



## **Case # BZA-12-22-00632**

### **Charleston County BZA Meeting of January 9, 2023**

**Applicant/Property Owner:** Brian Hoepker

**Representative:** Jodi Crosby of Crosby Creations Drafting & Design LLC

**Property Location:** 513 Kell Place – James Island

**TMS#:** 343-14-00-010

**Zoning District:** Low Density Residential (R-4) Zoning District

**Request:**

- Variance request to reduce the required 35' OCRM Critical Line setback by 24.9' to 10.1' and to reduce the required 15' OCRM Critical Line buffer by 4.9' to 10.1' at the closest point for a proposed rear porch and stairs; and
- Variance request to reduce the required 35' OCRM Critical Line setback by 20.3' to 14.7' and to reduce the required 15' OCRM Critical Line buffer by 0.3' to 14.7' at the closest point for a portion of the proposed residence.

**Requirement:**

The *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, Chapter 4 Base Zoning Districts, Article 4.12 R-4, Low Density Residential District, Sec. 4.12.3 Density/Intensity and Dimensional Standards requires a 35' Wetland, Waterway, and OCRM Critical Line Setback and a 15' Wetland, Waterway, and OCRM Critical Line Buffer.

*Article 4.24 Waterfront Development Standards, Sec. 4.24.7 Prohibited Activities* states, "The following activities are specifically prohibited in a buffer area: A. Removal excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping; B. Grassed lawns requiring regular maintenance such as herbicides; pesticides, fertilizers and frequent mowing; C. Gardens, fences, or structures, except for permitted crossings; D. Paved or other impervious surfaces; E. Destruction or addition of plant life that would alter the existing pattern of vegetation; and F. Driveways of any surface type."



Effective on: 9/10/2017, as amended

#### Sec. 4.11.4 Other Regulations

Development in the S-3 District shall comply with all other applicable regulations of this Ordinance, including the standards of CHAPTER 9, *Development Standards*.

### ARTICLE 4.12 R-4, LOW DENSITY RESIDENTIAL DISTRICT

#### Sec. 4.12.1 Purpose and intent

The R-4, Low Density Residential Zoning District implements the Urban/Suburban Mixed Use policies of the *Comprehensive Plan*.

#### Sec. 4.12.2 Use Regulations

Uses are allowed in the R-4 Zoning District in accordance with the Use Regulations of CHAPTER 6, *Use Regulations*.

#### Sec. 4.12.3 Density/Intensity and Dimensional Standards

All development in the R-4 District shall be subject to the following Density/Intensity and Dimensional Standards:

| Table 4.12.3, R-4 Density/Intensity and Dimensional Standards |   |                                  |
|---|---|----------------------------------|
|   | Non-Waterfront Development Standards  | Waterfront Development Standards |
| MAXIMUM DENSITY   | 4 Principal Dwelling Units per acre   |                                  |
| MINIMUM LOT AREA  | 5,000 square feet with public water and sewer<br>10,000 square feet with public water or sewer<br>14,500 without public water and sewer | 12,000 square feet               |
| MINIMUM LOT WIDTH   | 50 feet   | 90 feet                          |
| MINIMUM LOT WIDTH AVERAGE                                     | N/A   | 100 feet                         |
| MINIMUM SETBACKS  |   |                                  |
| Front/Street Side   | 20 feet   |                                  |
| Interior Side   | 5 feet  |                                  |
| Rear  | 10 feet   |                                  |
| WETLAND, WATERWAY, AND OCRM CRITICAL LINE SETBACK             | N/A   | 35 feet                          |
| WETLAND, WATERWAY, AND OCRM CRITICAL LINE BUFFER              | N/A   | 15 feet                          |
| MAXIMUM IMPERVIOUS SURFACE COVERAGE                           | 40% of Lot or as allowed by the current edition of the Charleston County Stormwater Manual  |                                  |
| MAXIMUM HEIGHT  | 35 feet   |                                  |

Effective on: 9/10/2017, as amended

#### Sec. 4.12.4 Other Regulations

Development in the R-4 District shall comply with all other applicable regulations of this Ordinance, including CHAPTER 9, *Development Standards*.

### ARTICLE 4.13 MHS, LOW-DENSITY MANUFACTURED HOUSING SUBDIVISION DISTRICT





Single-Family Detached Dwellings in the IN District shall be subject to Sec. 6.4.25, *Single-Family Detached Dwelling Units*, of this Ordinance.

## **ARTICLE 4.24 WATERFRONT DEVELOPMENT STANDARDS**

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### **Sec. 4.24.1 Minimum Lot Width (ft)**

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The minimum Lot Width (ft) is measured and maintained from the Front Lot Line through the entire parcel to the OCRM Critical Line. All Lots within a Subdivision must meet the minimum Lot Width average. (Exception: Flag Lots and Lots served by Cul-de-Sacs). Lots fronting on cul-de-sacs shall meet the minimum Lot Width at the required minimum Front Setback. Flag Lots are designed with a "flag pole" area with a minimum width of 20'. The flag pole area is not required to meet the minimum Lot Width nor does this area count towards the minimum Lot size or area. Flag lots must meet the minimum Lot Width at the end of the flag pole area/base of Lot. All Lots within a Subdivision must meet the required minimum Lot Width average for the applicable Zoning District.

Reductions from minimum Lot Width average requirements for Parcels which contain or abut an OCRM Critical Line may be permitted if the Zoning and Planning Director determines that one of the following criteria has been met:

- A. No more than three waterfront Lots are being created from the original Parcel and that a reduction of no more than 10 percent of Lot Width average is required for any resulting Lot; or
- B. Where two Lots of record (Lots existing prior to April 21, 1999) have been combined, the resulting Lot may be subdivided into the original configuration shown on the previously approved, recorded plat of record, even if the original Lots do not meet the minimum Lot Width requirement of this Section, provided that the Subdivision meets all other requirements of this Ordinance.

### **Sec. 4.24.2 Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line**

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In order to establish an Accessory Dwelling Unit on a parcel that contains or abuts an OCRM Critical Line the following standards shall apply:

- A. When an Accessory Dwelling Unit is to be located in front of the Principal Dwelling Unit (between the street and the front of Principal Dwelling Unit) the minimum Lot Area shall be 50% larger than the minimum Lot Area requirement for waterfront Lots of the base Zoning District.
- B. When the Accessory Dwelling Unit is to be located to the side or rear of the Principal Dwelling Unit (between the OCRM critical line and the Principal Dwelling Unit) the minimum Lot Width shall be two times the minimum Lot Width required for waterfront Lots in the applicable base Zoning District.
- C. The Accessory Dwelling Unit shall meet the minimum Setbacks of the Zoning District where it will be located, and:
  1. The distance between the Accessory Dwelling Unit and the Principal Dwelling Unit shall not be less than the sum of the minimum setbacks as required for the Zoning District.
- D. The Zoning Lot and Accessory Dwelling Unit shall comply with all other requirements of this Ordinance, including but not limited to the requirements of Sec. 6.5.9, *Accessory Dwelling Units*.

### **Sec. 4.24.3 Minimum Lot Standards for Dwelling Groups on Parcels Which Contain or Abut an OCRM Critical Line**

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The number of Dwelling Units shall not exceed the maximum number permitted by the Density/Intensity and Dimensional Standards of the base Zoning District. In addition, the Dwelling Groups shall comply with the requirements of Article 4.24, *Waterfront Development Standards*, of this Ordinance, and shall comply with the minimum Lot Area and Lot Width requirements of waterfront Lots in the applicable Zoning District.

