**Video and microphone is currently disabled for all attendees.**
This meeting is being recorded.
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
• Staff then recognizes registered attendees for public comments in opposition. Each speaker will be sworn in
• 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

(click on link below)

https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_01192021-6190
https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_02022021-6257
https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_02162021-6294
Agenda Item #B-1

363, 367 AND 369 KING STREET
TMS # 457-04-02-029, 028 AND 027

Request the second one-year extension of a vested right that expires on April 3, 2021, pursuant to Sec. 54-962. Vested right pertains to a special exception granted with conditions under Sec. 54-511 for 21 parking spaces to allow 9,139sf of retail space and 70 dwelling units.

Zoned MU-2/WH
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-Z)

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 – 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: ___ MARCH 2, 2021

Property Address 363, 367, 369 King Street

Property Owner 23 Bond Owner, 363-369 King Street Daytime Phone 843-958.5419

Applicant Stephan Ramos, LS3P

Applicant’s Mailing Address LS3P / 205 1/2 King Street, Charleston, SC 29403

Email Address stephanson@ls3p.com

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

Zoning of property MU-2WH

Information required with application: (check information submitted)
☐ Scaled plans or plots, 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 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 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check, money order 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 encumbered in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but recommended 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

Date FEBRUARY 31, 2021

For office use only

Date application received 

Sign here

Fee 

Time application received 

Receipt #
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. 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 Law § 6-29-800)

This requests is the 2nd 1-year extension. The first...
A parking special exception request is being made for a total of 34 cars at 363, 367, and 369 King Street. An approval would allow for a new 83 unit student housing building to be constructed on the site. A collection of non-historic, sub-standard student housing buildings would be demolished to make way for the new complex. This project would provide housing for approximately 154 students. In addition, the 3 historic buildings on King Street would be appropriately renovated and restored.
The property is boxed in on 3 sides by 371 King to the North (Urban Outfitters), 359 King Street to the south (Williams Sonoma) and the Sterling Campus Center Apartments to the West. In addition, there are 3 historic structures on King Street. Therefore vehicle access on to the property is not possible.
In 1981, the historic building at 363 was purchased with the intention of a major renovation. Despite the building's heritage, the renovation was carried out to meet modern standards for apartment living. The project's goal was to preserve the building's integrity while updating it to meet contemporary needs.

The building at 363 will remain in its original state, retaining its historic character.

Photographs courtesy of the Historic Preservation Foundation of Philadelphia.
SUMMARY

1. An approval of this parking special exception would allow for a new 83 unit student housing building to be constructed on the site.
2. A collection of non-historic, sub-standard student housing buildings would be demolished to make way for a 21st-century complex.
3. This project would provide housing for approximately 154 students within close proximity to the college campus, nullifying the need for parking.
4. In addition, the 4 historic buildings on King Street would be preserved and appropriately renovated.

SPECIAL EXCEPTION TEST

Sec. 244-519 - Exceptions to off-street parking requirements.

The number of off-street parking spaces required by this chapter shall not be reduced except with the approval of the Board of Zoning Appeals upon determination by the Board of Zoning Appeals that the enforcement of the required number of parking spaces would result in a hazardous or unsafe condition on the lot. In making the determination, the Board of Zoning Appeals shall consider each of the following:

1. Whether the proposed use is an allowed use in the applicable zoning district;

Both apartment and retail uses proposed are permissible in the MA-2-WEH zoning district.

2. Whether the existing building(s) as configured on the lot, or the existing building(s) as configured on adjacent lots, make it feasible to provide off-street parking;

It is possible to either use some of the site as the building is bordered on the north, south, and west by sidewalks by adjacent buildings and King Street with historic structures.

3. Whether street frontage of an existing lot is so limited that a driveway for access to a parking area would unreasonably or impractically reduce the area available for occupancy by structures;

There are existing historic structures at the King Street frontage which cannot be modified to allow for a driveway.

4. Whether grant of the special exception will adversely affect neighboring properties;

A majority of the properties within the district do not provide the required parking, therefore this project would be consistent with its context. This district of historic buildings have been grandfathered for parking. The density of these uses onsite creates a sense of urban character to King Street.

5. Whether the applicant has pursued good faith efforts to provide off-street parking;

The owners of this property have been unable to secure a 16 year lease on 54 parking spaces within 400 feet of the property.
Agenda Item #B-2

179 THIRD AVENUE
(WAGENER TERRACE)
TMS # 463-10-03-075

Request variance from Sec. 54-301 to allow a detached accessory building (garage/storage) with a 5-ft. south side setback and a 10-ft. rear setback (9-ft. and 25-ft. required).

Zoned SR-1
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 expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: February 16, 2021
Property Address: 179 Third Ave

Property Owner: Michael Dennis
Daytime Phone: 843-224-1928

Applicant: Michael & Emily Dennis
Daytime Phone: 903-316-6701

Applicant’s Mailing Address: 179 Third Ave, Charleston SC 29403
Email Address: dennis.emmies@gmail.com

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

Zoning of property: SB2

Information required with application: (check information submitted)
☐ Scale plans or plots, 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 platform on scale plans
☐ Scale 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 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check here if cash (make check payable to the City of Charleston)
☐ YES ☐ 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? § 6-29-1155 of the South Carolina Code of Laws

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 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: ____________________________ Date: ________________

Fee $ ________________ Time application received ________________
St&P# ________________ Permit # ________________

For office use only
Date application received: ________________
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):

Please review additional attachment.

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**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; 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 § 6-29-800)

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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, § 54-206, or sections in Article 5 (add as an attachment if necessary):

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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.
Specific Variances Request:

The current property has a total lot area of 14,700 square feet and hosts one single-family residence in the center that's 1,740 square feet. The applicant/owner is requesting to have previously abandoned lot lines reinstated resulting in a total of three lots (lines were abandoned in 1990 to decrease property taxes for the original owner). The current home would sit centrally on one lot, and the other two lots, if restored to original status, would be to the West and East.

Variances requested are as follows:

Lot sizes for the East and West lot would need a variance on site to allow for them to be 4,410 square feet and 4,074 square feet respectively. To accommodate for the granting of this variance, the footprint of new buildings would be small enough to satisfy all other setback requirements.

In the matter of the Central lot hosting the existing structures, a variance is requested to allow a 3.6' side set back for the current dwelling and 1.5 for 21' of the current shed. The variance would therefore be applied to 39/105 (or 37%) of the lot line separating the West and Central lots.

For frontage requirements (exact number can be provided by the city, if pending), these lots may not each meet the average based on surrounding lots.

"Variance Test" Satisfied as Follows:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.

