AGENDA

PLANNING/ PUBLIC WORKS COMMITTEE

4/18/19

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

AGENDA PLANNING/PUBLIC WORKS COMMITTEE April 18, 2019 5:00 PM

- 1. ZLDR-01-19-00114, 4091 and 4105 N. Highway 17 (East Cooper Area)
- 2. ZREZ-01-19-00094, 4091 and 4105 N. Highway 17 (East Cooper Area)
- 3. ZREZ-01-19-00093, 1618 Harbor View Road (James Island)
- 4. ZREZ-02-19-00095, 1384 Orleans Road (St. Andrews)
- 5. ZREZ-02-19-00096, 1360 Florence Lane (St. Andrews)
- 6. WATER & SEWER SERVICE PROVIDERS:
 - A) Executive Session
 - B) Request to Consider

Miller/Dawson

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING: ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) TEXT AMENDMENT AND ZONING MAP AMENDMENTS Tuesday, April 9, 2019 at 6:30 PM

Charleston County Council will hold a public hearing on Tuesday, April 9, 2019 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 requests:

<u>ZLDR-01-19-00114:</u> Request to rezone in the underlying zoning district, a 0.13 acre portion of TMS 632-00-00-013 and a 0.08 acre portion of 632-00-00-032 to PD-105A, and amend Map 5.10.5.A, Highway 17 North Corridor Overlay Zoning District, 10 Mile Community, to expand the boundaries of PD-105 to match the proposed boundaries of PD-105A.

<u>ZREZ-01-19-00094</u>: Request to rezone from PD-105, Gold Propane to PD-105A, Gold Propane, to amend property boundaries to include a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032, and to allow a second propane tank and accessory structures on site.

<u>ZREZ-01-19-00093</u>: Request to rezone from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District (1618 Harbor View Rd, TMS 4240500072).

<u>ZREZ-02-19-00095</u>: Request to rezone from R4 to PD-168, Cleveland Holdings Planned Development for 1384 Orleans Road, for a Commercial Guest House Short-Term Rental (1384 Orleans Rd, TMS 351-06-00-038).

<u>ZREZ-02-19-00096</u>: Request to rezone from R4 to PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, for a Commercial Guest House Short-Term Rental (1360 Florence Ln, TMS 351-06-00-231).

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

ZLDR TEXT AMENDMENT REQUEST ZLDR-01-19-00114

and

ZONING MAP AMENDMENT REQUEST ZREZ-01-19-00094

ZLDR Text Amendment Request and Planned Development Amendment Request: ZLDR-01-19-00114 and ZREZ-10-18-00091, PD-105A Gold Propane Case History

Public Hearing: April 9, 2019
Planning and Public Works Committee: April 18, 2019
First Reading: April 23, 2019
Second Reading: May 7, 2019
Third Reading: May 21, 2019

CASE INFORMATION

Location: 4091 and 4105 N Highway 17 (East Cooper Area)

Parcel Identification: 632-00-00-023, -032, and -013

Council District: 2

Property Size:

TMS 632-00-00-023 being 2.5 acres, a 0.08-acre portion of TMS 632-00-00-032, and a 0.13-acre portion of TMS 632-00-00-013. A total of 2.76 acres.

Applications:

- Request to rezone in the underlying zoning district, a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032 to PD-105A, and amend Map 5.10.5.A, Highway 17 North Corridor Overlay Zoning District, 10 Mile Neighborhood, to expand the boundaries of PD-105, Gold Propane, to match the proposed boundaries of PD-105A, Gold Propane (ZLDR-01-19-00114)
- Request to rezone TMS 632-00-00-023 from PD-105, Gold Propane, to PD-105A, Gold Propane, and to amend property boundaries to include a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032, and to allow a second propane tank and accessory structures onsite (ZREZ-01-19-00094).

Zoning History:

With regard to TMS 632-00-00-023, this parcel was originally zoned Agricultural General (AG) on the 1970 Zoning Map. This parcel was then zoned Rural Residential 3 (RR-3) upon the adoption of the Zoning and Land Development Regulations Ordinance (ZLDR) in November 2001.

On September 21, 2004, County Council approved the rezoning of this parcel from the Rural Residential 3 (RR-3) Zoning District to PD-105, Gold Propane, under application number 3190-C. PD-105 allowed for one 30,000 gallon liquid propane tank, a propane storage tank and pumps, and a truck unloading/parking station. Zoning Permit 0964-S was issued for the PD on December 9, 2005. Upon adoption of the Highway 17 North Corridor Overlay Zoning District, the front half of the parcel was included in the 10- Mile Neighborhood Business/Service Node. PD-105, however, remains the underlying zoning district for the property.

With regard to TMS 632-00-00-032 and 632-00-00-013, these parcels were originally zoned AG on the 1970 Zoning Map. They were then zoned RR-3 upon the adoption of the ZLDR in November 2001. Upon adoption of the Highway 17 North Corridor Overlay Zoning District in November 2011, the whole of each parcel was included in the 10- Mile Neighborhood Business/Service Node.

Adjacent Zoning:

TMS 632-00-00-023 contains a 30,000-gallon Propane Tank, a storage container, and truck shelter, TMS 632-00-00-013 contains undeveloped land, and TMS 632-00-00-032 contains a single-family dwelling.

There is a mixture of zoning districts and uses surrounding the properties. Properties to the north and north-west across Highway 17, are zoned either RR-3 or PD-135, Gullah Cuisine, and contain either undeveloped land or single-family dwellings. Parcels to the east, north-east, and south are zoned either RR-3 or PD-80, Sewee Preserve, and contain either undeveloped land or single-family dwellings. Properties to the west and south-west are zoned either RR-3 or are in the 10-Mile Neighborhood Business/Service Node, and contain either single-family dwellings or undeveloped land.

Overview of Requested PD Guidelines

The applicant is requesting to rezone from the Planned Development (PD-105, Gold Propane) Zoning District to the Planned Development (PD-105A, Gold Propane) Zoning District to allow an additional 30,000-gallon propane tank onsite, and 3 accessory structures. Specifically, PD-105A requests the following:

- 2 x 30,000-gallon liquid propane tanks;
- Maximum of 3 accessory structures being 2 shelters and 1 storage container;
- Compliance with the Highway 17 North Corridor Overlay Zoning District;
- Minimum 50-foot side setbacks and Type D land use vegetated buffers to the 2 x 30,000-gallon propane tanks, with the only intrusion permitted being a shelter; and
- Minimum 15-foot side setbacks and Type B land use vegetated buffers to the accessory structures.

<u>Municipalities Notified/Response</u>: The Town of Awendaw, Town of Hollywood, Town of James Island, Town of Rockville, Town of Meggett, City of Charleston, City of Folly Beach, City of Isle of Palms, City of North Charleston, Town of Lincolnville, Town of McClellanville, Town of MT Pleasant, Town of Ravenel, Town of Seabrook Island, Town of Sullivan's Island, Town of Summerville, Town of Kiawah Island, and Colleton County were notified of the request and have not responded.

Public Input: No public input has been received at this stage.

STAFF RECOMMENDATION

ZLDR Text Amendment Application (ZLDR-01-19-00114)

According to Section §3.3.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for ZLDR Text Amendments may be approved only if County Council determines that the following criteria are met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition:
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

Staff Response:

The applicant's letter of intent states that the proposed amendment complies with Criteria A, B and C above as, "As a result of changing demographics and population growth east of the Cooper River, the applicant intends to install an additional 30,000 gallon propane storage tank for efficient and reasonable gas service..." The letter of intent also states that the application is assuring the timely provision of utilities, and "The delivery of propane gas for cooking, heating and temporary power fosters the general welfare of customer..."

Staff believes the application meets all three of the above criterion as the additional propane tank meets the

challenge of changing condition, being population growth and the reliance on this utility east of the Cooper River, and adequate setbacks and buffers, complying with the ZLDR, are provided in the PD. Therefore, staff recommends approval.

Zoning Map Amendment Request ZREZ-01-19-00094

According to Section §4.23.9(E)(9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

- A. The PD Development Plan complies with the standards contained in this Article;
 - Staff response: The proposed amended Planned Development complies with the standards contained in ZLDR Article 4.23.
- B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and

Staff response: The proposed amended Planned Development is consistent with the intent of the Comprehensive Plan, and the ZLDR, as the additional propane tank helps meets the challenge of population growth and the reliance on this utility east of the Cooper River, and adequate setbacks and buffers, complying with the ZLDR are proposed.

C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.Staff response: Additional or amended Letters of Coordination are not required because of the proposed PD amendment.

The requested ZLDR Text Amendment and PD amendment are consistent with the Comprehensive Plan and the ZLDR, and therefore Staff recommends approval with the following conditions for the PD:

- <u>Land Uses, second paragraph</u>: Add the following wording to the end of the sentence: "...at the time of subsequent development application submittal..."
- <u>Setbacks and Buffers, Point 1, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type D land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."
- <u>Setbacks and Buffers, Point 2, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type B land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."

PLANNING COMMISSION MEETING: MARCH 11, 2019

Recommendation: ZLDR-01-19-00114, Approval (vote: 8-0, with 1 absent). ZREZ-01-19-00094, Approval with Conditions (vote: 8-0, with 1 absent).

- <u>Land Uses, second paragraph</u>: Add the following wording to the end of the sentence: "...at the time of subsequent development application submittal..."
- <u>Setbacks and Buffers, Point 1, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type D land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."
- <u>Setbacks and Buffers, Point 2, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type B land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."

<u>Speakers:</u> Three people spoke in support of the applications and three people spoke in opposition to the applications.

Notifications:

856 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels, individuals on the ZLDR/Comprehensive Plan Interested Parties List, and individuals on the East Cooper Interested Parties List on February 22, 2019. Additionally, this request was noticed in the *Post & Courier* on February 22, 2019.

PUBLIC HEARING: APRIL 9, 2019

<u>Speakers:</u> The applicant spoke in support of the applications and explained his intentions. There were no speakers in opposition.

Notifications:

856 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels, individuals on the ZLDR/Comprehensive Plan Interested Parties List, and individuals on the East Cooper Interested Parties List on March 22, 2019. Additionally, this request was noticed in the *Post & Courier* on March 22, 2019, and notification signs were posted on the properties on March 22, 2019.

PPW COMMITTEE: APRIL 18, 2019



Public Hearing – April 9, 2019

Planning and Public Works Committee - April 18, 2019

ZLDR-01-19-00114 and ZREZ-01-19-00094

East Cooper Area: 4091 and 4105 N Highway 17

• Parcel I.D.: 632-00-00-023, -032, and -013

Applicant/Owner: Ronald S Gold

4091 N Highway 17, Awendaw, SC 29429

Representative: E.M. Seabrook Jr, Inc

P.O. Box 96, Mt Pleasant, SC 29465

Acreage: TMS 632-00-00-023 being 2.5 acres, a 0.08-acre

portion of TMS 632-00-00-032, and a 0.13-acre

portion of TMS 632-00-00-013.

Total of 2.76 acres

Council District: 2

Applications

- Request to rezone in the underlying zoning district, a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032 to PD-105A, and amend Map 5.10.5.A, Highway 17 North Corridor Overlay Zoning District, 10 Mile Neighborhood, to expand the boundaries of PD-105, Gold Propane, to match the proposed boundaries of PD-105A, Gold Propane (ZLDR-01-19-00114)
- Request to rezone TMS 632-00-00-023 from PD-105, Gold Propane, to PD-105A, Gold Propane, and to amend property boundaries to include a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032, and to allow a second propane tank and accessory structures onsite (ZREZ-01-19-00094).

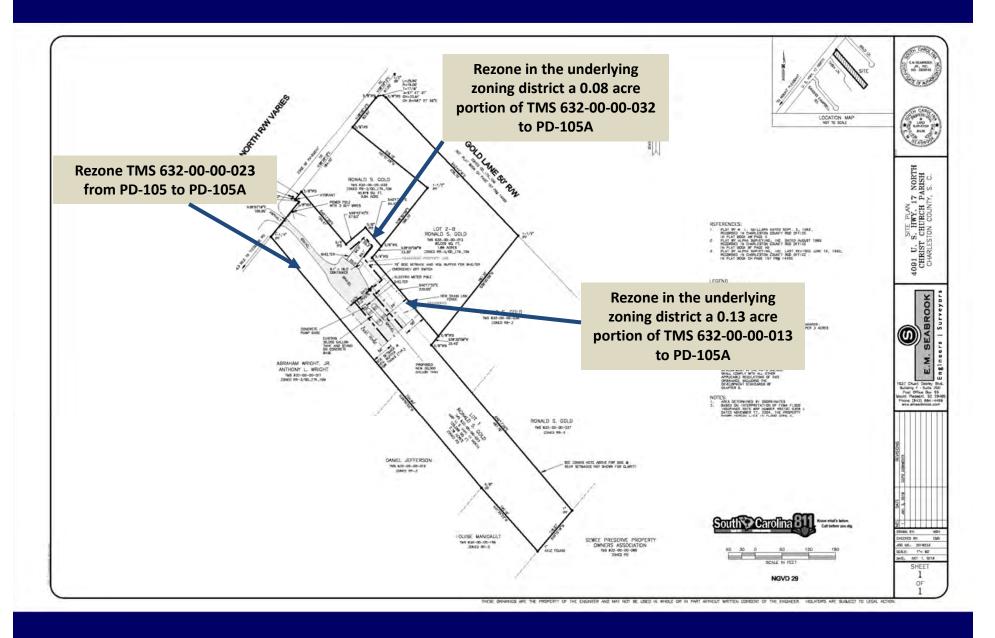
Zoning History

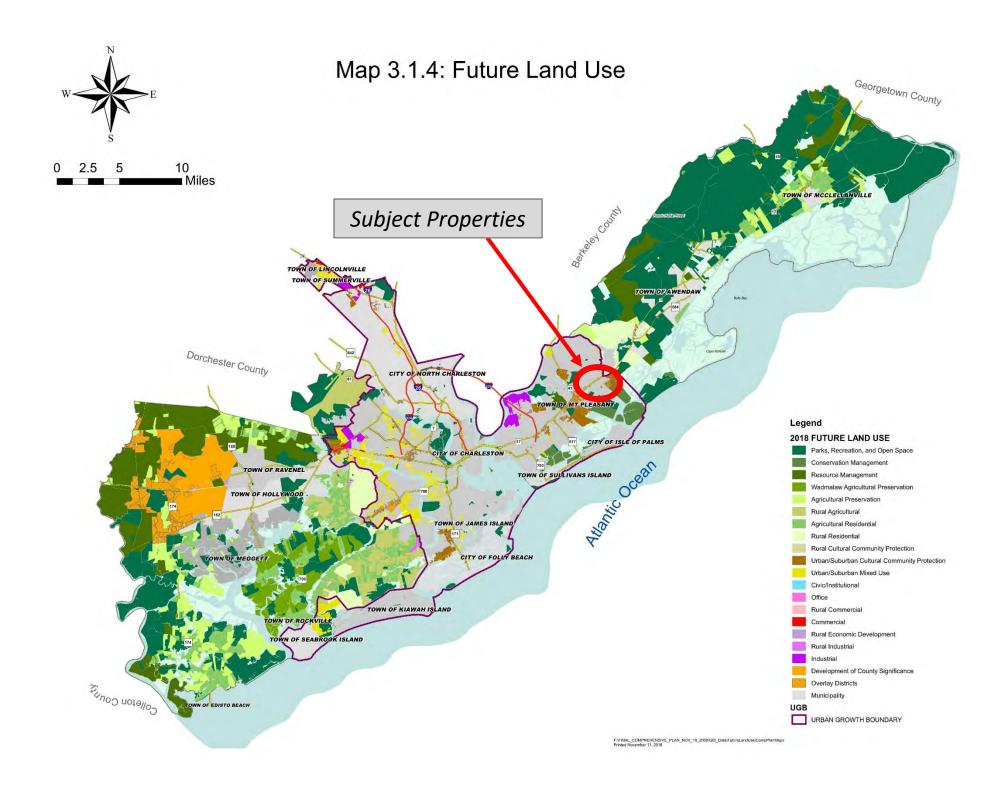
• With regard to TMS 632-00-00-023, this parcel was originally zoned Agricultural General (AG) on the 1970 Zoning Map. This parcel was then zoned Rural Residential 3 (RR-3) upon the adoption of the Zoning and Land Development Regulations Ordinance (ZLDR) in November 2001.

