

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING: ZONING MAP AMENDMENTS Tuesday, December 11, 2018 at 6:30 PM

Charleston County Council will hold a public hearing on Tuesday, December 11, 2018 at 6:30 pm in County Council Chambers (located on the second floor of Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, North Charleston, SC 29405) on the following Zoning Map Amendment requests:

ZREZ-09-18-00088: Request to rezone properties located at 2068 Bohicket Road, Johns Island, (TMS: 277-00-00-016, -017, -019, -020 and -049) from the Planned Development Zoning District (PD-134, Hoopstick Island) to the Planned Development Zoning District (PD-135, Hoopstick Island) to allow for a farm-based recreational and social club consisting of a working farm, walking and running trails, small cabins, wellness center, and members' lodge. (Total property size: 144.25 acres).

WITHDRAWN

ZREZ-09-18-00089: Request to rezone property located at 1384 Orleans Road, West Ashley, (TMS: 351-06-00-038) from the Single-Family Residential 4 Zoning District (R-4) to the Residential Office Zoning District (OR). (Property size: 0.11 acres).

ZREZ-09-18-00090: Request to rezone property located at 1360 Florence Lane, West Ashley, (TMS: 351-06-00-231) from the Single-Family Residential 4 Zoning District (R-4) to the Residential Office Zoning District (OR). (Property size: 0.24 acres).

More information may be obtained on-line at the Charleston County Web Site (www.charlestoncounty.org) or by contacting the Charleston County Planning Department at (843) 202-7200. This Public Notice is in accordance with Section 6-29-760 of the Code of Laws of South Carolina.

Kristen L. Salisbury
Clerk of Council

**ZONING MAP AMENDMENT
REQUESTS ZREZ-09-18-00089
and ZREZ-09-18-00090**

**ZONING MAP AMENDMENT REQUESTS:
ZREZ-09-18-00089, and
ZREZ-09-18-00090 CASE HISTORY**

Public Hearing: December 11, 2018
Planning and Public Works Committee: December 20, 2018
First Reading: January 8, 2019
Second Reading: January 22, 2019
Third Reading: February 12, 2019

CASE INFORMATION:

Location: 1384 Orleans Road and 1360 Florence Lane (St Andrews)

Parcel Identification: 351-06-00-038 and 351-06-00-231

Property Size:

The total combined size of the properties requested to be rezoned is 0.35 acres, with TMS 351-06-00-038 being 0.11 acres in size, and TMS 351-06-00-231 being 0.24 acres in size.

Council District: 7

Zoning Map Amendment Requests:

The applicant is requesting to rezone both properties from the Single Family Residential (R-4) Zoning District to the Residential Office (OR) Zoning District. Both properties contain single-family residences.

History:

Prior to these requests, no Zoning Map Amendment Requests have been submitted.

Adjacent Zoning:

With regard to 1384 Orleans Road, TMS 351-06-00-038, all adjacent and adjoining properties are in the County, are zoned either R-4 or Mixed Style Residential 12 (M-12), and contain either single-family dwellings or multifamily dwellings.

With regard to 1360 Florence Lane, TMS 351-06-00-231, properties to the north, east, south and west are in the County, are zoned either R-4 or M-12, and contain either single-family dwellings or multifamily dwellings. Properties to the southeast are in the City of Charleston are zoned, Single Family Residential (SR-2) and contain single-family dwellings.

Municipalities Notified/Responses: The City of Charleston, Town of James Island, Town of Kiawah Island, and City of North Charleston were notified of these requests and have not responded.

Public Input: Correspondence received is included in the packet.

STAFF RECOMMENDATION:

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

- A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;**

Staff response: The Charleston County Comprehensive Plan (the Plan) recommends

Urban/Suburban Mixed Use future land use for the subject properties. This future land use is designated to “encourage compatible mixed use development and a general land use pattern that includes a variety of housing types, retail, service, employment, civic and compatible industrial uses, as well as public and open spaces, and linkages to public transit in a walkable environment.”

The request to rezone the properties to the Residential Office (OR) Zoning District is not consistent with the Plan’s recommendations for this area, as it would allow the intrusion of commercial uses into a residential area.

B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff response: The requested OR Zoning District is not compatible with the existing R-4 Zoning District of most of the surrounding parcels, as the OR Zoning District allows for smaller lot sizes and higher maximum building cover than the surrounding R-4 parcels. The OR Zoning District also allows for commercial uses that may not be compatible with the surrounding single-family dwellings.

Further to the above, it is noted that development that may occur as a result of these zoning changes will be required to comply with all applicable regulations of the ZLDR.

