AGENDA
October 15, 2019
5:00 PM
Town Hall (annex) – Training Room
200 S. Main Street

I. Approval of minutes from August 13, 2019

(For below item, signs posted on property August 26, 2019 and ad on August 25, 2019 in Post & Courier)

II. OLD BUSINESS:
1. No Old Business

III. NEW BUSINESS:
1. TMS # 136-13-06-018, 308 White Gables Drive, zoned PUD – Planned Unit Development, owned by Robert Jesse & Constance Ann McAnnar – variance request to increase the permitted impervious surface from 65% to 71%, Ordinance Section 32-125.
2. TMS # 137-02-10-006, 110-112 Cypress Street, zoned R-5 Mixed Residential, owned by Beau Ganas – variance request to increase the maximum density from 8 units per acre to 12.5 units per acre and reduce the required side setbacks from 15 feet to eight feet, Ordinance Sections 32-124(a) and 32-124(e)(4).
3. TMS # 145-08-00-042, 106 Tea Olive Court, zoned R-1 Single Family Residential, owned by Richard and Diana Cornman – variance request to reduce the required rear setback from 25 feet to 12 feet, Ordinance Section 32-122(f)(5).
4. TMS # 144-04-11-012, 102 Niblick Road, zoned R-2 Single Family Residential, owned by Wayne and Sarah Stanfield – variance request to increase the permitted impervious surface from 35% to 38%, Ordinance Section 32-123(h)(2).

IV. MISCELLANEOUS:

V. ADJOURN

Posted October 8, 2019
Board of Zoning Appeals  
Tuesday, August 13, 2019  
Summerville Municipal Complex – Annex Building Training Room

Members Present:
Denis Tsukalas, Chairman  
Elise Richardson, Vice Chairman  
Don Nye  
Lionel Lawson  
Scott Riddell - Absent

Staff Present:
Tim Macholl, Zoning Administrator

Items on the agenda:

OLD BUSINESS:
1. None

NEW BUSINESS:
1. TMS # 130-11-00-053, 106 Kahlers Way, zoned R-2 Single Family Residential, owned by Vitor Estanqueiro & Paula Graca – variance request to reduce the required rear yard setback from five feet to one foot and to increase the permitted impervious surface from 35% to 38.5%, Ordinance Section 32-123(e)(5) and 32-123(h)(2).

MISCELLANEOUS:
1. None

The meeting was called to order at 5:00 PM by Mr. Denis Tsukalas. Mr. Tsukalas asked for any comments or edits for the minutes from the June 11, 2019 meeting minutes. A motion was made by Mr. Nye to table the minutes. The motion was seconded by Ms. Richardson. The motion passed 4-0. Mr. Tsukalas then asked for any comments or edits for the minutes from the July 9, 2019 meeting minutes. A motion was made by Mr. Nye to approve the minutes. The motion was seconded by Ms. Richardson. The motion passed 4-0.

OLD BUSINESS
1. None

NEW BUSINESS
1. 106 Kahlers Way – The first item under New Business TMS # 130-11-00-053, 106 Kahlers Way, zoned R-2 Single Family Residential, owned by Vitor Estanqueiro & Paula Graca – variance request to reduce the required rear yard setback from five feet to one foot and to increase the permitted impervious surface from 35% to 38.5%, Ordinance Section 32-123(e)(5) and 32-123(h)(2).

Ms. Graca came to the table to explain the situation. She explained that they were unaware that they needed a permit to build the shed if they were building it themselves. She apologized for the fact that they had started work without the permit. She also stated that they were unaware of the drainage easement and that they would reorient the shed to keep it out of the easement. She explained that the shed would be up on concrete “stilts” to allow stormwater to flow underneath. The one foot setback is requested to maximize space in the rear yard.

Mr. Nye stated he had driven by the site to see the location and stated that he thought that it looked good. Mr. Tsukalas asked about the orientation of the shed. Ms. Graca explained that they had stopped work and that the shed would be moved to meet the required 10 feet on the side.
Mr. Richard Kaminsky, the immediate neighbor of the applicant at 108 Kahlers Way, stood and stated that he did not object to the variance request.

Mr. Nye made a motion to approve as presented. The motion was seconded by Mr. Lawson. The motion passed unanimously 4-0.

Mr. Macholl addressed the permitting process and how the owners will get their permit after the meeting.

