



# CITY OF CHARLESTON BOARD OF ZONING APPEALS – ZONING

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## PUBLIC COMMENT OCTOBER 3, 2023

A meeting of the Board of Zoning Appeals – Zoning (BZA-Z) will be held on **Tuesday, October 3, 2023** at **5:15 p.m.** in the **Public Meeting Room, First Floor, 2 George Street.**

The following comments will be provided to the board members 24 hours in advance of the meeting and also be acknowledged into the record and summarized. The public is encouraged to attend the meeting in person to speak in order for comments to be fully heard.

Application information will be available at [www.charleston-sc.gov/bza-z](http://www.charleston-sc.gov/bza-z) in advance of the meeting. Please check the website on the meeting date to view any withdrawn or deferred agenda items.

For additional information, please contact:

**DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY**  
**2 George Street, Suite 3100, Charleston, SC 29401 | 843-724-3781**

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In accordance with the American with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at 843-577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

# BOARD OF ZONING APPEALS – ZONING

October 3, 2023 Meeting

## *Comments Submitted to Innovate website and BZA-Z Staff*

<b>Agenda Item A-2: 68 ½ Lee St. and 190 Nassau St. 6 Comments Submitted</b>				
First Name	Last Name	Address	Comment	Submitted
Tyeka	Grant	Eastside Community Development Corporation	See attached letter.	Submitted to Staff
Drew	Lemnios	104 Cooper St.	See attached letter.	Submitted to Staff
Carroll	Lucas	68 Lee St.	See attached letter.	Submitted to Staff
Kristen	Krause	Coldwell Banker Commercial	See attached letter.	Submitted to Staff
J. Parker	Wright	Nassau St.	See attached email.	Submitted to Staff
Preservation Society of Charleston			See attached letter.	Submitted to Staff

<b>Agenda Item B-3: 155 Meeting St. 3 Comments Submitted</b>				
First Name	Last Name	Address	Comment	Submitted
Stephanie	Wilson Gentile	54 Queen St, Charleston SC 29401	The Board of the French Quarter Neighborhood Association continues to support this project and respectfully requests the Board of Zoning Appeals to grant the special exception requested, under Sec. 54-220, to allow a 150-unit accommodations use in a GB-A (General Business-Accommodations) zone district. We recently met with the applicants to review their latest plans and are in support of same. Thank you for allowing us the opportunity to speak on this matter.	Sept. 30, 2023 9:36 AM
Scott	Anthony	Harleston Village Association	See attached letter.	Submitted to Staff
John	McGorty	15 Horlbeck Alley Homeowners Association	See attached letter.	Submitted to Staff

<b>Agenda Item B-4: 1117 King St. 7 Comments Submitted</b>				
<b>First Name</b>	<b>Last Name</b>	<b>Address</b>	<b>Comment</b>	<b>Submitted</b>
Charles	Burnett	81 Sans Souci St	As a resident of the neighborhood, we need more choices for food and drinks. This property has been sitting vacant for a long time waiting for someone to come and build their vision for a restaurant inside it. This is an easy “yes” in support of the development. It’s either an empty building or a place for my family and friends to dine. We need much more of the latter.	Oct. 1, 2023 11:19 AM
Jessica	Dunkerley	27 Peachtree Street Charleston, SC 29403	As a North Central resident, I would love more restaurants in the neighborhood within walking distance. This only makes our neighborhood stronger and more enjoyable to live in!	Sept. 27, 2023 9:43 PM
Vernie	South	3 Fields Pl Charleston, SC	As a nearby resident and homeowner, I would like to support the application for the variance for 1117 KING STREET. The building is falling into disrepair , and this will be great use.	Sept. 28, 2023 4:17 PM
Zac	Viscidi	59 Cypress St	The developers behind this project have given ample time to the community, coming to a neighborhood association meeting and speaking about their project. Furthermore, they have invited community members to visit the site and hear about their vision. This high-level of transparency is great, but it is only one of the reasons to support this proposal. Their plans bring vibrancy and life to a dull building. The expansion of intelligent businesses along King Street is a welcome change to the neighborhood, and it should be supported.	Sept. 28, 2023 5:10 PM
Brielle	Viscidi	59 Cypress St	My husband and I love being able to walk to neighborhood restaurants, and approving this well-conceived project would give us another option. Please allow this project to proceed as it brings lots of benefits to the neighborhood.	Sept. 28, 2023 5:12 PM
Stephen	Rosenberg	52 Maple St 29403	Full disclosure I am the president of the North Central Neighborhood Association but it is in my capacity as a resident and affected party to this project that I submit this comment in support. I live at 52 maple St, a block away from the proposed restaurant, and I enthusiastically support approval. The	Sept. 30, 2023 4:42 PM