C. The proposed amendment corrects a zoning map error or inconsistency;

Staff response: The proposed amendments do not correct a zoning map error or inconsistency.

D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

Staff response: The proposed amendments do not address events, trends, or facts that have significantly changed the character or condition of this area.

Because the zoning map amendment requests do not meet one or more of the above stated criteria, staff recommends disapproval.

PLANNING COMMISSION MEETING: NOVEMBER 5, 2018

Recommendation: ZREZ-09-18-00089, Disapproval (Vote: 7-0, with 2 absent).
ZREZ-09-18-00090, Disapproval (Vote: 7-0, with 2 absent).

Speakers: 1 person spoke in support of the applications and no one spoke in opposition to the applications.

Notifications:

178 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the St Andrews Interested Parties List on October 19, 2018. Additionally, this request was noticed in the *Post & Courier* on October 19, 2018.

PUBLIC HEARING: DECEMBER 11, 2018

Notifications:

178 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the St Andrews Interested Parties List on December 11, 2018. Additionally, this request was noticed in the *Post & Courier* on November 21, 2018, and a notification sign was posted on the properties on November 21, 2018.

A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a semi-transparent blue rectangle containing the title text. The text is in a bold, white, sans-serif font. The map shows the coastline and several inland areas, with different colors representing different zoning districts.

Charleston County Zoning Map Amendment Requests

Public Hearing – December 11, 2018

Planning and Public Works Committee – December 20, 2018

ZREZ-09-18-00089 and ZREZ-09-18-00090

- St. Andrews: 1384 Orleans Road and 1360 Florence Lane
- Parcel I.D.: 351-06-00-038 and 351-06-00-231
- Request to rezone 1384 Orleans Road and 1360 Florence Lane from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District
- Owners: Joseph M. Cleveland and Crystal J. Cleveland
406 Cave Spring Road, Rome GA 30161
- Applicant: Bradford Hincer
900 N. Main Street, Summerville SC 29483
- Acreage: 0.11 acres (TMS 351-06-00-038) Total Property
0.24 acres (TMS 351-06-00-231) Size: 0.35 acres
- Council District: 7