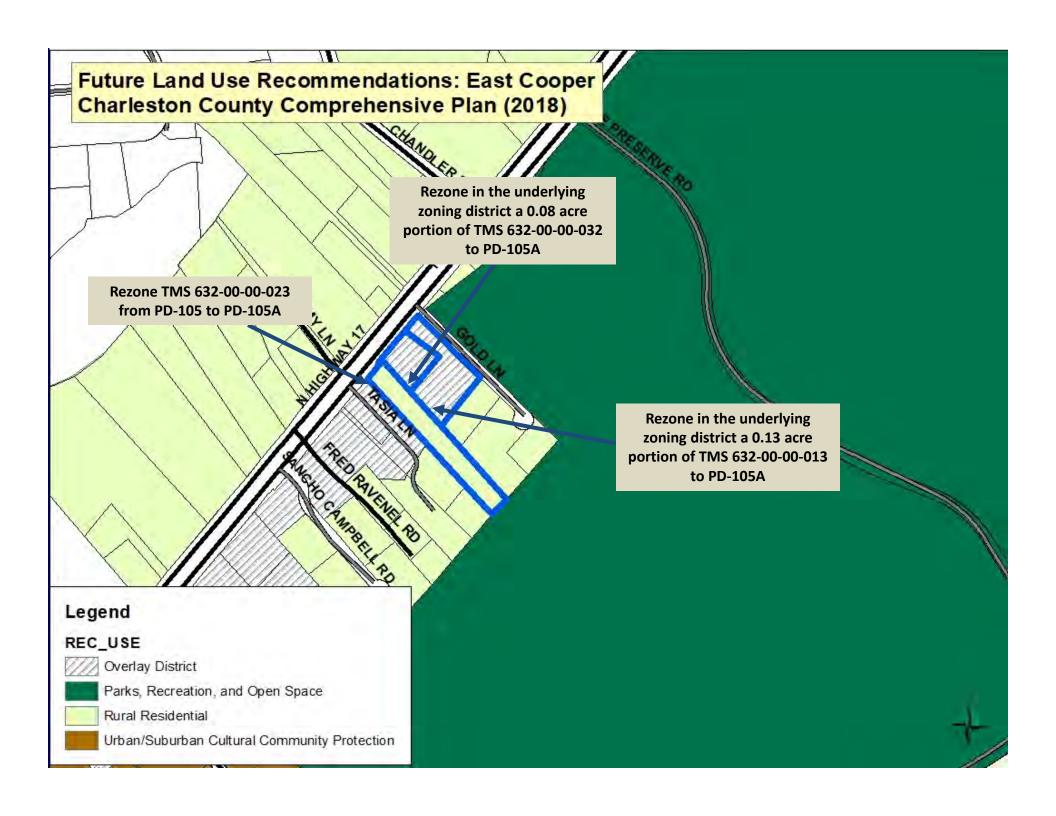
On September 21, 2004, County Council approved the rezoning of this parcel from the Rural Residential 3 (RR-3) Zoning District to PD-105, Gold Propane, under application number 3190-C. PD-105 allowed for one 30,000 gallon liquid propane tank, a propane storage tank and pumps, and a truck unloading/parking station. Zoning Permit 0964-S was issued for the PD on December 9, 2005. Upon adoption of the Highway 17 North Corridor Overlay Zoning District, the front half of the parcel was included in the 10- Mile Neighborhood Business/Service Node. PD-105, however, remains the underlying zoning district for the property.

• With regard to TMS 632-00-00-032 and 632-00-00-013, these parcels were originally zoned AG on the 1970 Zoning Map. They were then zoned RR-3 upon the adoption of the ZLDR in November 2001. Upon adoption of the Highway 17 North Corridor Overlay Zoning District in November 2011, the whole of each parcel was included in the 10- Mile Neighborhood Business/Service Node.

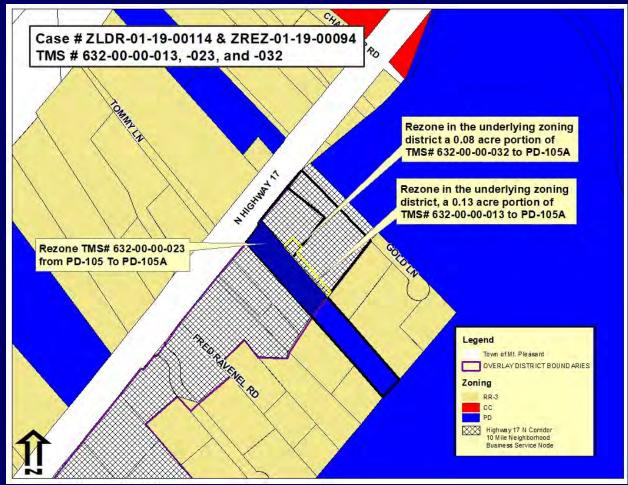
Proposed Site/Subdivision Plan







Area Description



TMS 632-00-00-023 contains a 30,000-gallon Propane Tank, a storage container, and truck shelter, TMS 632-00-00-013 contains undeveloped land, and TMS 632-00-00-032 contains a single-family dwelling. There is a mixture of zoning districts and uses surrounding the properties. Properties to the north and north-west across Highway 17 are zoned either RR-3 or PD-135 Gullah Cuisine, and contain either undeveloped land or single-family dwellings. Parcels to the east, north-east, and south are zoned either RR-3 or PD-80, Sewee Preserve, and contain either undeveloped land or single-family dwellings. Properties to the west and south-west are zoned either RR-3 or are in the 10 Mile Neighborhood Business/Service Node, and contain either single-family dwellings or undeveloped land.

Aerial View to the North



Aerial View to the South



Site Photos

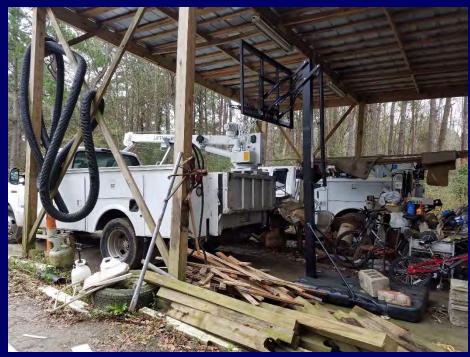


1 – Subject Property TMS 632-00-00-023

2 – Subject Property TMS 632-00-00-023



Site Photos



3 – Subject Property
0.08 acre portion of
TMS 632-00-00-032 to be rezoned

4 – Subject Property
0.13 acre portion of
TMS 632-00-00-013 to be rezoned



Site Photos



5 – Adjacent Property

6 – Adjacent property



PD-105A Requested Amendments

The applicant is requesting to rezone from the Planned Development (PD-105, Gold Propane) Zoning District to the Planned Development (PD-105A, Gold Propane) Zoning District to allow an additional 30,000-gallon propane tank onsite, and 3 accessory structures. Specifically, PD-105A requests the following:

- 2 x 30,000-gallon liquid propane tanks;
- Maximum of 3 accessory structures being 2 shelters and 1 storage container;
- Compliance with the Highway 17 North Corridor Overlay Zoning District;
- Minimum 50-foot side setbacks and Type D land use vegetated buffers to the 2 x 30,000-gallon propane tanks, with the only intrusion permitted being a shelter; and
- Minimum 15-foot side setbacks and Type B land use vegetated buffers to the accessory structures.

Approval Criteria

ZLDR Text Amendment Application (ZLDR-01-19-00114)

According to Section §3.3.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for ZLDR Text Amendments may be approved only if County Council determines that the following criteria are met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

Staff Response:

The applicant's letter of intent states that the proposed amendment complies with Criteria A, B and C above as, "As a result of changing demographics and population growth east of the Cooper River, the applicant intends to install an additional 30,000 gallon propane storage tank for efficient and reasonable gas service..." The letter of intent also states that the application is assuring the timely provision of utilities, and "The delivery of propane gas for cooking, heating and temporary power fosters the general welfare of customer..."

Staff believes the application meets all three of the above criterion as the additional propane tank meets the challenge of changing condition, being population growth and the reliance on this utility east of the Cooper River, and adequate setbacks and buffers, complying with the ZLDR, are provided in the PD. Therefore, staff recommends approval.

Approval Criteria

Zoning Map Amendment Request ZREZ-01-19-00094

According to Section §4.23.9(E)(9) of the *Zoning and Land Development Regulations Ordinance* (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

- The PD Development Plan complies with the standards contained in this Article; Staff response: The proposed amended Planned Development complies with the standards contained in ZLDR Article 4.23.
- The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and Staff response: The proposed amended Planned Development is consistent with the intent of the Comprehensive Plan, and the ZLDR, as the additional propane tank helps meets the challenge of population growth and the reliance on this utility east of the Cooper River, and

adequate setbacks and buffers, complying with the ZLDR, are proposed.

В.

The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed. Staff response: Additional or amended Letters of Coordination are not required because of the proposed PD amendment.

Recommendation

The requests are consistent with the Comprehensive Plan and the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)

STAFF AND PLANNING COMMISSION RECOMMENDATION FOR ZLDR-01-19-00114:

Approval

STAFF AND PLANNING COMMISSION RECOMMENDATION FOR ZREZ-01-19-00094:

Approval with conditions

Recommended Conditions of Approval:

- <u>Land Uses, second paragraph</u>: Add the following wording to the end of the sentence: "...at the time of subsequent development application submittal..."
- <u>Setbacks and Buffers, Point 1, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type D land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."
- <u>Setbacks and Buffers, Point 2, second sentence</u>: Amend the sentence to read as follows: "Existing vegetation onsite can be used to fulfill the Type B land use buffer requirements in Section 9.5.4 of the ZLDR, at the time of subsequent development application submittal. Where existing vegetation does not meet those requirements, additional plantings are required."

Notifications

February 22, 2019

- 856 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels, individuals on the ZLDR/Comprehensive Plan Interested Parties List, and individuals on the East Cooper Interested Parties List.
- Ad ran in the Post & Courier.

March 22, 2019

- 856 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels, individuals on the ZLDR/Comprehensive Plan Interested Parties List, and individuals on the East Cooper Interested Parties List.
- Ad ran in the Post & Courier.
- Notifications signs posted on the properties.



Public Hearing – April 9, 2019

Planning and Public Works Committee - April 18, 2019



Charleston County Planning Department Lonnie Hamilton III, Public Services Building 4045 Bridge View Drive North Charleston, SC 29405 Phone (843) 202-7200 Fax (843) 202-7218

Daniel C. Pennick, AICP, Director

	APPLICATIO	ON INFORMA	TION			
Application Number: 2	LDR -01-19 -00 114					
Date Submitted: 2/1						
Applicant Name:						
Address:	409	1 North Highw	1 North Highway 17			
City: N	lount Pleasant	State:	SC	ZIP Code:	29466	
Telephone: 843 971 5	145 Fax: 843 971 0028	E-mail:	ronald	dgold@yahoo.com		
	TEXT/MAP LOCATION					
Section No. and Title:	Map 5.10.5.A Highwa	y 17 North (forridor Ove	rlay Zoning Die	mit:	
Page: Map 5.10.5	. A	10-Mile N	ughporhood	Business Iser	vice Nod	
Please provide further i	ndicators below to locate the	subject text (s	ubsection, item	, paragraph, figure	e/exhibit)	
See attachments.						
		ED AMENDME				
	PROVIDE PRECISE WORDING					
	ntation may be attached to the	44				
See attachments.	Amend Map 5.10.5.			h Comida or		
	Zoning District: 10.					
	to expand the bounds					
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APPLICANT(S)			PLANNING DEPARTMENT OFFICIAL			
	PRINTED NAME:		PRINTED NAME: Janine Saab			
				//	AL	
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ZONING CHANGE APPLICATION

Date

2. Case Number

CASE ZREZ-OL	PROPERTY INFORMATION		Planning Department Lonnie Hamilton, III Public Services Building 4045 Bridge View Drive North Charleston, SC 29405
CURRENT DISTRICT	PD-105 REQUESTED DISTRICT PD-105A	CHARL	1-000-324-7032
	0-00-023, 032, 013	SOUTH CA	
CITY/AREA OF COUNT	1111		
STREET ADDRESS	4091 North Highway 17, 4105 N Highway 17		ACRES 2.76
DEED RECORDED:	BOOK T102 PAGE 257 DATE	01/01/1973	
PLAT RECORDED:	BOOK BF PAGE 49 DATE	09/06/85 APF	PROVAL # 03909
	See attachment for additional documents. <u>APPLICANT—OWNER—REPF</u>	RESENTATIVE	
<u>APPLICANT</u>	Ronald S. Gold	HOME PHONE	
MAIL ADDRESS	4091 North Highway 17	_WORK PHONE	843 971 5145
CITY, STATE, ZIP	Awendaw, SC 29429	_CELL PHONE	843 343 6034
OWNER (IF OTHER THAN APPLICANT)	same	_HOME PHONE	
MAIL ADDRESS		_WORK PHONE	
CITY, STATE, ZIP		_CELL PHONE	
REPRESENTATIVE (IF OTHER THAN APPLICANT)	E. M. Seabrook Jr., Inc.	_HOME PHONE	
MAIL ADDRESS	P. O. Box 96	_WORK PHONE	843 884 4496
CITY, STATE, ZIP	Mount Pleasant, SC 29465	_CELL PHONE	
	CERTIFICATION		
items are not submitte if any are found to be i	0) business days if these ed with the application or inaccurate: ✓ Copy of Current Recorded Deed ✓ Fee \$150.00 plus \$10.00 per acr	to the property (Ow	rner's signature must match documentation.)
(we) certify that			or my (our) zoning change request. I also
provided and all inform	uirements for submitting my zoning change application. To the nation is correct.	e best of my knowl	ledge, all required information has been 10/1/18
Signature of Owner(s) Planner's Signature	Date Signature of Applie Date Zoning Inspector's		ve (if other than owner) Date Date
. minor o dignature	OFFICE USE ONL		Date
Has this parcel been site	ed for a zoning violation? Yes No Applica	ition Number 2R	862-01-19-00094
		ubmitted 2	1/19
1 Casa Number	Data App/Dia Amoun	t Desciued 4	377 60 0000

PD GUIDELINES	

Planned Development (PD-105A) Requested Guidelines

Purpose

The purpose of this planned development modification is to allow flexibility from the standards of the Zoning and Land Development Regulations.