			project incorporates architectural elements of the existing dilapidated building while modernizing the space to create a gathering place for neighbors and visitors alike without overwhelming the corner area. This project will be a wonderful and meaningful improvement to this increasingly revitalized part of “Upper Upper” King. Respectful to the neighborhood while creating important value to it.	
Noah	Rosen	82 Sans Souci St	Great design and proposed approach for neighborhood	Sept. 30, 2023 7:44 AM

<b>Agenda Item B-5: 36 Sheppard St. Comment Submitted</b>				
<b>First Name</b>	<b>Last Name</b>	<b>Address</b>	<b>Comment</b>	<b>Submitted</b>
Resident		34 Sheppard St.	See attached letter	Submitted to Staff
Leigh	Webber	32 Sheppard St.	See attached letter	Submitted to Staff
Colin	Scarola	33 Sheppard St.	See attached letter	Submitted to Staff



# CITY OF CHARLESTON

## BOARD OF ZONING APPEALS – ZONING

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### **68 ½ Lee St. and 190 Nassau St.**

**East Side | TMS #459-05-01-086 and 058 | Zoned: DR-2**

Owner: Nassau Lee Holdings, LLC

Applicant: b Studio Architecture, Chris Bonner

#### **68 ½ Lee St.**

- Request variance from Sec. 54-301 to allow a reduction in lot size from 1,911sf to 1,555sf, and allow a 2-story building with a 54% lot occupancy (35% limit; existing lot occupancy 44%).
- Request special exception under Sec. 54-110 to allow a vertical extension (2<sup>nd</sup> story) to a non-conforming building footprint having a 1-ft. 5-inch south side setback (7-ft. required).
- Request use variance from Sec. 54-203 to allow a retail use in a DR-2 (Diverse-Residential) zone district.
- Request variance from Sec 54-317 to allow 1,342sf of retail space with 2 off-street parking spaces (4 spaces required).

#### **190 Nassau St.**

- Request variance from Sec. 54-301 to allow the establishment of 2 dwelling units (2 detached single-family residences) with 1,674.5 sf of lot area per dwelling unit (2,000sf required).



Eastside Community Development Corporation  
Connecting City to Citizens

September 17, 2023

To Whom It May Concern:

I hope this email finds you well. I am respectfully submitting this letter on behalf of the Eastside Community Development Corporation's Board of Directors, Officers, and Members. We regret to inform you that at this time we are unable to support the Lee Street Project that was presented by Mr. Diesu. During the presentation, officers, members, and visitors shared concerns about the information presented as it relates to parking and their intentions to request several variances that were not originally shared at the previous meeting with the board of directors. However, after a question was ask during the community meeting, the information was presented. We feel that this area is already experiencing overcrowding and parking issues due to two developments in the area. The councilman who represents our area was at the meeting and shared that he receives an abundance of phone calls about parking in the area where this project will take place and at this time the general community do not feel the project has adequate parking for what they intend to build at the site.

Thank you for allowing us the opportunity to express our concerns and if we can be of any assistance please do not hesitate to contact our office at 843-952-7193.

Respectfully submitted,

*Tyeka Grant*

Tyeka Grant

President/CEO

Eastside Community Development Corporation

60 America Street

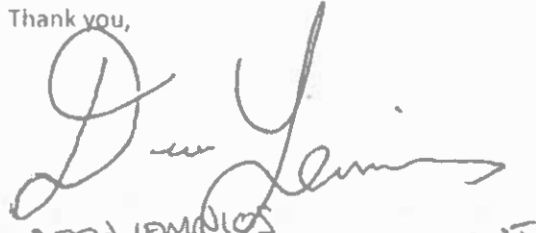
Charleston, SC 29403

To Whom it may concern,

I own my home at 104 Cooper Street and can see the corner of Lee and Nassau Street from my front porch. I have been made aware of the planned development located on the corner of Lee and Nassau Street (68.5 Lee Street and 190 Nassau Street). I understand the limitations that the current lot configuration puts on the likelihood of successful development at that site. Therefore, I am in full support of the Variances and Special exceptions that the property owner, Lee and Nassau Holdings LLC, is trying to receive.

This property has been an eye sore that creates an unsafe environment for residents, owners and visitors to the Eastside alike. A successful development on this site will fix this issue and create a usable and clean space, enhancing the quality of life for everyone in our community. Granting these Variances and Special exceptions will increase the likelihood of a successful development here and Lee and Nassau Holdings LLC has my full support.

Thank you,



DREW LEMNIOS  
OWNER ; PRIMARY RESIDENT  
104 COOPER ST  
CHARLESTON, SC 29403  
MOBILE: 860.808.4280

From: Carroll Lucas and Curtis Lucas

To: Mr Lee Batchelder

Good morning Mr Batchelder,

My family and I currently own 68 Lee Street and have it listed for Sale with Kristen Krause of Coldwell Banker Commerical as a Duplex.

During this time, I have seen the neighboring properties at 68.5 Lee and 190 Nassau also for Sale and recently sold to Mr. Tony Diesu from Next Vision Development.

This particular corner of this neighborhood has not only been abandoned for many years but has attracted the homeless to sleep and defecate on this property without any running water or power for air or heat.


There also seems to have been drug dealings and human trafficking on this property site and we have called the police authorities several times with complaints to this matter. Our experience has been the police come and move them out and then the homeless move right back.

My family and I feel our property at 68 Lee Duplex has been highly effected by this very undesirable situation next door.


Some of these structures are marked condemned or clasped and we feel Mr. Diesu of Next Vision should be allowed to be rearranged with special exceptions and variances for the new constructon plan he has proposed and trying to receive final approval for.

Kristen Krause has shared the plans that Mr. Diesu has submitted, and my family and I urge the governing bodies of City of Charleston to support his plans to develop 68.5 Lee and 190 Nassau. It would be a great improvement for the neighborhood and neighboring house and create a livable, clean and safe environment for the future.

Thank you,

DocuSigned by:  
  
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Carroll Lucas 10/2/2023

DocuSigned by:  
  
46B9CF6EF75B45B...

Curtis Lucas 10/2/2023





COLDWELL BANKER COMMERCIAL  
ATLANTIC INTERNATIONAL, INC.  
3506 WEST MONTAGUE AVE.  
CHARLESTON, SC 29418  
OFFICE (843) 744-9877  
FAX (843) 744-9879

October 1, 2023

To: Mr. Lee Batchelder - City of Charleston

From: Kristen Krause – Coldwell Banker Commercial

Good day Mr. Batchelder and the board,

I currently have 68 Lee Street listed for Sale for a Seller client Mr. Carroll Lucas over the last 90 days or better. During this time, I have seen the neighboring properties at 68.5 Lee and 190 Nassau also for Sale and recently sold to Mr. Tony Diesu from Next Vision Development.

This particular corner of this neighborhood has not only been abandoned for many years but has attracted the homeless to sleep and defecate on this property without any running water or power for air or heat. There also seems to have been drug dealings and human trafficking on this property site.

Some of these structures are condemned or clasped and should be allowed to be rearranged with special exceptions and variances for the new construction plan Mr Diesu has proposed and trying to receive approval for.

I have seen the plans that Mr. Diesu has submitted and I as a Commercial Real Estate agent in the Charleston area urge the governing bodies of City of Charleston to support his plans to develop 68.5 Lee and 190 Nassau. It would be a great improvement for the neighborhood and neighboring house and create a livable, clean and safe environment for the future.

Thank you,

Kristen Krause  
Coldwell Banker Commercial  
310.699.2765 cell  
843.576.4031 office  
[Kkrause@cbcatlantic.com](mailto:Kkrause@cbcatlantic.com)

## Ashby, Pennye

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**From:** Parker Wright <jparkerwright@gmail.com>  
**Sent:** Sunday, October 1, 2023 6:24 PM  
**To:** Ashby, Pennye; Batchelder, Lee  
**Subject:** Development at Lee and Nassau

**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.

To whom this may concern,

I am writing to offer support for a new development opportunity at Lee and Nassau that Tony Diesu of Nassau Lee Holdings LLC has created a proposal for. I own a home in the neighborhood on Nassau St, and have familiarity with Tony's work.