   The property was originally 3 separate lots and was originally purposed to host three separate single-family residences. This is a unique condition, as these lots are not "new." They did previously exist and this is a request to reinstate the property to its original application.

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

   Wagener Terrace is a designated residential neighborhood hosting predominately single-family homes. However, this property allows for the only "true" single-family home on a street otherwise hosting multi-family properties. All properties across the street are currently zoned DR-F1 and include 16 condos (which were previously apartments) and a property with an attached art studio-the studio at one time did host private art lessons. The adjacent properties (on both sides) are zoned SF-2, but also have multi-family (a 5plex and 2 duplexes). Lastly, at the end of the street (and visible from the property in discussion) sits Lovemore Grove, which is a commercial enterprise. This variance would allow 179 Third Ave to return to its original designation which fits the intention and goals of the neighborhood's city plan.

   Additionally, and as a comparison, 226, 224, 222 Gordon are on the same “block” and are also under the 0,000 square foot minimum for lot size at 4,356 each. When considering frontage, the current application for lot lines considers all the properties surrounding this address on Third avenue are multiple family apartments and condos, and therefore the frontage requested matches the existing square footage on the dwelling in the Central lot and the square footage to the rear of the house.

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 property sits in a reasonable location for 3 single-family homes on one lot each – The parcel is at the back of the popular Wagener Terrace neighborhood on a street that does not see high through traffic (due to the unique horseshoe shape). The size of the property is enough to reasonably host 3 separate lots and the placement of the current home allows it to divide appropriately. Additionally, there is no flooding, a beautiful view of the Ashley River, a "park-like" setting, room for ample off-street parking. New construction would also allow proper drainage to be freshly reviewed and addressed as needed. The current lot lines "effectively prohibits" the use of the property for 3 single-family homes and limits the number of dwelling units to one – This "unreasonably restricts" utilization of this property which would otherwise follow the goals for this neighborhood to be friendly toward single-family residences with yard space etc.

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.

There will be no harm or damage done to any property adjacent to the parcel in question, as there will be no expansion of the actual current for sites, trees close to property lines would be handled appropriately according to the protected status.

The "public good" stands to benefit from additional lots for utilization of this property to its maximum potential, as it will allow additional families to access the benefits of having limited traffic and no flooding, in a quiet neighborhood.

The character of this district would be protected through the site plan and approval process.

Lastly, neighboring property owners signed letters of support, in February of 2019, for this property to be rezoned to RH2, and while we are choosing not to pursue that option through the Planning Commission, this specific application covers/requests usage of the property to a significantly lesser extent. Property owners include members of "The Bordeaux" condominiums, owner of the adjacent five-plex, owners of all 3 properties bordering the backside of the 179 3rd Ave. parcel, owners of homes at the "frontal area" to 3rd avenue, and a few others who are in close proximity.

Property Map with Labels (for location reference only and not to scale):
Front of property – Shows empty “side lots,” Splex to the left and a duplex to the right.
Aerial view shows property is not prone to through traffic, due to location in the neighborhood.
This letter was signed by multiple condo owners at The Bordeleaux (Terry Seabrook, Dave Rivers, Bill Williams, Glenda Strigman, and Skul Rosenberg), the owner of the adjacent five-plus (Eileen Sorota), owners of all 3 properties bordering the backside of the 379 3rd Ave parcel (Frederick Elder, Robert Seabrook, and Fiena Richbor).

To the Board,

I am aware the lot at 379 3rd Ave is currently zoned SF2 and the property owner, Michael Dennis, is seeking a variance to allow for the property to have DR-F3 use.

As a neighboring property owner, I would like to express that I believe 379 3rd Ave meets all the requirements of the “variance test” excerpted from Section 54-924 of the City of Charleston Zoning Ordinance (This test is based on S.C. Code Ann. § 6-29-800).

I find the current predicament of this property extraordinary, since it is the only single family home on the street affected by the current zoning issue. In addition, I find it a unique and exceptional situation, because the home on this property was built first and the builder likely did not foresee (or plan) the home would eventually be surrounded by the architectural look of multi family structures.

One side of 3rd Ave is already zoned DR-F3 and the other side (with the exception of the property in discussion) is 100% DR-F3 in the majority of its use.

It's my understanding that for the DR-F3 use, the owner would be expected to comply with all governing entities which have such jurisdiction. For Charleston's City Ordinance any changes or updates to the property structure(s) would have a height restricted to 2.5 stories, the density limited to one dwelling for every 2250 square feet, and parking to accommodate 5.5 spaces per unit. That said, I believe, for the aforementioned reasons, the variance being requested by Michael Dennis is reasonable and I hope you will consider and approve his request.

Sincerely,
Agenda Item #B-3

2319 BIRDIE GARRETT STREET
(ROSEMONT)
TMS # 464-01-00-110

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 3,000sf; 9,000sf required).

Request variance from Sec. 54-301 to allow construction of a single-family residence with a 5-ft. west side setback, a 15-ft. total side setback (9-ft. and 18-ft. required).

Zoned SR-1
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 of 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 delays 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 unexpected Variance and/or Special Exception approval

MEETING DATE REQUESTED: March 2, 2021

Property Address: 2219 Blake Garrett Street, Charleston, SC 29405

Property Owner: Lowcountry Property Group LLC

Daytime Phone: 843-365-5562

Applicant: John Ready, P.A., Johnson & Associates

Daytime Phone: 720-729-9238

Applicant's mailing address: 201 East Bay Street, Suite 526, Charleston, SC 29401

Email Address: jready@johnselkegroup.com

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

Zoning of property: S-2

Information required with application: (check information submitted)

☐ site plan(s) or plan, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ for new construction or additions within a flood zone, show elevation certificates and elevation on side plan(s)
☐ Flood zone plans with rooms labeled and the total floor area for each existing unit noted are required for all
districts with building restrictions, unless prepared by the Zoning staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check here if any other plan or drawing attached to this application is required by any provision of the code other than the Zoning Code or by any variance granted in the past or a variance granted in the past or to comply with or comply with the purposes and use occupancy as approved in this variance application? 
☐ YES NO 3 sections of any drawings not required by any other provision of the Code other than the Zoning Code

Other but 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: John Ready

Date: March 2, 2021

Fee (if any): $ 5.00

Time application received: 

Staff person: 

Receipt: 

For office use only
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).

- **Safe setback variance request:** A safe setback is requested due to exceptional conditions that exist on the property. With current setback limitations, the house would be restricted to a maximum of 12 feet wide.
- **Front setback variance request:** A front setback is requested in order to match the adjacent house. The current setback requirement is 25 feet, however, the adjacent house is set 13 feet from the property line.

