City of Charleston

BOARD OF ZONING APPEALS-SITE DESIGN

January 6, 2021
5:00 PM

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

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

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

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
The Board of Zoning Appeals—Site Design has the authority to do three things:

1. Hear appeals to decisions of the Zoning Administrator;

2. Grant special exceptions, a fact finding function of the Board; and

3. Grant variances to the Zoning Ordinance if the application meets the hardship test outlined in Section 54-924 of the ordinance.

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
Board of Zoning Appeals-Site Design

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.
Agenda Item #A-1

98 WENTWORTH STREET
(Harleston Village)
TMS # 457-04-01-029

Request a variance from Sec. 54-327 to allow the removal of one grand tree.

Zoned LB & DR-1F
Application for Variance Special Exception Reconsecition or Extension to the Board of Zoning Appeals Site Design (BZA-SD) City of Charleston

Instructions: Submit the 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 Site Design. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

☑ Variance and/or Special Exception as explained on page 2 of this form
☑ Tree Removal
☑ Landscaping Sod/Fescue
☑ Parking Surface
☑ Other
☑ Consideration of a decision of the Board of Zoning Appeals (attach Appeal form)
☑ Exemption of unreasonable Variance and/or Special Exception approval.

MEETING DATE REQUESTED: November 4, 2020
Property Address: 56 Wentworth Street
Property Owner: Grace Episcopal Church
Applies: ADC Engineering
Applicant’s Mailing Address: 1236 Yeomans Hall Road, Harahan, SC 29410

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

Engineer

Zoning of property:

Information required with application: (check information submitted)
☒ Sufficient site plan or plot showing the variance(s) or special exception(s) being requested (3 sets)
☒ Photographs of the site, grand trees to be removed, quality trees to be removed, other, etc.
☒ For removals to trees, evaluations/reports from certified or qualified arborists
☒ Creek, curb, grade, or easement/driveway (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? YES NO

Omitted but may list information:

Letters of petition from neighborhood 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 one hearing before the Board and inspected.

Applicant: [Signature] Date: October 5, 2020

BZA-SD Application (continued) Page 2 of 2

For Variance request, applicants should list the specific variance(s) being requested and, if possible, explain how the variance that follows is met (add as an attachment if necessary):

Variance for: Removal of 1 Grand Tree

Removal of Protected Trees to Under 15/Acre Remaining

Buffer Reduction

Reduced Driveway Width

Variances Test: The Board of Zoning Appeals Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when the application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional circumstances 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 Section 6-29-800)

For Special Exception requests, applicants should list the specific approval being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-328, Sec. 54-511(b), or Sec. 54-512 (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) 724-3701 FAX (843) 724-3772 www.charleston.gov

6/15
Grace Church Cathedral was constructed in 1848 on this site. An 1855 plat shows the original church lying on three narrow parcels. Over the years additional property was acquired to the west and to the southeast for construction of church buildings. Even with these acquisitions, the overall lot is small considering the size of the church — 600 seats, 3,000 members, a pre-school, very active ministry, and outreach programs. In fact, there is currently no room on the site for clergy offices and administration. A separate building at 108 & 116 Wentworth Street is currently being used for those purposes. A major goal of this project is to bring all clergy offices onto the church campus. The church has also currently had agreements to share parking with neighbors such as CGSM (Memorial Elementary Lot) and the College of Charleston.

The small parcel size makes development challenging and necessitates some variances from ordinance. Although there are other small parcels in the vicinity, most are being used for residential or educational uses. Unfortunately, there are trees that have grown along the property line and fence lines of the parcel that cannot be saved with the proposed development. Saving these trees would unreasonably restrict the utilization of the property. There is an existing parking area that is accessed via one-way traffic from Globe Street with exiting traffic to Wentworth, with a driveway under the second story of the church building. This driveway is proposed to be closed off and filled in. The church still has a demand for as much parking as possible on the campus so needs to retain some spaces on the north side. The lot width does not allow for 90-degree two-way parking with a 24' driveway per ordinance. We request that it be reduced to 22' driveway. There is also a 6' buffer required between the church and adjacent parcels zoned DR-1F. This small parking lot encroaches slightly into that buffer. There is however, a space that screens the existing parking so it is not likely that the neighbors would see any change from current conditions (other than less traffic and cars). Similarly, a 5' buffer is required along the College of Charleston parcel on north and west of church. The proposed trash/recycling enclosure encroaches into the buffer at one location on the north side. However, it should be noted that this is very close to where trash container is currently located and there is an opaque fence along that property line. On the west side, there is a buffer required, but the College and Church have an agreement that allows shared use of parking across that property line and it is currently paved area. This project would only slightly modify those conditions.

