



CITY OF CHARLESTON

BOARD OF ZONING APPEALS – ZONING

MEETING RESULTS

SEPTEMBER 5, 2023

5:20 P.M.

2 GEORGE STREET

9:04 P.M.

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

STAFF MEMBERS PRESENT: Lee Batchelder, Penny Ashby, Emma McQuarrie

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

1. Review Minutes of the August 15, 2023 Board Meeting

DECISION: APPROVED

MOTION: Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 0

NOTES: Robben Richards-did not vote

B. New Applications

1. 154 Cannon St.

Cannonborough/Elliottborough | TMS #460-11-04-131 | Zoned: GB

Request reconsideration of the BZAZ Board's decision to approve a retail use and private club with a condition requiring a contract with the 158/160 Cannon Street Parking Horizontal Property Regime to use the additional parking spaces after business hours.

Owner: Kurt Beecken

Applicant: Joel Adrian, Coastal Creek Design

DECISION: APPROVED

MOTION: Approval

MADE BY: Chappy McKay SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 1

Bill Goodwin, Jr.

NOTES: Condition removed. A short term pay to park lot is situated less than 400 ft. from the subject property. The applicant was unable to find long-term leasing of seven additional spaces. With this new information, the Board found that the applicant satisfied the special exception criteria with no condition, and removed the prior condition imposed.

2. 2318 Sunnyside Ave.

Wagener Terrace | TMS #464-13-00-046 | Zoned: SR-1

Request special exception under Sec. 54-110 to allow a vertical extension and horizontal extension of a non-conforming 1-story building footprint (1 ½ story addition with bedrooms, bathrooms, workout/music room and rear balcony) having a 3.3-ft west side setback and a 17-ft total side setback (9-ft and 18-ft required).

Owner: Drew Hermiller & Devon Wade

Applicant: Keila Symes, Synchronicity

DECISION: DEFERRED

MOTION: Deferred

MADE BY: Bill Goodwin, Jr. SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 0

NOTES: Jeffrey Tibbals-recused

Deferred to re-study plans regarding light and air impacts.

3. 9 Lord Ashley Dr.

South Windermere | TMS #421-05-00-078 | Zoned: SR-1

Request special exception under Sec. 54-110 to allow a rear addition and front addition that extends a non-conforming 4.9-ft.-ft. east side setback (9-ft. required). Request variance from Sec. 54-301 to allow a garage expansion with an 8-ft. front setback (25-ft. required).

Owner/Applicant: Kent and Catherine Flanagan

DECISION: APPROVED

MOTION: Approval

MADE BY: Allison Grass SECOND: Robben Richards VOTE: FOR: 5 AGAINST: 0

NOTES: John Bennett-recused

4. 114, 116 And 118 E. Bay St.

Charlestowne | TMS #458-09-04-022 | Zoned: LB

Request special exception under Sec. 54-511 to allow an eating and drinking establishment with 618sf of interior patron use area and 414sf of outside patron use area without 9 off-street parking spaces required by the ordinance (proposed use requires 11 spaces; building is grandfathered for 2 spaces from prior retail use).

Owner: Burnett R. Maybank, III

Applicant: Theron Sandy, II

DECISION: DENIED

MOTION: Deny

MADE BY: John Bennett SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 1

Chappy McKay

NOTES:

5. 40 Bee St. (Unit 414)

Cannonborough/Elliottborough | TMS #460-11-04-220 | Zoned: LB

Request variance from Sec. 54-227 to allow a commercial short term rental unit that share common areas (Ordinance does not permit common areas or other areas serving more than one dwelling unit and/or commercial short term rental, except driveways, on the lot where commercial STR is proposed).

Owner/Applicant: Timothy Lalk

DECISION: DENIED

MOTION: Deny

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 6 AGAINST: 0

NOTES:

6. 59 Gibbes St.

Charlestowne | TMS #457-11-01-051 | Zoned: STR

Request variance from Sec. 54-301 to allow a 1-story elevated addition (storage/family room expansion) with a 7.5-ft. total side setback (18-ft. required).

Owner: Jennings & Ross Cameron

Applicant: Laura F. Altman, Architect

Withdrawn

DECISION: WITHDRAWN

MOTION: _____

MADE BY: _____ SECOND: _____ VOTE: FOR: ____ AGAINST: ____

NOTES:

7. 27 Elliott St.

Charlestowne | TMS #458-09-03-192 | Zoned: SR-5

Request special exception under Sec. 54-110 to allow a vertical extension of a non-conforming 1-story building footprint (1-story addition with bedroom/bath/balcony).

Owner: Sally & Brian Dougherty
Applicant: Laura F. Altman, Architect

DECISION: APPROVED

MOTION: Approval

MADE BY: Bill Goodwin, Jr. SECOND: Robben Richards VOTE: FOR: 6 AGAINST: 0

NOTES:

8. 12 A Hagood Ave.

