City of Charleston

BOARD OF ZONING APPEALS-ZONING

June 1, 2021
5:15 PM

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

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

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

**Order on Each Application:**

- Chair announces each application followed by staff presentation and recommendation
- Staff presents application and City’s recommendation. Staff will control slide presentation
- Staff announces comments received and whether anyone has signed up to speak
- Applicant, after being sworn in, will be allowed to present their application if opposition or questions are raised, followed by public comments from pre-registered attendees in favor. Each speaker will be sworn in before speaking
- 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.
Board of Zoning Appeals-Zoning

Requirements for Granting a Variance

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

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

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

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

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

Approval of May 18, 2021 BZA-Z Minutes
(click on link below)
https://www.charleston-sc.gov/AgendaCenter/ViewFile/Agenda/_05182021-6531
Request special exception (after-the-fact) under Sec. 54-110 to allow a deck addition that extends a non-conforming 2-ft. east side setback (9-ft. required).

Request variance (after-the-fact) from Sec. 54-301 to allow a deck addition with a 4-ft. west side setback, a 6-ft. total side setback (9-ft. and 18-ft. required).

Zoned SR-2
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 3 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: 5/4/21

Property Address: 58 Cypress St TMS # 463-12-01-069
Property Owner: Christopher Cham
Daytime Phone: __________________________
Applicant: PSH LLC / Juan Sanchez
Daytime Phone: 843-771-6286
Applicant’s Mailing Address: 203 Lawrence Dr Summerville SC 29483
Email Address: PSHLLC88@gmail.com

Relationship of applicant to owner (name, representative, prospective buyer, owner) __________________________

Zoning of property:
Information required with application (check information submitted)
☐ Scaled plans or plots, including elevations, showing the variance or special exception being requested (3 sets)
☐ For new construction or additions within a flood zone, show FIRM units and elevation 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 – If this Property is restrict by any recorded covenant that, contrary to, conflicts with or prohibits the proposed land use contemplated in this permit application? § 6-29-114 of the South Carolina Code of Laws

Optional but very helpful information:
☐ Photographs
☐ Letters of support from neighbors or organizations directly affected by your request

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

Applicant __________________________ Date: 5/4/21

For office use only:
Date application received __________________________ Time application received __________________________
Receipt # __________________________
For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):


Variance Test: The Board of Zoning Appeals is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The granting 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. (S.C. 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.
To BZA:

We are seeking a variance for the West Side and an extension of encroachment on the east side.

The reason for the extension of encroachment on the east side, is this is the location of the dual Air Conditioning units. Both units needed to be above Flood levels.

The reason for the Variance on the West Side:
A home remodel was done recently, the back yard access was removed. Due to the new layout of the home, there is no longer space on the rear of home for accessing the rear of the property. The access is to be installed on the west side of the property in the location of an existing window. Therefore the deck is on the west side of the property is acting as a walkway to the deck located on the rear of the property.

Thank You for your consideration,

Kindly Regards,
John Sanchez
Owner
Problem Solver Handyman, LLC
843-300-2290
Deck Build
Chris and Claire Lam
58 Cypress St.
Charleston, SC 29403

This is to petition the surrounding neighbors of Chris and Claire Lam for the installation of the rear-side deck.

As per the City of Charleston, PSH LLC/Chris and Claire Lam must acquire and Waiver Variance for the installation of the deck within the 9' building setback. Your signatures on this petition will attest that you have no opposition to the placement of the deck inside the 9' building setback at the above residence.

Name:          Address:       Signature:      Date:
Matt Ferrigno  58 Cypress St  4/15/21
Lacey Stollard 60 Cypress St  4/15/21
olivia T.M. Brock 57 Cypress Street 4/15/2021

Kindest Regards,
John Sanchez
Owner
Problem Solver Handyman, LLC
843-300-2290

203 Lawrence Dr. Summerville, SC 29483  www.facebook.com/problem
Lic. Cont: 088559249
This is to petition the surrounding neighbors of Chris and Claire Lam for the installation of the rear side deck. As per the City of Charleston, PSH LLC/Chris and Claire Lam must acquire and Waiver/Variance for the installation of the deck within the 9' building setback. Your signatures on this petition will attest that you have no opposition to the placement of the deck inside the 9' building setback at the above residence.