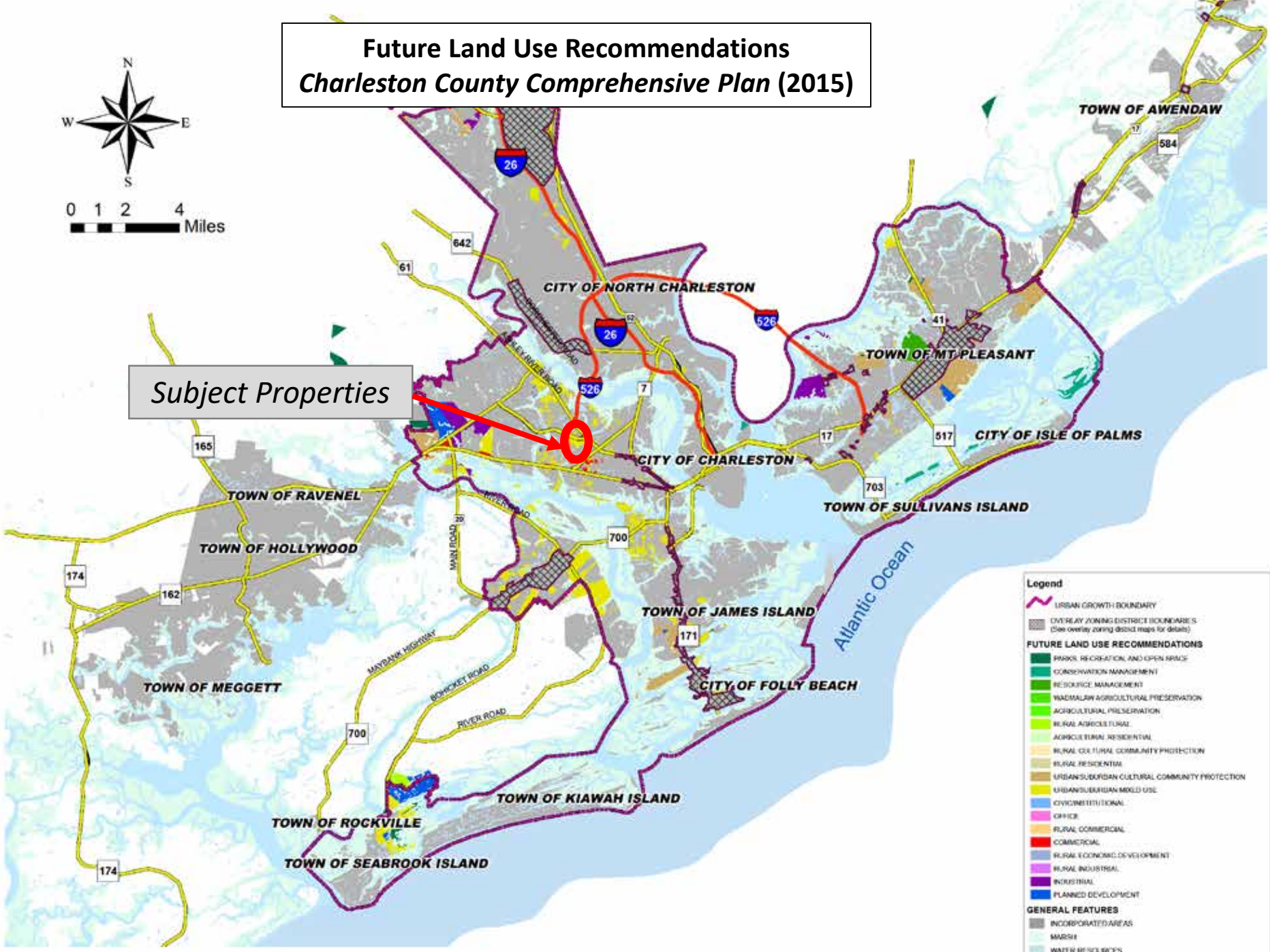
Zoning History

Prior to these requests, no Zoning Map Amendment Requests have been submitted.

Future Land Use Recommendations Charleston County Comprehensive Plan (2015)



Subject Properties



Legend

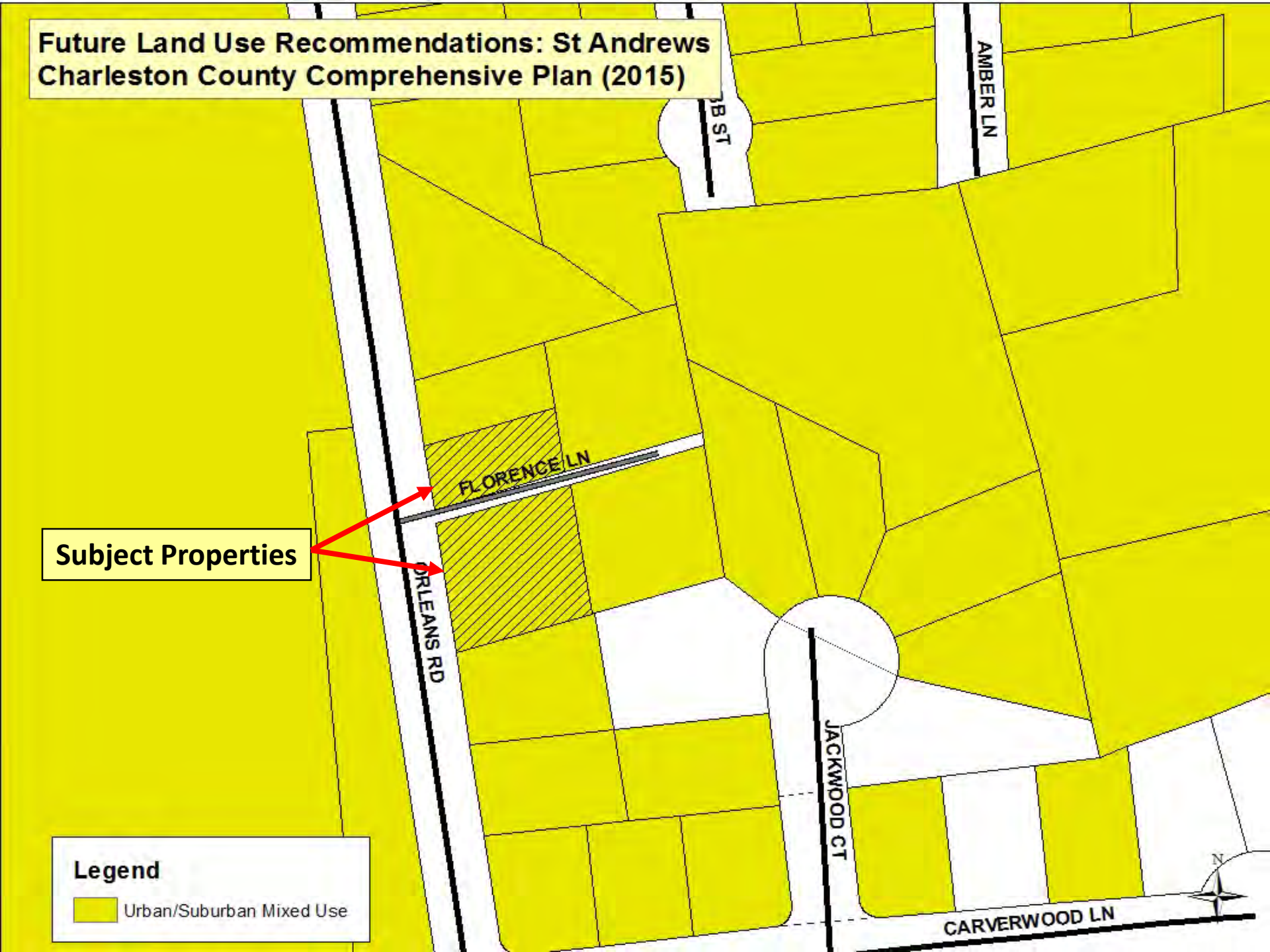
- URBAN GROWTH BOUNDARY
- OVERLAY ZONING DISTRICT BOUNDARIES (See overlay zoning district maps for details)
- FUTURE LAND USE RECOMMENDATIONS**
- PRIORITY RECREATION AND OPEN SPACE
- CONSERVATION MANAGEMENT
- RESOURCE MANAGEMENT
- WADSWORTH AGRICULTURAL PRESERVATION
- AGRICULTURAL PRESERVATION
- RURAL AGRICULTURAL
- AGRICULTURAL RESIDENTIAL
- RURAL CULTURAL COMMUNITY PROTECTION
- RURAL RESIDENTIAL
- URBAN SUBURBAN CULTURAL COMMUNITY PROTECTION
- URBAN SUBURBAN MIXED USE
- CIVIC/INSTITUTIONAL
- OFFICE
- RURAL COMMERCIAL
- COMMERCIAL
- RURAL ECONOMIC DEVELOPMENT
- RURAL INDUSTRIAL
- INDUSTRIAL
- PLANNED DEVELOPMENT
- GENERAL FEATURES**
- INCORPORATED AREAS
- MARSH
- WATER RESOURCES

