



**Board of Zoning Appeals
Kiawah Island Municipal Center
May 19, 2025; 1:00PM**

AGENDA

- I. **Call to Order**
- II. **Roll Call**
- III. **Briefing to the Public on Procedures of the BZA**
- IV. **Administer the Oath to Those Presenting Testimony**
- V. **New Business:**
Review of the following applications:
 - 1) **Case #BZA25-000006**
40 Burroughs Hall – Kiawah Island, SC | TMS# 264-02-00-058
Variance request for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a new single-family home.
 - 2) **Case #BZA25-000007**
240 Glen Abbey – Kiawah Island, SC | TMS# 264-14-00-091
Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure.
 - 3) **Case #BZA25-000008**
6 Bufflehead Dr – Kiawah Island, SC | TMS# 264-11-00-020
Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure.
 - 4) **Case #BZA25-000009**
14 Oyster Shell Road – Kiawah Island, SC | TMS# 265-01-00-023
Variance request for the reduction of the required 20' BCM critical line left side setback and 15' right side setback by approximately 80 square feet for a new single-family home.
- VI. **Additional Business**
- VII. **Adjournment**

FOIA: Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island. Meeting materials available for public view online at: <https://www.kiawahisland.org/meetings-minutes/board-of-zoning-appeals/>



Case #BZA25-000006
Kiawah Island BZA Meeting of May 19, 2025

Applicant/Property Owner: HENSLEY JEFFREY S HENSLEY DANIELLE W

Representative: Noel Kade of Method of Design, Inc.

Property Location: 40 Burroughs Hall

TMS#: 264-02-00-058

Lot Size: Highlands: 7,720 square feet (0.18 acres)
Marsh: 25 sqft
Total: 7,745 sqft (0.18 acres)

Zoning District: R-1, Residential Zoning District

Request: Variance request for the reduction of the required 20' side setback and required 30' rear setback by approximately 203 square feet for a new single-family home located at 40 Burroughs Hall, Kiawah Island, SC (TMS # 264-02-00-058).

Requirement:

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

Required setbacks: 25' (Front); 15' (Side); 30' (Rear)

Maximum 40% Lot Coverage

The Ordinance defines Setback as "a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected." The Ordinance defines Rear Setback as, "the setback measured from the rear lot line." The Ordinance defines Side Setback as, "any setback other than a rear or front setback."

Sec. 12-65. R-1, Residential District.

- (a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:
 - (1) The maximum density for this district is three dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Table 2B. Lot Standards for R-1 Single-Family Detached Dwellings								
Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Yard Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾⁽⁵⁾	Rear ⁽⁴⁾	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40
⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.								
⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.								
⁽³⁾ A minimum of 15 feet must be provided between structures.								
⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.								
⁽⁵⁾ Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.								

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

BUFFLEHEAD DRIVE (DEVELOPED LANDS) cont.

110	25 (Bufflehead)	30 (golf) 15 (lot 111)	30 (golf) 30 (lagoon)
111-113	25 (Bufflehead)	15	30 (lagoon)
114-126	25 (Bufflehead)	15	30 (golf)
127-129	25 (Bufflehead)	15	30 (lagoon)
130	25 (Bufflehead) See Gadwell Lane	25 (Gadwell) 15 (lot 129)	30 (lot 131)
155	25 (Bufflehead)	25 (Flyway Dr) 15 (lot 154)	20 (lots 151, 152)
500	25 (Bufflehead)	15 (lot 501) 30 (lagoon)	30 (lagoon)
501	25 (Bufflehead)	15 (lots 500, 502) 30 (golf)	30 (lagoon)
502	25 (Bufflehead)	15 (lot 501) 15 (cart path)	30 (golf)
503	25 (Bufflehead)	15 (lot 504) 15 (cart path)	30 (lagoon)
504-530	25 (Bufflehead)	15 (lots)	30 (lagoon)
531	25 (Bufflehead)	15 (lot 530) 15 (cart path)	30 (lagoon)
532	25 (Bufflehead)	15 (lot 533) 15 (cart path)	30 (lagoon)
533	25 (Bufflehead)	25 (Gov. Dr) 15 (lot 532)	30 (lagoon)
534	25 (Bufflehead)	15 (lot 535) 25 (Gov. Dr)	30 (lagoon)
535-536	25 (Bufflehead)	15 (lots)	30 (lagoon)
537	25 (Bufflehead)	15 (lot 536) 15 (cart path)	30 (lagoon)
538	25 (Bufflehead)	15 (cart path) 15 (lot 539)	30 (golf)
539-547	25 (Bufflehead)	15 (lots)	30 (lagoon)
552-554	25 (Bufflehead)	15 (lots)	30 (lagoon)
559	25 (Bufflehead)	15	30 (lagoon)
564-565	25 (Bufflehead)	15 (lots)	30 (golf)

BULRUSH LANE (NIGHT HERON COTTAGES) (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
26	25	15	20
27-30	20	7	15
31	25	15	20
32-33	20	7	15
34	15	*	10
35-36	20	7	15
37-38	25	15	20
39-43	20	7	15

*Zero lot line homes may be built with no setback on one side of the property, but must have at least a 14 foot separation between buildings.

BURROUGHS HALL (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
28	25 (Burroughs Hall)	15 (lot 29)	25 (Gov. Dr.)
29-30	25 (Burroughs Hall)	15	25 (Gov. Dr.)
31	25 (Burroughs Hall)	15 (lot 30)	15 (lot 32)
32	25 (Burroughs Hall)	15 (lot 30-34)	25 (Gov. Dr.)
33	25 (Burroughs Hall)	15 (open space)	25 (Gov. Dr.)
34	25 (Burroughs Hall)	15 (lot 33, 35 open space)	30 (marsh)
35-46	25 (Burroughs Hall)	15	30 (marsh)
47-48	25 (Burroughs Hall)	15	15
49	25 (Burroughs Hall)	15 (open space) 15 (lot 48, 50)	25 (Gov. Dr.)
50-51	25 (Burroughs Hall)	15	25 (Gov. Dr.)
52	25 (Burroughs Hall)	20 (lot 55) 15 (lot 51, 53)	25 (Gov. Dr.)
53	25 (Burroughs Hall)	20 (lot 54)	15 (lot 54)
54	25 (Burroughs Hall)	20 (lot 53) 25 (Burroughs Hall)	15 (lot 55)
55	25 (Burroughs Hall)	15 (lot 54) 25 (Gov. Dr)	20 (lot 52)

Sec. 12-64. - Setbacks.

Setback means a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.

- (1) *Contextual setbacks.* Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between two developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.
- (2) *Setbacks on corner and double frontage lots.* On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principle structure's front main entrance. The side yard setback shall apply to the remaining side(s).
- (3) *Exception to setbacks.* Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this subsection.

Driveways and walkways may be located within any required setback.

Uncovered stairs or stair landings to building entrances may extend up to five feet into any required setback.

Uncovered, at-grade patios may extend into a required setback; however, they shall maintain a minimum ten-foot distance from the property line.

Uncovered decks may extend up to five feet into any required rear yard setback.

Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.

Walls and retaining walls below three feet in height may be located within required setback.

In all zoning districts heating, ventilation and air conditioning (HVAC) equipment and associated HVAC stands may extend up to five feet into required side or rear setbacks only when all of the following conditions are met:

- (1) The HVAC equipment is replacing existing HVAC equipment which was originally placed below an existing structure and/or which HVAC equipment being replaced is now required to be elevated to meet the requirements of the Federal Emergency Management Agency (FEMA) and the Town of Kiawah Island Building Code;
- (2) Such HVAC equipment cannot reasonably be accommodated within the setback required by otherwise applicable zoning requirements;
- (3) The property owner has, through regular mail postmarked no later than five days in advance of applying for a Zoning Permit, notified the affected adjacent property owner(s) that are adjacent to the property line where the proposed HVAC equipment will be located, and has submitted to the Planning Director a signed affidavit stating that such property owner has notified the affected adjacent property owner(s) and proving each name and address to which notice was sent; and
- (4) A Zoning Permit is approved by the Planning Director.

(Code 1993, § 12A-204; Ord. No. 2005-08, § 12A-204, 10-12-2005; Ord. No. 2012-03, § 2, 4-3-2012; Ord. No. [2015-04](#), § 2, 4-14-2015)

Staff Review:

The applicant, Noel Kade of Method of Design, Inc. representing the property owners Jeffrey and Danielle Hensley, is requesting a variance for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a proposed single-family home located at 40 Burroughs Hall, Kiawah Island, SC (TMS # 264-02-00-058). The subject property is located within the R-1, Residential Zoning District.

The subject property is approximately 7,745 square feet (0.18 acres) in size, containing approximately 7,720 square feet (0.18 acres) of high ground and approximately 25 square feet of marsh. The subject property is currently undeveloped and sits adjacent to critical area (marsh) to the north. The adjacent properties to the east, west and to the south across Burroughs Hall are also located in the R-1, Residential Zoning District. The subject property is subject to review by the Kiawah Island Architectural Review Board.

The *Town of Kiawah Island Land Use Planning and Zoning Ordinance* pursuant to Sec. 12-65. R-1, Residential District requires a 25' front yard setback, a 15' side yard setback and a 30' rear yard setback with an allowed maximum lot coverage of 40% for the subject property.

The Ordinance defines Setback as *"a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected."* The Ordinance defines Side Setback as, *"any setback other than a rear or front setback."* The Ordinance defines Front Setback as, *"the setback measured from all street rights-of-way."* The Ordinance defines Rear Setback as, *"the setback measured from the rear lot line."*

The *Town of Kiawah Island Land Use Planning and Zoning Ordinance* pursuant to Sec. 12-64 – Setbacks., states, *"Uncovered stairs or stair landings to building entrances may extend up to five feet into any required setback."*

The applicant proposes the construction of a new single-family residence. The proposed plans include an uncovered staircase that encroaches into the required 25-foot front setback. Specifically, the uncovered stairs extend approximately 2.3 feet into the front setback area, which falls within the allowable 5-foot administrative relief. The total area of encroachment by the stairs is approximately 9 square feet.

The proposed plans also include encroachments into the required 15-foot side setback on the eastern side of the property. An open deck is proposed to encroach by approximately 2 feet, with a total encroachment area of approximately 7 square feet. A spa is proposed to encroach by approximately 3.4 feet, with an encroachment area of approximately 20 square feet. The combined area of side setback encroachments is approximately 27 square feet.

The most recent survey for 40 Burroughs Hall, signed and dated April 22, 2025, identifies a portion of the BCM Critical Line located to the northwest of the property.

The plans further include a covered porch, a portion of which is cantilevered, that extends approximately 8 feet into the rear setback. This portion results in an estimated encroachment of 74 square feet. In addition, the proposed pool extends approximately 6.7 feet into the rear setback, resulting in an encroachment of approximately 78 square feet. The total encroachment into the rear setback, combining the covered porch and pool, is approximately 152 square feet.

According to Charleston County Records, this home was acquired by Jeffrey and Danielle Hensley on May 30, 2024. The property contains a BCM Critical Line which was certified on April 24, 2024.

The applicant has submitted to the Kiawah Island Architectural Review Board for review. The proposed project received approval for encroachment into the rear and front setback on March 26, 2025 stating, *“Given compression of the lot toward the rear and adjustments made (by) the team to minimize the extent, the ARB approves the variances shown for corners of the pool and spa at the rear and left side of the property.”*

Please see the attachments for further information regarding this request. A site visit was conducted on May 2, 2025, at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island *Land Use Planning and Zoning Ordinance*, Article II, Division 5, Section 12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions pertaining to the property due to the unique pie shape of the lot, and the 37” grand oak located at the front of the property. Per the applicant’s letter of intent, *“This lot is nearly half the size of the average lot in the vicinity (out of 178 lots). It is also one of only 2 lots in the area that is this small and has an acute angle at the rear (the OCRM line makes this even more acute), making the buildable area a difficult shape to develop.”***

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions may be unique to the subject property and may not generally apply to other properties in the vicinity. The property is located in the R-1 Residential Zoning District.**

Adjacent properties along Burroughs Hall are also located in the R-1 Residential Zoning District. The existing structure currently under construction which sits adjacent to the subject property to the west has similar encroachments based on the current setback standards. The adjacent property to the west located at 39 Burroughs Hall received BZA approval for a setback variance on July 15, 2024 for approximately 189 square feet. Other existing structures in the vicinity may or may not have similar encroachments based on current setback standards. Per the applicant's letter of intent, *"Because of these conditions, the application of the ordinance to the piece of property would effectively prohibit or unreasonably restrict the utilization of the property."*

§ 12-163.(4)c.: *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;*

Staff Response: **While the ordinance does not prohibit development of the property outright, the specific site constraints—including the grand oak, and irregular lot shape—create challenges that may unreasonably restrict utilization of the property. Per the applicant's letter of intent, *"These conditions would not be prohibited, but they do unreasonably restrict the utilization of the property due to the location of the grand oak tree and to the small size and triangular shape of the property."***

§ 12-163.(4)d.: *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;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. The proposed additions encroach minimally into the required setbacks. Per the applicant's letter of intent, *"This would not be of any detriment to the adjacent property or the public good, and the character of the district would not be harmed by the granting of this variance. The letters of approval from the ARB from Conceptual to Interim to Preliminary approval indicate the board's agreement."***

§ 12-163.(4)e.: *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;*

Staff Response: **Granting of this variance would not allow the establishment of a use not otherwise permitted in this zoning district, extend**

physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant's letter of intent, *"This would not allow the establishment of a use not otherwise permitted, or extend existing nonconforming use, or change the boundaries on the zoning map."*

§ 12-163.(4)f.: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

Staff Response: **The BZA may not consider profitability when considering this variance request. Per the applicant's letter of intent, *"Profitability is not the reason for this variance application."***

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant's own actions;*

Staff Response: **The need for the variance may not be the result of the applicant's own actions. Per Charleston County's records the property was acquired by Jeffrey and Danielle Hensley on May 30, 2024. Per the applicant's letter of intent, *"The applicant has not acted in a way to cause the need for this variance."***

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*

Staff Response: **Granting of this variance may not be contrary to the public or neighborhood interest, may not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. Per the letter of intent, *"This would not be contrary to the public or neighborhood interest and would not interfere with the purpose of the regulations. The letters of approval from the ARB from Conceptual to Interim to Preliminary approval indicate the board's agreement."***

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Staff Response: **Granting of the variance may not substantially conflict with the *Comprehensive Plan* or the purposes of the *Ordinance*. Per the applicant's letter of intent, *"This would not conflict with the Comprehensive Plan."***

Board of Zoning Appeals' Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000006 (variance for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a new single-family home located at 40 Burroughs Hall, Kiawah Island, SC (TMS # 264-02-00-058) based on the BZA's

“Findings of Fact”, unless additional information is deemed necessary to make an informed decision.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

- 1. The applicant shall submit a landscape plan providing appropriate screening for all areas of encroachment.**

- 2. The applicant shall obtain an as-built survey upon completion of construction to verify that all encroachments are consistent with the proposed plans.**

Town of Kiawah Island Board of Zoning Appeals

May 19, 2025



Town of Kiawah Island Municipal Center | 4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455

1

CASE# BZA25-000006

Applicant/Property Owner: Jeffrey and Danielle Hensley

Representative: Noel Kade of Method of Design, Inc.

Property Location: 40 Burroughs Hall

TMS#: 264-02-00-058

Zoning District: R-1, Residential Zoning District

Lot Size: Highlands: 7,720 square feet (0.18 acres)
Marsh: 25 sqft
Total: 7,745 sqft (0.18 acres)

Request: Variance request for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a new single-family home.

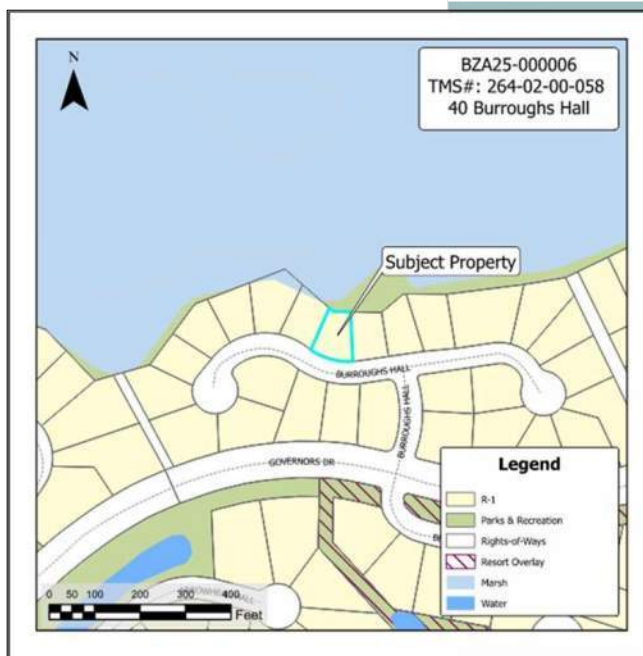
2

CASE# BZA25-000006

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

**Required setbacks: 25' (Front); 15' (Side); 30' (Rear)
Maximum 33% Lot Coverage**

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Rear Setback as, "the setback measured from the rear lot line."



Property Front



Adjacent Properties



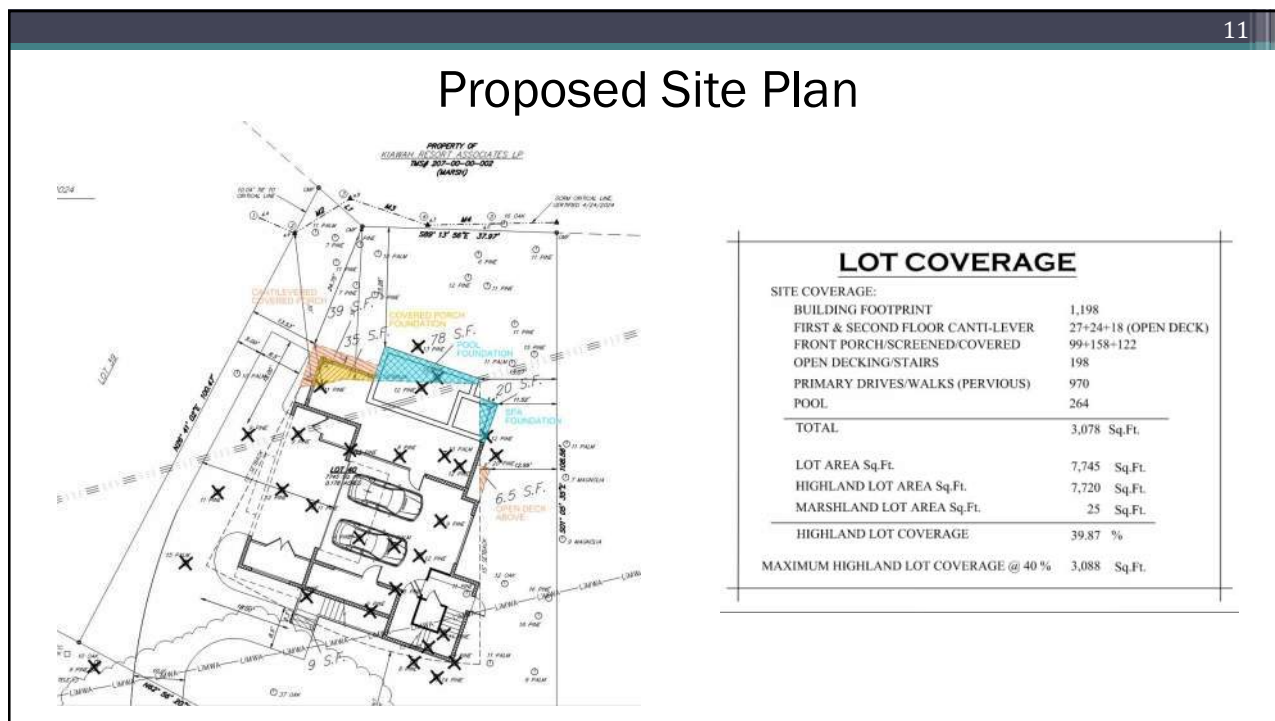
Subject Property



Property Rear



Proposed Site Plan



11

Variance Approval Criteria

According to Chapter 12 of the Land Use Planning and Zoning Ordinance of the Town of Kiawah Island Code of Ordinances, Section 12-163. Variances (4) Approval Criteria, the Board of Zoning Appeals may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b) These conditions do not generally apply to other property in the vicinity;
- c) 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;
- d) 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;

12

Variance Approval Criteria

- e) 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;
- f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;
- g) The need for the variance shall not be the result of the applicant's own actions;
- h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;
- i) Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

Board of Zoning Appeals Action

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000006 (Variance request for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a new single-family home located at 40 Burroughs Hall, Kiawah Island, SC) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

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, structure, or use 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.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

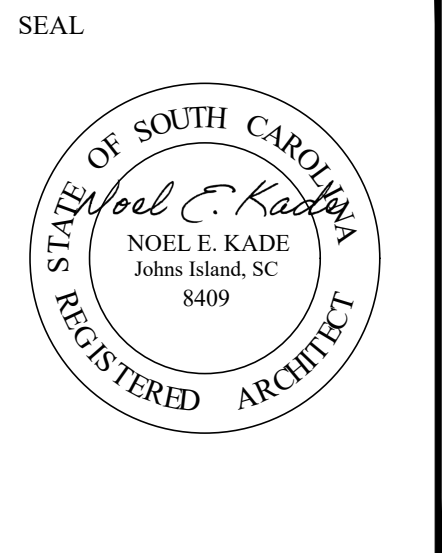
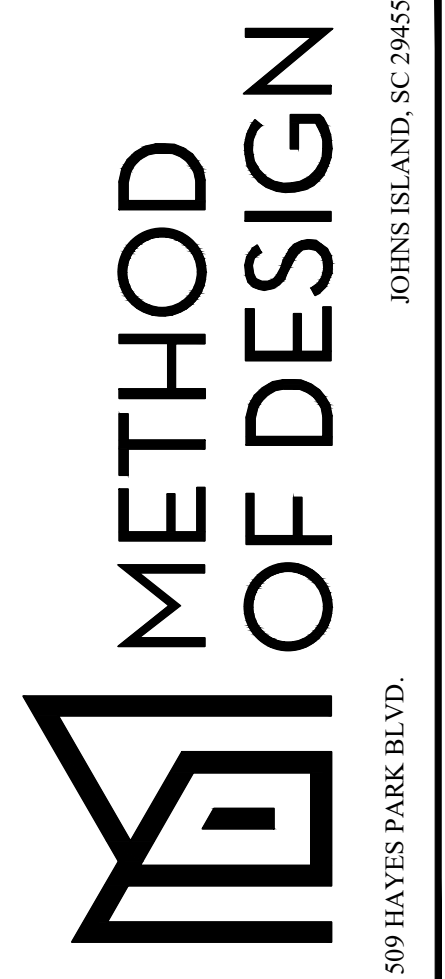
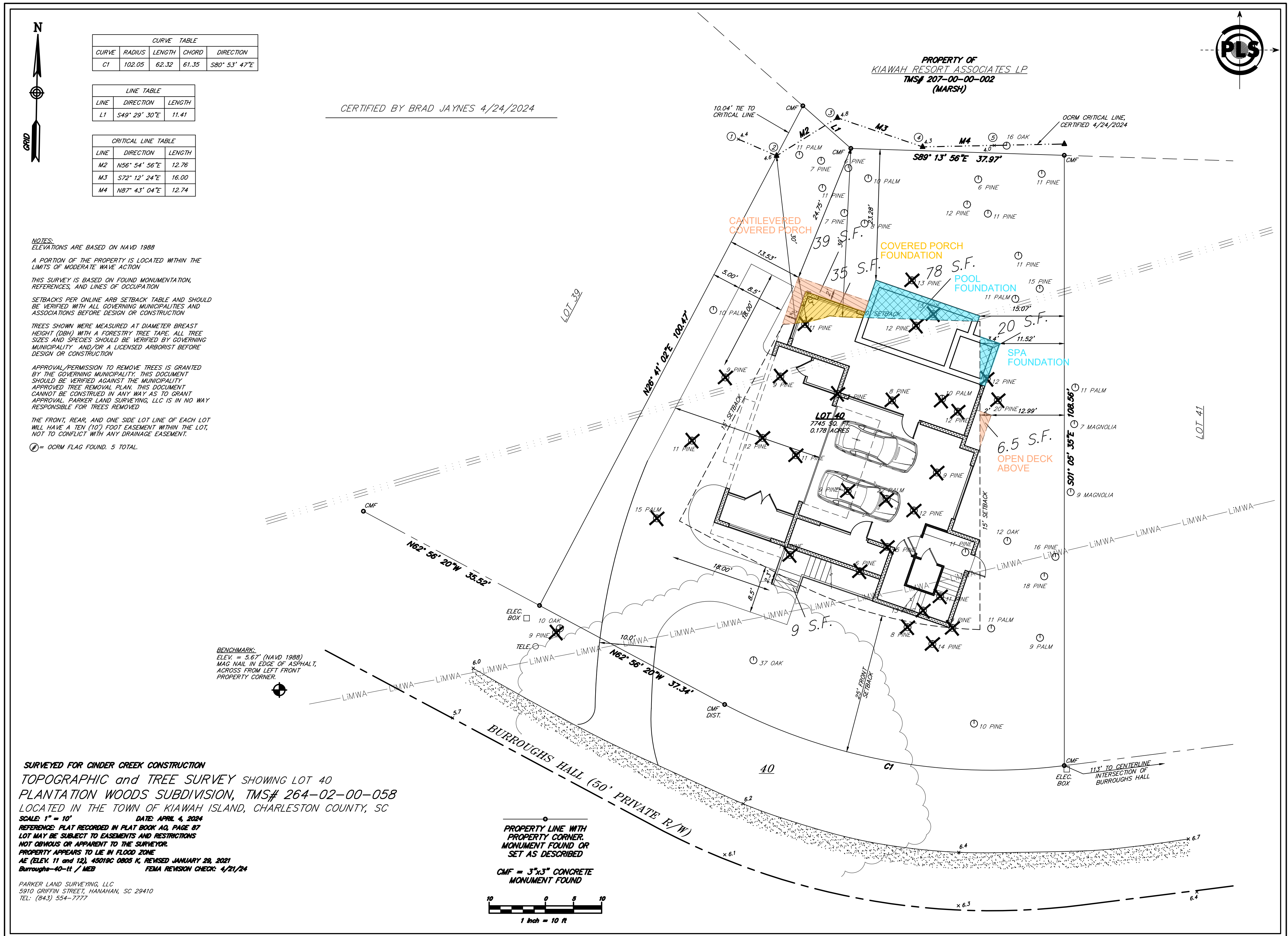
1. The applicant shall submit a landscape plan providing appropriate screening for all areas of encroachment.
2. The applicant shall obtain an as-built survey upon completion of construction to verify that all encroachments are consistent with the proposed plans.

LOT COVERAGE

SITE COVERAGE:	
BUILDING FOOTPRINT	1,198
FIRST & SECOND FLOOR CANTI-LEVER FRONT PORCH/SCREENED/COVERED	27+24+18 (OPEN DECK)
OPEN DECKING/STAIRS	198
PRIMARY DRIVES/WALKS (PERVIOUS)	970
POOL	264
TOTAL	3,078 Sq.Ft.
LOT AREA Sq.Ft.	7,745 Sq.Ft.
HIGHLAND LOT AREA Sq.Ft.	7,720 Sq.Ft.
MARSHLAND LOT AREA Sq.Ft.	25 Sq.Ft.
HIGHLAND LOT COVERAGE	39.87 %
MAXIMUM HIGHLAND LOT COVERAGE @ 40 %	3,088 Sq.Ft.

BUILDING RESTRICTIONS

SETBACK REQUIREMENTS:	
FRONT	25'
SIDE	15'
SIDE	15'
REAR	30'
MAX. BUILDING HEIGHT	40' A.B.F.E.
MAX. LOT COVERAGE	40 %



A NEW HOME AT:

40 BURROUGHS HALL

KIWAH ISLAND
SOUTH CAROLINA

PHASE	DATE ISSUED
CONCEPTUAL	06.25.24
PRELIMINARY	04.16.25
FINAL	
CONSTRUCTION	
REVISION	
REVISION	
SHEET TITLE:	
PROJECT NUMBER:	

SHEET NUMBER

OF

THESE DRAWINGS ARE PROPERTY OF METHOD OF DESIGN, INC. UNAUTHORIZED USE OF ANY KIND IS PROHIBITED. COPYRIGHT.



Letter of Intent

Re: 40 Burroughs Hall – Board of Zoning Appeals

Town of Kiawah Island – Board of Zoning Appeals/John Taylor:

I am writing to you on behalf of my clients Jeffrey and Danielle Hensley to request the Board's consideration and approval of rear and side setback variances at their property located at 40 Burroughs Hall, Kiawah Island.

I have been engaged by Mr. and Mrs. Hensley, in partnership with Cinder Creek Construction, to design a single-family residence. Since last Spring 2024, we have worked diligently with the Kiawah Island Architectural Review Board (ARB) to design a home that meets the design requirements and intent of the ARB as well as feature the unique characteristics of this lot, while creating a custom home to meet the needs of the Hensley family. Through the process with the Hensley family and the ARB, we found that due to the restrictive size and shape of the lot and the location of the 37" grand live oak tree at the front of the property, we needed to ask the ARB for rear and side setbacks to accommodate the program on the lot. The ARB has worked with us through several submissions including Site Analysis, Conceptual, Interim and Preliminary ARB reviews. Through this process, the ARB has approved our proposed side and rear setback variance requests, as illustrated in the provided review letters (attached). The current design including the setback variances have been approved by the ARB (per the provided letters attached) to enable the building, driveway and site development to meet the design requirements of the Kiawah Island Design Guidelines. We now seek for these same variance requests to be reviewed and approved by the Town of Kiawah Island and respectfully submit the required documentation for your consideration.

In addition, we are providing an arborist report that notes the condition of the 37" grand Live Oak tree, located at the front of the property that will be maintained as a significant lot feature.

Lot Information:

Property Location: 40 Burroughs Hall

TMS #: 207-00-00-002

Zoning District: R-1, Residential Zoning District

Lot Size: Total: 7,745 sq ft (0.178 acres) or 7,720 sf of Highland Area and 25 sf of Marshland Area

Flood Zone: AE-11 and AE-12

Property is located within a LIMWA

Method of Design, Inc.

A 37" grand live oak tree is located at the center, front of the property with a large, tall tree canopy. The location of the tree, canopy and overall root structure, limit the ability to access site. Therefore, careful consideration of the drive entry location, garage and parking led to the need to provide a side-loaded garage and parking configuration to limit disturbance at the front of the lot. In addition, the overall shape of the lot is triangular, and the side setbacks greatly narrow from the front to the rear of the property, leaving buildable area challenging. The size of the lot is nearly half the size of typical lots for this area of the island.

Due to the grand oak tree, restrictive size and shape of the lot at 40 Burroughs Hall, we offer the following Setback Variances for Consideration:

Left Setback– Established setback is 15' from the property line. See attached setback information from the Town of Kiawah.