The approval of these variances should not be detrimental to any adjacent property owners or to the public good and the character of this district will not be harmed by granting the variances. The parcel has been used as a church for over 170 years and that would continue to be the case. The hope is to allow the continued growth of this church in Harleston Village in the City of Charleston.
ITEM A 1
98 Wentworth St
(Harleston Village)
TMS# 457-04-01-029
ZONED LB
TREE SUMMARY

GRAND TREES
27" LIME OAK PROPOSED FOR REMOVAL

PROTECTED TREES:
15 TREES ACROSS 3 1/8 ACRES 17 TREES

26 TREES EXISTING

ALLOWED REMOVAL W/O VARIANCE: 3 TREES

7 TREES PROPOSED FOR REMOVAL
• DOES NOT INCLUDE CREPE MYRTLES

27" LIME OAK (VIEW FROM EAST TOWARDS COMING ST)
27" Live oak
B/C
Asymmetrical crown with a lean
Existing palms can be transplanted; removal of volunteer trees along fence line.
Possible planting area for palmettos and/or Italian cypress
New Exhibits
12/02/20
01/06/21

BZA-SD Application (attachment) GRACE CHURCH 12.2.20 VARIANCE FOR TREE REMOVAL

A. There are extraordinary and exceptional conditions pertaining to this piece of property.
   1. Lot Size and Shape: The overall lot is oddly-shaped and small, especially considering the membership
      of the congregation:
      a. Church membership is 600 seats, 3,000 members, a pre-school, very active ministry, and
         outreach programs.
      b. In fact, there is currently not room on the site for clergy offices and administration. A separate
         building at 115 and 117 Wentworth Street is currently being used for those purposes. A major
         goal of this project is to bring all clergy offices onto the church campus. The church has also
         currently had agreements to share parking with neighbors such as OCSD (Memminger
         Elementary Lot) and the College of Charleston.
   2. Existing Improvements: This property houses a Cathedral rated the highest category in the city’s
      historic evaluation system:
      a. Cathedral Grace Church Cathedral was constructed in 1848 on this site. An 1855 plat shows
         the original church lying on three narrow parcels. Over the years additional property was
         acquired to the west and to the southeast for construction of church buildings.
      b. Improvements cause restrictions to the siting of any addition. While zoning allows for 100% lot
         occupancy and a height of 3 stories, the proposed improvements may not occupy more than 50% of
         the lot, and are limited to only 2 stories due to the historic nature of the Cathedral.
      c. There is a utility tunnel owned by the College of Charleston that crosses through the western
         part of the site that makes building in that area impossible.
      d. The shape of the tree itself is a challenge. It has grown mainly in one direction – to the south
         where it greatly impacts the buildable area of the site.

B. These conditions do not generally apply to other property in the vicinity
   1. There are not any other properties in the area that are generally subject to the same extraordinary
      and exceptional conditions as this subject property.

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.
   1. Due to the lot size and shape and the restrictions imposed by the existing 19th Century improvements
      as well as the other conditions discussed above, this single tree with its oblong canopy unreasonably
      restricts the utilization of the property.

D. This will not be a substantial detriment to the adjacent property or the public good, and the
   character of the district will not be harmed by the granting of the variance.
   1. The approval of this variance would not be of any detriment to the sole adjacent property owner, who
      approves of this application. Furthermore it is of substantial benefit to the public good by providing a
      safe area for families, specifically young children to congregate, as well as for outreach purposes. The
      character of the district will not be harmed by granting of the variance, but will be enhanced by
      supporting and enabling a religious use on the peninsula to grow and prosper at a time when many
      churches on the peninsula are closing their doors and moving off the peninsula.
Simons,

Verneil Philips, CofC Grounds Manager, has observed the oak tree in the neighboring Grace Church property and has no objections to its removal.