**Variance Test:** The board of Zoning Appeals is authorized to approve a variance from the requirements of the Zoning Ordinance when said 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 neighborhood.
3. Because of these conditions, the application of the ordinance to the particular piece of property would work a hardship or unreasonable restriction of the utilization of the property, and
4. The substitution 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 § 6-29-800).

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 § 5A-11(a), § 5A-20(b), or sections in Article 5 (add as an attachment if necessary).

**Set 5A-501:** Lot of record of insufficient size.

A special exception is requested in order to develop the residential lot in question. JIA believes the lot size is currently sufficient to provide the required programming for the site.

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.
MEMO

To: Charleston Board of Zoning Appeals
From: Jason Ryan

Subject: 2319 (Lot 189) Birdie Garrett Street Single Family Residential Development

Dear Board of Zoning Appeals,

JLA is working with the Charleston Redevelopment Corporation (CRC) to develop a vacant lot located at 2319 Birdie Garrett Street, into a single family residence. The property is currently titled to Lowcountry Property Group, LLC, with a purchase contract pending, wherein CRC will be the new owner.

The variance we are pursuing through this ZOA application would address the present side setback requirements. Currently there are 12' side setbacks for a total of 24'. With these constraints, the house is restricted to having a 42' wide house, which we believe to be an unreasonable restriction because the existing width of the lot is 30'. It is the intent of JLA and the CRC to match the setbacks of the adjacent house located at 2301 Birdie Garrett Street. JLA is requesting that the side setbacks be reduced to a total of 15' in order to fit the proposed building footprint (per attached architecture drawings).

The second variance (JLA would like to pursue) is to match the front setback of the adjacent house located at 2321 Birdie Garrett Street. In order to keep with the street and neighborhood fabric, JLA will align the front porch to the adjacent front porch so as to provide a sense of visual unity within the neighborhood. This would reduce the front setback from 25' to 13'.

Lastly, JLA is requesting a special exception for insufficient lot size. The lot is currently 3,000 sf. JLA believes the lot size to be sufficient to provide the required programming for the site.

Thank you for considering these requests. If you need any additional information, please feel free to contact me directly.

Sincerely,

Jillian Ready, PLA
Johnson Leschber & Associates
706-779-5795
jready@jlaassociates.com
Agenda Item #B-4

33 HESTER STREET
(WAGENER TERRACE)
TMS # 463-07-04-016

Request special exception under Sec. 54-110 to allow a 1-story addition (master bedroom expansion/closet) that extends a non-conforming 20.9-ft. front setback, a 6.1-ft. rear setback, a 27-ft. total front and rear setback (25-ft. and 50-ft. required).
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.
☐ Reclassification 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: 9/15/2021

Property Address: 35 Hester St, Charleston, SC 29403 (Plot # 365-07-04-016)

Property Owner: Fabio Carvalho
Daytime Phone

Applicant: Patrick O'Keefe
Daytime Phone: 843-996-2882

Applicant's Mailing Address: 71 Full Road Blvd, Charleston, SC 29414

Email Address: patrick@architectural.com

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

Zoning of property:

Information required with application: (check information submitted)
☐ Site plans or plots, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show Fema units and platforms on scaled plans.
☐ Scaled floor plans with rooms labeled and total floor area for each dwelling unit 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 intake checks payable to the City of Charleston.
☐ YES ☐ 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:
☐ Photographs
☐ Letters of reference 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: [Signature]
Date: 9/27/2021

For office use only
Date application received
Fee $ Time application received
Department: [Signature]
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 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; 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 § 6-29-800]

________________________________________________________________________

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 § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

**REQUEST SPECIAL EXCEPTION TO EXTEND AN EXISTING NON-COMFORMING SETBACK TO CONSTRUCT A 12% SF ADDITION TO AN EXISTING HOUSE. THE ADDITION COMPLIES WITH SECTION 54-506 (1) AND (C) FOR EXCEPTIONS TO SETBACK REQUIREMENTS. A LETTER NOTIFYING NEIGHBORS WAS MAILED ON 1/21/2021, AND A MEETING WITH NEIGHBORS WAS HELD ON 2/1/2021 TO REQUEST SUPPORT OF MAILING.**

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.
January 20, 2021

RE: 33 Hester St., Charleston, SC

Hello, Neighbor,

I am working on behalf of the homeowners of the house at 33 Hester St., Mr. and Mrs. Fabio Correia. They are preparing to build a small addition to the side of their house, extending a bedroom towards Poplar St. Because of the historic nature of your neighborhood, this means the building will be within a zoning setback that was based on previous codes and are no longer current. We would like to make you aware of the intent to build and extend the non-conforming setback. Included is a Site Plan (EX1) showing the proposed location of the new addition in relation to the current property lines and existing house. This Site Plan also shows the current setbacks per the City’s Zoning Ordinance.

The new addition design is intended to mimic the current existing façade. All of the materials and colors will match the existing house, and some of the materials i.e., windows, are planned to be reused. We are taking care to preserve the character of the current house and the neighborhood. I have included an elevation of the new addition (EX0) which matches almost exactly to the current façade.

We will be submitting to the Board of Zoning Appeals (BZA) for officially approval from City. If you would like to partake in any necessary BZA meetings, please look for the posted sign in the yard at 33 Hester St. which will include the time and date. More simply, if you have any questions or concerns about this proposed project, please do not hesitate to call or contact me to discuss.

Thank you,

Patrick O’Reilly, RA
Arwen Studio, LLC
patrick@arwenstudio.com

Arwen Studio, LLC
PROPOSED SITE PLAN

SCALE: 1" = 20'-0"
LOCATION OF EXISTING PROPERTY LINE

2-STORY BUILDING TO REMAIN AS IS, NO NEW WORK

ASPHALT SHINGLE ROOF, TO MATCH EXISTING

WOOD TRIM, TYP.

REUSED WINDOWS FROM EXISTING HOUSE

FIBER CEMENT SHINGLE SIDING, TO MATCH EXISTING

6'-5"

BRICK FOUNDATION, PAINTED TO MATCH EXISTING

ADDITION - SOUTH ELEVATION

SCALE: 1/4" = 1'-0"
Agenda Item #B-5

241-243 EAST BAY STREET
TMS # 458-05-03-031

Request special exception under Sec. 54-110 to allow a change from a non-conforming 3-unit accommodations use to a non-conforming 4-unit accommodations use (Ordinance does not allow accommodations uses with less than 10 units).

Zoned GB_A
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BEA2021)

City of Charleston

Instructions – This application, along with the required information and supporting documents, 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. 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 expired Variance and/or Special Exception approval.

