

ZONING BOARD OF APPEALS

January 6, 2020

5:00 P.M.

NORTH CHARLESTON CITY HALL

2500 City Hall Lane

Buist Conference Room, 3rd Floor

- I. Call to Order – Chairman Daniel Svrcek
- II. Consideration of the December 2, 2019 Meeting Minutes
- III. The applicant and owner, James M. Tonge is seeking a variance from Article VI, Section 6-1, Paragraph (d)(3)(a) relating to the rear yard building setback required for the property located at 1923 English Street (TMS # 469-16-00-090) in the R-2, Multi-Family Residential Zoning District/Council District 10.
- IV. The representative, Grant Butler, Reger Holdings, on behalf of the applicant, Erich Lipphardt, Rise Above Consulting, LLC, and the owner, 3191 Ashley Phosphate LLC, is seeking a variance from Article V, Section 5-12, Paragraph (d)(1) relating to the sign height requirements for the property located at 3191 Ashley Phosphate Road (TMS # 397-00-00-041) in the M-1, Light Industrial Zoning District/Dorchester Road Corridor II Overlay District/Council District 6.

Those persons who wish to appear before the Board should sign-in or contact the office of the Planning and Zoning Department no later than 4:45 P.M. on the date of the meeting.

CITY OF NORTH CHARLESTON
ZONING BOARD OF APPEALS MINUTES
December 2, 2019

1. The December 2, 2019 meeting of the North Charleston Zoning Board of Appeals was called to order by Chair Mr. Daniel Svrcek at 5:00 p.m. in the Buist Conference Room, on the Third Floor, of North Charleston City Hall, 2500 City Hall Lane, North Charleston, SC 29406. Other Board Members present were Mrs. Eleanor Morrow, Ms. Kimberly Allen, Mr. Ralph Calhoun, and Mr. Craig Reifeis. Excused were Mr. Gordon Burgess and Mr. Zachery Closser. Also present were Planning/Zoning Administrator Gwen Moultrie, Site Plans Reviewer Kara Browder, Staff Attorney Kris Neely, and members of the public

The media organizations and the public were advised of the meeting in accordance with Section 30-4-80(d) of the South Carolina Code of laws for 1976, as amended.

2. The next item on the agenda was a request to approve the minutes from the November 4, 2019 Zoning Board of Appeals meeting.

Motion by Mrs. Morrow:

To approve the minutes from the November 4, 2019 Zoning Board of Appeals meeting.

Motion supported by Ms. Allen. The motion carried unanimously by voice vote. (5-0-0)

3. The next item on the agenda was a request for a variance from Article VI, Section 6-1, Paragraph (c)(3)(a) relating to the rear yard setback required for the property located at 4953 Durant Avenue (TMS # 471-15-00-072) in the R-1, Single-Family Residential Zoning District/Council District 8.

Mrs. Browder reported that the applicant recently submitted a building permit application to convert an existing accessory use structure into a single-family dwelling unit. However, the ordinance requires a rear yard area between the rear lot line and the rear building line of 15 percent of the lot depth, which in this case is 22.5 feet. Accordingly, she was seeking a variance for relief, as the existing detached accessory structure is located only 3 feet from the rear property line.

Accordingly, she argued that the minimum requirements of the ordinance which would be necessary to permit the proposed use or construction is to allow the existing accessory structure to be converted into a single-family dwelling observing the existing 3-foot rear yard setback.

It is further argued that the particular hardship which would result if said particular requirements of the ordinance were applied to the subject property was that the structure would have to be demolished including the removal of the existing concrete pad. Additionally, it is being argued that the configuration of the lot prohibited the construction of a home of equal size and shape of the existing detached accessory building.

In 2016, the homeowner, Mr. Gillespie, received approval to construct the existing detached accessory use shed. In 2017, a letter was sent from James Whittaker, in the Building Department, informing him that "it had come to his attention that the structured (shed) was not being used for its intended purpose." Staff has reviewed the applicant's request and does not believe the applicant had

substantiated a hardship in meeting the requirement. The hardship being experienced now was self-imposed, as it is the result of the homeowner's desire was to convert the detached accessory use shed, which was constructed 3 feet from the rear property line, into an unintended single-family residential use. Consequently, he was unable to meet the 22.5-foot rear yard building setback requirement. Additionally, it was being argued that if the variance was not granted, the accessory use and slab would have to be demolished. On the contrary, the homeowner has the option of using the unit for its original intended purpose – a detached shed, and he could construct a new single-family home that complied with the rear yard building setback. Accordingly, staff recommended denial of the variance.

Following discussion:

Motion by Mr. Reifeis:

To approve a request for a variance from Article VI, Section 6-1, Paragraph (c)(3)(a) relating to the rear yard setback required for the property located at 4953 Durant Avenue (TMS # 471-15-00-072) in the R-1, Single-Family Residential Zoning District/Council District 8.

Motion supported by Ms. Allen. The motion carried unanimously by voice vote. (5-0-0)

4. The next item on the agenda was seeking a variance from Article IV, Section 4-7, Paragraph (3)(a) relating to the fence height requirements for the property located at 1935 Burton Lane (TMS #466-03-00-092) in the R-1, Single-Family Residential Zoning District/Council District 10.

Mrs. Browder reported the applicant installed a portion of a fence in the front yard area of this R-1 zoned lot that exceeded the 4-foot fence height limitation. The fence material was removed, however, the taller posts used to secure the fencing still existed on the property. Accordingly, he was seeking a variance to allow the fence to remain as previously erected.

Mr. Oberle argued that the extraordinary and exceptional conditions of the subject property which prevented compliance with said requirements of the ordinance is the high crime rate in the area, which he noted included trespassing and illegal activity. The applicant further asserted that a 4-foot fence will not stop a person from entering the property.

As a result, he argued that the minimum reduction of the requirement of the zoning ordinance that would be necessary to permit the proposed use was to allow the previously installed taller fence to remain in the front yard as erected, as a means of blocking trespassers and preventing illegal activity from occurring on the property. The applicant argued that if strict application of the rule was applied to the subject property the 4-foot tall fence will not adequately secure the property from illegal activity.

