Application for Variance, Special Exception, Reconsideration, or Extension to the **Board of Zoning Appeals – Zoning (BZA-Z)**

City of Charleston

Instructions – NOTE: APPLICATION PROCEDURE HAS CHANGED. This application, along with the required information, must be submitted in PDF format to BZA-Z@charleston-sc.gov. Applicant will then be invoiced for fee. **Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda.** A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals-Zoning. **Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board, except for use variances, the appeal period shall be fifteen (15) calendar days.** An appeal to the Board during this appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

- ☑ A Variance and/or Special Exception as indicated on page 2 of this application.
- ☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- ☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 6 FEB. 2024

Property Address 32 DUNNEMANN AVENUE TMS # 463-14-02-017

Property Owner EARL NAVARRO Daytime Phone 843-329-9025

Applicant JOHN DOUGLAS TUCKER, ARCHITECT Daytime Phone 843-303-1594

Applicant's Mailing Address P.O. BOX 1873

JOHNS ISLAND, SC 29457 E-mail Address TUCKERARCHITECT@GMAIL.COM

Relationship of applicant to owner (same, representative, prospective buyer, other) ARCHITECT

Zoning of property SR-2

Information required with application: (check information submitted)

- ☑ Scaled plans or plats, including elevations, showing the variance(s) or special exception(s) being requested
- ☑ For new construction or additions within a flood zone, show HVAC units and platform on scaled plan
- ☑ Scaled floor plans with rooms labeled and the total floor area for each dwelling unit noted are required for all density variances and building additions, unless exempted by the Zoning staff
- ☑ Plans or documents necessary to show compliance with special exception requirements
- ☐ **YES** or ☑ **NO** - Is this Property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

- ☑ Photographs
- ☐ Letters or petitions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the Board hearing and inspected.

Applicant JOHN DOUGLAS TUCKER, ARCHITECT **Date** 8 JAN. 2024

For office use only

Date application received _____ Time application received _____

Staffperson _____ Fee $ _____ Receipt # _____

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals-Zoning is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws § 6-29-800)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as § 54-110, § 54-206, or sections in Article 5 (add as an attachment if necessary):

REQUEST SPECIAL EXCEPTION UNDER SEC. 54-110 TO ALLOW CONSTRUCTION OF A NEW REAR ADDITION (NEW KITCHEN, BEDROOM, ETC.) THAT EXTENDS AN EXISTING NON-CONFORMING 4.4 FT. EAST SIDE SETBACK.
EXISTING HOUSE IS 4.4 FT. FROM EAST PROPERTY LINE.
NEW REAR ADDITION WOULD BE 4.9 FT. FROM EAST PROPERTY LINE.
(ORDINANCE REQUIRES 9.0 FT. MINIMUM EAST SIDE SETBACK).

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.