Meeting Date Requested: March 2, 2021

Property Address: 241-243 East Bay Street, Charleston, SC 29401 TIN #: 548-05-0313

Property Owner: 241-243 E Bay Holdings LLC Daytime Phone: 617-513-2063

Applicant: Toby A. Masakin Daytime Phone: 843-727-1144

Applicant’s Mailing Address: P.O. Box 856, Charleston, SC 29402

E-Mail Address: justinmasakin@ymail.com

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

Zoning of property: General Business

Information required with application: (check information submitted)

☐ Scaled plans or plots, 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 dwelling unit noted are required for all density variances and building locations, unless exempted by the扎ing staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check, credit card or cash (make check payable to the City of Charleston)

Yes ☐ 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 ☐

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 improvement(s) comply with private neighborhood covenants, if any. I certify 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: 2/1/2021

For office use only

Letter of application received: Yes ☐ No ☐

Fee: $ [Amount]

Time application received: [Time]

Locally issued permit #: [Number]
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):

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**Variance Test:** The Board of Zoning Appeals (Board) 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. (SC Code of Law § 5-29-405)

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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, § 54-20A, or sections in Article 9 (add as an attachment if necessary):

See Attached

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All approvals of the Board shall remain valid for two (2) years from the approved 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) 724-3921  www.charleston-sc.gov/zoning

5/19
BZA-Z Addendum for 241-243 East Bay Street (EMS 458-05-03-031)
GB Base Zoning, Accommodations Overlay Zone

The building located at 241-243 East Bay Street currently houses 3 accommodations units and a ground-floor commercial space. The unit that is the subject of the application has not been used as an office since 2016. The applicant requests approval of a special exception under Sec. 54-110 to allow the commercial space to be converted to a 4th accommodations unit. A timeline of prior zoning approvals is as follows:

- June 20, 2017: BZAZ approved a special exception request under Sec. 54-220 for 2 accommodations units.
- November 20, 2018: BZAZ approved a special exception request to add one more accommodation unit for a total of 3 accommodations units.

On October 8, 2019 City Council ratified Ordinance 2019-094 to create the Accommodations Overlay Zone (“AOZ”). That ordinance amended Sec. 54-220 and includes the following major changes:

1) prohibits accommodations uses from displacing more than 25% of office space that has been occupied within the last 5 years;
2) requires accommodations uses with up to 150 sleeping units to include 400 sf of meeting and conference space per 10 sleeping units, or fraction thereof;
3) requires a contribution of $5.10 per square foot of area used for sleeping units and hallways adjacent to sleeping units, stairwells and elevators; and
4) requires a minimum of 10 sleeping units for each accommodations facility.

Following the approval of the AOZ 241-243 East Bay Street became a legal non-conforming use because the required minimum number of units under the current version of Sec. 54-220 is ten (10). The request to increase the accommodations units from 3 to 4 is not governed by the AOZ ordinance because that ordinance does not include any provision that applies to this request. Instead, since the property is a legal, non-conforming use the request would be governed by the general ordinance on non-conforming uses, Sec. 54-110, specifically subsection "c" of 54-110 which states:

A non-conforming use of a building or lot cannot be changed to another non-conforming use unless the Board of Zoning Appeals, after a duly advertised public hearing, finds that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may impose reasonable and appropriate conditions and safeguards for the protection of the public interest and the value of neighboring properties, including, but not limited to, limitations on the days and hours during which the proposed use may be open to the public.

Because the minimum number of units required in the AOZ is ten (10), the applicant’s request to increase the number of units from 3 to 4 would actually reduce the non-conformity of this use as 4 units closer to the minimum of 10 than the 3 units that are currently approved. Therefore, the use will be equally or more appropriate to the district than the existing use. Moreover, this property is located just a block away from North Market Street and next door to a site (225 East Bay Street) which has been approved for a new hotel.
Zoning
241 EAST BAY

Existing and Proposed Plans
Z-101.
01.30.2005

This plan is presented as a proposed hand of the zoning rules. All dimensions must be verified in detail. Recommendations are subject to change. It is not a guarantee that this plan will comply with the local building official interpretation of the code, it applies to the existing site and building.
Agenda Item #B-6

157 WENTWORTH STREET
(HARLESTON VILLAGE)
TMS # 457-03-04-008

Request special exception under Sec. 54-110 to allow an existing 6-dwelling unit non-conforming use to be extended by relocating one unit from the main house to a new building at the back of the property.

Zoned DR-1F
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 officer (attach Appeal form).
☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: MARCH 2, 2021

Property Address: 157 WENTWORTH ST
Property Owner: 157 WENTWORTH ST LLC
Daytime Phone:
Applicant: NEIL STEVENS ARCHITECT LLC (Contact: Tara Romano)
Daytime Phone: 843-442-0260
Applicant’s Mailing Address: 680 KING ST SUITE B, CHARLESTON, SC 29403
TARA@NEILSTEVENSARCHITECTS.COM
Email Address:

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

Zoning of property: DR-1F

Information required with application: (check information submitted)

☐ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or addition within a flood zone, show HVAC unit 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 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check credit card or cash (maker checks payable to the City of Charleston)
☐ YES ☐ 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:

☐ 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 inspection.

Applicant: ___________________________ Date: 2/1/21

For office use only

Application received _____________________________ Fee: $ _________
Time application received ____________ Receipt # _________
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. 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 § 1-29-800]

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 § 54-110, § 54-204, or sections in Article 5 (add as an attachment if necessary).

SEE ATTACHED DOCUMENT/DESCRIPTION


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.
157 Wentworth Street – Special Exception Conditions

The extension or increase of the non-conforming use meets the requirements of Section 5-4.110, f per the following:

(1) The requested application is limited to extending or increasing a non-conforming use currently in existence.
   - There are currently 6 units on the property, and the request is to relocate one of the units. Proposed application maintains same number of units.
   - There are currently 17 bedrooms total on the property. Proposed application decreases the number of bedrooms to a total of 16.

(2) The requested application would not result in an unreasonable intensification of the non-conforming use.
   - Lot coverage will remain well below what is allowable. Allowable lot coverage is 30%. Proposed application results in 45.1% lot coverage.
   - Impervious coverage decreases with proposed application.
   - Number of bedrooms decreases with proposed application.
   - New structure is sited within required setbacks and height requirements.
   - All parking is accommodated on-site and is in compliance with size and maneuverability.
   - There will be no change in traffic impacts or vehicular and pedestrian safety.
   - Noise, lighting, fumes, air flow, light on adjoining property. New structure is comparable in height and stories to nearest neighboring structure. Eave height matches and peak is lower than neighboring structure. New structure is situated within setback and height requirements. Screening provided on porch end facing nearest neighboring structure.
January 25, 2021

To: Neighbors of 157 Wentworth Street

We would like to introduce you to a restoration project at 157 Wentworth Street, which includes the historic restoration of the main three-story brick home and carriage house and the construction of a new single-family house at the rear of the property.