### **Sec. 4.24.4 Reduction, Modifications, and Waivers of OCRM Critical Line Setbacks and Buffers**

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- A. The Zoning and Planning Director shall be authorized to reduce OCRM Critical Line Setbacks to a distance not less than the buffer depth, when deemed necessary by the Director to accommodate reasonable Development of the Parcel when it is determined by the Director that the Setback reduction will not have a significant adverse impact on public health or safety.
- B. The Zoning and Planning Director shall be authorized to modify the OCRM Critical Line Setbacks and buffers when DHEC-OCRM has granted approval to modify or alter OCRM jurisdictional wetlands within public or private Rights-of-Way and drainage easements.
- C. The Zoning and Planning Director shall be authorized to waive or modify the existing OCRM Critical Line Setback and Buffer requirements when there is an alteration that results in an overall expansion of the OCRM Critical Line into existing highland and freshwater wetland areas for the creation of a Mitigation Bank and the following conditions are met:
  - 1. DHEC-OCRM, U.S. Army Corps of Engineers and any other state or federal agency having jurisdiction has granted approval to alter the jurisdictional wetlands; and
  - 2. The OCRM Critical Line Setback and Buffer of the relocated OCRM Critical Line shall at minimum be that of the corresponding zoning district; and
  - 3. An OCRM Critical Line Buffer planting plan is submitted for review and approval by the Zoning and Planning Director and planted within one year of the completion of the alteration.

Effective on: 11/16/2022, as amended

#### **Sec. 4.24.5 Reduction of Buffers and Setbacks on Parcels Created Prior to April 21, 1999**

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When the application of buffer/Setback requirements contained within this Ordinance render a parcel that existed prior to April 21, 1999, unbuildable, the Zoning and Planning Director shall be authorized to reduce front, side, and rear yard buffers/Setbacks as necessary to make a Parcel buildable. The Zoning and Planning Director cannot reduce any front and/or rear yard buffer in an amount which would result in the placement of a Structure closer to either the front or rear property line than any Structure on an adjacent property. Any further reduction in any required buffer shall be made by appeal to the Board of Zoning Appeals.

#### **Sec. 4.24.6 Measurement**

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Required OCRM Critical Line buffers and setbacks shall be measured from the OCRM Critical Line, whether the Critical Line or wetland/waterway is located on, adjacent to, or near the subject Parcel.

#### **Sec. 4.24.7 Prohibited Activities**

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The following activities are specifically prohibited in a buffer area:

- A. Removal, excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping;
- B. Grassed lawns requiring regular maintenance such as herbicides, pesticides, fertilizers, and frequent mowing;
- C. Gardens, fences, or Structures, except for permitted crossings;
- D. Paved or other impervious surfaces;
- E. Destruction or addition of plant life that would alter the existing pattern of vegetation; and
- F. Driveways of any surface type.

### **ARTICLE 4.25 PD, PLANNED DEVELOPMENT ZONING DISTRICT**

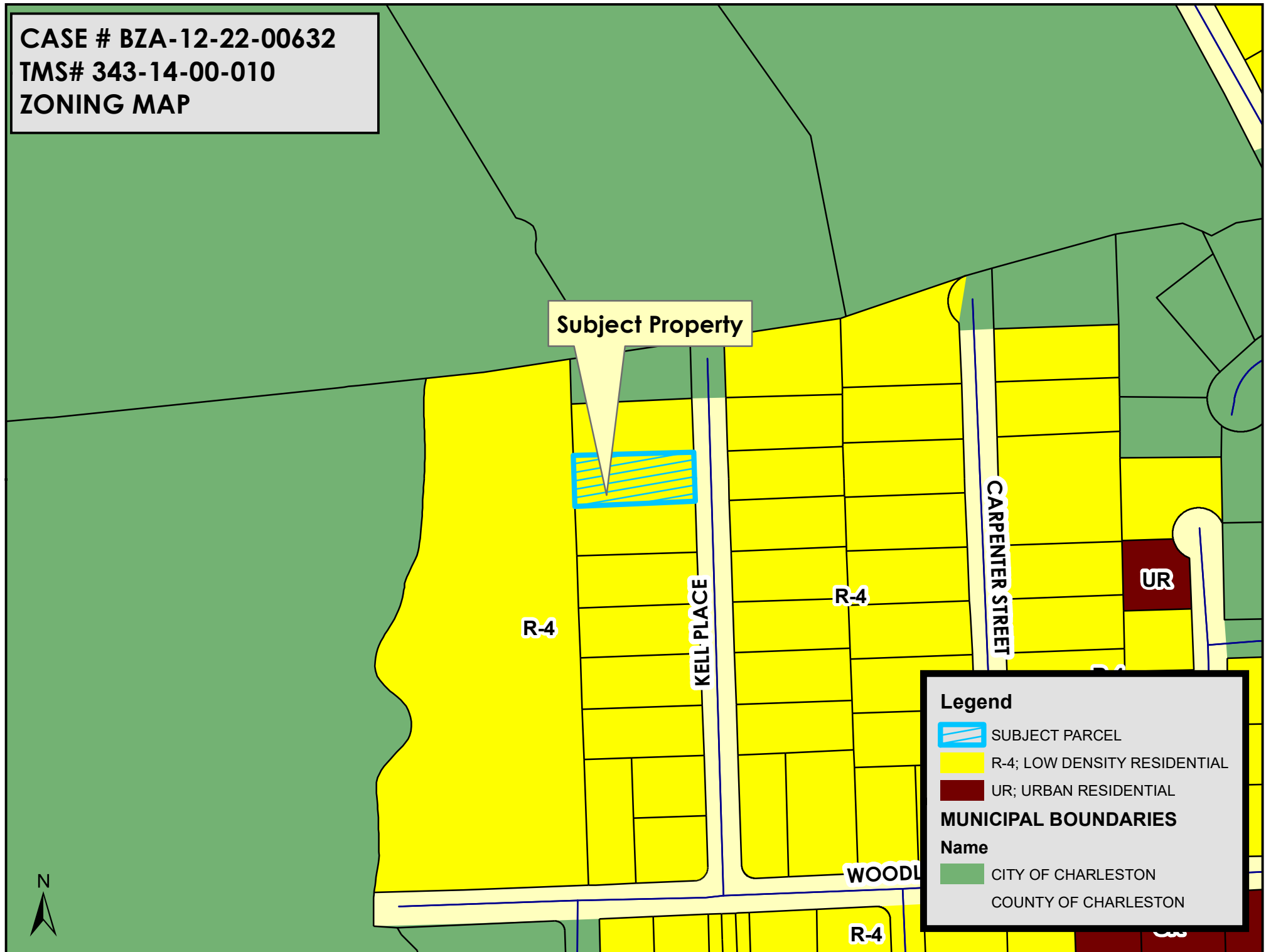
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#### **Sec. 4.25.1 Authority**

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CASE # BZA-12-22-00632  
TMS# 343-14-00-010  
ZONING MAP





