically Sub Sec. f therein. Ultimately the owners wish to improve the function of their home for their active family, and without this Special Exception, they are unreasonably restricted from doing so.

I. The residence is a Single Family Home and thus does not fall under the published ordinance verbiage of Sec. 54-110 Sub Sec. f

"The non-conforming use of a building or structure cannot be physically extended to provide more area for the non-conforming use, and the number of bedrooms in a non-conforming two-family dwelling or multifamily dwelling use cannot be increased, unless the Board of Zoning Appeals—Zoning, after a duly advertised public hearing, finds that the extension or increase of the non-conforming use is: (1) limited to extending or increasing the non-conforming use then in existence; and (2) would not result in an unreasonable intensification of the non-conforming use."

II. In regard to consideration of "reasonableness of the intensification of the extension or increase..."

a. There will be no impact to traffic, vehicular or pedestrian, or parking along Huger St. or Glenwood Ave.
b. Impacts on adjacent properties will be null as can be seen on Topographic Survey, Site Plan, and Architectural Design
   1. Apex of existing roof line will not change in height or location
   2. Vertical extension will be set back from West Side existing Dormer Window so as not to further encroach on property line
   3. Additional noise to be implied from the addition of Bedrooms and Bathrooms will be remediated with proper sound insulation and appropriate windows

III. The owners take the impacts of aesthetic character very seriously. This impact has been the central consideration of all plans for renovation. This can be evidenced with comparison of current photos of house and conceptual drawings and plans. The visual and historic attributes of the home will not be altered in any way.
East Side of house taken from sidewalk
View of front of home as viewed on Huger St. Taken from sidewalk. Shows many of the historical features of home exterior that will not be touched.
View of NW corner and West side of house taken from sidewalk just past property line.

for a vertical extension (current dormer will not be affected)
View of NW corner and West side of house taken from sidewalk at property line.

for a vertical extension can not be seen from this view
South Side of house taken from sidewalk at property line. Shows additions made to home circa 1960’s. Shows small “storage” area to be demolished and replaced with back deck.
View of SE corner taken from property line. Shows area of new proposed deck as well as pitched roof line and roof over existing door that is classified as historic and will not be touched.
1. **EXTERIOR ELEVATION - WEST**

- 1/8" = 1'-0"
- Continuous Ridge Vent
- Wood Door with Insulated Glazing
- Wood Railing
- Free Standing Wood Deck, Not Bolted to the House, Painted, Color by Owner
- Wood Lattice Painted, Color by Owner

2. **EXTERIOR ELEVATION - EAST**

- 1/8" = 1'-0"
- Low Slope Modified Bitumen Self Adhered Roofing
- Double Hung Window Type, Match Existing
- Metal Gutter, Color by Owner
- Metal Downspout, Color by Owner
- Lap Siding, Color by Owner

471 HUGER ST.

EXTERIOR ELEVATIONS
10-21-2020
P-103
1 EXTERIOR ELEVATION - SOUTH

WOOD TRIM, COLOR BY OWNER
METAL GUTTER AND DOWNSPOUT, COLOR BY OWNER
LAP SIDING, COLOR BY OWNER
FREE STANDING WOOD DECK, NOT BOLTED TO THE HOUSE, PAINTED, COLOR BY OWNER
WOOD LATTICE, PAINTED, COLOR BY OWNER
SECOND FLOOR
12'-8"
1'-11/2"

1/8" = 1'-0"

NOTE: FROM HUGER STREET THE ELEVATION IS UNCHANGED

2 EXTERIOR ELEVATION - NORTH

SECOND FLOOR
12'-8"
1'-11/2"
FIRST FLOOR
3'-0"
GROUND
0'-0"
1/8" = 1'-0"
Agenda Item #B-2

430 KING STREET
(RADCLIFFEBOROUGH)
TMS # 460-16-02-056

Request special exception under Sec. 54-206 to allow a late night use expansion (first floor) for an existing restaurant and bar within 500 feet of a residential zone district.
Request special exception under Sec. 54-511 to allow an expansion for an existing restaurant and bar (first floor) with 432sf of inside patron use area without providing required (3 parking spaces).
Zoned GB
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-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 the 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: Nov 3, 2020

Property Address: 430 King Street

Property Owner: 430 King Street, LLC

Applicant: Reggie Giffin, Architect

Applicant’s Mailing Address: 128 Vanderhorst St, Charleston, SC 29403

Relationship of applicant to owner (name, representative, prospective buyer, other) Representative/Architect

Zoning of property: General Business

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 flood plans and/or plot plan 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 (must check payable to the City of Charleston)
☐ YES ☐ NO - Is the Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed use or use encompassed in this permit application? § 6-29-145 of the South Carolina Code of Laws

Optional but very helpful information:
☐ Photographs
☐ Letters or objections 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: Hill Wingfield

Date: 11/30/20

For office use only
Date application received
Time application received
Fee $
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 § 6-27-800)

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):

1. **Special Exception to required number of off-street parking spaces**
   - as outlined in Section 54-511.
   - See attached addendum.