The restoration of the main house will include opening up previously “infilled” porches, restoring the porch details including the columns and railings, restoring windows and shutters, removing window air-conditioning units and repainting brick.

All zoning requirements are met but one special exception to allow the relocation of one unit from the historic main house, to a new single-family house at the rear. Please note that no new units are being added, and the net result will be a reduction in bedrooms on the property.

We have presented this project to Harleston Village BAR/RZA committee, and would be happy to review the details of the project with you (immediate neighbors) if you are interested. We would be happy to set up a zoom meeting to have a discussion, or can make drawings available for review.

We look forward to hearing from you. Please reach us at the email address or phone number below.

Thank you!

Neil Stevenson and Tara Romano

Our contact information:
Tara D. Romano, Vice President
Neil Stevenson Architects
580 King Street, Suite B
Charleston, South Carolina 29403
direct line 843-442-0269
tara@neilstevensonarchitects.com
Agenda Item #B-7

80 ASHLEY AVENUE
(HARLESTON VILLAGE)
TMS # 457-03-04-068

Request use variance from Sec. 54-203 to allow a café with indoor and outdoor patron use area and garden shop, with on-premises consumption of beer and wine and days and hours of operation as follows; Monday-Thursday, 7:30am-6:pm, Friday, 7:30am-9:00pm, Saturday, 8:00am-9:00pm, Sunday, 8:00am-6:pm, with staff arriving 1 hour earlier and leaving 1 hour later in a STR (Single and Two Family, residential zone district.

Request variance from Sec. 54-317 to allow a café with indoor and outdoor patron use areas and garden shop with 2 off-street parking spaces (13 spaces required).
Zoned STR
Application for Variance, Special Exception, Reconsideration, or Extension

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 expired Variance and/or Special Exception approval.

Meeting Date Requested: March 2, 2021

Property Address: 88 Ashley Avenue, Charleston SC 29401 TMS #: 457.03.04.068

Property Owner: John B. Howard

Daytime Phone:

Applicant: Laura A. Atman, LFA Architecture, Steve & Danielle Brown

Daytime Phone: Laura: 843.901.8465

Applicant’s Mailing Address: Laura: 323 Hampton Drive, Charleston SC 29407

Brown: 85 Rutledge Avenue, Charleston SC 29401 Email Address: laura@LFA-architecture.com

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

Zoning of property: STR

Information required with application (check information submitted)

☐ Scaled plans or plots, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show HVAZ limits 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 sets)
☐ Plan 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? Yes No § 6-29-1145 of the South Carolina Code of Laws

Optional but acceptable 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: Laura Atman

Date: January 29, 2021

For office use only

Date application received: 

Fee: $ 

Time application received: 

Receiv # 

Signature: 

City of Charleston

[Signature]

Date: January 29, 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 an attachment if necessary):

1. Requesting a variance to allow commercial use in an STR residential zone, with the following conditions:
   - The use will be limited to a cafe and garden shop as shown on the attached drawings.
   - Limited hours: Sunday - Wednesday, 7am to 6pm; Thursday to Saturday, 7am to 9pm, with staff arriving 1 hour earlier and leaving 1 hour later.

2. Requesting a variance to allow 2 onsite parking spaces instead of 13 parking spaces required (see sheet A003).

Please see the attached variance test narrative.

**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 § 6-29-800)

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 § 54-110, § 54-705, or sections in Article 5 (add as an attachment if necessary):

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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.
80 Ashley Avenue  
Charleston SC 29401

Requests for R7a-2 Meeting on March 2, 2021:

1. Variance to allow commercial use in an STR residential zone with the following conditions:
   a. The use will be limited to a cafe and garden shop as shown on the submitted drawings.
   b. Limited hours: Sunday - Wednesday, 7am to 6pm; Thursday to Saturday, 7am to 9pm, with staff arriving 1 hour earlier and leaving 1 hour later.
2. Variance to allow 2 onsite parking spaces instead of the required 33 parking spaces (see photo A003)

Variance Text: Request #1, to allow commercial use in an STR residential zone, conditions noted above.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   a. This property is specifically designed for commercial use and has always served in a commercial capacity. There is no record of strictly residential use in the property's history.
      i. This area first appears on Sanborn maps in 1902, showing a wood framed corner store at 80 Ashley (corner of Ashley and Wentworth). A photo from Our Charleston (published by the Post & Courier) shows Cantwell Grocery around 1915, selling cigars, tobacco, and cheroots (a type of cigar).
      1. This building was likely demolished in 1925, based on a demolition permit application by Economy Oil Co., dated April 6, 1925.
   ii. The 1944 Sanborn maps show the property as a filling station with a masonry building in its present footprint.
      1. The masonry structure was likely built in 1925-30, based on a building permit request by Economy Oil Co., dated April 19, 1929.
   iii. The Codgers Address Book lists this property as a Century Service Station from 1930 to 1970, saying, "This building represents one of the earlier and most skilful efforts to achieve an old Charleston atmosphere on a purely modern structure. It is of traditional design and built of old brick. An Old Codger remembers watching the workmen when it was erected. The front surface of each brick was placed for a moment against an electrically operated abrasive grinder before being laid, hence the weathered natural look of the finished brickwork."
   b. Arden Howard purchased the property after the service station closed. His son Demi Howard operated Lowcountry Energy Systems, Inc there until 1990.

2. These conditions do not generally apply to other property in the vicinity:
   a. This is only historic service station in Harleston Village.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict utilization of the property.
   a. It is not feasible to adapt the current structure to residential use as is considering its size, historic nature, and the flood zone requirements. National Park Service standards for additions to historic structures cannot be met as any addition would conflict with the front elevation.
b. The existing building sits more than 6 feet below base flood elevation, so it would need to be elevated 8 feet to meet FEMA requirements.
   i. Elevating the building 8 feet would be detrimental to its architectural merit, making it unlikely to achieve approval by the BAR and preservation groups.
   ii. Alternately, the building would have to be demolished to make way for a new code/flood compliant residence. The existing building is over 90 years old, making it historic and requiring BAR approval for demolition.

c. If a commercial use is allowed for this building, the building can be floodproofed. The current program for the proposed use fits within the existing building, not requiring demolition or addition to the historic structure.

