

AGENDA

PLANNING/ PUBLIC WORKS COMMITTEE

12/20/18

Teddie E. Pryor, Chairman
Henry E. Darby
Anna B. Johnson
Brantley Moody
Joe Qualey
Vic Rawl
Herb Sass
Dickie Schweers
Elliott Summey

AGENDA
PLANNING/PUBLIC WORKS COMMITTEE
December 20, 2018
5:00 PM

1. MINUTES:
 - o November 27 , 2018
 - Request to Approve Council/Salisbury
2. ZREZ-09-18-00089 1384 ORLEANS ROAD, WEST ASHLEY
ZREZ-09-18-00090, 1360 FLORENCE LANE, WEST ASHLEY
 - Request to Approve Miller/Evans
3. LADSON INDUSTRIAL PARK – DRAINAGE EASEMENT
 - Request to Approve Miller/Evans
4. SCDNR LETTER OF SUPPORT FOR PUBLIC ACQUISITION
 - Request to Approve Miller/Evans

1.

MINUTES

CHARLESTON COUNTY COUNCIL

MEMORANDUM

TO: Members of Planning/Public Works Committee

FROM: Kristen Salisbury, Clerk of Council

DATE: December 13, 2018

SUBJECT: Planning/Public Works Committee Minutes

At the Planning/Public Works Committee meeting of December 14, 2018, the draft minutes of the November 27, 2018 Planning/Public Works Committee meeting will be presented for approval.

2.

**1384 ORLEANS
ROAD and 1360
FLORENCE LANE,
WEST ASHLEY**

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-163, 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WITHDRAWN BY APPLICANT

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: December 20, 2018
Second Reading: January 8, 2019
Third Reading: January 22, 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

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 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