Requesting encroachment of 6.5 sf of elevated open deck above and 20 sf of spa/foundation. The town's zoning ordinance sets the side setback for this district at 10' from the property line, but the covenant established when the property was platted supersedes the current zoning ordinance. The ARB has granted this setback variance to simplify the massing of the building. In granting the variance, the ARB has effectively relaxed the site setback established by the covenant, so that it now matches the setback established by the town's zoning ordinance. We are respectfully asking that the town also allow us to use the town's zoning setback here rather than the covenant setback. The adjacent neighboring property on this side is developed.

Rear Setback– Established setback is 30' from the OCRM critical marsh line. See attached setback information from the Town of Kiawah.

Requesting encroachment of 35 sf of covered porch overhang, 39 sf of covered porch/foundation and 78 sf of pool foundation. The ARB has granted this setback variance to allow for the pool, spa and open decks to align with the overall dimensions of the building. Per ARB comments, we have adjusted our design to reduce the request for foundation encroachment across the rear setback at the screened porch by using cantilever detailing for a portion of the screened porch. We are respectfully asking that the town also consider this setback variance.

Responses to BZA Variance Approval Criteria:

a) There are extraordinary and exceptional conditions pertaining to this piece of property.

- This lot is nearly half the size of the average lot in the vicinity (out of 178 lots). It is also one of only 2 lots in the area that is this small and has an acute angle at the rear (the OCRM line makes this even more acute), making the buildable area a difficult shape to develop.

b) These conditions do not generally apply to other properties in the vicinity.

- These conditions do not generally apply to other property in the vicinity.

c) Because of these conditions, the application of the ordinance to the piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

- These conditions would not be prohibited, but they do unreasonably restrict the utilization of the property due location of the grand oak tree and to the small size and triangular shape of the property.

d) 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.

- This would not be of any detriment to the adjacent property or the public good, and the character of the district would not be harmed by the granting of this variance. The letters of approval from the ARB from Conceptual to Interim to Preliminary approval indicate the board's agreement.

e) 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 boundaries shown on the official zoning map.

- This would not allow the establishment of a use not otherwise permitted, or extend existing nonconforming use, or change the boundaries on the zoning map.

f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

- Profitability is not the reason for this variance application.

g) The need for the variance shall not be the result of the applicant's own actions.

- The applicant has not acted in a way to cause the need for this variance.

h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations.

- This would not be contrary to the public or neighborhood interest and would not interfere with the purpose of the regulations. The letters of approval from the ARB from Conceptual to Interim to Preliminary approval indicate the board's agreement.

Method of Design, Inc.

i) Granting the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

- This would not conflict with the Comprehensive Plan.

40 Burroughs Hall is a small lot compared to the average lot in this area of the island, making the buildable area challenging (see the neighborhood lot map). As such, the right and rear setback variances we are requesting are triangular in shape and are limited in overall size. We have also cantilevered the porch and open deck above to limit the impact on the marsh. We have worked extensively with the ARB to design a home that meets the needs of our client as well as satisfy the design requirements of the ARB. We feel that approval of these variances would not be of detriment to surrounding properties, alter the fabric of the neighborhood and its zoning district, or negatively impact the environment. Therefore, we ask that the Board of Zoning Appeals consider approving the variance requests as stated above and as approved by the Kiawah Island ARB.

Thank you for your time and consideration of our request. On behalf of Jeff and Danielle Hensley and our design team.

Noel E. Kade

Noel Kade, AIA, NCARB
Method of Design, Inc.
843.830.2703



p: 843-768-3419
f: 843-768-0517
e: ARB@kiawah.com

September 11, 2024

Danielle and Jeff Hensley
127 Lochwood West Drive
Cory, NC 27518

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **PRE-CONCEPTUAL REVIEW**
Construction Address: 40 Burroughs Hall
ARB Action: Adjustments Required

Dear Mr. & Ms. Hensley,

Thank you for your submittal and presentation to the Kiawah Island Architectural Review Board for Pre-Conceptual Review of your home at 40 Burroughs Hall. The site approach will require adjustments for the Conceptual Submittal. As you move forward, please address the following comments and conditions in keeping with the guidelines:

- L1. Given compression of the lot toward the rear, the ARB's is open to consideration of some variance to the rear setback. As shown, there is more encroachment over the rear setback than the board will approve. Open decking at grade can be approved up to 5' beyond the setback. Reduce the encroachment at the left side.
- L2. This will be a variance from TOKI also. Please verify this possibility prior to resubmission.
- L3. The garage access and parking do not appear functional and a straight shot continuously 5' off the property line is not desirable. The board is open to front-facing garage doors for this lot.
- A1. Architectural changes to address siting comments are anticipated, therefore the architectural direction was not reviewed.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Review Process for your home.

Sincerely,

A handwritten signature in black ink that reads "Jane Maybank".

Jane Maybank, Director
On behalf of the KIARB

cc: Property file, ARB members
encl: Checklist



January 23, 2025

Danielle and Jeff Hensley
127 Lochwood West Drive
Cary, NC 27518

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **INTERIM CONCEPTUAL REVIEW**
Construction Address: 40 Burroughs Hall
ARB Action: Approved - Conditional

Dear Mr and Mrs Hensley,

Thank you for your submittal to the Kiawah Island Architectural Review Board (ARB) for Interim Conceptual Review of your home at 40 Burroughs Hall. The design of your home is approved to continue to the Preliminary Review. As you move forward, please address the following comments and conditions in keeping with the guidelines:

- L1. Thank you for the paving adjustments. Please do not locate paving adjacent to the foundation wall, and wrap the front foundation plant bed around the corner at the Northwest/side foundation wall.
- A1. Please study flipping the tilt direction of the central form to simplify and incorporate the small shed on the third floor right side.
- A2. Please study windows on the left side elevations. It's hoped that the reversed tilt will provide room for taller windows at the upper level on the left side. Please consider taller windows on the second floor as well. As shown, the horizontal window in the dining area is not helping the composition. Please use taller windows similar to others on this floor.
- A3. Please consider using glass rather than horizontal infill paneling at the top of the stairs.
- A4. The graphic representation may be more pronounced than reality here, but please study balancing the horizontal joints in foundation walls with some vertical treatment to relate these elements more to each other.
- A5. The Garage opening elevation does not coordinate with the plan (shower not shown).

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Review Process for your home.

Sincerely,

Jane Maybank, Director
On behalf of the KIARB

cc: Property file, ARB Members, Method of Design, Living Designs Landscaping, Cinder Creek Construction
encl: Checklist



p: 843-768-3419
f: 843-768-0517
e: ARB@kiawah.com

February 21, 2025

Danielle and Jeff Hensley
127 Lochwood West Drive
Cary, NC 27518

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **PRELIMINARY REVIEW**
Construction Address: 40 Burroughs Hall
ARB Action: Approved Conditionally

Dear Mr. and Mrs. Hensley,

Thank you for your submittal to the Kiawah Island Architectural Review Board for Preliminary Review of your home at 40 Burroughs Hall. The design of your home is conditionally approved to continue to the Final Review. As you move forward, please address the following comments and conditions in keeping with the guidelines:

- L1. Please adjust Tree-Protection fencing to be farther-off property-lines where it is feasible.
- L2. Further study the 8.5 slab elevation and the adjacent drive along the property-line, regarding the adjacent lot elevation(s) and streetside elevation.
- L3. Prior-to tree removals, engage with a Certified Arborist regarding the two streetside Oak trees (to remain) and the existing pine tree to be removed. One concern is for the Oaks to be protected during construction and prevent broken limbs and roots from equipment conflicts.
- L4. Further study the stair landing and walkway to secondary access. Avoid wrapping proposed walk around structure.
- A1. Please study reversing the pitch of the top roof and associated window adjustments commented on in the Interim Conceptual letter. What would the height be with this change?

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Review Process for your home.

Sincerely,

A handwritten signature in black ink that reads "Jane Maybank".

Jane Maybank, Director
On behalf of the KIARB

cc: Property file,

encl: Checklist



March 26, 2025

Danielle and Jeff Hensley
127 Lochwood West Drive
Cary, NC 27518

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **PRELIMINARY INTERIM REVIEW and VARIANCE**
Construction Address: 40 Burroughs Hall
ARB Action: Approved

Dear Mr. and Mrs. Hensley,

Thank you for your submittal to the Kiawah Island Architectural Review Board for Preliminary Review of your home at 40 Burroughs Hall. The design of your home is approved to continue to the Final Review. As you move forward, please address the following comments and conditions in keeping with the guidelines:

- L1. Given compression of the lot toward the rear and adjustments made by the team to minimize the extent, the ARB approves the variances shown for corners of the pool and spa at the rear and left side of the property.
- A1. Thank you for adjustments to the roof pitch.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Review Process for your home.

Sincerely,

Jane Maybank, Director
On behalf of the KIARB

cc: Property file,

encl: Checklist

Prepared By:
Bradshaw & Company, LLC
147 Wappoo Creek Drive
Suite 605
Charleston, SC 29412



BP1248288

PGS:

5

-----Space Above This Line For Recording Data-----

TITLE OR REAL ESTATE
GENERAL WARRANTY DEED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

KNOW ALL MEN BY THESE PRESENTS, THAT **Stantley B. Williams and Ann Ward Williams** (GRANTOR) in the State aforesaid, for and in consideration of the sum of **FOUR HUNDRED FIFTEEN THOUSAND AND 00/100 DOLLARS (\$415,000.00)** and no other consideration to Grantor in hand paid by

Jeffrey S. Hensley and Danielle W. Hensley (GRANTEE),
joint tenants with rights of survivorship, and not as tenants in common

in the State aforesaid, the receipt whereof is hereby acknowledged, has/have granted, bargained, sold and released and by these presents does/do grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions set forth below unto the said Grantee, joint tenants with rights of survivorship, and not as tenants in common unto the said Grantee their heirs and assigns forever in fee simple, the following described property, to-wit:

FOR PROPERTY DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TMS Number: **264-02-00-058**

Address of GRANTEE(S): **127 Lochwood West Drive, Cary, NC 27518**

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned, unto the Grantee, joint tenants with rights of survivorship, and not as tenants in common, their heirs and assigns forever; subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind themselves and their heirs, assigns, executors, and administrators to warrant and forever defend, all and singular, the said premises unto the said Grantee, their heirs, assigns, executors, and administrators, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

[Signatures to appear on following page.]

WITNESS this 17th day of May, 2024.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

[Signature]
WITNESS

[Signature]
WITNESS

GRANTOR(S)

Stantley B. Williams
Stantley B. Williams

Ann Ward Williams
Ann Ward Williams

STATE OF GA
COUNTY OF Dekalb

The foregoing instrument was acknowledged before me this 17th day of May, 2024 by Stantley B. Williams and Ann Ward Williams.

[Signature]

Signature of Person Taking Acknowledgment

Title or Rank Notary Public

Serial Number N/A

Commission Expires: 3/7/28

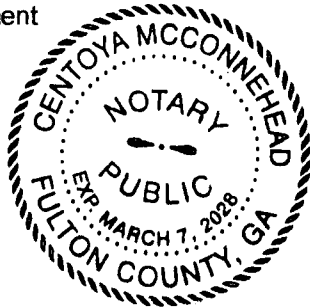


EXHIBIT "A"

ALL that certain piece, parcel or lot of land, together with the buildings and improvements located thereon, situate, lying and being on Kiawah Island, Charleston County, State of South Carolina, known and designated as Lot Number Forty (40), Tract 31, Block 2 on a plat of Tract 31, Block 2, Plantation Woods Subdivision (433), made by Coastal Surveying Co., Inc., dated January 25, 1978, and recorded in Plat Book AK at Page 90, in the ROD Office for Charleston County, S.C., said property having such location, buttings, bounds, courses and distances as will by reference to said plat more fully appear.

SUBJECT to any and all Restrictions, Covenants, Conditions, Easements, Rights of Way, and any and all other matters affecting subject property, of record in the Office of the ROD for Charleston County, South Carolina.

THIS being the same property conveyed to Stantley B. Williams by deed of David J. Shaw and Patricia K. Shaw, dated April 15, 1986 and recorded April 17, 1986 in Book G-153, Page 846 of the Charleston County ROD Office; FURTHER conveyed to Stantley B. Williams and Ann Ward Williams by deed of Stantley B. Williams dated November 23, 2015 and recorded December 10, 2015 in the aforesaid ROD Office in Book 0522 at Page 670.

TMS No. 264-02-00-058

Prepared By:

Bradshaw & Company, LLC
147 Wappoo Creek Drive
Suite 605
Charleston, SC 29412

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON) **AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS**

PERSONALLY, appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred is located at 40 Burroughs Hall, Kiawah Island, SC 29455 bearing Charleston County Tax Map Number 264-02-00-058, was transferred by Stantley B. Williams and Ann Ward Williams to Jeffrey S. Hensley and Danielle W. Hensley on May 30, 2024.
3. Check one of the following: The DEED is:
 - a. subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or a distribution to a trust beneficiary.
 - c. EXEMPT from the deed recording fee because (see information section of affidavit):
_____. (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?
Check Yes or No

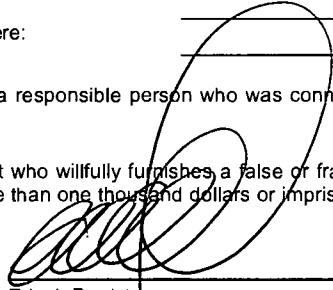
4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - a. The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$415,000.00.
 - b. The fee is computed on the fair market value of the realty which is \$ _____.
 - c. The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES or NO to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If YES, the amount of the outstanding encumbrance is \$ _____.

6. The deed recording fee is computed as follows:

a. Place the amount listed in item 4 above here:	\$415,000.00
b. Place the amount listed in item 5 above here: (If no amount is listed, place zero here.)	\$0.00
c. Subtract Line 6(b) from Line 6(a) and place the result here:	\$415,000.00

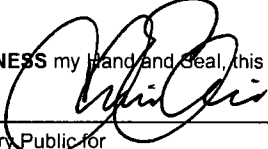
7. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as:
Recording Attorney

8. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

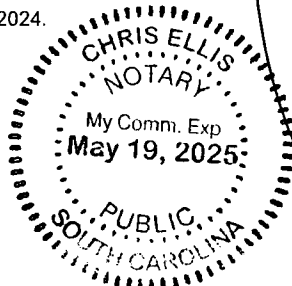


Eric J. Bradshaw

WITNESS my hand and Seal, this 30th day of May, 2024.



Notary Public for
My Commission Expires



RECORDER'S PAGE



NOTE: This page **MUST** remain with the original document

Filed By:

BRADSHAW & COMPANY, LLC
 147 WAPPOO CREEK DR.
 SUITE 605
 CHARLESTON SC 29412 (BOX)

RECORDED		
Date:	June 3, 2024	
Time:	3:51:12 PM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
1248	288	Deed
Karen Hollings, Register of Deeds Charleston County, SC		

MAKER:

WILLIAMS STANTLEY B AL

Note:

RECIPIENT:

HENSLEY JEFFREY S AL

of Pages:

Recording Fee	\$ 15.00
State Fee	\$ 1,079.00
County Fee	\$ 456.50
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 1,550.50

Original Book:

Original Page:

DRAWER
CLERK

AUDITOR STAMP HERE
 RECEIVED From ROD
 Jun 05, 2024
 Peter J. Tecklenburg
 Charleston County Auditor

PID VERIFIED BY ASSESSOR
 REP RJB
 DATE 06/07/2024



1248
Book



288
Page



06/03/2024
Recorded Date



5
Pgs



Original Book



Original Page



D
Doc Type



15:51:12
Recorded Time



**Kiawah Island
Board of Zoning Appeals
Meeting of May 19, 2025**

**Public Comments Regarding
Case #BZA25-000006**

Noel

----- Forwarded message -----

From: Jeffrey Hensley <jeffreyskensley@gmail.com>

Date: Thu, May 8, 2025 at 1:58 PM

Subject: FW: variance

To: Danielle Hensley <dhensley07@hotmail.com>, Noel Kade <noel@method-of-design.com>, Kara Crowell <kara@cindercreek.net>, Scott Lechtrecker <Scott@ocean3design.com>

Good news from 39 Burroughs!

Jeff

From: Gregory Droba <cusprider41@gmail.com>

Date: Thursday, May 8, 2025 at 12:58 PM

To: Jeffrey Hensley <jeffreyskensley@gmail.com>

Subject: variance

Dear Jeff and Danielle,

I wanted to let you know that I sent an email to Ms Reynolds to let the town know that we have no objections to the valances you have requested.

I hope everything goes smoothly for you as you build your new home on Kiawah. We will also be full time residents when our home is completed.

Thank you for reaching out to us. We look forward to meeting you.

Sincerely,

Greg Droba and Elaine Markowski

(married for 40 years and counting, my wife retained her maiden name for professional reasons)

View results

Respondent

1 Anonymous

02:26

Time to complete

Please write your **full name**: *If you wish to remain anonymous, please write *anonymous* in the field below:

David Barrington

Please write your **full address** including street name and number, city, and zip code: *If you wish to remain anonymous, please write *anonymous* in the field below:

38 Burroughs Hall

Choose which case you would like to address your comments *

- CASE# BZA25-000006: Variance request for the reduction of the required 15' side setback and required 30' rear setback by approximately 179 square feet for a new single-family home located at **40 Burroughs Hall**, Kiawah Island, SC (TMS # 264-02-00-058).
- CASE# BZA25-000007: Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at **240 Glen Abbey**, Kiawah Island, SC (TMS # 264-14-00-091).
- CASE# BZA25-000008: Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure located at **6 Bufflehead Drive**, Kiawah Island, SC (TMS # 264-11-00-020).
- CASE# BZA25-000009: Variance request for the reduction of the required 20' BCM critical line left side setback and 15' right side setback by approximately 80 square feet for a new single-family home located at **14 Oyster Shell Rd**, Kiawah Island, SC (265-01-00-023).

Enter your **Public Comments** here: *

These comments will be given to members of the Board of Zoning Appeals

We own 38 Burroughs Hall and have no issue with either of the requested variances.

Sincerely,

David Barrington & Suzanne Sullivan

Daniel Vincent

To: Petra Reynolds; Sunny Alsup
Cc: Jeff Hensley; Bill Alsup
Subject: RE: 40 Burroughs Hall Variance Request

From: Sunny Alsup
Sent: Monday, May 12, 2025 6:21 PM
To: Petra Reynolds
Cc: Jeff Hensley; Bill Alsup
Subject: 40 Burroughs Hall Variance Request

Ms. Petra Reynolds
Town Clerk, Kiawah Island

Ms Reynolds;

We are the owners of 41 Burroughs Hall, adjacent to the proposed new home referenced above. Their home plans are currently being reviewed by the ARB and BZA. They sent us a copy of their submission, which we have reviewed. As a landscape architect by training, I am generally appreciative of the ARB's setback requirements. This has served our community well over the years, and generally preserved the special character of the island.

The East and rear setback variance encroachments they propose were of concern to us. They will build a pool and spa very close to our existing deck and balconies. However, we support their variance request because they are planning to add buffer plantings along our mutual side yards, and also consider an architectural screen for their spa from our balcony and deck. They seem interested in trying to accommodate the issues of concern to us, and will work with their designers on the details. No other properties would be affected by these issues. In light of their cooperative attitude, we support their request for variance.

Yours truly,
Sunny Alsup, FASLA
And William B. Alsup, III
41 Burroughs Hall



Case #BZA25-000007
Kiawah Island BZA Meeting of May 19, 2025

Applicant/Property Owner: 240 GLEN ABBEY ASSOCIATES LLC

Representative: Tommy Manuel

Property Location: 240 Glen Abbey

TMS#: 264-14-00-091

Lot Size: Total: 14,983 sqft (0.34 acres)

Zoning District: R-1, Residential Zoning District

Request: Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at 240 Glen Abbey, Kiawah Island, SC.

Requirement:

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

Required setbacks: 25' (Front); 15' (Side); 30' (Rear)

Maximum 33% Lot Coverage

The Ordinance defines Setback as "a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected." The Ordinance defines Rear Setback as, "the setback measured from the rear lot line."

legally nonconforming in regards to setbacks & lot coverage

Sec. 12-65. R-1, Residential District.

- (a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:
 - (1) The maximum density for this district is three dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Yard Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾⁽⁵⁾	Rear ⁽⁴⁾	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40

⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.

⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.

⁽³⁾ A minimum of 15 feet must be provided between structures.

⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.

⁽⁵⁾ Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

GLEN ABBEY (DEVELOPED LANDS) cont.

187	20 (lot 186)	15	30 (lagoon)
188	20 (lot 189)	15 (lot 187) 15 (open space)	30 (lagoon)
189	25 (Glen Abbey)	15 (lot 188) 15 (open space)	20 (lot 188)
200	25 (Glen Abbey)	30 (lagoon) 15 (lot 201)	30 (lagoon)
201-211	25 (Glen Abbey)	15 (lots)	30 (lagoon)
212	20 (lot 213)	15	30 (lagoon)
213	25 (Glen Abbey)	15	20 (open space)
214	25 (Glen Abbey)	15 (lot 213) 25 (Glen Abbey)	20 (open space)
215	25 (Glen Abbey)	30 (golf) 20 (lot 216)	20 (lot 216)
216	20 (lot 215)	30 (golf) 20 (lot 217)	20 (lot 217)
217	20 (lot 216)	30 (golf) 20 (open space)	20 (open space)
229	25 (Glen Abbey)	15 (lot 230) 30 (golf)	30 (golf)
230-234	25 (Glen Abbey)	15 (lots)	30 (golf)
235	25 (Glen Abbey)	25 (Augusta Nat) 30 (lagoon)	20 (lot 159)
236	25 (Glen Abbey)	15 (lot 237) 30 (lagoon)	30 (lagoon)
237-244	25 (Glen Abbey)	15 (lots)	30 (golf)
245	25 (Glen Abbey)	15 (lot 244) 15 (bike path)	30 (golf)
246	25 (Glen Abbey)	15 (bike path) 15 (lot 247)	30 (golf)
247-252	25 (Glen Abbey)	15 (lots)	30 (golf)
253	20 (lot 254)	25 (Surfsong Rd) 15 (lot 252)	30 (golf)
254	25 (Glen Abbey)	25 (Surfsong Rd) 15 (lot 253)	20 (lot 253)

GLEN EAGLE (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
312	25 (Glen Eagle)	25 (Surfsong Rd) 15 (lot 313)	30 (golf)
313-319	25 (Glen Eagle)	15 (lots)	30 (golf)
320	25 (Glen Eagle)	15	30 (lagoon)
321	25 (Glen Eagle)	15	30 (lagoon) 30 (golf)
322-327	25 (Glen Eagle)	15 (lots)	30 (golf)
328	25 (Glen Eagle)	25 (Surfsong Rd) 15 (lot 327)	30 (golf)

GLOSSY IBIS LANE (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
700	40 (Glossy Ibis)	50 (Gov. Dr) 30 (lot 701)	30 (marsh)
701	40 (Glossy Ibis)	30 (lot 700) 25 (lot 702)	30 (marsh)
702	40 (Glossy Ibis)	25	30 (marsh)
703	40 (Glossy Ibis)	20	30 (marsh)
704-713	25 (Glossy Ibis)	20	30 (marsh)
714-715	25 (Glossy Ibis)	20	30 (marsh)
716	25 (Glossy Ibis)	20 (lot 715)	Contact ARB
717	25 (Glossy Ibis)	Contact ARB	Contact ARB
718	25 (Glossy Ibis)	20 (lot 717) 20 (lot 719)	30 (marsh)
719	25 (Glossy Ibis)	20 (lot 718) 20 (lot 720)	30 (marsh)
741	25 (Glossy Ibis)	20 (lot 742) 20 (easement)	30 (golf)
742-757	25 (Glossy Ibis)	15	30 (golf)
758-760	25 (Glossy Ibis)	15	30 (lot 761)
768	25 (Glossy Ibis)	25 (lot 767) 50 (Glossy Ibis)	50 (Gov. Dr)

GOLDENEYE DRIVE (UNDEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
90	25 (Goldeneye) 25 (Bufflehead)	25	30 (lagoon)
91-100	25 (Goldeneye)	25	30 (lagoon)

Sec. 12-64. - Setbacks.

Setback means a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.

- (1) *Contextual setbacks.* Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between two developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.
- (2) *Setbacks on corner and double frontage lots.* On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principle structure's front main entrance. The side yard setback shall apply to the remaining side(s).
- (3) *Exception to setbacks.* Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this subsection.

Driveways and walkways may be located within any required setback.

Uncovered stairs or stair landings to building entrances may extend up to five feet into any required setback.

Uncovered, at-grade patios may extend into a required setback; however, they shall maintain a minimum ten-foot distance from the property line.

Uncovered decks may extend up to five feet into any required rear yard setback.

Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.

Walls and retaining walls below three feet in height may be located within required setback.

In all zoning districts heating, ventilation and air conditioning (HVAC) equipment and associated HVAC stands may extend up to five feet into required side or rear setbacks only when all of the following conditions are met:

- (1) The HVAC equipment is replacing existing HVAC equipment which was originally placed below an existing structure and/or which HVAC equipment being replaced is now required to be elevated to meet the requirements of the Federal Emergency Management Agency (FEMA) and the Town of Kiawah Island Building Code;
- (2) Such HVAC equipment cannot reasonably be accommodated within the setback required by otherwise applicable zoning requirements;
- (3) The property owner has, through regular mail postmarked no later than five days in advance of applying for a Zoning Permit, notified the affected adjacent property owner(s) that are adjacent to the property line where the proposed HVAC equipment will be located, and has submitted to the Planning Director a signed affidavit stating that such property owner has notified the affected adjacent property owner(s) and proving each name and address to which notice was sent; and
- (4) A Zoning Permit is approved by the Planning Director.

(Code 1993, § 12A-204; Ord. No. 2005-08, § 12A-204, 10-12-2005; Ord. No. 2012-03, § 2, 4-3-2012; Ord. No. [2015-04](#), § 2, 4-14-2015)

Sec. 12-192. Nonconforming structures.

Nonconforming structures are structures or portions thereof that were lawfully erected or altered, but which do not comply with the regulations applicable to new structures in the zoning district in which they are located. This section defines the requirements for the extension, enlargement, repair, maintenance, restoration, and replacement of nonconforming structures.

- (1) *Extension or enlargement.* Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of an existing nonconformity. Physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:
 - a. An increase in the total amount of space or building area devoted to a nonconforming use.
 - b. Greater nonconformity of dimensional restrictions such as setback requirements, height limitations, density requirements, or any other requirements prescribed in this article.
 - c. A nonconforming structure may be extended or enlarged to an extent that the costs of the extension or enlargement will not exceed 50 percent of the appraised value of the structure at the time the extension or enlargement occurs.
- (2) *Repair, maintenance, restoration, and replacement.*
 - a. If a nonconforming structure is damaged by fire, explosion, act of God, or the public enemy to an extent that the costs of repair or restoration will exceed 50 percent of its appraised value of the structure at the time the damage occurs, the damaged portions of the structure may be repaired or restored to their exact dimensional states (size, shape, building footprint, height, etc.) prior to the destruction, provided that it meets all applicable building code requirements.
 - b. If a nonconforming structure is destroyed by fire, explosion, act of God, or the public enemy, the structure may be replaced with a structure identical in size, shape (building footprint), and height, provided it meets all applicable building code requirements.
 - c. Repairs may be made to any nonconforming structure so long as the extent of any original nonconformity is not increased. Any repairs, renovation, restoration, or replacement of a structure pursuant to this section shall require a permit pursuant to Town regulations.
- (3) *Definitions.* The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Appraised value of a structure or improvement means the fair market value of the structure or improvement.

Cost of renovation, repair or restoration means the fair market value of the materials and services necessary to accomplish such renovation, repair or restoration. The term "cost of renovation or repair or restoration" means the total cost of all such intended work, and no person may seek to avoid the intent of this chapter by doing such work incrementally or without compensation.

(Code 1993, § 12A-603; Ord. No. 94-12, § 2(12A-603, 12A-604), 9-26-1994; Ord. No. 2005-08, § 12A-603, 10-12-2005)

Staff Review:

The applicant and property owner, 240 Glen Abbey Associates being represented by Tommy Manuel, is requesting a variance for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at 240 Glen Abbey, Kiawah Island, SC. (TMS# 264-14-00-091). The subject property is located within the R-1, Residential Zoning District.

The subject property is approximately 14,983 square feet (0.34 acres) in size. The subject property is developed and sits adjacent to Turtle Point Golf Course to the north. Based on Charleston County records, the home was constructed in 1984. Per Charleston County Records, the property was acquired by 240 Glen Abbey Associates in 1984. The adjacent properties to the east, the west, and to the south across Glen Abbey are located in the R-1, Residential Zoning District. Turtle Point Golf Course to the north of the Subject Property is located in the Parks and Recreation District within the Resort Overlay Zoning District. The subject property is subject to review by the Kiawah Island Architectural Review Board.

Pursuant to *Sec. 12-65. R-1, Residential District* located in the *Town of Kiawah Island Land Use Planning and Zoning Ordinance*, requires a 25' front yard setback, a 15' side yard setback and a 30' rear yard setback. The maximum allowable lot coverage for the subject property is 33%. The subject property is legally nonconforming to current zoning regulations regarding setbacks.

The applicant's proposed plans include enclosing the existing open deck for a screened-in porch. The existing lot coverage is approximately 33.7%. The proposed plans will not alter the footprint of the residence. Pursuant to the *Town of Kiawah Island Land Use Planning and Zoning Ordinance Section 12-64. Setbacks*, "*Uncovered decks may extend up to five feet into any required rear yard setback*". The existing open deck is encroaching approximately 11.2 feet into the required 30-foot rear setback, which is approximately 6.2 feet further than the 5-foot administrative relief. The proposed screened porch will maintain the same 11.2-foot encroachment as the existing open deck into the required 30-foot rear setback. The proposed lot coverage is approximately 33.7%.

Pursuant to *Sec. 12-64. Description of Zoning and regulations*, the allowable increase of Maximum Lot Coverage for the subject property is 20% of 33%, or 6.67%. The only items that qualify for the allowable increase in maximum lot coverage as determined by the Planning Director are: *a. Driveways not defined by this ordinance that utilize pervious materials. b. Pervious walks and patios. c. Raised courtyards and planters created by walls three feet or less above the adjacent grade.* The existing lot coverage is 5,049.9 square feet (33.7%). Some portions of the total lot coverage qualify as allowable increases. The proposed plans consist of two raised planters created by walls three feet or less above the adjacent grade. The total square footage of planters is approximately 169.9 square feet (1.1%). Therefore, the lot coverage total is 32.6%. The allowable increase is 1.1%. The total lot coverage with the allowable increase totals 33.7%.

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Rear Setback as, “the setback measured from the rear lot line.”

The applicant has submitted to the Kiawah Island Architectural Review Board (KIARB) for review. The KIARB granted conditional approval on April 6, 2025 stating, “Significant trees both in front and at the sides of the property compress the buildable area and originally pushed the house to the rear of the lot. Given this condition, the variance to increase the rear setback encroachment was approved. The Porch addition in the footprint of the existing deck is approved to continue to the permit submittal...”