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 Ms. Richardson. The motion passed unanimously 4-0

Respectfully Submitted,

Tim Macholl
Zoning Administrator

Approved: Denis Tsukalas, Chairman ________________________________; or,

Elise Richardson, Vice Chairman ________________________________
VARIANCE REQUEST
TMS#136-13-06-018
308 White Gables Drive, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
October 15, 2019

Request: Variance request to increase the permitted impervious surface from 65% to 71%

Property Zoning: PUD – Planned Unit Development

Surrounding Zoning:
- North: PUD – Planned Unit Development
- South: PUD – Planned Unit Development
- East: PUD – Planned Unit Development
- West: PUD – Planned Unit Development

Ordinance requires: Ordinance Section 32-125

Background: The owner of the property has already constructed an outdoor fireplace and walkway/patio on the property.

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.

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

a. Extraordinary conditions do exist on the property. The size of the lot greatly contributes to the situation.

b. Other property in the area have this same condition, as can be seen on the supplied maps. The entire development is predicated on shared open space, and very little private space.

c. Utilization of the property is not eliminated due to the possible trimming of some of the impervious surfaces.

d. Detriment will not be caused to other properties by the issuance of this variance on this property.
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
PUBLIC HEARING NOTICE

The Town of Summerville
Board of Zoning Appeals will hold a public hearing on
Date/Time: Tuesday October 15, 2019 at 5 PM
In Summerville Town Hall, 200 S. Main St.,
to discuss a variance to increase the impervious
surface from 65% to 71%
for this property.
For Information: Planning Department 851-5200

TMS# 136-13-06-018
Address: 308 White Gables Drive
Sign Posted on: 9/30/2019

Sign may only be removed by
Authorized Town Employee
BOARD OF ZONING APPEALS (BZA) 
VARIANCE APPLICATION 
Per Town of Summerville Zoning Ordinance, Chapter 32, Article II 
(SC Code of Laws 6-29-750)

Date: 7-26-19
TMS#: 136-13-06-018
Zoned: PUD

Property Owner: Robert Jesse & Constance Ann McAninar
Phone: 843-819-7743

Email: cmcaninar@hotmail.com

Mailing Address: 308 White Gables Dr.

Site Address: 308 White Gables Dr.

Subdivision: White Gables

Representative for Property Owner (If applicable)*: N/A

Request for variance relating to: (please check one): □ Setbacks □ Buffer yard □ Height

☐ Parking ☑ Other: Variance

Ordinance Requires:

Property Owner Requests:

Present Use of Property: (please check one): □ Residential ☑ Commercial □ Institutional

☐ Industrial □ Other:

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

1. Copy of recorded plat of property with proposed site plan demonstrating the requested variance.

2. Non-refundable fee of $100 – check made payable to Town of Summerville.

3. Statement of property owner addressing the State mandated criteria below (please address all four criteria):
   (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: 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.

I certify that all information required is included and the application is complete. If an application is found to be incomplete, the primary contact will be notified. This approval does not constitute approval by other boards or town departments.

Signature of Property Owner: ___________________________ Date: 13 August 2019

Signature of Applicant: ________________________________ Date: __________________

*If applicant is not legal property owner, please submit documentation from the property owner giving permission for applicant to represent property owner.
From: Robert J. and Constance A. McNamar
To: Mr. Tim Macholl, Zoning Administrator
Date: July 30, 2019
Re: Fireplace at 308 White Gables Drive

Please review our application for a variance (attached) regarding the removal of some impervious service at 308 White Gables Drive as required by the four State mandated criteria. We are in the process of meeting all code requirements on our stand alone, outdoor fireplace but we cannot proceed until we have this variance.

Extraordinary Conditions: Our lot is a very small lot. The impervious surface we have added is not concrete but brick and the bricks are not mortared in. The brick is set in a base of sand that enhances rather than hinders the drainage of surface water.

Other Property: All properties in this neighborhood are similar and were specifically designed to have small yards. In order to enjoy the small space we have many neighbors have added landscaping features that exceed the impervious surface State requirement. In most cases, and certainly in our case, the additions do not hinder the drainage of surface water.

Utilization: The alterations we have made to our yard have been in place for approximately ten (10) years and have not caused any negative impact to any of our neighbors. In fact, they have improved the quality of use of all properties. By design, many properties drain onto adjacent properties. This has not happened in our case.