Land Uses

Allowed land uses include the following:

Two 30,000 gallon liquid propane tanks

Propane storage tanks and pumps

Truck Unloading/Parking Station

Accessory structures (2 shelters and storage container noted on site plan) allowed

Three maximum number of accessory structures allowed

All other criteria shall meet the requirements of the Rural Residential (RR-3) zoning district, the Highway 17 North Corridor Overlay zoning district and the Charleston County Zoning and Land Development Regulations.

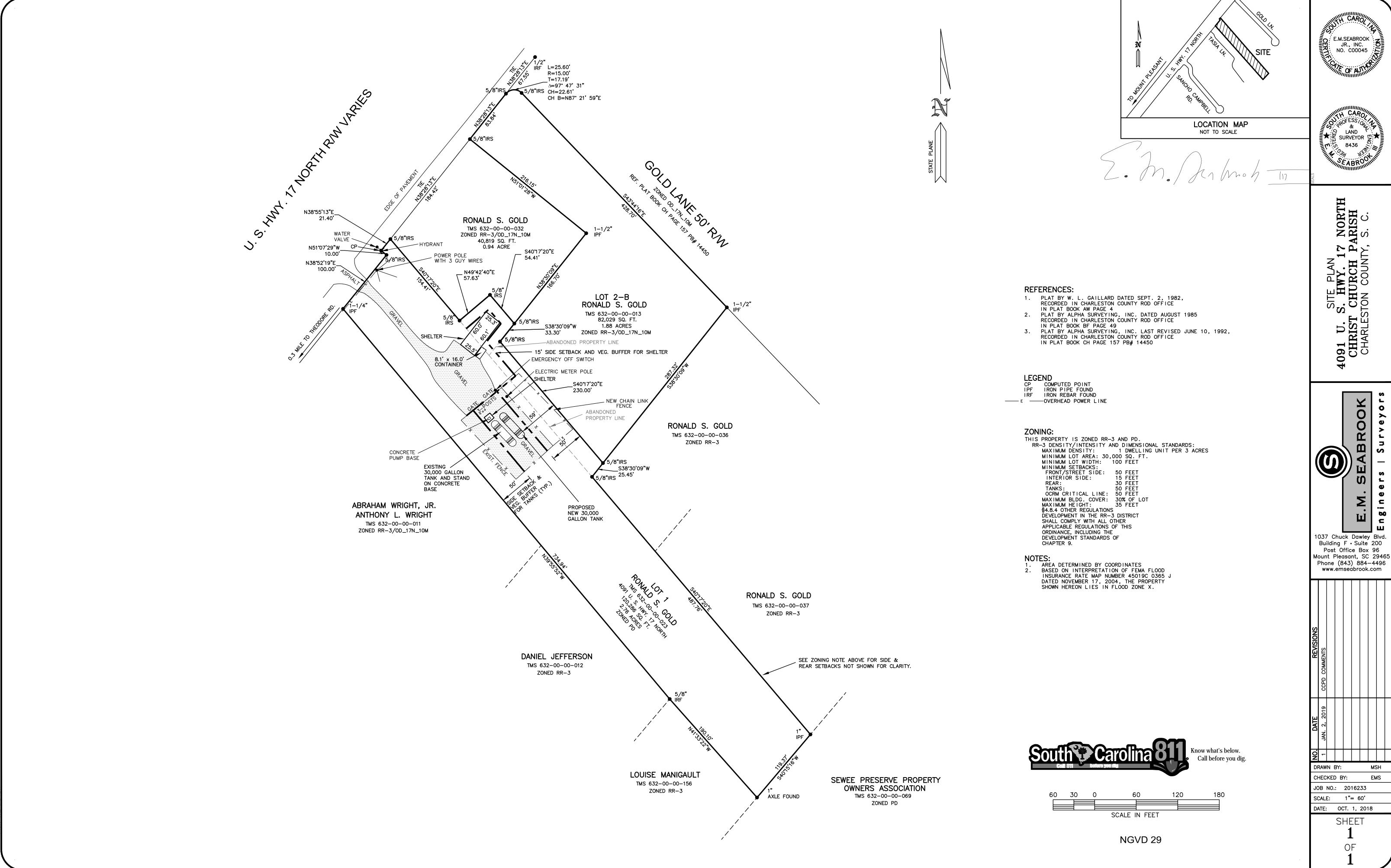
Site Information

New acreage: 2.76 acres
Acreage added: 0.21 acre
Highland acreage: 2.76 acres
Wetland acreage: 0.00 acre

Setbacks and buffers

Minimum 50-foot side setback and buffers are required for the propane tanks
with no intrusions into the buffers except for the shelter. Existing vegetation
onsite can be used to fulfill Type D land use buffer requirements, and where
existing vegetation does not meet those requirements, additional plantings are
required.

2. Minimum 15-foot side setback and buffers are required for the accessory structures (to cover the shelter shown on the site plan) with no intrusions into the buffers. Existing vegetation onsite can be used to fulfill Type B land use buffer requirements, and where existing vegetation does not meet those requirements, additional plantings are required.



Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING: ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) TEXT AMENDMENT AND ZONING MAP AMENDMENTS Tuesday, April 9, 2019 at 6:30 PM

Charleston County Council will hold a public hearing on Tuesday, April 9, 2019 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 requests:

<u>ZLDR-01-19-00114:</u> Request to rezone in the underlying zoning district, a 0.13 acre portion of TMS 632-00-00-013 and a 0.08 acre portion of 632-00-00-032 to PD-105A, and amend Map 5.10.5.A, Highway 17 North Corridor Overlay Zoning District, 10 Mile Community, to expand the boundaries of PD-105 to match the proposed boundaries of PD-105A.

<u>ZREZ-01-19-00094</u>: Request to rezone from PD-105, Gold Propane to PD-105A, Gold Propane, to amend property boundaries to include a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032, and to allow a second propane tank and accessory structures on site.

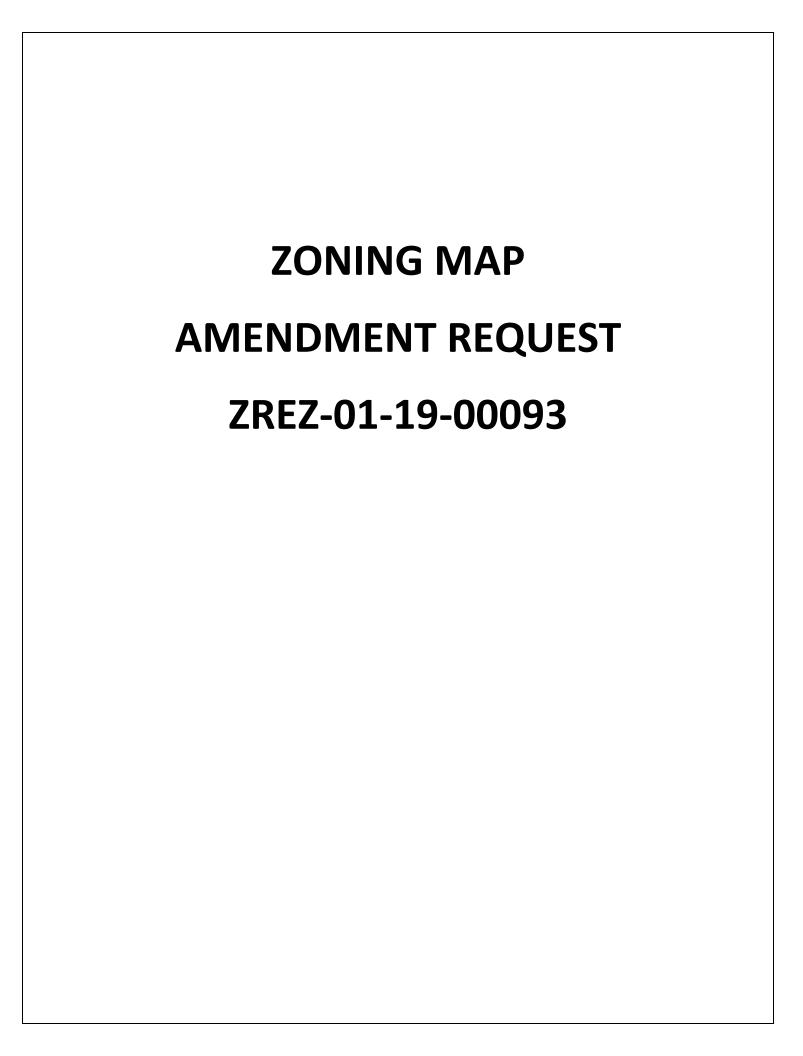
<u>ZREZ-01-19-00093</u>: Request to rezone from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District (1618 Harbor View Rd, TMS 4240500072).

<u>ZREZ-02-19-00095</u>: Request to rezone from R4 to PD-168, Cleveland Holdings Planned Development for 1384 Orleans Road, for a Commercial Guest House Short-Term Rental (1384 Orleans Rd, TMS 351-06-00-038).

<u>ZREZ-02-19-00096</u>: Request to rezone from R4 to PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, for a Commercial Guest House Short-Term Rental (1360 Florence Ln, TMS 351-06-00-231).

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 REQUEST: ZREZ-01-19-00093 CASE HISTORY

Planning Commission: March 11, 2019
Public Hearing: April 9, 2019
Planning and Public Works Committee: April 18, 2019
First Reading: April 23, 2019
Second Reading: May 7, 2019
Third Reading: May 21, 2019

CASE INFORMATION:

Location: 1618 Harbor View Road

Parcel Identification: 424-05-00-072

Property Size: 0.58 acres

Council District: District 9

Zoning Map Amendment Request:

The applicant is requesting to rezone TMS 424-05-00-072, 1618 Harbor View Road, from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District. The subject property contains a single dwelling, a detached garage, and a shed.

History:

Prior to this request, no zoning map amendment applications have been made.

Adjacent Zoning:

Adjoining properties to the east and west are in the County and zoned Residential Office (OR), while the adjoining property to the north is in the City of Charleston and zoned Single Family Residential (SR-1). The parcel in the City of Charleston contains a single family dwelling, while parcels in the County contain a doctor's office to the west and a law office to the east.

<u>Municipalities Notified/Responses</u>: The City of Charleston, City of North Charleston, and Town of James Island were notified of this request but have not responded.

Public Input: No public input has been received at this stage.

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 the Urban/Suburban Mixed Use future land use for the subject property. This future land use designation "...encourages 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. This category is

intended to allow for growth to occur within the Urban Growth Boundary by allowing urban mixed uses..."

The request to rezone this property to the OR Zoning District is consistent with the Plan's recommendations for this area as the OR Zoning District allows for a variety of residential housing types and residential land uses, in addition to compatible office uses, thus contributing to a mixed use area within the Urban Growth Boundary.

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 compatible with existing uses and recommended density, as this area contains single family residential uses and office uses, as well as a school. Development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the Zoning and Land Development Regulations Ordinance (ZLDR). In addition, ZLDR Section 4.15.5, Supplemental District Standards for the OR Zoning District, includes architectural and building requirements to ensure structures are compatible with the established architectural neighborhood in which they are located.

- **C.** The proposed amendment corrects a zoning map error or inconsistency; Staff response: The proposed amendment does 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 amendment does not address events, trends, or facts that have significantly changed the character or condition of this area.

Because the zoning map amendment requests meet one or more of the approval criteria, staff recommends approval.

PLANNING COMMISSION MEETING: MARCH 11, 2019

Recommendation: Approval (vote: 8-0, with 1 absent).

Speakers: The applicant spoke in support of the application.

Notifications: A total of 147 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the James Island Interested Parties List on February 22, 2019. Additionally, this request was noticed in the *Post & Courier* on February 22, 2019.

Public Input: One letter in support of the rezoning was received from an adjoining property owner.

PUBLIC HEARING: APRIL 9, 2019

Speakers: The applicant spoke in support of the application.

<u>Notifications:</u> A total of 147 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the James Island Interested Parties List on March 22, 2019, 2019. Additionally, this request was noticed in the *Post & Courier* on March 22, 2019, and notification signs were posted on the property on March 22, 2019.



Public Hearing - April 9, 2019

Planning and Public Works Committee - April 18, 2019

Rezoning Case ZREZ-01-19-00093

- James Island: 1618 Harbor View Rd, Charleston
- Parcel I.D.: 424-05-00-072
- Request to rezone from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District
- Applicant: Pricilla Svendsen