He spent time with me recently to review the proposed variances and land use for the space. I see that the way it sits now, it would be difficult for a successful development to go there.

My wife and I love this neighborhood, and want to continue to see growth and development that adds value to the community. I believe the proposed variances will make the space more useful and increase the quality of life for the people living in this part of Charleston.

Thank you for taking the time to consider my thoughts in your review of the proposal.

Sincerely,

J. Parker Wright

PRESERVATION  
ESTD SOCIETY 1920  
of CHARLESTON

Position Statement  
Board of Zoning Appeals - Zoning  
August 15, 2023

**68 ½ Lee St. and 190 Nassau St.**

Dear Board Members:

In reviewing this application, the Preservation Society is concerned to see a proposed site plan that includes demolition of the historic freedman's cottage at 68 ½ Lee Street. A request to demolish this building was denied by the Board of Architectural Review - Small (BAR-S) on July 13, 2023.

The corner, commercial building is the only structure on this site that has been approved for demolition, therefore we ask the Board to deny the request as proposed to allow the applicant to bring forward a revised application that retains the freedman's cottage at 68 ½ Lee, in compliance with the BAR's motion.

Thank you for considering our position in this matter.

Sincerely,



Erin Minnigan, AICP  
Director of Preservation & Planning

PRESERVATION  
ESTD SOCIETY 1920  
of CHARLESTON

Position Statement  
Board of Zoning Appeals - Zoning  
October 3, 2023

*68 ½ Lee St. and 190 Nassau St.*

Dear Board Members:

The Preservation Society would like to thank the applicant for reaching out to discuss the zoning requests. In our comments to the Board of Zoning Appeals dated August 14, 2023, we expressed concern that the proposed plans for this site showed removal of the Freedman's cottage at 68 ½ Lee Street, which was previously denied for demolition by the Board of Architectural Review-Small (BAR-S) on July 13, 2023.

We appreciate the applicant's clarification that the intent is to move the historic structure and incorporate it into additional construction near the corner of the property. However, the BAR-S has not had the opportunity to review the appropriateness of the request to relocate this building.

Further, we noticed that the drawings propose removal of rear portion of the historic footprint of the Freedman's cottage at 190 Nassau Street. This also has not been approved by the BAR-S.

We believe BZA's review of the proposed site plan and the associated variance and special exception requests are premature because it represents significant modifications to historic buildings that have not been ruled on by the BAR-S. We ask that this application be tabled to allow the preservation value of the demolition and relocation proposals to be evaluated first.

Thank you for considering our position in this matter.

Sincerely,



Erin Minnigan, AICP  
Director of Preservation & Planning



# **CITY OF CHARLESTON**

## **BOARD OF ZONING APPEALS – ZONING**

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### **155 Meeting St.**

**TMS #457-08-02-011, 012, 111 and 112**

Request special exception under Sec. 54-220 to allow a 150-unit accommodations use in a GB-A (General Business-Accommodations) zone district.

Owner: Pinnacle Mountain Holdings, LLC, King Street Holdco, LLC,  
Pastime Amusement Company; The Beach Company

Applicant: James M. Wilson, Womble Bond Dickinson (US) LLP

Dear Mr. Batchelder and Members of the Board of Zoning Appeals,

My name is John McGorty (President), of the 15 Horlbeck Alley Homeowners Association, and I would like to convey my enthusiastic support for the proposed Four Seasons development project adjacent to our property, which comprises eight townhomes. I firmly believe this project has the potential to revitalize and make more vibrant an area that has been in decline for years, and the developer's commitment to maintaining architectural harmony with the surroundings, through both materials and aesthetics, and creating a wide setback and sidewalk for pedestrian activity, where one doesn't exist today, are important considerations.

