

**TOWN OF SUMMERVILLE
BOARD OF ZONING APPEALS**



AGENDA

June 9, 2020

5:00 PM

**Town Hall (annex) – Council Chambers
200 S. Main Street**

I. Approval of minutes from May 12, 2020

(For below item, signs posted on property May 25, 2020 and ad on May 24, 2020 in *Post & Courier*)

II. OLD BUSINESS:

1. No Old Business

III. NEW BUSINESS:

1. TMS # 137-05-05-017, 612 Central Avenue, zoned GR-2 – General Residential, owned by Mona Caudle – variance request to reduce the required side setback from 15 feet to one foot, Ordinance Sections 2.7.3.C.
2. TMS # 146-14-00-012, 247 Judith Drive, zoned R-6 Multifamily Residential under the Town’s old zoning Ordinance, owned by 247 Judith LLC – variance request to eliminate the Class 2 buffer . Ordinance Section 32-322.
3. TMS # 136-08-06-062, 415 Hemingway Circle, zoned N-R Neighborhood Residential, owned by Gretchen Kondroski – variance request to reduce the required side setback from 15 feet to seven feet. Ordinance Section 2.5.
4. TMS # 137-03-06-007, 419 N Cedar Street, zoned D-MX Downtown Mixed Use, owned by Robert Pratt – variance request to reduce the required parking lot screening from eight feet to one foot. Ordinance Section 8.5.2.A.
5. TMS # 153-12-03-011, 159 Oak Bluff Road, zoned PUD Planned Unit Development, owned by Randy and Jessica Girard – variance request to reduce the required accessory structure setback from 20 feet to five feet and increase the impervious surface limit from 35% to 36%. Ordinance Section 2.10

IV. MISCELLANEOUS:

None

V. ADJOURN

Posted May 24, 2020

Board of Zoning Appeals
Tuesday, May 12, 2020
Zoom Cloud Meeting Application

Members Present:

Denis Tsukalas, Chairman
Elise Richardson, Vice Chairman
Don Nye
Lionel Lawson
Scott Riddell

Staff Present:

Tim Macholl, Zoning Administrator

Items on the agenda:

OLD BUSINESS:

1. None

NEW BUSINESS:

1. TMS # 137-07-02-002, 308 W. Doty Avenue, zoned GR-5 – General Residential, owned by Sarah and Matthew Hulseberg – Special Exception to allow Short Term Rentals at the property owner’s primary residence. Ordinance Section 3.4.3

MISCELLANEOUS:

1. None
-

The meeting was called to order at 5:02 PM by Mr. Denis Tsukalas. Mr. Tsukalas asked for any comments or edits for the minutes from the April 21, 2020 meeting minutes. A motion was made by Mr. Nye to approve the minutes as presented. The motion was seconded by Ms. Richardson. The motion passed 5-0.

OLD BUSINESS

1. None

NEW BUSINESS

1. **308 W. Doty Avenue** – The first item under New Business TMS # 137-07-02-002, 308 W. Doty Avenue, zoned GR-5 – General Residential, owned by Sarah and Matthew Hulseberg – Special Exception to allow Short Term Rentals at the property owner’s primary residence. Ordinance Section 3.4.3. Mr. Macholl explained that this is a request for a Special Exception to allow a Short Term Rental and read the staff report addressing the conditions as required by the UDO and explaining staff’s position regarding each. Ms. Sarah Hulseberg addressed the board, stating that she and her husband had bought the house, renovated it, started home schooling their children and had started renting it out as part of their new adopted lifestyle. She explained that they had been operating for about two years and that she had never had a complaint, and that because it is their home they were particular about who they rented to. They have a specific rule about no parties and no young people.

Mr. Macholl presented to the board two supporters of the proposed Special Exception.

Mr. Tsukalas made a motion to Approve the request. The motion was seconded by Mr. Nye. Mr. Tsukalas asked for further discussion. Hearing none he asked for a vote. The motion passed unanimously 5-0.

MISCELLANEOUS:

1. None

ADJOURN:

There being no further business, the meeting was adjourned at 5:14 PM on a motion by Mr. Nye and a second by Mr. Lawson. The motion passed unanimously 5-0

Respectfully Submitted,

Date: _____



Tim Macholl
Zoning Administrator

Approved: Denis Tsukalas, Chairman _____; or,

Elise Richardson, Vice Chairman _____

VARIANCE REQUEST
TMS#137-05-05-017
612 Central Avenue, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
June 9, 2020

Request: Variance request to reduce the required side yard setback from 15 feet to two feet for an attached carport.

Property Zoning: GR-2 General Residential

Surrounding Zoning: North: GR-2 General Residential
South: GR-2 General Residential
East: GR-2 General Residential
West: GR-2 General Residential

Ordinance requires: Ordinance Section 2.7.3.C Side Setback – 15 feet

Response: In order for a variance to be issued by the Board of Zoning Appeals, an applicant is required to show that all four of the conditions listed below have been met and an unnecessary hardship must be shown.

- (b) *Variances.* The board has the power to hear and decide requests for variances when strict application of this chapter's provisions would cause an unnecessary hardship.
- (1) The following standards must apply for finding an unnecessary hardship:
- a. *Extraordinary conditions.* There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening or other conditions which make it difficult or impossible to make an economically feasible use of the property.
 - b. *Other property.* Extraordinary conditions generally do not apply to other property in the vicinity.
 - c. *Utilization.* Because of these extraordinary conditions, the application of this chapter's provisions to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
 - d. *Detriment.* The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

Background: The setback variance was determined prior to application to construct the carport. Staff feels that the applicant does not meet all four criteria, and that a hardship is present.

- a. Extraordinary conditions exist in the form of existing conditions, the property is deep and narrow. The primary structure was centered on the lot, resulting in the need for a variance on either side.
- b. Other property in the area do not have similar lot shape and would not face similar constraints.
- c. Utilization of the property is reduced but not eliminated due to the shape of the lot.
- d. Detriment will not be caused to other properties by the issuance of this variance on this property.

PUBLIC HEARING NOTICE



The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on

Date/Time: TUESDAY JUNE 9, 2020 AT 5 PM
In Summerville Town Hall, 200 S. Main St.,
to discuss a VARIANCE TO REDUCE THE SIDE
for this property. SETBACK

For Information: Planning Department 851-5200

TMS# 131-05-05-017
Address 612 CENTRAL AV.
Sign Posted on: 5/26/2020

Sign may only be removed by
Authorized Town Employee



- a) The land is a narrow lot and I would like to put a leaning overhang for a carport.
- b) The property next door adjoins by bushes and it would not look out of place for the other homeowner.
- c) Due to the narrow lot, if I do not get the variance I would be unable to put two cars in the carport and it would be useless for one.
- d) The character of the district will not be harmed. The house is white, black shutters and a red door which keeps with the Summerville theme. The carport would be painted the same white, with same color roof. It cannot be seen to anyone except myself and the one neighbor of which that is the side of his house that has no windows. It will keep with the BAR expectations and upkeep.

GENERAL NOTES

- 1) THIS IS NOT A VALID, TRUE COPY OF THIS DOCUMENT UNLESS IT BEARS THE ORIGINAL SIGNATURE, SIGNATURE DATE, AND THE RAISED EMBOSSED SEAL OF THE SURVEYOR NOTED HEREON.
- 2) THIS PLAT DELINEATES A RESURVEY AND SUBDIVISION OF AN EXISTING TRACT OF LAND, THIS PARCEL 137-05-05-002 FOR THE CREATION OF NEW LOT 'A'. THESE BOUNDARIES WERE ESTABLISHED BY RETRACEMENT OF APPLICABLE DEEDS AND PLATS AS REFERENCED HEREON, AND BY A FIELD SURVEY OF THE EXISTING MONUMENTATION FOUND.
- 3) ALL PLAT AND DEED REFERENCES ARE FROM THE DORCHESTER COUNTY REC OFFICE UNLESS NOTED OTHERWISE.
- 4) THIS PROPERTY MAY BE SUBJECT TO VARIOUS UTILITY EASEMENTS (I.E. POWER, TELEPHONE, SANITARY &/OR STORM SEWER, ETC.) THAT WERE NOT NOTED EITHER IN THE REFERENCE DEED OR REFERENCE PLATS ASSOCIATED WITH THIS PROPERTY. THE UTILITIES SHOWN HEREON ARE BASED ON FIELD SURFACE LOCATIONS, AND WERE NOT VERIFIED AS TO SIZE, DEPTH, MATERIAL, &/OR CONDITION. THIS PLAT DOES NOT ADDRESS THE EXISTENCE OR NON-EXISTENCE OF WETLANDS NOR ANY SUBTERRANEAN CONDITIONS OF ANY NATURE.
- 5) ACCORDING TO F.E.M.A. F.I.R.M. COMMUNITY PANEL 450070003, THIS SITE IS LOCATED IN FLOOD ZONE C, AREAS OF MINIMAL FLOODING; MAP REVISION DEC. 4, 1985.
- 6) DATE OF FIELD SURVEY 5/12/2015.
- 7) WATER AND SEWER WILL BE PROVIDED BY SUMMERVILLE CPW.
- 8) THIS PARCEL IS ZONED R-1 BY THE TOWN OF SUMMERVILLE.

FILED-RECORDED
RMC 7/00

2016 JAN -7 AM 9:41

DORCHESTER COUNTY, SC

M-73

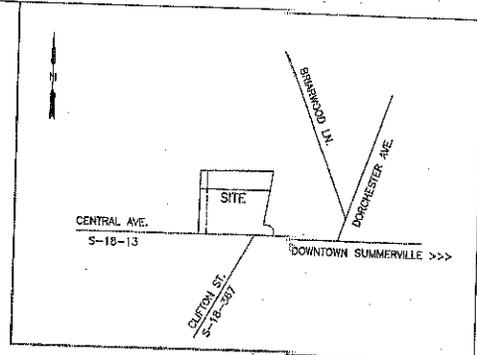


GRID NORTH
NAD 1983

GRID TIE:
EM AL LUKE, PID A88471
N: 431,501.04' E: 2,241,481.72'
'A' N: 432,123.00' E: 2,248,102.07'
'B' N: 432,163.44' E: 2,240,190.07'
'A'-LUKE S 84°37'58" W 8,649.50'
'B'-LUKE S 84°21'54" W 8,748.95'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15.00	48°11'40"	23.82	S 45° 54' 17" E	12.25
C2	60.00	48°11'40"	92.15	N 48° 08' 18" W	49.85
C3	30.00	87°11'40"	30.30	N 82° 08' 11" W	29.04
C4	15.00	87°11'40"	16.83	S 82° 38' 36" E	14.29
C5	175.75	3°38'05"	14.50	S 89° 58' 07" W	14.50