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:
   a. The proposed café and gardening shop will provide a (valuable) gathering spot for neighbors, creating a stronger sense of community, with ample outdoor seating. The café will offer breakfast and lunch, with cocktail hour in the garden on weekends. The garden shop may offer a weekly pop-up farmers market.
   b. Limited business hours are proposed as a condition of this variance, including:
      i. Operating hours: 7am to 6pm Sunday through Wednesday, and 7am – 9pm Thursday through Saturday
      ii. Staff hours: 1 hour earlier and 1 hour later than operating hours. During the café hours (7am-3pm), we expect 7 total staff. During evening hours (4pm-6pm Wed, 3-6pm Thurs-Sat), we expect 5 total staff.
   c. The new roof at the garage bays will increase overall existing north wall height by less than 3.5 feet, so as not to block views/light/air flow for either 84 Ashley or 124 Wentworth.
   i. There is an existing accessory structure adjacent to the north wall of this building at 84 Ashley.
   d. The outdoor gathering and café seating area is located at the corner, farthest from neighboring residents to help with noise control. Outdoor seating and walk-up take-out service provide resiliency considering lessons learned during the pandemic.
   e. New street trees proposed in addition to on-site plantings to improve overall quality of life and property values.
   f. By not expanding the footprint and by adding more pervious surfaces, this building will not negatively affect the existing flooding issues in the area. In addition, plans are being made to collect rainwater for on-site irrigation.
   g. The trash and grease trap to be located along Wentworth (a busy street) hidden behind an iron fence with planting for additional height/coverage to mitigate noise, smell, and view for neighbor at 124 Wentworth Street as well as pedestrians.
      i. While 2 "trash" cans are anticipated, 5 of those will likely be recycling producing no offensive smells.
      ii. This location for the trash and grease trap clean out allows for quick service right at the street, minimizing any real impact.
   h. The exhaust required for the café kitchen will be located on the roof over the garage bays, closest to the north gabled wall of the existing building. Exhaust air will go straight up and will be "scrubbed" making cooking smells almost undetectable.
i. The property owners and business owner both live in the neighborhood and have vested interest in seeing this property succeed for the good of all. In addition, there is support from other neighbors who are also willing to invest in the project.

Variances: Request 2. To allow 2 onsite parking space instead of the required 33 parking spaces.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   a. This property has always served a commercial capacity, as noted above.
   b. The property is only 3810sf. The existing historic building accounts for 37% lot coverage, leaving only 2388sf for parking, outdoor cafe seating, outdoor retail for garden shop, and landscape.

2. These conditions do not generally apply to other property in the vicinity:
   a. The majority of surrounding properties are residential, with driveways for on-site parking to meet residential requirements. Therefore, street parking is readily available to potential patrons of B&O Ashley.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict utilization of the property:
   a. The existing historic building cannot be demolished or elevated to make room for ground-level parking across the entire site. At best, the site can accommodate 5 parking spaces, which will still not meet the Zoning requirements for the proposed use.

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:
   a. Because this is not a commercial district, the proposed café and shop are intended to primarily serve the immediate neighborhood. Residents can easily walk or bike from their homes. Other patrons can park at Colonial Lake (one block south) and enjoy the short walk to the cafe and shop.
   b. Parking and traffic studies done by the City and Charleston Moves show that reducing parking reduces vehicular traffic and encourages pedestrians and bike traffic instead.
   c. See the attached excerpt on Night-Time Parking, from the Charleston Comprehensive Parking Study.
   d. Reduced parking will avoid the undesirable parking lot aesthetic at a prominent neighborhood corner. Instead, a corner filled with trees and landscaping will better contribute to the residential aspect of this neighborhood.
   e. Reduced parking allows for new curbing along the Ashley Avenue sidewalk, giving space for at least one additional residential street parking space.
   f. Staff will be required to walk or bike to work, or park further away if driving to work. During the cafe hours (7a-3p), we expect 7 total staff. During evening hours (Sun-Wed 3-6p, and Thurs-Sat 3-9p) we expect 5 total staff.

Respectfully submitted,
Laura Altmann
EFA Architecture
MEMORANDUM

TO: BOARD OF ZONING APPEALS-ZONING, AND
LEE BATECHERLDER, ZONING ADMINISTRATOR
CITY OF CHARLESTON

FROM: CAPERS G. BARR, III
ATTORNEY FOR SWB HOLDINGS, LLC, APPLICANT

DATE: FEBRUARY 22, 2021

SUBJECT: 80 ASHLEY AVENUE; APPLICATION FOR USE VARIANCE;
APPLICATIONS FOR EXCEPTION TO OFF-STREET PARKING
REQUIREMENTS

This memorandum supplements the application for a Use Variance and for a Parking Variance for the property at 80 Ashley Avenue filed January 29, 2021 by Laura F. Altman, AIA, on behalf of SWB Holdings, LLC.

Introduction and History.

Steve Brown is the single member of the applicant SWB Holdings, LLC. Mr. Brown and his wife Danielle live at 83 Rutledge Avenue in the northeast corner of the same city block as the subject property at 80 Ashley Avenue. The subject property is located in the block’s southwest corner. By this Application, SWB seeks to preserve and protect the existing 90-year old brick structure on the subject property, and to convert it to use as a small, pedestrian accessible neighborhood café and garden shop.

The historic use of 80 Ashley Avenue is unique. It has been used for commercial purposes only since at least 1902, within a residential neighborhood. (See Sanborn map). As reported in the application previously filed, a photograph from approximately 1915 shows the property being used as “Cantwell’s Grocery” at about that date. Upon inquiry to retired City Attorney Frances Cantwell, Ms. Cantwell relates that the Cantwell family history compiled by her cousin, P. Michael Duffy, reports that Ms. Cantwell’s great-grandfather operated the grocery store at 80 Ashley Avenue, and that her grandfather was managing the store by 1912. Undoubtedly the mustached gentleman in the photograph on Architectural Sheet P001 of the application in this case, was Ms. Cantwell’s grandfather.

The point to be made is that, although presently zoned for residential use, the property has not been used for residential purposes since at least before the turn of the last century. Admittedly, it has probably lost its technical non-conforming use status, but its historical use is surely germane to the immediate request for a use variance. Indeed, a use variance is a
recognized vehicle to apply for a property that does not comport with the "one-size-fits-all" construct of a zoning ordinance.

The property has also been the object of public interest. The Charleston Post and Courier published an editorial on December 3, 2019 after "For Sale" signs were posted on the property. The editorial advocated for the protection of the existing structure, "even as a convenience store or small café". The editorial cites to numerous instances on the peninsula where old gas service stations have been converted to current commercial use. (See Exhibit "A")

Moreover, the original application in this case was accompanied by 19 positive endorsements from neighbors and seven additional favorable Facebook posts. It is within this context, both historical and contemporary, that the within application for variance must be considered.

The subject property classically qualifies for every element of the statutory variance test.