Westside | TMS #460-11-01-029 | Zoned: DR-2F

Request use variance from Sec. 54-203 to allow a retail use (vape/smoke shop) with days of operation Monday-Sunday and hours of operation 8am-10pm in a DR-2F (Diverse-Residential) zone district (retail use grocery store, Monday-Saturday 7:30 am-10:00pm, Sunday 10am-6pm previously approved by the BZAZ on 4-3-12).

Owner: James Bell
Applicant: Kassem Hauter

DECISION: DEFERRED

MOTION: Deferred

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 1
Bill Goodwin, Jr.

NOTES:

9. 46 ½ Cooper St.

Eastside | TMS #459-06-01-013 | Zoned: DR-2F

Request special exception under Sec. 54-501 to allow construction of a single-family residence on a lot of insufficient size, Lot area 1,454sf; 2,500sf required). Request variance from Sec. 54-301 to allow construction of a single-family residence with a 3-ft. west side setback, a 6-ft. total side setback and 55% lot occupancy (7-ft., 10-ft. and 50% lot occupancy required).

Owner: RCC Properties LLC
Applicant: Chelsea Anderson, Habitable Form

DECISION: APPROVED

MOTION: Approval

MADE BY: Chappy McKay SECOND: Robben Richards VOTE: FOR: 6 AGAINST: 0

NOTES:

10. 1179 King St.

North Central | TMS #463-08-03-046 | Zoned: SR-2

Request special exception under Sec. 54-110 to allow a horizontal and vertical extension of a non-conforming building footprint (1.5 story addition) with a 5-ft. north side setback (9-ft. required).

Owner/Applicant: Jerome Prezzy

DECISION: APPROVED

MOTION: Approval

MADE BY: John Bennett SECOND: Bill Goodwin, Jr. VOTE: FOR: 6 AGAINST: 0

NOTES: Addition requires BAR approval.

11. 698 (A) Rutledge Ave.

North Central | TMS #463-15-04-070

Request use variance from Sec. 54-203 to allow a retail store and coffee/café shop with limited seating area (40sf) for takeout orders. With days of operation Monday-Sunday and hours of operation 7am-5pm in a DR-1F (Diverse-Residential) zone district (variance and special exception for retail use with no parking approved by BZAZ 3/15/22).

Owner: 358 Trevor, LLC, Ben D'Allesandro

Applicant: Joel Sadler & Allyson Sutton

DECISION: APPROVED

MOTION: Approval

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

NOTES:

12. 8 Murray Blvd.

Charlestowne | TMS #457-16-03-002 | Zoned: SR-2

Request variance (after-the-fact) from Sec. 54-301 to allow a shed addition with a 0-ft. east side setback and a 0-ft. rear setback (9-ft. and 25-ft. required).

Owner: Leo Chiagkouris

Applicant: Clark Batchelder

DECISION: APPROVED

MOTION: Approval

MADE BY: John Bennett SECOND: Chappy McKay VOTE: FOR: 5 AGAINST: 1

Allison Grass

NOTES:

13. 1 Trapman St.

Harleston Village | TMS #457-12-01-025 | Zoned: DR-1F

Request special exception under Sec. 54-110 to allow a 1-story addition (painting studio) that extends a non-conforming 2-inch north side setback (3-ft. required). Request variance from Sec. 54-301 to allow a 1-story addition (painting studio) with an 18.4-ft rear setback (25-ft. required).

Owner: Allie & Joe Brittain

Applicant: AJ Architects, Ashley Jennings

DECISION: APPROVED

MOTION: Approval

MADE BY: Chappy McKay SECOND: Allison Grass VOTE: FOR: 5 AGAINST: 0

NOTES: John Bennett-recused

14. 26 Bee St.

Cannonborough/Elliottborough | TMS #460-11-04-011 | Zoned: LB

Request variance from Sec. 54 301 to allow construction of a detached dwelling with a 7-ft. west side setback, a 11-ft. ft. total side setback and 2-ft. rear setback (9-ft., 15-ft. 3-ft. required). Request variance from Sec. 54-301 to allow HVAC platforms within the east side and rear setbacks.

Owner: Alex Ramsay

Applicant: Andrew Gould

DECISION: APPROVED

MOTION: Approval

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

NOTES:

15. 48 Rutledge Ave.

Harleston Village | TMS #457-08-03-089 | Zoned: STR

Request special exception under Sec 54-110 to allow a vertical extension of non-conforming building setbacks by allowing construction of a 3-story residence within the footprint of the existing one-story building to be demolished. Existing building has a 1-ft. north side setback, 11.5-ft. south side setback, and 12.5-ft. total side setback. Proposed building will have a 4-ft. north side setback; 13.5-ft south side setback and 17.5-ft total side setback (6-ft., 12-ft. and 18-ft. required).

Owner: Tina & Joel Christy

Applicant: Guv Gottshalk, Gottshalk Architecture

DECISION: APPROVED

MOTION: Approval

MADE BY: Chappy McKay SECOND: John Bennett VOTE: FOR: 6 AGAINST: 0

NOTES:
