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Passcode: 485667

Meeting ID: 876 1231 5275

Call in Phone #: 1+929 205 6099



City of Beaufort
1911 Boundary Street
Beaufort Municipal Complex
Beaufort, South Carolina 29902
(843) 525-7070

**Zoning Board of Appeals Regular Meeting Agenda
November 19, 2025**

Statement of Media Notification

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

Regular Meeting - Council Chambers, 2nd Floor - 5:30 PM

Please note, this meeting will be broadcast via zoom and live-streamed on YouTube. You can view the meeting at the City's page; City Beaufort SC

I. Call to Order

II. Pledge of Allegiance

III. Minutes

A. Minutes of the April 24, 2025 Meeting

IV. Review of Projects

A. 510 Ribaut Road, identified as R120 003 000 535A 0000, Special Exception
Applicant: Alicia D. Hart

B. 2419 Hermitage Road, identified as R120 005 000 0063 0000, Variance
Applicant: Scott Qualls, Q Enterprises

C. 2802 Broome Lane, identified as R120 006 000 0255 0000, Variance
Applicant: William & Katherine Younce

V. Adjourn



Zoning Board of Appeals

Meeting Minutes – April 28, 2025

CALL TO ORDER

0:07

A meeting of the Zoning Board of Appeals was held in-person on April 28, 2025 at 5:30 p.m.

ATTENDEES

Members in attendance: Kenneth Hoffman (Chairman), Marc Sviland (Vice-Chairman), Kevin Blank and Patrick McMichael.

Member absent: Parker Moore.

Staff in attendance: Nick Navia, City of Beaufort Community Development Planner I and Christopher Klement, City of Beaufort Community Development Planner III.

REVIEW OF MINUTES – FEBRUARY 24, 2025

0:10

Motion: Mr. Blank made a motion to approve the minutes of the February 24, 2025 meeting as submitted; seconded by Mr. McMichael. The motion passed unanimously.

All Zoning Board of Appeals meeting minutes are recorded and can be found on the City's website at <http://www.cityofbeaufort.org/AgendaCenter>.

APPLICATIONS

1:47

A. 119 South Hermitage Road, identified as R120 005 000 0011 0000, Variance

Applicant: Carl Young, Allen Patterson Builders

The applicant is requesting a variance from Section 2.4.1.C.3, to allow the carriage house exterior staircase to encroach 3 ft into the 5 ft setback for 119 South Hermitage Road. The property is further identified as R120 005 000 0011 0000. The property is zoned T3-Suburban District (T3-S).

Nick Navia presented the staff report.

Public Comment

William Trask owns the adjacent parcel on the other side of the white picket fence. He sold this parcel through the current owner and builder. There is a diminishing of value with the

placement of the stairs. It's the first thing you see, it's right on the road. It's a very large lot that they could have built the house anywhere on the lot.

Amelia Cromer, 162 Spanish Point Drive, stated when you make an exception, then the precedent is made for another exception, then another exception, etc. This is a brand new build, they knew the setbacks .

Public comment closed.

Motion: Mr. Suter made a motion to deny the variance request as written. Mr. Blank seconded the motion. The motion passed unanimously.

ADJOURNMENT

20:20

Mr. Blank made a motion to adjourn the meeting. Mr. McMichael seconded the motion. The meeting ended at 5:58 pm.

DRAFT

PUBLIC COMMENT SHEET

DATE: 4-28-25

MEETING TIME: 5:30 PM

FACILITATOR: ZBOH Mfg.

LOCATION: Council Chambers

[illegible]



City of Beaufort
Department Request for Zoning Board of Appeals Agenda Item

To: Zoning Board of Appeals **Date:** 11/10/2025
From: Nicolas Navia, Community Development Planner I
Item Name: **510 Ribaut Road, identified as R120 003 000 535A 0000**, Special Exception
Applicant: Alicia D. Hart
Meeting Date: November 19, 2025
Department: Community Development Department

Background Information:

Introduction:

The applicant is requesting approval by Special Exception for her Home Occupation Business, “Hart to Heart Therapy LLC”. Due to the applicant having a nonresident associate perform duties for the business on site (counseling/training), the Home Occupation type which would otherwise be a Minor, becomes a Major. Major Home Occupations are only permitted by Special Exception per Code Section 3.3.2.D.2.b.

Background:

The applicant is requesting approval by Special Exception for her Home Occupation Business, “Hart to Heart Therapy LLC”. As a SC state licensed therapist and therapist supervisor, the business would entail providing therapy services to clients at the residence and provide training to a student/associate that she supervises. Due to the applicant having a nonresident student/associate perform duties for the business on site, the Home Occupation type, which would otherwise be a Minor, becomes a Major. Major Home Occupations are only permitted by Special Exception per Code Section 3.3.2.D.2.b.

Legal Authority:

S.C. Code Ann. § 6-29-310 et seq. Comprehensive Planning Enabling Act

Staff Recommendation:

Staff recommends APPROVAL of the Major Home Occupation Special Exception Request, as required by Section 3.3.2.D.2.b.

Placed on Agenda For:

Action

Attachments:

1. 510 Ribaut Rd_Agenda Packet

510 Ribaut Road

**Home Occupation – Major
“Hart to Heart Therapy LLC”
Special Exception Approval**



STAFF REPORT: ZONING BOARD OF APPEALS (ZBOA)

Special Exception Request

DATE: November 19, 2025

GENERAL INFORMATION

Applicant:	Alicia D. Hart (Owner)
Site Address / Tax PIN:	510 Ribaut Road / PIN: R120 003 000 535A 0000
Applicant's Request:	The applicant is requesting approval by Special Exception for her Home Occupation Business, "Hart to Heart Therapy LLC". Due to the applicant having a nonresident associate perform duties for the business on site (counseling/training), the Home Occupation type which would otherwise be a Minor, becomes a Major. Major Home Occupations are only permitted by Special Exception per Code Section 3.3.2.D.2.b.
Current Zoning:	<u>T4-NEIGHBORHOOD DISTRICT (T4-N)</u>
Flood Zone/Elevations	Flood Zone "X", Lot Elevation: 23'; [Base Flood Elevation in Beaufort, SC: 13']
Lot size	0.3 acres (13,068 sq. ft.)

ZONING DISTRICT INFORMATION

T4-NEIGHBORHOOD DISTRICT (T4-N)

Lot Width at Front Setback:	N/A
Max. Lot Coverage:	70% of lot area (roofed area) / 80% total impervious lot coverage
Front Setback	0 ft. - 15 ft.
Side Setback	Corner/alley: 0 ft. - 10 ft. min.; Interior: 5 ft. min.
Rear Setback	10 ft. min.

SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS

<u>Adjacent Zoning</u>	<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u>
North: T4-N	Single-family residential	N/A
South: T4-S	Single-family residential	N/A
East: T4-N	<u>Ribaut Road</u> / Single-family residential	N/A
West: T3-N	Single-family residential	N/A

Background: The applicant is requesting approval by Special Exception for her Home Occupation Business, "Hart to Heart Therapy LLC". As a SC state licensed therapist and therapist supervisor, the business would entail providing therapy services to clients at the residence and provide training to a student/associate that she supervises. Due to the applicant having a nonresident student/associate perform duties for the business on site, the Home Occupation type, which would otherwise be a Minor,

becomes a Major. Major Home Occupations are only permitted by Special Exception per **Code Section 3.3.2.D.2.b.**

Special Exception Requested: The applicant is requesting approval of her Major Home Occupation Conditional Use Permit. Per **Code Section 3.3.2.D.2.b**, All Major Home Occupations must be approved by the ZBOA per the Special Exception process as defined in **Code Section 9.13: - ZBOA Special Exception.**

Special Exception Review Criteria: (as defined in Sec. 9.13.2.F): The ZBOA may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property/-ies or upon the general public. The ZBOA shall consider the following criteria in its review:

<u>9.13.2.F – Special Exception Review Criteria</u>	<u>Rationale Present (yes/no)</u>	<u>Staff Analysis of Rationale</u>
a. The proposed use/-s is/are compatible with existing land uses in the surrounding area.	Yes	✓ The home occupation request, with the property being located right on Ribaut Rd where there is a mix of residential and commercial along the corridor, is an appropriate and compatible use in the surrounding area.
b. The harmony of the proposed site plan, circulation plan, and schematic architectural designs with the character of the surrounding area.	Yes	✓ There are no changes to the site with this home occupation request.
c. The likely impact on public infrastructure — such as roads, parking facilities, and water and sewer systems —and on public services — such as police and fire protection and solid waste collection — and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City.	Yes	✓ There would be no impact on public infrastructure. The lot has enough space to accommodate parking for the client and associate as well.

d. The general conformity of the proposed use and designs with the city's Civic Master Plan, Comprehensive Plan, and any other plans officially adopted by the City.	Yes	✓ Granting the Special Exception Approval would not conflict with the Comprehensive Plan and Civic Master Plan. Providing owners the opportunity to provide an important and useful service/business with no negative impact in an area is keeping in line with broad intentions of the Civic Master Plan and Comprehensive Plan.
e. The likely impact on public health and safety.	No	✓ Public health and safety would improve with the approval of this request as it is a Therapy Service with the aim of improving overall health and safety of the residents in the community.
f. The potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.	Yes	✓ There will be no impacts.

PUBLIC NOTICE AND COMMENT

Notice of the Zoning Board of Appeals hearing has been mailed to property owners within 500 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code.

ZBOA HEARING

1. After review of the application and the public hearing, the ZBOA shall make a written finding and approve, approve with modifications or conditions, or disapprove the request.
2. If approval, or approval with modifications or conditions, is granted, the decision shall be communicated in writing within 15 days to the applicant, and the applicant shall then be authorized to submit a development permit application consistent with this Code.

FINDINGS AND RECOMMENDATIONS

Staff Recommendation: Staff recommends APPROVAL of the Major Home Occupation Special Exception Request, as required by Section 3.3.2.D.2.b.

3.3.2 ADDITIONAL STANDARDS FOR RESIDENTIAL USES

The following additional standards apply to the approval and development of projects where the use is listed in the "Table of Permitted Uses" in Section 3.2 as Conditional (C), Special Exception (SE), or T4-Neighborhood Artisan (A). In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

- A. **2—3 Units Dwelling:** See Section 4.5.5.
- B. **Rowhome (syn. townhome, townhouse, rowhouse):** See Section 4.5.6.
- C. **Multi-family Dwelling:** See Section 4.5.7.
- D. **Home Occupations:** Home Occupations shall be separated into 2 categories and permitted subject to an annual business license, issued by the City of Beaufort and the following provisions.
 - 1. **Home Occupation - Minor:** A Minor Home Occupation shall be deemed an accessory use, and must meet the following standards:
 - a. **Incidental:** Such use shall be clearly incidental and secondary to the principal use of the dwelling.
 - b. **Access:** Entrance to the home office portion of the dwelling shall be from within the dwelling, and not through a new outside entrance, except where this provision conflicts with the requirements of the South Carolina Department of Health and Environmental Control (DHEC).
 - c. **Clients:**
 - i. Instruction in music, dancing and similar services shall be limited to 2 clients at a time.
 - ii. Family Child Care Home is limited to 6 or fewer clients.
 - d. **Employees:** Employees are limited to those persons who reside on the premises.
 - 2. **Home Occupation - Major:**
 - a. **Employees:** A maximum of 2 employees who are not residents of the household may work on-site.
 - b. **Process:** These are permitted by Special Exception (Section 9.13).
 - 3. **Home Occupation Standards:**
 - a. **General to All Home Occupations:**
 - i. **Disturbance:** Such use shall create no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly conditions, visual or audible interference in any radio or television receivers off the premises, traffic, or parking problems.
 - ii. **Hours:** Activities involving visitors/clients shall occur only between 8 a.m. and 8 p.m. When Family Day Care Home is a Home Occupation-Minor, it is exempt from this standard.
 - iii. **Parking:** Off-street parking shall be provided in accordance with the standards of Section 5.7 for the type of home occupation maintained. The off-street parking spaces required for the home business shall be maintained in addition to the space or spaces required for the residence itself. No parking spaces, other than driveways, may be located in the required front yard setback. Such

Location of subject property on City of Beaufort, SC - Zoning Map



11/11/2025, 12:59:56 PM

City of Beaufort Road Classifications Layer

- PRIVATE,PAVED
- PRIVATE,UNPAVED
- STATE,PAVED
- TOWN,PAVED

TOWN,UNPAVED

Address Numbers

CityOfBeaufort_Parcels

City of Beaufort Zoning

T3-S

- T3-N
- T4-N
- T4-HN
- T1
- T4-NA

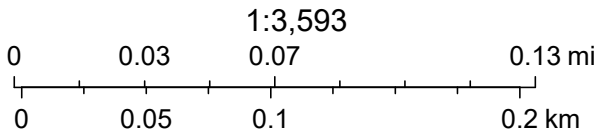
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Vantor







SPECIAL EXCEPTION APPLICATION

Community Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
Email: development@cityofbeaufort.org / www.cityofbeaufort.org

Application Fees: \$300

Receipt # _____

OFFICE USE ONLY: Date Filed: _____ Application #: _____ Zoning District: _____

Submittal Instructions: Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements: 1. A legal survey of the property. 2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required. 3. Photograph(s) of the site.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Applicant, Owner and Property Information

Applicant Name: Alicia D. Hart

Applicant Address: 510 Ribaut Rd., Beaufort, SC

Applicant E-mail: Alicia@harttohearttherapy.com

Applicant Phone Number: 864-621-9475

Owner (if other than the Applicant): same as applicant

Owner Address: _____

Owner E-mail: _____

Owner Phone Number: _____

Property Address: 510 Ribaut Rd., Beaufort, SC 29902

Property Identification Number (Tax Map & Parcel Number): R120 003 000 535 A 0000

DESIGNATION OF AGENT [complete only if owner is not applicant]

I (we) here by appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: 10/02/2025 Owner's Signature: Alicia D. Hart

I (We) certify that the following information in this application is correct.

