

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:

ZLDR-01-19-00114: 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.

ZREZ-01-19-00094: 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.

ZREZ-01-19-00093: 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).

ZREZ-02-19-00095: 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).

ZREZ-02-19-00096: 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



Carolina One

Real Estate • Mortgage

22 April, 2019

VIA ELECTRONIC MAIL

Charleston County Council
Charleston County Zoning & Planning

Re: **Amendment of Planned Development Proposals**
PDU Applications ZREZ 02-19-00095 & ZREZ 02-19-00096 (PDU 168 & 169)
1384 Orleans Road, 1360 Florence Lane

Dear Council and Planning Commission:

Thank you for considering our requests to rezone the above-referenced properties to Planned Unit Developments, and for working with us on the specific development proposals.

Pursuant to feedback received at last week's meeting and subsequent discussions, please allow this letter to serve as notice of our intention to formally amend our Proposed Development Guidelines for both applications as follows:

- Decrease number of annual days for permitted use as short-term rentals from 350 to 144. As indicated by Council members, this correlates with the recently adopted Short Term Rental Ordinance.

It is my understanding that Council will vote on the revised rezoning request at the next meeting on May 2nd. Should you have further questions or need additional information in the meantime, please don't hesitate to contact me.

Very Truly Yours,

Bradford V. Hincer

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
1st Planning and Public Works Committee: April 18, 2019
2nd Planning and Public Works Committee: May 2, 2019
First Reading: May 7, 2019
Second Reading: May 21, 2019
Third Reading: June 4, 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 an Extended Home Rental 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 an Extended Home Rental 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.

At the April 18, 2019 Planning and Public Works Committee Meeting, County Council voted to defer the applications so the applicant could decide whether to revise the Planned Developments to allow a maximum of 144 rental days per calendar year, or withdraw the applications and apply to the BZA for a Special Exception to allow for an Extended Home Rental, which allows a maximum of 144 days. On April 22, 2019, the applicant advised that they would like to proceed with the current rezoning applications and amend the Planned Developments to reduce the number of rental days to a maximum 144 days annually.

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 were originally a Commercial Guest House Short-Term Rental, but has since been amended by the applicant to be an Extended Home Rental Short-Term Rental, and uses permitted in the R-4 Zoning District if not developed as an Extended Home Rental Short-Term Rental;
- Maximum number of rental days annually was originally 350, but has since been amended by the applicant to be 144;
- 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.

Municipalities Notified/Responses: The City of Charleston, Town of James Island, Town of Kiawah Island, and City of North Charleston were notified of these requests and have not responded.

Public Input: 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 (based on original 350 rental days annually):

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:

- Statement of Objectives: 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."
- Site Information (PD-168): 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."
- Site Information (PD-169): 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."

- Proposed Land Uses, first bullet point: 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.
- Proposed Land Uses, third bullet point: Amend the bullet point to read as follows: “No accessory dwellings will be permitted on the property.”
- Maximum Density & Dimensional Standards, first paragraph, second sentence: Add the following to the end of the sentence: “...at the time of subsequent development application submittal.”
- Maximum Density & Dimensional Standards, second paragraph: 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.
- Architectural Guidelines: 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.”
- Parking: Clarify and state the total number of parking spaces available on site for use by the Commercial Guest House Short-Term Rental.
- Sketch Plan: 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.

PLANNING & PUBLIC WORKS COMMITTEE: APRIL 18, 2019

Vote: ZREZ-02-19-00095 and ZREZ-02-19-00096, 9-0 to defer both applications so that the applicant can decide whether to revise the PDs to allow a maximum of 144 rental days per calendar year, or withdraw the applications and apply to the BZA for a Special Exception to allow for an Extended Home Rental, which allows a maximum of 144 days.

On April 22, 2019, the applicant advised that they would like to proceed with the current rezoning applications and amend the Planned Developments to reduce the number of rental days to a maximum 144 days annually. In this regard, should County Council recommend approval, staff recommends the following conditions of approval:

- Statement of Objectives: Delete the last sentence and replace it with the following: “If the subject site is not used as an Extended Home Rental 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.”
- Site Information (PD-168): 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.”
- Site Information (PD-169): 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.”
- Proposed Land Uses, first bullet point: 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 an Extended Home Rental Short-Term Rental in accordance with this PD.”
- Proposed Land Uses, second bullet point:
 - Amend the bullet point to read as follows: “Extended Home Rental Short-Term Rental, up to 144 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.
- Proposed Land Uses, third bullet point: Amend the bullet point to read as follows: “No accessory dwellings will be permitted on the property.”
- Maximum Density & Dimensional Standards, first paragraph, second sentence: Add the following to the end of the sentence: “...at the time of subsequent development application submittal.”
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- 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.
- Architectural Guidelines: 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.”
- Parking: Clarify and state the total number of parking spaces available on site for use by the Extended Home Rental Short-Term Rental.
- Sketch Plan: 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.

A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a semi-transparent blue rectangle containing the title text. The text is in a bold, white, sans-serif font. The map shows the coastline and several inland areas, with different colors representing different zoning districts.

Charleston County Zoning Map Amendment Requests

Public Hearing – April 9, 2019

1st Planning and Public Works Committee – April 18, 2019

2nd Planning and Public Works Committee – May 2, 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 Hinchler
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

- 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 an Extended Home Rental 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 an Extended Home Rental 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.
- At the April 18, 2019 Planning and Public Works Committee Meeting, County Council voted to defer the applications so the applicant could decide whether to revise the Planned Developments to allow a maximum of 144 rental days per calendar year, or withdraw the applications and apply to the BZA for a Special Exception to allow for an Extended Home Rental, which allows a maximum of 144 days.
- On April 22, 2019, the applicant advised that they would like to proceed with the current rezoning applications and amend the Planned Developments to reduce the number of rental days to a maximum 144 days annually.

Request from Applicant to Amend the PDs



Carolina One

Real Estate • Mortgage

22 April, 2019

VIA ELECTRONIC MAIL

Charleston County Council
Charleston County Zoning & Planning

Re: **Amendment of Planned Development Proposals**
PDU Applications ZREZ 02-19-00095 & ZREZ 02-19-00096 (PDU 168 & 169)
1384 Orleans Road, 1360 Florence Lane

Dear Council and Planning Commission:

Thank you for considering our requests to rezone the above-referenced properties to Planned Unit Developments, and for working with us on the specific development proposals.

Pursuant to feedback received at last week's meeting and subsequent discussions, please allow this letter to serve as notice of our intention to formally amend our Proposed Development Guidelines for both applications as follows:

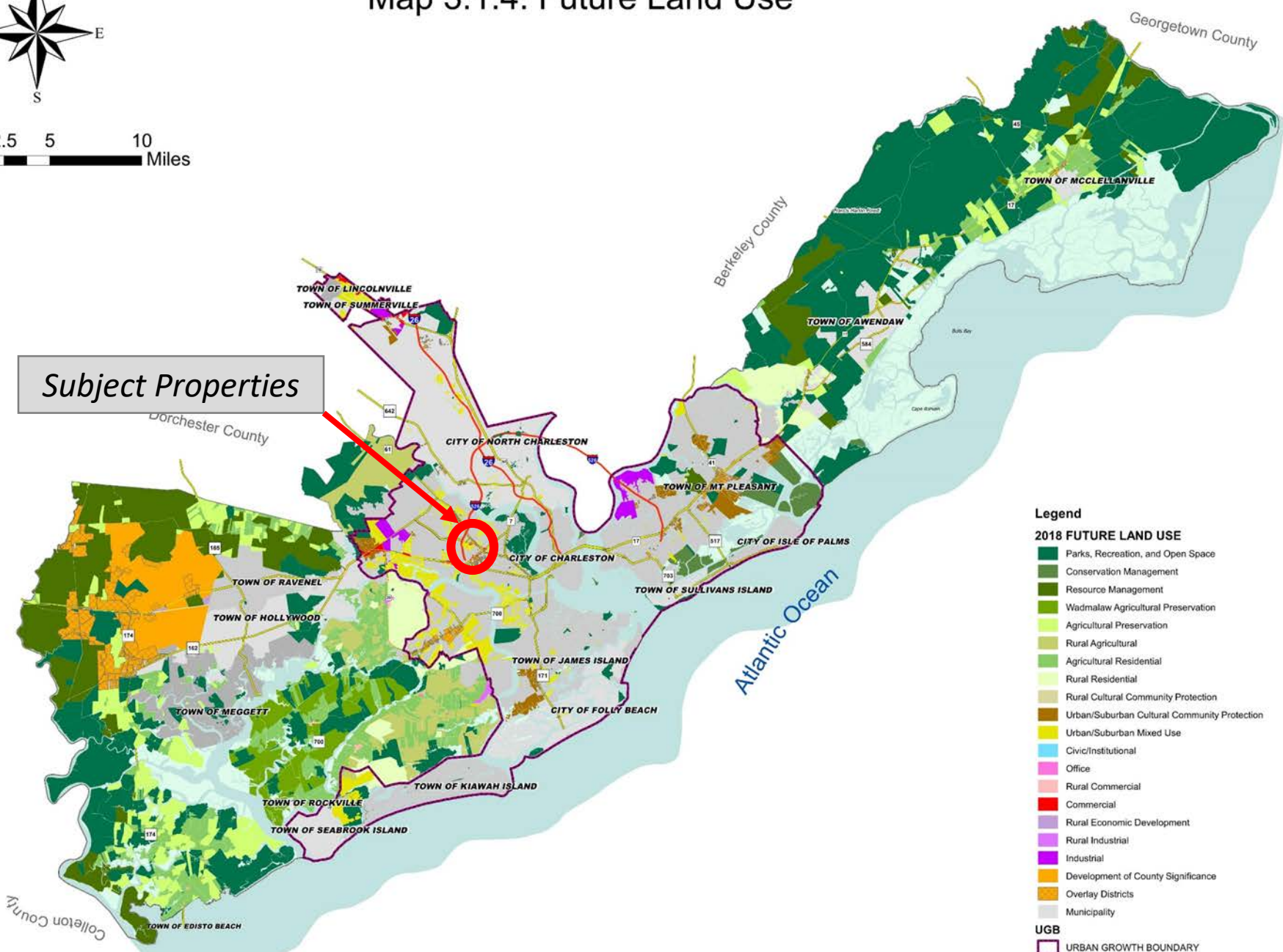
- Decrease number of annual days for permitted use as short-term rentals from 350 to 144. As indicated by Council members, this correlates with the recently adopted Short Term Rental Ordinance.