CASE # BZA-12-22-00632  
TMS# 343-14-00-010  
AERIAL MAP

Subject Property

KELL PLACE

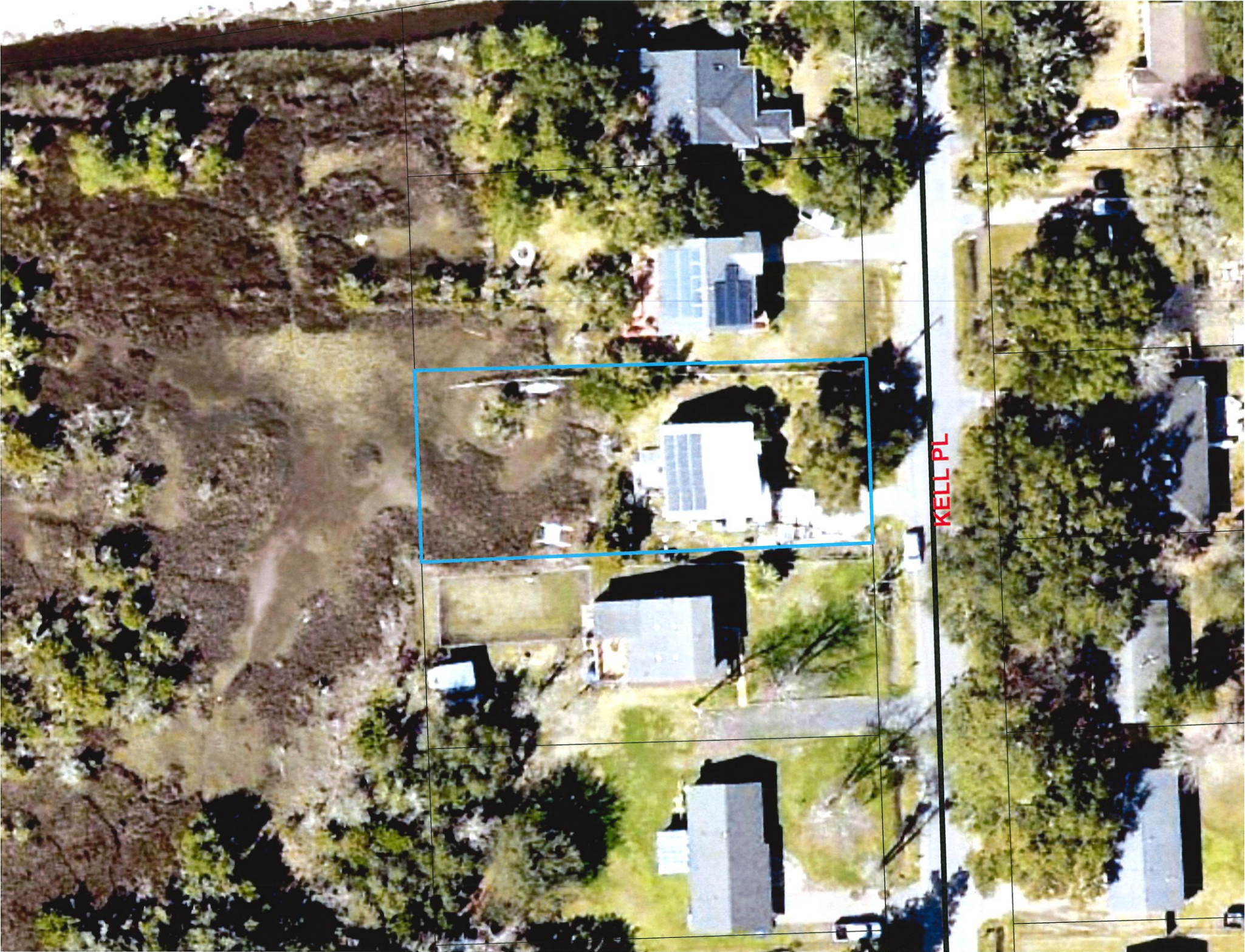
CARPENTER STREET

RISER ROAD

WOODLAND SHORES ROAD







KELL PL







**Case # BZA-12-22-00632**

**BZA Meeting of January 9, 2023**

**Subject Property: 513 Kell Place – James Island**

**Proposal: Variance request to reduce the required 35' OCRM Critical Line setback and to reduce the required 15' OCRM Critical Line buffer.**



# Subject Property





# Subject Property

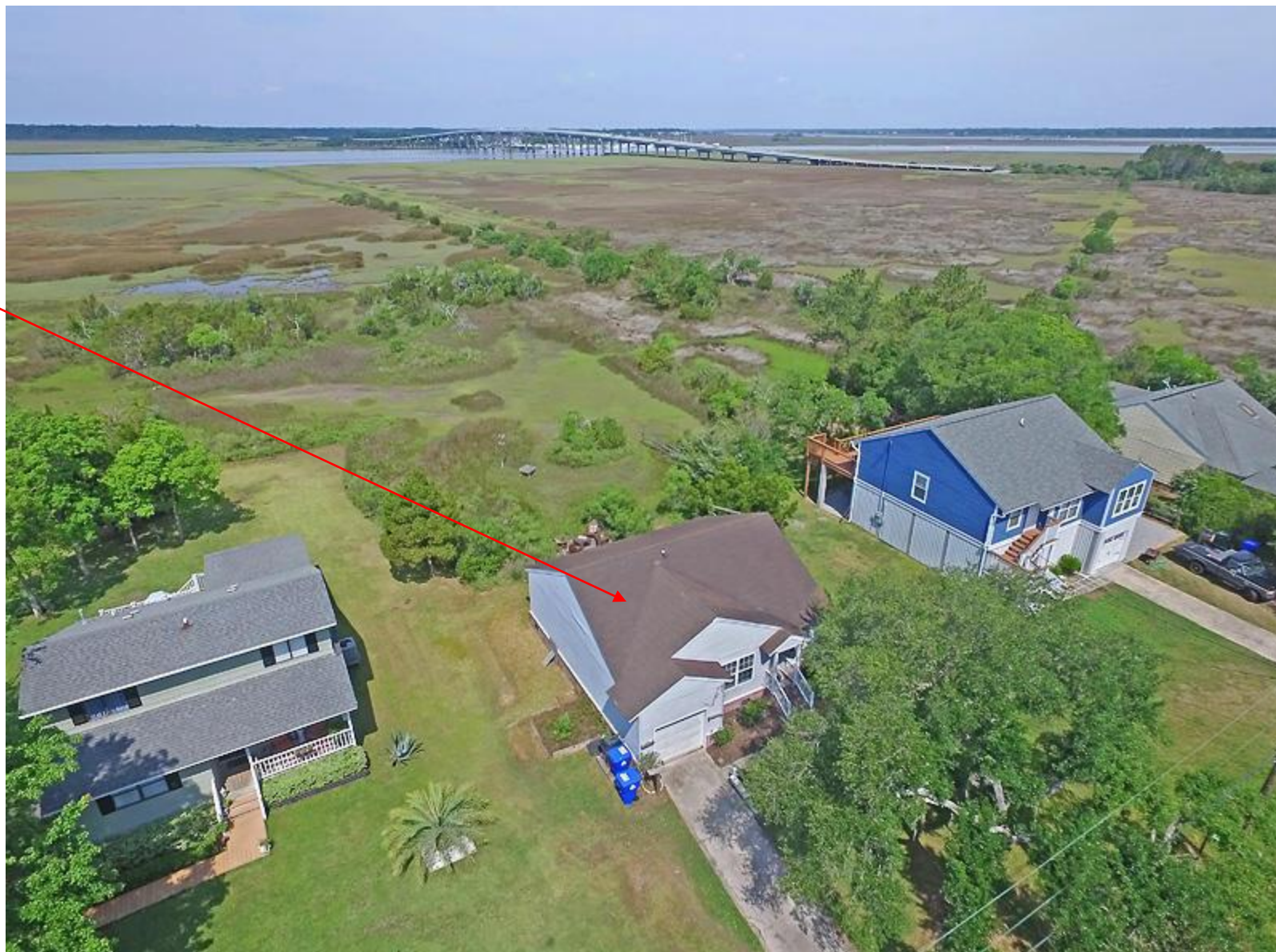


# Adjacent Properties





513 Kell Place





513 Kell Place











**Staff Review:**

The applicant and property owner, Brian Hoepker, represented by Jodi Crosby of Crosby Creations Drafting & Design LLC, is requesting a variance to reduce the required 35' OCRM (Office of Ocean and Coastal Resource Management) Critical Line setback and to reduce the required 15' OCRM Critical Line buffer at 513 Kell Place (TMS # 343-14-00-010) on James Island in Charleston County. The subject property adjacent properties are located in the Low Density Residential (R-4) Zoning District.

