

Case # BZA-03-25-00854

Charleston County BZA Meeting of May 5, 2025

Applicant/Property Owner: Gregory F. Rayburn

Representative: Ross Appel of McCullough, Khan, Appel

Property Location: 3340 Oak Branch Road – Johns Island

TMS#: 256-00-00-012

Zoning District: Agricultural Residential (AGR) Zoning District

Request:

Variance request to reduce:

- the required 50' front/street side setback by 10' to 40' and the required 15' interior side setback by 4.7' to 10.3' for a proposed detached accessory structure (22' x 24' garage); and
- the required 50' front/street side setback by 39.6' to 10.4' for a proposed detached accessory structure (22' x 36' guesthouse).

Requirement:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards requires a 50' front/street side setback and 15' interior side setbacks.



CHAPTER 4 | BASE ZONING DISTRICTS

ARTICLE 4.9 AGR, AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 4.9.1 Purpose and intent

The AGR, Agricultural Residential Zoning District implements the Agricultural Residential policies of the *Comprehensive Plan*. The district is intended for application in all Settlement Areas.

Sec. 4.9.2 Use Regulations

Uses are allowed in the AGR District in accordance with the Use Regulations of CHAPTER 6, Use Regulations.

Sec. 4.9.3 Density/Intensity and Dimensional Standards

All Development in the AGR District shall be subject to the following Density/Intensity and Dimensional Standards:

Table 4.9.3, AGR Density/Intensity and Dimensional Standards				
	Non-Waterfront Development Standards	Waterfront Development Standards		
MAXIMUM DENSITY	1 Principal Dwelling Unit per Acre			
MINIMUM LOT AREA	30,000 square feet	1 acre		
MINIMUM LOT WIDTH	100 feet	125 feet		
MINIMUM LOT WIDTH AVERAGE	N/A	150 feet		
MINIMUM SETBACKS				
Front/Street Side	50 feet			
Interior Side	15 feet			
Rear	30 feet			
WETLAND, WATERWAY, AND OCRM CRITICAL LINE SETBACK	N/A	50 feet		
WETLAND, WATERWAY, AND OCRM CRITICAL LINE BUFFER	N/A	35 feet		
MAXIMUM BUILDING COVERAGE [1]	30% of Lot			
MAXIMUM IMPERVIOUS SURFACE COVERAGE [1]	40% of Lot or as allowed by the current edition of the Charleston County Stormwater Manual			
MAXIMUM HEIGHT	35 feet			
[1] Maximum Impervious Surface Coverage applies only to Residential Development on Parcels less than 30,000 square feet in size. When the				

^[1] Maximum Impervious Surface Coverage applies only to Residential Development on Parcels less than 30,000 square feet in size. When the Maximum Impervious Surface Coverage requirement applies, the Maximum Building Coverage requirement shall not apply.