Thank you,

Cristi Schultz, RA
Director of Architecture & Engineering
College of Charleston
Facilities Management
843-953-0001(p)
no build area near Cathedral to preserve site lines and assure structural stability of Cathedral

red indicates utility tunnel area going to C of C central plant

no build area past the plane of the main wall of the church facade
new addition must not exceed height of nave of church nave roof

height of typical 3 story building allowable this height district noted in gray
Agenda Item #A-2

370 HUGER STREET
(North Central)
TMS # 460-03-02-099

Request a variance from Sec. 54-327 to allow the removal of two protected trees.

Zoned DR-2F
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—Site Design. Permits authorized by the Board can be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:
- A variance and/or Special Exception as explained on page 2 of this form.
- [ ] Free removal [ ] Landscaping/buffers [ ] Parking surface [ ] Other
- [ ] reconsideration of a decision of the Board or action of a zoning official (attach form).
- Extension of an expired variance and/or Special Exception approval.

MEETING DATE REQUESTED:
12/20/2020
Property Address: 370 Huger Street
TMS #: 460-00-02-059
Property Owner: City of Charleston – Matt Compton
Daytime Phone: 843-973-7210
Applicant: ADC Engineering, Inc. • Chris Cook, PE
Daytime Phone: 843-795-1411
Applicant's Mailing Address: 1226 Yeawans Hall Road, Hanahan SC 29410
E-mail Address: ChrisC@adceengineering.com

Relationship of applicant to owner (same, representative, prospective buyer, other): Civil Engineer
Zoning of property: DPF2F

Information required with application:
- [ ] scaled site plan or plot showing the variance(s) or special exception(s) being requested (2 sets)
- [ ] Photographs of the site, grand views to be removed, quality trees to be saved by removing others, etc.
- [ ] For requests to remove trees, evaluations/reports from certified or qualified arborists
- [ ] Check, credit card or cash (make checks payable to the City of Charleston) to be paid upon issuance of variance.

YES OR NO - Is this property restricted by any recorded covenant that is burdens or prohibits the proposed land use encompassed in this permit application? 6-29-11 of the South Carolina Code of Laws

Optional but very useful information:
- [ ] letters or petition 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 hearing before the Board and inspected.

Applicant: [Signature]
Date: 11/2/2020

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 Sec. 54-329, Sec. 54-511(b), or Sec. 54-513 (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-SD Application (continued)
ADC 18134: Charleston Fire Station #8 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 it is met (add as an attachment if necessary):

Requesting a variance from Section 54-327 for the removal of a 15 inch Oak (protected tree) and an 18 inch Hackberry (protected tree).

Refer to continuation sheet for further information.

Variance Test: The Board of Zoning Appeals—Site Design 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 Section 6-29-800]
For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary).

Requesting a variance from Section 54.3.27 for the removal of a 15 inch Oak (protected tree) and an 18 inch Hackberry (protected tree).

Variance Test: The Board of Zoning Appeals-Site Design 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:

   Fire Station #8 is unique in that it is an historic building that requires a seismic upgrade in order for it to continue as an important part of the Charleston Fire Department's ability to provide emergency response to the surrounding community and District. The building was constructed close (approximately 6 feet) to the eastern property line and the trees are located just inside of the property line, between the building and the sidewalk. The distance from the face of the wall to the edge of the trees is approximately 5 feet.

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

   The property is unique in that the building is a two-story brick building that requires a seismic upgrade in order for it to continue as a fire station. The seismic upgrade requires the installation of micropiles inside and outside of the building to support the existing brick walls.

   The new micropiles outside of the building, and the installation of a new grade beam will require excavations approximately 3 to 4 feet from the face of the building. With the edge of the trees at 5 feet, nearly all of the root structure on this side of the trees will be removed. The trees cannot survive the installation of the micropiles and footings.

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

   If the new foundation system cannot be installed the building cannot be made structurally safe in a seismic event and, therefore, would not likely be able to continue to serve as a fire station.

