### Post & Courier

### CHARLESTON COUNTY COUNCIL PUBLIC HEARING Tuesday, March 10, 2020 at 6:30 PM

Charleston County Council will hold a public hearing at 6:30 pm on March 10, 2020, in County Council Chambers (second floor of Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, N. Charleston, SC 29405) on the following:

ZLDR-12-19-00119 & ACP-12-19-00116: Request to amend the future land use designation in the Parkers Ferry Overlay Zoning District for TMS 121-00-00-010 and an 8.363-acre portion of TMS 121-00-00-009 from Residential to Commercial and to amend the definition in Chapter 12 of the ZLDR for Agricultural Sales and Service to include Farm Equipment Sales and Service.

ZREZ-12-19-00110: Request to rezone TMS 250-00-009 from Agricultural Residential (AGR) to Planned Development, PD-173, Main Road Self Storage Phase V. This application was deferred at Planning Commission on February 10, 2020 at the request of the property owner.

For more details, visit www.charlestoncounty.org or contact 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

# ACP-12-19-00116 & ZLDR-12-19-00119

- -Case History
- -Presentation
- -Application and Approval Criteria

### ACP-12-19-00116 & ZLDR-12-19-00119: Case History

Planning Commission: February 10, 2020
Public Hearing: March 10, 2020
Planning and Public Works Committee: March 19, 2020
First Reading: March 26, 2020
Second Reading: April 2, 2020
Third Reading: April 21, 2020

### **CASE INFORMATION**

Applicant: Adam Steen, Steen Enterprises Inc.

Owner: TMS 121-00-00-009 William C. Steen Trust and Billie J. Steen Trust; TMS 121-00-00-010 Steen Properties, LLC

Location: 7632 and 7658 Savannah Highway, Adams Run, SC 29426

<u>Parcel Identification</u>: 8.363-acre portion of 121-00-009 (to be subdivided after approval) and 121-00-00-010

### Applications:

- Comprehensive Plan Amendment (Case Number ACP-12-19-00116); and
- Zoning and Land Development Regulations Ordinance (ZLDR) Text Amendment (Case Number ZLDR-12-19-00119).

Council District: 8- Johnson

<u>Property Size</u>: 8.363-acre portion of TMS 121-00-009; 3.4-acres TMS 121-00-00-010; total acreage 11.763

<u>Application History</u>: The applicant is requesting to amend the Future Land Use Recommendation and Zoning Designation in the Parkers Ferry Overlay Zoning District (PF-O), to change TMS 121-00-00-010 and a 8.363-acre portion of TMS 121-00-00-009 from Single-Family Residential 4 (R-4) to Community Commercial (CC), and amend the Chapter 12 ZLDR definition of Agricultural Sales and Services to include farm equipment sales & services.

Zoning History: TMS 121-00-00-009 was zoned Agricultural Preservation (AG-10) and TMS 121-00-00-010 was zoned Agricultural Residential (AGR) on the 1994 County Tax Maps. The subject properties were both zoned AGR in 2001. The properties were subsequently included in the PF-O when it was first adopted on November 14, 2017, and zoned Residential.

<u>Adjacent Zoning:</u> TMS 121-00-009 contains a single-family residence. Properties to the north and west are zoned Form-Based Zoning District (Spring Grove). Properties to the south and east are within the Parkers Ferry Overlay District, with all parcels being in the residential area except TMS 121-00-00-048, which is in the Commercial Area.

TMS 121-00-00-010 also contains a portion of the agricultural equipment sales business. Properties to the south, across Savannah Highway are zoned Rural Commercial (RC) and Agricultural Residential (AGR). The property to the north, east, and west of TMS 121-00-00-010 is within the Parkers Ferry Overlay District Commercial Area.