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.
In response to Section 34-206 (g) of the Zoning Ordinance, additional factors must be considered as the property is located within 500 feet of a residential zoning district.

1. 2. 3. Garbage, recycling, and maintenance equipment for the existing restaurant are stored within the wooded fenced area in the rear parking lot noted on the attached survey. The existing condition and safety of garbage storage and pick-up is compatible with the surrounding properties and businesses.

4. Expansion of the existing restaurant is within the existing structure, and is located a considerable distance away from the nearest residential zoning district; any potential additional noise is not a factor.

5. The rear parking lot along with valet parking agreements will meet the parking need of the restaurant. The new private dining room will not have a significant additional impact on the surrounding residential zoning districts.

6. Expansion of the existing restaurant is congruent with the existing character of the block, and will not result in a heavy concentration of businesses that serve alcohol past midnight. The attached plan illustrates items a, b, and c as they define heavy concentration:

   (a) Less than 40% of the structures contain establishments that allow the on-premise consumption of alcohol, beer or wine after midnight.

   (b) The aggregate occupant load is less than 1,000 for establishments within the block that allow the on-premise consumption of alcohol, beer or wine after midnight.

   (c) While the total occupant load of Halls Chophouse is greater than 300, the occupant load after midnight does not exceed this amount. The proposed private dining room will close before midnight.
To:  
City of Charleston  
Board of Zoning Appeals - Zoning  

In the addition of a private dining room to Halls Chophouse, at 430-432 King Street, a special exception is being requested for the required number of off-street parking spaces, as outlined in Section 54-511 of the City of Charleston zoning ordinance. 

The existing patron use area within Halls Chophouse is 2,854 square feet. Per Table 3.3 of Sec. 54-317, the zoning ordinance requires 19 parking spaces for the existing restaurant. The conversion of an existing apartment (1.5 required spaces) will result in 422 square feet of additional patron use area, and 3 additional required parking spaces.

Sec. 54-511. - Exceptions to off-street parking requirements. 
Items to be considered:

1. Whether the proposed use is an allowed use in the applicable zoning district.  
   Restaurant use is allowed within the General Business district.

2. Whether the existing building as configured on the lot, or the existing building as configured on adjoining lots, make it feasible to provide off-street parking.  
   The existing building occupies the entire lot.

3. Whether street frontage of an existing lot is so limited that a driveway for access to a parking area would unreasonably or impracticably reduce the area available for occupancy by structures.  
   The existing building occupies the entire street frontage on King.

4. Whether grant of the special exception will adversely affect neighboring properties.  
   The building is surrounded by commercial and office uses, and will not adversely affect those neighboring properties.

5. Whether the applicant has pursued good faith efforts to provide off-street parking.  
   The business owner Hall Hospitality Group has a 5-year lease on the surface parking lot at 46 and 48 John Street, located directly behind Halls Chophouse.  
   This lease includes 21 parking spaces. With 8 additional spaces that can be parked through valet parking agreements, there are 29 total spaces utilized in the lot.

REGGIE GIBSON ARCHITECTS
128 VANDERHORST ST, CHARLESTON, SC 29403 / 843.722.9040
STATE OF SOUTH CAROLINA)  
COUNTY OF CHARLESTON)  

LEASE AGREEMENT  

THIS LEASE AGREEMENT is made and entered into on this 15th day of August, 2020 by and between Stockdale Capital, LLC (hereinafter referred to as the “Landlord”) and Hall Hospitality Group, LLC and Hall Management Group, LLC (hereinafter referred to as the “Tenant”) and William Amos Hall, (hereinafter referred to as “Guarantor”).

WITNESSETH:

1. Premises. The Landlord hereby Leases to the Tenant, and the Tenant hereby Leases from the Landlord, 46 John Street, Suite 100 (approximately 1,700 sq ft) in that certain building known as 46 John Street TMS 460-16-02-092 & 46 John Street, Unit 1 (approximately 1,009 sq ft) TMS 460-16-02-070 and 21 surface parking located at both addresses, excluding that one parking space shown on Exhibit A (the “Premises”). The Premises are more particularly shown on the survey attached hereto as Exhibit “A”. The total rentable area of the Premises is stipulated to be the number above and shall be adjusted only by the Landlord, as necessary to reflect actual changes in the Premises. Tenant accepts Premises in “as is” condition.

TO HAVE AND TO HOLD THE Premises upon the terms and conditions hereinafter set forth.

2. Term. To have and to hold said leased Premises for the term of Five (5) years beginning August 1, 2020 (the “Commencement Date”) and end at midnight on July 31, 2025, unless sooner terminated in accordance with the terms hereof.