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 seismic upgrade of Fire Station #8 will allow the building to continue to operate as a public building and the neighborhood and district will benefit from its presence in emergency response and as a community asset.
ITEM A.2
370 Huger St
(North Central)
TMS# 460-03-02-099
ZONED DR-2F
Agenda Item #A-3

171 MOULTRIE STREET
(Citadel)
TMS # 460-00-00-004

Request a variance from Sec. 54-327 to omit the 15 protected trees per acre requirement.

Zoned DR-1F
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Site Design (BZA-SD)

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- Site Design. Permits authored by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period disallows further action on the application.

THE APPLICANT HEREBY REQUESTS:

☑ A Variance and/or Special Exception as explained on page 2 of this form.
☐ Tree Removal
☐ Landscaping/buffers
☐ Parking surface
☐ Other
☐ 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: 12/2/2020

Property Address: 1226 Yeamans Hall Road, Hanahan, SC 29410
TMS #: 460-00-000-004

Property Owner: The Citadel (Jeff Lamberston)
Daytime Phone: 843-553-7063

Applicant: ADC Engineering, Inc. • Chris Cook, P.E.
Daytime Phone: 843-735-5141

Applicant’s Mailing Address: 1226 Yeamans Hall Road, Hanahan, SC 29410
E-mail Address: chrisco@adcengineering.com

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

Zoning of property: R-1F

Information required with application: (check information submitted)
☐ Scale site plan or plot showing the variance(s) or special exception(s) being requested (3 sets)
☐ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
☐ For requests to remove trees, evaluations/reports from certified or qualified arborists
☐ Check, credit card or cash (make checks payable to the City of Charleston) - to be provided upon confirmation of fees
☐ 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

Opted but very helpful information:
☐ 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 hearing before the Board and Inspected.

Applicant: [Signature] Date: 12/2/2020

For office use only

Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401
(843) 724-3781 FAX (843) 724-3772 www.charleston-sc.gov

BZA-SD Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Request to remove ten (10) Protected Trees that will be affected by replacement of Capers Hall at the Citadel.

One (1) Magnolia, 2 Hollys and 7 Palmettos Palmettos will be replaced on site.

Refer to attached continuation sheet for additional information.

Variance Test: The Board of Zoning Appeals-Site Design 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 finds the following:
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 Section 6-29-600)

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation demonstrating compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-329, Sec. 54-511(b), or Sec. 54-513 (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.
For **Variance requests**, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Request to remove two (2) Protected Trees that will be affected by replacement of Campus Hall at the Citadel.

One (1) Magnolia, 2 Hollys and 7 Palmettos
Palmettos will be replaced on site.

**Variance Test:** The Board of Zoning Appeals-Site Design 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:
   
   Extraordinary and exceptional conditions include:
   
   (a) Maintaining close proximity to existing classroom buildings.
   (b) Redevelopment of existing building site.
   (c) Site is bound by four (4) sides by roads so building placement is limited.

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

   Unique conditions include:

   (a) Shift project rather than removing existing forests.
   (b) Building elevation has to be raised above flood elevation which creates a larger disturbance footprint.

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

   By placing the building at this location, it helps to provide a street presence and further emphasizes the perimeter of the Citadel campus.

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 project will not be a detriment to the adjacent properties because:

   (a) It is in the immediate vicinity of other school buildings and activity center.
   (b) It’s a replacement to the existing building on site.
   (c) Helps to screen the existing school functions from the neighbors and to create a Campus perimeter.
   (d) There is a precedence to place buildings close to the street, in this area, with commercial, institutional and residential.

Examples include:
- Beaulieu Hall
- Burke High School
- Johnson Hagood Stadium
- Citadel Alumni Association
- Pinckney Middle School
- Hampton Park Terrace.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, January 6, 2021

ITEM A 3
171 Moultrie
(Citadel)
TMS# 460-00-00-004
ZONED DR-1F
Agenda Item #B-1

2040 MAYBANK HIGHWAY
(James Island)
TMS # 343-04-00-028

Request a variance from Sec. 54-347 to allow a reduced landscape buffer.