More specifically, the applicant is requesting a variance:

- to reduce the required 35' OCRM Critical Line setback by 24.9' to 10.1' and to reduce the required 15' OCRM Critical Line buffer by 4.9' to 10.1' at the closest point for a proposed rear porch and stairs; and
- to reduce the required 35' OCRM Critical Line setback by 20.3' to 14.7' and to reduce the required 15' OCRM Critical Line buffer by 0.3' to 14.7' at the closest point for a portion of the proposed residence.

The subject property contains 0.30 acres of highland and 0.18 acres of marsh. There is a 1,050 sq. ft. one story single-family residence on the property that was constructed in 1983 per Charleston County records. The applicant's letter of intent explains the request, "We are proposing a reduction in the OCRM setback. The OCRM setback for this lot is 35'. The existing home on the lot is currently within 11' of the OCRM. We are requesting the permission to rebuild within the current home's footprint. The new house will not be any closer to the OCRM than what the existing home is." The existing home will be demolished. The proposed residence/rear deck footprint will be slightly modified from existing footprint as depicted on the proposed site plan and 1<sup>st</sup> floor plan. The proposed home will be 1,597 sq. ft. (1<sup>st</sup> floor 1,364 sq. ft and 2<sup>nd</sup> floor 233 sq. ft.)

**Applicable ZLDR requirement:**

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 4 Base Zoning Districts, Article 4.12 R-4, Low Density Residential District, Sec. 4.12.3 Density/Intensity and Dimensional Standards requires a 35' Wetland, Waterway, and OCRM Critical Line Setback and a 15' Wetland, Waterway, and OCRM Critical Line Buffer.

Article 4.24 Waterfront Development Standards, Sec. 4.24.7 Prohibited Activities states, "The following activities are specifically prohibited in a buffer area: A. Removal excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping; B. Grassed lawns requiring regular maintenance such as herbicides; pesticides, fertilizers and frequent mowing; C. Gardens, fences, or structures, except for permitted crossings; D. Paved or other impervious surfaces; E. Destruction or addition of plant life that would alter the existing pattern of vegetation; and F. Driveways of any surface type."



Staff conducted a site visit on the subject property on December 7, 2022. Please review the attachments for further information regarding this request.

**Planning Director Review and Report regarding Approval Criteria of §3.10.6:**

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

**Response:** **There are extraordinary and exceptional conditions pertaining to the subject property. The applicant's letter of intent states, "*the marsh recesses behind this lot more than any of the neighboring lots.*" Therefore, the request meets this criterion.**

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

**Response:** **These conditions are unique to the subject property and do not generally apply to other properties in the vicinity. The applicant's letter of intent states, "*The conditions are unique to the subject property because of how much the marsh is recessed into the lot.*" Therefore, the request meets this criterion.**

§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;*

**Response:** **The application of this Ordinance, Article 4.12 R-4, Low Density Residential District, Sec. 4.12.3 Density/Intensity and Dimensional Standards and Article 4.24 Waterfront Development Standards, Sec. 4.24.7 Prohibited Activities may unreasonably restrict the utilization of the property. The applicant's letter of intent states, "*it would prohibit a house being built in similar fashion of the existing house and neighboring houses in order to keep the same streetscape and stay in keeping with the character of the street.*" Therefore, the request may meet this criterion.**

§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;*

**Response:** **Authorization of this request may not be of substantial detriment to adjacent properties or to the public good. Therefore, the character of the R-4 Zoning District may not be harmed by the granting of this variance. The applicant's letter of intent states, "*the application is requesting to build a house with a similar footprint as the existing house.*" In addition, the adjacent property owner of 509 Kell Place, north of the subject property, submitted a letter of support. Therefore, the request may meet this criterion.**

§3.10.6(5): *The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to*



*change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

**Response:** **The variance does not allow a use that is not permitted in this zoning district, nor does it extend physically a nonconforming use of land or change the zoning district boundaries. Therefore, the request meets this criterion.**

§3.10.6(6): *The need for the variance is not the result of the applicant's own actions;*

**Response:** **The need for the variance may not be the result of the applicant's own actions. The applicant's letter of intent states, "the existing house is not flood compliant and the owners desire to build a flood compliant home, flood zones and their requirements are not caused by the owner." Therefore, the request may meet this criterion.**

§3.10.6(7): *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance;*

**Response:** **The R-4 Zoning District implements the Urban/Suburban Area, policies of the Comprehensive Plan: LU1. states: "Protect and enhance the environmental quality of natural resources and continue to require restrictive development standards along the OCRM Critical Line to protect water quality, wildlife habitat, and scenic vistas." The applicant should use stormwater mitigation measures, such as the use of rain barrels or rain gardens, to reduce the flow of stormwater into the marsh. Therefore, if the applicant uses mitigation measures granting of the variance may not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance. Thus, the request meets this criterion.**

#### **Board of Zoning Appeals' Action:**

According to Article 3.10 Zoning Variances, Section §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), (adopted July 18, 2006), The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application of the provisions of this Ordinance would result in unnecessary hardship (§3.10.6A). A Zoning Variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing their findings (§3.10.6B Approval Criteria).

In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure 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 (§3.10.6C).

The Board of Zoning Appeals may approve, approve with conditions or deny Case # BZA-12-22-00632 [Variance request to reduce the required 35' OCRM Critical Line setback

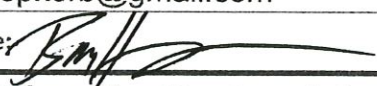



and to reduce the required 15' OCRM Critical Line buffer at 513 Kell Place (TMS # 343-14-00-010) on James Island in Charleston County] based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision. In the event the Board decides to approve the application, the Board should consider the following conditions recommended by Staff:

- 1. Prior to commencing construction, silt fencing shall be installed along the Critical Line. The silt fencing shall be maintained for the duration of the construction.**
- 2. The applicant shall use stormwater mitigation measures, such as the use of rain barrels or rain gardens, to reduce the flow of stormwater into the marsh.**
- 3. The encroachment areas shall be limited to the footprint areas shown on the submitted site plan.**



**ZONING VARIANCE APPLICATION**  
**Charleston County Board of Zoning Appeals (BZA)**

|  |                         |   |                          |
|--|-------------------------|---|--------------------------|
| <b>Property Information</b>  |                         |   |                          |
| Subject Property Address: 513 Kell Place Charleston SC 29412   |                         |   |                          |
| Tax Map Number(s): 3431400010  |                         |   |                          |
| Current Use of Property: Single family home  |                         |   |                          |
| Proposed Use of Property: Single family home   |                         |   |                          |
| Zoning Variance Description: OCRM setback.   |                         |   |                          |
| <b>Applicant Information (Required)</b>  |                         |   |                          |
| Applicant Name (please print): Brian Hoepker   |                         |   |                          |
| Name of Company (if applicable):   |                         |   |                          |
| Mailing Address: 513 Kell Place  |                         |   |                          |
| City: Charleston   | State: SC               |   | Zip Code: 29412          |
| Email Address: Hoepkerb@gmail.com  |                         | Phone #: 843-377-5586   |                          |
| Applicant Signature:                            |                         |   | Date: 11/18/22           |
| <b>Representative Information</b> (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)                      |                         |   |                          |
| Print Representative Name and Name of Company: Jodi Crosby, Crosby Creations Drafting & Design LLC                               |                         |   |                          |
| Mailing Address: 4770 Hwy 165 Suite D  |                         |   |                          |
| City: Meggett  | State: SC               |   | Zip Code: 29449          |
| Email Address: jcrosby@crosby-creations.com  |                         | Phone #: 843-514-7354   |                          |
| <b>Designation of Agent</b> (Complete only if the Applicant listed above is not the Property Owner.)                             |                         |   |                          |
| I hereby appoint the person named as Applicant and/or Representative as my (our) agent to represent me (us) in this application. |                         |   |                          |
| Property Owner(s) Name(s) (please print):  |                         |   |                          |
| Name of Company (if applicable, LLC etc.):   |                         |   |                          |
| Property Owner(s) Mailing Address:   |                         |   |                          |
| City:  | State:                  | Zip Code:   | Phone #:                 |
| Property Owner(s) Email Address:   |                         |   |                          |
| Property Owner(s) Signature:   |                         |   | Date:                    |
| <b>FOR OFFICE USE ONLY:</b>  |                         |   |                          |
| Zoning District: R-4   | Flood Zone: AE-10(657K) | Date Filed: 12/2/2022   | Fee Paid: \$250<br>check |
| Application #: BZA-12-22-00632   | TMS #: 343-14-00-010    | Staff Initials:  |                          |



