

AP 10421
PD 8/25/14
CC

City: Beaufort Zoning Board of Appeals
1911 Boundary Street
Beaufort, South Carolina 29902
Phone (843) 525-7011 / Fax (843) 986-5606
Revised August 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: 8/25/14 Application #: ZB/4-19 Zoning District: R-2

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): Julie Porter
 Address: 111 Lyford Place
 Telephone: 812-3954 [day] _____ [fax]
 E-mail: _____

Chandler Truck
813-321-9625
ChandlerTruckConstruction@gmail.com

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

PROPERTY STREET ADDRESS: 111 Lyford Place
 Tax Map No.: 120-3-816
 Parcel No.: Lot 1 Lyford Place

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: 8/22/14 Applicant's Signature: Julie Porter

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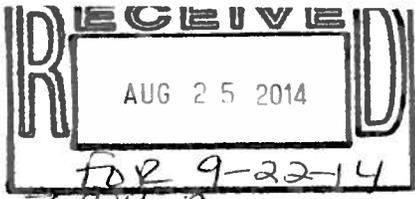
VARIANCE APPLICATION

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):

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) Additional Garage

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:

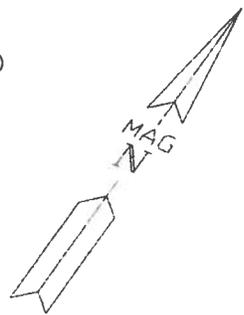
1. The application of the UDO will result in unnecessary hardship, and the standards for a variance set by State law and the UDO are met by the following facts:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: Owner would like to have enclosed parking for 2 cars. A large live oak prohibits a traditional 2 car garage.
 - b. These conditions do not generally apply to other property in the vicinity as shown by: Enclosed pictures show the location of the oak tree
 - c. The conditions are not the result of the applicant's own actions as follows: Applicants purchased house and now need a second garage
 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the UDO in that: Granting the variance would save the live oak tree which is encouraged by the Comprehensive Plan.
 - 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: Without the variance, the live oak would need to be removed.
 - 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: Granting the variance would allow the live oak tree to remain. There will be no detriment to adjoining property owners.



