Notice of Appeal - Form 1
Board of Zoning Appeals

Date Filed: _____ 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] RON GOISH
Address: 2808 I'ON AVE SULLIVAN'S ISL., SC 29482
Telephone: 843-860-3134 [work] 843-883-3469 [home]
Interest:_____ Owner(s): _____ Adjacent Owner(s); Other: _____
OWNER(S) [if other than Applicant(s)]: JOHN AND JOANNE WINCHESTER
Address: 2720 BROOKS ST. SULL. ISL. SC 29482
Telephone: 843-883-0205 [work] _____ home]
[Use reverse side if more space is needed.]

PROPERTY ADDRESS:
Lot 156 Block _____ Subdivision _____
Tax Map No. _____ Plat Book _____ Page ___
Lot Dimensions: 71' X 153' Area: _____
Zoning District: _____ 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: 7/14/2022

John Winchester
Owner signature(s)

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

Date: July 14, 2022

Ronnie Cusick
Applicant signature(s)

Variance Application - Form 3
Board of Zoning Appeals

Date Filed: _____ 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:
   SEC 21-138-A SUBSECTION (
   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: TWO CAR GARAGE.
   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.

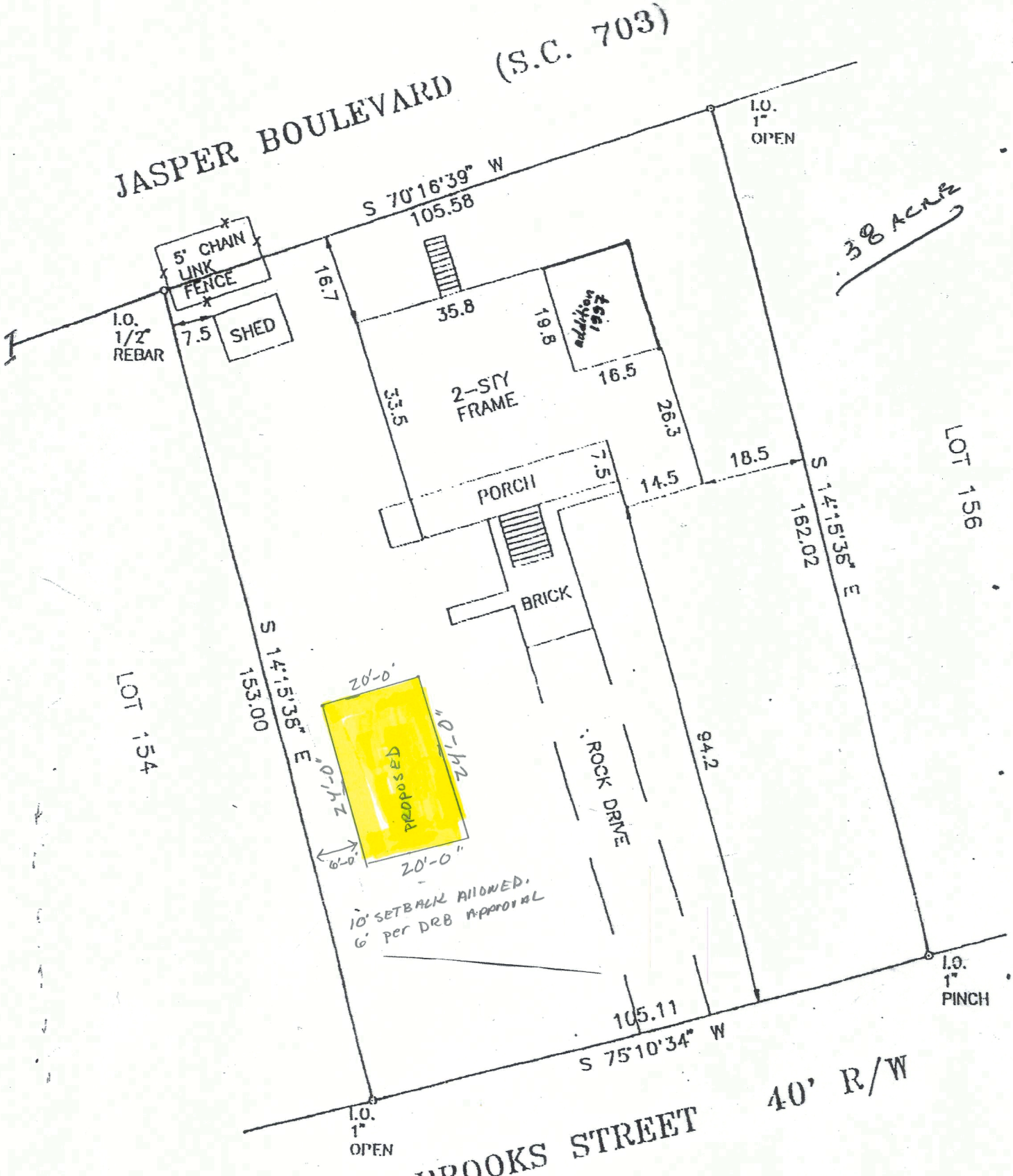
2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts.