Staff reviewed the applicant's request and did not believe Mr. Oberle had substantiated a hardship in meeting the requirements. Although empathetic, the conditions noted by Mr. Oberle were a matter for law enforcement rather than a compliance hardship, as the property in question was comparable to the other properties within the area. Accordingly, Staff recommended denial of the requested variance.

Following discussion:

Motion by Mr. Calhoun:

To deny a request for a variance from Article IV, Section 4-7, Paragraph (3)(a) relating to the fence height requirements for the property located at 1935 Burton Lane (TMS #466-03-00-092) in the R-1, Single-Family Residential Zoning District/Council District 10.

Motion supported by Ms. Allen. The motion carried unanimously by voice vote. (5-0-0)

5. The next item on the agenda is a request for a variance from Article VI, Section 6-17, Paragraph (b)(1) relating to encroachment within the required 50-foot undisturbed riparian buffer for the property located at 4221 Faber Place Drive (TMS #410-00-00-034) in the M-1, Light Industrial Zoning District/Dorchester Road Corridor II Overlay District/Council District 5.

Mrs. Browder reported the applicant is proposing a 3,900 square foot building addition which will include a parking lot expansion and the relocation of an existing transformer and generator units outside of the wetland buffer area. However, to do so, he will need to encroach within the riparian buffer to remove the existing transformer and generator and to construct a portion of a new connecting driveway. Accordingly, he is seeking a relief through a variance.

Mr. Yates argued that the extraordinary and exceptional conditions of the subject property which prevent compliance with said requirements of this ordinance is that the existing building and other site improvements on the site preceded the passage of Section 6-17. He further argued that had the building been constructed after the passage of this ordinance, the building would have been designed differently to avoid present and future conflicts with this provision of the ordinance.

Accordingly, the applicant argued that the minimum reduction of the requirements of the ordinance that would be necessary to permit the proposed use or construction to allow the proposed encroachment within the riparian buffer, as shown on the attached site plan, to allow for the construction of the proposed parking lot and the equipment relocation.

Mr. Yates contended the particular hardship which would result if said particular requirements of the ordinance was applied to the subject property is that the proposed parking lot expansion would not be permissible. Additionally, he contended that if the requested relief is not granted then the necessary expansion would have to be relocated outside of the City of North Charleston and possibly outside of the State of South Carolina.

As noted, the existing development and encroachment within the 50-foot undisturbed wetland buffer predates the 2009 adoption of the City's Riparian Buffer Ordinance. Charleston County records reflect that the overhead was constructed in 1999. Per the attached exhibit, there are a number of existing improvements such as a transformer, a generator, parking spaces, a storage unit, a concrete slab, a dumpster, a driveway, two utility easements, and a portion of the existing building that are presently positioned within the same 50-foot buffer the City's Zoning Ordinance seeks to protect. Given the aforementioned conditions, staff did not believe the proposed driveway addition and transformer/generator removal will negatively impact the wetland buffer positioned within the wetland-buffer area. Staff recommended approval of the variance.

Following discussion:

Motion by Mrs. Morrow:

To approve a request for a variance from Article VI, Section 6-17, Paragraph (b)(1) relating to encroachment within the required 50-foot undisturbed riparian buffer for the property located at 4221 Faber Place Drive (TMS #410-00-00-034) in the M-1, Light Industrial Zoning District/Dorchester Road Corridor II Overlay District/Council District 5.

Motion supported by Ms. Allen. The motion carried unanimously by voice vote. (5-0-0)

7. The next item on the agenda is a request for a variance from Article VI, Section 6-13, Paragraph (b)(2) relating to the required dumpster screening for the property located at 3005 West Montague Avenue (TMS # 409-11-00-012) in the CRD, Commercial Redevelopment Zoning District/Council District 6.

Mrs. Browder reported the applicant recently completed a kitchen addition at the rear of the site and relocated dumpsters to the site triggering the dumpster screening requirement. However, he was now seeking a variance to be relieved of completing the dumpster screening installation due to an existing 8-foot wood privacy fence located around the perimeter of the abutting parcel, which is also in common ownership.

Mr. Colman argued that the extraordinary and exceptional conditions of the subject property which prevent compliance with said requirements of this ordinance is that the abutting parcel, TMS #409-11-00-044, exists between the subject property and Arco Lane and that this property is surrounded by an 8-foot privacy fence, thus providing the required screening from the view of the dumpster from the Arco Lane right-of-way.

Accordingly, he argued that the minimum reduction of the requirements of the ordinance that would be necessary to permit the proposed use or construction is a waiver of the requirement to screen the dumpsters.

Mr. Colman further argued that the particular hardship which would result if said particular requirements of this ordinance was applied to the subject property is that the property owner will have to fence in an area that is located within the boundaries of an existing area that is already screened from street view by a fence along the perimeter of the abutting parcel, which he believe was not the intended purpose of the ordinance.

As noted, the applicant recently completed a kitchen addition and relocated dumpsters to the subject parcel triggering the City's dumpster screening requirement. In keeping with an initiative to reduce pollutants during flood events, in June 2019, City Council adopted a text amendment to Section 6-13(b)(2) of the City's Zoning Ordinance that now requires all dumpsters or trash, refuse, recycling, or other temporary waste storage containers to be screened and buffered with a built enclosure, which is defined as an 8-foot high opaque fence or wall on all sides. Additionally, the amendment included an amortization clause that requires all existing dumpsters not meeting the requirement to comply by January 31, 2020 prior to the renewal of the business license. While the applicant argued that the existing fence along the perimeter of the adjoining property provided dumpster screening from public

view, the perimeter fence does not assist with containing refuse within the site or halt lighter weight items from being blown about when windy further increasing the possible negative impacts during flood events. Additionally, he was not provided an argument that was particular to his site preventing him from meeting the requirement of the ordinance. The approved site plan included a note indicating new dumpsters would be screened (see exhibit). Furthermore, the area in question was sometimes used to accommodate the overflow customer parking, thus the fence gate was not closed allowing visibility into the site from street view. Given the intent of the ordinance and absence a hardship in meeting the requirement, staff recommended denial of the variance.