1704 Indaba Way, Charleston

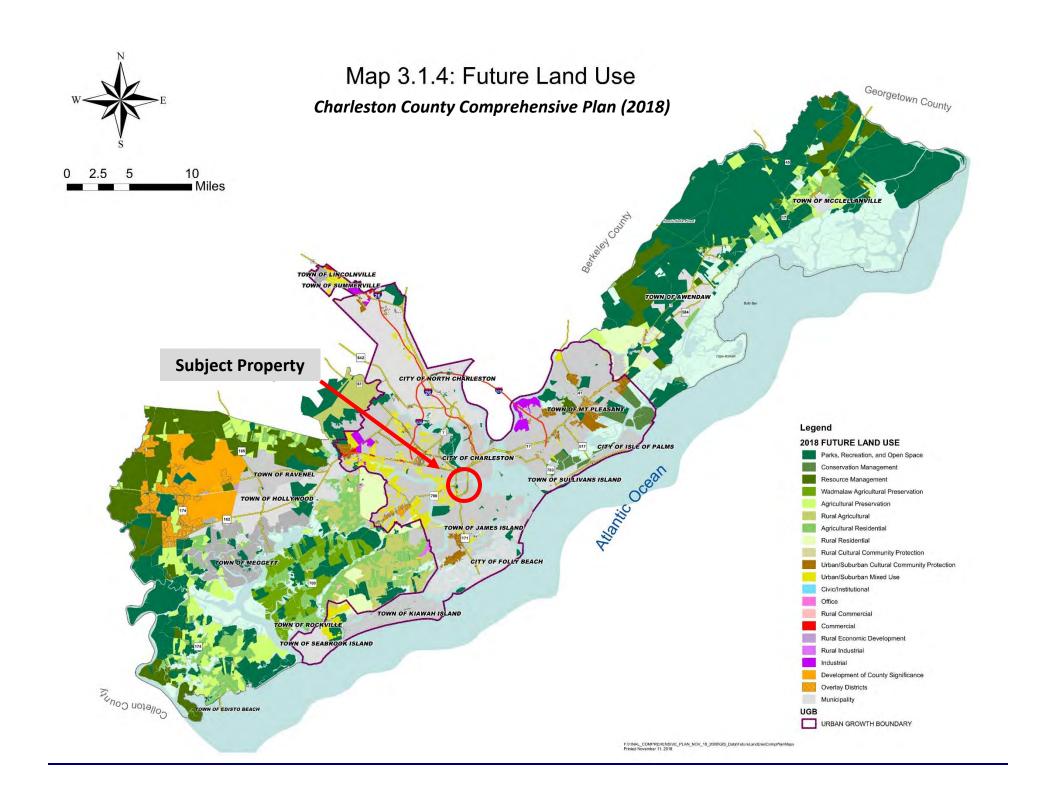
Owner: Virgil & James Victor Svendsen

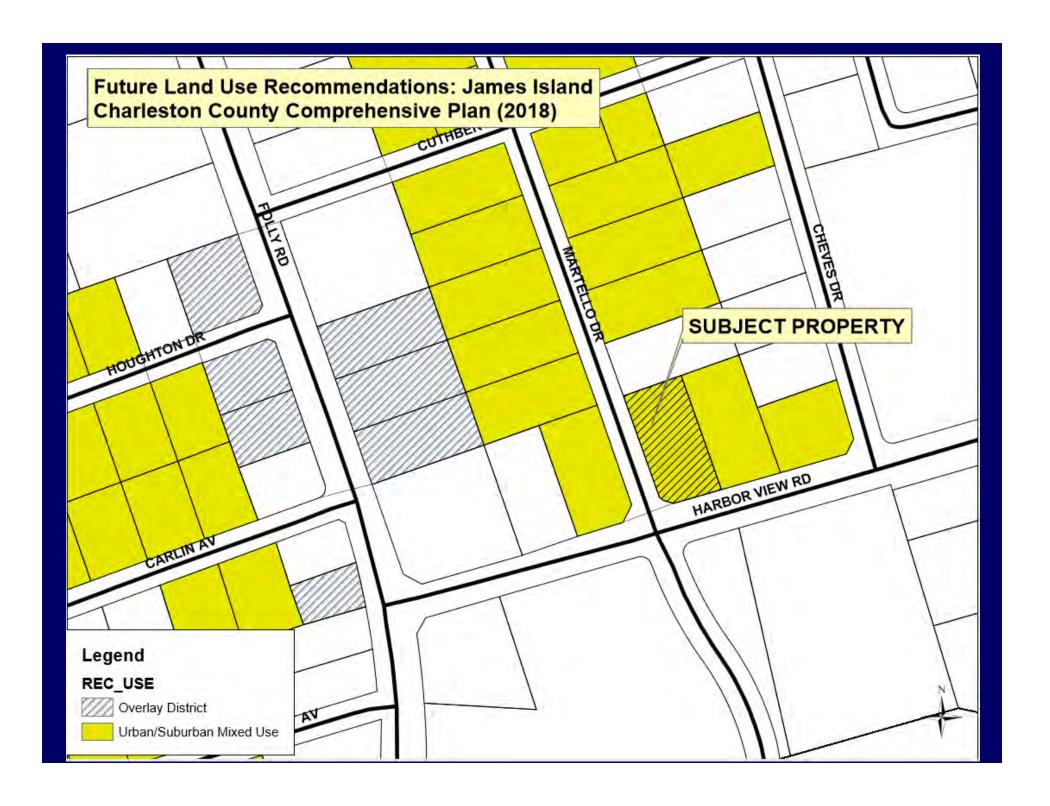
1136 Pittsford Cir, Charleston

- Acreage: 0.58 acres
- Council District: 9

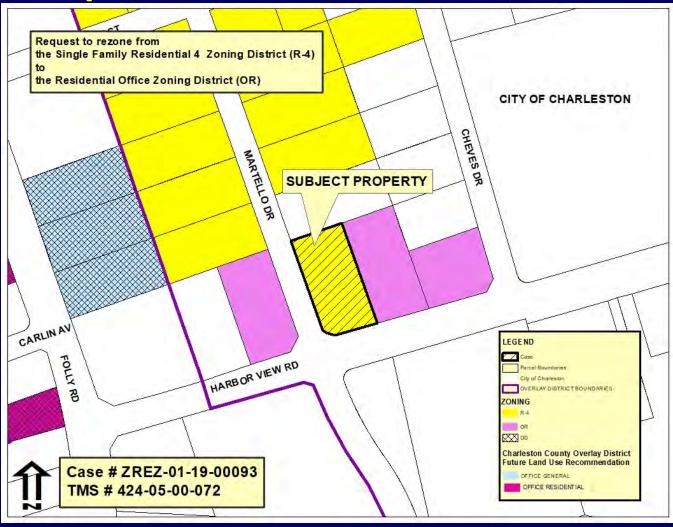
History

 Prior to this request, no zoning map amendment applications have been made.



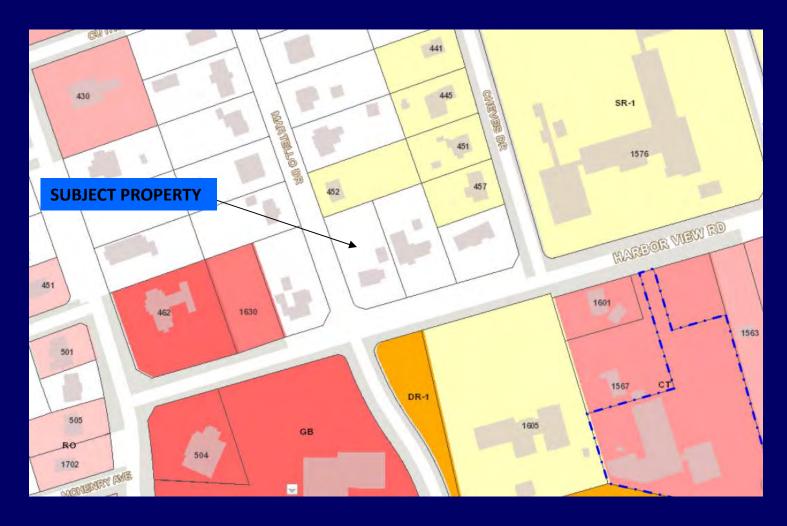


Area Description



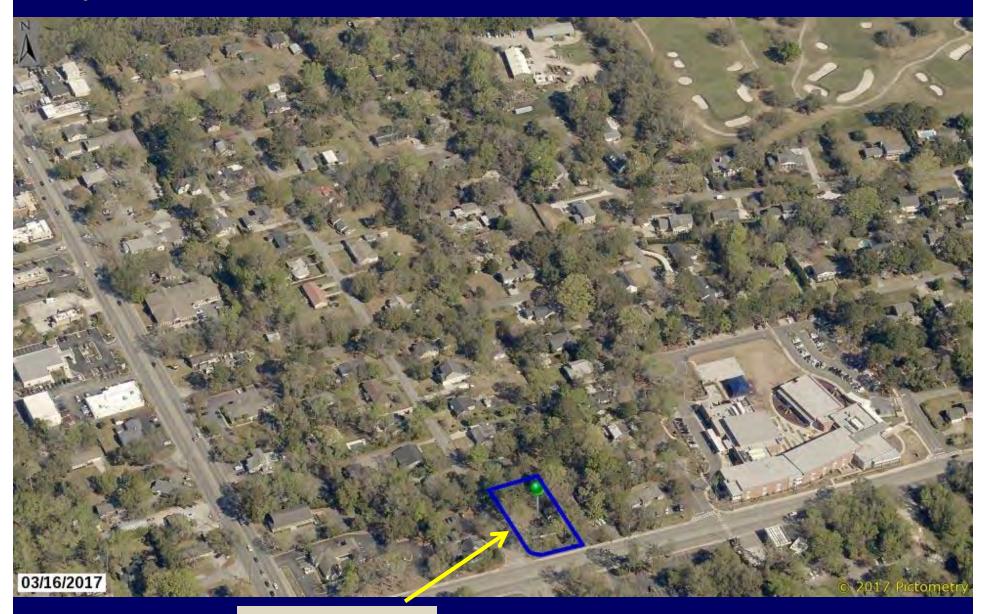
Adjoining properties to the east and west are in the County and zoned Residential Office (OR), while the adjoining property to the north is in the City of Charleston and zoned Single Family Residential (SR-1). The parcel in the City of Charleston contains a single family dwelling, while parcels in the County contain offices.

City of Charleston Zoning



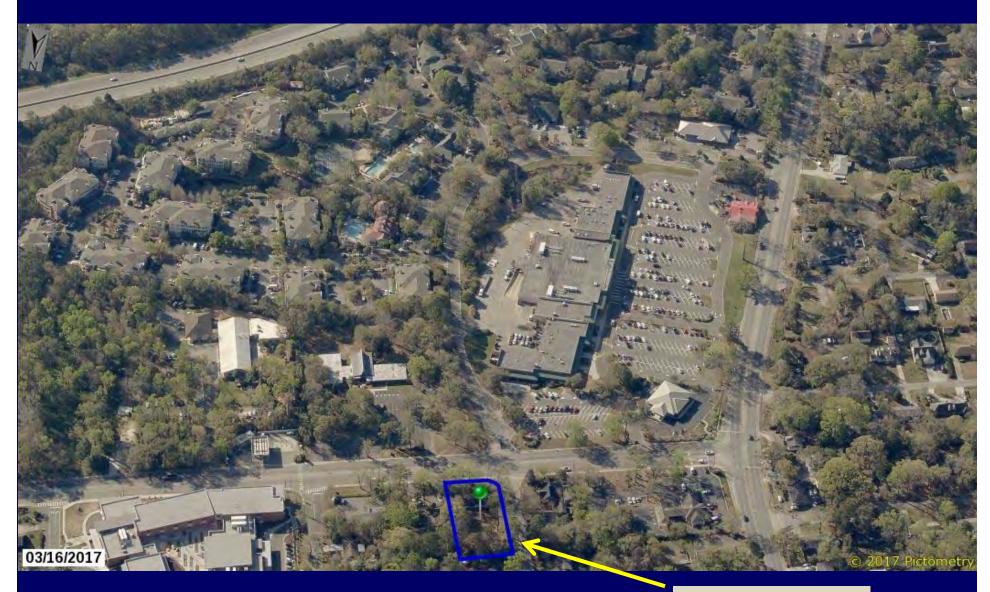
City of Charleston zoning surrounding the property includes SR-1 (Single Family Residential) in yellow and DR-1 (Diverse Residential) in orange. Additional zoning in the vicinity of the property include LB (Limited Business), GB (General Business) and CT (Commercial Transitional) in the pink areas.

Subject Parcels to the North



Subject Property

Subject Parcels to the South



ZREZ-01-19-00093



1 – Subject Property

2 – Adjoining Property on Harbor View Rd



ZREZ-01-19-00093



3 – Adjacent Property on Harbor View Rd

4 – Adjoining Property on Martello Dr, City of Charleston



Typical Allowed Uses

Single Family Residential 4 (R-4)

- Density: 4 dwelling units/acre
- Single-Family Detached
- Duplex
- School, Primary and Secondary
- Historical sites
- Libraries or archives
- Museums
- Community recreation
- Catering service
- Sweetgrass basket stand

Residential Office (OR)

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

<u>Approval Criteria—Section 3.4.6</u>

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 the Urban/Suburban Mixed Use future land use for the subject property. This future land use designation "...encourages 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. This category is intended to allow for growth to occur within the Urban Growth Boundary by allowing urban mixed uses..."

The request to rezone this property to the OR Zoning District is consistent with the Plan's recommendations for this area as the OR Zoning District allows for a variety of residential housing types and residential land uses, in addition to compatible office uses, thus contributing to a mixed use area within the Urban Growth Boundary.

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 compatible with existing uses and recommended density, as this area contains single family residential uses and office uses, as well as a school. Also, development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the Zoning and Land Development Regulations Ordinance (ZLDR). In addition, ZLDR Section 4.15.5, Supplemental District Standards, for the OP Zoning District includes architectural and building requirements to ensure structures are compatible with the established architectural neighborhood in which they are located.

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

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

Recommendation

The zoning map amendment request meets one or more of the approval criteria

STAFF AND PLANNING COMMISSION RECOMMENDATIONS:

Approval

Notifications

February 22, 2019

- 102 notifications were sent to owners of property located within 300 feet of the boundary of the subject parcel and individuals on the James Island Interested Parties List.
- Ad ran in the Post & Courier.

March 22, 2019

- 147 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the James Island Interested Parties List on March 22, 2019, 2019.
- Ad ran in the Post & Courier on March 22, 2019.
- Notification signs were posted on the property.

Public Input

 One letter in support of the rezoning was received from an adjoining property owner.





Public Hearing - April 9, 2019

Planning and Public Works Committee - April 18, 2019

	3 Change Application			
ASE ZREZ	-01-19-00093PD			Zoning/Planning Department Lonnie Hamilton, III
URRENT DISTRICT	PROPERTY INFORMATION Regidenti Requested district or 424 05 00 012	CHARLE COUNTSOUTH CA	VTY 🔤	Public Services Building 4045 Bridge View Drive North Charleston, SC 29405 (843) 202-7200 1-800-524-7832 Fax: (843) 202-7222
TTY/AREA OF COUN				
TREET ADDRESS	1618 HarborView Road			ACRES _ 0.58
EED RECORDED:	BOOK 0122 PAGE 142 DAT	E May 2010		
LAT RECORDED:	BOOK F PAGE 235 DAT	E 4/3/46 APP	ROVAL#	N.
	\APPLICANT—OWNER—RI	EPRESENTATIVE		
, , , , , , , , , , , , , , , , , , ,	Jayres	HOME PHONE	1	
APPLICANT	Virgil & Victor Svenasen	WORK PHONE	•	
MAIL ADDRESS	Charleston SC 294	2 CELL PHONE	0113	810 4091
CITY, STATE, ZIP	Charleston 20 Z[1]	EMAIL EMAIL	Vbc 19	71 eatt. net
	\ 	EIVIAIL	ANSIT	71001111101
<u>OWNER</u>		HOME PHONE		
IF OTHER THAN APPLICAN MAIL ADDRESS	1	WORK PHONE		
DITY, STATE, ZIP	-	CELL PHONE		
JIT, STATE, ZII	-	EMAIL		
	0			
REPRESENTATIVE		HOME PHONE	1	
MAIL ADDRESS	1704 Indaba Wax	WORK PHONE	22.7	
CITY, STATE, ZIP	Charleston SC 29414	CELL PHONE	843	819 0780
		EMAIL	charles	tonpisegmail
	CERTIFICAT	TON		10 0
This application will applicant within fifte these items are not sapplication or if any inaccurate:	en (15) business days if submitted with the Copy of Signed Restricted	Deed to the property (Ow Covenants Affidavit tice Affidavit	vner's signatu	ire must match documentation.,
	Pricilla Syenosen is the auti	norized representative	for my (our)	zoning change request. I also
I (we) certify that	quirements for submitting my zoning change application rmation is correct. 1-24-19 1-24-19	Applicant/ Representat		1.24.10
accept the above re provided and all info nus V. Sten	quirements for submitting my zoning change application rmation is correct. 1-24-19 Date Signature of 1-25-19			1.24.10

Amount Received 5165.80 Cash? ☐ Check? № # 5394 Invoice Number TR(-146310-25-01-209

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING: ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) TEXT AMENDMENT AND ZONING MAP AMENDMENTS Tuesday, April 9, 2019 at 6:30 PM

Charleston County Council will hold a public hearing on Tuesday, April 9, 2019 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 requests:

<u>ZLDR-01-19-00114:</u> Request to rezone in the underlying zoning district, a 0.13 acre portion of TMS 632-00-00-013 and a 0.08 acre portion of 632-00-00-032 to PD-105A, and amend Map 5.10.5.A, Highway 17 North Corridor Overlay Zoning District, 10 Mile Community, to expand the boundaries of PD-105 to match the proposed boundaries of PD-105A.

<u>ZREZ-01-19-00094</u>: Request to rezone from PD-105, Gold Propane to PD-105A, Gold Propane, to amend property boundaries to include a 0.13-acre portion of TMS 632-00-00-013 and a 0.08-acre portion of TMS 632-00-00-032, and to allow a second propane tank and accessory structures on site.

<u>ZREZ-01-19-00093</u>: Request to rezone from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District (1618 Harbor View Rd, TMS 4240500072).

<u>ZREZ-02-19-00095</u>: Request to rezone from R4 to PD-168, Cleveland Holdings Planned Development for 1384 Orleans Road, for a Commercial Guest House Short-Term Rental (1384 Orleans Rd, TMS 351-06-00-038).