Please see the attachments for further information regarding this request. A site visit was conducted on May 2, 2025, at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island *Land Use Planning and Zoning Ordinance*, Article II, Division 5, Section 12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions on this property. The subject property is legally nonconforming in regard to setbacks. Per the applicant’s letter of intent, “We contend that the extraordinary and exceptional conditions pertaining to this particular piece of property are the result of two factors: 1) the original zoning and contemporaneous practice of allowing decks to extend beyond rear setbacks, and 2) the presence of mature trees at the front and right side of the property (see site plan) that are believed to have contributed to the optimal placement of the home on the lot.”**

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions may be unique to the subject property and may not generally apply to other properties in the vicinity. The property is located in the R-1 Residential Zoning District. Adjacent properties along Glen Abbey are also located in the R-1 Residential Zoning District. Existing structures in the vicinity may or may not have similar encroachments based on current setback standards. Per the applicant’s letter of intent, “We**

contend that, while they are not exclusive to this property, these conditions do not generally apply to all other properties in the vicinity.”

§ 12-163.(4)c.: *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;*

Staff Response: **The application of this Ordinance to the property may prohibit or unreasonably restrict the utilization of the property. The property is considered nonconforming in regards to setbacks. Per the applicant’s letter of intent, “We contend that the application of the ordinance to this particular property would effectively prohibit and unreasonably restrict the improvement and continued utilization of the property.”**

§ 12-163.(4)d.: *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;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. The proposed additions do not increase the footprint of the existing nonconformity. Per the applicant’s letter of intent, “We contend that the authorization of a variance will not be of substantial detriment to adjacent properties or to the public good, and the character of the zoning district will not be harmed by the granting of the variance. We base this contention on three key factors: 1) the proposed improvement will occupy the existing footprint and will be modest in scale and appropriate to the massing and architectural expression of the home, 2) the presence of substantial canopy trees at the rear, both on the abutting golf course and the property itself, and 3) our desire to supplement the property’s existing vegetation with landscaping that both enhances and provides additional screening from adjacent properties.”**

§ 12-163.(4)e.: *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;*

Staff Response: **Granting of this variance would not allow the establishment of a use not otherwise permitted in this zoning district, extend physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant’s letter of intent, “We**

contend that the granting of this variance request will not allow the establishment of a use not otherwise permitted in this zoning district as such uses are generally permissible, nor physically extend a nonconforming use of land as we seek to lessen an existing nonconforming encroachment, nor change the zoning district boundaries shown on the official zoning map.”

§ 12-163.(4)f: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*
Staff Response: **The BZA may not consider profitability when considering this variance request. Per the applicant’s letter of intent, “We contend that any profitable utilization of the property is not grounds for this variance request.”**

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant’s own actions;*
Staff Response: **The need for the variance may not be the result of the applicant’s own actions. Per the applicant’s letter of intent, “We contend that the need for the variance is not the result of the applicant’s own actions but rather to existing legally non-conforming conditions.”**

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*
Staff Response: **Granting of this variance may not be contrary to the public or neighborhood interest, may not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. The proposed variance reduces the existing deck’s encroachment beyond the setback. Per the applicant’s letter of intent, “We contend that the variance would not be contrary to the public or neighborhood interest. Additionally, nor will it adversely affect other properties in the vicinity due to the proposed reduction of the existing encroachment on the rear setback, the existence of substantial vegetation, and the Owner’s desire to supplement with additional multi-layered evergreen landscaping, which we contend is aligned with the harmony, spirit, intent and purpose of these regulations.”**

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*
Staff Response: **Granting of the variance may not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance. Per the**

applicant's letter of intent, "We contend that this variance does not substantially conflict with the Town's Comprehensive Plan or the purpose of this Ordinance which aim to create a balanced, dynamic, and vibrant community that addresses the needs of its aging full-time population, and the diverse part-time and visitor demographics."

Board of Zoning Appeals' Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000007 (Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at 240 Glen Abbey, Kiawah Island, SC). Based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

- **The applicant shall provide a landscape plan showing adequate buffering between the proposed screened porch and the golf course.**

Town of Kiawah Island Board of Zoning Appeals

May 19, 2025



Town of Kiawah Island Municipal Center | 4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455

CASE# BZA25-000007

Applicant/Property Owner: GSB Holdings LLC

Representative: Tommy Manuel

Property Location: 240 Glen Abbey

TMS#: 264-14-00-091

Zoning District: R-1, Residential Zoning District

Lot Size: Total: 14,983 sqft (0.34 acres)

Request: Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure.

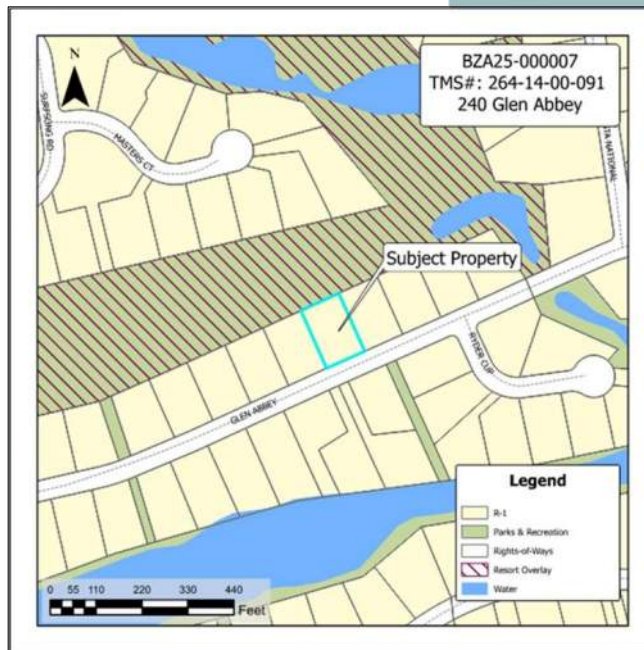
CASE# BZA25-000007

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-192. - Nonconforming structures.

**Required setbacks: 25' (Front); 15' (Side); 30' (Rear)
Maximum 33% Lot Coverage**

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Rear Setback as, "the setback measured from the rear lot line."





5

Case # BZA25-000007
BZA Meeting of May 19, 2025
Subject Property: 240 Glen Abbey– Kiawah Island

Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at 240 Glen Abbey, Kiawah Island, SC.



6

Property Front



Adjacent Properties



Adjacent Properties



Property Side



Subject Property



Subject Property



Variance Approval Criteria

According to Chapter 12 of the Land Use Planning and Zoning Ordinance of the Town of Kiawah Island Code of Ordinances, Section 12-163. Variances (4) Approval Criteria, the Board of Zoning Appeals may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b) These conditions do not generally apply to other property in the vicinity;
- c) 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;
- d) 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;

15

Variance Approval Criteria

e) 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;

f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;

g) The need for the variance shall not be the result of the applicant's own actions;

h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;

i) Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

16

Board of Zoning Appeals Action

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000007 (Variance request for the reduction of the required 30' rear setback by approximately 227 square feet for a proposed screened porch enclosure located at 240 Glen Abbey, Kiawah Island, SC.) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

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, structure, or use 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.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

- **The applicant shall provide a landscape plan showing adequate buffering between the proposed screened porch and the golf course.**

REFERENCE:
 PLAT BY: JERRY LEE RICHARDSON
 DATED: JULY 2, 1979
 BOOK: AS PAGE: 106
 RMC CHAS. CO.
 TAX MAP No. 264-14-00-091
 No. 240 GLEN ABBEY
 Requested by: KEVIN NAHIGIAN

LOT AREA
 14983.3 Sq. Feet
 0.34 Acres

EXISTING LOT COVERAGE:	PROPOSED LOT COVERAGE:	NO CHANGE
BUILDING: 2444.1 Sq. Ft.	GARAGE: 590.5 Sq. Ft.	NO CHANGE
GARAGE: 590.5 Sq. Ft.	CONC DRIVE: 937.1 Sq. Ft.	NO CHANGE
CONC DRIVE: 937.1 Sq. Ft.	FRONT STEPS: 83.2 Sq. Ft.	NO CHANGE
FRONT STEPS: 83.2 Sq. Ft.	FRONT PORCH: 65.2 Sq. Ft.	NO CHANGE
FRONT PORCH: 65.2 Sq. Ft.	NEW WOOD DECK: 276.6 Sq. Ft.	NO CHANGE
WOOD DECK: 636.9 Sq. Ft.	NEW SCREENED PORCH: 360.3 Sq. Ft.	NO CHANGE
DECK STEPS: 33.1 Sq. Ft.	NEW DECK STEPS: 33.1 Sq. Ft.	NO CHANGE
HVAC: 59.9 Sq. Ft.	HVAC: 59.9 Sq. Ft.	NO CHANGE
PLANTERS: 169.9 Sq. Ft.	PLANTERS: 169.9 Sq. Ft.	NO CHANGE
TOTAL: 5049.9 Sq. Ft.	TOTAL: 5049.9 Sq. Ft.	NO CHANGE
33.7% COVERAGE	33.7% COVERAGE	33.7% COVERAGE (NO CHANGE)

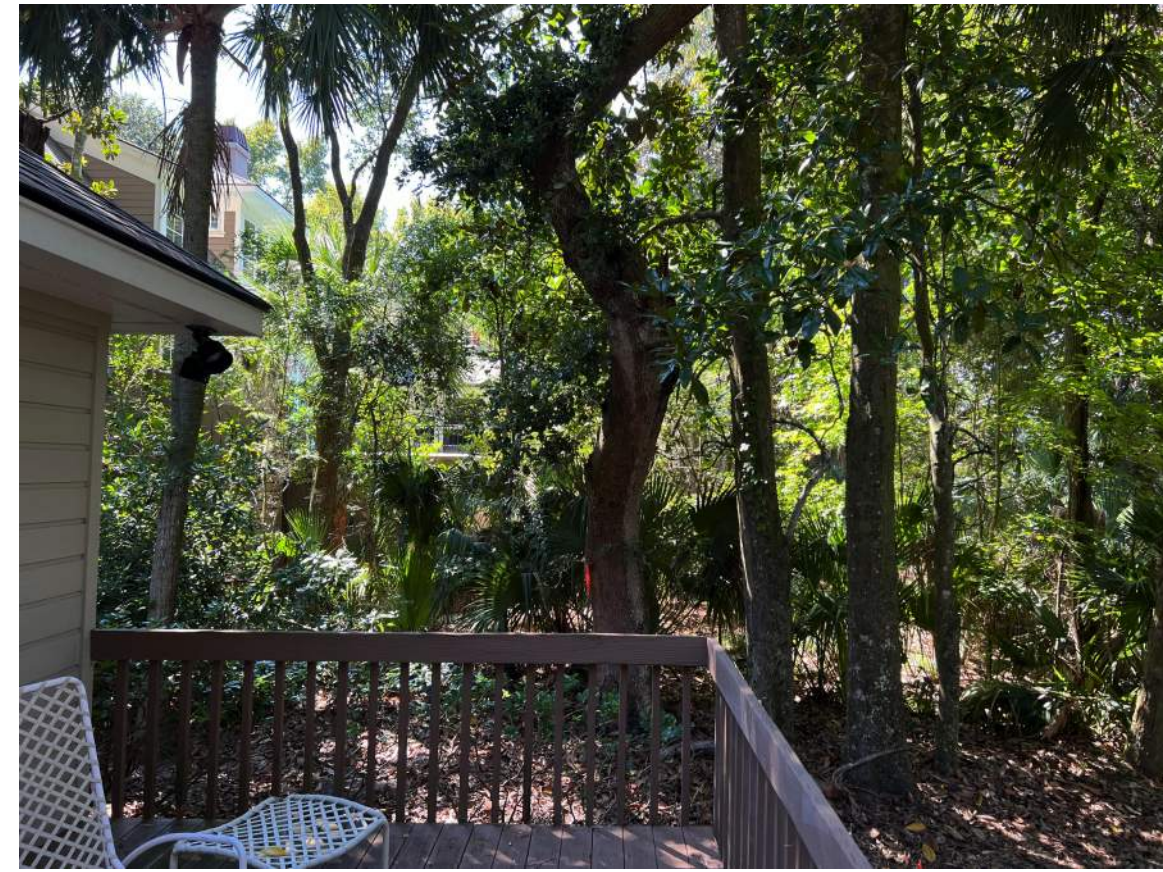
TOTAL AREA OF PROPOSED ONE-STORY SCREENED PORCH BEYOND 30' REAR SETBACK: 227 Sq. Ft.

TOTAL AREA OF PROPOSED ONE-STORY SCREENED PORCH: 360.3 Sq. Ft.

AREA OF REBUILT STAIRS BEYOND 30' REAR SETBACK: 26.4 SF. FT (13.2 SF. FT. EACH)



VIEW FROM EDGE OF GOLF COURSE



VIEW FROM DECK TOWARD LEFT NEIGHBOR



VIEW FROM 2ND TEE BOX



VIEW FROM DECK TOWARD RIGHT NEIGHBOR



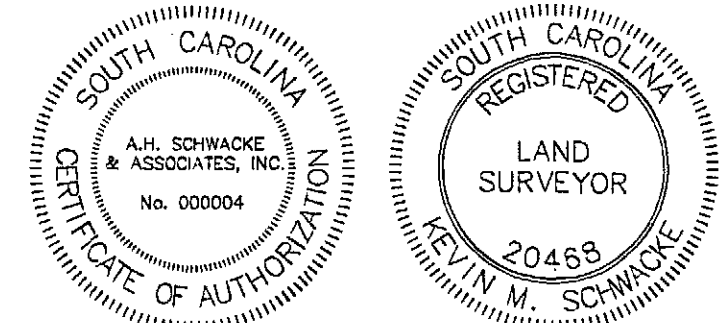
VIEW FROM DECK TOWARD GOLF COURSE

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.
 AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD '88 DATUM.
 THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
 TREES LABELED GENERAL TYPES WITH DIAMETER SIZE SHOWN IN INCHES. AN ARBORIST OR LANDSCAPE ARCHITECT SHOULD BE CONSULTED IF SPECIFIC NAMES OR OTHER DETAILS ARE NEEDED.
 THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAWAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.
 THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
 NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT, THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
 PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (EL 9') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0805X
 DATED: JANUARY 29, 2021
 COMMUNITY No. 450257
 * SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

LEGEND:
 I.O. IRON OLD (FOUND)
 CMO CONCRETE MONUMENT OLD
 CATV CABLE & TV BOX
 EBOX ELECTRIC BOX
 PT PROPANE TANK
 TPED TELEPHONE PEDESTAL
 WM WATER METER
 +6.0 SPOT ELEVATION (NAVD '88)
 ○ 22" OAK 22" (DBH) OAK TREE

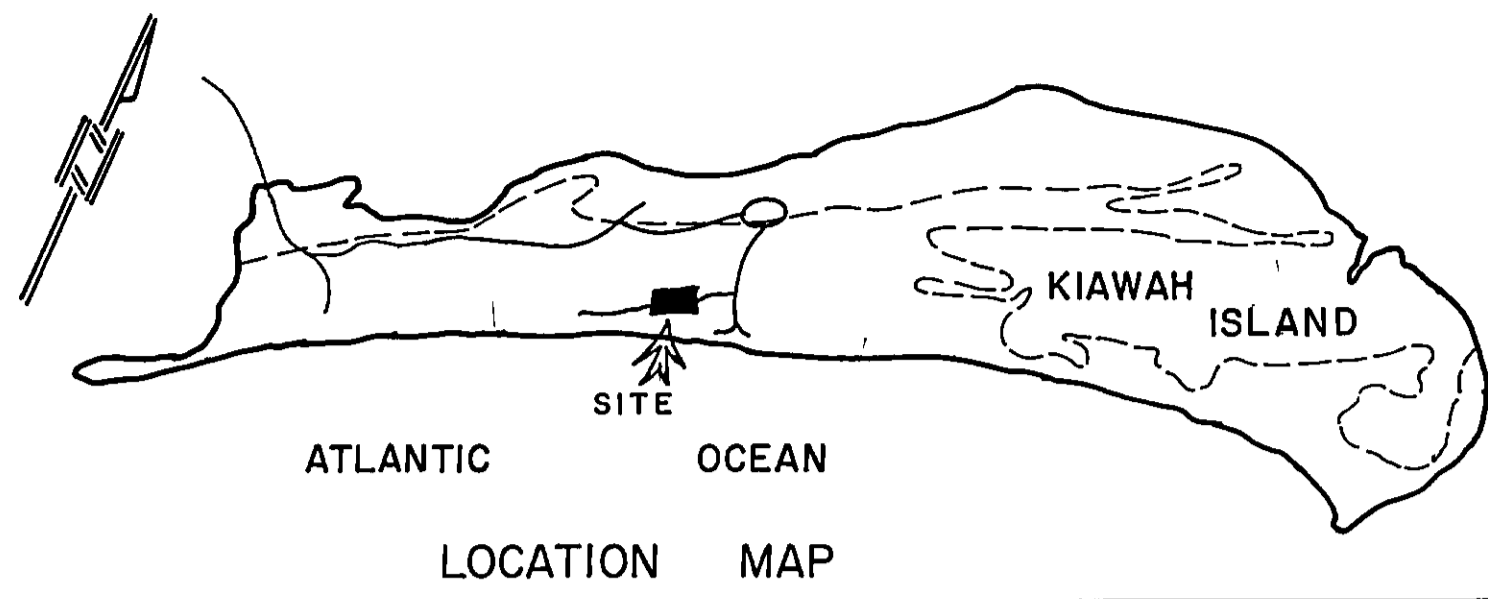
SURVEYOR'S CERTIFICATION
 I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments or objections other than shown.

KEVIN M. SCHWACKE, SR. PLS
 S.C. Registration Number 20469



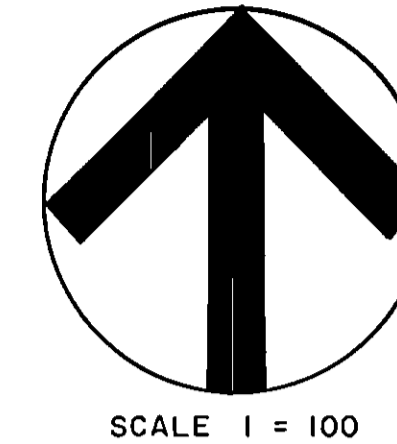
TREE & TOPOGRAPHIC SURVEY
 LOT 240 TRACT 33 BLOCK 7 PHASE II
 PLANATION WOODS SOUTH
 TOWN OF KIAWAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA

0 10 20 30
 DATE: JULY 12, 2024 SCALE: 1" = 10'

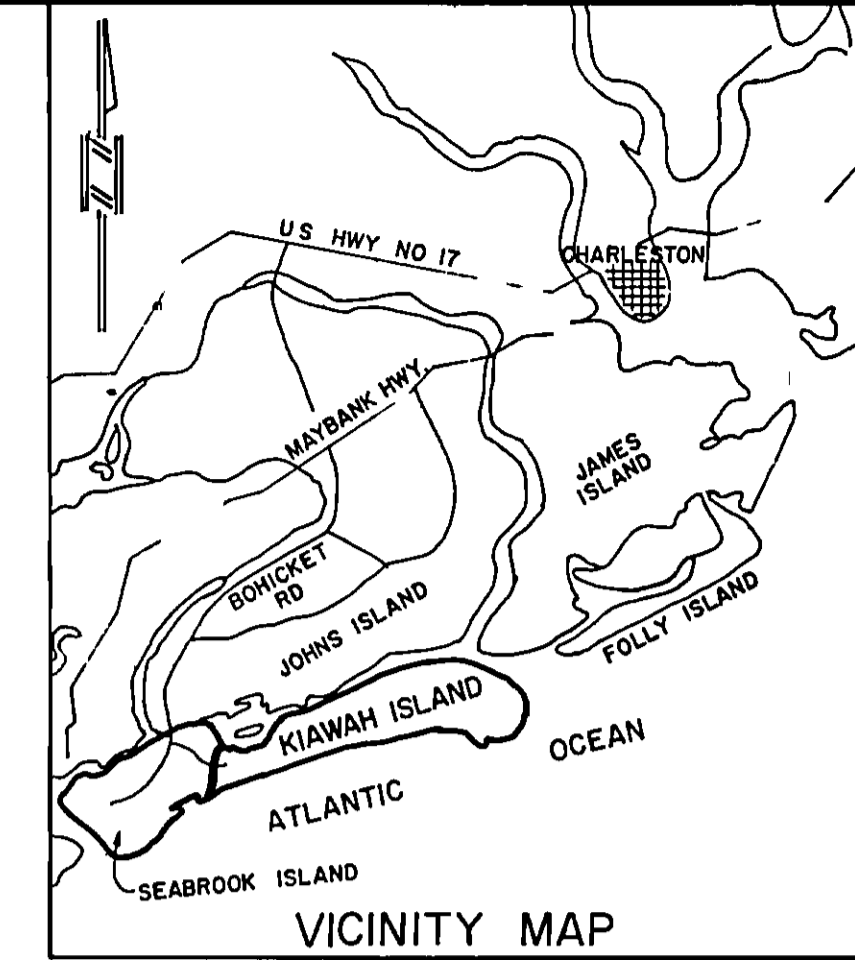


PLANTATION WOODS SOUTH 421 - PHASE II

PLAN 119 PC 207



SCALE 1 = 100



PLAT OF BLOCK 7
TRACT 33
PLANTATION WOODS
SOUTH-PH II
421 SUBDIVISION
LOCATED ON
KIAWAH ISLAND,
CHARLESTON
COUNTY,
SOUTH CAROLINA

OWNED BY
KIAWAH ISLAND
COMPANY, LTD
KIAWAH ISLAND,
S C 29455

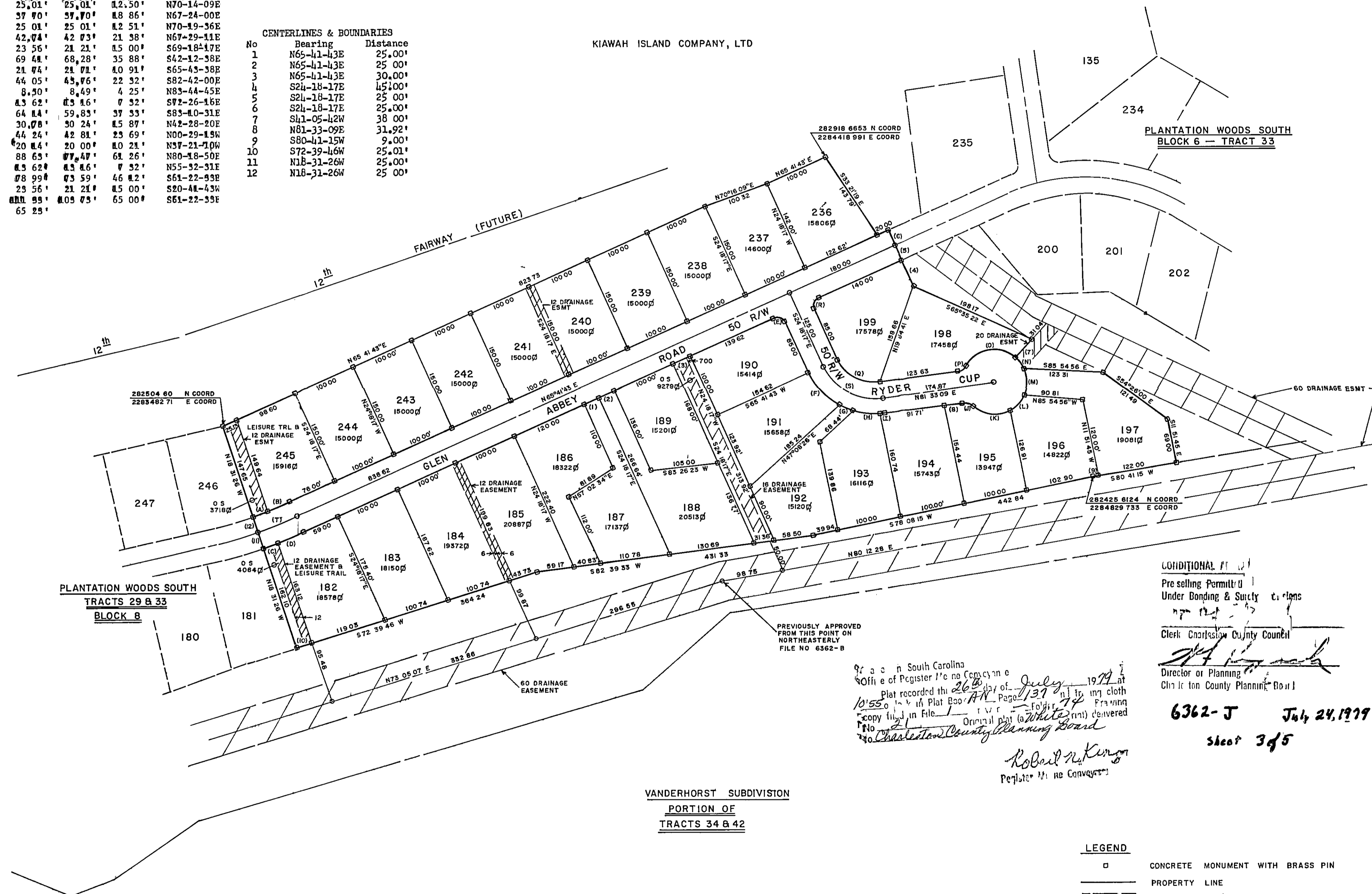
CURVE DATA

NO	DELTA	RAD	ARC	CHORD	TAN	CHD BRG
A	02-45-41	633.58'	25.01'	02.50'	N70-14-09E	
B	03-24-34	633.58'	37.70'	59.70'	N67-24-00E	
C	02-05-46	683.58'	25.01'	02.51'	N70-19-36E	
D	03-34-57	683.58'	42.74'	42.73'	N67-29-11E	
E	90-00-00	85.00'	23.56'	21.21'	S69-18-17E	
F	35-48-47	888.04'	69.44'	68.28'	S42-12-38E	
G	03-13-05	888.04'	21.74'	21.71'	S65-43-38E	
H	22-43-44	888.04'	44.05'	43.76'	S82-42-00E	
I	04-23-02	888.04'	8.30'	8.49'	N83-44-45E	
J	52-01-12	85.00'	83.62'	83.16'	S72-26-16E	
K	73-29-47	50.00'	64.84'	59.83'	S83-40-31E	
L	35-42-33	50.00'	30.78'	30.24'	N42-28-20E	
M	50-41-48	50.00'	44.24'	42.81'	N00-29-15W	
N	23-04-31	50.00'	20.84'	20.00'	N57-21-10W	
O	01-33-46	50.00'	88.63'	87.47'	N80-18-50E	
P	52-01-12	85.00'	83.62'	83.16'	N55-32-31E	
Q	03-08-33	61.04'	78.99'	73.59'	S61-22-93E	
R	90-00-00	85.00'	23.56'	21.21'	S20-14-43W	
S	04-08-33	86.04'	88.89'	80.75'	S61-22-33E	
T	05-40-29	658.58'	65.25'			

CENTERLINES & BOUNDARIES

No	Bearing	Distance
1	N65-41-43E	25.00'
2	N65-41-43E	25.00'
3	N65-41-43E	30.00'
4	S24-18-17E	45.100'
5	S24-18-17E	25.00'
6	S24-18-17E	25.00'
7	S41-05-42W	38.00'
8	N41-33-09E	31.921'
9	S80-11-15W	9.001'
10	S72-39-46W	25.01'
11	N18-31-26W	25.00'
12	N18-31-26W	25.00'

KIAWAH ISLAND COMPANY, LTD



- NOTES**
- Kiawah Island is located approximately 17 miles southwest of the city of Charleston.
 - All elevations on this plat are based on Mean Sea Level (M.S.L.).
 - Coordinate data is based on South Carolina State Plane Coordinate Grid System.
 - State Plane Coordinates are based on control monuments set by Davis & Floyd Engineers, North Charleston, S.C.
 - All lot corners and right of way P.T.'s and P.C.'s are witnessed by concrete monuments.
 - The approval of this plat does not obligate the County of Charleston in any way to accept, for maintenance, any of the roads or easements shown hereon.
 - Maintenance of roadways and drainage systems will be the responsibility of the Kiawah Island Community Association.
 - All drainage easements are in accordance with the current edition of the county road code and all lagoons have 60' drainage easements with centerline geometry as noted on plat, except where variances have been granted by the County Council.
 - Drainage and street improvements have been approved by the Charleston County Public Works Department. The sewage and water systems have been approved by the South Carolina Department Health and Environmental Control and the Charleston County Health Department.
 - All lots in this subdivision are within the Kiawah Island PD-R13 zoning classification.
 - Duration of this plat is for two years only.
 - This plat submitted under the irrevocable letter of credit provision.
 - Approval of this plat does not authorize occupancy of Kiawah Island Preliminary Plat No. 6362 as filed with Charleston County Planning Board #2 Courthouse Square, Charleston, S.C. 29401.
 - Anything shown outside the defined boundary of this particular tract is for descriptive purposes only.
 - The front, rear, and one side lot line of each lot will have a ten (10') foot easement within the lot, not to conflict with any drainage easements.