Following discussion:

Motion by Ms. Reifeis:

To Approve a request for a variance from Article VI, Section 6-13, Paragraph (b)(2) relating to the required dumpster screening for the property located at 3005 West Montague Avenue (TMS # 409-11-00-012) in the CRD, Commercial Redevelopment Zoning District/Council District 6.

Motion supported by Ms. Allen. The motion carried by voice vote with Mrs. Morrow and Mr. Calhoun voting no. (3-2-0)

There being no further business to come before the Board, the meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Kara Browder, AICP, Secretary,
Site Plans Reviewer

These minutes were approved:

City of North Charleston, SC

APPLICATION FOR ZONING VARIANCE

Date: 12/11/2019

\$75.00 Application Fee

TMS#: 3970000041 Current Zoning: M-1 Industrial

Location Address: 3191 Ashley Phosphate Road

Request for Variance from the Provisions of Article: [] , Section: 5-12

Paragraph: d (signs) , of the Zoning Ordinance relating to the area: Dorchester Corridor II Overlay

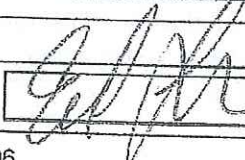
Yard: [] , Height: 10' , Parking: [] , or Other: []

[] Provisions of the Regulations.

Present use of property: Manufacture sleep products (pillows, mattresses, etc.)

Proposed use of property: Continued/same

Applicant: Rise Above Consulting, LLC / Erich Lipphardt

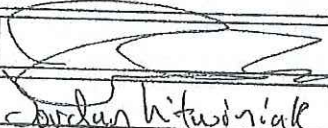
Print: Erich Lipphardt Signature: 

Address: 2154 N. Center St., Suite B-202, North Charleston, SC 29406

[] Email: elipphardt@riseabovepartners.com

Phone # (cell): 304-216-0188 Phone # (work): 844-543-7446

Owner(s): 3191 Ashley Phosphate LLC

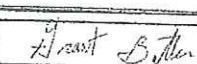
Print: 3191 Ashley Phosphate LLC Signature: 

Address: 2730 Transit Road West Seneca NY 14224

[] Email: gbutler@regerholdings.com

Phone # (cell): [] Phone # (work): 270-519-2275

Representative: Grant Butler

Print: Grant Butler Signature: 

Address: Reger Holdings,

[] Email: gbutler@regerholdings.com

Phone # (cell): 270-519-2275 Phone # (work): []

City of North Charleston, SC

A site plan showing the following must be submitted with this application:

- 1. SITE PLAN (Showing all existing and proposed buildings, roads, driveways, 9'x19' minimum parking spaces, fences, etc.) – 10 copies required
- 2. STATEMENT OF APPELLANT containing the following:

The following issues must be addressed as part of the application process:

1. Identify the particular requirements of this ordinance which prevent the proposed use or construction.

The issue in question relates to an existing sign. The existing sign exceeds the revised ordinance requirement of a maximum 10' height. This request is for variance to the expiration of the amortization in order to leave the sign as is. Various reasons for the request including, the sign location is below grade, numerous other signs in the overlay district exceed 10' height, and owner has express some concerns that lowering the sign could actually impact driver visibility at the intersection.

2. Indicate any extraordinary and exceptional conditions of the subject property which prevent compliance with said requirements of this ordinance.

The sign location is below grade. The sign base is roughly 28" below the grade of Ashley Phosphate.

Lowering the sign could impact visibility for drivers turning on to Ashley Phosphate.

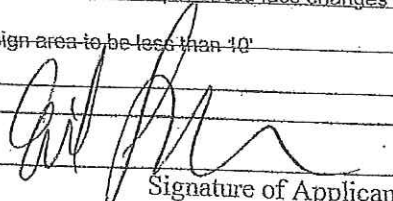
3. What is the minimum reduction of the requirements of this ordinance which would be necessary to permit the proposed use or construction..

Allow the existing sign to remain as is.

4. Identify the particular hardship which would result if said particular requirements of this ordinance were applied to the subject property.

1. Because this is an existing structure, we request relief to avoid the excessive costs required to comply with the ordinance, particularly because not only are neighboring properties not apparently required to do same, but there are literally dozens of existing signs in the same vicinity (clearly in the overlay district) exceeding the 10' height and even some that have experienced face changes due to entire business changes - Sleep Number, VIBEZ restaurant, etc.

2. due to the below-grade situation, compliance with the 10' restriction would force visible sign area to be less than 40'


Signature of Applicant

THIS APPLICATION MUST BE COMPLETED IN ITS ENTIRETY BEFORE SUBMITTAL

Scheduled for Zoning Board of Appeals Meeting

Print

SUBMIT

Reset



**City of North Charleston
Board of Zoning Appeals**

December 16, 2019

Via hand delivery and email (kbroughton@northcharleston.org)

To Whom it May Concern:

This letter is provided to accompany the Application for Zoning Variance relevant to 3191 Ashley Phosphate Road.

Together with the property owner and tenant, we are requesting relief from compliance with the amortization and ordinance pertaining to a 10 foot height restriction on freestanding signs in the *Dorchester Corridor II Overlay*.

Soft-Tex, a manufacturer of sleep products (mattresses, pillows, etc.) continues operations at the site and requested an update to the existing faces in the structure. The changes would improve the appearance of the sign by replacing aged panels with updated/refreshed designs affiliated with their brands.

The permit application was rejected because of the *Dorchester Corridor II Overlay District* ordinance that we unfortunately were unaware of.

As a result of the demand for compliance, we have evaluated the Overlay district and consulted the zoning office to determine that this application for variance is the appropriate next step in our search for relief from the excessive costs associated with removing or substantially altering the existing sign.

Key points we would like to articulate include:

- The existing freestanding sign is positioned below grade (approximately 28") of the main frontage road (Ashley Phosphate). The physical location limits the impact of any height restriction. Any height restriction required by this ordinance is further "reduced" by the below grade situation. The current structure offers satisfactory visibility above grade.
- The sign itself is a very well done and visually appealing sign. While not particularly relevant to the demands of the ordinance, we wanted to point out that there are numerous dilapidated signs, etc. in the immediate vicinity. This sign is actually an impressive design and construct; it would be a shame to risk destruction associated with the risk of altering the sign to come in to compliance.
- Reducing the height of the sign may impact visibility for drivers on Pepperdam Ave. The current structure and installation of the sign allows visibility underneath the sign faces/panels which would be eliminated is the sign is lowered.
- There are dozens, if not hundreds, of signs that are not compliant with same ordinance in the immediate surrounding area and throughout the district. So much so that when we went to observe we quickly discontinued our effort because they are so prevalent.