<u>ZREZ-02-19-00096</u>: Request to rezone from R4 to PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, for a Commercial Guest House Short-Term Rental (1360 Florence Ln, TMS 351-06-00-231).

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-02-19-00095 and ZREZ-02-19-00096

ZONING MAP AMENDMENT REQUESTS: ZREZ-02-19-00095, and ZREZ-02-19-00096 CASE HISTORY

Public Hearing: April 9, 2019
Planning and Public Works Committee: April 18, 2019
First Reading: April 23, 2019
Second Reading: May 7, 2019
Third Reading: May 21, 2019

CASE INFORMATION:

Location, Parcel Identification and Property Size:

- Case ZREZ-02-00-00095, 1384 Orleans Rd, PID# 351-06-00-038, 0.11 acres (St. Andrews); and
- Case ZREZ-02-19-00096,1360 Florence Lane, PID# 351-06-00-231, 0.24 acres (St Andrews).

Council District: 7

Zoning Map Amendment Requests:

The applicant is requesting the following:

- Case ZREZ-02-19-00095: Rezone TMS 351-06-00-038 from the Single Family Residential 4 (R-4)
 Zoning District to the Planned Development Zoning District, PD-168, Cleveland Holdings Planned
 Development for 1384 Orleans Road, for a Commercial Guest House Short-Term Rental.
- Case ZREZ-02-19-00096: Rezone TMS 351-06-00-231 from the Single Family Residential 4 (R-4) Zoning District to the Planned Development Zoning District, PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, for a Commercial Guest House Short-Term Rental.

History:

Zoning Map Amendment requests ZREZ-09-18-00089 and ZREZ-09-18-00090 were previously submitted on September 21, 2018, to rezone both parcels from R-4 to Residential Office (OR). Planning Commission voted to recommend disapproval of both applications at their meeting on November 5, 2018, and both applications were disapproved at County Council First Reading on December 20, 2018, with a waiver to the 1-year waiting period for the applicant to submit Planned Development applications.

Adjacent Zoning:

With regard to Case ZREZ-02-19-00095, 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. The subject site contains a single-family dwelling.

With regard to Case ZREZ-02-19-00096, 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. The subject site contains a single-family dwelling.

Summary of Requested Guidelines for both PD-168 (Case ZREZ-02-19-00095) and PD-169 (Case ZREZ-02-19-00096):

- Allowed uses are a Commercial Guest House Short-Term Rental, and uses permitted in the R-4 Zoning District if not developed as a Commercial Guest House Short-Term Rental;
- Maximum number of rental days annually is 350;
- No accessory dwellings will be permitted on site;
- Compliance with R-4 density, intensity and dimensional standards;

- Maximum of 2 guests per bedroom;
- Parking in accordance with Article 9.3 of the ZLDR; and
- Tree Protection in accordance with Article 9.4 of the ZLDR.

<u>Municipalities Notified/Responses</u>: 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.

<u>Public Input</u>: At this stage, no public input has been received.

STAFF RECOMMENDATION:

According to Section §4.23.9(E)(9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

- A. The PD Development Plan complies with the standards contained in this Article;
- B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and
- c. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

Staff Response:

The PDs do not meet Criterion B as they are not consistent with Article 6.8, Short-Term Rentals, of the ZLDR which is an adopted Ordinance. Short-Term Rentals are allowed by Special Exception approval in the R-4 Zoning District, but are limited to a maximum of 144 rentals days. The proposed Commercial Guest House Short-Term Rentals, with a maximum number of 350 rental days annually each, are not considered appropriate for the R-4 Zoning District, and this position was supported by Planning Commission and County Council in the adoption of the Short-Term Rental Ordinance, where Commercial Guest Houses are prohibited in the R-4 Zoning District.

However, if Planning Commission chooses to recommend approval of Case ZREZ-02-19-00095 (PD-168) and/or Case ZREZ-02-19-00096 (PD-169), staff recommends the following conditions of approval:

- <u>Statement of Objectives</u>: Delete the last sentence and replace it with the following: "If the subject site
 is not used as a Commercial Guest House Short-Term Rental in accordance with this Planned
 Development, uses permitted in the Single Family Residential 4 (R-4) zoning district, at the time of
 subsequent development application submittal, shall be allowed on site."
- <u>Site Information (PD-168)</u>: Amend the sentence to read as follows: "The total acreage of TMS 351-06-00-038 is 0.11 acres, consisting entirely of high ground. The property consists of no freshwater wetland, 0.00 acres, critical line wetland, or marsh acreage."
- <u>Site Information (PD-169):</u> Amend the sentence to read as follows: "The total acreage of TMS 351-06-00-231 is 0.24 acres, consisting entirely of high ground. The property consists of no freshwater wetland, 0.00 acres, critical line wetland, or marsh acreage."
- <u>Proposed Land Uses, first bullet point:</u> Amend the bullet point to read as follows: "All permissible R-4 uses at the time of subsequent development application submittal, if not used as a Commercial Guest House Short-Term Rental in accordance with this PD."
- Proposed Land Uses, second bullet point:
 - Amend the bullet point to read as follows: "Commercial Guest House Short-Term Rental, up to 350 days annually, by right and without the need for Special Exception."
 - Add a sentence clarifying the number of bedrooms permitted to be rented out in the Short-Term Rental.
- <u>Proposed Land Uses, third bullet point</u>: Amend the bullet point to read as follows: "No accessory dwellings will be permitted on the property."

- <u>Maximum Density & Dimensional Standards, first paragraph, second sentence:</u> Add the following to the end of the sentence: "...at the time of subsequent development application submittal."
- <u>Maximum Density & Dimensional Standards, second paragraph:</u> Add the following to the end of the sentence: "...at the time of subsequent development application submittal."
- Compliance with the ZLDR, second paragraph: Amend the paragraph to read as follows: "The applicant agrees to proceed with the proposed development in accordance with provisions of the zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to the rezoning to the applicable PD district."
- Compliance with the ZLDR:
 - Add a paragraph that reads as follows: "The provisions of Article 3.10, Variances, of this Ordinance shall not apply to the planned development and that all major changes to the planned development must be approved by County Council. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance."
 - Clarify how the proposed development complies with the approval criteria contained in ZLDR Section 4.23.9(E)(9), addressing each criterion separately.
- Historic and Archeological Information: Delete the last sentence.
- <u>Architectural Guidelines</u>: Add the following wording to the end of the sentence: "...at the time of subsequent development application submittal."
- Areas Designated for Future Use: Amend the paragraph to read as follows: "All areas designated for future expansion or not intended for immediate improvement or development shall remain in a natural state until such time as development permits are approved."
- <u>Parking:</u> Clarify and state the total number of parking spaces available on site for use by the Commercial Guest House Short-Term Rental.
- <u>Sketch Plan:</u> Amend the sketch plan to show all possible parking spaces available on site. e.g. in the driveway, the garage, or the grass portion of the rear yard. The number of parking spaces shown shall correspond with the number of spaces noted in the PD text and Note 8 on the sketch plan.

PLANNING COMMISSION MEETING: MARCH 11, 2019

Recommendation: ZREZ-02-19-00095, Disapproval (vote: 8-0, with 1 absent).

ZREZ-02-19-00096, Disapproval (vote: 8-0 with 1 absent).

Speakers: One person spoke in support of the application, and no one spoke in opposition to the application.

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 February 22, 2019. Additionally, this request was noticed in the *Post & Courier* on February 22, 2019.

PUBLIC HEARING: APRIL 9, 2019

Speakers: The applicant spoke in support of the application. No one spoke in opposition.

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 March 22, 2019. Additionally, this request was noticed in the *Post & Courier* on March 22, 2019, and notification signs were posted on the properties on March 22, 2019.



Public Hearing – April 9, 2019
Planning and Public Works Committee – April 18, 2019

ZREZ-02-19-00095 and ZREZ-02-19-00096

St. Andrews: 1384 Orleans Road and 1360 Florence Lane

Parcel I.D.: 351-06-00-038 and 351-06-00-231

Owners: Joseph M. Cleveland and Crystal J. Cleveland

406 Cave Spring Road, Rome GA 30161

Applicant: Bradford Hincher

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

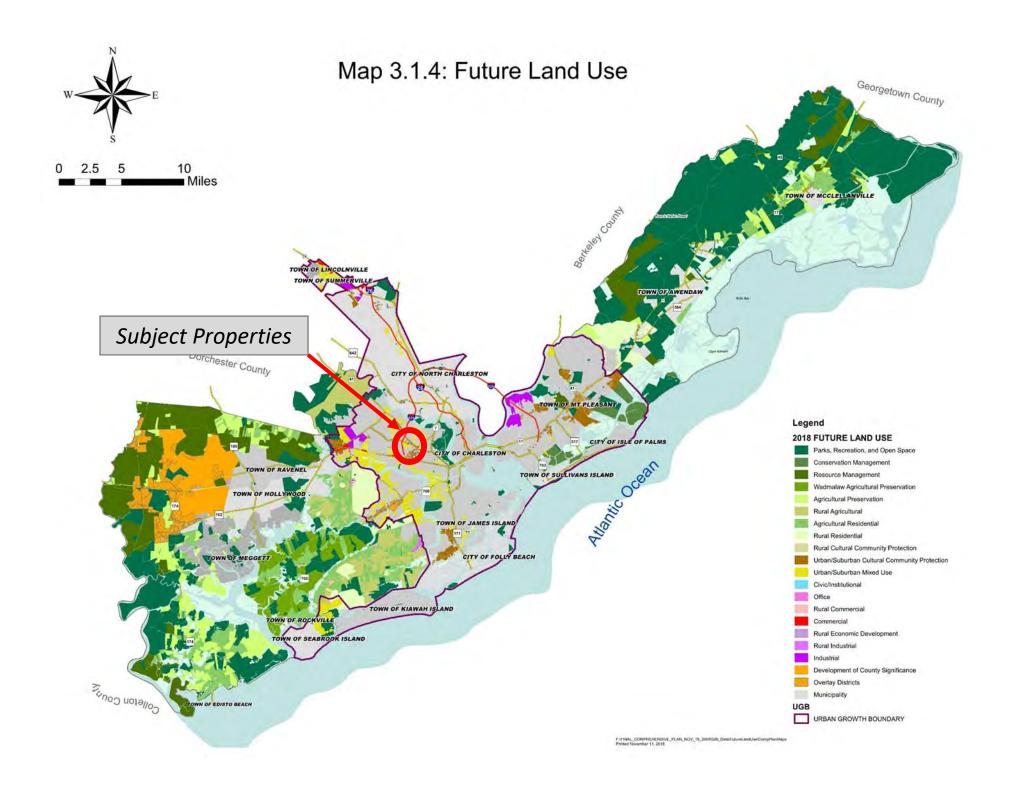
Council District: 7

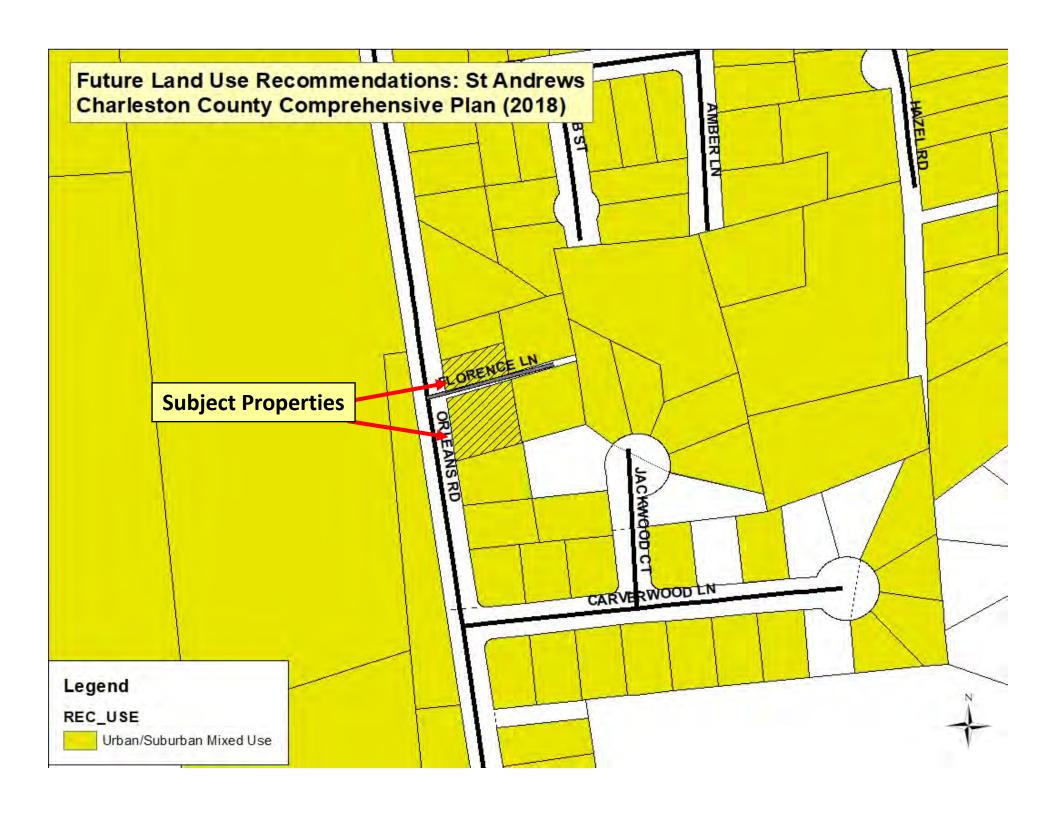
Applications

- <u>Case ZREZ-02-19-00095</u>: Rezone TMS 351-06-00-038 from the Single Family Residential 4 (R-4) Zoning District to the Planned Development Zoning District, PD-168, Cleveland Holdings Planned Development for 1384 Orleans Road, for a Commercial Guest House Short-Term Rental.
- <u>Case ZREZ-02-19-00096</u>: Rezone TMS 351-06-00-231 from the Single Family Residential 4 (R-4) Zoning District to the Planned Development Zoning District, PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, for a Commercial Guest House Short-Term Rental.

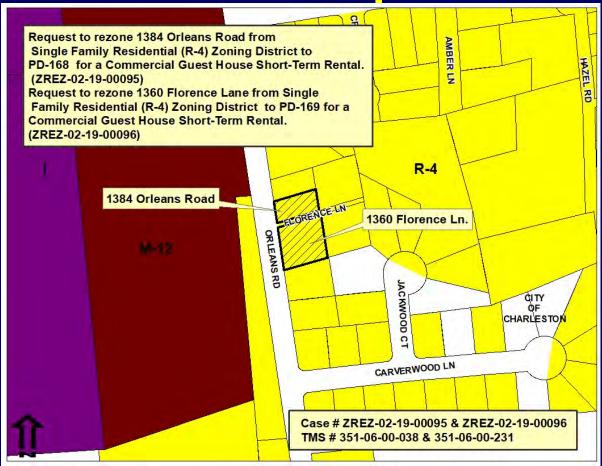
Zoning History

- Zoning Map Amendment requests ZREZ-09-18-00089 and ZREZ-09-18-00090 were previously submitted on September 21, 2018, to rezone both parcels from R-4 to Residential Office (OR).
- Planning Commission voted to recommend disapproval of both applications at their meeting on November 5, 2018.
- Both applications were disapproved at County Council First Reading on December 20, 2018, with a waiver to the 1-year waiting period for the applicant to submit Planned Development applications.