It is my understanding that Council will vote on the revised rezoning request at the next meeting on May 2nd. Should you have further questions or need additional information in the meantime, please don't hesitate to contact me.

Very Truly Yours,

Bradford V. Hinchey

Map 3.1.4: Future Land Use



Subject Properties

- Legend**
- 2018 FUTURE LAND USE**
- Parks, Recreation, and Open Space
 - Conservation Management
 - Resource Management
 - Wadmalaw Agricultural Preservation
 - Agricultural Preservation
 - Rural Agricultural
 - Agricultural Residential
 - Rural Residential
 - Rural Cultural Community Protection
 - Urban/Suburban Cultural Community Protection
 - Urban/Suburban Mixed Use
 - Civic/Institutional
 - Office
 - Rural Commercial
 - Commercial
 - Rural Economic Development
 - Rural Industrial
 - Industrial
 - Development of County Significance
 - Overlay Districts
 - Municipality
- UGB**
- URBAN GROWTH BOUNDARY

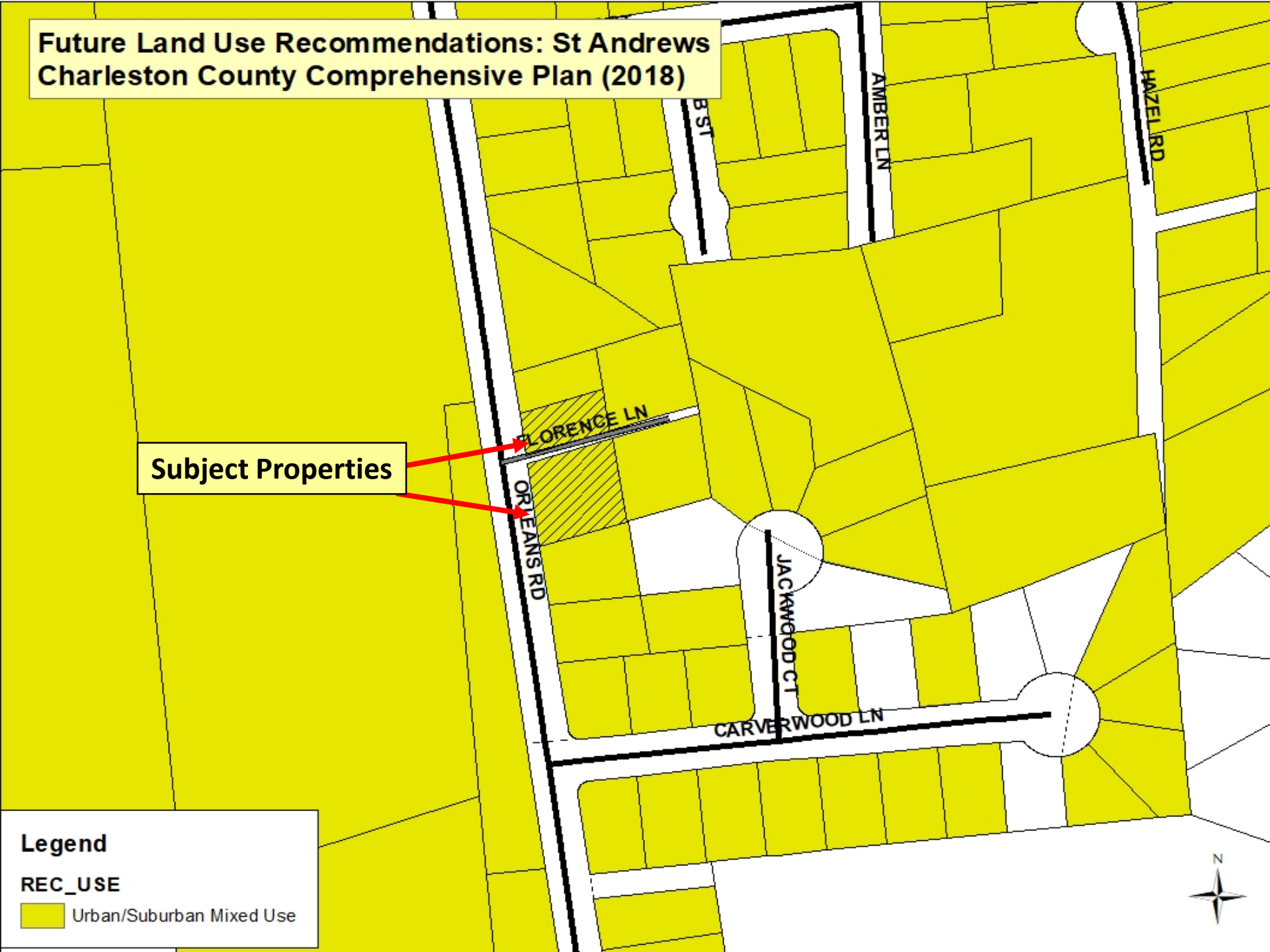
**Future Land Use Recommendations: St Andrews
Charleston County Comprehensive Plan (2018)**