Date: 10/02/2025 Applicant's Signature: Alicia D. Hart



SPECIAL EXCEPTION APPLICATION

Community Development Department

1911 Boundary Street, Beaufort, South Carolina, 29902

p. (843) 525-7011 / f. (843) 986-5606

Email: development@cityofbeaufort.org / www.cityofbeaufort.org

Required Project Information

Applicant hereby appeals the Zoning Board of Appeals for a special exception for (ex. Type 2 Home

Occupation)

Major Home Occupation - Counseling
and training for my Associate

On property described on Page 1, which is permitted by special exception under the district regulation in

Section

3.2

of the Beaufort Code.

Currently zoned T4-N

1. Applicant will meet the standards in Section 3.3.2 of the Beaufort Code which are applicable to the proposed special exception in the following manner:

- a. There proposed use is compatible with existing land uses in the surrounding area as follows:

This home occupation office will not impact the
surrounding property.

- b. The proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area in that:

There will be no changes
to the property to change the design

- c. The likely impact on public infrastructure such as roads, parking facilities, and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure services to adequately service the proposed use without negatively impacting existing uses in the area and in the City, are as follows:

There will
only be individuals present by appointment only.
There would be no traffic, parking, water/sewer issues, etc. impact
to the area.

- d. The proposed use(s) and designs are in general conformity with the City's Comprehensive Plan and any other plans officially adopted by the City in that:

The proposed use
is in conformity with the City's Comprehensive
Plan and will not affect the City in a negative way.

- e. The likely impact on public health and safety is as follows:

No impact on
Public health and safety. I am working to
improve health and safety.

- f. Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts is as follows:

No impact



CONDITIONAL USE PERMIT
HOME OCCUPATION APPLICATION

Community and Economic Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606 www.cityofbeaufort.org

Application Fee: \$30

OFFICE USE ONLY: Date Filed: _____ Application #: _____

Type: Minor ☐ Major ☐ Approved By: _____

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Applicant, Owner and Property Information

Applicant Name: Alicia D Hart Business Name: Hart to Heart Therapy LLC
Home Occupation Address: 510 Ribaut Rd, Beaufort, SC 29902
Applicant E-mail: alicia@harttohearttherapy.com Applicant Phone Number: 864-621-9475

Submission Information:

Describe, in detail, the proposed business to be conducted in the above residence: *I am a licensed therapist and licensed therapist supervisor in SC. I would like to see clients at this location and provide training to the associates / students I supervise.*

Please answer the following questions by checking "Yes" or "No":

Yes No

- ☒ ☐ Will any persons aside from the members of the household be employed in the home occupation?
If so, how many? 1
- ☒ ☐ Will customers or clients be visiting the premises?
- ☐ ☒ Will a utility trailer be used for this Home Occupation? If yes, will it be ☐ Open ☐ Enclosed?
List size of trailer _____ *Attach a site plan where the vehicle/trailer will be parked
- ☒ ☐ Will there be any deliveries made to the residence?
- ☐ ☒ Will accessory structures such as garages be utilized in the business, either for the home occupation storage, etc.? Please explain:
- ☐ ☒ Will there be any renovations to the dwelling?
- ☒ ☐ Are you requesting a sign?
- ☐ ☒ Will the home occupation potentially generate noise, vibration, smoke, dust, odor, heat, glare, traffic, or parking problems?

Certification of Correctness: I/we certify that the information in this application is correct.

Applicant Signature: *Alicia D Hart* Date: *1/15/2025*

FOR OFFICIAL USE ONLY- Conditions/Comments:



City of Beaufort
Department Request for Zoning Board of Appeals Agenda Item

To: Zoning Board of Appeals **Date:** 11/10/2025
From: Nicolas Navia, Community Development Planner I
Item Name: **2419 Hermitage Road, identified as R120 005 000 0063 0000**, Variance
Applicant: Scott Qualls, Q Enterprises
Meeting Date: November 19, 2025
Department: Community Development Department

Background Information:

Introduction:

The Applicant is requesting a variance from Beaufort Code Section 2.4.1.B.6 which requires attached garages to be setback a minimum of 5 ft from the front façade of the primary structure. The applicant's project proposes a 2-story attached garage with living space above, 34 ft in front of the primary structure.

Background:

The applicant submitted a Project Permit Application on September 18th, 2025 for a project consisting of a new attached garage with 2nd floor living space (Den, bathroom, bath – no kitchen so not an ADU). Upon Planning/Zoning review, it was determined that the proposal was not in conformance with Beaufort Code Section 2.4.1.B.6 which requires attached garages in the T3-S and T3-N zoning districts to be set back a minimum of 5 ft from the front façade of the primary structure.

There is an exception to this code section, however it only applies to waterfront lots. Per Section 2.5.4.A - Attached Garages: Notwithstanding the requirements for Attached Garages in Section 2.4.1 CB.6., such structures associated with residential dwellings may be placed in front of the principal building elevation, if all of the following conditions are met:

1. The upper level(s) shall contain habitable space.
2. The frontage requirement in Section 4.4 is met.

However, because 2419 Hermitage Road is not a waterfront lot, Section 2.5.4 does not apply to it.

Legal Authority:

S.C. Code Ann. § 6-29-310 et seq. Comprehensive Planning Enabling Act

Staff Recommendation:

Staff recommends DENIAL of a variance from Section 2.4.1.B.6, due to the Findings of Fact requirements not being met.

Placed on Agenda For:

Action

Attachments:

1. 2419 Hermitage Road_Agenda Packet

2419 Hermitage Road

Variance Request

Beaufort Code Section 2.4.1.B.6



STAFF REPORT: ZONING BOARD OF APPEALS (ZBOA)

Variance Request

DATE: November 19, 2025

GENERAL INFORMATION

Applicant:	Scott Qualls – Q Enterprises (Contractor) on behalf of Daniel Powers (Property Owner)
Site Address / Tax PIN:	2419 Hermitage Road / PIN: R120 005 000 0063 0000
Applicant's Request:	The Applicant is requesting a variance from Beaufort Code Section 2.4.1.B.6 which requires attached garages to be setback a minimum of 5 ft from the front façade of the primary structure. The applicant's project proposes a 2-story attached garage with living space above, 34 ft in front of the primary structure.
Current Zoning:	<u>T3-SUBURBAN DISTRICT (T3-S)</u>
Neighborhood	Hundred Pines
Flood Zone/Elevations	Flood Zone "X", Lot Elevation: 16' - 18'; [Base Flood Elevation in Beaufort, SC: 13']
Lot size	0.3 acres (12,877 sq. ft.)

ZONING DISTRICT INFORMATION

T3-SUBURBAN DISTRICT (T3-S)

Lot Width at Setback:	75 ft. min.
Max. Lot Coverage:	30% of lot area (roofed area) / 40% total impervious lot coverage
Front Setback	20 ft. min.
Side Setback	Corner/alley: 15 ft. min.; Interior: 10 ft. min
Rear Setback	15 ft. min.

SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS

<u>Adjacent Zoning</u>	<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u>
North: T4-NA	2734 Depot Rd (Light Industrial/Storage)	N/A
South: T3-S	<u>Hermitage Road</u> /Low density single-family residential	N/A
East: T3-S	Low density single-family residential	N/A
West: T3-S	Low density single-family residential	N/A

Background: The applicant submitted a Project Permit Application on September 18th, 2025 for a project consisting of a new attached garage with 2nd floor living space (Den, bathroom, bath – no kitchen so not an ADU). Upon Planning/Zoning review, it was determined that the proposal was not in conformance with Beaufort Code Section 2.4.1.B.6 which requires attached garages in the T3-S and T3-N zoning districts to be set back a minimum of 5 ft from the front façade of the primary structure.

There is an exception to this code section, however it only applies to waterfront lots. Per **Section 2.5.4.A - Attached Garages:** Notwithstanding the requirements for Attached Garages in Section 2.4.1 CB.6., such structures associated with residential dwellings may be placed in front of the principal building elevation, if all of the following conditions are met:

- 1. The upper level(s) shall contain habitable space.
- 2. The frontage requirement in Section 4.4 is met.

However, because 2419 Hermitage Road is **not** a waterfront lot, Section 2.5.4 does not apply to it.

Variances Requested:

The applicant is requesting the following variance: **Section 2.4.1 – Transect-based District Standards – B. Primary Building Placement – 6. Attached Garage/Carport Setback (from front façade) – 5 ft min.**

VARIANCE REVIEW & APPROVAL CRITERIA (IN ACCORDANCE WITH SEC. 9.14.2.F)

Required Findings: A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard set forth in this Code would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial justice will be done. A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes, and explains in writing, all of the following findings:

<u>9.14.2.F.1 - Finding of Fact</u>	<u>Rationale Present (yes/no)</u>	<u>Staff Analysis of Rationale</u>
a. There are extraordinary and exceptional conditions pertaining to the particular piece of property. For	No	× The subject property is a standard square lot with an existing 1-story dwelling structure. The provided

example, the variance is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience or financial disadvantage.		survey does not show any existing easement on the lot. If Dominion Energy does have an easement for the power lines on the property, documentation showing proof will need to be provided.
b. These conditions do not generally apply to other properties in the vicinity.	No	× The applicants' provided examples of other houses in the area with a similar design are all of waterfront lots, which are explicitly allowed per Beaufort Code Section 2.5.4.A. For all other landlocked lots like 2419 Hermitage, this condition applies.
c. The conditions are not the result of the applicant's own actions.	No	× The proposal is the result of the applicant's own actions to construct the garage in a manner that does not conform to the Beaufort Code. The lot has plenty of space for alternative placement. There is 34.7 ft from the side of the house to the east property line, and about 40 ft from the rear of the house to the rear property line.
d. Granting of the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan and the purposes and intent of this Code.	No	× Granting of the variance would conflict with the Comprehensive Plan and Civic Master Plan, and the purposes and intent of this code. The intent of the code section is to discourage house designs that place garages in front of the house, barring waterfront lots. This is reflected throughout Chapters 2 and 4 in various design requirements and principles.
e. Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	No	× The lot has plenty of space for alternative placement of an attached garage. There is 34.7 ft from the side of the house to the east property line, and about 40 ft from the rear of the house to the rear property line. Even if

		there is a 15 ft easement owned by dominion along the east property line, that still leaves 19.7 ft from the side of the house to the easement, as well as all of the space in the rear.
f. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the variance.	No	× The Code very clearly discourages garages in front of houses except for waterfront lots. This variance, if granted, would break the rhythm of the homes in the area, considering that it would be the only non-waterfront lot to have a 2-story garage structure completely in front of the main house in the area.

Limitations: The ZBOA may not grant a variance if it would do any of the following:

- a. Allow the establishment of a use not otherwise permitted in the applicable district.
- b. Increase the density of a use above which is permitted in the applicable district.
- c. Physically extend a nonconforming use of land.
- d. Change the zone boundaries shown on the Official Zoning Map.

Profitability Not to Be Considered: Profitability shall not be considered grounds for a variance!

PUBLIC NOTICE AND COMMENT

Notice of the Zoning Board of Appeals hearing has been mailed to property owners within 500 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code.

FINDINGS AND RECOMMENDATIONS

Staff Recommendation: Staff recommends DENIAL of a variance from Section 2.4.1.B.6, due to the Findings of Fact requirements not being met.





VARIANCE APPLICATION

Community Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
Email: development@cityofbeaufort.org / www.cityofbeaufort.org

PAID
10/9/25
CK

Application Fee: \$300

Receipt # 193354

OFFICE USE ONLY: Date Filed: 10/8/25 Application #: 29515 Zoning District: TB-S

Submittal Instructions: Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements: 1. A legal survey of the property. 2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required. 3. Photograph(s) of the site. For variances, include photos showing relationship to adjoining properties.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Applicant, Owner and Property Information

Applicant Name: SCOTT QUALLS - Q ENTERPRISES

Applicant Address: 7 SEACREST CT. SEABROOK, SC 29940

Applicant E-mail: SCOTTOQUALLS@GMAIL.COM Applicant Phone Number: 843-812-7077

Owner (if other than the Applicant): DAN POWERS

Owner Address: 2419 HERMITAGE RD BEAUFORT, SC 29902

Owner E-mail: DANNPOWERS@YAHOO.COM Owner Phone Number: 843-592-6865

Property Address: 2419 HERMITAGE RD BEAUFORT, SC 29902

Property Identification Number (Tax Map & Parcel Number): R120-005-000-0062-0000

DESIGNATION OF AGENT [complete only if owner is not applicant]

I (we) here by appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: 8 OCT 2025

Owner's Signature: [Signature]

I (We) certify that the information in this application is correct.