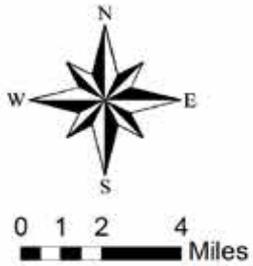
ZREZ-09-18-00089 and ZREZ-09-18-00090

- 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

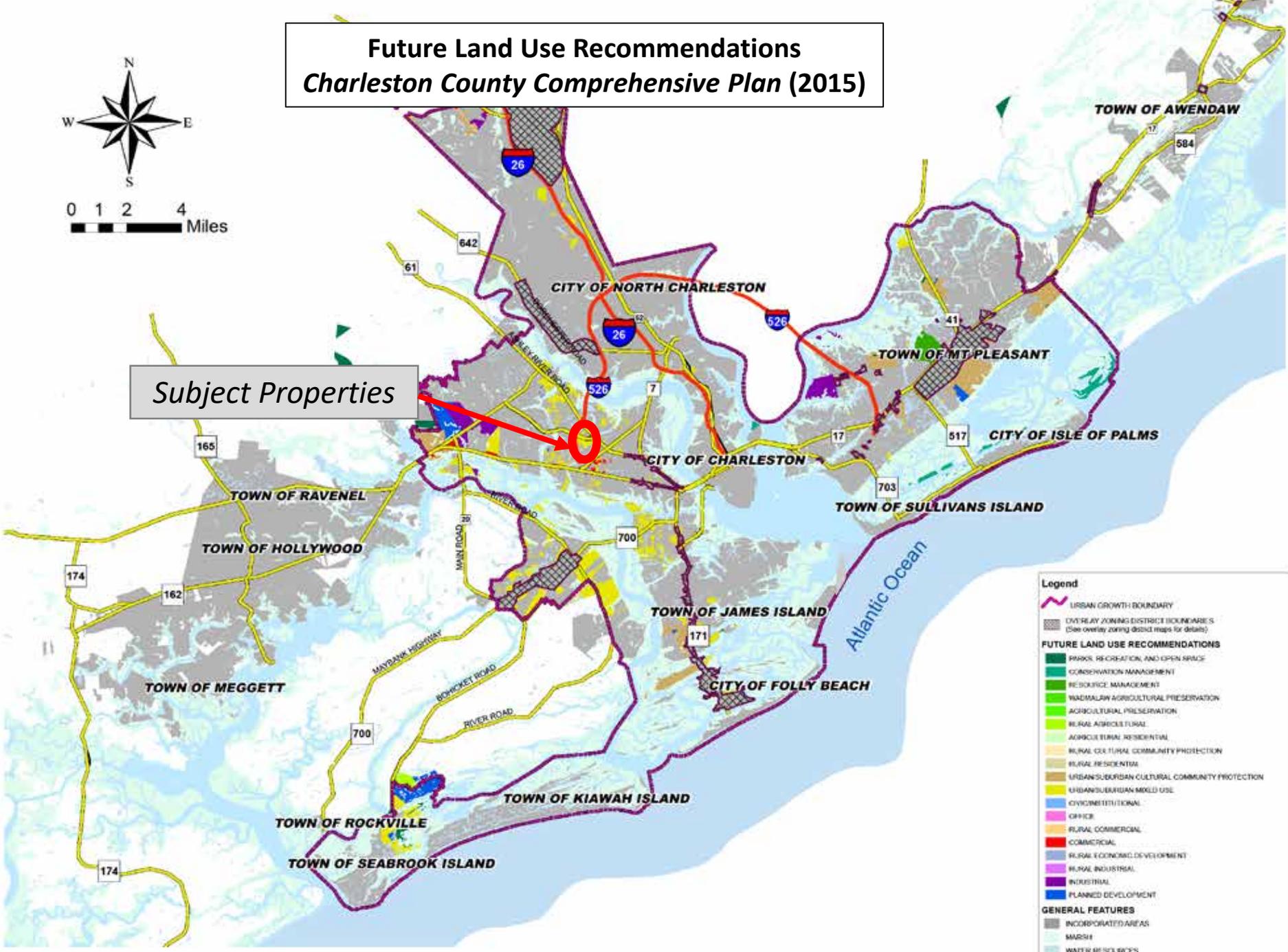
Zoning History

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

Future Land Use Recommendations Charleston County Comprehensive Plan (2015)



Subject Properties



Legend

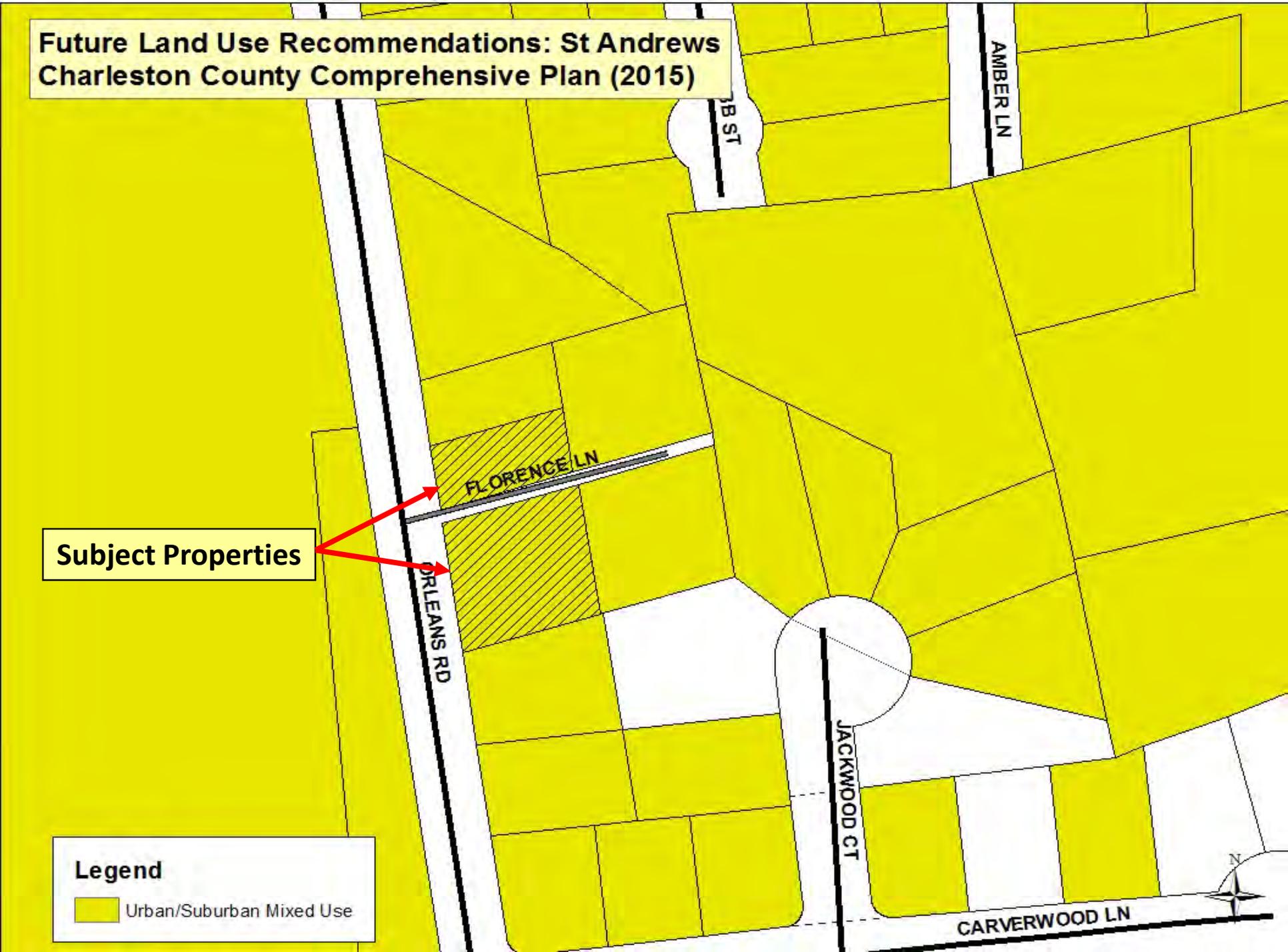
- URBAN GROWTH BOUNDARY
- OVERLAY ZONING DISTRICT BOUNDARIES (See overlay zoning district maps for details)
- FUTURE LAND USE RECOMMENDATIONS**
- PRIORITY RECREATION AND OPEN SPACE
- CONSERVATION MANAGEMENT
- RESOURCE MANAGEMENT
- WADSWORTH AGRICULTURAL PRESERVATION
- AGRICULTURAL PRESERVATION
- RURAL 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)**

