CHARLESTON COUNTY
BOARD OF ZONING APPEALS
SUMMARY OF OCTOBER 7, 2019 MEETING

Members Present
Chair, Mr. Samuel McConnell, Jr., Vice-Chair, Mr. William H. Ray, Mr. Joseph A. Boykin, Mr. H. Bernard Freeman, Mr. Robert Woodul, Mr. Keane Steele, Ms. Lauri Lechner, and Ms. Morgan Allison

Members Absent
Mr. Thomas Goldstein

Staff Members Present
Kelvin Huger, BZA Attorney; Jenny Werking, Planner II and Secretary for the BZA; Sally Brooks, Planner III; Jennifer Stiles, Planner II; Joyce McGrew, Administrative Services Coordinator II; and Edgar Sada, Planning Technician 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:

September 20th: Site Visits and Postings were completed by this date.

September 20th: Letters were mailed to property owners within 300’ and to Parties in interest for all cases. These notifications are above and beyond the state requirements.

September 20th: Notice of this meeting was published in the Post and Courier.

The October 7, 2019 BZA meeting was called to order at 5:00 p.m. by Mr. McConnell.

Minutes
Mr. Ray made a motion to approve the August 5 and September 9, 2019 meeting minutes. The motion was seconded by Mr. Boykin and carried unanimously.

OLD BUSINESS:

Rick Agius, the applicant and designated agent for Curtis Brown and Yolanda Smalls, the property owners, and John A. Massalon of Wills Massalon & Allen LLC the representative, submitted Variance requests from Article 4.17, Section 4.17.3; Article 5.6, Section 5.6.6.C; Section 5.6.10.E; and Article 9.3, Section 9.3.10; and Article 9.5, Section 9.5.4.A.3, Table 9.5.4.A.3, and Table 9.5.4.A.5; and Article 9.6, Section 9.6.3.H.1; and Article 9.6, Section 9.6.4.A.1; and Article 9.6, Section 9.6.4.C. at 1844 and 1846 Old Folly Road, James Island, Charleston County, TMS # 334-05-00-009 and 334-05-00-045. FRC-O, Folly Road Corridor Overlay (Community Commercial and Neighborhood Commercial) Zoning District standards apply.

Findings: After hearing the applicant’s request for a 90-day deferral, Mr. Boykin made a motion to defer the application for up to 90 days with the condition that all business operations shall cease during the deferral time period. Mr. Ray seconded the motion. Mr. Freeman, Ms. Allison, Mr. Steele, Mr. Boykin, Mr. Ray, Ms. Lechner and Mr. Woodul voted in favor of the motion. Mr. McConnell voted against the motion. Two thirds of the members present and voting voted in favor of the motion to defer the application. Therefore, the motion to defer the cases for up to 90 days was approved with a condition.
NEW BUSINESS:

CASE#: BZA-08-19-00353
Michael and Heather Parker, the applicants and property owners, submitted a Special Exception request to establish a Short-Term Rental, Extended Home Rental (EHR) in the Single Family Residential (R-4) Zoning District at 11 Avondale Avenue in the St. Andrews Area of Charleston County, TMS # 418-14-00-039. Single Family 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. Boykin made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the 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. Ms. Lechner seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced conditions.

CASE#: BZA-08-19-00354
Travis W. Rogers, the applicant and property owner, submitted a Special Exception request to establish a Short-Term Rental, Extended Home Rental (EHR) in the Single Family Residential (R-4) Zoning District at 1723 Houghton Drive, James Island, Charleston County, TMS # 424-09-00-084. Single Family 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. Ms. Allison made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the 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. Freeman seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced conditions.

Additional Business
The BZA will hear five cases at the November 4, 2019 BZA public hearing at 5:00 p.m. The BZA will hold a special BZA public hearing for Dewees Island Appeals (6 cases) on November 18, 2019 at 4:00 p.m. Mrs. Werking reported that continuing education webcasts will be held: October 11th, October 18th, and November 15th.

Adjournment
There being no further business, the board adjourned at 6:02 p.m.

Respectfully submitted,

Jenny J. Werking, AICP
Secretary to the BZA