



**CITY OF BEAUFORT**  
ZONING BOARD OF APPEALS  
1911 BOUNDARY STREET  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7011

**AGENDA**

City of Beaufort  
**ZONING BOARD OF APPEALS**  
Monday, April 27, 2020, 5:30 P.M.

**City Hall, Planning Conference Room—1911 Boundary Street, Beaufort, SC**

**Please note, this meeting will be conducted electronically via Zoom and broadcasted via livestream on Facebook. You can view the meeting live via Facebook at the City's website [www.cityofbeaufort.org](http://www.cityofbeaufort.org) and via Zoom at <https://zoom.us/j/98670029947?pwd=dTh0ajQ2WXcvdkdaMnJrdzFnZFN3QT09> Password: 086548**

**STATEMENT OF MEDIA NOTIFICATION:** "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place, and agenda of this meeting."

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**I. Call to Order**

**II. Pledge of Allegiance**

**III. *FREEDOM OF INFORMATION ACT COMPLIANCE***

Public Notification of the Zoning Board of Appeals meeting has been published in compliance with the *Freedom of Information Act* requirements.

**IV. Review of Minutes**

**A. Minutes of the February 24, 2020 Meeting**

**V. Review of Projects**

**A. 169 Sea Island Parkway, identified as District R200, Ta Map 15, Parcel 606, Special Exception**

Applicant: Barnes Development Company (ZB20-04)

The applicant is requesting a special exception of the Zoning Board of Appeals previous decision until April 25, 2021.

**B. 2417 Pigeon Point Street, identified as District R120, Tax Map 2, Parcel 242, Variance**

Applicant: Luke Zelten (ZB20-02)

The applicant is requesting a lot width variance for the property.

**C. 907 Emmons Street, identified as District R120, Tax Map 2, Parcel 218, Variance**

Applicant: Cory Johnson (ZB20-03)

The applicant is requesting a variance to increase the allowable height of a fence.

**D. 709 Greene Street, identified as District R120, Tax Map 4, Parcel 218, Variance**

Applicant: Denise L. Savage, Savage Beast Productions, LLC (ZB20-01.2)

The applicant is requesting a variance to the minimum lot size permitted in the T4-HN zone in order to subdivide a parcel in the original 1969 National Landmark district into two non-confirming lots. This application went before the ZBOA on February 24 and was tabled.

**VI. Discussion**

**VII. Adjournment**

**Note: A project will not be reviewed if the applicant or a representative is not present at the meeting.**



# Zoning Board of Appeals Meeting Minutes – City Hall Council Chambers, 2<sup>nd</sup> Floor

February 24, 2020

## I. CALL TO ORDER

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5:37 PM

A meeting of the Zoning Board of Appeals was held at Council Chambers, Beaufort City Hall, 1911 Boundary Street, Beaufort, SC on February 24, 2020.

## II. ATTENDEES

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Attendees: Josh Gibson (Chairman), Joe Noll (Vice-Chairman), Nigel Stroud, Tim Wood, Jody Lee Caron

Absent: none

## III. REVIEW OF MINUTES

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A motion was made to approve the meeting minutes of September 23, 2019. The motion passed unanimously.

## IV. OLD BUSINESS

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None

## V. NEW BUSINESS

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709 Greene Street, identified as District R120, Tax Map 4, Parcel 218, Variance

Applicant: Denise L. Savage, Savage Beast Productions, LLC (ZB20-01)

The applicant is requesting a variance to the minimum lot size permitted in the T4-HN zone in order to subdivide a parcel in the original 1969 National Landmark district into two non-confirming lots.

**Motion:** Josh Gibson made a motion to table the agenda item for 3 months to give the applicant time to make modifications to the proposed subdivision plat. Josh Gibson (Chairman), Joe Noll (Vice-Chairman), Nigel Stroud and Tim Wood voted in favor of the motion Jody Lee Caron voted against

## VI. ADJOURN

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6:22 PM

Chairman Josh Gibson adjourned the meeting at

Disclaimer: All Zoning Board of Appeals Meeting minutes are recorded, which can be found on the City's website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org) (Agenda section). Audio recordings are available upon request by contacting the City Clerk, Ivette Burgess at 843-525-7018 or by email at [iburgess@cityofbeaufort.org](mailto:iburgess@cityofbeaufort.org).

169 Sea Island Parkway

R123 015 000 0606 0000

Special Exception for Extension of  
Previous ZBOA Approval for a Gas Station

Barnes Development Company  
7804 Fairview Rd #180  
Charlotte, NC 28226

February 26, 2020

Joan Furlong  
Senior Planner  
City of Beaufort  
1911 Boundary Street  
Beaufort, SC 29902

Re: Special Exception for 169 Sea Island Parkway, District 200, Tax Map 15, Parcel 606

Dear Joan,

On behalf of the property owner, Harris Teeter Properties, please allow this letter to serve as a request for an extension until April 25, 2021, of the Zoning Board of Appeals approval of a special exception of a gas station to be located at 169 Sea Island Parkway in Beaufort. The property is identified as R123 015 000 0606 00000.

Thanks for your consideration and please do not hesitate to contact me if additional information is required.

Sincerely,



Ted Barnes

CC: Ryan Lyle, Andrews Engineering  
Frank Mowitz  
Garrett Maravetz



CITY OF BEAUFORT  
**Community and Economic Development Department**

WILLIAM PROKOP  
City Manager

1911 BOUNDARY STREET  
BEAUFORT, SC 29902  
(843) 525-7011  
FAX (843) 986-5606

DAVID PRICHARD  
Community & Economic  
Director

February 5, 2019

Mr. Ryan Lyle, P.E.  
Andrews Engineering & Surveying  
2712 Bull Street, Suite A  
Beaufort, South Carolina 29902

**RE: Special Exception for 169 Sea Island Parkway**

Dear Mr. Lyle:

I am responding to your request for an extension of the Zoning Board of Appeals approval of a special exception of a gas station to be located at 169 Sea Island Parkway in Beaufort. The property is identified as R123 015 000 0606 00000.

The project was granted a special exception on April 25, 2016. This approval was valid for two years. Under current state law and *The Beaufort Development Code*, you are eligible to apply for five annual one-year extensions of the approval. In January 2018, a one-year extension of the initial approval was granted. **Your request for an additional one-year extension of the approval of the special exception is granted.** This approval will expire on April 25, 2020 unless a complete building permit application is on file with the City of Beaufort. You have the right to request up to three additional one-year extensions of your approval as per Section 9.1.4 of the Beaufort Code. Note that these extensions must be requested in writing at least one month prior to the expiration date.

We look forward to getting this project started.

Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Libby Anderson".

Libby Anderson  
Planning Department

cc: David Prichard



# Zoning Board of Appeals Meeting Staff Report

From the Department of Community and Economic Development  
27 April 2020

## 1 SUMMARY OF REQUEST

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The applicant is seeking an extension of a special exception granted on April 25, 2016 for a gas station to be located on Lady's Island.

### **Background:**

The special exception was granted under the UDO (Unified Development Ordinance) on April 25, 2016. An extension was granted via email on January 2018, extending the request to April 25, 2019.

A second extension was granted February 5, 2019, extending the special exception until April 25, 2020.