Name Address Signature Date

Kindest Regards,
John Sanchez
Owner
Problem Solver Handyman, LLC
843-300-2290
Agenda Item #B-2

143 SAINT MARGARET STREET
(WAGENER TERRACE)
TMS # 463-10-04-029

Request variance from Sec. 54-301 to allow a 2-story addition (bedrooms/closets) with a 20.8-ft. rear setback (25-ft. required).
Zoned SR-2
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 the 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: June 1, 2021

Property Address: 143 St. Margaret Street
TAS #: C4631004029

Property Owner: Alex and John C. McElroy
Daytime Phone: 843.696.5488

Applicant: John McElroy
Daytime Phone: 843.696.5488

Applicant's Mailing Address: 143 St. Margaret Street, Charleston, SC 29403

E-Mail Address: johnmcelroy@gmail.com

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

Zoning of property: SR-2

Information required with application: [check information submitted]
☐ Site plans or plans, including elevations, showing the variation or special exceptions being requested (3 sets)
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
☐ Show floor plans with rooms labeled and the total floor area for each dwelling unit noted for all density variances and building additions, unless exempted by the Zoning officer (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (1 set)
☐ 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 precludes the proposed land use contemplated in this permit application? § 6-29-114 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 this Board hearing and inspection.

Applicant: John McElroy

Date: 4/21/2021

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):

We are requesting a variance in the 25’ setback limit against our rear property line. Our home is not large enough for us to grow our family and we need more space. To accomplish this, we would like add-on to the back of the house to make room for an additional bedroom and family room. The addition proposed would exceed the 25’ setback by 4’ 4”, and would have minimal affect on the appearance of the house from the street view. It is our goal to preserve the look and feel of the home. All adjacent property owners do not have an objection to this improvement and we feel the end result will not negatively affect the enjoyment of their property.

**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)

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 6, 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.
Proposed addition to 143 St. Margaret Street for Alex and John McElroy

I, [Name], a neighbor of Alex and John McElroy, support their planned addition to their home. I understand their addition would require an exemption to the zoning setbacks. This does not negatively affect me or my property and I believe they should be allowed to move forward with their project.

My address is:
137 St. Margaret Street
Charleston, SC 29403

Signed: [Signature]

Date: [Date]
Proposed addition to 143 St. Margaret Street for Alex and John McElroy

I, [Name], a neighbor of Alex and John McElroy, support their planned addition to their home. I understand their addition would require an exemption to the zoning setbacks. This does not negatively affect me or my property and I believe they should be allowed to move forward with their project.

My address is:
238 Grove Street
Charleston, SC 29403

Signed: [Signature]

Date: 4-17-21
Proposed addition to 143 St. Margaret Street for Alex and John McElroy

I, MARIE A. WILLIAMS, a neighbor of Alex and John McElroy, support their planned addition to their home. I understand their addition would require an exemption to the zoning setbacks. This does not negatively affect me or my property and I believe they should be allowed to move forward with their project.

My address is:
345 St. Margaret Street
Charleston, SC 29403

Signed: [Signature]

Date: 4/26/21
Agenda Item #B-3

182 DUNNEMANN STREET
(WAGENER TERRACE)
TMS # 463-13-04-004

Request special exception under Sec. 54-110 to allow a horizontal expansion (deck/stairs) and vertical extension (office/bath) to a non-conforming building footprint that extends a non-conforming 1.7-ft. east side setback and non-conforming 0-ft. rear setback (9-ft. and 25-ft. required).
Zoned SR-2
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: ASAP

Property Address 182 Dunnemann Street TMS # 63-13-04-004

Property Owner Nathan DeVault Daytime Phone

Applicant Resident LLC Daytime Phone

Applicant’s Mailing Address 14B Dingle Street Charleston SC 29403

E-mail Address jeffrey.stanz@resident.com

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

Zoning of property 3R-2

Information required with application: (check information submitted)
☐ Sealed plans or plans, 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 sealed plans
☐ Sealed 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 the Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 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 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: Jeffery Stanz

Date: 04/27/2021

Fee $ For office use only

Time application received

Receipt #
For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):


**Variance Test:** The Board of Zoning Appeals is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the use 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 § 6-29-801)

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** to continue use of non-conforming setback.


