

Case # BZA-05-24-00781

Charleston County BZA Meeting of July 1, 2024

Applicant: Jonathan L. Yates & Brian Hellman of Hellman Yates, PA

Property Owner: Ron Patti of Crown Enterprises, INC

Property Location: 1923 Stromboli Avenue – North Area

TMS#: 466-08-00-455

Zoning District: Industrial (IN) Zoning District

Request: Variance request for an existing distribution facility:

- to reduce the required minimum thirty percent (30%) of parking spaces that must have a pervious surface and to exceed the maximum seventy percent (70%) impervious surface coverage; and
- to waive the pedestrian way installation requirement.

Requirement:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.3 Off-Street Parking and Loading, Sec. 9.3.7 Design, D. Markings and Surface Treatment, 2. Each parking space must be identified by surface markings at least four inches in width, which must be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, maneuvering, queuing, and storage of vehicles. a. No more than 70 percent of all developable land within Parcels may be impervious, unless approved by the Zoning and Planning Director. b. 30 percent of parking spaces must have a pervious surface."

Sec. 9.3.11 Pedestrian Ways

- A. Where Required. Pedestrian ways shall:
 - 1. Be provided in all non-residential Development and Major Subdivisions within the Urban and Suburban Areas of the County; and
 - 2. Link surrounding Roadways with Building entrances and between the proposed Development and uses on adjoining Lots.
- B. Placement. Pedestrian ways within public Rights-of-Way shall conform to the construction details for sidewalks contained in Appendix A, Charleston County Road and Drainage Construction Standards.
- C. Pervious and low-impact surfaces are encouraged. Alternative-surface walkways may be used when deemed appropriate to surrounding development characteristics by the Zoning and Planning Director: All pedestrian ways must comply with ADA requirements.

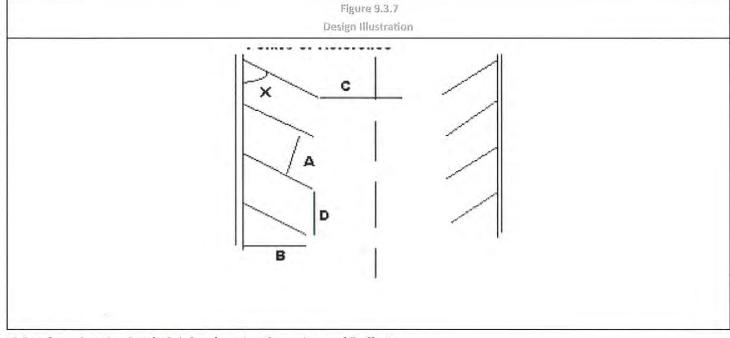
Sec. 9.3.7 Design

- A. <u>Parking Lot Design.</u> Dead-end Parking Lot layouts that cause or contribute to poor vehicular circulation are prohibited unless determined by the Zoning and Planning Director that all other site configurations and options to comply with the required number of parking spaces have been exhausted.
- B. **Dimensional Standards.** Drive aisle widths and parking space dimensions shall comply with the standards in Table 9.3.7, *Aisle Width and Parking Space Dimensions*.

C. Compact Spaces.

- 1. Up to 30 percent of parking spaces may be designed for use by cars smaller than full-size cars.
- 2. Compact spaces must be located in continuous areas and may not be interspersed with spaces designed for full-size cars.
- 3. Compact spaces must be clearly designed by Pavement marking and labeled as "Compact Cars Only."
- 4. Stall dimensions for compact spaces are reduced to 7'-6" X 15.
- 5. Compact spaces cannot be used as required ADA parking spaces.
- 6. Compact spaces cannot be used as required Electric Charging Stations.

	Alsle V	Vidth and Parking Space Dime	ensions	
χ°	Stall Width (A)	Stall Depth (B)	Aisle Width (C)	Skew Width (D
COS	9' 0"	17' 0"	17' 0"	10' 5"
60°	#		*One Way	4-
	9' 0"	19' 1"	11'0"	12'9"
45°	4	4	*One Way	
30°	9'0"	16' 10"	9' 0"	18' 0"
	1		*One Way	1
0°	9' 0"	23' 0"	12'0"	
	1-	-	*One Way	
90°	9' 0"	18' 0"	23' to 27'	-
	44	_	*Two Way	_



- C. Landscaping. See Article 9.4, Landscaping, Screening, and Buffering.
- D. Markings and Surface Treatment.

- 1. ADA reserved parking signs and ADA parking markings shall be in compliance with the Americans with Disabilities Act.
- 2. Each parking space must be identified by surface markings at least four inches in width, which must be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, maneuvering, queuing, and storage of vehicles.
 - a. No more than 70 percent of all developable land within Parcels may be impervious, unless approved by the Zoning and Planning Director.
 - b. 30 percent of parking spaces must have a pervious surface.
- 3. One-way and two-way ingress and egress driveways shall be marked by directional arrows.
- 4. Unpaved Parking Areas.
 - a. All parking spaces must have a minimum four-inch <u>Curb</u> stop to delineate the location of each space and to prevent Encroachment onto adjoining properties, Rights-of-Way, or landscaped or pervious areas.
 - b. All <u>Parking Lots</u> must have an all-weather surface, such as gravel, slag, or another approved pervious surface, excluding asphalt shingles. Ingress and egress drives serving unpaved <u>Parking Lots</u> accessed from a Paved <u>Street</u> must be Paved from the edge of the Street Pavement for a minimum distance of 20 feet into the Subject Property.
 - c. For surfaces that cannot be marked with directional arrows, directional signage is required to mark one-way ingress and egress driveways.

E. Access.

- 1. Required Parking spaces shall not have direct access to a Street or highway, nor may they be configured in a way that requires backing into or otherwise re-entering a Street or highway. Access to Required Parking spaces shall be provided by on-site ingress and egress drive. Access drives shall be a minimum of 20 feet wide and have an all-weather surface.
- 2. <u>Curb Cuts</u> for ingress and egress drives may not be wider than 30 feet; however, ingress and egress that is separated by a median may be expanded to a maximum width of 60 feet, provided medians shall be a minimum of five feet width and fifteen feet in length. Where not specifically prohibited by the agency responsible for the maintenance of the intersecting Right-of-Way, a planted median shall be required.
- 3. Curb cuts for ingress and egress drives are allowed in accordance with Table 9.3.7-2, Number of Ingress/Egress Drives:

Number of Ingre	ss/Egress Drives
LENGTH OF PROPERTY FRONTAGE	MAXIMUM NUMBER OF DRIVES
250 feet or less	1[1]
251 feet to 1,500 feet	2
1,500 feet or more	3