Subject Properties

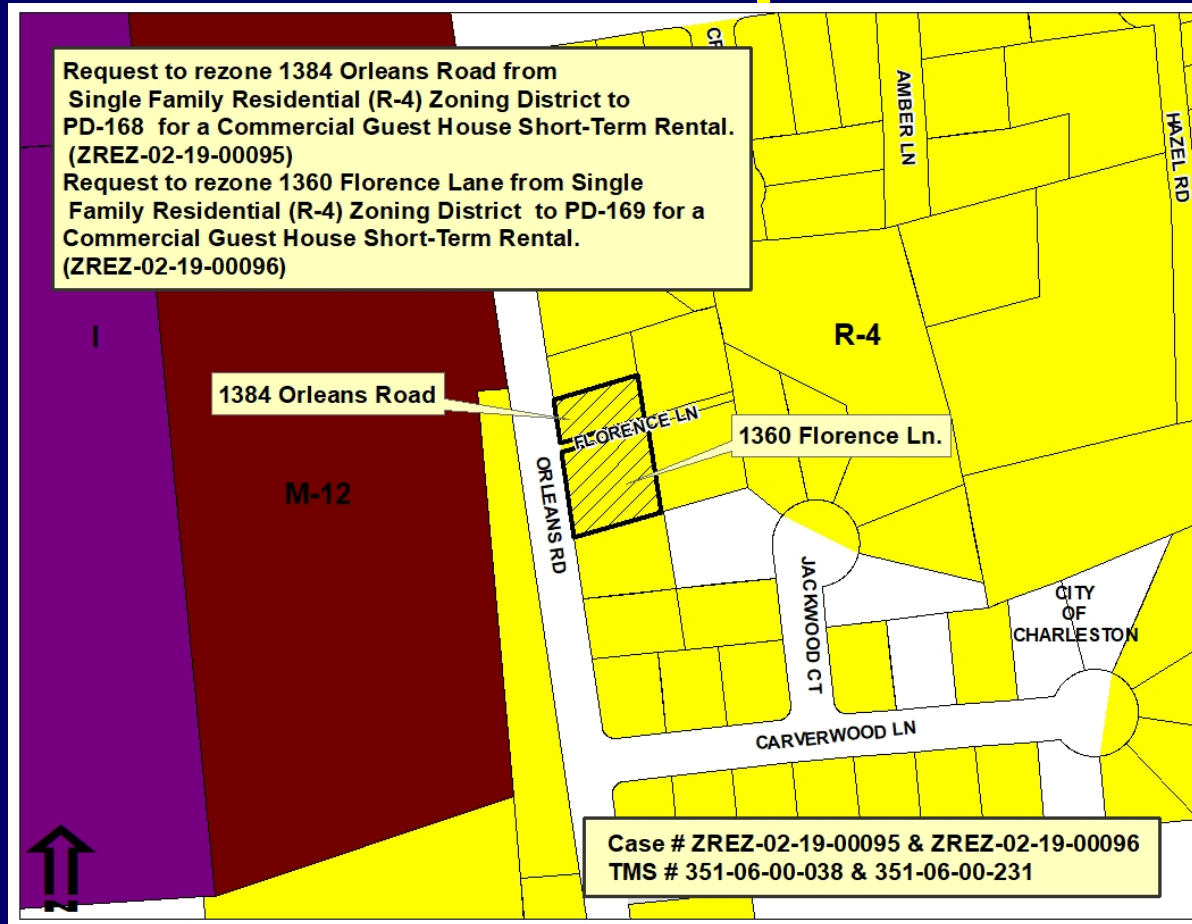
Legend

REC_USE

Urban/Suburban Mixed Use



Area Description



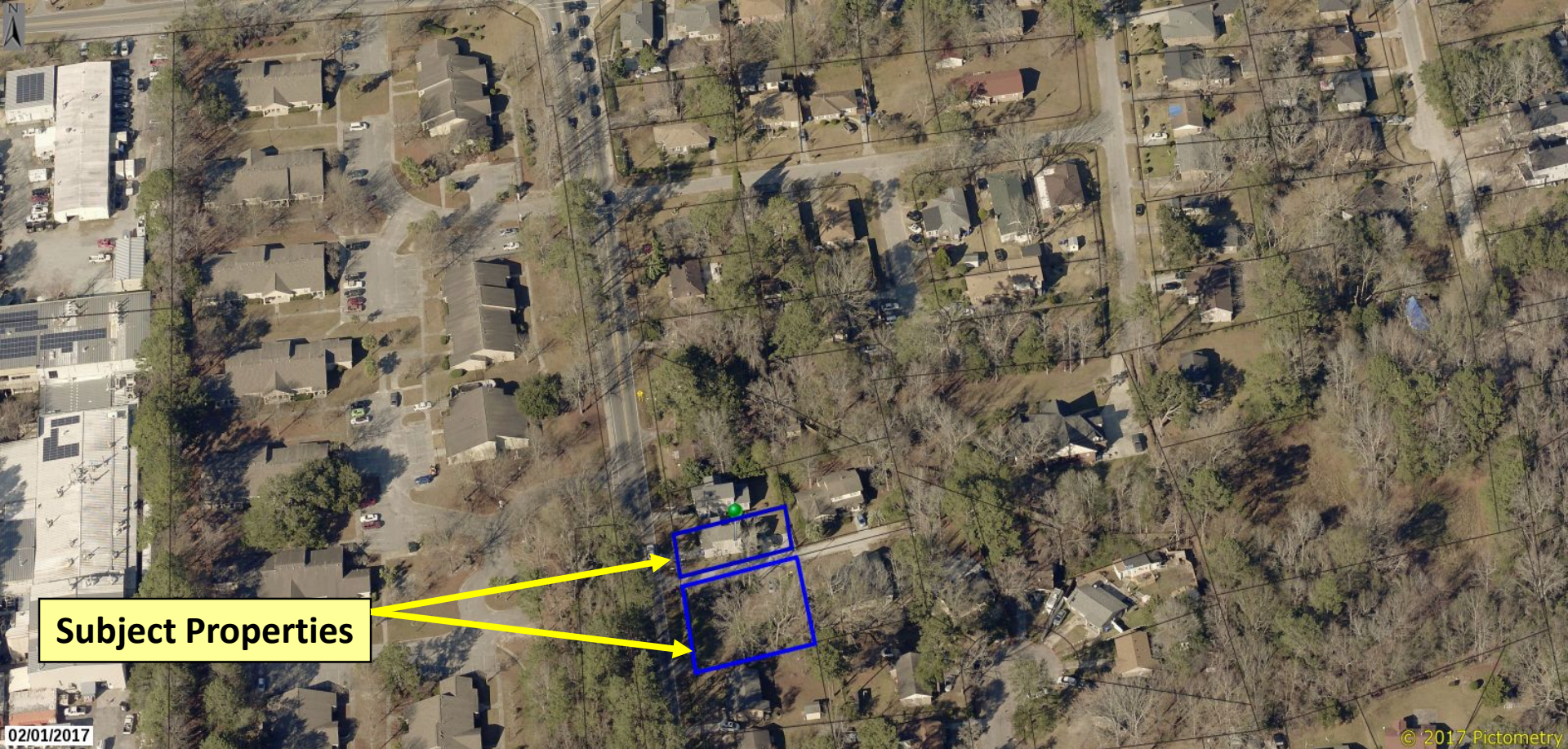
With regard to Case ZREZ-02-19-00095, 1384 Orleans Road, TMS 351-06-00-038, all adjacent and adjoining properties are in the County, are zoned either R-4 or Mixed Style Residential 12 (M-12), and contain either single-family dwellings or multifamily dwellings.