**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.**
We request a special exception under Section 54-101-F of the City of Charleston Zoning Ordinance to allow for a zero lot line.

We ask this board approve a variance for several reasons. First, complying with existing zoning regulations is not possible because the accessory structure would hit the existing primary residence as illustrated on page X002 Exhibit 1 of the attached architectural drawing. Second, we had a BFE benchmark set by Palmetto Surveying. We then used a rotary laser to transfer the benchmark level to the shed. We learned the existing structure sits approximately 2 feet below the BFE. Additionally, the structure is not flood proofed creating a potential public hazard during a severe flood event.

Our proposed structure requests a modest intensification of the horizontal footprint (approx. 12 sqft) and while our plan does intensify the vertical footprint of the structure this intensification is driven by Charleston Zoning Ordinance Sec. 27-117 (2) requirement that our FFE be at least 2 feet above BFE. To satisfy this requirement our proposed structure must intensify our vertical footprint. This intensification has the benefit of adding flood resilience to the subject property and reduces a flood hazard for the adjacent properties.

To manage water runoff we propose a gutter system connected to a French drain. This will capture water runoff from the roof and allow it to slowly dissipate on the subject property.

Our proposal adapts a currently unusable storage shed and brings it back into productive use while also eliminating a flood hazard and hardening the neighborhood against future flood events.

182 Dunemann Ave BZA-Z Application Addendum

Our proposal will capture the water runoff from the roof. At the rear of the building on the zero lot line is the gable end of the roof therefore it will not shed water onto the rear property.

For the rake sides of our project we will use gutters to capture the water runoff from the roof. The gutters will then be connected to an underground French drain that will allow the water to slowly dissipate on the subject property.
Subject Property
March 24, 2021

I, Ruth Barlow, own the home at 353 Grove St. in the Wagner Terrace neighborhood. My neighbor, Nathan DeVault and Kristina Stepanova who live at 382 Dunnemann Avenue, have discussed with me that they are planning to remove the shed that is on their property and replace it with a new structure that will be used as an office. It is my understanding that this may require continuing an existing non-conforming setback. I support this renovation and the increased property value that it will add to the neighborhood. I understand the project will take some months to complete, but I believe it is a good addition.

Sincerely,

PRINT: Ruth Barlow
SIGN: Ruth Barlow
March 24, 2021

I, [Full Name], own the home at 1326 Dunnemann Ave, in the Wagner Terrace neighborhood. My neighbor, Nathan DeVault and Kristina Stepanova who live at 182 Dunnemann Avenue, have discussed with me that they are planning to remove the shed that is on their property and replace it with a new structure that will be used as an office. It is my understanding that this may require continuing an existing non-conforming setback. I support this renovation and the increased property value that it will add to the neighborhood. I understand the project will take some months to complete, but I believe it is a good addition.

Sincerely,

[Signature]

Print: [Full Name]
Agenda Item #B-4

1715 Santee Street
(Centerville)
TMS # 425-02-00-186

Request VARIANCE FROM Sec. 54-301 to allow a 2-story addition (bedroom/pantry/bath/hall) with a 13.7-ft. rear setback (25-ft. required).
Zoned SR-1
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA-3)

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: June 1, 2021

Property Address: 3715 Santee Street
TMS # 425-02-00-186

Property Owner: Richard Rockwell
Daytime Phone: (843) 619-1541

Applicant: Tommy Manuel
Daytime Phone: (843) 276-5474

Applicant's Mailing Address: 49 Elizabeth Street, Charleston, SC 29403

E-mail Address: tommy@manuelarchitecture.com

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

Zoning of property: SR-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 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 specific exception requirements (3 sets)
☒ Check, credit card or cash (make checks payable to the City of Charleston)
☒ YES ☐ NO – In this Property encumbered 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 protests 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 side/rear neighbor 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: April 19, 2021

For office use only
Date Application received: _______________________
Time Application received: _______________________
Sign here: ____________________________
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):

Requesting a rear setback variance from Sec. 54-110 to allow for an addition to the existing building.