**Future Land Use Recommendations: St Andrews
Charleston County Comprehensive Plan (2015)**

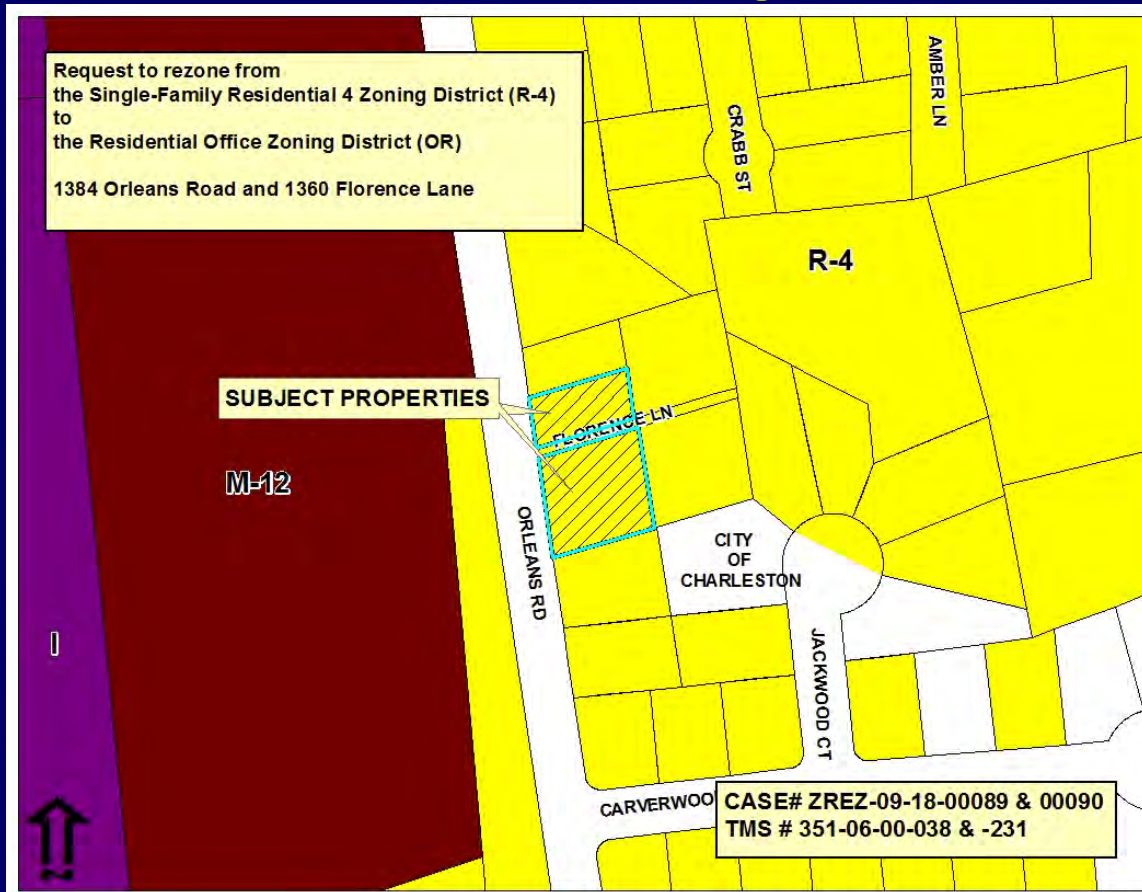
Subject Properties

Legend

Urban/Suburban Mixed Use



Area Description



With regard to 1384 Orleans Road, TMS 351-06-00-038, all adjacent and adjoining properties in the County, are zoned either R-4 or Mixed Style Residential 12 (M-12), and contain either single-family dwellings or multifamily dwellings.

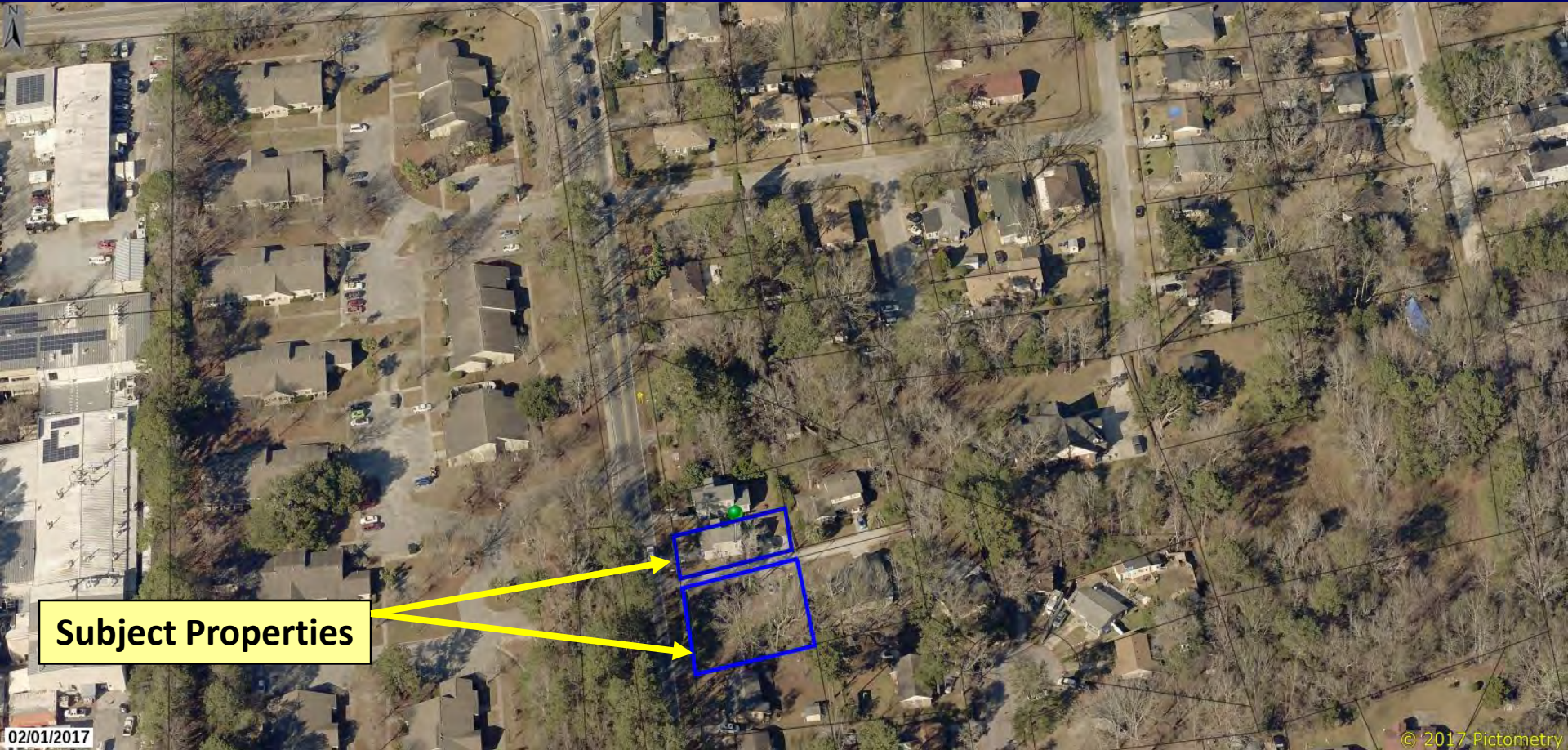
With regard to 1360 Florence Lane, TMS 351-06-00-231, properties to the north, east, south and west are in the County, are zoned either R-4 or M-12, and contain either single-family dwellings or multifamily dwellings. Properties to the southeast are in the City of Charleston are zoned, Single Family Residential (SR-2) and contain single-family dwellings.