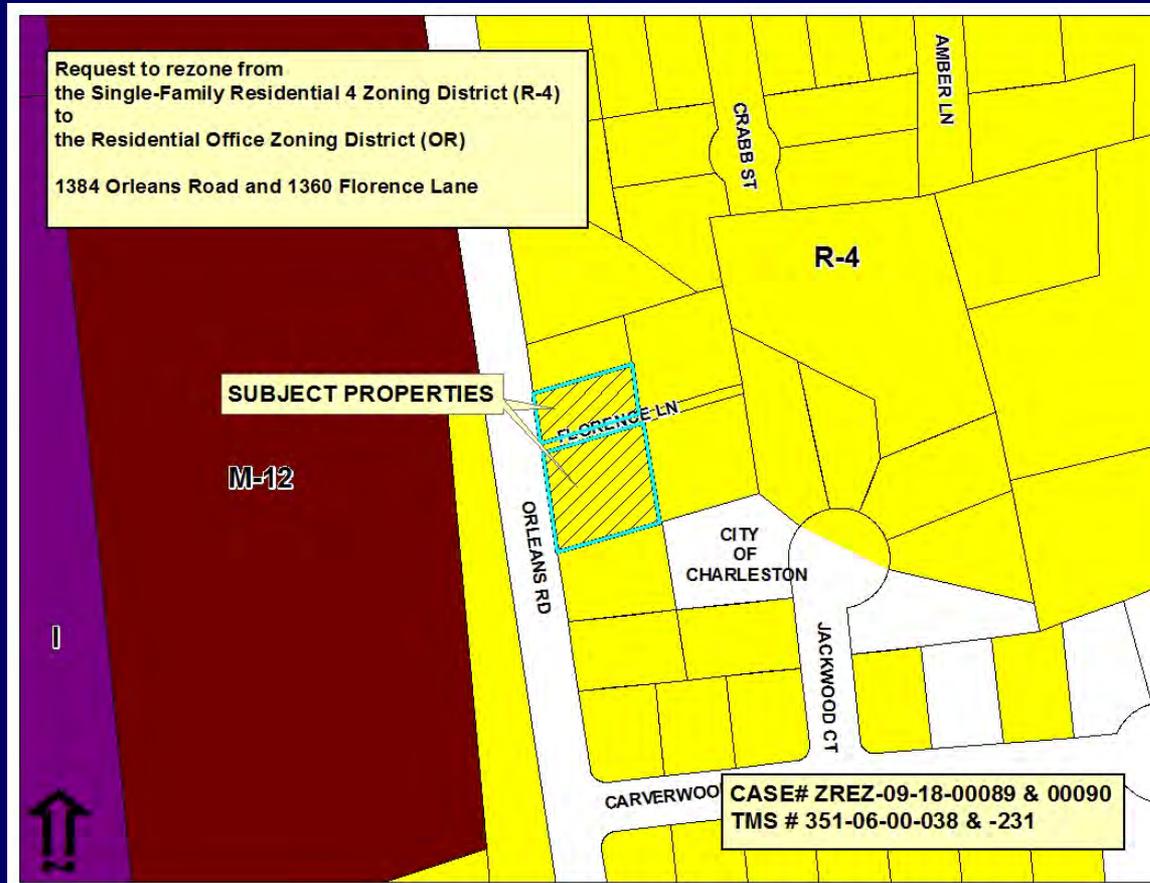
Subject Properties

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.