<u>Municipalities Notified/Response</u>: The City of North Charleston, Town of James Island, Town of Kiawah Island, Berkeley County, City of Charleston, City of Folly Beach, City of Isle of Palms, Colleton County, Town

of Awendaw, Town of Hollywood, Town of Lincolnville, Town of McClellanville, Town of Meggett, Town of Mt. Pleasant, Town of Ravenel, Town of Seabrook Island, and the Town of Summerville have all been noticed of this request.

Public Input: No public input has been received for this request.

### **APPROVAL CRITERIA**

### Comprehensive Plan Amendment (ACP-12-19-00116)

According to Section §3.2.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

- A. There was a significant error in the original *Comprehensive Plan* adoption;
- B. In adopting the *Comprehensive Plan*, the County Council failed to take into account facts, projections, or trends that were reasonably foreseeable to exist in the future;
- C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;
- D. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;
- E. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Article 3.17, Developments of County Significance; or
- F. The proposed Comprehensive Plan Amendment is consistent with the comprehensive plan future land use recommendations of adjacent municipalities that have adopted extra-territorial jurisdiction for the subject parcel(s).

### Applicant's Response:

The applicant's letter of intent states that Criterion D is met as, "... Steen Enterprises (a farm equipment dealership) has grown considerably since the inception of the Comprehensive Plan and Parkers Ferry Overlay District. The business has encroached onto property that is currently zoned residential. The same person owns both the business and residential property. The properties are contiguous, and the encroachment was inadvertent. This appeal for amendment is to correct the zoning to reflect the current business and potential future growth."

### ZLDR Text Amendment Application (ZLDR-12-19-00119)

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.

### Applicant's Response:

The applicant's letter of intent states that the proposed amendment complies with Criteria A, B and C above as, "This proposed amendment corrects an inconsistency by updating outdated property lines. Rezoning an 8.363-acre portion of TMS 121-00-00-009 with TMS 121-00-00-010 will make a properly zoned, contiguous property that accurately reflects how the business has expanded. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan as stated in Article 1.5 sections: The property has historically been a farm equipment dealership and will remain as such. The scenic qualities will improve while protecting the historic fabric of the community and ecologically sensitive Caw Caw Swamp. The public welfare will be improved by providing a safer and more accessible facility. The farming community's needs will be better met because the original business has expanded with growing needs and technology in the industry, and suppliers to the area farming industry are in need of local dealers for these types of goods. With this expansion of the business, additional acreage is required to be obtained, but a change in zoning will also be required when the property boundaries are moved. As a farm equipment dealership, the new property and facility will be attractive and appropriate in a rural community. Amending the property will allow Steen Enterprises to grow and contribute to the economical soundness of the county..."

If the Comprehensive Plan Amendment request (ACP-12-19-00116) is approved, then the proposed ZLDR Text Amendment (ZLDR-12-19-00119) is consistent with the guidelines set forth in the Comprehensive Plan, and staff recommends approval.

### PLANNING COMMISSION MEETING: FEBRUARY 10, 2020

Recommendation: Approval, (7-1) with 1 absent

<u>Speakers</u>: The applicant, Adam Steen, made himself available for any questions of Commissioners. No one spoke in opposition.

<u>Notifications:</u> 877 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the ZLDR/Comprehensive Plan Interested Parties Lists on 1/24/2020. Additionally, this request was noticed in the *Post & Courier* on 1/21/2020.

### **PUBLIC HEARING: MARCH 10, 2019**

### Speakers:

<u>Notifications:</u> 877 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the ZLDR/Comprehensive Plan Interested Parties Lists on 1/24/2020. Additionally, this request was noticed in the *Post & Courier* on 2/7/2020.

