City of Charleston

BOARD OF ZONING APPEALS-ZONING

February 1, 2022
5:15 PM

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

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

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

Order on Each Application:

• Chair announces each application followed by staff presentation and recommendation
• Staff presents application and City’s recommendation. Staff will control slide presentation
• Staff announces comments received and whether anyone has signed up to speak
• Applicant, after being sworn in, will be allowed to present their application if opposition or questions are raised, followed by public comments from pre-registered attendees in favor. Each speaker will be sworn in before speaking. Each speaker should state their name and address for the record.
• Staff then recognizes registered attendees for public comments in opposition. Each speaker will be sworn in. Each speaker should state their name and address for the record.
• Staff then recognizes the applicant for a short rebuttal before Chair closes public comments and begins Board discussion

Providing Comment:

• People who sign up to speak prior to the 12 noon deadline will be called on when it is your turn to speak and your microphone will be enabled. You may only speak once on each item.
• Your microphone will be disabled after you are finished speaking.

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

1. Hear appeals to decisions of the Zoning Administrator;

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

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

Requirements for Granting a Variance

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes the following findings:

a. there are extraordinary and exceptional conditions pertaining to the particular piece of property;

b. these conditions do not generally apply to other property in the vicinity;

c. because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

d. the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
Agenda Item #A-1

Approval of December 21, 2021 BZA-Z Minutes
(click on link below)

https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_12212021-7126
Agenda Item #A-2

Approval of January 18, 2022 BZA-Z Minutes
(click on link below)

https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_01182022-7175
Request an appeal of the Zoning Administrator’s approval of two one-family attached dwelling units in a DR-1F (Diverse-Residential Zone) district.
Agenda Item #B-2

OAK BLUFF AVENUE (LOTS 93-102)
TMS # 263-00-02-003

Request variances from Sec. 54-301 to allow construction of 3 ½ story single-family dwellings on ten lots in the Oak Bluff subdivision (SR-1 limits height to 35’ and 2 ½ stories).
Zoned SR-1
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. These conditions are not generally applicable to other property in the vicinity.
2. The conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the variance would not be substantially detrimental 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 § 54-112, § 54-206, or sections in Article 5 (add as an attachment if necessary):

Optional but useful helpful information:

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

I certify that the information on this application and any attachments is correct, that the proposed improvements(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant: [Signature] [Date]

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.
OAK BLUFF VARIANCE REQUEST

Pursuant to S.C. Code Ann. § 6-29-800 and Zoning Code § 5-42-94, Applicant Crescent Homes SC, LLC submits this information in response to the applicable criteria in support of a variance for ten lots (Lots 93-102) within the Oak Bluff subdivision to allow residences on those lots to exceed the 2-½ story maximum height restriction in the SR-1 zoning district. (Exhibit A - Phase 1C Preliminary Plan.)

The Oak Bluff subdivision is a 114 single-family residential community located off of Clements Ferry Road and adjacent to the Wando River and Martins Creek. The subdivision is largely surrounded by areas within the Cainhoy Plantation in the City of Charleston or unincorporated areas of Berkeley County.

1. There are extraordinary and exceptional conditions pertaining to the particular properties.

Extraordinary and exceptional conditions pertain to these particular properties because they are adjacent to the Wando River and Martins Creek, and located in Flood Zone X. In addition, they have been impacted by the new FEMA flood maps, which became effective in 2018. Under the City planning department’s interpretation of the zoning code, a drive-under garage area of a home is not considered a “story” for purposes of determining compliance with a zoning district’s height restrictions if the home is located in a certain flood zone.

Oak Bluff has been developed in phases, with Phase 1A beginning in 2016, Phase 1B beginning in 2018, and Phase 1C beginning in 2021. Prior to the flood map amendments adopted in 2018, much of the developable property was located in either Flood Zones AE-11 or X. (Exhibit B-C - Plans for Oak Bluff) As a result, Crescent Homes designed the subdivision based on the City’s interpretation that homes within Flood Zone AE-11 could be designed with drive-under garages that would not be considered a “story” for purposes of the SR-1 zoning district’s 2-½ story height restriction. Relying on this interpretation and the flood maps applicable at the time, Crescent Homes designed fifteen lots in Phase 1B (Lots 34-49) and ten lots in Phase 1C (Lots 93-102) with drive-under garages with two stories of living space above. Of those, the fifteen lots in Phase 1B and the ten lots in Phase 1C have already been approved and/or built with drive-under garages.

However, the lots designed with drive-under garages and two stories in Phase 1C are no longer allowed according to the City’s interpretation of the zoning ordinances because they are no longer located in an AE flood zone. Therefore, the homes designed for the ten lots with two stories of living space above drive-under garage are considered three-story homes and, consequently, not in compliance with the applicable 2-½ story height restrictions for SR-1, according to the City’s interpretation.