- For clarity, there are numerous instances of freestanding sign structure that exceed 10' in height that have had face changes (in fact, new businesses, not just a refresh of a continued tenant such as our situation). One picture capturing two instances in the same photo is provided

We absolutely respect the intent and purposes of zoning and sign ordinances. However, in this instance, we feel the cost of compliance, and the risk of dissatisfaction with the results of altering the sign, warrant this request for variance to leave the existing sign as is.

We are approaching this situation from this application for variance per the guidance of the zoning office. If there is an alternative that is more appropriate, or a next step that we should pursue, please advise.

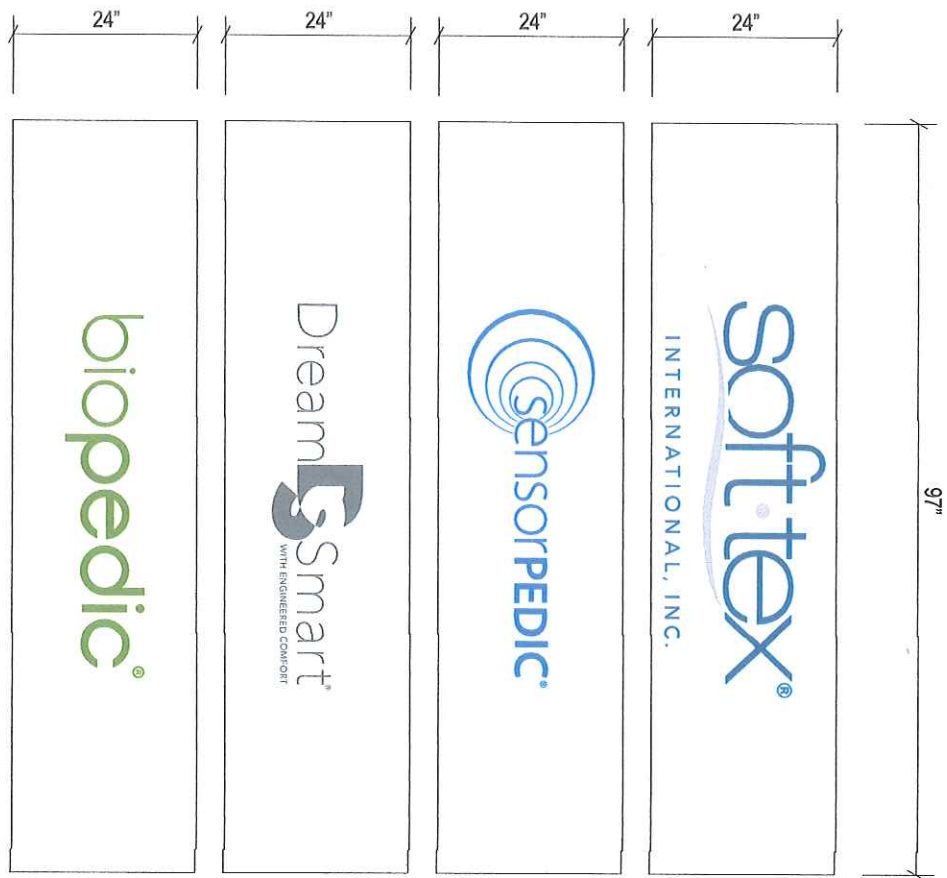
On behalf of the property owner, and my company, I appreciate your consideration.

Sincerely,

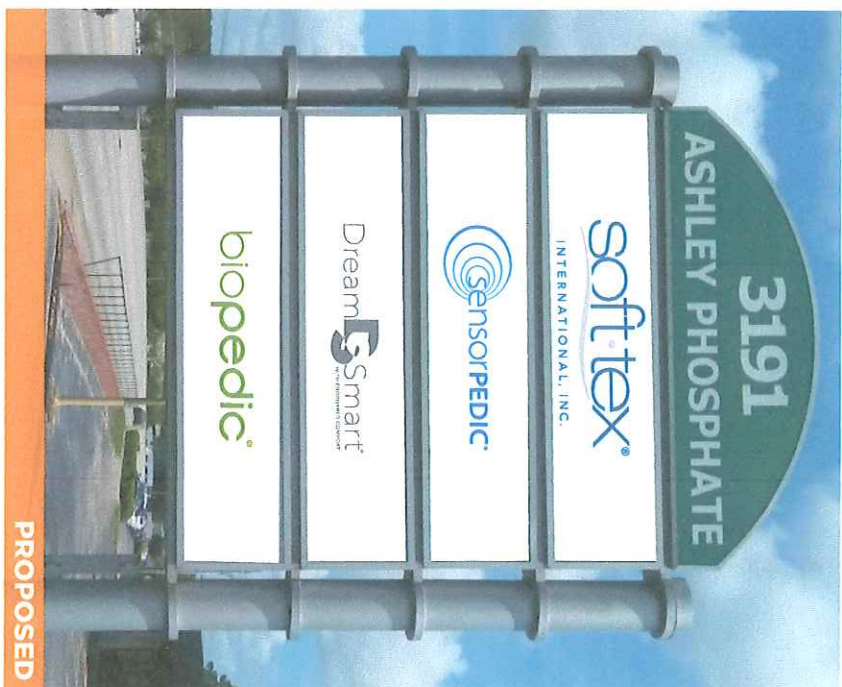
A handwritten signature in blue ink, appearing to read "Erich Lipphardt", with a long horizontal flourish extending to the right.

