



Case # BZA-01-25-00841

Charleston County BZA Meeting of March 3, 2025

Applicant: Jennifer Schroder
Property Owner: Ted Patrick Schroder Jr of 1095 Main Road LLC
Property Location: 1095 Main Road – Johns Island
TMS#: 282-00-00-107
Zoning District: Rural Residential (RR) Zoning District

Request:

Variance request to reduce the required 3' interior side setback by 1.8' to 1.2' at the closest point for existing unpermitted detached accessory structures (shipping container and lean-to).

Requirement:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 6 Use Regulations, Article 6.5 Accessory Uses and Structures, Sec. 6.5.8 B.3. Accessory Structures in Residential and Residential Office (RO) Zoning Districts requires a 3' interior side setback.



CHAPTER 6 | USE REGULATIONS

ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

Sec. 6.5.8 Accessory Structures in Residential and Residential Office (RO) Zoning Districts

Unless otherwise expressly stated and in addition to any other applicable provisions of this Ordinance, Accessory Structures in Residential and Residential Office (RO) Zoning Districts shall be subject to the following requirements:

- A. An Accessory Structure erected as an integral part of the Principal Structure shall be made structurally a part thereof, shall have a common wall therewith, and shall comply in all respects with the requirements of these and other regulations applicable to Principal Structures.
- B. A detached Accessory Structure shall be located:
 - 1. Wholly to the rear of the Principal Structure, provided that this limitation shall not apply to carports or Garages;
 - 2. At least six feet from any other Dwelling, including those under construction;
 - 3. At least three feet from any interior Lot line in a Residential Zoning District if in an RO Zoning District that abuts a Residential Zoning District, the Accessory Structure in the RO Zoning District shall be located at least 10 feet from the abutting interior Lot line. When an RO Zoning District abuts another Office or Nonresidential Zoning District, setbacks for Accessory Structures are not required;
 - 4. To meet the Principal Structure Front Setback requirements of the Zoning District in which the Lot is located as set forth in Chapter 4, Base Zoning Districts, of this Ordinance.
 - 5. If on a corner Lot, the detached Accessory Structure shall not project in front of the front Building line required or existing on the adjacent Lot.
- C. A detached Accessory Structure may be constructed on an adjacent vacant Lot if both Lots are in the same ownership, unless otherwise allowed to be established on a separate Lot pursuant to this Ordinance.
- D. Accessory Structures shall be included in Building Coverage and Impervious Surface Coverage.
- E. The Accessory Dwelling Unit provisions of this Ordinance apply in addition to the requirements of this Section; and
- F. An Accessory Structure that is attached to the Principal Structure pursuant to this Ordinance shall comply with the Principal Structure Setback requirements of the Zoning District in which the Lot is located as set forth in Chapter 4, *Base Zoning Districts*, of this Ordinance.

