

Board of Zoning Appeals
8:30 a.m., Thursday, April 14, 2022
City Service Center Conference Room · 915 Quarrier Street

Members Attending:

Courtlandt Smith, Chair
Bill Hairston
Mary Jo Neenan
Mary Anne Crickard

Courtlandt Smith

Staff Attending:

Lori Brannon

Applicant/Public:

J. D. Stricklen
Kenny & Jennifer Graley
Ric Cavender
Paul & Yolanda Monroe

Call to Order: Courtland Smith

I. Items for Review

VAR-22-3003

Application of Charleston School of Beauty Culture requesting a variance of the on-site parking requirements in order to establish an educational facility at the property located at **514 50th Street.**

Applicant did not attend meeting.

Motion and Vote: On the motion of Mary Anne Crickard, seconded by Mary Jo Neenan, the Board voted unanimously 4-0 to continue VAR-22-3003 to the next BZA meeting.

VAR-22-3004 & CUP-22-0220

Application of JD Stricklen requesting a variance of the lot provisions in order to subdivide townhouses and a conditional use permit in order to establish restricted accessory parking lot at the properties located at **1258-1268 Oakhurst Drive.**

J. D. Stricklen, applicant, presented his request to the Board. Mr. Stricklen is the owner and developer of six townhouses that are being constructed on Oakhurst Drive 1258, 1260, 1262, 1264, 1266 & 1268 Oakhurst Drives. The units are currently 75% complete. The variance request deals with lot width. There are seven lots for six units and a common area parking lot.

Lori Brannon presented the following findings and recommendation on behalf of the staff:

FINDINGS & CONCLUSIONS:

1. The subject property is owned by Stricklen Properties LLC.
2. The subject property is zoned R-6 Medium Density Residential District.
3. The subject property is located in the South Hills and is visible from Corridor G.
4. The applicant has constructed 6 townhouses in 2 separate structures, which were permitted by right.
5. The Municipal Planning Commission has approved a subdivision—contingent upon approval by the BZA in this case— which would allow the applicant to sell the units for home ownership rather than operating rental units.
6. The 2 interior lots proposed for the 4-unit building do not meet the 5,000 sq ft lot size requirement, and 5 of the lots proposed do not meet the 50 ft lot frontage required by the zoning ordinance.
7. The site plan shows a 7th lot that will provide parking for all 6 units. Because the parking area is on a separate parcel, a conditional use permit for a restricted accessory parking area is required.
8. The subject property satisfies the conditions set forth in the ordinance for restricted accessory parking lots. The lots to be served by the parking are used for a permitted use, the property is not located in between other residential uses, and lighting will be low-level.

The conditional use permit is because they are putting in a property line and separate the parking lot from all the rest of the property, the ordinance refers to this as a restricted accessory parking lot, making it a conditional use in a residential zoning district. For the request, the parking lot does satisfy the conditions in the ordinance.

Denying this case would only prevent home ownership. The density is not a problem.

RECOMMENDATION:

Approve.

Motion and Vote: On the motion of Mary Anne Crickard, seconded by Bill Harriston, the Board voted unanimously 4-0 to approve VAR-22-3004 and CUP-22-0220.

CUP-22-0221

Application of Kenneth Graley Jr requesting a conditional use permit in order to establish a brewery at the property located at **320 West Washington Street**.

Kenneth Graley, Jr., applicant, presented his request to the Board. His plan involves opening up a brew pub. Brewing and service at the same location. Days of operation would be limited from Thursday-Sunday. The location is across the street Bream Memorial. This is the previous location for Bowls & Spoons cereal bar. Mr. Graley has never owned an establishment prior to this application or had an alcohol permit. He does contract brew for other breweries in the state. It would basically be Mr. Graley's family of three working at the brewery.

Bill Hairston asked Mr. Graley what kind of food he would be serving. Mr. Graley responded that it would be light food. He's trying to recruit food trucks in the area.

Ric Cavender, Executive Director of Charleston Main Streets, spoke in full support of the applicant's request. He sees this as being a place that would attract people to walk around the city and shop, not just eat and leave.

Paul Monroe, the owner of the property at 320 West Washington Street, spoke in full support of the applicant's request. Mr. Monroe operates a distillery near this location.

Jennifer Graley, applicant's wife, spoke in regard to the experience her husband brings to the brewery business and made a point to mention that the proposed business would be a family-friendly environment. There will be a non-alcoholic root beer available for children. There are plans to have an area designated especially for children with table games and board games.

The Board received correspondence from Bream Presbyterian Church that the applicants had met with the pastors had worked through any concerns the church had with the applicant and Bream was satisfied with the proposed business.

Lori Brannon presented the following findings and recommendations on behalf of the staff:

FINDINGS:

1. The subject property is owned by Paul and Yolanda Monroe.
2. The subject property is zoned UCD Urban Corridor District.
3. The subject property is located on the West Side of Charleston in the Elk City Historic District.

4. The applicant wishes to establish a brewery on the site. Craft beer would be sold for both on- and off-premise consumption.
5. The space would not be open to customers Monday through Wednesday when the applicant plans to prepare and package the product.
6. The space would be open to customers on Thursday from 4 pm until 8 pm. Friday and Saturday the space will be open to the public from 4 pm until midnight. Sunday's proposed hours of operation are 1 pm to 5 pm.
7. The applicant has provided a floor plan and photos of the space in its current condition, and only cosmetic changes will be made to the space. These show that the space is narrow, providing enough space only for the bar, a row of seating, and a walkway.
8. The floor plan also indicates the position of 4 security cameras throughout the space, and an office for security adjacent to the bar.
9. No live entertainment, DJ booth, or stage area is planned for the space.
10. The applicant has submitted a security and operations plan reflecting adequate lighting and security cameras on the front façade of the building as well.
11. The applicant has provided proof that 3 of the staff members operating the space have completed the required training for the responsible service of alcohol.
12. The ABC has no record of licenses or violations in the applicant's name.

RECOMMENDATION:

Approve with the condition that activity inconsistent with the Security & Operations Plan or contrary to the Standards for Approval could result in revocation of the Conditional Use Permit.

Motion and Vote: On the motion of Bill Harriston, seconded by Mary Jo Neenan the Board voted unanimously 4-0 to approve CUP-22-0221 with the condition that activity inconsistent with the Security & Operations Plan or contrary to the Standards for Approval could result in revocation of the Conditional Use Permit.

II. Approval of minutes for the March 10, 2022 hearing.

Motion and Vote: On the motion of Mary Anne Crickard, seconded by Mary Jo Neenan, the Board voted unanimously 4-0 to approve the minutes of the March 10, 2022 hearing.