**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.
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.
Requirements for Granting a Variance

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

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

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

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

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

Approval of April 20, 2021 BZA-Z Minutes
(click on link below)
https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_04202021-6455
Request use variance from Sec. 54-203 to allow a salon with days of operation Tuesday-Saturday and hours of operation 9a.m.-5 p.m. in a STR (Single and Two Family Residential) zone district.
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-4)

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 expiring Variance and/or Special Exception approval.

Meeting Date Requested: April 4, 2021
Property Address: 48 Society St.
Property Owner: WMR LLC (Edward Léda Jackson)
Applicant: Edward and Léda Jackson
Applicant’s Mailing Address: 48 Society St.
Chs, SC 29401

TMS # 458-01-03-039
Daytime Phone: 843.700.5388
Daytime Phone: 843.923.0651
Email Address: leda@pinelily.com

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

Zoning of property: Mixed-Use 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)
☐ A cost estimate for the construction or alteration indicated on the floor plans (3 sets)
☐ 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 Board (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check credit card or cash (make checks payable to the City of Charleston)
☐ YES ☐ NO Is the property restricted by any (recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-79-11.45 of the South Carolina Code of Laws)

Optional but very useful information:
☐ Photographs
☐ Letters or petitions from neighbors or organizations directly affected by your request currently gathering

I certify that the information on this application and any attachments is correct, that the proposed improvements comply with neighborhood covenants, if 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: Léda M. Jackson
Date: 3/11/21

For office use only
Cost: $0
Time application received: 
Signature:

[Spaces for additional information]
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 the application certain 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 § 1-25-400)

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 9 (add as an attachment if necessary):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

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

Department of Planning, Preservation & Sustainability  2 George Street  Charleston, South Carolina 29401  
(R) 704-581  www.charleston-sc.gov/zoning

9/9
March 12, 2021
Edward and Leila Jackson
244 Ashley Avenue
Charleston, SC 29403

To Whom It May Concern,

46 Society Street is a family property now in its third generation of ownership. Leila’s grandfather purchased the property when it served the neighborhood as Keeler’s supermarket in the late 90’s. Keeler’s was in business through the early 1960’s. It was then her father’s office McNabb Travel for over 50 years. Since 2008 it has been the location of Leila’s studio and warehouse for her children’s clothing business Poodle Lily, now in its 21st year of business (www.poodlelily.com).

When we say that we have poured blood, sweat and tears (in various measure, depending on the circumstances) into this property, we are not kidding. It has been a tremendous undertaking. We replaced the primary wiring from the inside out, replaced all rotten windows, balconies and columns with new mahogany and made the building as energy efficient as possible. This was a complete renovation from the inside out, top to bottom. We learned the hard way that third generation owners will need to pay the piper, literally and figuratively. This was a change from Leila’s father who as a proper Charlestonian pointed his office “as necessary” which meant only one side at a time.

Our renovation was undertaken to maintain commercial space on the first floor as it has been commercial and in continuous use for over 120 years. We worked with architects Becky Ferro and Mike Berra to ensure the first floor will be commercial space only. Poodle Lily was operating in the space for the entire renovation, moving only for the final 2 month push.

We are asking for your support for a variance to allow us to rent to Maven at 48 Society Street. We currently have a signed lease with them based on verification from their commercial agent in early February (please see attachment) that our property was zoned mixed use. 48 Society is currently zoned for mixed use and has been a commercial presence in Ansonborough continually for the last over 100 years. It is our understanding that the mixed use zoning is not in dispute. The city has determined that Maven, which will operate as a studio for 2 makeup artists and hairstylists, will require a variance.

Both of us grew up in Ansonborough and have many friends in the neighborhood. In fact Leila’s father William McNabb founded the Historic Ansonborough Neighborhood Association and both he and her mother served as president. He also served the city as president of the Preservation Society of Charleston and Leila served on the board for several terms. A vested interest in maintaining the quality of life for the residents of Charleston is literally in our DNA. Charleston and in particular, Ansonborough is our home. We understand the continuing threat to downtown neighborhoods and the fragility of Ansonborough in particular. Our goal is to be good stewards of 46 Society as well as the neighborhood and believe strongly that our tenants will not impact the quality of life or parking for our neighbors in any way. This is of the utmost importance to us.

We are not allowing any business signage on the exterior of the building, even if it were to receive approval from the city. We are including a diagram of the proposed Maven space as well as photographs of the parking area, the property from the corner and the entrance to the proposed business. A small sign not
visible from the street will mark the entrance to their studio. The tenants are currently Ann Arbor residents. They have secured 4 off-street parking spaces and will maintain normal 9-5 business hours on Tuesday through Saturday.

Edward and Leda M Jackson
Edward Cell 843-530-5330
Leda Office 843-379-0064
Leda Cell 843-725-0621
entrance to Maven from parking area
BZA-Z Addendum for 48 Society Street (TMS 458-01-03-039)
STR Base Zoning

My client seeks a special exception under Sec. 54-110(c) to change from one non-conforming use to another. Specifically, Mr. and Mrs. Jackson ask the BZA to allow a portion of the first floor which has heretofore been used as office space to be used for a salon.

Based on information obtained from the Historic Charleston Foundation Archives, the Charleston County Register of Deeds, and the current owners, a history of the use and ownership of 48 Society is as follows:

1839. Current building constructed after original building burned down
1870. Sheriff EWM McKay sold to JH Kiep on April 5, 1870
1874. M. Kiep and J. Kiep sold to Clementine Bernard
1875. L. DeSavassure and A. Smythe, as executors of Bernard’s estate, sold it to George Von Ohlsen.
1927. George Von Ohlsen operated a bakery in the first floor
1927. George Von Ohlsen passed away and the building was sold at a public auction on November 29, 1927 to Julius E. Schroeder. Schroeder was an agent for the Atlantic Savings Bank of Charleston. It is assumed that the building was used for the bank but that is not confirmed.
1937. The Citizens and Southern Bank of South Carolina sold to Lillian Ruth Chabass on October 12, 1937.
1940. Clausen sold the building to John L. McFadyen on June 24, 1940 and then Mr. McFadyen leased the building as a grocery store to St. Julian Kessler who operated “Kessler’s Market” beginning in 1940.
1943. Kessler purchased the building from McFadyen on July 20, 1943.
1946. Kessler’s Market – exterior renovation/restoration
1966. Kessler’s Market closed in September
1966. Building was leased to a florist (no ownership change)
1969. Repairs by Creo Construction Co., Inc.
\[\text{included repairs to joists and flooring.}\
\[\text{Some interior renovations such as closing opening between rooms and storage unit,}\
\[\text{install solid door for exterior opening, etc.}\
1969. Kessler sold to William McIntosh, Jr. on September 2, 1969.
1969-2005 McIntosh Travel Agency operated out of the building
1973. Property conveyed from William McIntosh Jr. to William McIntosh III.
2005. William McIntosh III conveyed ½ undivided interest to his wife Suzanne V. McIntosh.
2010-Present, Suzanne Jackson, the daughter of Mr. and Mrs. McIntosh, began operating her children’s clothing business. Pixie Lily LLC from 48 Society Street.
2018. Mrs. McIntosh passed away and her daughter (as WMRL LLC) received ownership of the building from her mother’s estate.
2018-2020. Current Owners extensively renovated the property:
\[\text{October 2018: plans for renovation began}\