Detriment: There will be no adverse effect on adjacent properties with the issue of this variance. Although the majority of properties in our subdivision are similar by design, we had serious drain off issues during moderate to heavy rains. Soil would erode into the alley and after the rain we would have to replace the eroded soil in our yard. Many neighbors have installed French drains or just allowed excess water to drain onto adjacent properties. With our extension of the brick walkway over a sand base, we no longer have an erosion problem and we are not draining water onto adjacent properties or into storm water sewers.
As friends and neighbors of Rob and Conni McAnar we support issuing a variance at 308 White Gables Drive which would allow them to exceed the 65% impervious surface requirement. We have no issue in allowing them to exceed the State lot coverage requirement.

All signatories are residents in the White Gables Subdivision in Summerville, SC 29483

<table>
<thead>
<tr>
<th>Signed</th>
<th>Printed Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;B.J. Mikes&quot;</td>
<td>Pritchey Mikes</td>
<td>307 Hydrangea St</td>
<td>8-7-19</td>
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<tr>
<td>&quot;Dole&quot;</td>
<td>Donna Kilms</td>
<td>117 Hydrangea St</td>
<td>8-7-19</td>
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<tr>
<td>&quot;J.L.&quot;</td>
<td>Joni Kilms</td>
<td>117 Amherst Ave</td>
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<td>&quot;Mike&quot;</td>
<td>Steve Kilms</td>
<td>207 Hydrangea St</td>
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<td>&quot;My Taget&quot;</td>
<td>Cindy A.</td>
<td>307 Hydrangea St</td>
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<tr>
<td>&quot;Jen &amp; Mark&quot;</td>
<td>Linda Goodnight</td>
<td>310 Hydrangea St</td>
<td>8-7-19</td>
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<tr>
<td>&quot;Mike&quot;</td>
<td>John Westmara</td>
<td>310 Hydrangea St</td>
<td>8-7-19</td>
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<td>&quot;Mary&quot;</td>
<td>Paul Queen</td>
<td>314 White Gables Dr</td>
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<td>&quot;Paul&quot;</td>
<td>Jamie Thomas</td>
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<td>&quot;Mary&quot;</td>
<td>Bryan Howard</td>
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<td>&quot;Brian&quot;</td>
<td>Dave Imboden</td>
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<td>&quot;Dennis&quot;</td>
<td>Jennifer Davis</td>
<td>403 Hydrangea St</td>
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<tr>
<td>&quot;Tina&quot;</td>
<td>Lisa Hounan</td>
<td>315 Hydrangea St</td>
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<tr>
<td>&quot;Jim&quot;</td>
<td>Kevin Poindere</td>
<td>323 Rosemary Ave</td>
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<tr>
<td>&quot;Robin&quot;</td>
<td>Robin Dahman</td>
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<tr>
<td>&quot;Roder D. Dahman&quot;</td>
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<tr>
<td>&quot;Malchison&quot;</td>
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<td>&quot;Kelsie&quot;</td>
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<td>&quot;Andrew&quot;</td>
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<td>&quot;Sue&quot;</td>
<td>Susan Cox</td>
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<td>&quot;Helen&quot;</td>
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<tr>
<td>&quot;Jim&quot;</td>
<td>Jim Spencer</td>
<td>305 White Gables</td>
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<tbody>
<tr>
<td>George Green</td>
<td>John E. Queen</td>
<td>305 White Gables</td>
<td>Aug 6 2019</td>
</tr>
</tbody>
</table>
lot: 3088 sf, limit 2007, actual coverage
2219, difference 212 sf over, original approval 1916, about 6% over
CATS PAW ALLEY (20' R/W)

LOT TS-15

LOT TS-13

WHITE GABLES DRIVE (50' R/W)
* Please Note: Before submitting an ALR application, ensure your proposed modification/alteration complies with the guidelines of your community. Your community's information can be found on our website, www.imccharleston.com, or through our customer service department.

**DOCUMENTATION REQUIRED:**

1. Copy of your plat or survey of the property, which is closed on your property. It can be a site plan, a site map, or any other document that will show the dimensions of your lot and any easements.

2. Project drawn to scale on the plat:
   a. location of the property
   b. location of any easements
   c. for fences: size, location, and type

   *Please ensure all required documentation is submitted well in advance of your application date to avoid delays.*
Subject: Architect's recommendations for existing outdoor free-standing fireplace.

Client: Rob and Conni McAnnar

Project Address: 308 White Gables Drive, Summerville, South Carolina 29483

To Whom it may Concern,

Monday, July 15th, 2019 I inspected the existing conditions of the outdoor free-standing wood-burning fireplace at 308 White Gables Drive.