Date: 10-8-25

Applicant's Signature: [Signature]



VARIANCE APPLICATION

Community Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
Email: development@cityofbeaufort.org / www.cityofbeaufort.org

Required Project Information

Applicant hereby appeals the Zoning Board of Appeals for a variance from the strict application to the property described on Page 1 of the following provisions in Section 2.4.1 of the Beaufort Code: T 3-S

B. 6 Building SETBACK
so that a building permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: (e.g., build a garage): BUILD ATTACHED GARAGE WITH 2ND FLOOR BEDROOM - BATH - DEN

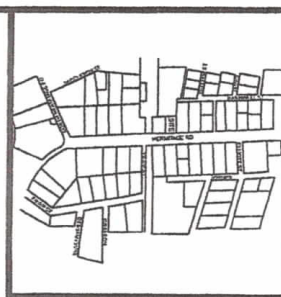
for which a permit has been denied by a building official on the grounds that the proposal would be in violation of the cited section(s) of the Beaufort Code:

1. The application of the Beaufort Code will result in unnecessary hardship, and the standards for a variance set by State law and the Beaufort Code are met by the facts:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: OVERHEAD MAJOR POWER LINES
DOMINION ENERGY REQUIRES A 15' SETBACK HERE.
 - b. These conditions do not generally apply to other property in the vicinity as shown by: ATTACHED PICTURES
 - c. The conditions are not the result of the applicant's own actions as follows: DOMINION'S SETBACK REQUIREMENT
 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the Beaufort Code in that: THERE ARE SIMILAR HOUSES JUST DOWN THE STREET EVEN THOUGH THE ZONE CHANGES
 - e. Because of these conditions, the application of the Beaufort Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: THERE IS NOT ENOUGH ROOM FOR THE GARAGE AND THE ROOMS ABOVE THE GARAGE
 - f. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: THE FRONT & LEFT ELEVATIONS WERE DESIGNED TO ENHANCE THE STRUCTURE, THE RIGHT ELEVATION IS SHADOWED BY TREES & HEAVY LANDSCAPE.

See Section 9.14 of The Beaufort Code for complete information about Variances | updated Sept. 26, 2022 | p. 2 of 2
This form is also available online at www.cityofbeaufort.org



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS
28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798



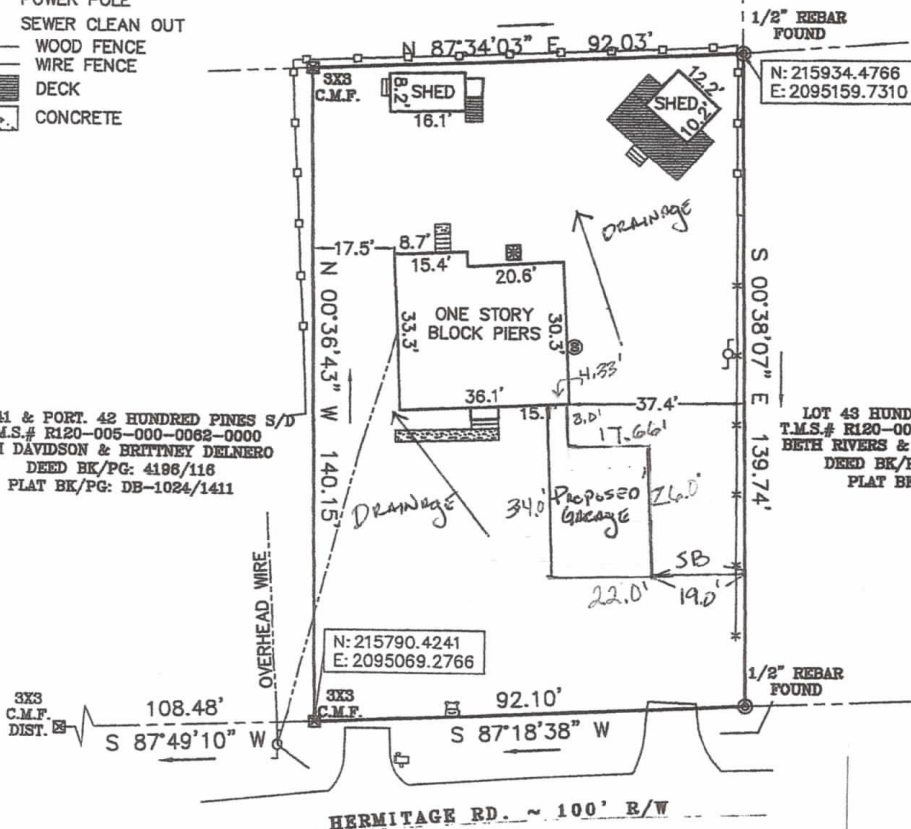
VICINITY MAP NOT TO SCALE

LEGEND OF SYMBOLS
AIR CONDITIONER
WATER METER
IRRIGATION VALVE
POWER POLE
SEWER CLEAN OUT
WOOD FENCE
WIRE FENCE
DECK
CONCRETE

LOTS 41 & 42 HUNDRED PINES S/D
T.M.S.# R120-003-000-0684-0000
BIV LLC.
DEED BK/PG: 3026/47
PLAT BK/PG: 51/114

LOTS 41 & PORT. 42 HUNDRED PINES S/D
T.M.S.# R120-005-000-0062-0000
TEDD DAVIDSON & BRITTNEY DELNERO
DEED BK/PG: 4196/116
PLAT BK/PG: DB-1024/1411

LOT 43 HUNDRED PINES S/D
T.M.S.# R120-006-000-0064-0000
BETH RIVERS & WEBB CONSTANCE
DEED BK/PG: 4170/326
PLAT BK/PG: N/L



ASBUILT SURVEY PREPARED FOR

DANIEL R. POWERS

BEING LOT 42 & A PORTION OF LOT 41, HUNDRED PINES S/D, AS SHOWN BY A PLAT BY J.B. GRAY, DATED: MAY 2, 1928, AND RECORDED IN PLAT BOOK 4, PAGE 42.5. ALSO SHOWN BY A PLAT BY DAVID YOUNG DATED: JANUARY 23, 1998 AND RECORDED IN RECORD BOOK 1087, PAGE 1471 BEAUFORT COUNTY R.M.C. OFFICE. LOCATED IN THE CITY OF BEAUFORT, BEAUFORT COUNTY SOUTH CAROLINA, TAX MAP NUMBER R120-006-000-0063-0000

THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF ANY OVERLAY DISTRICTS, SUCH AS: AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HERE ON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.

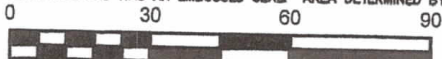
SETBACKS SHOWN AS PER PLAT OF RECORD AND MUST BE VERIFIED WITH OFFICIAL AGENCY BEFORE PURCHASE AND OR CONSTRUCTION ON SUBJECT PROPERTY.

BEFORE ANY DESIGN WORK OR CONSTRUCTION ON THIS SITE IS STARTED FLOOD ZONE INFORMATION MUST BE VERIFIED BY PROPER BUILDING CODES OFFICIAL.

THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE X UNSHADED AS PER FEMA FIRM COMM-PANEL NUMBER 45018C0162C, NAVD 1988, DATED MARCH 18, 2024.

THE UNDERSIGNED DOES NOT CERTIFY THAT THE PROPERTY SHOWN HEREON COMPLIES WITH ANY RESTRICTIVE COVENANTS OR ANY CITY AND/OR COUNTY ORDINANCES.

I, DAVID E. GASQUE, HEREBY CERTIFY TO DANIEL R. POWERS THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THERE IN. ALSO THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS SURVEY IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE AND HAS AN EMBOSSED SEAL. AREA DETERMINED BY COORDINATE METHOD.

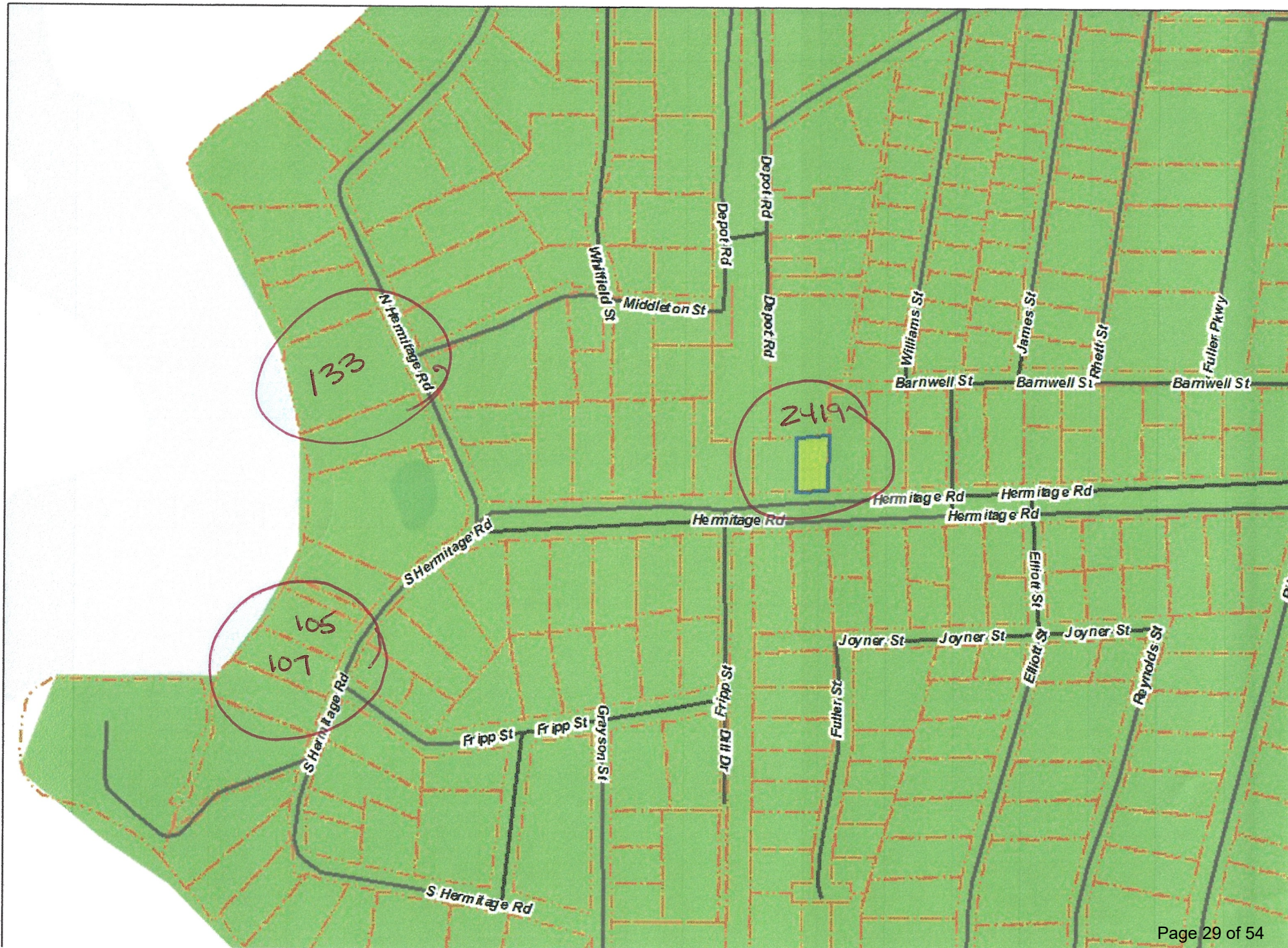


SCALE: 1"=30'

DATE: 03/18/2024

DAVID E. GASQUE, R.L.S. JOB # 59619
S.C. REGISTRATION NUMBER 10506 FB#1147/51 DSGN#8
THIS PLAT IS NOT BINDING UNLESS ACCOMPANIED BY AN ORIGINAL SIGNATURE AND AN EMBOSSED SEAL.