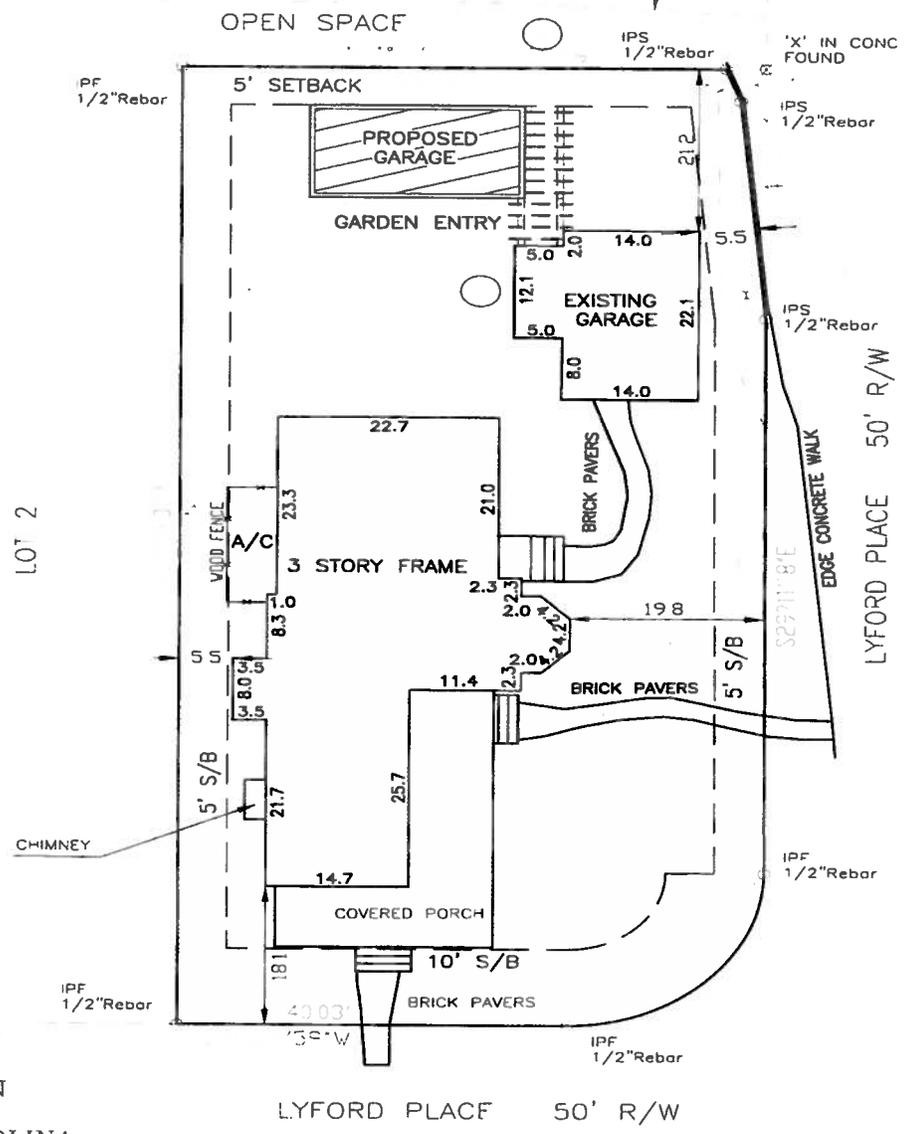
DEPOT ROAD 60, R/W

N. 1/2 S. 1/2 BLANKING
A. 6.40' S43°24'41"E

LOT 1
0.169 AC
(7362 sq.ft.)



**LOT LINE CORRECTION PLAT
PREPARED FOR
BROAD RIVER CONSTRUCTION
CITY OF BEAUFORT
BEAUFORT COUNTY, SOUTH CAROLINA**



THE SAME BEING LOT 1, LYFORD PLACE SUBDIVISION AS SHOWN ON A PLAT BY DAVID S. YOUMANS DATED APRIL 26, 2004, REVISED OCT. 2, 2005 AND RECORDED IN THE REGISTER OF DEEDS OFFICE FOR BEAUFORT COUNTY, SOUTH CAROLINA IN PLAT BOOK 109, PAGE 125.

I HEREBY STATE 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 B SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

THIS PROPERTY IS LOCATED IN ZONE C AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL NUMBER 450026 0005 D, DATED 9-29-86.

R120-003-000-0816-0000



SCALE 1" = 20'

AUGUST 15, 2007
P12741LLC/MMA/JJ

DAVID S. YOUMANS R/S 9765
BEAUFORT SURVEYING, INC.
1613 PARIS AVENUE
PORT ROYAL, S.C. 29935
PHONE (843) 524 3261

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 22 September 2014**

Case Number: ZB14-19
Property Address: 111 Lyford Place
Applicant: Julie Corner
Type of Request: Variance from Limit on Number of Garages
Zoning: R-2

Background: The property is located at 111 Lyford Place in West End neighborhood (see Site Location Map attached). The property is identified as District 120, Tax Map 3, Parcel 816. A single-family dwelling is located on the property. The property is zoned "R-2 Medium Density Single-Family District" (R-2). A single-family dwelling is located on the lot. A detached one-car garage is located to the rear of the existing dwelling.

The applicant desires to build an additional one-car garage. Section 5.4.B.1 of the Unified Development Ordinance (UDO) (attached), limits the number of garages on a property to one. A one-car detached garage already exists on the property (see attached photos). The applicant is requesting a variance of Section 5.4.B.1 to allow an additional one-car garage to be built behind the dwelling. The applicant has submitted a site plan and drawings that show the location and design of the proposed garage.

A large tree in the common open space area is located less than 10' from the proposed building site according to the survey.

Questions for the applicant: Will the garage be located within the existing picket fence? Or will the fence be moved or removed to accommodate the garage? What will the impervious surface be on the lot? The R-2 District limits the impervious surface to 45%.

What is the size and species of the tree in the common area?