This is an annexed property in which the applied setbacks, determined by the front door location, create an exceptional condition of an extremely shallow buildable area with the rear setback running approximately 9'-6" inside the existing building. Additionally, the location of a grand tree in the front yard further restricts the use of the buildable area on the north side. These conditions do not apply to similar properties, and the variance for the proposed addition would not adversely impact (block light, lessen privacy, or excessively encroach upon) the adjoining property.

**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 § 6-29-300)

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.
April 22, 2021

Jonathan and Lauren Mayer
803 W Madison Ave
Charleston, SC 29412

Re: 1715 Santee Street; In Support of Rockwell Addition

Dear Zoning Committee Members:

We, as neighbors of the Rockwell Family, are writing this letter in support of the proposed addition to their home located at 1715 Santee Street. Upon review of their application, we are confident and in favor of their proposal.

Thank you for your consideration.

Respectfully submitted,
Jonathan and Lauren Mayer
Agenda Item #B-5

6 BEE STREET
(CANNONBOROUGH/ELLIOTBOROUGH)
TMS # 460-15-02-091

Request special exception under Sec. 54-110 to allow a 2-story addition (living/dining room/kitchenette/baths/bedrooms/porches) that extends a non-conforming 1.7-ft. east side setback (3-ft. required).

Request variance from Sec. 54-301 to allow a hvac platform with a 1.7-ft. east side setback (3-ft. required).

Zoned DR-2
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.

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☐ 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:
June 1, 2021

Property Address: 6 Ree St., Chas, SC 29403
TMS #: 416.15.02-091

Property Owner: Tara Loyce & Richard Mock
daytime Phone: 843-720-4264

Applicant: Richard Mock
daytime Phone: 

Applicant’s Mailing Address: 6 Ree St., Chas, SC 29403
E-mail Address: rcmock@rac.com

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

Zoning of property: DR-2

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 HAC and elevation 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 rezoned 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 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 inspection.

Applicant: 
Date: 4/20/2021

For office use only
Date application received: 
Time application received: 
Submission 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):

- [ ] HVAC setback variance

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):

- [ ] Approval of previously approved special exception, no changes.

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.
PROPERTY LOCATION, TAX NUMBER(S) AND DESCRIPTION OF REQUEST(S):
6 BEE ST. (CANNONBOROUGH/WILLOUGHBOURGH) (843-15-02-091)
Request special exception under Sec. 54-118 to allow a 2-story addition that extends a non-conforming
1.7-ft. east side setback (3-ft. required)
Request variance from Sec. 54-301 to allow a house platform with a 1.7-ft. east side setback (3-ft.
required.
Zoned DR-2.

Conditions for Special Exception/Request:
The Board of Zoning Appeals/Zoning held a public hearing to consider the above appeal for a special exception which
may be granted by the Board pursuant to the Zoning Ordinance for the property described above. After consideration
of the evidence and arguments presented, the Board makes the following findings of fact and conclusions.

☑ DENIED: The board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which
are applicable to the requested special exception(s), have not been met and therefore orders that the special exception(s)
be denied.

☑ APPROVED: The board concludes that the standards in the Section(s) of the Zoning Ordinance listed above, which
are applicable to the requested special exception(s), have been met and therefore orders that the special exception(s)
be granted, subject to the following conditions, if any:

Date Issued: 8/1/17 Chairman

Conditions for Variance/Request:
The Board of Zoning Appeals/Zoning held a public hearing to consider an appeal for a variance from the strict application
of the Zoning Ordinance for the property described above. After consideration of the evidence and arguments presented,
the Board makes the following findings of fact and conclusions.

☑ DENIED: The board concludes that the requirements for granting a variance have not been met and therefore
orders that the variance be denied.

☑ APPROVED: The board concludes that:
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. In combination with all conditions, the application of the ordinance to the particular piece of property would effectively
compromise or unreasonably restrict the utilization of the property and
4. 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 BOARD, THEREFORE, finds that the applicant has an unnecessary hardship and orders that the variance be granted,
subject to the following conditions, if any:

Date Issued: 8/1/17 Chairman

Approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with
the provisions of Section 54-202. Applicants may not apply for the same request that has been denied by the Board until
a period of six (6) months has lapsed.