The Property at 80 Ashley Avenue Qualifies for a Use Variance

The BZA-Z has authority to grant a variance where it finds that the circumstances of the subject property meet four criteria stated in City Ordinance Section 54-924, as follows:

- There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- These conditions do not generally apply to other property in the vicinity;
- 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 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 subject property at 80 Ashley Avenue qualifies for each of the variance criteria, as discussed below:

1. **THERE ARE EXTRAORDINARY AND EXCEPTIONAL CONDITIONS PERTAINING TO THE PIECE OF PROPERTY.**

In the case of 80 Ashley Avenue, the exceptional circumstances are several:

- The building on the property was constructed prior to 1930, meaning that any demolition of the building, or even an elevation of the building to comply with flood regulations, cannot be accomplished without permission of the Board of Architectural Review. Although Applicant has no interest in demolishing the structure, it is fair to say that any attempt to approve
its demolition would be met by stiff resistance from the Historic Charleston Foundation, from the Preservation Society, and from neighborhood and peninsula residents, not to mention the Charleston Post and Courier. Even if demolition were sought, it is unlikely to be approved.

b. A residential use of the property would require, under City and FEMA flood regulations, that the building be elevated at least 8 additional feet from its present level. The dimensions of the building are approximately 28 feet in length by 20 feet wide. Elevating a structure that is so disproportionately narrow and long would result in a contorted aesthetic that would be the functional equivalent of the building’s demolition. Any sense of retained historical appearance would be evanescent by elevating it.

c. On the other hand, a commercial use of the structure would not require its elevation; and the building could be “flood proofed” for commercial uses by engineering devices and techniques.

d. The square footage for residential use required by the City Ordinance is 6,000 square feet. However, the entire lot contains only 3800 square feet, which would not permit any new residential construction without a variance, even if the existing structure were to be demolished. For any new construction, additional variances would also be required to comply with the setback constraints of the zoning ordinance.

e. On the other hand, the existing building may be used in its current location for commercial purposes, as-is, without reference to any setback requirements.

2. THESE CONDITIONS DO NOT GENERALLY APPLY TO OTHER PROPERTY IN THE VICINITY.

Every other property in the vicinity is occupied by established residential uses that, even if not compliant with current zoning regulations, are fixed and established non-conforming uses. On the other hand, and except for use of the existing building for commercial purposes, no other use may be made of the subject property without the variances as discussed in the first paragraph above.

The circumstance that other properties in the vicinity may continue to be used without variance, whereas the subject property may not be used for its zoning category of STR, for residential purposes, without variance and BAR approval, creates conditions unique to the subject property that do not apply to other properties in the vicinity.

Moreover, the historical use of the subject property for commercial purposes, although not technically a non-conforming use, are relevant to this criteria. The property has not been used for residential purposes at least since before the turn of the last century.

Finally, every characteristic of the existing building signifies its “commercial use”. The former bays of the former gas station are not replicated in any other structure in Harleston Village. No other nearby property is even closely similar.

The current zoning of the subject property requires that it be used for residential purposes. However, the application of the current zoning STR designation would effectively prohibit its use or would unreasonably restrict its utilization. This is because, as before discussed, no such uses may be made of the property without demolition approval, or without elevation approval, or without variances for required lot square footage and setbacks.

In summary, the subject property cannot presently be used for any purpose without some form of variance. The approval of the proposed use variance would permit the use of the property as-is, and would be dispositive of the need for seeking further, multiple variances, except for the parking circumstances which will be later discussed. No minimum square footage requirements would be implicated. No setback variances would be required. No Board of Architectural Review demolition or elevation approvals would be required. In summary, the most reasonable and least restrictive application of the zoning ordinance to the subject property would be to grant the use variance as proposed.

Importantly, use of the building as-is will preserve and protect an historic structure.

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 Harleston Village district presently contains several neighborhood pedestrian accessible cafes: the 60 Bull Street Cafe, the Queen Street Grocery at the corner of Queen and Logan, and the Second State coffee shop on Beaufain Street. There are also several corner grocery stores presently operating within the district of Harleston Village.

Although the Applicant believes that at least two immediately adjacent property owners may oppose the proposed use variance, the benign impact of a low density, limited hour neighborhood cafe primarily serving pedestrian residents of the district, and with significant landscaping additions to mitigate noise and light, do not present an unreasonable intrusion into the rights of other property owners. The use is compatible with other, similar cafes in Harleston Village and will contribute to the neighborhood ambiance. The operative term in this component of the variance test is “substantial”. It cannot be credibly found that the proposed use as a neighborhood cafe will pose a “substantial” detriment to adjacent property or to the public good.

Rather, and importantly, from a neighborhood benefit perspective, after almost 30 years of dormancy the subject property will be renovated, substantially contributing to community preservation, and putting to use a street corner that has for too long been vacant and near derelict.
Right-Size Parking Codes/Ordinances/Policies

Overview

In the past decade, a movement has grown in the parking and planning communities to “right size” codes, ordinances, and policies related to the provision of parking. Parking codes and ordinances meant to help protect communities from an influx of cars parking in wayward areas actually have worked against the design of functional and walkable development and streets. While Charleston has largely been insulated from overdevelopment of large surface lots and fragmented parking areas that cripple good urban design and walkability, the City’s parking codes have obstructed redevelopment and relegated an extensive, public off-street parking system to support development. The private parking that has been developed is largely underutilized, as described in the Existing Conditions Report.

What does “right-sized” parking mean?

It means developing context-appropriate codes and regulations that are designed to capture the character and intent of an area, rather than applying blanket policies to an entire area out of context. Right-sized policies can:

- Support economic development by reducing barriers to building mixed-use developments in urban centers
- Reduce housing costs and household monthly expenditures, allowing a larger demographic to participate in the urban, in-fill housing market
- Encourage use of transit, rideshare, biking, and walking
- Reduce vehicle miles traveled (VMT) and greenhouse gases (GHGs)

Key Recommendations:

There are several steps that need to be considered to create right-sized parking codes, ordinances, and policies. The two primary components this study focuses on are:

- Modifying parking requirements
- Implementing fees in lieu of providing on-site parking

These two elements will likely have the highest impact on reducing the over-supply of parking in the community and promoting smarter design elements.
Many cities have either reduced or eliminated off-street parking requirements in urban districts by either “right sizing” the requirements or implementing a market-based approach that allows the developer to determine how much parking should be built. Right-sized parking requirements are typically based on data collected locally and aligned with observed parking demand. A market-based approach eliminates all requirements for off-street parking and allows the private sector or developer to decide how much parking is necessary. Reducing or eliminating off-street parking requirements reduces the cost of development and increases affordability, supports the use of other modes of transportation by not overbuilding parking, and allows for a more flexible approach to developing off-street parking.

