

**2500 FRIPP STREET
STAFF REPORT**

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 27 April 2015**

Case Number: ZB15-12
Property Address: 2500 Fripp Street
Applicant: Kerry and Lynn Scott
Type of Request: Variance from Limit on Number of Garages and Side Yard Setback Variance
Zoning: R-1

Background: The property is located at 2500 Fripp Street in the Hermitage Road Area neighborhood, at the “intersection” of Fripp Street and Dill Drive (see Site Location Map attached). The property is identified as District 120, Tax Map 5, Parcel 29A. The property adjoins the Spanish Moss Trail. The abandoned “Pickle Factory” adjoins the property to the rear. The property is zoned “R-1 Low Density Single-Family District” (R-1). The R-1 District requires a minimum lot area of 12,500 square feet. The lot is approximately 34,000 square feet in area. The side lot lines are not perpendicular to Fripp Street, but are slightly radial. The required side yard setback is 15’. A single-family dwelling is located on the lot. An attached one-car carport is located on the east side of the dwelling facing the rail trail. There are no sheds or outbuildings on the lot. The applicant has provided photographs of the property.

Section 5.4.B.1 of the Unified Development Ordinance (UDO), limits the number of garages or carports on a property to one. The applicant is requesting a variance of Section 5.4.B.1 to allow a two-car garage to be built to the rear of the dwelling adjacent to the rail trail. The garage will be attached to a new screen porch via a covered (enclosed?) walkway. The structure is proposed to be 40’ x 17’ (680 square feet), with 417 square feet being garage and 263 square feet being a workshop. The applicants desire to locate the garage 10’ from the east/Dill Drive side of the lot. The minimum side yard setback required in the R-1 District is 15’. The applicants have stated that the 5’ side yard setback variance will allow the new structure to be parallel and perpendicular to the existing house with minimum impact on existing trees. The garage will be one-story and has been designed to match the existing house.

Public comment: The public hearing notice referencing this application appeared in the April 12 edition of *The Beaufort Gazette*. The property was posted on April 13. Letters were sent to adjoining property owners on April 17. Staff has received no public comments on this application as of the date of this writing.

Staff findings: Based on the information submitted with the application, staff has concluded the following:

- (1) *Extraordinary and exceptional conditions.* In staff's opinion, there are extraordinary and exceptional conditions attached to this property in that the lot adjoins Dill Drive and the Spanish Moss Trail. The property abuts an abandoned historic industrial building. The side lot lines are radial, not perpendicular to the street. The existing dwelling on the lot was built parallel to the street.
- (2) *Conditions as applied to other property in the vicinity.* These conditions do not generally apply to other property in the vicinity.
- (3) *Conditions not a result of the applicant's own actions.* The applicant did not plat the lot nor build the existing structure on the lot.
- (4) *Not in conflict with Comprehensive Plan.* Staff believes that granting of the variances would not conflict with the Comprehensive Plan, Civic Master Plan, or the purposes of the UDO, in that the Civic Master Plan encourages reinvestment in existing neighborhoods.
- (5) *Unreasonable restriction on utilization of the property.* Staff believes it is an unreasonable restriction on use of the property to prohibit the construction of a two-car garage because of the presence of a one-car carport. The existing carport is not visible from the street and was designed to blend in with the existing house. Most two-person households today in single-family neighborhoods have two vehicles. The garage and workshop would allow enclosed storage of vehicles and yard equipment. Since the property is visible from the Spanish Moss Trail, having vehicles and equipment stored on an enclosed building makes sense from the safety and aesthetic perspective. Requiring the garage to meet the 15' side setback moves the garage closer to the house and sites it at a less-than-desirable angle.
- (6) *Detriment to adjacent property and the public good.* In staff's opinion, granting of the variance would not be a detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance. There are no neighbors on the west side of the lot where the garage will be located. Enclosed storage of vehicles and yard equipment is desirable and appropriate adjacent to the rail trail. The garage has been designed to match the existing dwelling on the lot.