7/27
Re: 6 Bee St
Zoning
City of Charleston

To Whom It May Concern:

We are writing this letter in reference to our zoning variance at 6 Bee St. We have owned the property since 2001 and have owner occupied it with Tara's parent. Our goal is to make property safe in the case of a fire and accommodate our growing family. We have made attempts to contact our surrounding neighbors to let them of our request, I have attached copies.

In verbal discussions with our neighbors Jill Hooper at 4 Bee, Woody at 8 Bee and Kristen Reese at 0 Bee (in the kitchen house), they all have been supportive with no opposition. We have emailed our neighborhood association. In correspondence they seemed to be more concerned that we were adding apartments or buildings. But that is not the case and we have heard no opposition or negative comments from them. We also emailed Dr. Grossman who owns the commercial building on Rutledge that backs up to our property, we have had no negative response. Additionally I have touched based with Jo Cannon (Home owner on Ashley Ave and owner of Beds on Cannon) on social media, she thought the request was reasonable. We have been unable to find the email address of the quad-plex owner behind our home. As we do share a homeowner insurance agent we did make the attempt.

I have attached copies of emails that we have sent as well as any relative correspondence.

Sincerely,

Rick McKee and Tara Lowry
Hello. I live at 1 Bee. I am aware of the plans submitted by Tara Lowry for renovating at 6 Bee and support the petition to move forward.

Lani Connolly
210-332-0941
Ashby, Penny

From: Barclay Murphy <ademurphy@aol.com>
Sent: Friday, April 30, 2021 1:01 PM
To: Ashby, Penny
Subject: 6 Bee Street approval

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.

Good afternoon,
My name is Barclay Murphy. I am one of the owners at 12 Bee Street and serve as the HOA Board President for the property.

I wanted to let you know that Tara Lowry at 6 Bee Street has my support for the addition at the back of her existing property. The plans have not changed for many years and 5 parking spots on site are more than adequate for the property.

We are so excited to see continued improvements to our very vibrant neighborhood. Tara was one of the first to see the potential that we have all fallen in love with and we support this project in every way.

Please let me know if you have any questions or concerns.

Appreciated,
Barclay Murphy
12 A Bee Street
Charleston, SC 29403
843-860-9146
Agenda Item #B-6

38 RIVERSIDE DRIVE
(WAGENER TERRACE)
TMS # 463-07-02-007

Request special exception under Sec. 54-110 to allow a one-story addition (bedroom/enclosed carport) that extends a non-conforming 6-ft. rear setback (25-ft. required).

Zoned SR-2
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)
□ Extension of an unexpired Variance and/or Special Exception approval

MEETING DATE REQUESTED: June 1, 2021

Property Address 38 Riverside Drive
TMS #: 463-07-02-007

Property Owner Kyle O’Keefe
Daytime Phone 973-886-9466

Applicant John Douglas Tucker
Daytime Phone 843-303-1854

Applicant’s Mailing Address P.O. Box 1873
Johns Island, SC 29457
E-mail Address tuckerarchitect@gmail.com

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

Zoning of property SR-2

Information required with application (check information submitted)
□ Scaled plans or elevations, 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  NO □ this Property restricted by any recorded covenant that 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 improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant: John Douglas Tucker, architect

Date: May 3, 2021

For office use only
Date application received ___________ Time application received ___________
Staffperson ___________ 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):


**Variance Test:** The Board of Zoning Appeals is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. [SC Code of Laws § 1-29-800]

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

Requesting Special Exception under Section 54-110 to allow a one-story addition

- (new bedroom & enclosing an existing covered attached carport) that extends a non-conforming 5.0-ft. rear setback (25-ft. required).

Proposed new bedroom addition would not unreasonably affect the neighborhood or increase the existing rear setback: the new heated area is only 210 sqft.

Proposed enclosing of the existing covered attached carport would not unreasonably affect the neighborhood or increase the existing rear setback: carport footprint & roof are existing & would remain unchanged.

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 elapsed.
PLAT

OF LOT 59, SUBDIVISION "D", MT. PLEASANT FARM, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, BEING CONVEYED TO 38 RIVERSIDE LLC.