   a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: MAIN HOUSE LOCATED CLOSE TO REAR PROPERTY LINE. SATELLITE PHOTO. SEC 21-26 B (3)
   b. These conditions do not generally apply to other property in the vicinity as shown by: SATELLITE PHOTO.
   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: WOULD PREVENT OWNERS TO PROTECT PERSONAL PROPERTY
   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: THE GARAGE WOULD BLEND IN TO THE NEIGHBORHOOD.

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

Date: July 14, 2022

Applicant signature


JASPER BOULEVARD (S.C. 703)
S 70°16'39" W
105.58
I.O.
1"
OPEN
.38 ACRE
5' CHAIN LINK FENCE
I.O.
1/2"
REBAR
7.5
SHED
16.7
35.8
19.8
1961 addition
16.5
33.5
2-STY FRAME
26.3
PORCH
7.5
14.5
18.5
S 14°15'36" E
162.02
LOT 156
BRICK
S 14°15'38" E
153.00
LOT 154
20'-0"
24'-0"
6'-0"
PROPOSED
20'-0"
ROCK DRIVE
94.2
10' SETBACK ALLOWED,
6' per DRB APPROVAL
105.11
S 75°10'34" W
I.O.
1"
PINCH
I.O.
1"
OPEN
BROOKS STREET
40' R/W

permit. The Board of Zoning Appeals shall approve all Accessory Structures and Uses that are permitted by Special Exception. The Town Council shall approve all Temporary Accessory Uses and Structures.

Notwithstanding provisions to the contrary in this chapter, the Zoning Administrator or his/her designee may approve Accessory Structures, as provided in Section 21-109(F)(8) and 21-109(F)(10). (7/21/09)

Sec. 21-138. Accessory structures.

A. Accessory structures shall

(1) Be located a minimum of twenty (20) feet to the rear of the principal building's primary front facade; provided, however, that for lots adjacent to the RC-1 or RC-2 District zones, accessory structures may be allowed in the yard area abutting the RC District or in the yard area abutting the street. (11-20-07)

(2) (a) Not exceed the greater of twenty-five percent (25%) of the principal buildings square footage in total combined square footage of all accessory structures or 750 s.f; and no one (1) structure may exceed 750 square feet in total area; total area to include square footage below BFE (Base Flood Elevation), above BFE and any roof overhang or shed roof, excluding any roof overhang less than 30 inches beyond the footprint of the structure; a cantilevered section of a structure will not be considered a roof overhang; and further provided that the accessory structure footprint shall not exceed 625 square feet, measured between the exterior walls of the structure. (11-20-07)

(b) The Design Review Board may grant no more than a twenty (20%) percent increase in this zoning standard, if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, and with particular consideration of the size and floor elevation of the principal dwelling. (11-20-07)

(3) (a) Not exceed 15 feet in height, except that the height may be extended to 18 feet where the pitch of the accessory structures roof is not less than seven on twelve (7/12); dormers will be limited to twenty percent (20%) of the roof area with no one dormer exceeding six (6) feet in length measured at the portion of the wall plate parallel to the exterior of the structure at the lowest roof edge; (11-20-07)

(b) The Design Review Board may grant no more than a 20% increase in this zoning standard, if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, and with particular consideration of the size and floor elevation of the principal dwelling. (11-20-07)

(4) Not have any one wall that exceeds twenty five (25) feet in length; (11-20-07)

(5) (a) Not be closer to any Lot Line than ten (10) feet; or thirty (30) feet from street pavement; whichever is greater; (11-20-07)

(b) The Design Review Board may grant no more than a 40% decrease in this zoning standard, if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII. (11-20-07)

(6) Not encroach upon the RC-1 or RC-2 required setback; and, (11-20-07)

(7) Not have a separate electric meter, but may utilize such plumbing fixtures as sinks, hose bibs and outdoor showers located below BFE; provided such plumbing fixtures are attached to a non-breakaway vertical support member, employ a disconnect valve located above BFE and are not connected to the sanitary sewer system. (11-20-07)

B. Types of Accessory Structures

For the purpose of applying the zoning standards provided in (A) above, only the following structures are considered an Accessory Structure: Cabana, garage, gazebo, greenhouse of personal use, personal storage building, shed, tool room or workshop, and any other structure having a roof. (11-20-07)

Sec. 21-139. Fence regulations.