ArcGIS Web Map







LOT 101
SOUTH HERMITAGE

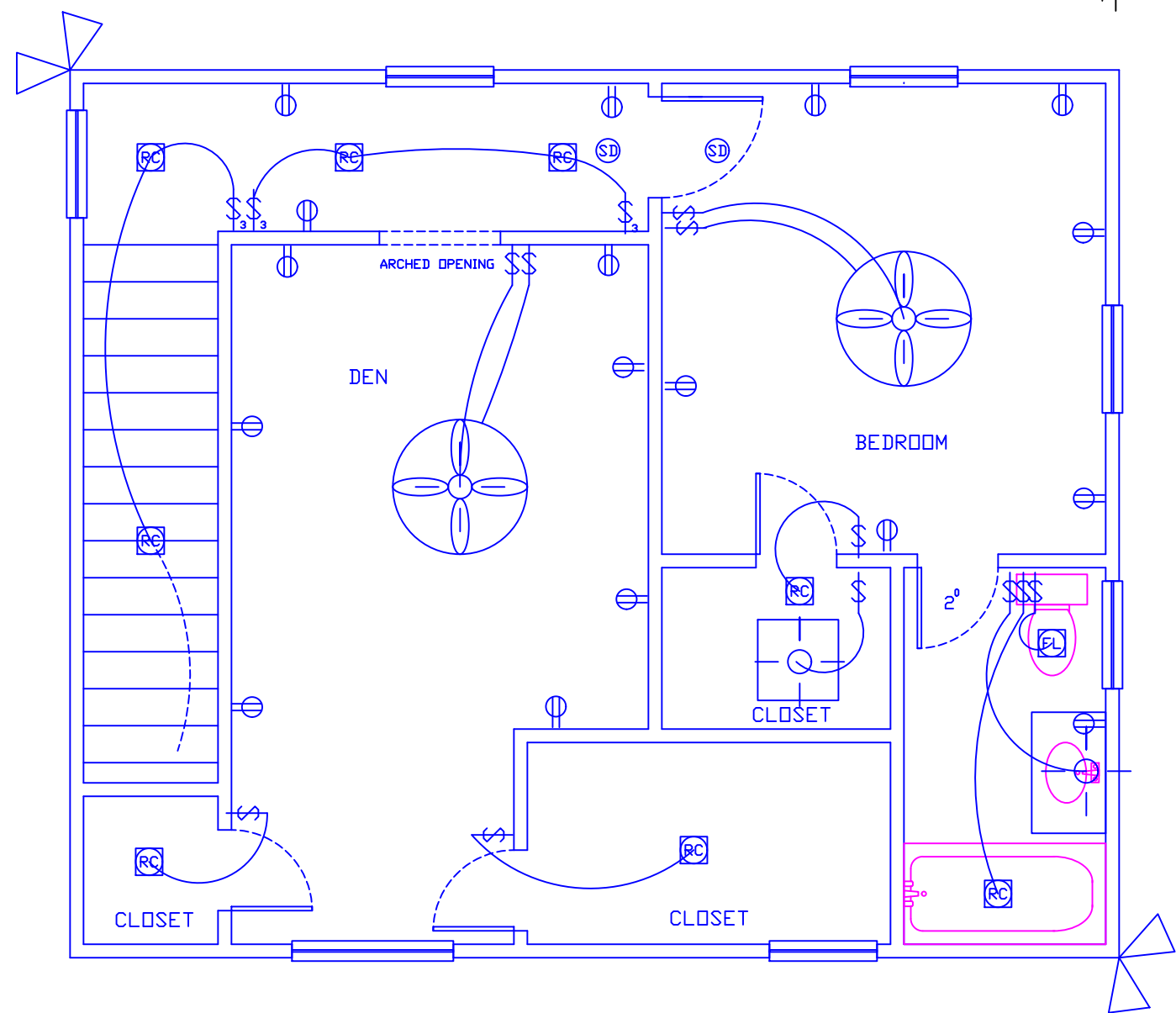
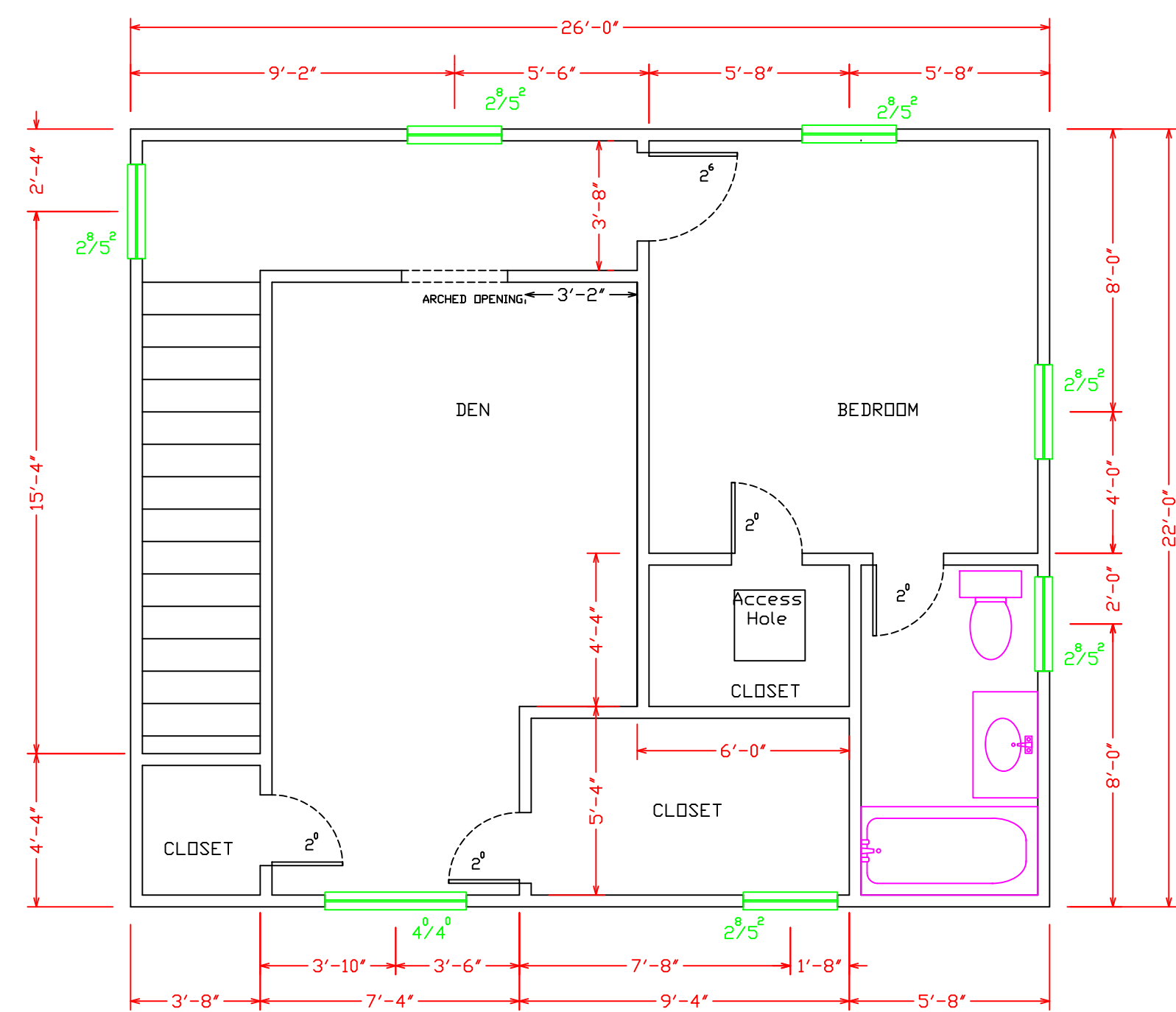
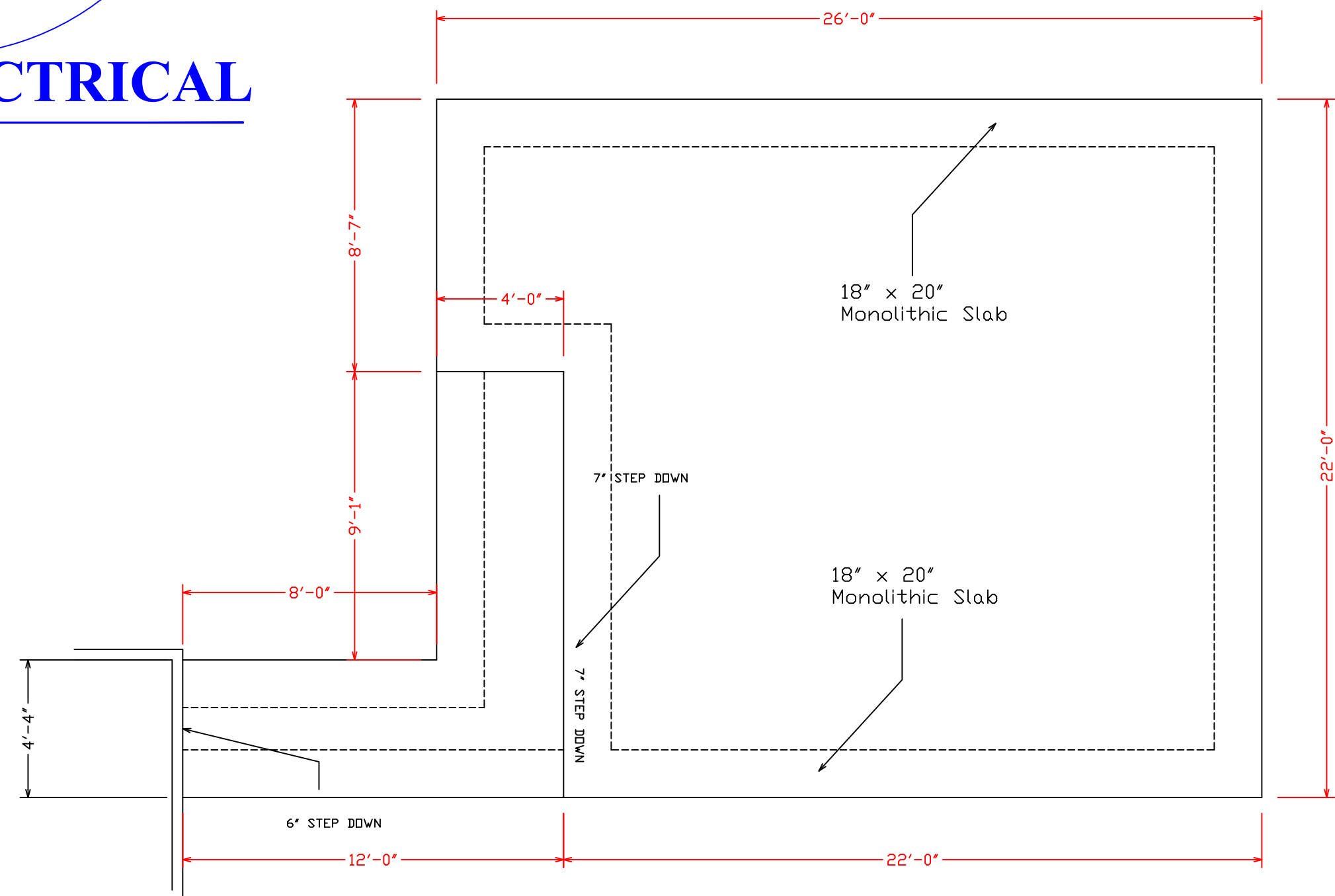
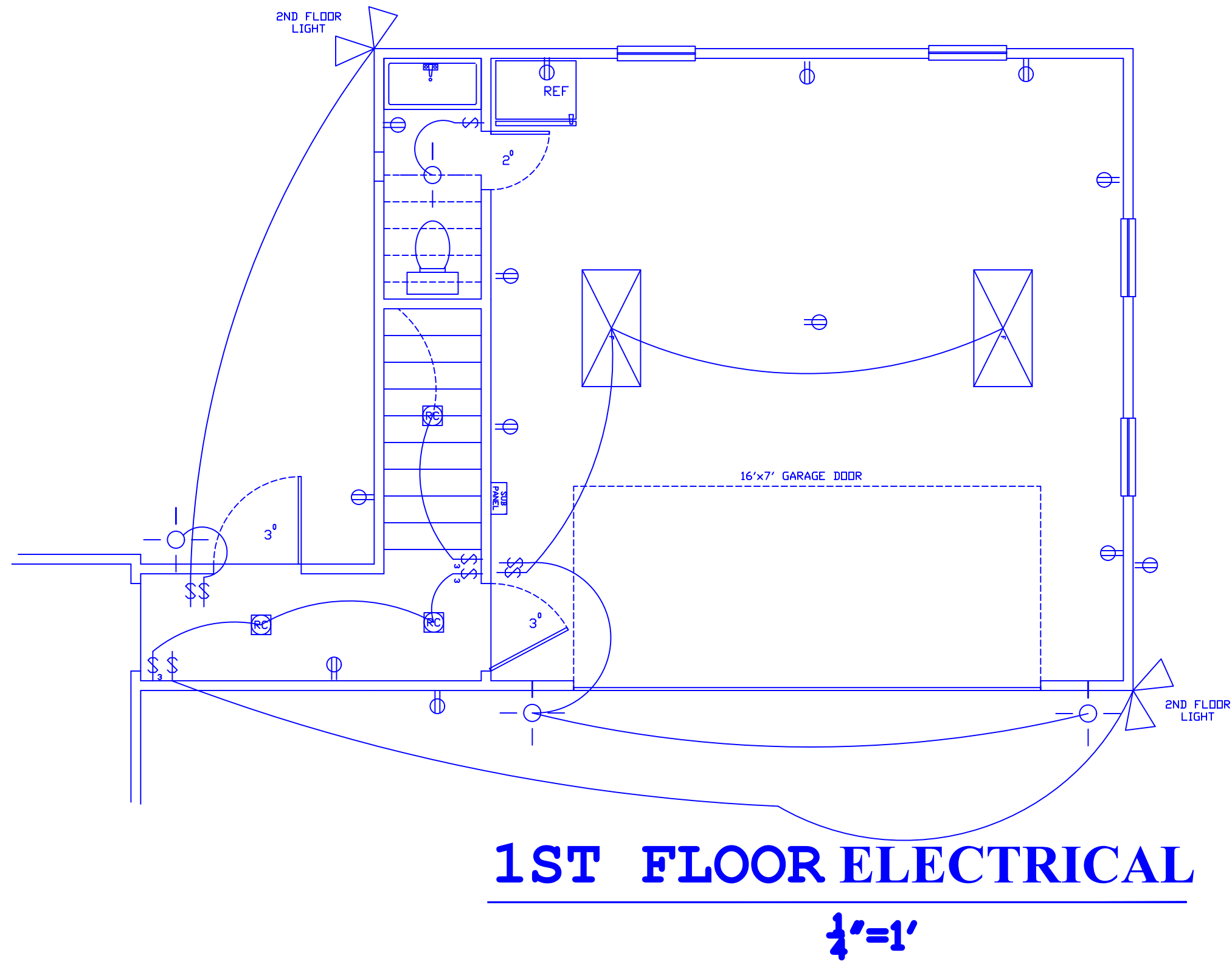
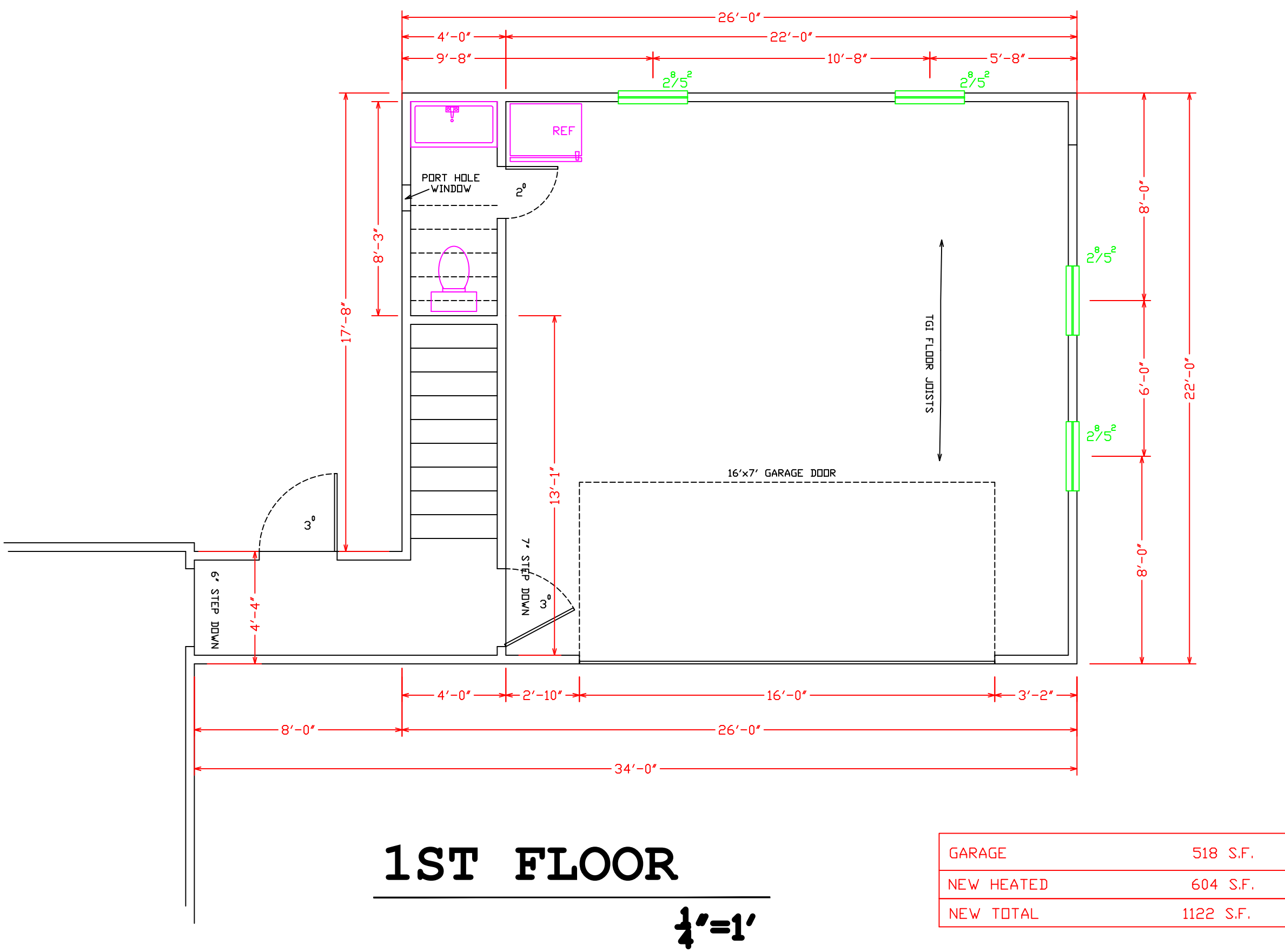




