

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

APP 10186
Application Fee
 Residential \$200
 Commercial \$300
 Special Meetings \$500
7/7/14
CL

VARIANCE APPLICATION

OFFICE USE ONLY: Date Filed: 7/7/14 Application #: ZB14-16 Zoning District: LI

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): 90 Laurel Bay Rd LLC
Address: 960 Ribaut Rd Beaufort SC 29944
Telephone: 843-524-4423 [day] 843 524-4468 [fax]
E-mail: metech428@yahoo.com

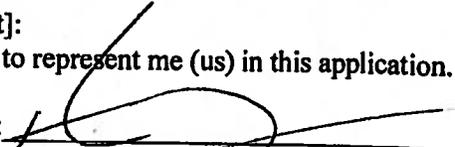
OWNER(S) if other than Applicant(s): A.P. BURRIS AND/OR ANDY BURRIS
Address: SAME
Telephone: " [day] SAME [fax]

PROPERTY STREET ADDRESS: 90 Laurel Bay Rd
Tax Map No.: R-120-025-000-022C-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 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: July 7, 2014 Owner's Signature: 

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

Date: 7/7/14, 2014 Applicant's Signature: 

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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); 1) Reduce rear setback from 35' to 10' 2) permit 6' Black Aluminum fence with estate gate on 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 60'x146' free off. climate controlled storage bldg w/ 16-20 long term parking 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: place

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 entire North and South sides of the property are bounded by US Gov to North and South AND U.S. Gov. to South
 - b. These conditions do not generally apply to other property in the vicinity as shown by: Variance for 6' fence. Adjacent property owner access Stanley Farm Rd. Currently has 6' vinyl chain link fence.
 - c. The conditions are not the result of the applicant's own actions as follows: The property use is restricted by configuration and overhead power lines and setbacks
 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the UDO in that: Improving existing property and structure will be positive impact for neighbors
 - 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: UDO requiring more than a 10' setback would reduce buildings size which will make the property NOT profitable for development 2) Less than 6' fence would give other side
 - 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: 1) setback variance is adjacent to US. Government's open space for fly zone. 2) The 6' Aluminum black decorative fence with estate gate will be an attractive addition to the existing property.

continued

② with estate ^{Gate} on Laurel Bay Rd. and Black Vinyl
chain link adjacent to Stanley Farm Rd.

I.e. the appearance of inadequate security

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 28 July 2014**

Case Number: ZB14-16
Property Address: 90 Laurel Bay Road
Applicant: 90 Laurel Bay Road, LLC
Type of Request: Variances--Rear Yard Setback, Fence Height, Screening
Zoning: LI

Background: The property is located at 90 Laurel Bay Road (see Site Location Map attached). The property is identified as District 120, Tax Map 25, Parcel 22C. The property is located at the corner of Laurel Bay Road and Stanley Farm Road. The property faces Laurel Bay Road, but is separated from Laurel Bay Road by a frontage road which dead ends at the eastern edge of the property. The lot is triangular in shape, and varies in depth from 175' along Stanley Farm Road to a little over 30' at the eastern edge of the existing warehouse. An SCE&G power line easement is located on the western side of the site. The site adjoins property owned by the Air Station. The property is zoned "LI Limited Industrial District" (LI). The LI District requires a minimum front yard setback of 25', a side yard setback of 10'; and a rear yard setback of 35'. A dilapidated warehouse/mini-storage facility is located on the site. The building is nonconforming for setbacks. The property has been vacant for many years.

The applicant desires to rehabilitate the existing structure and to build a new mini-storage facility. The new building is proposed to be located approximately 8' from the rear property line. The applicant is requesting a rear yard setback variance.

A large portion of the site is to be fenced. The applicant desires to install a 6' fence for security purposes. Section 6.5.I.6.b of the Unified Development Ordinance (UDO) limits the height of fences along streets to 4'. The applicant is requesting a variance of this standard in the ordinance.

A parking area for storage of cars, boats, and recreational vehicles is proposed. Section 5.4.C.5 of the UDO permits outside storage in the LI District on the condition that it is screened from adjoining properties by an opaque screen a minimum of 7' high. The applicant is requesting a variance from the screening requirements.