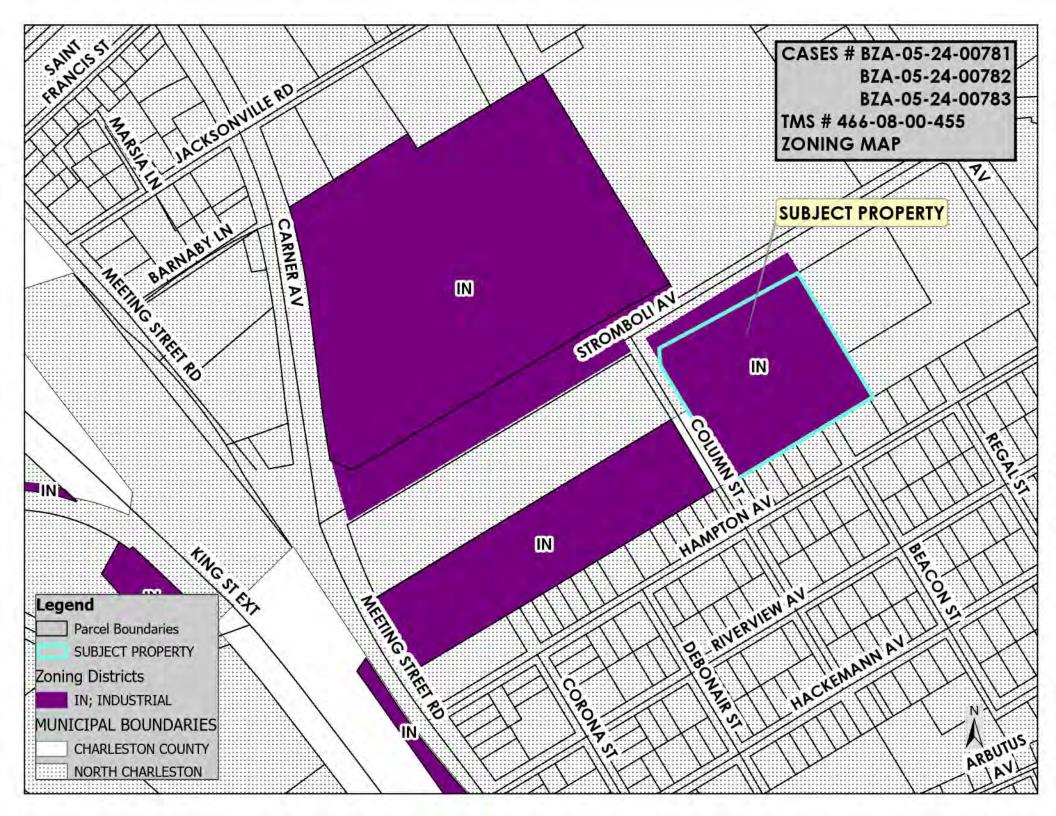
- 1. On frontages of 250 feet or less, a pair of one-way drive may be substituted only if the agency responsible for the maintenance of the intersecting Right-of-Way determines the design feasible.
 - 4. Ingress and egress drives shall be located at least 100 feet from the edge of Right-of-Way of any Street intersection. If the subject Lot has less than 100 feet of Frontage and is not within a common Development with other points of access, the Zoning and Planning Director may alter this requirement by the minimum necessary to provide reasonable access. Ingress or egress drives other than those designated as entrance or exit drives are prohibited.
 - 5. Access to Dwelling Units shall comply with the International Fire Code, as adopted by County Council.
 - 6. A pair of one-way drives must be separated by at least 100 feet and must comply with the vision clearance requirements contained in Art. 9.7, *Vision Clearance*.
 - 7. Stop signs and stop bars shall be installed as required by the Director of the Zoning and Planning Department and Director of the Public Works Department.
 - 8. Safety Services may be allowed additional curb cuts up to 60 feet in width and without a median, as approved by the Zoning and Planning Director and the agency responsible for the maintenance of the intersecting Right-of-Way, to provide for ingress and egress of emergency vehicles from their staging area.
 - 9. For properties within the Urban/Suburban Area, the Directors of the Zoning and Planning and Public Works Departments may require Rights-of-Way that provide access to be paved in compliance with Appendix A of this Ordinance.

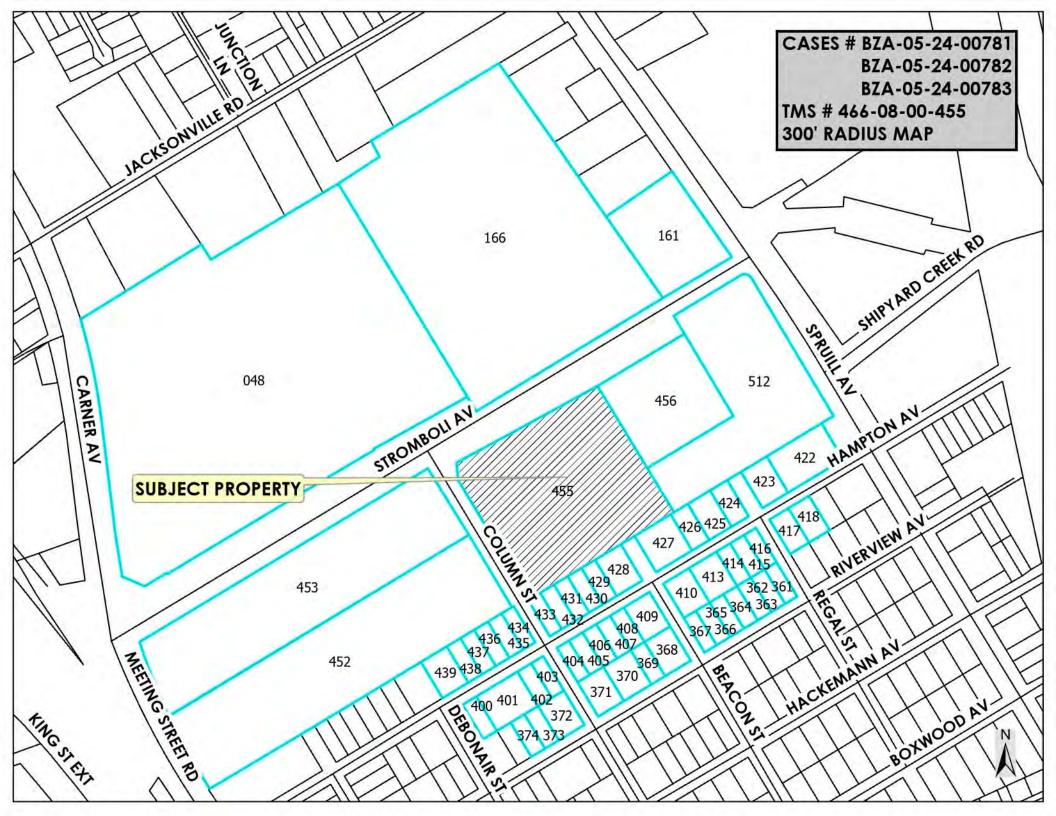
(Ord. No. 2239, 12/06/2022)

Effective on: 12/6/2022, as amended

Sec. 9.3.11 Pedestrian Ways

- A. Where Required. Pedestrian ways shall:
 - 1. Be provided in all non-residential <u>Development</u> and Major Subdivisions within the Urban and <u>Suburban Areas</u> of the County; and
 - 2. Link surrounding Roadways with Building entrances and between the proposed Development and uses on adjoining Lots.
- B. **Placement.** Pedestrian ways within public <u>Rights-of-Way</u> shall conform to the construction details for sidewalks contained in Appendix A, *Charleston County Road and Drainage Construction Standards*.
- C. Pervious and low-impact surfaces are encouraged. Alternative-surface walkways may be used when deemed appropriate to surrounding development characteristics by the Zoning and Planning Director. All pedestrian ways must comply with ADA requirements.









Case # BZA-05-24-00781

BZA Meeting of July 1, 2024

Subject Property: 1923 Stromboli Avenue – North Area

Proposal: Variance request to waive min. 30% parking spaces that must be pervious and exceed the max. 70% impervious surface coverage, and to waive the pedestrian way installation requirement for a

distribution facility.



Case # BZA-05-24-00782
BZA Meeting of July 1, 2024

Subject Property: 1923 Stromboli Avenue – North Area

Proposal: Variance request to reduce the right-of-way landscape buffer along Stromboli Avenue and to reduce the required land use buffer for a distribution facility.



Case # BZA-05-24-00783
BZA Meeting of July 1, 2024

Subject Property: 1923 Stromboli Avenue – North Area

Proposal: Variance request to waive the min. 10% undisturbed open space requirement and to eliminate foundation planting for a distribution facility.



