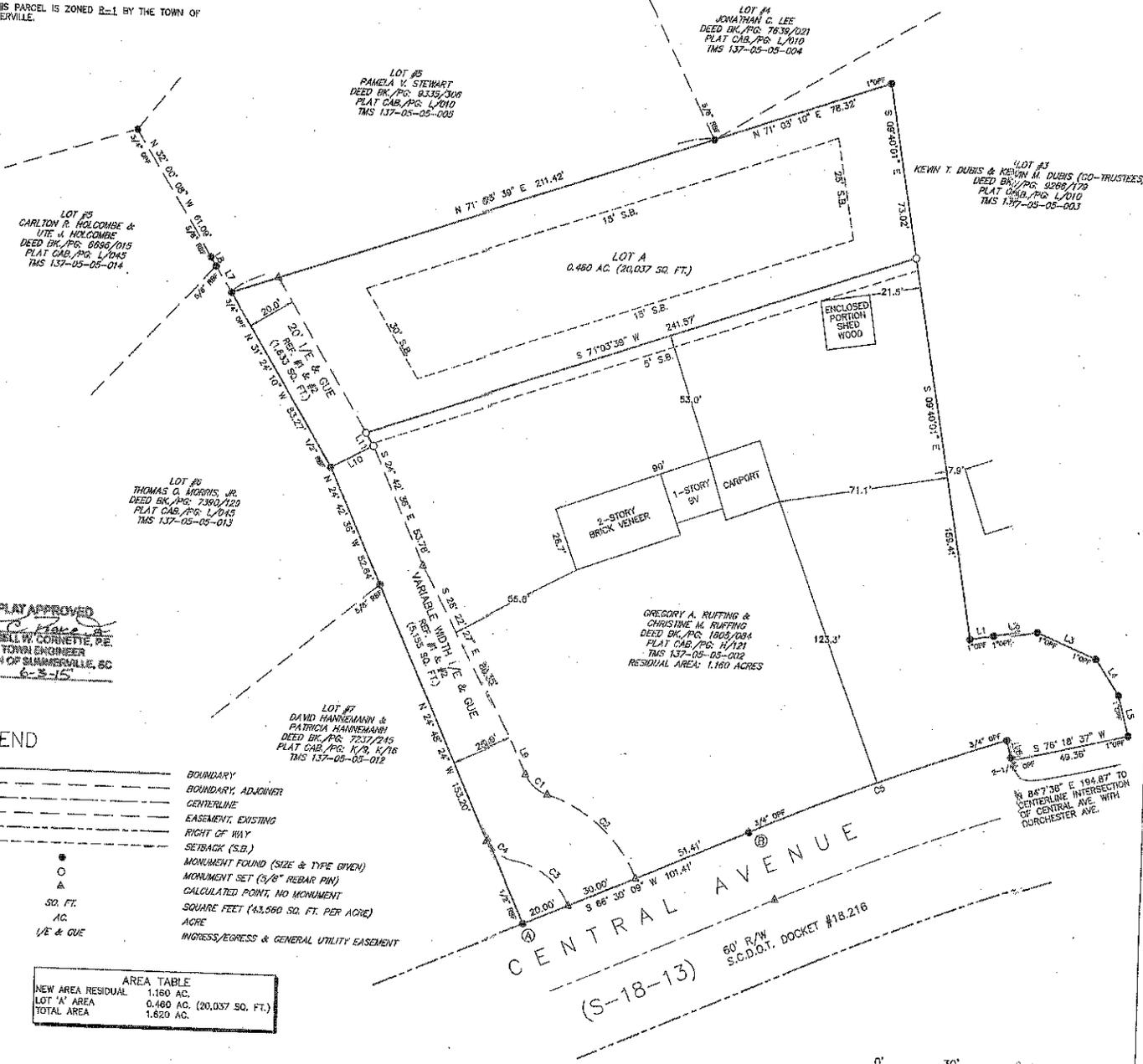
LINE	BEARING	DISTANCE
L1	N 87° 40' 10" E	3.54
L2	S 87° 38' 18" E	20.78
L3	S 33° 24' 24" E	17.75
L4	S 33° 24' 24" E	17.75
L5	N 12° 20' 59" W	7.40
L6	N 36° 22' 28" W	12.09
L7	N 31° 38' 24" W	4.72
L8	S 22° 38' 24" W	13.75
L9	S 61° 06' 37" W	20.03
L10	S 31° 24' 10" E	6.22



LOCATION MAP

REFERENCES:

1. DEED FOR I/E & GUE RECORDED BOOK/PAGE: 9235/303.
2. PLAT OF I/E & GUE RECORDED BOOK/PAGE: M/34 & M/35.

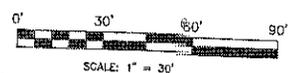


PLAY APPROVED
RUSSELL W. CORNETTE, P.E.
TOWN ENGINEER
TOWN OF SUMMERVILLE, SC
DATE: 6-3-15

LEGEND

- BOUNDARY
- BOUNDARY, ADJACENT
- CENTERLINE
- EASEMENT, EXISTING
- RIGHT OF WAY
- SEEBACK (S.B.)
- MONUMENT FOUND (SIZE & TYPE GIVEN)
- MONUMENT SET (5/8" REBAR PIN)
- CALCULATED POINT, NO MONUMENT
- SQUARE FEET (43,560 SQ. FT. PER ACRE)
- ACRE
- I/E & GUE
- INGRESS/EGRESS & GENERAL UTILITY EASEMENT

AREA TABLE	
NEW AREA RESIDUAL	1.160 AC.
LOT 'A' AREA	0.460 AC. (20,037 SQ. FT.)
TOTAL AREA	1.620 AC.



D. Scott Wilson Land Surveying, LLC
310 South Main Street
Summerville, SC 29483
(843) 708-8065
dswscpls@aol.com

A SUBDIVISION SURVEY CREATING
NEW LOT 'A'
for
GREGORY A. RUFFING
CENTRAL AVENUE, TOWN OF SUMMERVILLE
DORCHESTER COUNTY, SOUTH CAROLINA
MAY 27, 2015



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'A' SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

D. Scott Wilson
6-2-2015

NOT VALID UNLESS SIGNED IN RED INK

SCPLS #21937



The lean-to would match
all aspects of the
house.

Monal P. Caudle

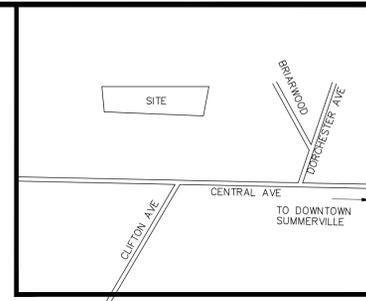
NOTES

- 1.) PROPERTY CORNERS SET ARE ALL 5/8" REBAR UNLESS NOTED OTHERWISE
- 2.) AREA CALCULATED BY THE COORDINATE METHOD.
- 3.) BEARINGS SHOWN HEREON ARE STATEPLANE
- 4.) THIS PLAT IS INTENDED ONLY TO SHOW THE TOPOGRAPHY OF LOT "A" AND IS BASED ON FOUND MONUMENTATION, LISTED REFERENCE DATA, AND LINES OF OCCUPATION. NO TITLE RESEARCH WAS DONE.
- 5.) SETBACKS ARE SUBJECT TO CHANGE AND MUST BE APPROVED BY CITY OFFICIAL
- 6.) THE SURVEY SHOWS EASEMENTS WHICH ARE OBVIOUS OR APPARENT TO THE SURVEYOR
- 7.) NO SUBSURFACE INVESTIGATION DONE
- 8.) ANY REPRESENTATION OUTSIDE BOUNDARY IS FOR REFERENCE
- 9.) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA; ZONE "C" AS PER F.I.R.M. PANEL #45007 3005D, DATED DECEMBER 4, 1985

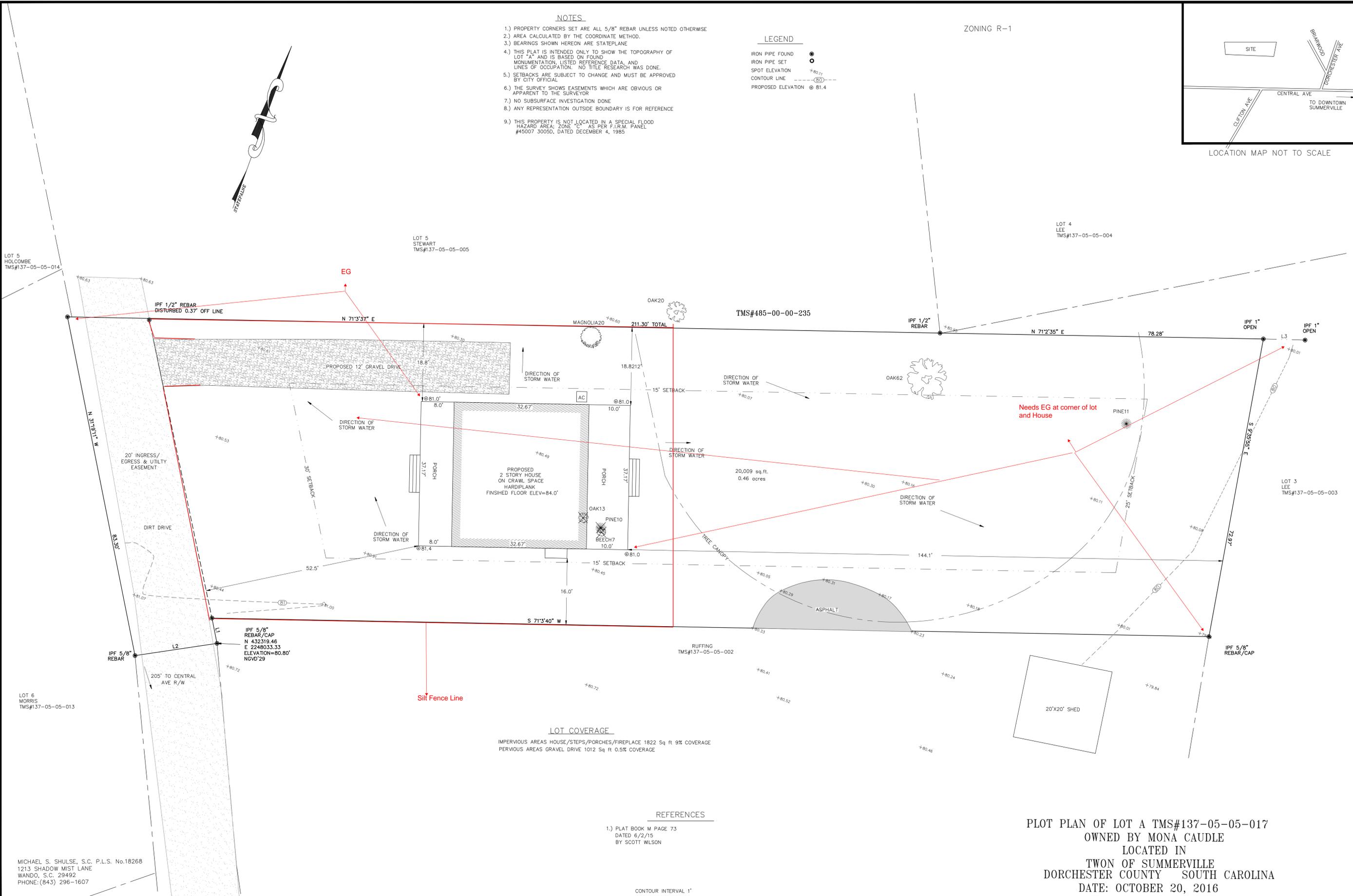
LEGEND

- IRON PIPE FOUND
- IRON PIPE SET
- SPOT ELEVATION
- CONTOUR LINE
- PROPOSED ELEVATION

ZONING R-1



LOCATION MAP NOT TO SCALE



LOT COVERAGE

IMPERVIOUS AREAS HOUSE/STEPS/PORCHES/FIREPLACE 1822 Sq ft 9% COVERAGE
 PERVIOUS AREAS GRAVEL DRIVE 1012 Sq ft 0.5% COVERAGE

REFERENCES

- 1.) PLAT BOOK M PAGE 73
 DATED 6/2/15
 BY SCOTT WILSON

PLOT PLAN OF LOT A TMS#137-05-05-017
 OWNED BY MONA CAUDLE
 LOCATED IN
 TWON OF SUMMERVILLE
 DORCHESTER COUNTY SOUTH CAROLINA
 DATE: OCTOBER 20, 2016

MICHAEL S. SHULSE, S.C. P.L.S. No.18268
 1213 SHADOW MIST LANE
 WANDO, S.C. 29492
 PHONE: (843) 296-1607

CONTOUR INTERVAL 1'

VARIANCE REQUEST
TMS#146-14-00-012
247 Judith Drive, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
June 9, 2020

Request: Variance request to allow the elimination of the Class 2 use buffer on the property.

