

SPECIAL EXCEPTION APPLICATION
2203 NORTH STREET

APP# 11997

PAID
8/21/15

City of Beaufort Zoning Board of Appeals
1911 Boundary Street
Beaufort, South Carolina 29902
Phone (843) 525-7011, Fax (843) 986-5606
E-Mail: planning@cityofbeaufort.org
Revised October 7, 2010

Application Fee
\$300

SPECIAL EXCEPTION APPLICATION

OFFICE USE ONLY: Date Filed: 8/21/15 Application #: ZB15-20 Zoning District: R-3

Instructions

Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements

1. A legal survey of the property.
2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required.
3. Photograph(s) of the site.

APPLICANT(S): Beaufort Rentals

Address: PO Box 745 Beaufort, SC 29901

Telephone: 843-812-4494 [day] 843-252-4249 [office]

E-mail: beaufortvacationrentals@gmail.com

OWNER(S) if other than Applicant(s): JOSEPH + KRISTIN Haggerty

Address: 608 PRESERVE PLACE

Telephone: 770 712 7433 [day] 770 712 7436 [fax]

PROPERTY STREET ADDRESS: 2203 NORTH ST

Tax Map No.: _____

Parcel No.: R120 003 000 0277 0000

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application?

Yes No

DESIGNATION OF AGENT [complete only if owner is not applicant]:

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: 8/19/15

Owner's Signature: Joseph Haggerty

I (We) certify that the information in this application is correct.

Date: 8/19/15

Applicant's Signature: De Cuppae

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APPLICATION FOR SPECIAL EXCEPTION

Applicant hereby appeals to the Zoning Board of Appeals for a special exception for a (ex. Type 2 Home Occupation) Special Use

on property described on Page 1, which is permitted by special exception under the district regulation in Section 5.1 of the Unified Development Ordinance (UDO).

1. Applicant will meet the standards in Section 3.16.D of the UDO which are applicable to the proposed special exception in the following manner:
 - a. The proposed use is compatible with existing land uses in the surrounding area as follows: There are other short term rentals in the area short term rental use is residential and conforms to other properties that surround it.
 - b. The proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area in that: No changes to the structure.
 - c. The likely impact on public infrastructure such as roads, parking facilities, and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City are as follows: There is no additional impact. The property has been used for residential use and there would be no impact on density
 - d. The proposed use(s) and designs are in general conformity with the City's comprehensive Plan and any other plans officially adopted by the City in that: There are no changes to the property, and it would still be used as a residence.
 - e. The likely impact on public health and safety is as follows: Applicant expects no impact on public health + safety because the density and residential use will not change
 - f. Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts is as follows: None foreseen

[A site plan must be submitted]



*Beaufort
Rentals*

RENTAL RULES AND REGULATIONS

Property Address: 2203 North St.

Beaufort, SC 29902

1. **CHECK-IN TIME IS AFTER 3 P.M. EST AND CHECK-OUT IS 10 A.M. EST.**
2. This is a **NON SMOKING** unit.
3. Pets are not permitted unless prior arrangements are made prior to arrival.
4. We will not rent to vacationing students or singles under 25 years of age.
5. **Noise Ordinance-** There is to be no amplified music between the hours of 9:00 PM and 8:00 AM.
6. **DAMAGE/RESERVATION DEPOSIT-** A damage/reservation deposit of \$_____ is required. This must be received within seven (7) days of booking the reservation. The deposit automatically converts to a security/damage deposit upon arrival. The deposit is NOT applied toward rent; however, it is fully refundable within (14) days of departure, provided the following provisions are met.
 - a. No damage is done to unit or its contents, beyond normal wear and tear.
 - b. No charges are incurred due to contraband, pets or collection of rents or services rendered during the stay.
 - c. All debris, rubbish and discards are placed in outside trashcan, and soiled dishes are placed in the dishwasher and cleaned. One load of laundry is started.
 - d. All keys are left in the lock box and the unit is left locked.
 - e. All charges accrued during the stay are paid prior to departure.
 - f. No linens are lost or damaged.
 - g. NO Early check-in or late check-out.
 - h. Parking passes are left inside the unit upon departure. (if applicable)
 - i. The renter is not evicted by the owner (or representative of the owner), the local law enforcement, the security company employed by Beaufort Rentals, LLC.
1. **PAYMENT** - An advance payment equal to 50% of the rental rate is required 60 days before arrival. The advance payment will be applied toward the room rent. Please make payments in the form of credit card, traveler's checks, bank money orders, cashiers checks or personal checks payable to Beaufort Rentals, LLC. The advance payment is not a damage deposit. The **BALANCE OF RENT** is due fourteen (14) days before your arrival date.
2. **CANCELLATIONS** - A sixty (60) day notice is required for cancellation. Cancellations that are made more than sixty (60) days prior to the arrival date will incur no penalty. Cancellations or changes that result in a shortened stay, that are made within 60 days of the arrival date, forfeit the full advance payment and damage/reservation deposit. Cancellation or early departure does not warrant any refund of rent or deposit.
3. **MONTHLY RESERVATION CANCELLATIONS** - Monthly renters must cancel one hundred twenty (120) days prior to check-in. Monthly renters who make a change that results in a shortened stay must be made at least ninety (90) days prior to check-in.
4. **MAXIMUM OCCUPANCY-** The maximum number of guests is limited to 4 persons. **THIS PROPERTY REQUIRES A THREE (3) NIGHT MINIMUM STAY.**
5. Longer minimum stays may be required during holiday periods.