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



Subject Properties

02/01/2017

© 2017 Pictometry

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**

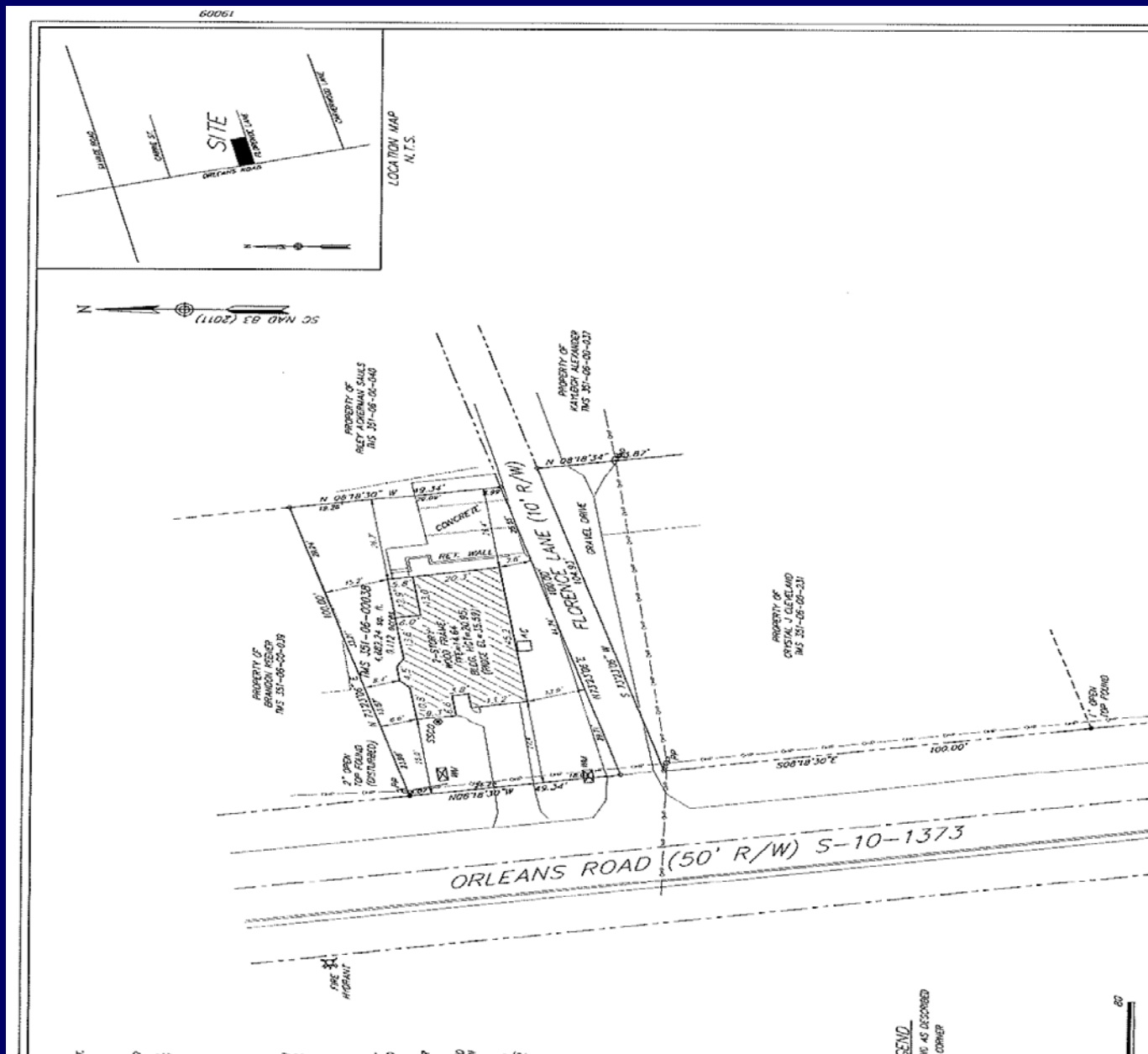


Requested PD Guidelines

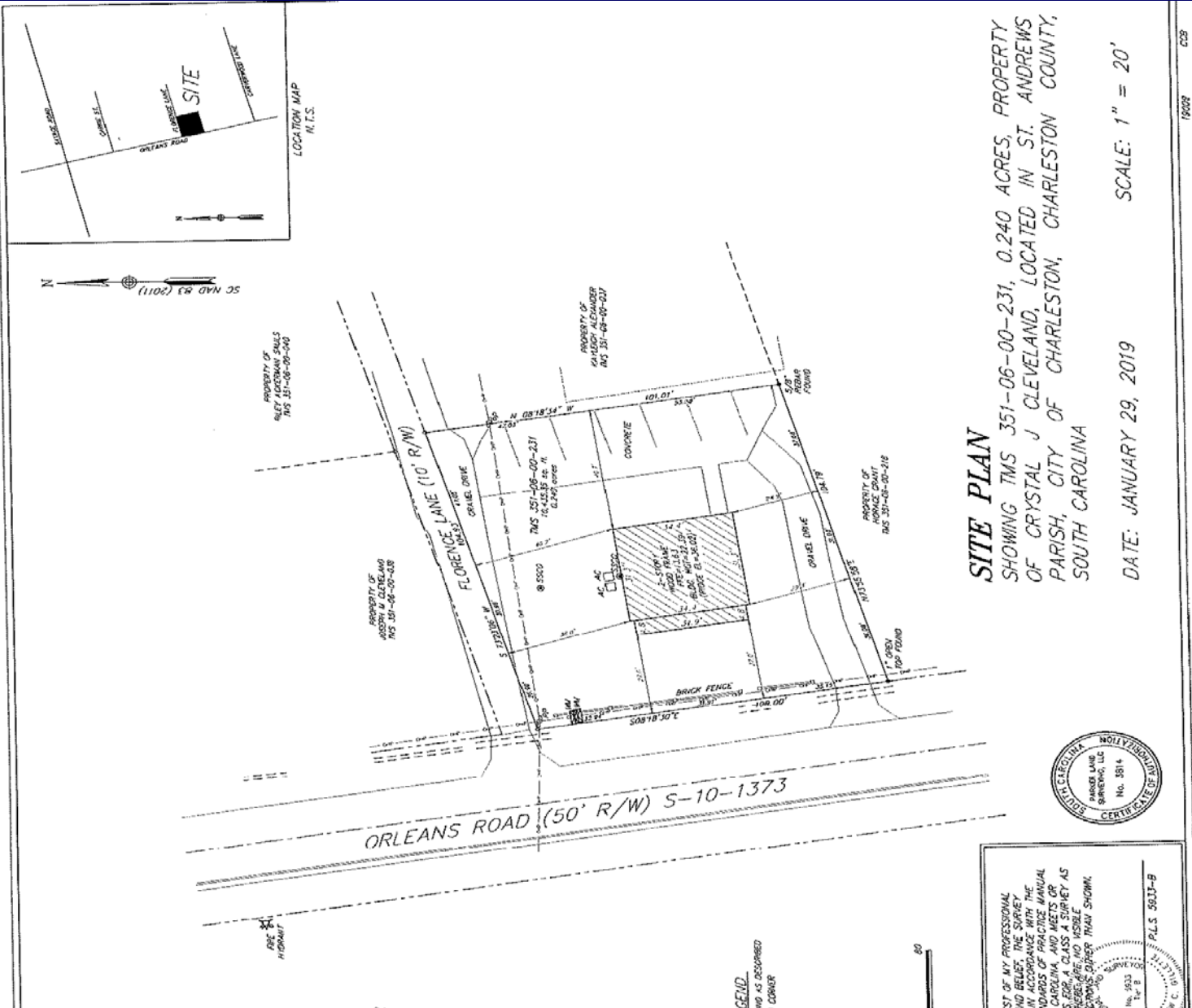
PD-168 (Case ZREZ-02-19-00095) and PD-169 (Case ZREZ-02-19-00096):

- Allowed uses were originally a Commercial Guest House Short-Term Rental, but has since been amended by the applicant to be an Extended Home Rental Short Term Rental, and uses permitted in the R-4 Zoning District if not developed as an Extended Home Rental Short-Term Rental;
- Maximum number of rental days annually was originally 350, but has since been amended by the applicant to be 144;
- 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



SITE PLAN
SHOWING TMS 351-06-00-231, 0.240 ACRES, PROPERTY OF CRYSTAL J CLEVELAND, LOCATED IN ST. ANDREWS PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA

DATE: JANUARY 29, 2019

SCALE: 1" = 20'



I, [NAME], being duly sworn, depose and say that the foregoing is a true and correct copy of the original survey as shown to me by the client, and that I am a duly licensed Professional Engineer in the State of South Carolina, and that I am the author of the survey shown above.

W. G. ...
No. 3814
P.L.S. 5813-B

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 (based on original maximum 350 rental days annually):

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 rental 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 (based on original
maximum 350 rental days):**

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)

- Statement of Objectives: Delete the last sentence and replace it with the following: *“If the subject site is not used as an Extended Home Rental 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.”*
- Site Information (PD-168): 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.”*
- Site Information (PD-169): 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.”*
- Proposed Land Uses, first bullet point: 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 an Extended Home Rental Short-Term Rental in accordance with this PD.”*
- Proposed Land Uses, second bullet point:
 - Amend the bullet point to read as follows: *“Extended Home Rental Short-Term Rental, up to 144 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.
- Proposed Land Uses, third bullet point: Amend the bullet point to read as follows: *“No accessory dwellings will be permitted on the property.”*
- Maximum Density & Dimensional Standards, first paragraph, second sentence: Add the following to the end of the sentence: *“...at the time of subsequent development application submittal.”*
- Maximum Density & Dimensional Standards, second paragraph: 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'

- 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.
- Architectural Guidelines: 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.”*
- Parking: Clarify and state the total number of parking spaces available on site for use by the Extended Home Rental Short-Term Rental.
- Sketch Plan: 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.

A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a semi-transparent blue rectangle containing the title text. The text is in a bold, white, sans-serif font. The map shows the coastline and several inland areas, with different colors representing different zoning districts.

