

Post & Courier

CHARLESTON COUNTY COUNCIL PLANNED DEVELOPMENT ZONING DISTRICT AMENDMENT REQUEST PUBLIC HEARING Tuesday, February 2, 2021 at 6:30 PM

Charleston County Council will hold a public hearing on the matters listed below beginning at 6:30 p.m., Tuesday, February 2, 2021, in Council Chambers (second floor of the Lonnie Hamilton, III, Public Services Building, located at: 4045 Bridge View Drive, North Charleston, SC 29405). Packet information can be found online at: <https://www.charlestoncounty.org/departments/zoning-planning/>. The meeting will be livestreamed at: <https://www.charlestoncounty.org/departments/county-council/cctv.php>. Public comments may be made in person, or written public comments may be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by noon on Tuesday, February 2, 2021. Contact the Zoning and Planning Department at (843)202-7200 or CCPC@charlestoncounty.org for additional information.

- a. ZREZ-10-20-00119: Request to amend PD-110, Cassique Courtyard Homes, to PD-110A, to allow for Commercial Guest House Short-Term Rentals on the following properties: TMS 205-00-00-202, 205-00-00-203, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, and 205-00-00-311.
- b. ZREZ-11-20-00120: Request to rezone TMS 215-00-00-006 and 215-00-00-007, 4892 and 4904 River Road, Johns Island, from Agricultural Residential (AGR) to Rural Commercial (CR).

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

**PLANNED DEVELOPMENT
ZONING DISTRICT AMENDMENT
REQUEST:**

ZREZ-10-20-00119

- Case history
- Presentation
- Application
- Proposed PD amendments

ZREZ-10-20-00119: Case History

Planning Commission: January 11, 2021

Public Hearing: February 2, 2021

Planning and Public Works Committee: February 11, 2021

First Reading: February 16, 2021

Second Reading: March 9, 2021

Third Reading: March 23, 2021

CASE INFORMATION

Applicant: Mark Permar, Principal, Permar, Inc.

Owner: Multiple Property Owners; Cassique HOA President, Jordan Philips, authorized to sign as the owner

Location: Cassique Courtyard Homes (Johns Island Area)

Parcel Identification: 205-00-00-077, 205-00-00-078, 05-00-00-079, 205-00-00-080, 205-00-00-081, 205-00-00-082, 205-00-00-083, 205-00-00-089, 205-00-00-090, 205-00-00-091, 205-00-00-092, 205-00-00-093, 205-00-00-094, 205-00-00-095, 205-00-00-096, 205-00-00-097, 205-00-00-098, 205-00-00-099, 205-00-00-100, 205-00-00-101, 205-00-00-102, 205-00-00-103, 205-00-00-104, 205-00-00-105, 205-00-00-106, 205-00-00-107, 205-00-00-108, 205-00-00-205, 205-00-00-206, 205-00-00-207, 205-00-00-208, 205-00-00-209, 205-00-00-210, 205-00-00-211, 205-00-00-212, 205-00-00-213, 205-00-00-214, 205-00-00-215, 205-00-00-216, 205-00-00-217, 205-00-00-117, 205-00-00-226, 205-00-00-227, 205-00-00-228, 205-00-00-229, 205-00-00-230, 205-00-00-231, 205-00-00-232, 205-00-00-233, 205-00-00-234, 205-00-00-235, 205-00-00-236, 205-00-00-237, 205-00-00-238, 205-00-00-239, 205-00-00-240, 205-00-00-241, 205-00-00-242, 205-00-00-202, 205-00-00-203, 205-00-00-204, 205-00-00-245, 205-00-00-246, 205-00-00-247, 205-00-00-248, 205-00-00-013, 205-00-00-304, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, 205-00-00-311, 205-00-00-013, 205-00-00-200, 205-00-00-201

Application: Request to amend PD-110, Cassique Courtyard Homes, to PD-110A, to allow for eight Commercial Guest House Short-Term Rentals pursuant to the requirements of the County's Short-Term Rental Property Ordinance. The proposed amendments would allow Commercial Guest Houses on the following properties: TMS 205-00-00-202, 205-00-00-203, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, and 205-00-00-311.