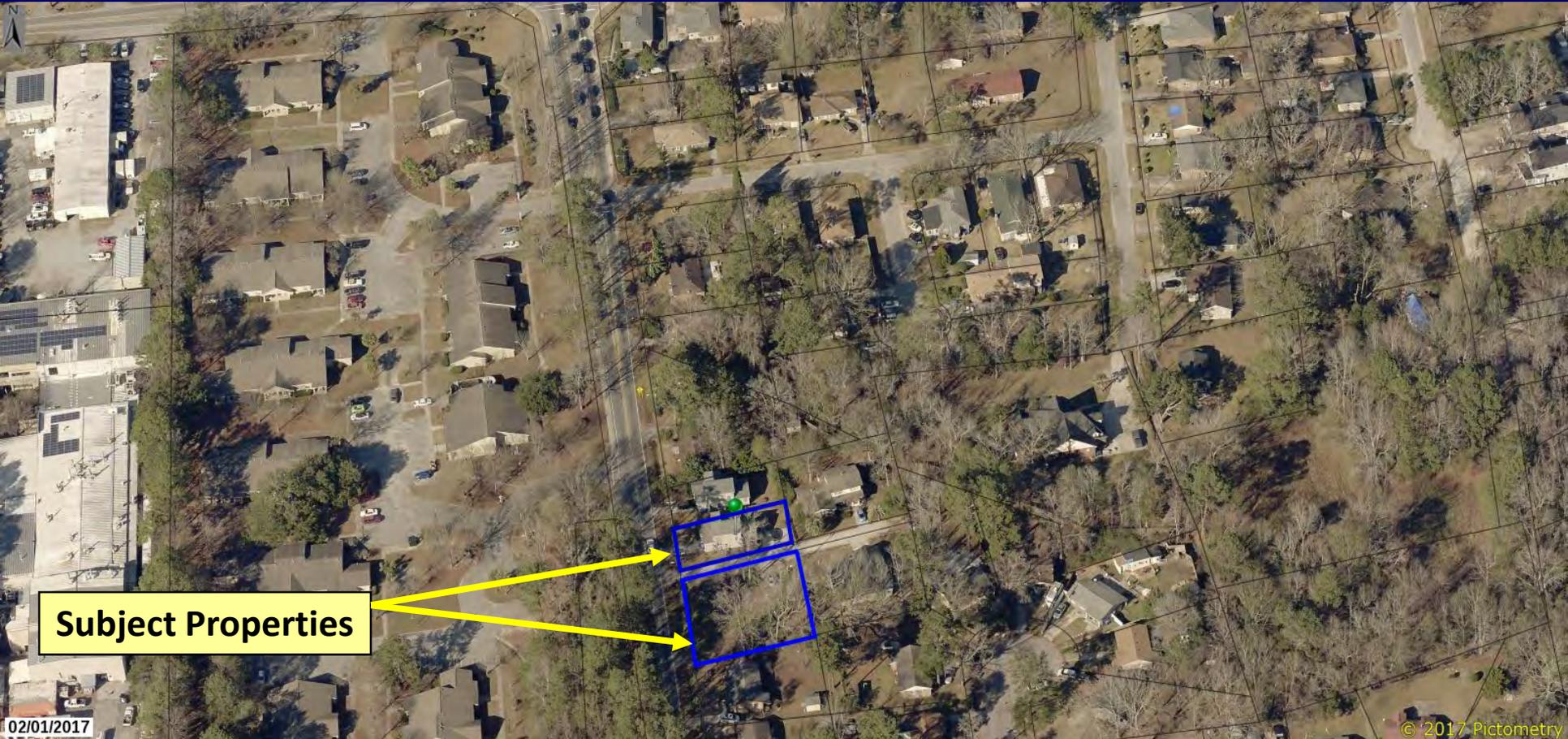
With regard to 1360 Florence Lane, TMS 351-06-00-231, properties to the north, east, south and west are in the County, are zoned either R-4 or M-12, and contain either single-family dwellings or multifamily dwellings. Properties to the southeast are in the City of Charleston are zoned, Single Family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

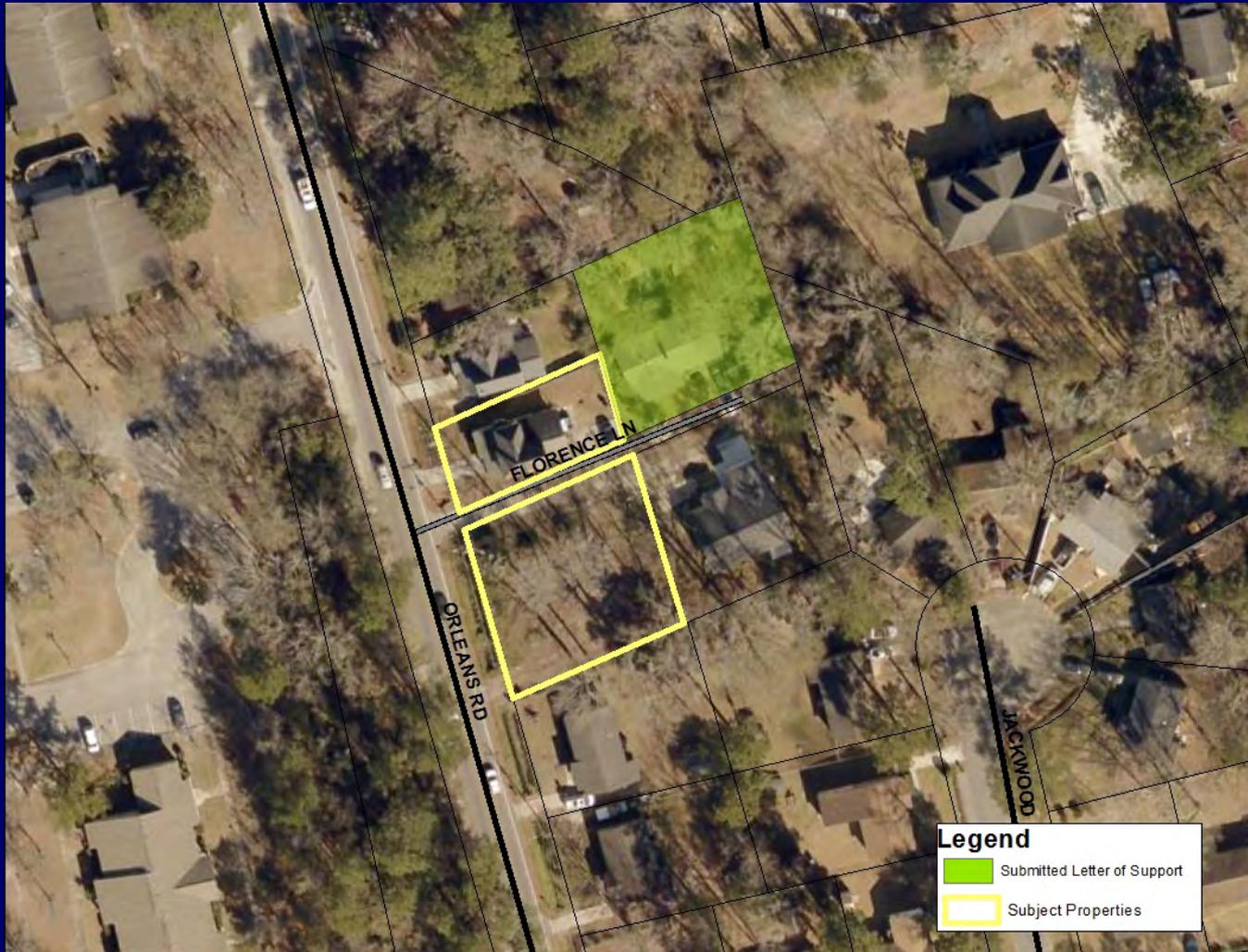
Disapproval (Vote, 7-0, with 2 absent)