# Charleston County Comprehensive Plan Amendment Request and ZLDR Text Amendment Request

Public Hearing: March 10, 2020

Planning/Public Works Committee: March 19, 2020

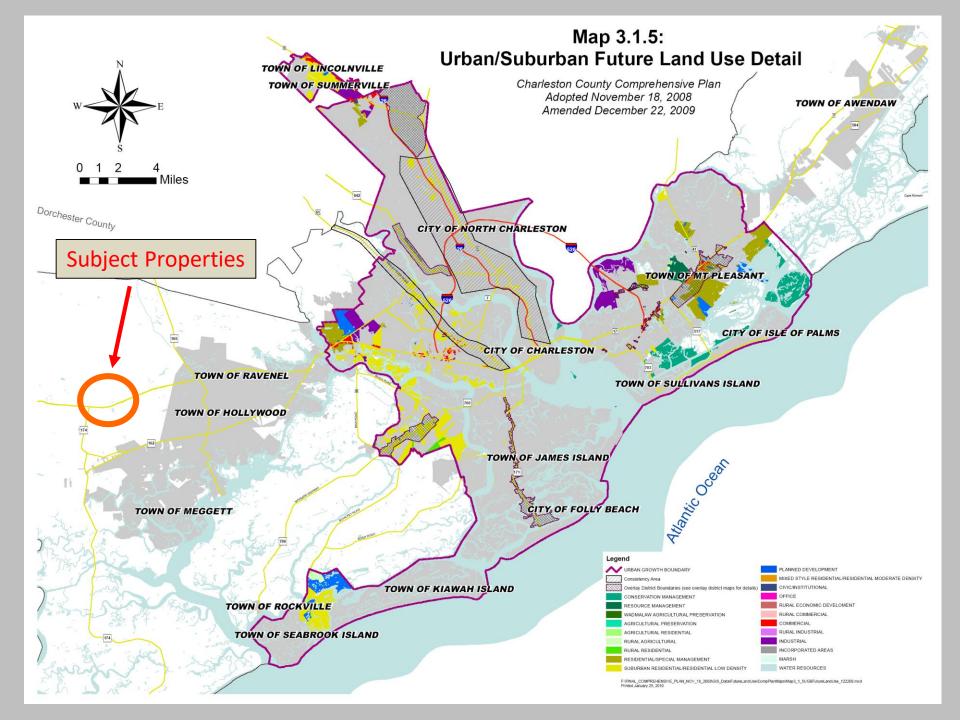
First Reading: March 26, 2020

Second Reading: April 2, 2020

Third Reading: April 21, 2020

### ACP-12-19-00116 and ZLDR-12-19-00119

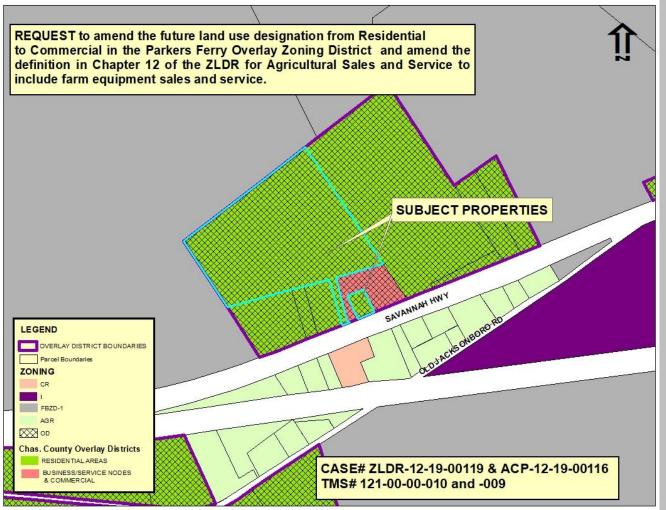
- 7632 and 7658 Savannah Highway, Adams Run, SC 29426
- Parcel I.D.: 121-00-00-009 (to be subdivided after approval) and 121-00-00-010
- Request to amend the Future Land Use Recommendation and Zoning Designation in the Parkers Ferry Overlay Zoning District (PF-O), to change TMS 121-00-00-010 and a 8.363-acre portion of TMS 121-00-00-009 from the Residential area to the Commercial area, and amend the Chapter 12 ZLDR definition of Agricultural Sales and Services to include Farm Equipment Sales & Services.
- Owner: TMS 121-00-00-009 William C. Steen Trust and Billie J. Steen Trust; TMS 121-00-00-010 Steen Properties, LLC
- Applicant: Adam Steen, Steen Enterprises Inc.
- Acreage: (11.763 acres total) 8.363-acre portion (TMS 121-00-00-009)
   3.4-acres (TMS 121-00-00-010)
- Council District: 8- Johnson