CASE # BZA-01-25-00841
TMS # 282-00-00-107
ZONING MAP

SUBJECT PROPERTY

107

RR

PATTON AV

RR

AGR

MAIN RD

NC

PD

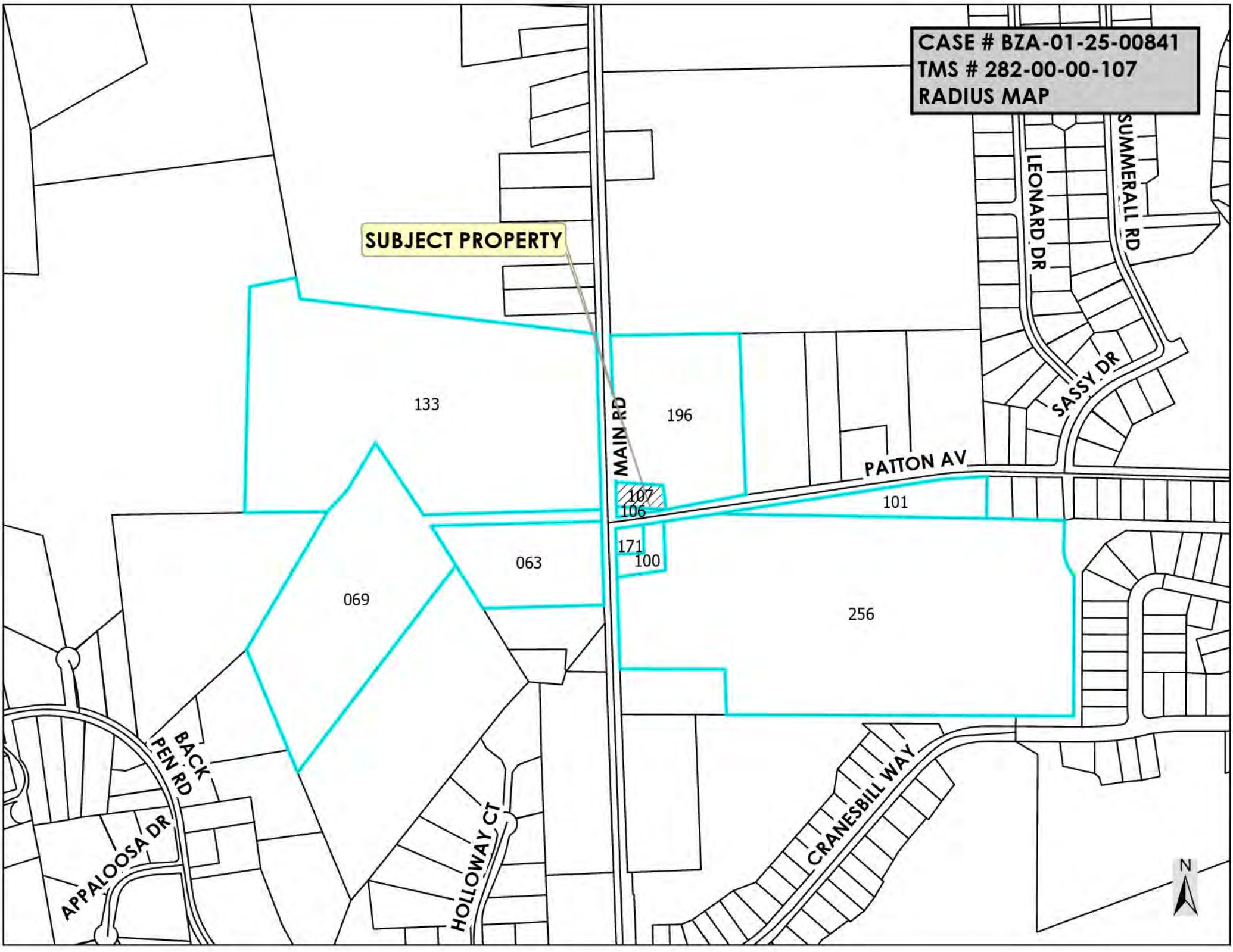
Legend

Parcel Boundaries	NC; NEIGHBORHOOD COMMERCIAL
SUBJECT PROPERTY	PD; PLANNED DEVELOPMENT ZONING
Zoning Districts	
AGR; AGRICULTURAL RESIDENTIAL	RR; RURAL RESIDENTIAL



CASE # BZA-01-25-00841
TMS # 282-00-00-107
RADIUS MAP

SUBJECT PROPERTY



CASE # BZA-01-25-00841
TMS # 282-00-00-107
AERIAL MAP

SUBJECT PROPERTY



MAIN RD

PATTON AV



CASE # BZA-01-25-00841
TMS # 282-00-00-107
AERIAL MAP

SUBJECT PROPERTY

MAIN RD

PATTON AV

107



Case # BZA-01-25-00841

BZA Meeting of March 3, 2025

Subject Property: 1095 Main Road – Johns Island

Proposal: Variance request to reduce the required 3' interior side setback for existing unpermitted detached accessory structures (shipping container and lean-to).

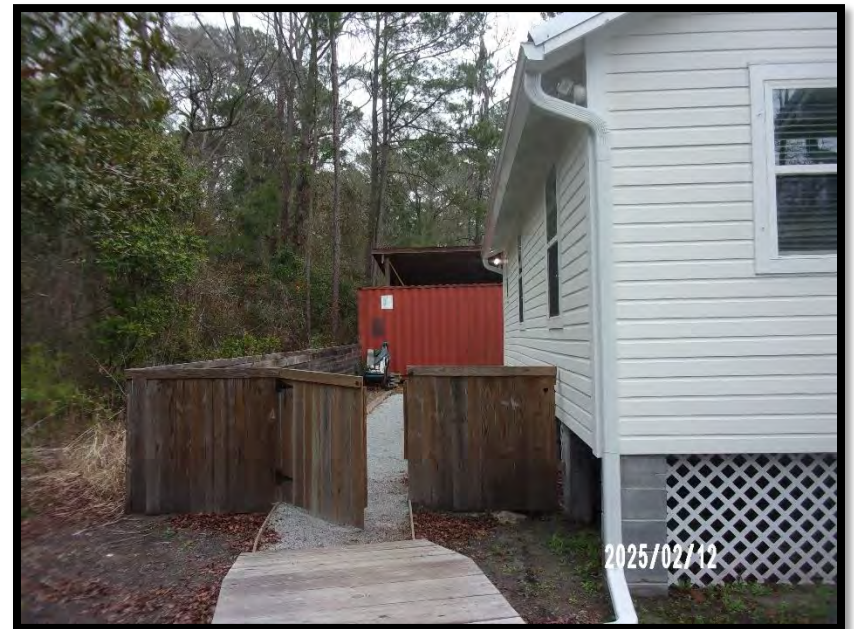


Subject Property

Existing Residence



Shipping Container to the east of house



Subject Property

Shipping Container to the east of house



Lean-to behind the house & shipping container



Staff Review:

The applicant, Jennifer Schroder, and the property owner, Ted Patrick Schroder Jr of 1095 Main Road LLC, are requesting a variance to reduce the required 3' interior side setback by 1.8' to 1.2' at the closest point for existing unpermitted detached accessory structures (shipping container and lean-to) at 1095 Main Road (TMS # 282-00-00-107) on Johns Island in Charleston County.

The subject property and the adjacent properties to the north and east are located in the Rural Residential (RR) Zoning District. The properties to the south are located in the Neighborhood Commercial (NC) Zoning District. The Berkeley Electric Cooperative Planned Development is located southeast of the subject property.

The applicant's letter of intent states, "To allow for an already existing 8'x40'x9.5' shipping container and open lean to 40' on side of container built with 6"x6" and 4"x4" posts 4"x8" rafters and 2"x88" purlins metal roof."

Applicable ZLDR requirements:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 6 Use Regulations, Article 6.5 Accessory Uses and Structures, Sec. 6.5.8 B.3. Accessory Structures in Residential and Residential Office (RO) Zoning Districts requires a 3' interior side setback.

Staff conducted a site visit of the subject property on February 12, 2025. 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 may be extraordinary and exceptional conditions pertaining to the 0.49-acre subject property. **The applicant's letter of intent states, "The structure does not have a garage and we are able to neatly store our lawn items and larger items neatly behind our structure. We are on the main road onto Johns Island and we have restored the original structure and wanted to keep it clean and neat there by placing these things behind the structure."** 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 do not generally apply to other properties in the vicinity. 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, Chapter 6 Use Regulations, Article 6.5 Accessory Uses and Structures, Sec. 6.5.8 B.3. Accessory Structures in Residential and Residential Office (RO) Zoning Districts to 1095 Main Road would prohibit the accessory structures from remaining in their current location. **The applicant's letter of intent states, "Yes. The lean to and shipping container are secured into the ground and the access for us to our back door and back driveway are very easily accessed for us in this position. We plan to live here full time in the next 5 years so we would like to have this accessible as we are getting older therefore we can park behind the house and be able to keep our things safe. We were robbed 3 times moving into here and we also feel much more safe having this behind our home."** Therefore, the request meets 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 Rural Residential (RR) Zoning District may not be harmed if this variance is granted. **The applicant's letter of intent states, "Not at all and I think it would make neighbors happier to have this behind the structure so it is not visible like it is."** 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 is the **result of the applicant's** own actions. However, the **applicant's letter of intent** contends, **"The need for the variance is due to our placing a shipping container and open lean to on the property in the setback unknown to us this was something we need permission for."** 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: Granting of the variance may not substantially conflict with the *Comprehensive Plan* or the purposes of the *Ordinance* if the Board finds that the strict application of the provisions of the *Ordinance* results in an unnecessary hardship. Therefore, the request may meet this criterion.

Board of Zoning Appeals' Action

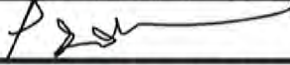
According to Article 3.10 Zoning Variances, Section §3.10.6 Approval Criteria of the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, (adopted July 18, 2006), The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application 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-01-25-00841 [Variance request to reduce the required 3' interior side setback by 1.8' to 1.2' at the closest point for existing unpermitted detached accessory structures (shipping container and lean-to) at 1095 Main Road (TMS # 282-00-00-107) 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 applicant/property owner shall obtain all required zoning and building permits for the unpermitted detached accessory structures (shipping container and lean-to).

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

Property Information			
Subject Property Address:		1095 Main Road	
Tax Map Number(s):		2820000107	
Current Use of Property:		Residential	
Proposed Use of Property:			
Zoning Variance Description:		Currently a shipping container and lean to are on the property in the setback asking for a variance due to the fact it sits behind the structure and will keep it neat for Main	
Applicant Information (Required) Road			
Applicant Name (please print):		Jennifer Schroder	
Name of Company (if applicable):			
Mailing Address:		6030 Rainbow Trout Dr	
City:	Johns Island	State:	SC
		Zip Code:	29455
Email Address:		jennmicha@gmail.com	Phone #:
			843-303-2212
Applicant Signature:			Date:
			1/31/25
Representative Information (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company:			
Mailing Address:			
City:		State:	
		Zip Code:	
Email Address:		Phone #:	
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):			
Name of Company (if applicable, LLC etc.):			
Property Owner(s) Mailing Address:			
City:		State:	
		Zip Code:	
Property Owner(s) Email Address:		Phone #:	
Property Owner(s) Signature:		Date:	
FOR OFFICE USE ONLY:			
Zoning District:	RR	Flood Zone:	X (655k)
		Date Filed:	1/31/25
		Fee Paid:	\$250
Application #:	BZA-01-25-00841	TMS #:	282-00-00-107
		Staff Initials:	jyw

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.)

To allow for an already existing 8'x40'x9.5' shipping container and open lean to 40' on side of container built with 6"x6" and 4"x4" posts 4"x8" rafters and 2"x88" purlins metal roof

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:

The structure does not have a garage and we are able to neatly store our lawn items and larger items neatly behind our structure. We are on the main road onto Johns Island and we have restored the original structure and wanted to keep it clean and neat there by placing these things behind the structure.

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

We see many parcels with shipping containers and other buildings all over Main Road and Johns Island

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. The lean to and shipping container are secured into the ground and the access for us to our back door and back driveway are very easily accessed for us in this position. We plan to live here full time in the next 5 years so we would like to have this accessible as we are getting older therefore we can park behind the house and be able to keep our things safe. We were robbed 3 times moving into here and we also feel much more safe having this behind our home.