PROPOSED SURVEY/SITE PLAN

ALEXANDER C. PEABODY, P.E.
PEABODY & ASSOCIATES, INC.
PROFESSIONAL SURVEYING
P.O. BOX 20614
CHARLESTON, SC 29413
OFFICE: 843-723-0525 MOBILE: 843-279-4947

PROPOSED SITE PLAN

CHARLESTON COUNTY
SOUTH CAROLINA

PLAT

RIVERSIDE DRIVE (60' R.W.)

38 RIVERSIDE DRIVE
PROPOSED ADDITION
CHARLESTON, SOUTH CAROLINA

DATE: DECEMBER 20, 2015
REF: PLAT BK. "P", PS. 661
TML: 445.37.92.687
Agenda Item #B-7

CONCORD STREET
(CHARLESTOWNE)
TMS # 458-13-02-031

Request variance from Sec. 54-301 to allow construction of a two-family residence with a 0-ft. front façade setback, a 9.2-ft. rear setback, a 9.2-ft. total front and rear setback, a 3-ft. south side setback, a 6-ft. total side setback (25-ft., 25-ft. 50-ft., 9-ft. and 15-ft. required).

Request variance from Sec. 54-301 to allow an entry arch and garden wall with a 9.4-ft. height (7-ft. height limitation).

Zoned DR-1F
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Zoning (BZA2)

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 phase (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: JUNE 1, 2021

Property Address: 10 CONCORD ST TMS #: 458-19-02-031

Property Owner: Daytime Phone: 843-442-0260

Applicant: NEIL STEVENSON ARCHITECTS Daytime Phone: 843-442-0260

Applicant’s Meeting Address: 660 KING ST SUITE B CHARLESTON SC 29403

E-mail Address: TAR@NEILSTEVENSONARCHITECTS.COM

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

Zoning of property: DR-1F

Information required with application: (check information submitted)

☐ Scaled plans or 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 and 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 protests 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: 5/8/21

For office use only

Date application received: Time application received: Fee: $
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):

**Variances requested per Section 54-301** (See variance test document attached):

- **FRONT setback:** Requesting to allow a 0'-0" front porch setback from property line and a 6'-0" building setback from property line, where a 25ft setback is required.
- **Side (SOUTH) setback:** Requesting to allow a 3'-0" building corner setback from property line (a 42" of corner of the building adjacent to an easement) where a 5ft setback is required.
- **REAR setback:** Requesting to allow a 9'-2" building setback from property line where a 25ft setback is required.

**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):

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.
VARIANCE TEST

PROJECT: 10 CONCORD

VARIANCE REQUESTS:
Variances requested per Section 54-301:

- FRONT SETBACK:
  Requesting to allow a 0'-0" front porch setback from property line and a 6'-0" building setback from property line, where a 25ft setback is required.

- SIDE (SOUTH) SETBACK:
  Requesting to allow a 3'-0" building corner setback from property line (a 42 sf corner of the building adjacent to an easement) where a 9ft setback is required.

- REAR SETBACK:
  Requesting to allow a 9'-2" building setback from property line where a 25ft setback is required.

VARIANCE TEST:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property for the following reasons:

- The irregular shape of this lot greatly restricts the buildable area when the required DR-1F zoning setbacks are applied to the site. The leftover buildable area would create an odd triangular-shaped structure that would not be appealing or in keeping with the development of the area, or a small narrow rectangular footprint of 685 sf, which would be 1% lot coverage where 50% lot coverage is allowable, thus unreasonably restricting the utilization of the property.

- The surrounding lots are more rectangular in shape thus allowing for a more typically-shaped, normal-sized structure on the surrounding lots.

- The setback requirements when applied to this lot would create a development with setbacks that are incongruous with the adjacent properties, as the majority of buildings in the area have zero to minimal front and side setbacks.
b. These conditions do not generally apply to other property in the vicinity:

- The surrounding lots are more rectangular in shape thus allowing for a more typically-shaped, normal-sized structure on their lots.
- The majority of residences in the area have a zero to minimal front and side setbacks. Many occupy greater than 50% of their lots, including some with 100% lot coverage.