## 2 FACTS

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<b>Property Address:</b>	169 Sea Island Parkway
<b>Parcel ID:</b>	R120 002 000 0218 0000
<b>Applicant:</b>	<b>Barnes Development Company</b>
<b>Type of Request:</b>	<b>Special Exception Extension</b>
<b>Zoning:</b>	T5-UC
<b>Use:</b>	<b>Commercial</b>

### **Special Exception [§9.13.2 F]:**

Special Exception Review Criteria: The ZBOA 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 ZBOA shall consider the following criteria in its review:

1. The proposed uses compatibility with existing land uses in the surrounding area
2. The harmony of the proposed site plan, circulation plan, and schematic architectural designs with the character of the surrounding area
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 (a traffic impact analysis shall be required per Section 7.3.2.)
4. The general conformity of the proposed use and designs with the city's Civic Master Plan, Comprehensive Plan, and any other plans officially adopted by the City;
5. The likely impact on public health and safety

6. The potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts

### 3 STAFF RECOMMENDATION

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Given that the applicant has submitted a written request for the extension more than 30 days in advance of the expiration; and

Given that extensions may be approved by the decision-making body for a good cause; and

Therefore, staff recommends granting the extension.

2417 Pigeon Point Road  
R120 002 000 0042 0000  
Variance Subdividing a Lot



VARIANCE APPLICATION

Department of Planning & Development Services
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
www.cityofbeaufort.org

Application Fees:
Residential - \$200
Commercial - \$300
Special Meeting - \$500

# 20330

Receipt #

OFFICE USE ONLY: Date Filed: 3/12 Application #: ZB20-02 Zoning District: T3-S

Submittal 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.

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

Applicant, Owner and Property Information

Applicant Name: Luke Zelten

Applicant Address: 2419 Pigeon Point Road, Beaufort SC 29902

Applicant E-mail: zelten@zelten.com Applicant Phone Number: 215-696-1426

Owner (if other than the Applicant):

Owner Address:

Owner E-mail: Owner Phone Number:

Property Address: 2417 Pigeon Point Road, Beaufort SC 29902

Property Identification Number (Tax Map & Parcel Number): R120 002 000 0042 0000

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

I (we) here by 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: 3-12-20 Applicant's Signature:



# VARIANCE APPLICATION

Department of Planning & Development Services  
1911 Boundary Street, Beaufort, South Carolina, 29902  
p. (843) 525-7011 / f. (843) 986-5606  
www.cityofbeaufort.org

## Required Project Information

Applicant hereby appeals 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 \_\_\_\_\_ of the Beaufort Code:

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): To split the two houses that are on the lot in to individual properties so one could be sold.  
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 Beaufort Code:

1. The application of the Beaufort Code will result in unnecessary hardship, and the standards for an variance set by State law and the Beaufort Code are met by the facts:
  - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: Due to a family hardship financial reasons make it imperative to sell one of these properties.
  - b. These conditions do not generally apply to other property in the vicinity as shown by: On ~~the~~ Augusta and pigeon point road
  - c. The conditions are not the result of the applicant's own actions as follows: When I bought the property it was configured as is.
  - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the Beaufort Code in that: This is already an individual house with all utilities being provided and the lot size is conforming.
  - e. Because of these conditions, the application of the Beaufort Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:
  - 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: No change to the street as all structures and utilities are there.

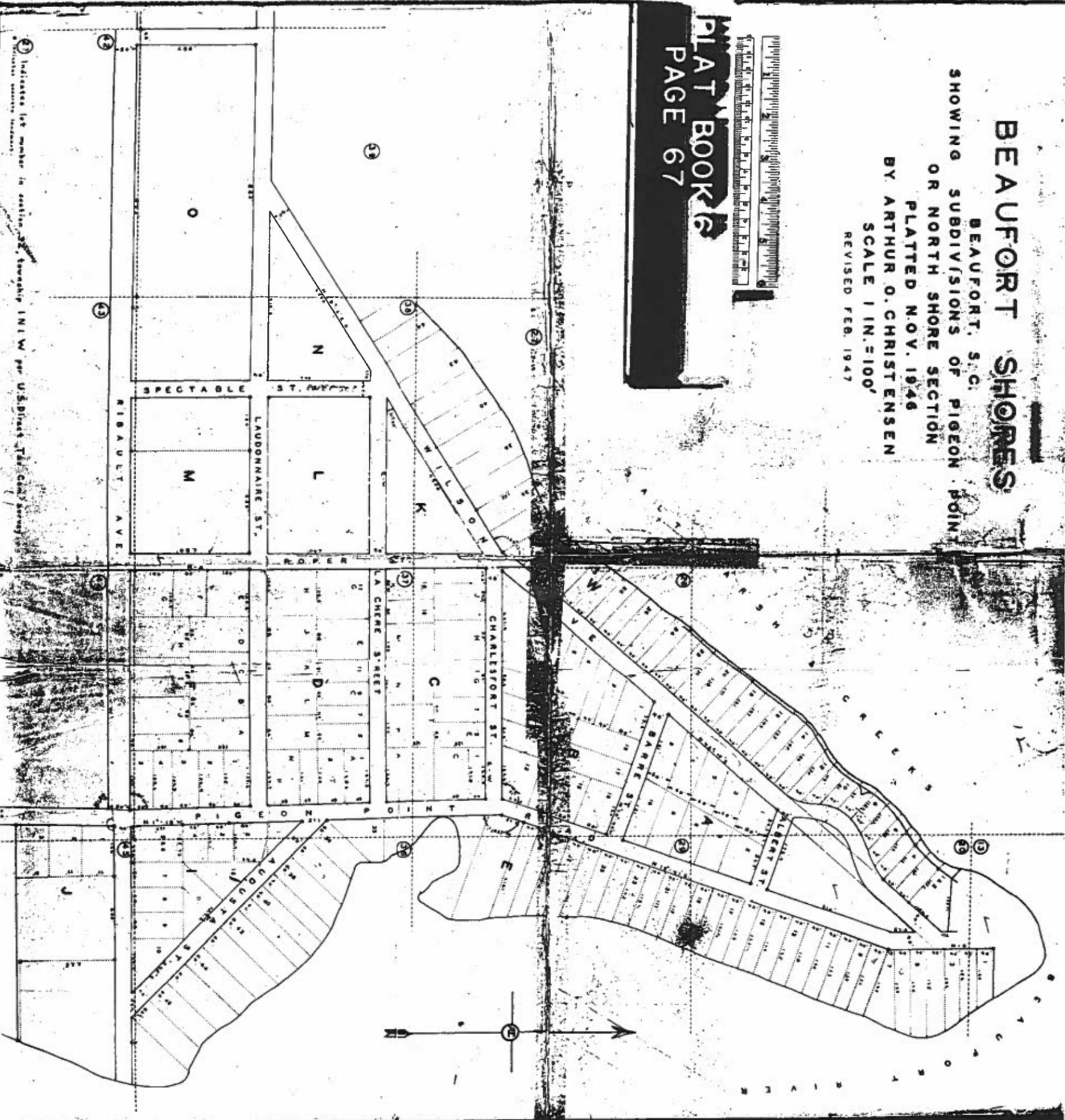
# BEAUFORT SHORES

BEAUFORT, S. C.  
SHOWING SUBDIVISIONS OF PIGEON POINT  
OR NORTH SHORE SECTION

PLATTED NOV. 1946  
BY ARTHUR O. CHRISTENSEN

SCALE 1 IN. = 100'  
REVISED FEB. 1947

PLAT BOOK  
PAGE 67



Indicates lot number in section. Township 1N1W per U.S. District 'T' & 'C' survey.