Erich Lipphardt, Managing Member/Owner
Rise Above Consulting, LLC dba Rise Above Sign & Graphics
2154 N. Center St., Suite B-202
North Charleston, SC 29406
844-543-7446 (office)
304-216-0188 (cell)

Soft tex: Multi-Tenant Panel Sign Faces



- Specifications:**
1. New 3/16" White Polycarbonate
 2. Existing Illuminated cabinet
 3. Applied Vinyl Logo/Lettering for each face
 4. 1 1/2" Retainers



New Panel - Existing D/F Pylon
QTY 2 of ea.(4 Sets) Scale: 1/2" = 1'-0"

Soft-tex
 3191 Ashley Phosphate Road
 North Charleston, SC 29418
 Cross Road - Pepperdam Ave.

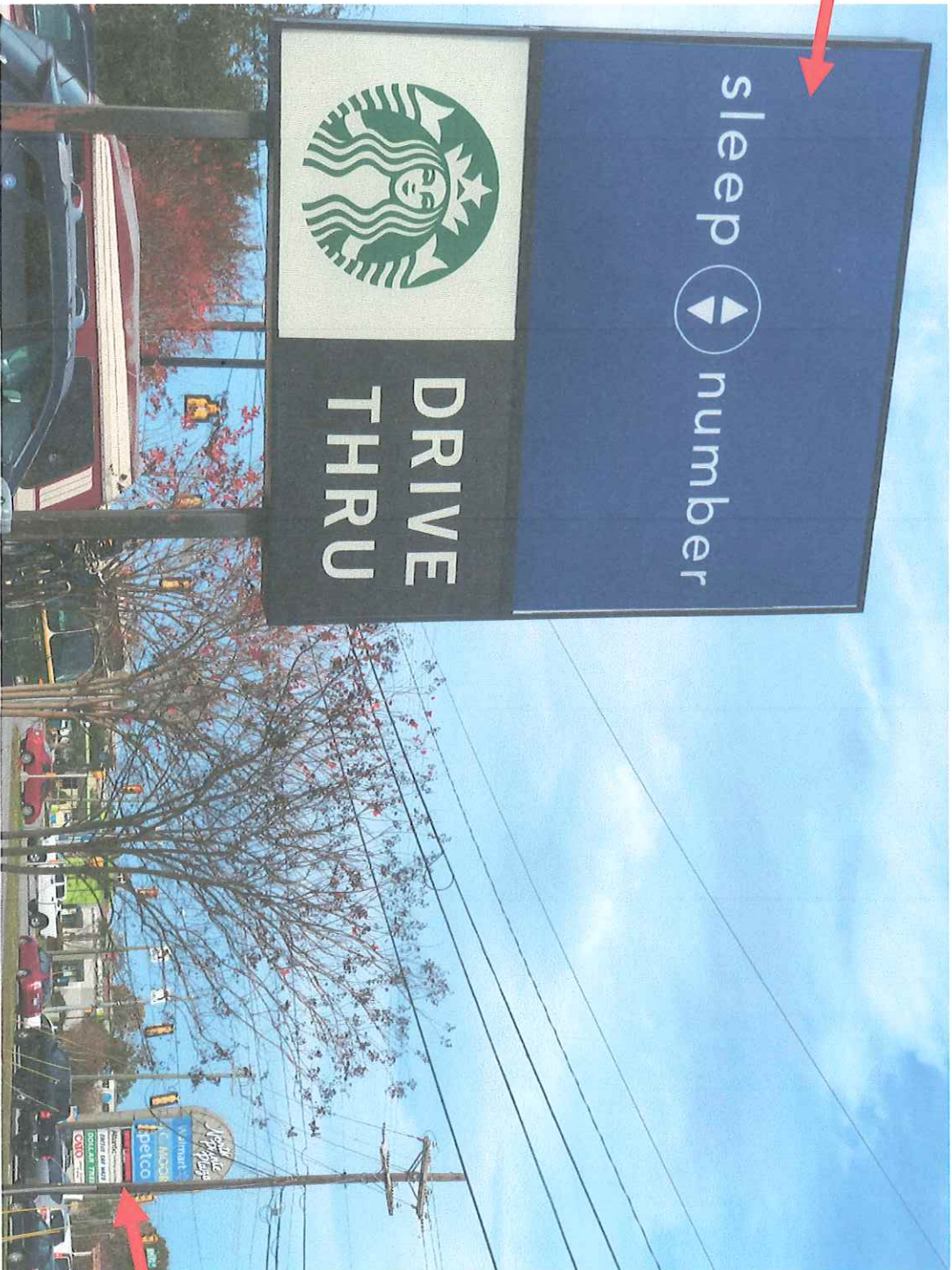
Job ID#: 418001296
 Project Mgr: Erich Lipphardt
 Designer: Sean Bogue
 Created on: 11/05/2019

This rendering is property of Rise Above Sign & Graphics, Inc. and is not to be used, copied, or reproduced in any form without the written consent of Rise Above Sign & Graphics, Inc. All rights reserved. This rendering is for informational purposes only and does not constitute an offer of any product or service. The actual appearance of the final product may vary from this rendering. For more information, please contact Rise Above Sign & Graphics, Inc. at 803-799-1111.

REVISION

R1	

APPROVED



We are certain Sleep Number and Atlantic Bedding have both been changed on freestanding signs exceeding 10' height since 2016.



Reduction in height could impact visibility currently offered under the existing sign panels.