6. **INCLUSIVE FEES** - Rates include a one-time linen-towel setup. Amenity fees are included in the rental rate.

7. **NO DAILY MAID SERVICE** - While linens and bath towels are included in the unit, daily maid service is not included in the rental rate however is available at an additional rate. We do not permit towels or linens to be taken from the house.

8. **RATE CHANGES** - Rates subject to change without notice.

9. **FALSIFIED RESERVATIONS** - Any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check-in.

10. **WRITTEN EXCEPTIONS** - Any exceptions to the above mentioned policies must be approved in writing in advance.

11. **PARKING** - Renters must park in the designated driveway, there is to be no parking on the grass or roadway. **Maximum of 2 OVERNIGHT GUEST VEHICLE.** Failure to comply may result in towing of vehicle at renter's expense.

12. **Trash** - Renters are responsible for taking the trashcan to the roadside for pick up Monday morning. Trashcan must be removed from the roadside within 24 hours of pick up.

13. **HURRICANE OR STORM POLICY** - No refunds will be given unless:

a. The National Weather Service orders mandatory evacuation in a "Tropical Storm/Hurricane Warning area" and/or

b. A "mandatory evacuation order has been given for the Tropical Storm/Hurricane Warning" area of residence of a vacationing guest. The day that the National Weather Service orders a mandatory evacuation order in a "Tropical Storm/Hurricane Warning," area, we will refund:

a. Any unused portion of rent from a guest currently registered,

b. Any unused portion of rent from a guest that is scheduled to arrive, and wants to shorten their stay, to come in after the Hurricane Warning is lifted; and

c. Any advance rents collected or deposited for a reservation that is scheduled to arrive during the "Hurricane Warning" period.

By Signing Below, I agree to all terms and conditions of this agreement

Signature: _____ **Date** _____



CITY OF BEAUFORT
CONTACT LIST FOR SHORT TERM RENTAL
LOCATED AT 2203 North St.

PROPERTY OWNER:

Name: Joe & Kristin Haggerty
Address: 608 Preserve Pl., Peachtree City, GA 30269
Phone: 770-712-7436
E-Mail: joekrish@yahoo.com

PROPERTY MANAGER: (PRIMARY)

Name: JK Cuppia
Address: PO Box 745 Beaufort SC 29901
Phone: 843-812-4494
E-Mail: beaufortvacationrentals@gmail.com

PROPERTY MANAGER: (BACK-UP)

Name: Beaufort Rentals
Address: 69 Robert Smalls Hwy Suite 1A
Phone: 843-252-4249
E-Mail: beaufortrentals@gmail.com

PROPERTY MANAGER (SECONDARY BACK-UP)

Name: Beaufort Rentals Vacation Emergency Line
Address: PO Box 745 Beaufort SC 29901
Phone: 843-868-1467
E-Mail: beaufortvacationrentals@gmail.com

STAFF REPORT
2203 NORTH STREET

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 28 September 2015**

Case Number: ZB15-20
Property Address: 2203 North Street
Applicant: Beaufort Rentals
Type of Request: Special Exception for Short Term Rental
Zoning: R-3 District

Background: The property is located at 2203 North Street in the Dixon Village neighborhood (see Site Location Map attached). The property is identified as District 120, Tax Map 3, Parcel 277. The property is zoned “R-3 Medium-High Density Single-Family Residential District” (R-3). A single-family dwelling is located on the lot. A photo of the property is attached.

The property owner desires to rent the dwelling unit on a short term basis (i.e., for periods less than 30 days). Short term rental of a primary dwelling unit is permitted by special exception in the R-3 District.

The property owner, who lives out of state, has hired Beaufort Rentals to manage the short term rental. The rental agreement specifies a minimum 3-night stay which exceeds the City’s ordinance. The rental agreement limits the persons in the unit to four and the number of vehicles on the site to two. These restrictions seem appropriate based on the size of the dwelling. The lot has adequate on-site parking. The agreement states that vehicles are to park in the driveway and not on the street.

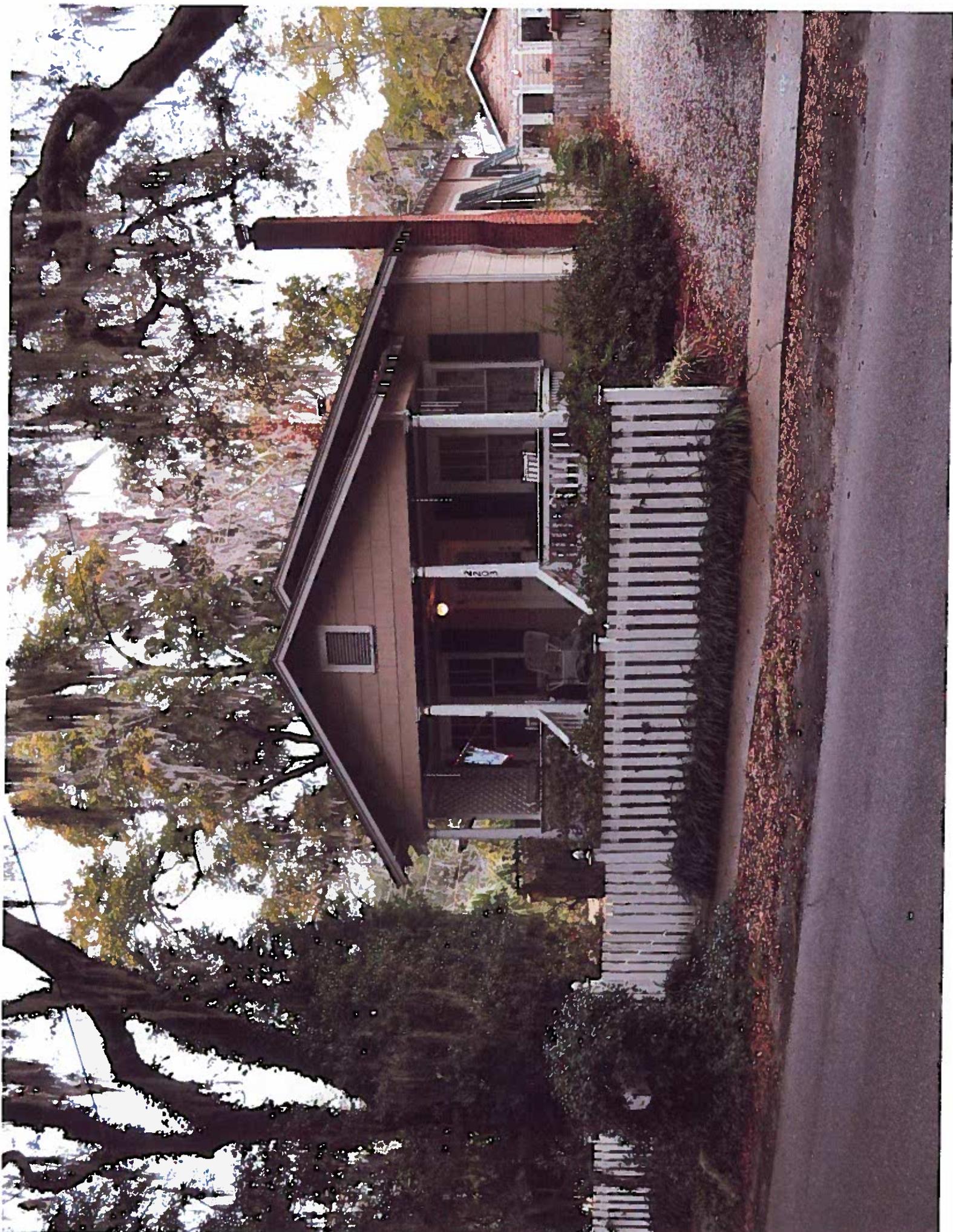
Public comment: The public hearing notice referencing this application appeared in the September 13 edition of *The Beaufort Gazette*. The property was posted on September 14. Letters were sent to adjoining property owners on September 14. Staff has received no public comments on this application as of the date of this writing.

Criteria for approval of a special exception set out in Section 3.16:

According to the UDO, the Zoning Board of Appeals may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public. The UDO stipulates that the Board shall consider six criteria in its review of an application for a special exception. Staff comments on how the application relates to these criteria follows.

- (1) *Whether the proposed use is compatible with existing land uses in the surrounding area.* The property is located in the Dixon Village neighborhood. The property is located within walking distance or an easy bike ride of the downtown core. The property is located just off Ribaut Road, a major arterial, and one block from Bay Street, a collector street.
- (2) *Whether the proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area.* No changes are proposed to the property as part of its use as a short term rental.
- (3) *The likely impact on public infrastructure such as roads, parking facilities, and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City.* The proposed use is not likely to have a greater impact on public infrastructure than for use as a long-term rental.
- (4) *Whether the proposed use and designs are in general conformity with the City's comprehensive plan and any other plans officially adopted by the City.* The proposed use is in general conformity with the City's comprehensive plan and the Civic Master Plan.
- (5) *Likely impact on public health and safety.* The proposed use will likely have little impact on public health and safety given that the unit will be managed by a professional management company.
- (6) *Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.* In staff's opinion, the proposed use has little potential to create noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts if a monitored fire alarm is installed as required by the Building Official.

Staff recommendation: Staff recommends approval of the special exception on the condition that a monitored fire alarm system be installed.



**SHORT TERM RENTALS IN RESIDENTIAL DISTRICTS APPROVED BY SPECIAL EXCEPTION
SINCE AUGUST 2011**

| ADDRESS | NEIGHBORHOOD |
|--------------------------|---------------------|
| 1105 Craven St | The Bluff |
| 1108 North St | The Bluff |
| 2413 Hermitage Rd | Hermitage Area |
| 706 Church St | Northwest Quadrant |
| 1711 King St | Northwest Quadrant |
| 806 Newcastle St | Northwest Quadrant |
| 1002 Wilmington St | Northwest Quadrant |
| 502 Scott St | Old Commons |
| 803 Scott St | Old Commons |
| 507 West St | Old Commons |
| 811 and 811-A Audusta Pl | Pigeon Point |
| 1305 Charles St | Pigeon Point |
| 907 Charlesfort St | Pigeon Point |
| 915 Lafayette St | Pigeon Point |
| 1106 Laudonniere St | Pigeon Point |
| 1460 Pigeon Point Rd | Pigeon Point |
| 1219 Rodgers St | Pigeon Point |
| 1401 Church St | Pigeon Point |
| 2413 Oak Lawn St | Royal Oaks |
| 2308 Pine Court | Royal Oaks |
| 2404 North St | West End |
| 2703 Oaklawn Ave | West End |

**SHORT TERM RENTALS IN RESIDENTIAL DISTRICTS IN ACCESSORY DWELLING UNITS
APPROVED AS CONDITIONAL USE (BY STAFF)**

| <u>Neighborhood</u> | <u>Number Approved</u> |
|---------------------|------------------------|
| Dixon Village | One |
| Mossy Oaks | One |
| Pigeon Point | Two |
| Royal Oaks | One |

As of 8-18-15