Property Zoning: R-6 Multifamily residential

Surrounding Zoning: North: PUD and PL
South: Out – Dorchester County
East: Out – Dorchester County
West: Out – Dorchester County

Surrounding Land Use: North: Residential Storage/Water Tower
South: Residential
East: Undeveloped
West: Undeveloped

Ordinance requires: Ordinance Section 32-322, Class 2 planting area Town of Summerville old zoning.

Response: In order for a variance to be issued by the Board of Zoning Appeals, an applicant is required to show that all four of the conditions listed below have been met and an unnecessary hardship must be shown.

(b) *Variances.* The board has the power to hear and decide requests for variances when strict application of this chapter's provisions would cause an unnecessary hardship.

(1) The following standards must apply for finding an unnecessary hardship:

- a. *Extraordinary conditions.* There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening or other conditions which make it difficult or impossible to make an economically feasible use of the property.
- b. *Other property.* Extraordinary conditions generally do not apply to other property in the vicinity.
- c. *Utilization.* Because of these extraordinary conditions, the application of this chapter's provisions to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- d. *Detriment.* The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

Background: The applicant approached staff concerning the request for the variance as the project was nearing completion of construction. The project was approved under the Town's prior ordinance which required a Class 2 Use buffer between the new use and the existing adjacent uses. The plan that was approved appeared to be able to accommodate the requirements. Upon completion it has been determined that the planting buffer will not be able to meet the requirements of the old ordinance.

Staff feels that the applicant has met all four criteria, and that a hardship is present.

- a. Extraordinary conditions exist in the form of the existing conditions, where the structure placement on the property prevents the implementation of the required use buffers.
- b. Other property in the area are mostly undeveloped and will in the future be developed under the UDO requirements.

- c. Utilization of the property is greatly impacted by the placement of the housing structure on the lot, to be able to meet parking requirements the rear of the “houses” had to be backed up as close to the property line as possible. TO meet drainage requirements this area should be free of obstructions which could impede the flow of potential stormwater.
- d. Detriment will not be caused to other properties by the issuance of this variance on this property

PUBLIC HEARING NOTICE

The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on

Date/Time: TUESDAY JUNE 9, 2020 AT 5 PM

In Summerville Town Hall, 200 S. Main St.,

to discuss a VARIANCE TO REDUCE THE REQUIRED
BUFFER

for this property.
For Information: Planning Department 851-5200

TMS# 146-14-00-012

Address 247 JUDITH DRIVE

Sign Posted on: 5/26/2020

Sign may only be removed by
Authorized Town Employee



247 Judith Drive Variance request:

The current approved landscape plan submitted to the Town of Summerville and approved for construction shows a class 2 buffer along the rear of the property as it adjoins the PUD. The buffer requires plantings including canopy trees and understory trees along with a privacy fence. Currently there is a Summerville CPW easement in this location for the main water line coming from the adjacent water tower. Trees of any sort planted on top of the easement would be subject to removal for access and service of the existing line. Also, along this property line is an overhead power service servicing the water tower. Lastly per the approved grading plans the planting area is effectively a drainage swale. There are a number of existing trees on the property line (noted on the attached plat/ as built).

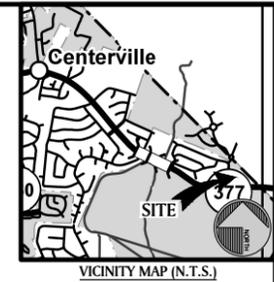
The adjoining property to be screened or buffered by this fence and planting is the trailer/ boat storage for the PUD not any homes. Behind the storage lot is the water tower owned by Summerville CPW.

I request the plantings and fence be removed from the requirements as they can not be installed per the approved plan set because of the easement, overhead power, and the grade.

The current approved landscape plan shows landscape plantings along Judith Drive. There is an overhead power line in this location, and I request the canopy trees be changed to understory as not to conflict with the service line.

David Willis

Southeastern construction

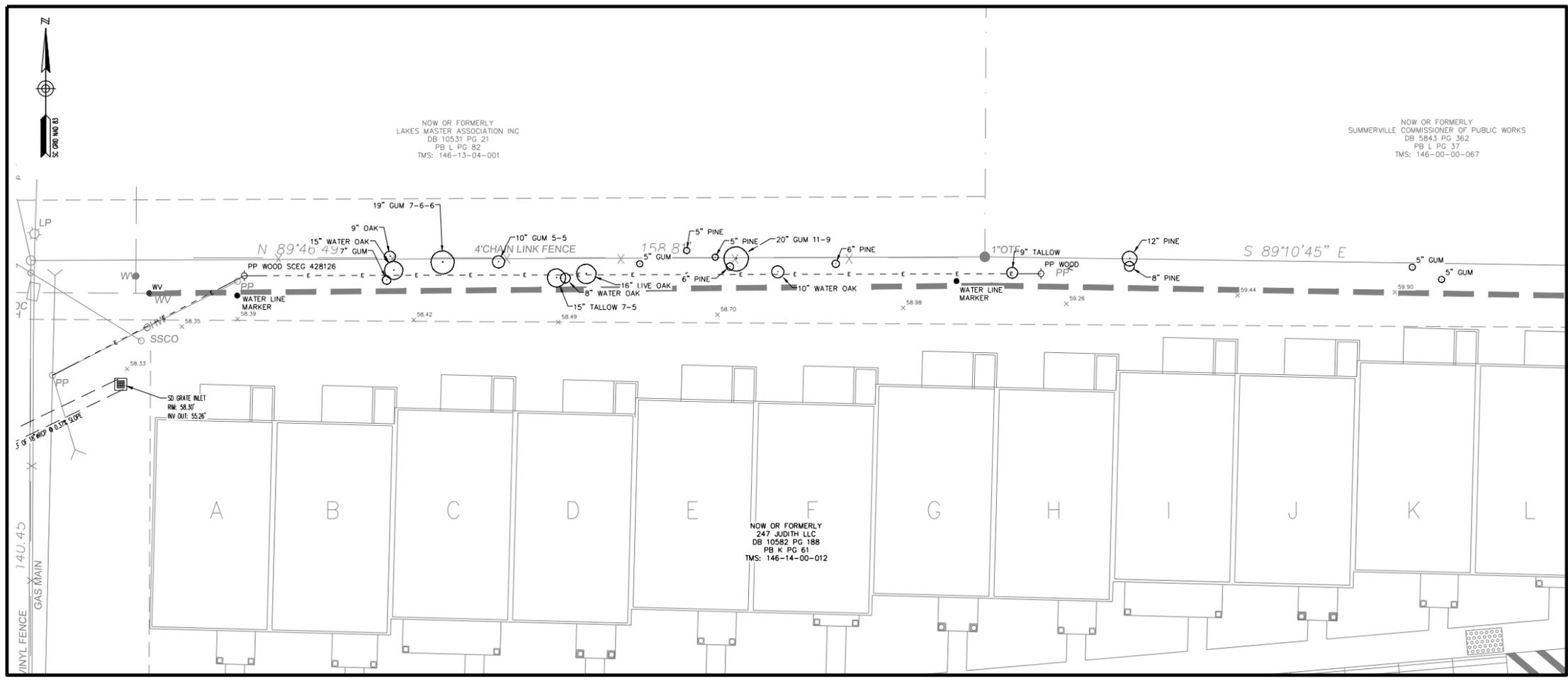


VICINITY MAP (N.T.S.)

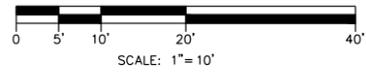
EXHIBIT SHOWING EXISTING TREES AND ELEVATION OF DRAINAGE SWALE
REQUESTED BY DAVID WILLIS FOR 247 JUDITH LLC
247 JUDITH ROAD / TMS #146-14-00-012
TOWN OF SUMMERVILLE
DORCHESTER COUNTY, SOUTH CAROLINA

GENERAL NOTES:

- HORIZONTAL DATUM: NAD 1983/2011(SC)
VERTICAL DATUM: NAVD 1988
- SURVEY BASED ON PHYSICAL EVIDENCE FOUND ON APRIL 2020.
- BOUNDARY INFORMATION TAKEN FROM PLATS AS SHOWN.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. IPW CONSTRUCTION GROUP, LLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE ADJOINER PROPERTY LINES AND ARE NOT PART OF THIS SURVEY.
- THE OFF-SITE RIGHT-OF-WAY/PROPERTY LINE SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAY/PROPERTY LINES SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT-OF-WAY WIDTH/PROPERTY LINE OF ANY ADJACENT PROPERTIES.
- HORIZONTAL COORDINATES BASED UPON RTK GPS OBSERVATIONS USING SPECTRA PRECISION SP 80 UNITS. THE NETWORK POSITIONAL ACCURACY OF THE RTK DERIVED POSITIONAL COORDINATES MEETS OR EXCEEDS THE CLASS A HORIZONTAL POSITIONS. COORDINATES BASED UPON GEOID 12B NRS 2011 AND HAVE A 95% CONFIDENCE RATING. VERTICAL DATUM HAS BEEN ADJUSTED TO NAVD '88.
- PROPERTY MAY BE SUBJECT TO UNRECORDED RIGHT-OF-WAYS OR EASEMENTS NOT OBSERVED.
- STORM DRAINAGE INSTALLED BY:
SOUTHEASTERN CONSTRUCTION
DAVID WILLIS (843-821-2071)
PO BOX 2370
SUMMERVILLE, SC 29484



EXISTING TREE EXHIBIT WITH SWALE ELEVATIONS



LEGEND

- PROPERTY LINE SURVEYED
- - - ADJOINER PROPERTY LINES
- - - EXISTING EASEMENT LINES
- - - OCRM - WETLANDS/ CRITICAL LINES
- EXISTING RIGHT OF WAY
- CONCRETE MONUMENT
- EXISTING IRON PIN (EP)
- ✱ COMPUTED POINT

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE DIMENSIONS SHOWN ON THE AS-BUILT DRAWINGS WERE OBTAINED USING GOOD SURVEYING PROCEDURES. THE HORIZONTAL DIMENSIONS SHOWN ARE WITHIN +/- ONE FOOT TOLERANCE. VERTICAL DIMENSIONS ARE ACCURATE TO WITHIN +/- ONE HUNDREDTH OF A FOOT.