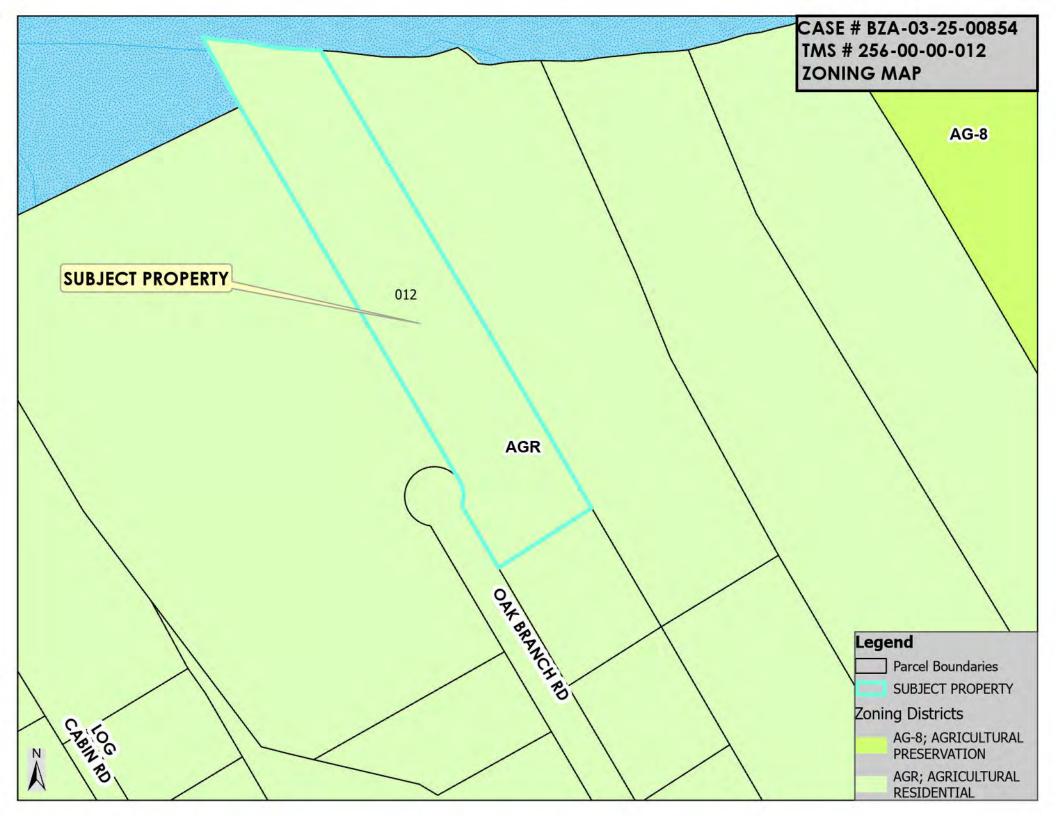
Effective on: 9/10/2017, as amended

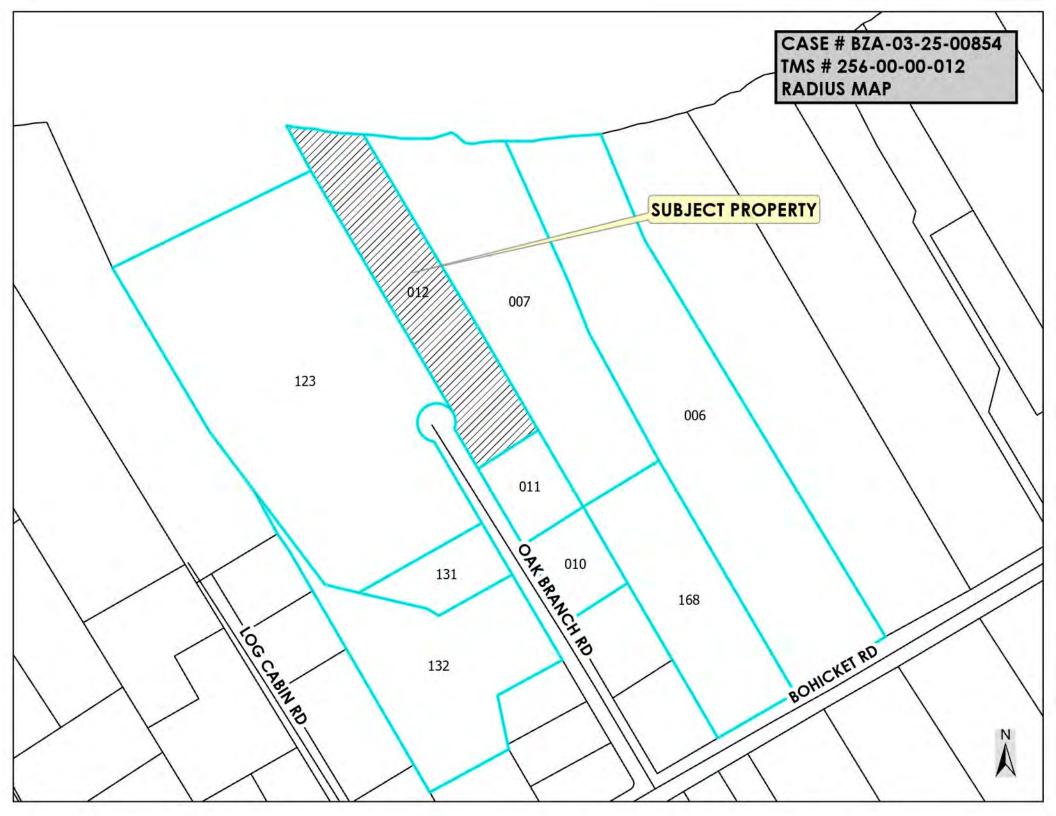
Sec. 4.9.4 Other Regulations

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

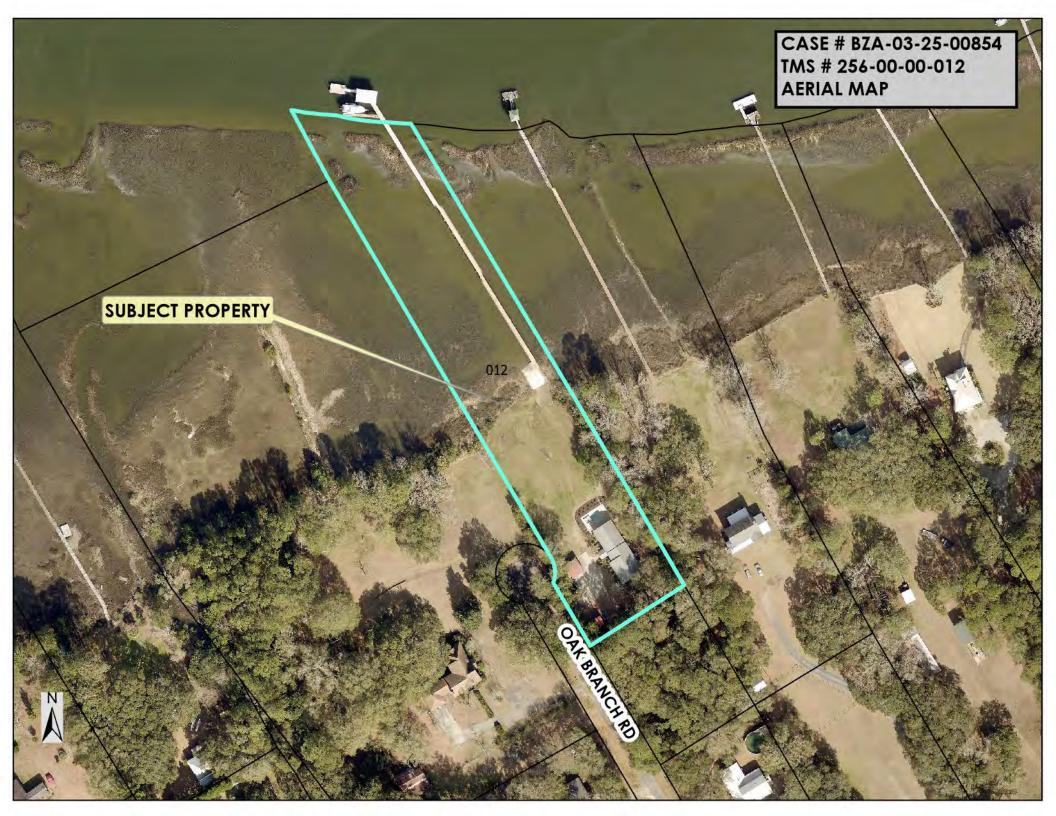
Sec. 4.9.5 Settlement Areas

Settlement Areas include small older Crossroads communities, Family lands, typical suburban-style Subdivisions, Frontage Lots along local roads, waterfront Developments, and vacant land that has been subdivided for residential Use but not yet built upon. The criteria for additional Parcels to qualify for inclusion into a "Settlement Area" are as follows:









Case # BZA-03-25-00854
BZA Meeting of May 5, 2025
Subject Property: 3340 Oak Branch Road — Johns Island

Proposal: Variance request to reduce the required 50' front/street side setback and the required 15' interior side setback for two (2) proposed detached accessory structures (garage and guesthouse).



Subject Property



16/04/2025

Staff Review:

The applicant and property owner, Gregory F. Rayburn, represented by Ross Appel, Esq. of McCullough, Khan, Appel, are requesting a variance to reduce the required 50' front/street side setback and the required 15' interior side setback for two (2) proposed detached accessory structures (garage and guesthouse) at 3340 Oak Branch Road (TMS # 256-00-00-012) on Johns Island in Charleston County. The subject property and surrounding properties are located in the Agricultural Residential (AGR) Zoning District.

More specifically the applicant is requesting a Variance to reduce:

- the required 50' front/street side setback by 10' to 40' and the required 15' interior side setback by 4.7' to 10.3' for a proposed detached accessory structure (22' x 24' garage); and