- December 3, 2018: applied to BAR for exterior changes to stabilize and restore piazza and move the electrical meters
- January 14, 2019: BAR approval received
- April 4, 2019: filed for permit for renovation
- May/June 2019: received comments from City - mechanical electrical plumbing review and fire marshal review
- July 16, 2019: filed permit with revisions after receiving comments
- October 1, 2019: received stop work order from BAR for demolition of piazza
- November 8, 2019: submitted responses to BAR regarding plan to restore piazza and building
- January 26, 2020: hired Mike Besta to replace original contractor
- January 16, 2020: BAR approval received, stop work order lifted
- February 28, 2020: submitted application to BAR to add windows on Anson Street
- March 2, 2020: Dennis Dowd and Kim Hlavín visited the site to review window request
- April 3, 2020: submitted application to the BAR and permitting to re-build the one-story portion of the building (because of structural failure)
- April 15, 2020: Permit Received for rebuilding one-story addition
- July 30, 2020: submittal and approval from BAR to rebuild canopy over office entry door on Society Street

After the renovations were completed, the owners signed a lease for a portion of the ground floor space with Meg Workman and Laura Lecoy who intend to use it as a salon. After some neighbors raised concerns about that use, Mr. and Mrs. Jackson were advised by City Staff to request permission for the use. On April 6, 2021 WMJR LLC submitted Application for Variance, Special Exception, Reconsideration, or Extension to BZAZ.

Although located in a residential zoning district, the ground floor of 48 Society is a legal, non-conforming commercial use because of the history of continuous use for commercial purposes. The request for approval to change the non-conforming use from office space to a salon is governed by the general ordinance on non-conforming uses, Sec. 54-110, specifically subsection “e” of 54-110 which says:

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.

The special exception test is “equally or more appropriate to the district than the existing non-
confirming use.” The proposed use is equally or more appropriate to the district based on the
following considerations:

- The tenants (Ms. Workman and Ms. Lecroy) are currently operating a salon at 10 Exchange
  Street which they hope to relocate to 48 Society, so they are experienced business owners
  with a good grasp of the operating requirements for this business.
- Ms. Workman and Ms. Lecroy are current residents of the neighborhood who live about a
  block away from 48 Society, so they are invested in the viability of Ansonborough.
- The lease includes 4 dedicated off-street parking spaces for the salon.
- All clients will be directed to the salon’s off-street parking, and to enter through the off-
  street door behind the building. The space they propose to occupy is in the rear of the
  building, and can only be accessed through the back door which opens onto the parking
  lot, which itself is screened from Society Street by a privacy wall.
- No signs will be allowed on the facade. Only a small sign will be placed at the salon
  entrance at the rear door, which will not be visible from the street.
- This will not be a full-service spa or salon. Services will be limited to hair cutting, hair
  coloring, and makeup.
- No other business enterprise will be opened from the premises.
- The hours of operation will be limited to Tuesday to Saturday, 9 to 5.
- While the majority of the salon’s services will be provided on-site, most of the services
  provided on Saturdays are provided off-site (usually in support of weddings).
- The owners neither expect nor desire for there to be meaningful foot traffic on Society or
  Anson Streets as the salon serves clients by appointment only, and does not accept walk-
  ins.
- The concept of this salon is targeted to a limited clientele, limited traffic, in an intimate,
  unrushed setting.
- Ms. Workman and Ms. Lecroy are the owners and the only two stylists who will provide
  services at the location.
- The salon does not have other stylists, nor does it have administrative support employees.
- Ms. Workman and Ms. Lecroy each expect to assist 3 to 4 clients daily. Accordingly, on
  a typical day, the salon expects to see a total of 8-10 persons coming and going, including
  the owners/stylists.
- Deliveries and waste disposal are expected to be of lesser magnitude than that of a typical
  family residence.
  - All deliveries are via Amazon/UPS/FedEx/USPS, and are limited to an average of
    one per day of the following package types: a shoe-box sized box; or a standard
    package envelope; or a blue moon package. The size of a banker’s box. Nothing
    large-scale; nothing of great frequency; nothing hazardous; nothing requiring a
    tractor trailer or other large vehicle.
• The salon will be adequately served by the single trash receptacle and single recycling receptacle that are provided for a single-family home.
• No specialized waste disposal service is required to serve the salon.
• Ms. Leecey has appeared on the television program “Southern Charm” and we are aware of concern in the neighborhood about the potential impact of her television work.
• The owners are advised that Ms. Leecey has not signed a contract for another season and filming for another season is not even certain.
• Assuming that the television work will continue, the owners agree that the impact of this must be considered.
• Therefore, the owners propose that the BZA approve this request for a Special Exception with the condition that there will be no filming outside of the salon at any time, and that there will be no depictions of the salon’s exterior facade or those of its neighbors on Arson or Society Street. If for some reason filming is to be conducted inside the salon, the total impact will be limited to an additional three people—a producer and two cameramen, who will park a single vehicle (typically an SUV) either in the off-street spaces for the salon, or at the Gaillard parking garage.

The owners are aware of opposition from some residents of the neighborhood and the neighborhood association. In mid-March the owners distributed a letter to their neighbors about the project along with a letter from Ms. Workman and Ms. Leecey. That letter included several phone numbers so that neighbors could reach out to the owners with concerns. One of the primary concerns raised by the neighbors to City Staff was that the non-conforming use had lapsed, but based on information supplied to Staff that issue has been resolved. The position of the neighborhood association was issued before anyone from HANA leadership had seen the property or talked with Mr. or Mrs. Jackson. Recently, the President of HANA has toured the property and a meeting with the HANA leadership has been requested to discuss and attempt to address any concerns about the proposed use.

Respectfully submitted,

[Signature]

John A. Massillon (SC Bar #10279)
WILLS MASSALON & ALLEN LLC
Post Office Box 359
Charleston, South Carolina 29402
(843) 727-1144
massalon@makervirms.net

ATTORNEYS FOR LEDA AND EDWARD JACKSON

CHARLESTON, SC
April 27, 2021
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PROJECT INFORMATION

48 SOCIETY STREET RENOVATION
CHARLESTON, SOUTH CAROLINA

OWNER:
LOSA AND COMPANY, JACKSON
40 SOCIETY STREET
CHARLESTON, SC 29403

ARCHITECT:
REBECCA PETERS, AIA, LEED AP
NATIONAL RESEARCH
PERKINS & WILLS, PC
645 S. FEMBERG ST
CHARLESTON, SC 29403

ENGINEER:
MICHAEL L. MABLE, PE
REED SMITH, LTD
1000 E. BROAD ST
CHARLESTON, SC 29401

STRUCTURAL ENGINEER:
MICHAEL L. MABLE, PE
REED SMITH, LTD
1000 E. BROAD ST
CHARLESTON, SC 29401

GENERAL CONTRACTORS:
DENNIS ROYCE
ROYCE CONSTRUCTION CO., INC
900 REED ST
PORT CHARLOTTE, FL 33953
(PHONE) 941-539-4390

DRAWING LIST

1. GENERAL INFORMATION

ADDRESS:
48 SOCIETY STREET
CHARLESTON, SC 29403

ZIP: 29403-7009
FLOOD ZONE: AE 13
ZONING: B-1

SITE AREA: 1,450 SF
CONSTRUCTION: 1,599 SF
 HEIGHT: 20 FT

STORY: 4
STRUCTURAL SYSTEM: CONCRETE

2. TOPOGRAPHICAL INFORMATION:
TOPOGRAPHY: Dated 9/17/85

3. IRRIGATION:
IRRIGATION: REQUIRING APVA
IRRIGATION: NOT REQUIRED

4. BUILDING INFORMATION

USE AND OCCUPANCY:
INDUSTRIAL (I) WITH RESIDENTIAL (R-3)