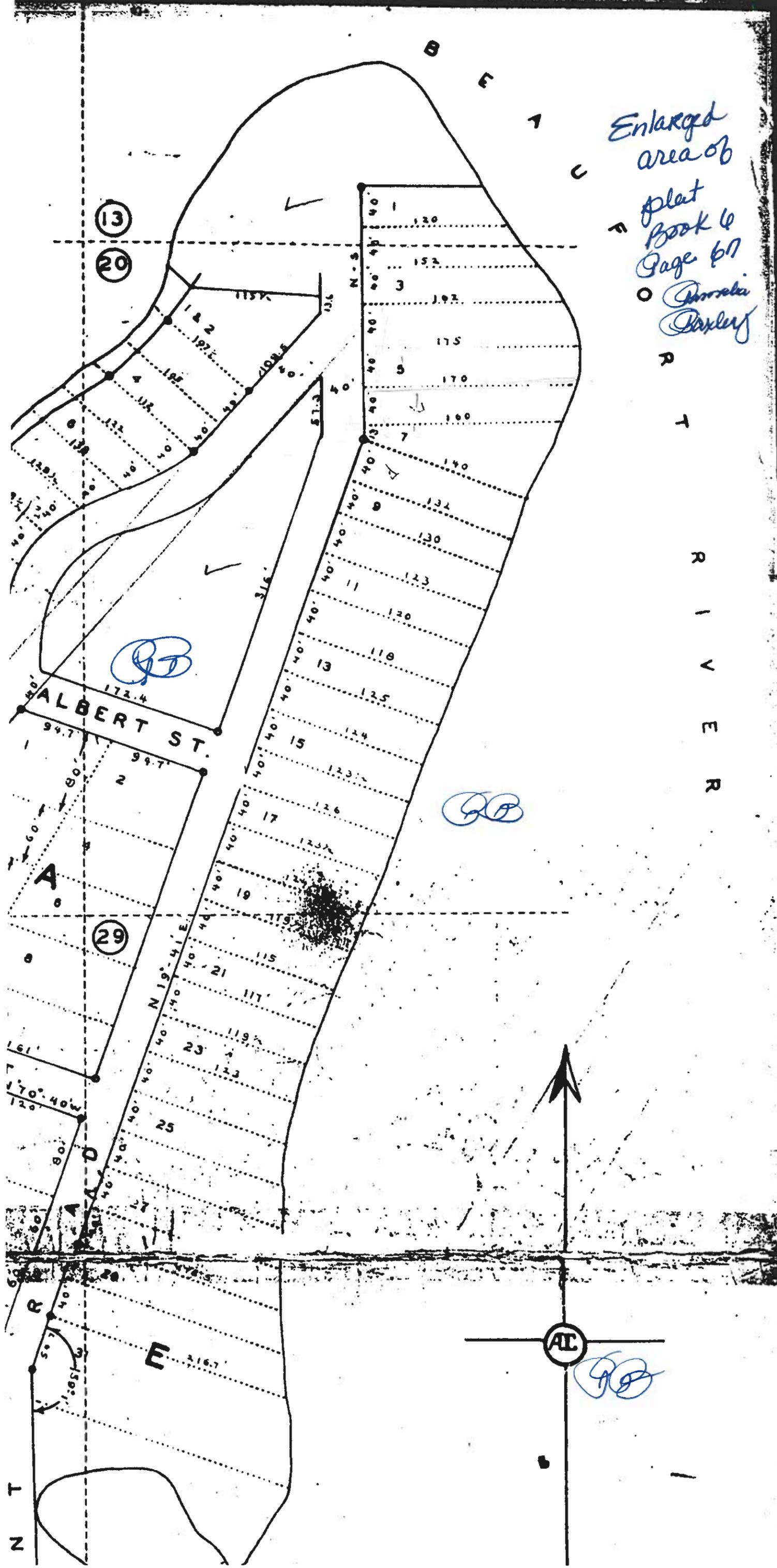
*Amended Plat of Nov. 6, 1947  
by Arthur O. Christensen*

CERTIFIED TRUE COPY  
of the document recorded in the Office of the  
Register of Deeds for Beaufort County, S.C., on  
(date) 3-6-1947  
in Plat Book 6 Page 67  
This document contains 1 pages.  
*Carrolla Bailey*  
Register of Deeds - Beaufort County, SC  
*March 5, 2020*

Enlarged  
area of

plat  
Book 4  
Page 67

*Annala  
Daxley*





TO HAVE AND TO HOLD all and singular the Premises unto Grantee and Grantee's heirs, successors and assigns forever.

And, SUBJECT TO the matters set forth above, Grantor does hereby bind Grantor and Grantor's heirs, successors and assigns, executors, administrators and other lawful representatives, to warrant and forever defend all and singular the Premises unto Grantee and Grantee's heirs, successors and assigns against Grantor and Grantor's successors and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

IN WITNESS WHEREOF, the Grantor has caused this General Warranty Deed to be executed on this the 7 day of April, 2016.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

[Signature]  
Witness #1

[Signature]  
Luke D. Zeltan

[Signature]  
Witness #2

\_\_\_\_\_

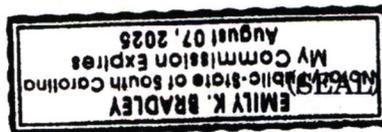
STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF Beaufort         )

ACKNOWLEDGMENT

I, the undersigned notary public, do hereby certify that Luke D. Zeltan , Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 7 day of April, 2016.

[Signature]  
Notary Public for \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

ALL that certain piece, parcel or lot of land, with all improvements thereon, situate, lying and being in the State of South Carolina, County of Beaufort and in that portion of the City of Beaufort known as Beaufort Shores and more particularly described as Lots 5, 6 and 7, Section E, as shown on a plat of the said Beaufort Shores on file in the Office of the Register of Deeds for Beaufort County, South Carolina, and further bounded and described as follows: On the North by Lot 4; on the East and Southeast by the high water mark of the Beaufort River; on the Southwest by Lot 8; and on the Northwest by the street known as Pigeon Point Road; and subject to all restrictions, conditions and stipulations of record contained in those deeds recorded in the Office of the Register of Deeds for Beaufort County in Deed Book 43 at Page 569 and Deed Book 65 at Page 397.

AND ALSO, All that certain piece, parcel or tract of land, thereon, situate and being in the State of South Carolina, County of Beaufort and in that portion of the City of Beaufort known as Beaufort Shores and more particularly described as Lot 8, Section or Block E, as shown on a plat of the said Beaufort Shores on file in the Office of the Register of Deeds for Beaufort County, South Carolina, and further bounded and described as follows: on the Northeast by Lot 7; on the Southeast by waters and marshes of the Beaufort River; on the Southwest by Lot 9; and on the Northwest by the street known as Pigeon Point Road, and subject to all restrictions, conditions, and stipulations of record and recited in a deed conveying this property to J.M. Van Hoy, dated September 3, 1925 by K.S.W. Christensen and recorded in Deed Book 44 at Page 92 in the Office of the Register of Deeds for Beaufort County, South Carolina.