TOTAL ACREAGE

REG LOTS	10 961 AC
PATIO LOTS	0 000 AC
ROADS	1 815 AC
OTHER	0 000 AC
TOTAL	12 776 AC

CO	PROJ	TYPE	NO	REV
			28	

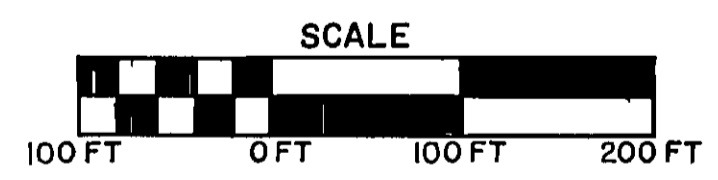
JOB NO. CH-1142
DATE 9 MARCH 1979

FIELD CK *[Signature]*
OFFICE CK *[Signature]*
DEVELOPMENT CK *[Signature]*
PLANNING CK *[Signature]*
EXECUTIVE CK *[Signature]*
SALES CK *[Signature]*

REVISIONS

25 JUNE 1979
2 JULY 1979

CONDITIONAL PLAT
Pre selling Permit
Under Bonding & Surety
Clerk Charleston County Council
Director of Planning
Charleston County Planning Board
6362-J July 24, 1979
Sheet 3 of 5



COASTAL SURVEYING CO, INC
BEACHWALKER OFFICE PARK
KIAWAH ISLAND, S C

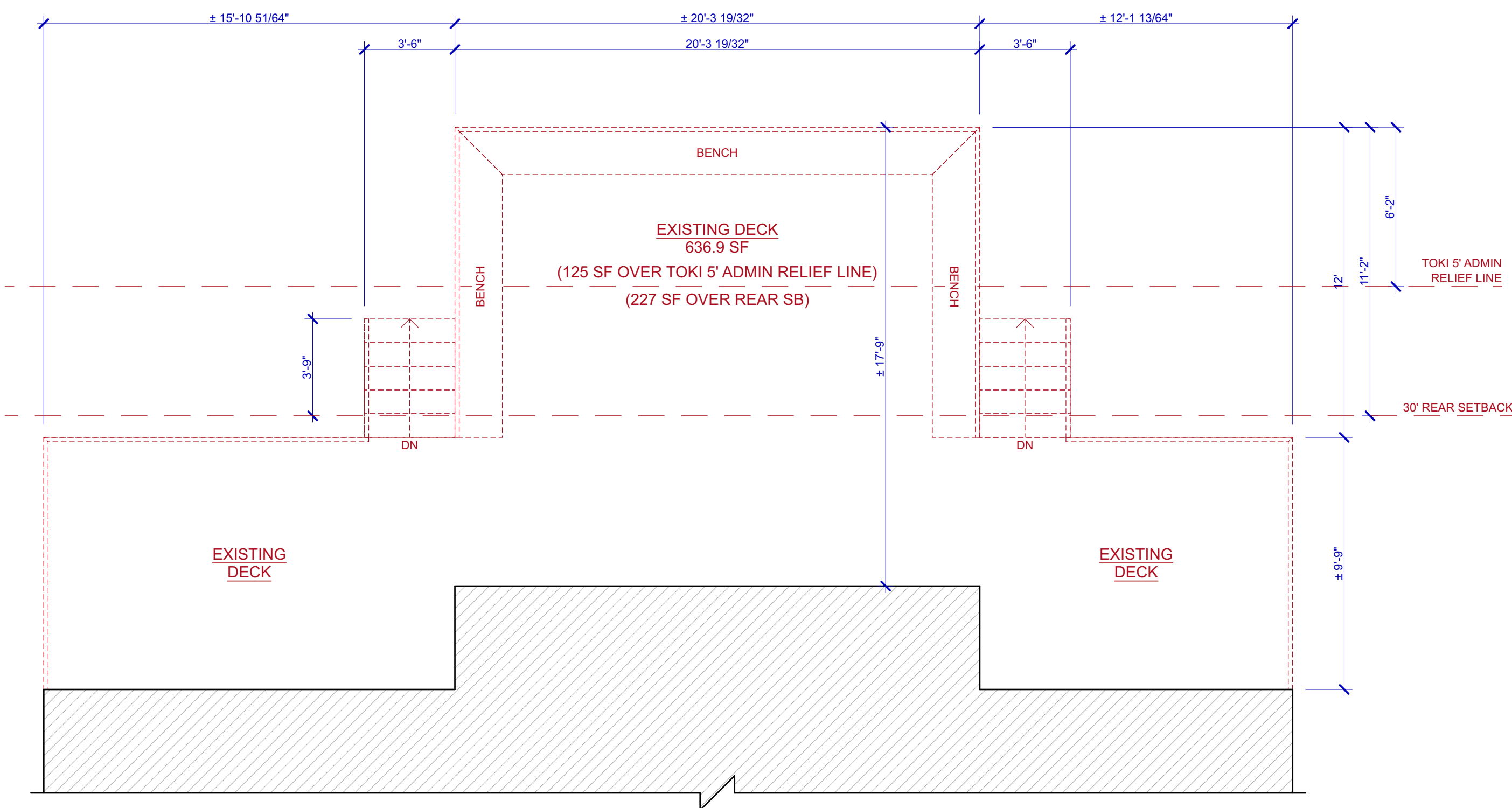
I, JERRY LEE RICHARDSON, A REGISTERED SURVEYOR OF THE STATE OF SOUTH CAROLINA DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON AND THAT THIS PLAT SHOWS THE TRUE DIMENSIONS OF THE PROPERTY AND THAT ALL NECESSARY MARKERS HAVE BEEN INSTALLED AND THE PRECISION IS 1/20,000

[Signature]
JERRY LEE RICHARDSON
REGISTERED SURVEYOR
S.C. REG. NO. 4784
P.O. BOX 5924
HILTON HEAD ISLAND, S.C. 29928



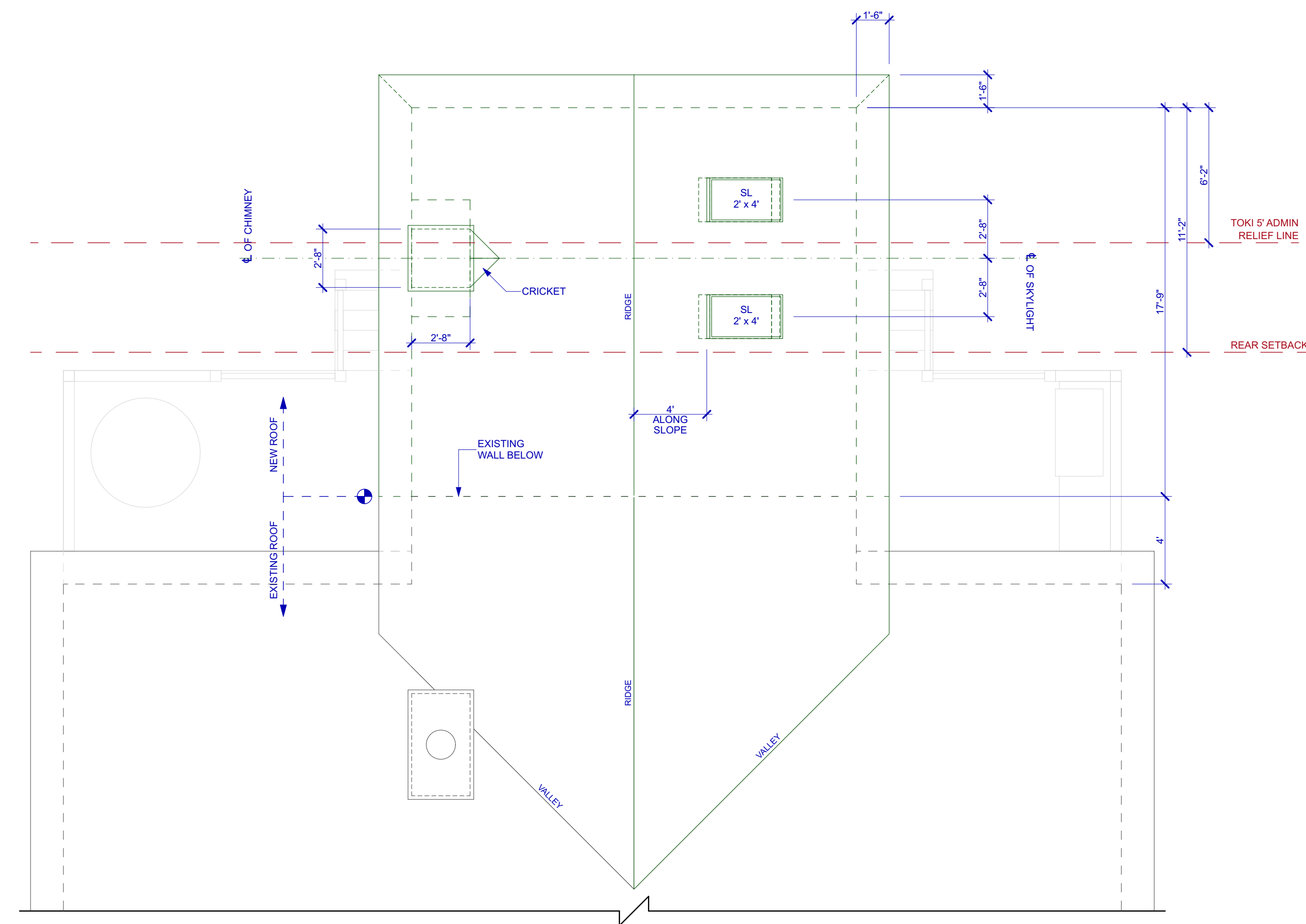
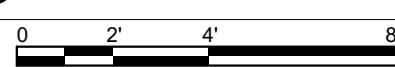
SHEET 3 OF 5

TOTAL LOTS THIS SHEET 28



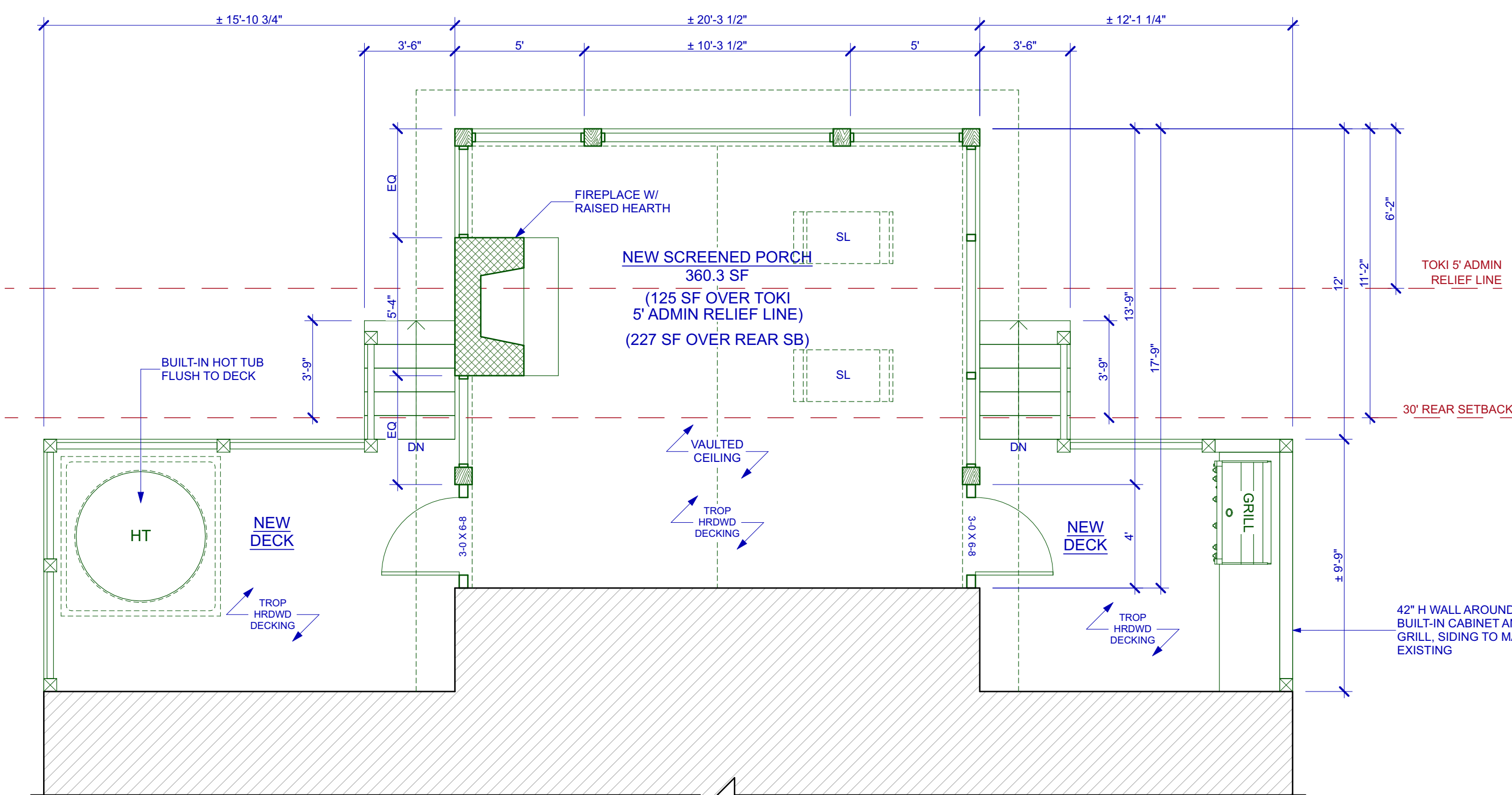
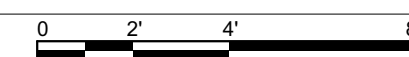
1 FLOOR PLAN - EXISTING / DEMO

SCALE: 1/4" = 1'-0"



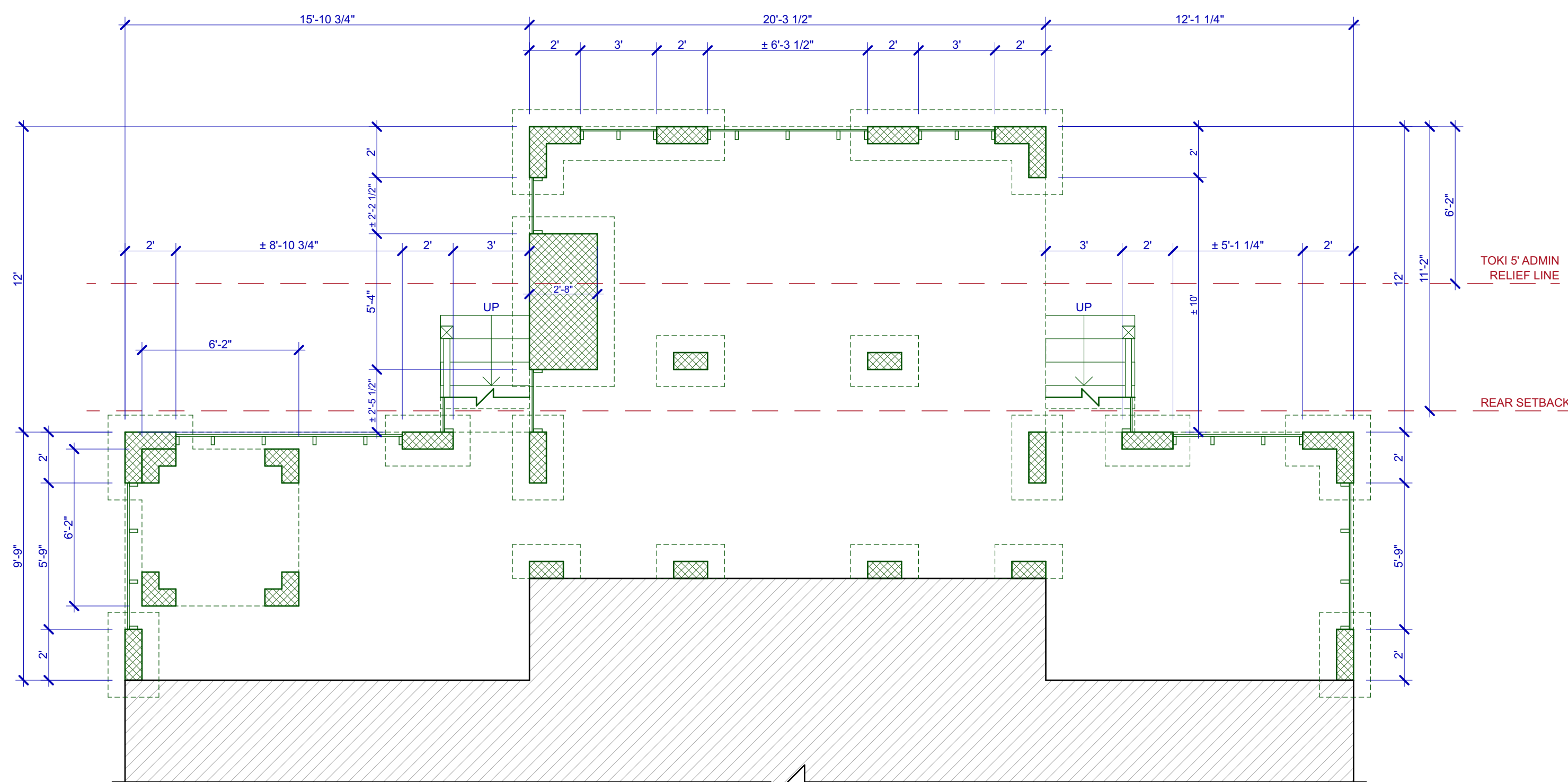
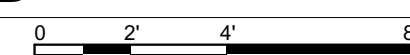
3 ROOF PLAN - PROPOSED

SCALE: 1/4" = 1'-0"



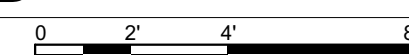
2 FLOOR PLAN - PROPOSED

SCALE: 1/4" = 1'-0"



4 FOUNDATION PLAN - PROPOSED

SCALE: 1/4" = 1'-0"



PROJECT:

240 GLEN ABBEY ADDITION

240 GLEN ABBEY
KIAWAH ISLAND, SC 29455

OWNER:

240 GLEN ABBEY ASSOCIATES LLC

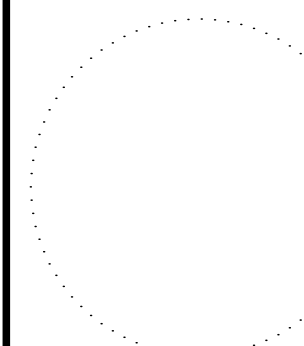
4220 COLONY PLAZA
CHARLOTTE, NC 28211



TOMMY MANUEL ARCHITECT

420 E CHURCH ST
ORLANDO, FL 32801
(843) 790-4309

INFO@TOMMYMANUELARCHITECTURE.COM
MANUELARCHITECTURE.COM



TOMMY MANUEL
LIC. NO.: AR8752

CONSULTANTS:

DRAWING STATUS:

TOKI BZA REVIEW

DISCLAIMER: THESE DOCUMENTS IN WHOLE AND IN PART ARE PROTECTED BY FEDERAL COPYRIGHT LAWS. ANY USE OF THE INFORMATION CONTAINED HEREIN BEYOND THE ONE-TIME USE IN THE CONSTRUCTION OF THE PROJECT, OR ANY DUPLICATION, PUBLICATION, SALE OR DISTRIBUTION OF ANY PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT REPRESENTS A VIOLATION OF FEDERAL LAWS SUBJECT TO THE PRESCRIBED PENALTIES.

1" ACTUAL
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

REVISIONS

ID	DATE	DESCRIPTION

DATE: 2025/4/8

SCALE: AS NOTED

DRAWN BY: TM

CHECKED BY: TM

PROJECT NO.: 2408

FLOOR PLANS

A1.3

PRINTED ON: 6/12/18



Case #BZA25-000008
Kiawah Island BZA Meeting of May 19, 2025

Applicant/Property Owner: 6 BUFFLEHEAD LLC

Representative: Paul Bowman of pmbowman Architect, LLC

Property Location: 6 Bufflehead Dr

TMS#: 264-11-00-020

Lot Size: Total: 16,693 sqft (0.38 acres)

Zoning District: R-1, Residential Zoning District

Request: Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure located at 6 Bufflehead Drive, Kiawah Island, SC (TMS # 264-11-00-020).

Requirement:

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

Required setbacks: 25' (Front); 15' (Side); 30' (Rear)

Maximum 33% Lot Coverage

The Ordinance defines Setback as "a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected." The Ordinance defines Rear Setback as, "the setback measured from the rear lot line." The Ordinance defines Side Setback as, "any setback other than a rear or front setback."

legally nonconforming in regards to setbacks & lot coverage

Sec. 12-65. R-1, Residential District.

- (a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:
 - (1) The maximum density for this district is three dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Table 2B. Lot Standards for R-1 Single-Family Detached Dwellings								
Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Yard Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾⁽⁵⁾	Rear ⁽⁴⁾	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40
⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.								
⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.								
⁽³⁾ A minimum of 15 feet must be provided between structures.								
⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.								
⁽⁵⁾ Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.								

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

BITTERN COURT (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
77	25 (Bittern)	25 (Surfwatch) 15 (lot 78)	30 (lagoon)
78	25 (Bittern)	15	30 (lagoon)
79-84	25 (Bittern)	15	30 (lagoon)
85	25 (Bittern)	15 (lot 78) 25 (Surfwatch)	30 (lagoon)

BLACK DUCK COURT (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
555	25 (Black Duck) 25 (Bufflehead)	15	30 (lagoon)
556	25 (Black Duck)	15	30 (lagoon)
557	25 (Black Duck)	15	30 (lagoon)
558	25 (Black Duck) 25 (Bufflehead)	15	30 (lagoon)

BLUEBILL COURT (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
156	25 (Bluebill)	25 (Bluebill) 15 (lot 157)	25 (Flyway)
157-158	25 (Bluebill)	15 (lots)	25 (Flyway)
159	25 (Bluebill)	15 (lot 158) 15 (lot 160) 30 (lagoons)	25 (Flyway)
160-161	25 (Bluebill)	15 (lots)	30 (lagoon)
162-167	25 (Bluebill)	15 (lots)	30 (golf)
168	20 (open space)	20 (open space) 15 (lot 167)	30 (golf)
169	25 (Bluebill)	25 (Flyway) 15 (lot 168)	20 (open space)

BLUE HERON POND ROAD (UNDEVELOPED LANDS)

Because of the limited buildable areas, preservation zones, and selective vista clearing zones associated with these lots, please see the graphics.

BROOMSEDGE LANE (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
138	25 (Broomsedge)	30 (lagoon) 15 (lot 139)	20 (lot 139)
139	20 (lot 138)	30 (golf) 15 (lot 140)	30 (golf)
140	20 (lot 141)	15	30 (golf)
141	25 (Broomsedge)	15	20 (lot 140)
142	25 (Broomsedge)	15	20 (lot 143)
143	20 (lot 142)	15	30 (golf)
144	20 (lot 145)	15	30 (golf)
145	25 (Broomsedge)	15	20 (lot 144)
146	20 (lot 147)	15	30 (golf)
147	25 (Broomsedge)	15 (lot 145) 25 (Broomsedge)	20 (lot 146)

Patio Lots

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
148-155	20 (Broomsedge)	3 (r. side w/wall) 7 (l. side)	30 (golf)

BUFFLEHEAD DRIVE (DEVELOPED LANDS)

<u>Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
1	25 (Bufflehead)	25 (Flyway) 15 (lot 2)	30 (lagoon)
2-27	25 (Bufflehead)	15 (lots)	30 (lagoon)
28	25 (Bufflehead)	15 (lot 27) 15 (cart path)	30 (lagoon)
29	30 (Bufflehead)	25 (lot 30)	30 (lagoon)
30-32	30 (Bufflehead)	25 (lots)	30 (lagoon)
86	30 (Bufflehead)	25 (lot 87) Lagoon - see plat Bufflehead - see plat	30 (lagoon)
87-89	30 (Bufflehead)	25 (lots)	30 (lagoon)

Sec. 12-64. - Setbacks.

Setback means a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.

- (1) *Contextual setbacks.* Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between two developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.
- (2) *Setbacks on corner and double frontage lots.* On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principle structure's front main entrance. The side yard setback shall apply to the remaining side(s).
- (3) *Exception to setbacks.* Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this subsection.

Driveways and walkways may be located within any required setback.

Uncovered stairs or stair landings to building entrances may extend up to five feet into any required setback.

Uncovered, at-grade patios may extend into a required setback; however, they shall maintain a minimum ten-foot distance from the property line.

Uncovered decks may extend up to five feet into any required rear yard setback.

Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.

Walls and retaining walls below three feet in height may be located within required setback.

In all zoning districts heating, ventilation and air conditioning (HVAC) equipment and associated HVAC stands may extend up to five feet into required side or rear setbacks only when all of the following conditions are met:

- (1) The HVAC equipment is replacing existing HVAC equipment which was originally placed below an existing structure and/or which HVAC equipment being replaced is now required to be elevated to meet the requirements of the Federal Emergency Management Agency (FEMA) and the Town of Kiawah Island Building Code;
- (2) Such HVAC equipment cannot reasonably be accommodated within the setback required by otherwise applicable zoning requirements;
- (3) The property owner has, through regular mail postmarked no later than five days in advance of applying for a Zoning Permit, notified the affected adjacent property owner(s) that are adjacent to the property line where the proposed HVAC equipment will be located, and has submitted to the Planning Director a signed affidavit stating that such property owner has notified the affected adjacent property owner(s) and proving each name and address to which notice was sent; and
- (4) A Zoning Permit is approved by the Planning Director.

(Code 1993, § 12A-204; Ord. No. 2005-08, § 12A-204, 10-12-2005; Ord. No. 2012-03, § 2, 4-3-2012; Ord. No. [2015-04](#), § 2, 4-14-2015)

Staff Review:

The applicant and property owners Mike and Caroline Harding, being represented by Paul Bowman of pmbowman Architect, LLC, are requesting a variance for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure located at 6 Bufflehead Drive, Kiawah Island, SC. (TMS# 264-11-00-020). The subject property is located within the R-1, Residential Zoning District.

The subject property is approximately 16,693 square feet (0.38 acres) in size. The subject property is developed and sits adjacent to a lagoon to the south. Based on Charleston County records, the home was constructed in 1985. Per Charleston County Records, the property was acquired by 6 Bufflehead LLC July 12, 2022. The adjacent properties to the east, west, south, and north are all located in the R-1, Residential Zoning District. The subject property is subject to review by the Kiawah Island Architectural Review Board.

Pursuant to Sec. 12-65. R-1, Residential District of the Town of Kiawah Island Land Use Planning and Zoning Ordinance, the required setbacks are 25' front, 15' side, and 30' rear. The maximum allowable lot coverage for the subject property is 33%. The subject property is legally nonconforming in regard to both setbacks and lot coverage.

The applicant's proposed plans include enclosing the existing open deck for a screened-in porch. The existing lot coverage is approximately 38.8%. The proposed plans will not alter the footprint of the residence. Pursuant to the Town of Kiawah Island Land Use Planning and Zoning Ordinance Section 12-64. Setbacks, "Uncovered decks may extend up to five feet into any required rear yard setback." The existing open deck is encroaching approximately 15 feet 10 inches into the required 30-foot rear setback, which is 10 feet 10 inches further than the 5-foot administrative relief. The proposed screened porch will maintain the same 480 square foot encroachment as the existing open deck into the required 30-foot rear setback. The proposed lot coverage is approximately 36%. The proposed plans also include a portion of a new staircase encroaching into the required rear setback.

The Ordinance defines Setback as *"a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected."* The Ordinance defines Rear Setback as *"the setback measured from the rear lot line,"* and Side Setback as *"any setback other than a rear or front setback."*

The applicant submitted to the Kiawah Island Architectural Review Board (KIARB) for review. The KIARB granted conditional approval on April 1, 2025 stating, "The screened porch, new driveway, new front door, and the new spa are approved to continue to the permit submittal."

Please see the attachments for further information regarding this request. A site visit was conducted on May 2, 2025 at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island Land Use Planning and Zoning Ordinance, Article II, Division 5, Section 12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions on this property. The subject property contains large oak trees in front of the property. The subject property is legally nonconforming in regard to setbacks. Per the applicant's letter of intent, "*The natural trees retained in the front present a natural buffer to the street and allow the home to be secluded visually from the street. This adds greatly to the streetscape and community ambiance. The rear of the property screen porch improvement will sit within the current open rear deck footprint with a 4 square foot encroachment, small stair extension. The screen porch will feel original to the body of the home when it was originally built.*"**

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions may be unique to the subject property and may not generally apply to other properties in the vicinity. The property is located in the R-1 Residential Zoning District. Adjacent properties along Bufflehead Drive are also located in the R-1 Residential Zoning District. Existing structures in the vicinity may or may not have similar encroachments based on current setback standards. Per the applicant's letter of intent, "*Each individual property has special attributes in shape, size and orientation.*"**

§ 12-163.(4)c.: *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;*

Staff Response: **The application of this Ordinance to the property may prohibit or unreasonably restrict the use of the property. The property is considered nonconforming in regard to setbacks. Per the applicant's letter of intent, "*An unnecessary hardship is present when the general rear 30'-0" setback is applied to the home today. The home is NOT of unusual size. With the 30'-0" rear setback applied, the existing home has a non-conforming area of both heated area and open deck areas. The planned screen porch addition and the front yard driveway / landscape re-***

configuration will allow the home to remain within the 33% allowable lot coverage and reduce the lot coverage by 457 SF - (2.7%)."

§ 12-163.(4)d.: *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;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. The proposed additions reduce the lot coverage by approximately 2.7%. Per the applicant's letter of intent, "*The residential character of the property is very secluded from the adjacent neighbors to the West and East sides. Visibility is also very well natively screened and heavily canopied by existing natural vegetation. There is nothing across the lagoon that has a direct line of sight to the proposed renovation. It should also be noted that this variance will NOT disturb the existing lagoon / pond edge. The visual impact will be minimal by the planned screen porch addition.*"**

§ 12-163.(4)e.: *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;*

Staff Response: **Granting of this variance would not allow the establishment of a use not otherwise permitted in this zoning district, extend physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant's letter of intent, "*The granting of this variance will not allow for a use not permitted by the ordinance.*"**

§ 12-163.(4)f.: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

Staff Response: **The BZA may not consider profitability when considering this variance request. The property will not be used as a rental property. Per the applicant's letter of intent, "*Mike and Caroline Harding desire to convert an open rear deck into a screen porch at their residence which will be used as a family retreat. This residence will not be used as a rental property.*"**

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant's own actions;*

Staff Response: **The need for the variance may not be the result of the applicant's own actions. Per the applicant's letter of intent, "*The***

owners purchased the property in its current form and had no prior involvement in the existing non-conforming encroachments now in place.”

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*

Staff Response: **Granting of this variance may not be contrary to the public or neighborhood interest, may not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. The proposed variance reduces the existing deck’s encroachment beyond the setback. Per the applicant’s letter of intent, “Granting the variance will enhance the individual property and ultimately lead to an overall improvement of the community aesthetic and allow the owners to upgrade /maintain their property over time as is possible with adjacent properties that do not experience this particular unique natural hardship.”**

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Staff Response: **Granting of the variance may not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance. The Comprehensive Plan mentions “low density development that is being designed in harmony with nature is consistent with the Vision statement.” Which is located on page I-5 in the 2015 Town of Kiawah Island Comprehensive Plan. Per the applicant’s letter of intent, “Granting the variance and relaxing the setback at the rear of the lot does not conflict with the comprehensive plan in this unique application.”**

Board of Zoning Appeals’ Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000008 (Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure located at 6 Bufflehead Drive, Kiawah Island, SC). Based on the BZA’s “Findings of Fact”, unless additional information is deemed necessary to make an informed decision.

Town of Kiawah Island Board of Zoning Appeals

May 19, 2025



Town of Kiawah Island Municipal Center | 4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455

CASE# BZA25-000008

Applicant/Property Owner:	6 BUFFLEHEAD LLC
Representative:	Paul Bowman of pmbowman Architect, LLC
Property Location:	6 Bufflehead Dr
TMS#:	264-11-00-020
Lot Size:	Total: 16,693 sqft (0.38 acres)
Zoning District:	R-1, Residential Zoning District
Request:	Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure

CASE# BZA25-000008

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

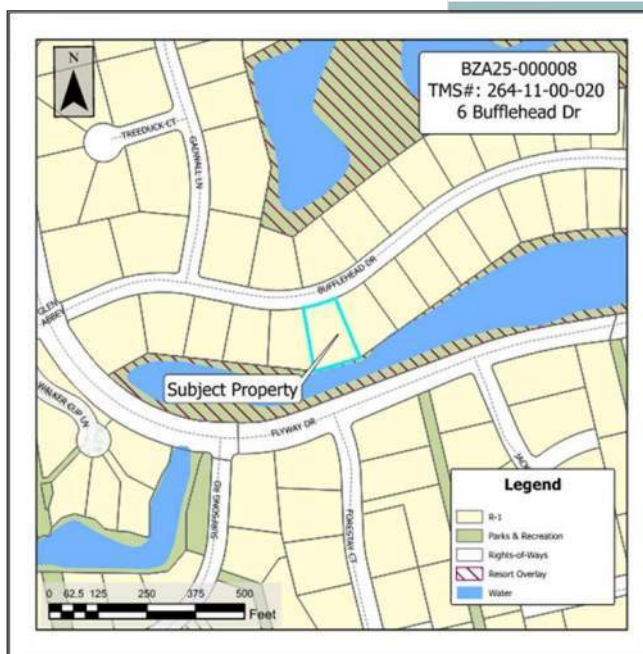
Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-192. - Nonconforming structures.