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 for the following reasons:

- Because of the irregular shape and configuration of the property, the buildable area only allows for either an odd triangular-shaped structure that would not be appealing or in keeping with the development of the area, or a small narrow rectangular footprint of 685 sf, which would be 1% lot coverage where 50% lot coverage is allowable, thus unreasonably restricting the utilization of the property.

d. 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 for the following reasons:

- Front setback on Concord St: The proposed building setback is 6'-0" with a one-story open front porch setback of 0'-0". This is in keeping with the pattern of the other structures in the neighborhood which have either a 0'-0" or minimal front setback.
- South side setback of 3'-0" contains only a 42sf corner of the proposed building which about a 20'-0" ingress-egress easement drive for a commercial parking lot property, thus not causing a detriment to neighboring residential properties.
- Rear setback of 9'-2" consists of only a 1/3rd of the length of the rear wall and abuts the marsh, with no residential properties on this side of the property, thus not being a detriment to character of the district.
- Proposed lot coverage is below the allowable (45% where 50% is the maximum), thus remaining below the allowable development of the site. Many of the surrounding properties have a greater than 50% lot coverage, with some having 100% lot coverage. Therefore this development will not be of harm to the character of the district.
- Residentially zoned lot: Replacing a parking lot with an appealing residence on a residentially zoned lot will have a positive impact on the surrounding neighborhood, while screening the commercial parking lot behind it.
- Views: Due to the nature of the immediately adjacent properties not being buildable (a city park extends along the water to the left and to the right is a permanent easement and marsh), there are ample water views available to the homes across the street.
NEW CONSTRUCTION
10 CONCORD
10 CONCORD STREET
CHARLESTON, SOUTH CAROLINA 29401
Agenda Item #B-8

1316 JULIAN CLARK ROAD
(CLARKS POINT)
TMS # 426-05-00-016

Request variance from Sec. 54-301 to allow a detached accessory building with a 3-ft. west side setback and 3-ft. rear setback (9-ft. and 25-ft. required).

Request variance from Sec. 54-301 to allow a hvac platform with a 3-ft. west side setback and 20-ft. rear setback (9-ft. and 25-ft. required).

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

City of Charleston

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

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

MEETING DATE REQUESTED: 6/1/2021

Property Address: 1316 Julian Clark Road, Charleston, SC 29412  TMS # C4260000016
Property Owner: Carter and Suzanne Bagley  Daytime Phone: 901.229.2289
Applicant: Carter Bagley  Daytime Phone: 901.229.2289
Applicant’s Mailing Address: 1316 Julian Clark Road, Charleston, SC 29412
E-mail Address: bagleycarter@gmail.com

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

Zoning of property: SR-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 the flood zone, show FEMA 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 contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 4-29-1145 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 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: Carter Bagley  Date: 6/3/2021
...

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

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.
Variance Test

1. The extraordinary and exceptional conditions pertaining to the particular piece of property are related to have a grand tree, septic field in the backyard, and floodzone. Also, there is an existing storage structure that is already encroaching into the setback and therefore the reason for the variance needed. Moving the structure could cause damage to the grand tree. The existing septic field push the proposed structure to where the setback requirements could not be met. The grand tree needs to be protected and any structures should be avoided in this area. Therefore, a rear and side setback variance to allow 3 ft is requested. Also due to the flood elevation off 11 and the existing ground being elevation 8, I request a height variance due to this hardship. The estimated height of the attach is 13 ft tall and being a 1 ft above this I need the to raise the building 4 ft. This would put the top elevation at 17 ft.

2. Many other properties in the vicinity already have more than one structure that is within the required setbacks and therefore the conditions don’t apply. Also, many houses do not have a pool. So with the pool, grand tree, and septic field in the back yard, there is limited space to build another structure which is not the case with other properties.

3. These conditions unreasonably restrict the utilization of the property.

4. The authorization of the variance will not be of substantial detriment to adjacent properties or to the public good. Also, the character of the district will not be harmed by the granting of the variance. I have contacted my adjacent property owners and others and have only received support from them.
12x20 Side Lofted Barn

Dimensions: 12x20

Description: Features Galvalume metal roof, 72" double wood doors, (2) 48" wood doors, (2) 6' lofts, (2) 2x3 windows, 16" OC walls and floor joists, radiant barrier upgrade, Driftwood Urethane finish, 150 MPH wind rated
FOUNDATION PLAN
*NOTES ON SHEET 2

