

# Old Business

## Item # 1

Request to Reconsider Case # BZA-02-23-00653

- Reconsideration Procedure
- Email from the Applicant/Property Owner requesting a reconsideration
- Permits for 3321 Jesse Qualls Drive
- BZA's Final Decision and Order on Variance Application BZA-02-23-00653

## Old Business Case # BZA-02-23-00653

### 3321 Jesse Qualls Drive – Johns Island (TMS # 256-00-00-063)

Variance request to reduce the required 15' interior side setback by 13.6' to 1.4' for an existing detached accessory structure (20' x 20' garage) **was denied on April 3, 2023. Request from Virginia Haynes for the BZA to reconsider this case at the next available BZA public hearing.**

Variances are not required for the 160 sq. ft. shed (permitted February 8, 2023) or the 192 sq. ft. shed (permitted July 25, 2001).

Applicant/Property Owner: Virginia Haynes

# Reconsideration Procedure

## Charleston County Board of Zoning Appeals Rules of Procedure:

20. *Upon vote of the BZA, a member from the prevailing side may make a motion to reconsider a case at the same or next BZA meeting. Any member may second the motion. If the motion to reconsider the case is granted, then the case will be scheduled and heard by the BZA at the same or next available BZA public hearing provided all required notifications have been met. A case may be reconsidered only once.*

- Public comment is at the Board's discretion.
- If a motion to reconsider is not made, the BZA's decision stands and the party may appeal the BZA's decision to Circuit Court.
- Final Decision and Orders for the April 3<sup>rd</sup> cases were mailed on April 7<sup>th</sup>.  
*Any person with a substantial interest may appeal the Board of Zoning Appeals' decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.*
- If a motion to reconsider is made and passes by majority vote, the case will be scheduled for June 5, 2023 and will be a public hearing open to written and oral public comments from all parties.

## Old Business Case # BZA-02-23-00653

### April 3, 2023 Meeting Summary

- After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, Mr. Nelson made a motion to approve the application with a condition. Mr. Williams seconded the motion. Mr. Nelson, Mr. Marchant, and Mr. Siedell voted in favor of the motion. Mr. Ray, Mr. Jordan, Ms. Switzer-Small, Mr. Truslow, and Mr. Williams voted against the motion. The motion to approve the application with a condition failed (3 to 5).
- The board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had not been satisfied. Mr. Truslow made a motion to deny the Variance request stating that the application did not meet criteria 1, 2, 3, and 4. Mr. Jordan seconded the motion. Mr. Ray, Mr. Jordan, Ms. Switzer-Small, Mr. Truslow, and Mr. Williams voted in favor of the motion. Mr. Nelson, Mr. Marchant, and Mr. Siedell voted against the motion. The motion to deny the application passed (5 to 3). Therefore, the application was disapproved.

**Letter requesting a  
reconsideration from  
Virginia Haynes**

**Case #  
BZA-02-23-00653**

## Jennifer Werking

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**From:** nhaynes@boatsurveyor.com  
**Sent:** Thursday, April 06, 2023 4:50 PM  
**To:** Jennifer Werking  
**Cc:** bscott@pslawpc.com; Joshua D. Downey; Sally Brooks; Genesis Clark  
**Subject:** RE: BZA-02-23-00653 Virginia Haynes

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Dear Jennifer,

Thank you for considering our request for a reconsideration of our variance application on the May 1 agenda. We strongly feel that our appeal deserves another chance to be heard. Yes, please put us on the May 1 schedule.

We were initially under the impression that our neighbor, Mr. Burgess Heyward, was not going to contest our variance request, as he had expressed his agreement with us during previous conversations. We were surprised to see him show up and express confusion about the setback regulations. However, once he understood what a setback meant, he had no issue with our structures remaining as-is. We believe this positive testimony, along with that of Mr. Qualls, who also said it was fine to leave the structures as-is, should have been enough to convince the board to approve our application.

We are confused as to why the board decided to deny our application, especially after previously indicating their inclination to approve it. We believe that the board may have misunderstood the question or questions involved when speaking to the neighbors, leading to an erroneous decision.

It should be noted that the board was previously inclined to approve the application, but changed their decision after hearing from Mr. Heyward and Mr. Qualls.