Required setbacks: 25' (Front); 15' (Side); 30' (Rear)

Maximum 33% Lot Coverage

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Rear Setback as, "the setback measured from the rear lot line."

3



4

BZA 25-000008
 PID: 2641100020
 OWNER: 6 BUFFLEHEAD LLC
 PLAT BOOK PAGE: AZ-155
 DEED BOOK PAGE: 1126-361
 Jurisdiction: TOWN OF KIAWAH ISLAND

Note: The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County expressly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.

Author: Charleston County SC
Date: 2/19/2025

5

Case # BZA25-000008
BZA Meeting of May 19, 2025
Subject Property: 6 Bufflehead Dr- Kiawah Island

Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure.



6

Property Front



Adjacent Properties



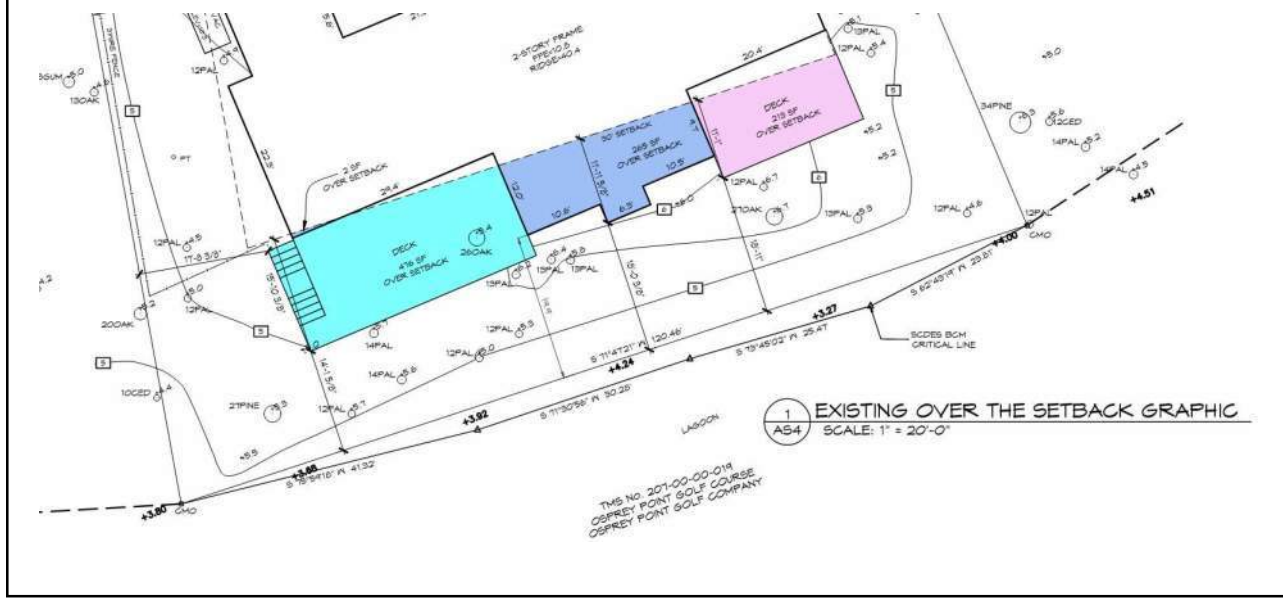
Subject Property



Property Rear

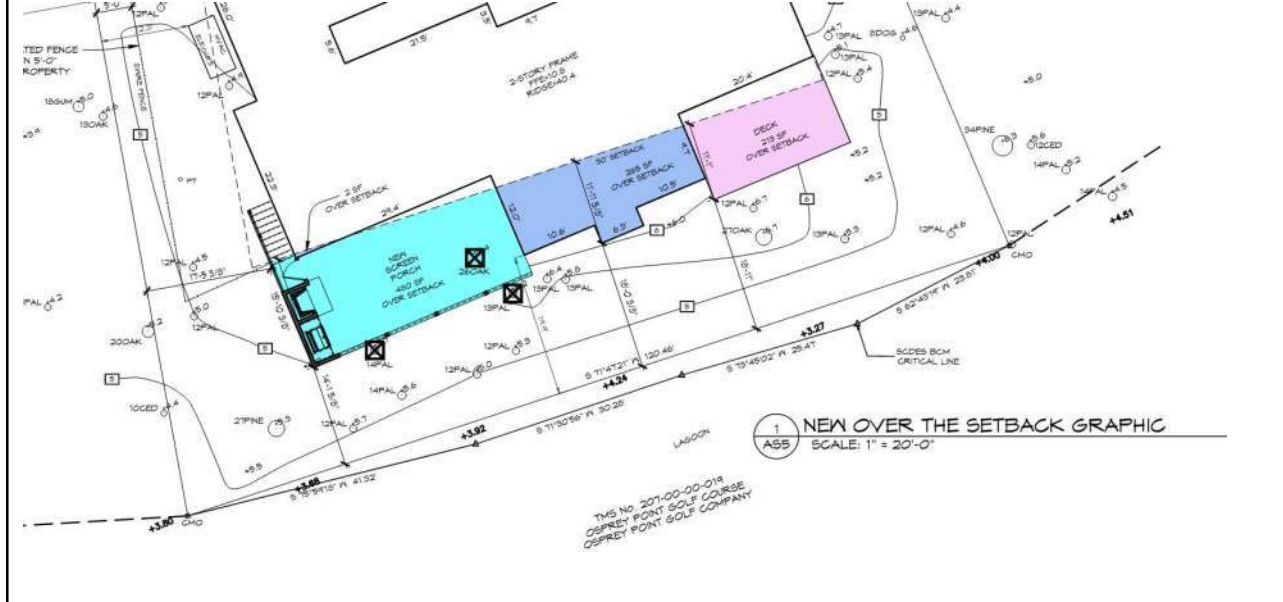


Existing Site Plan



11

Existing Site Plan



12

Variance Approval Criteria

According to Chapter 12 of the Land Use Planning and Zoning Ordinance of the Town of Kiawah Island Code of Ordinances, Section 12-163. Variances (4) Approval Criteria, the Board of Zoning Appeals may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b) These conditions do not generally apply to other property in the vicinity;
- c) 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;
- d) 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;

13

Variance Approval Criteria

e) 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;

f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;

g) The need for the variance shall not be the result of the applicant's own actions;

h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;

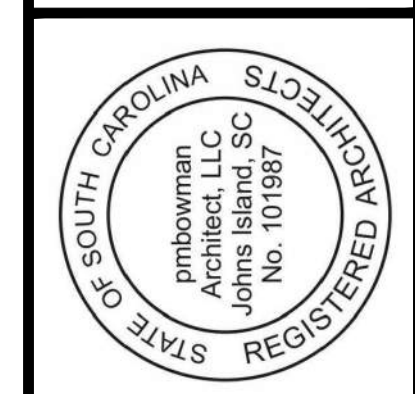
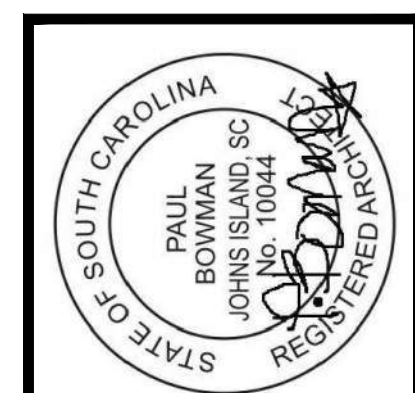
i) Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

14

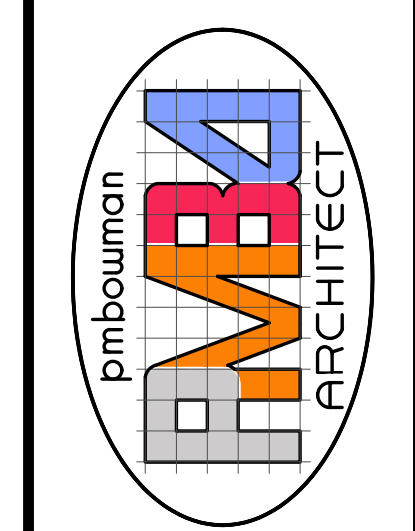
Board of Zoning Appeals Action

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000008 (Variance request for the reduction of the required 30' rear setback by approximately 480 square feet for a proposed screened porch enclosure located at 6 Bufflehead Drive, Kiawah Island, SC.) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

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, structure, or use 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.



pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAWAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025

AS5
 NEW OVER THE SETBACK GRAPHIC



THE AREA SHOWN ON THIS PLAN IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE 02-15-2020
 SIGNATURE DATE
 The critical line shown on this plan is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAN IS FOR DESCRIPTIVE PURPOSES ONLY.

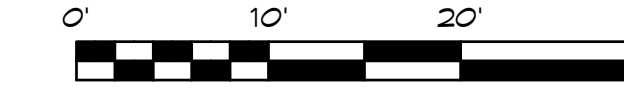
THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAWAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAN. THEREFORE THIS PLAN DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0808K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 450251
 * SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAWAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA



DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 KNORK2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.50	84.32	N 75°36'36" E	12°58'02"	42.43

REFERENCE:
 PLAN BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.
 TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
16693.2 Sq. Feet
0.38 Acres

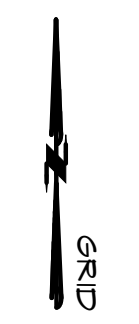
LOT COVERAGE:
 BUILDING: 2620.1 Sq. Ft.
 PRIMARY DRIVEWAY: 1209.1 Sq. Ft.
 FRONT PORCH/WALK: 562.6 Sq. Ft.
 SCREEN PORCH: 471.7 Sq. Ft.
 SCREEN PORCH STEPS: 31.9 Sq. Ft.
 REAR DECK: 261.3 Sq. Ft.
 SIDE BRICK: 23.8 Sq. Ft.
 HVAC: 30.4 Sq. Ft.
 GRAVEL TURN AROUND: 130.4 Sq. Ft.
 TOTAL: 5461.3 Sq. Ft.
 32.7% COVERAGE

SECONDARY LOT COVERAGE:
 PERVIOUS BRICK DRIVE: 553.2 Sq. Ft.
 TOTAL: 553.2 Sq. Ft.
 3.3% COVERAGE

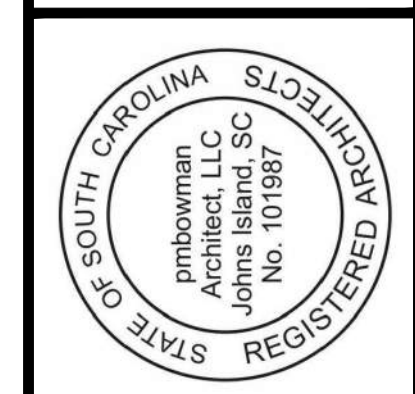
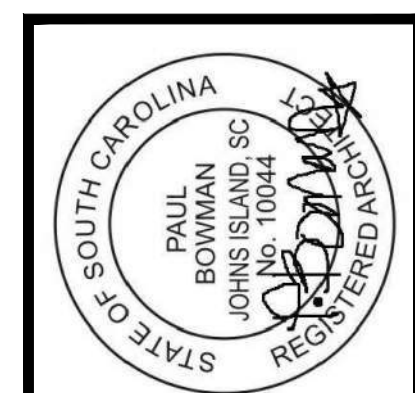
☒ INDICATES TREE TO BE REMOVED

LEGEND:
 CMO CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROpane TANK
 WM WATER METER

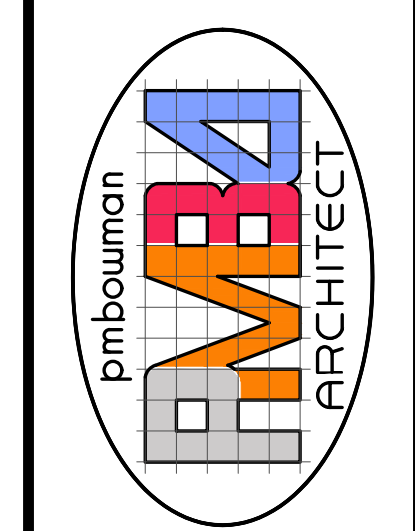
8.1 SPOT ELEVATION (NAVD '88)
 2" (DBH) OAK TREE



TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

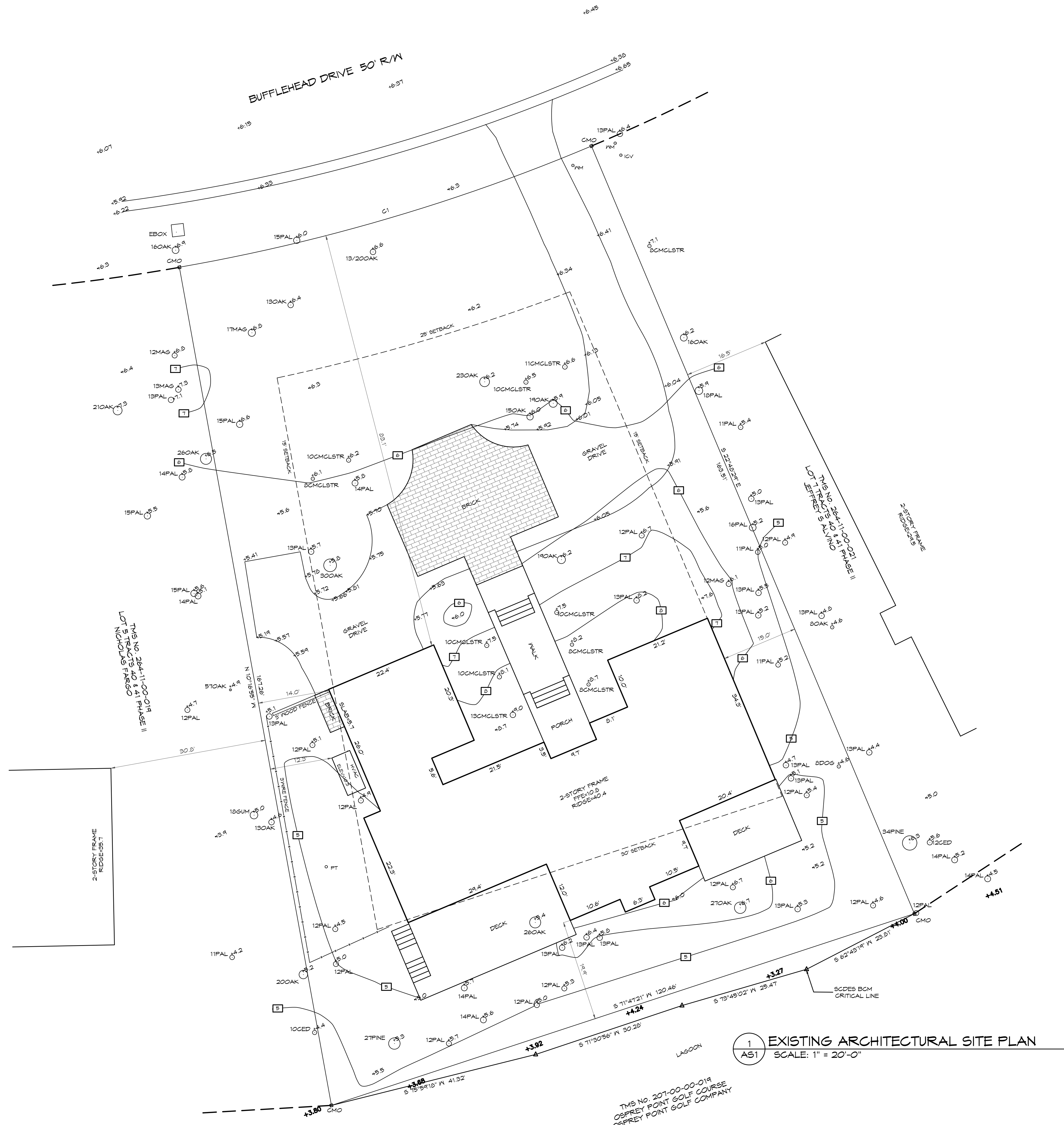


pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAMAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025
 EXISTING SITE PLAN



1 AS1 EXISTING ARCHITECTURAL SITE PLAN
 SCALE: 1" = 20'-0"

TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

THE AREA SHOWN ON THIS PLAN IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE DATE 02-15-2020
 SIGNATURE DATE
 The critical line shown on this plan is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAN IS FOR DESCRIPTIVE PURPOSES ONLY.

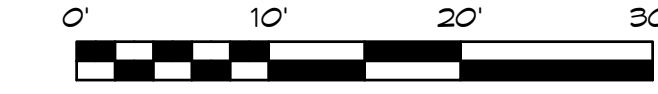
THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAMAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPUS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAN. THEREFORE THIS PLAN DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0805K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 45025F
 SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAMAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA



DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 K10R0K2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.50	84.32	N 15°36'36" E	12°58'02"	42.43

REFERENCE:
 PLAN BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.

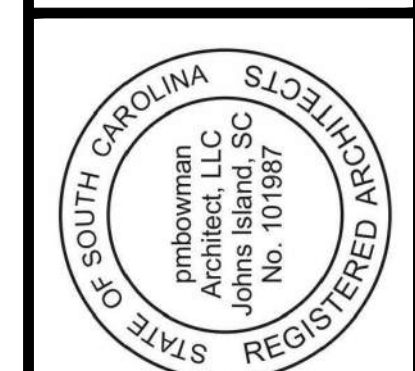
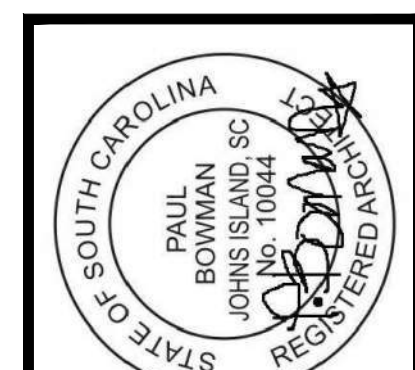
TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
 16693.2 Sq. Feet
 0.38 Acres

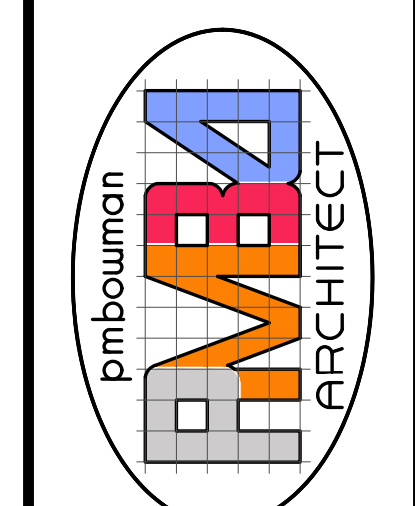
LOT COVERAGE:
 BUILDING: 2820.1 Sq. Ft.
 BRICK DRIVE: 694.4 Sq. Ft.
 FRONT PORCH/WALK: 362.3 Sq. Ft.
 BACK DECKS: 122.4 Sq. Ft.
 DECK STEPS: 40.7 Sq. Ft.
 SIDE BRICK: 29.9 Sq. Ft.
 HYAC: 30.4 Sq. Ft.
 GRAVEL DRIVE: 1812.0 Sq. Ft.
 TOTAL: 6411.6 Sq. Ft.
 38.9% COVERAGE

LEGEND:
 CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROPAANE TANK
 WM WATER METER

SPOT ELEVATION (NAVD 88)
 2" (DBH) OAK TREE



pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAWAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025
 NEW SITE PLAN



THE AREA SHOWN ON THIS PLAN IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE
 SIGNATURE DATE 02-15-2020
 The critical line shown on this plan is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAN IS FOR DESCRIPTIVE PURPOSES ONLY.

THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAWAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAN. THEREFORE THIS PLAN DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0808K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 450251
 * SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAWAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA

DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 KNORK2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.30	84.32	N 15°36'36" E	12°58'02"	42.43

REFERENCE:
 PLAN BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.
 TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
16693.2 Sq. Feet
0.38 Acres

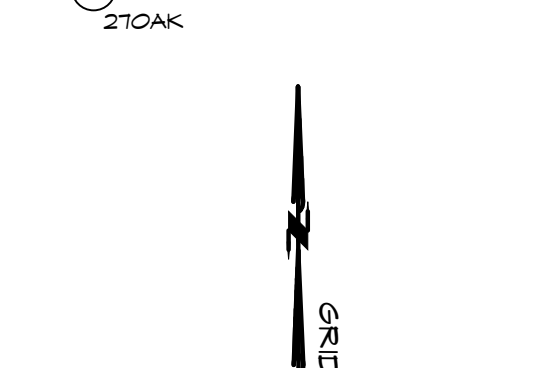
LOT COVERAGE:
 BUILDING: 2620.1 Sq. Ft.
 PRIMARY DRIVEWAY: 1209.1 Sq. Ft.
 FRONT PORCH/WALK: 562.6 Sq. Ft.
 SCREEN PORCH: 471.7 Sq. Ft.
 SCREEN PORCH STEPS: 31.9 Sq. Ft.
 REAR DECK: 261.3 Sq. Ft.
 SIDE BRICK: 23.8 Sq. Ft.
 HVAC: 30.4 Sq. Ft.
 GRAVEL TURN AROUND: 130.4 Sq. Ft.
 TOTAL: 5461.3 Sq. Ft.
 32.7% COVERAGE

SECONDARY LOT COVERAGE:
 PERVIOUS BRICK DRIVE: 553.2 Sq. Ft.
 TOTAL: 553.2 Sq. Ft.
 3.3% COVERAGE

INDICATES TREE TO BE REMOVED

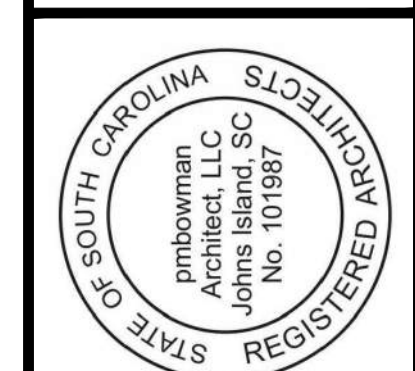
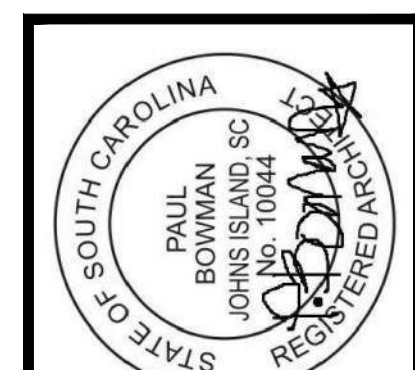
LEGEND:
 CMO CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROpane TANK
 WM WATER METER

SPOT ELEVATION (NAVD '88)
 2" (DBH) OAK TREE

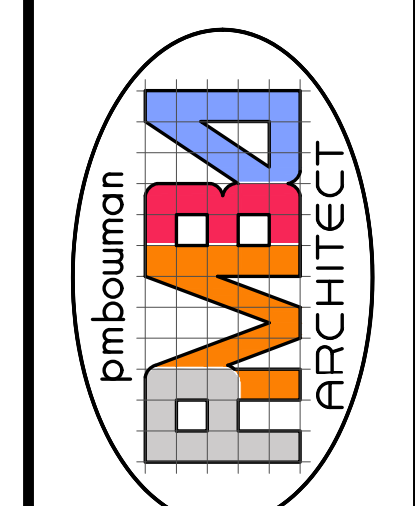


TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

1 NEW ARCHITECTURAL SITE PLAN
 AS2 SCALE: 1" = 20'-0"



pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAMAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025
 LOT COVERAGE CALCULATION GRAPHIC

AS3



1
 ASS
LOT COVERAGE GRAPHIC
 SCALE: 1" = 20'-0"

TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

THE AREA SHOWN ON THIS PLAN IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE
 SIGNATURE DATE
 The critical line shown on this plan is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAN IS FOR DESCRIPTIVE PURPOSES ONLY.

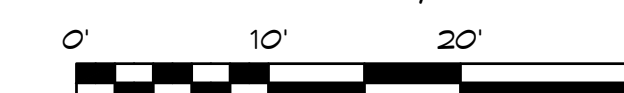
THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAMAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAN. THEREFORE THIS PLAN DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0805K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 450251
 * SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAMAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA



DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 KNORK2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.50	84.32	N 75°36'36" E	12°58'02"	42.43

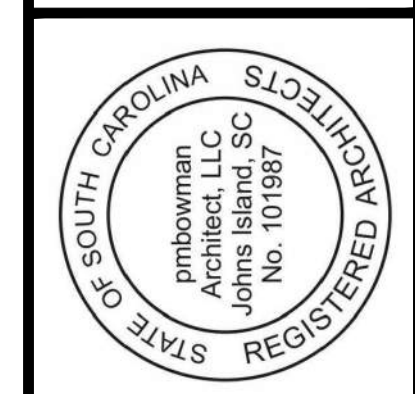
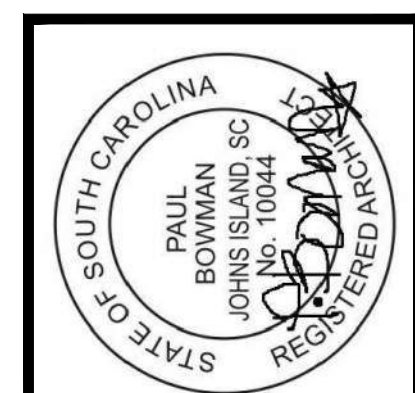
REFERENCE:
 PLAN BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.
 TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
16693.2 Sq. Feet
0.38 Acres

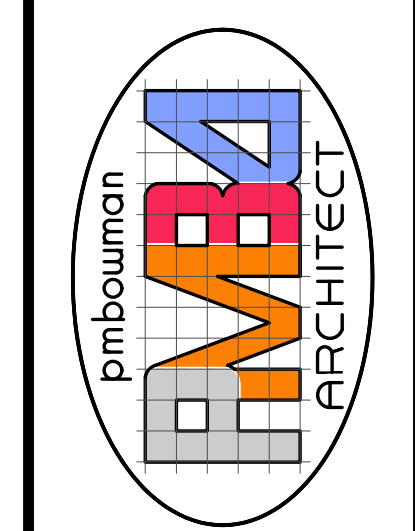
LOT COVERAGE:
 BUILDING: 2620.1 Sq. Ft.
 PRIMARY DRIVEWAY: 1209.1 Sq. Ft.
 FRONT PORCH/WALK: 562.6 Sq. Ft.
 SCREEN PORCH: 471.7 Sq. Ft.
 SCREEN PORCH STEPS: 31.9 Sq. Ft.
 REAR DECK: 261.3 Sq. Ft.
 SIDE BRICK: 23.8 Sq. Ft.
 HVAC: 30.4 Sq. Ft.
 GRAVEL TURN AROUND: 130.4 Sq. Ft.
 TOTAL: 5461.3 Sq. Ft.
 32.7% COVERAGE

SECONDARY LOT COVERAGE:
 PERVIOUS BRICK DRIVE: 553.2 Sq. Ft.
 TOTAL: 553.2 Sq. Ft.
 3.3% COVERAGE

- INDICATES TREE TO BE REMOVED
- LEGEND:
 CMO CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROpane TANK
 WM WATER METER
- SPOT ELEVATION (NAVD '88)
 2" (DBH) OAK TREE



pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAMAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025
 AS4
 EXISTING OVER THE SETBACK GRAPHIC



1
 AS4
 EXISTING OVER THE SETBACK GRAPHIC
 SCALE: 1" = 20'-0"

TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE DATE 02-15-2020
 SIGNATURE DATE
 The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.
 AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88' DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

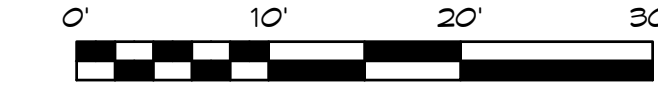
THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAMAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0805K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 45025F
 SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAMAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA



DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 KNORK2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.50	84.32	N 15°36'36" E	12°58'02"	42.43

REFERENCE:
 PLAT BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.

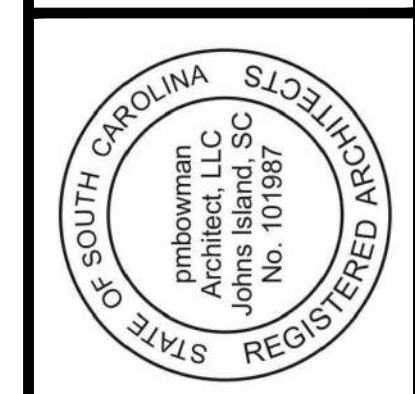
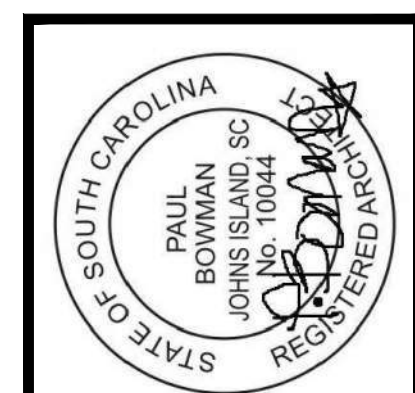
TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
 16693.2 Sq. Feet
 0.38 Acres

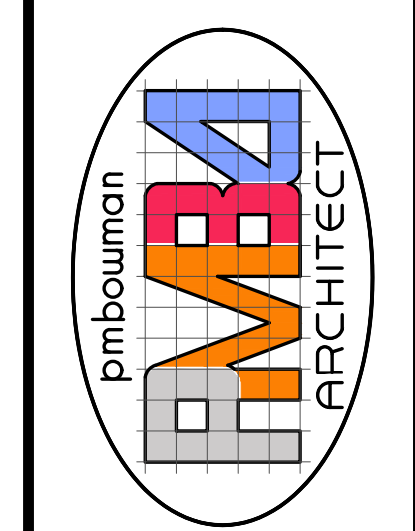
LOT COVERAGE:
 BUILDING: 28201 Sq. Ft.
 BRICK DRIVE: 6994 Sq. Ft.
 FRONT PORCH/WALK: 3623 Sq. Ft.
 BACK DECKS: 1224 Sq. Ft.
 DECK STEPS: 40.7 Sq. Ft.
 SIDE BRICK: 29.9 Sq. Ft.
 HYAC: 30.4 Sq. Ft.
 GRAVEL DRIVE: 1812.0 Sq. Ft.
 TOTAL: 64116 Sq. Ft.
 39.0% COVERAGE

LEGEND:
 CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROPAANE TANK
 WM WATER METER

SPOT ELEVATION (NAVD 88)
 2" (DBH) OAK TREE



pmbowman Architect, LLC
 2030 WILDTS BATTERY BOULEVARD
 UNIT #1111
 JOHNIS ISLAND, SC 29455
 (440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
 6 BUFFLEHEAD DRIVE
 KIAWAH ISLAND, SC

TOKI - BZA
 VARIANCE
 REQUEST
 DATE: 4-7-2025
 NEW OVER THE SETBACK GRAPHIC



THE AREA SHOWN ON THIS PLAN IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

HEREDITH B WRYE
 SIGNATURE DATE 02-15-2020
 The critical line shown on this plan is valid for five years from the date of this signature, subject to the cautionary language above.