Column Street





Stromboli Avenue





Staff Review:

The applicants, Jonathan L. Yates & Brian Hellman of Hellman Yates, PA, and the property owner, Ron Patti of Crown Enterprises, INC are requesting three (3) variances for a distribution facility located at 1923 Stromboli Avenue (TMS # 466-08-00-455) in the North of Charleston County. The 3.628-acre subject property is located in the Industrial (IN) Zoning District on the corner of Stromboli Avenue and Column Street. Properties to the northwest and southwest are also located in the Industrial (IN) Zoning District. The remaining properties are located in the City of North Charleston's jurisdiction. The project is currently in the Site Plan Review process (ZSPR-02-23-00841).

The applicant is requesting a total of three (3) variances for a distribution facility as follows:

1. Case # BZA-05-24-00781:

- To waive the required minimum thirty percent (30%) of parking spaces that must have a pervious surface and to exceed the maximum seventy percent (70%) impervious surface coverage; and
- To waive the pedestrian way installation requirement.

The applicant's letter of intent for **BZA-05-24-00781** explains, "A variance from ZLDR Section 9.3.7. to allow for impervious coverage of 88.4%, which exceeds the 70% permitted by the ZLDR, and a variance to allow for no parking spaces to have a pervious surface, which is less than the 30% required by the ZLDR. A variance from ZLDR Section 9.3.11. to omit the installation of pedestrian access along Column Street and to omit a pedestrian connection to the main entry of the distribution facility building from the pedestrian path at the Stromboli Avenue right of way."

2. Case # BZA-05-24-00782: To reduce the required 15' right-of-way landscape buffer along Stromboli Avenue and to reduce the required 60' land use buffer.

The applicant's letter of intent for **BZA-05-24-00782** explains, "A variance from ZLDR Section 9.4.4.A and B. to reduce the land use buffers from 60' and Stromboli Right-of-Way buffer from 15' and utilize a masonry wall in their stead."

3. Case # BZA-05-24-00783:

To waive the requirement that the site comprises of at least 10 percent undisturbed open space that is either part of, or contiguous with, the perimeter buffer and to eliminate foundation planting.

The applicant's letter of intent for **BZA-05-24-00783** explains, "A variance from ZLDR Section 9.5.3.A.5, such that 10 percent of the site shall not be required to be undisturbed open space whether or not part of, or contiguous with, a perimeter buffer."

<u>Applicable ZLDR requirement Case # BZA-05-24-00781:</u>

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.3 Off-Street Parking and Loading, Sec. 9.3.7 Design, D. Markings and Surface Treatment, 2. Each parking space must be identified by surface markings at least four inches in width, which must be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, maneuvering, queuing, and storage of vehicles. a. No more than 70 percent of all developable land within Parcels may be impervious, unless approved by the Zoning and Planning Director. b. 30 percent of parking spaces must have a pervious surface." Sec. 9.3.11 Pedestrian Ways

- A. Where Required. Pedestrian ways shall:
 - 1. Be provided in all non-residential Development and Major Subdivisions within the Urban and Suburban Areas of the County; and
 - 2. Link surrounding Roadways with Building entrances and between the proposed Development and uses on adjoining Lots.
- B. Placement. Pedestrian ways within public Rights-of-Way shall conform to the construction details for sidewalks contained in Appendix A, Charleston County Road and Drainage Construction Standards.
- C. Pervious and low-impact surfaces are encouraged. Alternative-surface walkways may be used when deemed appropriate to surrounding development characteristics by the Zoning and Planning Director: All pedestrian ways must comply with ADA requirements.

Applicable ZLDR requirement Case # BZA-05-24-00782:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.4 Landscaping, Screening, and Buffers, Sec. 9.4.4 Landscape Buffers, A. Right-of-Way Buffers and D. Land Use

Applicable ZLDR requirement Case # BZA-05-24-00783:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.5 Architectural and Landscape Design Standards, Sec. 9.5.3 Landscaping Design Guidelines, A.5. General Design:

- 1. Landscaping within landscape beds that are a minimum of two feet wide shall be required along the foundation of all Buildings, except for points of entry. For Buildings in Industrial Zoning Districts, foundation plantings shall be required only along Facades with Right-of-Way or Easement Frontage. The scale of the proposed landscaping shall be in proportion to the <u>Building</u>.
- 5. At least 10 percent of the site shall be undisturbed open space that is either part of, or contiguous with, the perimeter buffer.

Staff conducted a site visit on the subject property on June 12, 2024. 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 3.628-acre subject property because it has double frontage on Stromboli Avenue and Column Street. In addition, the applicant's letter of intent states, "The subject property has served as a distribution facility for decades. A recent taking by SCDOT to widen Stromboli Avenue and install drainage along both Stromboli Avenue and Column Street resulted in both the loss of the subject property's vehicular parking lot and a substantial impact to tractor/trailer parking and circulation. In addition, there have been severe issues with crime and theft in the trailer parking area over the past years. Collectively, these result in extraordinary and exceptional conditions with respect to the subject property. Most significantly, the existing improvements on the subject property predate many of the current ZLDR site requirements that are the subject of this variance request." Therefore, the request may meet this criterion.

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

Response:

These conditions may not generally apply to other property in the vicinity. The applicant's letter of intent states, "While SCDOTs expansion of the Stromboli Avenue right of way affected nearly all neighboring properties, the drainage installation along Column Street only affected the subject property and created a unique hardship for the subject property. These takings reduced the overall size of the subject property, resulting in a unique and burdensome impact. Given the physical location of both the distribution facility building and the former vehicular parking lot, tractor/trailer parking and circulation would be unduly burdened by the present ZLDR site requirements." Therefore, the request may meet 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 to 1923 Stromboli Avenue may unreasonably restrict the utilization of the property. The applicant's letter of intent states, "These unique, extraordinary, and exceptional conditions related to the SCDOT taking resulted in the reduction of the size of the subject property. The imposition of pervious/impervious requirements which did not exist at the time the subject property was originally developed, and

the location of the distribution facility and former parking lot in relation to the SCDOT taking, effectively prohibit the utilization of the subject property for its decades long usage. The takings reduced the overall size of the subject property limiting the area necessary to park cars, tractors, and trailers, as well as providing sufficient turning radii to move about the subject property. Given the nature of the use and the heavy weight tractors and trailers, providing pervious surfaces will effectively result in unusable parking spaces, unable to support the weights at issue. Furthermore, the ability for the subject property to continue to operate as it has historically, will no longer be possible. These unique, extraordinary, and exceptional conditions related to the SCDOT taking have caused a reduction in size of the subject property consequently, the imposition of pedestrian access is not feasible due to the substantial drainage system added by SCDOT, in addition, there is gated pedestrian access provided off the parking lot from Column Street unreasonably restricting use of the subject property. These unique, extraordinary, and exceptional conditions related to the SCDOT consequently, taking have caused a reduction in size of the subject property. The imposition of significant, wide buffers will at a minimum unreasonably restrict use of the subject property and at a maximum effectively prohibit the continued use of the distribution facility. Furthermore, given historic crime and theft issues, buffers will obscure essential law enforcement visibility inside the subject property." 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:

The authorization of these variance requests may not be of substantial detriment to the adjacent properties and to the public good, and the character of the Industrial (IN) Zoning District may not be harmed if the variance is granted. The applicant's letter of intent states, "The authorization of the variance will not be a substantial detriment to adjacent properties or the public good, nor will the character of the district be harmed. To the contrary, the distribution facility will be improved to meet most of the newer ZLDR requirements and will be visually improved as well." 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 requests do 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 <u>meets</u> this criterion.