BUILDING CONSTRUCTION:
TYPE: R-3

BUILDING SIZE:
SQUARE FOOTAGE: 1,599 SF
FIRST FLOOR BUSINESS: 1,599 SF
SECOND FLOOR RESIDENTIAL: 1,597 SF

CODE COMPLIANCE:
BUILDING CODE: 2015 INTERNATIONAL BUILDING CODE
FIRE PROTECTION CODE: 2015 INTERNATIONAL FIRE PROTECTION CODE
ELECTRICAL CODE: 2015 INTERNATIONAL ELECTRICAL CODE
SOUND INTEGRITY: Nil

EVI:
EMERGENCY MANAGEMENT AGENCY

AERIAL PHOTO OF 48 SOCIETY STREET
48 Society Street (Susan Robinson Tenements)

Item Details

Title: Society Street
Type: Historical

Historic Information:

Description:
A set of pre-production historical photographs of the Susan Robinson Tenements, a set of tenements, were taken in Charleston, South Carolina, in January 1895. These photographs were taken for a proposed movie about the lives of tenant dwellers in the tenements and were used to give an idea of how the movie might look.

VIEW LOOKING EAST ON SOCIETY STREET - 1895 (COURTESY OF HCF)

VIEW LOOKING EAST ON SOCIETY STREET - CURRENT
PRECEDEUNT FOR MAKING AND COLUMN BASE DETAIL AT FIRST FLOOR OF PIAZZA

1ST BROAD STREET BACK BUILDING - NOTE LUESTONE BELOW COLUMN BASE

PIAZZA ON 1ST STREET
March 19, 2021

Re: Pickle Lily, LLC
Suzanne Jackson

To whom it may concern:

I have been Suzanne Jackson’s commercial lender for the last 9 years at three different lending institutions here in Charleston. Over the course of that time, I have made several loans to both Mrs. Jackson as well as to her business, Pickle Lily, LLC. Currently I have 3 outstanding commercial loans as such including the commercial renovation loan on her building located at 48 Society Street which serves as my collateral.

Consistent through my relationship with Pickle Lily, LLC has been the location of her business at 48 Society Street. She has operated her business out of that location and has received all her business mail and bank correspondence there for the last 9 years with no break in service, even throughout the renovation process.

If you have any questions, please do not hesitate to reach out to me. I can be reached at 843-234-5960.

Thank you,

A. Stephenon Humphreys, III
Sr. Vice President
Commercial Banking
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Business License Receipt

ACCOUNT:
Pixie Lily, LLC
DBA: Pixie Lily, LLC
48 Society St
Charleston, SC 29403
Class: 2
NAICS: 444190

DATE: 02/28/2021
INVOICE #: 00198387
LICENSE #: 32220

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</table>

Total Paid  $152.05

City of Charleston
Revenue Collections
P.O. Box 22909
Charleston, SC 29413-2009

3/4/21 PRINTED FOL
Pixie Lily, LLC
DBA: Pixie Lily, LLC
48 Society St
Charleston, SC 29403

BUSINESS LICENSE
BUSINESS LICENSE RENEWAL NOTICE

December 04, 2020

Your City of Charleston Business License will expire on December 31st. You can quickly renew your business license online at our secure Customer Access portal (http://charleston-sc.gov/). For renewals applied for through mail or in person, please complete the application below.

All items must be completed to avoid delay in processing application. Please submit payment with signed application.

PLEASE REFER TO ORDINANCE FOR INSTRUCTIONS:

A. Total Gross Receipts for calendar year ending December 31, 2020 or for tax period of your fiscal year:

B. ALLOWABLE ORDINANCE DEDUCTIONS:

Determine on a separate sheet and attach here:

C. SALES TAX RATES FOR LICENSE PURPOSE:

Same rate(s) as assessed in this application. Note, the sales tax is included in the gross receipts for this purpose:

License Fee: __________________________
Penalty: __________________________
Total Due: __________________________
Amount Paid: __________________________

Additional information can be found in the Ordinance Section of this guide.

Signature of Applicant:
Print Name:

Return to Revenue Collections Division
P.O. Box 32300
Charleston, SC 29409

For additional information please visit http://charleston-sc.gov/ or if you need assistance contact us at (843) 724-2111. If you changed your business location then do not renew your current license. Licenses are specific to a location and are not transferable. You need to apply for a new license for your new address. If your business has closed, please contact us.
April 7, 2021

RE: WMJR LLC

Leda Jackson
88 Society Street
Charleston, SC 29403

To Whom This May Concern,

I am writing on behalf of Mrs. Leda Jackson and her Commercial Property located at 88 Society Street. We provided insurance services for Mrs. Suzanne McIntosh, Mrs. Jackson’s mother, from 2014 until her death in 2018 for this commercial building. We insured the building as a first floor office and second floor apartment. Upon Mrs. Jackson’s purchase of the building under WMJR LLC from her Mother’s Estate, finalized on 3/31/18, we continued insurance services for the new ownership. We removed the Commercial Insurance policy for the new owner effective 8/31/19. At some point during this term a renovation occurred starting with the Porches, which were at risk of separating from the building. As of 8/31/19, per included oral conversation, Mrs. Jackson was still occupying a portion of the property for her office. On 8/31/19 we wrote the coverage onto a Commercial Builders Risk Coverage form, which required Mrs. Jackson to vacate the property for liability and safety reasons. The Builders Risk Coverage remained in place until 10/31/20. Effective 10/31/20 we wrote the coverage back onto a Commercial Form with intended occupancy for a first floor office and second floor apartment. The coverage remains in place today.

It is our understanding the renovation was planned for, permits applied for, contractors entered to, law and Ordinance adhered to as applicable, and CO issued for this building to remain a Commercial space. At longest Mrs. Jackson did not occupy the space for 14 months, as required by insurance and her contractors. I can cite multiple properties in downtown Charleston that have been or were vacant for more than three years yet now or undoubtedly will return to commercial or mixed use space. My father can recall McIntosh Travel Agency being located on the first floor since the early 1980s.

If I can be of further service in this regard please let me know.

Sincerely,

Richard W. Hudson, III
FILE: WADY LLC

I talked to [Redacted] on 8/7/18 at 11:45 AM.

Subjects discussed:

- Want new status on renovation. She occupies small 1 story addition. Rest of building under full redo. Expected to end after 2nd of 2020.

Action we must take:

Redo BR & New Floor
KESTLER’S MARKET - 48 SOCIETY STREET, c. 1839

48 Society Street, according to Mr. Sam Stoney, was built by Mrs. Susan Robinson and was described as her "brick tenement". She, of course, did not live there. Mr. Stoney thinks that she lived on Judith Street. He said that Mrs. Robinson and her husband belonged to the Second Presbyterian Church and "her husband tried to run that church in spite of the Angers." Her husband built the Rhett House on Elizabeth Street.

Information telephoned in by Mr. Stoney
April 15, 1964
ASH
THE OLD—This is how Koehler's Market in Annapolis looked earlier this year. Located at 45 Society Street, the two-story, stone structure housed the George Chinn Bakery in 1838. Since 1909 St. Julian Koehler has operated a market in the structure, located in the area of Charleston that is being restored to early 18th Century grandeur.