I sincerely appreciate the developer's ongoing outreach, especially the architectural team, as they have hosted Zoom calls with me and Joe McGowan (Vice-President), to elicit input, address concerns, and to provide transparency regarding details that directly impact us from a proximity and livability standpoint. They have been thoughtful throughout the process and expressed a shared concern in matters such as traffic flow from the proposed parking garage toward our parking garage, which leaves little corrective margin for vehicles, and are committed to creating a left turn only design (i.e., toward Meeting Street) that will mitigate that risk. Further, as it relates to noise and traffic associated with the service entrance, related to vendors and refuse activity, they have incorporated an off-Horlbeck Alley design that would help alleviate both truck congestion as well as the associated noise. Lastly, the team has been receptive to our massing concern for the "bookends", and has incorporated setbacks of the upper floors that serve to ameliorate the issue.

I look forward to continuing the dialogue with the Four Season's development team, and sincerely believe the project has the potential to significantly enhance our neighborhood and to create a welcoming destination for Charleston locals and tourists alike.

Thank you for your consideration, and for your collective effort to ensure that the proposed development does not adversely impact the livability of adjacent residence owners like ourselves, while at the same time recognizing the potential positive impact it will have on an area that to date has been overlooked and in decline.

Sincere regards,

John McGorty

## Harleston Village Association

September 29, 2023

*SENT VIA EMAIL: [BATCHELDERL@charleston-sc.gov](mailto:BATCHELDERL@charleston-sc.gov)*

Lee Batchelder  
Zoning Coordinator  
Charleston Board of Zoning Appeals  
City of Charleston

Re: *155 Meeting St., TMS #457-08-02-011, 012, 111, and 112*

Dear Lee:

The Harleston Village Association's board, on behalf of the residents of Harleston Village, supports this applicant's request for a special exception to allow a 150-unit accommodations use in the GB-A zone on at 155 Meeting Street. HVA believes that the request is consistent with the surrounding properties and comports with the prior use of a hotel at 155 Meeting Street. The applicant's proposal includes an inspiring design using high-grade materials. This design will serve to engage pedestrian and improve safety, most notably along Horlbeck Alley. Moreover, HVA has been encouraged by the efforts of the applicant to meet with our organization and incorporate our preferences.

Thank you in advance for your consideration. Please contact me if you have any questions.

With kind regards, I am,

Very truly yours,

*/s/ Scott W. Anthony*

Scott W. Anthony, President  
Harleston Village Association

CC: Coleman, Stuart: [scoleman@cctre.com](mailto:scoleman@cctre.com)



# CITY OF CHARLESTON

## BOARD OF ZONING APPEALS – ZONING

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### **36 Sheppard St.**

**East Side | TMS #459-05-03-019 | Zoned: DR-2F**

- Request special exception under Sec. 54-110 to allow a rear 2-story addition (stairs/hall/baths/bedrooms/closet/deck) that extends a non-conforming 0-ft. east side setback (3-ft. required).
- Request variance from Sec. 54-301 to allow a rear 2-story addition having a 55% lot occupancy (40 % existing, 50% limitation).

Owner: Flip Side SC LLC  
Applicant: John Sullivan, S Arch Studio



September 11, 2023

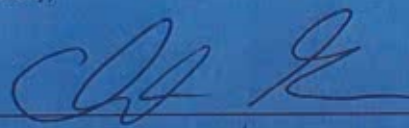
Board of Zoning Appeals - Zoning  
Dept. of Planning, Preservation  
and Sustainability  
City of Charleston  
2 George St.  
Charleston, SC 29401

**Re: 36 Sheppard St**

I am writing to support the Lot Occupancy Variance Zoning and Side Setback Special Exception requests for 36 Sheppard St.

I am a property owner in the immediate neighborhood, and I looked at what is being proposed for this zoning request and feel that it is appropriate for the neighborhood and will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Sincerely,

  
Christopher Paeltzer  
Owner of 34 Sheppard St.

September 11, 2023


Board of Zoning Appeals - Zoning  
Dept. of Planning, Preservation  
and Sustainability  
City of Charleston  
2 George St.  
Charleston, SC 29401

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Sincerely,

  
\_\_\_\_\_  
Owner of 32 SHEPPARD ST (Leigh T. Webber)  
CHS, SC 29403

September 11, 2023

Board of Zoning Appeals - Zoning  
Dept. of Planning, Preservation  
and Sustainability  
City of Charleston  
2 George St.  
Charleston, SC 29401

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I am a property owner in the immediate neighborhood, and I looked at what is being proposed for this zoning request and feel that it is appropriate for the neighborhood and will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Sincerely,

Colin Scarola  
Owner of 33 Sheppard St