IPW
IPW Construction Group, LLC
Engineering & Construction Services
 PO Box 40686 Charleston, SC 29423 Phone: 843-308-0524 Fax: 843-308-6650



COPYRIGHT © 2020 BY
 IPW CONSTRUCTION GROUP, LLC ALL
 RIGHTS RESERVED. THIS DOCUMENT IS
 TO BE USED ONLY FOR THE SPECIFIC
 PROJECT IDENTIFIED OR REFERRED TO
 HEREIN AND IS NOT TO BE USED ON
 OTHER PROJECTS OR EXTENSIONS TO
 THIS PROJECT, IN WHOLE OR IN PART,
 EXCEPT BY EXPRESS WRITTEN
 AGREEMENT WITH COMPENSATION PAID
 TO IPW CONSTRUCTION GROUP, LLC.
 DRAWN BY: CIC
 CHECKED BY: XXX
 FILE # 5-18-045-15B
 DATE: 04-01-2020

VARIANCE REQUEST
TMS#136-08-06-062
415 Hemingway Circle, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
June 9, 2020

Request: Variance request to reduce the required side yard setback to seven (7) feet.

Property Zoning: NR - Neighborhood Residential

Surrounding Zoning: North: NR - Neighborhood Residential
South: NR - Neighborhood Residential
East: NR - Neighborhood Residential
West: NR - Neighborhood Residential

Ordinance requires: Ordinance Section 2.5 side setback.

Response: In order for a variance to be issued by the Board of Zoning Appeals, an applicant is required to show that all four of the conditions listed below have been met and an unnecessary hardship must be shown.

(b) *Variations*. The board has the power to hear and decide requests for variances when strict application of this chapter's provisions would cause an unnecessary hardship.

(1) The following standards must apply for finding an unnecessary hardship:

- a. *Extraordinary conditions*. There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening or other conditions which make it difficult or impossible to make an economically feasible use of the property.
- b. *Other property*. Extraordinary conditions generally do not apply to other property in the vicinity.
- c. *Utilization*. Because of these extraordinary conditions, the application of this chapter's provisions to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- d. *Detriment*. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

Background: The applicant was notified by staff concerning the need for the setback variance at the time of permit application. The plat shows the required setback at the time of construction of the Townhouses. The proposed 12 foot by eight foot screened in porch will encroach into the required setback. The proposed setback will be established at seven (7) feet.

The applicant's request appears to meet all four criteria for the approval of a variance.

PUBLIC HEARING NOTICE



The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on

Date/Time: TUESDAY JUNE 9, 2020 AT 5 PM

In Summerville Town Hall, 200 S. Main St.,
to discuss a VARIANCE TO REDUCE THE SIDE
for this property. SETBACK

For Information: Planning Department 851-5200

TMS# 136-08-06-062

Address 415 HEMINGWAY Cr.

Sign Posted on: 5/26/2020

Sign may only be removed by
Authorized Town Employee

I live at 415 Hemingway Circle. It is an end unit in a townhouse building. I absolutely love everything about my neighborhood. I have a patio that is right off the side of my house. I enjoy sitting out there with my children and friends. I would really love to screen in the patio so that I can get even more use of the space.

Our plan is to build directly around the existing patio. We will put a roof on top and it will have door that will be facing the back. All trim will be white and any other shingles will match the hardie plank that already exists. The patio, as it sits, is only 7 feet from the property line. I realize that the town ordinance is 15 feet. However, I do not feel this structure would cause any extraordinary conditions to my property or any of the properties around me. The property between us is grassy and I do not foresee the structure causing any issues with landscaping, utilities or walkways. This structure would not restrict any person from gaining access to any property or utilizes for any property around us.

I am attaching pictures to this file that shows what the existing patio looks like along with the plans that we had drawn up for our plans.

Thank you for your time.

Sincerely,

Gretchen Kondroski

Architectural Control Committee
*Homeowners Request for Approval to
Make Modifications*

In accordance with the Association's Covenants, Conditions, and Restrictions and Architectural Control Committee Guidelines, I hereby apply for written approval to make the following exterior alterations, improvements, or changes to my property.

Date: 4/8 Lot #: _____ Name: Kathleen Algier

Street Address: 415 Hemingway Circle City: Summerville State: SC
Zip Code: 29483

Preferred Phone: _____ Owner's Email: _____
Kalgier@hotmail.com

Type of Modification Request (Check All That Apply)

- | | | | |
|---------------------------|----------------------------------|-------------------------|-----------------------|
| Painting/Staining/Coating | <input type="radio"/> | Landscaping | <input type="radio"/> |
| Outdoor Lighting | <input type="radio"/> | Shutters | <input type="radio"/> |
| Driveways/Walks | <input type="radio"/> | Playground Equipment | <input type="radio"/> |
| Porch Enclosures | <input checked="" type="radio"/> | Gutters & Downspouts | <input type="radio"/> |
| Door (Entry & Garage) | <input type="radio"/> | Structural (Need Plans) | <input type="radio"/> |

Other: _____

Description of Improvement:
We would like to add a screened in porch over existing patio. We will match the roof shingles to existing siding will be the same color. Screen color will be gray and all wood will be painted white.

Other Fence Descriptions Necessary: _____

****In order to be complete, all applications must include scope of work with detail of materials, color chips, sample material, brand, size, photos, and/or any other pertinent information with this application, if appropriate. Applications must be submitted with a plot plan showing the footprint of the home and property lines to scale, in relation to the proposed modification(s). Proposed modification(s) must be sketched on the plot plan. All prior improvements must be included on the plot plan (added sunroom, patio, other landscaping**
ROG Coastal Property Management | 1510 Old Trolley Road, Ste 200 | Summerville, SC 29485 | (843)972-3865

Central Commons Home Owners Association

beds, swing sets, gazebos, etc.). Applications are not considered to be complete or subject to review until the ACC receives all necessary information.**

IMPORTANT NOTE: APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE DOES NOT CONSTITUTE APPROVAL BY LOCAL GOVERNING AGENCIES. IT IS THE SOLE RESPONSIBILITY OF THE APPLICANT TO DETERMINE AND COMPLY WITH ALL GOVERNMENTAL REGULATIONS, STATUTES, CODES, AND ZONING REQUIREMENTS. IT IS THE RESPONSIBILITY OF THE APPLICANT TO SECURE ANY PERMITS, INSPECTIONS, AUTHORIZATION, AND/OR PERMISSION FROM GOVERNMENT AGENCIES PRIOR TO WORK COMMENCEMENT. IT IS THE APPLICANT'S SOLE RESPONSIBILITY TO PROTECT ALL ELEMENTS INSIDE THE ASSOCIATION EASEMENTS, AND TO RETURN ANY AREA DISTURBED BY THE INSTALLATION OF A MODIFICATION TO THE SAME STANDARDS AS PREVIOUSLY EXISTED. UPON COMPLETION WITH THE IMPROVEMENT, THE ASSOCIATION SHALL REVIEW AND DETERMINE THAT THE INSTALLATION IS IN COMPLIANCE WITH THE APPROVAL PROVIDED. IF THE IMPROVEMENTS ARE DEEMED INCOMPLETE OR FURTHER WORK IS NECESSITATED, APPLICANT SHALL BE PROVIDED WITH A DEADLINE FOR THE COMPLETION OF THE WORK. IF THE IMPROVEMENTS ARE NOT COMPLETED TO THE SATISFACTION OF THE ASSOCIATION WITHIN THE TIMELINES PROVIDED, THE ASSOCIATION MAY IMPOSE PENALTIES UNTIL COMPLETION OCCURS. ALL ARCHITECTURAL CONTROL COMMITTEE REQUEST FORMS WILL BE REVIEWED WITHIN 30 DAYS OF RECEIPT BY THE COMMITTEE. A COPY OF THE COMPLETED REQUEST WILL BE MAILED TO OWNER'S HOME ADDRESS UNLESS ANOTHER FORM IS REQUESTED BY THE OWNER.

ANY EXISTING OR PROPOSED INSTALLATION WITHIN AREAS DESIGNATED AS DRAINAGE AND OTHER EASEMENTS CARRIES WITH IT SOME RISKS TO THE OWNER. OWNERS WISHING AND APPROVED TO MAKE ANY MODIFICATIONS WITHIN DRAINAGE EASEMENTS DO SO WITH AN UNDERSTANDING, AGREEMENT, AND ACCEPTANCE OF THE FOLLOWING:

- MODIFICATIONS WITHIN ANY EASEMENTS ARE SUBJECT TO REMOVAL BY ANY AUTHORIZED ENTITY OR MUNICIPAL AUTHORITY REQUIRING ACCESS INTO THE EASEMENT AREA. SUCH REMOVAL MAY BE COMPLETED WITHOUT PRIOR NOTICE TO THE OWNER.
- NEITHER THE DEVELOPER, BUILDER, ACC, HOA, OR MANAGEMENT COMPANY ARE UNDER ANY OBLIGATION TO REPAIR, RESTORE, OR REPLACE ANY OR PART THEREOF REMOVED OR DAMAGED WITHIN THE EASEMENT.
- HOMEOWNERS ARE REQUIRED TO OBTAIN ENCROACHMENT PERMITS FROM LOCAL MUNICIPALITIES FOR FENCES CONSTRUCTED WITHIN DRAINAGE EASEMENTS
- THIS DISCLAIMER AND THE ASSOCIATED DRC RULES WILL BE MODIFIED FROM TIME TO TIME.