§3.10.6(6): **Response:**

The need for the variance is not the result of the applicant's own actions; The need for the variances may not be the result of the applicant's own actions. The applicant's letter of intent states, "No. The need for a variance is the result of SCDOT's taking of a portion of the subject properties to widen Stromboli Avenue and install drainage along Column Street along with the strong recommendation of the law enforcement agencies to remove the shrubs and brush in order to thwart theft and crime from parked trailers and vehicles at the distribution facility." 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 variances 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. The applicant's letter of intent, "The variance will not substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance, as the variance actually promote the purposes of the Ordinance as set forth in Section 1.5." Therefore, the request may meet this criterion.

Board of Zoning Appeals' Action:

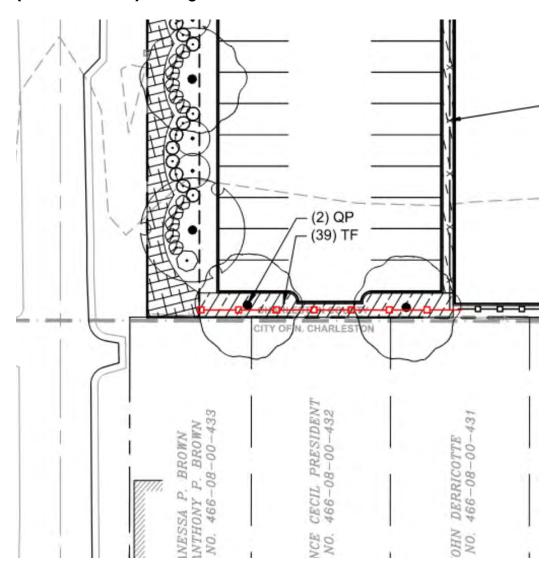
According to Article 3.10 Zoning Variances, Section §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), (adopted July 18, 2006), The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application 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-05-24-00781, -00782, and -00783 [Three (3) Variance requests for a distribution facility at

1923 Stromboli Avenue (TMS # 466-08-00-455) in the North Area of 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 conditions:

- 1. Prior to zoning permit approval, the applicant shall complete the Site Plan Review process.
- 2. The applicant shall install the masonry wall and aluminum fencing as shown on the site plan and extend the masonry wall along the parking area adjacent to residences (as shown below) to mitigate the buffer reduction.



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

Property Information			
Subject Property Address: 1923 Stromb	oli Avenue		
Tax Map Number(s): 466-08-00-455			
Current Use of Property: Distribution Facil	lity		
Proposed Use of Property: Distribution Fa	cility		
Zoning Variance Description:	+ 9.3		
Applicant Information (Required)			
Applicant Name (please print): Jonathan	L. Yates & Brian Hellman		
Name of Company (if applicable): Hellma	n Yates, PA		
Mailing Address: 105 Broad Street, Third F	Floor		
City: Charleston	State: South Carolina		Zip Code: 29401
Email Address: jly@hellmanyates.com	m	Phone #:	843-414-9754
Applicant Signature:			Date: 04-19-2024
Representative Information (Complete	e only if applicable. Attorney, Build	der, Engineer, Su	rveyor etc.)
Print Representative Name and Name of Co	mpany:		
Mailing Address:			
City:	State:	Zij	o Code:
Email Address:		Phone #:	
Designation of Agent (Complete only if	the Applicant listed above is not the	he Property Own	er.)
I hereby appoint the person named as Appli	cant and/or Representative as my	(our) agent to re	present me (us) in this application.
Property Owner(s) Name(s) (please print):	Crown Enterprises, INC		
Name of Company (if applicable, LLC etc.):	Crown Enterprises, INC		
Property Owner(s) Mailing Address: 12225	Stephens Road		
City: Warren	State: MI Zip Code	: 48089	Phone #: 586-467-1711
Property Owner(s) Email Address: LFrome	er@Centraltransport.com		
Property Owner(s) Signature:			Date: 4/26/24
DESIGNED TO BE THE STATE	FOR OFFICE USE ONLY:		al attended to the same
Zoning District: // Flood Zo	ne: X (1504.K)	Date Filed: 5	21/24 Fee Paid 7 984
Application #: BZA-05-24-08	18 TMS #: 466-08-	00-455	Staff Initials:
			- O

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.)

A variance from ZLDR Section 9.3.7. to allow for impervious coverage of 88.4%, which exceeds the 70% permitted by the ZLDR, and a variance to allow for no parking spaces to have a pervious surface, which is less than the 30% required by the ZLDR.

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 subject property has served as a distribution facility for decades. A recent taking by SCDOT to widen Stromboli Avenue and install drainage along both Stromboli Avenue and Column Street resulted in both the loss of the subject property's vehicular parking lot and a substantial impact to tractor/trailer parking and circulation. In addition, there have been severe issues with crime and theft in the trailer parking area over the past years. Collectively, these result in extraordinary and exceptional conditions with respect to the subject property. Most significantly, the existing improvements on the subject property predate many of the current ZLDR site requirements that are the subject of this variance request.

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

While SCDOT's expansion of the Stromboli Avenue right of way affected nearly all neighboring properties, the drainage installation along Column Street only affected the subject property and created a unique hardship for the subject property. These takings reduced the overall size of the subject property, resulting in a unique and burdensome impact. Given the physical location of both the distribution facility building and the former vehicular parking lot, tractor/trailer parking and circulation would be unduly burdened by the present ZLDR site requirements.

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:

These unique, extraordinary, and exceptional conditions related to the SCDOT taking resulted in the reduction of the size of the subject property. The imposition of pervious/impervious requirements which did not exist at the time the subject property was originally developed, and the location of the distribution facility and former parking lot in relation to the SCDOT taking, effectively prohibit the utilization of the subject property for its decades long usage. The takings reduced the overall size of the subject property limiting the area necessary to park cars, tractors, and trailers, as well as providing sufficient turning radii to move about the subject property. Given the nature of the use and the heavy weight tractors and trailers, providing pervious surfaces will effectively result in unusable parking spaces, unable to support the weights at issue. Furthermore, the ability for the subject property to continue to operate as it has historically, will no longer be possible.

horization of the variance will not be a substantial detriment to adjacent properties or the public good, nor will the character of the period harmed. To the contrary, the distribution facility will be improved to meet most of the newer ZLDR requirements and will be visually as well.
ne BZA shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise ermitted in a zoning district, to extend physically a Nonconforming Use of land, or to change the zoning district bundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably if a Zoning ariance is granted shall not be considered grounds for granting a Zoning Variance. Does the variance request seet this criterion?
Absolutely, the use is permitted in the district.
the need for the variance the result of your own actions? Explain:
eed for a variance is the result of SCDOT's taking of a portion of the subject properties to widen Stromboli Avenue and install drainage mn Street along with the strong recommendation of the law enforcement agencies to remove the shrubs and brush in order to thwart rime from parked trailers and vehicles at the distribution facility.
pes the variance substantially conflict with the Charleston County Comprehensive Plan or the purposes of the rdinance? Explain
nce will not substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance, as the variance comote the purposes of the Ordinance as set forth in Section 1.5.
n e o a e

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.

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.)

A variance from ZLDR Section 9.3.11. to omit the installation of pedestrian access along Column Street and to omit a pedestrian connection to the main entry of the distribution facility building from the pedestrian path at the Stromboli Avenue right of way.

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 subject property has served as a distribution facility for decades. A recent taking by SCDOT to widen Stromboli Avenue and install drainage along both Stromboli Avenue and Column Street resulted in both the loss of the subject property's vehicular parking lot and a substantial impact to tractor/trailer parking and circulation. In addition, there have been severe issues with crime and theft in the trailer parking area over the past years. Collectively, these result in extraordinary and exceptional conditions with respect to the subject property. Most significantly, the existing improvements on the subject property predate many of the current ZLDR site requirements that are the subject of this variance request.

