



CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

PUBLIC COMMENT JANUARY 16, 2024

A meeting of the Board of Zoning Appeals – Zoning (BZA-Z) will be held on **Tuesday, January 16, 2024** at **5:15 p.m.** in the **Public Meeting Room, First Floor, 2 George Street.**

The following comments will be provided to the board members in advance of the meeting and also be acknowledged into the record and summarized. The public is encouraged to attend the meeting in person to speak in order for comments to be fully heard.

Application information is available at www.charleston-sc.gov/bza-z. Please check the website on the meeting date to view any withdrawn or deferred agenda items.

For additional information, please contact:
DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY
2 George Street, Suite 3100, Charleston, SC 29401 | 843-724-3781



CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

860 Morrison Dr.

TMS #459-02-00-005 and 459-02-00-002 | Zoned: UP

Request special exception under Sec. 54-220 to allow
a 250-unit accommodations use in an Accommodations overlay district.

Owner: ODP Hotel Owner, LLC

Applicant: DSM Real Estate Partners (c/o Seaman Whiteside)

Ashby, Pennye

From: Batchelder, Lee
Sent: Friday, December 1, 2023 4:33 PM
To: Ashby, Pennye; Walsh, Christina
Subject: FW: BZA Hearing for 860 Morrison - Kimpton Hotel

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category, Purple Category

FYI, Support for BZAZ application – 860 Morrison

Lee C. Batchelder AICP | Zoning Administrator
City of Charleston | Department of Planning Preservation & Sustainability
2 George Street | Suite 3100 | Charleston, SC 29401
T:(843) 724-3771 | F:(843) 724-3772 | e: batchelderl@charleston-sc.gov | www.charleston-sc.gov

From: ryan@styxcompanies.com <ryan@styxcompanies.com>
Sent: Thursday, November 30, 2023 3:16 PM
To: Batchelder, Lee <BATCHELDERL@charleston-sc.gov>
Subject: BZA Hearing for 860 Morrison - Kimpton Hotel

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

Lee,

I am writing as a resident of the East Side Neighborhood in support of the Morrison Yard special exception request to allow accommodations in an overlay district. It is my understanding that most of the "tests" for the special exception are based upon the potential impact on existing housing/office inventory and surrounding residential areas. As a resident of the neighborhood most adjacent to this project, I see no concerns that there would be a negative impact on the neighborhood.

This development will have an overall positive impact. While Morrison Drive provides a significant buffer between this project and the residential areas to the west, it is still close enough in proximity that residents will benefit from the project. The addition of a hotel and restaurant/retail space will further contribute to a "mixed-use" district by further diversifying the types of businesses and patrons within Morrison Yard. These new businesses will provide more diverse and pedestrian-friendly destinations for residents of the East Side neighborhood, while hotel guests will be within walking distance of the locally owned establishments scattered throughout the East Side. I see no concerns of traffic, noise, etc as an impact to the neighborhood.

Ultimately, this project will create jobs that could benefit the residents nearby and will remove any remaining "industrial stigma" from this once blighted interchange. My request to City staff and to the BZA is to support this request and grant the Special Exception with no conditions.

Thank you,
Ryan Hyler
73 Cooper Street

Charleston, SC 29403
803.206.1438

Ashby, Pennye

From: Batchelder, Lee
Sent: Monday, December 4, 2023 1:33 PM
To: Ashby, Pennye; Walsh, Christina
Subject: FW: 860 Morrison Drive- Kimpton Hotel support

Lee C. Batchelder AICP | Zoning Administrator
City of Charleston | Department of Planning Preservation & Sustainability
2 George Street | Suite 3100 | Charleston, SC 29401
T:(813) 721-3771 | F:(813) 721-3772 | e: batchelderl@charleston-sc.gov | www.charleston-sc.gov

From: Meredith Manley <meredith@hastingslaw.org>
Sent: Monday, December 4, 2023 1:02 PM
To: Batchelder, Lee <BATCHELDERL@charleston-sc.gov>
Subject: 860 Morrison Drive- Kimpton Hotel support

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

Lee,

As a resident and property owner in the East Side neighborhood of downtown Charleston, I am writing in support of the Kimpton Hotel proposal at 860 Morrison Drive. As I understand it, the developers are proposing 250 hotel rooms in the old Stone & Tile building just a block away from our home. This would be a positive addition with more of a revitalized, urban approach than the current industrial setting. Such a project is appropriate for growth in the area. We need additional restaurants and retail shops that are walkable on the East Side, rather than only having the Cigar Factory to serve these purposes. Also, as with all major projects, added security provided by the hotel would surely be a benefit to our pocket of town.