### To address your questions:

- Yes, we would like the board to reconsider both our shed and garage.
- The shed shown in the photo taken at 13:44 on March 14, which is the second shed in the exhibit presented to the board, is the one we already have a permit for. I believe this is the 2nd shed on your bullet.
- The other shed photo is about 120 square feet (photo taken at 13:50). This shed is where I store soil, pots and miscellaneous gardening items. I read that "If your shed is smaller than 200 sq. ft., the building permit requirements are voided. However, before starting your project, you will still need to submit an application and have it approved by your local municipality". I feel certain that all our neighbors don't care about my garden shed and would write a note that says they don't want me to tear it down. It isn't even visible to any neighbor as it's in a stand of bamboo.

**Question:** Could I apply to local municipality and ask if this shed could be grandfathered in? This shed has been at this location since at least 2005 (18 years). I believe the code below supports this:

**According to ARTICLE 3.8 ZONING PERMITS:** "Accessory Structures. A Zoning Permit shall not be required for the placement of one, one-story detached Accessory Structure used as a tool or storage shed, playhouse, or similar Accessory Structure, provided the Building footprint does not exceed 120 square feet. In the event that one detached Accessory Structure already exists on the Subject Property, a Zoning Permit is required for any additional detached Accessory Structure. Detached Accessory Structures must also comply with all applicable standards of the Zoning and Land Development Regulations Ordinance."

We appreciate your help and guidance in this matter, and we look forward to your advice on the appropriate next steps. Thank you for your time and attention.

Sincerely,

Virginia Haynes  
(cell) 843.324.5443  
(home) 843.559.2857

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**From:** Jennifer Werking <JWerking@charlestoncounty.org>  
**Sent:** Thursday, April 6, 2023 9:04 AM  
**To:** nhaynes@boatsurveyor.com  
**Cc:** bscott@pslawpc.com; Joshua D. Downey <JDowney@charlestoncounty.org>; Sally Brooks <SBrooks@charlestoncounty.org>; Genesis Clark <GClark3@charlestoncounty.org>  
**Subject:** RE: BZA-02-23-00653 Virginia Haynes  
**Importance:** High

Mrs. Haynes,

I will schedule your request for a reconsideration for the next meeting - May 1<sup>st</sup>. At the May 1<sup>st</sup> meeting, the request will be the first item on the agenda under old business. We will advertise this request on the agenda and in the Post and Courier only. In May, the board will vote whether or not they want to consider your case at the next meeting – June 5<sup>th</sup>. They will not hear the case in May, so this should be a quick approximately 5 min discussion and vote.

If the majority vote at the May meeting that they would like to reconsider the request in June we will schedule the case for June 5<sup>th</sup> and go through the full public hearing notification process – post sign on property, notify within 300', Post and Courier ad, Johns Island notifications etc. In the meantime, it would be a good idea to talk to your neighbors. Had they contacted us first we could have explained to them what was going on and given you a heads up, but we were not aware of any opposition to your case until the meeting.

Can you please tell me which of the 2 shed bullets below is the shed you have a permit for? I will cross through that bullet and explain to the board we confirmed this shed was approved by the county. Do you want them to reconsider the shed and the garage, or just the garage?

**Charleston County BZA: Monday, May 1, 2023, 5:00pm – Council Chambers**

**OLD BUSINESS:**

**1. CASE# BZA-02-23-00653**

Variance request for three (3) existing detached accessory structures:

- to reduce the required 15' interior side setback by 13.6' to 1.4' for a garage;
- to reduce the required 15' interior side setback by 14.1' to 0.9' for a shed; and
- to reduce the required 15' interior side setback by 7' to 8' for a shed

**was denied on April 3, 2023. Request from Virginia Haynes for the BZA to reconsider this case at the next available BZA public hearing.**

**SUBJECT PARCEL:** 3321 Jesse Qualls Drive – Johns Island (TMS # 256-00-00-063)

**Please see the BZA's Rules of Procedure attached to this email and the reconsideration procedure below.**

### **Charleston County Board of Zoning Appeals Rules of Procedure**

20. Upon vote of the BZA, a member from the prevailing side may make a motion to reconsider a case at the same or next BZA meeting. Any member may second the motion. If the motion to reconsider the case is granted, then the case will be scheduled and heard by the BZA at the same or next available BZA public hearing provided all required notifications have been met. A case may be reconsidered only once.