105 South Hermitage



1333 North Heritage

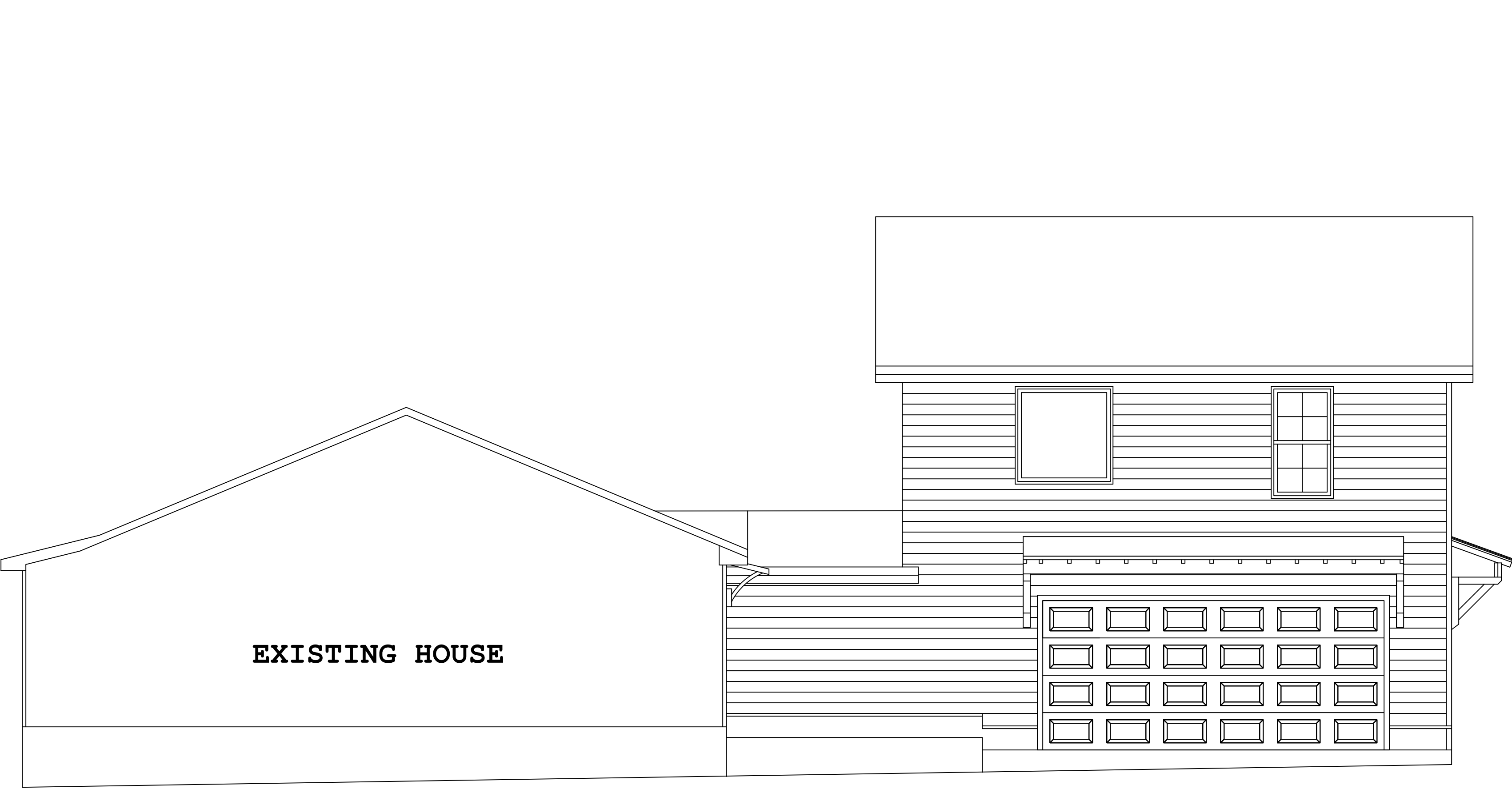


Q ENTERPRISES
7 SEACREST CT.
SEABROOK, SC 29940
(843) 812-7077

JOB NAME: DAN POWERS & LISA KUSSABA
LOCATION: 2419 HERMITAGE ROAD
BEAUFORT, SC 29902
DESCRIPTION: NEW FLOOR & ELEVATIONS

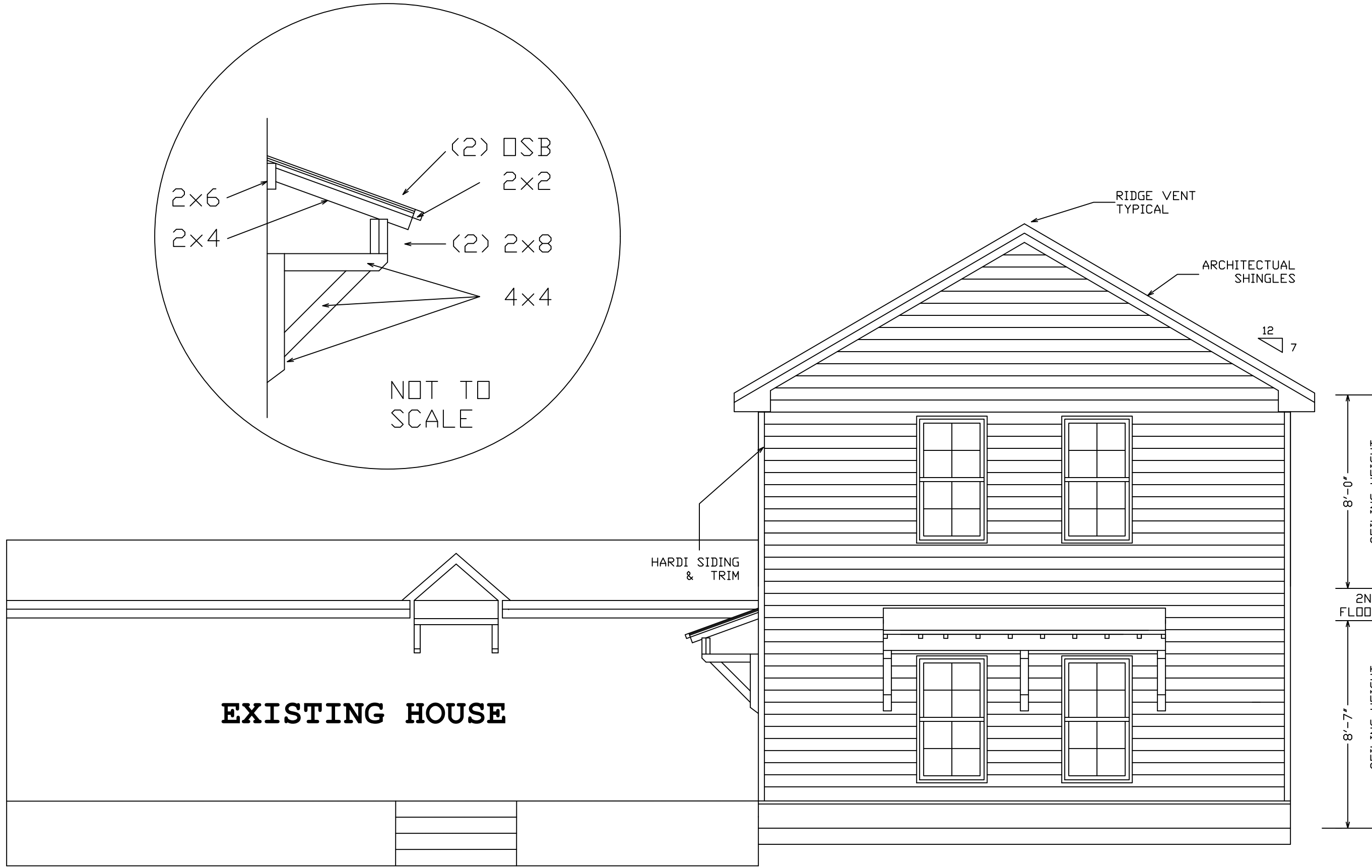
DRAWN BY: SQ
SCALE: 1/4"=1'-0"
DATE: 8-5-25
JOB NUMBER:
Q#818