Charleston County Zoning Map Amendment Requests

Public Hearing – April 9, 2019

1st Planning and Public Works Committee – April 18, 2019

2nd Planning and Public Works Committee – May 2, 2019

ZONING CHANGE APPLICATION

CASE ZREZ-02-14-0009S PD 168



Zoning/Planning Department
 Lonnie Hamilton, III
 Public Services Building
 4045 Bridge View Drive
 North Charleston, SC 29405
 (843) 202-7200
 1-800-524-7832
 Fax: (843) 202-7222

PROPERTY INFORMATION

CURRENT DISTRICT R4 REQUESTED DISTRICT PD
 PARCEL ID(S) 351-06-00-038
 CITY/AREA OF COUNTY Charleston / St. Andrews District
 STREET ADDRESS 1384 Orleans Road, Charleston, SC 29407 ACRES 0.11
 DEED RECORDED: BOOK 0222 PAGE 637 DATE 12/14/2011
 PLAT RECORDED: BOOK L-85 PAGE 54 DATE 04/22/1966 APPROVAL # 18655 included, 07/20/2001 (for subsequent plat)

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT Braulio Hinciber HOME PHONE _____
 MAIL ADDRESS Carolina One Real Estate WORK PHONE _____
 CITY, STATE, ZIP 900 N. Main St. Summerville, SC 29483 CELL PHONE Joseph M Cleveland (843) 391-2929
 EMAIL braulio.hinciber@carolinacore.com
OWNER Joseph M. Cleveland HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS 406 Cave Spring Road WORK PHONE _____
 CITY, STATE, ZIP Rome, GA 30161 CELL PHONE (843) 452-2626
 EMAIL citydelnumber2@gmail.com
REPRESENTATIVE [Same As Applicant] HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
- ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- ✓ Copy of Signed Restricted Covenants Affidavit
- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Braulio Hinciber is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

Signature of Owner(s) Joseph M Cleveland 01-31-2019 7:09 PM EST
 Signature of Applicant/ Representative (if other than owner) [Signature] Date 1 Feb. 2019
 Planner's Signature [Signature] Date 2/1/19
 Zoning Inspector's Signature _____ Date _____

OFFICE USE ONLY

Amount Received \$301.10 Cash ? Check? # 15123 Invoice Number TRC-146714-a-02-2019

ZONING CHANGE APPLICATION



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

CASE 2RE2-02-19-00096 PD 169

PROPERTY INFORMATION

CURRENT DISTRICT R2 REQUESTED DISTRICT PD
PARCEL ID(S) 351-06-00-231
CITY/AREA OF COUNTY Charleston/St. Andrews District
STREET ADDRESS 1360 Florence Lane, Charleston, SC 29407 ACRES 0.24
DEED RECORDED: BOOK 0615 PAGE 940 DATE 02/09/2017
PLAT RECORDED: BOOK DC PAGE 852 DATE 07/20/2011 APPROVAL # 18655

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT	<u>Braulio Hiner</u>	HOME PHONE	<u>Crystal J Cleveland</u>
MAIL ADDRESS	<u>Carolina One Real Estate</u>	WORK PHONE	
CITY, STATE, ZIP	<u>900 N. Main St. Summerville, SC 29483</u>	CELL PHONE	<u>(843) 291-2929</u>
		EMAIL	<u>bhiner@carolinaone.com</u>
OWNER (IF OTHER THAN APPLICANT)	<u>Crystal J. Cleveland, Joseph M. Cleveland (JTRos)</u>	HOME PHONE	
MAIL ADDRESS	<u>406 Cave Spring Road</u>	CELL WORK PHONE	<u>Crystal: (317) 417-4294</u>
CITY, STATE, ZIP	<u>Rome, GA 30161</u>	CELL PHONE	<u>Joseph: (843) 452-2626</u>
		EMAIL	<u>Crystal: crystalj.cleveland@gmail.com</u>
		EMAIL	<u>E-mail: Joseph: citadelnumber2@gmail.com</u>
REPRESENTATIVE (IF OTHER THAN APPLICANT)	<u>[Same as Applicant]</u>	HOME PHONE	
MAIL ADDRESS		WORK PHONE	
CITY, STATE, ZIP		CELL PHONE	
		EMAIL	

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
- ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- ✓ Copy of Signed Restricted Covenants Affidavit
- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Braulio Hiner is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

<u>Crystal J Cleveland</u> Signature of Owner(s)	01-31-2019 7:27 PM EST	<u>Joseph M Cleveland</u> Signature of Applicant/ Representative (if other than owner)	01-31-2019 7:27 PM EST
<u>[Signature]</u> Planner's Signature	<u>2/1/19</u> Date	<u>[Signature]</u> Zoning Inspector's Signature	<u>1 Feb 2019</u> Date

OFFICE USE ONLY

Amount Received \$ 302.40 Cash ? Check? # 15124 Invoice Number TRC-146792-01-02-2019

PD GUIDELINES

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.

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.

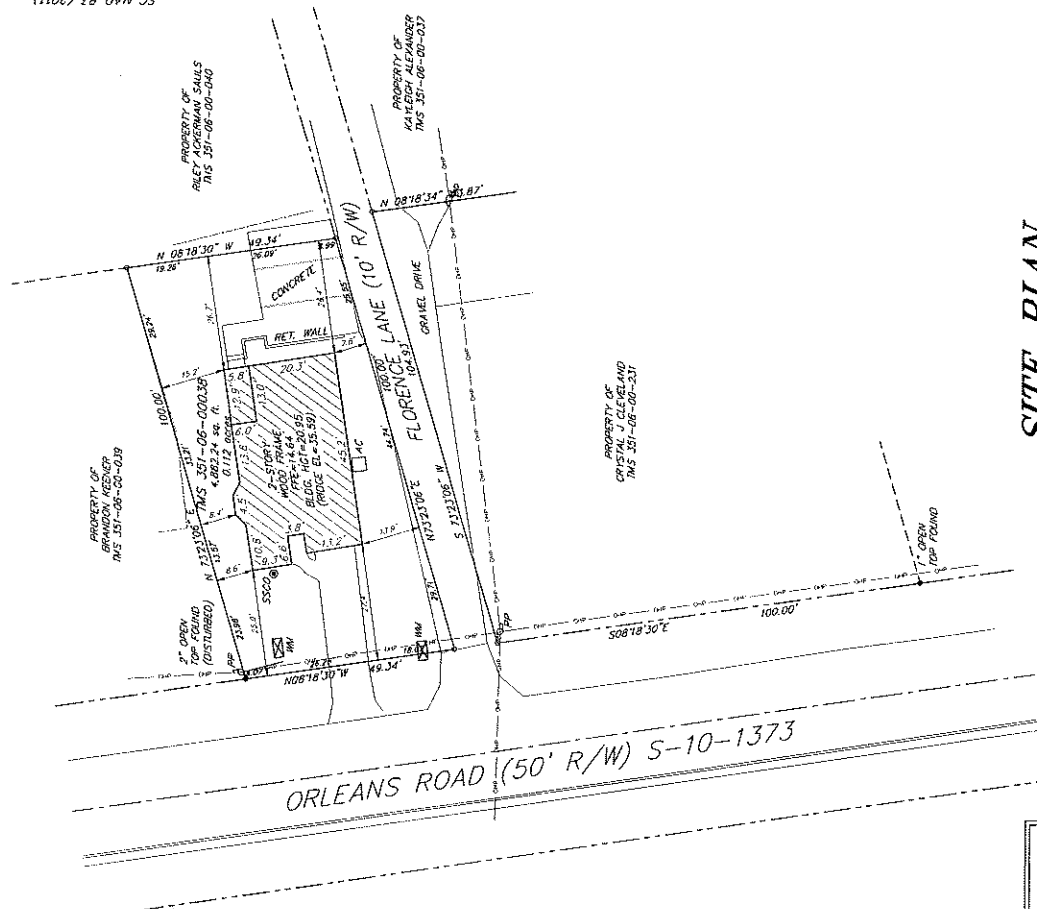
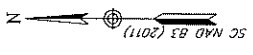
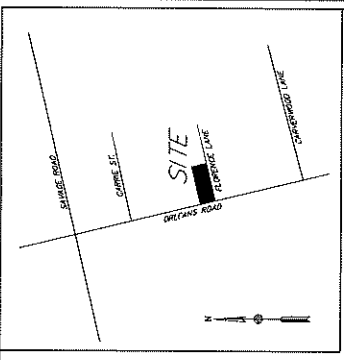
Parking:

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 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.



SITE PLAN
 SHOWING TMS 351-06-00-038, 0.112 ACRES, PROPERTY
 OF JOSEPH M CLEVELAND, LOCATED IN ST. ANDREWS
 PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY,
 SOUTH CAROLINA

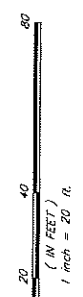
DATE: JANUARY 29, 2019
 SCALE: 1" = 20'

REFERENCES.
 1. MAP OF SUBDIVISION OF TRACT OF LAND OWNED BY JOHN NOELWE, ST. ANDREWS PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, SURVEYED SEPTEMBER 24, 1848, AND RECORDED IN PLAT BOOK 4, PAGE 102, CHARLESTON COUNTY ROAD OFFICE.
 2. PLAT SHOWING SUBDIVISION OF A 0.81 AC. LOT INTO LOTS 5 & 6, LOCATED ON ORLEANS ROAD & FLORENCE LANE, ST. ANDREWS PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, REVISED JULY 16, 2001, BY A. H. SCHWABER, III, AND RECORDED IN PLAT BOOK 20, PAGE 852, CHARLESTON COUNTY ROAD OFFICE.
 3. CHARLESTON COUNTY TMS 351-06-00-038.
 4. PHYSICAL SITE ADDRESS: 1284 ORLEANS ROAD, CHARLESTON, S.C.