3. Possession. Tenant is in possession of the Premises presently.

4. Rent. The Tenant shall pay to the Landlord without deduction, set off, prior notice or demand:

   (a) Base Rent:

   Exception as otherwise specifically provided herein, the Base rent for the Initial Term of the lease shall be due and payable as follows:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Monthly Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 1, 2020 through December 31, 2020</td>
<td>$24,000.00</td>
</tr>
<tr>
<td>January 1, 2021 through July 31, 2021</td>
<td>$29,166.67</td>
</tr>
<tr>
<td>August 1, 2021 through July 31, 2022</td>
<td>$30,041.67</td>
</tr>
<tr>
<td>August 1, 2022 through July 31, 2023</td>
<td>$30,942.92</td>
</tr>
<tr>
<td>August 1, 2023 through July 31, 2024</td>
<td>$31,871.20</td>
</tr>
<tr>
<td>August 1, 2024 through July 31, 2025</td>
<td>$32,827.34</td>
</tr>
</tbody>
</table>

1
IN WITNESS WHEREOF, the parties hereto have hereunto set their respective hands and seals on the day and year first above written.

WITNESSES:

[Signatures]

Landlord: Stockade Capital, LLC
By: [Signature]
Dated: 8/13/20

Tenant: Hall Management Group, LLC & Hall Hospitality Group, LLC
By: [Signature]
Dated: 8/13/20

Guarantor: William Ames Hall
By: [Signature]
Dated: 8/13/20

SS#: [Redacted]
PLAT SHOWING
THE ABANDONMENT OF THE PROPERTY LINE BETWEEN
#432 AND #434 KING STREET
IN THE CITY OF CHARLESTON,
CHARLESTON COUNTY, SOUTH CAROLINA
PREPARED FOR AND PRESENTLY OWNED BY
HALLS REAL ESTATE HOLDINGS, LLC,
A SOUTH CAROLINA LIMITED LIABILITY COMPANY

DATE: OCTOBER 28, 2014
SCALE: 1" = 10'
1st FLOOR TOTAL: 1,979 SF
PARKING SPACES REQUIRED (1 PER 100 SF) = 19.8 SPACES

434 KING
432 KING
430 KING

EXISTING DINING
EXISTING DINING

HALLS CHOPHOUSE - KING STREET
EXISTING 2nd FLOOR PLAN
Request variance from Sec. 54-301 to allow an addition that expands an existing porch and bedroom with a 59% lot occupancy (50% limitation; existing lot occupancy 56%). Zoned DR-2F
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.
☐ A Reconsideration of a decision of the Board or action of a zoning official (attach Appeal Form).
☐ An unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 11/03/2020

Property Address: 51 Nauan St, Charleston Sc 29403
TMS #: 04600744169

Property Owner: Hana Hilal
Daytime Phone: 843-922-3950

Applicant: Ziad Hilal
Daytime Phone: 843-991-3870

Applicant's Mailing Address: 121 Cainsley Landing rd, Charleston, SC 29492
Email Address: ziad.hilal@worley.com

Relationship of applicant to owner (same, representative, prospective buyer, etc.): Father/Contractor

Zoning of property: "C" L

Information required with application: (check information submitted)
☐ Scaled plans or plans, 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 platforms on scaled plans
☐ Scaled floor plans with recent topographical and the total floor area for each dwelling unit shown as 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? § 6-29-114.5 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 inspection.

Applicant: Ziad Hilal
Date: 10/04/2020

[Signature]

[Stamp]

BZA-Z Application (continued)

Page 2 of 2
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 A1

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):
Q:

1. There are extraordinary and exceptional conditions pertaining to this particular 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.

A.

1) The variance is requested for this property because of the interactions between FEMA regulations,
residential code egress requirements, the historic character of the neighborhood, and lot size.

Because the cost of the proposed scope of work is over the value of the dwelling by over 50%,
FEMA regulations require that the first floor be above the established 100-year flood level. To
accomplish this while preserving as much of the original historic material as possible, the original
gabled 14 x 41' structure is to be raised approximately 7.5' and set on new foundations. The non-
historic addition at the rear of the property and its shed roof will be removed and rebuilt as
described below.

Access to the elevated dwelling will require a stair from grade to the first floor not present in the
existing configuration. Due to the size of the lot, locating this in the west side yard would
compromise potential off-street parking and not conform with the historic appearance of the house.
Incorporating the stair into a porch structure wider by approximately 1'-10" provides the 96' stair
widths required for egress, keeps the entire stair under roof from the street door to the main door
of the dwelling, and preserves the original appearance of the west facade above the first-floor level.

The recent construction at the rear of the existing dwelling is not built square to the original
structure. The proposed configuration, entirely within setbacks, normalizes the geometry and
makes possible adequate bedrooms and bathrooms.