Thank you,

Jenny J. Werking, AICP  
Planner III  
Charleston County Zoning & Planning Department  
4045 Bridge View Drive  
N. Charleston, SC 29405

843-202-7213 wk phone  
[jwerking@charlestoncounty.org](mailto:jwerking@charlestoncounty.org)

Charleston County Mission  
*We will promote and protect the quality of life in Charleston County  
by delivering services of value to the community.*

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**From:** [nhaynes@boatsurveyor.com](mailto:nhaynes@boatsurveyor.com) <[nhaynes@boatsurveyor.com](mailto:nhaynes@boatsurveyor.com)>  
**Sent:** Wednesday, April 05, 2023 7:44 PM  
**To:** Jennifer Werking <[JWerking@charlestoncounty.org](mailto:JWerking@charlestoncounty.org)>  
**Subject:** RE: BZA-02-23-00653 Virginia Haynes

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Thank you Jennifer.

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**From:** Jennifer Werking <[JWerking@charlestoncounty.org](mailto:JWerking@charlestoncounty.org)>  
**Sent:** Wednesday, April 5, 2023 2:28 PM  
**To:** [nhaynes@boatsurveyor.com](mailto:nhaynes@boatsurveyor.com)  
**Cc:** [bscott@pslawpc.com](mailto:bscott@pslawpc.com)  
**Subject:** Re: BZA-02-23-00653 Virginia Haynes

Josh and I are in the field today. Will call you late afternoon or tomorrow.

Thank you

Sent from my iPhone



On Apr 5, 2023, at 2:20 PM, [nhaynes@boatsurveyor.com](mailto:nhaynes@boatsurveyor.com) wrote:

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Hi Jennifer: I just left you a phone message and would really like to speak with you if possible.

We were at our variance hearing Monday night requesting variance and we were denied and I wanted to discuss next steps.

We will want to ask Board to reconsider their decision for the 400 sq ft structure and understand that this needs to be done in 5 days.

Please explain that process to us.

Once we submit our request for them to reconsider, how long will it take to get an answer from the board to see if we can change their minds.

If we have to destroy the 400' structure that we are going to ask them to reconsider in order to be free of this violation, do we need a permit to do that. Ten, fifteen years ago when it was put up, it was a carport. In 2019 we put on sides. Does it make a difference if it's a carport or a garage as far as Permitting and variances go? Is there a possibility we could take the sides off. Will it make a difference. Can we go back to the carport?

Will we have to destroy the entire building to be in compliance if the board continues to refuse our variance? The structure can't be moved.

As far as the other two sheds are concerned, we have a permit for the shed that's a few inches into the setback. I'm not sure why this was included in our variance request. (attached)BLDR-02-23-22860.

The shed size in the photo that they are siting us for is a couple of inches over 120 sq. feet. What do we do to come in compliance with this potting shed?

Thank you for your input.

Thank you for your help.

If we only have 5 days, that'll be up Friday (I think).

Regards,  
Virginia Haynes

Regards,

Ginny Haynes

[nhaynes@boatsurveyor.com](mailto:nhaynes@boatsurveyor.com)

843.559.2857

<greenhouse permit.pdf>

## Jennifer Werking

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**From:** nhaynes@boatsurveyor.com  
**Sent:** Friday, April 07, 2023 1:59 PM  
**To:** Jennifer Werking  
**Cc:** bscott@pslawpc.com  
**Subject:** RE: BZA-02-23-00653 Virginia Haynes

**CAUTION:** This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Jenny: Oh wow! Ya Ho! Thank you so much for your efforts in locating the permits for the two sheds and for taking the time to speak with me on the phone today. Your dedication to scouring your records on my behalf are outstanding and I thank you from the bottom of my heart.

This is positive news for our onward plea for a variance for our other structure.

Again, thank you and have a wonderful weekend.