SHEET
1
OF 3



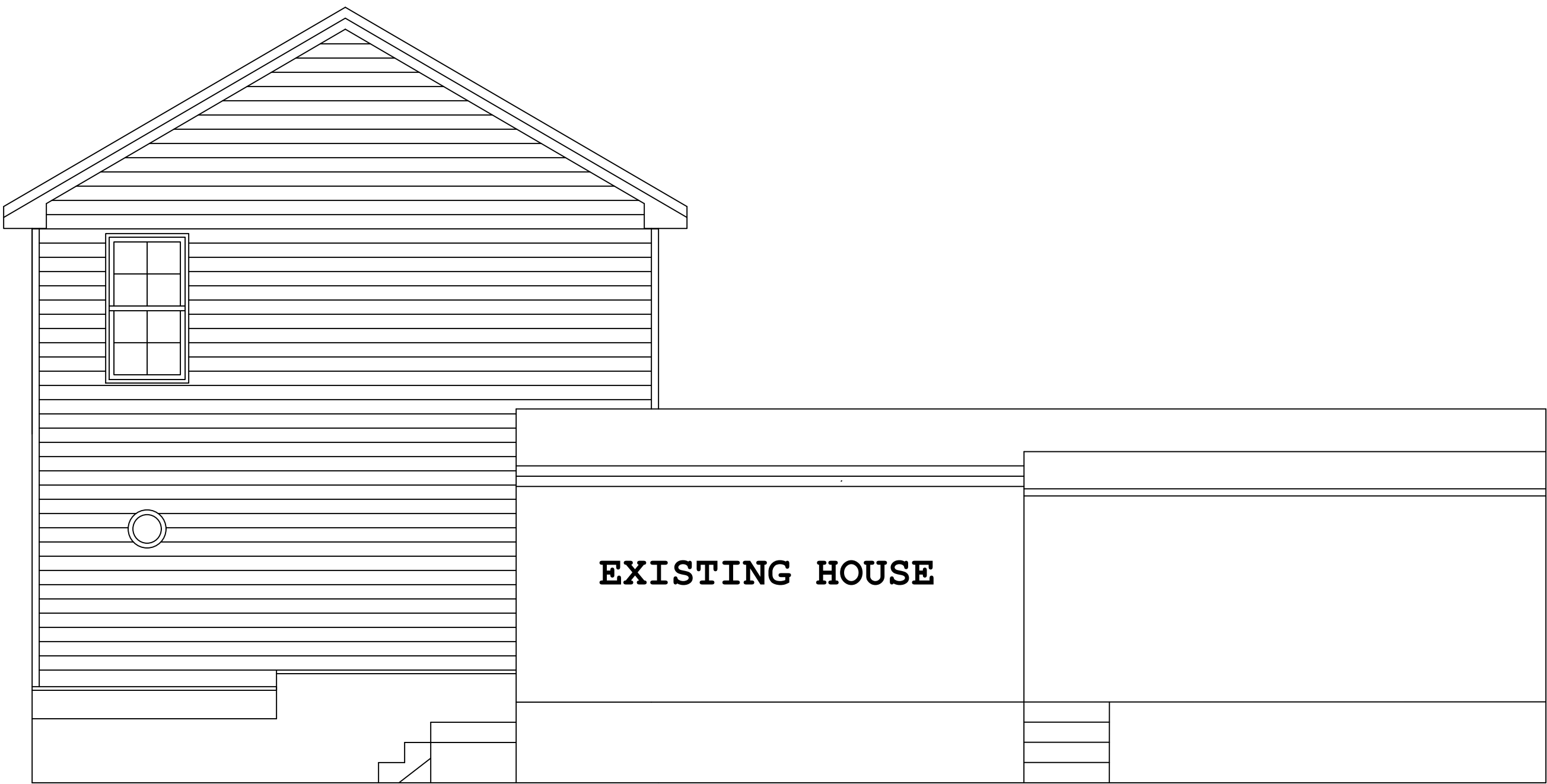
LEFT ELEVATION

$\frac{1}{4}''=1'$



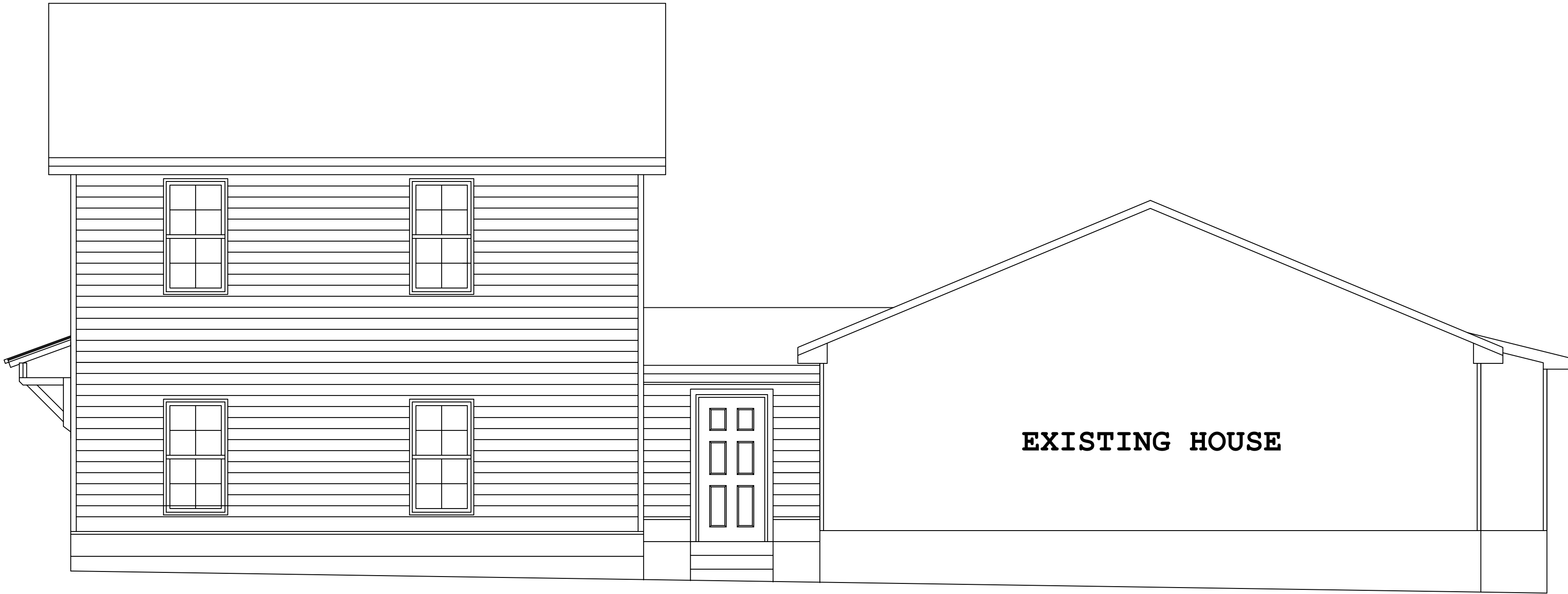
FRONT ELEVATION

$\frac{1}{4}''=1'$



REAR ELEVATION

$\frac{1}{4}''=1'$



RIGHT ELEVATION

$\frac{1}{4}''=1'$

Q ENTERPRISES

7 SEACREST CT.
SEABROOK, SC 29940
(843) 812-7077

JOB NAME: DAN POWERS & LISA KASSUBA
LOCATION: 2419 HERMITAGE ROAD
BEAUFORT, SC 29902

DESCRIPTION: NEW FLOOR & ELEVATIONS

DRAWN BY: SQ
SCALE: $\frac{1}{4}''=1'-0''$
DATE: 8-5-25
JOB NUMBER:
Q#818

SHEET

2

OF 3



City of Beaufort
Department Request for Zoning Board of Appeals Agenda Item

To: Zoning Board of Appeals **Date:** 11/10/2025
From: Christopher Klement, Community Development Planner III
Item Name: 2802 Broome Lane, identified as R120 006 000 0255 0000, Variance
Applicant: William & Katherine Younce
Meeting Date: November 19, 2025
Department: Community Development Department

Background Information:

Introduction:

Applicants/owners are requesting variance from the 4-foot height limitation (Sec. 5.8.2.A) for their proposed fence along the side of their property along Battery Creek Road. The requested height by the applicants is 6 feet and would mirror an existing section of privacy fence that is already in place.

Background:

The roughly half-acre sized parcel in question (R120 006 000 0255 0000) is located at the corner of Battery Creek Road and Broome Lane in the Royal Oaks neighborhood. The character of this neighborhood is primarily low-density single-family residential.

The corner lot property is irregularly shaped and fronts Battery Creek Road on the side, which serves as a collector road for the Royal Oaks / Mossy Oaks neighborhoods. It can get busy at times.

The request for variance from the recently revised fencing standards in Section 5.8.2 of the Beaufort Development Code would allow for a 6-foot privacy fence to be erected along the side of the subject property along Battery Creek Road. Current code standards only allow for a fence of 4 feet in height.

Legal Authority:

S.C. Code Ann. § 6-29-310 et seq. Comprehensive Planning Enabling Act

Staff Recommendation:

Staff recommends “Approval of this variance request” from Section 5.8.2.A, as to allow the extension of an existing 6-foot-high privacy fence along the property’s side setback which runs

along Battery Creek Road.

Placed on Agenda For:
Action

Attachments:

1. 2802 Broome Lane_Agenda Packet

2802 Broome Lane

Variance Request

Beaufort Code Section Sec. 5.8.2.A



VARIANCE APPLICATION

Community Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
Email: development@cityofbeaufort.org / www.cityofbeaufort.org

Application Fee: \$300

Receipt # _____

OFFICE USE ONLY: Date Filed: 10/16 Application #: 29562 Zoning District: T3-S

Submittal Instructions: Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements: 1. A legal survey of the property. 2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required. 3. Photograph(s) of the site. For variances, include photos showing relationship to adjoining properties.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Applicant, Owner and Property Information

Applicant Name: William & Katherine Younce

Applicant Address: 2802 Broome LN

Applicant E-mail: wyounce@carolina.rr.com

Applicant Phone Number: 704-621-7690

Owner (if other than the Applicant): _____

Owner Address: _____

Owner E-mail: _____

Owner Phone Number: _____

Property Address: _____

Property Identification Number (Tax Map & Parcel Number): R120 006 000 0264 0000

DESIGNATION OF AGENT [complete only if owner is not applicant]

I (we) here by appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____

Owner's Signature: _____

I (We) certify that the information in this application is correct.

Date: 10/14/25

Applicant's Signature: _____



VARIANCE APPLICATION

Community Development Department

1911 Boundary Street, Beaufort, South Carolina, 29902

p. (843) 525-7011 / f. (843) 986-5606

Email: development@cityofbeaufort.org / www.cityofbeaufort.org

Required Project Information

Applicant hereby appeals the Zoning Board of Appeals for a variance from the strict application to the property described on Page 1 of the following provisions in Section 5.8 of the Beaufort Code: 5.8.2.A

so that a building permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: (e.g., build a garage); Extend existing 6ft privacy fence along Battery Creek Road 50 ft

for which a permit has been denied by a building official on the grounds that the proposal would be in violation of the cited section(s) of the Beaufort Code:

1. The application of the Beaufort Code will result in unnecessary hardship, and the standards for an variance set by State law and the Beaufort Code are met by the facts:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: 2802 Broome Ln is an irregularly shaped lot which current code does not allow for privacy on the side and back yard from Battery Creek Rd.
 - b. These conditions do not generally apply to other property in the vicinity as shown by: Most properties are either facing Battery Creek Rd or other corner lots were grandfathered in with taller fencing or have a large buffer to street
 - c. The conditions are not the result of the applicant's own actions as follows: the applicant just recently purchased the property trying to make a safe, secure improvement
 - d. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of the Beaufort Code in that: the fence will keep in harmony with the Mossy Oaks neighborhood, beautify the lot, and ensure safety, security, and privacy
 - e. Because of these conditions, the application of the Beaufort Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: The current code doesn't allow for a privacy fence along Battery Creek Rd
 - f. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: the fence will be a property improvement

Julie Bachety

From: wyounce@carolina.rr.com
Sent: Wednesday, October 15, 2025 4:50 PM
To: development
Cc: Nicolas Navia
Subject: 2802 Broome Ln Variance App
Attachments: Variance App Completed.pdf; IMG_0431.PNG; IMG_0430.PNG; IMG_0427.PNG; IMG_0429.PNG; IMG_0426.PNG; Younce Survey.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

I am reaching out regarding my property at 2802 Broome Ln. My family and I moved here a few months ago and want to make some improvements to the property. One of those improvements is a 6-foot privacy fence along what would be the southeast side of our property facing Battery Creek Rd.