These developers have been instrumental in helping our portion of East Bay Street become a "quiet zone" at Johnson Street. They spent a large sum of money to prevent the trains at the port from sounding their horns all throughout the night. That was a major issue when we purchased our property and has been a huge improvement to our use and enjoyment.

Thank you for your consideration.

Meredith Manley
729 East Bay Street
Charleston, SC 29403
(843) 557-9504

PRESERVATION
ESTD SOCIETY 1920
of CHARLESTON

Position Statement
Board of Zoning Appeals - Zoning
December 5, 2023

860 Morrison Drive

Dear Board Members:

The Preservation Society would like to thank the applicant for meeting with us to discuss the zoning request. We are disappointed to see an intensification of an accommodations use on this site that will contribute to the oversaturation of hotel units downtown, and it's unfortunate that the special exception test, as written, can be easily met.

We want to use this opportunity to be on record stating our strong concerns about the lack of safeguards against the proliferation of major, impactful hotels under the current ordinance.

Back in 2021, the PSC opposed the rezoning of this property into the Accommodations Overlay because piecemeal rezonings like this create a lack of predictability for new hotels and would diminish the likelihood of providing resident-serving uses on the site. Fulfilling our initial concerns, this rezoning is now facilitating a proposal for a hotel-focused program that won't contribute to our desperate need for more housing stock.

Further, this request underscores unintended pitfalls of the ordinance that allows for massive hotels outside the full service corridor. At 250-rooms, but just shy of other thresholds that define "full-service," such as conference space and restaurant service requirements, this project is just as intense but technically not considered a full-service hotel, per the ordinance. Consequently, we may continue to see far more large-scale (250-room) hotels than were ever envisioned for the peninsula.

Thank you for considering our position in this matter.

Sincerely,



Erin Minnigan, AICP
Director of Preservation & Planning



CITY OF CHARLESTON

BOARD OF ZONING APPEALS – ZONING

241 Gordon St.

Wagener Terrace | TMS #463-10-03-042 | Zoned: SR-2

Request special exception under Sec.54-110 to allow a vertical extension (2nd story) to a non-conforming building footprint having a 3-ft. east side setback (9-ft. required).
Request variance from Sec. 54-301 to allow a 1-story addition having a 4-ft. 3-inch west side setback (9-ft. required).

Owner: Tyre and Laura Moore

Applicant: Barbara Looney, Architect

Ashby, Pennye

From: Harper James Finucan <hjfinucan@gmail.com>
Sent: Thursday, January 11, 2024 2:22 PM
To: Ashby, Pennye
Subject: 239 Gordon St.

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

To whom it may concern,
I am the owner of 239
Gordon St. and I approve the renovation of 241 Gordon St. Please call me with any questions.
Harper James Finucan
843-224-6070

Sent from my iPhone

LESEMANN & ASSOCIATES LLC

CIVIL LITIGATION | BUSINESS DISPUTES

J. TAYLOR POWELL
EMAIL: jtp@lalawsc.com

418 KING STREET, SUITE 301
CHARLESTON, SOUTH CAROLINA 29403

TELEPHONE (843) 724-5155

DIRECT: (843) 203-1029
WEBSITE: www.lalawsc.com

November 17, 2022

VIA Email

City of Charleston
BZA-Z
2 George Street, Suite 3100
Charleston, SC 29401

Re: **241 Gordon Street**

Dear Members of the BZA-Z:

My wife and I live have lived at **238 Gordon Street** since 2015. We are directly across the street from Tyre and Laura Moore's home at 241 Gordon Street. We have reviewed the plans and submittal to the BZA-Z and fully support the special exception and variance that the Moore's are seeking. The Moore have drastically improved the appearance of their home since they purchased it and became our neighbors in 2017. Their proposed changes that are before the BZA-Z will continue to improve the appearance of their home and will enhance the curb appeal of our end of Gordon Street.