NOTES:
 BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.
 ELEVATIONS ARE BASED ON NAVD 88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAN IS FOR DESCRIPTIVE PURPOSES ONLY.

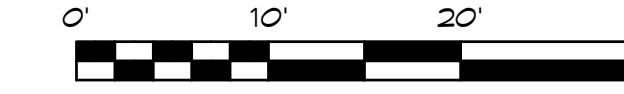
THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAWAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAN. THEREFORE THIS PLAN DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (10') AS PER FEMA FLOOD MAPS.
 PANEL No. 45019C 0805K
 DATED: JANUARY 29, 2021
 COMMUNITY No. 450251
 * SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

TREE & TOPOGRAPHIC SURVEY
 LOT 6 TRACTS 40 & 41 PHASE II
 EGRET/PINTAIL
 TOWN OF KIAWAH ISLAND
 CHARLESTON COUNTY, SOUTH CAROLINA



DATE: NOVEMBER 5, 2024 SCALE: 1" = 10'
 KNORK2024/24405

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	373.37	84.50	84.32	N 75°36'36" E	12°58'02"	42.43

REFERENCE:
 PLAN BY: JOSIAH M. WILLIAMS
 DATED: MARCH 12, 1982
 BOOK: AZ PAGE: 156
 ROD CHAS. CO.
 TAX MAP No. 264-11-00-020
 No. 6 BUFFLEHEAD DRIVE
 Requested by: BILL & NOREEN BEAMAN

LOT AREA
16693.2 Sq. Feet
0.38 Acres

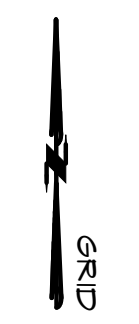
LOT COVERAGE:
 BUILDING: 2620.1 Sq. Ft.
 PRIMARY DRIVEWAY: 1209.1 Sq. Ft.
 FRONT PORCH/WALK: 562.6 Sq. Ft.
 SCREEN PORCH: 471.7 Sq. Ft.
 SCREEN PORCH STEPS: 31.9 Sq. Ft.
 REAR DECK: 261.3 Sq. Ft.
 SIDE BRICK: 23.8 Sq. Ft.
 HVAC: 30.4 Sq. Ft.
 GRAVEL TURN AROUND: 130.4 Sq. Ft.
 TOTAL: 5461.3 Sq. Ft.
 32.7% COVERAGE

SECONDARY LOT COVERAGE:
 PERVIOUS BRICK DRIVE: 553.2 Sq. Ft.
 TOTAL: 553.2 Sq. Ft.
 3.3% COVERAGE

☒ INDICATES TREE TO BE REMOVED

LEGEND:
 CMO CONCRETE MONUMENT OLD
 EBOX ELECTRIC BOX
 ICV IRRIGATION CONTROL VALVE
 FT PROpane TANK
 WM WATER METER

•6.1 SPOT ELEVATION (NAVD '88)
 ○ 2" (DBH) OAK TREE



1 NEW OVER THE SETBACK GRAPHIC
 ASS SCALE: 1" = 20'-0"

TMS No. 201-00-00-019
 OSPREY POINT GOLF COURSE
 OSPREY POINT GOLF COMPANY

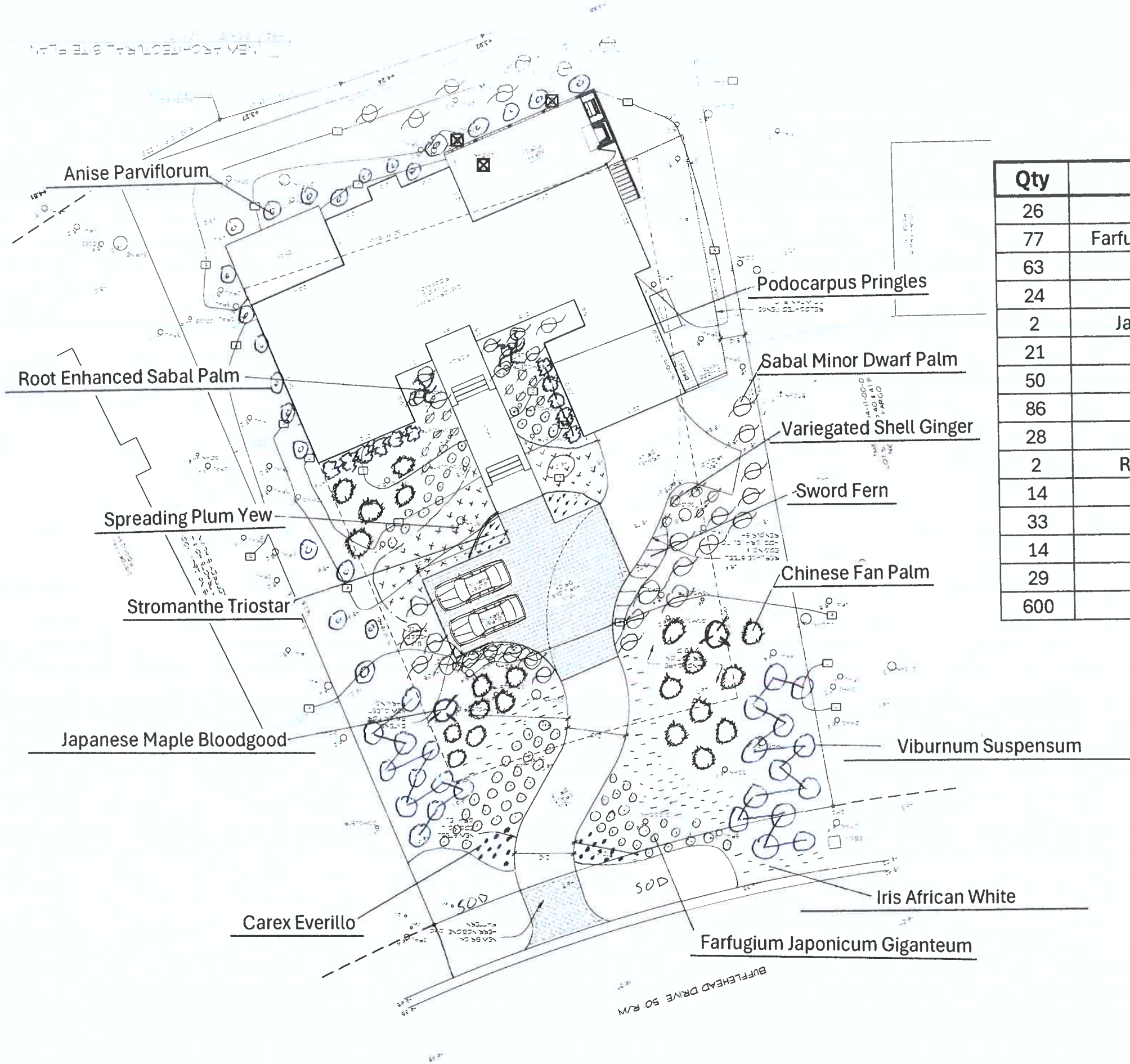
RENOVATIONS TO THE:
HARDING RESIDENCE
6 BUFFLEHEAD DRIVE
KIAWAH ISLAND, SC



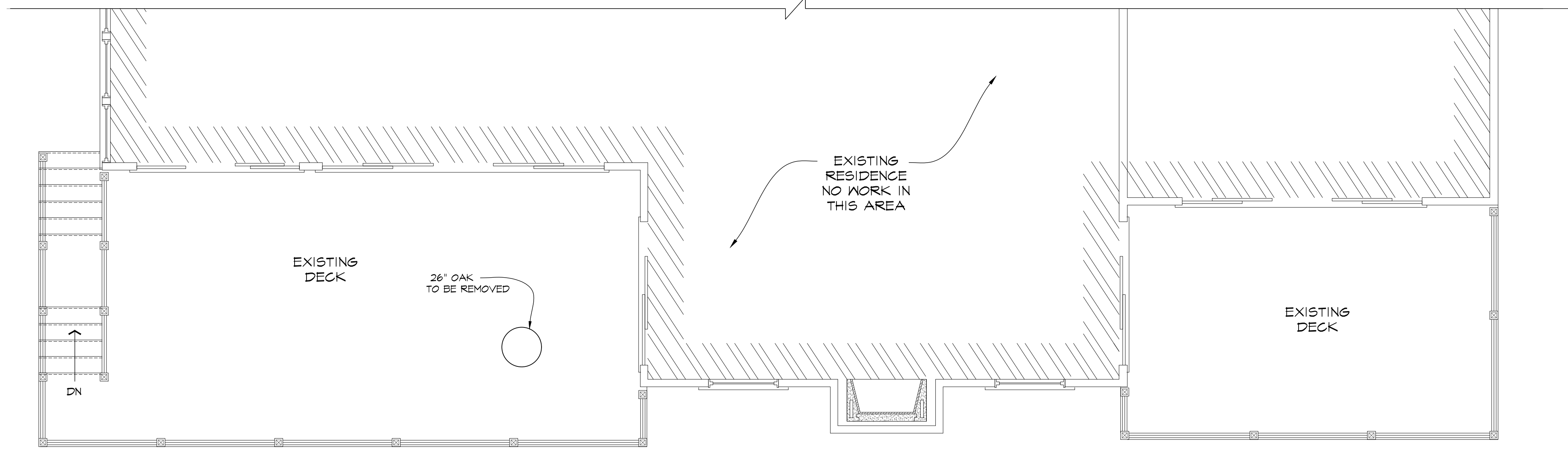
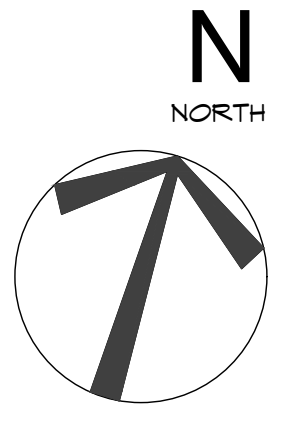
Professional Architect
JOHN WILLIAMS HARTLEY HARTLEY
JOHN S. AND S. JOHNS
1948-2024



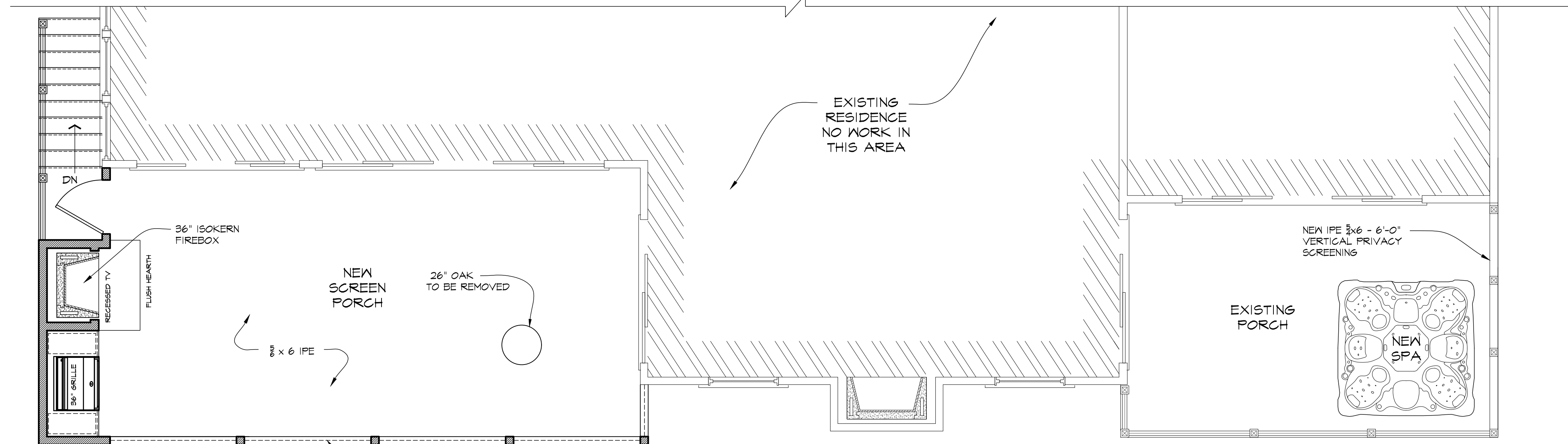
NOT FOR CONSTRUCTION



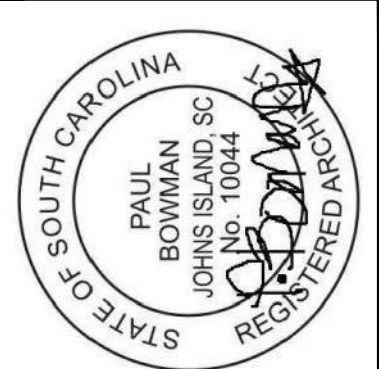
Qty	Name	Size
26	Carex Everillo	1 gal.
77	Farfugium Japonicum Giganteum	1 gal.
63	Iris African White	3 gal.
24	Viburnum Suspensum	7 gal.
2	Japanese Maple Bloodgood	15 gal.
21	Chinese Fan Palm	7 gal.
50	Sabal Minor Dwarf Palm	7 gal.
86	Sword Fern	1 gal.
28	Variegated Shell Ginger	3 gal.
2	Root Enhanced Sabal Palm	15' - 18' ht.
14	Podocarpus Pringles	7 gal.
33	Spreading Plum Yew	3 gal.
14	Stromanthe Triostar	3 gal.
29	Anise Parviflorum	7 gal.
600	Empire Zoysia	sq. ft.



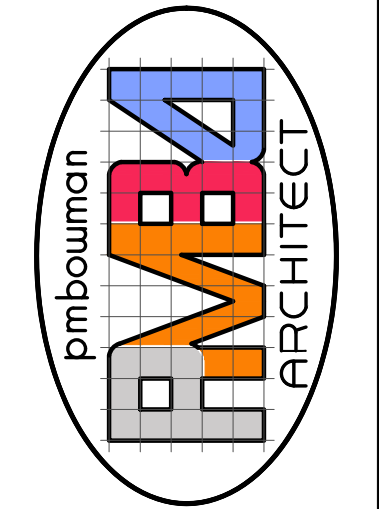
1 EXISTING FIRST FLOOR PLAN
A.I.I. SCALE: 1/4"=1'-0"



2 NEW / PROPOSED FIRST FLOOR PLAN
A.I.I. SCALE: 1/4"=1'-0"



pm Bowman Architect, LLC
2030 WILDTS BATTERY BOULEVARD
UNIT #1111
JOHNS ISLAND, SC 29455
(440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
6 BUFFLEHEAD DRIVE
KIAWAH ISLAND, SC

TOKI - BZA
VARIANCE
REQUEST
DATE: 4-7-2025

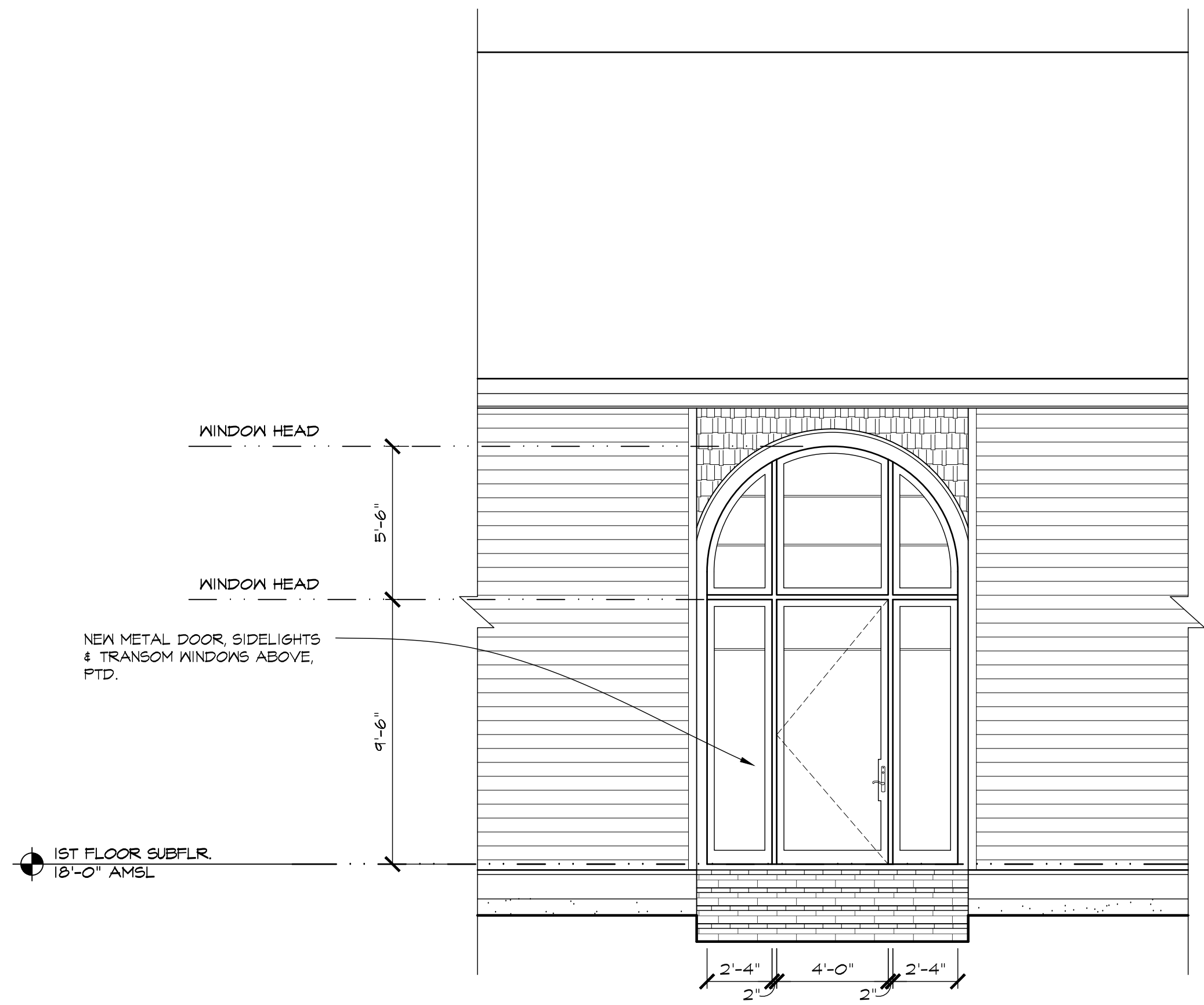
A.I.I.
ARCHITECTURAL FLOOR PLANS



1
A2.1 EXISTING PARTIAL FRONT ELEVATION
SCALE: 1/4"=1'-0"



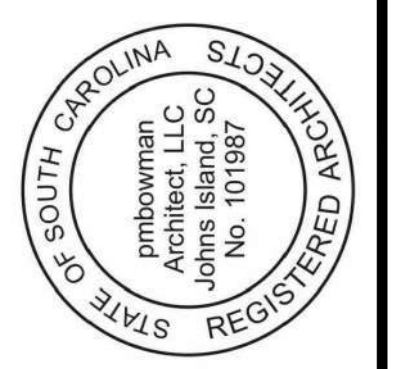
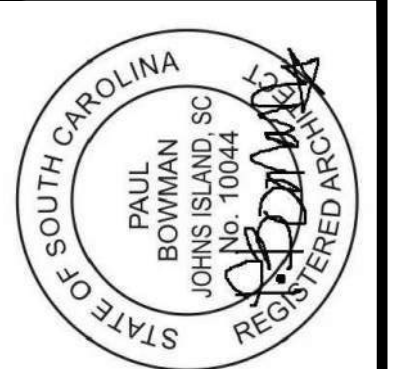
1
A2.2 EXISTING PARTIAL RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



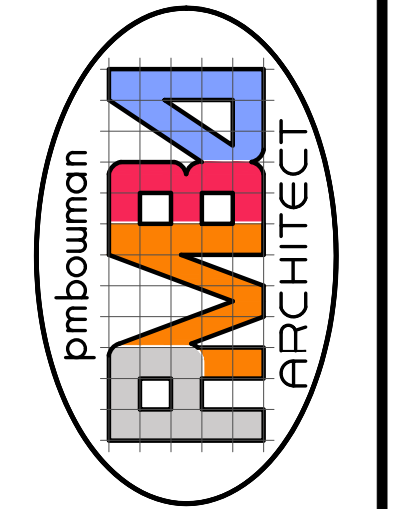
1
A2.1 NEW PARTIAL FRONT ELEVATION
SCALE: 1/4"=1'-0"



1
A2.2 NEW PARTIAL RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



pm Bowman Architect, LLC
2030 WILDTS BATTERY BOULEVARD
UNIT #1111
JOHNS ISLAND, SC 29455
(440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
6 BUFFLEHEAD DRIVE
KIWAH ISLAND, SC

TOKI - BZA
VARIANCE
REQUEST

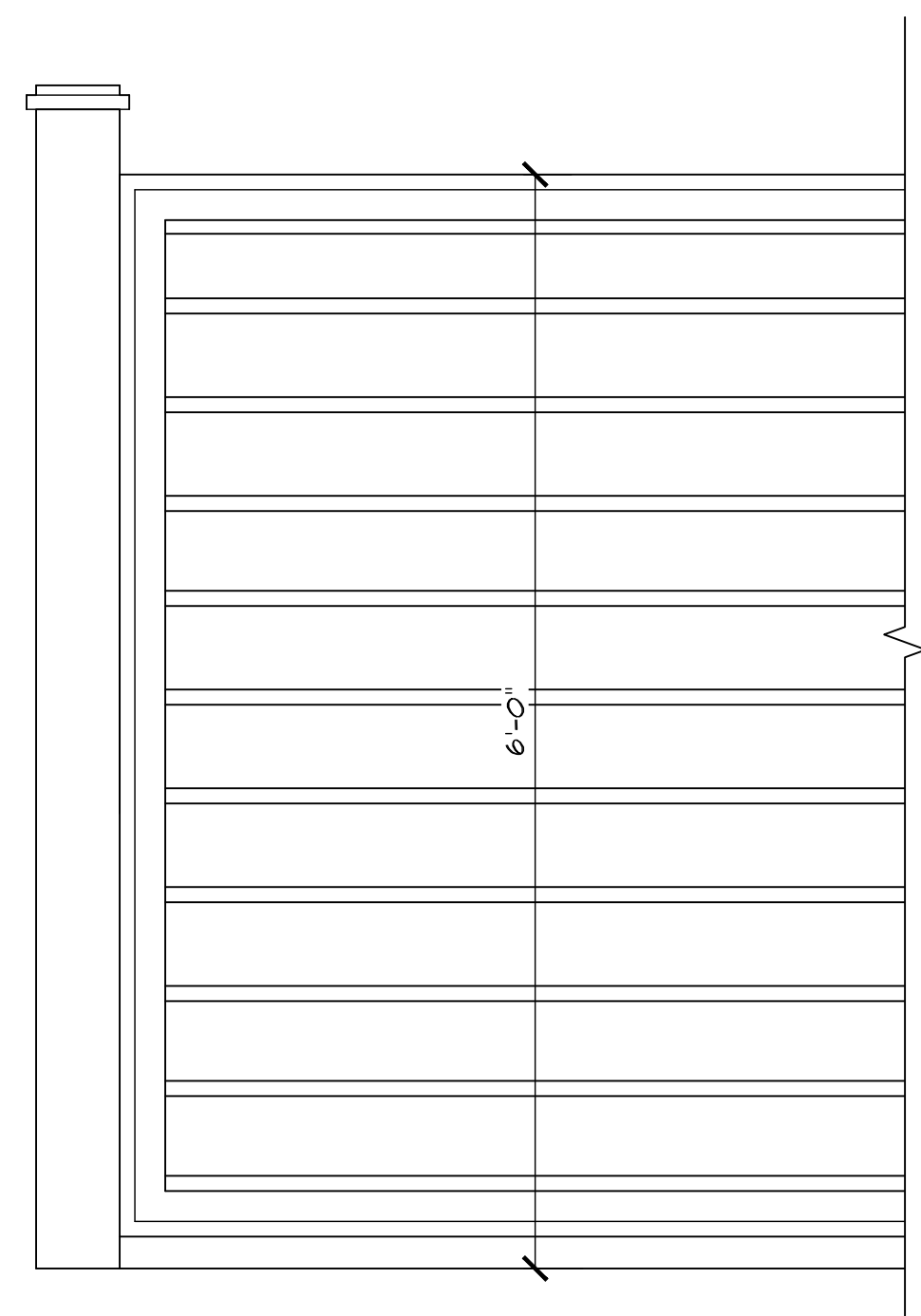
DATE: 4-7-2025

EXTERIOR ELEVATIONS

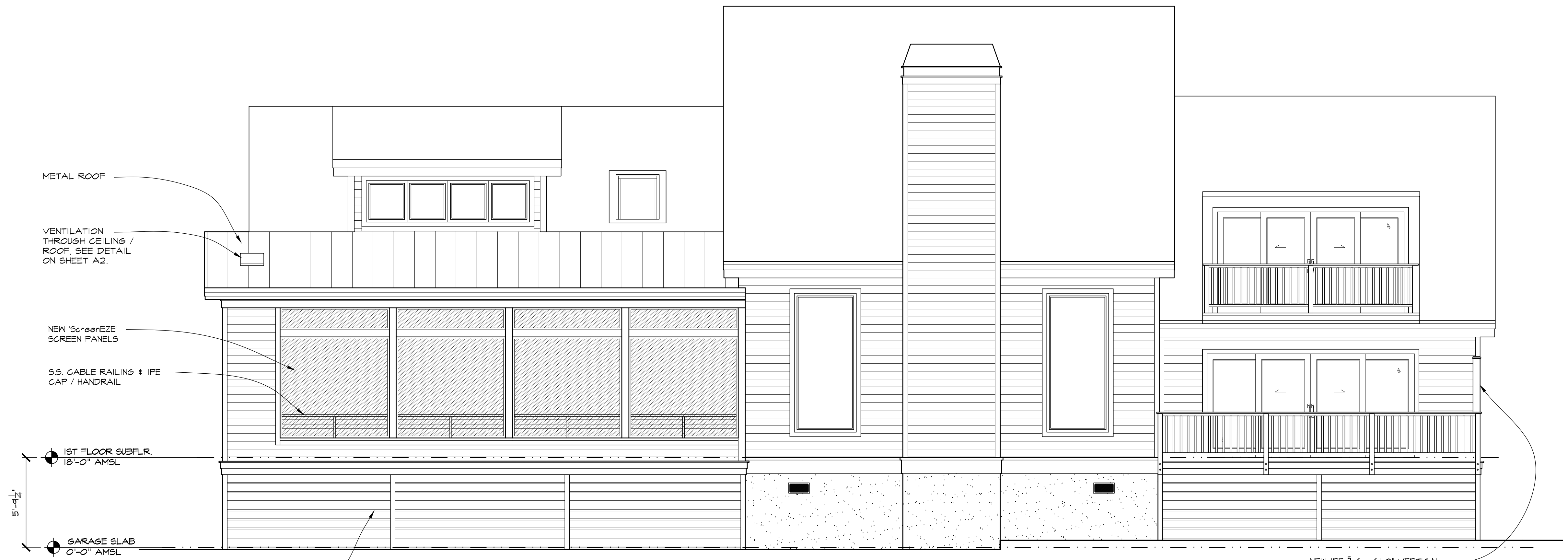
A2



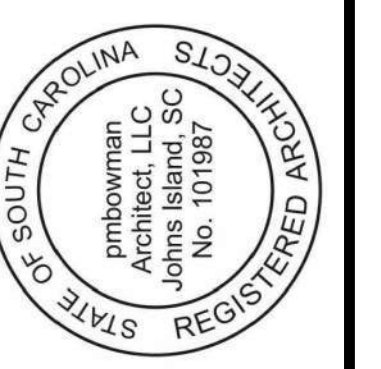
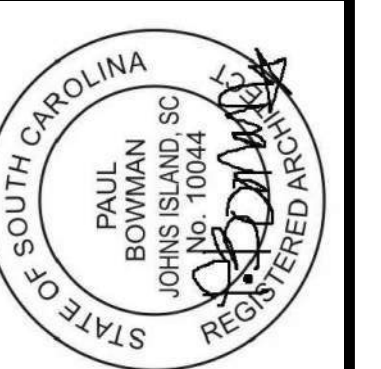
1 EXISTING REAR ELEVATION
A2.1 SCALE: 1/4"=1'-0"



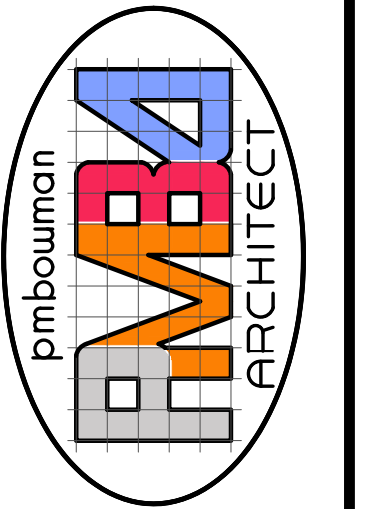
3 SPA PRIVACY SCREEN
A2.1 SCALE: 1"=1'-0"



2 NEW REAR ELEVATION
A2.1 SCALE: 1/4"=1'-0"



pm Bowman Architect, LLC
2030 WILDTS BATTERY BOULEVARD
UNIT #1111
JOHNS ISLAND, SC 29455
(440) 476-7193



RENOVATIONS TO THE:
HARDING RESIDENCE
6 BUFFLEHEAD DRIVE
KIWAH ISLAND, SC

TOKI - BZA
VARIANCE
REQUEST
DATE: 4-7-2025

A2.1
EXTERIOR ELEVATIONS



A.H. SCHWACKE & ASSOCIATES

LAND SURVEYING & CONSTRUCTION LAYOUT

1975 FRAMPTON AVE PH: 843-762-7005 FAX 843-762-0109
P.O. BOX 13077, CHARLESTON, SOUTH CAROLINA 29422-3077

REFERENCE:

PLAT BY: JOSIAH M. WILLIAMS
DATED: MARCH 12, 1982
BOOK: AZ PAGE: 156
ROD CHAS. CO.

TAX MAP No. 264-11-00-020
No. 6 BUFFLEHEAD DRIVE

Requested by: BILL & NOREEN BEAMAN

LOT AREA:
16,657.0 Sq. Feet
0.38 Acres

LOT COVERAGE:
BUILDING: 2824.9 Sq. Ft.
BRICK: 745.0 Sq. Ft.
FRONT WALK: 192.4 Sq. Ft.
FRONT PORCH: 108.6 Sq. Ft.
BACK DECKS: 720.5 Sq. Ft.
DECK STEPS: 40.7 Sq. Ft.
HVAC: 37.6 Sq. Ft.
TOTAL: 4669.7 Sq. Ft.
28.0% COVERAGE

SECONDARY LOT COVERAGE:
ROCK DRIVE: 1899.6 Sq. Ft.
11.4% COVERAGE

LEGEND:
CMO CONCRETE MONUMENT OLD
EBOX ELECTRIC BOX
P PORCH
WM WATER METER
WV WATER VALVE

NOTES:
BEARING SHOWN ARE BASED ON MAGNETIC NORTH AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.

