**Video and microphone is currently disabled for all attendees.**
This meeting is being recorded.
These slides may be supplemented with additional slides and the order may change in the Board meeting.
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.
Public Comment

Order on Each Application:
• Chair announces each application followed by staff presentation and recommendation.
• Staff will call on applicant to present their application after being sworn in by Chair.
• Staff will open the public comment period to receive comments from registered attendees in favor (first spoken, then written). Each speaker will be sworn in by the Chair.
• Staff will then recognize registered attendees for public comments in opposition after speaker is sworn in (first spoken, then written).
• Staff will recognize the applicant for a short rebuttal.
• Chair will then close the public comment period and begin Board discussion.

Providing Comment:
• If you submitted a request to speak on an item before the deadline, staff will call your name when it is your turn to speak and enable your microphone.
• Your microphone will be disabled after you are done speaking.
• You may only speak once for each item and you must state your name and address for the record or you will not be permitted to provide comment.
Board Discussion

• Following public comment period, Board members can make comments, ask questions and make motions.

• After a motion and second, Board members will vote “Aye, in favor” or “Nay, not in favor”. If vote is not unanimous, Chair will poll each member for their vote. The Chairman shall announce the vote on the motion and the final decision on the application.

• If a Board member needs to recuse, he will be temporarily removed from the meeting and placed back in the meeting at the start of the next agenda item.

• If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.
Virtual Meeting Protocol

Staff will control the slides displayed throughout the meeting.

Applicants, staff, Board members and members of the public should give their name first whenever speaking.

Applicants and members of the public must be sworn in before speaking for the first time.

Only attendees who have registered to speak before the deadline at noon today may speak during the meeting.

Video and microphone have been disabled for all attendees. Attendees will only be given the capabilities to speak when they are called on during the public comment period.

Board members who need to recuse themselves from voting will be temporarily removed from the meeting and re-admitted prior to addressing the next item.

If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.

Chat has been disabled for everyone.

This meeting is being recorded.
Agenda Item #B-1

304 GROVE STREET
(WAGENER TERRACE)
(463-10-03-005)

Request variance from Sec. 54-301 to allow a 1-story addition (walk-in closet/great room) with a 6.8-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 12 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

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

MEETING DATE REQUESTED:

2/7/20

Property Address 224 Grove St. TMS #: 463-10-03-005

Property Owner Mr. Fred Sommers Daytime Phone 843-224-4459

Applicant Joel Anderson Studio 251, LLC Daytime Phone 843-819-8997

Applicant’s Mailing Address 245 Seven Farms Dr., Suite C174

Dane Island, SC 29442 Email Address STUDIO251HOMESE.COM

Relationship of Applicant to owner (same, representative, prospective buyer, other) [ ]

Zoning of property [ ]

Information required with application: [check information submitted]
[ ] Scans plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
[ ] For new construction or additions within a flood zone, show HVAC units and platform on scanned plans
[ ] Scanned 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, cashiers check or cash make check payable to the City of Charleston
[ ] 250 or (FCN): 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? § 6-29-145 of the South Carolina Code of Laws

Optional but very helpful information:
[ ] Photographs
[ ] Letters or petitions from neighbors or organizations directly affected by your request

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

Applicant __________________________ Date 2-18-20

For office use only

Date application received __________________________

Time application received __________________________

Signature __________________________

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):

1. Due to the grand size the home was located further back on the lot. The home is only 1,200 sq, so not enough space. Just need a little extra room.
2. As the size & location of the tree forced this home back.
3. No tree also covers the major view of the right side of the lot.
4. No - 85% of the addition is behind the existing home.

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.
Agenda Item #B-2

6 WOODALL COURT
(WESTSIDE)
TMS # 460-07-01-041

Request special exception under Sec. 54-110 to extend a non-conforming 0-ft. east side building setback (3-ft. required).

Request variance from Sec. 54-301 to allow a building with a 3-ft. west side setback, a 3-ft. total side setback and a 69% lot occupancy (landing/steps and hvac platform) (7-ft. 10-ft. required, 50% Limitation; existing lot occupancy 62%).