Intent: A significant contribution to the informality of Sullivan's Island is the manner in which fences are used. Tall privacy fences that obstruct views to create a strong sense of lot privacy are incompatible with the Island's informal character.

(2) Principal Building. A building or buildings in which the principal use of the lot is conducted. The term also specifically applies to multiple dwellings located on the same lot, including an historic structure used as an accessory dwelling unit. (5-15-07)

B. Permitted principal building coverage area.

(1) Lot Area equal to or greater than fifteen thousand (15,000) square feet:

(a) Principal Building Coverage Area shall be no greater than fifteen percent (15%) of the Lot Area.

(b) Example (18,000 sf Lot Area): 18,000 sf lot x 15% = 2700 sf Principal Building Coverage Area permitted (15% of Lot Area).

(2) Lot Area less than fifteen thousand (15,000) square feet:

(a) Principal Building Coverage Area shall be no greater than fifteen percent (15%) times Lot Area plus fifteen thousand (15,000) square feet minus the Lot Area times five percent (5%).

(b) Example (12,000 sf Lot Area): (15% x 12,000 sf) + [(15,000 sf – 12,000 sf) x 5%] = 1950 sf Principal Building Coverage Area permitted (16.3% of Lot Area)

(3) Examples. ½ acre Lot 21,780 sf = 3267 sf Coverage (15%).

(a) ⅓ acre Lot 14,505 sf = 2176 sf Coverage (15%).

(b) ¼ acre Lot 10,890 sf= 1634 sf Coverage (20%)

(c) Lot 5,000 sf = 1250 sf Coverage (25%).

C. Design Review Board.

(1) The Design Review Board may increase by no more than twenty percent (20%) the maximum permitted Principal Building Coverage Area if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, except as provided in Section 21-20C.(2)(j) regarding historic properties with a second structure on the same lot. (5-15-07)

(2) *In cases of interpretation of Enclosed Principal Building Coverage Area, the Design Review Board shall determine what portion of the Enclosed Principal Building Coverage Area shall be included or excluded in the calculations.*

Sec. 21-26. Impervious coverage area.

A. Definitions.

(1) Impervious Coverage Area. That portion of the Lot Area covered by an impervious surface.

(2) Impervious Surface: Any material or structure through which water cannot be absorbed or passed, including but not limited to roofed structures, compacted soil or stone, pavement consisting of asphalt, concrete, oil and stone, tar, or asphalt. Impervious surfaces also include building foundations, porches, decks, patios, sidewalks, play courts (tennis, basketball, etc.), pools, and other improvements that impede the absorption of water. Grassed or mulched areas are not considered impervious materials.

(3) Pervious Surface: Any material through which water can be easily absorbed or passed, at a minimum infiltration rate of 2.0 inches per hour, such as, but not limited to, grass and uncompacted gravel, shell and crushed stone. (1/20/09)

B. Permitted impervious coverage area.

(1) Lot Area equal to or greater than fifteen thousand (15,000) square feet:

(a) Impervious Coverage shall be no greater than thirty percent (30%) of the Lot Area.

(b) Example (18,000 sf Lot Area): 18,000 sf lot x 30% = 5400 sf Impervious Coverage permitted (30%).

(2) Lot Area less than fifteen thousand (15,000) square feet:

(a) Impervious Coverage shall be no greater than (30% times Lot Area) plus [(15,000 sf minus the Lot Area) times 5 percent].

(b) Example (12,000 sf Lot Area): (30% x 12,000 sf) + [(15,000 sf – 12,000 sf) x 5%] = 3750 sf Impervious Coverage permitted (31.3%).

(3) Garage exception to impervious coverage area.

Where the finished first floor elevation in compliance with ARTICLE III. Sec. 21-31 (Foundation Height), limits the finished first floor elevation to six and a half (6.5) feet or less, an accessory garage shall be permitted in accordance with ARTICLE XV.Sec. 21-138 (Accessory Structures) without penalty toward the impervious surface coverage limits. In this case, the area beneath the dwelling shall not be used for parking of vehicles or equipment of any type.