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:

Not at all and I think it would make neighbors happier to have this behind the structure so it is not visible like it is

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?

No

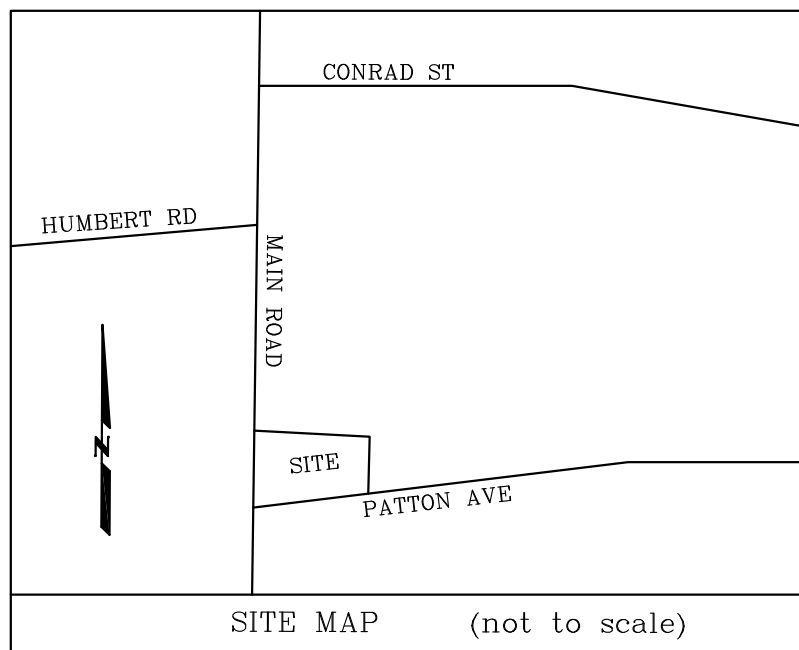
6. Is the need for the variance the result of your own actions? Explain:

The need for the variance is due to our placing a shipping container and open lean to on the property in the setback unknown to us this was something we need permission for.