Zoned DR-2F
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. Payments authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

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

MEETING DATE REQUESTED: 1/7/20

Property Address: 6 Wendall Court
TMS # 460-07-01-011
Property Owner: Legacy Management
Daytime Phone: 843-849-1665
Applicant: John Sullivan
Attorney
Daytime Phone: 843-206-0155
Applicant’s Mailing Address: 104 Fishburne St, Charleston, SC 29403
E-mail Address: xg@scsct.com

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

Zoning of property: DA-2F

Information required with application: [Check information submitted]
☒ Scale plans or plats, including elevations, showing the variance(s) or special exceptions being requested (3 sets)
☐ For new construction or additions within a flood zone, show HVAC units and platforms on scale plans
☐ Detailed floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning Staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check: credit card or cash [Make checks payable to the City of Charleston]
☐ YES or NO - Is this property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? 6-29-14 of the South Carolina Code of Laws

Optional but very helpful information:
☒ Photographs
☒ Letters or petitions from neighbors or organizations directly affected by your request

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

Applicant: [Signature]
Date: 3/4/20

For office use only
Date application received: 3/4/20
Fee: $150
Time application received: 09:20:00
Receiver: [Signature]
Receipt #: [Sticker]
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 for 1st Occupancy**  
see attached

---

**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 § 5-1-10, § 5-20b, or sections in Article 5 (add as an attachment if necessary):

**Special Exception for Setbacks**  
see attached

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

Department of Planning, Preservation & Sustainability    2 George Street    Charleston, South Carolina 29401  
(843) 724-3781    www.charleston-sc.gov/planning  
5/19
Penny,

Per our discussion on Monday, here are my explanations for the application:

Variance for Lot Occupancy:

a.) The existing historic structure on site is over property line. The neighboring historic structure is also over the property line on this site. These are extraordinary and exceptional conditions that exist on this particular piece of property.

b.) Most of the existing structures on this Court are raised out of the flood plain with parking underneath and do not encroach on other parcels.

c.) Because of this, the property is unreasonably restricted without getting raised off of the neighboring property.

d.) Authorization of this variance will eliminate encroachment on neighboring property and help alleviate parking problems and flooding problems. Both will be for the public good and benefit the surrounding properties.

Special exceptions for Setbacks:

The existing property is already in East setback and encroaches upon neighboring property. The neighboring property is already over the property line and encroaches on West setback. Moving the building eliminates the buildings encroachment on neighboring property however this pushing the building over into the west setback more. Vertically raising the building gets the structure over the FEMA flood elevation and the City's treeboard requirement. It also allows for some parking on the site which currently has none. Most buildings on the Court are already raised out of the flood plain so this makes the structure in accord with most of the rest of the court.

Best,

John C Sullivan, AIA LEED BD+C
Renovation to 6 Woodall Court

6 Woodall Court
Charleston, South Carolina

March 9, 2020

Zoning Submittal
Agenda Item #B-3

51 ELIZABETH STREET
(MAZYCK/WRAGGBOROUGH)
TMS # 459-09-03-139

Request variance from Sec. 54-301 to allow construction of a wall with a 7-ft. 10-inch height and an 8.5-ft. pier height (Height limitation 7-ft. and 8-ft.).

Zoned DR-1F
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 7 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Zoning. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days. An appeal to the Board during this appeal period stays all further action on the application.

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

MEETING DATE REQUESTED: April 7

Property Address 51 Elizabeth Street TMS # 4590003139

Property Owner John & Jennifer Grosso Daytime Phone 704-779-1085

Applicant Glen Gardner, Landscape Architect Daytime Phone 843-722-5885

Applicant’s Mailing Address Post office box 295, Charleston SC 29402

Email Address glen@gardneria.com

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

Zoning of property Mr-11

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 plain, 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 restrictions and building additions, unless exempted by the zoning text (3 sets)
- Plans or documents necessary to show compliance with special exception requirements (3 sets)
- Check, credit card or cash payment payable to the City of Charleston

Y/N: NO Is there a recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:
- Photographs
- Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvements(s) comply with private neighborhood covenants, if any, or in my case, 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.