# **Zoning History**

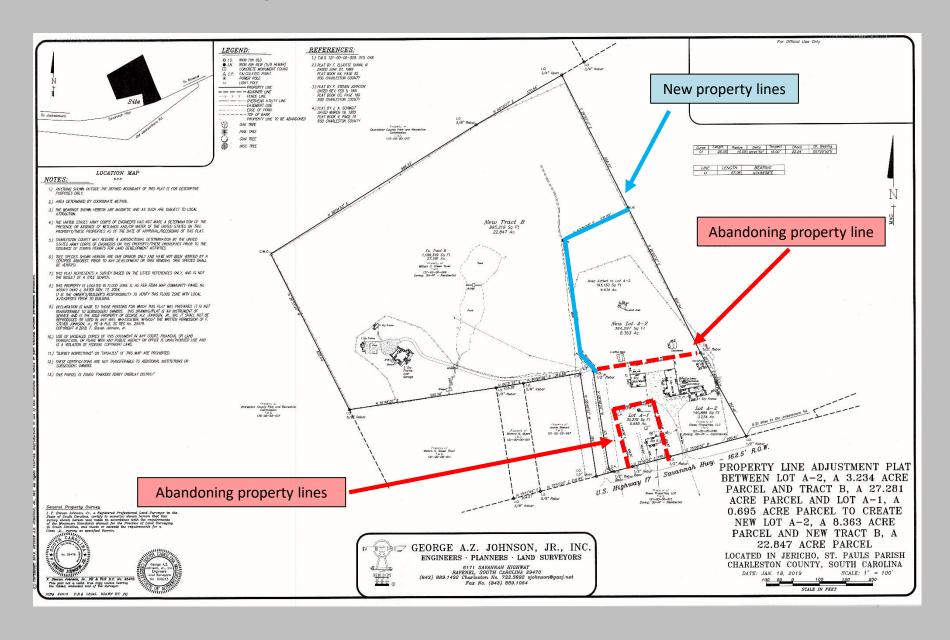
- TMS 121-00-00-009 was zoned Agricultural Preservation (AG-10) and TMS 121-00-00-010 was zoned Agricultural Residential (AGR) on the 1994 County Tax Maps.
- Both zoned AGR as part of the 2001 zoning project
- The properties were subsequently included in the PF-O when it was first adopted on November 14, 2017, and zoned Residential.
- The applicant has submitted a subdivision plat proposing a property line adjustment to convey a 8.363-acre portion from TMS 121-00-00-009 to TMS 121-00-00-048, should these requests be approved. The subdivision plat is in an approvable state.