FOUNDATION ALTERNATIVES:
1) THE FOLLOWING 16"x16" ABS PIER PAD, www.mobilehomepartsstore.com, ITEM #: 503250
   IS AN ACCEPTABLE SUBSTITUTE FOR THE 4"x16"x16" PRECAST CONCRETE PAD.
2) IT IS ALSO ACCEPTABLE SUBSTITUTE THE 4"x16"x16" PRECAST CONCRETE PAD WITH (2) 4"x8"x16" PRECAST
   CONCRETE PIER BLOCKS

MASONRY:
CMU  f' m = 1,500 PSI
MORTAR  f' m = 1,500 PSI
GROUT  f' m = 3,500 PSI

CONCRETE:
1. MATERIALS (COMPRESSIVE STRENGTH AT 28 DAYS)
FOOTINGS  3,000 PSI
FOOTINGS AND EXTERIOR CONCRETE SHALL BE AIR-ENTRAINED
1. Anchors are specified on sheet S-2 and shall be installed per manufacturer's recommendations per the building code.
2. Anchors and straps including the installation shall meet the requirements of Appendix E of the International Residential Building Code.
3. The minimum allowable soil bearing capacity of 2500 psf has been assumed for footing design. Contractor to have this capacity verified prior to construction.
4. If a minimum allowable soil bearing capacity of 1500 psf is used, then the pier spacing shall be no greater than 4'-0.
5. Footings shall be carried to an elevation lower than those shown on the drawings if required to reach suitable soil.
6. Footings shall be placed on suitable soil that meets design assumptions.
7. Foundation materials and labor is provided by customer.
8. Tie downs shall be placed at each outer pier.
9. Shed is designed to also be placed on flat, level ground directly on the skids.

**ANCHOR TIE DOWN DETAIL**

Approved Equal for #54291 Is: Oliver Technology, OT 3044 BP
FLOOR PLAN

FLOOR PLAN NOTES:
1) INSTALL 5/8" FLOOR SHEATHING WITH LONG DIMENSION SPANNING JOISTS, STAGGER JOINTS.
2) FASTEN 5/8" FLOOR SHEATHING WITH 2" RING-SHANK NAILS @ 6" O.C.

NOTES:
1. ADDITIONAL 36"W MAN DOOR (OPTIONAL) AT CUSTOMER'S DISCRETION.
2. ALL WINDOWS WHERE SPACE PERMITS MAY BE REPLACED WITH A 35"x36" OPTION.
ROOF FRAMING NOTES:
1) INSTALL 1/4" ROOF SHEATHING WITH LONG DIMENSION SPANNING TRUSSES.
2) FASTEN 1/4" ROOF SHEATHING WITH 2" RING-SHANK NAILS Ø 6" O.C.

OTHER FRAMING NOTES:
1) 2x8 TOP PLATE W/ (2) 3"x0.120¢ NAILS AT 18" O.C. TO 2x4 TOP PLATE.
BUILDING SECTIONS
END WALL ELEVATION

SIDES WALL ELEVATION

ROOFING AND UNDERLAYMENT NOTES:
1) PROVIDE A RIDGE VENT TYPICAL WITH INSECT SCREEN.
2) METAL ROOFING SHALL BE 29 GAUGE METAL IN ACCORDANCE WITH ASTM A 924 OR ASTM A 924M OVER OSB SHEATHING.
3) PROVIDE 29 GAUGE RIDGE CAP, EAVE TRIM AND RAKE TRIM.
4) INSTALL AND FASTEN METAL ROOFING PER MANUFACTURER'S INSTRUCTIONS FOR WIND LOADING.
5) OPTIONAL SHINGLES SHALL BE IN ACCORDANCE WITH ASTM D 7158 TYPE H OR ASTM D 3161 F TYPICAL.
6) INSTALL 1 LAYER OF 15 LB ROOFING FELT, START WITH A 19" WIDE STRIP PARALLEL WITH AND STARTING AT EAVES FASTENED SECURELY TO HOLD IN PLACE. START AT EAVE WITH A 38" WIDE SHEET WITH OVERLAPPING SUCCESSIVE SHEETS BY 19". FASTEN UNDERLAYMENT WITH CORROSION-RESISTANT FASTENERS PER MANUFACTURER'S INSTRUCTIONS AND SPACED A MAXIMUM OF 36" APART.