Zoned GB
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Site Design (BZA-SD)

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 – Site Design. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:
☐ A Variance and/or Special Exception as explained on page 2 of this form.
☐ Tree Removal
☐ Landscaping/Buffing
☐ Parking Surchage
☐ Other
☐ 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: 1/6/2021

Property Address: 2040 Maybank Highway
TMS #: 343-04-00-028
Property Owner: Monterey LLC
Daytime Phone: 843-795-6810
Applicant: Earthsource Engineering-Giles N Branch, PE
Daytime Phone: 843-881-0525
Applicant’s Mailing Address: 962 Houston Northcut Blvd, Suite 200 Mount Pleasant, SC 29464
Email Address: branchn@earthsourceengineering.com

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

Zoning of property: GB

Information required with application: (check information submitted)
☐ Scanned site plan or plat showing the variance(s) or special exception(s) being requested (3 sets)
☐ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
☐ For requests to remove trees, evaluations/estimates from certified or qualified arborists
☐ 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:
☐ 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 hearing before the Board and Inspected.

Applicant: ____________________________ Date: 12/4/2020

For office use only
Date application received: ____________ Time application received: ____________ Fee $ ______________________

BZA-SD Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows it is met (add as an attachment if necessary):

See attached.

Variances Test: The Board of Zoning Appeals – Site Design 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 apply generally 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 Section 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 Sec. 34-329, Sec. 34-511(b), or Sec. 34-513 (add as an attachment if necessary):

Add 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 FAX (843) 724-3772 www.charleston-sc.gov

4/15/2020
DATE: December 3, 2020
TO:  Mr. Eric Schultz  25’ Type D Buffer Variance
     Department of Planning, Preservation  2040 Maybank Highway
     & Sustainability                     James Island, SC
     2 George Street                      TMS: 343-04-00-028
     Charleston SC 29401                  City of Charleston

Dear Board:

Please accept this formal request for the review for variance for the
development of a 1.6-acre site located on James Island under the jurisdiction of the City of
Charleston. The site is currently a developed commercial center with and existing
retail building and parking. The commercial site is to be utilized by the rear residential
parcel. Commercial to residential parcel lines typically requires a commercial-to-
residential buffer of 25’. The installation of such a buffer would eliminate the
interconnection and use for the user who lives behind it. This restriction of the owner’s
ability to construct the new building and the means of ingress/egress, thus effectively
prohibiting the utilization of the property to the full intent.

The site is zoned commercial with the extraordinary condition that it is boarded
on two sides by residential properties with two residences directly behind the site and
another across N. Gevert Drive. The site is unique in its shape with several undulations
in width and a utility easement that bisects the site, which does not generally apply to
other properties in the area.

The site is unique in nature as the owner of the commercial property is also a
resident who owns the residential home for which this variance is being proposed. The
intent is to renovate and add to the commercial site with a strategic design to allow the
front of the commercial to serve as a retail and the rear to serve the residential lot for
personal use. The intended use by the rear residential will require interconnection and
therefore the omission of a buffer between his two parcels. Because of the above
conditions, the proposed plan would be effectively prohibited without the request for a
variance from the 25’ buffer.

The authorization of the variance will not be of substantial detriment to his lot or
other adjacent properties. All buffers will be maintained adjacent residences that are not
associated with the project. Also, the owner proposed a 10’ greenspace between his
residential lot which will allow for the owner to modify an existing utility easement
which also bisects his commercial lot. He will have room on his residential property to
provide any screening he feels is necessary.

Please accept the application with this letter as the completion of page 2 of the
application for the Variance to eliminate the buffer. We look forward to receiving a
favorable response to this application.
ITEM B-1
2040 Maybank Hwy (James Island)
TMS# 343-04-00-028
ZONED GB
Agenda Item #B-2

1165 FOLLY ROAD
(James Island)
TMS # 337-08-00-119

Request a variance from Sec. 54-327 to allow the removal of one grand tree.

Zoned LB
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–Site Design (BZA-SD). Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

The Applicant Herewith Requests:
- A Variance and/or Special Exception as explained on page 2 of this form.
- Tree Removal or landscaping/buffers or Parking surface or Other
- Reclassification of a decision of the Board or the action of a zoning official (attach Appeal form).
- Extension of an unserved Variance and/or Special Exception approval.