Council District: 9 (Honeycutt)

Property Size: 81.26 acres

Zoning History: The subject parcels were originally zoned Agricultural-General (AG), and were subsequently zoned Low-Density Suburban Residential (RSL) in 2001. In 2005, the subject properties were rezoned to PD-110, Cassique Courtyard Homes. This case was originally scheduled for the December 14, 2020 Planning Commission meeting, but was deferred at the request of the applicant.

Adjacent Zoning: The majority of the subject properties contain Single-Family Dwellings or are undeveloped. One property in the center of the PD contains a sports pavilion complex. Properties to the North, East, and West are zoned Single-Family Residential 4 (R-4). Properties to the South are either zoned Single-Family Residential 4 (R-4) or PD-150, Cassique Clubhouse Village.

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

APPROVAL CRITERIA

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;

Staff Response: The proposed amendment is consistent with the Comprehensive Plan, as well as the stated purposes of the Zoning and Land Development Regulations Ordinance, as the proposed amendments require compliance with the County's Short-Term Rental Property Ordinance.

B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff Response: The proposed amendment is consistent with existing uses in the area, and no changes to density or dimensional standards are proposed. Cassique caters to the vacation rental community, and the proposed allowance of Commercial Guest Houses on a select number of parcels is consistent with the existing land uses in the area.

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

Staff Response: Not applicable.

D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

Staff Response: Short-Term Rentals have become increasingly popular in the past five years. When PD-110 was created in 2005, today's Short-Term Rental industry was not in existence. As such, amending the PD to allow for Commercial Guest House Short-Term Rentals, which allows for an unlimited number of rental days, would address a trend that has significantly changed the character of the area.

The Zoning Map Amendment Request meets one or more of the approval criteria; therefore, staff recommends approval.

PLANNING COMMISSION MEETING: January 11, 2021

Recommendation: Approval (9-0)

Speakers: Mark Permar, the applicant, spoke in support of the application. No one spoke in opposition.

Public Input: 10 letters in support of allowing short-term rentals on the proposed 8 properties to guests of the Kiawah Island Club Members only and 1 letter in opposition have been received.

Notifications: 198 notifications for the December 2020 Planning Commission meeting were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List on November 23, 2020. 198 deferral notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List on November 24, 2020. 198 notification letters the January 2021 Planning Commission meeting were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List on December 23, 2020.

Additionally, this request was noticed in the *Post & Courier* on December 25, 2020.

PUBLIC HEARING: February 2, 2021

Public Input: 11 letters in support of allowing short-term rentals on the proposed 8 properties to guests of the Kiawah Island Club Members only and 4 letters in opposition have been received.

Notifications: 198 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List on January 15, 2021. Additionally, this request was noticed in the *Post & Courier* on January 15, 2021.



Charleston County Planned Development Amendment Request

Public Hearing: February 2, 2021

Planning and Public Works Committee: February 11, 2021

First Reading: February 16, 2021

Second Reading: March 9, 2021

Third Reading: March 23, 2021

ZREZ-10-20-00119

Request to amend PD-110, Cassique Courtyard Homes, to PD-110A, to allow for eight Commercial Guest House Short-Term Rentals pursuant to the requirements of the County's Short-Term Rental Property Ordinance. The proposed amendments would allow Commercial Guest Houses on the following properties: TMS 205-00-00-202, 205-00-00-203, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, and 205-00-00-311.