Regards,  
Virginia (Ginny) Haynes

**From:** Jennifer Werking <JWerking@charlestoncounty.org>  
**Sent:** Friday, April 7, 2023 10:50 AM  
**To:** nhaynes@boatsurveyor.com  
**Cc:** bscott@pslawpc.com; Joshua D. Downey <JDowney@charlestoncounty.org>; Sally Brooks <SBrooks@charlestoncounty.org>; Genesis Clark <GClark3@charlestoncounty.org>  
**Subject:** RE: BZA-02-23-00653 Virginia Haynes

Mrs. Haynes,

Good news!

We found permits for both sheds, so the only structure that needs a variance is the garage.

Variance request to reduce the required 15' interior side setback by 13.6' to 1.4' for an existing detached accessory structure (20' x 20' garage) **was denied on April 3, 2023. Request from Virginia Haynes for the BZA to reconsider this case at the next available BZA public hearing.** Variances are not required for the 160 sq. ft. shed (permitted February 8, 2023) or the 192 sq. ft. shed (permitted July 25, 2001).

Have a great weekend.

Jenny J. Werking, AICP

**From:** nhaynes@boatsurveyor.com <nhaynes@boatsurveyor.com>  
**Sent:** Thursday, April 06, 2023 4:50 PM

# **Permits for 3321 Jesse Qualls Drive TMS # 256-00-00-063**

- 129361-Z (Zoning Permit): 12' x 16' shed for personal use only issued on July 25, 2001
- 129361-B (Building Permit): 12' x 16' shed issued on July 25, 2001
- 130671-Z (Zoning Permit): Construct SFR (single-family residence) issued on November 16, 2001
- 130671-B (Building Permit): Construct SFR issued on November 26, 2001
- 131130-Z (Zoning Permit): for temporary manufactured home issued on January 10, 2002
- 131130-H (Manufactured Home Installation Permit): issued on January 10, 2002
- 144092-Z (Zoning Permit): construct inground pool issued on March 14, 2005
- 144092-B (Building Permit): construct inground pool issued on March 14, 2005
- ZONE-02-23-15509 (Zoning Permit): Retro permit for 160 sq. ft. shed issued on February 8, 2023
- BLDR-02-23-22860 (Building Permit): Retro permit for 160 sq. ft. shed issued on February 8, 2023



4045 Bridge View Drive  
 North Charleston, SC 29405  
 Phone: (843) 202-7200  
 Fax: (843)202-7222

# Permit

Permit #: **129361-Z**  
 Permit Type: **Zoning Permit**  
 Work Class: **New**  
 Permit Status: **NONE**

Issue Date: **07/25/2001** Expires:

Project Address	Parcel Number	District
<b>2888 BOHICKET RD SC</b>	<b>2560000063</b> Flood Zone: X -	<b>&lt;NONE&gt;</b> Tax District #: 51

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
ZONE-11-08-491546		\$20.00	\$0.00	\$20.00

**Proposed Construction / Details**

CO;INSTALL PRE-FAB LEONARD STORAGE SHED (12X16); PERSONAL USE ONLY;NO PLANS NEEDED PER AR/BIS;	<b>Valuation:</b> <u>          \$3,000.00          </u> <b>Total Sq Ft:</b> <u>          0.00          </u>
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THIS WORK WILL BE DONE BY ME, THE OWNER, BY MEMBERS OF MY IMMEDIATE FAMILY OR BY A FULL TIME REGULAR EMPLOYEE NOT HIRED FOR THIS PARTICULAR JOB. WORK DONE BY OTHER THAN ABOVE IS A VIOLATION OF THE LAW AND WOULD VOID THIS PERMIT AND COULD RESULT IN PROSECUTION.

IT IS UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT THE APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE A PRIVILEGE TO VIOLATE THE ORDINANCES OF THE COUNTY OF CHARLESTON; AND THAT ANY ALTERATION OR CHANGE FROM THIS APPLICATION WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL SHALL CONSTITUTE SUFFICIENT GROUNDS FOR THE REVOCATION OF ANY PERMIT. THIS PERMIT IS EXPRESSLY CONDITIONED UPON THE ACCURACY OF THE INFORMATION SUBMITTED BY THE APPLICANT. PERMIT WORK WILL BE VOIDED IF WORK IS NOT STARTED WITHIN SIX (6) MONTHS OR IF WORK IS STOPPED FOR A PERIOD OF SIX (6) MONTHS.