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

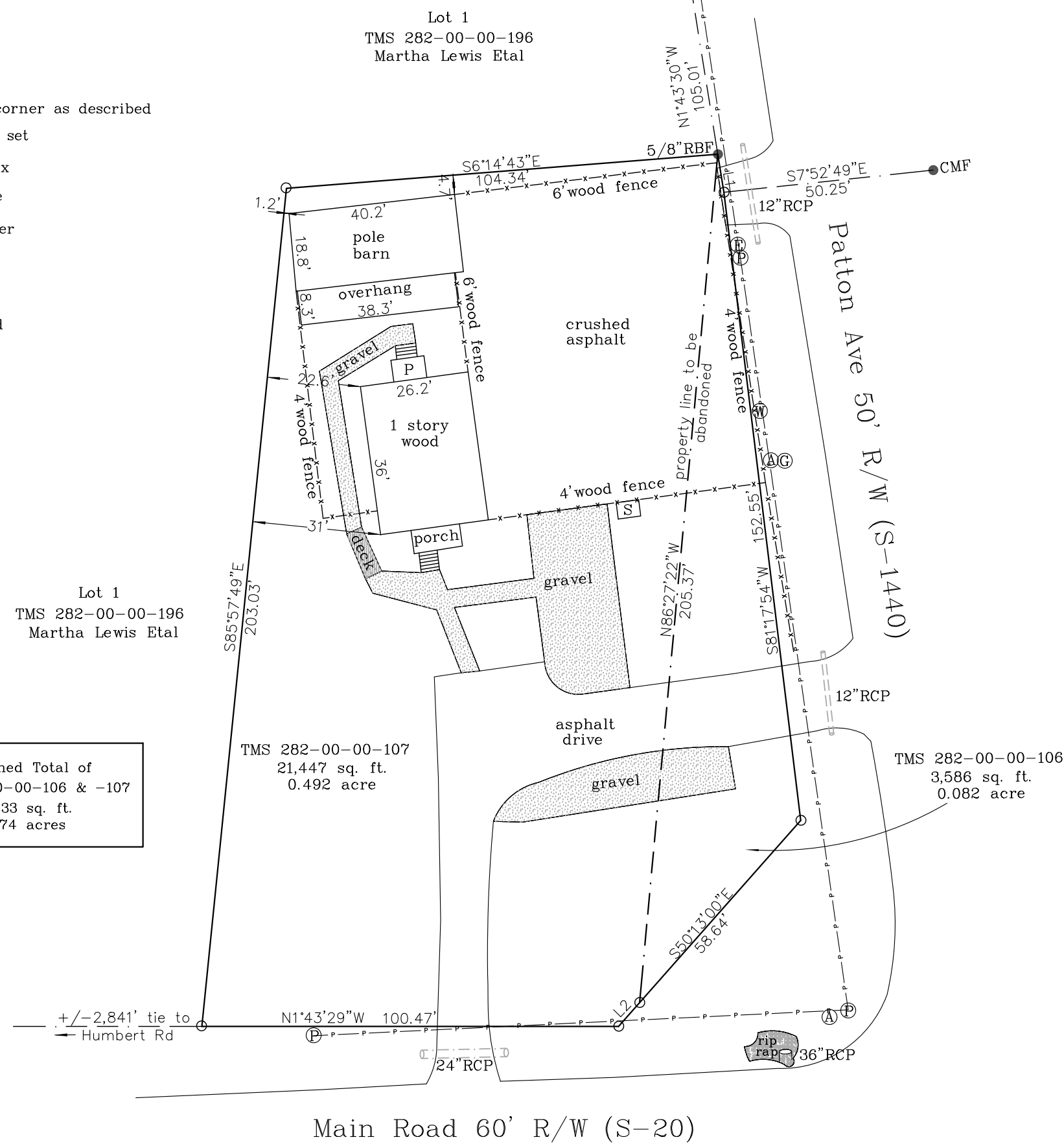
No

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.



LEGEND:

- property corner as described
- 5/8" rebar set
- Ⓜ electric box
- Ⓟ power pole
- Ⓢ water meter
- Ⓐ AT&T ped
- Ⓒ gas
- S 5.5'x4' shed
- P porch



Combined Total of
TMS: 282-00-00-106 & -107
25,033 sq. ft.
0.574 acres

NOTES:

1. Reference Tax Map Number 282-00-00-106
282-00-00-107
2. Reference Plat Book L19, page 0019 (282-00-00-107)
Plat Book E, page 71 (282-00-00-106)
3. Property owners: 1095 Main Road LLC (282-00-00-107).
Schoders Services LLC (282-00-00-106)
4. This property may be subject to various utility easements (i.e. power, telephone, water, gas, sewer, etc.) that were not noted in the plats referenced hereon, nor in the other title information noted hereon. This plat does not address any subterranean conditions of any nature, unless specifically noted otherwise.
5. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
6. Declaration is made to Original Purchaser of the survey. It is not transferable to additional institutions or subsequent owner.
7. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge said lot is located in flood zone X. FEMA Map No. 45019C0655K 1-29-21 Flood zone should be verified with the governing municipality before design and construction.
8. Subsurface and environmental conditions were not examined or considered as a part of this survey.
9. Anything shown outside the defined boundary of this survey is for descriptive purposes only.
10. Standard widths as per Berkeley Electric Cooperative is 20' (10' each side of power line).
11. Reference SCDOT Hwy plan: File 10.563 PT1, Sheet 5 of 87

Survey to Combine
TMS: 282-00-00-106
& 282-00-00-107
Located on
Johns Island
Charleston County, South Carolina

FIELD DATE: August 16, 2024 SCALE 1"= 30'
DRAWN DATE: September 4, 2024



Area Reserved for Approval
& Recording Stamps



NUM	BEARING	DISTANCE
L1	S79°08'37"W	9.29'
L2	S50°12'59"E	7.64'



Drawn by: JB
11674.DWG

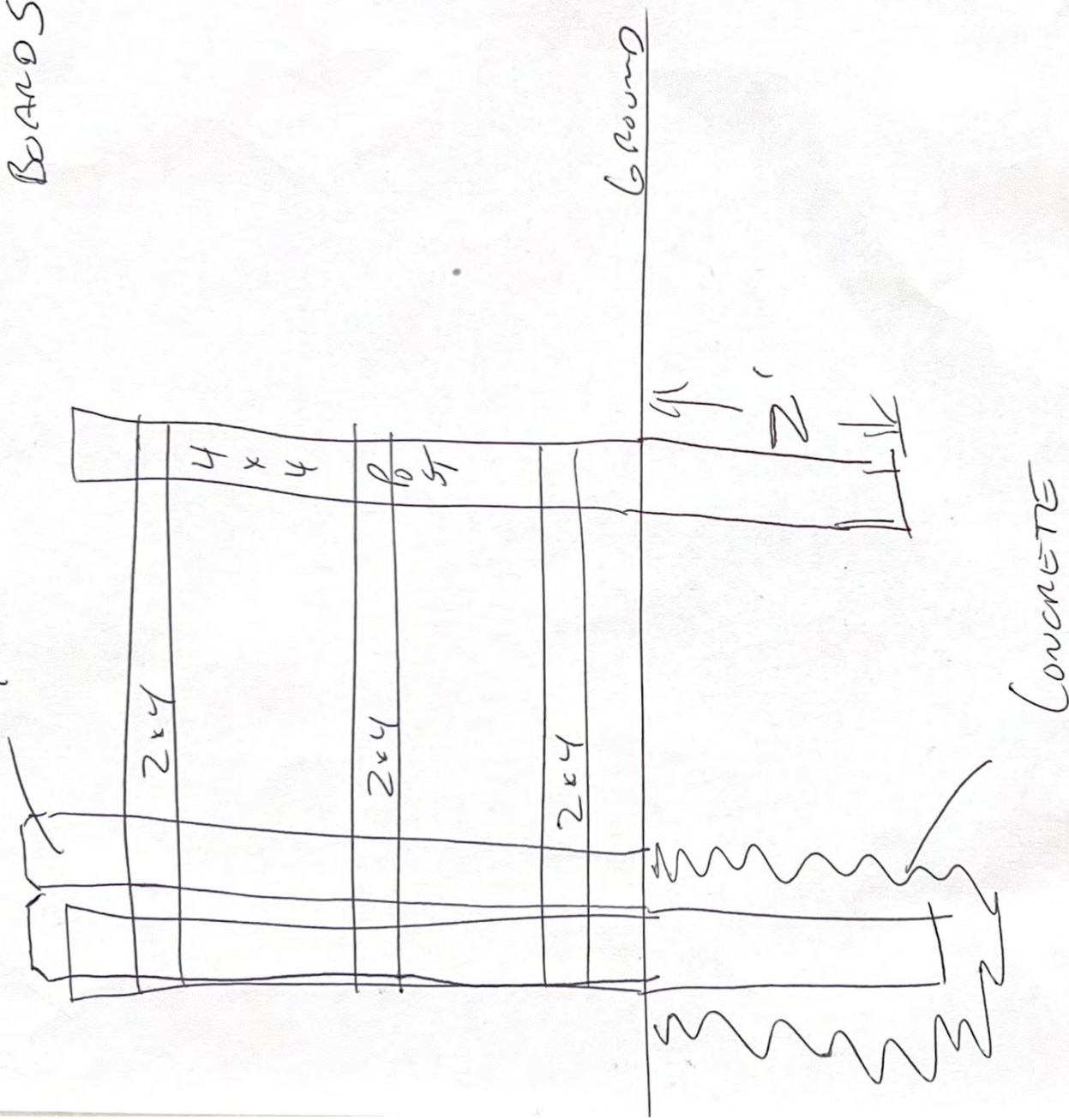
2551 ASHLEY RIVER ROAD
CHARLESTON, SC 29414
PHONE(843)571-5191
FAX(843)571-7447
PalmettoLandSurveying@gmail.com