This property is subject to any and all additional applicable Covenants, Conditions, Restrictions, Easements, Visible Encroachments or Projections, and Rights-of-Way filed of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

The property being conveyed herein is the same property the within named Grantors obtained by deed from Ralph B. Hanahan, as Trustee of the Grey M. Geissler Trust Agreement dated February 12, 2007, dated May 2, 2012 and recorded May 16, 2012 in Record Book 3143 at Page 7 in the Office of the Register of Deeds for Beaufort County, South Carolina.





**ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION**

**ALL that certain piece, parcel or lot of land, with all improvements thereon, situate, lying and being in the State of South Carolina, County of Beaufort and in that portion of the City of Beaufort known as Beaufort Shores and more particularly described as Lots 5, 6 and 7, Section E, as shown on a plat of the said Beaufort Shores on file in the Office of the Register of Deeds for Beaufort County, South Carolina, and further bounded and described as follows: On the North by Lot 4; on the East and Southeast by the high water mark of the Beaufort River; on the Southwest by Lot 8; and on the Northwest by the street known as Pigeon Point Road; and subject to all restrictions, conditions and stipulations of record contained in those deeds recorded in the Office of the Register of Deeds for Beaufort County in Deed Book 43 at Page 569 and Deed Book 65 at Page 397.**

**AND ALSO, All that certain piece, parcel or tract of land, thereon, situate and being in the State of South Carolina, County of Beaufort and in that portion of the City of Beaufort known as Beaufort Shores and more particularly described as Lot 8, Section or Block E, as shown on a plat of the said Beaufort Shores on file in the Office of the Register of Deeds for Beaufort County, South Carolina, and further bounded and described as follows: on the Northeast by Lot 7; on the Southeast by waters and marshes of the Beaufort River; on the Southwest by Lot 9; and on the Northwest by the street known as Pigeon Point Road, and subject to all restrictions, conditions, and stipulations of record and recited in a deed conveying this property to J.M. Van Hoy, dated September 3, 1925 by K.S.W. Christensen and recorded in Deed Book 44 at Page 92 in the Office of the Register of Deeds for Beaufort County, South Carolina.**

**This property is subject to any and all additional applicable Covenants, Conditions, Restrictions, Easements, Visible Encroachments or Projections, and Rights-of-Way filed of record in the Office of the Register of Deeds for Beaufort County, South Carolina.**

**This being the same property conveyed to the within grantor by deed dated 3/19/14 and recorded in book 3310, page 1537, Beaufort County Register of Deeds.**

ADMINISTRATIVE INFORMATION

PARCEL NUMBER R120 002 000 0042 0000
Parent Parcel Number
Property Address 2419 PIGEON POINT RD
Neighborhood 189 PIGEON POINT WATERFRONT
Property Class 110 ResImp SingleFamily
TAXING DISTRICT INFORMATION
Jurisdiction 07
Area 001
District 120

OWNERSHIP
TRANSFER OF OWNERSHIP

Table with columns: Date, Owner Name, Address, Bk/Pg. Includes entries for ZELTEN LUKE D, KISH MARTIN, GEISSLER GREY M, and TRUSTEE GREY M G.

RESIDENTIAL

VALUATION RECORD

Table with columns: Assessment Year, Reason for Change, VALUATION, ATI MKT VAL, RATIOCHG, Extended Value, Influence Factor, Value. Shows valuation history from 2012 to 2017.

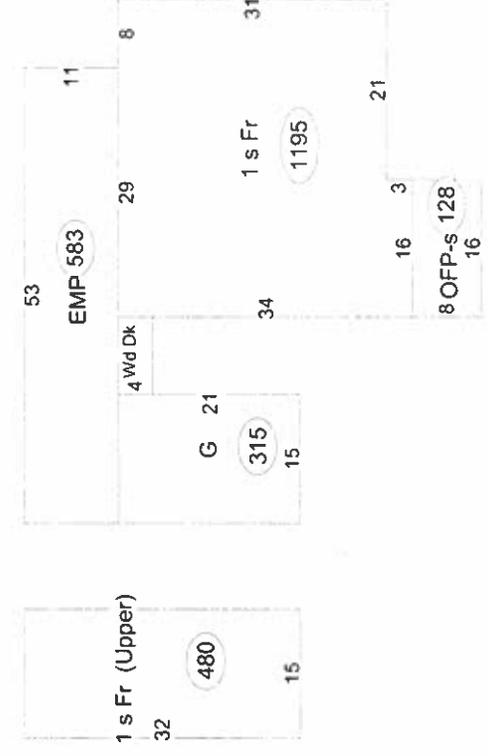
LAND DATA AND CALCULATIONS

Table with columns: Rating, Measured Soil ID, Actual Effective Frontage, Effective Depth, Prod. Factor, Depth Factor, Square Feet, Base Rate, Adjusted Rate, Extended Value, Influence Factor, Value. Includes zoning information: 1 RES LOT MARSH/WATER.

Supplemental Cards
TRUE TAX VALUE 206800
Supplemental Cards
TOTAL LAND VALUE 206800
AWR
1/19/2018
SECOND DWELLING RENTAL
T17N: Reviewed. No ATI for 2017
12/15/16 RT

**IMPROVEMENT DATA**

Construction	Base Area	Floor Area	Sq Ft	Finished	Value
1 Wood frame	1195	1.0	1195	1195	83500
1 Wood frame	480	2.0	480	480	33730



**PHYSICAL CHARACTERISTICS**

Occupancy: Single family - Other  
 Story Height: 1.5  
 Finished Area: 1675  
 Attic: None  
 Basement: None  
**ROOFING**  
 Material: Asphalt shingles  
 Type: Gable  
 Framing: Std for class  
 Pitch: Not available  
**FLOORING**  
 Slab 1.0  
 Sub and joists 2.0  
 Base Allowance 1.0  
 Ranch plank-oak 1.0  
**EXTERIOR COVER**  
 Brick veneer 1.0, 2.0  
**INTERIOR FINISH**  
 Normal for Class 1.0  
**ACCOMMODATIONS**  
 Finished Rooms 6  
 Bedrooms 3  
 Fireplaces: 2

**HEATING AND AIR CONDITIONING**

Primary Heat: Heat pump  
 Lower Full Part  
 /Bsmt 1 Upper Upper  
 Air Cond 0 1195 480 0

**PLUMBING**

Extra Fixt 8  
 TOTAL 8

**REMODELING AND MODERNIZATION**

Amount Date

**SPECIAL FEATURES**

Description	Value
D : ICHMASO	665
MAS	3150
G01:IF	6

**SUMMARY OF IMPROVEMENTS**

ID	Use	Sty Hgt	Const Type	Grade	Year	Eff Const	Base Rate	Feat-ures	Adj Rate	Size of Area	Computed Value	Phys Obsol	Market Depr	Adj Comp	Value	
D	DWELL	1.00	Fair	1955	1980	AV	0.00	Y	0.00	1675	168500	49	0	0	100	146100
G01	ATTGAR	0.00	Fair	1955	1980	AV	28.88	Y	35.12	315	11060	45	0	0	100	6100