THE RESTORED—Here's what the market looked like this week following extensive renovations. A small sign near the entry will announce the market's name. Blinds now protect windows on both floors. The stonecut exterior walls have been replicated. Mr. Koehler drew plans for the restoration with help from the Historic Charleston Foundation. (Half Photos by Burkins)
Another Corner Grocery
To Close Its Doors Friday

By CHARLES W. WAKING JR.
Evening Post Staff Writer

The old corner grocery, becoming as scarce as the buggy whip, will be minus one more after Saturday.

Kessler’s Market, corner of Society and Annas streets, will cease doing business after it closes this day.

"It’s a sign of the times, I guess," said St. Julian Kessler, but "I’ve no regrets about the neighborhood.

Kessler will become manager of the downtown post office, he said.

"I’ll miss the old store and customers," he said.

THE TWO-STORY brick building is in the heart of the historic Charleston Peninsula,

St. Julian Kessler, his son and successor, to continue.

Sam Shalskey
Investor’s Guide
Tenement Building Was First Restored In 1964

Do You Know Your Charleston?
Ansonborough marks anniversaries

By CHARLES FRANCIS

There will be more renovation under way in Ansonborough. Residents have organized to renovate the neighborhood, which is one of the few historically designated neighborhoods in the city. The renovation project is being funded by the foundation, which has raised over $1 million. The renovation work is expected to be completed in 2023. The foundation is also working on a companion project to renovate the nearby Historic Ansonborough Neighborhood Association Building.

The Ansonborough Neighborhood Association was founded in 1980. The association has been working to preserve the historic buildings and neighborhoods in the area. The association has been successful in preserving several historic buildings, including the Ansonborough Neighborhood Association Building.

The foundation is currently seeking additional funding to complete the renovation work. The foundation is hoping to raise an additional $500,000 to complete the project.

Then and now: 48 Society St.

48 Society St. in Ansonborough, the former Keating's Market, as it looked before and after renovations that were made in 1964.

The building was renovated in the 1960s and now serves as a community center for the neighborhood. The renovation included the addition of a new roof and the renovation of the interior.
Agenda Item #A-3

10 WESTEDGE STREET
(WESTSIDE)
TMS# 460-00-00-014

Request special exception under Sec. 54-206 (y) to allow a late night use restaurant and bar within 500 feet of a residential zone district.

Zoned GB
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 Garden 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: April 20, 2021

Property Address 10 Westedge Suite 200
TMS # 460-00-00-019, 017, 021

Property Owner(s) HPA Decco, LLC, Sean Risco
Representative
(460) 0102-002, 004, 019, 014
1320

Applicant Robbie Martin
Daytime Phone (813) 783-6764

Applicant’s Meeting Address 10 Market St. Suite 311 Charleston, SC 29401

E-mail Address robbie.cramerx.com

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

Zoning of property GB

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 stations 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 (make checks payable to the City of Charleston)
☒ YES NO Is this property protected by any recorded covenants that are contrary to, conflict with or prohibit the proposed land use expressed in this permit application? 6, 2, 4, 145 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 notice of the Board hearing and inspection.

Applicant Robbie Martin
Date 9/21/2021

For office use only
Date 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 render 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 § 6-29-600)

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-410, § 54-206, or sections in Article 5, or add as an attachment if necessary:

Requesting special exception to section 54-206(y)
to allow on-premise consumption of alcohol, beer or wine after midnight. Specifics of application on cover sheet.

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.
March 22, 2023

Mr. Lee Bandholtz
Zoning Administrator
City of Charleston
Department of Planning Preservation & Sustainability
2 George Street
Suite 3100
Charleston, SC 29401

RE: Project Name: 10 West Edge Street, Charleston, SC
Late Night Use Approval – Special Exception

Dear Mr. Bandholtz,

It has been nice to speak with you over the last few weeks and I appreciate your guidance throughout this process. As a part of the approval process, understanding noise pollution caused by late-night operations is important. This issue is one we take very seriously and enforce within our own building. Each retail tenant in our building must abide by the guidelines set forth within the lease. Please see lease language pertaining to noise and quiet hours below:

Noise and Quiet Hours: Tenant’s Work shall be construed to prevent noise emanating from the Premises at a level (called “Maximum Noise Level”) which would: (a) constitute a legal nuisance; (b) reasonably disturb other tenants of the Building; (c) violate applicable codes and ordinances; or (d) violate applicable codes and ordnances. During construction, prior to Tenant closing up the completed walls of the Premises, Tenant, in cooperation with Landlord, will conduct noise and vibration tests to determine if any additional Tenant Work will be needed to dampen sound or vibration to prevent noise emanating from the Premises which would exceed Maximum Noise Levels (contemplating Tenant’s maximum amount of noise anticipated to be generated at the Premises), and, if so, Tenant will perform the necessary work. Thereafter, Tenant shall not allow any noise to be emitted from the Premises which exceeds Maximum Noise Levels. Upon written notice from Landlord that noise is emanating from the Premises beyond the Maximum Noise Level, Tenant shall take action immediately to correct the issue and if Tenant fails to reduce noise levels below Maximum Noise Levels within twenty (20) days from the date of Landlord’s notice, Landlord will have the right to place Tenant in default by providing Landlord to select any and all rights or default remedies. Tenant’s termination closure in order to make the necessary changes shall be permitted by Landlord and shall not be deemed a closure which violates Tenant’s obligation to operate from the Premises.
Continued:

Tender further agrees to restrict the hours its employees or guests or patrons may be served at a table on their outdoor patio with food or beverage service to no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday through Saturday. All employees, guests and patrons must vacate the patio no later than 11:00 p.m. Sunday through Thursday and no later than 12:00 a.m. (midnight) Friday through Saturday. Further, no live music or amplified music in any form shall be allowed on the patio after 10:00 p.m.

Thank you,

[Signature]

Sara Risdale
Development Manager
10 West Edge Owner, LLC
10 WEST EDGE SUITE 200
CHARLESTON, SOUTH CAROLINA 29403

SCOPE OF WORK:
ON-PREMISE CONSUMPTION OF ALCOHOL

RESTAURANT WITHIN THE EXISTING BUILDINGS IS SEEKING TO OBTAIN A LATE SPECIAL EXCEPTION
SECTION 54-206 (g) TO ALLOW ON-PREMISE CONSUMPTION OF ALCOHOL, BEER OR WINE AFTER MIDNIGHT.
PROPOSED RESTAURANT IS LOCATED ON THE GROUND FLOOR OF THE NORTHWEST CORNER WITHIN THE 16 WEST EDGE BUILDINGS. THE PRIMARY ENTRANCE IS LOCATED ON THE NORTH SIDE. A COVERED TERRACE WRAPS THE NORTHWEST SIDE.

PROPOSED RESTAURANT:
TOTAL INDOOR AREA: 5,000 SQFT.
TOTAL OUTDOOR AREA: 1,400 SQFT.

CODE / ZONING INFORMATION

ZONING JURISDICTION:
CITY OF CHARLESTON

ZONING DISTRICT: OR
T.M.S. #: 460-00-00-016, 017, 021, 460-10-02-002, 004, 019, 020, 022, 023
PROPERTY AREA: 527,012 SF

APPLICABLE CODES:
ALL WORK, MATERIALS, AND INSTALLATION SHALL BE IN STRICT ACCESSION WITH ALL ORDINANCES, AND THE LATEST ADOPTED ADDITION OF THE NATIONAL, STATE AND LOCAL BUILDING CODES, INCLUDING BUT NOT LIMITED TO THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE NEC, NFPA CODES, SAFETY AND HEALTH REQUIREMENTS AND ENERGY CODE.