Area Description



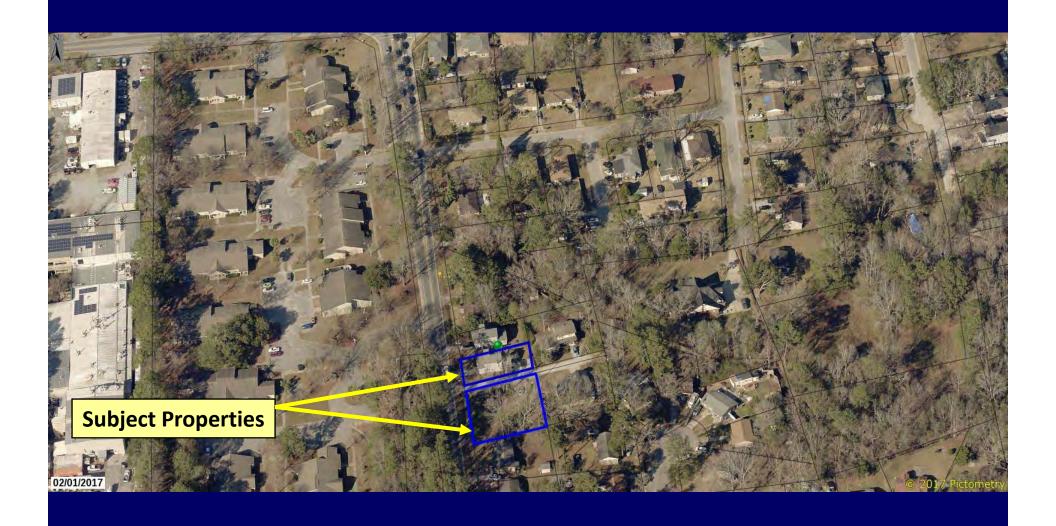
With regard to Case ZREZ-02-19-00095, 1384 Orleans Road, TMS 351-06-00-038, all adjacent and adjoining properties are in the County, are zoned either R-4 or Mixed Style Residential 12 (M-12), and contain either single-family dwellings or multifamily dwellings.

With regard to Case ZREZ-02-19-00096, 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



Aerial View to the North



Site Photos



1 – Subject property 1384 Orleans Road

2 – Subject property 1360 Florence Lane



Site Photos



3 – Adjacent property
On Florence Lane

4 – Adjacent Property Orleans Road

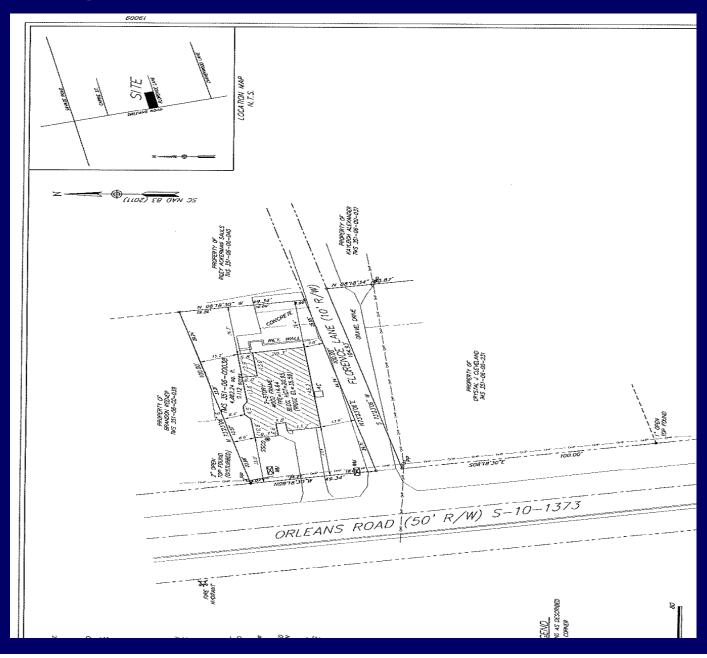


Requested PD Guidelines

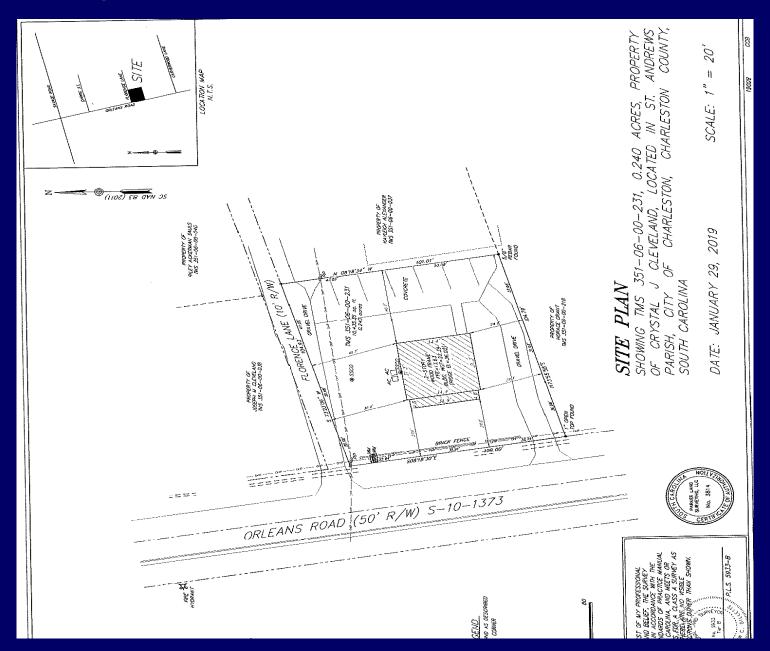
PD-168 (Case ZREZ-02-19-00095) and PD-169 (Case ZREZ-02-19-00096):

- Allowed uses are a Commercial Guest House Short-Term Rental, and uses permitted in the R-4 Zoning District if not developed as a Commercial Guest House Short-Term Rental;
- Maximum number of rental days annually is 350;
- No accessory dwellings will be permitted on site;
- Compliance with R-4 density, intensity and dimensional standards;
- Maximum of 2 guests per bedroom;
- Parking in accordance with Article 9.3 of the ZLDR;
- Tree Protection in accordance with Article 9.4 of the ZLDR.

Proposed Sketch Plan for PD-168



Proposed Sketch Plan for PD-169



Approval Criteria—Section 4.23.9.E(9)

According to Section §4.23.9(E)(9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

- A. The PD Development Plan complies with the standards contained in this Article;
- B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

Staff Response:

The PDs do not meet Criterion B as they are not consistent with Article 6.8, Short-Term Rentals, of the ZLDR which is an adopted Ordinance. Short-Term Rentals are allowed by Special Exception approval in the R-4 Zoning District, but are limited to a maximum of 144 rentals days. The proposed Commercial Guest House Short-Term Rentals, with a maximum number of 350 rental days annually each, are not considered appropriate for the R-4 Zoning District, and this position was supported by Planning Commission and County Council in the adoption of the Short-Term Rental Ordinance, where Commercial Guest Houses are prohibited in the R-4 Zoning District.

PD-168, Cleveland Holdings Planned Development for 1384 Orleans Road, does not meet the approval criteria of Section 4.23.9 of the ZLDR. PD-169, Cleveland Holdings Planned Development for 1360 Florence Lane, does not meet the approval criteria of Section 4.23.9 of the ZLDR. Staff recommends disapproval of both requests.

Staff and Planning Commission Recommendations:

ZREZ-02-19-00095: Disapproval (vote: 8-0, 1 absent)

ZREZ-02-19-00096: Disapproval (vote: 8-0, 1 absent)

If County Council Recommends Approval, Staff Recommends the Following Conditions of Approval for Case ZREZ-02-19-00095 (PD-168) and/or Case ZREZ-02-19-00096 (PD-169)

- <u>Statement of Objectives</u>: Delete the last sentence and replace it with the following: "If the subject site is not used as a Commercial Guest House Short-Term Rental in accordance with this Planned Development, uses permitted in the Single Family Residential 4 (R-4) zoning district, at the time of subsequent development application submittal, shall be allowed on site."
- <u>Site Information (PD-168)</u>: Amend the sentence to read as follows: "The total acreage of TMS 351-06-00-038 is 0.11 acres, consisting entirely of high ground. The property consists of no freshwater wetland, 0.00 acres, critical line wetland, or marsh acreage."
- <u>Site Information (PD-169):</u> Amend the sentence to read as follows: "The total acreage of TMS 351-06-00-231 is 0.24 acres, consisting entirely of high ground. The property consists of no freshwater wetland, 0.00 acres, critical line wetland, or marsh acreage."
- <u>Proposed Land Uses, first bullet point:</u> Amend the bullet point to read as follows: "All permissible R-4 uses at the time of subsequent development application submittal, if not used as a Commercial Guest House Short-Term Rental in accordance with this PD."
- Proposed Land Uses, second bullet point:
 - Amend the bullet point to read as follows: "Commercial Guest House Short-Term Rental, up to 350 days annually, by right and without the need for Special Exception."
 - Add a sentence clarifying the number of bedrooms permitted to be rented out in the Short-Term Rental.
- <u>Proposed Land Uses, third bullet point</u>: Amend the bullet point to read as follows: "No accessory dwellings will be permitted on the property."
- <u>Maximum Density & Dimensional Standards, first paragraph, second sentence:</u> Add the following to the end of the sentence: "...at the time of subsequent development application submittal."
- <u>Maximum Density & Dimensional Standards, second paragraph:</u> Add the following to the end of the sentence: "...at the time of subsequent development application submittal."

If Planning Commission Recommends Approval, Staff Recommends the Following Conditions of Approval for Case ZREZ-02-19-00095 (PD-168) and/or Case ZREZ-02-19-00096 (PD-169) cont'

- <u>Compliance with the ZLDR, second paragraph:</u> Amend the paragraph to read as follows: "The applicant agrees to proceed with the proposed development in accordance with provisions of the zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to the rezoning to the applicable PD district."
- Compliance with the ZLDR:
 - Add a paragraph that reads as follows: "The provisions of Article 3.10, Variances, of this Ordinance shall not apply to the planned development and that all major changes to the planned development must be approved by county council. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance."
 - Clarify how the proposed development complies with the approval criteria contained in ZLDR Section 4.23.9(E)(9), addressing each criterion separately.
- Historic and Archeological Information: Delete the last sentence.
- <u>Architectural Guidelines</u>: Add the following wording to the end of the sentence: "...at the time of subsequent development application submittal."
- <u>Areas Designated for Future Use:</u> Amend the paragraph to read as follows: "All areas designated for future expansion or not intended for immediate improvement or development shall remain in a natural state until such time as development permits are approved."
- <u>Parking:</u> Clarify and state the total number of parking spaces available on site for use by the Commercial Guest House Short-Term Rental.
- <u>Sketch Plan:</u> Amend the sketch plan to show all possible parking spaces available on site. e.g. in the driveway, the garage, and the grass portion of the rear yard. The number of parking spaces shown shall correspond with the number of spaces noted in the PD text and Note 8 on the sketch plan.

Notifications

February 22, 2019

- 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.

March 22, 2019

- 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 signs were posted on the properties.



Public Hearing – April 9, 2019
Planning and Public Works Committee – April 18, 2019

Amount Received 301.10 Cash?

ZONING CHANGE	APPLICATION		>				
CASE ZREZ-02-14-00095	PD_168		Zoning/Planning Department Lonnie Hamilton, III Public Services Building				
PROPERTY INFO	RMATION		4045 Bridge View Drive North Charleston, SC 29405				
CURRENT DISTRICT REQ	UESTED DISTRICT	CHARLESTON	(843) 202-7200 1-800-524-7832				
PARCEL ID(S) 351-06-00-03	8 .	■ B COUNTY E	Fax: (843) 202-7222				
CITY/AREA OF COUNTY Charlesten	St. Andrews District						
STREET ADDRESS 1384 Octoon	Real Charlesten SC	29407	ACRES 0, 11				
DEED RECORDED: BOOK 071	PAGE 37 DATE	12/14/2011	(forselyguent plat				
PLAT RECORDED: BOOK 1-85	PAGEDATE	04/33)19(APPROVAL#	18655 included, 07/20/20				
APPLICANT—OWNER—REPRESENTATIVE							
APPLICANT Brand His	Lec	HOME PHONE					
MAIL ADDRESS (Gra) 2008 A	eal Estate	WORK PHONE					
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	CERTIFICATION	<u>NC</u>					
This was the stire will be underwood to the		ded Plat showing present bounda					
This application will be returned to the applicant within fifteen (15) business days if			ature must match documentation.)				
these items are not submitted with the application or if any are found to be	 ✓ Copy of <u>Signed Restricted Co</u> ✓ Copy of <u>Signed Posted Notice</u> 						
inaccurate:		acre (Fees vary for Planned Deve	elopments.)				
D le lu	1						
accept the above requirements for submitting			r) zoning change request. I also I required information has been				
provided and all information is correct.	K		1 - 1				
Joseph M Cleveland Signature of Owner(a)	01-31-2019 7:09 PM EST Date Signature of Ap	pplicant/ Representative (if other	than owner) Date				
Lach	2/1/19	The state of the s					
Planner's Signature	Date Zoning Inspect	or's Signature	Date				
The state of the s							
	OFFICE USE O	NLY					

Check? № # 15123 Invoice NumberTRC-146714 - α - 02 - 2019

LONING CHANGE APPLICATIO	ON
PROPERTY INFORMATION CURRENT DISTRICT REQUESTED DISTRICT PARCEL ID(S) 30-66-00-33 CITY/AREA OF COUNTY Charles STREET ADDRESS BOOK PAGE 940 PLAT RECORDED: BOOK PAGE 855	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 ACRES 0.34 DATE (3) 01 APPROVAL#
APPLICANT—OWNER	-REPRESENTATIVE
MAIL ADDRESS Coroling One Real Estate	HOME PHONECrystal J Clwela
CITY, STATE, ZIP	CELL PHONE (8/3) 191-1919
OWNER (IF OTHER THAN APPLICANT) MAIL ADDRESS WOLL (1986)	(STRUS) HOME PHONE
CITY, STATE, ZIP Rome G. A. 3016)	CELL PHONE (1914) (843) (1) -3636 EMAIL - (1914) (1914) (1914) (1914)
REPRESENTATIVE (IF OTHER THAN APPLICANT)	HOME PHONE
MAIL ADDRESS	WORK PHONE
CITY, STATE, ZIP	CELL PHONE
<u> </u>	EMAIL
CERTIFIC	CATION
Inis 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 <u>Current Recondance</u> Copy of <u>Signed Restrict</u> Copy of <u>Signed Posted</u>	Recorded Plat showing present boundaries of property ded Deed to the property (Owner's signature must match documentation.) cted Covenants Affidavit i Notice Affidavit 00 per acre (Fees vary for Planned Developments.)
I (we) certify that Brahman is the accept the above requirements for submitting my zoning change applica provided and all information is correct.	authorized representative for my (our) zoning change request. Lalso
Signature of Owner(s) Date Signature	e of Applicant/ Representative (if other than owner) Date
Planner's Signature Date Zoning In	spector's Signature Date
OFFICE US	SE ONLY

Amount Received \$302.40

_Cash ? 🛘

Check? # 15124

Invoice Number TKC-146792-01-02-2019

PD GUIDELINES							
DD 160							
PD-168							

Proposed Development Guidelines for The Cleveland Holdings Planned Development:

1384 Orleans Road Charleston County, South Carolina TMS No.: 351-06-00-038

February 1, 2019

Statement of Objectives:

The applicant requests approval for rezoning of the above-referenced property from R-4 to Planned Development. The sole intent of the application is to allow for an expanded annual allotment of short term rental days, beyond that which is currently permitted by the property's R-4 classification. This will allow the property owner to exercise his ownership rights in the highest and best capacity, by continuing to operate a small hospitality business which has exerted no deleterious effects on the surrounding community, and which has been in existence prior to the institution of formal Short Term Rental Regulations in the unincorporated portions of Charleston County. Excepting the herein referenced expansion of the annual short term rental allotment, the applicant seeks to make no changes which would otherwise conflict with the current R-4 designation, and pledges continued compliance with all other provisions of Charleston County's Zoning Ordinance.