Staff comments: Staff believes the Board can make all the findings necessary to approve and variance and so recommends approval.

**2500 FRIPP STREET
APPLICATION**

ap# 11354

\$ PAID
4/2/15 CK

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 Fees	
<input checked="" type="checkbox"/>	Residential \$200
<input type="checkbox"/>	Commercial \$300
<input type="checkbox"/>	Special Meetings \$500

VARIANCE APPLICATION

OFFICE USE ONLY: Date Filed: 4-2-15 Application #: ZB15-12 Zoning District: R-1

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. For variances, include photos showing relationship to adjoining properties.

APPLICANT(S): Kerry D. & Lynn B, Scott

Address: 2500 Fripp Street
Beaufort, SC 29902

Telephone: 803-960-3259 [day] [fax]

E-mail: kscott0204@gmail.com

OWNER(S) if other than Applicant(s): _____

Address: _____

Telephone: _____ [day] [fax]

PROPERTY STREET ADDRESS: 2500 Fripp Street, Beaufort, SC

Tax Map No.: R120 005 000 029A 0000

Parcel No.: _____

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 ___X_ No

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

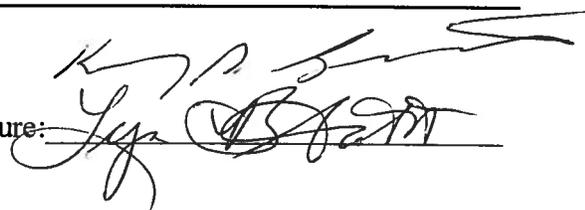
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: April 2, 2015

Owner's Signature: _____

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

Date: April 2, 2015

Applicant's Signature: 

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

VARIANCE APPLICATION

Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property described on Page 1 of the following provisions in Section 3.15 of the Unified Development Ordinance (UDO): 5.4 Accessory Structures
6.1.A

so that a building permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: (e.g., build a garage) *Build an accessory use garage building and allow a sideline setback of ten feet from the eastern property line. The existing single car carport is currently excluding the addition:*

for which a permit has been denied by a building official on the grounds that the proposal would be in violation of the cited section(s) of the UDO: 5.4

1. The application of the UDO will result in unnecessary hardship, and the standards for a variance set by State law and the UDO are met by the following facts:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: *The original construction (1959) provides only a single car carport. As new Owners of the property, we would like to build a garage building to provide secure/out of view storage and hobby area.*
 - b. These conditions do not generally apply to other property in the vicinity as shown by: *East sideline is adjacent to the old pickle factory drive and the Spanish Moss Trail.*
 - c. The conditions are not the result of the applicant's own actions as follows: *The existing house is parallel to Fripp Street. The east property line is not perpendicular to Fripp Street. The reduced sideline setback allows the proposed attached new structure to be parallel and perpendicular to the existing house with minimum impact on the historic trees. The proposed building location provides an attached garage with driveway access internal to the property.*
 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the UDO in that: *The improvements will add value to the existing property and community without detracting from any other property or crating any safety issues.*
 - e. Because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: *Could not provide covered/concealed storage of automobile, boat, or the ancillary items of home/yard ownership/maintenance.*
 - f. 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 for the following reasons: *The new building is designed to match eave line details, roof pitch, siding, and design details of the existing house.*

