

**CHARLESTON COUNTY
BOARD OF ZONING APPEALS (BZA)
SUMMARY OF THE MAY 5, 2025 MEETING
4:00 P.M.**

In compliance with the Freedom of Information Act (FOIA), notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.

Members Present

Acting Chair, Mr. Ross Nelson, Mr. Brad Brown, Mr. AD Jordan, Mr. Robert Siedell, Ms. Jessica Smith, Ms. Shana Smith, and Mr. Doug Truslow

Members Absent

Chair, Mr. William H. Ray and Mr. Roy Neal

Staff Members Present

Mr. Kelvin Huger, BZA Attorney; Genesis Clark, Planning Technician II; Jenny Werking, Planner III and Secretary for BZA; and Lee Ziegler, Planner I

Notification Procedures

Staff has met the requirements of state law and *Section 3.1.6 of the Charleston County Zoning and Land Development Regulations Ordinance* for notification for all cases to be heard by the BZA at this meeting. The notification procedures were completed by staff 15 calendar days prior to this meeting as follows:

April 18th: Site Visits and Postings were completed by this date.

April 18th: Letters were mailed to property owners within 300' for all other requests, and to Parties in interest for all cases. These notifications are above and beyond the state requirements.

April 18th: Notice of this meeting was published in the *Post and Courier*.

The May 5, 2025 BZA meeting was called to order at 4:00 p.m. by the Acting Chair, Mr. Ross Nelson.

Minutes

Mr. Truslow made a motion to approve the April 7, 2025 public hearing meeting minutes. Mr. Siedell seconded the motion. The motion carried unanimously.

New Business

CASE# BZA-03-25-00849

Michael Hager and Joseph Hager ("the Applicants" and "the Property Owners") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low-Density Manufactured Housing Subdivision (MHS) Zoning District at 1990 Wild Wing Lane on James Island in Charleston County (TMS # 331-07-00-074). Low-Density Manufactured Housing Subdivision (MHS) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Siedell seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

Ms. J. Smith arrived after the vote of the minutes and Case BZA-03-25-00849

CASE# BZA-03-25-00850

Stanley Harrold ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low Density Residential (R-4) Zoning District at 1582 River Road on Johns Island in Charleston County (TMS # 312-00-00-083). Low Density Residential (R-4) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Siedell made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Truslow seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-03-25-00851

Jessie Schuberg ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low Density Residential (R-4) Zoning District at 1675 and 1675-A Pierpont Avenue in the St. Andrews Area of Charleston County (TMS # 353-03-00-050). Low Density Residential (R-4) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year. (The number of Rental Days shall apply per Lot and not per Dwelling); and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Ms. J. Smith seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-03-25-00852

Brandon Sights of Insightful Properties LLC ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low Density Residential (R-4) Zoning District at 434 Riverland Drive on James Island in Charleston County (TMS # 343-10-00-024). Low Density Residential (R-4) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Siedell made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Truslow seconded the

motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-03-25-00853

Sean C. Carey ("the Applicant" and "the Property Owner"), and April Lynn Carey, Williams Edward Carey and Denise Rosemarie Carey ("Property Owners") filed a Variance request to reduce the required 30' rear setback by 13.4' to 16.6' for an existing unpermitted detached accessory structure (16' x 40' shed) at 5524 Katy Hill Road on Wadmalaw Island in Charleston County (TMS # 197-00-00-083). Agricultural Residential (AGR) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, Sec. 3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Ms. J. Smith made a motion to approve the Variance request with the following condition: (1) The applicant/property owner shall obtain all required zoning and building permits for the unpermitted detached accessory structure. Mr. Brown seconded the motion. Mr. Nelson, Mr. Brown, Mr. Jordan, Mr. Siedell, Ms. J. Smith, and Ms. S. Smith voted in favor of the motion. Mr. Truslow voted against the motion. The majority of the members present, and voting (6 to 1) voted in favor of motion and therefore the application was granted with the above referenced condition.

CASE# BZA-03-25-00854

Gregory F. Rayburn ("the Applicant" and "the Property Owner"), and Ross Appel, Esq. of McCullough Khan Appel ("the Representative") filed a Variance request to reduce:

- the required 50' front/street side setback by 10' to 40' and the required 15' interior side setback by 4.7' to 10.3' for a proposed detached accessory structure (22' x 24' garage); and
- the required 50' front/street side setback by 39.6' to 10.4' for a proposed detached accessory structure (22' x 36' guesthouse)

at 3340 Oak Branch Road on Johns Island in Charleston County (TMS # 256-00-00-012). Agricultural Residential (AGR) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, Sec. 3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Variance request with the following condition: (1) The guesthouse shall not be used as an Accessory Dwelling Unit (ADU) or as a Short-Term Rental (STR). Ms. S. Smith seconded the motion. Mr. Nelson, Mr. Jordan, Mr. Siedell, Ms. J. Smith, Ms. S. Smith, and Mr. Truslow voted in favor of the motion. Mr. Brown voted against the motion. The majority of the members present, and voting (6 to 1) voted in favor of motion and therefore the application was granted with the above referenced condition.

CASE# BZA-03-25-00855

Corrine M. Bodnar ("the Applicant" and "the Property Owner"), and (Ben Charlet and Matthew Johnson of Oakwood Homes ("the Representatives") filed a Special Exception request for the placement of a manufactured housing unit in the Low Density Residential (R-4) Zoning District at 1689 Dillway Street in the St. Andrews Area of Charleston County (TMS # 351-07-00-021). Low Density Residential (R-4) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.6 Special Exceptions, §3.6.5 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Brown made a motion to approve the Special Exception with the following condition: (1) The manufactured home shall comply with Sec. 6.4.24.B of the Charleston County Zoning and Land Development Regulations Ordinance. Mr. Siedell seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced condition.

CASE# BZA-04-25-00856

Enoch R. Smiley and Chiresse D. Smiley (“the Applicants” and “the Property Owners”) filed a Variance request to reduce the required 50’ front/street side setback by 34’ to 16’ for a proposed single-family residence at 2568 Cherry Point Road on Wadmalaw Island in Charleston County (TMS # 151-00-00-293). Planned Development (PD-141, Nicholas Russell Family PD) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant’s presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, Sec. 3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Variance request. Mr. Siedell seconded the motion. The motion to approve the application was unanimous and therefore granted.

Additional Business

The BZA will hear one old business case and six (6) new business cases at the June 2, 2025 BZA Public Hearing that will be held in-person in Council Chambers at 4:00 p.m. Mrs. Werking reminded the board members that the annual continuing education training is self-study and the deadline to finish the training is December 31, 2025.

Adjournment

There being no further business, the board adjourned at 6:14 p.m.

Respectfully submitted,

Jenny J. Werking, AICP
Secretary to the BZA