Sub-TOTAL 146660  
 SUB-TOTAL 0 UNITS 146660  
 Exterior Features Value  
 EMP 15920  
 WDDK 960  
 OFF-S 3960  
 Ext Features 21840  
 SUB-TOTAL 168500  
 Quality Class/Grade Fair  
 GRADE ADJUSTED VALUE 168500  
 (LCM: 100.00)

Data Collector/Date  
 Appraiser/Date  
 Neighborhood  
 Neigh 189 AV

Supplemental Cards  
 TOTAL IMPROVEMENT VALUE

152200

Date

VALUATION RECORD

Assessment Year  
Reason for Change  
VALUATION

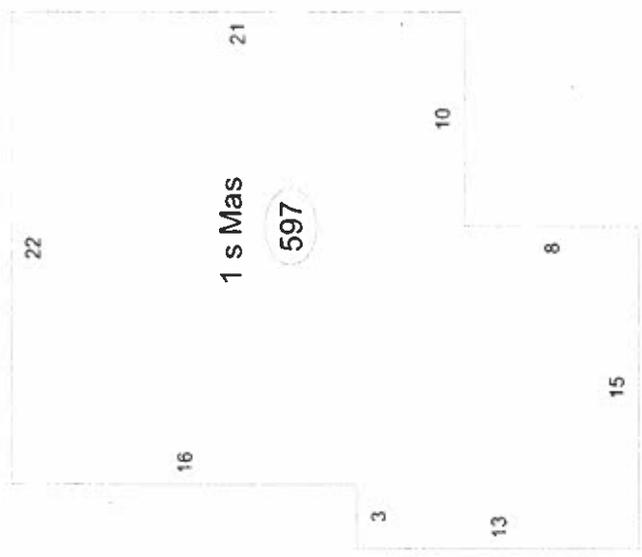
Site Description

LAND DATA AND CALCULATIONS

Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value

Property Class: 110  
 2419 PIGEON POINT RD  
 Construction Base Area Floor Area Sq Ft Value  
 72D Masonry 597 1.0 597 40630  
 Finished  
 0 Crawli - - - - -1550

**IMPROVEMENT DATA**



**PHYSICAL CHARACTERISTICS**  
 Occupancy: Single family - Other  
 Story Height: 1.0  
 Finished Area: 597  
 Attic: None  
 Basement: None

**ROOFING**  
 Material: Asphalt shingles  
 Framing: Std for class  
 Pitch: Not available

**FLOORING**  
 Sub and joists 1.0  
 Wood 1.0

**EXTERIOR COVER**  
 Normal for Class 1.0

**ACCOMMODATIONS**  
 Finished Rooms 3  
 Bedrooms 1  
 Fireplaces: 2

**HEATING AND AIR CONDITIONING**  
 Primary Heat: Heat pump  
 Lower Full Part  
 /Bsmt 1 Upper Upper  
 Air Cond 0 597 0 0

**PLUMBING**  
 Extra Fixt # 5  
 TOTAL 5

**REMODELING AND MODERNIZATION**  
 Amount Date

**SPECIAL FEATURES**

Description	Value
D : ICHMMASO MAS	580 2175

**SUMMARY OF IMPROVEMENTS**

ID	Use	Stry Hgt	Const Year	Grade	Low	High	1955	1955	AV	0.00	Y	0.00	597	47040	73	0	0	100	21600
D	DWELL	1.00																	

Exterior Features Description	Value	SUB-TOTAL ONE UNIT	47040
Garages	0	SUB-TOTAL 0 UNITS	47040
Integral	0		
Att Garage	0		
Alt Carports	0		
Bsmt Garage	0		
Ext Features	0		
Quality Class/Grade		SUB-TOTAL	47040
GRADE ADJUSTED VALUE		LOW COST	47040

(LCM: 100.00)

Data Collector/Date  
 DH 08/07/2006

Appraiser/Date  
 Neigh 189 AV

Neighborhood  
 Neigh 189 AV

Supplemental Cards  
 TOTAL IMPROVEMENT VALUE 21600



# Zoning Board of Appeals Meeting Staff Report

From the Department of Community and Economic Development  
27 April 2020

## 1 SUMMARY OF REQUEST

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Luke Zelton is seeking a variance in order to subdivide the property at 2417 Pigeon Point Rd (R120 002 000 0042 0000). He has not provided a plat showing how he proposes to subdivide the property. It appears from the GIS that he would need a variance from the minimum lot width at the setback line for T3-S waterfront lots, which is 100 feet.

### **Background:**

Currently, the width of the property where the house is setback from the street is approximately 146.82 feet.

The width of the two parcels to the north are both each approximately 80 feet.

The width of the two parcels to the south are approximately 140.05 feet and 144.95 feet respectively.

## 2 FACTS

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**Property Address:** 2417 Pigeon Point Road  
**Parcel ID:** R120 002 000 0042 0000  
**Case Number:** ZB 20-02  
**Applicant:** Luke Zelton  
**Type of Request:** Variance to lot width minimum  
**Zoning:** T3-S  
**Use:** Residential

### **District Development Standards for T4-HN:**

- **Minimum Lot Size:** 9000 SF
- **Setback requirements – Primary Structure:**
  - *Front – 20' minimum*
  - *Rear setback – 15' minimum*
  - *Side Interior – 15'*
- **Frontage Build out:** N/A
- **Lot Coverage:** 30%
- **Permitted Uses:** By right, single-family dwelling or park/open space

**CRITERIA FOR APPROVAL OF VARIANCES [§9.14.2 F]:** A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of the Code will be observed, the public welfare and safety will not be diminished, and substantial justice will be done.

A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes and explains in writing the following findings:

- (1) There are extraordinary and exceptional conditions pertaining to the property.
- (2) These conditions do not generally apply to other property in the vicinity.
- (3) The conditions are not a result of the applicant's own actions.
- (4) Granting the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan, nor with the purposes and intent of the code.
- (5) The application of the conditions of the code to this property would effectively prohibit or unreasonably restrict the use of the property.
- (6) The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed.

### 3 STAFF ASSESSMENT

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1. There **is** an extraordinary and exceptional condition pertaining to the property. – *There are two houses on a single lot.*
2. These conditions **do and** do not generally apply to other property in the vicinity. – *There are lots in the immediate vicinity that do not meet the minimum lot requirements.*
3. The conditions are not a result of the applicant's own actions.
4. Granting the variance would not substantially conflict the Comprehensive Plan, the Civic Master Plan, **nor but does conflict** with the purposes and intent of the code.
5. The application of the conditions of the code to this property **would** does not effectively prohibit or unreasonably restrict the use of the property.
6. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and **whether** the character of the zone will not be harmed **is debatable**. *There is considerable variation in lot widths in the neighborhood.*

### 4 STAFF RECOMMENDATION

---

Given that 2.5 of the criteria for granting a variance have not been met; and

Given that the failure to meet any criteria justifies denying the variance; and

Given that the enforcement of the standards set forth in the Beaufort Development Code would not result in unnecessary hardship to the applicant;

Therefore, strictly speaking, staff does not recommend granting the variance. However, staff does recognize the mitigating issue of two separate houses on one lot and the potential difficulty of selling a house without accompanying land.