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 citadelcleveland@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@carolinagoe.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
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:

- ✓ 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 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

3.

**LADSON
INDUSTRIAL
PARK –
DRAINAGE
EASEMENT**

COMMITTEE AGENDA ITEM

TO: JENNIFER J. MILLER, COUNTY ADMINISTRATOR

THROUGH: WALT SMALLS, CHIEF DEPUTY ADMINISTRATOR *W.L.S. 12-12-18*

FROM: JOEL H. EVANS, DIRECTOR *JEV* DEPT. ZONING & PLANNING

SUBJECT: LADSON INDUSTRIAL PARK - DRAINAGE EASEMENT

REQUEST: ABANDONMENT AND CONDITIONAL APPROVAL OF NEWLY CONSTRUCTED PUBLIC DRAINAGE EASEMENTS - RESUBMITTAL

COMMITTEE OF COUNCIL: PLANNING/PUBLIC WORKS DATE: DEC. 20, 2018

COORDINATION: This request has been coordinated with: (attach all recommendations/reviews)

	Signature of		Individual Contacted
	Yes	N/A	
Legal Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u><i>John Gardner</i></u>
Procurement/Contracts	<input type="checkbox"/>	<input type="checkbox"/>	_____
Zoning Regulations / Comp. Plan Compliance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u><i>Joel H. Evans</i></u>
Community Services	<input type="checkbox"/>	<input type="checkbox"/>	_____
Grants Auditor	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other: PUBLIC WORKS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u><i>[Signature]</i></u>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	_____

FUNDING: Was funding previously approved? yes no n/a

If yes, provide the following:	Org.	Object	Balance in Account	Amount needed for item
				\$0.00

NEED: Identify any critical time constraint.

BUDGET OFFICER SIGNATURE: *Mark Hile*

Fiscal impact: *None*

ADMINISTRATOR'S SIGNATURE: *Walt Small*

ORIGINATING OFFICE PLEASE NOTE:

DUE DATE TO ADMINISTRATOR'S OFFICE IS 5:00 P.M. ON TUESDAY OF THE WEEK PRECEDING THE COMMITTEE MEETING.

SITUATION

The owner/developer of the Ladson Industrial Park subdivision (TMS# 390-00-00-227), located between Highway 78 (US 78) and Stoney Rd (S-10-823), in the unincorporated portion of Ladson, is resubmitting a request to Council for approval of the abandonment and realignment of existing public drainage easements in order to facilitate their proposed development plans of the property. The original request was for the abandonment and realignment of existing public drainage easements in order to facilitate their proposed development plans of the property. That request was approved by County Council on Sept. 25, 2018. However, due to a change in project design, the owner/developer is proposing a new alignment of existing public drainage easements and amendment of the variable width public drainage easements as shown on proposed subdivision plat (see attached subdivision plat).

The owner/developer has complied with all development applications and obtained, or is in the process of obtaining, the permits necessary for the site development. Construction plans for the proposed realigned drainage easements are in accordance with the Charleston County Public Works encroachment permitting process and the Zoning and Land Development Regulations Ordinance. The owner/developer has been informed of the requirements and standards that the newly proposed public drainage easements must meet prior to recording of the final subdivision plat.