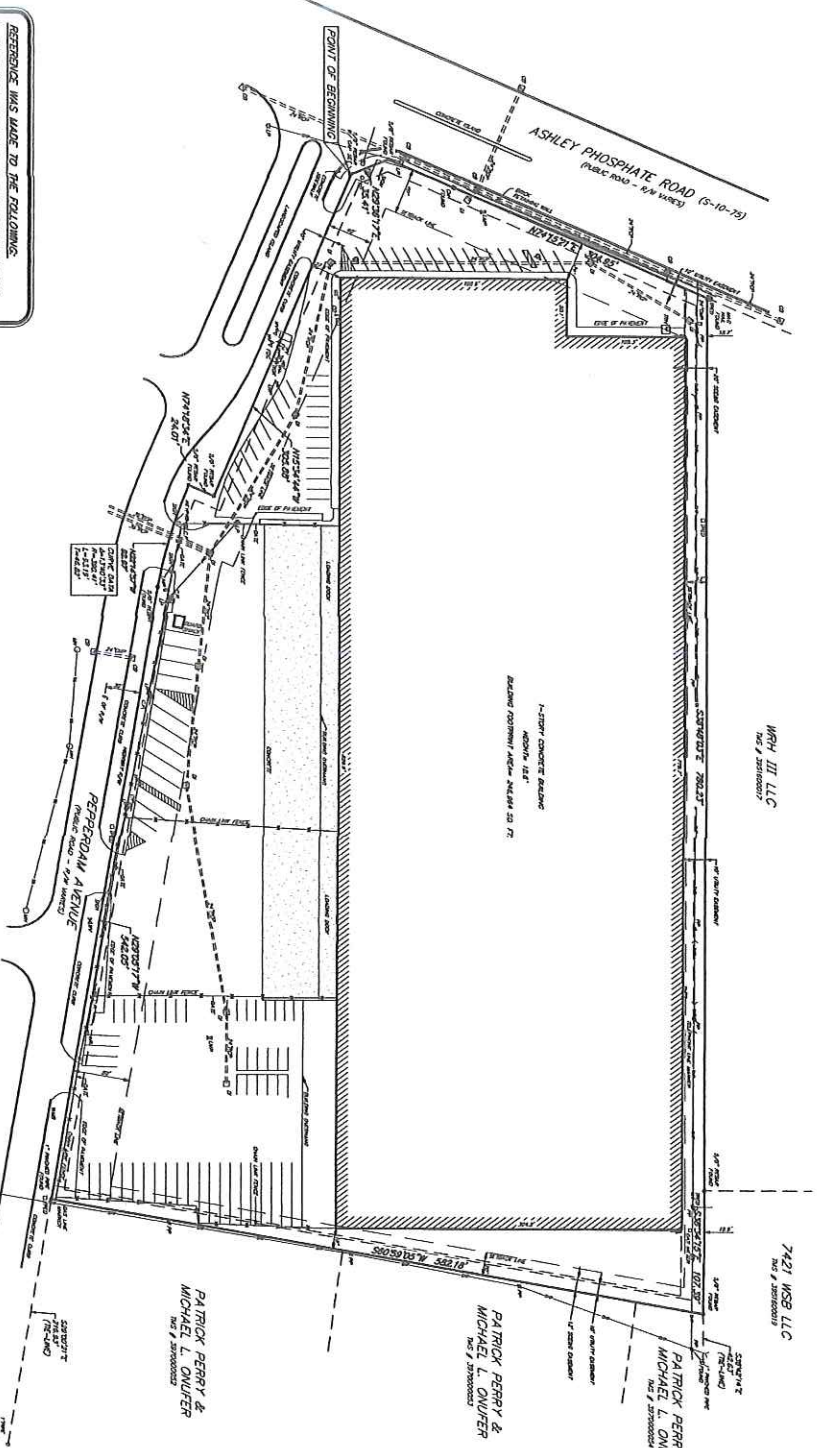
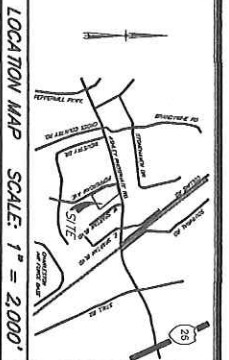
Level line to sidewalk is 28" above the kickplate at base of sign

THIS SURVEY WAS CONDUCTED TO DETERMINE THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE DEED DATED 05/15/14, AS SHOWN ON THE ATTACHED MAP.

DATE OF SURVEY: 05/15/14
 SURVEYOR: [Name]
 LICENSE NO.: [Number]

LAND ACQUISITION

THIS SURVEY WAS CONDUCTED TO DETERMINE THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE DEED DATED 05/15/14, AS SHOWN ON THE ATTACHED MAP. THE PROPERTY IS BEING ACQUIRED BY [Name] FOR THE PURPOSES OF [Purpose].



REFERENCE WAS MADE TO THE FOLLOWING:

1. ALL RELEVANT DEEDS, RECORDS, AND RECORDS OF TITLE.
2. ALL RECORDS OF TITLE, RECORDS, AND RECORDS OF TITLE.
3. CONVEYANCE COUNTY PUBLIC RECORDS.

GENERAL NOTES:

1. THE SURVEY WAS CONDUCTED TO DETERMINE THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE DEED DATED 05/15/14, AS SHOWN ON THE ATTACHED MAP.
2. THE PROPERTY IS BEING ACQUIRED BY [Name] FOR THE PURPOSES OF [Purpose].
3. THE SURVEY WAS CONDUCTED TO DETERMINE THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE DEED DATED 05/15/14, AS SHOWN ON THE ATTACHED MAP.

AREA = 10,118 ACRES OR 440,729 SQUARE FEET

LEGEND

---	CONCRETE WALL
---	CONCRETE FOUNDATION
---	CONCRETE SLAB
---	CONCRETE CURB
---	CONCRETE DRIVE
---	CONCRETE WALKWAY
---	CONCRETE PATIO
---	CONCRETE PORCH
---	CONCRETE DECK
---	CONCRETE TERRACE
---	CONCRETE BALCONY
---	CONCRETE STAIRS
---	CONCRETE RAMP
---	CONCRETE DRIVEWAY
---	CONCRETE DRIVE
---	CONCRETE WALKWAY
---	CONCRETE PATIO
---	CONCRETE PORCH
---	CONCRETE DECK
---	CONCRETE TERRACE
---	CONCRETE BALCONY
---	CONCRETE STAIRS
---	CONCRETE RAMP

- NOTES:**
1. THIS SURVEY WAS CONDUCTED TO DETERMINE THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE DEED DATED 05/15/14, AS SHOWN ON THE ATTACHED MAP.
 2. THE PROPERTY IS BEING ACQUIRED BY [Name] FOR THE PURPOSES OF [Purpose].
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PRELIMINARY 5/5/14