Meeting Date Requested: 11/6/2021

Property Address: 1165 Folly Road, Charleston, SC 29412
Property Owner: Bill Ford
Applicant: Hudson M. Rogers III
Applicant’s Mailing Address: 4921 Centre Pointe Drive, Suite 800, North Charleston, SC 29406
Relationship of applicant to owner (name, representative/prospective buyer, etc.)

Zoning of property: LB City of Charleston/county

Information required with application:
- Check box(es) indicating:
  - Dated site plan or plat showing the variance(s) or special exception(s) being requested (3 sets)
  - Photograph(s) of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
  - For requests to remove trees, evaluations/reports from certified or qualified arborists
  - Check credit card to 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 use on the property? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:
- 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 hearing before the Board and inspected.

Applicant: Hudson M. Rogers III, Date: 12/14/2020

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).

We are requesting that the grand trees (37” Class C Trees) be included in a mitigation plan. We have made every effort to keep the design around all other grand trees on this site. 6 Oaks will be saved. The site cannot be developed in our opinion, without removing these trees. Mike Russell

Varies with Natural Directions, LLC have assessed and classified the tree class C as a Class C Tree.

Variance Test: The Board of Zoning Appeals–Site Design 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 finds the following:
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 Section 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 Sec. 54-329, Sec. 54-511(b), or Sec. 54-513 (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.
37 inch laurel oak C grade Fair condition

Thanks,
Mike Russell
ISA Certified Arborist
SC Registered Forester

Natural Directions, LLC
528 Orangeburg Road
Summerville, SC 29483

Mobile (843) 296-1584
Office: (843) 873-8939
Fax: (843) 873-8347

Natural Directions, LLC may, in event of default, seek reimbursement for all costs associated with collection including reasonable attorney’s fees. The parties agree that any controversies or disputes arising out of their contract with Natural Directions, LLC shall be governed by and construed in accordance with the jurisdiction of the courts of South Carolina and specifically Charleston County.
ITEM B 2
1165 Folly Rd
(James Island)
TMS# 337-08-00-119
ZONED LB
Agenda Item #B-3

32 COUNCIL STREET
(Charlestowne)
TMS # 457-11-02-017

Request a variance from Sec. 54-327 to allow the removal of one grand tree.

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

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 premises, and a public hearing will be conducted by the Board of Zoning Appeals–Site Design. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

☒ A Variance and/or Special Exception as explained on page 2 of this form.
☒ A 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: JANUARY 6, 2021

Property Address: 32 COUNCIL STREET

Property Owner: EMIL EMANUEL

Applicant: ERIN STEVENS, RLA, SURVALL

Applicant’s Mailing Address: 91-B BROAD STREET, CHARLESTON, SC 29401

Information required with application: 

☐ Check this only if plan(s) or plot showing the variance(s) or special exception(s) being requested (3 sets)

☐ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.

☐ or requests to remove trees, evaluations/reports from certified or qualified arborists

☐ 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:

☐ 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 hearing before the Board and inspected.

Applicant ___________________________

Date: 12/4/20

For office use only

Date application received ________

Time application received ________

Staff signature ________________________

BZA-SD 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 attached narrative for specific variance request information.

Variance Test: The Board of Zoning Appeals–Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provision 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 Section 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 Sec. 54-329, Sec. 54-511(b), or Sec. 54-513 (add as an attachment if necessary):

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 hearing before the Board and inspected.

Applicant ___________________________

Date: 12/4/20

For office use only

Date application received ________

Time application received ________

Staff signature ________________________

Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401

(843) 724-3781 FAX (843) 724-3772 www.charleston-sc.gov

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 FAX (843) 724-3772 www.charleston-sc.gov

6/15
December 7, 2020

Board of Zoning Appeals – Site Design
Department of Planning, Preservation, & Sustainability
2 George Street
Charleston, SC 29401

RE: Tree Removal Variance Request for 32 Council Street

Dear Members of the Board:

We are writing today to request a variance to allow for the removal of a 33" cedar tree located on the property of 32 Council Street. The current owners recently purchased the property and are undergoing a complete renovation of the home and landscape as indicated by the attached site plan.