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

These conditions do not generally apply to other property in the vicinity, most of which is upland acreage and not adjacent to the Wando River or its tributaries. As demonstrated by Exhibit D (Flood Map), Oak Bluff is surrounded on three sides by marsh land located in flood zone AE, and part of the developable property is in Flood Zone X. In contrast, much of the neighboring Cainhoy Plantation is not in or adjacent to a flood zone or any rivers or creeks.

Also, Crescent Homes is unaware of any other properties in the vicinity that were under development and impacted by the flood map changes. Therefore, 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.

The application of the City’s interpretation of “story” and SR-1 height restrictions will unreasonably restrict the utilization of the property by prohibiting two-story homes with drive-under garages and by nullifying Crescent Homes’ existing designs for the subdivision. Although Crescent Homes can utilize the ten lots in question with other designs, it is “not required to show that without the variance there exists no feasible conforming use for the property in question” to prove an unreasonable restriction. Restaurant Row Assoc. v. Horry County., 335 S.C. 209, 217, 516 S.E.2d 442, 446 (1999).

In this case, the inability to use the design of two stories over a drive-under garage is unreasonable because the lots in question remain in or adjacent to a flood zone and are subject to the risk of flooding. The City’s interpretation is forcing a choice between a one-story living space with a drive-under garage to protect from flooding or two-stories of living space without additional flood protection from being elevated over a drive-under garage. Because the designs in question provide for reasonably sized homes, this is an unreasonable choice being imposed by the City’s interpretation of the ordinance.

The unreasonableness of this choice is compounded by the fact that the designs in question were permissible when the subdivision was first being developed. The subdivision was designed based on the old flood maps and in reliance on the reasonable belief that drive-under garages could be utilized without them being considered a story. It would now be unreasonable to restrict the use of the drive-under designs when other homes have already been permitted with the same design feature.

4. 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.

The authorization of the variance will not be of substantial detriment to adjacent property as those properties have homes that utilize the same drive-under garage feature or are allowed to utilize that design under the applicable zoning.

First, fifteen other homes in Oak Bluff use the drive-under garage design, and the use of drive-under garages for these ten lots in Phase 1C will be consistent with those homes. Thus, the design of the new homes will be harmonious with those properties and consistent with the original plan for the subdivision.

Second, Oak Bluff is surrounded by property subject to the Cainhoy Plantation PUD Master Plan. Under this zoning, the maximum height for residences is 50’, and there is no maximum story limitation for residential units. Furthermore, the definition of story for the Cainhoy Plantation planned development zoning district specifically excludes parking areas beneath the finished floor of any single-family residence. Therefore, the drive-under design that Crescent Homes seeks to use in Oak Bluff is allowed in the adjacent Cainhoy Plantation and actually less intense than what is allowed under the Cainhoy Plantation PUD Master Plan.

Third, the unincorporated areas of Berkeley County that are close to Oak Bluff have no story limitations and have a higher maximum height. Thus, the design that Crescent Homes seeks to use for these ten lots is permitted on nearby property outside of the city limits for the City of Charleston.

The variance will also not be detrimental to the public good. If anything, the public good will be enhanced because the drive-under design will provide additional protection from possible flooding, thereby reducing the potential social and indirect impacts that flooding often creates.

Last, the variance will not harm the character of the zoning district as the homes will comply with all other zoning requirements for the SR-1 zoning district, and the variance will not permit prohibited uses. Significantly, even if the drive-under garages are permitted with a variance, the homes will still be subject to the maximum height restrictions imposed by the zoning code. Also, Crescent Homes is willing to accept a variance on the condition that the drive-under garages cannot be converted to living space at a later time.
Request variance from Sec. 54-301 to allow construction of a detached accessory building (carport) with a 1.5-ft. rear setback and 12.5-ft. side street setback (25-ft., 25-ft. required).

Zoned DR-1F
BZA-2 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 it is met (add an attachment if necessary):

- Requesting a variance for the rear setback and side yard setback for a new apartment at the rear of 125 Mathis St.

See attached for Variance k1-

**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 necessity 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;
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 § 6-29-100.

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 §5A-110, §5A-206, or sections in Article 5 (add 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

Phone: (843) 724-7971  www.charleston.gov/zoning
January 3, 2022

RE: 12 Line St.

Seeking rear and site street setback variances for a new carport at the rear of 125 Moultrie St.: 

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property. The site is a corner lot next to a small alley. There is an existing access easement adjacent to the rear property line that creates a wider setback to any adjacent rear building than would normally be required.

b. Do not apply to other property in vicinity. This is the only property with such an easement the rear. The other property at the corner of this alley is not a residence but a church.

c. Unreasonably restrict the utilization. This is the only viable location for the carport. The side street setback would turn the entire rear of the property for a parking use which isn’t desirable.

d. Will not be a substantial detriment to adjacent property. The proposed carport is a low structure open on 3 sides. It is at the current double parking pad location so will not change traffic flow. Since it is so low and open it will have little impact on the adjacent properties. Enforcing the side street setback would push the building and have more impact on the neighbors.