We were told by Code Enforcement that the fence could not be 6-foot as we planned during our permitting process since it didn't meet the current city code. While I understand and respect this, I would like to request reconsideration based on the unique conditions of our lot.

Our property is irregularly shaped and sits at an angle to Battery Creek Rd which is a busy road. As you can see in the Google Earth photos, there is an existing 6-foot fence part of the way and thin greenery the remainder that was cleared out by the previous owner. It looks incomplete and less aesthetically pleasing as a result.

We believe the extension of the 6-foot fence would not only restore the property's appearance but also ensure safety, security, and privacy for our family and these goals will align with the purpose of this section of the code which emphasizes maintaining visual harmony within the neighborhood.

Several other properties along Battery Creek Rd have existing 6-foot fences that have been in place and I believe our request would be consistent with that established character. I understand that this matter may fall under current code 2.5.5-Irregular Lot Conditions as we are not perpendicular or radial to the street right-of-way lines.

Photos, survey, and application are attached. Thank you for your time and consideration. I appreciate your review.

Sincerely,
Will Younce
Homeowner, 2802 Broome Ln
704-621-7690
wyounce@carolina.rr.com



SITE MAP (N.T.S.)

NOTES:

- 1.) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.
- 2.) THIS PLAT DOES NOT CERTIFY THE PRESENCE OR ABSENCE OF THE U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.
- 3.) METHOD OF AREA CALCULATION BASED ON COORDINATE METHOD.
- 4.) LOCATION OF UNDERGROUND UTILITIES ARE FROM SURFACE INDICATIONS ONLY AND ARE NOT CERTIFIABLE.
- 5.) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.
- 6.) CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 7.) THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF AN OVERLAY DISTRICTS, SUCH AS: AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.
- 8.) BEFORE ANY DESIGN WORK OR CONSTRUCTION ON THIS SITE IS STARTED, FLOOD ZONE INFORMATION MUST BE VERIFIED BY PROPER BUILDING CODES OFFICIAL.
- 9.) SETBACKS SHOWN AS PER PLAT OF RECORD AND MUST BE VERIFIED WITH OFFICIAL AGENCY BEFORE PURCHASE AND OR CONSTRUCTION ON SUBJECT PROPERTY.
- 10.) THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE X UNSHADED AS DETERMINED BY F.E.M.A. FIRM COMM-PANEL NUMBER 45013C0164G DATED MARCH 23, 2021.
- 11.) FLOOD ZONE LINES AS SHOWN ARE SCALED FROM MAPS PROVIDED BY FEMA AND DRAWN ON THE LANDWARD EDGE OF THE FLOOD ZONE BORDER.
- 12.) CONTOUR INTERVAL IS 1'.
- 13.) VERTICAL DATUM IS 1988 NAVD.

REFERENCES:

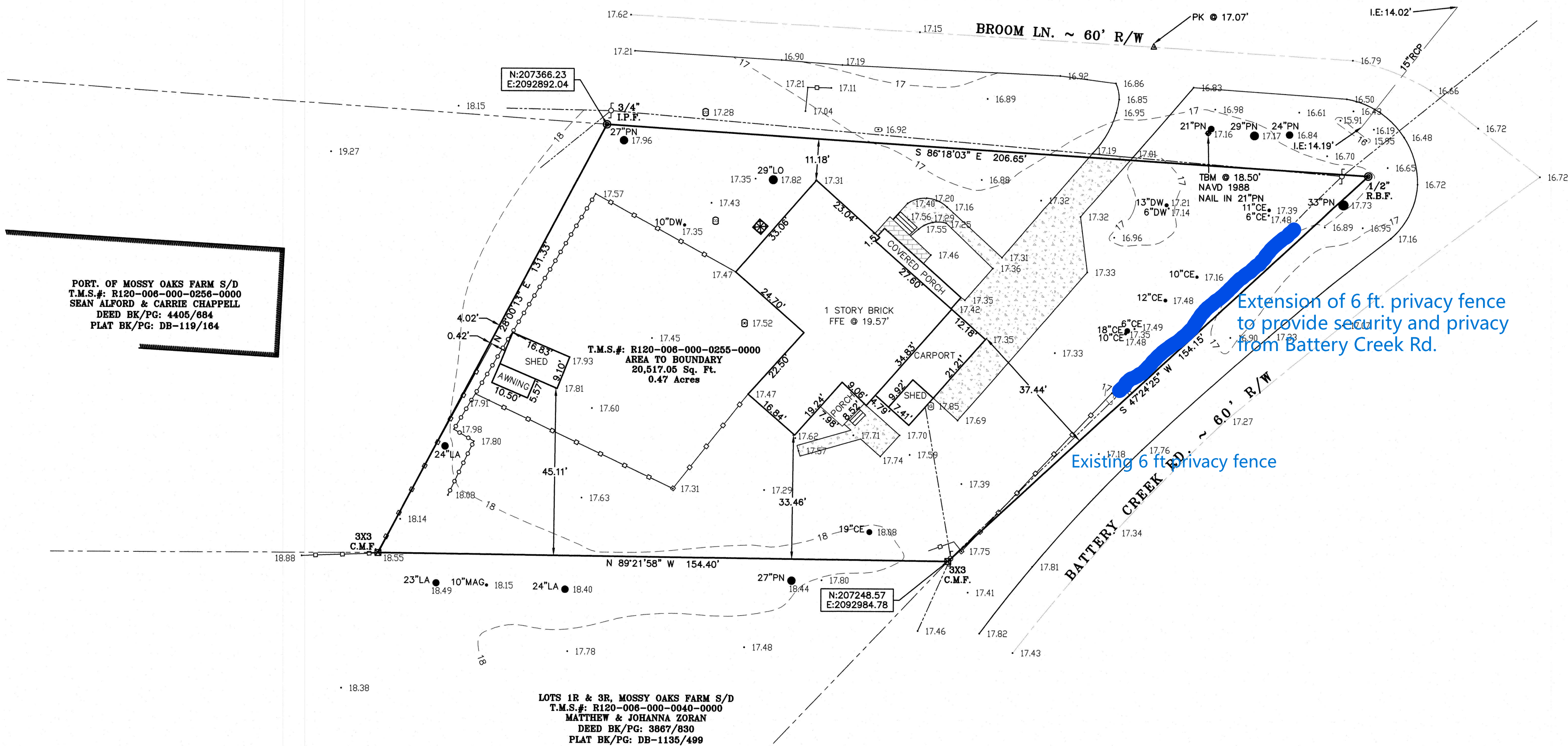
- 1.) T.M.S.#: R120-006-000-0255-0000
- 2.) PLAT BY: PALMER B. MALONE
DATED: FEBRUARY 20, 1959.
PLAT BK/PG: 11/45
BEAUFORT COUNTY R.M.C. OFFICE
- 3.) DEED REFERENCE BK/PG: 4443/2863

GASQUE & ASSOCIATES INC.
LAND SURVEYORS PLANNERS
28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
(843) 522-1798

I, David E. Gasque, a Registered Professional Land Surveyor in the State of South Carolina, 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 as specified therein.

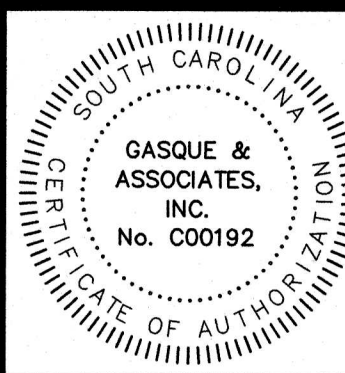
David E. Gasque, R.L.S.
S.C. Registration Number 10506

THIS PLAT IS COPYRIGHTED AND IS ONLY INTENDED FOR THE USE OF THE ENTITY OR PERSON(S) SHOWN HERE ON.



LEGEND OF SYMBOLS & ABBREVIATIONS

- TRANSFORMER
- GAS VALVE
- POWER POLE
- AIR CONDITIONER
- WATER METER
- SEWER CLEANOUT
- CONCRETE MARKER
- IRON ROD
- CENTER LINE
- PLASTIC FENCE
- ADJOINERS
- FLOOD LINE
- CRITICAL LINE
- WOOD FENCE
- OVERHEAD WIRE
- CONTOUR LINE
- CONCRETE
- BRICK
- TREE SIZE & TYPE
- ELEVATION



CONUS 1983
S.C.S. 2 (2017)

TREE LEGEND

CODE	COMMON NAME	BOTANICAL NAME
PNS	PINE SHORLEAF	Pinus echinata
PNL	PINE LONGLEAF	Pinus palustris
LO	LIVE OAK	Quercus virginiana
O	OAK	Quercus spp.
MAG	SOUTHERN MAGNOLIA	Magnolia grandiflora
PA	PALMETTO	Sabal palmetto
SUB	SUGARBERRY	Celtis laevigata
EL	ELM	Ulmus spp.
HI	MOCKERNUT HICKORY	Carya spp.
BAY	BAY MAGNOLIA	Gordonia spp.
WX	WAX MYRTLE	Myrica caroliniana
CH	BLACK CHERRY	Prunus spp.
CE	EASTERN RED CEDAR	Juniperus virginiana
TA	CHINESE YALLOW-TREE	Sapindus sebiferum
PO	YELLOW POPLAR	Liriodendron tulipifera
BI	BIRCH	Betula spp.
CY	BALD CYPRESS	Taxodium distichum
SY	AMERICAN SYCAMORE	Platanus occidentalis
PE	PECAN	Carya illinoensis
CR	GRAPEMYRTLE	Lagerstroemia indica
FR	FRUIT TREE	
MP	MAPLE	Morus spp.
DW	DOGWOOD	Cornus florida
GUM	SWEETGUM	Nyssa sylvatica
WD	WATER OAK	Quercus nigra
LA	LAUREL OAK	Quercus laurifolia
TUL	TULIP TREE	Liriodendron
B.O	BLACK OAK	Quercus marilandica
UNK	UNKNOWN	
CRA	CRAB APPLE	Malus sylvestris
MUL	MULBERRY	Morus
MM	MISSOURI TREE	Albizia julibrissin
WH	WHITE OAK	Quercus alba
TO	TURKEY OAK	Quercus centis
RO	RED OAK	Quercus rubra
HOL	HOLLY	Aquifoliales
WL	WILLOW TREE	Salix alba
TU	TUPLO	Nyssa sylvatica
CHB	CHINA BERRY	Malus axonophora
CW	COTTONWOOD	Populus
CL	CHERRY LAUREL	Prunus laurocerasus
WAL	BLACK WALNUT	JUGLANS NIGRA
CAM	CAMPOR	CAMPOR SPECIARUM
BSW	BASSWOOD	TILIA AMERICANA
ASH	WHITE ASH	FRAXINUS AMERICANA

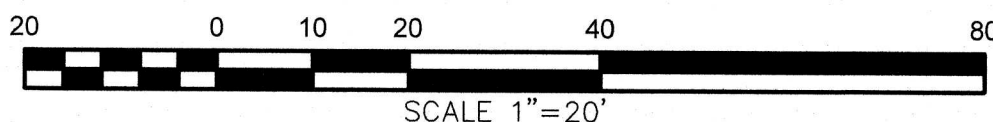
ALL TREES ARE LOCATED TO THE FACE OF THE TREE TRUNK. THEREFORE, TOLERANCE OF THE TREE LOCATED IS PLUS OR MINUS THE DIAMETER OF THE TREE PLUS (5) FEET. ALL TREES ARE MEASURED AT ONE'S HEIGHT WHICH IS APPROXIMATELY 40 INCHES ABOVE GROUND. GROUND ELEVATION AT TREE LOCATIONS MAY OR MAY NOT ACCURATELY REPRESENT ELEVATIONS BETWEEN TREE SHOTS DUE TO THE GROUND BUTTRESS AT THE BASE OF THE TREE.

NOTE: ANY TREE LOCATED THAT IS CRITICAL BEYOND THE TOLERANCE STATED ABOVE FOR DESIGN MUST BE POINTED OUT AND A TIGHTER TOLERANCE MUST BE AGREED UPON.