In addition, in historic cities like Charleston, reducing or eliminating off-street parking requirements allows for development consistent with the historic character of the City, where many lots do not have off-street parking.

The City should

1. Review existing parking requirements on the Peninsula and consider reducing or eliminating the off-street parking requirement in commercial and mixed-use districts.

2. Consider a small lot, off-street parking exemption to support infill development and consistency with the historic pattern of development in Charleston.

3. Exempt small-scale, pedestrian-oriented development from requiring off-street parking, such as businesses less than 1,000 square feet. This is consistent with the historic development pattern that makes much of Charleston such a walkable city.

4. Expand opportunities for shared parking in the zoning code. Currently shared parking has to be within 400 feet and requires a 10-year lease. The distance should be expanded and lease requirements reduced. Allow all parking to be managed for shared public parking and not be an accessory to specific land uses.

5. Aim to reduce the use of variances from parking requirements and instead provide for context-sensitive solutions through exemptions, shared parking, parking reductions (e.g., for mixed-use development), and other strategies.

Another related option for the City is to develop a fee-in-lieu program to allow developer to pay a fee to the City for access to off-street parking. This fee would be placed in a fund to pay for existing or new parking stalls and access rights for the payee.

1. Implement a fee in lieu of providing off-street parking, where developers can pay a fee for access to off-street parking. The fee-in-lieu requirement can be tailored to specific uses, such as shared public parking for retail/restaurants and assigned parking for residential/office uses with a sharing fee schedule.

2. Define a use for the fee-in-lieu fee fund parking improvements, transportation/transit improvements, and mobility enhancements.

3. Consider establishing parking districts in the City, where parking is managed primarily at the district level. As an initial step, assess the amount and use of parking within each of the proposed parking districts for both on- and off-street parking. Develop strategies to improve the efficiency of parking management within each district.
Recommendations

Modern Mitigation

Recent efforts in the planning and urban design communities have created an approach called modern mitigation that focuses less on vehicular capacity improvements as a result of new land use investments. Instead, the concept of modern mitigation focuses on TDM as the first choice, making traffic reduction and parking demand a priority. Conventional approaches to development oftentimes require more investment than development is capable of providing, creates more traffic and congestion on adjacent roadways, and reduces the likelihood that non-automotive modes will find increased usage. The primary principles of modern mitigation focus on the following:

- Reducing reliance on single occupant vehicle trips
- Considering parking/traffic and congestion impacts to the entire transportation system
- Applying practices that are context-sensitive
- Maintaining a predictable process
- Designing solutions for all stakeholders

The process is intended to help developers understand mitigation options, rather than simply pointing to code-required parking and traffic improvements. Many communities have created TDM calculators as part of the development review process, helping developers realize multiple concepts to support demand mitigation. Some examples of measures that are used in place of parking and transportation capacity include:

- Active transportation improvements. Physical transportation network improvements that encourage people to walk and/or bicycle to community destinations, including sidewalks, bike lanes, and better roadway crossings. These types of improvements serve not only the development, but also the community surrounding it. These are typically candidates for in-lieu fee funds.
- Bicycle facilities. Bike parking/storage above code requirements; bike showers/lockers; bike share, and other cycling amenities for the development and surrounding community.
- Carpooling and ridesharing. Development-based ridesharing subsidies, shuttling, guaranteed ride home, and carpooling programs to support reduced vehicle ownership.
- Carsharing. Shared cars on the site of the development, incentivizing a reduction in car ownership.
- Unbundling parking. Removal of free parking in housing or office space and having tenants pay the true cost for that parking to reduce the reliance on the personal automobile and incentivize better commute decision-making.
- Centralized shared parking. In the place of on-site parking, development pays into a fee-in-lieu program to promote more centralized parking and reduce the number of spaces contained in a community.
- Promoting transit. Developers provide subsidized transit, provide shuttles/connectors to destination areas or contribute to transit system improvements (vehicles, routes, stops, etc.).
- Affordable housing. Affordable housing in development to trigger mitigation points that lessen the transportation and/or parking burden.
- Education, Marketing, and information. Developers contribute funds to the City’s non-automotive education programs to educate users and the surrounding community of the benefits of using non-vehicular means.

As the City implements the modernized recommendations associated with parking requirements and the in-lieu fee program, the concepts of modern mitigation should be adopted to further reduce the reliance on the personal automobile on the Charleston Peninsula and in the surrounding community.
Editorial: Preservation in Charleston is about more than grand buildings

Charleston has proven a leader in historic preservation in many ways, and one of its biggest contributions was this: It was among the first to emphasize preservation of all buildings in an historic area, not just the grandest or the ones owned by a famous figure. And that's what troubled us about a recent real estate ad at the northeast corner of Wentworth Street and Ashley Avenue.
The online ad for the 80 Ashley Ave. property, a long-closed gas station, touted the property as a vacant residential lot, essentially implying that anyone buying the lot could tear down its existing brick service station with no problem. That’s in fact not the case: Charleston’s Board of Architectural Review would have to sign off on it, and that would be far from a slam dunk.

The ad has since been changed to say “incorporating the present structure, this property could be a great residence.” There’s no question reusing the existing structure as a residence (or even as a convenience store or small cafe) would be challenging, but that’s what good architects and design professionals are here for: figuring out such challenges.

The Board of Architectural Review could conceivably allow the building’s demolition. It approved the demolition of a smaller gas station at King and Tradd several years ago, but that was done over the objections of preservationists.

And any such request would arrive at a time when the city has pledged a renewed focus on tackling the problem of demolition by neglect. While the existing building surely has structural challenges, the responsibility for addressing those lie with the current and previous owners, not with the city or the neighborhood, both of which have been lessened by the building’s abandoned state and would be enriched by its preservation.

It might seem odd for a city to value historic preservation enough that it strives to save old gas and service stations, but Charleston already has a half-dozen examples at least, from Fuel restaurant to the Coastal Conservation League’s new 131 Spring St. office to the Historic Charleston Foundation’s store at Meeting and Chalmers streets to Rutledge Cab Co. to Leon’s restaurant (named after a former car repair business) to Xia Bao Biscuit and so on. But saving these buildings tells a chapter of Charleston’s history, and just because it didn’t have anything to do with the founding of the United States or the Civil War doesn’t mean it’s worth forgetting.

These sorts of modest buildings, along with the larger, grander ones, stir the memories of those who live here, even when it’s clear that these buildings have seen better days. In a city changing as rapidly as Charleston is, those memories should
Two Kiawah Island homes near Charleston recognized by SC architecture association