- the required 50' front/street side setback by 39.6' to 10.4' for a proposed detached accessory structure (22' x 36' guesthouse).

The applicant's letter of intent explains, "Mr. Rayburn seeks approval for a 22' x 36' guesthouse (not an ADU) and a new 22'x24' garage with a new concrete pad at his home located at 3340 Oak Branch Road. The guesthouse will not have a kitchen and it will not be separately metered. It will only be used for his family and guests and not be used for STR. Both proposed structures are located in the AGR setbacks. In 2022, the BZA in Case No. 05-22-00582 granted Mr. Rayburn several setback variances to accommodate a carport and several accessory structures (sheds) that were built and unpermitted prior to his ownership of the property. The sheds near the driveway were destroyed due to a falling tree, and he seeks to build a garage in their approximate location."

<u>History</u>

On July 11, 2022, the BZA approved BZA-05-22-00582 with one condition to obtain all necessary permits for the unpermitted accessory structures. The following variance was approved:

- to reduce the required 30' rear setback by 27' to 3' and the required 15' interior side setback by 10' to 5' for an existing (18' x 20') shed;
- to reduce the required 15' interior side setback by 11' to 4' for an existing (8' x 10') shed;
- to reduce the required 50' front/street side setback by 28' to 22' and the required 15' interior side setback by 3' to 12' for an existing (10' x 12') shed; and
- to reduce the required 50' front/street side setback by 35' to 15' for an existing (18' x 20') carport.