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

While SCDOT's expansion of the Stromboli Avenue right of way affected nearly all neighboring properties, the drainage installation along Column Street only affected the subject property and created a unique hardship for the subject property. These takings reduced the overall size of the subject property, resulting in a unique and burdensome impact. Given the physical location of both the distribution facility building and the former vehicular parking lot, tractor/trailer parking and circulation would be unduly burdened by the present ZLDR site requirements.

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:

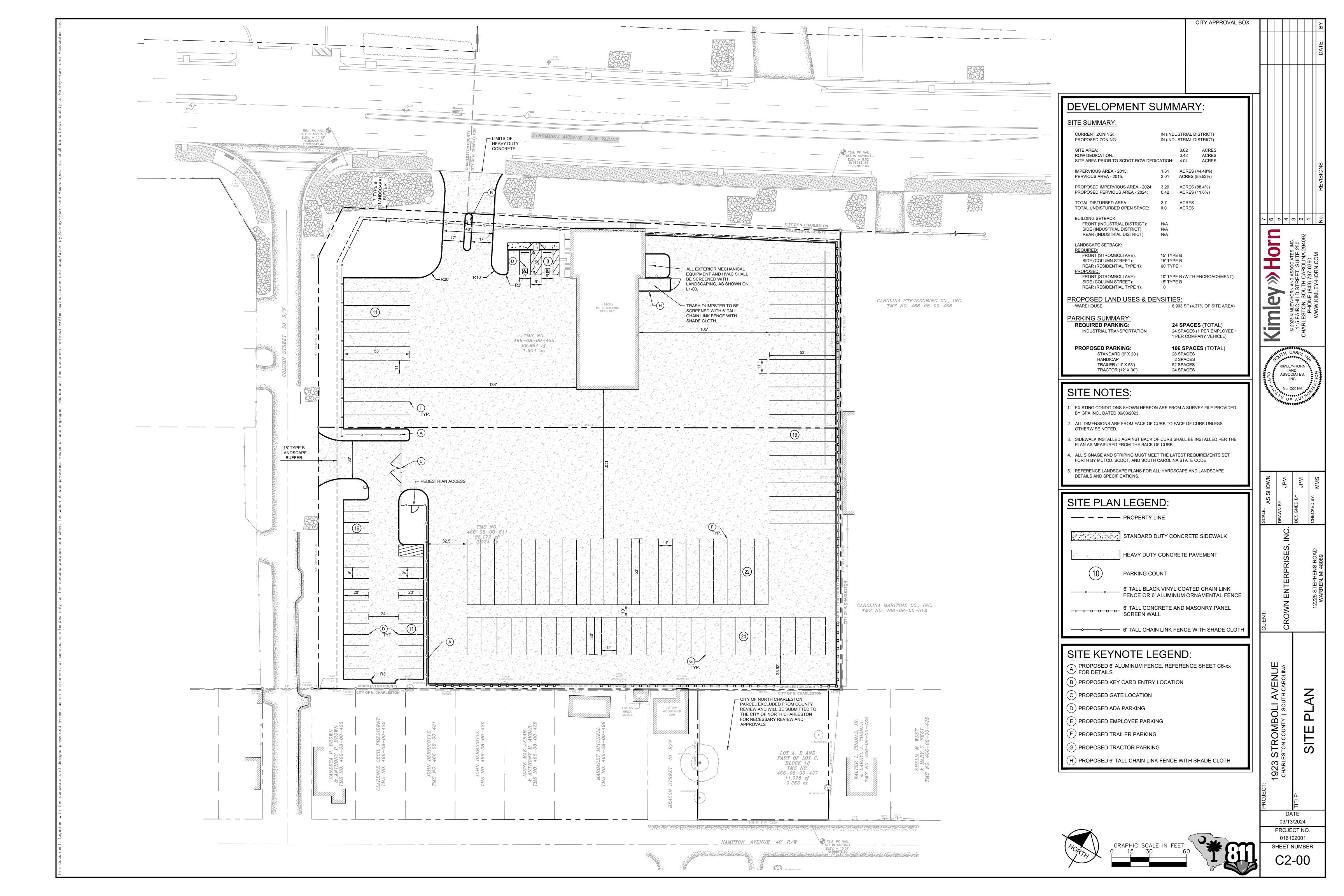
These unique, extraordinary, and exceptional conditions related to the SCDOT taking have caused a reduction in size of the subject property consequently, the imposition of pedestrian access is not feasible due to the substantial drainage system added by SCDOT, in addition, there is gated pedestrian access provided off the parking lot from Column Street unreasonably restricting use of the subject property.

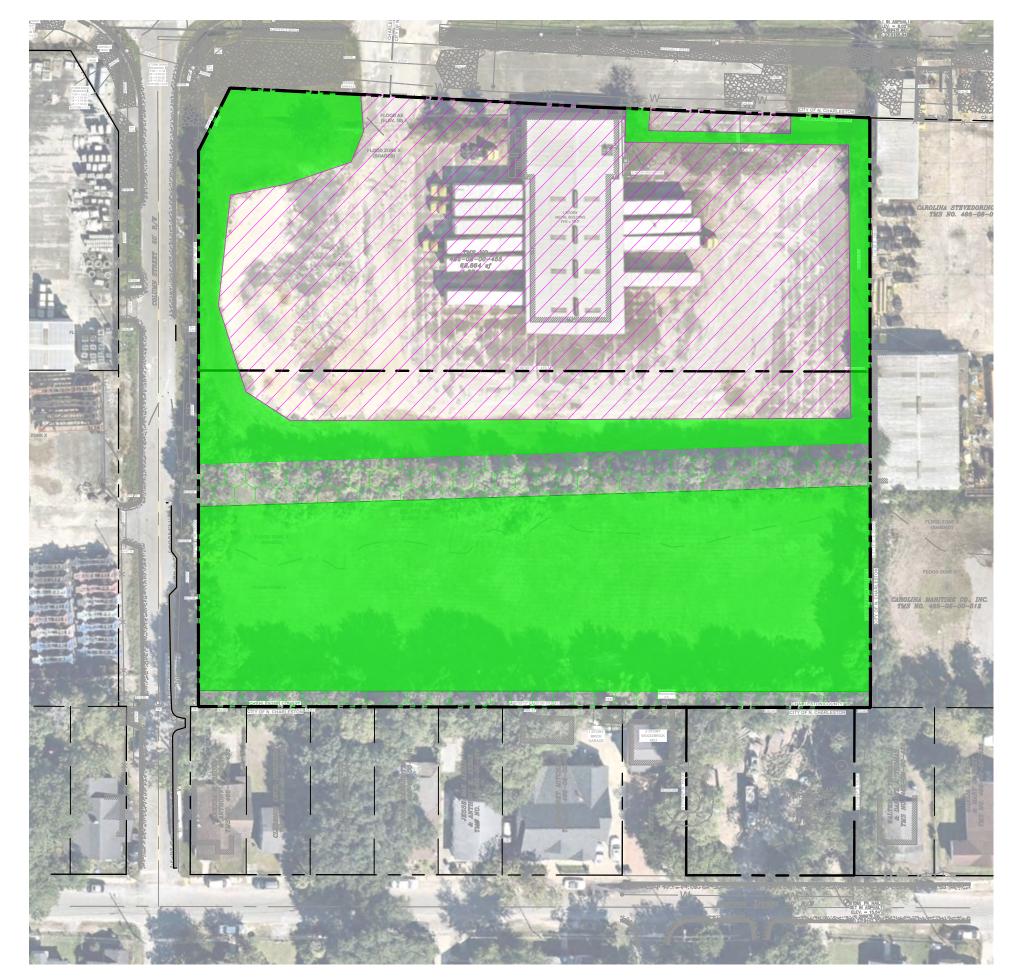
_	the character of the zoning district be harmed if this variance is granted? Explain:
dis	e authorization of the variance will not be a substantial detriment to adjacent properties or the public good, nor will the character of the trict be harmed. To the contrary, the distribution facility will be improved to meet most of the newer ZLDR requirements and will be visually proved as well.
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?
	Absolutely, the use is permitted in the district.
6.	Is the need for the variance the result of your own actions? Explain:
along	the need for a variance is the result of SCDOT's taking of a portion of the subject properties to widen Stromboli Avenue and install drainage Column Street along with the strong recommendation of the law enforcement agencies to remove the shrubs and brush in order to thwart and crime from parked trailers and vehicles at the distribution facility.
7.	Does the variance substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance? Explain
The v	variance will not substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance, as the variance ally promote the purposes of the Ordinance as set forth in Section 1.5.
In g	granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, racter, 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.