1. The fireplace was built approximately nine years ago, 2010.
2. The fireplace base is 7'-7" wide x 2'-7" deep. The fireplace is 5'-0" wide x 2'-7" deep. The chimney is 2'-0" wide x 2'-7" deep. The top of the chimney is 12'-9" above the existing patio.
3. It is solid masonry construction with a steel reinforced concrete footing.
4. By probing it is determined that the concrete footing extends at least 12" beyond the fireplace base and is at least 3'-0" below adjacent grade.
5. There are no signs of significant differential settlement between the base and surrounding patio.
6. By interior inspection there is a smoke shelf, parging, and fire clay flue liners per Code.
7. The chimney is just beyond the 10’ minimum distance away from the house.
8. Three items do not meet the International Building Code:
   a. Fire screen doors need to be installed at the firebox opening instead of using the portable fire screen.
   b. To meet the minimum distance away from the garage, the top of the chimney needs to be extended upward approximately five brick courses (18") to meet Section 2113 Masonry Chimneys, 2112.9 Termination. The chimney shall extend not less than 2 feet higher than any portion of a building within 10 feet.
   c. A spark arrestor needs to be installed at the top of the newly extended chimney top.
9. Once the above three items are completed the fireplace will meet Code.

Please let me know if you have any questions or comments.

Thank you,

[Signature]
APPLICATION FOR CONSTRUCTION PERMIT
TOWN OF SUMMERVILLE
200 South Main Street
Summerville, SC 29483
Phone (843) 851-5200 Fax (843) 871-6954

Name, Address & Phone Number of Owner of Property/Tenant/General Contractor

Robert J. Constance A. McAnar
308 White Gables Dr. Summerville SC 29483
PHONE #: 843-819-7741

Will Owner Occupy It? ☑ Sell It? ☐ Rent It? ☐

Location of Building or Improvement (Address, City, State & Zip):
308 White Gables Dr.
Summerville, SC 29483

Contractor/Builder Name: Finocchiare and Sons

City, State & Zip:
Telephone No:

SC State Lic No. (As it appears on license):

Description of Work: FREE STANDING FIREPLACE

ELECTRICAL:

Additional Wiring? Yes ☐ No ☑ #Electrical Amps (you are adding):

MECHANICAL:

# Tons of HVAC: N/A GAS: # of Gas Taps (you are adding): N/A

PLUMBING:

#Plumbing Fixtures (you are adding): N/A

COST: $5000.00 CONTRACT AMOUNT:

For new residential, the contract amount is the total sale price and a copy of the ACCA Manual J Calculations
should be included with construction plans.

FOR OFFICE USE

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<th>SPACE</th>
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<th>AREA</th>
<th>CONSTRUCTION COST</th>
<th>SIZE / NUMBER</th>
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<td>Plan Review Fee</td>
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Where S.C. State Contractor's License is required by law, the signee certifies that such has been obtained.

Permit "Void" if work is not started within six (6) months of issue or if work is stopped for a period of six (6) months.

Permit card must be displayed in a prominent place in front of the building in accordance with instructions.

Signed by Owner of Property, Contractor or Authorized Agent

Permit Issued By: Building Official
Date: July 22, 2019

Project Ref: [27185082] 308 White Gables Dr.

Constance & Robert McAnnar
308 White Gables Dr.
Summerville SC 29483

Dear Constance & Robert McAnnar,

For the listed project item(s):

Other / Multiple Items

I am pleased to inform you that the White Gables HOA Architectural Review Board has approved your application with the following stipulations:

The request is approved with the condition that it must adhere to the Town of Summerville requirements and statutes for permitting and safety.

The approval is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a county, city or state permit, it is the responsibility of the homeowner to obtain this before starting construction.

Please retain this letter for your files. If you have any questions regarding this matter, please contact Customer Care at 843-297-8590 or e-mail us at info@imcchs.com.

Sincerely,

White Gables HOA
Association Manager
VARIANCE REQUEST
TMS#137-02-10-006
110 Cypress Street, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
October 15, 2019

Request: Variance request to increase the permitted density from eight dwelling units per acre to 12.5 dwelling
units per acre, and reduce the required side yard setbacks from 15 feet to eight feet.