The property includes a historic (c. 1935) wood frame garage that, according to the project architects, is currently sitting partially below grade, causing significant deterioration. To salvage the historic structure and make it functional for use as a garage and storage building, the structure will require elevation of approximately 2' above its current location while maintaining the current footprint.

As shown on the site plan, the structure is situated tightly between two grand trees (a 33" cedar and a 36" laurel oak), both of which were evaluated on 12/01/2020 by SSA Board Certified Master Arborist, Chris CM Gerards. His inspection report has been included in the application materials. He concludes that the cedar (Grade D) has several identified problems for which remediation would be ineffective. He estimates a lifespan of less than five years. His recommendation is for removal and replacement prior to construction.

While structural drawings for the garage renovation are not yet complete, it is expected that helical piers will be proposed to support the elevated structure. In an effort to protect the laurel oak, which falls entirely on the neighboring property, there is potential to run the new grade beam high (above grade) and eccentric at the southeast corner to avoid damage to the root structure of the oak; however, the potential to protect both trees on either side of the structure with unique foundation treatments is unlikely.

As such, we are requesting permission to remove the damaged cedar to ensure preservation of historic garage and the 36" laurel oak. The owners are prepared to provide a combination of onsite mitigation and street tree fund donation, as the Board sees most fit. Thank you for your consideration of our request.

Sincerely,

Erin F. Stevens, RLA, LEED AP
President
Surculus, LLC
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, January 6, 2021

ITEM B 3
32 Council St
(Charlestowne)

TMS# 457-11-02-017

ZONED SR-2
Hi Erin,

This past Tuesday I inspected a 33” cedar tree and a 36” laurel oak located next to and behind a small shed in the back yard of 32 Council St, Charleston SC.

Here are my findings;

33” cedar on the side of shed:
This tree is a mature/overly mature cedar with an asymmetrical crown. It has one large, decayed and broken leader on one side and a leader leaning over the courtyard toward the house. This leader shows pockets of decay in the crown. An auscultation of the trunk using a rubber mallet revealed possible separation between ray cells in the trunk. The current condition of the tree makes remediation for the above problems impossible. Tree has a 1 to 3-year life expectancy. Below is a photo of the tree.

36” Laurel oak:
This tree is located on the property behind 32 Council Street, directly behind the shed. This tree is a 36” laurel oak, overly mature with a declining crown. Tree shows tip die-back and a -50% decline in leaf tissue. An auscultation test with a rubber mallet found the trunk to appear solid. I was unable to inspect branch connections at the trunk. Trunk is severely intersected with vertical growth fissures which is reactionary callous growth to dead tissue. Remediation for this tree would include deadwood pruning and fertilization, however life expectancy for this tree is less than 5 years. Below is a picture of the tree.

Conclusion; both of these trees are in bad shape for various reasons. Remediation actions will have doubtful results. Serious consideration should be given to the removal and replacement of both of these trees before construction begins.

Sincerely,
Chris Gerards
BCMA
SO-1165BM
Agenda Item #B-4

79 COOPER STREET
(Eastside)
TMS # 459-05-04-124

Request a special exception from Sec. 54-327 to allow the removal of one grand tree.

Zoned DR-2F
Application for Variance/Special Exception, Reclassification or Extension to the Board of Zoning Appeals - Site Design (BZA-SD)
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 - Site Design. Permits authorized by the Board cannot be issued during a five ($5) business day appeal period following the decision of the Board. An appeal to the Board during this five ($5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

☒ A Variance and/or Special Exception as explained on page 2 of this form.
☒ Tree Removal ☐ Landscaping/buffers ☐ Parking surface ☐ Other
☒ 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: N/A

Property Address: 79 GOOSE STREET

TMS #: 459-05-04-124

Property Owner: CITY OF CHARLESTON - HCD

Daytime Phone: 843-724-3766

Applicant: MICHAEL KIEFFER (CITY OF CHARLESTON)

Daytime Phone: 843-965-4181

Applicant's Mailing Address: 79 GOOSE STREET

P.O. BOX 390, CHARLESTON, SC

Email Address: kieffer@city.of.charleston.sc

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

Zoning of property: PR-3F

Information required with application: (check information submitted)
☒ Site plan or plat showing the variance(s) or special exception(s) being requested [set]
☒ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
☒ For requests to remove trees, evaluation/report from certified or qualified arborists
☒ Check, credit card or cash (made payable to the City of Charleston)
☒ YES ☐ NO - Is this Property Enrolled in any Forestry Program that is contrary to conflicts with or prohibits the proposed land use concepted in this permit application? 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

☒ 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 are, and that I am the owner or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the hearing before the Board and Inspected.