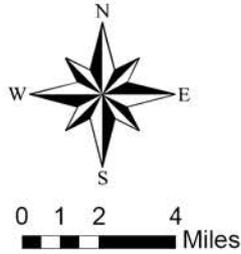
- Cassique Courtyard Homes
- Parcel I.D.: 205-00-00-077, 205-00-00-078, 05-00-00-079, 205-00-00-080, 205-00-00-081, 205-00-00-082, 205-00-00-083, 205-00-00-089, 205-00-00-090, 205-00-00-091, 205-00-00-092, 205-00-00-093, 205-00-00-094, 205-00-00-095, 205-00-00-096, 205-00-00-097, 205-00-00-098, 205-00-00-099, 205-00-00-100, 205-00-00-101, 205-00-00-102, 205-00-00-103, 205-00-00-104, 205-00-00-105, 205-00-00-106, 205-00-00-107, 205-00-00-108, 205-00-00-205, 205-00-00-206, 205-00-00-207, 205-00-00-208, 205-00-00-209, 205-00-00-210, 205-00-00-211, 205-00-00-212, 205-00-00-213, 205-00-00-214, 205-00-00-215, 205-00-00-216, 205-00-00-217, 205-00-00-117, 205-00-00-226, 205-00-00-227, 205-00-00-228, 205-00-00-229, 205-00-00-230, 205-00-00-231, 205-00-00-232, 205-00-00-233, 205-00-00-234, 205-00-00-235, 205-00-00-236, 205-00-00-237, 205-00-00-238, 205-00-00-239, 205-00-00-240, 205-00-00-241, 205-00-00-242, 205-00-00-202, 205-00-00-203, 205-00-00-204, 205-00-00-245, 205-00-00-246, 205-00-00-247, 205-00-00-248, 205-00-00-013, 205-00-00-304, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, 205-00-00-311, 205-00-00-013, 205-00-00-200, 205-00-00-201
- Applicant: Mark Permar
- Property Size: 81.26 acres
- Council District: 9 - Honeycutt