Property Zoning: R-5 – Mixed Residential

Surrounding Zoning: North: R-5 – Mixed Residential
South: R-5 – Mixed Residential
East: R-5 – Mixed Residential
West: R-5 – Mixed Residential

Ordinance requires: Ordinance Section 32-124(a) and 32-124(e)(4)

Background: The applicant is seeking a variance to allow for the construction of a seven (7) unit town home on
the property. The property is 0.56 acres, seven dwelling units on 0.56 acres is 12.5 per acre. With the
implementation of the Unified Development Ordinance, the property is proposed to be zoned N-R Neighborhood
Residential. There would not be a density restriction with the proposed zoning. There would be an open space
requirement that would need to be met with the subdivision of the property into seven lots.

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.

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

a. Extraordinary conditions do exist on the property. The size of the lot greatly contributes to the situation. It
   would be possible to build a smaller townhouse with fewer units that would not require a variance for
   either density or the side setbacks.

b. Other property in the area have this same condition, as can be seen on the supplied maps.

c. Utilization of the property is not eliminated due to the possible trimming of units, or choosing a different
   housing type that would be able to meet the required density or setbacks.

d. Detriment will not be caused to other properties by the issuance of this variance on this property.
Origin: W DOTY AVE
Destination: W 1ST ST N
Legend:
- Road Centerlines
- Streams
- Waterbodies
- Railroads
Dorchester Parcels
Parcels

Exhibit Showing TMS 137-02-10-006

This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.

September 5, 2018
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
PUBLIC HEARING NOTICE

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

Date/Time: **Tuesday, October 15, 2019, at 5 PM**

In Summerville Town Hall, 200 S. Main St.,
to discuss a **Variance to the Zoning Density from 8 dv/ac**
**to 12.5 dv/ac and reduce side setbacks from 15 feet to 8 feet** for this property.

For Information: Planning Department 851-5200

TMS# 137-02-10-0016

Address: 110-112 Cypress Street

Sign Posted on: **9/30/2019**
BOARD OF ZONING APPEALS (BZA)  
VARIANCE APPLICATION  
Per Town of Summerville Zoning Ordinance, Chapter 32, Article II (SC Code of Laws 8-29-780)

Date: 8/1/2019  TMS#: 137 - 02 - 10 - 0016  Zoned: R5

Property Owner: Beau Ganas  Phone: (302) 231-8142

Email: smason@hqrealestate.com

Mailing Address: 852 Lowcountry Blvd, Suite 100-A, Mt. Pleasant, SC 29464

Site Address: 110 Cypress Street

Subdivision:

Representative for Property Owner (if applicable): Sharee Mason

Request for variance relating to: (please check one):  □ Setbacks  □ Buffer yard  □ Height

□ Parking  □ Other: minimum lot size, density & side setbacks

Ordinance Requires: 4,000 square feet 8 DUA & 15 feet

Property Owner Requests: 3,000 square feet 12.5 DUA & 8 feet

Present Use of Property: (please check one):  □ Residential  □ Commercial  □ Institutional

□ Industrial  □ Other: vacant lot, previously a mechanics shop

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

1. Copy of recorded plat of property with proposed site plan demonstrating the requested variance.
2. Non-refundable fee of $100 – check made payable to Town of Summerville.
3. Statement of property owner addressing the State mandated criteria below (please address all four criteria):
   (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.

I certify that all information required is included and the application is complete. If an application is found to be incomplete, the primary contact will be notified. This approval does not constitute approval by other boards or town departments.

Signature of Property Owner: ____________________________ Date: ________________

Signature of Applicant: ____________________________ Date: 08/01/2019

*If applicant is not legal property owner, please submit documentation from the property owner giving permission for applicant to represent property owner.
RE: Application for Zoning Variance for a Vacant Lot in Summerville

To whom it may concern:

Hunter Quinn Homes is a residential builder and developer operating in the greater Charleston area. Our mission is to build experiences that enrich the lives of our team members, customers, trade partners, and our community, every day, making Hunter Quinn Homes the Builder of Choice. Our company has a proven history of providing quality homes and value to our clients. As a locally based company, we have a vested interest in seeing our community thrive.

Hunter Quinn Homes has recently contracted to purchase a vacant lot in the downtown area of Summerville. This parcel is zoned R5 and once served as a vehicle repair shop. The previous building and other structures have been removed, leaving a vacant lot with debris. We believe our vision for this property will be a great improvement upon its current state, and a benefit to our neighbors and the community as a whole.