907 Emmons Street  
R123 015 000 0606 0000  
Variance for fence height



# VARIANCE APPLICATION

Community & Economic Development Department  
1911 Boundary Street, Beaufort, South Carolina, 29902  
p. (843) 525-7011 / f. (843) 986-5606  
www.cityofbeaufort.org

### Application Fees:

Residential - \$200

Commercial - \$300

Special Meeting - \$500

Receipt # \_\_\_\_\_

**OFFICE USE ONLY:**    **Date Filed:** \_\_\_\_\_    **Application #:** \_\_\_\_\_    **Zoning District:** \_\_\_\_\_

**Submittal 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.

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

### Applicant, Owner and Property Information

Applicant Name: Cory Johnson

Applicant Address: 907 Emmons Street

Applicant E-mail: Shansrj2121@gmail.com    Applicant Phone Number: 843.263.2168

Owner (if other than the Applicant): \_\_\_\_\_

Owner Address: \_\_\_\_\_

Owner E-mail: \_\_\_\_\_    Owner Phone Number: \_\_\_\_\_

Property Address: \_\_\_\_\_

Property Identification Number (Tax Map & Parcel Number): R120 002 000 0218 0000

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

I (we) here by 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: \_\_\_\_\_    Applicant's Signature: \_\_\_\_\_



# VARIANCE APPLICATION

Community & Economic Development Department  
1911 Boundary Street, Beaufort, South Carolina, 29902  
p. (843) 525-7011 / f. (843) 986-5606  
www.cityofbeaufort.org

## Required Project Information

Applicant hereby appeals 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 \_\_\_\_\_ of the Beaufort Code:

2.5.16 Encroachments  
H-2 Anterior Side or Rear

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): Building a fence

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 Beaufort Code:

1. The application of the Beaufort Code will result in unnecessary hardship, and the standards for an variance set by State law and the Beaufort Code are met by the facts:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: The elevation of the property above the property to the rear causes a shorter fence to  
NOT provide privacy for both properties.
- b. These conditions do not generally apply to other property in the vicinity as shown by: N/A

c. The conditions are not the result of the applicant's own actions as follows: N/A

- d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the Beaufort Code in that: You could in fact plant bamboo that would far exceed this limit

e. Because of these conditions, the application of the Beaufort Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: N/A - No Restrictions would occur

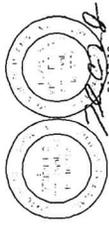
- f. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: As the style and design of the fence are similar to existing property.





architecture + planning

SMT7 DESIGN LLC  
PO BOX 58  
PORT ROYAL, SC 29935



RELEASED FOR CONSTRUCTION - VALUE ONLY & SEALED  
NOT FOR REPRODUCTION  
01-17-19

PROJECT:  
NEW RESIDENCE

ADDRESS:  
907 EMMONS STREET  
BEAUFORT, SC

No. / Date	Issue / Revision Description
007/17/19	PERMITTING

Drawn By: T. Michrains  
Checked By: T. Michrains  
Project ID: 18-052-SM7  
SHEET TITLE:

SITE PLAN

**A101**

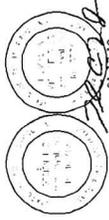


1 SITE PLAN  
SCALE: 3/8" = 1'-0"



architecture + planning

SM7 DESIGN LLC  
PO BOX 58  
PORT ROYAL, SC 29935



RELEASED FOR CONSTRUCTION, VALID ONLY IF SEALED  
NOT FOR REPRODUCTION  
01-17-19

PROJECT:  
NEW RESIDENCE

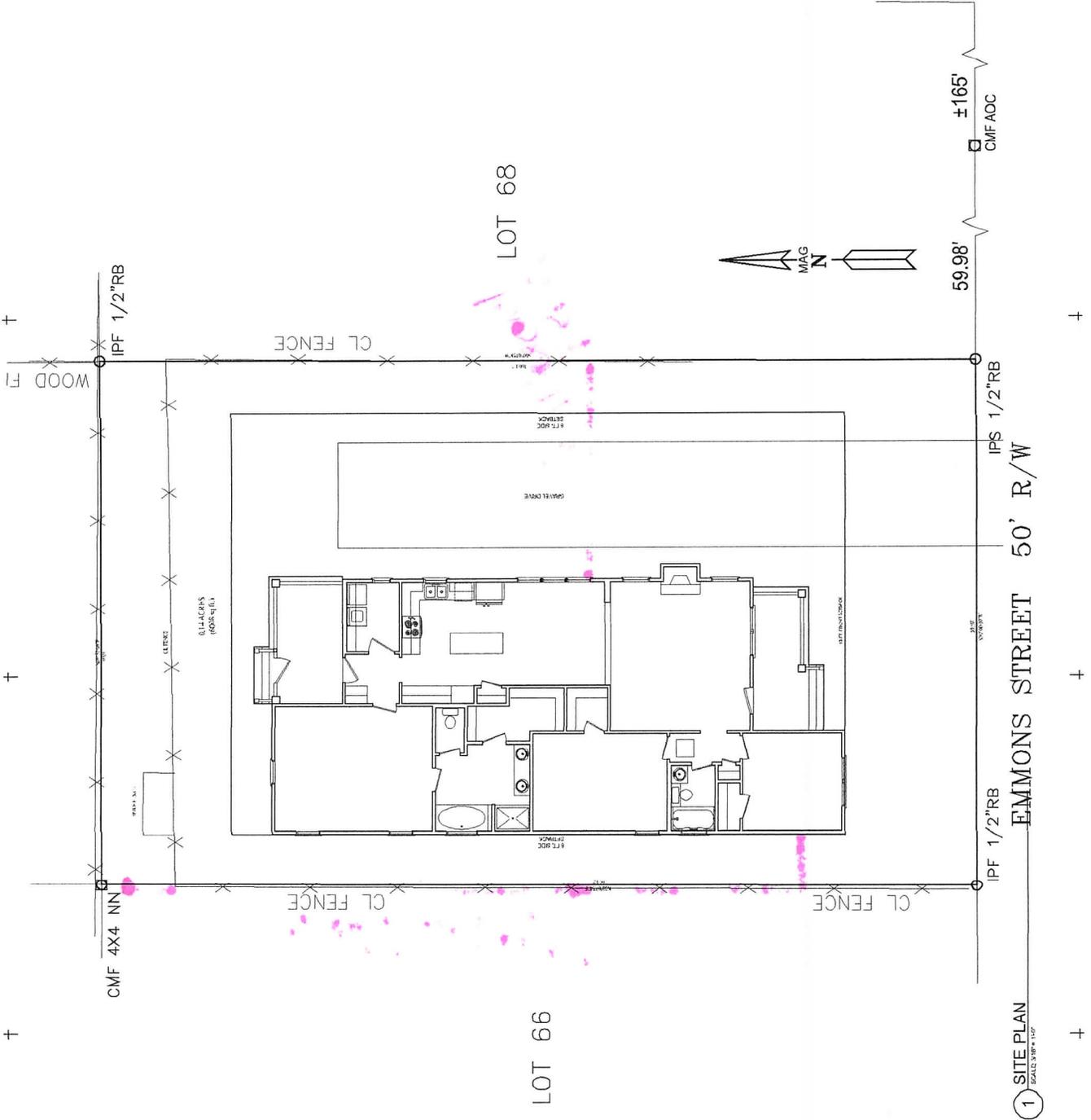
ADDRESS:  
907 EMMONS STREET  
BEAUFORT, SC

No. / Date	Issue / Revision Description
07/17/19	PERMITTING

Drawn By: T. Michener  
 Checked By: T. Michener  
 Project ID: EB-255-SM7  
 SHEET TITLE:

SITE PLAN

A101













# Zoning Board of Appeals Meeting Staff Report

From the Department of Community and Economic Development  
27 April 2020

## 1 SUMMARY OF REQUEST

---

Cory Johnson is seeking a variance to section 2.5.6.H.2, fence and garden wall encroachments. In a transect zone the maximum height of a fence which encroaches on the rear setback, is 6'.