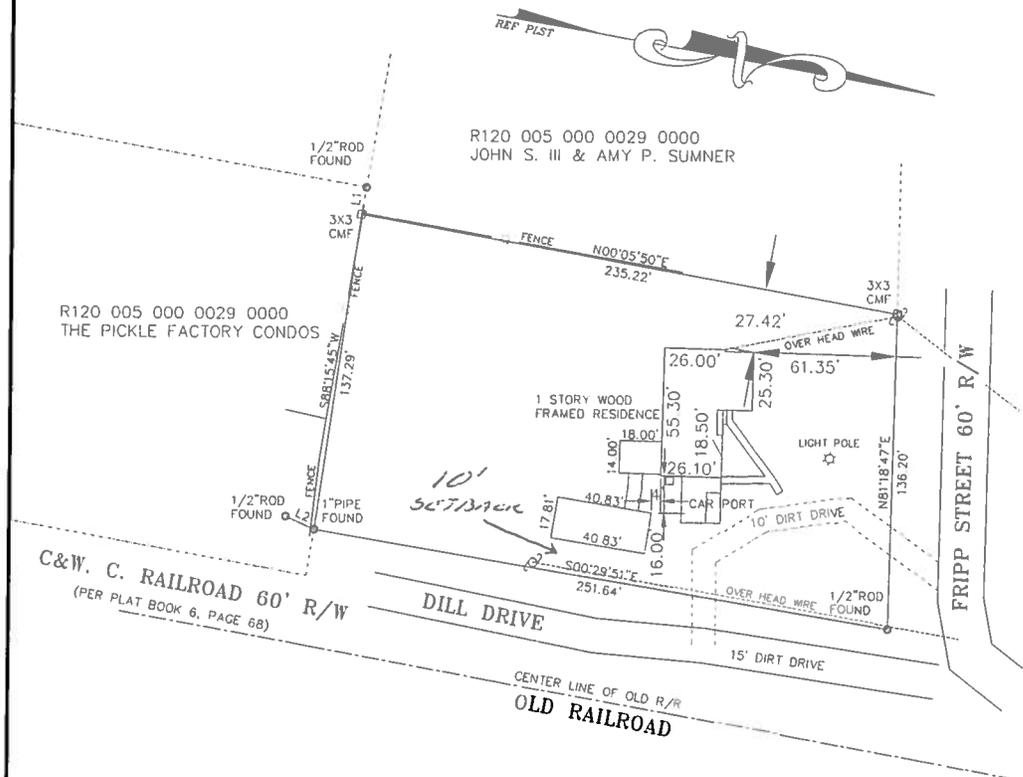
GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
 P.O. BOX 1363, BEAUFORT, S.C.
 PHONE (843) 522-1798



LINE	LENGTH	BEARING
L1	11.82	S89°48'12"W
L2	13.62	S14°16'06"W

VICINITY MAP NOT TO SCALE



ASBUILT SURVEY PREPARED FOR

MICHAEL SCOTT RILEY & MARY KAYE RILEY

BEING THE EASTERN HALF OF LOTS 136 & 137 HUNDRED PINES SUBDIVISION AS SHOWN ON A PLAT BY A. E. SAMUEL, DATED AUGUST 1946 RECORDED IN PLAT BOOK 6, PAGE 68 BEAUFORT COUNTY R.M.C. OFFICE LOCATED IN THE CITY OF BEAUFORT BEAUFORT COUNTY SOUTH CAROLINA TAX MAP R120 005 000 029A 0000

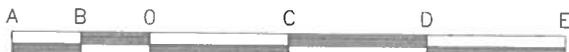
THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF ANY OVERLAY DISTRICTS, SUCH AS, AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HERE ON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.

BEFORE ANY DESIGN WORK OR CONSTRUCTION ON THIS SITE IS STARTED FLOOD ZONE INFORMATION MUST BE VERIFIED BY PROPER BUILDING CODES OFFICIAL. THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE "B" AS DETERMINED BY F.E.M.A. FIRM COMM-PANIL NUMBER 450025 0005 D DATED 09/29/86 (INDEX DATE 11/04/92)

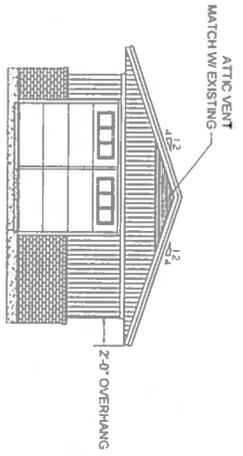
THE UNDERSIGNED DOES NOT CERTIFY THAT THE PROPERTY SHOWN HEREON COMPLIES WITH ANY RESTRICTIVE CONVEYANCES OR ANY CITY AND/OR COUNTY ORDINANCES.