We intend to build single-family attached townhomes, to be sold as fee-simple homes with individual private ownership. R5 zoning is designed to accommodate more dense development, including townhomes. Due to the way the zoning is written, building a townhome on this parcel triggers R3 zoning restrictions that are not present in R5, like a minimum of 15-foot side setbacks and a density restriction that doesn’t exist in R5. Our proposed improvements will be entirely conforming to the requirements in the new UDO for this parcel. We believe our plans for this property will fit nicely in the neighborhood and will improve the current streetscape.

Thank you for your time and consideration. We look forward to speaking with you.

Sincerely,

Sharee Mason
NOTES
1. THE SURVEYED PROPERTY DESCRIED HEREIN IS LOCATED IN DORCHESTER COUNTY, SOUTH CAROLINA AS TMS #137-02-10-006.
2. THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF GANAS BEAU, RECORDED IN DEED BOOK 9, PAGE 273 IN THE RD OFFICE OF DORCHESTER COUNTY, SOUTH CAROLINA.
3. BOUNDARY INFORMATION AS SHOWN HEREIN IS BASED ON A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON JULY 16, 2019. SURVEY REPRESENTS A SURVEY OF OCCUPATION USING EVIDENCE FOUND AND REFERENCE SHOWN.
4. THE SURVEYED PROPERTY SHOWN HEREIN APPEARS TO BE WITHIN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP FOR DORCHESTER COUNTY, SOUTH CAROLINA.
5. THERE ARE NO VISIBLE ENCROACHMENTS ON ADJOINING PREMISES, STREET OR EASEMENTS, BY VISIBLE BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, OR VISIBLE ENCROACHMENTS ON SAID PROPERTY.
6. THE PROPERTY AS SHOWN HEREIN IS SUBJECT TO ALL CONDITONS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HERETOFOR. BOWMAN CONSULTING GROUP, LTD. HAD NOT BEEN PROVIDED A TITLE REPORT AND THEREFORE THIS PLAT IS NOT DEEMED NECESSARY TO INDICATE THE EXISTENCE OF ANY COVENANTS AND RESTRICTIONS ON THE PROPERTY.
7. NORTH MERIDIAN INFORMATION AS SHOWN HEREIN IS BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM AND 30 INTERNATIONAL FEET, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".

REFERENCES
1. PLAT PREPARED BY ASSOCIATED SURVEYORS RECORDED APRIL 10, 2009
PLAT BOOK L, PAGE 124

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON 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.

NANCY FRASER SCHWACKE
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NO. 26955

NOTES
1. THE SURVEYED PROPERTY DELINEATED HEREON IS LOCATED IN DORCHESTER COUNTY, SOUTH CAROLINA AS TMS #137-02-10-006.
2. THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF GANAS BEAU, RECORDED IN DEED BOOK 9, PAGE 273 IN THE RD OFFICE OF DORCHESTER COUNTY, SOUTH CAROLINA.
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4. THE SURVEYED PROPERTY SHOWN HEREIN APPEARS TO BE WITHIN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP FOR DORCHESTER COUNTY, SOUTH CAROLINA.
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7. NORTH MERIDIAN INFORMATION AS SHOWN HEREIN IS BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM AND 30 INTERNATIONAL FEET, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".

LEGEND
PROPERTY LINE
- ALUMINUM PROPERTY LINE (NOT SURVEYED)
- FENCE LINE
- IRON PIPE FOUND (SEE NOTES)
- IRON PIPE FOUND (SEE NOTES)
- PK NAIL FOUND (SEE NOTES)
- #5 REBAR SET
- PKF
- IRF
- IPF

CYPRESS STREET
47' NW

SCALE: 1" = 20'

FOR OFFICIAL USE ONLY

ADVANCED COPY
VARIANCE REQUEST  
TMS#145-08-00-042  
106 Tea Olive Court, Summerville, SC  
STAFF REPORT  
BOARD OF ZONING APPEALS  
October 15, 2019

Request: Variance request to reduce the required rear setback from 25 feet to 12 feet.

Property Zoning: R-2 – Single Family Residential

Surrounding Zoning:  
North: R-2 – Single Family Residential  
South: R-2 – Single Family Residential  
East: Out – Dorchester County  
West: R-2 – Single Family Residential

Ordinance requires: 25 feet; Ordinance Section 32-122(f)(5)

Background: The applicant is seeking a variance to allow for the reconstruction of an existing screened in porch. The new owners of the home discovered that the existing porch is pulling away from the house and would like to rebuild, with slightly larger dimensions. The existing porch was non-conforming at the time of acquisition.