DATE

<p>REGGER HOLDINGS, LLC</p> <p>4000 W. 10th Street Columbia, SC 29203</p>	<p>ALTA/NSPS LAND TITLE SURVEY</p> <p>DATE: MAY 1, 2014 SCALE: 1" = 50'</p>	<p>URS</p> <p>101 Research Drive Columbia, South Carolina 29203 Telephone (803) 234-4000 • Fax (803) 771-6676 www.URSCorp.com</p>	<p>SEMI-CAROLINA</p> <p>INCORPORATED IN SOUTH CAROLINA LICENSE NO. 000004</p>	<table border="1"> <thead> <tr> <th>APPROVALS</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>PROJECT ENG</td> <td></td> <td></td> </tr> <tr> <td>DESIGNER</td> <td></td> <td></td> </tr> <tr> <td>DRAWN BY</td> <td></td> <td></td> </tr> <tr> <td>CHECKED BY</td> <td></td> <td></td> </tr> <tr> <td>APPROVED BY</td> <td></td> <td></td> </tr> </tbody> </table>	APPROVALS	DATE	BY	PROJECT ENG			DESIGNER			DRAWN BY			CHECKED BY			APPROVED BY			<table border="1"> <thead> <tr> <th colspan="4">REVISION</th> </tr> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISION				NO.	DESCRIPTION	DATE	BY																
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NO.	DESCRIPTION	DATE	BY																																												

Date: 12/16/19

Received From: RISE ABOVE CONSULTING

For: VARIANCE

321.1	321.2	321.3	369.6 X	
Check #1: 874		Amount:	75.00	
Check #2:		Amount:	0.00	
Check #3:		Amount:	0.00	Total: 75.00
Check #4:		Amount:	0.00	
		CC Amount:	0.00	
		Cash Amount:	0.00	

Received By: Chynia Lewis

Please Note: If payment is made by check, this receipt is valid only if your check clears the bank.

APPLICATION FOR ZONING VARIANCE

Date:

\$75.00 Application Fee

TMS#: 469-16-00-090
469-1500-090 Current Zoning: R-2

Location Address: 1923 English Street

Request for Variance from the Provisions of Article: , Section:

Paragraph: , of the Zoning Ordinance relating to the area:

Yard: , Height: , Parking: , or Other: Setback

Provisions of the Regulations.

Present use of property: Single Family residence

Proposed use of property: Single Family Residence

Applicant: James M. Tonge

Print: James M. Tonge Signature: 

Address: 1923 English Street

Email: jtonge1@msn.com

Phone # (cell): 805-363-1658 Phone # (work): 843 990-9024

Owner(s): James M. Tonge

Print: Signature: 

Address: 1923 English Street

Email: jtonge1@msn.com

Phone # (cell): 805-363-1658 Phone # (work): 843 990-9024

Representative:

Print: Self Signature: 

Address:

Email:

Phone # (cell): Phone # (work):

A site plan showing the following must be submitted with this application:

- 1. SITE PLAN (Showing all existing and proposed buildings, roads, driveways, 9'x19' minimum parking spaces, fences, etc.) – **10 copies required**
- 2. STATEMENT OF APPELLANT containing the following:

The following issues must be addressed as part of the application process:

1. Identify the particular requirements of this ordinance which prevent the proposed use or construction.

Present set-back requirements prevent building a barrier free shower in the rear of the dwelling.

2. Indicate any extraordinary and exceptional conditions of the subject property which prevent compliance with said requirements of this ordinance.

Dwelling was built very close to the property line in compliance with set back requirements when built.

3. What is the minimum reduction of the requirements of this ordinance which would be necessary to permit the proposed use or construction..

Reduce setback requirements to allow barrier free shower in area between rear of dwelling and rear property line.

4. Identify the particular hardship which would result if said particular requirements of this ordinance were applied to the subject property.

Owner of the property is a retired veteran, with a 100 percent service connected disability. with a grant from the VA to assist in building a barrier free shower. The proposed location is the only place on the property that meets VA requirements. Denial of the variance would cause loss of the grant of \$6,800.