Public comment: The public hearing notice referencing this application appeared in the July 13, 2014 edition of *The Beaufort Gazette*. Letters were sent to adjoining property owners on July 14 which is the same day the property was posted.

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 pertaining to this property in that it a pie-shaped lot; that the site contains warehouse buildings that have been vacant for many years; that the adjoining property is owned by the Air Station; that a frontage road separates the property from Laurel Bay Road; and that an SCE&G power line easement is located on the western portion of the lot.
- (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.* These conditions are not the result of the applicant's own actions, in that the applicant purchased the property in its current condition.
- (4) *Not in conflict with Comprehensive Plan.* Staff believes that granting the variances will not be in conflict with the Comprehensive Plan and the purposes of the Unified Development Ordinance, in that the Comprehensive Plan encourages redevelopment of existing developed sites.
- (5) *Unreasonable restriction on utilization of the property.* Staff believes it is an unreasonable restriction on use of the property to prohibit additional investment on the lot which is approximately 50% vacant.
- (6) *Detriment to adjacent property and the public good.* In staff's opinion, granting of the variances will not be a detriment to adjacent property and the public good, in that the adjoining property is owned by the Air Station; that there are already warehouse and light industrial uses in the area; and that the proposed project will greatly improve the appearance of the site.

Staff recommendation: Staff's believes that all the conditions necessary to approve the variances have been met, and so recommends approval of the variances with the following conditions:

- That the 6' fence along the Laurel Bay Road frontage be black aluminum picket;
- That the fence on Stanley Farm Road be black or Charleston green vinyl coated;
- That no barbed wire be utilized as part of the fencing;
- That 13 "Red Rocket" Crape Myrtles, 8' in height, be planted 10' on center along the fence on Laurel Bay Road. These trees are to be protected from vehicles by wheel stops. Much, sod, or evergreen groundcover is to be planted under all myrtles.
- That 16 Wax Myrtles, 6' in height be planted 10' on center along the fence line on Stanley Farm Road. These trees are to be protected from vehicles by wheel stops; and
- That all planting beds be irrigated.

These conditions are in additional to other landscaping required by the ordinance.

90 Laurel Bay Road



30 Laurel Bay Road



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2. Completely enclosed building for the storage of supplies, stock or merchandise. Steel cargo storage containers or modified versions thereof are not permitted.
3. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line of the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.
4. Sheds or tool rooms for the storage of equipment used in operations or maintenance. Steel cargo storage containers or modified versions thereof are not permitted.
5. Open yard use for the storage of materials or equipment, excluding junk or other salvage is only permitted in the Highway Commercial District and the Limited Industrial District and shall be separated from adjoining properties by an opaque screen, fence or wall at least seven feet in height above finished grade.
6. Marinas may include the following accessory uses: mooring field, boat tours, boat fueling and pump-out facilities, restrooms, and marina office/store.

D. Uses Customarily Accessory to Public Uses, Buildings or Activities

There shall be no limitations regarding accessory uses to any use, building or activity operated within the public domain except that such uses, buildings, or activities must be directly related and subordinate to the principal Public Use.

E. Satellite Dishes

The guidelines for the siting of satellite dishes are as follows:

1. General Requirements

No form of advertising shall be allowed on the dish or framework other than the manufacturer's small identification plate.

2. Residential Zones

Satellite dishes should be placed in the side or rear yard or on the roof. Dishes shall not be allowed in any front yard unless a company licensed to install satellite dishes in the City certifies that the front yard is the only place where the dish will be operational. Satellite dishes should be screened from the street and to the degree feasible, from adjoining properties. Such screening can be accomplished through fencing, landscaping, or placement of the dish between/behind architectural features of the building.

3. Commercial Zones

The preferred location for all dishes is in the rear yard or on the roof. Dishes are encouraged to be screened from the street and to the degree feasible, from adjoining properties. Screening can be accomplished through fencing, landscaping, or placement of the dish between/behind architectural features of the building. Dishes greater than two meters in diameter must be located in the side or rear yard or on the roof and must be screened from the street and to the degree feasible, from adjoining properties.