Staff comments: Staff is concerned about the tree in the common area. The tree will be impacted by the garage construction. If the tree is not in good condition, it should be removed before any construction commences. If the tree is in good condition, measures should be taken before and during construction to mitigate the impacts of construction.

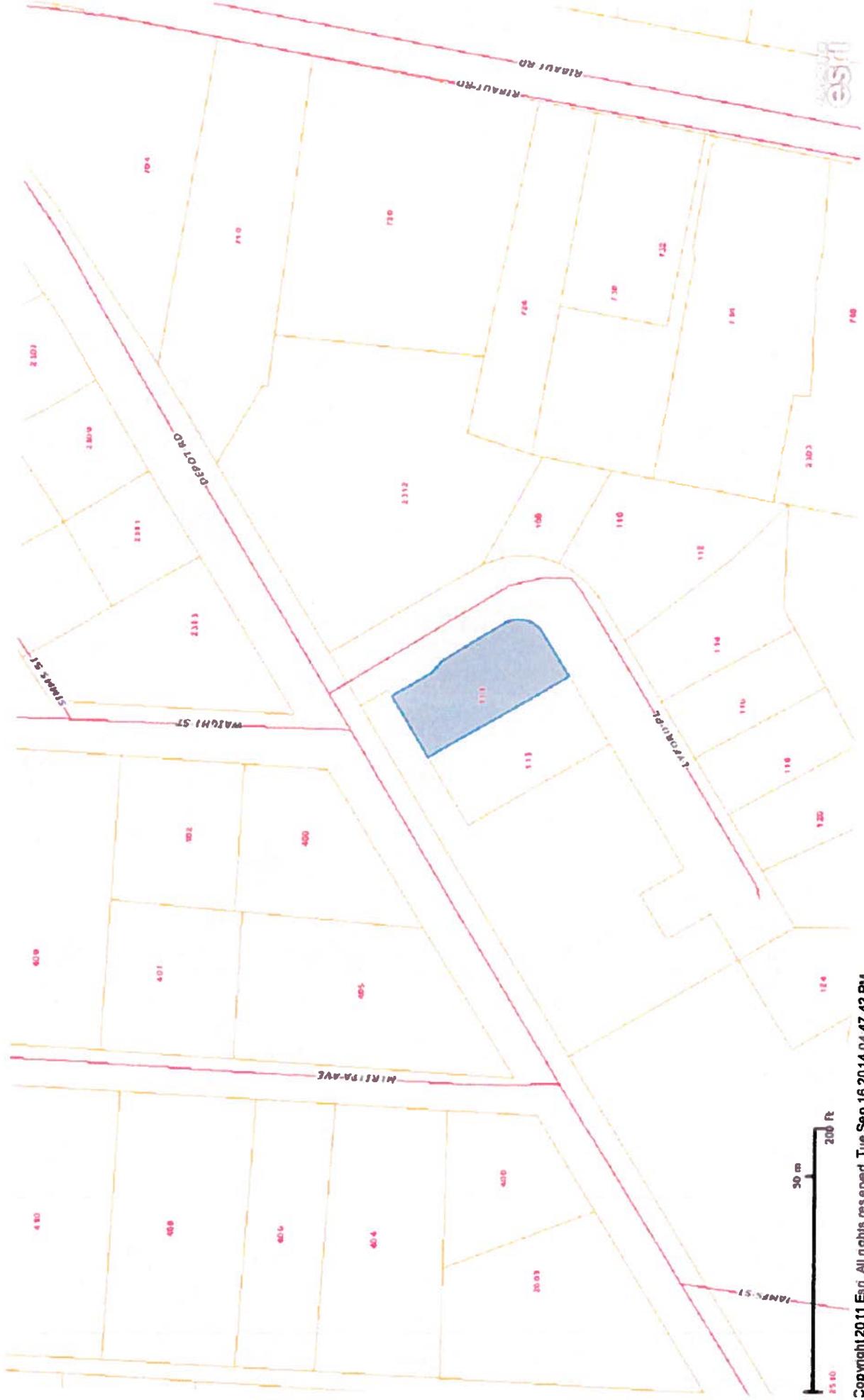
Public comment: The property was posted on September 9. The public hearing notice referencing this application appeared in the September 7, 2014 edition of *The Beaufort Gazette*. Letters were sent to adjoining property owners on September 2. Staff has received no public comments on this application 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 no extraordinary and exceptional conditions attached to this property.
- (2) *Conditions as applied to other property in the vicinity.* Since there are no extraordinary conditions, this criteria does not apply.
- (3) *Conditions not a result of the applicant's own actions.* Since there are no extraordinary conditions, this criteria does not apply.
- (4) *Not in conflict with Comprehensive Plan.* The Board must make a finding that granting of the variance would not conflict with the Comprehensive Plan or the purposes of the UDO.
- (5) *Unreasonable restriction on utilization of the property.* Is it an unreasonable restriction on use of the property to prevent the construction of an additional garage on the lot? There is already a garage on the property to accommodate one vehicle and to storage outdoor materials. There are many dwellings in the area that do not have garages. There are not many dwellings in the area that have two garages. Is it unreasonable to restrict all vehicles associated with a property from being able to park in a garage?
- (6) *Detriment to adjacent property and the public good.* The Board must make a finding that granting of the variance will not be a detriment to adjacent property or the public good. The garage has been designed by an architect to match the existing garage. The garage will be attractive and be made of quality materials. The garage doors will not be oriented toward the main street (Depot Road). At the same time, staff is concerned about the large tree in the common area.