Will the authorization of a variance be a substantial detriment to adjacent property or to the public good? Will

4.





GRAPHIC SCALE IN FEET

CENTRAL TRANSPORT - STROMBOLI

DEVELOPMENT SUMMARY:

SITE SUMMARY:

CURRENT ZONING: IN (INDUSTRIAL DISTRICT)
PROPOSED ZONING: IN (INDUSTRIAL DISTRICT)

SITE AREA: 3.62 ACRES

 IMPERVIOUS AREA - 2015:
 1.61
 ACRES (44.35%)

 PERVIOUS AREA - 2015:
 2.01
 ACRES (55.65%)







CENTRAL TRANSPORT - STROMBOLI

DEVELOPMENT SUMMARY:

SITE SUMMARY:

CURRENT ZONING: IN (INDUSTRIAL DISTRICT)
PROPOSED ZONING: IN (INDUSTRIAL DISTRICT)

SITE AREA: 3.62 ACRES

PROPOSED IMPERVIOUS AREA: 3.18 ACRES (87.8%)
PROPOSED PERVIOUS AREA: 0.44 ACRES (12.2%)

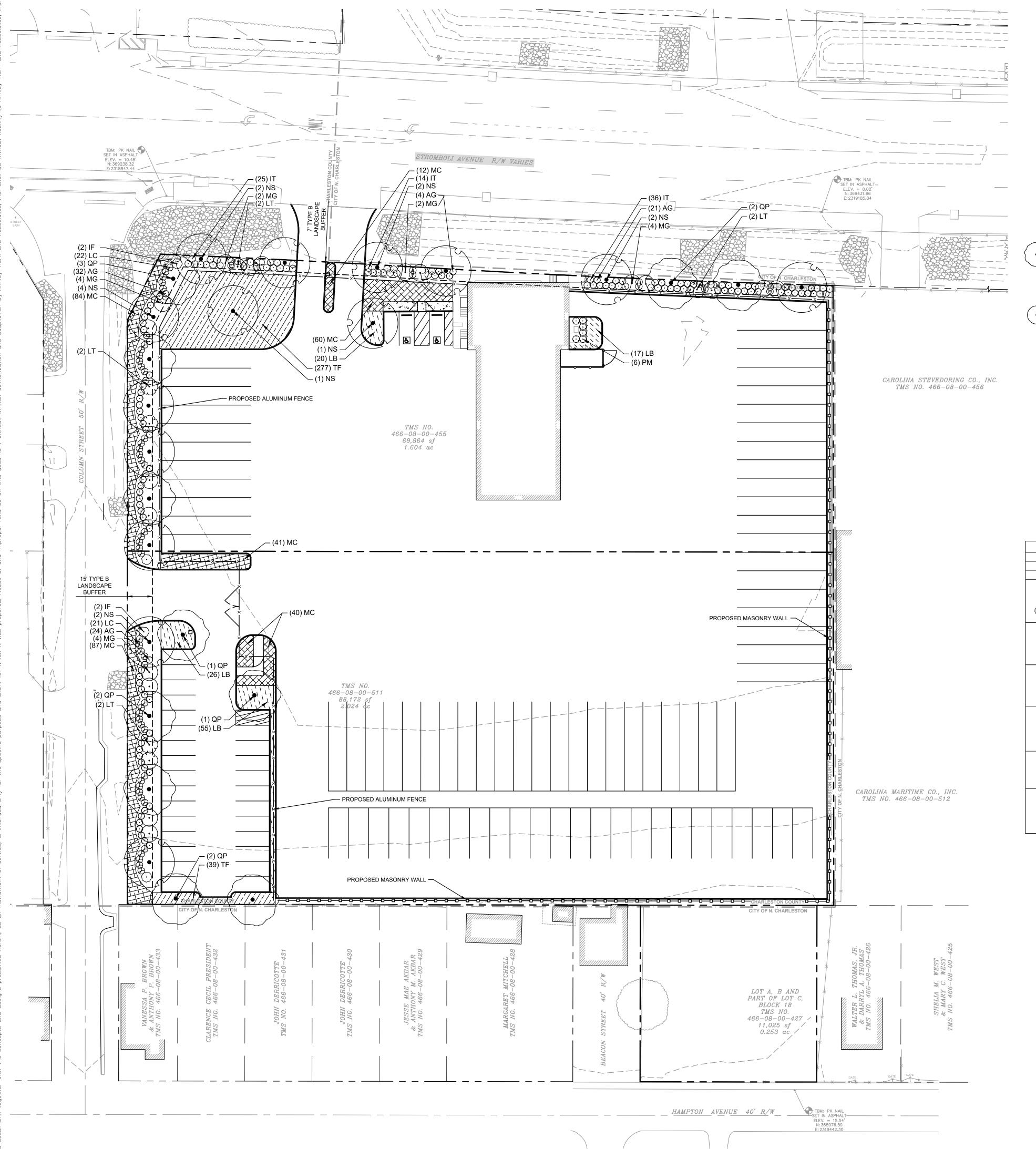
SITE PLAN LEGEND: PROPERTY LINE IMPERVIOUS AREA PERVIOUS AREA - GRASSED CONDITION PERVIOUS AREA - WOODED CONDITION





GRAPHIC SCALE IN FEET

120



SITE PLAN LEGEND:

— — — PROPERTY LINE

— — — BUILDING SETBACK LINE

— — — — — LANDSCAPE BUFFER LINE

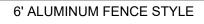
___ 6' TALL BLACK VINYL COATED CHAIN LINK FENCE OR 6' ALUMINUM ORNAMENTAL FENCE

PLANT SCHEDULE

CANOPY TREES	CODE	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	HEIGHT	<u>QTY</u>
•	NS	WILDFIRE TUPELO	NYSSA SYLVATICA 'WILDFIRE'	4" CAL.	B&B	12` HT. MIN.	14
(\cdot)	QP	WILLOW OAK	QUERCUS PHELLOS	4" CAL.	B&B	12` HT. MIN.	11
UNDERSTORY TREES	CODE	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	<u>HEIGHT</u>	<u>QTY</u>
	LT	TONTO CRAPE MYRTLE MULTI-TRUNK	LAGERSTROEMIA INDICA X FAURIEI 'TONTO'	2" CAL.	B&B	8` HT. MIN.	8
\odot	MG	LITTLE GEM DWARF SOUTHERN MAGNOLIA	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	2" CAL.	B&B	8` HT. MIN.	16
<u>SHRUBS</u>	CODE	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	<u>HEIGHT</u>	<u>QTY</u>
\odot	AG	KALEIDOSCOPE GLOSSY ABELIA	ABELIA X GRANDIFLORA 'KALEIDOSCOPE'	3 GAL.	POT	18"-24" MIN.	81
\odot	IT	TAYLOR'S RUDOLPH YAUPON HOLLY	ILEX VOMITORIA 'TAYLOR'S RUDOLPH'	3 GAL.	POT	18"-24" MIN.	75
\odot	IF	FLORIDA ANISE	ILLICIUM FLORIDANUM	3 GAL.	POT	24" FULL	4
\bigcirc	LC	CERISE CHARM™ FRINGE FLOWER	LOROPETALUM CHINENSE RUBRUM 'KUROBIJIN'	3 GAL.	POT	18"-24" MIN.	43
\odot	PM	MAKI PODOCARPUS	PODOCARPUS MACROPHYLLUS 'MAKI'	3 GAL.	POT	36" FULL	6
GROUND COVERS	CODE	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER	SPACING	QTY
	LB	BIG BLUE LILYTURF	LIRIOPE MUSCARI 'BIG BLUE'	1 GAL.	42" O.C.	42" O.C.	118
	MC	PINK MUHLY GRASS	MUHLENBERGIA CAPILLARIS	1 GAL.	42" O.C.	42" O.C.	324
	TF	FLORIDA GAMAGRASS	TRIPSACUM FLORIDANUM	1 GAL.	42" O.C.	42" O.C.	316