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.

Staff feels that the applicant does meet all four criteria, and that a hardship is present.  
   a. Extraordinary conditions do exist on the property. The shape of the lot and placement of the house limits the ability for the expansion of the screened in porch on the property.  
   b. Other property in the area do not have similar irregular lot shapes.  
   c. Utilization of the property is not eliminated but will be greatly diminished if the new homeowners are not able to rebuild a new screened in porch.  
   d. Detriment will not be caused to other properties by the issuance of this variance on this property.
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
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PUBLIC HEARING NOTICE

The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on
Date/Time: Wednesday, October 15, 2021 at 6:00 PM
in Summerville Town Hall, 200 S. Main St.,
to discuss a
Vehicular Access to Private Road
for this property.
For Information: Planning Department 851-5200

TMS# 195-00-00-16
Address: 1365 Sycamore Court
Sign Posted on: 9/17/2021

Sign may only be removed with
Authorized Town Employee.
BOARD OF ZONING APPEALS (BZA)
VARIANCE APPLICATION
Per Town of Summerville Zoning Ordinance, Chapter 32, Article II
(SC Code of Laws 6-29-780)

Date: 9-3-19   TMS#: 145-08-00-042   Zoned: R-1

Property Owner: Richard & Diana Cernman   Phone: 706-200-1652

Email: rcernman@outlook.com

Mailing Address: 164 Tea Olive St Summerville SC 29485

Site Address: Same

Subdivision: Laurel Hill

Representative for Property Owner (If applicable)*: None

Request for variance relating to: (please check one):  □ Setbacks  □ Buffer yard  □ Height

□ Parking  □ Other: 12 setback instead 20

Ordinance Requires: 25 setback and

Property Owner Requests: 12 setback

Present Use of Property: (please check one):  □ Residential  □ Commercial  □ Institutional

□ Industrial  □ Other: ____________________________

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:
1. Copy of recorded plat of property with proposed site plan demonstrating the requested variance.
2. Non-refundable fee of $100 – check made payable to Town of Summerville.
3. Statement of property owner addressing the State mandated criteria below (please address all four criteria):
   (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.

I certify that all information required is included and the application is complete. If an application is found to
be incomplete, the primary contact will be notified. This approval does not constitute approval by other
boards or town departments.

Signature of Property Owner: ___________________________ Date: 9-3-19

Signature of Applicant: ________________________________ Date: 9-3-19

*If applicant is not legal property owner, please submit documentation from the property owner giving
permission for applicant to represent property owner.
9/3/2019

Town of Summerville
200 S. Main St
Summerville SC 20483

Attn: Board of Zoning Appeals Variance Application

Re: Property located at 108 Tea Olive Ct, Summerville, S.C. 29485

When we purchased our house in October of 2018, one of the highlights of the house was the screen porch on the back of the house. We realized that the screen porch was going to need to be renovated, but upon further inspection the porch will need to be rebuilt.

Right now we have a 15’ set back and would like to increase the porch width by 2’, decreasing the set back to 12’.

The property behind us is wooded and drops 12 feet in elevation to drain the retention pond to the left of our property. This probably makes the area unbuildable.

We appreciate your time to review our variance request to the zoning ordinance.

Sincerely

Richard L Comman ph#706-200-6652
Diana L Comman
VARIANCE REQUEST
TMS#144-04-11-012
102 Niblick Road, Summerville, SC
STAFF REPORT
BOARD OF ZONING APPEALS
October 15, 2019

Request: Variance request to increase the permitted impervious surface from 35% to 38%

Property Zoning: R-2 – Single Family Residential

Surrounding Zoning: North: R-2 – Single Family Residential
South: R-2 – Single Family Residential
East: R-2 – Single Family Residential
West: R-2 – Single Family Residential

Ordinance requires: 35%; Ordinance Section 32-123(h)(2)

Background: The applicant is seeking a variance to allow for the construction of a new freestanding carport on the property. It was discovered at the time of Building Permit Application that a variance is needed to allow for the carport to be constructed on an existing impervious surface on the property.

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.