Date: 03-04-2020

Fee $ 750.00

Applicant

Date application received 2/6/20

Time application received 11:40 a.m.

Revision # 121/4/2
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):

Previously approved 11-17-15, approval has expired, request is same as 2015.

Requesting a variance to allow increase of height of existing brick garden wall between 51 Elizabeth St. and 2 Wragg Sq. to a height of 7' - 10", max. allowed 7' - 0". Existing wall was constructed 1986-89.

Request is for interior of property only, length of 32', for addition of 10' beyond allowed height.

Existing conditions of lot configuration allows for visibility between private living areas of both homes and wall height addition would increase privacy for livability for both owners.

**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 of 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):

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All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the Zoning Ordinance. Applications may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
Order on Special Exception Request:
The Board of Zoning Appeals held a public hearing to consider the above appeal for a special exception which may be permitted 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: [__] Chairman: [__] [__]

Order on Variance Request:
The Board of Zoning Appeals 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 facts 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. 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. 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: [11/19/05] 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 54-862. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
Agenda Item #B-4

2217 HERIOT STREET
TMS # 464-13-00-017

Request use variance from Sec. 54-203 to allow the reestablishment of two dwelling units (duplex) in a SR-1 (Single-Family Residential) zone district.
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals - Zoning (SZA-2)
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: 01/27/2020
Property Address: 2219 HERLITZ ST
Property Owner: PEOPLE'S FEDERATION BANK
Applicant: SAME/Frank Iwanicki
Applicant's Mailing Address: 218 ST PHILLIP ST, CHAS SC 29403

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

Zoning of property: ZONE 1

Information required with application (check information submitted):
☒ Completed plans and plats, including elevations, showing the variances or special exceptions being requested (3 sets)
☒ Flooded plans or plats, including elevations, showing the variances or special exceptions being requested (3 sets)
☒ Required permits or permits obtained
☒ Required prints, drawings, and related documentation
☒ Required supporting information
☒ Required fees

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

Applicant: Frank Iwanicki
Date: 01/27/2020

For office use only
Date received: 01/27/2020
Fee: $300.00
Time application received: 11:23 AM
Page 1 of 2
For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance that is sought is not (add an attachment if necessary):

**REQUEST A USE VARIANCE TO RE-ESTABLISH A PRE-EXISTING DUPLEX. THE EXISTING STRUCTURE IS CONSIDERED AS A DUPLEX WITH A SOLID PARTITION WALL, TWO ENTRY DOORS, TWO REAR EXIT DOORS, TWO KITCHENS, AND TWO BATHROOMS.**

**THE EXTRAVAGANT AND EXCEPTIONAL CONDITIONS ARE THE REQUESTED USE IS INCORPORATED AND CONSTRUCTED, ALTHOUGH THE STRUCTURE AND USE IS PRE-EXISTING. THE SR-1 ZONING PRE-EXISTING USE AS A DUPLEX. PASSING TO THE WEST IS 125 AND TO THE EAST SR-1. TO THE SOUTH IS ST. CROIX H/DUPLEXES. THE USE VARIANCE WILL NOT BE OF BENEFIT TO THE EXISTING PROPERTIES, WHICH ARE MOSTLY EQUAL OR HIGHER.**

**Variance Test:** The Board of Zoning Appeals 1. 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 § 5-29-808)

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, § 54-230, or sections in Article 5 (add 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.
0.133 ACRES
2217 HERIOT STREET
CHARLESTON, SC 29403
CURRENT USE- VACANT DUPLEX
ZONING SR1

LOCATION MAP
Agenda Item #B-5

81-83 CANNON STREET
(CANNONBOROUGH/ELLIOTBOROUGH)
TMS # 460-15-02-017

Request special exception under Sec. 54-511 to allow 1,149sf of inside patron use area for a restaurant use without providing required parking spaces (12 spaces required).