With best regards,

s/ J. Taylor Powell

Taylor and Russell Powell

Ashby, Pennye

From: Emily Rapp <emily.rapp1@gmail.com>
Sent: Friday, November 17, 2023 2:23 PM
To: bza-z; Victoria
Subject: Addition to 241 Gordon Street

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

Good afternoon,

I've copied my wife, Victoria Tsurutis, on this email as her name is on the deed. We are in agreement to the addition of 241 Gordon St. We have seen the renderings, and understand the project.

Emily Rapp
Broker Associate

Certified Luxury Home Market Specialist (CLHMS) Accredited Staging Professional (ASP) Pricing Strategy Advisor (PSA)
Real Estate Negotiation Expert (RENE)

RE/MAX REACH

Mobile: (864)616-2200

2412 Saint Margaret St.

Ashby, Penny

From: Harper James Finucan <hjfinucan@gmail.com>
Sent: Saturday, November 18, 2023 11:57 AM
To: bza-z
Cc: hjfinucan@aol.com
Subject: Addition to 241 Gordon

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

To the BZA,
I think the proposed addition
to 241 Gordon Street will
compliment the neighborhood.
Please contact me with any
questions.
Submitted by,
Harper James Finucan
245 Gordon Street
Charleston, S. C. 29403
843-224-6070
hjfinucan@aol.com

Sent from my iPhone



CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

2 ½ Atlantic St.

Charlestowne | TMS #457-16-04-068 | Zoned: SR-4

Request variance from Sec. 54-301 to allow a mechanical enclosure for a generator 1-ft. 8-inches from the rear property line and a lot occupancy of 38% (3-ft. required and existing 35% limit lot occupancy).

Owner: Benjamin A. Watson

Applicant: Sebastian von Marschall Architect, LLC

Ashby, Pennye

From: tinawardrop@gmail.com
Sent: Thursday, December 14, 2023 5:55 PM
To: pinto@charleston-sc.gov; Ashby, Pennye
Cc: Ben Watson; Sebastian von Marschall; Larry Gillespie; Darlene Shaw; Shannon; Greg Finch
Subject: 2 1/2 Atlantic generator enclosure
Attachments: BZA and BAR approval letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category, Purple Category

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

On behalf of the Zig Zag Alley homeowners, please see the attached letter stating our support for the revised generator cover on 2 ½ Atlantic that faces Zig Zag Alley.

Please contact me with any questions.

Thank you.

Tina Wardrop
2 Zig Zag Alley
312.405.1430

Sent from [Mail](#) for Windows



CITY OF CHARLESTON

BOARD OF ZONING APPEALS – ZONING

948 Rutledge Ave.

North Central | TMS #463-08-01-057 | Zoned: SR-2

Request special exception under Sec. 54-501 to allow construction of a single-family residence with an accessory dwelling unit on a lot of insufficient size (lot size 4,153sf; 6,000sf required).
Request variance from Sec. 54-301 to allow construction of a single-family residence with a 5-ft. north and 5-ft. south side setback, a 10-ft. total side setback (9-ft. 9ft.18-ft. required).

Owner: Harold Swinton, ET AL
Applicant: Generation Homes, Andy Barber

Support of John & Caitlin Swinton for Housing Variance Request for
948 Rutledge Avenue, Charleston SC

To the City of Charleston Zoning Board,

We, Pamzi and Jennifer Hej,

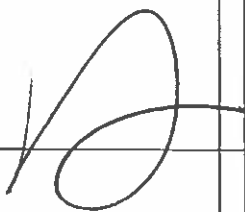
the owners of 939 Rutledge ave,

pledge our support of John and Caitlin Swinton in the building of their primary residence on the lot of 948 Rutledge Avenue, Charleston SC, with modifications of the restrictions in place. The zoning restrictions of 9 feet setbacks on the sides of their future home will not allow for them to build a formidable home that can house them and their future family.

We respectfully request that the zoning board allow for 5 feet setbacks on the sides of their future home. It has been their dream to purchase this lot of land from John's late grandmother (Elizabeth Swinton) and family, so that they may keep this land in their family. We find no fault in these housing modifications, and we eagerly support the zoning board's acceptance of their request.

Sincerely,

x



A handwritten signature in black ink, appearing to be 'Pamzi', is written over a horizontal line. The signature is stylized and loops around the line.