Signature of Homeowner: Kathleen Alquier

Architectural Control Committee Resolution

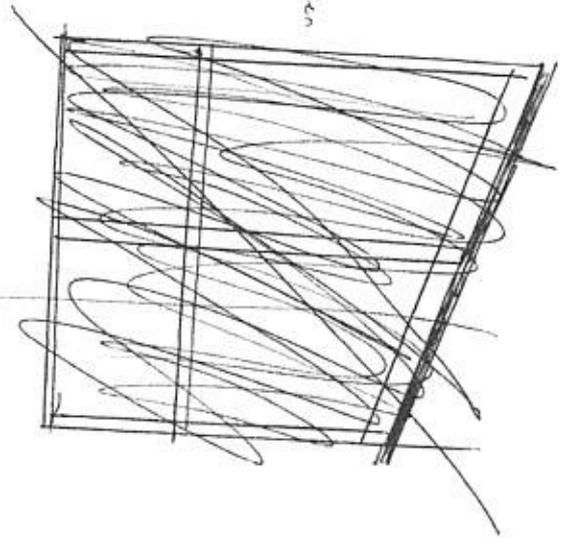
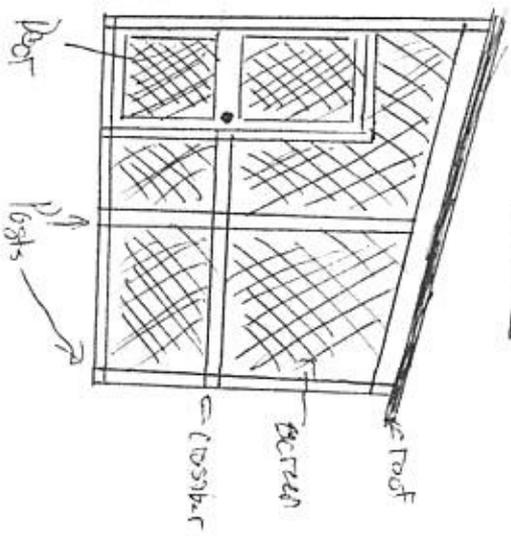
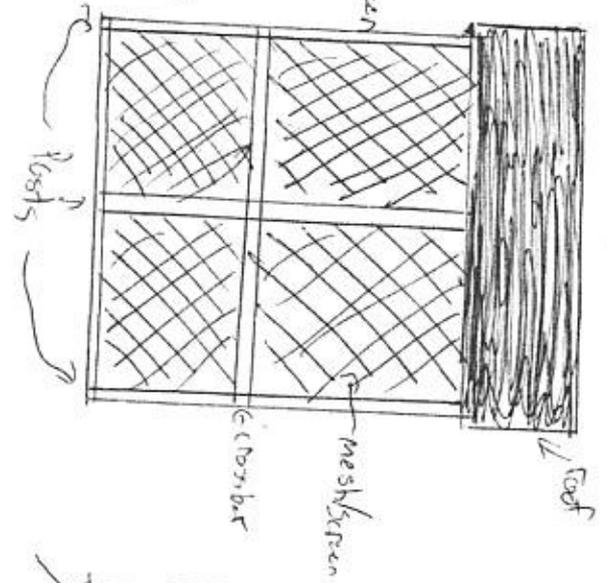
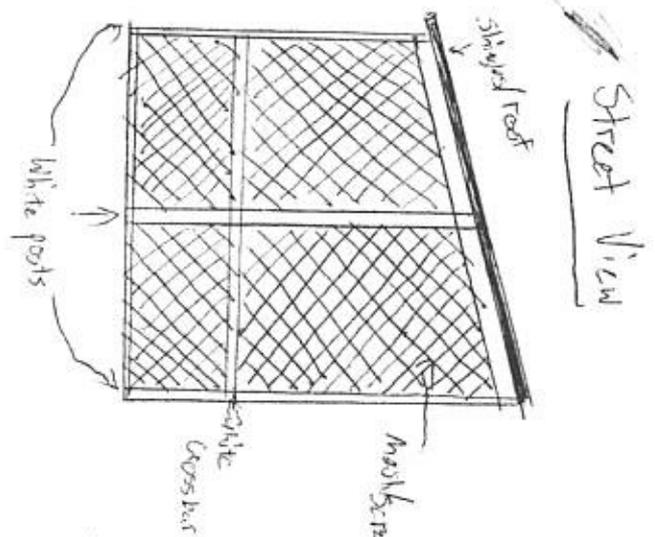
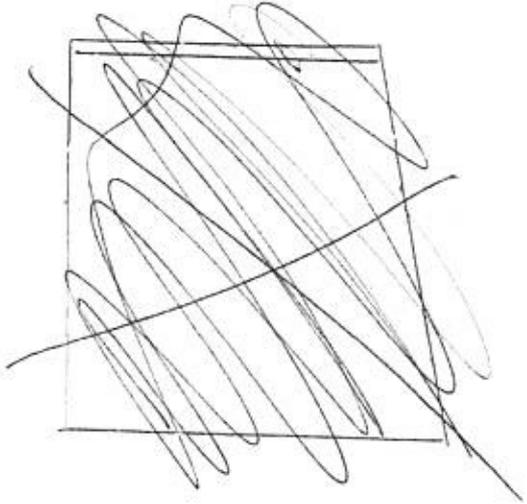
Approved Approved With Conditions Not Approved Date:

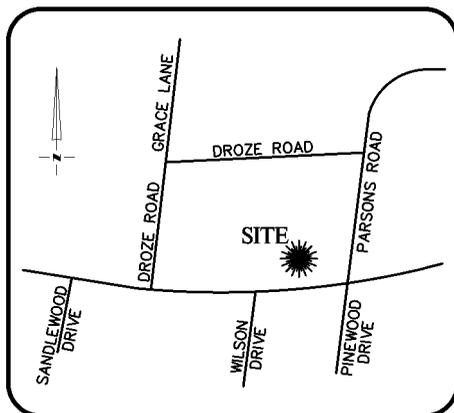
[Signature]

Submit Application To:

Central Commons HOA
Attn: Lindsey Blackburn
Email: propertymanagement@rogcoastal.com

ROG Coastal Property Management | 1510 Old Trolley Road, Ste 200 | Summerville, SC 29485 | (843)972-3865





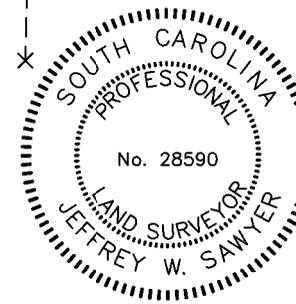
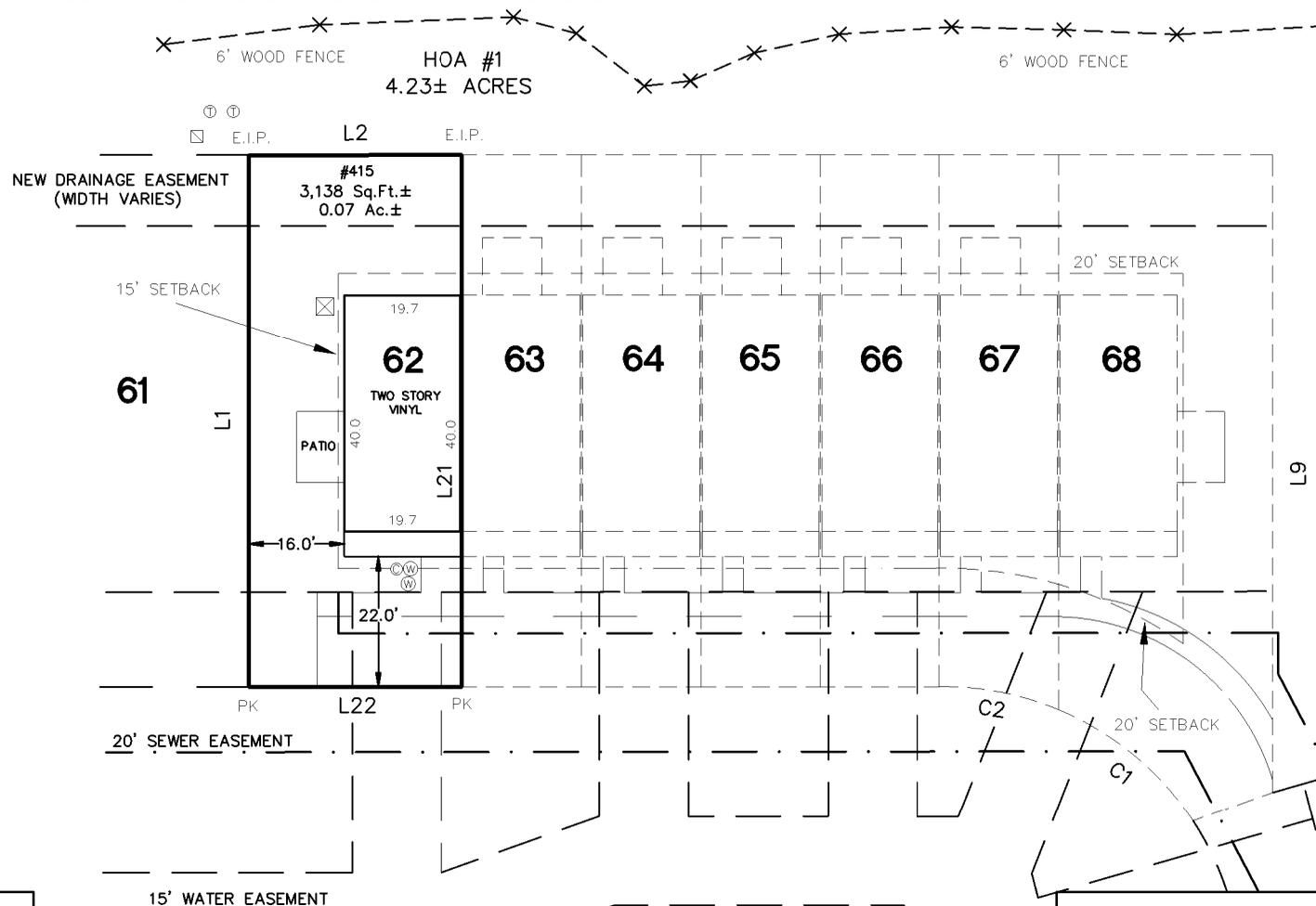
VICINITY MAP
Not To Scale

LINE TABLE		
LINE	LENGTH	BEARING
L1	89.92	N78°12'29"W
L2	35.88	N11°45'47"E
L3	20.08	N11°47'31"E
L4	20.08	N11°47'31"E
L5	20.08	N11°47'31"E
L6	20.08	N11°47'31"E
L7	20.08	N11°47'31"E
L8	35.88	N11°47'31"E
L9	107.82	S78°12'29"E
L10	14.18	N08°06'59"W
L11	93.80	S78°12'29"E
L12	89.91	S78°12'29"E
L13	20.08	S11°45'55"W
L14	89.92	S78°12'29"E
L15	20.08	S11°45'55"W
L16	89.93	S78°12'29"E
L17	0.68	S10°51'14"W
L18	20.08	S11°45'55"W
L19	89.94	S78°12'29"E
L20	20.08	S11°45'55"W
L21	89.94	S78°12'29"E
L22	35.88	S11°48'13"W

I HEREBY STATE 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 THERIN, ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

SIGNED

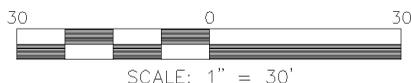
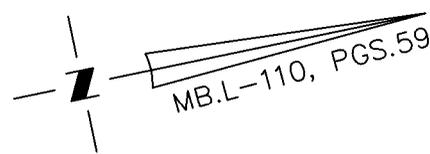
Jeffrey W. Sawyer
JEFFREY W. SAWYER, S.C. PLS L-28590



LEGEND

- E.I.P. EXISTING IRON PIN
- E.C.M. EXISTING CONCRETE MONUMENT
- S.I.P. SET IRON PIN
- P.D.E. PUBLIC DRAINAGE EASEMENT
- CLOSURE EXCEEDS 1 INCH in 10,000' PROPERTY LINE
- ADJOINER PROPERTY LINE BY DEED OR PLAT
- *-*-* FENCE LINE
- ⊠ ELECTRIC BOX
- ⊙ WATER METER
- ⊙ TELEPHONE PEDISTAL
- CLEAN OUT
- LIGHT POST
- ⊙ MAN HOLE

HOA #1
4.23± ACRES



RLA ASSOCIATES, P.A.