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

City of Charleston

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

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

MEETING DATE REQUESTED: April 7, 2020

Property Address: 31-83 Cannon Street, Charleston

Property Owner: Lowcountry Marketing Group LLC

Daytime Phone: 843.849.9999

Applicant: Laura Altman, LFA, & Mark Regaiuro, Renew Urban

Daytime Phone: 843.901.8485 Laura

Applicant’s Mailing Address: 32 S. Hampton Dr., Charleston SC 29407

E-mail Address: laura@LFA-architecture.com

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

Zoning of property: LB - Non Residential

Information required with application: (check Information submitted)
☐ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☐ For new construction or additions within a flood zone, show HVAC units and platform on scaled plans
☐ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exceeded by the zoning staff (3 sets)
☐ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☐ Check, credit card or cash (make checks payable to the City of Charleston)

YES ☐ NO ☐ is this Property restricted by any recorded covenant that is contrary to, conflicts with or prevents 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: [Signature]

Date: March 5, 2020

For office use only

Date application received
[Redacted]

Received
[Redacted]
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.
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. (C. Code of Laws § 6-29-400)

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

**Requesting a special exception to Section 54-511, for no on-site parking for the commercial spaces.**

The ordinance requires 12 parking spaces for 1146 sf of indoor patron use area and 1 parking space for the office (278 sf). The two on-site parking spaces are designated for the residential units per BZA-Z approval December 17, 2019.

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.
Existing East and North Elevations, at the corner of Smith and Cannon Streets
Project: 81-83 Cannon Street
Date: March 5, 2020

Existing North (Cannon Street) Elevation
Existing South (rear) and East (Smith Street) Elevations of 81 Cannon Street
Project: 81-83 Cannon Street

Date: March 5, 2020

Page: 4

Existing South (rear) Elevation of 83 Cannon Street (left side of photo) and West Elevation of 81 Cannon Street (middle of photo)
Existing West and South (rear) Elevations of 81 Cannon Street
Existing South (rear) Elevation of 83 Cannon Street
1888 Sanborn Map, showing 81 and 83 Cannon Street as separate properties, with the two buildings listed as a "Grocery" and a "Dwelling" respectively.
1944 Sanborn Map, showing 81 and 83 Cannon Street as one property, with the two buildings listed as a "Store" and "Dwelling" respectively.
1951 Sanborn Map, showing a change to four "Stoves" at 81, 83, and 83 1/2 Cannon Street.
1931 photo of 81-83 Cannon Street, from Historic Charleston Foundation website.
1985 Architectural Survey photo of 81 Cannon Street, City of Charleston Board of Architectural Review files

1985 Architectural Survey photo of 81-83 Cannon Street, City of Charleston Board of Architectural Review files
Agenda Item #B-6

571 SAVANNAH HIGHWAY
(OLD WINDERMERE)
TMS # 421-06-00-129

Request variance from Sec. 54-412 to allow a free standing sign, monument sign with 22.5 square feet of sign face area per side and a total sign face area of 45 square feet (Ordinance limits sign face area to 12 and 24 square feet).

Zoned SR-2/SH Overlay
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
574 Savannah Hwy
TMS #421-06-00-129

Property Owner
Edward L. Phillips/Phillips Law Firm, LLC
Daytime Phone 843.216.7777

Applicant
Phillips Law Firm, LLC
Daytime Phone 843.216.7777

Applicant’s Mailing Address
574 Savannah Hwy, Charleston, SC 29410

Email Address
edward@phillipsfirm.com

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

Zoning of property
Savannah Highway Overlay Zone

Information required with application: check information submitted
☑ Scattered plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☑ For new construction or additions within a flood zone, show HVAC units and platform on scattered plans
☑ Scattered 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)

Optionally you may supply information:
☐ Photographs
☐ Letters or petitions from neighbors or organizations directly affected by your request

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

Applicant

Date 02-25-20

For office use only
Date application received 02-25-20
Stapler Fee $40.00
Time application received 09:00
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 § 6-29-880)

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.

Department of Planning, Preservation & Sustainability  2 George Street  Charleston, South Carolina 29401  
(843) 724-3981  www.charlestonsc.gov/planning

5/19
Attachment A to R&A-Z Application

Phillips Law Firm, LLC

This application is respectfully request a variance for the Phillips Law Firm sign (see attached Proposed Signage) which is to be placed at 571 Savannah Highway located in the Savannah Highway Overlay Zone and Residential Office District.