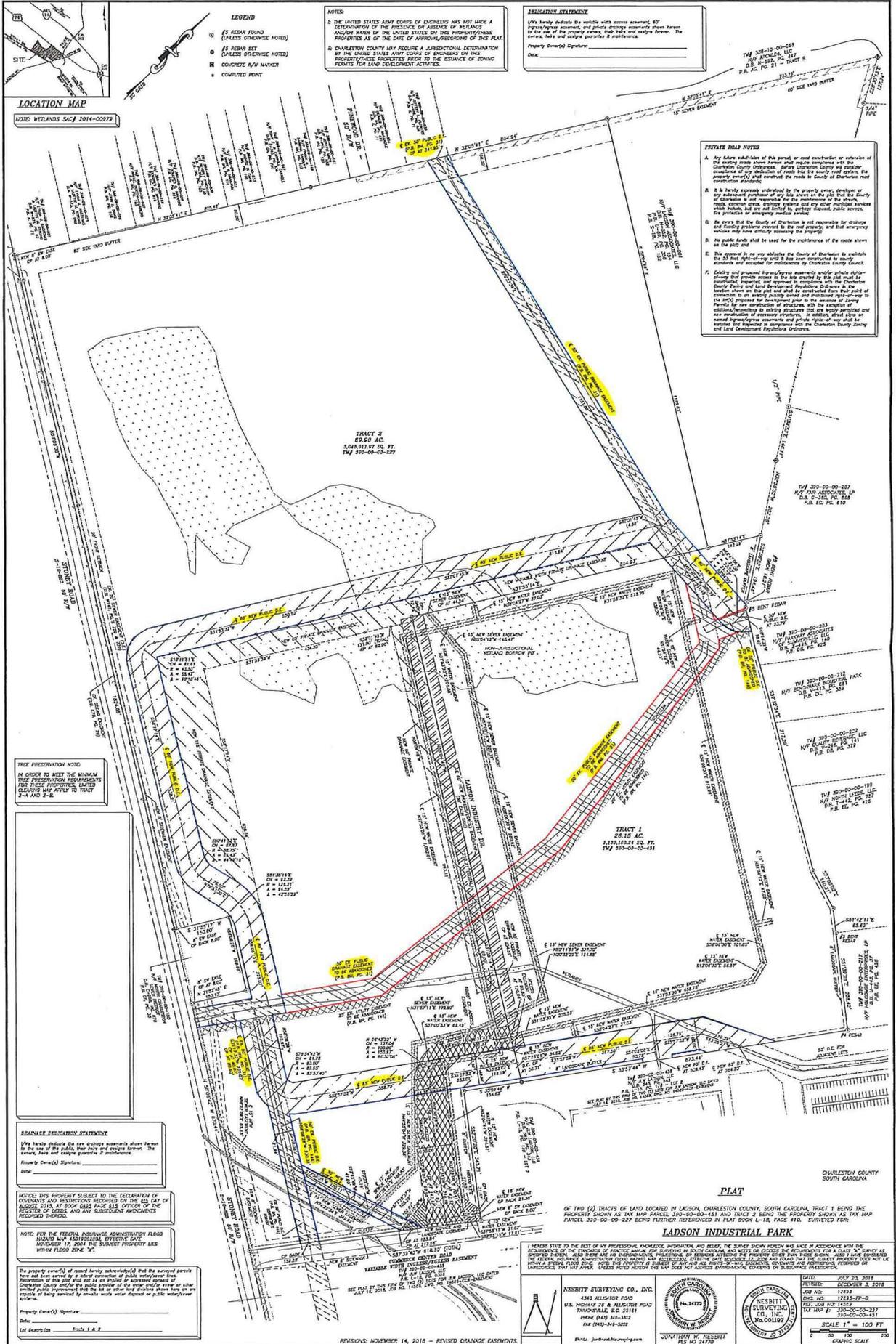
ACTION REQUESTED OF COUNCIL

Approve with the conditions listed in the Department Head recommendation, the owner/developer's request to abandon and realign the public drainage easements shown on the attached proposed subdivision plat in accordance with Charleston County's Zoning and Land Development Regulations Ordinance and the Public Works Department requirements for constructed public drainage easements.

DEPARTMENT HEAD RECOMMENDATION

Approve with the conditions listed below the abandonment and relocation of the publicly dedicated drainage easements through the property (TMS# 390-00-00-227) shown on the attached proposed subdivision plat:

1. The property owner shall be responsible for the relocation and construction of the proposed drainage easement(s);
2. An encroachment permit from the Charleston County Public Works Department shall be required for construction and the permit shall include scheduling of the relocation of the drainage easement(s) prior to filling of the existing drainage way;
3. The plat, along with the warranty deed provided by the property owner, shall not be recorded in the ROD office until the drainage easement has been relocated and approved by the Public Works Department; and
4. A two-year maintenance bond of 20% of easement construction costs shall be required.



LOCATION MAP
 NOTED WETLANDS SAC 2014-00979

LEGEND
 (S) PERMANENT FLOOD (UNLESS OTHERWISE NOTED)
 (D) PERMANENT DRY (UNLESS OTHERWISE NOTED)
 (C) CONCRETE B/W MARKER
 (•) COMPUTED POINT

NOTES
 A. THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OF WETLANDS AND/OR BAYS OF THE UNITED STATES ON THIS PROPERTY/TRACTS PRIOR TO THE DATE OF APPROVAL/ISSUANCE OF THIS PLAT.
 B. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THE PROPERTY/TRACTS PRIOR TO THE GRANTING OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

ASSURANCE STATEMENT
 I, the undersigned, hereby declare that this plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina.
 Property Owner(s) Signature: _____
 Date: _____