**Back Ground:** The applicant recently constructed a single family residence at 907 Emmons Street. The construction of a nonpermitted fence was discovered during a building inspection.

## 2 FACTS

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<b>Property Address:</b>	907 Emmons Street
<b>Parcel ID:</b>	R120 002 000 0218 0000
<b>Case Number:</b>	ZB 20-03
<b>Applicant:</b>	<b>Cory Johnson</b>
<b>Type of Request:</b>	Variance to Fence Height
<b>Zoning:</b>	T3-N
<b>Use:</b>	Residential

### 2.5.6 Encroachments

Fences and Garden Walls: Fences and garden/yard walls may encroach into required setbacks. The support structures for fences shall be located on the inside of the fence, and no fence, wall or hedge shall exceed the following dimensions:

1. Front or Street side setback: 4 feet in height [...]
2. Interior Side or Rear Setback of a transect-based district: 6 feet in height

**CRITERIA FOR APPROVAL OF VARIANCES [§9.14.2 F]:** A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of the Code will be observed, the public welfare and safety will not be diminished, and substantial justice will be done.

A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes and explains in writing the following findings:

- (1) There are extraordinary and exceptional conditions pertaining to the property.

- (2) These conditions do not generally apply to other property in the vicinity.
- (3) The conditions are not a result of the applicant's own actions.
- (4) Granting the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan, nor with the purposes and intent of the code.
- (5) The application of the conditions of the code to this property would effectively prohibit or unreasonably restrict the use of the property.
- (6) The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed.

### 3 STAFF ASSESSMENT

---

The request does not meet any of the requirements for a variance.

1. There are **NO** extraordinary and exceptional conditions pertaining to the property.
2. These conditions do **not** generally apply to other property in the vicinity.
3. The conditions are **not** a result of the applicant's own actions.
4. Granting the variance would not substantially conflict the Comprehensive Plan, the Civic Master Plan, **nor but does conflict** with the purposes and intent of the code.
5. The application of the conditions of the code to this property **would** does not effectively prohibit or unreasonably restrict the use of the property.
6. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed.

### 4 STAFF RECOMMENDATION

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Given that 6 of the criteria for granting a variance have not been met; and

Given that failure to meet any criteria justifies denying the variance; and

Given that the enforcement of the standards set forth in the Beaufort Development Code would not result in unnecessary hardship to the applicant;

Therefore, staff does not recommend granting the variance.

709 Greene Street

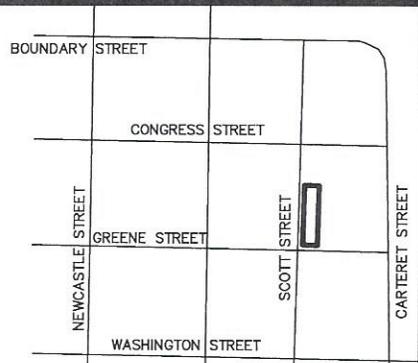
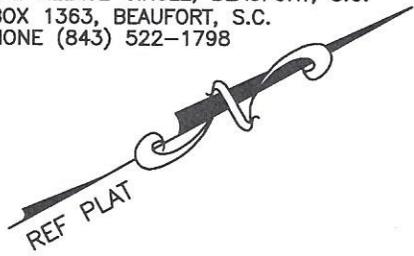
R120 004 000 0218 0000

Variance to subdivision requirements



**GASQUE & ASSOCIATES INC.**  
**LAND SURVEYORS & PLANNERS**

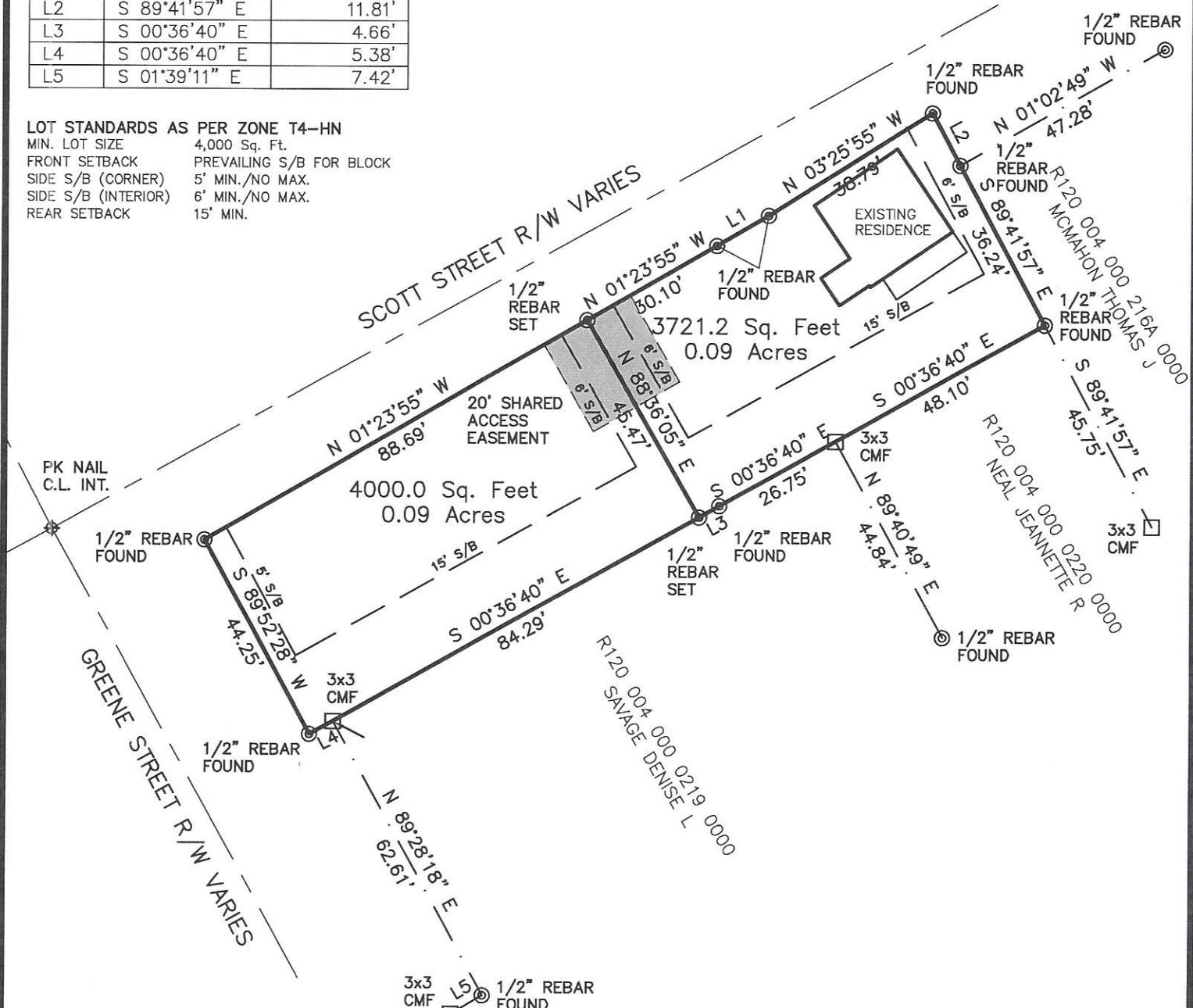
28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.  
 P.O. BOX 1363, BEAUFORT, S.C.  
 PHONE (843) 522-1798