Signature of Applicant

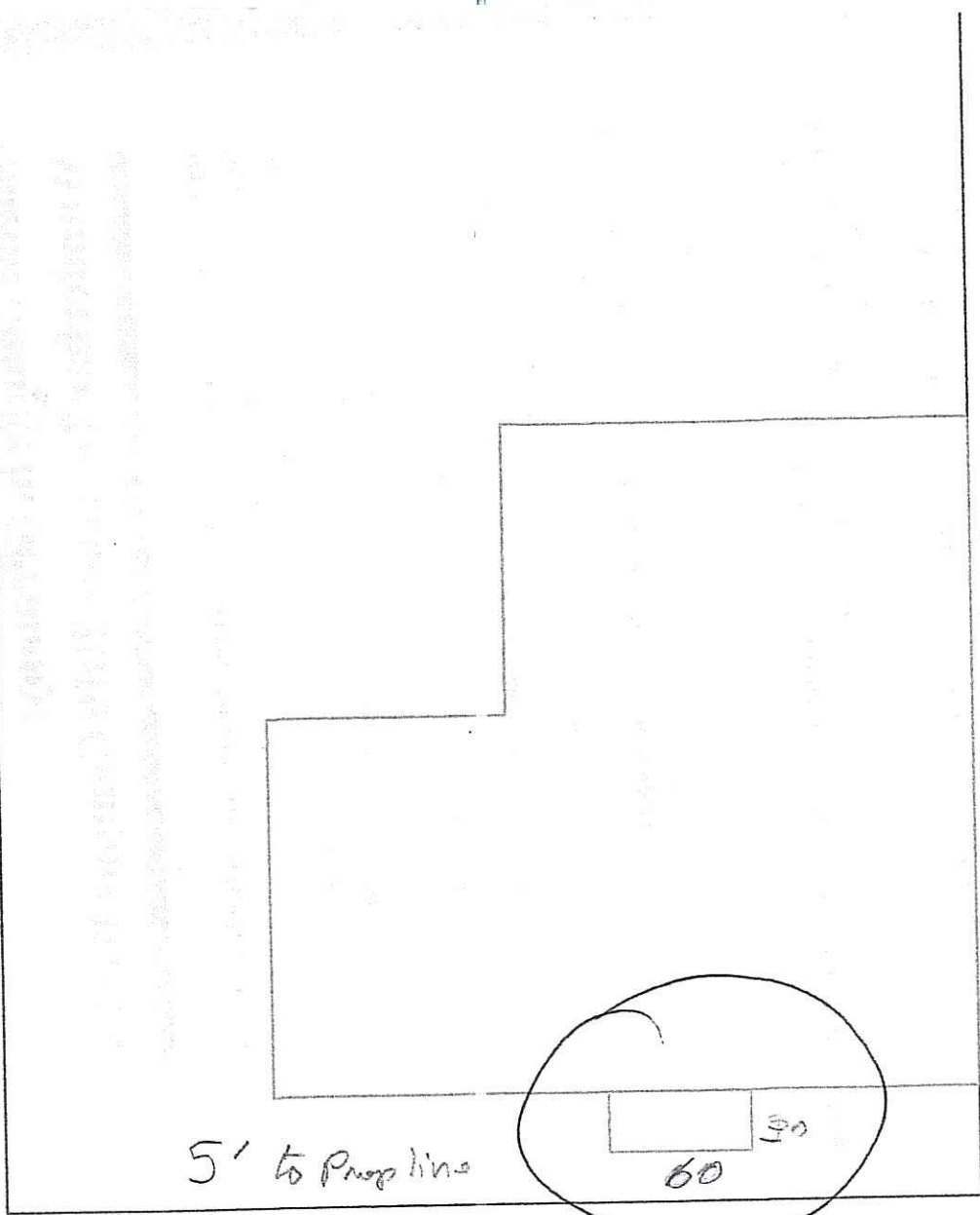
THIS APPLICATION MUST BE COMPLETED IN ITS ENTIRETY BEFORE SUBMITTAL

Scheduled for To Be Filled Out By Zoning Official Zoning Board of Appeals Meeting

Print

SUBMIT

Reset



5' to Prop line

Construct enclosed deck for barrier free Shower
30X60

ENGLISH ST.

at 17/10/02



1021

1919

4691600092

4691600091

1921

4691600090

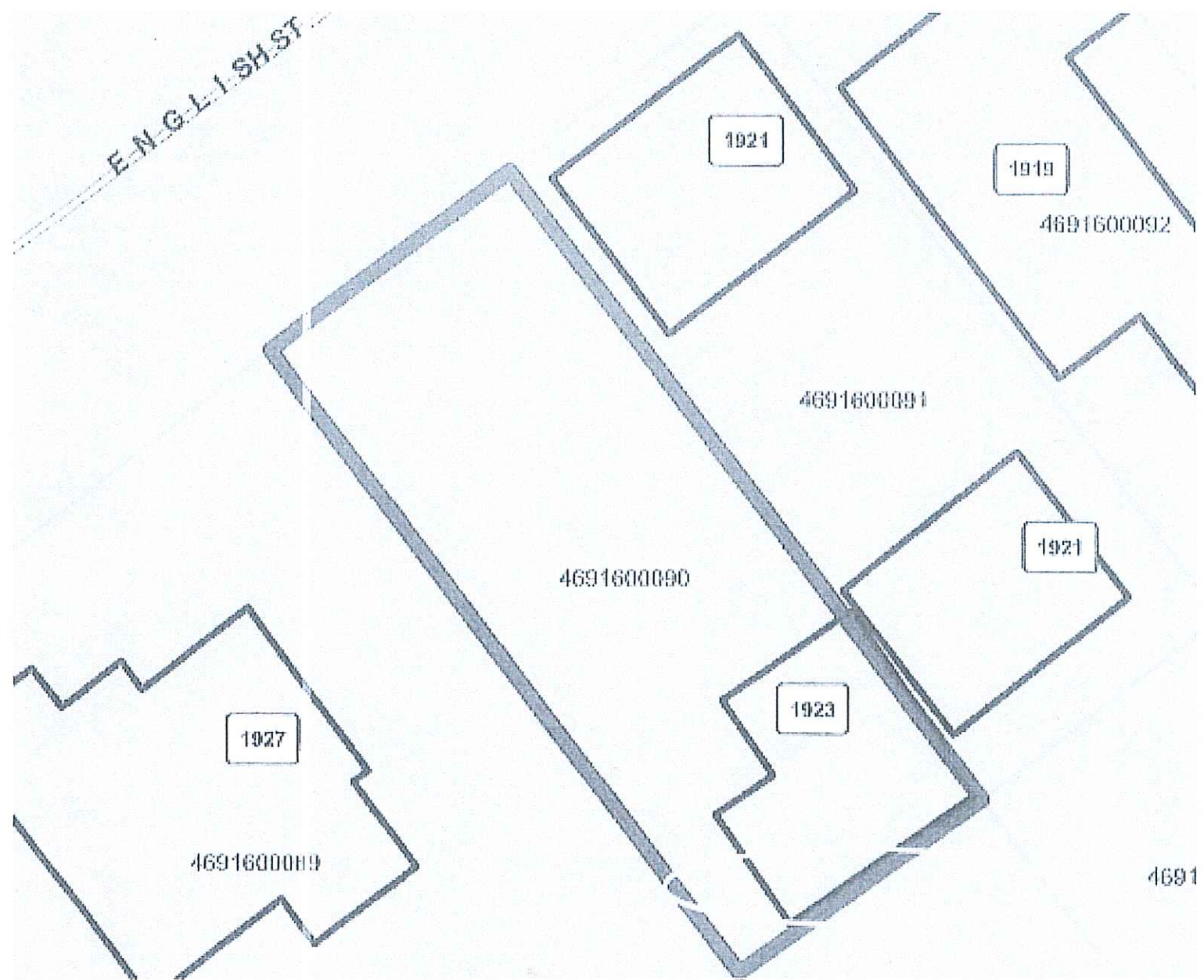
1923

1927

4691600088

4691

12583



repair and relocate existing fence along property line, accomating trees.

Rear of house is approximately four feet from property line.


8

Date: 12/16/19

Received From: JAMES PONGE

For: ZONING VARIANCE

321.1	321.2	321.3	369.6 X		
Check #1: 1129		Amount:	75.00		
Check #2:		Amount:	0.00		
Check #3:		Amount:	0.00	Total:	75.00
Check #4:		Amount:	0.00		
		CC Amount:	0.00		
		Cash Amount:	0.00		



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