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

a. Extraordinary conditions do not exist on the property. At this time there is just more coverage on the property than is permitted.

b. Other property in the area are actually smaller than the subject property.

c. Utilization of the property is not eliminated but will be only slightly diminished if the homeowners are not able to build a new carport on the existing impervious surface.

d. Detriment will not be caused to other properties by the issuance of this variance on this property.
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.
PUBLIC HEARING NOTICE

The Town of Summerville Board of Zoning Appeals will hold a public hearing on
Date/Time: **Tuesday October 15, 2019 at 5 p.m.**
In Summerville Town Hall, 200 S. Main St.,
to discuss a **Variance To Increase Impervious Surface From 55% to 38%**
for this property.

For Information: Planning Department 851-5200

TMS# 144-04-11-012
Address 102 Mill Creek Road
Sign Posted on: 9/30/2019

Sign may only be removed by Authorized Town Employee
PUBLIC HEARING NOTICE
The Town of Summerville
Board of Zoning Appeals will
hold a public hearing on
Date/Time: Tuesday, December 19, 2017, at 6:00 p.m.
In Summerville Town Hall, 200 S. Main St.,
to discuss a Notice To Increase Zoning
for this property.
For information: Planning Department 911-5200
TMS #: 144-04-11-01
Address: 1671 Camber, Rd.
Sign posted on: 9/11/2017
Town of Summerville
200 South Main Street
Summerville, SC 29483
843.851.4214

BOARD OF ZONING APPEALS (BZA)
VARIANCE APPLICATION
Per Town of Summerville Zoning Ordinance, Chapter 32, Article II
(SC Code of Laws 6-29-780)

Date: 9-9-2019  TMS#: 144 - 04 - 11 - 812  Zoned: R-2

Property Owner: Wayne J & Sarah C Steenfield  Phone: 843-851-7153
Email: sewingbyands @ att.net

Mailing Address: 102 Widick Road, Summerville, SC 29483
Site Address: 102 Widick Road, Summerville, SC 29483
Subdivision: Carey Woods

Representative for Property Owner (if applicable):

Request for variance relating to: (please check one): ☐ Setbacks ☐ Buffer yard ☐ Height
☐ Parking ☑ Other: 441 square ft. carport over impervious surface

Ordinance Requires: 35% maximum impervious surface

Property Owner Requests: 441 square ft. carport over impervious surface already there

Present Use of Property: (please check one): ☑ Residential ☐ Commercial ☐ Institutional
☐ Industrial ☐ Other:

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:
1. Copy of recorded plat of property with proposed site plan demonstrating the requested variance.
2. Non-refundable fee of $100 – check made payable to Town of Summerville.
3. Statement of property owner addressing the State mandated criteria below (please address all four criteria):
   (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.

I certify that all information required is included and the application is complete. If an application is found to be incomplete, the primary contact will be notified. This approval does not constitute approval by other boards or town departments.

Signature of Property Owner: Wagner, Stedfield [Signature] Date: 9-9-19

Signature of Applicant: [Signature] Date: ________

*If applicant is not legal property owner, please submit documentation from the property owner giving permission for applicant to represent property owner.
Wayne J Stanfield  
102 Niblick Road  
Summerville, SC 29483  
(843)851-2153

Attn: Tim Macholl

RE: Zoning Appeal-Variance Application

September 9, 2019

Dear Tim,

We have applied for a building permit for a free standing carport on our property. We were told we have too much impervious surface to be granted the permit.

As requested, I am sending you a variance request letter regarding Summerville’s and the state zoning ordinance.

We understand the purpose of the zoning ordinances, but would like for you and your zoning team to kindly review and reconsider our request.

We respectfully ask you to consider our request based on the feasibility of our use of a covered parking area for our vehicles. We are senior adults and it sometimes takes us longer to enter the vehicle due to age and health restrictions. It would be feasible for us when it is raining or scorching hot sun.

Please consider our needs as you review this case based on the following:

A) Extraordinary conditions — Even though we have a single car garage, it is not room for a vehicle due to storing tools and other things in there. Also newer cars today are wider and taller than cars were when our house was built. We are not asking to add any impervious surface to our property, the carport will be built over existing concrete pavement.

B) We feel that this will not affect any other property around us. We have spoken to 2 of our neighbors and they have not objected to our plans. In fact one of them has a free standing carport on their property.

C) Utilization — This carport would help us immensely in bad weather.

D) Detriment - Granting us this permit will not harm adjacent property of harm the character of the neighborhood. We have it designed to stand next to our existing garage following the eye pattern of the home and the roof color will match our existing roof. It will not stand out as an eyesore.

We thank you in advance for your assistance and are looking forward to a positive response to our request.

Respectfully submitted,
Wayne and Sarah Stanfield