CITY OF CHARLESTON ZONING CODE
SECTION 54-206

Y.1.
Bar, baggage, recycling, maintenance equipment and supplies are stored in a manner so as not to be visible from adjoining properties, public right-of-way or other public property; and

Y.2.
Storage areas for garage, recycling, maintenance equipment and supplies are designed to contain odors and prevent the storage of excess amounts of garbage in the garage, public rights-of-way and other public property; and

Y.3.
The location for garbage and recycling pickup is safe; and

Y.4.
Garages, recycling, maintenance areas are all within fully enclosed spaces, reference sheet A-1.1 for specific location.

Y.5.
Measures have been incorporated into the structure to address adverse impacts of noise to properties, in a residential zoning district; and

Y.6.
The restaurant is located on the ground floor of a mixed-use building and has a secondary portion occupying the floor area. Additionally, the Landmark District Act is met, unless specifying operating limitations for solid waste removal, a letter outlining these limitations is attached.

The operation of the establishment will not be of substantial detriment to parking in adjoining residential zoning districts, and

An application is provided on the next page, requesting moderation of zoning code. Reference is also

The establishment will not result in a heavy concentration of establishments of the same kind in a block, or if so, the applicant demonstrates to the satisfaction of the Board that, due to factors such as the geographically or physical attributes of the block or to other reasons incorporated into the structure, the addition of the establishment will not harm the character of the block. The intent of this provision is to encourage vibrant night activities while maintaining an appropriate balance and mix of uses within the blocks of the district. In its consideration of a special exception that involves a heavy concentration of establishments, the Board may impose conditions on its approval as deemed appropriate and in accordance with the intent of the Section.

Reference Concentration Map sheet 0.14

10 WESTEDGE SUITE 200
CHARLESTON, SC 29403

COVER SHEET
ARROWS INDICATE DISTANCE FROM PROPERTY TO CLOSEST RESIDENTIALLY ZONED DISTRICT

The limit to requiring a Special Exception is 500 feet. The closest residentially zoned property is Brittlebank Park, which is undeveloped. The closest residentially zoned district is in the Westside Neighborhood and is 1,100' feet away.

LOCATION MAP

RED - GB GENERAL BUSINESS
YELLOW - SR-2 RESIDENTIAL DISTRICT
ORANGE - DR-2F RESIDENTIAL DISTRICT
DARK ORANGE - DR-2 DIVERSE RESIDENTIAL
BLUE - MU-Z/W MIXED USE 2, WORKFORCE HOUSING
PURPLE - PUD PLANNED UNIT DEVELOPMENT
SHADED AREA INDICATES ‘A BLOCK’ AS DEFINED BY ZONING CODE SECTION 54-206.

10 Westedge is located at the corner of Spring Street and Lockwood Drive, within the commercial corridor. It is surrounded by predominantly commercial uses and multi-family buildings. There are no restaurant or bar uses within 175 feet.
Agenda Item #B-1

2120 BOOKER STREET
(SILVER HILL/MAGNOLIA)
TMS # 464-10-00-047

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 2,722.1sf; 9,000sf required).

Request variance from Sec. 54-301 to allow construction of a single-family residence with a 2.5-ft. front setback (steps), a 3-ft. rear setback (steps), a 5.5-ft. total front and rear setback, a 7.5-ft. east side setback, a 7.5-ft. west side setback, a 15-ft. total side setback having a 54% lot occupancy (25-ft., 25-ft., 50-ft., 9-ft., 9-ft. and 18-ft. required, 35% lot occupancy limitation).

Zoned SR-1
Application for Variance, Special Exception, Reconsideration, or Exemption

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 Herewith 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: May 4, 2021

Property Address: 2122 Booker St., TMS #: 444-10-00-049

Property Owner: Demand McElveen  
Daytime Phone: 843-692-3719

Applicant:  
Daytime Phone:  

Applicant's Mailing Address: 8 Commercial Row Charleston, S.C. 29412  
E-mail Address: demand.2724@gmail.com

Relationship of applicant to owner (name, representative, prospective buyer, etc.):

Zoning of property: Single Family - S-1

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 Road zone, show HVAC units and plumbing on scaled plans.
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted and required for all density variances and building additions, unless exempted by the Zoning staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check credit card or cash (make checks payable to the City of Charleston)
☐ YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use or changes in this permit application? 46-39-1145 of the South Carolina Code of Laws

Optional but highly beneficial 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 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: 3-29-21

For Office Use Only

Date Application Received

Signature:  
Fee: $  
Time Application Received:  
Receipt #:  

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance will not (add an attachment if necessary):  

1) **set back is not 25 feet it is 5 feet**  
2) **lot occupancy is 52% not 35%**  
3) **lot is 51' x 53', so I would like a special exception in order to build a home for my family on my property**  

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when such 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 finds 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).  

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.
11 ANSON STREET
(ANSONBOROUGH)
TMS # 458-05-01-092

Request variance from Sec. 54-301 to allow a 2-story addition (sunroom/closet) having a 61% lot occupancy (35% limitation; existing lot occupancy 56%).

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

City of Charleston

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

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

MEETING DATE REQUESTED: May 4

Property Address 114 Arson Street TMS # 456-05-01-062

Property Owner Jennifer Jerigan Daytime Phone

Applicant Glenn Kaynes Architects Daytime Phone 722-4100

Applicant’s Mailing Address 128 Vanderhorst Street

E-mail Address gh@glennkaynesarchitects.com

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

Zoning of property CT-Residential

Information required with applications (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 primer 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 (make 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? Encourage in this permit application? § 6-29-148 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 (will be provided)

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

Applicant

Date 5-30-27

For office use only
Date application received
Time application received
Stamp
Fee $
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):

See attached.

**Variance Test:** The Board of Zoning Appeals (BZA) 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 § 6-29-900)

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):


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 2 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.
Variance Test

1. There are extraordinary & exceptional conditions pertaining to the property

The existing residence already takes up over half of the lot. This lot is small compared to residential lots to the north.

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

Neighboring properties on the street have deeper lots and fall under the category STR, that allows 50% lot coverage. Although this house is on the same row and is related historically to its neighbors to the north, it falls under CT-Residential which only allows 35% lot coverage.

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 ordinance is restrictive because the house, though small, already exceeds the allowable built area. Because of its small footprint, the house has extremely limited storage. The owner would like to achieve more living and storage space in a minimally impactful and unobtrusive way.

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.

The first floor of the proposed addition will have a high level of transparency to relate to the courtyard and bring light to the interior. The addition footprint will not extend as far as the piazza and since it will be built at the back of the house, will be minimally visible.

The attached plans have been revised to be less impactful than a previous one-story addition plan, which encroached into the west and north setbacks. The new plans minimally intensify existing coverage while still providing desired conditioned space upstairs and down.
13 GREENHILL STREET
(CHARLESTOWNE)
TMS # 457-11-04-062

Request special exception under Sec. 54-110 to allow a vertical extension (2nd story, master bath/closet expansion) to a non-conforming building footprint that does not meet the required 3-ft. north side setback.