I hereby state that to the best of my professional knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for 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

James G. Pennington

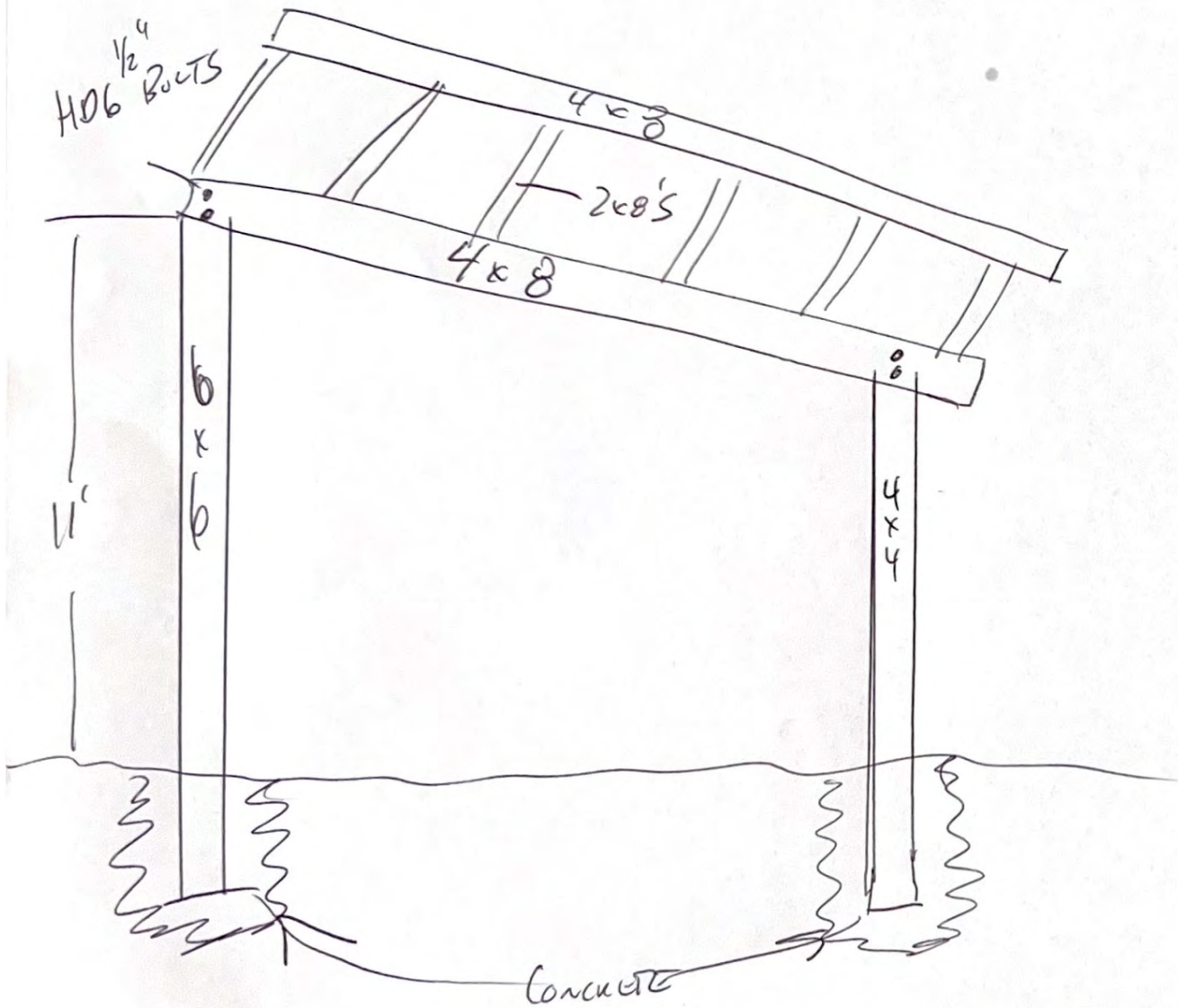
James G. Pennington, P.L.S. No. 10291
Palmetto Land Surveying, Inc.
2551 Ashley River Road
Charleston, S.C. 29414
PalmettoLandSurveying@gmail.com