Applicant: 79 GOOSE STREET

Date: 1/12/2021

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):

Variances: The Board of Zoning Appeals - Site Design 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 finds the following:

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 Section 6-29-800)

For Special Exception requests, applicants should list the specific special exception(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 59-13-301, Sec. 59-13-302, or Sec. 59-13-303 (add as an attachment if necessary):

REQUIREMENT TO REMOVE 1 RED MULBERRY TREE. THIS TREE IS IN POOR CONDITION AND AT RISK OF FUTURE IMPACT TO THE FRONT OF A FUTURE CONSTRUCTION OF AN "AFFORDABLE HOMES" HOUSE.

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 FAX (843) 724-3772 www.charlestonsc.gov 2/15
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, January 6, 2021

ITEM B 4
79 Cooper St
(Eastside)
TMS# 459-04-05-124
ZONED DR-2F
December 2, 2020

Mr. Will Davis
Charleston Tree Company
900 Ashley Ave.
Charleston, SC 29403

Re: Mulberry/ Lot at southeastern corner of Hanover St. / Cooper St. intersection

Mr. Davis,

I reviewed the condition of the Mulberry tree at the corner of the lot. It is in poor condition with low vigor. The root collar is inadequate and soil voids exist near its base indicating previous heaving of the tree in the soil. I recommend removing the Mulberry.

Please contact me should you need additional information.

Robert Longe
ISA BCMA #50-513EB
SURVEY NOTES

1. Reference Tax Map Number 459-05-04-124
2. Reference Deed Book 0303 Page 915
3. Survey Requested By: Michael Kefar
4. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
5. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge, said lot is located in Flood Zone AE(13).
   Ref. Map No. 4501900532 J dated 11-17-2004
   It is the responsibility of the owner and/or builder to verify the flood zone with the governing municipality prior to design and construction.
6. AREA .04 Acre 1754 Sq.Ft.

LEGEND
- 2/3" Iron Rod New
- 5/8" Iron Rod Old
- "X" marks in concrete
- Sewer Cleanout
- Power Pole

FM = Temporary Benchmarks
FM = Fire hydrant
SF = Survey Station

SURVEYOR'S STATEMENT
I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified. There are no visible encroachments or projections other than shown.

By: James G. Pendergrass, P.L.S., No. 1968
Date: __________

PREPARED EXCLUSIVELY FOR
City of Charleston

GRAPHIC SCALE: 1" = 10'
A NEW AFFORDABLE SINGLE FAMILY RESIDENCE AT
79 COOPER STREET
CHARLESTON, SOUTH CAROLINA

LOT #: 429-05-06-126
ZONING DISTRICT: DSP-10 (OLD CITY HEIGHT DISTRICT 2-5:3)
GOVERNING CODE IRC 26-6
FLOOD ZONE: AE-100; GRADE ELEVATION: 3.0-5.5’ ABOVE NAVD88 (NEW)

OWNER/DEVELOPER
CITY OF CHARLESTON, Housing & Community Development

SQUARE FOOTAGE:
FIRST FLOOR: 542 SQ FT
SECOND FLOOR: 752 SQ FT
TOTAL: 1,294.2 SQ FT

DRAWING SCHEDULE:
A-001 SITE & CLEANCING SCHEDULE
A-002 SITE PLAN
A-003 SITE PLAN AND BASEMENT LAYOUTS
A-131 FOUNDATION, 1/4 & 1/2 SHEET PLANS
A-132 ELEVATIONS & STRUCTURAL HÖRS
A-133 DETAILS
A-134 DETAILS
A-135 DETAILS
B-101 BLUE PRINTS + REVIEWS
REVIEWS

*STRUCTURAL ENGINEERING TO ACCOMPANY THE SET FOR PERMITTING AND CONSTRUCTION*