Section 54-412 (a) of the Zoning Ordinance for Charleston states that signs located in this area shall be “a maximum of twelve (12) square feet in area per side”. We are requesting a twenty-two and one half (22.5) square foot (616 sq ft by 3.75ft) sign to be placed on our property. The other option for a sign was to utilize the previous placed and grandfathered to ten (10) foot pole sign. By not using the pole sign, the firm is making an affirmative attempt to improve the aesthetics of the area, maintaining the standardized look and the character of the neighborhood, and use a sign that is similar to those used by the current business community.

The test for granting a variance, as outlined in S.C. Code Ann. § 6-29-800, states that 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, which we believe our request satisfies:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   - 571 Savannah Highway is uniquely the only triangle shaped property in the Overlay. It is the only property that has two (2) addresses (571 Savannah Highway and 44 Stocker Drive) in the Overlay district in which a parking lot (without sidewalks) encompasses the entirety of the highway 17 front business side of the building.
   - Lining the 571 Highway 17 side of our property, there are three (3) large Oak trees which have prevented sidewalks and greatly reduced visibility for any sign. In addition, there is a three to four foot (3-4 ft) drop in elevation on our lot from Highway 17 to where the sign must be placed on the corner due to the easement.

b. These conditions do not generally apply to other property in vicinity:
   - No other business has the same conditions, in addition to the above conditions specific to the property, there is a fifteen foot (15ft) easement beginning at the curb of the Highway, along our property line, making our sign placement significantly far from the road where as on the opposite side of the Highway signs are located just a mere few feet from the curb. Other properties in the Overlay district are not subject to these limiting conditions.

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:
   - Because of the triangular shape, parking lot in front, no sidewalk, large Oak trees, the front easement, and significant drop in elevation is unique to only this parcel and as such, without a slightly larger sign, utilization of the property is unnecessarily
and unreasonably restricted, and the property owner will be deprived of economically reasonable use.

d. **The authorization of a variance will not be of substantial detriment to adjacent property or to the public or to the public good, and the character of the district will not be harmed by granting the variance:**
   
   - The proposed sign meets the criteria related to compatibility with the area, such as adding "interest to the street level environment", helping pedestrians and motorists, and being integrated into the existing infrastructure.
   
   - More importantly, the proposed sign is identical to the adjacent sign across the intersection used for Torres Law Firm (e.g. 22-ft. Torres Law Firm sign located at 604 Savannah Highway - photos attached). It is clear that the authorization of a variance will enhance the quaint professional character wanted for this Overlay while embracing the comprehensive plan of the area/neighborhood, and the character of the district will not be harmed by the granting of the variance.
REPOSED SIGNAGE: PHIPPS LAW FIRM - 571 SAVANNAH HIGHWAY
ROPOSED SIGNAGE: PHIPPS LAW FIRM - 571 SAVANNAH HIGHWAY
DOUBLE-SIDED 72" X 45" X 1/4" ACM SIGN WITH CUT VINYL GRAPHICS & (4) 34-5/16" X 7-7/8" X 1/4 ACM TENANT PANELS MOUNTED TO (2) 16" X 16" X 5" BRICK POSTS

15 Ft from property line

16 Ft from curb

The creative artwork included with this proposal are the property of BROOKS SIGNS. Their reproduction is prohibited without direct authorization.
ROPOSED SIGNAGE:  PHIPPS LAW FIRM - 571 SAVANNAH HIGHWAY
ROPOSED SIGNAGE: PHIPPS LAW FIRM - 571 SAVANNAH HIGHWAY

DOUBLE-SIDED 72" X 45" X 1/4" ACM SIGN WITH CUT VINYL GRAPHICS & (4) 34-5/16" X 7-7/8" X 1/4 ACM TENANT PANELS MOUNTED TO (2) 16" X 16" X 5' BRICK POSTS

MOUNTING DETAIL

ESTIMATED PROJECT TOTAL $65,500.00
ROPOSED SIGNAGE:  

PHIPPS LAW FIRM - 571 SAVANNAH HIGHWAY
21 ATLANTIC STREET
(CHARLESTOWNE)
TMS # 457-16-04-031

Request variance from Sec. 54-301 to allow an addition (family room) with a 49% lot occupancy (35% Limitation; existing lot occupancy 45%).