These structures existed prior to October 2021 when the property owner purchased the property. The seller did not disclose that there were no permits for the structures. Following the BZA's approval, the applicant applied and received permits for all structures.

<u>Applicable ZLDR requirement:</u>

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards requires a 50' front/street side setback and 15' interior side setbacks.

Staff conducted a site visit of the subject property on April 16, 2025.

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 may be extraordinary and exceptional conditions pertaining to the subject property because it is relatively narrow when compared to other adjacent lots. The **applicant's letter of intent** states, "The property is approximately 137' wide and 820' deep, making it much longer and narrower than the adjacent parcels. After factoring in the AGR setbacks, the property has an exceedingly small building envelope. The property to the north (TMS No. 256-00-00-007) is approximately 182' wide and 902' deep and the undeveloped property to the south (TMS No. 256-00-00-123) is approximately 446' wide and 827' deep." Therefore, the request may meet this criterion.

§3.10.6(2): Response: These conditions do not generally apply to other property in the vicinity; These conditions do not generally apply to other properties in the vicinity. **The applicant's letter of intent explains**, "No. The property is uniquely narrow when compared to other properties in the vicinity. The unique physical configuration of the property (its length and width) creates a unique and exceptional situation constituting an "unnecessary hardship." Therefore, the request <u>may meet</u> 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, Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards to 3340 Oak Branch Road may unreasonably restrict the utilization of the property. **The applicant's letter of intent states**, "Yes. The existing primary structure (Mr. Rayburn's primary residence) is a small, modest one-story dwelling. The proposed guesthouse and garage are reasonable and appropriate features to make this property livable. In the rural part of Johns Island, it is common for residential properties to have a garage and small guesthouse. The limited building envelope of the property, due to the AGR setbacks, leaves no option other than to locate

BZA Meeting of May 5, 2025 Staff Review, Case # BZA-03-25-00854

these features in the setback. For these reasons, not receiving the necessary setback variances constitutes an "unreasonable restriction." 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, and the character of the Agricultural Residential (AGR) Zoning District may not be harmed if this variance is granted. The applicant's letter of intent states, "Mr. Rayburn has discussed this request with his neighbors Ben and Alexis Stroble (2770 Bohicket Road) and Robert Salvo (3339 and 3338 Oak Branch Road) and they are all supportive of this variance request. Please find the signed letter of support enclosed." Thus, the request <u>may meet</u> 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. The applicant's letter of intent states, "This variance request does not seek to establish a use not permitted in the AGR district. Nor does it seek a physical extension of a non-conformity. If anything, by removing the sheds existing at the time of purchase in 2021 (for which the BZA already granted setback variances) the overall scope of the incursions into the setback are being reduced and consolidated into the garage structure." Therefore, the request may meet this criterion.

§3.10.6(6): The need for the variance is not the result of the applicant's own actions; The need for the variance may not be the result of the applicant's own Response: actions. The applicant's letter of intent states, "No. Mr. Rayburn is not responsible for the configuration of his lot, relative to his neighbors, as he was not involved in the original subdivision. Further, he is not responsible for the tree falling which caused the previously approved sheds to be destroyed. Finally, he is not responsible for designing the primary structure on the property whose modest size necessitates the need for the guesthouse." Therefore, the request may meet this criterion.

BZA Meeting of May 5, 2025 Staff Review, Case # BZA-03-25-00854

§3.10.6(7): Granting of the variance does not substantially conflict with the

Comprehensive Plan or the purposes of the Ordinance;

Response: Granting of the variance may not substantially conflict with the

Comprehensive Plan or the purposes of the Ordinance if the Board finds that strict application of the provisions of the Ordinance results in an unnecessary hardship. **The applicant's letter of intent states, "No. The** structures for which variances are being sought are all consistent with AGR zoning, the intent of the AGR zoning district, and the Comprehensive Plan's land use policies regarding rural areas, generally, and rural Johns Island outside of the UGB, specifically. The guesthouse will not be used as an **ADU or used as an STR."** Therefore, the request may meet 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-03-25-00854 [Variance request to reduce the required 50' front/street side setback and the required 15' interior side setback for two (2) proposed detached accessory structures (garage and guesthouse) at 3340 Oak Branch Road (TMS # 256-00-00-012) on Johns 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 BZA decides to approve the application, Staff recommends the following condition:

1. The guesthouse shall not be used as an Accessory Dwelling Unit (ADU) or as a Short-Term Rental (STR).

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

property Information					
Subject Property Address: 3340 Oak Branch Road, Johns Island, SC 29455					
Tax Map Number(s): 256-00-00-012					
Current Use of Property: Residential					
Proposed Use of Property: Residential (no change in use)					
Zoning Variance Description:					
Applicant Information (Required)					
Applicant Name (please print): Gregory Rayburn					
Name of Company (if applicable): n/a					
Mailing Address: 3340 Oak Branch Road					
City: Johns Island	State: SC			Zip Code: 29455	
Email Address: greg.rayburn@kobipartne	ers.com	rs.com Pho		ne #: 843-226-2675	
Applicant Signature:			Date: 3/19/25		
Representative Information (Complete	e only if applicable. Attor	ney, Builder,	Engineer, Surv	veyor etc.)	
Print Representative Name and Name of Con	mpany: Ross Appel, Esq	. McCullou	gh Khan Appe		
Mailing Address: 2036 eWall Street, Ste. 20	0				
City: Mt. Pleasant	State: SC		Zip	Zip Code: 29464	
Email Address: ross@mklawsc.com		F	Phone #: 843-937-9798		
Designation of Agent (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): Gregory Rayburn					
Name of Company (if applicable, LLC etc.): n/a					
Property Owner(s) Mailing Address: 3340 Oak Branch Road					
City: Johns Island	State: SC	Zip Code: 29	9455	Phone #: 843-226-2675	
Property Owner(s) Email Address: greg.rayburg@kobipartners.com					
Property Owner(s) Signature:			Date: 3/19/25		
	FOR OFFICE US	E ONLY:	The Last		
Zoning District: AGR Flood Zone: X Stade X AESK Date Filed: 3 24 25 Fee Paid: 250					
Application #: Bra - 03 - 25 - 00854 TMS #: 256 - 00 - 00 - 012 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.)

Mr. Rayburn seeks approval for a 22' x 36' guesthouse (not an ADU) and a new 22'x24' garage with a new concrete pad at his home located at 3340 Oak Branch Road. The guesthouse will not have a kitchen and it will not be separately metered. It will only be used for his family and guests and not be used for STR. Both proposed structures are located in the AGR setbacks. In 2022, the BZA in Case No. 05-22-00582 granted Mr. Rayburn several setback variances to accommodate a carport and several accessory structures (sheds) that were built and unpermitted prior to his ownership of the property. The sheds near the driveway were destroyed due to a falling tree, and he seeks to build a garage in their approximate location.

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.

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

The property is approximately 137' wide and 820' deep, making it much longer and narrower than the adjacent parcels. After factoring in the AGR setbacks, the property has an exceedingly small building envelope. The property to the north (TMS No. 256-00-00-007) is approximately 182' wide and 902' deep and the undeveloped property to the south (TMS No. 256-00-00-123) is approximately 446' wide and 827' deep.

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

No. The property is uniquely narrow when compared to other properties in the vicinity. The unique physical configuration of the property (its length and width) creates a unique and exception situation constitution an "unnecessary hardship."

 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. The existing primary structure (Mr. Rayburn's primary residence) is a small, modest one story dwelling. The proposed guesthouse and garage are reasonable and appropriate features to make this property livable. In the rural part of Johns Island, it is common for residential properties to have a garage and small guesthouse. The limited building envelope of the property, due to the AGR setbacks, leaves no option other than to locate these features in the setback. For these reasons, not receiving the necessary setback variances constitutes an "unreasonable restriction."

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:

Mr. Rayburn has discussed this request with his neighbors Ben and Alexis Stroble (2770 Bohicket Road) and Robert Salvo (3339 and 3338 Oak Branch Road) and they are all supportive of this variance request. Please find the signed letter of support enclosed.

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?

This variance request does not seek to establish a use not permitted in the AGR district. Nor does it seek a physical extension of a non-conformity. If anything, by removing the sheds existing at the time of purchase in 2021 (for which the BZA already granted setback variances) the overall scope of the incursions into the setback are being reduced and consolidated into the garage structure.

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

No. Mr. Rayburn is not responsible for the configuration of his lot, relative to his neighbors, as he was not involved in the original subdivision. Further, he is not responsible for the tree falling which caused the previously approved sheds to be destroyed. Finally, he is not responsible for designing the primary structure on the property whose modest size necessitates the need for the guesthouse.

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

No. The structures for which variances are being sought are all consistent with AGR zoning, the intent of the AGR zoning district, and the Comprehensive Plan's land use policies regarding rural areas, generally, and rural Johns Island outside of the UGB, specifically. The guesthouse will not be used as an ADU or used as an STR.

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 whom it may concern:

We own the adjoining property to 3340 Oak Branch Road, Johns Island. We have reviewed and discussed with Greg Rayburn his plans for additions to the property and we support Mr Rayburns request for a variance to allow for those additions.