2204 BACONS BRIDGE ROAD
SUMMERVILLE, SC 29485
PHONE (843) 879-9091
FAX (843) 261-9092

HEMINGWAY CIRCLE

THIS PROPERTY MAY BE SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD OR IMPLIED

CURVE TABLE				
CURVE	BEARING	CHORD	LENGTH	RADIUS
C1	S51°40'54"W	29.39	29.83	50.00
C2	S23°10'37"W	19.79	19.92	50.00

PHYSICAL SURVEY

FOR

LOT 62, CENTRAL COMMONS

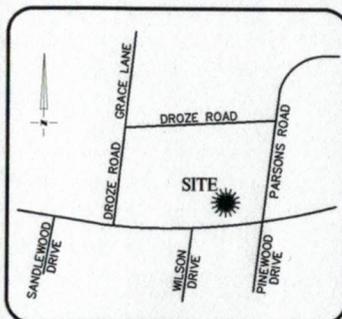
Town of Summerville, Dorchester County, South Carolina

PROPERTY OF: _____

MAP BOOK L-110 PAGE 59 DEED REFERENCE _____

DRAWN BY: GIR

DATE: FEBRUARY 26, 2016

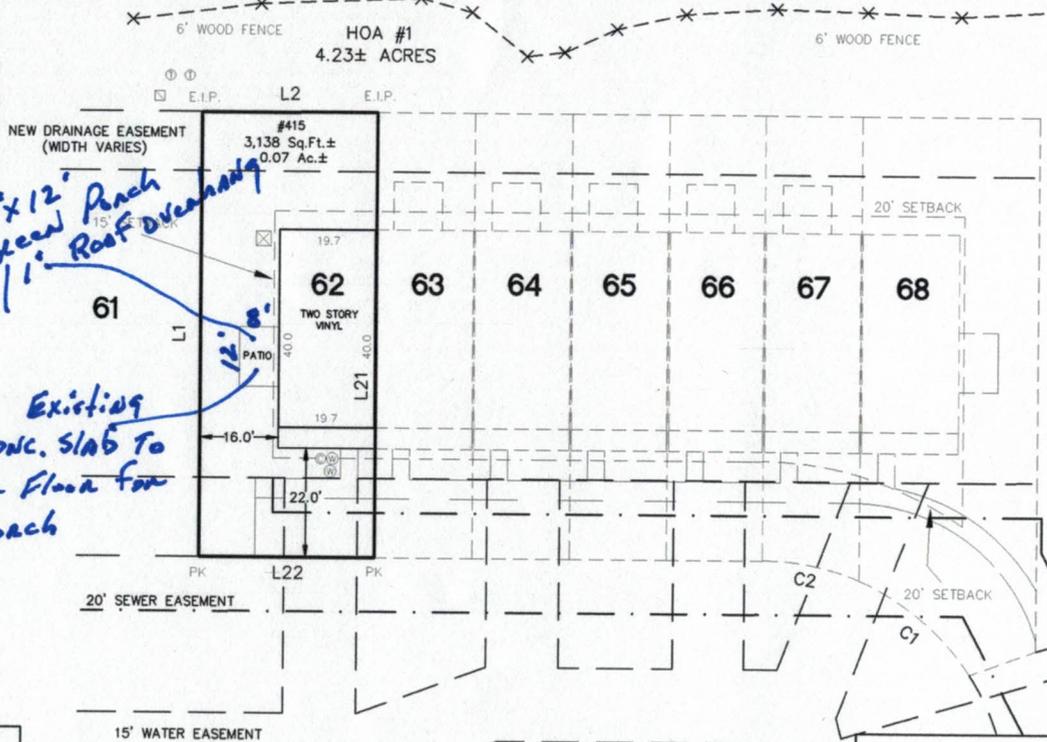


VICINITY MAP
Not To Scale

LINE	LENGTH	BEARING
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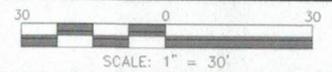
I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

SIGNED Jeffrey W. Sawyer
JEFFREY W. SAWYER, S.C. PLS L-28590



LEGEND

- E.I.P. EXISTING IRON PIN
- E.C.M. EXISTING CONCRETE MONUMENT
- S.I.P. SET IRON PIN
- P.D.E. PUBLIC DRAINAGE EASEMENT
- CLOSURE EXCEEDS 1 INCH in 10,000'
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PHYSICAL SURVEY

FOR
LOT 62, CENTRAL COMMONS
Town of Summerville, Dorchester County, South Carolina
PROPERTY OF: _____
MAP BOOK L-110 PAGE 59 DEED REFERENCE _____

DRAWN BY: GIR

DATE: FEBRUARY 26, 2016

MB.L-110, PGS.59







VARIANCE REQUEST
TMS#137-03-06-007
419 N Cedar Street, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
June 9, 2020

Request: Variance request to reduce the required parking lot screening from 8 feet to one foot.

Property Zoning: D-MX Downtown Mixed Use

Surrounding Zoning: North: D-MX Downtown Mixed Use
South: D-MX Downtown Mixed Use
East: D-MX Downtown Mixed Use
West: D-MX Downtown Mixed Use

Surrounding Land Use: North: Office
South: Undeveloped Gravel Parking
East: Office
West: Retail

Ordinance requires: Ordinance Section 8.5.2.A Parking Lots – Perimeter Landscaping and Screening

Response: In order for a variance to be issued by the Board of Zoning Appeals, an applicant is required to show that all four of the conditions listed below have been met and an unnecessary hardship must be shown.

(b) *Variances.* The board has the power to hear and decide requests for variances when strict application of this chapter's provisions would cause an unnecessary hardship.

(1) The following standards must apply for finding an unnecessary hardship:

- a. *Extraordinary conditions.* There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening or other conditions which make it difficult or impossible to make an economically feasible use of the property.
- b. *Other property.* Extraordinary conditions generally do not apply to other property in the vicinity.
- c. *Utilization.* Because of these extraordinary conditions, the application of this chapter's provisions to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- d. *Detriment.* The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

Background: The applicant acquired the property and intends to renovate the existing building for office uses. With a change in use from residential to commercial office the applicant has proposed three new parking spaces to the rear of the structure, and one ADA space in front. With the establishment of new parking the UDO requires an eight foot landscaped screen.

Staff feels that the applicant does not meet all four criteria, and that a hardship is present.

- a. Extraordinary conditions exist in the form of the existing conditions, where the structure placement on the property prevents the implementation of the required parking lot screening.
- b. Other property in the area are mostly developed will be subject to the UDO requirements only if they redevelop.

- c. Utilization of the property is greatly impacted by the placement of the structure on the lot, the three proposed parking spaces barely fit to the rear of the structure at this time, the D_MX zoning does not require parking be provided on site.
- d. Detriment will not be caused to other properties by the issuance of this variance on this property

PUBLIC HEARING NOTICE



The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on

Date/Time: TUESDAY JUNE 9, 2020 AT 5 PM

In Summerville Town Hall, 200 S. Main St.,
to discuss a VARIANCE TO REDUCE THE PARKING
for this property. LOT SCREENING

For Information: Planning Department 851-5200

TMS# 137-03-06-007

Sign may only be removed by
Authorized Town Employee

Address 419 CEDAR STREET

Sign Posted on: 5/26/2020

AMANDA GRAHAM BARTON
Landscape Architect

May 15, 2020

Chairman, Board of Zoning Appeals
Town of Summerville
200 S. Main Street
Summerville, SC 29483

Re: 419 N. Cedar Street TMS#137-03-06-007/Parking lot Buffer Variance Request Chapter 8,
Section 8.5.2

Dear Chairman and Board Members,

Thank you for consideration of this request to omit the required parking lot buffer for this property. Below is justification of the hardship test:

a.) Extraordinary Conditions- the subject parcel is only 47.68 feet wide and the existing structure sits at an angle to the property lines toward the rear of the property. To meet the spirit of the D-MX Zoning for the district the owner is placing the parking lot to the rear of the property. Due to the narrowness of the lot and the siting of the building there is not sufficient space to park and maneuver with 8' landscape buffers. Additionally the roots of a 28" Magnolia on TMS#137-03-03-009 would be impacted if plantings were installed along the southern edge of the parking lot.

b.) Other Property- the subject parcel is smaller and narrower than other properties in the vicinity which include the large Chamber of Commerce parcel. The exception is TMS#137-03-06-006, an adjacent doctors office whose structure is sited to one side of the property allowing parking along the front and side.

c.) Utilization- the provisions of the chapter would effectively prohibit and unreasonably restrict use of the property.

d.) Detriment- the authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance, in fact it will be improved by parking to the rear of the structure.

Sincerely,



Amanda Graham Barton, ASLA
SC Landscape Architect Registration No. 608

cc: Robert Pratt

Robert Pratt

To: amanda barton
Cc: Macholl, Tim
Subject: 419 North Cedar

To Whom it May Concern,

Amanda Barton, ASLA, is my designated representative to present 419 North Cedar to the Summerville Board of zoning appeals for relief from buffer requirements and any other concerns she may bring forward due to the small and limited size of the property.

Thank you,



5.13.2020

Robert Pratt
Commercial Real Estate Broker
Office:843.576.2705, Fax:843.576.3025



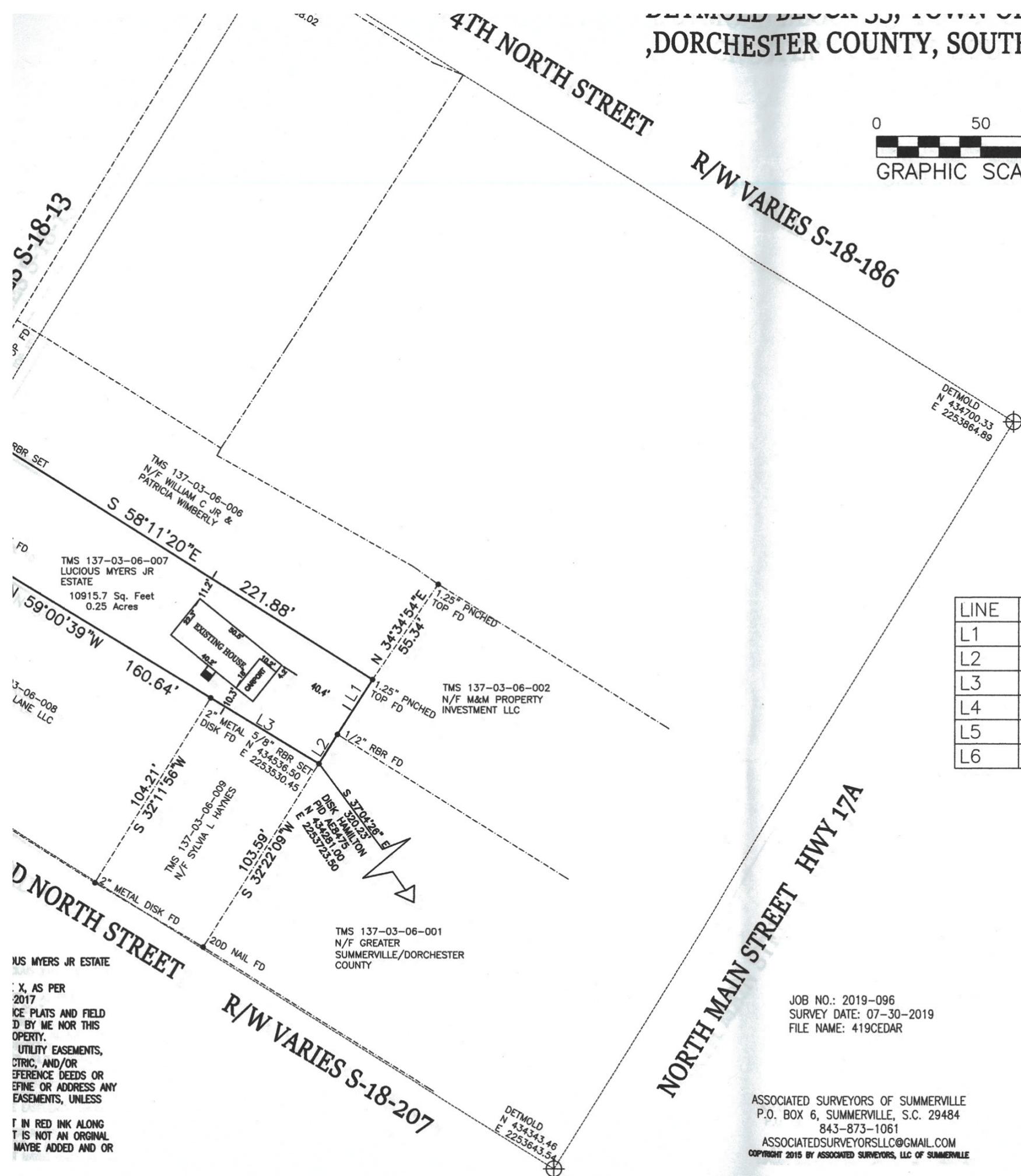
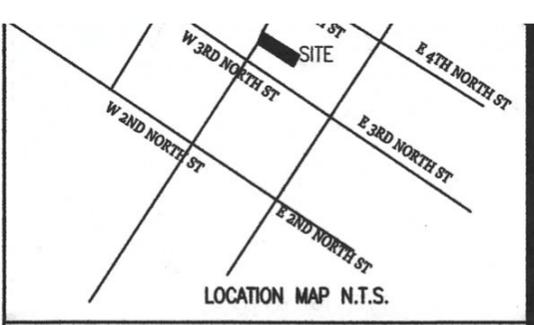
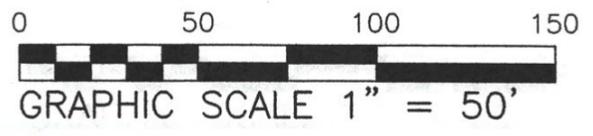
ROBERT L. PRATT CCIM, SIOR
COMMERCIAL REAL ESTATE BROKER
Office: 843.576.2705
Fax: 843.576.3025