AREA DETERMINED BY COORDINATE METHOD.
THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH, ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE KIAWAH ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT, THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (EL 14') AS PER FEMA FLOOD MAPS. PANEL No. 45019C 0785J
DATED: NOVEMBER 17, 2004
COMMUNITY No. 450256

*** SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.**

SURVEYOR'S CERTIFICATION

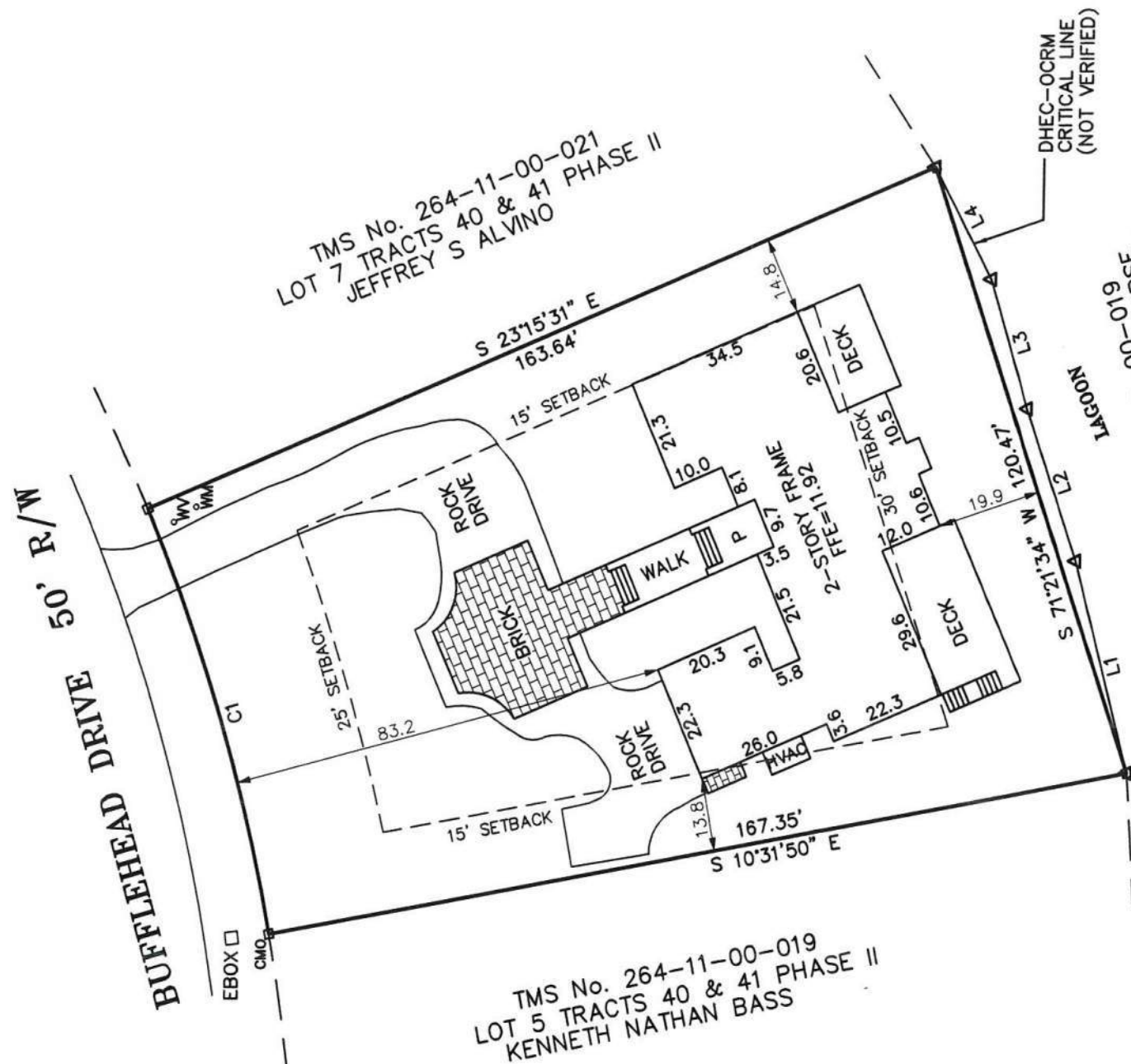
I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments or projections other than shown.

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 HEREON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.
KIM19 / 19333

MAG

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT (SCDHEC OCRM) PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF SCDHEC OCRM, SCDHEC OCRM IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

SIGNATURE _____ DATE _____
The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.



TMS No. 207-00-00-019
OSPREY POINT LAGOON
OSPREY POINT GOLF COURSE COMPANY

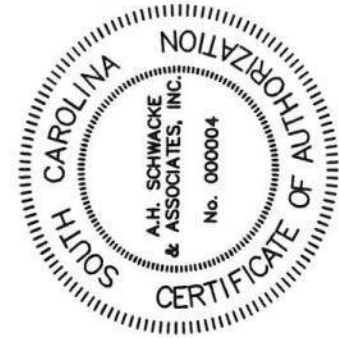
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	373.37'	83.91'	83.73'	S 73°07'06" W	12°52'33"

LINE	BEARING	DISTANCE
L1	S 75°31'29" W	41.33'
L2	N 71°06'10" E	30.28'
L3	S 73°20'16" W	25.47'
L4	N 62°18'32" E	23.81'

AS-BUILT SURVEY
LOT 6 TRACTS 40 & 41 PHASE II
EGRET/PINTAIL
TOWN OF KIAWAH ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA



DATE: DECEMBER 18, 2019 SCALE: 1" = 30'



KEVIN M. SCHWACKE, SR. PLS
S.C. Registration Number 20468



Letter of Intent
TOKI - BZA Variance Request – April 11, 2025

Client: Mr. Mike and Mrs. Caroline Harding
6 Bufflehead Drive
Kiawah Island, SC 29455
mikeharding@talklc.net
carolineharding@taklc.net

Firm: pmbowman Architect, LLC
Paul Bowman
2030 Wildts Battery Boulevard
Apt. 1111
Johns Island, SC 29455

For to following project: 6 Bufflehead Drive – Variance Request
Town of Kiawah Island – BZA
For a private Residence at:
6 Bufflehead Drive
Kiawah Island, SC 29455

Letter of Intent:

The current owners are now planning to live in their home on a more extensive basis. Mike and Caroline Harding desire to convert an open rear deck into a screen porch at their residence which will be used as a family retreat. This residence will not be used as a rental property.

There were a couple of on-site discussions held with Parker Ranspach (ARB staff member) and Tommy Manuel (Kiawah board member) respectively. It was suggested that a screen porch may be possible by “swapping out” some of the current lot coverage (the open deck and stairs). After a variance request was submitted, there was a meeting with all of the ARB members. It was then suggested that a new reconfiguration of the driveway to bring the lot coverage within the allowable 33% and with the addition of new landscaping in the front yard would help the ARB approve this variance.

It was also brought to the ARB members attention that there is significant landscape screening on the right side of the home shielding the view of the existing open rear deck and proposed screen porch from the neighboring property. This is the only direct view of the existing open rear deck.

The lot / property is heavily canopied and natively screened along the rear lagoon edge. It should also be noted that this variance will NOT disturb the existing lagoon / pond edge. There is nothing across the lagoon or from the left side of the home that has a direct line of sight to the proposed screen porch addition.

The ARB has now recognized the owners' unique lot, natural tree condition, setback hardship and has granted the owners approval of their variance request for the screen porch addition.

THIS REQUEST SHOULD BE GRANTED:

- a. **The owners have an extraordinary and exceptional condition pertaining to this particular piece of property;** The natural trees retained in the front present a natural buffer to the street and allow the home to be secluded visually from the street. This adds greatly to the streetscape and community ambiance. The rear of the property screen porch improvement will sit "within" the current open rear deck footprint with a (4 SF) encroachment, small stair extension. The screen porch will feel original to the body of the home when it was originally built.
- b. **These conditions do not generally apply to other property in the vicinity;** We are not aware of a similar non-conforming lot conditions in the immediate area. Each individual property has special attributes in shape, size and orientation. The specific natural trees which exist have compelled the current location of the home to be placed, irrespective of the generally recommended rear setback, now being applied.
- c. **Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property;** An unnecessary hardship is present when the general rear 30'-0" setback is applied to the home today. The home is NOT of unusual size. With the 30'-0" rear setback applied, the existing home has a non-conforming area of both heated area and open deck areas. The planned screen porch addition and the front yard driveway / landscape re-configuration will allow the home to remain within the 33% allowable lot coverage and reduce the lot coverage by 457 SF - (2.7%).
- d. **The authorization of the variance will not be a substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by granting the variance;** The residential character of the property is very secluded from the adjacent neighbors to the West and East sides. Visibility is also very well natively screened and heavily canopied by existing natural vegetation. There is nothing across the lagoon that has a direct line of sight to the proposed renovation. It should also be noted that this variance will NOT disturb the existing lagoon / pond edge. The visual impact will be minimal by the planned screen porch addition.
- e. **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 non-conforming use of land, or to change the zoning district boundaries shown on the official zoning map;** The granting of this variance will not allow for a use not permitted by the ordinance.

- f. **The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;** The property will be able to be used to the extent permitted by the lot coverage size by ARB requirements and ordinance.
- g. **The need for a variance shall not be the result of the applicants own actions;** The owners purchased the property in its current form and had no prior involvement in the existing non-conforming encroachments now in place.
- h. **Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirt, intent and purpose of these regulations;** Granting the variance will enhance the individual property and ultimately lead to an overall improvement of the community aesthetic and allow the owners to upgrade / maintain their property over time as is possible with adjacent properties that do not experience this particular unique natural hardship.
- i. **Granting of the variance does not substantially conflict with the Comprehensive Plan or the purpose of this Ordinance.** Granting the variance and relaxing the setback at the rear of the lot does not conflict with the comprehensive plan in this unique application.

The request for the variance of 4 SF at the rear setback looks for a remedy to a serious and substantial loss of use of this property due to its original siting and intention to save trees. The variance should be given significant consideration by the board to ameliorate this hardship.

Thank you and respectfully submitted for Mike & Caroline Harding,



Paul Bowman
Principal Architect
[pmbowman Architect, LLC](#)
2030 Wildts Battery Boulevard
Apt. #1111
Johns Island, SC 29455
bowman.pm@gmail.com
440-476-7193



Rear view @ Deck level looking East



Rear view @ Deck level looking Southeast

2030 Wildts Battery Boulevard, Apt. #1111 – Johns Island, SC 29455
440-476-7193 – bowman.pm@gmail.com



Rear view @ Deck level looking Southwest



Rear view @ Deck level looking West

2030 Wildts Battery Boulevard, Apt. #1111 – Johns Island, SC 29455
440-476-7193 – bowman.pm@gmail.com



Rear view @ Ground level looking East from neighboring property



Rear view @ Ground level looking East from neighboring property

2030 Wildts Battery Boulevard, Apt. #1111 – Johns Island, SC 29455
440-476-7193 – bowman.pm@gmail.com

Please Return to:

BRADSHAW & COMPANY, LLC

147 Wappoo Creek Drive – Suite 605
Charleston, South Carolina 29412

Area Above This Line Reserved for Recording Marks

STATE OF SOUTH CAROLINA

)

COUNTY OF CHARLESTON

)

)

DEED

KNOW ALL MEN BY THESE PRESENTS, that, Michael T. Harding and Caroline R. Harding, (whether singular or plural the "Grantor") in consideration of the premises and also in consideration of the sum of Five Dollars and No/100 (\$5.00), and Subject to the Restrictions, Exceptions, and Limitations as hereinafter set forth, if any, in hand paid at and before the sealing and delivery of the presents, the receipt of which is hereby acknowledged, by 6 Bufflehead, LLC (whether singular or plural the "Grantee"), a South Carolina limited liability company, have granted, transferred, remised, and released, and, by these presents, do grant, transfer, remise, and release, unto the said Grantee, its/his/her/their Successors, Heirs and Assigns, forever, in fee simple, the following described real property, to-wit:

See Exhibit "A"

Grantee's Address: 16 Tapoan Road
Richmond, VA 23226

NOTE: This document was prepared by Bradshaw & Company, LLC, Attorneys at Law, without the benefit of a title examination and, therefore, does NOT constitute an opinion of title.

Together with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee, 6 Bufflehead, LLC, a South Carolina limited liability company, and its respective Successors and Assigns forever.

And, **SUBJECT TO** the matters set forth above, the Grantor does hereby bind the Grantor and the Grantor's Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said Grantee hereinabove named and the Grantee's Successors and Assigns against the Grantor and the Grantor's Successors lawfully claiming, or to claim, the same or any part thereof but no others.

EXHIBIT "A"
PROPERTY DESCRIPTION

ALL that certain piece, parcel or lot of land, together with the improvements thereon, situate, lying and being on Kiawah Island, Charleston County, State of South Carolina, known and designated as Lot Number Six (6), Tracts 40 & 41, Egret/Pintail Subdivision on a Plat of Tracts 40 & 41, Egret/Pintail Subdivision, made by Gifford, Nielson and Williams, dated March 12, 1982, having latest revision dated April 13, 1982, and recorded in Plat Book AV, at Page 22, in the Office of the ROD for Charleston County, South Carolina, and as more recently shown in Plat Book AZ, at Page 155; SAID property having such boundaries, metes, courses and distances as will by reference to said Plat more fully appear.

THE within described property is conveyed subject to easements, restrictions, covenants, conditions and matters of record, including, without limitation, the following: matters set forth in that certain deed from Cornelia C. Cummings to Charles Widger, dated May 5, 2000, recorded May 22, 2000, in Deed Book X347, at Page 321; rules and regulations of applicable governmental authorities; and real property taxes for the year of delivery thereof.

SUBJECT to any and all Restrictions, Covenants, Conditions, Easements, Rights of Way, and any and all other matters affecting subject property, of record in the Office of the ROD for Charleston County, South Carolina.

THIS being the same property as conveyed to Michael T. Harding and Caroline R. Harding, by Deed of William Beaman and Noreen Beaman, dated March 1, 2022, and duly recorded May 9, 2022, in the Office of the ROD for Charleston County, South Carolina, in Book 1107, at Page 453.

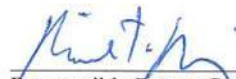
TMS No.: 264-11-00-020

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

RECORDING AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- 1) I have read the information on this affidavit and I understand such information
 - 2) The property is being transferred by Michael T. Harding and Caroline R. Harding to 6 Bufflehead, LLC, on July 12, 2022.
 - 3) Check one of the following: The deed is
 - (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) exempt from the deed recording fee because (exemption #12). Explanation, if required: **Corrective/Quitclaim Deed** (if exempt, skip items 4-7 and go to item 8 of this affidavit).
- If exempt under exemption #12 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No
- 4) Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$.
 - (b) The fee is computed on the fair market value of the realty which is \$.
 - (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is .
 - 5) Check Yes or No to the following: A lien or encumbrance existed on the land, tenement, or realty before transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes", the amount of the outstanding balance of this lien or encumbrance is: \$
 - 6) The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here:
 - (b) Place the amount listed in item 5 above here:(If no amount is listed, place zero here)
Subtract line 6(b) from line 6(a) and place result here:
 - 7) The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is:
 - 8) As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor.
 - 9) I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


Responsible Person Connected with Transaction
Michael T. Harding

Sworn to before me this 12th day of July, 2022


Notary Public for Virginia
My Commission Expires: March 31st 2026





April 1, 2025

Caroline and Mike Harding
6 Bufflehead Drive
Kiawah Island, SC 29455

PHYSICAL ADDRESS

253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS

130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **MAJOR IMPROVEMENT REVIEW**
Address: 6 Bufflehead Drive
ARB Action: Approved

Dear Mr. and Mrs. Harding,

Thank you for your submittal to the Kiawah Island Architectural Review Board for review of Improvements to your home at 6 Bufflehead Drive. The screened porch, new driveway, new front door, and the new spa are approved to continue to the permit submittal with the following comments and conditions in keeping with the guidelines:

- L1. Please include a lot coverage graphic with the Permit Set.
 - L2. A proposed landscape plan, showing revegetation of areas impacted by construction and new plantings as needed to meet current ARB Standards and Guidelines, should be submitted for review and approval 60 days prior to landscape installation. Please review the landscape requirements of the Design Guidelines.
 - L3. Please note that apart from the three indicated at the rear, no trees have been approved for removal. If you propose tree removals or major impact to trees, this should be submitted for approval to the ARB.
 - L4. Please note that mitigation (replacement) for removed trees will be assessed at time of landscape plan review.
 - L5. Due to the proposed change in footprint, please be reminded that an as-built survey will be required for the final inspection at the conclusion of construction.
-
- A1. Please note that floodlights are discouraged on homes at Kiawah Island. Limit the use of flood lights to no more than two fixtures, located in areas of pedestrian traffic. Alternate exterior lighting may be more appropriate at some existing floodlight locations.
 - A2. Please note that exterior light fixtures other than flood lights are required to screen any direct view of light bulbs. Fixtures designed to display light bulbs are required to use obscure glass. All new and existing exterior fixtures at your property should conform to this requirement. Please submit cut sheets for proposed new and replacement fixtures.
 - A3. All exterior materials, colors, and other finishes should match those of the existing house. If different materials or colors are proposed, please submit a material and color palette for approval. Prior to commencement of work, please submit an Onsite Color Review Form and provide accessible color samples of proposed materials and finishes onsite for field review. Please refer to the Design Guidelines, *Designing with Nature*, when making color selections. The design guidelines can be downloaded at KiawahARB.com.
 - A4. Should a total repaint of the home in the current color palette be desired, please note that existing colors will need to be evaluated for compliance with ARB guidelines. Should a

repaint of the home in a new color palette be desired, please submit a color palette for approval. Prior to commencement of work, please submit an Onsite Color Review Form and provide accessible color samples of proposed materials and finishes onsite for field review. Please refer to your neighborhood's approved colors when making color selections.

- A5. Color Guidelines – Cementitious siding products must be a minimum value of 5 on the ARB Value Finder and trim color must be within 3 values of siding color. Bandboards must be painted to match either the foundation or the siding color and are not permitted to be the trim color. Additionally, corner boards must be painted out in the siding color and HVAC stand and any downspouts must be painted out in the color of the material to which they are adjacent. Garage doors and garage door trim must be painted to match the adjacent cladding.
- A6. Please note that chimney caps are needed for exposed spark arrestors, if any.
- A7. Tankless water heaters, propane tanks, grill vents and pool equipment are required to be architecturally screened or located in an area where they are not visible.

For the Permit Submittal, please submit one (1) digital copy of sealed drawings including a Tree Protection Plan, a completed Construction Application Deposit & Agreement Form, construction deposits, the Review Fee, and a KICA Encroachment Permit to this office at ARB@Kiawah.com. Tree Protection fencing must be installed at time of Permit Submittal. When these items are received and Tree Protection fencing is verified, an ARB approval stamp and Building Permit will be issued for the project.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please contact the ARB office if we can be of any assistance during the Permit Process for your home improvements.

Sincerely,

A handwritten signature in cursive script that reads "Jane Maybank". The signature is written in black ink and is positioned above the typed name and title.

Jane Maybank, Director
On behalf of the KIARB

cc: Property File
encl: Construction Application and Deposit Form

Major Improvement Review

Kiawah Island Architectural Review Board • 253 Gardeners Circle, Suite 200 • Johns Island SC 29455 • 843.768.3419 • 843.768.0517 (fax)
 Mailing Address: 130 Gardeners Circle, Suite 123 • Johns Island SC 29455 • arb@kiawah.com • www.KiawahARB.com

Address of Project 6 Bufflehead Drive

Owner Caroline & Mike Harding **Architect** pmbowman Architect, LLC
 Telephone (502) 566-8255 Telephone (440) 476-7193
 Email carolineharding@talklc.net Email bowman.pm@gmail.com

Landscape Architect Southern Legacy Landscape Group **Contractor** T.B.D.
 Telephone (843) 243-7171 Telephone _____
 Email tcollins@southernleqacylg.com Email _____

Type of Improvement Replace right side open deck w/ new screen porch, new driveway configuration, new front door, new spa on left side open deck

DRAWINGS ARE REQUIRED FOR REVIEW- EACH SHEET MUST BE STAMPED AND SIGNED BY THE SC REGISTERED ARCHITECT, LANDSCAPE ARCHITECT, OR ENGINEER.

Does the neighborhood have Supplemental Guidelines? Yes, _____ No

Is Regime Approval Needed? Yes, Approval Attached No

Are there any Variance Requests? Yes, Request Form Attached No

Height Restriction: 40 ft Above Base Flood Elevation Above Grade

Total Highland Area: 16693 **Lot Coverage Maximum:** 33%

Building Square Footage Calculations

Conditioned	Existing	Proposed
First Floor	-	-
Second Floor	-	-
Third Floor	-	-
Ancillary Structure	-	-
Total Conditioned	-	-
Additional Screened/Covered	-	-
Garage/Carport	-	-

Setbacks

Front	<u>25 ft</u>	Sides	<u>15 ft</u>
Rear	<u>30 ft</u>		<u>15 ft</u>

Existing Bed/Bath	<u>n/a</u>
Proposed Bed/Bath	<u>n/a</u>

Primary Lot Coverage Calculations

	Existing	Proposed
Building Footprint	<u>2820.1 sf</u>	<u>2820.1 sf</u>
Screened/Covered	-	<u>529.1 sf</u>
Open Decking/Stairs	<u>763.1 sf</u>	<u>267.3 sf</u>
Primary Drives/Walks*	<u>1046.0 sf</u>	<u>1675.5 sf</u>
Raised Planters (≥ 36")	-	-
Pool/Spa	-	-
HVAC Stand	<u>30.4 sf</u>	<u>30.4 sf</u>
Primary Lot Coverage Sq. Ft	<u>4659.6 sf</u>	<u>5322.4 sf</u>
Lot Coverage Percentage	<u>27.9%</u>	<u>31.9%</u>
Secondary Elements	<u>1812.0 sf</u>	<u>691.6 sf</u>
Primary + Secondary Total %	<u>38.8%</u>	<u>36.0%</u>

Building Detail**

	Existing	Proposed
Foundation Material	<u>stucco</u>	<u>stucco</u>
Siding Material	<u>lap siding</u>	<u>lap siding</u>
Trim Material	<u>pt wood</u>	<u>pt wood</u>
Window Material	<u>clad</u>	<u>clad</u>
Roofing Material	<u>asphalt</u>	<u>metal</u>
Garage Door Material	<u>pt wood</u>	<u>pt wood</u>
Paved Areas	<u>brick</u>	<u>brick</u>
Other <u>driveway</u>	<u>gravel</u>	<u>gravel</u>

ARB Action (see official letter for details)

- Approved
 Disapproved

Review Fee \$ 500
 Deposit Amount \$ 2,500

Jane Maybank 4/3/25
 ARB Representative Date

* PRIMARY DRIVES AND WALKS INCLUDE PERVIOUS AND IMPERVIOUS MATERIALS.

** BUILDING MATERIALS & FINISHES REQUIRE A COMPLETED ONSITE COLOR REVIEW FORM & ONSITE SAMPLE FOR FINAL APPROVAL



**Kiawah Island
Board of Zoning Appeals
Meeting of May 19, 2025**

**Public Comments Regarding
Case #BZA25-000008**

Nick Fargo
5 Bufflehead Drive
Kiawah Island, SC 29455
nfargo@comcast.net

4/8/25

Planning and Zoning Department
The Town of Kiawah Island
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455

Dear Members of the Planning and Zoning Department,

I am writing to express my support for the variance application related to the planned renovation at 6 Bufflehead Drive, where the homeowners are seeking to enclose an existing porch and convert it into a screened porch.

As the property owner of 5 Bufflehead Drive, I have reviewed the proposed plans and have no objection to the construction or the requested variance. The planned screened porch is consistent with the character of the surrounding properties and will, in my view, enhance both the appearance and functionality of the home without negatively impacting neighboring properties.

Please feel free to contact me should you require any additional information regarding my support.

Sincerely,
Nick Fargo
Owner, 5 Bufflehead Drive



Case #BZA25-000009
Kiawah Island BZA Meeting of May 19, 2025

Applicant/Property Owner: BROADUS BARRY MICHAEL

Representative: Julie O'Connor of American Vernacular, Inc

Property Location: 14 Oyster Shell Rd

TMS#: 265-01-00-023

Lot Size: Highlands: 25,849 square feet (0.59 acres)
Marsh: 25,800 sqft (0.59 acres)
Total: 51,649 sqft (1.19 acres)

Zoning District: R-1, Residential Zoning District

Request: Variance request for the reduction of the required 20' BCM critical line left side setback and required 15' right side setback by approximately 80 square feet for a proposed single-family home located at 14 Oyster Shell Rd, Kiawah Island, SC (TMS # 265-01-00-023).

Requirement:

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

Required setbacks: 25' (Front); 15' (Side); 30' (Rear)

Maximum 33% Lot Coverage

The Ordinance defines Setback as "a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected." The Ordinance defines Side Setback as, "any setback other than a rear or front setback."

Sec. 12-65. R-1, Residential District.

- (a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:
 - (1) The maximum density for this district is three dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Yard Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾⁽⁵⁾	Rear ⁽⁴⁾	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40

⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.

⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.

⁽³⁾ A minimum of 15 feet must be provided between structures.

⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.

⁽⁵⁾ Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

Sec. 12-64. - Setbacks.

Setback means a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.

- (1) *Contextual setbacks.* Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between two developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.
- (2) *Setbacks on corner and double frontage lots.* On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principle structure's front main entrance. The side yard setback shall apply to the remaining side(s).
- (3) *Exception to setbacks.* Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this subsection.

Driveways and walkways may be located within any required setback.

Uncovered stairs or stair landings to building entrances may extend up to five feet into any required setback.

Uncovered, at-grade patios may extend into a required setback; however, they shall maintain a minimum ten-foot distance from the property line.

Uncovered decks may extend up to five feet into any required rear yard setback.

Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.

Walls and retaining walls below three feet in height may be located within required setback.

In all zoning districts heating, ventilation and air conditioning (HVAC) equipment and associated HVAC stands may extend up to five feet into required side or rear setbacks only when all of the following conditions are met:

- (1) The HVAC equipment is replacing existing HVAC equipment which was originally placed below an existing structure and/or which HVAC equipment being replaced is now required to be elevated to meet the requirements of the Federal Emergency Management Agency (FEMA) and the Town of Kiawah Island Building Code;
- (2) Such HVAC equipment cannot reasonably be accommodated within the setback required by otherwise applicable zoning requirements;
- (3) The property owner has, through regular mail postmarked no later than five days in advance of applying for a Zoning Permit, notified the affected adjacent property owner(s) that are adjacent to the property line where the proposed HVAC equipment will be located, and has submitted to the Planning Director a signed affidavit stating that such property owner has notified the affected adjacent property owner(s) and proving each name and address to which notice was sent; and
- (4) A Zoning Permit is approved by the Planning Director.

(Code 1993, § 12A-204; Ord. No. 2005-08, § 12A-204, 10-12-2005; Ord. No. 2012-03, § 2, 4-3-2012; Ord. No. [2015-04](#), § 2, 4-14-2015)

Staff Review:

The applicant, Julie O'Connor of American Vernacular, Inc. representing the property owner Michael Broadus, is requesting a variance for the reduction of the required 20' BCM critical line left side setback and required 15' right side setback by approximately 80 square feet for a proposed single-family home located at 14 Oyster Shell Rd, Kiawah Island, SC (TMS # 265-01-00-023). The subject property is located within the R-1, Residential Zoning District.

The subject property is approximately 51,649 square feet (1.19 acres) in size, containing approximately 25,849 square feet (0.59 acres) of high ground and 25,800 square feet (0.59 acres) of marsh. The subject property is currently undeveloped and sits adjacent to critical area (marsh) to the north. The adjacent properties to the east and west are also located in the R-1, Residential Zoning District. The subject property is subject to review by the Kiawah Island Architectural Review Board.

The Town of Kiawah Island Land Use Planning and Zoning Ordinance pursuant to Sec. 12-65. R-1, Residential District requires a 60' front yard setback, a 20' side yard setback from the BCM critical line, a 15' side yard setback, and a 50' rear yard setback with an allowed maximum lot coverage of 33% for the subject property.

The Ordinance defines Setback as *"a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected."* The Ordinance defines Side Setback as, *"any setback other than a rear or front setback."*

The proposed plans show a staircase extending approximately 4 feet 5 inches into the required 20-foot BCM critical line left side setback, resulting in an encroachment of approximately 27 square feet. Additionally, a portion of the single-family residence extends approximately 2 feet 3 inches into the same setback, contributing an additional 7 square feet of encroachment. On the right side, the plans indicate an encroachment of approximately 3 feet 3 inches into the required 15-foot side setback. The total combined side setback encroachments amount to approximately 80 square feet.

The most recent survey for 14 Oyster Shell Rd, signed and dated October 24, 2022, identifies a portion of the BCM critical line located to the north of the subject property.

According to Charleston County Records, the property was acquired by Michael Broadus on August 19, 2022.

The applicant has submitted to the Kiawah Island Architectural Review Board (KIARB) for review. The KIARB granted preliminary approval on April 4, 2025.

Please see the attachments for further information regarding this request. A site visit was conducted on May 2, 2025, at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island Land Use Planning and Zoning Ordinance, Article II, Division 5, Section

12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions pertaining to the property due to the unique shape of the lot, and the unique setbacks required. Per the applicant’s letter of intent, “*The size of the lot is very narrow with the buildable width at 40’ The shape of the lot is atypical with the frontage being significantly more narrow than the depth. There is an access easement that runs the entire depth of the property for access to 12 Oyster Shell Road that exacerbates the narrowness of the property.*”**

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions may be unique to the subject property and may not generally apply to other properties in the vicinity. The property is located in the R-1 Residential Zoning District. Adjacent properties along Oyster Shell Rd are also located in the R-1 Residential Zoning District. Other existing structures in the vicinity may or may not have similar encroachments based on current setback standards. Per the applicant’s letter of intent, “*The setbacks are very different from other properties in the R1 zoning district. Typically the front and rear setbacks are 25’ and the sides are 10’. On this lot, the front setback is 60’, the rear setback is 50’, the North side setback is 20’, and the South side setback is 15’.*”**

§ 12-163.(4)c.: *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;*

Staff Response: **The ordinance may not prohibit development of the property outright, but some specific site constraints—including the irregular lot shape—create challenges that may unreasonably restrict utilization of the property. Per the applicant’s letter of intent, “*The application of the ordinance unreasonably restricts the utilization of the property due to the fact that the North side setback is 20’ and the South side setback is 15’ making the buildable area much more narrow than is typical. The area***

where we are requesting the variance is the most narrow with both setbacks converging and one jaggedly entering into the buildable area. “

§ 12-163.(4)d.: *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;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. The proposed additions encroach minimally into the required setbacks. Per the applicant’s letter of intent, “*The authorization of the South side setback will not be of substantial detriment to the adjacent property because it is not a buildable part of the lot and is simply a shared driveway. The authorization of the variances will not be of substantial detriment to the public good and the character of the district will not be harmed as the house will not be visible from the south side and only visible when heading south on the Terrapin Island bridge.*”**

§ 12-163.(4)e.: *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;*

Staff Response: **Granting of this variance may not allow the establishment of a use not otherwise permitted in this zoning district, extend physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant’s letter of intent, “*The property will be used as a single-family residence.*”**

§ 12-163.(4)f.: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

Staff Response: **The BZA may not consider profitability when considering this variance request. Per the applicant’s letter of intent, “*Profitability is not a factor in this request.*”**

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant’s own actions;*

Staff Response: **The need for the variance may not be the result of the applicant’s own actions. Per Charleston County’s records the property was acquired by Michael Broadus on August 19, 2022.**

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*

Staff Response: Granting of this variance may not be contrary to the public or neighborhood interest, may adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. The proposed residence includes minor encroachments into the required side setbacks.