Zoned SR-4
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: April 7, 2020

Property Address: 21 Atlantic Street, Charleston, South Carolina 29401  
TMS #: 457-16-01-031

Property Owner: Atlantic Street Properties, LLC  
Daytime Phone: (843) 722-3300

Applicant: Edward K. Pritchard III, Esq.  
Daytime Phone: (843) 722-3300

Applicant’s Mailing Address: Post Office Box 639, Charleston, South Carolina 29402-0639

E-mail Address: erpritchard@pritchardlawgroup.com  
Relationship of applicant to owner (same, representative, prospective buyer, other): Attorney  
Zoning of property: SR-4

Information required with application: (check information submitted)

☐ Scanned 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  
☐ Scanned floor plans with rooms labeled and the total square footage of 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 contemplated 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 any; this is to certify that 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: Edward K. Pritchard III, Esq.  
Date:  

For extra use only

Date application received:  03/19/20  
Staff person:  
Fee: $150.00  
Time application received: 11:30  
Receipt #: 09159-70
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-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 § 6-29-809)

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.
ATTACHMENT TO 21 ATLANTIC/WATSON ZONING
VARIANCE APPLICATION

Applicant seeks a variance from Section 54-301 to allow a percentage of lot area occupancy of forty-eight and six-hundred forty-one percent (48.641%). Section 54-301 permits a maximum of thirty-five percent (35%) of lot area coverage.

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

The lot subject to this variance request, along with the lot whose address is in the current City of Charleston Numbering System is 20 Meeting Street, was created in 1966 prior to the adoption of the current City of Charleston zoning ordinance. At approximately 2265.2 square feet, is approximately 1,734.8 square feet smaller than the square footage of a lot required in an SR-4 zoning district. The extraordinary and exceptional condition pertaining to the particular piece of property to which this variance request is subject is its relatively small size when compared to the other lots in the neighborhood generally and the fact that it is 43.37% smaller than the minimum lot size required of a lot in an SR-4 zoning district.

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

The lot subject to this variance request, like its twin at 20 Meeting Street, is significantly smaller than the surrounding properties in the neighborhood. Other than its twin at 20 Meeting Street, the surrounding properties as well as the properties in the neighborhood generally all meet or exceed the minimum lot size required of lots in a SR-4 zoning district. Thus, other than its twin at 20 Meeting Street, the condition in question — the inferior lot size — does 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,

A lot located in an SR-4 zoning district which meets the minimum requirements of the City of Charleston Zoning Ordinance of 4,000 square feet is permitted to have lot area coverage of up to 3,400 square feet. Because of its size, the lot subject to this variance request, is only permitted to have a to have lot area coverage of up to 792.82 square feet. The structure currently located on the lot subject to this variance request has a lot area coverage of 1,010 square feet which is a lot area coverage of 44.288%. The proposed addition would increase the lot area coverage by approximately 92 square feet to 1,102 square feet, which would result in a lot area coverage of 48.641%. Restricting the square footage of the structure of to 72.143% of the square footage permitted by a structure located on a lot which meets the minimum square footage requirements of a lot located in an SR-4 zoning district through application of Section 54-301 unreasonably restricts the utilization of the property.
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.