### **Description of Request**

*Please describe your proposal in detail. You may attach a separate sheet if necessary. Additionally, you may provide any supporting materials that are applicable to your request (photographs, letter of support, etc.)*

We are proposing a reduction in the OCRM setback. The OCRM setback for this lot is 35'. The existing home on the lot is currently within 11' of the OCRM. We are requesting the permission to rebuild within the current home's footprint. The new house will not be any closer to the OCRM than what the existing home is.

### **Applicant's response to Article 3.10 Zoning Variances, §3.10.6 Approval Criteria**

**Zoning Variances may be approved only if the Board of Zoning Appeals finds that the proposed use meets all 7 of the approval criteria. In evaluating your request, the members of the board will review the answers below as a part of the case record. You may attach a separate sheet if necessary.**

1. Are there extraordinary and exceptional conditions pertaining to the subject property? Explain:

Yes, the marsh recesses behind this lot more than any of the neighboring lots, therefore the request meets this criterion.

2. Do these conditions generally apply to other property in the vicinity or are they unique to the subject property? Explain:

The conditions are unique to the subject property because of how much the marsh is recessed into the lot, therefore the request meets this criterion.

3. Because of these extraordinary and exceptional conditions, would the application of this Ordinance to the subject property effectively prohibit or unreasonably restrict the utilization of the property? Explain:

Yes it would prohibit a house being built in similar fashion of the existing house and neighboring houses in order to keep the same streetscape and stay in keeping with the character of the street. Therefore, the request meets this criterion.



4. Will the authorization of a variance be a substantial detriment to adjacent property or to the public good? Will the character of the zoning district be harmed if this variance is granted? Explain:

No, the application is requesting to build a house with a similar footprint as the existing house. Therefore, the request meets this criterion.

5. The BZA shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a Nonconforming Use of land, or to change the zoning district boundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably if a Zoning Variance is granted shall not be considered grounds for granting a Zoning Variance. Does the variance request meet this criterion?

Granting of the variance will not allow a use that is not permitted in this zoning district, nor does it extend physically a nonconforming use of land or change the zoning district boundaries. Therefore, the request meets this criterion.

6. Is the need for the variance the result of your own actions? Explain:

No, the existing house is not flood compliant and the owners desire to build a flood compliant home, flood zones and there requirements are not caused by the owner. Therefore, the request meets this criterion.

7. Does the variance substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance? Explain

Granting of the variance does not substantially conflict with the Comprehensive Plan and the purposes of the zoning ordinance. The subject property and surrounding properties are intended for residential use. Therefore, the request meets this criterion.

In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure 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.



To: Charleston County BZA  
4045 Bridge View Dr.  
North Charleston, SC 29405

Dear Board of Zoning Appeals,

November 15, 2022

This letter is to express my support of the variance requested by Brian Hoepker & Tess Moody, property owners at 513 Kell Place, Charleston. I am aware that the variance is a request asking for relief of rear OCRM critical line setback, I am also aware that the house will not be set back any further than the existing house that is to be demolished.

Name: Jeff Dion

Phone number: 919-417-1423

Email address: DEFFJION@YAHOO.COM

Address: 509 KELL PLACE

My house is located to the Right of 513 Kell Place.

Sincerely,

*Jeff Dion*



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

I CERTIFY THAT THE PROPERTY SHOWN HEREON IS IN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO FEMA AND HUD FLOOD HAZARD BOUNDARY MAPS.

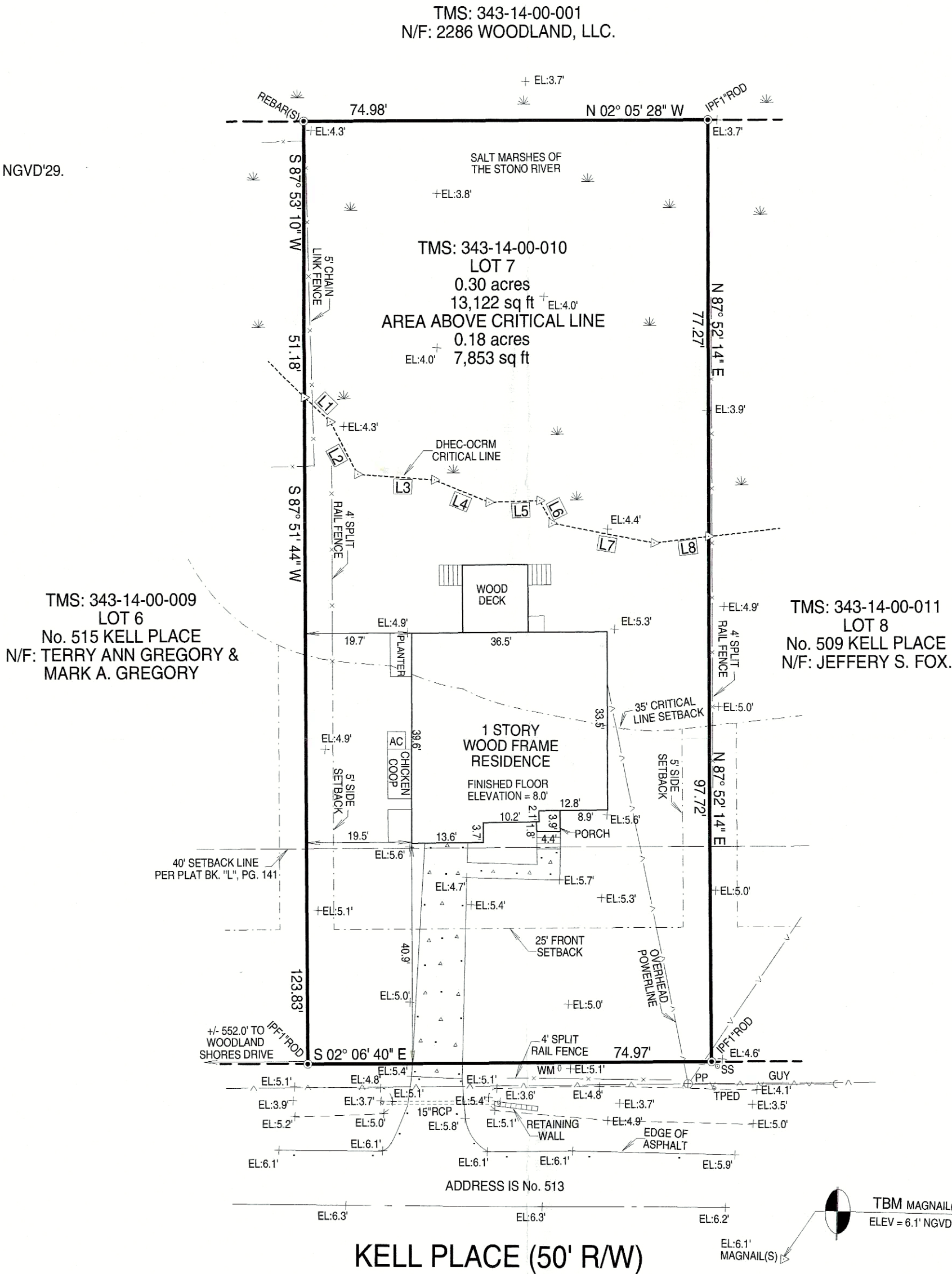
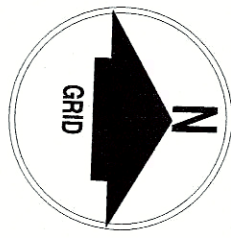
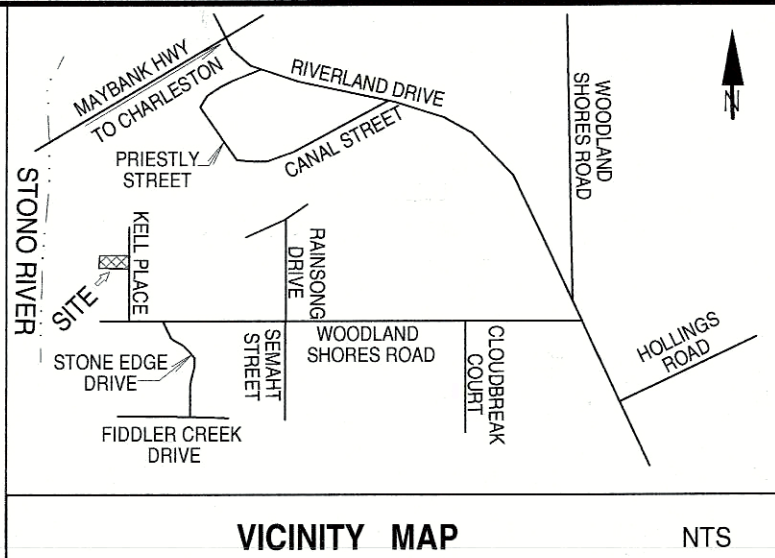
NOTES:

- PROPERTY APPEARS IN FLOOD ZONE AE, EL. 12' ON FIRM COMMUNITY-PANEL NUMBER 450190660J. MAP REVISED NOVEMBER 17, 2004.
- THE BEARINGS SHOWN ARE GRID.
- ANYTHING SHOWN OUTSIDE OF THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSES ONLY.
- THIS SURVEY IS BASED ON THE REFERENCE SHOWN AND DOES NOT CONSTITUTE A TITLE SEARCH.

LEGEND:

- |                |  |
|----------------|--|
| 1. ○ IPF1" ROD | - 1" ROD FOUND, OLD.                   |
| 2. ● REBAR(S)  | - 5/8" REBAR FOUND, OLD.               |
| 3. △           | - CRITICAL LINE TABLE.                 |
| 4. ⊙ PP        | - POWER POLE.                          |
| 5. GUY         | - GUY WIRE.                            |
| 6. WM          | - WATER METER.                         |
| 7. SS          | - SANITARY SEWER SERVICE.              |
| 8. TPED        | - TELEPHONE PEDESTAL.                  |
| 9. EL:5.0'     | - SPOT ELEVATION 5.0' M.S.L., NGVD'29. |

| CRITICAL LINE TABLE |                 |          |
|---------------------|-----------------|----------|
| Id                  | Bearing         | Distance |
| L1                  | N 41° 29' 42" E | 6.56'    |
| L2                  | N 60° 37' 57" E | 11.03'   |
| L3                  | N 02° 16' 52" E | 14.33'   |
| L4                  | N 20° 16' 27" E | 11.00'   |
| L5                  | N 03° 44' 42" W | 9.49'    |
| L6                  | N 59° 41' 06" E | 4.73'    |
| L7                  | N 09° 07' 42" E | 19.34'   |
| L8                  | N 08° 43' 59" W | 10.13'   |



PLAT

OF LOT 7, BLOCK B, GENERAL LEE ESTATES.  
JAMES ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA.  
PRESENTLY OWNED BY BRIAN HOEPKER.

THE AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF D.H.E.C.-O.C.R.M. PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY GENERALLY DELINEATING THE PERMIT AUTHORITY OF THE D.H.E.C.-O.C.R.M., THE O.C.R.M. IN NO WAY WAIVES THE RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY WHETHER SHOWN HEREON OR NOT.

*South Reed* 10/30/2018  
SIGNATURE DATE

THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.



SCALE: 1" = 20'

DATE: OCTOBER 5, 2018  
REV: OCTOBER 26, 2018

REF: PLAT BK. "L", PG. 141

TMS: 343-14-00-010

ALEXANDER C. PEABODY, PLS  
PEABODY & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYING  
P.O. BOX 22646, CHARLESTON, SC 29413  
OFFICE 843-723-5225 MOBILE 843-270-4847



CHARLESTON COUNTY  
SOUTH CAROLINA

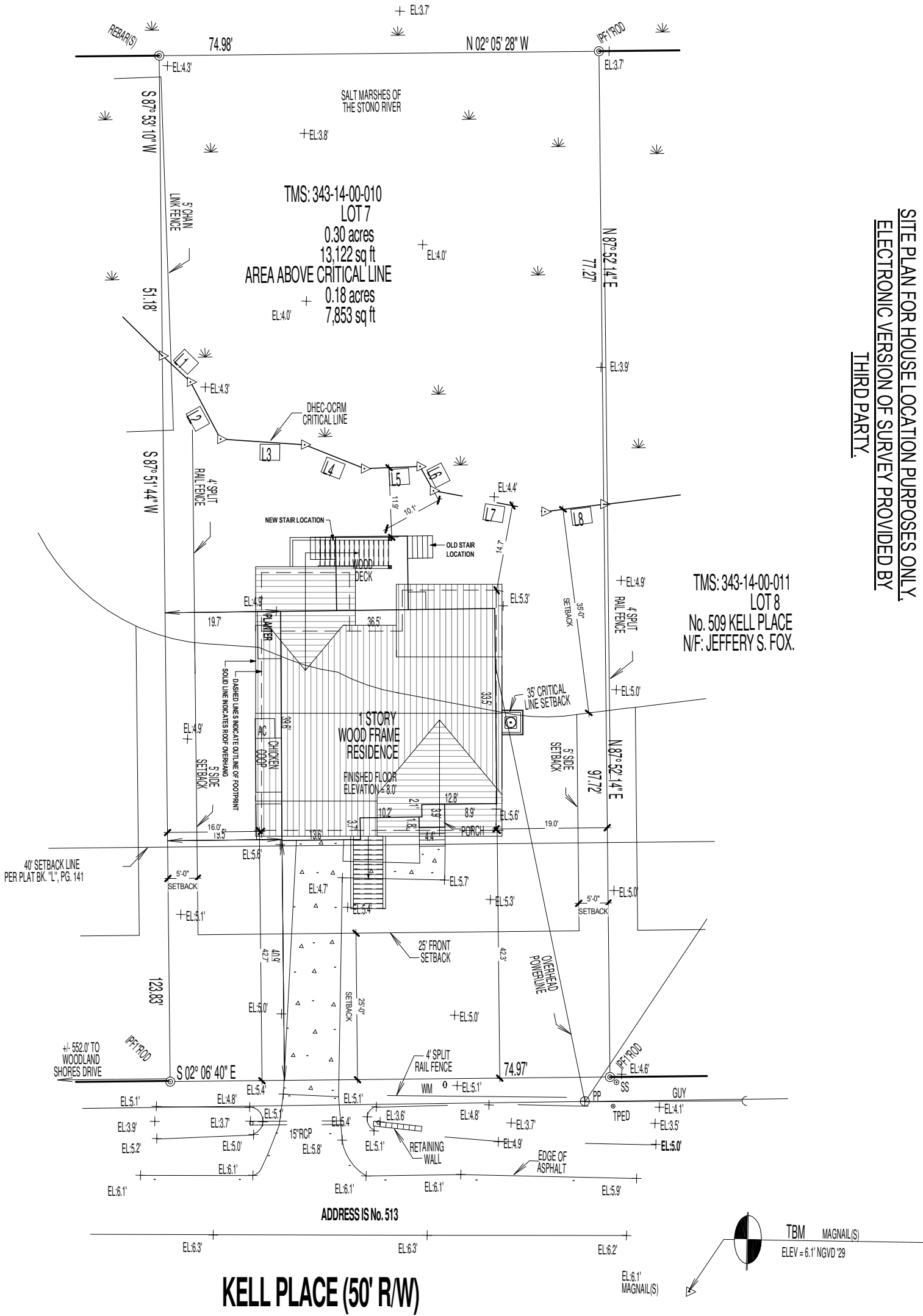


TMS: 343-14-00-001  
N/F: 2286 WOODLAND, LLC.