NOTES:
 1. BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY APPEARS TO BE WITHIN THE 100' WIDE RIGHT-OF-WAY PANEL NUMBER 45018C 0482L, WITH AN EFFECTIVE DATE OF NOVEMBER 17, 2014.
 2. THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
 3. PROPERTY CORNERS FOUND AS LABELED. NO PROPERTY CORNERS TO BE SET.
 4. EASEMENTS, SHOWING IF ANY, ARE SHOWN. EASEMENTS, PROPERTY, MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT APPEARING OR REFERRED TO HEREIN.
 5. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
 6. IT IS EXPRESSLY UNDERSTOOD THAT THE SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR ABSENCE OF ANY METEAGES ON THE PROPERTY SHOWN HEREIN.
 7. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED, OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND UTILITIES OR OVERHEAD CONTAINERS OF FLAMMABLE LIQUIDS THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
 8. TOTAL NUMBER OF MARKED PARKING SPACES = 3.
 9. THERE ARE NO GRAND TREES ON SITE.

LINE-TYPE AND SYMBOL LEGEND.

- PROPERTY LINE - CORNER FOUND AS DESCRIBED
- PROPERTY LINE - CALCULATED CORNER
- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- OVERHEAD POWER LINE
- CENTER LINE
- FENCE LINE
- POWER POLE

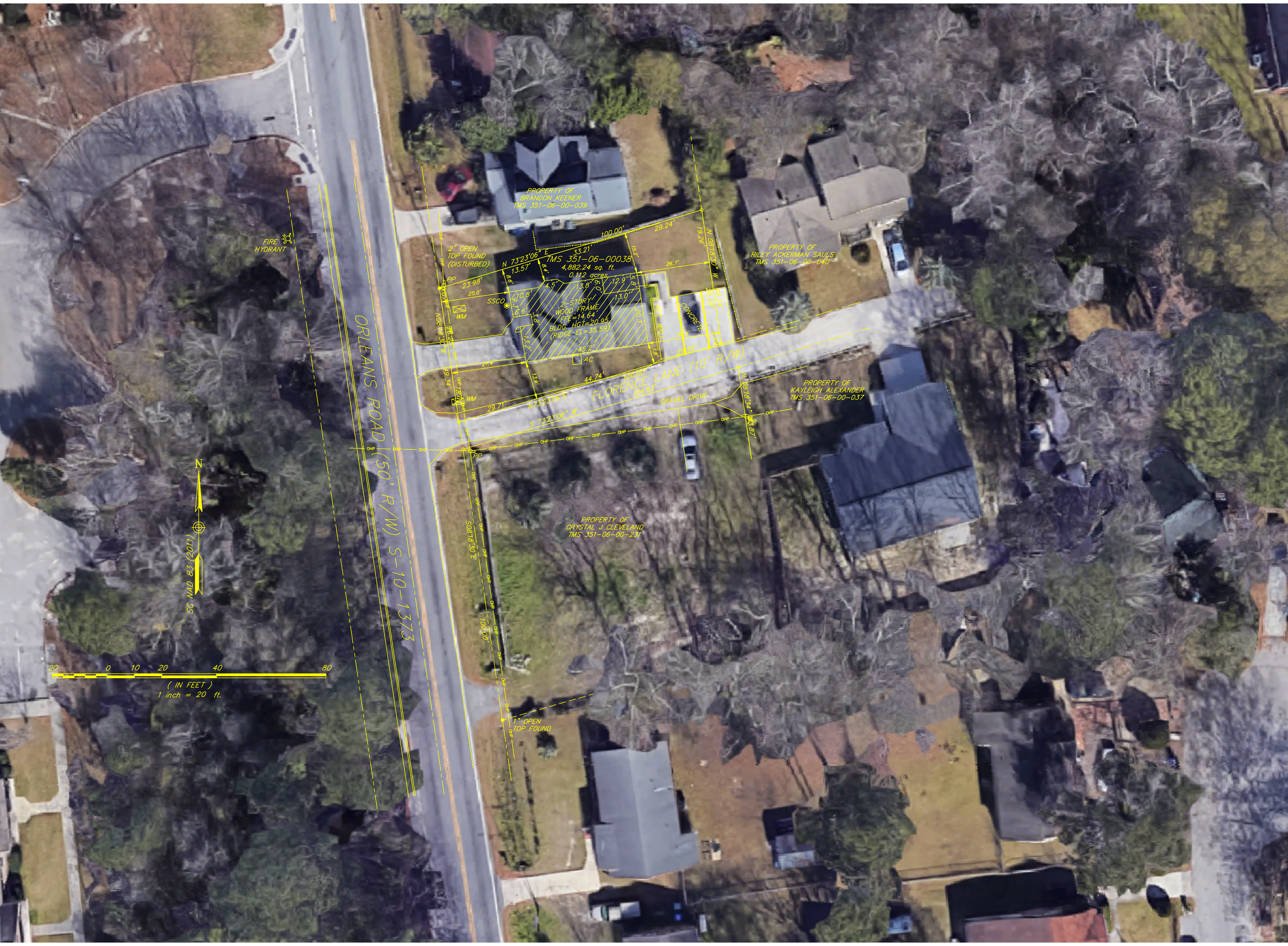


I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL SPECIFIED IN THE CONSTITUTION AND ARTICLES OF INCORPORATION OF THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS OF THE PRACTICE MANUAL SPECIFIED THEREIN. ALSO, THERE ARE NO USABLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

ANDREW C. GILLETTE
 P.L.S. 5933-B



Parker Land Surveying, LLC
 1220 Yemassee Hall Road
 Hanahan, SC 29410
 Phone: (803) 534-4777
 Fax: (803) 534-4779



PROPERTY OF BRANDON KEENER
TMS 351-06-00-039

PROPERTY OF RILEY ACKERMAN SAULS
TMS 351-06-00-040

PROPERTY OF KAYLEIGH ALEXANDER
TMS 351-06-00-037

PROPERTY OF CRYSTAL J CLEVELAND
TMS 351-06-00-231

MS 351-06-00038
4,882.24 sq. ft.
0.112 acres
2-STORY WOOD FRAME
CFE=14.64
BLDG. HGT=20.95
(RIDGE EL=35.55)

ORLEANS ROAD (50' R/W) S-10-1373

FLORENCE LANE (10' R/W)