Zoned DR-1
Application for Variance, Special Exception, Reconsideration, or Extension

City of Charleston

Instructions – This application, along with all 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 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 approved Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 04/20/2021

Property Address: 13 Greenhill Street, Charleston, SC 29401 TMS #: 571104062

Property Owner: Rebecca and William Martin

Daytime Phone: 843-723-2597

Applicant: Virginia Lane, VDL Associates, LLC

Daytime Phone: 843-832-7288

Applicant’s Mailing Address: 1 Tradit Street, Charleston, SC 29401

E-mail Address: vladlane@gmail.com

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

Zoning of property: DR-1

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 additions within a flood zone, show HVAC units and platform on scaled plans
☐ Scaled floor plans with rooms labeled and the local floor area for each dwelling unit noted are required for all residential 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, certified or cashier’s 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? § 8-291145 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: Virginia Lane

Date: March 22, 2021

For office use only
Case application received: 3/22/21
Time application received: 04/20/21
BZA-Z Application (continued)

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows 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 this 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 § 6-28-800)

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 9 (add as an attachment if necessary):

We are seeking approval to continue a second story addition over a previously built, first floor addition that

already has a nonconforming setback on the north side yard of the property. The previously built, first floor

addition meets the same north side yard setback as the existing, original building on to which it is attached,

therefore falling under the setback exception 54-501c of the Zoning Ordinance of Charleston, S.C. The new

second floor addition will be directly over the existing first floor building and will not alter the footprint of the

property.

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 6 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) 748-1781  www.charleston-sc.gov/ zoning
To: The City of Charleston - Board of Zoning
2 George Street
Charleston, South Carolina 29401
On Behalf of the BZA Application for 13 Greenhill Street

As a neighbor of Will and Rebecca Martin, I have been apprised of their plans for a small, second floor, rear addition over the existing first floor, rear addition. I have been given the opportunity to see the Architect’s plans. I would like the BZA to know that I fully support this project and I would encourage the Board of Zoning to give the necessary approvals required for them to proceed with this process.

Sincerely,

[Signature(s)]

[Printed Name(s)]

[Address]
To: The City of Charleston - Board of Zoning
2 George Street
Charleston, South Carolina 29401
On Behalf of the BZA Application for 13 Greenhill Street

As a neighbor of Will and Rebecca Martin, I have been apprised of their plans for a small, second floor, rear addition over the existing first floor, rear addition. I have been given the opportunity to see the Architect’s plans. I would like the BZA to know that I fully support this project and I would encourage the Board of Zoning to give the necessary approvals required for them to proceed with this process.

Sincerely,

John + Mimi Haley

Address
7 Greenhill St.
Agenda Item #B-4

16 SHEPPARD STREET
(EASTSIDE)
TMS # 459-05-04-128

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size (Lot area 2,232sf; 2,500sf required).

Zoned DR-2F
Addendum to 16 Sheppard Variance/Special Exception

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

City of Charleston

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

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

MEETING DATE REQUESTED: APRIL 30, 2021

Property Address 16 Sheppard St., CHS, SC 29403

Property Owner Mt. Carmel United Methodist Church, co Anthony Jenkins

Daytime Phone 843-939-9115

Applicant HND2 Developers LLC co Hemant Patel

Daytime Phone 843-224-8544

Applicant’s Mailing Address PO Box 1263, Mt Pleasant, SC 29465

E-mail Address HND2dev@gmail.com

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

Zoning of property DR-2F

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)

CAPCO Check, credit card or cash (make checks payable to the City of Charleston/HND2 Developers LLC, TIN 010837883)

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

Optional but very helpful information:
☐ Photograph
☐ 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 HND2 Developers LLC co Hemant Patel

Date 3/24/2021

For office use only
Date application received
Notification
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 properties 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):

Lot size request

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.
Agenda Item #B-5

35 STATE STREET
(FRENCH QUARTER)
TMS# 458-09-01-103

Request variance from Sec. 54-301 to allow a stair addition with a 0-ft. rear setback having a 72% lot occupancy (3-ft. required, 35% limitation; existing lot occupancy 67%).
Zoned SR-5
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 Herewith 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:
Property Address: 35 STATE STREET
TMS #: 458-09-01-103

Property Owner: Eddie Irions
Daytime Phone: (646) 279-5699

Applicant: Eddie Irions
Daytime Phone: (646) 279-5699

Applicant's Mailing Address: 35 State Street, Charleston, SC 29401

Email Address: jeremy@chatauk.com

Relationship of applicant to owner (some representative, prospective buyer, etc): Owner

Zoning of property: SR-5

Information required with application: (Check Information submitted)
- □ Scaled plans or prints, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
- □ For new construction or additions within a flood zone, show HVAC units and 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 (make check payable to the City of Charleston)
- □ YES or NO - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

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(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: 03/09/2021

For office use only
Date 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]:

Seeking variance for relief from the 3' west (rear) setback for new exterior egress stair
encroachment into this setback. Also seeking variance for relief from 35% maximum percentage
of lot occupied by buildings for the same new exterior egress stair. The stair, which will be situated
at the rear of the building, will serve as emergency egress from the third floor and its proposed
roof deck. We view the addition of this stair as an invaluable life-safety element, it is not the
addition of occupiable space, and would have cable rails and perforated treads to minimize any
shadows and to allow the site below to still maintain its current construction and use.

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 § 6-29-800)

Not Required
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 § 5-110, § 5-106, or sections in Article 5 [add as an attachment if necessary]:

Seeking special exception for new exterior egress stair encroachment into the 3' north (side)
setback as the original building was constructed with a 6' setback and is currently non-conforming.

This would be an extension of the building footprint within that setback. This falls within the
special exception requirements of section 5-110f. This stair will serve as emergency egress
from the third floor and its proposed roof deck. It will not be occupiable space. It will be constructed
with cable rails and perforated treads to minimize shadows and/ or this site below its footprint.

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

Department of Planning, Preservation & Sustainability 2 George Street  Charleston, South Carolina 29401
(843) 724-3781  www.charleston-sc.gov/zoning

5/19
35 STATE STREET
CHARLESTON, SC

REAR PROPERTY LINE
7" WEST (REAR) SETBACK
EXISTING 6’ MASONRY PRIVACY WALL
(3 SIDES OF SITE)

EXISTING NONCONFORMING RESIDENCE BUILT WITH 0’ SETBACK - HISTORIC HOUSE PREDATES CURRENT ZONING

FOOTPRINT OF PROPOSED EXTERIOR EGRESS STAIR

EXISTING RESIDENCE

35 STATE ST
TMS: #426-09-01-103

33 STATE ST
37 STATE ST

SIDEWALK
FRONT PROPERTY LINE
STATE STREET (50’ R/W)

NORTH

SITE PLAN
SCALE: 1" = 10’-0”

ISSUED TO BZA-Z
9 MARCH 2021
PHOTO LOOKING DOWN FROM THIRD FLOOR ROOF

PHOTO OF EXISTING WEST WALL
CABLE RAILS

METAL HANDRAILS

PERFORATED TREADS (THOUGH MODIFIED TO MEET ALL CURRENT APPLICABLE CODES)

EGRESS STAIR PRECEDENT IMAGE
February 18, 2021

City of Charleston
Board of Zoning Appeals
2 George Street, Suite 3100
Charleston, SC 29401

Re: Irons Residence Proposed Roof Deck
35 State Street

Dear Members of the Board,

I have been made aware by my neighbor, Doctor Eddie Irions, that he is proposing to construct deck space atop his existing roof. This roof would have an attached staircase that would allow his new deck to be exited in the event of any emergency. He has mentioned to me that there is concern that has been noted by the City of Charleston Zoning Division, in particular with regard to the stair. I understand that this will require special exemptions and/or variances being granted for this work.