Sincerely,

John Sullivan, AIA LEED BD+C
arch+studio llc
1. Proposed Carport Plan
   - 14" x 14"

2. Roof
   - 14" x 14"

3. East Carport Elevation
   - 14" x 14"

4. North Carport Elevation
   - 14" x 14"

5. West Carport Elevation
   - 14" x 14"

6. South Carport Elevation
   - 14" x 14"
Proposed Carport Location at Rear of 125 Moutrie
Rear Yard
Agenda Item #B-4

252 AND 254 COMING STREET
(CANNONBOROUGH/ELLIOTBOROUGH)
TMS # 460-08-02-061 AND 062

Request variance from Sec. 54-263 Daniel Island PUD Master Plan zoning regulations to allow a bridge to encroach up to 5-ft. into a 10-ft. visual buffer zone setback. Bridge is for vehicle access to a proposed single-family residence.

Zoned DI-RI
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA/Z)

City of Charleston

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

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

MEETING DATE REQUESTED: 1/11/22

Property Address: 234 Coming St, Unit A, Charleston, SC 29403

Property Owner: Frank L. Williams

Applicant: Neil Stiegel Architect

Applicant’s Mailing Address: 103 King St, Suite B, Charleston, SC 29403

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

Zoning of property: CT

Information required with application: (check information submitted)
- Scanned plans or plans, including elevations, showing the variance(s) or special exception(s) being requested (3 sheets)
- For new construction or additions within a flood zone, show HVAC 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 density variances and building additions, unless exempted by the Zoning staff (3 sheets)
- Plans or documents necessary to show compliance with special exception requirements (3 sheets)
- Check credit card or cash (make checks payable to the City of Charleston)
- 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? NO

Optional but very helpful information:
- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvements comply with private neighborhood covenants, if 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: Neil Stiegel Architect Date: 1/15/2023

For office use only
Date application received: 1/15/2023 Fee $5 Time application received: 1/15/2023

BZA/Z 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 met (add as an attachment if necessary):

REQUEST VARIANCE FOR REQUIRED PARKING EXISTING SITE PLANS

Full (1) Parking stalls existing, existing residential duplex in order to provide ADA accessibility to first floor, a required ramp would need to be located at the existing parking stalls. Entry locations have been investigated, but an other option would appear to be sufficient.

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;
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 § 6-29-4001)

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-200, or sections in Article 5 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the Zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
ZONING PROPERTY INFORMATION

ZONING DISTRICT: CT

SETBACKS (165.01-02): NO SETBACKS REQUIRED

HEIGHT (165.01-02): 50' / 3 STORIES

PARKING: EXISTING - 1 SPACE

PROPOSED - 0 SPACES

6 SPACES REQUIRED

REQUESTING VARIANCE FROM BZA TO ALLOW FOR ADA RAMP

FIRST FLOOR INSIDE PATRON USE AREA = 301 SF
FIRST FLOOR OUTDOOR PATRON USE AREA = 138 SF
SECOND FLOOR INSIDE PATRON USE AREA = 285 SF
SECOND FLOOR OUTDOOR PATRON USE AREA = 98 SF

INDOOR PATRON USE = 586 SF / 110 = 6 SPACES REQ'D
OUTDOOR PATRON USE = 234 SF / 130 = 2 STALLS REQ'D

LOT COVERAGE: EXISTING TO REMAIN (NO CHANGE)

TOTAL LOT AREA: 1,466 SF (254 COMING ST)
Agenda Item #B-5

236 SAINT MARGARET STREET
WAGENER TERRACE
TMS # 463-10-03-037

Request special exception under Sec. 54-110 to allow a 2-story addition (porch/living room extension/garage/bedrooms/baths/laundry room/game room) that extends a non-conforming 4.5-ft. west side setback, a non-conforming 21-ft. front setback (9-ft. and 25-ft. required).

Request variance from Sec. 54-301 to allow a (garage/exterior stair/storage/and outdoor shower additions) with a 3-ft. east side setback (9-ft. required).