**Area Description** 

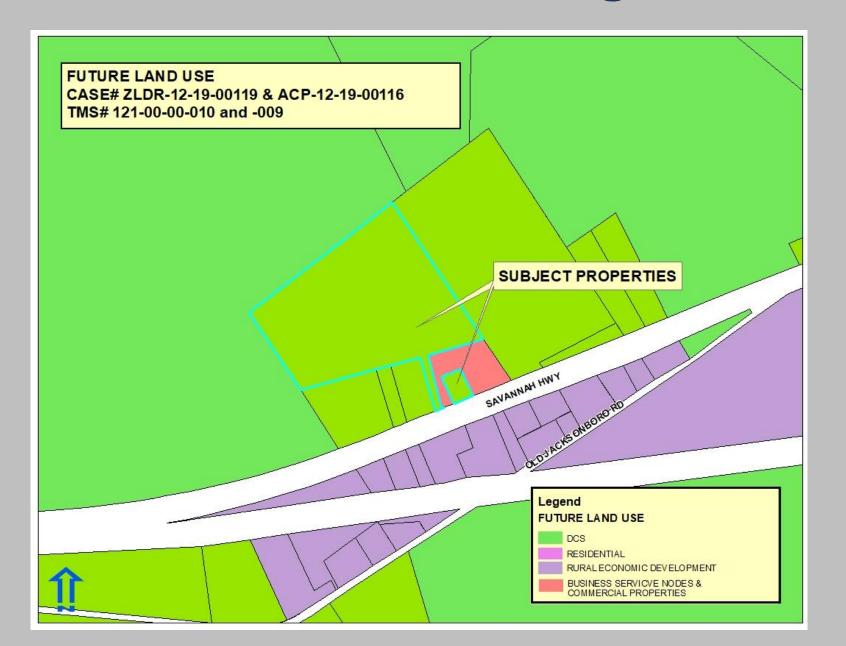


TMS 121-00-00-009 contains a single-family residence. Properties to the north and west are zoned Form-Based Zoning District (Spring Grove). Properties to the south and east are within the Parkers Ferry Overlay District, with all parcels being in the Residential Area except TMS 121-00-00-048, which is in the Commercial Area. TMS 121-00-00-010 contains a portion of the agricultural equipment sales business. Properties to the south are zoned Rural Commercial (RC) and Agricultural Residential (AGR). The property to the north, east, and west of TMS 121-00-00-010 is within the Parkers Ferry Overlay District Commercial Area.

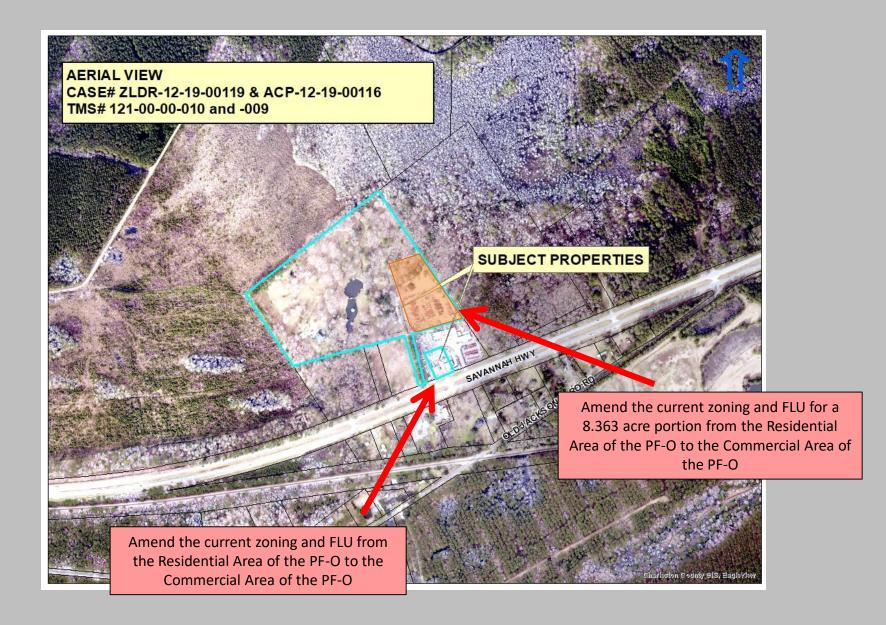
## **Proposed Subdivision Plan**



# **Future Land Use Designation**



# **Aerial**



# Site Photos: TMS 121-00-00-010







## ACP-12-19-00116

 Request to amend the Future Land Use Designation (FLU) of TMS 121-00-00-010 and a 8.363-acre portion of TMS 121-00-00-009 from Residential to Commercial

# **Approval Criteria—Section 3.2.6**

According to Section §3.2.6 of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

- A. There was a significant error in the original Comprehensive Plan adoption;
- B. In adopting the Comprehensive Plan, the County Council failed to take into account facts, projections, or trends that were reasonably foreseeable to exist in the future;
- C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;
- D. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;
- E. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Article 3.17, Developments of County Significance; or
- F. The proposed Comprehensive Plan Amendment is consistent with the comprehensive plan future land use recommendations of adjacent municipalities that have adopted extraterritorial jurisdiction for the subject parcel(s).

