



CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

MEETING RESULTS

JANUARY 17, 2023

5:15 P.M.

2 GEORGE STREET

7:53 P.M.

BOARD MEMBERS PRESENT: Jeffrey Tibbals, Robben Richards, Chappy McKay, John Bennett, Howell Morrison

STAFF MEMBERS PRESENT: Lee Batchelder, Penny Ashby, Omar Muhammad

A. Review of minutes and deferred applications from previously advertised BZA-Z agendas

1. Review of Minutes of the December 20, 2022 Meeting

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: Chappy McKay SECOND: Howell Morrison VOTE: FOR 5 AGAINST 0

B. New Applications

1. 26-28 Cumberland St.

TMS # 458-05-03-087,089,090,091,093

Request the fifth one-year extension of a vested right that expires on December 31, 2022, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on February 2, 2016 with conditions for a 50-unit accommodations use in a MU-2/WH (Mixed-Use Workforce Housing) zone district.

Owner: Charleston Community Partners LLC

Applicant: Hellman & Yates, PA

APPROVED

WITHDRAWN **XX**

DENY

DEFERRED

MOTION:

MADE BY: _____ SECOND: _____

VOTE: FOR ___ AGAINST ___

NOTES: Withdrawn

**2. 245 Huger St.
North Central | TMS # 459-01-03-048**

Request the second one-year extension of a vested right, that expires on January 21, 2023, pursuant to Sec. 54-962. Vested right pertains to a special exception granted under Sec. 54-220 on January 21, 2020 to allow a 150-unit accommodations use in an UP-A (Upper Peninsula Accommodations) zone district.

Owner: 245 Huger Street LLC
Applicant: Kyra Brower, LS3P & Sunju Patel, The Montford Group

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Robben Richards VOTE: FOR 5 AGAINST 0

NOTES: Approval of second one-year extension to expire on January 21, 2024

**3. 29 Beverly Rd. Unit A
Old Windermere | TMS # 421-06-00-079 | Zoned: SR-2**

Request an appeal of the Zoning Administrator's decision to approve a Residential Short Term Rental permit for this property.

Owner: Matthew Cotton
Applicant: Dana Nettles

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: (Second Motion) Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR 4 AGAINST 1

NOTES: First motion for Denial; Made By: Howell Morrison Second: Chappy McKay
Vote: For 1 Against 4 (Motion fails)

The Board adopts the grounds for appeal as stated in the appeal dated December 16, 2022 and further finds that the STR permit effectively expands an existing non-conforming use of property. The appeal is granted.

4. 252 Congress St.

Hampton Park Terrace | TMS # 460-02-04-100 | Zoned: DR-1F

Request special exception under Sec. 54-110 to allow a 1-story addition (bedroom/bath/closet) that extends a non-conforming 13.7-ft. total side setback (15-ft. required).

Request variance from Sec. 54-301 to allow a stair/landing with a 7-ft. 2-inch west side setback (9-ft. required).

Owner: Mitzi G. Ball

Applicant: Tyler A. Smyth Architects

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR 4 AGAINST 0

NOTES: Howell Morrison-Recused

5. 1 Country Club Dr.

Country Club | TMS # 424-00-00-004

Request special exception under Sec. 54-110 to allow an expansion of a non-conforming use (Private Golf Course Facilities) in a SR-1 (Single-Family Residential) zone district.

Owner: Country Club of Charleston

Applicant: Thomas & Hutton, Tony M. Woody

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: Chappy McKay SECOND: Howell Morrison VOTE: FOR 5 AGAINST 0

NOTES:

6. 12 Rebellion Rd.

South Windermere | TMS # 421-09-00-074 | Zoned: SR-1

Request variance from Sec. 54-301 to allow a 3-story addition (storage/screen porch/living room/deck/flex room/laundry) with a 1 ft-4 inch north side setback (9-ft. required).

Owner: Kurt & Anna Maria Kammeyer

Applicant: Laura F. Altman, LFA Architecture

APPROVED

WITHDRAWN

DENY

DEFERRED **XX**

MOTION: Deferral

MADE BY: John Bennett SECOND: Howell Morrison VOTE: FOR 5 AGAINST 0

NOTES: Deferred to meet with City's Zoning Administrator to review design options.

7. Evergreen St. (Lot 25)

Ardmore/Sherwood Forest | TMS # 350-07-00-174 | Zoned: STR

Request variance from Sec. 54-301 to allow two dwelling units with 4,354sf of lot area per dwelling unit (4,500sf required).

Owner: Verdisian LLC

Applicant: Jeremiah McDonald

APPROVED

WITHDRAWN

DENY **XX**

DEFERRED

MOTION: Denial

MADE BY: Howell Morrison SECOND: Chappy McKay VOTE: FOR 5 AGAINST 0

NOTES:

8. 233 Ashley Ave.

Cannonborough/Elliotborough | TMS # 460-11-02-050 | Zoned: DR-2F

Request variance from Sec. 54-301 to allow a detached accessory structure (chimney and pergola) with a 6-inch. north side setback (3-ft. required).

Owner: Betsy Berry

Applicant: Ross Ritchie, Loyal Architects

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR 5 AGAINST 0

NOTES:

9. 563 King St.

Cannonborough/Elliotborough | TMS # 460-12-02-073 | Zoned: GB

Request variance from Sec. 54-415 to allow a right-angle sign with 10.4 sf of sign face area per side (limit is 9 sf per side).

Owner: Upper King Partners, LLC

Applicant: John Massalon, Attorney for Honey Hive

APPROVED

WITHDRAWN

DENY **XX**

DEFERRED

MOTION: Denial

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR 5 AGAINST 0

NOTES:

10. 396 Huger St. #110 (A/K/A 1-A Dewey St.)

North Central | TMS # 460-03-02-140

Request use variance from Sec. 54-203 to allow a retail use (vape shop) with days of operation Monday-Sunday and hours of operation 9am-10pm in a DR-1F (Diverse-Residential) zone district (retail use M-Sunday, closing no later than 8pm previously approved by the BZAZ).

Owner: Simmons Housing, LLC (Guy Simmons)
Applicant: Kassem Hauter

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: Howell Morrison SECOND: Robben Richards VOTE: FOR 5 AGAINST 0

NOTES:
