

APPLICATION

SPECIAL EXCEPTION APPLICATION

OFFICE USE ONLY: Date Filed: _____	Application #: _____	Zoning District: _____
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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): Kristin L. Peterson
Address: RT 5 Box 137 Keyser, WV 26726
Telephone: (304) 813-0938 [day] (304) 813-0938 [fax]
E-mail: petersons3@wildblue.net

OWNER(S) if other than Applicant(s): _____
Address: _____
Telephone: _____ [day] _____ [fax]

PROPERTY STREET ADDRESS: 811-A Audusta Place
Tax Map No.: R120 002 000 0403 0000
Parcel No.: PAR B LOT 45 POR LT 46 SEC E PB63 P92 PB63 P154

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: _____ Owner's Signature: _____

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

Date: 3-11-15 Applicant's Signature: 

City of Beaufort Zoning Board of Appeals
1911 Boundary Street
Beaufort, South Carolina 29902
Phone: (843) 525-7011, Fax: (834) 986-5606
E-Mail: jbachety@cityofbeaufort.org
***Revised September 12, 2014**

APPLICATION FOR SPECIAL EXCEPTION

Applicant hereby appeals to the Zoning Board of Appeals for a special exception for a (ex. Type 2 Home Occupation) This home was approved in 2011 & is currently being used as a short term rental in the City of Beaufort.
As the new owner, I would like the City of Beaufort to consider my application to use this home as a short term rental as well.

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: Residential dwelling used for a short term rental

 - b. The proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area in that: the home is conforming with all the other homes in the neighborhood.

 - 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: No impact at all

 - 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: It is currently conforming to the city.

 - e. The likely impact on public health and safety is as follows: No impact at all

 - f. Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts is as follows: No impact at all

[A site plan must be submitted]

Libby Anderson

From: Shea Polk/Southern Style Properties <spbft@aol.com>
Sent: Monday, March 23, 2015 2:30 AM
To: Libby Anderson
Cc: petersons3@wildblue.net
Subject: Photos from 811- A Audusta Place
Attachments: 811-A Audusta Place survey .pdf

Libby,

Below are the pictures of 811-A Audusta Place. Attached is the survey. I believe this is all that you needed from me by end of business on Monday. Should you need anything else, please let me know.

Thank you,

Shea

Shea Polk
Southern Style Properties
[Spbft@aol.com](mailto:spbft@aol.com)
(843) 321-0459
866-861-9336 FAX

811-A Audusta Place Beaufort, SC 29902. 1140 sq ft 1BR/1BA Cottage.



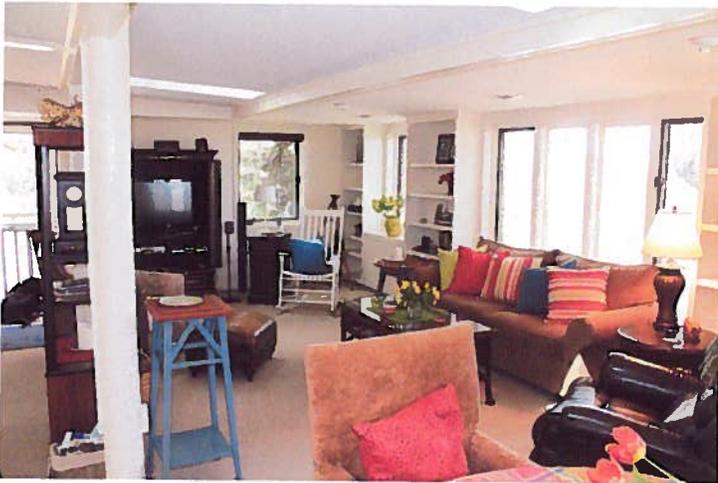
Entrance & Driveway



Entrance & Driveway



Living room with queen size pull out sofa



Living room with queen size pull out sofa



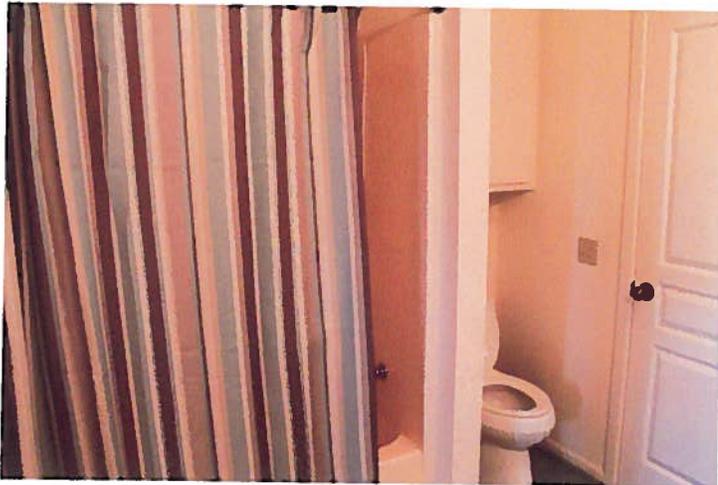
Dining area table



Master bedroom



Master bedroom



Bathroom



Bathroom with stackable washer & dryer



Bathroom with stackable washer & dryer



Lovely kitchen



Lovely kitchen



Lovely kitchen



Beautiful grounds



side of the home



Front of the cottage



Other Side of the cottage



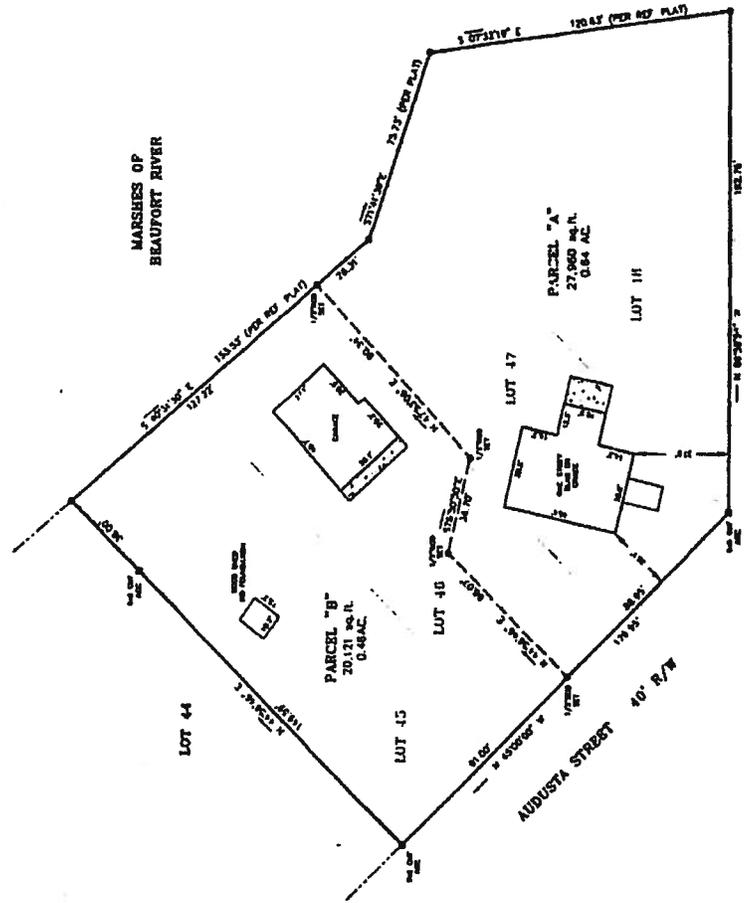
Beautiful grounds & view

FILED 990.00
 JOHN A. SULLIVAN-RMC
 BEAUFORT COUNTY, S.C.
 98 JAN 23 PM 4:17
 DA FOLDER# PG

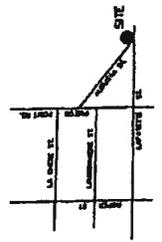
EXHIBIT
 The following is a true and correct copy of the original plan as recorded in the records of the City of Beaufort, South Carolina, Book 17, Page 128.

SUBDIVISION PLAT
LOTS 45, 46, 47 & 48 BLOCK E.
BEAUFORT SHORES SUBDIVISION
 PREPARED FOR: FAF ARCHITECTS
 CITY OF BEAUFORT
 BEAUFORT COUNTY, SOUTH CAROLINA.
 DATE: 01/22/98
 SCALE: 1" = 30'

JOB NUMBER: 00881 F.S. 242 DRAWN BY: DESSON 4/90



PLAT BOOK 63
 PAGE 128
 BOOK 1-23-77



LOCATION MAP (N.T.S.)

- NOTES:**
- 1) THE BEAUFORT SHORES HISTORIC DISTRICT IS A HISTORIC DISTRICT AND AS SUCH IS SUBJECT TO LOCAL ATTRACTION.
 - 2) THIS PLAT DOES NOT CONVEY THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS ADJUDICATIONAL WETLANDS.
 - 3) PUBLIC WATER & SEWER
 - 4) METHOD OF AREA CALCULATION BASED ON COORDINATE METHOD.
 - 5) THIS PROPERTY LIES IN FLOOD ZONE A-11 (EL. 13.00) AS DETERMINED BY FEMA FROM COMM-FIRM NUMBER 450075 0005 D. DATED: 01/29/88.

- REFERENCES:**
- 1) BEAUFORT TAX MAP 120-002-000-0144.
 - 2) PLAT BY DAVID S. YOUNGAS DATED: FEBRUARY 3, 1988 PLAT BOOK BEAUFORT COUNTY



David S. Youngas, a Registered Professional Land Surveyor in the State of South Carolina, No. 12345, Commission Expires 12/31/98. This plat is based on my knowledge, information and belief, that I am a duly Licensed Professional Land Surveyor in the State of South Carolina, and that I am duly qualified to perform the duties of a Professional Land Surveyor in the State of South Carolina, and that I am duly qualified to perform the duties of a Professional Land Surveyor in the State of South Carolina, and that I am duly qualified to perform the duties of a Professional Land Surveyor in the State of South Carolina.

GASQUE & ASSOCIATES INC.
 LAND SURVEYORS PLANNERS
 701 BLAUCH STREET, SUITE 207, BEAUFORT, S.C.
 P.O. BOX 1383, BEAUFORT, S.C.
 (803) 522-1798



**CITY OF BEAUFORT
CONTACT LIST FOR SHORT TERM RENTAL
LOCATED AT
811-A Audusta Place Beaufort, SC 29902**

PROPERTY OWNER:

Name: Kristin L. Peterson

Address: RT 5 Box 137 Keyser, WV 26726

Phone: (304) 813-0938

E-Mail: petersons3@wildblue.net

PROPERTY MANAGER: (PRIMARY)

Name: Shea Polk Southern Style Properties

Address: 2 Sheffield Ave. Beaufort, SC 29907

Phone: 843-321-0459

E-Mail: spbft@aol.com

PROPERTY MANAGER: (BACK-UP)

Name: David Polk Attn:Southern Style Properties

Address: 2 Sheffield Ave. Beaufort, SC 29907

Phone: 843-321-0477

E-Mail: housemansc@aol.com

PROPERTY MANAGER (SECONDARY BACK-UP)

Name: Bryan Gates

Address: 2 Sheffield Ave. Beaufort, SC 29907 Attn: Southern Style Properties

Phone: 843-812-6494

E-Mail: brygates@hotmail.com

Southern Style Properties



- I. All management functions that are done on site are done by Shea Polk, PMIC of Southern Style Properties. Some of the functions that are performed are done after guest checkout for inspection & then before the next guest checks in. Inspections after housekeeping leaves, inspections of the grounds and property after the lawn maintenance people have completed their work. Inspection of all maintenance performed.

All management functions off site are performed by Shea Polk, PMIC of Southern Style Properties. Most of those duties are answering inquiries about properties facilitating the rental of a property, scheduling any maintenance routine or non routine associated with the properties & communicating with a guest or a future guest.

The Management Company is evaluated by the guests upon check out through the VRBO review website or the guestbook in the home that will get transferred to the VRBO listing as a review for other potential renters to see. I also send an email to any guest after their stay asking for any feedback or suggestions to see if there was anything that I could do differently on the management side that could be beneficial or helpful for future guest.

The management plan is updated often as needed to improve any aspect of the property or to better the quality of the stay for the guests.

The standards for the properties are set to rent as often as possible. If I see that the property has not done as well as expected & I have vacancies, I may advertise that property at a discounted rate then reevaluate the rate. The turnover on a VRBO in the summer should average 2/3 weekly rentals per month at the least. The winter turnover is a 3 night minimum & will rent approx. 9-12 nights a month on average. On festival weeks/weekends, maybe more of a turnover depending on the location of the property. I do not rent to "parties" of any kind. Example: Bachelor/ette parties or House parties. It is stated in the lease agreement & strictly enforced.

- II. No records are kept on site. All records are kept off site at my designated office.

The disbursement of the funds collected are distributed by the 15th of each month along with a spreadsheet to the owner.

A monthly report of accommodation tax is paid to all city, county & state

agencies. A monthly report (spreadsheet) is sent to each owner on the 15th of each month.

III. All short term rentals are advertised through VRBO or HOMEAWAY

IV. LEASE ATTACHED

V. The amount of rent determined for a short term rental is set by evaluating & researching the homes for rent in the same vicinity and making it comparable.

Rent increases or decreases depending on the market & what the comparable homes are doing in occupancy v/s my property occupancy.

VI. Deposits-50% of the total cost due is required at booking & put in a separate trust account. The remaining balance will be due 30 days prior to their arrival date. 100% of the cost is due if the arrival date is in less 30 days of them booking.

IV. Each Guest receives a travel letter 30 days prior to their arrival.

That letter contains all of the information about the trash collection days, trash rules, quiet enjoyment of the neighbors around them, rules of what they may & may not keep outdoors or on patios, balcony's, etc. The number of cars are limited to the number of bedrooms that the home has & that is previously discussed with the guest.

VII. Any complaint or dissatisfaction that is brought to my attention is handled immediately. I try first to see if the problem is a problem that can be fixed. If it can be fixed, I get it fixed immediately & give the guest a \$50 visa gift card for their inconvenience & suggest that they use it to enjoy a meal out while in Beaufort. If this is a problem that cannot be resolved in any way, I will offer another home if one is available or I will refund 100% of their money.

VIII. The guests are provided information on how to operate the heating/cooling system if it is a complicated system. Inspections are done after each check out to make sure all systems are working correctly.

Maintenance agreements with certain companies are in place to service the homes twice a year to make sure everything in the home is working properly.

Maintenance & repair issues are usually handled the same day as it is reported. If it is an emergency repair, it is definitely taken care of the same day.

Capitol repairs & replacements are the owners responsibility that increase the value of the property & prolong the life of the property. A home warranty consultant that maintains the routine maintenance on the property twice a year will alert the homeowner to any potential problems that may need to be repaired or replaced.

IX. The security & emergency plan is also in the travel letter. Any illegal activity witnessed, fire, trespassers, threatening or violent behavior, stolen keys or any other immediate emergency, the guest will need to call 911 & give them their address.

The guests have the hospital as Beaufort Memorial, the electric co. as SCE&G with the telephone number for outages (or they can call me & I will report it) For severe weather, they need to watch the local tv stations or turn the radio on to 98.7/94.5 or make sure their smartphone tracks & alerts when severe weather is approaching. Stay indoors & away from windows until it is safe to return outdoors.

Southern Style Properties



Guest License Agreement

This Agreement is made by and between:

Southern Style Properties
2 Sheffield Ave
Beaufort, SC 29907 **AND**
Spbft@aol.com
(843)321-0459

For the rental of:

811-A Audusta Place Beaufort, SC 29902 .This property is a 1 Bedroom & 1 queen size pull out sofa with 1 Full Bath located in Beaufort, SC 29902. Checking in _____, at or after 4:00 pm and checking out _____, at or before 11:00 a.m. Listing #

Maximum Occupancy: 4 people.
3 Night Minimum Stay
2 Cars allowed per overnight reservation

Statement of the Terms

Rent:	\$ _____
Taxes :	\$ _____
Departure Cleaning:	\$ _____
Pet Fee (Non Refundable)	\$ _____
Total:	\$ _____

Payment Schedule:

50% is due at booking. The remaining balance is due 30 days prior to your arrival.

100% is due if this reservation is made less than 30 days prior to your arrival.

PAYMENT FORMS: ALL MAJOR CC ACCEPTED. Personal Checks are not accepted. Please enter your payment information below. You will receive an emailed receipt from the merchant as soon as your transaction is complete. If you are making multiple payments, you will receive a receipt for each transaction.

GUEST PAYMENT INFORMATION

CC# _____ exp _____

CVV CODE _____ ZIP CODE _____

The undersigned guests agree to the following conditions of occupancy:

1. Southern Style Properties, is acting solely as Agent for the Owner. Guests are not tenants. Guests have acquired no interest in the property and are Licensees of the Owner of the property.
2. **PAYMENTS:** All Major Credit cards are accepted. Personal checks will NOT be accepted. 100% must be received 30 days prior to your arrival. If deposits and payments are not received as scheduled, the property may be re-rented.
3. **RESERVATIONS:** To confirm a reservation, this Guest License Agreement must be signed & returned within 24 hours of booking, along with the payment for your reservation to be valid. Reservations booked within 14 days of arrival must pay the entire balance upon booking. Properties will not be held without the signed license agreement.
4. **CANCELLATIONS:** This reservation may be cancelled without penalty within 30 days of checking in. Any cancellation occurring after 30 days prior to check in will forfeit all deposits on the reservation unless the property is re-rented. If the property is re-rented, the deposit will be refunded minus any uncollected rent and a 10% (of the rent) cancellation fee (\$25 minimum). A home or villa unacceptable to the guest is considered a cancellation. All refunds must be authorized in writing by Southern Style Properties
5. **COMPARABLE UNITS:** Southern Style Properties reserves the right to change the particular unit reserved to a comparably priced unit. Advance notice will be given if time permits. Should an Act of

God prevent the delivery of a Comparable Unit, all monies received by Southern Style Properties will be refunded to licensee.

6. OCCUPANCY: Licensee will restrict occupancy to the stated limit on the premises at all times. Licensee agrees to honor the check-out time of 11:00 a.m. Licensee agrees to pay a late departure fee of \$100 per hour or portion thereof if the premises have not been vacated by the Licensee at check-out time and hereby authorizes Southern Style Properties to remove Licensee's belongings from the premises at Licensee's expense at that time.
7. QUIET ENJOYMENT: This property is offered for rent solely for the quiet enjoyment of the Licensees. Any other usage will result in the immediate termination of this Agreement, forfeiture of all rent and deposits AND immediate eviction. ABSOLUTELY NO HOUSE PARTIES, FRATERNITY PARTIES OR YOUTH GROUPS, WEDDINGS OR RECEPTIONS ARE ALLOWED!
8. ENTRY BY AGENT: Southern Style Properties, its Agents, Employees, and/or Contractors reserve the right to enter the premises during all reasonable hours to examine the same, to make repairs, and pest control as may be deemed necessary. Except for emergencies, a twenty-four hour notice will be given prior to entry.
9. **SMOKING IS EXPRESSLY PROHIBITED IN THE PREMISES!**
10. CLEANING: Routine cleaning is provided by the Agency. Licensees agree to empty the refrigerator and freezer and to take out all trash. Premises should be vacated in such a condition as it was upon taking occupancy. ADDITIONAL OR EXCESSIVE CLEANING WILL RESULT IN A DEDUCTION FROM THE DEPOSIT RETURNED DETERMINED BY THE AGENT.
11. Additional housekeeping is available upon request for a fee & must be arranged in advance.
12. Long distance calls may not be billed to the Owner's phone. All long distance calls are required to be collect, credit card, or charged to a third party.
13. Licensee authorizes Southern Style Properties to charge credit card if damages occurs or if excessive cleaning is required.
14. ACCIDENTS: Licensee agrees to hold Southern Style Properties harmless for any accident or injury whatsoever that may occur on the premises during occupancy.
15. REPAIRS: Southern Style Properties is not responsible for air conditioning or appliance breakdown. There will be no refunds in whole or in part for such breakdowns. Any breakdown will be repaired or replaced as quickly as possible.
16. SECURITY/DAMAGE DEPOSIT: In accordance with SC Real Estate Licensing Law, security/damage deposits will be refunded within 30 days of departure and will include any invoices for deductions for damages or excessive cleaning that the Licensee may incur according to the terms and conditions of this agreement.
17. This lease cannot be altered in any way. If anyone other than Southern Style Properties alters this lease agreement, the lease will not be valid & your reservation will be cancelled.
18. In accordance with SC Real Estate Statutes, reservation deposits are placed in a Federally Insured State Bank. Any interest accrued on deposits shall belong exclusively to Southern Style Properties.
19. The Pet fee is \$100 & is a non refundable fee. Guests are responsible for any and all damages including carpet or upholstery cleaning as a result of pet damages that require any carpet or upholstery cleaning.
20. This rental is a minimum of a 3 night stay & it is advertised as such. No Exceptions.
21. The maximum number of cars allowed for overnight reservations & parked overnight in the driveway is 2 cars. *No off street parking is allowed-see #22.**
22. Towing is strictly enforced & recovery of your vehicle is at your own expense.

Shea Polk

PMIC

DATE

GUEST

DATE

STAFF REPORT

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 30 March 2015**

Case Number: ZB15-07
Property Address: 811-A Audusta Place
Applicant: Kristin Peterson
Type of Request: Special Exception for Short Term Rental
Zoning: R-1 District

Background: The property is located at 811-A Audusta Place in the Pigeon Point neighborhood (see Site Location Map attached). The property is identified as District 120, Tax Map 2, Parcel 403. The lot is zoned “R-1 Low Density Single-Family Residential District” (R-1). A small single-family dwelling is located on the lot. Photos of the property are attached.

The applicant (who is the property owner) desires to rent the one-bedroom dwelling on a short term basis (i.e., for periods less than 30 days). Short term rental of a dwelling unit where the owner does not live on the premises is permitted by special exception in the R-1 District. Special exceptions are approved by the Zoning Board of Appeals. The ordinance permitting short term rentals is attached.

The applicant has contracted with a local property management firm, Shea Polk Southern Style Properties, to manage the rental. The firm has a City of Beaufort Business License. The applicant has provided a copy of the rental agreement that will be used. The agreement specifies a minimum 3-night stay which exceeds the City’s ordinance. The rental agreement limits the number of vehicles on the site to two and stipulates that the vehicles must park in the driveway. The property has adequate on-site parking to accommodate two vehicles.

This dwelling was approved for a short term rental in December 2011. Since the property ownership is changing, the ordinance requires that a new special exception application be submitted and approved.

The locations where short term rentals have been approved by special exception by the Zoning Board of Appeals since the ordinance became effective in August 2011 are attached.

Public comment: The public hearing notice referencing this application appeared in the March 15, 2011 edition of *The Beaufort Gazette*. The property was posted on March 16. Letters were sent to adjoining property owners on March 17. The president of the Pigeon Point Neighborhood Association was notified of the hearing by e-mail on March 18. 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 at the end of Audusta Place on the Beaufort River. The property is one block from Pigeon Point Road which functions as a collector street. The property is two blocks from Pigeon Point Park, 7-acre neighborhood park. The property is located three blocks north of Boundary Street, a major commercial corridor, and is a short bike-ride from downtown Bay 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 if a monitored fire alarm is installed as required by the Building Official.
- (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 since a local property management firm will be managing the unit.

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



811-A Audusta Place

Article Article 11: Definitions
Section 11.2: Defined Terms

Grand Tree. Any existing broad-leaved overstory tree with a DBH of 24 inches or greater; any existing understory tree with a DBH of twelve inches or greater; and any Palmetto tree having a clear trunk height of at least two feet.

Ground Cover. Vegetation growing close to the ground including grass, ivy and some species of juniper.

Ground disturbance. Any activity which would result in any tangible modification to the surface of the ground including, but not limited to, building new structures or additions, paving, grading, excavating or tree removal.

Hardscape. Any nonliving material such as berms, mulch, walls and fences commonly used in landscaping designs.

Height of Freestanding Sign. The vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.

Historic Resources. According to the National Historic Preservation Act of 1966, as amended through 1992, (16 U.S.C. 470 et seq.) Section 101(a)(1)(A):

The secretary of the Interior is authorized to expend and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

Criteria set forth by the Secretary of the Interior states that any district, site, building, structure, or object that is at least 50 years of age, is significant in American history, architecture, archeology, engineering, and culture may be considered for inclusion on the National Register of Historic Places.

Home Occupation. An occupation conducted from a residence in accordance with the provisions of this ordinance.

Hotel/Motel. A lodging establishment of 26 or more guest rooms providing overnight accommodations to transient guests.

Housing, Short Term Rental. A single-family or individual two-family or multifamily dwelling that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 days.

Impervious Surface. Any area of land that cannot be landscaped or planted and which does not allow for the natural passage of water through it, including paved areas, all buildings, and asphalt or concrete parking areas, driveways, roads, sidewalks and any areas of concrete or asphalt and/or any water bodies, and roof surfaces.

Infill. Development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process.

Inn. A building used as a lodging establishment having six to 25 guest rooms providing overnight accommodations and breakfast to transient guests.

Intensive Level Survey. An Intensive Level Survey will be based on a systematic approach to the entire tract, to differentiate between having high or low potential for containing archeological resources. Topography and soil types are also taken into consideration to help determine the areas of high and low potential. In addition, sub-surface activity, such as shovel tests are done (unless surface exposure is evident) and the materials are

Article 4. Zoning Districts

4.1 Establishment of Districts

For the purpose of this UDO, portions of the City as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

BASE ZONING DISTRICTS	
Residential Zoning Districts	
TR	Transitional Residential
RE	Residential Estate
R-1	Low Density Single-Family Residential
R-2	Medium Density Single-Family Residential
R-3	Medium-High Density Single-Family Residential
R-4	High Density Single-Family Residential
GR	General Residential
TBR	Traditional Beaufort Residential
MHP	Manufactured Home Park
Commercial Zoning Districts	
NC	Neighborhood Commercial
OC	Office Commercial
CC	Core Commercial
GC	General Commercial
HC	Highway Commercial
Industrial Zoning Districts	
LI	Limited Industrial
IP	Industrial Park
Special Purpose Zoning Districts	
CP	Conservation Preservation
MED	Medical
PUD	Planned Unit Development
MR	Military Reservation
OVERLAY ZONING DISTRICTS	
AICUZ	Air Installation Compatibility Use Zone
-D	Development Design
-H	Historic

4.2 Official Zoning Map

- A. The boundaries of the above zoning districts are a map or series of maps entitled "Official Zoning Map, City of Beaufort" which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this UDO. Special purpose zoning districts intended to serve as floating districts are not established on the zoning map until a specific district is proposed and approved by the City.
- B. Each map bearing the designation "Official Zoning Map, City of Beaufort" shall be identified by the signature of the Administrator, and bearing the seal of the City under the words: "Official Zoning Map, City of Beaufort, South Carolina," together with the date of the adoption of the map.

Article 5. Use Regulations

5.1 Use Tables

A. Types of Use

All of the Use Categories listed in the Use Table are defined and described in the sections immediately following the Table.

1. Uses Permitted By Right

A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

2. Conditional Use

A "C" indicates a use that is allowed conditionally, provided that it meets the additional listed standards contained in Section 5.3, Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

3. Special Exception

An "S" indicates that a use is allowed only if reviewed and approved as a Special Exception, provided that it meets the listed standards contained in Section 5.3, Specific Use Standards. Special exceptions are subject to all other applicable regulations of this UDO.