Doctor Irions has shown me the proposed plans and 3D of the design as it had been presented to the City Zoning and Board of Architectural Review. While I understand that this proposal includes a stair that extends into the required building setback adjacent to my property and increases his site coverage, I have no issue with any potential impact this has on my property.

I am fully in support of Doctor Irions’ design and proposal and would encourage you to approve his application.

Sincerely,

John Pope
33-1/2 State Street, Lower Unit
Charleston, SC 29401
February 18, 2021

City of Charleston
Board of Zoning Appeals
2 George Street, Suite 3100
Charleston, SC 29401

Re: Irions Residence Proposed Roof Deck
35 State Street

Dear Members of the Board,

We have been made aware by our neighbor, Doctor Eddie Irions, that he is proposing to construct deck space atop his existing roof. This roof would have an attached staircase that would allow his new deck to be exited in the event of any emergency. He has mentioned to us that there is concern that has been noted by the City of Charleston Zoning Division, in particular with regard to the stair. We understand that this will require special exemptions and/or variances being granted for this work.

Doctor Irions has shown us the proposed plans and 3D of the design as it had been presented to the City Zoning and Board of Architectural Review. While we understand that this proposal includes a stair that extends into the required building setback adjacent to my property and increases his site coverage, we have no issue with any potential impact this has on our property.

We are fully in support of Doctor Irions' design and proposal and would encourage you to approve his application.

Sincerely,

Kathlyn Howard

Kathlyn Howard and Betty Douglass
33-1/2 State Street, Upper Unit
Charleston, SC 29401
February 18, 2021

City of Charleston
Board of Zoning Appeals
2 George Street, Suite 3100
Charleston, SC 29401

Re: Irions Residence Proposed Roof Deck
35 State Street

Dear Members of the Board,

We have been made aware by our neighbor, Doctor Eddie Irions, that he is proposing to construct a deck on top of his existing roof. This roof would have an attached staircase that would allow his new deck to be exited in the event of any emergency. He has mentioned to us that there is concern that has been noted by the City of Charleston Zoning Division, in particular with regard to the stair. We understand that this will require special exemptions and/or variances being granted for this work.

Doctor Irions has shown us the proposed plans and 3D of the design as it had been presented to the City Zoning and Board of Architectural Review. While we understand that this proposal includes a stair that extends into the required building setback adjacent to our property and increases his site coverage, we have no issue with any potential impact this has on our property.

We are fully in support of Doctor Irions’ design and proposal and would encourage you to approve his application.

Sincerely,

Todd and Kathy Deuri
37 State Street
Charleston, SC 29401
Agenda Item #B-6

24 LIMEHOUSE STREET
(CHARLESTOWNE)
TMS# 457-11-04-043

Request special exception under Sec. 54-110 to allow a one-story addition (dining room expansion/den) that extends a non-conforming 0.2-ft. east side setback (3-ft. required).

Request variance from Sec. 54-301 to allow a one-story addition (dining room expansion/den) and to allow a one-story covered porch, stairs and raised patio having a 39% lot occupancy (35% limitation; existing lot occupancy 33%).

Zoned DR-1
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-2)

City of Charleston

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

☐ Escrow of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: May 4, 2021

Property Address 24 Limehouse Street

TMS #: 457-11-04-043

Property Owner Chris and Tamara Dengler

Daytime Phone 262-903-4983

Applicant Julie O'Connor - American Vernaocular, Inc

Daytime Phone 943-345-7248

Applicant's Mailing Address 151 Sheppard Street, Charleston, SC 29403

Email Address Julieoconnor@americanvernaocular.com

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

Zoning of property DR-1

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 Road 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 occupancy 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 cards or cash (make checks payable to the City of Charleston)

☐ YES ( ) NO ( ) Is the property impacted 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 permission from neighbors or organizations 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, 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 Julie O'Connor

Date 5/14/21

For office use only

Fee $ Time application received Request #
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):

We are requesting a variance for building coverage on this lot. Property is zoned DR-1 with 35% building coverage allowed. Property has SR-2 abutting neighbors (with 50% allowable building coverage) and DR-1F abutting neighbors (with 50% allowable building coverage). We are asking for 40% building coverage to allow for small one story addition, one story covered porch, new stairs from garage, and raised patio. The extraordinary and exceptional conditions are that this lot abuts 2 different zoning districts that allow for 50% coverage and we calculated 35 nearby properties and 77% of these have higher than 35% building coverage. Therefore, the condition of 35% coverage does not generally apply to other properties in the vicinity. The application of the ordinance would unreasonably restrict the utilization of the property given that this is a modest sized house and a modest addition to that house. Adjacent properties mostly have higher lot coverages and will not be negatively impacted as the additions are on the interior of the lot.

**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):

We are also requesting a special exception to the rear setback of the lot for a one story addition that is in line with the existing encroachment to the rear setback. The new addition is in compliance with special exception requirements as it is a one story addition. It will extend the current encroachment by only 9’. This addition will not affect the light or air of neighboring properties due to the fact that it will abut the neighbor’s side yards. It will not increase traffic since it is an addition to a single family residence and does not affect the occupancy of the property. The design of the addition is cohesive with the architecture of the house and of the district.

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

Department of Planning, Preservation & Sustainability  2 George Street  Charleston, South Carolina 29401  (843) 724-3781  www.charleston-sc.gov/zoning

5/19
CAUTION! This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joe and I will agree to the changes to the above proposal.  
Charlotte Riley

Sent from my iPhone

20 Gibbs St.
Dear Penny,

Subject: 24 Limehouse St property

April 19, 2021

I recently met Mr. Chris Dengler. As we stood in his driveway he told me of the plan for the renovation of his property at 24 Limehouse St. I have since reviewed the printed copy for the exterior renovation. 24 Limehouse is a very interesting property but it does need major updating.

In my opinion, this renovation will enhance not only the Dengler property but the Limehouse Street neighborhood properties as well. I most definitely support the Dengler's renovation plan.

I would like to add that the Dengler family will be an asset to the Charleston community.

A long time resident at 2 Limehouse Street,

Ruth E Edmunds
Dear Penny,

We have no issues with or objections to the proposed changes at 24 Limehouse. We feel that they are in keeping with the style of the house and neighborhood.

Sincerely,

Jeri and Rita Daily
19 Greenhill
Good Morning,

Mary Beth and I live at 22 Limehouse Street. We have lived there for over 18 years. Needless to say the town and the neighborhood have experienced changes.

We recently met our new neighbors who have acquired 24 Limehouse Street, The Denglers. Chris and Tamara shared documentation for their proposed external plans that indicate a structural lot coverage increase from the present 25% to 40%. We reviewed the footprint, the proposed location, and the architectural plans, and were completely impressed not only in the detail of the studies; but, also the conformity to existing vernacular styling.

We believe the structural lot coverage increase and the architectural styling provide an enhancement to the overall property and streetscape and fully support their application.

