



**TOWN OF BLUFFTON
BOARD OF ZONING APPEALS APPLICATION**

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Attachment 1

Applicant		Property Owner	
Name: DANIEL KEEFER		Name: ED GOEAS / ERB ENTERPRISES LLC	
Phone: 843-757-7411		Phone: 703-684-6688	
Mailing Address: 5469 MISTLETOE LOOP BLUFFTON, SC 29910		Mailing Address: 201 N. UNION STREET, STE 410 ALEXANDRIA, VA 22314	
E-mail: DAN@WJKLTD.COM		E-mail: EGOEAS@TARRANCE.COM	
Town Business License # (if applicable):			
Project Information			
Project Name: MAGNOLIA SQUARE	<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Special Exception	
Project Location: 1203 MAY RIVER ROAD	<input type="checkbox"/> Administrative Appeal		
Zoning District: NEIGHBORHOOD CORE	Acreage:		
Tax Map Number(s):			
Project Description: PROPERTY OWNER PROPOSES 2 COMMERCIAL RETAIL BUILDINGS AND ASSOCIATED PARKING, LANDSCAPE AND STORMWATER MANAGEMENT			
Request: VARIANCE FROM 50' LANDSCAPE BUFFER (UDO 5.3.7.B.2.B)			
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Two (2) paper copies and digital files of applicable plans and/or documents depicting the subject property.			
<input checked="" type="checkbox"/> 2. Recorded deed and plat showing proof of property ownership.			
<input checked="" type="checkbox"/> 3. Project Narrative describing reason for application and compliance with the criteria in Article 3 of the UDO.			
<input checked="" type="checkbox"/> 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: <i>Ed Goetas</i>		Date: <i>6/29/2023</i>	
Applicant Signature: <i>Daniel P. Keefer</i>		Date: 6/29/2023	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



BOARD OF ZONING APPEALS NARRATIVE

1203 May River Road
Bluffton, SC 29910

DATE: June 27, 2023

The applicant ERB Enterprises, LLC requests a zoning variance for 1203 May River Road / Tax ID# R610 039 000 0114 0000, from Section 5.3.7.B.2b of the Unified Development Ordinance, to allow encroachment into the 50-foot vegetative buffer along SC HWY 46 (May River Road). The proposed lot is a small commercial lot which allows a 10' front setback. Due to site constraints, the applicant proposes a reduction of the buffer from 50' to 15'.

- *A 15' buffer is consistent with the neighboring property to the west (1195 May River Road). 1195 May River Road has an approved buffer reduction from 50' to 14'.*
- *The 15' setback / buffer is consistent with the adjacent properties to the South (Stock Farm) and to the east within the Historic District.*
- *The scale and location of the proposed buildings are consistent with the existing and intended character of the Neighborhood Core zoning district and the Old Town Bluffton Historic District.*

The following is the supporting documentation from Article 3 of the UDO.

1. Section 3.7.3.A. The application must comply with applicable requirements in the Applications Manual.

Applicant Response:

The application has been submitted to Town Staff, per requirements of the Applications Manual.

2. Section 3.7.3.B.1. Unnecessary Hardship. A Variance from a dimensional or design standard may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship upon a finding that all of the following standards are met.

A. Section 3.7.3.B.1.a. There are extraordinary and exceptional conditions pertaining to the particular piece of property

Applicant Response:

The lot is $\pm 150'$ in depth. When the 50' required buffer is applied along with the required parking lot, walkways from the building, and the rear parking setback, there is $\pm 20'$ of buildable space that is not suitable for commercial development consistent with the May River Road Corridor.

B. Section 3.7.3.B.1.b. These conditions do not generally apply to other property in the vicinity, particularly those in the same zoning district.

Applicant Response:

Variance A – The 50' buffer requirement starts with the applicant's property; the properties to the East fall within the Town of Bluffton Historic District, which allows a 10' front setback. The property to the West received a variance to allow a 14' buffer/setback. The properties to the South (Stock Farm) have setbacks that encourage building on the street and minimal setbacks consistent with the proposed 15'.

C. Section 3.7.3.B.1.c. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property in a manner consistent with others in the zoning district.

Applicant Response:

With the 50' buffer the maximum building depth is limited to $\pm 20'$. Based on this minimal development area, any type of commercial development is restricted.

D. Section 3.7.3.B.1.d. The need for the Variance is not the result of the Applicant's own actions.

Applicant Response:

The current zoning was in place when the applicant purchased the property and is not a result of the applicant's actions.

E. Section 3.7.3.B.1.e. The authorization of a Variance does not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance.

Applicant Response:

Per the Town of Bluffton: 'The Neighborhood Core zoning district is purposed to have moderate–intensity, mixed-use development and the Future Land Use Map envisions this area for Mixed-Use which describes future uses in the following manner: A variety of complementing and integrated uses such as, but not limited to: residential, offices, light/unobtrusive/small scale manufacturing and assembly, retail, public use/facilities, or entertainment in a compact urban form.'

The requested variance does not create a substantial departure from the goals and purposes of the Zoning District or Comprehensive Plan because the proposed density and uses are like what is described above.

F. Section 3.7.3.B.1.f. The authorization of a Variance will not result in a substantial detriment to adjacent property or the public good, and the character of the District will not be harmed by the granting of the Variance.

Applicant Response:

The proposed plan will be consistent with the Stock Farm neighborhood to the South, directly adjacent property to the West, and proposed plan for the Historic District to the East.

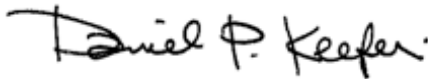
G. Section 3.7.3.B.1.g. The reason for the Variance is more than simply for convenience or to allow the property to be utilized more profitably.

Applicant Response:

The property will be limited in development by only allowing a 20' building depth.

Please feel free to contact our office if you need additional information or have questions.

Sincerely,

A handwritten signature in black ink that reads "Daniel P. Keefer". The signature is written in a cursive style with a horizontal line extending from the left side of the first name.

Dan Keefer
843-757-7411
Dan@wjkltld.com