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Staff Response: Granting of the variance may not substantially conflict with the *Comprehensive Plan* or the purposes of the *Ordinance*. Per the applicant's letter of intent, *"This request is for 2 very small encroachments on side setbacks that do not abut other buildable properties."*

Board of Zoning Appeals' Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000009 (variance for the reduction of the required 20' BCM critical line left side setback and required 15' right side setback by approximately 80 square feet for a proposed single-family home located at 14 Oyster Shell Rd, Kiawah Island, SC TMS # 265-01-00-023) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

- 1. The applicant shall submit a landscape plan to be approved by the Planning Director providing appropriate screening for all areas of encroachment prior to issuance of zoning permit and any site construction**
- 2. The applicant shall obtain an as-built survey upon completion of construction to verify that all encroachments are consistent with the proposed plans.**
- 3. The applicant shall ensure silt fencing is installed at the preservation zone adjacent to the Critical Line to ensure the preservation zone is not disturbed during construction.**

Town of Kiawah Island Board of Zoning Appeals

May 19, 2025



Town of Kiawah Island Municipal Center | 4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455

CASE# BZA25-000009

Applicant/Property Owner:	BROADUS BARRY MICHAEL
Representative:	Julie O'Connor of American Vernacular, Inc
Property Location:	14 Oyster Shell Rd
TMS#:	265-01-00-023
Lot Size:	Highlands: 25,849 square feet (0.59 acres) Marsh: 25,800 sqft (0.59 acres) Total: 51,649 sqft (1.19 acres)
Zoning District:	R-1, Residential Zoning District
Request:	Variance request for the reduction of the required 20' BCM critical line left side setback and 15' right side setback by approximately 80 square feet for a new single-family home.

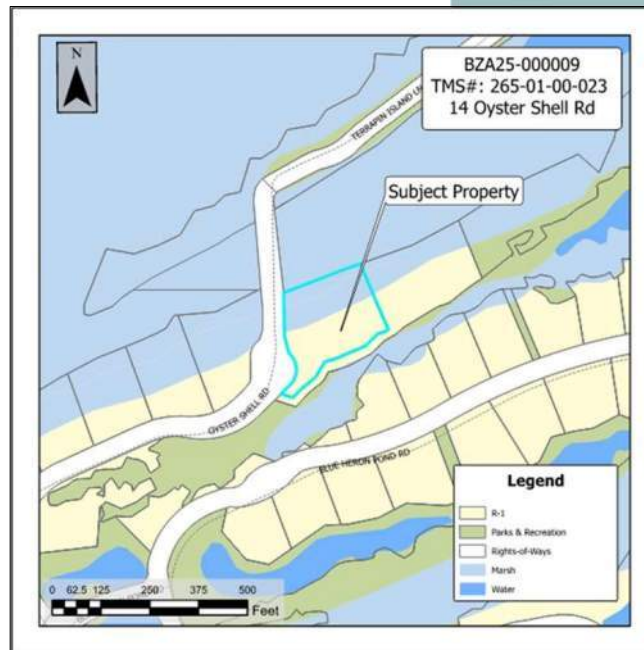
CASE# BZA25-000009

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-1, Residential District.

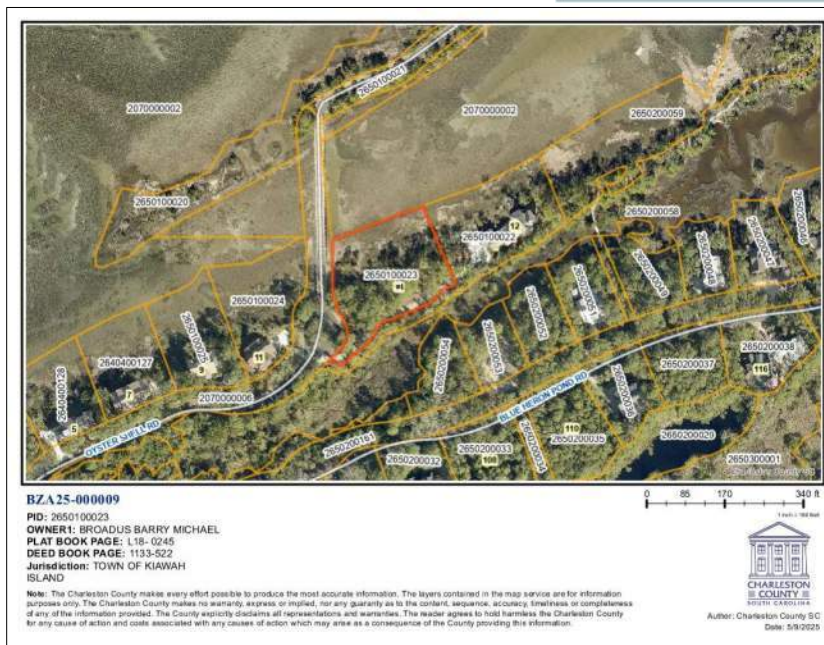
**Required setbacks: 60' (Front); 20' (Marsh); 15' (Side); 50' (Rear)
Maximum 33% Lot Coverage**

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Front Setback as, "the setback measured from the front lot line." The Ordinance defines Side Setback as, "any setback other than a rear or front setback."

3



4



5

Case # BZA25-000009
BZA Meeting of May 19, 2025
Subject Property: 14 Oyster Shell Rd- Kiawah Island

Variance request for the reduction of the required 20' BCM critical line left side setback and 15' right side setback by approximately 80 square feet for a new single-family home.



6

Property Front



Adjacent Properties



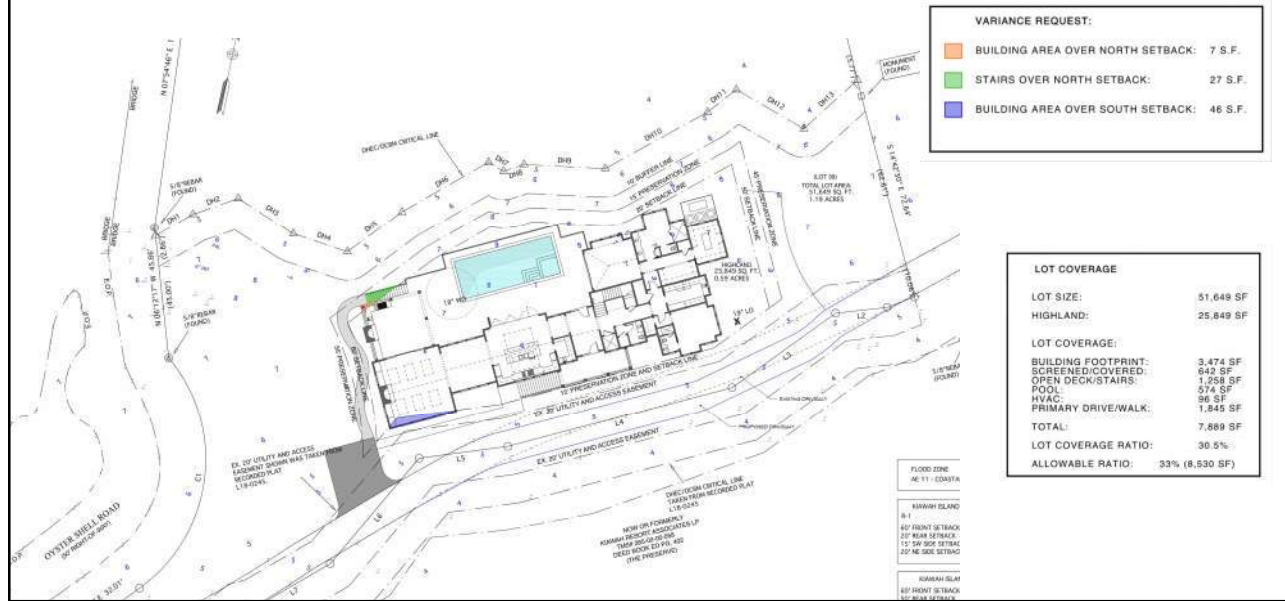
Subject Property



Property Rear



Proposed Site Plan



11

Variance Approval Criteria

According to Chapter 12 of the Land Use Planning and Zoning Ordinance of the Town of Kiawah Island Code of Ordinances, Section 12-163. Variances (4) Approval Criteria, the Board of Zoning Appeals may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b) These conditions do not generally apply to other property in the vicinity;
- c) 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;
- d) 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;

12

Variance Approval Criteria

- e) 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;
- f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;
- g) The need for the variance shall not be the result of the applicant's own actions;
- h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;
- i) Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

13

Board of Zoning Appeals Action

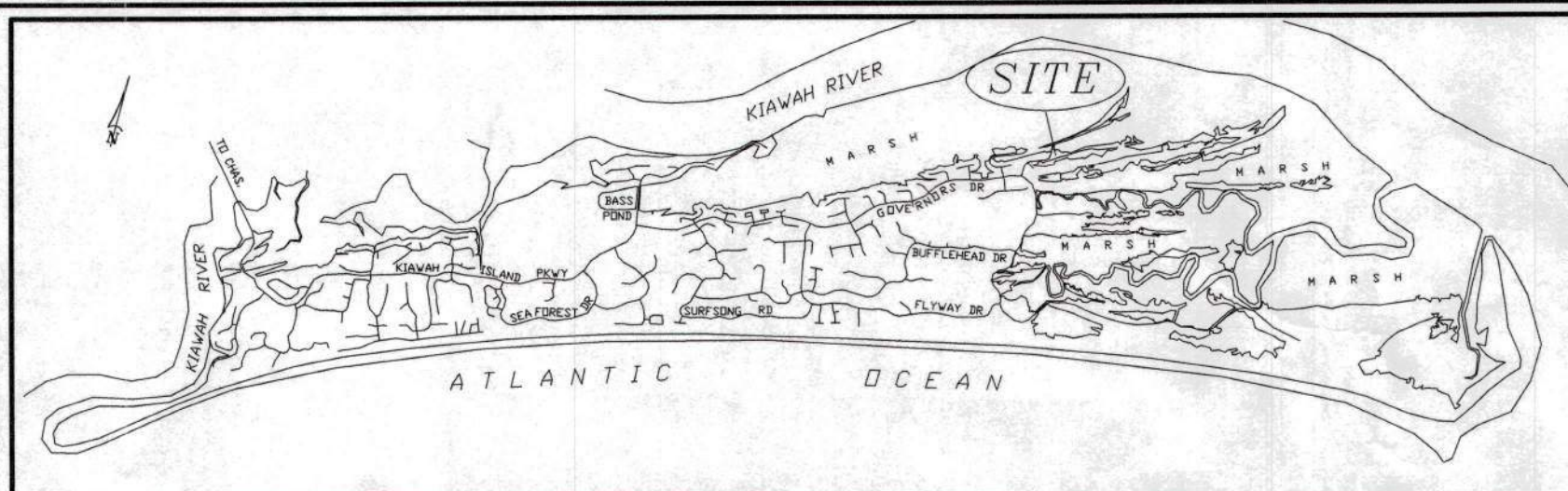
The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA25-000009 (Variance request for the reduction of the required 20' BCM critical line left side setback and required 15' right side setback by approximately 80 square feet for a proposed single-family home located at 14 Oyster Shell Rd, Kiawah Island, SC) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

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, structure, or use 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.

Should the Board of Zoning Appeals consider approval of this variance request, planning staff request the following conditions of approval:

1. The applicant shall submit a landscape plan to be approved by the Planning Director providing appropriate screening for all areas of encroachment prior to issuance of zoning permit and any site construction
2. The applicant shall obtain an as-built survey upon completion of construction to verify that all encroachments are consistent with the proposed plans.
3. The applicant shall ensure silt fencing is installed at the preservation zone adjacent to the Critical Line to ensure the preservation zone is not disturbed during construction.

14



VICINITY MAP
(NOT TO SCALE)

NOTE:

1. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
2. AREA DETERMINED BY COORDINATE (DMD) METHOD.
3. THE PUBLIC RECORDS REFERENCED ON THE PLAT ARE ONLY THOSE USED AND NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
4. BEARINGS ARE BASED ON SOUTH CAROLINA STATE PLANE GRID NAD83
5. PARCEL SHOWN IS ZONED R-1. ZONING SHOULD BE VERIFIED PRIOR TO ANY EARTHMOVING OR CONSTRUCTION.
6. AS PER FLOOD INSURANCE RATE MAP (FIRM) THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE-11 (BASE FLOOD ELEVATIONS DETERMINED) AND WITHIN THE LIMA AS SHOWN ON MAP NUMBER 45019C0668K, PANEL 668 OF 855 DATED JANUARY 29, 2021.
7. ANY FRESHWATER WETLAND BOUNDARIES OR DHEC-OCRM CRITICAL LINE SHOWN ON THIS SURVEY SHOULD NOT BE CONSIDERED AS A FINAL DEFINED LINE UNLESS THE APPROPRIATE AUTHORITY HAS CERTIFIED THEM ON THIS PLAT.
8. BUILDING SETBACK INFORMATION WAS TAKEN FROM RECORDED PLAT L18, PAGE 0245 AND SHOULD BE VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION ACTIVITIES.
9. BUFFER LINE, PRESERVATION ZONE AND UTILITY/ACCESS EASEMENT SHOWN WAS TAKEN FROM RECORDED PLAT L18, PAGE 0245 AND SHOULD BE VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION ACTIVITIES.

OWNER OF RECORD:
MULLEN JOHN CHRISTOPHER
MULLEN DEBORAH LONG
13118 DARBY CHASE DRIVE
CHARLOTTE NC 28277

PROPERTY ADDRESS:
14 OYSTER SHELL ROAD
KIAWAH ISLAND SC 29455

OWNER REFERENCES:
TMS# 265-01-00-023
PLAT BOOK L18 PAGE 0245
THE PRESERVE PHASE 1B, LOT 39

PLAT REFERENCES:
ED 402
L18 0245

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT (SCDHEC OCRM) PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF SCDHEC OCRM, SCDHEC OCRM IN NO WAY WAIVES THE RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREIN OR NOT.

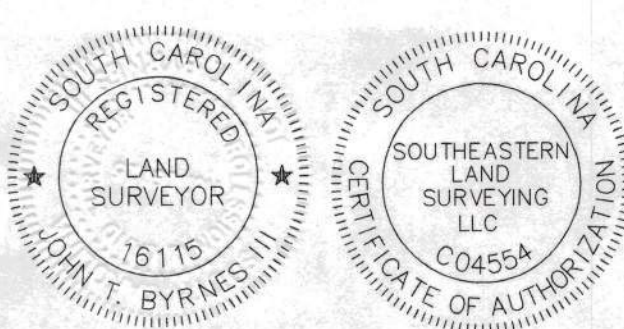
John T. Byrnes III
SIGNATURE DATE

The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

SURVEYORS CERTIFICATION:

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JOHN T. BYRNES III S.C.P.L.S. NO. 16115



LEGEND

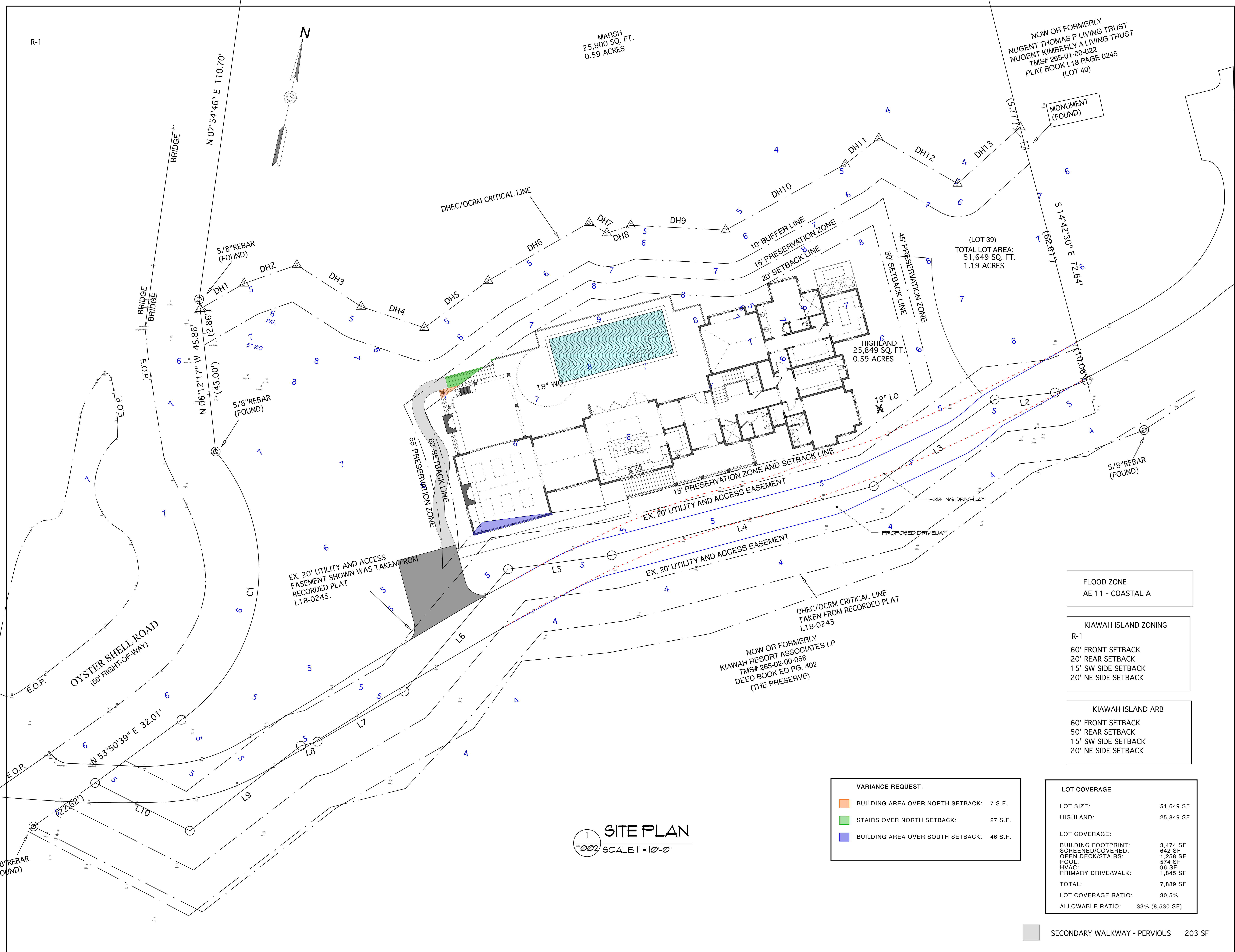
●	LOCATED CORNERS (AS DESCRIBED)
—	EXISTING PROPERTY LINE
- - -	EXISTING ADJOINER LINE
- · - · -	EXISTING EDGE OF PAVE
- - -	BUILDING SETBACK LINE
- · - · -	DHEC/OCRM CRITICAL LINE
- · - · -	EDGE OF PAVE

NO.	DATE	DESCRIPTION	BY

SOUTHEASTERN LAND SURVEYING LLC
1035-B JENKINS ROAD
CHARLESTON, SC 29407
(843) 795-9330

**A DHEC/OCRM CRITICAL LINE SURVEY OF
TMS# 265-01-00-023
14 OYSTER SHELL ROAD
LOCATED IN THE TOWN OF KIAWAH ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA**

DATE: JULY 25, 2022
DRAWN: K.KUZIO
CHECK: JB
CC: STEVE R.
JOB: 22184
DWG: 22184-TT
SHEET: 1 OF 1



1 SITE PLAN
 T002 SCALE: 1" = 10'-0"

VARIANCE REQUEST:

■ BUILDING AREA OVER NORTH SETBACK:	7 S.F.
■ STAIRS OVER NORTH SETBACK:	27 S.F.
■ BUILDING AREA OVER SOUTH SETBACK:	46 S.F.

LOT COVERAGE

LOT SIZE:	51,649 SF
HIGHLAND:	25,849 SF
LOT COVERAGE:	
BUILDING FOOTPRINT:	3,474 SF
SCREENED/COVERED:	642 SF
OPEN DECK/STAIRS:	1,258 SF
POOL:	574 SF
HVAC:	96 SF
PRIMARY DRIVE/WALK:	1,845 SF
TOTAL:	7,889 SF
LOT COVERAGE RATIO:	30.5%
ALLOWABLE RATIO:	33% (8,530 SF)

■ SECONDARY WALKWAY - PVIOUS 203 SF

FLOOD ZONE
 AE 11 - COASTAL A

KIAWAH ISLAND ZONING
 R-1
 60' FRONT SETBACK
 20' REAR SETBACK
 15' SW SIDE SETBACK
 20' NE SIDE SETBACK

KIAWAH ISLAND ARB
 60' FRONT SETBACK
 50' REAR SETBACK
 15' SW SIDE SETBACK
 20' NE SIDE SETBACK

NOW OR FORMERLY
 KIAWAH RESORT ASSOCIATES LP
 TMS# 265-02-00-058
 DEED BOOK ED PG. 402
 (THE PRESERVE)

(LOT 39)
 TOTAL LOT AREA:
 51,649 SQ. FT.
 1.19 ACRES

HIGHLAND
 25,849 SQ. FT.
 0.59 ACRES

MARSH
 25,800 SQ. FT.
 0.59 ACRES

NOW OR FORMERLY
 NUGENT THOMAS P LIVING TRUST
 NUGENT KIMBERLY A LIVING TRUST
 TMS# 265-01-00-022
 PLAT BOOK L18 PAGE 0245
 (LOT 40)



ISSUES/REVISIONS

DATE	DESCRIPTION	BY
12/1/23	SCHEMATICS	VJ
2/5/24	REVISIONS	VJ
9/24/24	REVISIONS	VJ
10/18/24	REVISIONS	JS
10/29/24	ARB CONCEPTUAL	JS/VJ
1/10/25	REVISIONS	JS
1/24/25	REVISIONS	JS
2/24/25	REVISIONS	JS
3/11/25	ARB PRELIM.	JS
3/24/25	REVISIONS	JS
4/7/25	REVISIONS	JOC

Broadus Residence
 14 Oyster Shell Road,
 Kiawah Island, South Carolina
SITE PLAN

DESIGNER

AMERICAN VERNACULAR
 151 Sheppard St.
 Charleston
 South Carolina
 29403
 843-856-4818
 www.americanvernacular.com

DRAWINGS AND THE DESIGN ARE THE PROPERTY OF THE DESIGNER. WHETHER THE PROJECT IS EXECUTED OR NOT, THE DRAWINGS SHALL NOT BE USED BY THE PROJECT OWNER OR ANYONE ELSE FOR ANY OTHER PROJECT. THESE DRAWINGS CANNOT BE CHANGED OR REPRODUCED WITHOUT WRITTEN CONSENT OF THE DESIGNER.

SCALE: 1" = 10' - 0"
 DATE: April 14, 2025

SITE PLAN
T002



April 4, 2025

Barry and Donna Broadus
24 Marsh Edge
Kiawah Island, SC 29455

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **PRELIMINARY REVIEW**
Construction Address: 14 Oyster Shell
ARB Action: Approved - Conditional

Dear Mr. and Mrs. Broadus,

Thank you for your submittal to the Kiawah Island Architectural Review Board (ARB) for Preliminary Review of your home at 14 Oyster Shell. The design of your home is approved to continue to the Final Submittal. As you move forward, please address the following comments and conditions in keeping with the guidelines:

- L1. Please reduce paving by shortening the garage area guest parking to be a back-out only.
- L2. Adjust grades to reduce impact around the home, in the front Preservation zone and in the shared driveway by considering lowering of the foundation walls and use of short retaining walls. Please increase the distance between the entry walk and shared driveway.
- L3. Please provide more information regarding the shared drive redevelopment, including cross-slope, tree removal, proposed materials, neighbor access, retaining-walls and elevations.
 - A1. The roof ridge heights of connecting areas Dining Room and Entry Foyer should be the same. Please lower the former and raise the latter.
 - A2. Roof height should be shown from TOKI BBHE.
 - A3. Please reduce foundation expression by bringing siding lower. Simplify foundation expression with the use of more substantial piers at the corners of individual elements and the elimination of intermediate piers where possible.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Review Process for your home.

Sincerely,

Jane Maybank, Director
On behalf of the KIARB

cc: Property file, ARB Members, Sean O'Brien Architect, Heyward Townsend
encl: Checklist



We are requesting a zoning variance to the 15' South side setback and the 20' North side setback on 14 Oyster Shell Road. Neither of these setbacks abut a buildable lot. The South side abuts a utility and access easement which is a shared driveway with 12 Oyster Shell Road. The North side is on the marsh. Due to the long and narrow building site, we are asking for a 1'-6" (at most) corner of a one story screened porch to extend past the 20' North side setback along with a 3'-6" (at most) encroachment for stairs to the back door and a 6" corner of the open deck. On the South side, we are asking for a 3'-2" (at most) encroachment over the 15' side setback for a one story element of the house. We have applied to the Kiawah Island ARB and have received their approval for the project and for the variance requests.

- a. There are several extraordinary and exceptional conditions on this lot.
 1. The size of the lot very narrow with the buildable width at 40'
 2. The shape of the lot is atypical with the frontage being significantly more narrow than the depth.
 3. There is an access easement that runs the entire depth of the property for access to 12 Oyster Shell Road that exacerbates the narrowness of the property.
- b. These conditions do not generally apply to other properties
 1. The setbacks are very different from other properties in the R1 zoning district. Typically the front and rear setbacks are 25' and the sides are 10'. On this lot, the front setback is 60', the rear setback is 50', the North side setback is 20', and the South side setback is 15'
- c. Because of these existing conditions, the application of the ordinance would unreasonably restrict the ability to improve the property.
 1. The application of the ordinance unreasonably restricts the utilization of the property due to the fact that the North side setback is 20' and the South side setback is 15' making the buildable area much more narrow than is typical.
 2. The area where we are requesting the variance is the most narrow with both setbacks converging and one jaggedly entering into the buildable area.
- d. The authorization of the variance would not be a detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by granting the variance.
 1. The authorization of the North side setback variance will not be of substantial detriment to an adjacent property because there is no adjacent property. The

American Vernacular, Inc.

151 Sheppard Street
Charleston, South Carolina 29403
julieoconnor@americanvernacular.com

843-856-4818



authorization of the South side setback will not be of substantial detriment to the adjacent property because it is not a buildable part of the lot and is simply a shared driveway.

2. The authorization of the variances will not be of substantial detriment to the public good and the character of the district will not be harmed as the house will not be visible from the south side and only visible when heading south on the Terrapin Island bridge.
- e. 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.
 1. The property will be used as a single family residence.
- f. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.
 1. Profitability is not a factor in this request.
- g. The need for the variance is not the result of the applicant's own actions, but is the result of the unusual shape of the lot when platted.
- h. Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, not interfere with the harmony, spirit, intent and purpose of these regulations.
- i. Granting this variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.
 1. This request is for 2 very small encroachments on side setbacks that do not abut other buildable properties.

American Vernacular, Inc.

151 Sheppard Street
Charleston, South Carolina 29403
julieoconnor@americanvernacular.com

843-856-4818

EXHIBIT A

ALL that certain piece, parcel, or lot of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 1.214 acres, more or less, known and designated as Lot Thirty Nine (39), in The Preserve, Phase 1B, Parcel 30, Subdivision 432 (a/k/a 14 Oyster Shell Road), and shown on a plat by Anderson & Associates Land Surveying and Planning, Inc., entitled, "PLAT SHOWING THE PROPERTY LINE ADJUSTMENT BETWEEN LOTS 39 AND 40, THE PRESERVE, PHASE 1B, PARCEL 30, TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA", dated November 16, 2017, recorded in Plat Book L18, at Page 0245, (the "Plat"), in the office of the Register of Mesne Conveyances for Charleston County, SC, (hereinafter the "R.M.C. Office", said lot having such locations, butts and bounds, metes, courses, and distances as will by reference to said plat more fully appear (the "Property").

TOGETHER WITH a non-exclusive, perpetual, permanent, assignable, transmissible and commercial easement over, upon, across and under the portion of Lot 40, in The Preserve, Phase 1B (a/k/a 12 Oyster Shell Road) and hereinafter sometimes referred to as "Lot 40"), which adjoins the Property, designated as "20' Utility and Access Easement" as shown on the Plat which is incorporated herein by reference; which said non-exclusive easement is for the construction, use and maintenance of a common driveway to be utilized jointly by the Grantee and the owner(s) of adjoining Lot 40, and is for pedestrian and vehicular access, ingress and egress to and from the Property and Oyster Shell Road. The easement herein granted shall be for the use and benefit of the Grantee, their guests and invitees, successors, successors-in-title and assigns, shall be and is hereby deemed to be integral to, inhering in and essential for the Grantee's commercial purposes in connection with the Property and shall run with the title to the Property.

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property.

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property located at 14 Oyster Shell Road, Kiawah Island, SC 29455 bearing Charleston County Tax Map Number 265-01-00-023, was transferred by **John Christopher Mullen and Deborah Long Mullen** to **Barry Michael Broadus** on August 19, 2022.
3. Check one of the following: The deed is
 - (a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) _____ exempt from the deed recording fee because (See Information section of affidavit): _____ (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
 - (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$615,000.00
 - (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.

5. Check YES ___ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: 615,000.00
 - (b) Place the amount listed in item 5 above here: \$0
(If no amount is listed, place zero here.)
 - (c) Subtract line 6(b) from Line 6(a) and place result here: 615,000.00

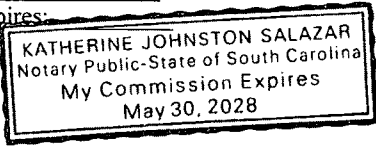
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as : Legal Representative

8. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Legal Representative
BUIST BYARS & TAYLOR, LLC

Sworn to before me this 19th day
of August, 2022.

Notary Public for
My Commission Expires:



Original Page:

[Redacted]

[Redacted]

PID VERIFIED BY ASSESSOR

REPJBA

DATE 1/04/2022