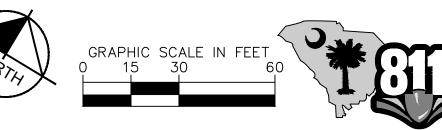
	LAI	NDSCAPE REQU	JIREMENTS & CALCULATION	ONS		
Charleston County, SC						
LANDSCAPE R	EQUIREMENTS					
AREA	CODE REQUIREMENT	MEASUREMENT	TOTAL QUANTITY REQUIRED	TOTAL QUANTITY PROVIDED	NOTES	SECTION
LANDSCAPE BUFFER (Stromboli Ave) (Type B)	PER 100 LF: 2 CANOPY TREES 3 UNDERSTORY TREES 25 SHRUBS	360 LF	8 CANOPY TREES 12 UNDERSTORY TREES 100 SHRUBS	8 CANOPY TREES 12 UNDERSTORY TREES 100 SHRUBS	N/A	Section 9.4.4
LANDSCAPE BUFFER (Column St) (Type B)	PER 100 LF: 2 CANOPY TREES 3 UNDERSTORY TREES 25 SHRUBS	348 LF	8 CANOPY TREES 12 UNDERSTORY TREES 100 SHRUBS	8 CANOPY TREES 12 UNDERSTORY TREES 103 SHRUBS	N/A	Section 9.4.4
LANDSCAPE BUFFER (East) (Type B)	PER 100 LF: 2 CANOPY TREES 3 UNDERSTORY TREES 25 SHRUBS	370 LF	8 CANOPY TREES 12 UNDERSTORY TREES 100 SHRUBS		MASONRY WALL TO BE BUILT ALONG PROPERTY LINE	Section 9.4.4
LANDSCAPE BUFFER (South) (Type C)	PER 100 LF: 2 CANOPY TREES 3 UNDERSTORY TREES 30 SHRUBS	420 LF	8 CANOPY TREES 15 UNDERSTORY TREES 150 SHRUBS		MASONRY WALL TO BE BUILT ALONG PROPERTY LINE	Section 9.4.4
SITE DENSITY	40" PER ACRE	3.62 AC	3.62 x 40" = 144.8"	148"	N/A	Section 9.2.4.6
OPEN SPACE	10% OF SITE	3.62 AC	.36 AC	.13 AC	PREVIOUS GREEN SPACE LOCATED WITHIN THE STREET BUFFER COUNTED TOWARDS TOTAL DUE TO REQUIRED LANDSCAPE IMPROVEMENTS.	Section 9.5.3.A







CONCRETE AND MASONRY WALL STYLE



DATE
03/13/2024

PROJECT NO.
016102001

SHEET NUMBER

L1-00

1923 STROMBOLI AVENUE CHARLESTON COUNTY | SOUTH CAROLINA

LANDSCAPE

CITY APPROVAL BOX

Kimley

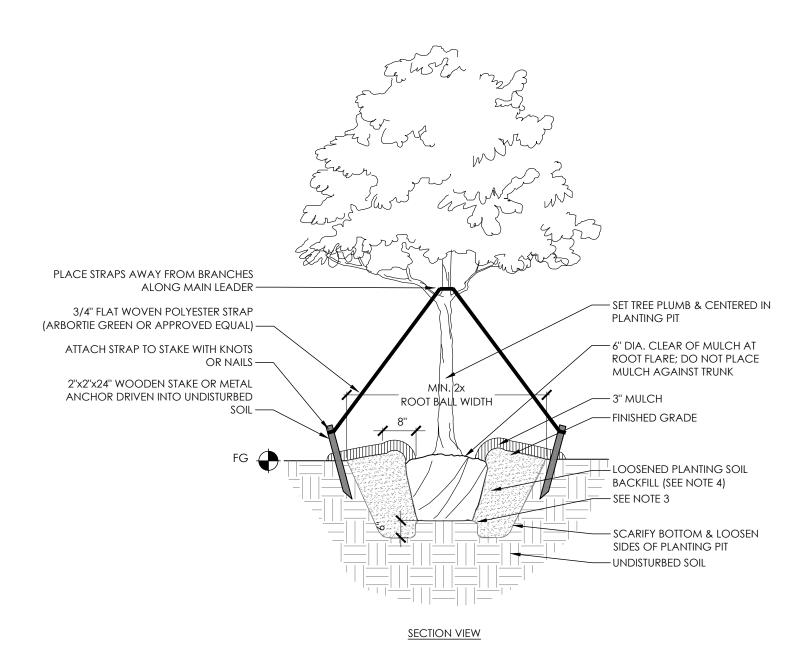
AND ASSOCIATES,

GROUNDCOVER PLANTING DETAIL

PLANTING NOTES:

1. SPLIT PLANT ROOTS WITH 2-3 EQUALLY-SPACED VERTICAL CUTS.

SECTION



1. FOR CONTAINER PLANTS, REMOVE CONTAINER & SCARIFY ROOT MASS PRIOR TO PLANTING.

- 2. FOR B&B PLANTS, COMPLETELY REMOVE TOP HALF OF WIRE BASKET AND BURLAP MATERIAL; REMOVE ALL TWINE, ROPE AND WIRE FROM ROOT BALL
- 3. SET ROOT BALL ON UNDISTURBED STABLE SUBSOIL SO THAT TOP OF ROOT BALL IS 2-3" ABOVE FINISHED GRADE. TAMP SOIL FIRMLY AROUND BOTTOM OF ROOT BALL TO SET TREE PLUMB. 4. DIG & TURN PLANTING SOIL TO REDUCE COMPACTION. LIGHTLY TAMP SOIL AROUND ROOT BALL IN 6" LIFTS TO BRACE THE TREE. DO
- SOIL REPORT. POUR WATER AROUND ROOT BALL TO SETTLE SOIL, AND BACKFILL AS REQUIRED TO MEET REQUIRED FINISHED GRADE. 5. A 3" HIGH x 8" WIDE BERM SHALL BE MADE