(4) Examples:

(a) ½ acre Lot 21,780 sf = 6534 sf Impervious Coverage (30%).

(b) ⅓ acre Lot 14,505 sf = 4352 sf Impervious Coverage (30%).

(c) ¼ acre Lot 10890 sf = 3267 sf Impervious Coverage (33.3%).

(d) Lot 5,000 sf = 2000 sf Impervious Coverage (40%).

(5) At least fifty percent (50%) of the Lot Area shall remain naturally vegetated or landscaped with grass and/or other vegetation.

C. Design Review Board.

(1) *The Design Review Board may increase by no more than 25% the maximum permitted Impervious Coverage if the increased impervious coverage consists solely of materials such as grass pavers are employed that allow vegetative materials such as grass to permeate the surface giving the appearance of grassed areas.*

(2) *In cases of interpretation of Impervious Coverage, the Design Review Board shall determine what portion of the Impervious Coverage area shall be included or excluded in the calculations.*

Sec. 21-27. Principal building square footage.

A. Purpose and definition.

(1) Purpose: The overall size of a Principal Building in relation to lot size affects the impact of the Principal Building's scale and mass on adjacent buildings and the Island as a whole. Improving the relationship between lot size and the Principal Building by limiting the Principal Building's maximum size promotes greater compatibility of new construction with existing development and contributes to overall neighborhood compatibility.

(2) Principal Building Square Footage: The entire square footage of the Principal Building or Buildings measured from the outside of the exterior walls, specifically including more than one dwelling on the same lot and historic structures used as accessory dwelling units, but not including (5-15-07) (12-17-13)

(a) interior space not readily useable as living space (attic used only for storage or parking area beneath dwelling);

(b) structures that are not used as living space;

(c) exterior porches and decks; and,

(d) exterior stairs.

B. Permitted principal building square footage.

(1) Lot Area of five thousand (5,000) square feet or less: Principal Building Square Footage limited to twenty four hundred (2400) square feet.

(2) Lot Area exceeding five thousand (5,000) square feet: maximum Principal Building Square Footage of twenty four hundred (2400) square feet may be increased 10 sf for every additional 100 square feet of Lot Area.

(3) Equation: [(Lot Area – 5000 sf) / 100 sf] x (10) + 2400 = Principal Building Square Footage.

Examples:

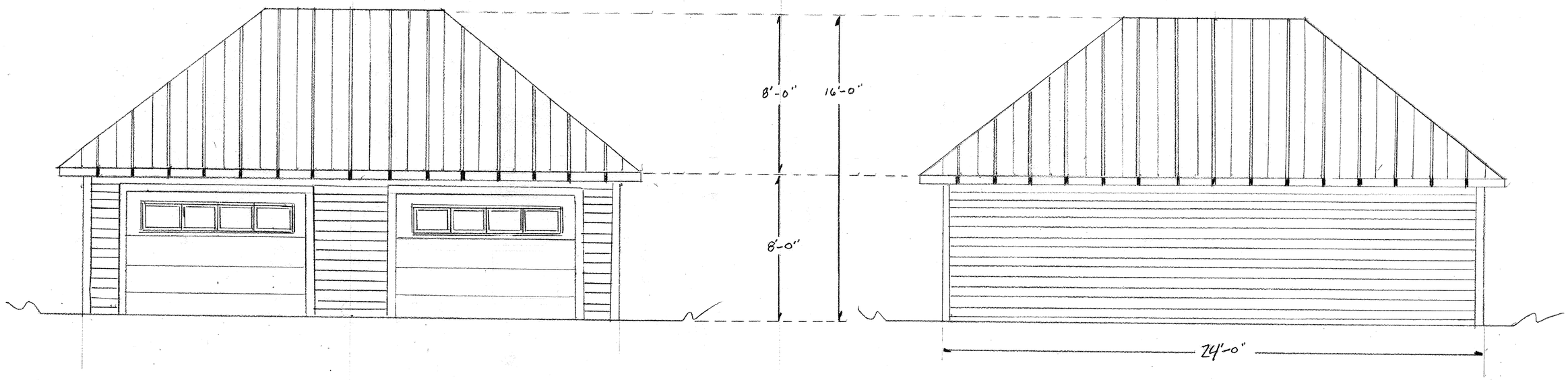
(a) ½ acre Lot 21,780sf = 4078 Principal Building Square Footage.

(b) ⅓ acre Lot 14,505sf =3351 Principal Building Square Footage.

(c) ¼ acre Lot 10890sf = 2989 Principal Building Square Footage.