Ben and Alexis Stroble 2770 Bohicket Road

Bu Stud

Jah Jaho 3339 and 3338 Oak Branch Road LOBELT A. SALVO

Board of Zoning Appeals
Final Decision and Order on Variance
Application # BZA-05-22-00582 for property
located at 3340 Oak Branch Road
(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 Gregory F. Rayburn ("the Property Owner") and Ross Appel, Esq. with McCullough, Khan, Appel ("the Applicant") filed an application for a Variance for the property identified as TMS # 256-00-00-012 and located at 3340 Oak Branch Road on Johns Island in Charleston County, South Carolina. The Applicant requests a Variance to reduce the required 30' rear setback by 27' to 3' and the required 15' interior side setback by 10' to 5' for an existing (18' x 20') shed; the required 15' interior side setback by 3' to 15' for an existing (10' x 12') shed; and the required 50' front/street side setback by 35' to 15' for an existing (18' x 20') carport. The Applicant filed this request on May 18, 2022, and the BZA heard the Applicant's request on July 11, 2022.

The BZA finds that there are extraordinary and exceptional conditions pertaining to the subject property because it is relatively narrow when compared to other adjacent lots. The applicant's letter of intent states, "The Rayburn property (approx. 137' wide and 820' deep) is much longer and narrower that the adjacent parcels. This results in a far smaller building envelope once the AGR setbacks are applied. The property to the north (TMS No. 256-00-00-007) owned by Ben and Alexis Stroble is approx. 182' wide and 902' deep) and the undeveloped property to the south (TMS No. 256-00-00-123) is approx. 446' wide and 827' deep." Therefore, the request meets this criterion.

The BZA also finds that these conditions do not generally apply to other property in the vicinity. The applicant's letter of intent explains, "The Rayburn property is uniquely narrow when compared to other properties in the vicinity. Moreover, the three sheds and carport on the Rayburn property are unpermitted and located in the setback. This condition was not disclosed by the seller. It is our understanding that there are no other similar unpermitted structures on other properties in the vicinity. Taken together, the unique configuration of the Rayburn property and the unpermitted structures creates a unique and exceptional situation constituting an 'unnecessary hardship." Therefore, the request meets this criterion.

The BZA also finds that the application of this Ordinance, Article 4.9, Sec. 4.9.3 to 3340 Oak Branch Road would unreasonably restrict the utilization of the property. The applicant's letter of intent states, "The existing one-story residential dwelling on the Rayburn property is modest. Therefore, the shed structures are needed to house yard maintenance equipment and other items that cannot be housed inside. This property is outside the Urban Growth Boundary and is considered part of rural Johns Island. It would be unreasonable for this property not to be allowed to have the customary and necessary shed structures and a carport. The limited building envelope on the property leaves no option other than to locate these features in one of the AGR setbacks." Therefore, the request meets this criterion.

The BZA also finds that the authorization of this request will not be of substantial detriment to adjacent properties or to the public good and the character of the Agricultural Residential Zoning District will not be harmed if this variance is granted. The applicant's letter of intent states, "These structures have apparently been in place for many years. There have been no complaints by neighbors or others to our knowledge. Mr. Rayburn has received the support of his neighbors to the north Ben and Alexis Stroble the owners of 2770 Bohicket Road (TMS No. 256-00-00-007). Please find the letter of support from the Strobles enclosed herewith. The property to the south 3339 Oak Branch Drive (TMS No. 256-00-00-123) is undeveloped." Therefore, the request meets this criterion.

The BZA also finds that 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.

The BZA also finds that the need for the variance is not the result of the applicant's own actions. The accessory structures were placed without permits by the pervious property owner. The applicant purchased the property with its current conditions in 2021. Therefore, the request meets this criterion.

The BZA also finds that granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance because the Board finds that strict application of the provisions of the Ordinance results in an unnecessary hardship. Therefore, the request meets this criterion.

The BZA also finds that the applicant shall meet the following condition:

1. The applicant shall obtain all necessary permits for the unpermitted accessory structures.

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 satisfies the Approval Criteria in the Charleston County (ZLDR) §3.10.6.B.

THEREFORE, the Charleston County Board of Zoning Appeals approves the Variance request to reduce the required 30' rear setback by 27' to 3' and the required 15' interior side setback by 10' to 5' for an existing (18' x 20') shed; the required 15' interior side setback by 11' to 4' for an existing (8' x 10') shed; the required 50' front/street side setback by 28' to 22' and the required 15' interior side setback by 3' to 12' for an existing (10' x 12') shed; and the required 50' front/street side setback by 35' to 15' for an existing (18' x 20') carport with the above referenced condition.

Pursuant to the Charleston County (ZLDR), Article 3.10 Zoning Variances, Section 3.10.10 Lapse of Approval, "An approved Zoning Variance shall lapse and be of no further effect 12 months after the date that the Zoning Variance was approved by the Board of Zoning Appeals unless a Complete Application of a Zoning Permit utilizing the approved. Variance is submitted in accordance with Art. 3.8, Zoning Permits, of this Ordinance. A one-time one-year extension of a Zoning Variance approval may be granted by the Zoning and Planning Director if the Applicant/Property Owner can demonstrate that a Complete Application for a Zoning Permit is being diligently pursued. Applications for extensions of Zoning Variance approvals shall be submitted to the Zoning and Planning Director on forms available in the Zoning and Planning Department at least 15 days prior to the expiration of the Zoning Variance approval."