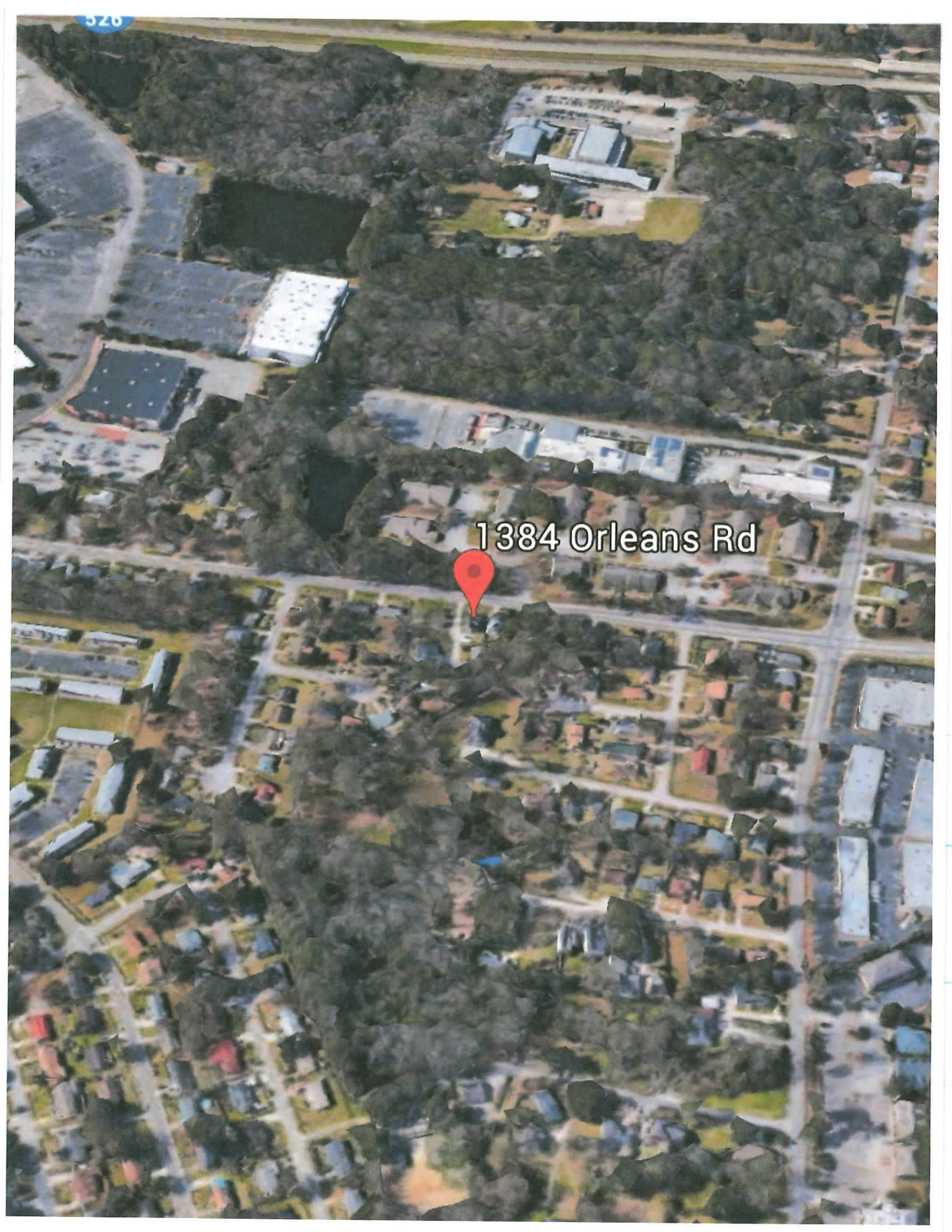
FIRE HYDRANT

1" OPEN TOP FOUND



20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

1384 Orleans Rd









Emergency Medical Services

DAVID ABRAMS, JD
Director

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

January 14, 2018

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


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

Dear Mr. Hincer,

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 Hinchler at 843-291-2929.


Captain Roger Antonio
Public Information Officer
Charleston Count Sheriff's Office

Administrative Office

3691 Leeds Avenue
N. Charleston, SC 29405
~ Sheriff ~
Voice (843) 554-2230
Fax (843) 554-2243

Law Enforcement Division

3691 Leeds Avenue
N. Charleston, SC 29405
~ Patrol ~
Voice (843) 202-1700
Fax (843) 554-2234

Al Cannon Detention Center

3841 Leeds Avenue
N. Charleston, SC 29405
Voice (843) 529-7300
Fax (843) 529-7406

Judicial Center

100 Broad Street, Suite 381
Charleston, SC 29401
Voice (843) 958-2100
Fax (843) 958-2128



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.

Office:
1775 Ashley River Road
Charleston, South Carolina 29407

Telephone: 843-556-6310
Fax: 843-769-2404
www.standrewspsd.org

Mail:
PO Box 30305
Charleston, SC 29417

File Edit View History Bookmarks Tools Help

www.scarchsite.org/PublicView.aspx

SC ArchSite Public Web Map

1384 Orleans Rd, Charles

Legend

- National Register Points
 - ▲
- National Register Polygons
 -
- Historic Structures
 - ⊗ Not Eligible or Requires Evaluation
 - ▲ Eligible
- Historic Areas
 - Not Eligible or Requires Evaluation
 - Significant Resource/Requires Evaluation

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.

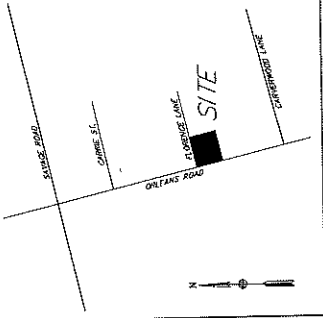
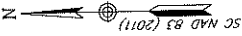
Parking:

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.

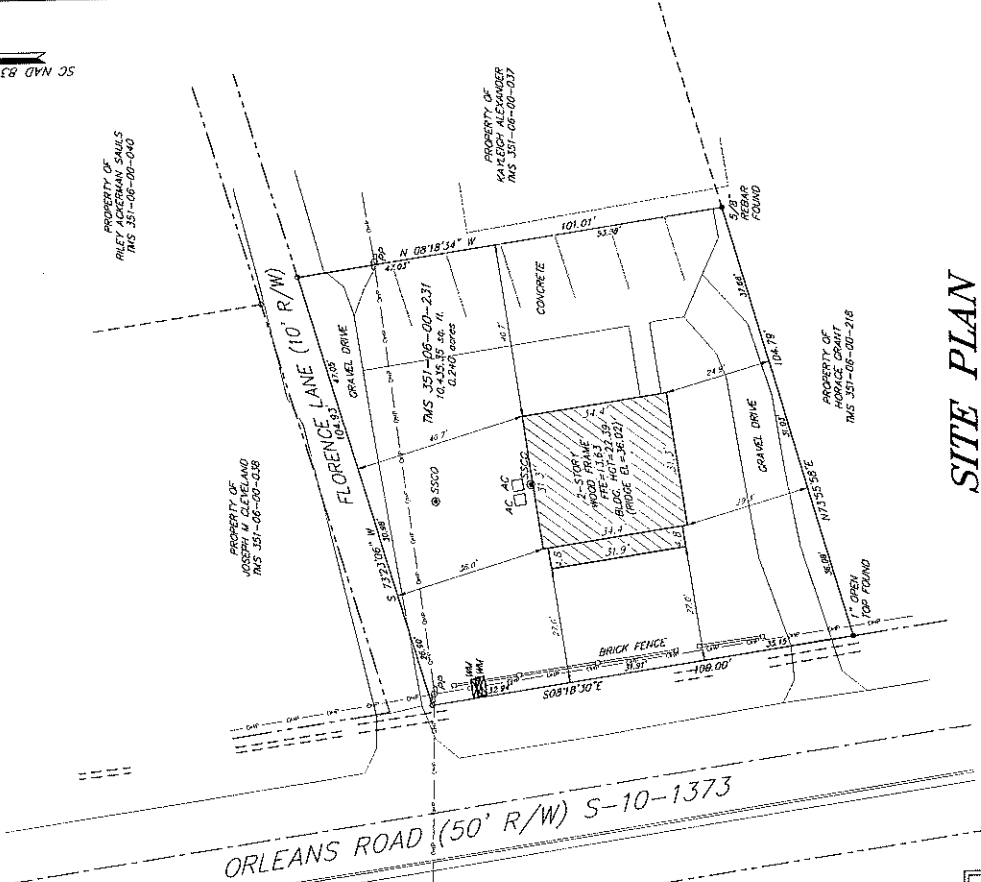


PROPERTY OF
AILEY ADERHANI SAULS
TMS 351-06-00-040

PROPERTY OF
JOSE M. GARCIA-LAND
TMS 351-06-00-038

PROPERTY OF
MAYFORD MILLER
TMS 351-06-00-037

PROPERTY OF
HOWARD DAVIS
TMS 351-06-00-218



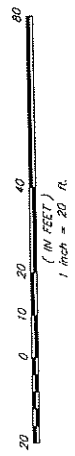
ORLEANS ROAD (50' R/W) S-10-1373

FIRE HYDRANT

- REFERENCES:**
- MAP OF SUBDIVISION OF TRACT OF LAND OWNED BY JOHN MEBELINE, ST. ANDREWS PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, AND RECORDED IN PLAT BOOK 41, PAGE 102, CHARLESTON COUNTY ROAD OFFICE.
 - PLAT SHOWING SUBDIVISION OF 1.0 AC INTO LOTS 5 & 6, LOCATED AT SHOWING FLORENCE LANE, ST. ANDREWS PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, REVISED JULY 16, 2001, BY A. H. SCHWABER, III, SCLAS No. 1,895, AND RECORDED IN PLAT BOOK 214, PAGE 802, CHARLESTON COUNTY ROAD OFFICE.
 - CHARLESTON COUNTY TMS 351-06-00-231.
 - PHYSICAL SITE ADDRESS: 1480 ORLEANS ROAD, CHARLESTON, SC

- NOTES:**
- BY GRAPHICAL PLOTTING ONLY. THIS PROPERTY ADDRESS TO USE WITHIN LOCAL JURISDICTION IS TMS 351-06-00-231. THE SURVEY WAS MADE WITH AN EFFECTIVE DATE OF NOVEMBER 17, 2004.
 - THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
 - PROPERTY CORNERS FOUND AS LABELED. NO PROPERTY CORNERS TO BE SET.
 - ENCUMBRANCES, SHOWING IF ANY, ARE PER REFERENCES. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT APPARENT OR OBVIOUS TO SURVEYOR.
 - ANYTHING SHOWN OUTSIDE THE DEDINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
 - IF IT IS IMPROPERLY UNDERSTOOD THAT THE SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR ABSENCE OF ANY METEALS ON THE PROPERTY, SHOW HEREON.
 - ENCUMBRANCES AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND UTILITIES OR OVERHEAD CONDUITS OF FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
 - TOTAL NUMBER OF MARKED PARKING SPACES = 5.
 - THERE ARE NO GRAND TREES ON SITE.