RE/MAX Pro Realty
9209 University Blvd
Charleston, SC 29406

RE/MAX
COMMERCIAL



DEEMOLD DEED 33, TOWN OF SUMMERVILLE
 ,DORCHESTER COUNTY, SOUTH CAROLINA



LINE	BEARING	DISTANCE
L1	S 32°31'38" W	31.10'
L2	S 32°22'09" W	16.58'
L3	N 59°00'09" W	60.72'
L4	S 26°11'33" W	5.09'
L5	S 58°11'20" E	7.55'
L6	S 31°49'13" W	50.85'

- REFERENCE (ALL PLATS UNLESS OTHERWISE NOTED ARE UNRECORDED)
- 1) DEED BOOK 10687, PG 285
 - 2) DEED BOOK 7215, PG 212
 - 3) PLAT BY JOHN DAVID BASS. PLAT BOOK H, PG 106
 - 4) PLAT BY DOUGLAS L. DEWOLF. PLAT BOOK K, PG 198
 - 5) PLAT BY THOMAS W. BAILEY. PLAT BOOK G, PG 286
 - 6) PLAT BY JOHN DAVID BASS. PLAT BOOK K, PG 40

AGENCY BLOCK

LUCIOUS MYERS JR ESTATE
 AS PER
 2017
 DEED PLATS AND FIELD
 NOTES BY ME NOR THIS
 PROPERTY.
 UTILITY EASEMENTS,
 EASEMENTS, AND/OR
 EASEMENTS DEEDS OR
 EASEMENTS OR ADDRESS ANY
 EASEMENTS, UNLESS
 NOTED IN RED INK ALONG
 THIS PLAT IS NOT AN ORIGINAL
 AND MAYBE ADDED AND OR

JOB NO.: 2019-096
 SURVEY DATE: 07-30-2019
 FILE NAME: 419CEDAR

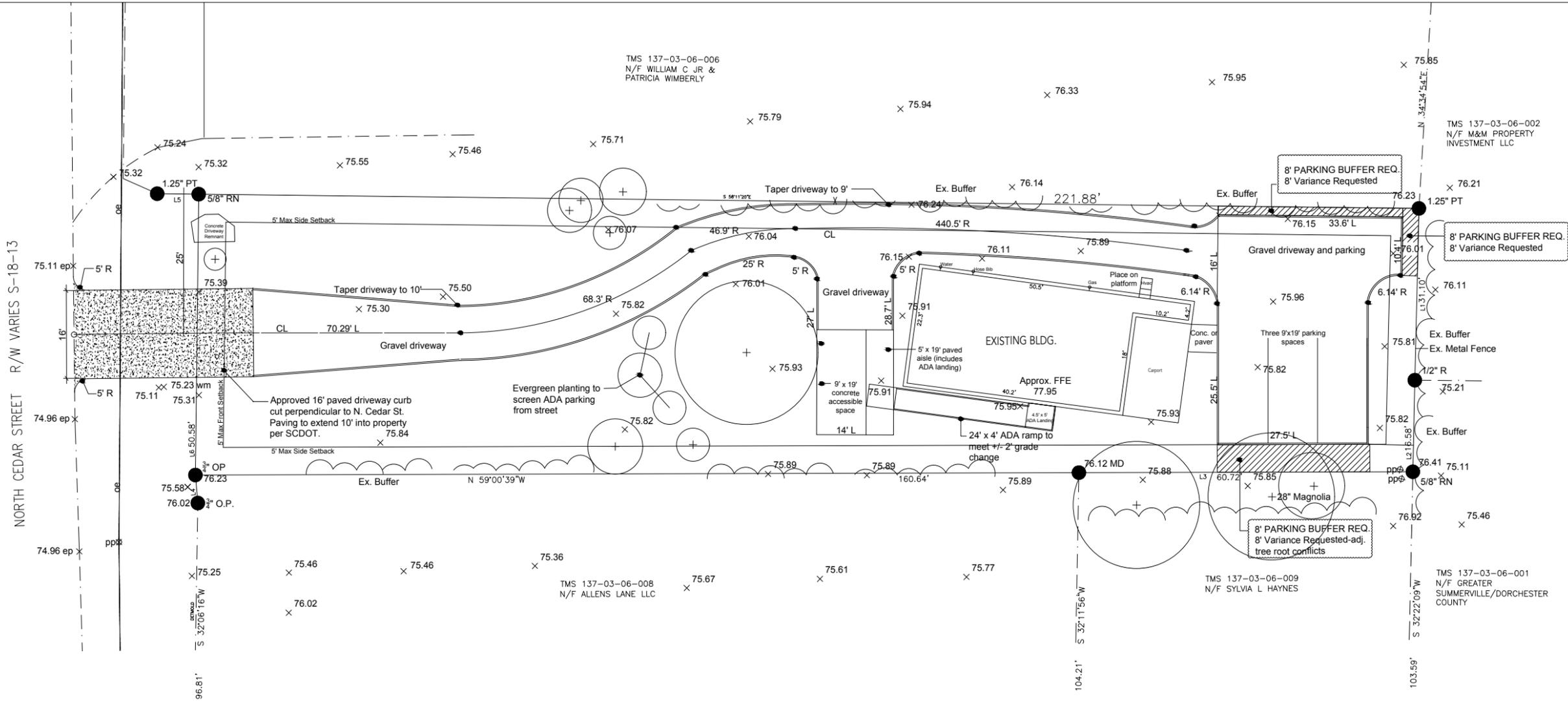
ASSOCIATED SURVEYORS OF SUMMERVILLE
 P.O. BOX 6, SUMMERVILLE, S.C. 29484
 843-873-1061
 ASSOCIATEDSURVEYORSLLC@GMAIL.COM
 COPYRIGHT 2015 BY ASSOCIATED SURVEYORS, LLC OF SUMMERVILLE

I, JOHN DAVID BASS, HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THAT 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 "A" SURVEY AS SPECIFIED THEREIN. THERE ARE NO VISIBLE, TO THE SURVEYOR WHEN ON SITE, ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE NOTED ABOVE.

John David Bass 8/10/2019
 JOHN DAVID BASS, PLS.
 S.C. REGISTRATION NO. 15388

SITE PLAN
BZA SUBMITTAL

AMANDA GRAHAM BARTON
Landscape Architect
843.607.9898
agblandarch@gmail.com



NOTES:

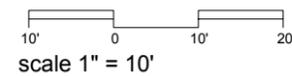
1. Planting Plan to be submitted based on BZA results
2. Contractor to meet all Town of Summerville requirements and obtain all necessary permits
3. Landscape Architect to field approve site layout



LEGEND:

- pp Power Pole
- ep Edge of Pavement
- oe Overhead Electric
- R Rebar
- RN Rebar Newly Set
- MD Metal Disc
- OP Open Pipe
- PT Pinched Top Pipe
- wm Water Meter
- X Non-protected plant to remove

LINE	BEARING	DISTANCE
L1	S 32°31'38" W	31.10'
L2	S 32°22'09" W	16.58'
L3	N 59°00'09" W	60.72'
L4	S 26°11'33" W	5.09'
L5	S 58°11'20" E	7.55'
L6	S 31°49'13" W	50.85'



DRAWING DATE
2/25/2020
3/13/2020
5/12/2020

VARIANCE REQUEST
TMS#153-12-03-011
159 Oak Bluff Road, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
June 9, 2020

Request: Variance request to reduce the required accessory structure side yard setback from 20 feet to five feet for an accessory structure and increase the impervious surface limit from 35% to 36%

Property Zoning: PUD Planned Development District

Surrounding Zoning: North: PUD Planned Development District
South: PUD Planned Development District
East: PUD Planned Development District
West: PUD Planned Development District

Ordinance requires: Ordinance Section 2.10 Planned Development Districts– Bridges of Summerville – 20 side setback and 35% lot coverage

Response: In order for a variance to be issued by the Board of Zoning Appeals, an applicant is required to show that all four of the conditions listed below have been met and an unnecessary hardship must be shown.

- (b) *Variances.* The board has the power to hear and decide requests for variances when strict application of this chapter's provisions would cause an unnecessary hardship.
- (1) The following standards must apply for finding an unnecessary hardship:
- a. *Extraordinary conditions.* There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening or other conditions which make it difficult or impossible to make an economically feasible use of the property.
 - b. *Other property.* Extraordinary conditions generally do not apply to other property in the vicinity.
 - c. *Utilization.* Because of these extraordinary conditions, the application of this chapter's provisions to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
 - d. *Detriment.* The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

Background: The need for the setback and lot coverage variance was determined at the time of application for the permit to construct the shed.

Staff feels that the applicant does not meet all four criteria, and that a hardship is not present.

- a. Extraordinary conditions could exist, the requirements of the Bridges does not differentiate between primary and accessory structure for the setback requirement. If this were GR-2 zoning the required side setback would be 10 feet
- b. Other property in the area do have similar lot size and shape and would potentially face similar constraints.
- c. Utilization of the property is reduced but not eliminated due to the size and shape of the lot.

- d. Detriment will not be caused to other properties by the issuance of this variance on this property.