DATE: 07/25/2001

\_\_\_\_\_  
 SIGNATURE OF OWNER. CONTRACTOR, AGENT

*Jael H. Evans*

\_\_\_\_\_  
 APPROVED BY: PLANNING OFFICIAL



4045 Bridge View Drive STE-A113  
 North Charleston, SC 29405  
 Phone: (843) 202-6930  
 Fax: (843)202-6936

# Permit

Permit #: **129361-B**  
 Permit Type: **Building (R)**  
 Work Class: **Other**  
 Permit Status: **NONE**

Issue Date: **07/25/2001**

Expires:

Project Address

Parcel Number

District

**2888 BOHICKET RD  
 SC**

**2560000063**

**<NONE>**

Flood Zone: **X -**

Tax District #: **51**

Applicant Information

Address

Phone

Cell

**Daly Sawyer**

**1126 LANGO AV  
 CHARLESTON, SC 29407**

**(706) 215-2177**

Contractor(s)

Address

Phone

Contractor Type

Invoice #

Paytype

Total Fees

Amount Paid

Amount Due

BLDR-11-08-403094

\$50.00

\$0.00

\$50.00

## REQUIRED INSPECTIONS

For Inspections call:

**(843) 202-6930**

Proposed Construction / Details

Building Final

CO;INSTALL PRE-FAB LEONARD STORAGE SHED (12X16);OK PER AR/BS

Valuation: \$3,000.00

Total Sq Ft: 192.00

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DATE: 07/25/2001

SIGNATURE OF OWNER. CONTRACTOR, AGENT

APPROVED BY: BUILDING OFFICIAL Hakim Bayyoud



**ACCREDITED**



4045 Bridge View Drive  
 North Charleston, SC 29405  
 Phone: (843) 202-7200  
 Fax: (843)202-7222

# Permit

Permit #: **130671-Z**  
 Permit Type: **Zoning Permit**  
 Work Class: **Bldg. - Single Family Reside**  
 Permit Status: **NONE**

Issue Date: **11/16/2001** Expires:

Project Address	Parcel Number	District
<b>3321 JESSE QUALLS DR JOHNS ISLAND, SC 29445-</b>	<b>2560000063</b>	<b>&lt;NONE&gt;</b>
	Flood Zone: <b>X -</b>	Tax District #: <b>51</b>

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
ZONE-11-08-492424		\$68.63	\$0.00	\$68.63

**Proposed Construction / Details**

CO;CONST. SFR;1ST FLR 1680;DECKS 690;      PKG UNDERNEATH 1680;	<b>Valuation:</b> <u>    \$69,000.00    </u> <b>Total Sq Ft:</b> <u>          0.00          </u>
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THIS WORK WILL BE DONE BY ME, THE OWNER, BY MEMBERS OF MY IMMEDIATE FAMILY OR BY A FULL TIME REGULAR EMPLOYEE NOT HIRED FOR THIS PARTICULAR JOB. WORK DONE BY OTHER THAN ABOVE IS A VIOLATION OF THE LAW AND WOULD VOID THIS PERMIT AND COULD RESULT IN PROSECUTION.

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DATE: 11/16/2001

\_\_\_\_\_  
 SIGNATURE OF OWNER. CONTRACTOR, AGENT

*Jael H. Evans*

\_\_\_\_\_  
 APPROVED BY: PLANNING OFFICIAL



4045 Bridge View Drive STE-A113  
 North Charleston, SC 29405  
 Phone: (843) 202-6930  
 Fax: (843)202-6936

# Permit

Permit #: **130671-B**  
 Permit Type: **Building (R)**  
 Work Class: **Single Family Home**  
 Permit Status: **NONE**

Issue Date: **11/26/2001**

Expires:

Project Address	Parcel Number	District
<b>2888 BOHICKET RD SC</b>	<b>2560000063</b> Flood Zone: X -	<b>&lt;NONE&gt;</b> Tax District #: 51

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
BLDR-11-08-403618		\$326.50	\$0.00	\$326.50