SITE PLAN FOR HOUSE LOCATION PURPOSES ONLY.  
ELECTRONIC VERSION OF SURVEY PROVIDED BY  
THIRD PARTY.

TMS: 343-14-00-009  
LOT 6  
No. 515 KELL PLACE  
N/F: TERRY ANN GREGORY &  
MARK A. GREGORY

TMS: 343-14-00-011  
LOT 8  
No. 509 KELL PLACE  
N/F: JEFFERY S. FOX.



1 Site  
1" = 20'-0"  
WHEN PRINTED ON 11x17

NOT FOR CONSTRUCTION

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Designed By:

**Crosby Creations**  
Drafting & Design Services, LLC

Jodi Crosby 843.514.7354  
4770 Hwy 165 Suite D Meggett, SC 29449  
www.crosby-creations.com jdcrosby@crosby-creations.com

Designed Exclusively for:

Hoepker

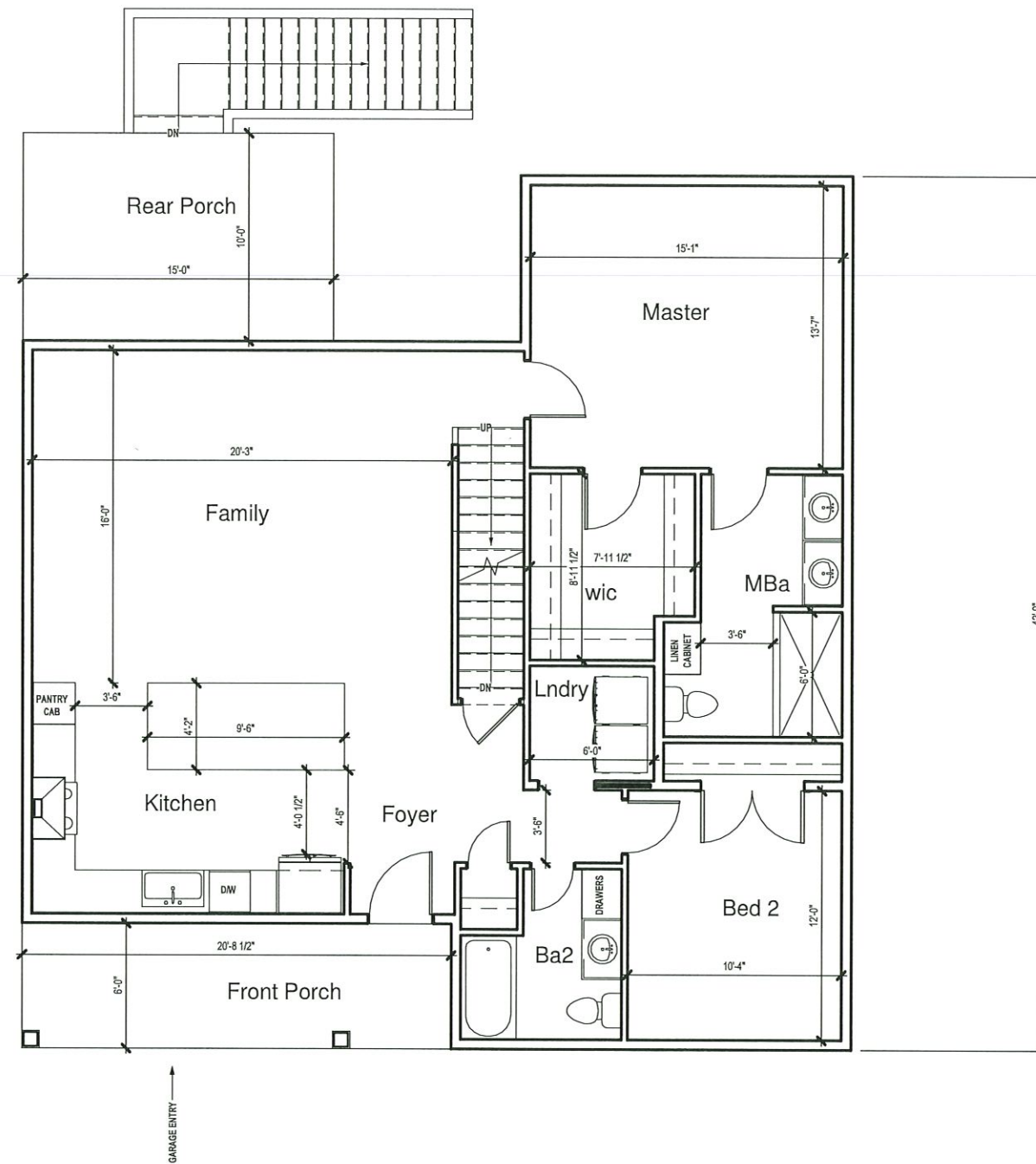


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JODI CROSBY  
843.514.7354  
4770 HWY 165, SUITE D  
MEGGETT, SC 29449  
jdcrosby@crosby-creations.com  
CROSBY-CREATIONS.COM



1 1st Floor  
1/8" = 1'-0"



| SQUARE FOOTAGE      |                 |                   |                  |
|---------------------|-----------------|-------------------|------------------|
| Name                | HEATED SQ. FTG. | UNHEATED SQ. FTG. | TOTAL UNDER ROOF |
| First Floor         |                 |                   | 1364 SF          |
| Estimated 2nd Floor |                 |                   | 233 SF           |
| TOTAL SQ. FTG.      | 0 SF            | 0 SF              | 1597 SF          |

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4770 Hwy 165 Suite D Meggett, SC 29449  
www.crosby-creations.com jrosby@crosby-creations.com

Designed Exclusively for:

Hoepker

Sheet Name

First Floor

Project Name & Address

Hoepker  
513 Kell Place  
Charleston, SC

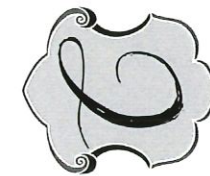
Project #  
CC2290

Date  
10/27/22

Scale  
1 1/4" = 1'-0"  
2 1/4" = 1'-0"