There is currently an elevated deck located where the proposed addition is to be constructed. Therefore, even though the addition technically expands the structure's lot area coverage, pragmatically it does not as a portion of the structure already covers the area where the addition will be built. If the variance is approved, the structure will not encroach in the buffer zone as the proposed addition remains within the building envelope required by Section 54-301 in an SR-4 zoning district. Section 54-301. If the addition is permitted, the structure located on the property will still be substantially smaller than the surrounding structures. Further, the proposed addition is not visible from any public right of way. Thus, the proposed addition will not be of substantial detriment to adjacent property or to the public good as it will not encroach in the buffer zone or impact any of the surrounding properties and the character of the district will not be harmed by the granting of the variance since the addition will not be visible from a public right of way and will not in any way be noticeable.
EXISTING THIRD FLOOR

AREA = ~400 SF

STAIR = ~39 SF

EXISTING SECOND FLOOR

AREA = ~665 SF

STAIR = ~37 SF

EXISTING FIRST FLOOR

AREA = ~837 SF

TOTAL = ~1979 SF
Agenda Item #B-8

2321 BIRDIE GARRETT STREET
(ROSEMONT)
TMS # 464-01-00-109

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

Request variance from Sec. 54-301 to allow a single-family residence with a 5-ft. east side setback 16.51-FT. total side setback (9-ft. and 18-ft. required).

Zoned SR-1
Application for Variance, Special Exception, Reclassification, 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: April 7, 2020

Property Address: 2821 Birdie Garrett Street, Charleston, SC 29405

Property Owner: Charleston Redevelopment Corporation

Daytime Phone: 803-665-5642

Applicant: Jillian Reedy, PLA with Johnson, Laughder & Associates

Daytime Phone: 706-724-5756

Applicant’s Mailing Address: 701 East Bay Street, Suite 304, Charleston, SC 29493

E-mail Address: readyj20@rjgroup.com

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

Zoning of property: Z-1

Information required with application: (check information submitted)

☒ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested (3 sets)
☒ For new construction or additions within a flood zone, show HVAC units and platforms on scaled plans
☒ Scaled floor plans with rooms shaded and the floor area for each housing unit stated
☒ Scaled floor plans with rooms shaded and the floor area for each housing unit stated for all
☒ For book variances and building additions, unless exempted by the Board, or building additions, unless exempted by the Zoning staff (3 sets)
☒ Plans or documents necessary to show compliance with special exception requirements (3 sets)
☒ Check, cash card or cash (make checks payable to the City of Charleston)
☒ Yes ☐ No ☐ Is the property covered by any recorded covenant that is contrary to, conflicts with or precludes 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: Jillian Reedy

Date: 3-10-2020

For office use only

Date application received: 3-10-2020

Par 1: 4

Receive #: 118100
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):

**Side setback variance request:** A side setback is requested due to exceptional conditions that exist on the property. With current setback limitations, the house would be restricted to a maximum of 12' wide.

**Front setback variance request:** A front setback is requested in order to match the adjacent house. The current setback requirement is 25'; however, the adjacent house is set 12' from the property line.

**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. These conditions 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 § 6-29-80(A)]

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).

**Sec. 54-521 - Lot of record of insufficient size:**

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

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

Department of Planning, Preservation & Sustainability  2 George Street  Charleston, South Carolina 29401  
(843) 704-2961  www.charlestonsc.gov/zoning
MEMO

Memo No: MEM001

Date: 3/30/2020

To: Charleston Board of Zoning Appeals

Job #: 5907.7004

From: Jillian Ready

Subject: 2311 Birdie Garrett Street Single Family Residential Development

To whom it may concern,

JJA is working with the Charleston Redevelopment Corporation (CRC) to develop a vacant lot, located at 2311 Birdie Garrett Street, into a single-family residence.

The variance we are pursuing through this 109A application would address the present side setback requirements. Currently there are 9' side setbacks for a total of 18' With these constraints, the house is restricted to having a 12' wide house, which we believe to be an unreasonable restriction because the existing width of the lot is 30'. It is noted that the adjacent building is set only 1.5' off of the property line. JJA is requesting that the side setbacks be reduced to a total of 25' in order to fit the proposed building footprint (see attached architecture drawings).

The second variance, JJA would like to pursue, is to match the front setback of the adjacent house located at 2313 Birdie Garrett Street. In order to keep with the street and neighborhood fabric, JJA will align the front porch to the adjacent front porch so as to provide a sense of visual unity within the neighborhood.

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

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

Sincerely,

Jillian Ready, PLA
Johnson Lascher & Associates
703-794-5755
jready@thejagroup.com