I, DAVID E. GASQUE, HEREBY CERTIFY TO MICHAEL SCOTT RILEY & MARY KAYE RILEY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS SURVEY AS SPECIFIED THERE IN. ALSO THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THEN SHOWN. THIS SURVEY IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE AND HAS AN EMBOSSED SEAL. AREA DETERMINED BY COORDINATE METHOD.

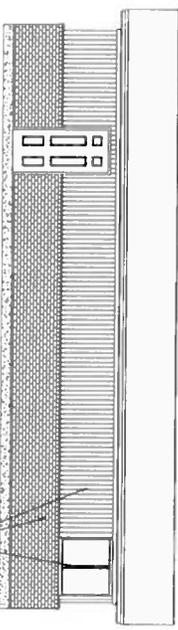


SCALE: 1"=1' SCALE IN FEET DATE: 10/30/2013

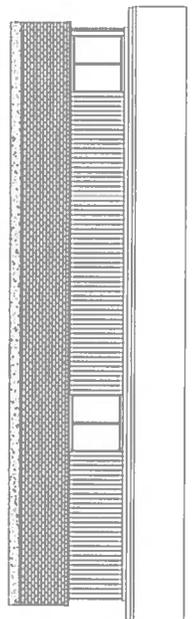
DAVID E. GASQUE, R.L.S. JOB # 40943
 S.C. REGISTRATION NUMBER 10508 FB#856/TT DSGN#7
 THIS PLAT IS NOT BINDING UNLESS ACCOMPANIED BY AN ORIGINAL SIGNATURE AND AN EMBOSSED SEAL.



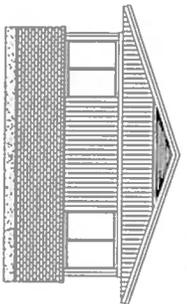
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

NOTES:

1. THESE DRAWINGS ARE THE PROPERTY OF THE OWNER AND THE CONSULTANT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF THE CONSULTANT IS STRICTLY PROHIBITED.
2. THE CONSULTANT HAS NOT VERIFIED COMPLIANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND CODES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING COMPLIANCE WITH ALL APPLICABLE REGULATIONS AND CODES.
3. THE CONSULTANT HAS NOT VERIFIED THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEY DATA AND FOR VERIFYING ITS ACCURACY.
4. THE CONSULTANT HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION AND FOR VERIFYING ITS ACCURACY.
5. THE CONSULTANT HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION AND FOR VERIFYING ITS ACCURACY.