# **Approval Criteria—Section 3.2.6**

Applicant's Response: The applicant's letter of intent states that Criterion D, "Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;" is met as, "... Steen Enterprises (a farm equipment dealership) has grown considerably since the inception of the Comprehensive Plan and Parkers Ferry Overlay District. The business has encroached onto property that is currently zoned residential. The same person owns both the business and residential property. The properties are contiguous, and the encroachment was inadvertent. This appeal for amendment is to correct the zoning to reflect the current business and potential future growth."

## ZLDR-12-19-00119

 Amend the Zoning and Land Use Designation in the Parkers Ferry Overlay Zoning District (PF-O) for TMS 121-00-00-010 and a 8.363-acre portion of TMS 121-00-00-009 from Residential to Commercial

 Request to amend the Ch. 12 ZLDR definition of Agricultural Sales and Services to include Farm Equipment Sales & Service

# **Approval Criteria—Section 3.3.6**

Pursuant to Article 3.3.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, text amendments may be approved by County Council only if the proposed amendment meet the following criteria:

# A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;

<u>Applicant's Response:</u> "This proposed amendment corrects an inconsistency by updating outdated property lines. Rezoning an 8.363-acre portion of TMS 121-00-00-009 with TMS 121-00-00-010 will make a properly zoned, contiguous property that accurately reflects how the business has expanded."

# B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and

Applicant's Response: "The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan as stated in Article 1.5 sections: The property has historically been a farm equipment dealership and will remain as such. The scenic qualities will improve while protecting the historic fabric of the community and ecologically sensitive Caw Caw Swamp."

# **Approval Criteria—Section 3.3.6**

# C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

Applicant's Response: "The public welfare will be improved by providing a safer and more accessible facility. The farming community's needs will be better met because the original business has expanded with growing needs and technology in the industry, and suppliers to the area farming industry are in need of local dealers for these types of goods. With this expansion of the business, additional acreage is required to be obtained, but a change in zoning will also be required when the property boundaries are moved. As a farm equipment dealership, the new property and facility will be attractive and appropriate in a rural community. Amending the property will allow Steen Enterprises to grow and contribute to the economical soundness of the county..."

### Recommendations

# PLANNING COMMISSION RECOMMENDATION: APPROVAL

# STAFF RECOMMENDATION: APPROVAL

If the Comprehensive Plan Amendment request (ACP-12-19-00116) is approved, then the proposed ZLDR Text Amendment (ZLDR-12-19-00119) is consistent with the guidelines set forth in the Comprehensive Plan.

## **Notifications**

- Planning Commission
  - January 24, 2020 877 notifications were sent to individuals on the ZLDR/Comp Plan and the Parkers Ferry Interested Parties Lists.
  - January 24, 2019 ad ran in the Post & Courier.
- Public Hearing
  - February 21, 2020 877 notifications were sent to individuals on the ZLDR/Comp Plan and the Parkers Ferry Interested Parties Lists.
  - February 7, 2020 ad ran in the Post & Courier.