The resulting building has a gross building area of 59% of the lot at the first-floor level, including
the porch. The original structure is 56%. The net additional delta of 3%.

2) Unlike some other elevated houses in the neighborhood, there is not room for a stair between
the sidewalk and the house. The lot is not deep enough to move the building back to provide room
for one. Incorporating the stair into a slightly wider porch takes up less space in the side yard than
adding a stair next to the existing porch, thus preserving the option for off-street parking in the side
yard. Other houses on the street have provided off-street parking in a garage under the elevated
dwelling, but in this case the foundation/structural design did not allow for that.

3) Rebuilding the rear addition, within the setbacks, allows for two adequate bedrooms with baths
and laundry equipment, and thus greatly improves the utilization of the property as a family home.

4) Far from being a detriment to the neighbors or the neighborhood, the character of the district will
only be enhanced by the conversion of a cramped house with on-street parking to one with two
adequate bedrooms and bathrooms for a family home, optional off-street parking, and an elevated
porch that provides an eye on the street.
EXISTING FLOOR PLAN

1/4" = 1'-0"
SIDE ELEVATION - WEST
1/4" = 1'-0"
Agenda Item #B-4

11 TARLETON DRIVE
(SOUTH WINDERMERE)
TMS # 421-05-00-065

Request variance from Sec. 54-301 to allow an existing carport to be replaced with an attached addition (garage) with a 14-ft. 10-inch setback from the rear property line (25-ft. required).

Zoned SR-1
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-2)

City of Charleston

Instructions – This application, along with the required information and fee, must be submitted to the Permit Center at 4 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 this 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: 11/5

Property Address: 1772 Elizabeth, Drive
TMS #: 411-05-00-025

Property Owner: Jeanette Ashley

Daytime Phone: 843.682.1828

Applicant: Ashleigh Ashley

Daytime Phone: 843.682.1828

Applicant's Mailing Address: 532 Bottles Ave, Charleston, SC 29403

Email Address: AshleighAshley@gmail.com

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

Zoning of Property: S-1

Information required with application: (check information submitted)
☐ Certified 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 floodplain and elevation certificates (3 sets)
☐ For new construction or additions within a flood zone, show floodplain and elevation certificates (3 sets)
☐ Certified floor plans, floor area, and the total floor area for each dwelling unit 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 enclosed by any recorded covenant or a contract to or prohibits the proposed land use encompassed in this permit application? § 6-29.114 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: Ashleigh Ashley

Date: 10/2/2023

For Office Use Only
Date application received: 10/2/2023
Time application received: 10:30 AM
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. (SC 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, § 54-205, 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.
Request For Variance:

It is the intention of the owner to reconfigure the existing carport into a fully enclosed garage. In its current form, the carport sits inside the required setback 10'-3" and is 14'-9" from the property line. The new fully enclosed garage will be 10'-2" into the setback and 14'-10" from the property line. The location of the garage is constrained by the existing location of the house, as well as the location of an existing kitchen window at the front of the new garage. This window is code required for ventilation and light and would be restricted from opening into an enclosed garage. The design of the reconfiguration is only a 1 story structure, attaching directly to the 1.5 story home. See attached drawings included with application for specific dimensions. The owners are asking for this variance as the existing setback represents a hardship to the home owner for reasonable use of his/her property and is an exceptional circumstance meeting the zoning criteria for a variance as follows:

A. There are extraordinary and exceptional conditions pertaining to the particular property:
   - The existing house sits slightly within the required zoning setback and existing the aforementioned carport is considerably into the setback. The house has existed in this location before the current zoning standards were adopted. Due to the existing carport already in this location, this situation is an exceptional condition that only pertains to this property.

B. These conditions do not generally apply to other property in the vicinity:
   - As an existing house with an existing carport, this condition is particular in just this property and does not reflect the general situation of neighboring homes. The houses in this part of town are designed/situated uniquely on each lot and the required setbacks affect each home differently.

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:
   - The existing location of the carport would require any modification to be granted a variance. The location of existing features of the home, driveway, and lot boundaries restricts a very small area available for a garage. The application of the ordinance therefore unreasonably restricts the utilization of the property for what is a common residential feature of many neighboring homes.

D. The Authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the zoning district will not be harmed by granting the variance:
   - The authorization of the variance would not be a substantial detriment because there is already an existing carport at this location. The request is for a similar sized structure, but with a roof and shape that better protect property from the elements. The request for a single story addition is subsequent to the existing home and is in the rear of the property where it will not negatively affect neighboring properties.

Chris Steiner AIA, 
Studio Architecture
SC License 7483

Owners
Jonathan & Amy Elksnis

Studio Architecture
Architecture - Real Estate - Design
252 Eastside Ave. Charleston South Carolina 29403 P 843.696.1428
www.studioarchitecture.com