4. Existing Building

An "E" indicates a use category that is allowed only in existing buildings, provided that it meets the additional listed standards contained in Section 5.3.

B. Uses Not Allowed

A blank cell in the Use Table indicates that a Use Category is not allowed in the respective district.

C. Uses Not Listed

The Administrator shall determine whether or not an unlisted use is part of an existing Use Category or is substantially similar to an already defined use, using the criteria in Section 5.2, Use Categories.

- c. In the NC zoning district, the building footprint of such use shall be no more than 2,500 square feet. Larger facilities shall be permitted as part of a mixed-use development.

9. Entertainment

Indoor and Outdoor Entertainment are permitted subject to the following standards:

- a. The use is owned and managed by the neighborhood association or property owners' association in which the use is located.

10. Fuel Sales

In the GC District, Fuel Sales are permitted as a conditional use in the SC 170 Design District and the US 21 District outside the Boundary Street Redevelopment District. In all other GC Districts, Fuel Sales are permitted by special exception. Fuel Sales in all districts where permitted by this UDO, are permitted subject to the following standards:

- a. Parking and/or service areas shall be separated from adjoining residential properties by a suitable planting screen, fence or wall at least six feet in height;
- b. No open storage of any type, including the overnight storage of vehicles, shall occur in conjunction with the operation.
- c. No more than two Fuel Sales facilities are permitted at an intersection of any Arterial Street (Section 7.2.B). Nor more than one Fuel Sales facility is permitted at the intersection of other streets.
- d. In new development, pumps should not be located between the building and the adjacent street, but instead be placed behind the building, although the Design Review Board may permit pumps to be located to one side of the building based on unique site conditions including the presence of wide buffers. In such cases, the pumps, including the canopy, shall not project further toward the street than the front line of the building.
- e. No signs shall be located on any canopy over the pumps.
- f. Any freestanding light fixtures shall be reduced in height to fifteen feet if the use adjoins a residential district or residential use.
- g. Any service bay doors shall not be oriented toward any public right-of-way.
- h. Fuel sales are subject to the general Design District standards set out in Section 6.6 and the specific Gas Station Design Guidelines set out in the Appendix.

 **11. Housing, Short Term Rental**

Short term rentals are permitted in all residential zoning districts with the exception of the Traditional Beaufort Residential District, The Point, or where prohibited by covenants. Short term rental of the primary dwelling, or rental of an accessory dwelling unit on property where the property owner does not live on the premises, shall be by special exception subject to the standards

shown below. Short term rental of an accessory dwelling unit where the property where the property owner lives on the premises, and short term rental of any type of residential unit in a commercial district, shall be a conditional use subject to the standards shown below.

- a. A minimum 2-night stay is required;
- b. Adequate on-site parking is provided. Parking should be located to the side or rear of the dwelling (i.e., the front yard should not be used for parking). Tenants should use the required on-site parking and not park in the street;
- c. A property management plan shall be developed and approved by the appropriate review authority. Failure to comply with the approved property management plan shall result in revocation of zoning approval;
- d. No on-site signage shall be permitted;
- e. No pets shall be left outside unattended;
- f. An annual Safety Inspection shall be conducted before the Business License for the facility can be renewed;
- g. The facility shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County, and the state of South Carolina; and
- h. Approval of the use runs with the ownership of the property.

12. Manufacturing and Production

Manufacturing and Production uses are permitted subject to the following standards:

- a. Any industrial use, plus operations incidental to such use, which involves manufacturing, processing, assembly, storage operations, provided the manufacturing, processing, assembly or storage in no way involves any junk or salvage operations;
- b. No open storage of junk or salvage materials shall occur; and
- c. Any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operation shall not be sufficient to create a nuisance beyond the premises.

13. Medical Office/Clinic

Medical offices and clinics are permitted in the NC zoning district subject to the following standards:

- a. The building footprint of such use shall be no more than 2,500 square feet. Larger facilities shall be permitted as part of a mixed-use development.

**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
1711 King St	Northwest Quadrant
806 Newcastle St	Northwest Quadrant
502 Scott St	Old Commons
803 Scott 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
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 3-17-15