Support of John & Caitlin Swinton for Housing Variance
Request for
948 Rutledge Avenue, Charleston SC

To the City of Charleston Zoning Board,
We, John & Kathleen Eldon,
the owners of 942 Rutledge Avenue,
pledge our support of John and Caitlin Swinton in the building
of their primary residence on the lot of 948 Rutledge Avenue,
Charleston SC, with modifications of the restrictions in place.
The zoning restrictions of 9 feet setbacks on the sides of their
future home will not allow for them to build a formidable home
that can house them and their future family.

We respectfully request that the zoning board allow for 5 feet
setbacks on the sides of their future home. It has been their
dream to purchase this lot of land from John's late grandmother
(Elizabeth Swinton) and family, so that they may keep this land
in their family. We find no fault in these housing modifications,
and we eagerly support the zoning board's acceptance of their
request.

Sincerely,

x John Eldon, Kathleen

Support of John & Caitlin Swinton for Housing Variance Request for

948 Rutledge Avenue, Charleston SC

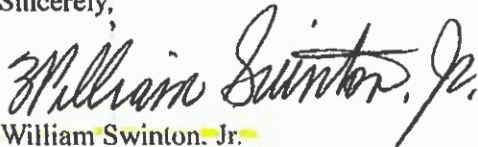
December 12, 2023

To the City of Charleston Zoning Board:

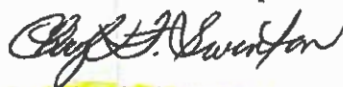
We, Rev. Dr. William Swinton & Cheryl Swinton, part heir to the estate of Elizabeth Swinton, (which encompasses 946 Rutledge Avenue and the proposed 948 Rutledge Avenue), pledge our support of John and Caitlin Swinton in the building of their primary residence on the lot of 948 Rutledge Avenue, Charleston SC, with modifications of the restrictions in place. The zoning restrictions of 9 feet setbacks on the sides of their future home will not allow for them to build a formidable home that can house them and their future family.

We respectfully request that the zoning board allow for 5 feet setbacks on the sides of their future home. It has been their dream to purchase this lot of land from John's late grandmother (Elizabeth Swinton) and our family, so that they may continue the legacy of Swintons in the Wagener Terrace neighborhood of Charleston. We find no fault in these housing modifications, and we eagerly support the zoning board's acceptance of their request.

Sincerely,



William Swinton, Jr.



Cheryl F. Swinton



CITY OF CHARLESTON

BOARD OF ZONING APPEALS – ZONING

1536 Castlewick Ave.

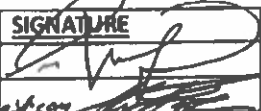





Fenwick Hills | TMS #279-08-00-016 | Zoned: SR-1

Request variance from Sec 54-301 to allow the construction of a detached garage/shed with a 4-ft. north side setback and 14-ft. rear setback (9-ft., 25-ft. required).

Owner/Applicant: Cameron M. Beard

My neighbor, Cameron Beard, that resides at 1536 Castlewick Avenue on Johns Island, South Carolina is applying for a variance for a secondary structure in his backyard that will be a 30x40x16 garage. He has shown me the plans for his garage and has explained to me that he is trying to move the garage back further into his rear setback and closer to his side setback and build it to a height taller than allowed for a structure built outside of the designated building setbacks. He explained that the normal setbacks are 25ft from the center of the rear ditch behind his house and 9 ft from the side property line. He is applying for the variance to move the garage 4ft off his side set back and 14ft off his rear set back with a structure eve height of 16ft.

I, as a neighbor to Cameron Beard, hereby sign this document confirming that I have reviewed his plans and am okay with the variance he is trying to get approved for a secondary structure.

NAME	ADDRESS	EMAIL	SIGNATURE	DATE
JAMES WALDROP	1537 CASTLEWICK AVE	WALDRJP2189@gmail		12-13-2023
John Roberts	3315 American Dr	John.Roberts202@btinternet.com		12-16-23
Matthew Johnson	3322 Dunwick Dr	matthewjohnson.sed@comcast.net		12-16-23
Franklyn Griffith	1535 Castlewick Ave	hggmfr@gmail.com		12-17-23
OLEG BALYTSKA	1535 TRAYWICK	4040a.B@emal.com		12/17/23
Justin Elson	3225 Dunwick	chuckceck10@gmail.com		12/17/23