PUBLIC HEARING NOTICE

The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on

Date/Time: TUESDAY JUNE 9, 2020 AT 5 PM

In Summerville Town Hall, 200 S. Main St.,
to discuss a VARIANCE TO REDUCE THE SIDE SETBACK
for this property. AND INCREASE THE PERMITTED LOT
COVERAGE

For Information: Planning Department 851-5200

TMS# 153-12-03-011

Sign may only be removed by
Authorized Town Employee

Address 159 OAK BLUFF ROAD

Sign Posted on: 5/26/2020



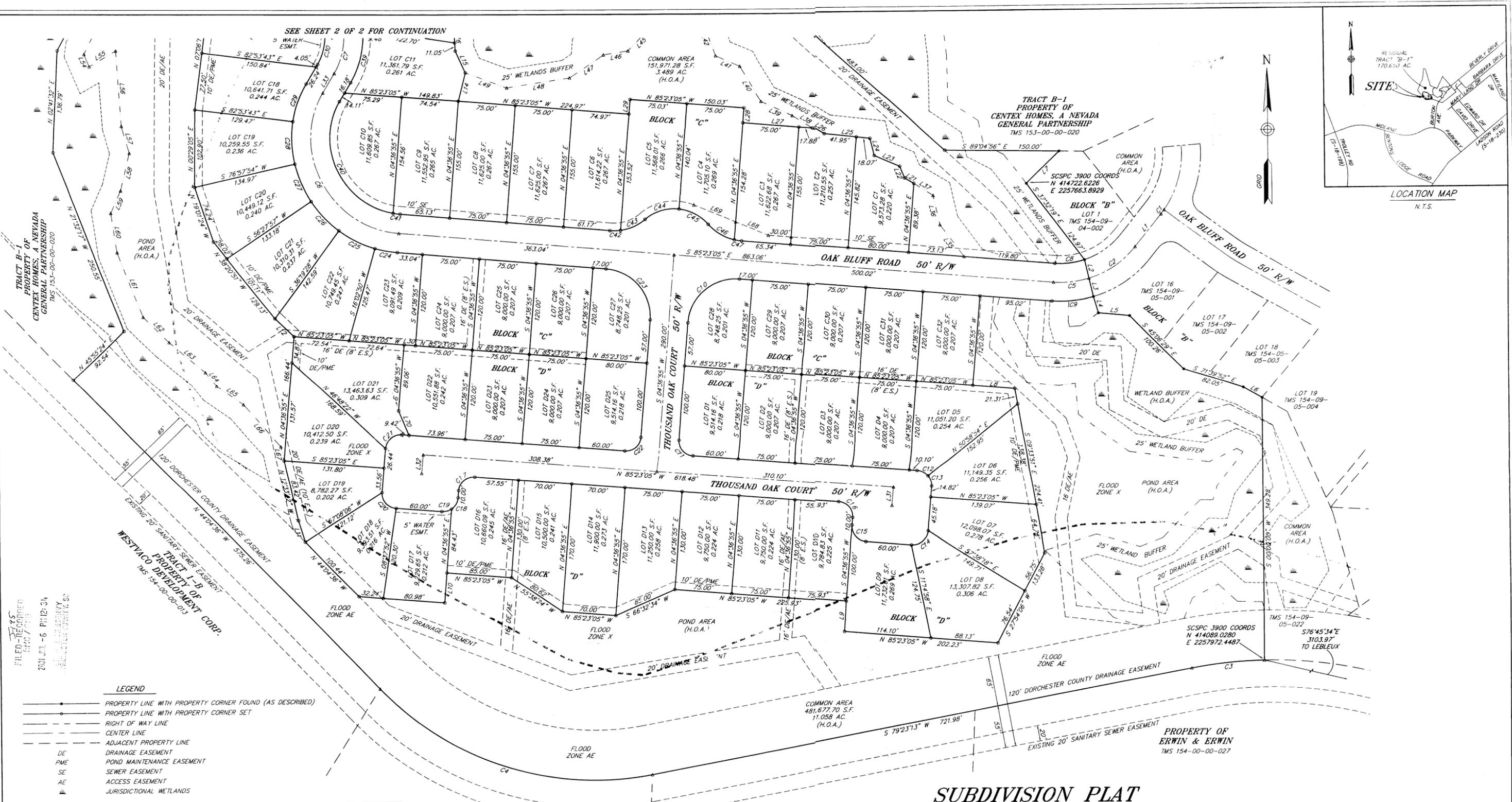
Randy Girard
159 Oakbluff Rd
Summerville, SC 29485
413-281-8454

Request to build shed

Request to build shed within setbacks. Due to locations of trees and setting of house more toward the middle of the property, its unlikely to build a shed 20 ft the rear property line. However, there is no adjacent property behind the house, and plenty of space between the property and the pond line that easily exceeds the 20 ft of space required. Also, trees in the rear yard prevent the shed building more than 3-4ft from the side property. Request to build within these setbacks is requested.

Request to increase total impervious surface allowance. Building of shed would surpass the total impervious allowance by a slight amount (96 sq ft.) Also, shed is to be built on deck blocks that would raise it above the ground level, allow water to continue to freely flow. Shed is also to be build underneath tree canopy which limits the amount of existing water that would have been redirected due to the shed anyway.

Please see these requests to allow for the building of our small shed. I appreciate your time. Thank you.



FILED - RECORDED
 2001 JUN -6 PM 12:34
 REC'D - COUNTY CLERK
 DORCHESTER COUNTY, S.C.

- LEGEND**
- PROPERTY LINE WITH PROPERTY CORNER FOUND (AS DESCRIBED)
 - PROPERTY LINE WITH PROPERTY CORNER SET
 - +— RIGHT OF WAY LINE
 - CENTER LINE
 - - - ADJACENT PROPERTY LINE
 - DE DRAINAGE EASEMENT
 - PME POND MAINTENANCE EASEMENT
 - SE SEWER EASEMENT
 - AE ACCESS EASEMENT
 - WETLANDS JURISDICTIONAL WETLANDS

4425 Belle Oaks Drive
 North Charleston, S.C. 29405
 Phone (843) 740-7700
 Fax (843) 740-7707
 E-Mail: info@tricoengineering.com
 www.tricoengineering.com

I HEREBY STATE 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 A SURVEY AS SPECIFIED THEREIN.

PAUL E. SEXTON
 TOWN ENGINEER
 P.L.S. 19885



TRACT G-2-B
 PROPERTY OF
 WESTVACO DEVELOPMENT CORP.
 TMS 154-00-00-013

PLAT APPROVED
 MATTHEW J. HALTER, P.E.
 TOWN ENGINEER
 TOWN OF SUMMERVILLE, SC
 DATE 7-6-01

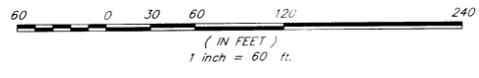
TRACT G-2-B
 PROPERTY OF
 ASSISTED LIVING CONCEPTS, INC.
 TMS 154-00-00-028

SUBDIVISION PLAT

SHOWING THE BRIDGES OF SUMMERVILLE, PHASE "1-P", A 31.405 ACRE TRACT OF LAND, A PORTION OF TRACT "B-1", PROPERTY OF CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, LOCATED IN THE OAKBROOK AREA, IN THE TOWN OF SUMMERVILLE, DORCHESTER COUNTY, SOUTH CAROLINA

DATE: JUNE 19, 2001

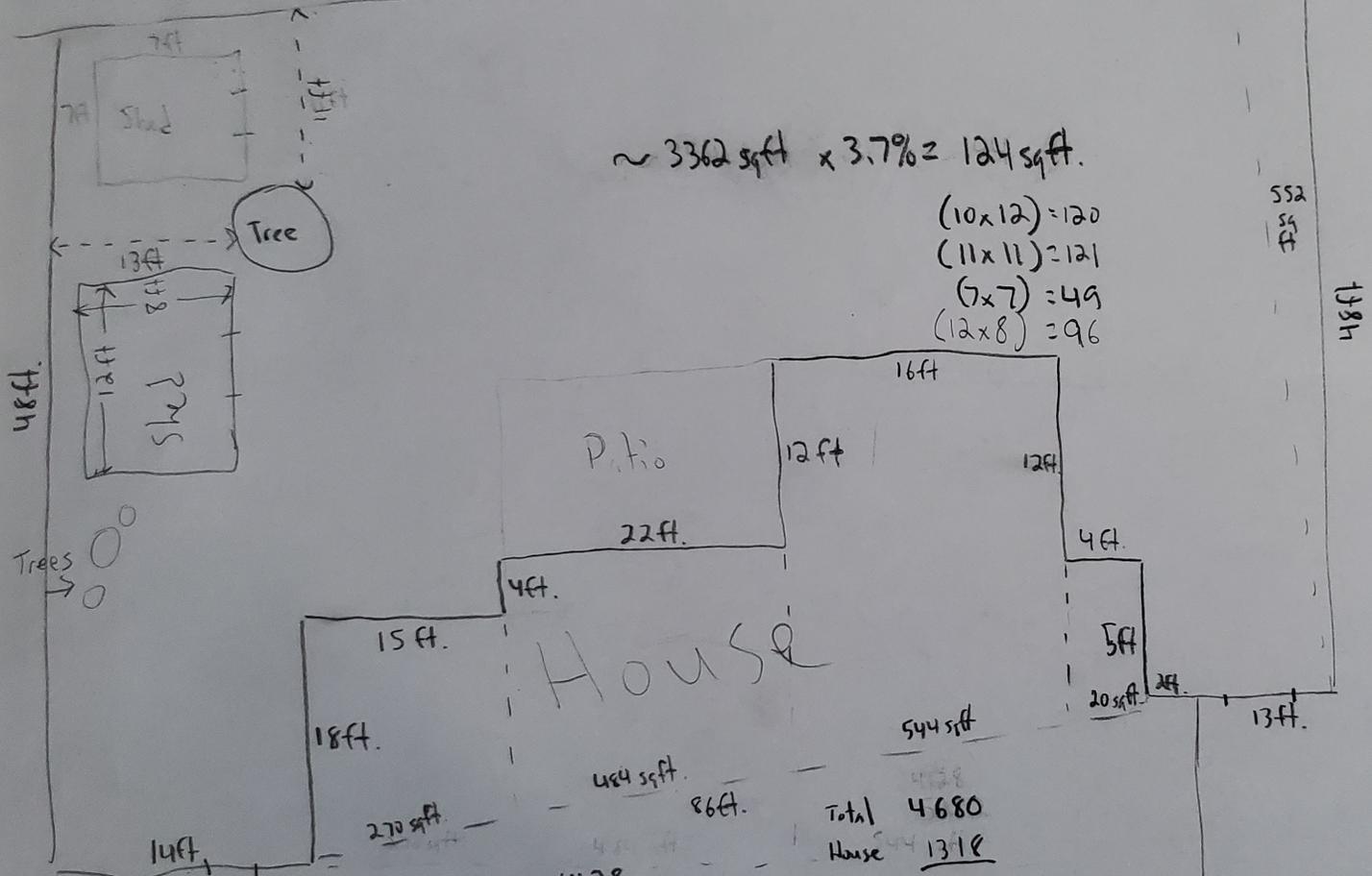
SCALE: 1" = 60' SHEET 1 OF 2



109-86

23ft

109ft.



$\sim 3362 \text{ sqft} \times 3.7\% = 124 \text{ sqft.}$

- $(10 \times 12) = 120$
- $(11 \times 11) = 121$
- $(7 \times 7) = 49$
- $(12 \times 8) = 96$

552 sq ft

1384

$86 \times 48 = 4128$
 $(23 \times 48) \div 2 = 552$
 4680

Total	4680
House	1318
Yard	~ 3362