1 x 6 DOG EARED FENCE
BOARDS



POSTS ARE SET 2' IN THE GROUND w/ CONCRETE.

Already Existing Lean-To

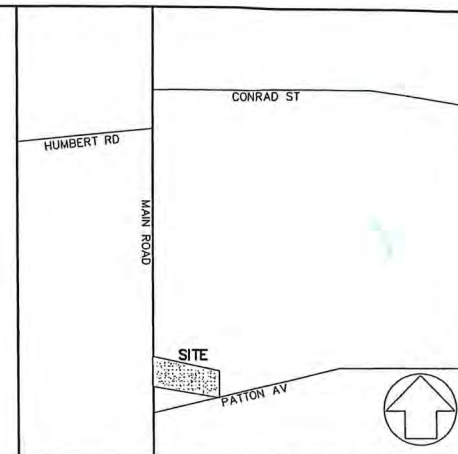


LEGEND

- CMF BOUNDARY LINE & CONCRETE MONUMENT FOUND
- IPF BOUNDARY LINE & CORNER FOUND (AS DESCRIBED)
- IPS BOUNDARY LINE & CORNER SET (5/8" REBAR)
- CP BOUNDARY LINE & CALCULATED POINT
- ADJACENT BOUNDARY LINE
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT LINE (AS DESCRIBED)
- E OVERHEAD ELECTRIC LINE
- POWER POLE
- M MAPLE TREE
- * DAMAGED/DISEASED TREE

REFERENCES

1. PLAT W. L. GAILLARD DATED FEBRUARY 22, 1982. RECORDED IN PLAT BOOK AV, PAGE 183.
2. PLAT BY STEPHENS ENGINEERING, INC. DATED MAY 14, 1991. RECORDED IN PLAT BOOK CE, PAGE 107.
3. PLAT BY NIELSON & ASSOCIATES REVISED NOVEMBER 29, 2001. RECORDED IN PLAT BOOK EF, PAGE 235.
4. PLAT BY ROBERT FRANK SURVEYING REVISED MARCH 7, 2003. RECORDED IN PLAT BOOK DD, PAGE 596.
5. PLAT BY PARKER LAND SURVEYING, LLC DATED JANUARY 6, 2017. RECORDED IN PLAT BOOK L17, PAGE 0465.
6. DEED OF DISTRIBUTION RECORDED ON DECEMBER 8, 2008. DEED BOOK 0023, PAGE 911.
7. SCDOT FILE #10.563.
8. TMS NO. 282-00-00-106 & 107; 282-00-00-196.