### REQUIRED INSPECTIONS

For Inspections call:  
**(843) 202-6930**

### Proposed Construction / Details

COUNTY-CONST. SFR, DECK, PKG. UNDERNEATH

Building Final	
Footing Valuation:	\$155,550.00
Foundation Framing Total Sq Ft:	2,370.00
Grouting	
Insulation	
Pile	
Sheathing / Strapping	
Slab	

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DATE: 11/26/2001

SIGNATURE OF OWNER. CONTRACTOR, AGENT

APPROVED BY: BUILDING OFFICIAL Hakim Bayyoud



**ACCREDITED**





4045 Bridge View Drive  
 North Charleston, SC 29405  
 Phone: (843) 202-7200  
 Fax: (843)202-7222

# Permit

Permit #: **131130-Z**  
 Permit Type: **Zoning Permit**  
 Work Class: **New**  
 Permit Status: **NONE**

Issue Date: **01/10/2002**

Expires:

Project Address	Parcel Number	District
<b>2888 BOHICKET RD SC</b>	<b>2560000063</b> Flood Zone: X -	<b>&lt;NONE&gt;</b> Tax District #: 51

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
ZONE-11-08-492714		\$20.00	\$0.00	\$20.00

**Proposed Construction / Details**

CO/TEMP. MFG HOME ON LOT WHILE SFR IS BUILT TO BE REMOVED 30 DAYS AFTER COREF:Z-130671	<b>Valuation:</b> <u>\$1.00</u>
	<b>Total Sq Ft:</b> <u>0.00</u>

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DATE: 01/10/2002

SIGNATURE OF OWNER. CONTRACTOR, AGENT

*Jael H. Evans*

APPROVED BY: PLANNING OFFICIAL



4045 Bridge View Drive STE-A113  
 North Charleston, SC 29405  
 Phone: (843) 202-6930  
 Fax: (843)202-6936

# Permit

Permit #: **131130-H**  
 Permit Type: **Manufactured Home**  
 Work Class: **Installation**  
 Permit Status: **NONE**

Issue Date: **01/10/2002**

Expires:

Project Address	Parcel Number	District
<b>2888 BOHICKET RD SC</b>	<b>2560000063</b> Flood Zone: X -	<b>&lt;NONE&gt;</b> Tax District #: 51

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
MH-11-08-444416		\$70.00	\$0.00	\$70.00

**REQUIRED INSPECTIONS**  
 For Inspections call:  
**(843) 202-6930**

**Proposed Construction / Details**

CO/TEMP. MFG HOME ON LOT WHILE SFR IS BUILT. 30 DAYS (CO)

<b>Electrical Final</b>	
<b>MH Final</b>	<b>Valuation: \$0.00</b>
<b>Total Sq Ft:</b>	<b>960.00</b>

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DATE: 01/10/2002

SIGNATURE OF OWNER, CONTRACTOR, AGENT

APPROVED BY: BUILDING OFFICIAL Hakim Bayoud



**ACCREDITED**



4045 Bridge View Drive  
 North Charleston, SC 29405  
 Phone: (843) 202-7200  
 Fax: (843)202-7222

# Permit

Permit #: **144092-Z**  
 Permit Type: **Zoning Permit**  
 Work Class: **New**  
 Permit Status: **NONE**

Issue Date: **03/14/2005**

Expires:

Project Address	Parcel Number	District
<b>2888 BOHICKET RD SC</b>	<b>2560000063</b> Flood Zone: X -	<b>&lt;NONE&gt;</b> Tax District #: 51

Applicant Information	Address	Phone	Cell
<b>Daly Sawyer</b>	<b>1126 LANGO AV CHARLESTON, SC 29407</b>	<b>(706) 215-2177</b>	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
ZONE-11-08-501810		\$20.00	\$0.00	\$20.00

**Proposed Construction / Details**

<b>CO/CONST INGROUND POOL</b>	<b>Valuation:</b>	<b>\$22,684.70</b>
	<b>Total Sq Ft:</b>	<b>0.00</b>

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DATE: 03/14/2005

SIGNATURE OF OWNER, CONTRACTOR, AGENT

*Jael H. Evans*

APPROVED BY: PLANNING OFFICIAL



4045 Bridge View Drive STE-A113  
 North Charleston, SC 29405  
 Phone: (843) 202-6930  
 Fax: (843)202-6936

# Permit

Permit #: **144092-B**  
 Permit Type: **Building (R)**  
 Work Class: **Single Family Home**  
 Permit Status: **NONE**