Staff comments: The Board must make all six findings to approve a variance. Staff does not believe that a decision can be made on the application without a recommendation from a Certified Arborist as to the condition of the large tree in the common area.

111 Lyford Place



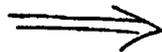
Copyright 2011 Esri. All rights reserved. Tue Sep 16 2014 04:47:42 PM

5.4 Accessory Uses

A. Purpose

In addition to the Principal Uses, each of the following uses is considered to be a Customary Accessory Use, and as such, may be situated on the same lot with the Principal Use or uses to which it serves as an accessory. No accessory use or structure, except for docks, shall be constructed or established on any lot prior to the time of construction of the principle structure to which it is accessory.

B. Uses Customarily Accessory to Residential Dwellings

- 
1. Either a private garage (attached or detached) or workshop subject to the following standards:
 - a. Such structure (including attached garages) shall not be located in front of the front line of the dwelling (i.e. front façade, front building wall) except on lots on the marsh or water or where the garage will be more than 100' from the front property line.
 - b. A garage (attached or detached) shall not exceed 50% of the footprint of the dwelling; however, in no case shall the footprint of the garage exceed 1,200 square feet.
 - c. Detached garages shall not exceed the height of the primary structure except when the garage contains an accessory dwelling unit.
 - d. A garage may be provided with electricity, a sink, and a commode.
 - e. A workshop shall not exceed 320 square feet.
 - f. A workshop may be provided with electricity and a sink, but shall not be used as an accessory dwelling unit.
 2. One shed or storage building up to 3% of the size of the lot, not to exceed 320 square feet. Steel cargo storage containers or modified versions thereof are not permitted. Sheds shall not be located in front of the front line of the dwelling. Such shed may be provided with electricity and a sink.
 3. One children's playhouse up to 150 square feet in size and play equipment.
 4. One private swimming pool, which may have a bath house or cabana up to 200 square feet in size and 15 feet in height. Such pool shall have fencing (barriers) meeting the requirements of Section AG105 of the International Residential Code as amended.
 5. One private dock which may have a boat house under 15 feet in height.
 6. Noncommercial flower, ornamental shrub or vegetable garden.
 7. Gazebos, trellises, picnic tables, and furniture designed specifically for outdoor use.
 8. One accessory dwelling unit subject to the standards set out in Section 5.3.B.1.

C. Uses Customarily Accessory to Retail Business, Office Uses and Commercial Recreational Facilities

1. Off-street parking or storage area for customers, clients or employee-owned vehicles.

Recvd 8-25-14 (ZB4419)