Intent and Results of Proposed PD:

The applicant prays for approval and general relief pursuant to Section 4.23.4 of the Charleston County Zoning Ordinance, which "allows flexibility in development of a property that proposes single or multiple use(s)...and preserve[s] natural and scenic features of open spaces." Specifically, the Planned Development application fulfills:

- Guideline A under this Section of the Ordinance, by allowing "a maximum choice in the types of
 environment available to the public by allowing a development that would not be possible under
 the strict application of the standards of [the] Ordinance." Expanded choice for the public
 includes a variety of short-term rental options, including alternatives to traditional hotels. If the
 Ordinance were strictly applied, the viability of alternative lodging options for the public would
 be significantly curtailed.
- Guideline B, by permitting "greater freedom" and Guideline C, by "allowing development to take advantage of special site characteristics, locations, and land use arrangements." Prior to the institution of formal Short Term Rental regulations in the County, the property owner successfully operated a responsible and carefully managed small hospitality business on the existing site. No complaints or objections from neighbors have been received. We submit that the owner should be allowed the freedom to continue to use the site in the manner to which he and others in the community were accustomed prior to adoption of regulations seeking to limit his usage of the property for short term rental purposes.
- We submit that the application fulfills Guideline D, as it is "in harmony with the applicable goals and strategies of the Comprehensive Plan," due to the fact that said plan envisions Future Urban/Suburban Mixed Usage for the area, which usage should include an alternative to short

term lodging that is currently offered by much larger and more environmentally impactful structures, such as hotels.

- Because the proposed development promises to make no additional changes to the land or its structures, it also adheres to Guideline E, which calls for "permanent preservation of common open space, recreation areas, and facilities."
- The development would fulfill Guideline F, by allowing for "an efficient use of the land." The applicant has previously requested commercial rezoning for the purpose of operating a Commercial Guest House. This application was declined, in favor of consideration of this Planned Development. Given that the Honorable Council wishes to preserve affordable housing options in the surrounding community, and was therefore reticent to approve a commercial usage that would apply broadly and would run with the land, the proposed development allows for a compromise which permits the highest, best, and most efficient usage of the land.
- The proposal directly coincides with Guideline G, which calls for creativity in the usage of land. As previously noted, travelers to the Charleston area, whether here by virtue of tourism or business, are increasingly seeking alternatives to traditional hotel lodging. The development therefore fulfills an integral purpose in the community, and, very importantly and in consideration of fairness, grants, to the owner, continuity in his creative and successful approach to the utilization of his property.
- Finally, the proposed development adheres to the concepts outlined in Guideline H, by "incorporat[ing] adequate public safety and transportation-related measures in its design" and by "complement[ing] the developed properties in the vicinity and the natural features of the site." The structure on the property is adequately designed for short-term rental occupants' safety, and is designed for the safety of the community at large, and the site currently contains adequate and convenient parking for short-term rental guests. No changes will be made to the current residential appearance of the structure already on the property, which is a single family home, and no additional dwelling structures will be placed on the property. Therefore, the proposed development will continue to coincide in appearance with adjacent structures, ensuring preservation of the character associated with the surrounding neighborhood.

Site Information:

The total acreage of the planned development is 0.11 acres, consisting entirely of high ground. The property consists of no freshwater wetland, Critical Line wetland, or marsh acreage.

Proposed Land Uses:

- All permissible R-4 uses
- Short-Term Rentals, up to 350 days annually, by right and without the need for Special Exception, additional application, or supplemental permitting, now or in the future. This is specifically intended to be a "grandfathered" usage of the land.
- No additional accessory dwellings will be placed on the property, unless specifically approved by Charleston County Council.

Maximum Density & Dimensional Standards:

There is one dwelling unit on the property, and as previously noted, no additional dwelling units will be constructed on the property. The maximum density of the proposed development will comply with all R-4 standards contained in Charleston County's Zoning Ordinance.

The lot which is the subject of the proposed development currently maintains the set back and buffer requirements of the R-4 Zoning District, and shall continue to do so.

Impact/Assessment Analysis & Traffic Study:

Internal short-term rental guidelines for guests of the property allow for a maximum of *two* guests per bedroom rented, which does not exert and will not exert any significant impact on existing public facilities and services. Letters of Coordination have been obtained and are included in the application packet.

Internal short-term rental guidelines for guests of the property allow for only *one* vehicle on the premises per bedroom rented, for which adequate and supplemental parking is provided. Thus, the maximum trip generation at peak travel periods remains equivalent to that of a single family home.

Compliance with the ZLDR:

The proposed development will comply with all processes included in the Charleston County Zoning and Land Development Regulations that are not mentioned in the planned development stipulations.

The applicant plans no further development, but agrees to operate in accordance with provisions of the zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to the rezoning to the applicable PD District. The proposed development is consistent with Section 4.23.4 of the ZLDR, previously referenced and elucidated in this application.

The proposed development is serviceable by existing infrastructure and emergency services, and as previously noted, Letters of Coordination from the applicable service agencies are included with this application.

Historic and Archaeological Information:

Consistent with Article 9.8, Historic Preservation, of the ZLDR, no National Register sites, historic structures, or landscapes are present on the property. Confirmation of these results from the South Carolina Institute of Archaeology and Anthropology is included in the application packet. The property owner pledges continued compliance with Article 9.8 of Charleston County's Zoning Ordinance.

<u>Letters of Coordination:</u>

Charleston County EMS, the Charleston County Sheriff's Office, and the St. Andrews Public Service District have been made aware of the application for this proposed development, and have provided Letters of Coordination, which are included in the instant application packet.

Architectural Guidelines:

The proposed development currently complies with all Architectural Design Guidelines, contained in Article 9.6 of the ZLDR, and shall continue to do so.

Areas Designated for Future Use:

No areas are designated for future expansion, immediate improvement, or development, and all areas of the property shall remain in their current natural state. As previously noted, no additional structures will be placed on the property unless approved by Charleston County Council.

Signs:

No signs will be permitted on the property.

Parking:

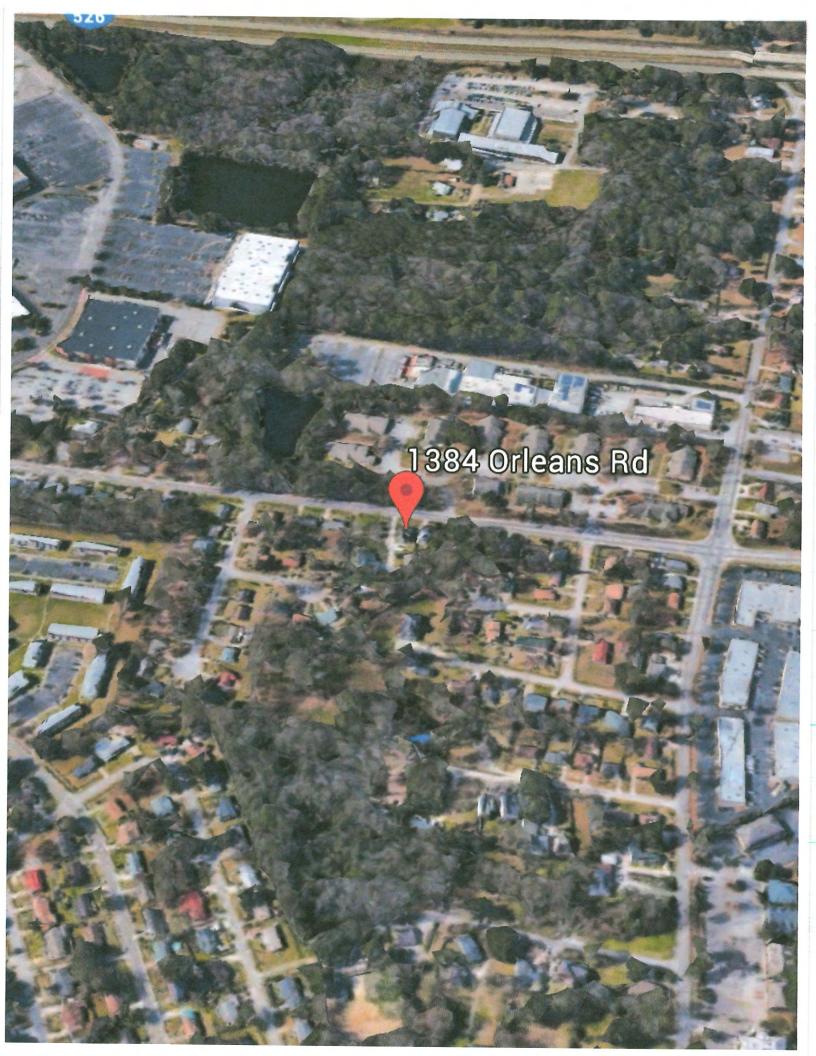
The proposed development currently complies, and will continue to comply, with Article 9.3 of ZLDR, as pertains to parking accommodations. Available parking spaces are shown on the site plan included in this application packet, as well as on photos included in the application packet.

Tree Protection:

The site plan included in the application packet, produced by a licensed surveyor, verifies that there are no grand trees on the property. The proposed development will comply with all provisions of Article 9.4 of the ZLDR, pertaining to Tree Protection and Preservation.

Having submitted the foregoing, together with all documents, plans, and specifications otherwise requested, on behalf of his client, Charleston County property owner Joseph M. Cleveland, the Applicant again respectfully prays for approval and general relief.











DAVID ABRAMS, JD Director

Emergency Medical Services

843.202.6700 Fax: 843.202.6712 dabmms@charlestoncounty.org Lonnie Hamilton, III Public Services Building 4045 Bridge View Drive, Suite B309 North Charleston, SC 29405-7464

January 14, 2018

Mr. Brad Hincher Carolina One 900 North Main St. Summerville, SC 29483

RE: 1384 Orleans Rd. Charleston, SC 29407 1360 Florence Ln. Charleston, SC 29407

Dear Mr. Hincher,

The Charleston County Emergency Medical Services (EMS) Department acknowledges your intention to rezone the above referenced properties. Charleston County EMS is the advanced life support paramedic first response and transport agency for this location – and all medical and trauma related incidents will need to be reported to this agency. This can be accomplished through the Charleston County Consolidated Dispatch Center by dialing 911.

EMS staff will be available to attend your scheduled Site Plan Review with Charleston County Planning Staff should our input be needed.

Sincerely.

James Ciali Assistant Chief

Office of the Sheriff



County of Charleston

Sheriff J. Al Cannon, Jr.

January 18, 2019

Charleston County Planning and Zoning Department 4045 Bridgeview Drive North Charleston, SC 29405

Re: Letter of Coordination

To whom it may concern:

This letter is to acknowledge that the Charleston County Sheriff's Office is aware that applications are being submitted regarding the rezoning of 1384 Orleans Road and 1360 Florence Lane from R-4 to Planned Development. The intent of the applicant is to be allotted more short term rental days annually. If you have any additional questions about this request, please contact Brad Hincher at 843-291-2929.

Captain Roger Antonio Public Information Officer

Charleston Count Sheriff's Office

Judicial Center



MEMO

TO WHOM IT MAY CONCERN

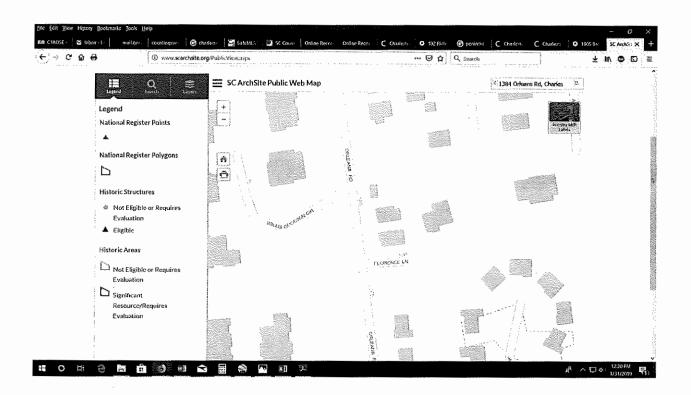
FROM: Christie Holderness, District Manager

Date: January 11, 2019

Re: 1384 Orleans Road, Charleston, South Carolina TMS #3510600038

1360 Florence Lane, Charleston, South Carolina TMS#3510600231

Please accept this letter as confirmation the above captioned properties are located within the St. Andrews Public Service District and as such are provided all services within the scope of the enabling legislation granted St. Andrews Public Service District.



PD GUIDELINES							
PD-169							

Development Guidelines for The Cleveland Holdings Planned Development:

1360 Florence Lane Charleston County, South Carolina TMS No.: 351-06-00-231

February 1, 2019

Statement of Objectives:

The applicant requests approval for rezoning of the above-referenced property from R-4 to Planned Development. The sole intent of the application is to allow for an expanded annual allotment of short term rental days, beyond that which is currently permitted by the property's R-4 classification. This will allow the property owners to exercise their ownership rights in the highest and best capacity, by continuing to operate a small hospitality business which has exerted no deleterious effects on the surrounding community, and which has been in existence prior to the institution of formal Short Term Rental Regulations in the unincorporated portions of Charleston County. Excepting the herein referenced expansion of the annual short term rental allotment, the applicant seeks to make no changes which would otherwise conflict with the current R-4 designation, and pledges continued compliance with all other provisions of Charleston County's Zoning Ordinance.

Intent and Results of Proposed PD:

The applicant prays for approval and general relief pursuant to Section 4.23.4 of the Charleston County Zoning Ordinance, which "allows flexibility in development of a property that proposes single or multiple use(s)...and preserve[s] natural and scenic features of open spaces." Specifically, the Planned Development application fulfills:

- Guideline A under this Section of the Ordinance, by allowing "a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the standards of [the] Ordinance." Expanded choice for the public includes a variety of short-term rental options, including alternatives to traditional hotels. If the Ordinance were strictly applied, the viability of alternative lodging options for the public would be significantly curtailed.
- Guideline B, by permitting "greater freedom" and Guideline C, by "allowing development to take advantage of special site characteristics, locations, and land use arrangements." Prior to the institution of formal Short Term Rental regulations in the County, the property owners successfully operated a responsible and carefully managed small hospitality business on the existing site. No complaints or objections from neighbors have been received. We submit that the owners should be allowed the freedom to continue to use the site in the manner to which they and others in the community were accustomed prior to adoption of regulations seeking to limit their usage of the property for short term rental purposes.
- We submit that the application fulfills Guideline D, as it is "in harmony with the applicable goals
 and strategies of the Comprehensive Plan," due to the fact that said plan envisions Future
 Urban/Suburban Mixed Usage for the area, which usage should include an alternative to short

term lodging that is currently offered by much larger and more environmentally impactful structures, such as hotels.