(d) Lot 5,000 sf = 2400 Principal Building Square Footage.

5290700023
HAZEN-MARTIN DEBRA J
SMITH KATHRYN B
5290700022
LANG KEVIN J
5290700047
MCCOY MITCHELL A
5290700021
2720 JASPER BLVD
5290700048
MICHELIN SARA H
5290700020
KRELL HOLDINGS LLC
2714 JASPER BLVD
2802 BROOKS ST
2707 GOLDBUG AV
5290700019
MOLONY MICHAEL A
SPENCER ARTHUR M IV
5290700049
2730 BROOKS ST
JASPER BLVD
SCHEER JERALD S
5290700050
2724 BROOKS ST
5290700066
J & C PROPERTIES LLC
2720 BROOKS ST
5290700018
OLEARY FAMILY TRUST
WINCHESTER JOHN D
5290700051
STATION 28TH ST
2730 MIDDLE ST
2714 BROOKS ST
5290700052
J AND C PROPERTIES LLC
5290700065
J AND C PROPERTIES LLC
2724 MIDDLE ST
5290700053
2705 JASPER BLVD
RHETT ANNE JERVEY
5290700064
AIMAR CHARLES E SPECIAL TRUST #1
STATION 27TH ST
BROOKS ST
VANE JAY
5290700063
BURKHARDT WENDY Z
5290700062
2720 MIDDLE ST
ARTHUR REV TRUST
5290700054
5290700061
HAMRICK CHARLES RUSH IV



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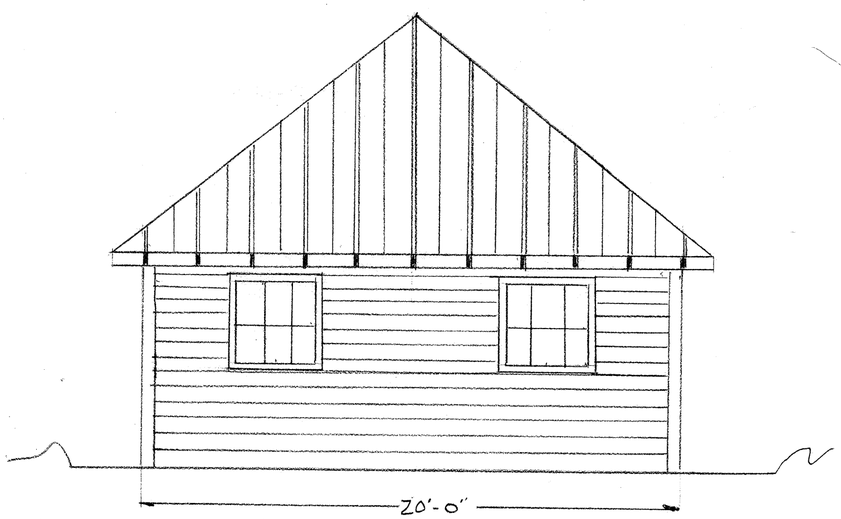

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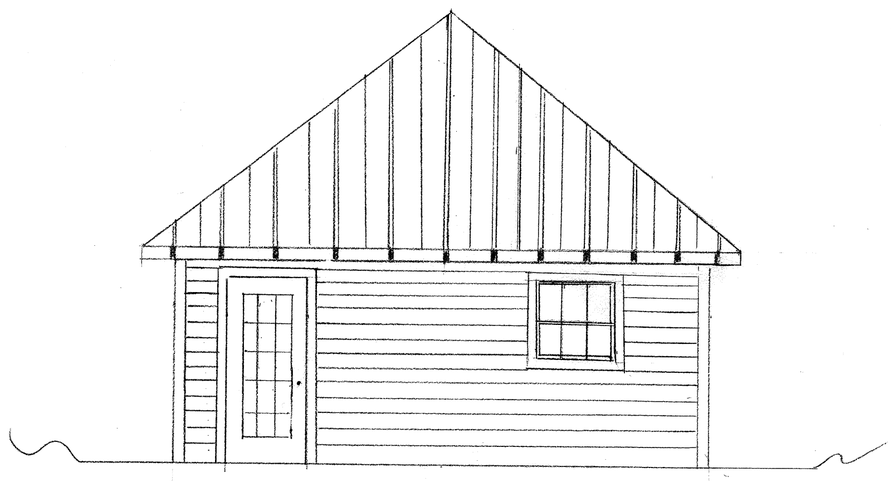

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1/4" = 1'-0"