PRIVATE ROAD NOTES
 A. Any future subdivision of this parcel, or road construction or extension of any adjacent parcel, shall be subject to the jurisdiction of the Charleston County Board of Public Works. Before Charleston County will consider construction of any subdivision, the applicant shall submit to the County Board of Public Works a plat showing the proposed subdivision, including the proposed road, and the proposed road shall be subject to the jurisdiction of the Charleston County Board of Public Works.
 B. It is hereby expressly understood by the property owner, developer of any adjacent parcel, and the County of Charleston that the County of Charleston is not responsible for the maintenance of the streets, roads, drainage systems, drainage systems and any other facilities shown on this plat, and the property owner shall be responsible for the maintenance of the streets, roads, drainage systems, drainage systems and any other facilities shown on this plat.
 C. The owner of the County of Charleston is not responsible for drainage and flooding problems caused by the road property, and that drainage and flooding problems caused by the road property shall be the responsibility of the property owner.
 D. The public works shall be used for the maintenance of the roads shown on this plat and for the maintenance of the roads shown on this plat.
 E. It is hereby expressly understood by the property owner, developer of any adjacent parcel, and the County of Charleston that the County of Charleston is not responsible for the maintenance of the streets, roads, drainage systems, drainage systems and any other facilities shown on this plat, and the property owner shall be responsible for the maintenance of the streets, roads, drainage systems, drainage systems and any other facilities shown on this plat.
 F. Existing and proposed drainage systems and/or other facilities shown on this plat shall be subject to the jurisdiction of the Charleston County Board of Public Works. Before Charleston County will consider construction of any subdivision, the applicant shall submit to the County Board of Public Works a plat showing the proposed subdivision, including the proposed drainage systems and/or other facilities, and the proposed drainage systems and/or other facilities shall be subject to the jurisdiction of the Charleston County Board of Public Works.

TREE PRESERVATION NOTE
 IN ORDER TO KEEP THE MINIMUM TREE PRESERVATION REQUIREMENTS FOR THESE PROPERTIES, THE FOLLOWING CLEARING MAY APPLY TO TRACT 1-A AND 2-B.

SEWERAGE ELEVATION STATEMENT
 I, the undersigned, hereby declare that the sewerage elevations shown herein are based on the best of my knowledge, information, and belief, and that I am a duly licensed Professional Engineer in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina.
 Property Owner(s) Signature: _____
 Date: _____

NOTICE: THIS PROPERTY SUBJECT TO THE REGULATION OF CHARLESTON COUNTY AND RESTRICTIONS HEREON ON THE 15th DAY OF NOVEMBER 2014, AT 10:00 AM, AS SHOWN ON THE PLAT OF THE PROVISION OF ZONING AND ANY SUBSEQUENT AMENDMENTS HERETO.

NOTE: FOR THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP 4510001A0100 EFFECTIVE DATE NOVEMBER 17, 2004 THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X".

The property owner(s) of record hereby acknowledge(s) that the proposed project shown on this plat is a subdivision of public use/semi-private use and that the proposed project is subject to the jurisdiction of the Charleston County Board of Public Works. Before Charleston County will consider construction of any subdivision, the applicant shall submit to the County Board of Public Works a plat showing the proposed subdivision, including the proposed project, and the proposed project shall be subject to the jurisdiction of the Charleston County Board of Public Works.
 Property Owner(s) Signature: _____
 Date: _____

PLAT
 OF TWO (2) TRACTS OF LAND LOCATED IN LADSON, CHARLESTON COUNTY, SOUTH CAROLINA, TRACT 1 BEING THE PROPERTY SHOWN AS TAX MAP PARCEL 300-00-00-451 AND TRACT 2 BEING THE PROPERTY SHOWN AS TAX MAP PARCEL 300-00-00-227 BEING PARTIALLY SUPERSEDED BY PLAT BOOK L-18, PAGE 416, SUBMITTED FOR:

LADSON INDUSTRIAL PARK

**PROPERTY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENGINEERING AND SURVEYING ACT OF 1968, AS AMENDED, AND WITH THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SET FORTH IN SECTION 55-2-10 OF THE SOUTH CAROLINA CODE OF LAWS. I AM A DULY LICENSED PROFESSIONAL ENGINEER IN THE STATE OF SOUTH CAROLINA. I AM DULY LICENSED IN THE STATE OF SOUTH CAROLINA. I AM DULY LICENSED IN THE STATE OF SOUTH CAROLINA. I AM DULY LICENSED IN THE STATE OF SOUTH CAROLINA.
 I, the undersigned, hereby declare that this plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina.
 Property Owner(s) Signature: _____
 Date: _____**

NESSITTY SURVEYING CO., INC.
 4543 ALLEGATOR ROAD
 U.S. HIGHWAY 18 & ALLEGATOR ROAD
 TAYLORSVILLE, S.C. 29141
 PHONE 803-346-5832
 FAX 803-346-5828
 EMAIL: jwn@nessitty.com

JONATHAN W. NESSITTY
 P.E. NO. 24720

DATE: JULY 23, 2018
REVISED: DECEMBER 3, 2018
LOG NO.: 17233-17P-B
PROJECT: LADSON INDUSTRIAL PARK
TAX MAP P: 300-00-00-227
TAX MAP P: 300-00-00-451
SCALE: 1" = 100 FT.
DRAWING SCALE: 1" = 100 FT.

4.

**SCDNR LETTER
OF SUPPORT
FOR PUBLIC
ACQUISITION**

SITUATION

The South Carolina Department of Natural Resources (SCDNR), is requesting a letter of support (attached) authorized by County Council, for the acquisition of property (TMS# 454-00-00-009), approximately, 141.6 acres of marshland. The letter of support will satisfy a requirement under State guidelines to get acknowledgement and approval from the County and the School District, for the acquisition of property within those jurisdictions for public use. The letter will also support SCDNR's request to declare this property tax-exempt (2018 annual tax was \$21.12). Per SCDNR, the State guideline for this specific acquisition does not require approval from the local jurisdictional authority, which in this case, would be the City of Charleston.