- Because the proposed development promises to make no additional changes to the land or its structures, it also adheres to Guideline E, which calls for "permanent preservation of common open space, recreation areas, and facilities."
- The development would fulfill Guideline F, by allowing for "an efficient use of the land." The applicant has previously requested commercial rezoning for the purpose of operating a Commercial Guest House. This application was declined, in favor of consideration of this Planned Development. Given that the Honorable Council wishes to preserve affordable housing options in the surrounding community, and was therefore reticent to approve a commercial usage that would apply broadly and would run with the land, the proposed development allows for a compromise which permits the highest, best, and most efficient usage of the land.
- The proposal directly coincides with Guideline G, which calls for creativity in the usage of land. As previously noted, travelers to the Charleston area, whether here by virtue of tourism or business, are increasingly seeking alternatives to traditional hotel lodging. The development therefore fulfills an integral purpose in the community, and, very importantly and in consideration of fairness, grants, to the owners, continuity in their creative and successful approach to the utilization of their property.
- Finally, the proposed development adheres to the concepts outlined in Guideline H, by "incorporat[ing] adequate public safety and transportation-related measures in its design" and by "complement[ing] the developed properties in the vicinity and the natural features of the site." The structure on the property is adequately designed for short-term rental occupants' safety, and is designed for the safety of the community at large, and the site currently contains adequate and convenient parking for short-term rental guests. No changes will be made to the current residential appearance of the structure already on the property, which is a single family home, and no additional dwelling structures will be placed on the property. Therefore, the proposed development will continue to coincide in appearance with adjacent structures, ensuring preservation of the character associated with the surrounding neighborhood.

Site Information:

The total acreage of the planned development is 0.24 acres, consisting entirely of high ground. The property consists of no freshwater wetland, Critical Line wetland, or marsh acreage.

Proposed Land Uses:

- All permissible R-4 uses
- Short-Term Rentals, up to 350 days annually, by right and without the need for Special Exception, additional application, or supplemental permitting, now or in the future. This is specifically intended to be a "grandfathered" usage of the land.
- No additional accessory dwellings will be placed on the property, unless specifically approved by Charleston County Council.

Maximum Density & Dimensional Standards:

There is one dwelling unit on the property, and as previously noted, no additional dwelling units will be constructed on the property. The maximum density of the proposed development will comply with all R-4 standards contained in Charleston County's Zoning Ordinance.

The lot which is the subject of the proposed development currently maintains the set back and buffer requirements of the R-4 Zoning District, and shall continue to do so.

Impact/Assessment Analysis & Traffic Study:

Internal short-term rental guidelines for guests of the property allow for a maximum of *two* guests per bedroom rented, which does not exert and will not exert any significant impact on existing public facilities and services. Letters of Coordination have been obtained and are included in the application packet.

Internal short-term rental guidelines for guests of the property allow for only *one* vehicle on the premises per bedroom rented, for which adequate and supplemental parking is provided. Thus, the maximum trip generation at peak travel periods remains equivalent to that of a single family home.

Compliance with the ZLDR:

The proposed development will comply with all processes included in the Charleston County Zoning and Land Development Regulations that are not mentioned in the planned development stipulations.

The applicant plans no further development, but agrees to operate in accordance with provisions of the zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to the rezoning to the applicable PD District. The proposed development is consistent with Section 4.23.4 of the ZLDR, previously referenced and elucidated in this application.

The proposed development is serviceable by existing infrastructure and emergency services, and as previously noted, Letters of Coordination from the applicable service agencies are included with this application.

Historic and Archaeological Information:

Consistent with Article 9.8, Historic Preservation, of the ZLDR, no National Register sites, historic structures, or landscapes are present on the property. Confirmation of these results from the South Carolina Institute of Archaeology and Anthropology is included in the application packet. The property owners pledge continued compliance with Article 9.8 of Charleston County's Zoning Ordinance.

Letters of Coordination:

Charleston County EMS, the Charleston County Sheriff's Office, and the St. Andrews Public Service District have been made aware of the application for this proposed development, and have provided Letters of Coordination, which are included in the instant application packet.

Architectural Guidelines:

The proposed development currently complies with all Architectural Design Guidelines, contained in Article 9.6 of the ZLDR, and shall continue to do so.

Areas Designated for Future Use:

No areas are designated for future expansion, immediate improvement, or development, and all areas of the property shall remain in their current natural state. As previously noted, no additional structures will be placed on the property unless approved by Charleston County Council.

Signs:

No signs will be permitted on the property.

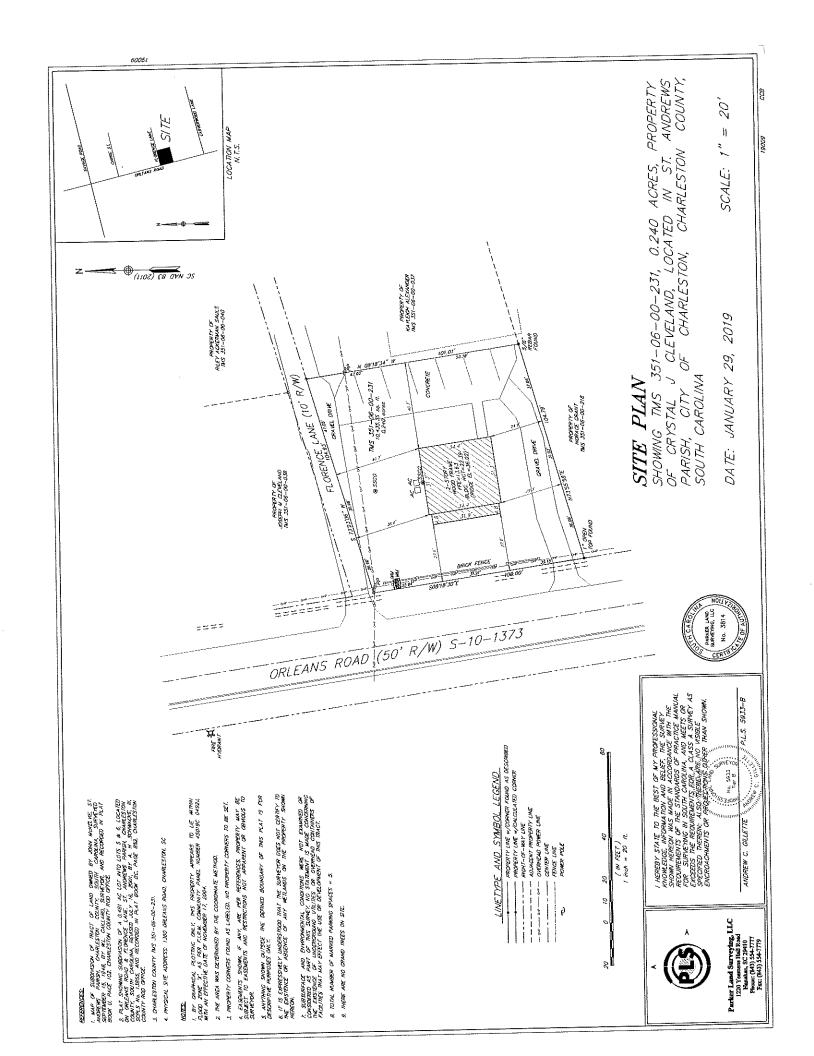
Parking:

The proposed development currently complies, and will continue to comply, with Article 9.3 of ZLDR, as pertains to parking accommodations. Available parking spaces are shown on the site plan included in this application packet, as well as photos included in the application packet.

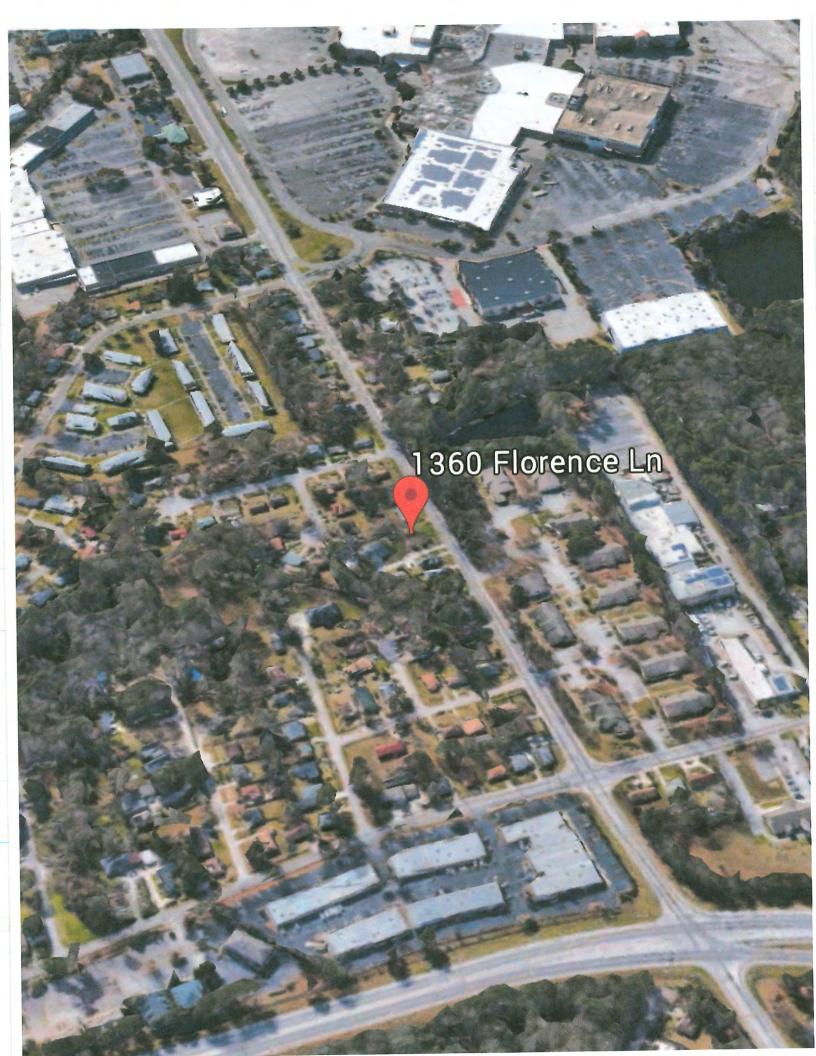
Tree Protection:

The site plan included in the application packet, produced by a licensed surveyor, verifies that there are no grand trees on the property. The proposed development will comply with all provisions of Article 9.4 of the ZLDR, pertaining to Tree Protection and Preservation.

Having submitted the foregoing, together with all documents, plans, and specifications otherwise requested, on behalf of his clients, Charleston County property owners Crystal J. and Joseph M. Cleveland, the Applicant again respectfully prays for approval and general relief.

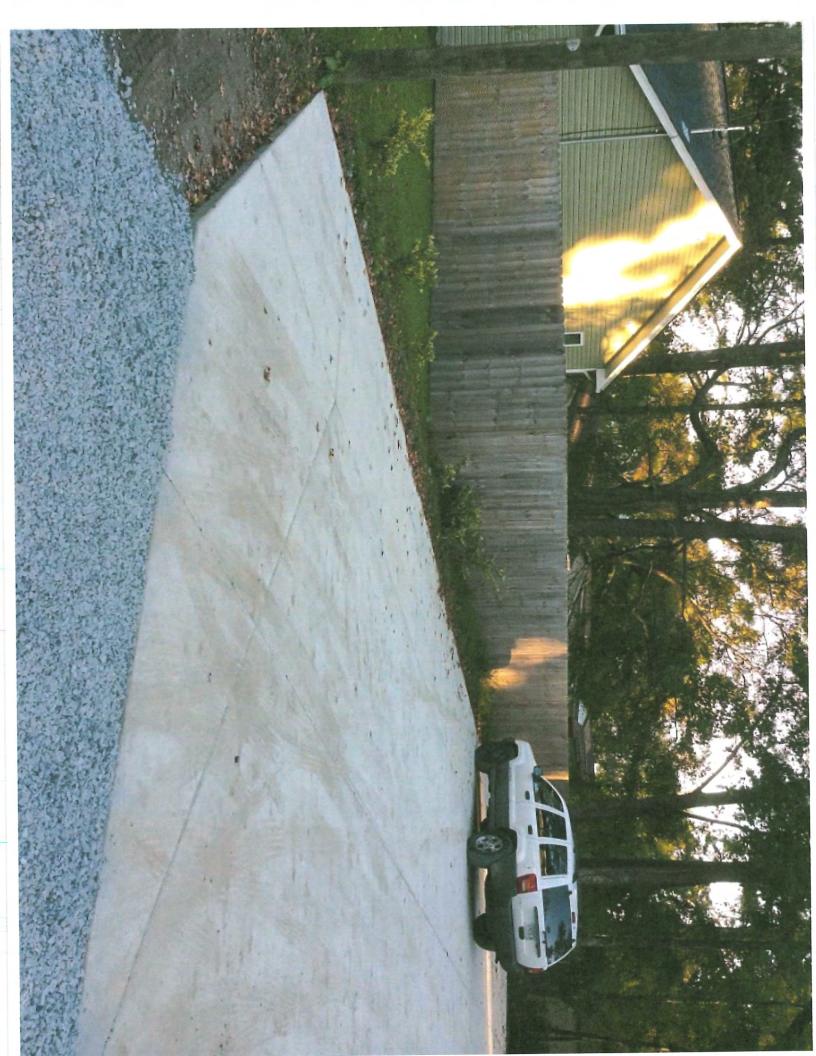














DAVID ABRAMS, JD Director

Emergency Medical Services

843.202.6700 Fax: 843.202.6712 dabmns@charleston.county.org Lonnic Hamilton, III Public Services Building 4045 Bridge View Drive, Suite B309 North Charleston, SC 29405-7464

January 14, 2018

Mr. Brad Hincher Carolina One 900 North Main St. Summerville, SC 29483

RE: 1384 Orleans Rd. Charleston, SC 29407

1360 Florence Ln. Charleston, SC 29407

Dear Mr. Hincher,

The Charleston County Emergency Medical Services (EMS) Department acknowledges your intention to rezone the above referenced properties. Charleston County EMS is the advanced life support paramedic first response and transport agency for this location — and all medical and trauma related incidents will need to be reported to this agency. This can be accomplished through the Charleston County Consolidated Dispatch Center by dialing 911.

EMS staff will be available to attend your scheduled Site Plan Review with Charleston County Planning Staff should our input be needed.

Sincerely.

James Ciali Assistant Chief

Office of the Sheriff



County of Charleston

Sheriff J. Al Cannon, Jr.

January 18, 2019

Charleston County Planning and Zoning Department 4045 Bridgeview Drive North Charleston, SC 29405

Re: Letter of Coordination

To whom it may concern:

This letter is to acknowledge that the Charleston County Sheriff's Office is aware that applications are being submitted regarding the rezoning of 1384 Orleans Road and 1360 Florence Lane from R-4 to Planned Development. The intent of the applicant is to be allotted more short term rental days annually. If you have any additional questions about this request, please contact Brad Hincher at 843-291-2929.

Captain Roger Antonio Public Information Officer

Charleston Count Sheriff's Office

Judicial Center



MEMO

TO WHOM IT MAY CONCERN

FROM: Christie Holderness, District Manager

Date: January 11, 2019

Re: 1384 Orleans Road, Charleston, South Carolina TMS #3510600038

1360 Florence Lane, Charleston, South Carolina TMS#3510600231

Please accept this letter as confirmation the above captioned properties are located within the St. Andrews Public Service District and as such are provided all services within the scope of the enabling legislation granted St. Andrews Public Service District.