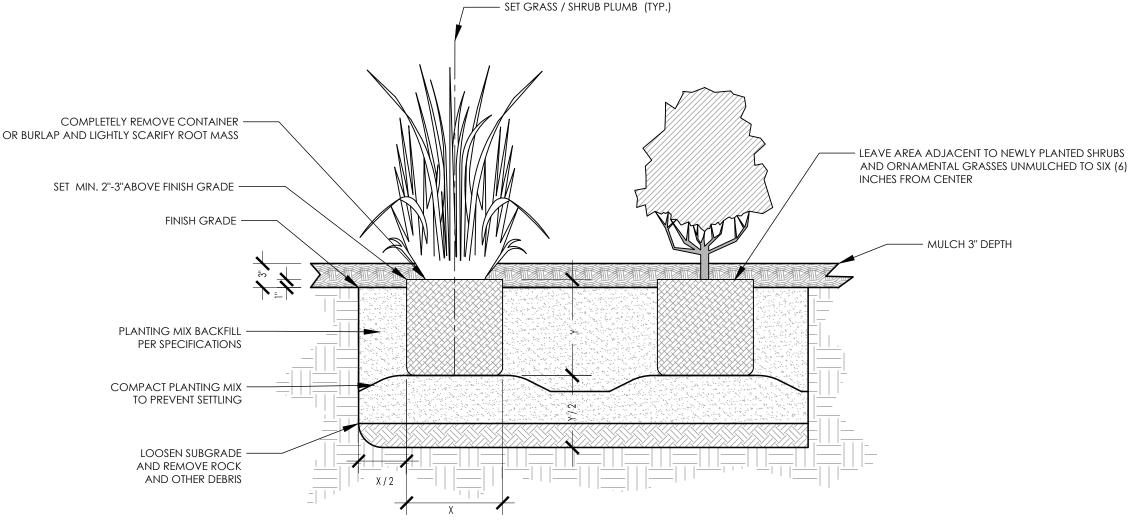
DEAD OR BROKEN BRANCHES.

—ROOT BALL - WOVEN STRAP (TYP.) NOT OVER-COMPACT. MIX COMPOST INTO ANCHORS EQUALLY EACH LIFT OF BACKFILL AS RECOMMENDED IN SPACED AROUND TREE PLAN VIEW AROUND THE ROOT BALL EDGE. 6. PRUNE TREES ONLY AS NEEDED TO REMOVE

-PLANTING HOLE

PLAN/SECTION

TREE PLANTING DETAIL SCALE: NTS



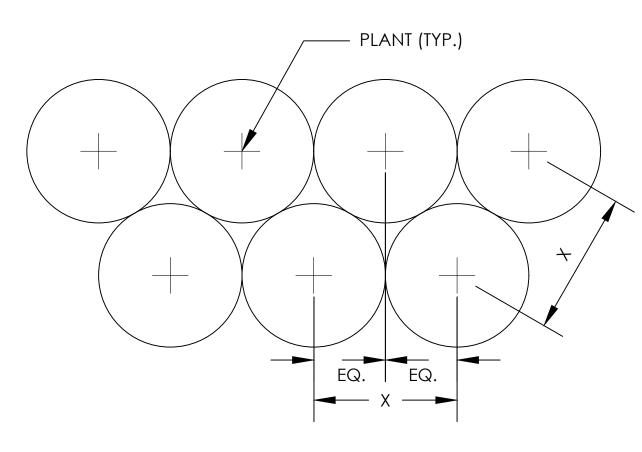
- ALL PLANT MATERIAL PRICING SHALL INCLUDE MULCH, BED PREPARATION, AND STAKING. ALL PLANTING BEDS SHALL RECEIVE 3" (THREE INCHES) OF NON-DYED HARDWOOD MULCH.
- PLANT MATERIAL SPACING SHOWN ON LANDSCAPE PLANS SHALL OVERRIDE TYPICAL PLANT SPACING INDICATED ON PLANT SCHEDULE. LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING ALL PLANT SPACING AND MAKING MINOR FIELD ADJUSTMENTS DUE TO UTILITY CONFLICTS.
- ALL SHRUBS SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MOST RECENT 'AMERICAN STANDARDS FOR NURSERY
- STOCK' PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (A.A.N.) SOIL ANALYSIS SHALL BE OBTAINED PRIOR TO PLANTING. SOIL SHALL BE AMENDED AS RECOMMENDED BY CERTIFIED TESTING AGENCY.
- SEE PLAN FOR SPACING.

SHRUB AND ORNAMENTAL GRASS PLANTING DETAIL

SECTION SCALE: NTS

GENERAL LANDSCAPE NOTES:

- 1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE.
- 2. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED IN THE PLANT LIST.
- 3. ALL TREES MUST HAVE A STRAIGHT TRUNK AND FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
- 4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
- 5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
- 6. ALL TREES LOCATED WITHIN VEHICLE SIGHT TRIANGLES SHALL BE BRANCHED MIN. 8' (MEASURED FROM ADJACENT PROJECTED CURB LINE ELEVATION) PER ANSI Z60.1 STANDARDS FOR HEIGHT OF BRANCHING - STREET TREES.
- 7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION. CONTRACTOR IS ALSO RESPONSIBLE FOR COORDINATING ALL UTILITY ADJUSTMENTS WITH FINAL FINISH GRADE. ALL UTILITIES SHALL SIT FLUSH WITH FINISH GRADES (BOTH PAVED AND LANDSCAPED SURFACES).
- 8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THE LANDSCAPE PLANS BEFORE PRICING THE WORK. ANY DISCREPANCIES BETWEEN QUANTITIES ON PLAN AND PLANT LIST SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT LANDSCAPE ARCHITECT AND ANY FIELD ADJUSTMENTS OR QUANTITY ADJUSTMENTS MUST BE AUTHORIZED PRIOR TO ORDERING AND PLANTING.
- 9. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, WEEDING, FERTILIZING, ETC.) OF THE PLANTING AREAS AND LAWN UNTIL SUBSTANTIAL COMPLETION.
- 10. THE CONTRACTOR SHALL COMPLETELY WARRANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF SUBSTANTIAL COMPLETION. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE WARRANTEE PERIOD.
- 11. THE LANDSCAPE ARCHITECT SHALL APPROVE THE STAKING LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION. CONTRACTOR SHALL CONTACT THE PROJECT LANDSCAPE ARCHITECT A MINIMUM OF ONE (1) WEEK IN ADVANCE TO SCHEDULE STAKING.
- 12. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO SUBSTANTIAL COMPLETION OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE MEETING ALL PLANT SCHEDULE SPECIFICATIONS.
- 13. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
- 14. ALL PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH NON-DYED DOUBLE SHREDDED HARDWOOD MULCH AT A DEPTH OF 3" INCHES. ANY EXISTING LANDSCAPE BEDS THAT ARE DISTURBED MUST BE MULCHED TO MATCH EXISTING MULCH FOUND WITHIN LANDSCAPE BED.
- 15. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES DURING THE
- 16. SAFE, CLEARLY MARKED PEDESTRIAN AND VEHICULAR ACCESS TO ALL ADJACENT PROPERTIES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
- 17. ALL PLANT MATERIAL QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN.
- 18. THE TOP OF ALL ROOT BALLS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE, AS BORN TO PREVIOUS GRADE AND GROWING
- 19. ALL ROOT BALLS REMOVED FROM CONTAINERS SHALL BE SCARIFIED PRIOR TO BACKFILLING.
- 20. FAILURE TO INSTALL PLANT MATERIAL PER THIS PLAN WILL JEOPARDIZE ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY. CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING INSPECTIONS OF PLANT MATERIAL.
- 21. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES & ORDINANCES REGARDING LANDSCAPING. GENERAL CONTRACTOR IS TO CLEAN THE ENTIRE SITE OF ALL CONSTRUCTION DEBRIS PRIOR TO FINAL INSPECTION.



PLANT SPACING NOTES:

1. SEE PLANTING PLAN FOR GROUNDCOVER PLANTING AREAS. 2. PLANTS SHALL BE INSTALLED IN STRAIGHT AND PARALLEL ROWS UNLESS OTHERWISE SHOWN ON DRAWINGS. 3. SEE PLANT SCHEDULE FOR PLANT SPACING REQUIREMENTS ("X" DIMENSION IN THIS DETAIL).

PLANT SPACING DETAIL

≫Horn



AVENUE

1923 CHARL

DATE 03/13/2024 PROJECT NO. 016102001 SHEET NUMBER