ACTION REQUESTED OF COUNCIL

Approve as described in the Department Head recommendation, SCDNR's request for a letter of support and authorize the signature of County Council Chairman in support of SCDNR's request to declare this property tax-exempt.

DEPARTMENT HEAD RECOMMENDATION

Approve and authorize the signature of SCDNR's letter of support (attached) for the tax exemption and public acquisition of TMS #454-00-00-009, as required by State guidelines.

South Carolina Department of Natural Resources



Alvin A. Taylor
Director
Robert H. Boyles
Deputy Director for
Marine Resources

31 October 2018

Jennifer Miller, Administrator
Charleston County
4045 Bridge View Drive
North Charleston, SC 29405

Subject: Letter of Support for Conveyance to SCDNR

Dear Ms. Miller:

The South Carolina Department of Natural Resources (SCDNR) Board has approved the acceptance of a corrective quit-claim deed for approximately 141.6 acres in Charleston County adjoining the SC Marine Resources Center. Following state guidelines, SCDNR must obtain a letter of support from the County before accepting the deed and declaring the property tax-exempt.

The subject property includes one parcel of land designated as TMS number 4540000009. According to County records the 2018 total annual tax for this parcel is \$21.12.

The subject property borders the SC Marine Resources Center on Charleston Harbor, headquarters of the SCDNR's Marine Resources Division. The parcel is comprised almost entirely of marshlands, though there are small areas of highland, including one highland area that contains a small disposal site where material from the Marine Resources Center boatslip maintenance dredging has been deposited since the 1970s. As tidelands, this area will be held and managed consistent with other State-owned tidelands.

I respectfully request a letter of support for SCDNR's acceptance of the deed and would appreciate receiving it by December 15, 2018. If I can provide any additional information to assist you, please contact me at 843-953-9304 or boylesr@dnr.sc.gov.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Robert H. Boyles, Jr." The signature is written in a cursive style.

Robert H. Boyles, Jr.
DNR Deputy Director for Marine Resources

Attachment: map



Harbor Marsh Acres LLC



October 2, 2018

1:18,056
0 0.13 0.25 0.5 mi
0 0.2 0.4 0.8 km

Esri, HERE, Garmin, © OpenStreetMap contributors, Esri, HERE, Garmin, ©

November 16, 2018

SC Dept of Natural Resources
Attn: Robert Boyles, Jr.
PO Box 12559
Charleston, SC 29422-2559

Subj: TMS #4540000009

Operations Division

Dear Mr. Boyles:

Gerrita Postlewait, Ed.D.
Superintendent of Schools

We have researched the subject parcel on Charleston County's website. Their records indicate the following:

Jeffrey Borowy, P.E.
Chief Operating Officer

- Ownership: Harbor Marsh Acres LLC
- Property Address: Fort Johnson Rd
- Subdivision: Point McLeod
- Description: Marshland
- Acreage: 141.6
- Tax District: City of Charleston
- 2014-2017 Average Annual Taxes: \$19.58
- 2018 Total Annual Taxes: \$21.12

Based on the information above, Charleston County School District supports your request to declare this property tax-exempt.

Sincerely,



Angela Barnette, M.Ed.
Director of Planning & Real Estate

cc: Gerrita Postlewait, Superintendent
Jeffrey Borowy, COO
Donald Kennedy, CFO
Jacquelyn Carlen, Executive Director of Finance

A. Victor Rawl – Chairman
Herbert R. Sass, III – Vice Chairman
Henry E. Darby
Anna B. Johnson
C. Brantley Moody
Teddie E. Pryor, Sr.
Joseph K. Qualey
Henry D. Schweers
J. Elliott Summey



Kristen L. Salisbury, Clerk
(843) 958-4030
1-800-524-7832
FAX (843) 958-4035
E-mail: ksalisbury@charlestoncounty.org

CHARLESTON COUNTY COUNCIL
LONNIE HAMILTON, III PUBLIC SERVICES BUILDING
4045 BRIDGE VIEW DRIVE
CHARLESTON, SOUTH CAROLINA
29405-7464

December 20, 2018

SC Dept. of Natural Resources
Attn: Robert Boyles, Jr.
217 Fort Johnson Road
PO Box 12559
Charleston, SC 29422-2559

Subject: TMS #454-00-00-009

Dear Mr. Boyles:

This letter responds to your letter dated October 31, 2018, to the Charleston County (County) Administrator Jennifer Miller, requesting a letter from the County in support of the South Carolina Department of Natural Resources (SCDNR) accepting a deed for a parcel containing approximately 141.6 acres in Charleston County, identified as TMS Number 454-00-00-009, and declaring the property tax-exempt.

As you point out, the parcel borders SCDNR's headquarters for its Marine Resources Division, is comprised almost entirely of marshlands, and the tax value is de minimis. In that regard, please accept this letter of support from the County in support of SCDNR's acquisition of the parcel to be held and managed consistent with other State-owned tidelands.

If you need any additional information related to this matter, please do not hesitate to contact me.

Sincerely,

A. Victor Rawl
Chairman

cc: Jennifer Miller, County Administrator
Walter Smalls, Chief Deputy Administrator
Joel Evans, Planning and Zoning Director