Zoning History

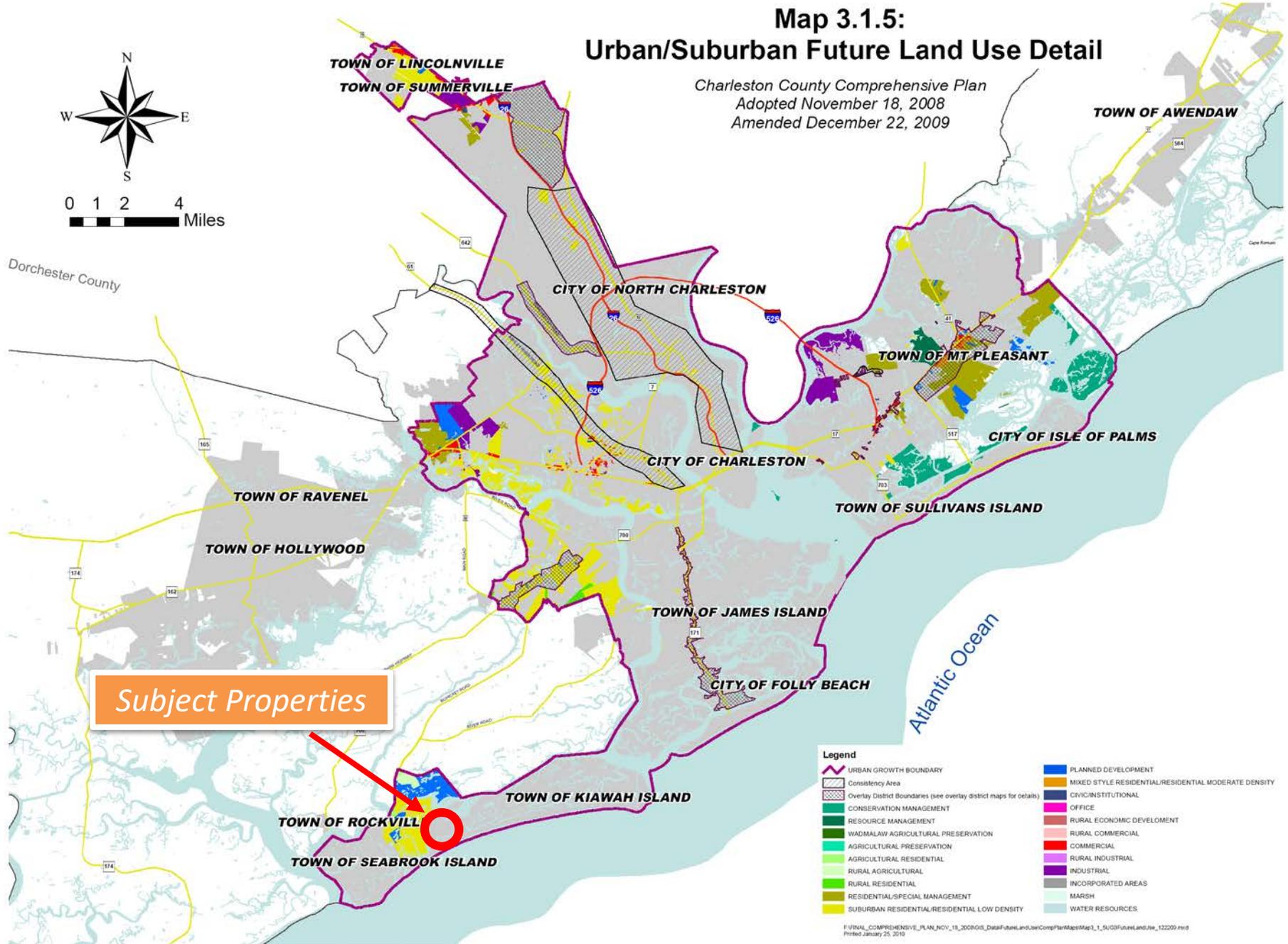
- The subject parcels were originally zoned Agricultural-General (AG), and were subsequently zoned Low-Density Suburban Residential (RSL) in 2001.
- In 2005, the subject properties were rezoned to PD-110, Cassique Courtyard Homes.
- This case was originally scheduled for the December 14, 2020 Planning Commission meeting, but was deferred at the request of the applicant.

Map 3.1.5: Urban/Suburban Future Land Use Detail

Charleston County Comprehensive Plan
Adopted November 18, 2008
Amended December 22, 2009