- LINETYPE AND SYMBOL LEGEND:**
- PROPERTY LINE - CORNER FOUND AS DESCRIBED
 - PROPERTY LINE - CALCULATED CORNER
 - RIGHT-OF-WAY LINE
 - ADJACENT PROPERTY LINE
 - OVERHEAD POWER LINE
 - CENTER LINE
 - FENCE LINE
 - POWER POLE



SITE PLAN
SHOWING TMS 351-06-00-231, 0.240 ACRES, PROPERTY OF CRYSTAL J CLEVELAND, LOCATED IN ST. ANDREWS PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA

DATE: JANUARY 29, 2019

SCALE: 1" = 20'



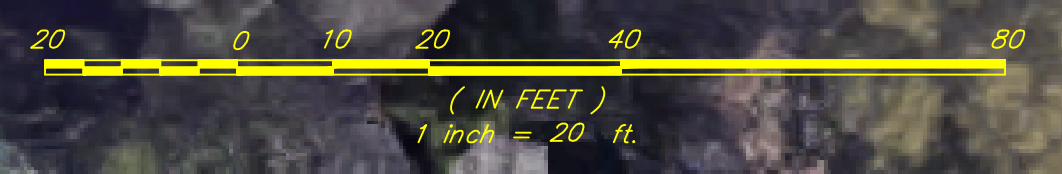
I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE SURVEY INFORMATION WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

ANDREW C. GILLETTE
No. 3814
SOUTH CAROLINA SURVEYOR

PLS
Parker Land Surveying, LLC
1720 Yemassee Hall Road
Hilton, SC 29410
Phone: (843) 554-1777
Fax: (843) 554-1779

PLS. 5933-B

SC NAD 83 (2011)



FIRE HYDRANT

ORLEANS ROAD (50' R/W) S-10-1373

PROPERTY OF JOSEPH E. CLEVELAND
TMS 351-06-00-038

PROPERTY OF RILEY ACKERMAN SAULS
TMS 351-06-00-040

FLORENCE LANE (10' R/W)
104.63'
27.00'
GRAVEL DRIVE

TMS 351-06-00-231
10,435 sq. ft.
0.241 acres

PROPERTY OF KAYLEIGH ALEXANDER
TMS 351-06-00-037

SSCO

AC AC

2-STORY WOOD FRAME
FEE=13.63
BLDG. HGT=22.39'
(RIDGE EL=36.02)

CONCRETE

5/8" REBAR FOUND

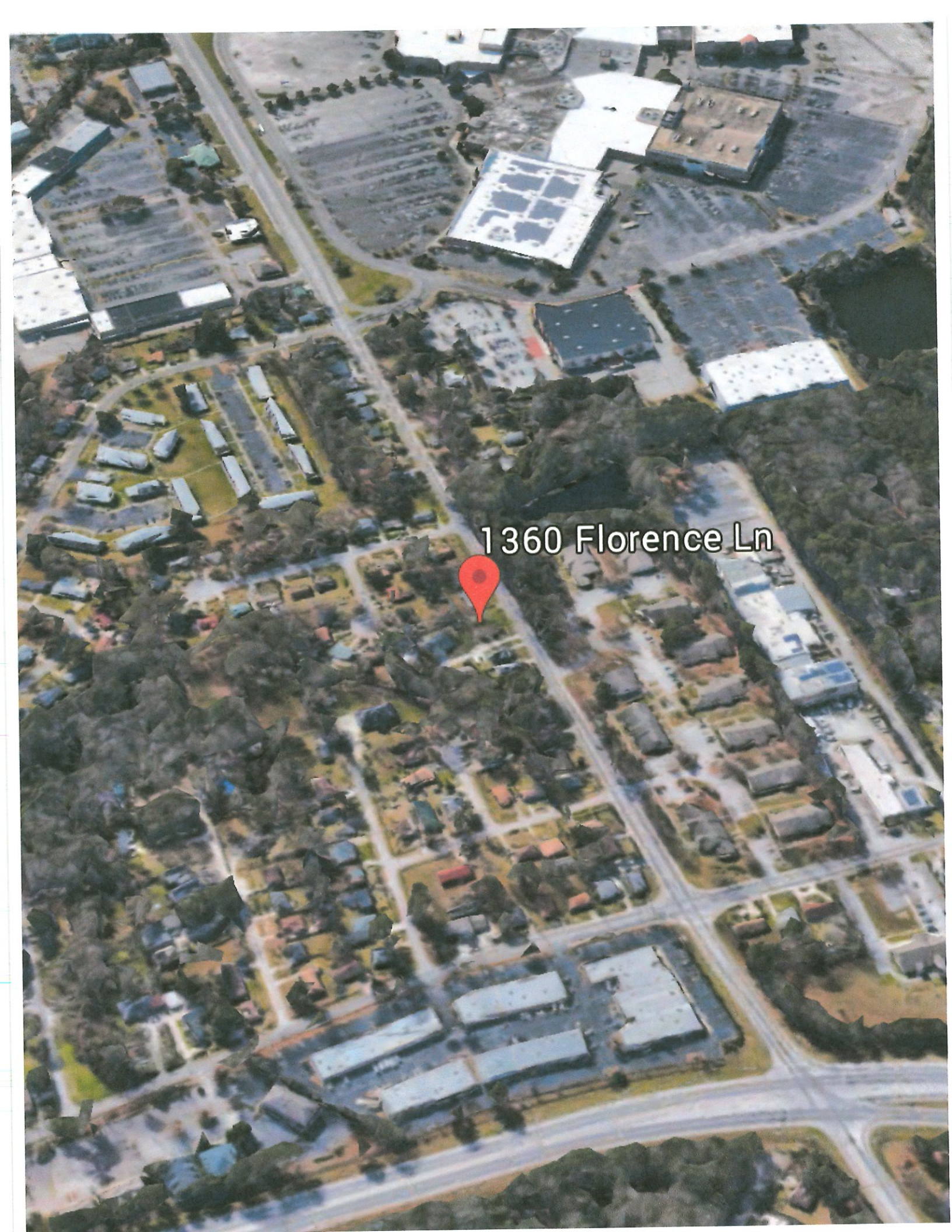
PROPERTY OF HORACE GRANT
TMS 351-06-00-218

1" OPEN TOP FOUND

BRICK FENCE

GRAVEL DRIVE





1360 Florence Ln











Emergency Medical Services

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

DAVID ABRAMS, JD
Director

January 14, 2018

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

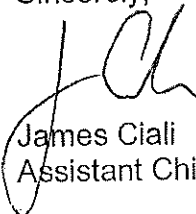
RE: 1384 Orleans Rd. Charleston, SC 29407
1360 Florence Ln. Charleston, SC 29407

Dear Mr. Hincer,

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 Hinchler at 843-291-2929.


Captain Roger Antonio
Public Information Officer
Charleston Count Sheriff's Office

Administrative Office

3691 Leeds Avenue
N. Charleston, SC 29405
~ Sheriff ~
Voice (843) 554-2230
Fax (843) 554-2243

Law Enforcement Division

3691 Leeds Avenue
N. Charleston, SC 29405
~ Patrol ~
Voice (843) 202-1700
Fax (843) 554-2234

Al Cannon Detention Center

3841 Leeds Avenue
N. Charleston, SC 29405
Voice (843) 529-7300
Fax (843) 529-7406

Judicial Center

100 Broad Street, Suite 381
Charleston, SC 29401
Voice (843) 958-2100
Fax (843) 958-2128



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.

Office:
1775 Ashley River Road
Charleston, South Carolina 29407

Telephone: 843-556-6310
Fax: 843-769-2404
www.standrewspsd.org

Mail:
PO Box 30305
Charleston, SC 29417

File Edit View History Bookmarks Tools Help

www.scarchsite.org/PublicView.aspx

SC ArchSite Public Web Map

1384 Orleans Rd, Charles

Legend

- National Register Points**
 - ▲
- National Register Polygons**
 -
- Historic Structures**
 - ⊖ Not Eligible or Requires Evaluation
 - ▲ Eligible
- Historic Areas**
 - Not Eligible or Requires Evaluation
 - Significant Resource/Requires Evaluation