

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

BEFORE THE BOARD OF ZONING APPEALS
- ZONING OF THE CITY OF CHARLESTON
NOTICE OF A CONDITIONAL APPROVAL
"0" LONGITUDE LANE
(TMS # 458-13-01-057)

WHEREAS, on May 16, 2000, the City of Charleston Board of Zoning Appeals - Zoning, pursuant to Section 54-501 of the City of Charleston Zoning Ordinance, approved, with conditions, an application from Seventeen Tradd Associates, LLC, to allow the conversion of a portion of an existing garage structure located at 0 Longitude Lane into a guest bedroom;

WHEREAS, on February 14, 2003, Seventeen Tradd Associates, LLC conveyed 0 Longitude Lane and 17 Tradd Street to Barbara S. McDuffie and H. Thomas McDuffie, Jr. without notice of the zoning conditions;

WHEREAS, on May 19, 2008, Barbara S. McDuffie and H. Thomas McDuffie, Jr. conveyed 0 Longitude Lane and 17 Tradd Street to Richard Keigher and Anne P. Keigher (the "Keighers") without notice of the zoning conditions;

WHEREAS, the Keighers submitted plans to modify and alter a portion of the garage structure at 0 Longitude Lane and were only then made aware of the zoning conditions;

WHEREAS, the Keighers made application to the Board of Zoning Appeals to allow for the conversion of the garage space to a conditioned studio room and to add a skylight, vegetative roof, and realign the garage door wall (the "Studio Construction");

WHEREAS, the Keighers, represented by their architect and counsel, appeared before the Board of Zoning Appeals - Zoning on June 1, 2010, which, after a duly advertised public hearing, approved the Studio Construction and provided that the May 16, 2000, zoning conditions as modified to permit the Studio Construction be placed of record in the Charleston County RMC Office.

NOW IT BE REMEMBERED THAT, the zoning conditions as heretofore approved on May 16, 2000 were modified by the Board of Zoning Appeals - Zoning of the City of Charleston at its meeting on June 1, 2010 to allow for the Studio Construction, as follows:

1. **Use:** Use of the garage building ~~shall continue to provide two car enclosed parking spaces for 17 Tradd Street.~~ It may incorporate in the existing garage structure one guest bedroom and one bathroom, and one conditioned studio room. These additions shall be used only in conjunction with the main residence at 17 Tradd Street. There will be no kitchen facilities in the garage rooms. The building shall not be separately rented. The bedrooms shall be used only by persons who are either guests, family members, or employed household servants of the occupants of 17 Tradd Street.
2. **Exterior:** The exterior wall adjacent to 15 Tradd Street shall not have windows or be penetrated in any manner by HVAC or plumbing lines. The height and roof of the garage

building shall remain as it is on this date, except that a skylight not exceeding the height of the parapet and the addition of a vegetative roof, as shown on the plans prepared by Thompson Young Design, may be added to the roof. Garage Doors: The garage doors on 0 Longitude Lane shall be hinged and shall not be overhead electric doors but shall be electric doors. The garage doors shall be inset into the garage building to allow automobile parking and maneuverability in the driveway adjacent to Longitude Lane for two cars.

3. **Historic Preservation Easement:** An exterior preservation easement for 0 Longitude Lane shall be granted to the Historic Charleston Foundation upon the completion of the improvements which shall require that 17 Tradd Street and 0 Longitude Lane shall remain under common ownership.
4. (a) The red brick garden wall between the residence on 15 Tradd Street which is the wall separating 15 and 17 Tradd Street shall remain undisturbed from residence to Tradd Street.
(b) The parties agree that the owners of 15 Tradd Street shall have a maintenance easement on 17 Tradd Street to maintain the residence on 15 Tradd Street.
5. **HVAC Noise Control:** The outside condensers for the garage HVAC system shall be located at a point as far remote from the residence of 15 Tradd Street as may be technically practical so as to lessen and control the impact of noise upon the occupants of 15 Tradd Street bedroom window. The condenser shall be located on the roof of the garage at the southwest corner and shall be screened from view from 15 Tradd Street.
6. **BOZA Conditional Approval:** This compromise settlement shall be included and be made part of the conditions for the granting of the approval of your application by the Board of Zoning Appeals and where practical be incorporated as part of the easement document which your client intends to grant to the Historic Charleston Foundation.
7. Frances Hanahan shall not appeal the approval of the application regarding 0 Longitude Lane.
8. The conditions on which the Board of Zoning Appeals - Zoning as modified by its decision on June 1, 2010 shall be placed of public record in the Charleston County RMC Office.

[Remainder of page left blank, intentionally. Signature page to follow.]

IN WITNESS WHEREOF, by direction of the Board of Zoning Appeals - Zoning of The City of Charleston on this 22nd day of June, 2010, has caused these presents to be signed by Lee Batchelder, its Zoning Administrator and submitted for recording in the Charleston County RMC Office.

**CITY OF CHARLESTON BOARD OF
ZONING APPEALS - ZONING**

Bruce A Kettner
Vincent J Wright

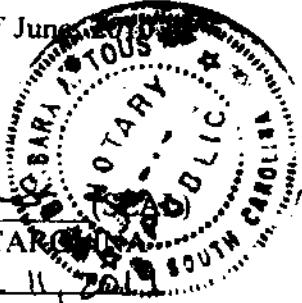
STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

By: Lee C. Batchelder
Lee Batchelder, Zoning Administrator

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 22nd day of June, 2010,
Lee Batchelder, Zoning Administrator for The City of Charleston.

Bruce B. Mullins
NOTARY PUBLIC FOR SOUTH CAROLINA
My commission expires: June 11, 2011



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