TREE & TOPOGRAPHIC SURVEY
T.M.S.#: R120-006-000-0255-0000
~PREPARED FOR~
WILLIAM E. & KATHERINE YOUNCE
TOWN OF PORT ROYAL
BEAUFORT COUNTY---SOUTH CAROLINA

DATE: JULY 22, 2025

SCALE: 1"=20'



JOB#: 61894 F.B.#: 1176/34 WG DRAWN BY: CMG

906 Battery Creek Rd

Beaufort, South Carolina



909 Battery Creek Rd

Beaufort, South Carolina





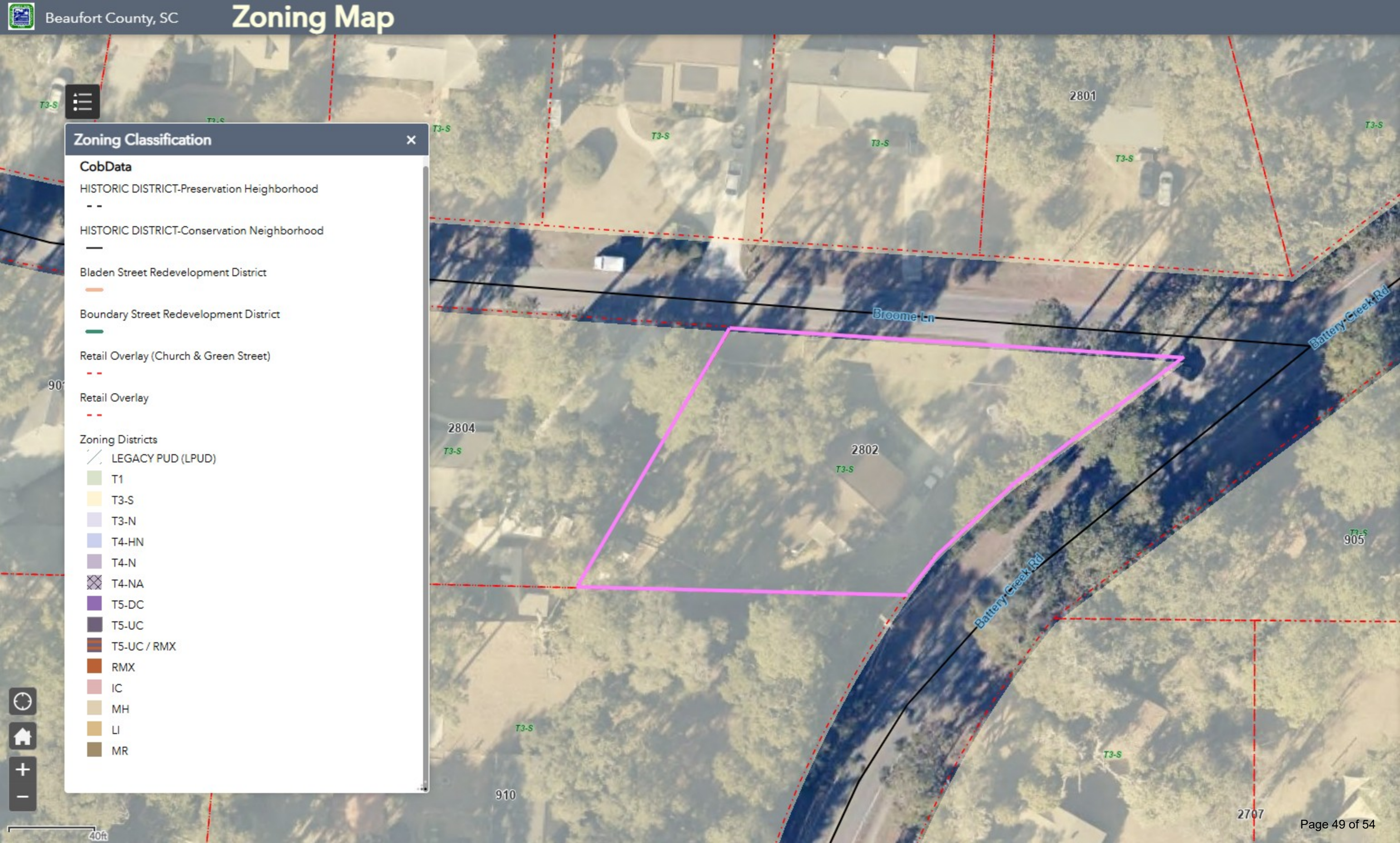


903 Battery Creek Rd
Beaufort, South Carolina



2802 Broome Lane, Beaufort, SC





Zoning Classification

CobData

HISTORIC DISTRICT-Preservation Heighborhood

--

HISTORIC DISTRICT-Conservation Neighborhood

—

Bladen Street Redevelopment District

—

Boundary Street Redevelopment District

—

Retail Overlay (Church & Green Street)

—

Retail Overlay

—

Zoning Districts

LEGACY PUD (LPUD)

T1

T3-S

T3-N

T4-HN

T4-N

T4-NA

T5-DC

T5-UC

T5-UC / RMX

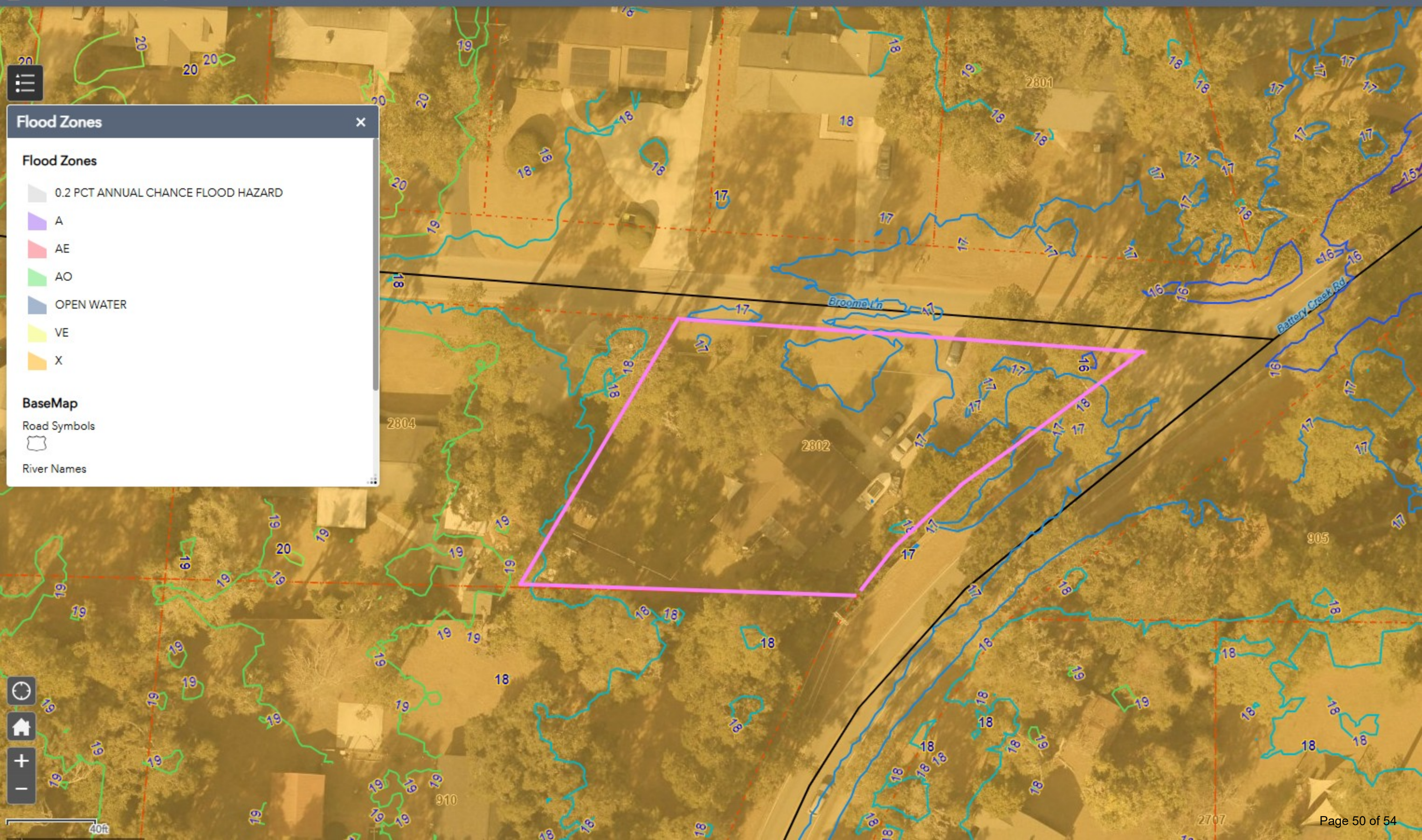
RMX

IC

MH

LI

MR





STAFF REPORT: ZONING BOARD OF APPEALS (ZBOA)

Variance Request

DATE: November 19, 2025

GENERAL INFORMATION

Applicant:	William & Katherine Younce (Owners)
Site Address / Tax PIN:	2802 Broome Lane / PIN: R120 006 000 0255 0000
Applicant's Request:	Applicants/owners are requesting variance from the 4-foot height limitation (Sec. 5.8.2.A) for their proposed fence along the side of their property along Battery Creek Road. The requested height by the applicants is 6 feet and would mirror an existing section of privacy fence that is already in place.
Current Zoning:	<u>T3-SUBURBAN DISTRICT (T3-S)</u>
Neighborhood	Royal Oaks
Flood Zone/Elevations	Flood Zone "X", Lot Elevation: 16' - 18'; [Base Flood Elevation in Beaufort, SC: 13']
Lot size	~ 21,025 sq. ft.

ZONING DISTRICT INFORMATION

T3-SUBURBAN DISTRICT (T3-S)

Lot Width at Setback:	75 ft. min.
Max. Lot Coverage:	30% of lot area (roofed area) / 40% total impervious lot coverage
Front Setback	20 ft. min.
Side Setback	Corner/alley: 15 ft. min.; Interior: 10 ft. min
Rear Setback	15 ft. min.

SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS

<u>Adjacent Zoning</u>	<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning / Buffer required if rezoned</u>
North: T3-S	Low density single-family residential	N/A
South: T3-S	Low density single-family residential	N/A
East: T3-S	<u>Battery Creek Road</u> / Low density single-family residential	N/A
West: T3-S	Low density single-family residential	N/A

Background: The roughly half-acre sized parcel in question (R120 006 000 0255 0000) is located at the corner of Battery Creek Road and Broome Lane in the Royal Oaks neighborhood. The character of this neighborhood is primarily low-density single-family residential.

The corner lot property is irregularly shaped and fronts Battery Creek Road on the side, which serves as a collector road for the Royal Oaks / Mossy Oaks neighborhoods. It can get busy at times.

The request for variance from the recently revised fencing standards in Section 5.8.2 of the Beaufort Development Code would allow for a 6-foot privacy fence to be erected along the side of the subject property along Battery Creek Road. Current code standards only allow for a fence of 4 feet in height.

Variances Requested:

The applicant is requesting the following variance: **Section 5.8.2.A – Fencing Height along Front or Street Side Setbacks – pertaining to that fence height limitation of 4 feet in height.**

VARIANCE REVIEW & APPROVAL CRITERIA (IN ACCORDANCE WITH SEC. 9.14.2.F)

Required Findings: A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard set forth in this Code would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial justice will be done. A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes, and explains in writing, all of the following findings:

<u>9.14.2.F.1 - Finding of Fact</u>	<u>Rationale Present (yes/no)</u>	<u>Staff Analysis of Rationale</u>
a. There are extraordinary and exceptional conditions pertaining to the particular piece of property. For example, the variance is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience or financial disadvantage.	Yes	✓ The subject property is irregularly shaped making the rear of the property with its backyard / porch face Battery Creek Road. To screen the property from traffic noise and visibility, an existing 50-foot stretch of a 6-foot high privacy fence had been erected in the past.

b. These conditions do not generally apply to other properties in the vicinity.	Yes & No	✓ Due to its curviness, some properties along Battery Creek Road may be more exposed than others. Thus, there exist other examples of 6-foot-high privacy fences along this corridor.
c. The conditions are not the result of the applicant's own actions.	Yes	✓ The platting of the lots of land along Battery Creek Road is based on its curvy alignment.
d. Granting of the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan and the purposes and intent of this Code.	Yes	✓ Granting of the variance would not conflict with the Comprehensive Plan and Civic Master Plan. Providing property owners the opportunity to protect & screen their property/-ies from nuisances, such as traffic, noise and pollution are a basic right which is inherently reflected within the BFT Dev. Code., but lacks specificity to this specific location and property shape.
e. Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	No	✓ The disapproval of this variance request would not restrict the utilization of this property. However, it would unnecessarily diminish its capability of offering the most quality of life to its owners.
f. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the variance.	Yes	✓ The authorization of this variance will neither negatively affect the value and usage of adjacent properties nor have a negative impact on the public good. and the character of the zone will only

Limitations: The ZBOA may not grant a variance if it would do any of the following:

- a. Allow the establishment of a use not otherwise permitted in the applicable district.
- b. Increase the density of a use above which is permitted in the applicable district.
- c. Physically extend a nonconforming use of land.
- d. Change the zone boundaries shown on the Official Zoning Map.

Profitability Not to Be Considered: Profitability shall not be considered grounds for a variance!

PUBLIC NOTICE AND COMMENT

Notice of the Zoning Board of Appeals hearing has been mailed to property owners within 500 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code.

FINDINGS AND RECOMMENDATIONS

Staff Recommendation: Staff **recommends “Approval of this variance request”** from Section 5.8.2.A, as to allow the extension of an existing 6-foot-high privacy fence along the property’s side setback which runs along Battery Creek Road.