Issue Date: **03/14/2005**

Expires:

Project Address	Parcel Number	District
2888 BOHICKET RD SC	2560000063 Flood Zone: X -	<NONE> Tax District #: 51

Applicant Information	Address	Phone	Cell
Daly Sawyer	1126 LANGO AV CHARLESTON, SC 29407	(706) 215-2177	

Contractor(s)	Address	Phone	Contractor Type

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
BLDR-11-08-409311		\$182.00	\$0.00	\$182.00

### REQUIRED INSPECTIONS

For Inspections call:  
**(843) 202-6930**

### Proposed Construction / Details

CO/CONST INGROUND POOL

Building Final	
Footings	Valuation: \$22,684.70
Framing	
Grouting	Total Sq Ft: 0.00
Insulation	
Pile	
Sheathing / Strapping	
Slab	

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DATE: 03/14/2005

SIGNATURE OF OWNER, CONTRACTOR, AGENT

APPROVED BY: BUILDING OFFICIAL Hakim Bayyoud



ACCREDITED



4045 Bridge View Drive  
 North Charleston, SC 29405  
 Phone: (843) 202-7200  
 Fax: (843)202-7222

# Permit

Permit #. **ZONE-02-23-15509**

Permit Type: **Zoning Permit**  
 Work Class: **Bldg. - Single Family Reside**  
 Permit Status: **ACTIVE**

Issue Date: **02/08/2023**

Expires:

**Project Address**

**Parcel Number**

**District**

**3321 JESSE QUALLS DR  
 JOHNS ISLAND, SC 29455**

**2560000063**  
 Flood Zone: X -

**St. Johns Fire District**  
 Tax District #: T.D. 5-1

**Applicant Information**

**Address**

**Phone**

**Cell**

**VIRGINIA HAYNES**

**3321 JESSE QUALLS DR  
 JOHNS ISLAND, SC 29455**

**(843) 559-2857**

**Contractor(s)**

**Address**

**Phone**

**Contractor Type**

Invoice #	Paytype	Total Fees	Amount Paid	Amount Due
01160197	Check	\$25.00	\$25.00	\$0.00

**Proposed Construction / Details**

ZONING APPROVAL TO CONSTRUCT RETRO PERMIT - SHED 160 SQ FT ON LOT WITH EXISTING SINGLE FAMILY RESIDENCE NO DWELLING BUILDING PERMIT REQUIRED

Valuation: \$0.00

Total Sq Ft: 0.00

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DATE: 02/08/2023

SIGNATURE OF OWNER, CONTRACTOR, AGENT

*Jael H. Evans*

APPROVED BY: PLANNING OFFICIAL



4045 Bridge View Drive STE-A113  
 North Charleston, SC 29405  
 Phone: (843) 202-6930  
 Fax: (843)202-6936

# Permit

Permit #. **BLDR-02-23-22860**

Permit Type: **Building (R)**  
 Work Class: **Utility Building**

Permit Status: **Finald - CO/COC Complet**

Issue Date: **02/08/2023**

Expires:

Project Address

Parcel Number

District

**3321 JESSE QUALLS DR  
 JOHNS ISLAND, SC 29455**

**2560000063**

**St. Johns Fire District**

Flood Zone: **X -**

Tax District #: **T.D. 5-1**

Applicant Information

Address

Phone

Cell

**VIRGINIA HAYNES**

**3321 JESSE QUALLS DR  
 JOHNS ISLAND, SC 29455**

**(843) 559-2857**

Contractor(s)

Address

Phone

Contractor Type

**VIRGINIA HAYNES**

**3321 JESSE QUALLS DR  
 JOHNS ISLAND, SC 29455**

**8435592857**

**Contractor**

Invoice #

Paytype

Total Fees

Amount Paid

Amount Due

01160200

Check

\$58.00

\$58.00

\$58.00

\$0.00

## REQUIRED INSPECTIONS

For Inspections call:

**(843) 202-6930**

### Proposed Construction / Details

RETRO PERMIT FOR 160SQ FT SHED

Brick-tie

Building Final Valuation: **\$4,000.00**

Flooring System/Strapping

Follow-Up Inspection **0.00**

Footing

Framing

Grouting

Insulation

Pile

Sheathing / Strapping

Slab

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DATE: 02/08/2023

SIGNATURE OF OWNER. CONTRACTOR, AGENT

APPROVED BY: BUILDING OFFICIAL Hakim Bayyoud



**ACCREDITED**

Monday, April 17, 2023

# **Old Business**

## **Item # 1**

**Request to Reconsider Case # BZA-02-23-00653**

- **BZA's Final Decision and Order on Variance  
Application BZA-02-23-00653**

**Board of Zoning Appeals  
Final Decision and Order on Variance  
Application # BZA-02-23-00653 for property  
located at 3321 Jesse Qualls Drive  
(Johns Island, Charleston County)**



Findings of Fact

The Charleston County Board of Zoning Appeals ("BZA") makes the following findings of fact pursuant to S.C. Code Ann. §6-29-800 and the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)* Article 3.10, §3.10.6. Based on the evidence presented at the hearing to include the Planning Department staff review and pursuant to the *Charleston County ZLDR* §3.10.6, the Charleston County BZA finds that Virginia Haynes ("the Applicant" and "the Property Owner") filed an application for a Variance for the property identified as TMS # 256-00-00-063 and located at 3321 Jesse Qualls Drive on Johns Island in Charleston County, South Carolina. The Applicant requests a Variance for three (3) existing detached accessory structures: to reduce the required 15' interior side setback by 13.6' to 1.4' for a garage; to reduce the required 15' interior side setback by 14.1' to 0.9' for a shed; and to reduce the required 15' interior side setback by 7' to 8' for a shed. The Applicant filed this request on February 16, 2023, and the BZA heard the Applicant's request on April 3, 2023.

The BZA finds that there are no extraordinary or exceptional conditions pertaining to the particular piece of property. Therefore, the request does not meet this criterion.

The BZA also finds that these conditions generally apply to other property in the vicinity. The board is concerned about the precedent of not treating everybody equally. In addition, the purpose of setbacks is to promote space between properties. When the adjacent property owner chooses to build, they will be required to meet the setbacks, and therefore will affect the applicant's property that does not honor the same setbacks. Thus, the request does not meet this criterion.

The BZA also finds that the application of this *Ordinance, Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards* to 3321 Jesse Qualls Drive would not effectively prohibit or unreasonably restrict the utilization of the property. Therefore, the request does not meet this criterion.

The BZA also finds that the authorization of this variance will be of substantial detriment to adjacent property because the applicant's structures will be in closer proximity than the adjacent property owner's structures when the adjacent property owner chooses to build. Therefore, the request does not meet this criterion.

Conclusions of Law

The BZA is authorized pursuant to S.C. Code Ann. §6-29-800 and the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)* §3.10.5 to hear and approve, approve with conditions, or deny zoning variances. Based upon the findings of fact, the Board of Zoning Appeals concludes as a matter of law that the applicant's request for the zoning variance does not satisfy the following Approval Criteria in the *Charleston County (ZLDR)* §3.10.6:

Approval Criteria §3.10.6 (1): "There are extraordinary and exceptional conditions pertaining to the particular piece of property;"

Approval Criteria §3.10.6 (2): "These conditions do not generally apply to other property in the vicinity;"

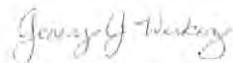
Approval Criteria §3.10.6 (3): "Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;" and

Approval Criteria §3.10.6 (4): "The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance."



**THEREFORE**, the Charleston County Board of Zoning Appeals denies the Variance request for three (3) existing detached accessory structures: to reduce the required 15' interior side setback by 13.6' to 1.4' for a garage; to reduce the required 15' interior side setback by 14.1' to 0.9' for a shed; and to reduce the required 15' interior side setback by 7' to 8' for a shed.

Any person with a substantial interest may appeal the Board of Zoning Appeals' decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.



---

Jenny J. Werking, AICP  
BZA Secretary

Date issued: April 3, 2023

Date mailed to parties in interest: April 7, 2022