Aerial View to the South



Subject Properties

Aerial View to the North



Subject Properties

02/01/2017

© 2017 Pictometry

ZREZ-09-18-00089 and ZREZ-09-18-00090



**1 – Subject property
1384 Orleans Road**

**2 – Subject property
1360 Florence Lane**



ZREZ-09-18-00089 and ZREZ-09-18-00090



**5 – Adjacent property
On Florence Lane**

**6 – Adjacent Property
Orleans Road**



Typical Allowed Uses

Single Family Residential 4 (R-4)

- Density: 4 units/acre
- Single-Family Detached
- Duplex
- School, Primary and Secondary
- Historical sites
- Libraries or archives
- Museums
- Community recreation
- Catering service
- Sweetgrass basket stand
- Limited Home Rental
- Extended Home Rental (by Special Exception only)

Residential Office (OR)

- Density: 4 units/acre
- Family Day Care Home
- School, Primary and Secondary
- Medical Office or Outpatient Clinic
- Historical Sites
- Libraries or Archives
- Museums
- Community Recreation
- Business, Professional, Labor, or Political Organizations
- Commercial Guest House

Approval Criteria—Section 3.4.6

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;

Staff response: The Charleston County Comprehensive Plan (the Plan) recommends Urban/Suburban Mixed Use future land use for the subject properties. This future land use is designated to “encourage compatible mixed use development and a general land use pattern that includes a variety of housing types, retail, service, employment, civic and compatible industrial uses, as well as public and open spaces, and linkages to public transit in a walkable environment.”

The request to rezone the properties to the Residential Office (OR) Zoning District is not consistent with the Plan’s recommendations for this area, as it would allow the intrusion of commercial uses into a residential area.

Approval Criteria—Section 3.4.6 (cont'd)

- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;**

Staff response: The requested OR Zoning District is not compatible with the existing R-4 Zoning District of most of the surrounding parcels, as the OR Zoning District allows for smaller lot sizes and higher maximum building cover than the surrounding R-4 parcels. The OR Zoning District also allows for commercial uses that may not be compatible with the surrounding single-family dwellings.

Further to the above, it is noted that development that may occur as a result of these zoning changes will be required to comply with all applicable regulations of the ZLDR.

- C. The proposed amendment corrects a zoning map error or inconsistency;**

Staff response: The proposed amendments do not correct a zoning map error or inconsistency.

- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.**

Staff response: The proposed amendments do not address events, trends, or facts that have significantly changed the character or condition of this area.

Recommendation

The zoning map amendment requests do not meet one or more of the above stated criteria.

STAFF RECOMMENDATION:

Disapproval

PLANNING COMMISSION RECOMMENDATION:

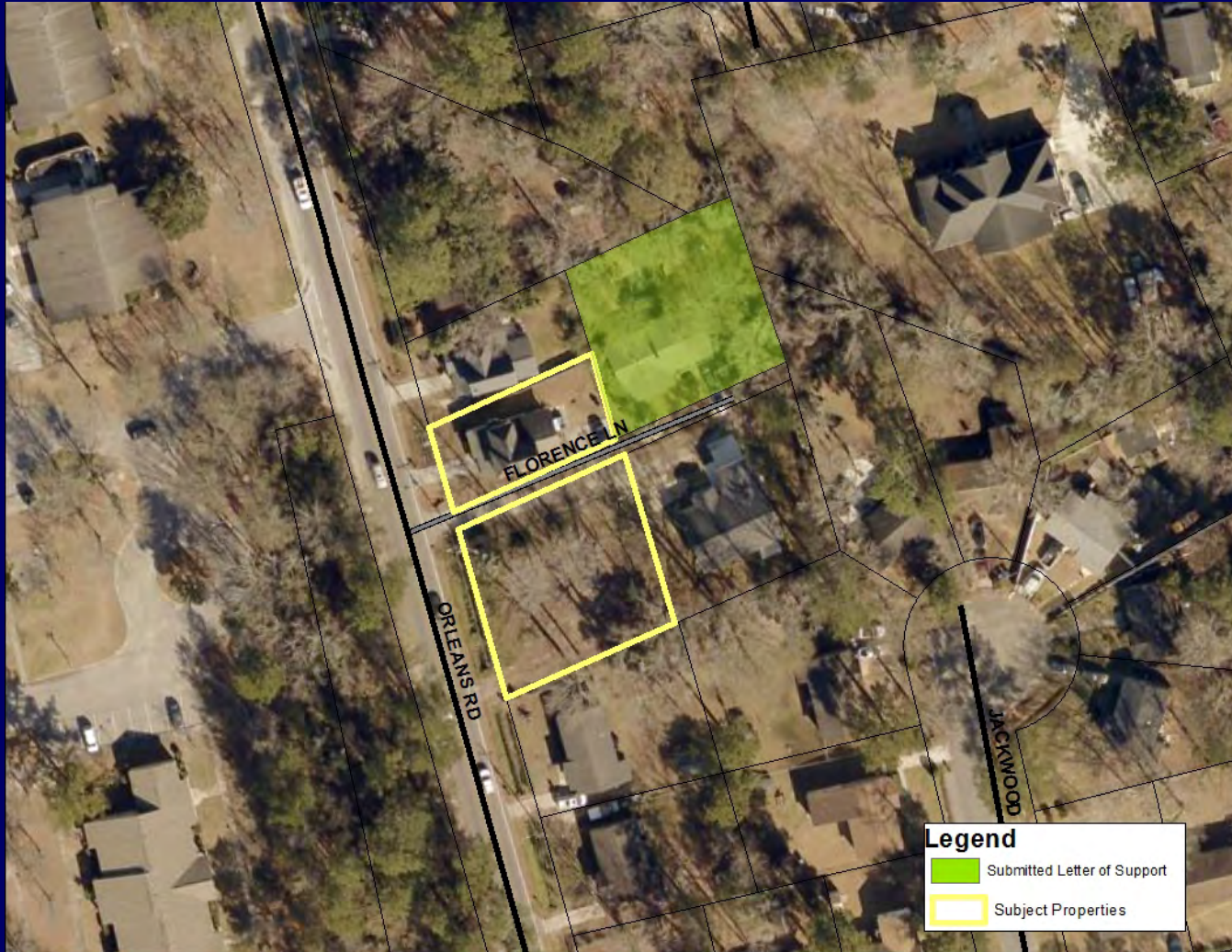
Disapproval (Vote, 7-0, with 2 absent)

Notifications

- October 19, 2018
 - 178 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the St. Andrews Interested Parties List.
 - Request was advertised in the *Post & Courier*.
- November 21, 2018
 - 178 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the St. Andrews Interested Parties List.
 - Request was advertised in the *Post & Courier*.
 - Notification sign posted on the properties.

Public Input

- One letter in support of the Zoning Map Amendments has been received.



A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a grid of colored rectangles representing different zoning types. The colors include shades of blue, green, yellow, orange, and red. The text is overlaid on the map.

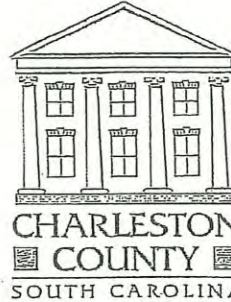
Charleston County Zoning Map Amendment Requests

Public Hearing – December 11, 2018

Planning and Public Works Committee – December 20, 2018

ZONING CHANGE APPLICATION

CASE ZREZ-09-18-00089 PD _____



Zoning/Planning Department
 Lonnie Hamilton, III
 Public Services Building
 4045 Bridge View Drive
 North Charleston, SC 29405
 (843) 202-7200
 1-800-524-7832
 Fax: (843) 202-7222

PROPERTY INFORMATION

CURRENT DISTRICT R4 REQUESTED DISTRICT OR
 PARCEL ID(S) 351-06-00-038
 CITY/AREA OF COUNTY Charleston / St. Andrews District
 STREET ADDRESS 1384 Orleans Road, Charleston, SC 29407 ACRES 0.11
 DEED RECORDED: BOOK 0222 PAGE 637 DATE 12/14/2011
 PLAT RECORDED: BOOK L-85 PAGE 54 DATE 04/22/1966 APPROVAL # 18655 included, 07/20/2001
 (for subsequent plat)