LOCATION MAP
NOT TO SCALE

PLANNING AND ROD USE ONLY

APPROVED PLAT

Thomas Andrew Davis
Director of Planning
Charleston County Planning Commission

SB# 01010 01.17.2019
Appl# Date

RECORDED

DATE: 1/18/2019 TIME: 3:17:56 PM

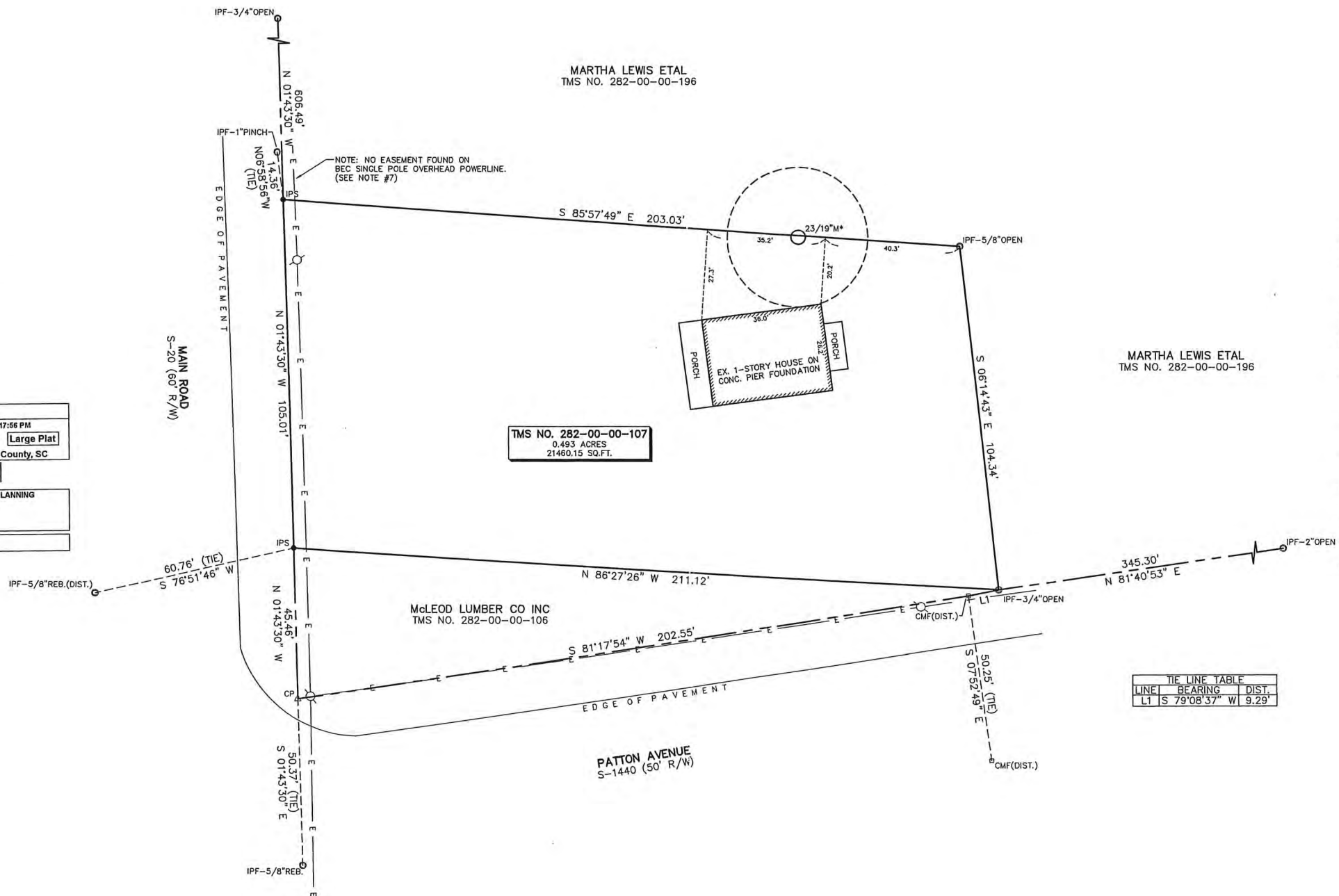
Book-Page **L19 0019** DocType **Large Plat**

Michael Miller, Register, Charleston County, SC

Record Fee \$10.00
Postage \$0.00
TOTAL \$10.00

Filed By: CHARLESTON COUNTY PLANNING

Location: MAIN RD

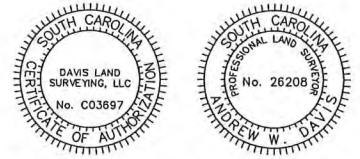


TIE LINE TABLE

LINE	BEARING	DIST.
L1	S 79°08'37" W	9.25'

NOTES

1. AREA DETERMINED BY THE COORDINATE METHOD.
2. PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE X, AS PER FEMA FLOOD INSURANCE RATE MAP NUMBER 45019C0655J, COMMUNITY-PANEL 455413 0655 J. EFFECTIVE DATE: NOVEMBER 17, 2004.
3. NO UNDERGROUND EXPLORATION PERFORMED IN THIS SURVEY.
4. NO WETLANDS DETERMINATION PERFORMED IN THIS SURVEY.
5. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THE SURVEYED PROPERTY IS FOR DESCRIPTIVE PURPOSES ONLY.
6. THIS SURVEY IS BASED ON LISTED REFERENCES ONLY. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL FACTS THAT WOULD BE REVEALED BY A CURRENT AND ACCURATE TITLE REPORT.
7. PER NOTE ON PLAT REFERENCE #5, "NORMAL EASEMENT 10' ON POLE LINE BUT CHECK WITH BERKELEY ELECTRIC IF CONSTRUCTION WITHIN 25' OF POLE LINE IS CONTEMPLATED."
8. GRAND TREES (24" DBH & GREATER--EXCLUDING PINE AND GUM) LOCATED IN THIS SURVEY. TREE IDENTIFICATIONS NOT MADE BY A CERTIFIED ARBORIST.
10. PROPERTY IS ZONED RR-3. SETBACKS AS FOLLOWS: FRONT - 50'; REAR - 30'; SIDES - 15'(EACH) MAXIMUM DENSITY - 1 DWELLING UNIT PER 3 ACRES
11. THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES ON THIS PROPERTY/ THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT.
12. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/ THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.



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 FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF 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.

Andrew W. Davis
ANDREW W. DAVIS S.C.P.L.S. 26208



SURVEY SHOWING
TMS NO. 282-00-00-107
CONTAINING 0.493 ACRES
PROPERTY OF / PREPARED FOR
SCHRODER'S SERVICES, LLC
LOCATED ON
JOHNS ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA
DATE: November 7, 2018 SCALE: 1" = 20'

DAVIS LAND SURVEYING, LLC
1932 DAVANT CIRCLE
MOUNT PLEASANT, SC 29464
843.607.0409 info@davislandsurveying.com
www.davislandsurveying.com