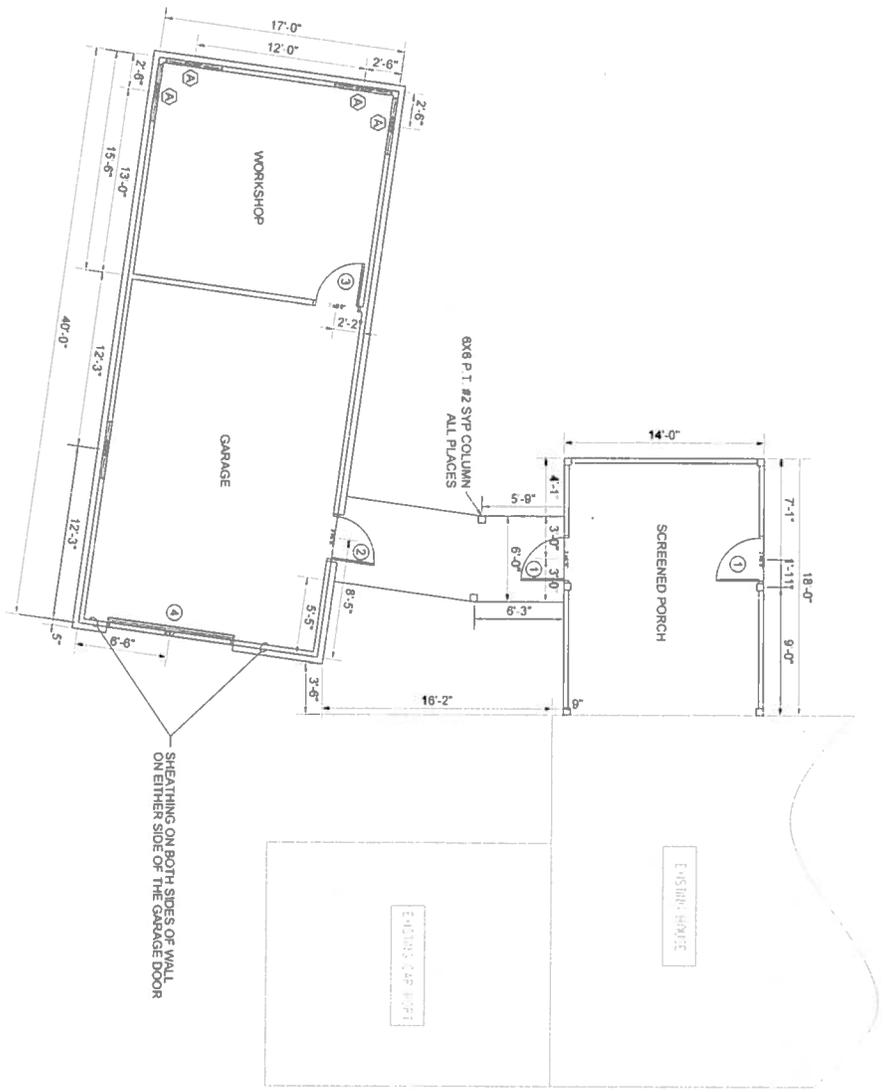
Designed by
KERRY SCOTT
1200 FRIPP STREET
BEAUFORT, SC 29902
803.960.3259

SCOTT RESIDENCE
BEAUFORT, SC
REMODELING

Prepared by
KERRY SCOTT
2500 FRIPP STREET
BEAUFORT, SC 29902

Sheet Title
GARAGE
ELEVATIONS

Drawn By	1111	Sheet #	A2.2
Date	3/09/2015	Scale	AS NOTED



ADDITION FLOOR PLAN
SCALE: 1/4" = 1'-0"

ALTERNATE SHEATHING SYSTEMS

NO.	DESCRIPTION	DATE	BY	REVISION
1	1. SHEATHING SYSTEM 1	11/11/15	KS	1
2	2. SHEATHING SYSTEM 2	11/11/15	KS	2

ADDITIONAL DOOR SCHEDULE

NO.	DESCRIPTION	DATE	BY	REVISION
1	1. GARAGE DOOR	11/11/15	KS	1
2	2. SCREENED PORCH DOOR	11/11/15	KS	2

- NOTES:**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES.
 2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE PRIOR TO COMMENCEMENT OF WORK.
 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT AREAS AT ALL TIMES.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES.

ADDITIONAL SQUARE FOOTAGE

SCREENED PORCH	238 SQ. FT.
GARAGE AND SHOP	888 SQ. FT.
TOTAL UNDER PERMIT	1126 SQ. FT.

Designed by
KERRY SCOTT
2500 FRAPP STREET
BEAUFORT, SC 29902
803.960.3259

Project Title
SCOTT RESIDENCE
BEAUFORT, SC
REMODELING

Prepared by
KERRY SCOTT
2500 FRAPP STREET
BEAUFORT, SC 29902

Sheet Title
ADDITION FLOOR PLAN

Revision
1
DATE: 3/09/2015
SCALE: AS NOTED