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT Brauford Hischer HOME PHONE _____
 MAIL ADDRESS Carolin One Real Estate WORK PHONE _____
 CITY, STATE, ZIP 900 N. Main Street CELL PHONE (843) 291-2929
Summerville, SC 29483 EMAIL brauf.hischer@carolinone.com
OWNER Joseph M. Cleveland HOME PHONE _____
 (IF OTHER THAN APPLICANT) MAIL ADDRESS 406 Cave Spring Road WORK PHONE _____
 CITY, STATE, ZIP Rome, GA 30161 CELL PHONE (843) 452-2626
 EMAIL citadelnumber2@gmail.com
REPRESENTATIVE [Same As Applicant] HOME PHONE _____
 (IF OTHER THAN APPLICANT) MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
- ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- ✓ Copy of Signed Restricted Covenants Affidavit
- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Brauford Hischer is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

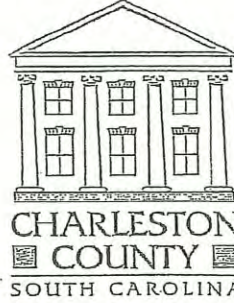
Signature of Owner(s) [Signature] Date 09/19/2018 10:35 PM EDT
 Signature of Applicant/ Representative (if other than owner) [Signature] Date 20 Sept, 2018
 Planner's Signature [Signature] Date 9/21/18
 Zoning Inspector's Signature _____ Date _____

OFFICE USE ONLY

Amount Received \$151.10 Cash ? Check? # 15099 Invoice Number TRC-140209-21-09-18

ZONING CHANGE APPLICATION

CASE 2REZ-09-18-00690 PD _____



Zoning/Planning Department
 Lonnie Hamilton, III
 Public Services Building
 4045 Bridge View Drive
 North Charleston, SC 29405
 (843) 202-7200
 1-800-524-7832
 Fax: (843) 202-7222

PROPERTY INFORMATION

CURRENT DISTRICT R4 REQUESTED DISTRICT OR
 PARCEL ID(S) 351-06-00-231
 CITY/AREA OF COUNTY Charleston/St. Andrews District
 STREET ADDRESS 1360 Florence Lane, Charleston, SC 29407 ACRES _____
 DEED RECORDED: BOOK 0615 PAGE 940 DATE 02/09/2017
 PLAT RECORDED: BOOK DC PAGE 852 DATE 07/20/2001 APPROVAL # 18655

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT Bradford Hischer HOME PHONE _____
 MAIL ADDRESS Carolina One Real Estate WORK PHONE _____
 CITY, STATE, ZIP 900 N. Main Street CELL PHONE (843) 291-2929
Summerville, SC 29483 EMAIL brad.hischer@carolinaone.com
OWNER Crystal J. Cleveland, Joseph M. Cleveland (JTROS) HOME PHONE _____
 (IF OTHER THAN APPLICANT) MAIL ADDRESS 406 Lake Spring Road WORK PHONE - Crystal: (317) 417-4294
 CITY, STATE, ZIP Rome, GA 30161 CELL PHONE - Joseph: (843) 452-2626
 EMAIL - Crystal: crystalj.cleveland@gmail.com
Email - Joseph: citadelnumber2@gmail.com
REPRESENTATIVE [Same as Applicant] HOME PHONE _____
 (IF OTHER THAN APPLICANT) MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

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- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Bradford Hischer is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

Crystal J Cleveland 09/19/2018 10:35 PM EDT
 Signature of Owner(s)
Sorab
 Planner's Signature

JTROS 9/21/18
 Date

09/19/2018 10:35 PM EDT
[Signature] 20 Sept 2018
 Signature of Applicant/ Representative (if other than owner)
 Zoning Inspector's Signature
 Date

OFFICE USE ONLY

Amount Received \$152.40 Cash ? Check? # 15100 Invoice Number TRC-140280-21-09-2018

Public Input

Riley A. Sauls
1380 Florence Lane
Charleston, SC 29407
rilevasauls@gmail.com
(843) 906-5364

September 26, 2018

Charleston County Council
Zoning & Planning
Planning & Public Works
4045 Bridgeview Dr.
N. Charleston, SC 29405

Re: Rezoning – 1384 Orleans Road & 1360 Florence Lane

To Whom It May Concern:

I am the owner of record for the property located at 1380 Florence Lane, Charleston, South Carolina.


I have been made aware of Joseph & Crystal Cleveland's request to the County to change the zoning of their properties, located at 1360 Florence Lane and 1384 Orleans Road, from residential to the commercial category of office residential. Mr. and Mrs. Cleveland's properties are in very close proximity to my property.

I am submitting this letter to express full and complete support for Mr. and Mrs. Cleveland's requests to rezone their properties, and I encourage approval of these applications.

Our little street has been greatly enhanced by the STR community that Mr. and Mrs. Cleveland have carefully managed over the last couple of years. I hope we can continue this improved enjoyment by allowing them to re-zone the property.

Should you require further information, please feel free to contact me.

Sincerely,



Riley A. Sauls