



# CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

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## MEETING RESULTS

**FEBRUARY 7, 2023**

**5:15 P.M.  
7:01 P.M.**

**2 GEORGE STREET**

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BOARD MEMBERS PRESENT: Jeffrey Tibbals, Allison Grass, Robben Richards, Bill Goodwin, Jr., John Bennett, Howell Morrison

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

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### A. Review of Minutes and Deferred Applications from Previously Advertised BZA-Z Agendas

#### 1. Review of Minutes of the January 17, 2023 Board Meeting

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Howell Morrison

VOTE: FOR 5 AGAINST 0

NOTES: Allison Grass - did not vote

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#### 2. 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 Altman, LFA Architecture

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Howell Morrison

VOTE: FOR 6 AGAINST 0

NOTES:

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**B. New Applications**

**1. 65 Folly Road Blvd.**

**Windermere | TMS #421-11-00-276 | Zoned: SR-2**

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

Owner: Eric Reiner  
Applicant: Jeffrey Harbit

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval with condition. Decision to grant STR permit is overturned. Owner is not to apply for an STR permit for 24 months. Two years from the date of this meeting.

MADE BY: Howell Morrison SECOND: John Bennett VOTE: FOR 6 AGAINST 0

NOTES: The Zoning Administrator and Appellant demonstrated that the STR use created the need for exterior alterations to the building for the purpose of maintaining the accessory use. The property owner also operated a STR prior to obtaining a City permit. The owner was also issued a Stop Work Order on 6-14-21 when building the exterior improvements.

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**2. 130 Fishburne St.**

**Westside | TMS #460-04-03-061 | Zoned: DR-1F**

Request special exception under Sec. 54-110 to allow a 1-story porch addition that extends a non-conforming 0.7-ft. east side setback (3-ft. required).

Request variance from Sec. 54-301 to allow a 1-story porch addition with a 55% lot occupancy (50% limitation; existing lot occupancy 51%).

Owner: DJ & Lindsay Van Slambrook  
Applicant: Julie O’Connor - American Vernacular, Inc.

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: Allison Grass SECOND: Robben Richards VOTE: FOR 6 AGAINST 0

NOTES:

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**3. 78 Hagood Ave.**

**Hampton Park Terrace | TMS #460-02-04-146 | Zoned: DR-1F**

Request variance from Sec. 54-301 to allow a 2-story addition (bedrooms/bath rooms) with a 16-ft. 3-inch rear setback (25-ft. required).

Owner: Sheila & Steve Harvey

Applicant: Joel Adrian-Coastal Creek Design

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval

MADE BY: John Bennett SECOND: Howell Morrison

VOTE: FOR 6 AGAINST 0

NOTES:

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**4. 12-A Hagood Ave.**

**Westside | TMS #460-11-01-029**

Request use variance from Sec. 54-203 to allow an arcade (gaming machines) on the ground floor with days of operation Tuesday-Friday, closed on Sunday and Monday; hours of operation 12pm-8pm Tuesday-Friday and 11am-10pm on Saturday, in a DR-2F (Diverse-Residential) zone district.

Owner: James Bell

Applicant: Revon Butler, prospective tenant

APPROVED

WITHDRAWN

DENY

DEFERRED **XX**

NOTES: Deferred

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**5. 1334 Rutledge Ave.**

**Garden Kiawah | TMS #464-14-00-024 | Zoned: GB**

Request variance from Sec. 54-317 to allow a restaurant use with 480sf of inside patron use area providing 2 off-street parking spaces (5 spaces required).

Owner: Flipside SC, LLC

Applicant: John Sullivan-S. Arch + Studio, LLC

APPROVED

WITHDRAWN

DENY

DEFERRED **XX**

NOTES: Deferred

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**6. 35-37 Prioleau St.**

**TMS #458-09-02-007 and #458-09-04-058 | Zoned: LB-A**

Request special exception under Sec. 54-220 to allow a 44-unit accommodations use in a LB-A (Limited Business-Accommodations) zone district.

Request variance from Sec. 54-319 to provide 30 off-street parking spaces at a parking lot located at (11 E. Elliot St.), 675 feet from this property (Ordinance limits distance to 400 feet of the building or use).

Owner: Prioleau Enterprises LLC  
Applicant: Nelson Mullins Riley & Scarborough LLP  
Jay S. Claypoole

APPROVED **XX**

WITHDRAWN

DENY

DEFERRED

MOTION: Approval with condition

MADE BY: Bill Goodwin SECOND: Allison Grass VOTE: FOR 6 AGAINST 0

NOTES: January 30, 2023 Letter Agreement between AJCP, LLC and One Vendue Range Association shall be valid, enforceable and adhered to by applicant/owners/successors.

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