VICINITY MAP NOT TO SCALE

LINE	BEARING	DISTANCE
L1	N 01°51'03" W	12.05'
L2	S 89°41'57" E	11.81'
L3	S 00°36'40" E	4.66'
L4	S 00°36'40" E	5.38'
L5	S 01°39'11" E	7.42'

LOT STANDARDS AS PER ZONE T4-HN  
 MIN. LOT SIZE 4,000 Sq. Ft.  
 FRONT SETBACK PREVAILING S/B FOR BLOCK  
 SIDE S/B (CORNER) 5' MIN./NO MAX.  
 SIDE S/B (INTERIOR) 6' MIN./NO MAX.  
 REAR SETBACK 15' MIN.



**SUBDIVISION SURVEY PREPARED FOR**  
**SAVAGE BEAST PRODUCTIONS, LLC**

**THIS BEING A PORTION OF BLOCK 41 DOWNTOWN BEAUFORT. AS SHOWN ON A PLAT BY DAVID E. GASQUE DATED SEPTEMBER 29, 2016 RECORDED AT THE BEAUFORT COUNTY RMC OFFICE IN PLAT BOOK 145, PAGE 117. LOCATED IN THE CITY OF BEAUFORT, BEAUFORT COUNTY, SOUTH CAROLINA. T.M.S. R120 004 000 0218 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.**

**SETBACKS SHOWN AS PER THE CITY OF BEAUFORT CODE "T4-HN" STANDARDS AND MUST BE VERIFIED WITH OFFICIAL AGENCY BEFORE PURCHASE AND OR CONSTRUCTION ON SUBJECT PROPERTY.**

**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 PANEL NUMBER 450026 0005 D. DATED 09/29/1986.**

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

I, DAVID E. GASQUE, HEREBY CERTIFY TO SAVAGE BEAST PRODUCTIONS, LLC 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.

0 30 45 60 120



SCALE: 1"=30'

DATE: 10/18/2018

DAVID E. GASQUE, R.L.S. JOB # 49623  
 S.C. REGISTRATION NUMBER 10506 FB# N/A DSGN#6  
 THIS PLAT IS NOT BINDING UNLESS ACCOMPANIED BY AN ORIGINAL SIGNATURE AND AN EMBOSSED SEAL.



# Zoning Board of Appeals Meeting Staff Report

From the Department of Community and Economic Development  
27 April 2020

## 1 SUMMARY OF REQUEST

---

Denise Savage is seeking a variance to the minimum lot size permitted in the T4-HN zone in order to subdivide a parcel in the original 1969 National Historic Landmark district into two nonconforming lots.

### **Background:**

The property is located within the Historic Preservation Neighborhood District. It is a narrow rectangular lot that is approximately 0.18 acres or 7,721.20 square feet.

The property was formerly addressed as 1007 Scott Street but was changed to 709 Greene Street sometime between 2016 and 2018.

1007 Scott Street was listed on the 1969 National Historic Landmark District list.

Subdivision of any property on the original 1969 National Historic Landmark District nomination is not permitted as per **Section 9.9.2. Minor Subdivision D.3. Exceptions of The Beaufort Code.**

However, variance requests may be made per **Section 9.14 Variance.**

The applicant went before the ZBOA at the February 24<sup>th</sup> the board voted to table the agenda item for 3 months to give the applicant time to make modifications to the proposed subdivision plat.

The applicant has resubmitted a new subdivision plat creating two lots one of which conforms with the minimum lot standards of the code 4,000 Sq. ft. and the lot with the existing structure to be 3721.2 sq. ft.

## 2 FACTS

---

<b>Property Address:</b>	709 Greene Street
<b>Parcel ID:</b>	R120 004 000 0218 0000
<b>Case Number:</b>	ZB 20-02
<b>Applicant:</b>	<b>Savage Beast Productions, LLC, Denise Savage, Owner</b>
<b>Type of Request:</b>	Variance to subdivision requirements
<b>Zoning:</b>	T4-HN
<b>Use:</b>	Residential

### District Development Standards for T4-HN:

- **Minimum Lot Size:** 4,000 SF
- **Setback requirements – Primary Structure:**
  - *Front – average prevailing setback on block*
  - *Rear setback – 15' minimum*
  - *Side Interior – 6'*
  - *Side Corner/Alley – 5' min., no max.*
- **Frontage Build out:** 75% Max.
- **Impervious Surface Coverage:** 55% maximum for rooftops, additional 10% allowed
- **Permitted Uses:** Single Family Dwelling, or Two- or Three-Unit Dwelling is permitted by right in the T4-HN zoning classification.

**CRITERIA FOR APPROVAL OF VARIANCES [§9.14.2 F]:** A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of the Code will be observed, the public welfare and safety will not be diminished, and substantial justice will be done.

A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes and explains in writing the following findings:

- (1) There are extraordinary and exceptional conditions pertaining to the property.
- (2) These conditions do not generally apply to other property in the vicinity.
- (3) The conditions are not a result of the applicant's own actions.
- (4) Granting the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan, nor with the purposes and intent of the code.
- (5) The application of the conditions of the code to this property would effectively prohibit or unreasonably restrict the use of the property.
- (6) The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed.

## 3 STAFF ASSESSMENT

---

1. There are **NO** extraordinary and exceptional conditions pertaining to the property.
2. These conditions do **not** generally apply to other property in the vicinity.
3. The conditions are **not** a result of the applicant's own actions.
4. Granting the variance would not substantially conflict the Comprehensive Plan, the Civic Master Plan, **nor but does conflict** with the purposes and intent of the code.
5. The application of the conditions of the code to this property **would** does not effectively prohibit or unreasonably restrict the use of the property.

6. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed.

## 4 STAFF RECOMMENDATION

---

Given that 5 of the criteria for granting a variance have not been met; and

Given that the failure to meet any criteria justifies denying the variance; and

Given that the enforcement of the standards set forth in the Beaufort Development Code would not result in unnecessary hardship to the applicant; and

Given that the code explicitly prohibits subdivision of any property on the original 1969 National Historic Landmark District;

Therefore, staff does not recommend granting the variance.