Zoned SR-2
Application for Variance, Special Exception, Reconsideration, or Extension Page 1 of 2

City of Charleston

Instructions - This application, along with the required information and fee, must be submitted to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on 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: 2/15/22

Property Address: 236 Saint Margaret St
TMS # 463-10-07-087

Property Owner: James & Rebecca Bishop
Applicant: James (Billy) Bishop
Applicant's Mailing Address: 236 Saint Margaret St Charleston, SC 29407

Daytime Phone: 843-799-2848
Email Address: JBS@jamesbishop.com

Relationship of applicant to owner: Same, representative, prospective buyer, other: Same

Zoning of property: SR-2

Information required with application: [check information submitted]
☐ Signed plans or prints, 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 rooms labeled and the total floor area for each floor noted are required for all density variances and building additions, unless exempted by the zoning staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check, credit card or cash (make checks payable to the City of Charleston)

YES OR NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Opposing but not 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: James (Billy) Bishop
Date: 1/11/22

For review only
Date application received: 1/11/22
Screening: Fee $ 5
Time application received: 1/11/22
Receipt #: 1

BZA 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 an attachment if necessary):

- See Attached

Variance Test: The Board of Zoning Appeals (Zoning) is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:
1. There are extraordinary and exceptional 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 § 6-29-807]

For Special Exception requests, applicants should list the specific approval(s) being requested and include any documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 5-110, § 5-206, or sections in Article 5 (add as an attachment if necessary):

- See Attached

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
February 15, 2022

Penry Ashley (via email)
BZA Special Exception at 236 Saint Margaret St. Charleston, SC

Dear Penry—

Please consider this letter an attachment to the BZA application for 236 Saint Margaret Street. My wife and I would like to build an addition to the east side of the property and doing so would need to reduce the side setback from the required 9'-0" (as in section 54-301) to 3'-0", similar to the majority of the houses in the neighborhood (including our next-door neighbor, 234 Saint Margaret). We would also like to ask for a special exception for the front setback from 25'-0" to work with the front of the existing house 21'-0". This would be similar to examples at 234 Saint Margaret, 40 6th Ave, 42 6th Ave among others in the neighborhood. The front porch addition we are asking for a special exception for the front setback for a 10'-0" setback and an east setback from 9'-0" to 4'-6" to match the existing house. We are requesting per Variance Test Category B for east side setback variance “these conditions do not generally apply to other properties in the vicinity”.

Thank you for your time and consideration,

James (Silly) Bishop
SURVEY NOTES
1. Reference Tax Map Number 463-10-03-057
2. Reference Plat Book E Page 208
   Plat Book C Page 147
3. To be conveyed to: Billy and Rebecca Bishop
4. Surveyor has made no investigation or
   independent research for easements of record,
   encroachments, restrictive covenants,
   ownership title evidence, or any other
   facts that an accurate and current
   title search may disclose.
5. No subsurface environmental conditions or utilities
   were examined or located by this survey.
6. Anything shown outside the defined boundary
   of this survey is for descriptive purposes only.
7. These lots have been checked against area
   FEMA maps and to the best of this surveyor's
   knowledge, said lot is located in Flood Zone AE(14)
   Ref. Map No. 4501920352 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.

CLOSING SURVEY
236 SAINT MARGARET STREET
WAGENER TERRACE
LOCATED IN THE
CITY OF CHARLESTON
CHARLESTON COUNTY, SOUTH CAROLINA

SURVEYOR'S STATEMENT
I hereby state that to the best of my knowledge, information,
and belief, the surveys shown herein were made in accordance
with the Practice of Land Surveying in South Carolina, and meet or
exceed the requirements for a Class A survey as specified therein.

By:

James W. Harleston, P.L.S. No. 10291

Date

ST. MARGARET STREET (60' R/W)
November 2021

Chairman
Board of Zoning Appeals - Zoning City of Charleston
2 George St.
Charleston, SC 29401

Dear Chairman,

I write this letter in support of the zoning request to allow my neighbor at 236 Saint Margaret Street, the Bishop’s residence, to build a front porch and ADU beyond the current required setback. I am an adjacent neighbor to this house and have no concerns with this plan.

Sincerely,

Name
Margaret Alexander
Address
338 St. Margaret St.

November 2021

Chairman
Board of Zoning Appeals - Zoning City of Charleston
2 George St.
Charleston, SC 29401

Dear Chairman,

I write this letter in support of the zoning request to allow my neighbor at 236 Saint Margaret Street, the Bishop’s residence, to build a front porch and ADU beyond the current required setback. I am an adjacent neighbor to this house and have no concerns with this plan.

Sincerely,

Name
A.K. Day
Address
291 St. Margaret St.

November 2021

Chairman
Board of Zoning Appeals - Zoning City of Charleston
2 George St.
Charleston, SC 29401

Dear Chairman,

I write this letter in support of the zoning request to allow my neighbor at 236 Saint Margaret Street, the Bishop’s residence, to build a front porch and ADU beyond the current required setback. I am an adjacent neighbor to this house and have no concerns with this plan.

Sincerely,

Name
David Perry
Address
229 Gordon St.