Best Regards,

Mary Beth and Larry Kohler

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and are confidential or privileged information. If you are not the intended recipient, please notify the sender immediately; delete this message and any attachments.
To Penny Ashby:

This email is to inform you that, as the immediate neighbor, I do not have objections to the proposed renovation at 24 Limehouse St. by Chris and Tamara Dengler.

Susan S. Crocker
Owner of property at 26 Limehouse St.
Agenda Item #B-7

26 MONTAGU STREET
(HARLESTON VILLAGE)
TMS# 457-03-02-047

Request special exception under Sec. 54-110 to allow a horizontal expansion and vertical extension that extends a non-conforming 6-inch east side setback (kitchen expansion/elevator/mudroom/family room/screen porch/bedroom/baths; 3-ft. required).

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 will result in further action on this 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: May 4, 2021

Property Address: 26 Montagu St. TMS # 457-03-02-047

Property Owner: Rachel C. Crystal

Daytime Phone: 

Applicant: Becky Fenno, Architect

Daytime Phone: 843-442-6552

Applicant’s Mailing Address: 1459 Stuart Engald Blvd, Suite 202, Mt. Pleasant SC 29464

E-mail Address: bfenno@fennoarch.com

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

Zoning of property: DR-1F

Information required with application (check information submitted):
□ Scaled plans or photos, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
□ For new construction or additions within a flood zone, show H/A/C 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, 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, conflict with or prohibit the proposed land use encompassed in this permit application? ☐ ☐

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: Becky Fenno

Date: 04.05.21

For office use only
Date application received
Signature
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):

________________________________________________________________________

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**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 districts 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):

**Special exception for extension of non-conforming side/ east setback. See attached narrative**

________________________________________________________________________

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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 5, 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.
26 Montagu Street
Zoning Request
By: Ferro Architecture LLC
April 5, 2021

Requesting extension of non-conforming setbacks
- existing building encroaches into setback on the east side. This request is for a vertical extension of the non-conforming footprint in order to add a second story addition and a screen porch

How this request responds to the Special Exception, particularly 54-110, f.

1. Proposal will extend a side non-conforming setback that is already in use upward for the addition of a second story and a rear screen porch
   a. East—existing distance to the property line will follow the existing footprint; the setback will remain 6 1/2" on the southernmost part of the addition to 6" at the northeast corner of the heated and cooled space. The screen porch will be inset farther than the existing deck (1'6" in lieu of the existing 9 1/2")
   b. South—the existing distance to the property line is existing / not in compliance as the building sits on the property line as is typical of the neighborhood
   c. West—the building exceeds the setback as it is just over 24' from the property line
   d. North—the building exceeds the setback

2. Proposal will not result in an unreasonable intensification of the property or area
   a. In terms of height, the addition will be subordinate to the existing building.
   b. In terms of footprint, the addition will add 223 sf of heated and cooled space and be located within the existing building footprint with the exception of the northwest corner (which has the least impact on the neighbors)
   c. The two story height of the addition is similar to many in the neighborhood.
   d. The effect on light and air of neighbors will be minimal.
   e. All drainage will be handled on the property and taken to the street / storm water system.
   f. All required parking can be accommodated on the site.
26 MONTAGU ST
RENOVATION

ARCHITECT:
RENO ARCHITECT
555 MONTAGU ST
SUITE 202
RENO, NV 89509
775-346-8562

SITE INFORMATION:
- TYPE: 457.01-0000
- ZONING: R-3X
- REQUIREMENTS: MARSHALEN VILLAGE
- SPECIAL PERMIT DISTRICT: 3, 6
- RESIDENTIAL SHORT TERM RENTAL CATEGORY: 3
- BUILDING SETBACKS:
  FRONT: 50' FOOT LOT
  REAR: 25'
  SIDE SETBACKS TOTAL 10'
- ACCESSORY BUILDING SETBACKS:
  FROM STREET: 25'
- LOT SIZE: 10,210 SF
- PROPOSED LOT SIZE: 2,250 SF
- UNITS (LOT ALLOWABLE): 3
  - 1, 2: SINGLE FAMILY, 2,250 SF UNIT
  - 3: MULTI FAMILY, 2,210 SF UNIT
- CHANGE TO EXISTING TOPOGRAPHY:
  - WORKS ON DRAKE
- FLOODPLAIN ZONE: 3 (ZONE AREA OF MINIMAL FLOOD RISKS)
Agenda Item #B-8

VERBENA LANE, APIARY LANE AND MEAD LANE
(LAUREL OAKS)
TMS# 287-00-00-371 THRU 402

Request variance from Sec. 54-301 to allow construction of 3-story single-family residences Lots 1-32 that exceed 35-ft. in height (Limit is 2 ½ stories, 35-ft.).
Zoned SR-1
Application for Variance, Special Exception, Reclassification, or Extension to the Board of Zoning Appeals - Zoning (ZBA-Z)
City of Charleston

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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 unexpired Variance and/or Special Exception approval. [Unexpired]

MEETING DATE REQUESTED: May 4, 2021

Property Address: 825 E. Bay St. (Apartment 701) TMS # 825-00-00-00-004

Property Owner: Tillman Street L.P. Co. Daytime Phone: 843-577-9848

Applicant: Ashley Dennis, VP Land Daytime Phone: 843-577-9848

Applicant's Mailing Address: 421 Wando Park Blvd. Suite 210

E-mail Address: a dennis@tillmanstreet.com

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

Zoning of property: R2 - Cluster

Information required with application: (check information submitted)
☐ Zoned 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, 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 use described herein? § 6-22-1145 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 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: April 5, 2021

For office use only
Date application received
Signature
Revocation
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):

See attached page 3

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 its decision conditions regarding the location, character, or other features of the proposed building, structure, or use as it deems necessary to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 5-29-600)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § § 54-1.10, § 54-206, or sections in Article 5 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has passed.
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   The applicant started the approval process for the subdivision and development of Laurel Oaks in 2017 and received final subdivision approval under the city’s SR-1 and clustering ordinances in December 4, 2020. The City’s clustering ordinance requires a significant open space requirement, and approximately 73% of the property is set aside for open space. During design and approval process, the City and applicant discussed and reviewed the floorplans for the property, which were specifically designed for the project due to the specifics of the clustering ordinance and the amount of wetlands on the area. Subsequent to final plan approval, the City adopted the new FEMA floodplain maps, thereby changing the base flood elevation for the property. As a result, the garages underneath the two stories of habitable space are now above the base flood elevation where they previously were not. The extraordinary and exceptional conditions of the timing of the change in the floodplain maps is such that this criteria is met.

2. These conditions do not generally apply to other property in the vicinity:
   At the time the new floodplain maps were adopted, to the applicant’s knowledge, no other property in the vicinity is vested in a final subdivision plat under the South Carolina Vested Rights Act and the City’s vested rights ordinance.

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:
   Due to the fact that approved and the substantial open space required pursuant to the City’s clustering ordinance, to prohibit three-story structures on this property would unreasonably restrict and effectively prohibit the utilization of this property as approved and as vested under the South Carolina Vested Rights Act and the City’s ordinance.

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.
   Because these properties were always designed and planned to be two-stories above a drive-through/garage level and the only change is the result of a new floodplain map that now places the garage level above flood level, there is no substantial detriment to adjacent property or the public good. The character of the district will not be harmed by the construction of these homes as there has been no change from the original design that was reviewed by the City during the plan and plat approval process. In addition, a similar home with two stories over a garage has already been permitted for the property; the remainder of the homes, if the variance is granted, will be of a similar design.
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