# Charleston County Comprehensive Plan Amendment Request and ZLDR Text Amendment Request

Public Hearing: March 10, 2020

Planning/Public Works Committee: March 19, 2020

First Reading: March 26, 2020

Second Reading: April 2, 2020

Third Reading: April 21, 2020



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

Joel H. Evans, PLA, AICP, Director

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Date Submitted:		
Applicant Name:	•	
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City:	State:	ZIP Code:
Telephone: Fax:	E-mail:	
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Section No. and Title: Ch. 3	Map 3.115 Parkers	Ferry Comm-Overlay Dist
Page: 45		
Please provide further indicators belo	ow to locate the subject text (subsec	tion, item, paragraph, figure/exhibit)
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(documentation may be	e attached to the application in lieu	of completing this section)
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12/23/2019

Charleston County Zoning & Planning 4045 Bridge View Drive North Charleston, SC 29405

To whom it may concern,

Steen Enterprises Inc. is respectfully requesting an amendment to the Comprehensive Plan to correct the zoning for the type of business occupying the property. Steen Enterprises seeks to come into compliance for not only the county and community, but also for proper future development.

Comprehensive Plan Sec. 3.2.6 D.

"Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area making the proposed amendment necessary;"

With regards to Sec. 3.2.6 D., Steen Enterprises (a farm equipment dealership) has grown considerably since the inception of the *Comprehensive Plan* and *Parkers Ferry Overlay District*. The business has encroached onto property that is currently zoned residential. The same person owns both the business and residential property. The properties are contiguous, and the encroachment was inadvertent. This appeal for amendment is to correct the zoning to reflect the current business and potential future growth.

Respectfully,

Adam W. Steen Owner/GM, Steen Enterprises



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

Joel H. Evans, PLA, AICP, Director

ZONING ORDINANCE TEXT AMENDMENT APPLICATION				
APPLICATION INFORMATION				
Application Number:				
Date Submitted:				
Applicant Name: Alam &	rteen			
Address: 7634 Sava	mah Hwy.			
City: Adams Run	/	State: 5C	ZIP Code: 29426	
Telephone: 843-889-2292 F		E-mail: Steenenteg	mail.com	
	CONTRACTOR OF CONTRACTOR CONTRACT	REQUESTED AMENDMENT	, ,	
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		ATURES		
APPLICANT(S) PLANNING DEPARTMENT OFFICIAL		RTMENT OFFICIAL		
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SIGNATURE: Holamy. Steen		SIGNATURE:		
DATE: 12/10/2019		DATE:		
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12/23/2019

Charleston County Zoning & Planning 4045 Bridge View Drive North Charleston, SC 29405

To whom it may concern,

Steen Enterprises Inc. is respectfully proposing a ZLDR amendment to correct the zoning for the type of business occupying the property. Steen Enterprises' footprint encompasses several residential properties that lines that are outdated. Steen Enterprises is seeking to come into compliance by updating the property lines and zoning. Steen Enterprises proposes the changes not only for the county and community, but also for proper future development.

### Sec. 3.3.6 Approval Criteria

### Comments:

- A. This proposed amendment corrects an inconsistency by updating outdated property lines. Rezoning an 8.363-acre portion of TMS 121-00-00-009 with TMS 121-00-00-010 will make a properly zoned, contiguous property that accurately reflects how the business has expanded.
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan as stated in Article 1.5 sections:
- d. The property has historically been a farm equipment dealership and will remain as such. The scenic qualities will improve while protecting the historic fabric of the community and ecologically sensitive Caw Caw Swamp.
- h. The public welfare will be improved by providing a safer and more accessible facility. The farming community's needs will be better met because the original business has expanded with growing needs and technology in the industry, and suppliers to the area farming industry are in need of local dealers for these types of goods. With this expansion of the business, additional acreage is required to be obtained, but a change in zoning will also be required when the property boundaries are moved.



- i. As a farm equipment dealership, the new property and facility will be attractive and appropriate in a rural community.
- j. Amending the property will allow Steen Enterprises to grow and contribute to the economical soundness of the county. As previously stated, because the original business has expanded with growing needs and technology in the industry, and suppliers to the area farming industry need local dealers for these types of goods. With this expansion of the business, additional acreage is required to be obtained, but a change in zoning will also be required when the property boundaries are moved.
  - C. The proposed amendment was not specified by County Council.

Respectfully,

Adam W. Steen Owner/GM, Steen Enterprises