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.

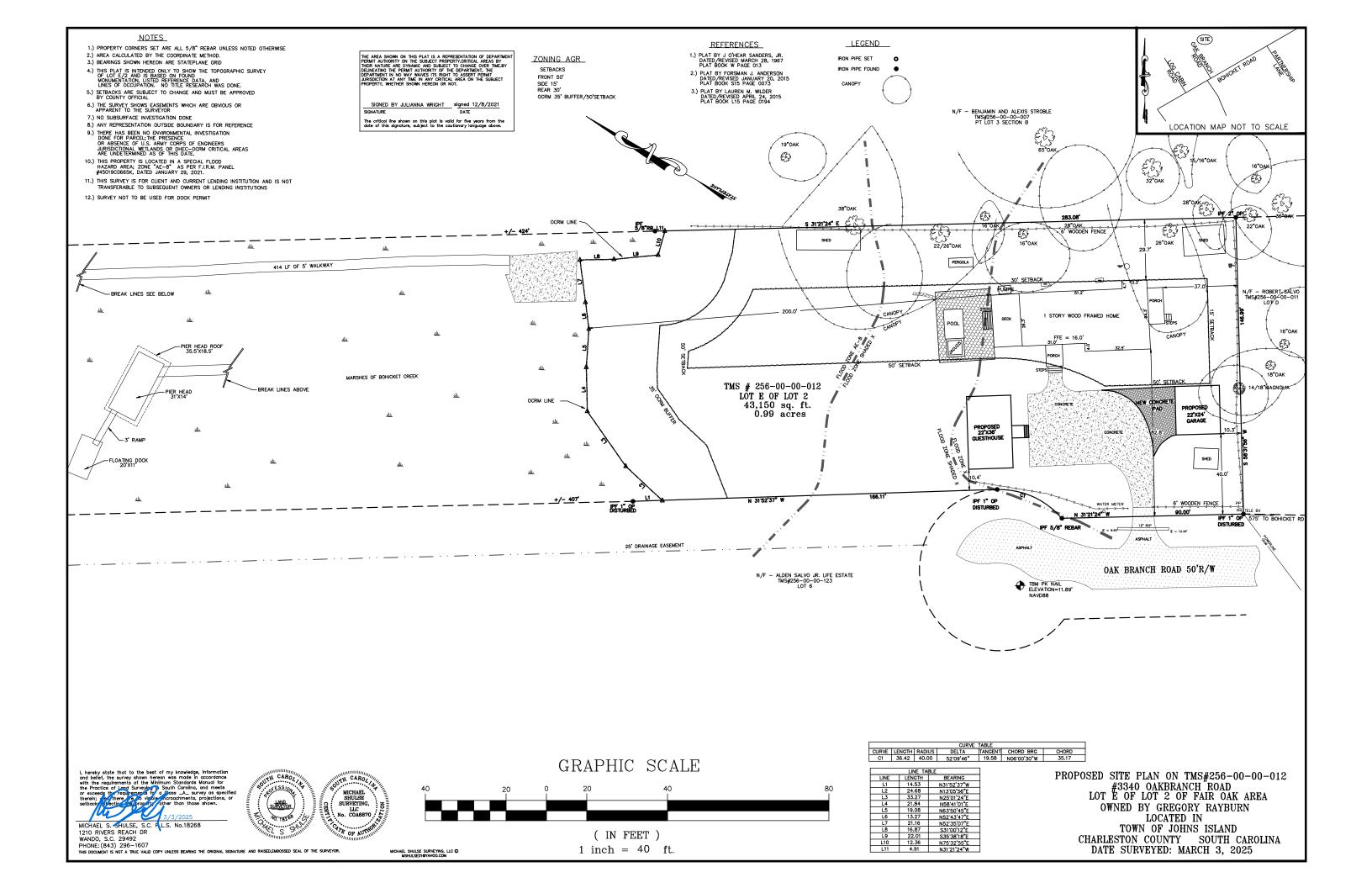
Jenny J. Werking, AICP BZA Secretary

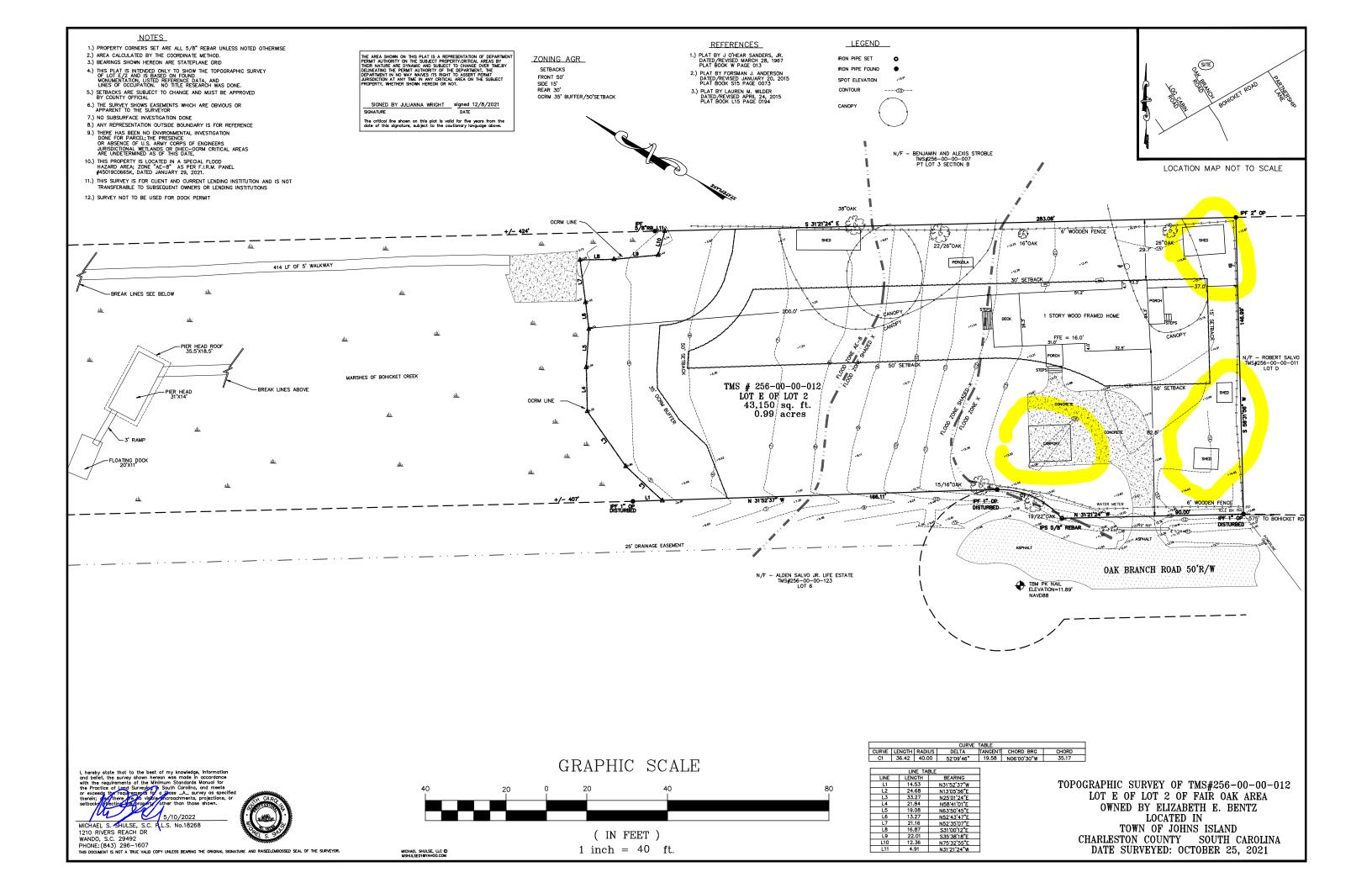
Jenny G. Westery

BZA Secreto

Date issued: July 11, 2022

Date mailed to parties in interest: June 22, 2022





John Kyras BOOKS 87 PAGE 235 Lands

Charleston, South Carolina

Office of Register Mesne Conveyance Protorecorded this 27 day of apr. 1967 atom Figlick in Plat Book ! Page . . 3, and tracing cloth Res.

copy filed in File 4. Drawer. Folder 5.2., Drawer ing No. 5.35. Criginal plat (a print) delivered

Stimel & ackerman

Salva Lands

State of South Carolina

County of Charleston Showing Lot E, of Lot 2

Betsey Field Tract, Johns Island

March 28,1967

Šurvevor S.C. Reg. 499

1, J. O'Hear Sanders, Jr., aregistered surveyor in the state of s.c. do hereby certify that this is a true and correct survey made on the ground to an accuracy of 1:4356 and that all necessary markers have been

CAEEK

BOHICKET

installed. A Oken dander

Note;

(1) Developer; Curtis V. Tennyson (2) No public water or sanitary sewer avaliable

(3) Area: 0.91 Acres High Land 1.12 Acres Salt Marsh

OAK & BRANCH DR.

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Previously Approved Suledivision