Sheet

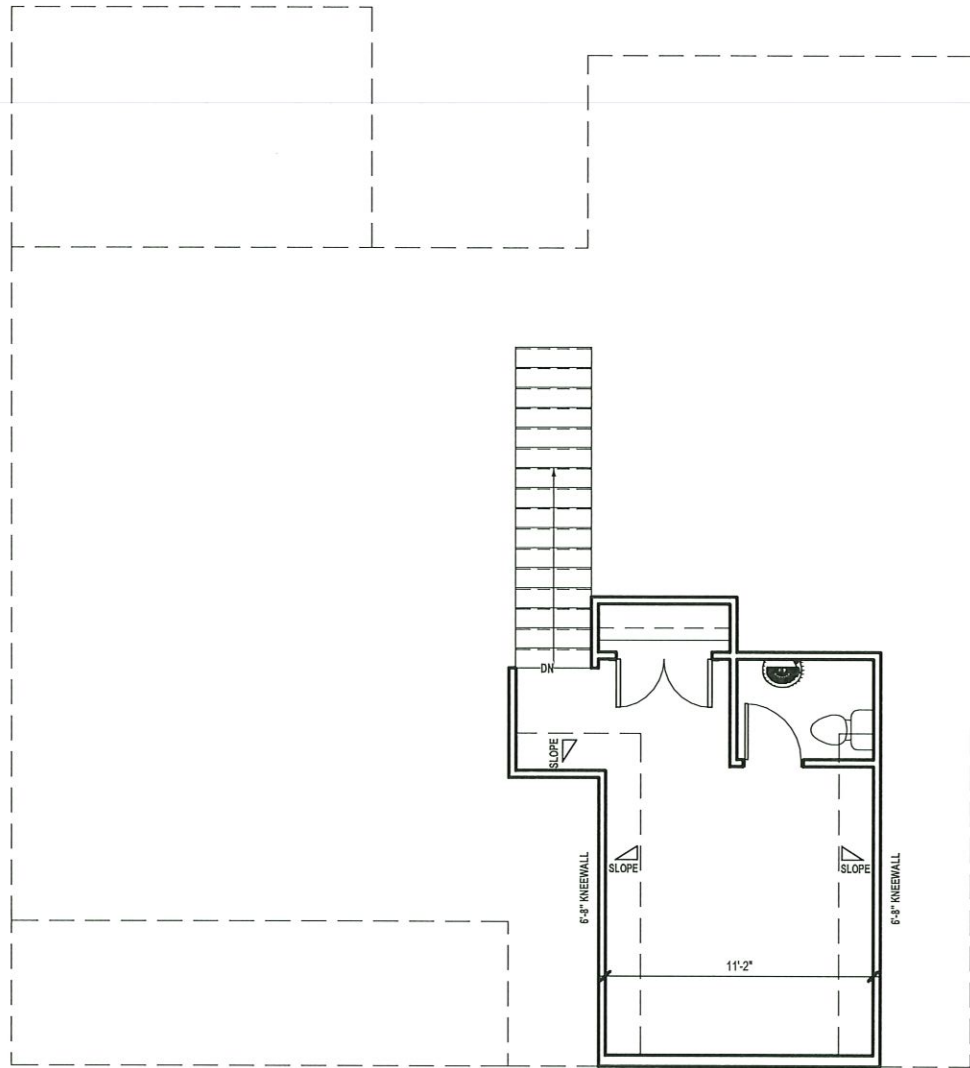
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jrosby@crosby-creations.com  
CROSBY-CREATIONS.COM

1 2nd Floor  
1/8" = 1'-0"



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Designed By:

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www.crosby-creations.com jrosby@crosby-creations.com

Designed Exclusively for:

Hoepker

Sheet Name

Second Floor

Project Name & Address

Hoepker  
513 Kell Place  
Charleston, SC

Project #  
CC2290

Date  
10/27/22

Scale  
11x17 - 1/8" = 1'-0"  
22x34 - 1/4" = 1'-0"

Sheet

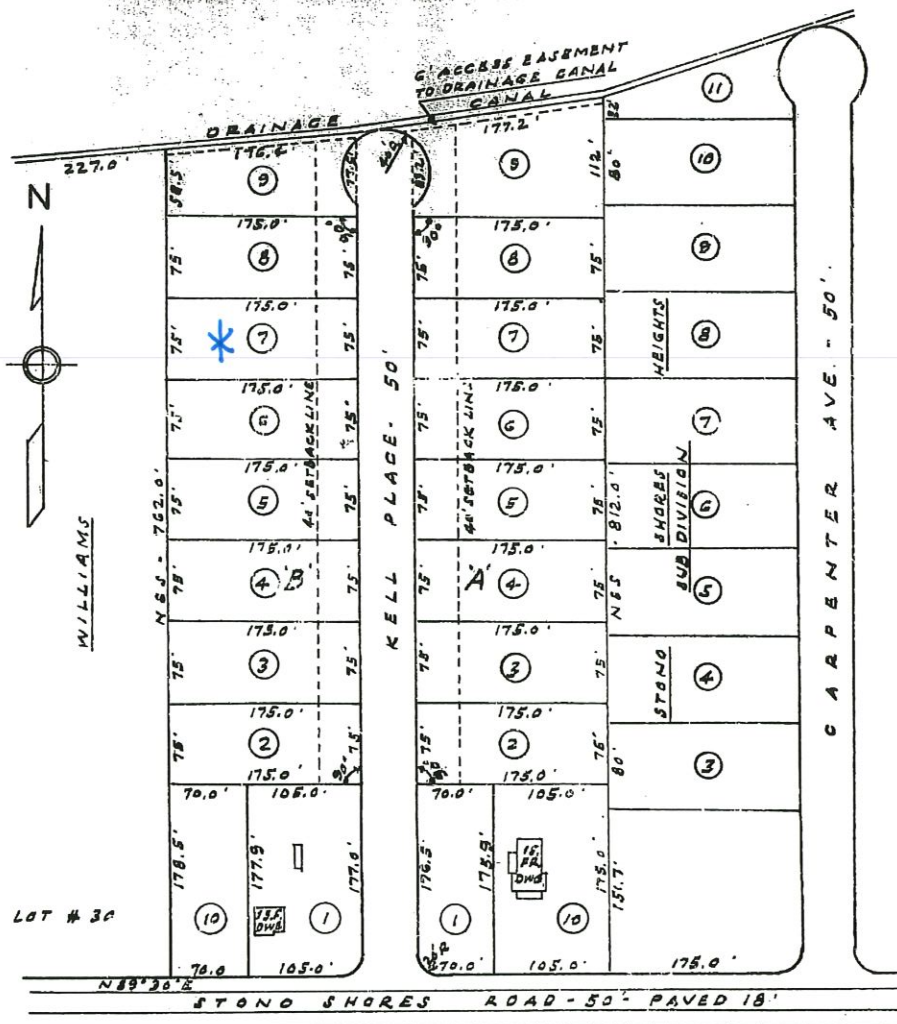
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CROSBY-CREATIONS.COM





PLAT SHOWING RE-SUBDIVISION OF LOT 1, BLOCK 'A',  
AND LOT 1, BLOCK 'B', GENERAL LEE ESTATES, SITUATED  
ON THE NORTH SIDE OF STONO SHORES ROAD, 0.6 MI.  
WEST OF ITS INTERSECTION WITH THE STONO RIVER  
ROAD, ON JAMES ISLAND, CHARLESTON COUNTY, S.C.,  
THE PROPERTY OF W. H. COMSTOCK.

S C A L E - 1" = 100'

SURVEYED - 5-24-58-

REG. ANGR. & L.S. - S.C. # 868

I, Hilliard B. Good, a Registered Engineer and Land Surveyor of the State of South Carolina, hereby certify that I have surveyed the property shown on this plat, that said plat shows the true dimensions of the said property, and that all necessary markers and monuments have been installed as shown.

May 24, 1958

Reg. Engr. & L.E.-S. C. # 868

DATE July 18, 1958

Charleston, South Carolina  
 Office of Register of Motor Conveyance  
 That reported this 25 day of July 1958 at  
 9:39 a.m. at a place known as Page 44, under tracing of the  
 conveyance filed in File No. 1 forward of 21 days  
 from No. 15 a Origin of plate 1464 was delivered  
 to Robert L. Robert at 1464 Beaches Road  
Beaches Rd. Be. 366 Be. 366 Be. 366