

# Notice of Appeal - Form 1 Board of Zoning Appeals

Date Filed: 6/14/2024 Permit Application No. \_\_\_\_\_ Appeal No. \_\_\_\_\_

### Instructions

This form must be completed for a hearing on **appeal** from action of a zoning official, application for a **variance** or application for **special exception**. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

**THE APPLICANT HEREBY APPEALS** [indicate one]:

- from action of a zoning official as stated on attached Form 2
- for a variance as stated on attached Form 3.
- for a special exception as stated on attached Form 4.

**APPLICANT(S)** [print] Atlantic Avenue Holdings, LLC  
Address: 450 Meeting Street, Charleston, SC 29403

Telephone: 843-958-0340 [work] \_\_\_\_\_ [home] \_\_\_\_\_

Interest: Owner \_\_\_\_\_ Owner(s): \_\_\_\_\_ Adjacent Owner(s); Other: \_\_\_\_\_

**OWNER(S)** [if other than Applicant(s)]: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ [work] \_\_\_\_\_ [home] \_\_\_\_\_

[Use reverse side if more space is needed.]

### PROPERTY ADDRESS:

Lot Lot 27 Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Tax Map No. 523-12-00-021 Plat Book \_\_\_\_\_ Page \_\_\_\_\_

Lot Dimensions: \_\_\_\_\_ Area: \_\_\_\_\_

Zoning District: 905 - VAC-RES-LOT Zoning Map Page: \_\_\_\_\_

**DESIGNATION OF AGENT** [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Owner signature(s)

I (we) certify that the information in this application and the attached Form 2, 3 or 4 is correct.

Date: 6/14/2024  
\_\_\_\_\_  
Applicant signature(s)

**Variance Application - Form 3**  
**Board of Zoning Appeals**

Date Filed: 6/14/2024 Permit Application No. \_\_\_\_\_ Appeal No. \_\_\_\_\_

1. Applicant hereby appeals to the board of zoning appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the zoning ordinance:

Section 21-162 (B) and Section 21-164 (Subsection B5)

so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Allow for the relocation of a grand oak to an adjacent property under shared ownership.

for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the zoning ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts.

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: Lot where the tree is located was previously an undeveloped parcel in the Sand Dunes property. Location of tree would prevent construction of single family residence.

b. These conditions do not generally apply to other property in the vicinity as shown by:

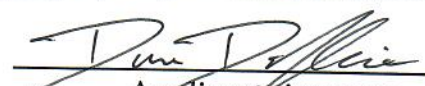
\_\_\_\_\_  
\_\_\_\_\_

c. 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 as follows: Current location of the oak would prevent construction of single family residence without significant trimming and setback relief (or ~~removal~~ removal of the tree).

d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: Allows for the retention of a large grand oak and will improve overall stormwater attributes and neighborhood beautification.

3. The following documents are submitted in support of this application: \_\_\_\_\_  
[A plot plan must be submitted.]

Date: 6/14/2024

  
\_\_\_\_\_  
Applicant signature





## BOARD OF ZONING APPEALS

IN ACCORDANCE WITH **ZONING ORDINANCE SECTION 21-175,**

I Dane Derbyshire HAVE SUBMITTED A COMPLETED BOARD OF ZONING APPEALS APPLICATION, FOR THE MEETING DATE OF July 11, 2024 , WHICH WILL BE HELD AT SULLIVAN'S ISLAND TOWN HALL LOCATED AT **2056 MIDDLE STREET, SULLIVAN'S ISLAND, SOUTH CAROLINA.**

ADDITIONALLY, I UNDERSTAND THAT THE BOARD MAY POSTPONE OR PROCEED TO DISPOSE OF A MATTER ON THE RECORD BEFORE IT IN THE ABSENCE OF AN APPEARANCE ON BEHALF OF AN APPLICANT.

  
\_\_\_\_\_  
APPLICANT SIGNATURE

June 14, 2024  
\_\_\_\_\_  
DATE