Dorchester County

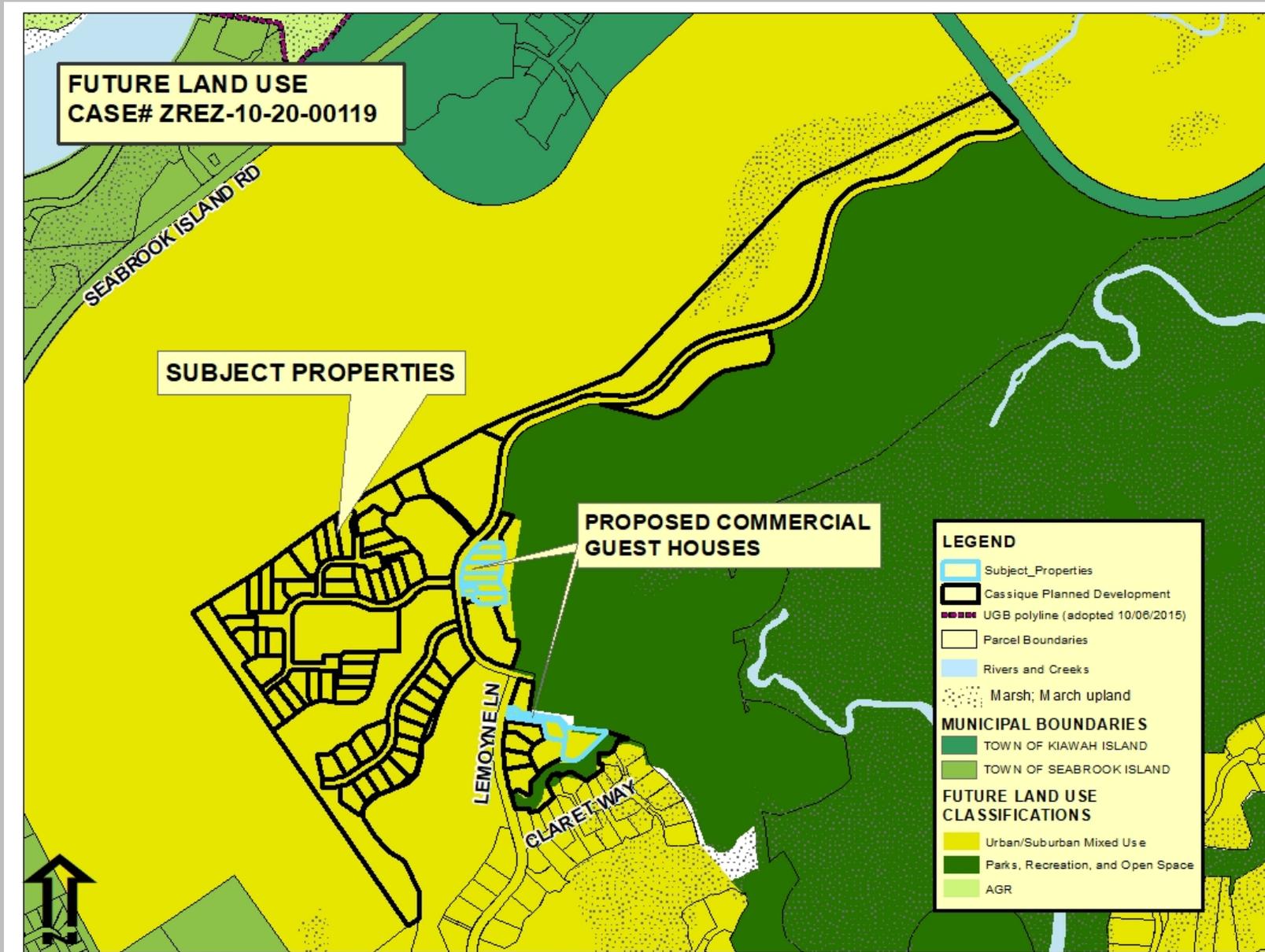


Subject Properties

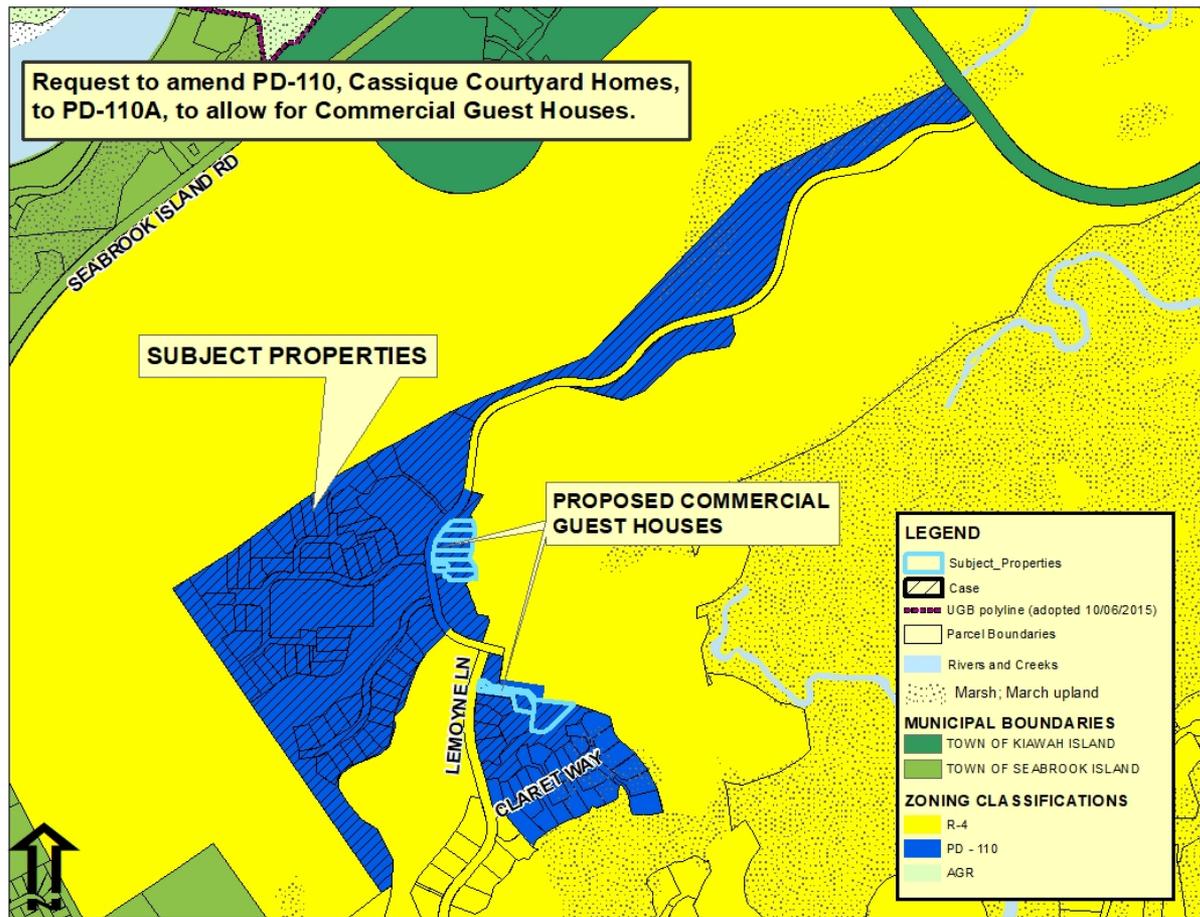
Legend

- URBAN GROWTH BOUNDARY
- Consistency Area
- Overlay District Boundaries (see overlay district maps for details)
- CONSERVATION MANAGEMENT
- RESOURCE MANAGEMENT
- WADMALAW AGRICULTURAL PRESERVATION
- AGRICULTURAL PRESERVATION
- AGRICULTURAL RESIDENTIAL
- RURAL AGRICULTURAL
- RURAL RESIDENTIAL
- RESIDENTIAL/SPECIAL MANAGEMENT
- SUBURBAN RESIDENTIAL/RESIDENTIAL LOW DENSITY
- PLANNED DEVELOPMENT
- MIXED STYLE RESIDENTIAL/RESIDENTIAL MODERATE DENSITY
- CIVIC/INSTITUTIONAL
- OFFICE
- RURAL ECONOMIC DEVELOPMENT
- RURAL COMMERCIAL
- COMMERCIAL
- RURAL INDUSTRIAL
- INDUSTRIAL
- INCORPORATED AREAS
- MARSH
- WATER RESOURCES

Future Land Use



Current Zoning



The majority of the subject properties contain Single-Family Dwellings or are undeveloped. One property in the center of the PD contains a sports pavilion complex. Properties to the North, East, and West are zoned Single-Family Residential 4 (R-4). Properties to the South are either zoned Single-Family Residential 4 (R-4) or PD-150, Cassique Clubhouse Village.

Aerial View to the North



Aerial View to the South



Site Photos- Proposed CGHs



TMS 205-00-00-306 & 205-00-00-307
433 & 435 Championship Court



TMS 205-00-00-308 & 205-00-00-311
437 & 439 Championship Court



TMS 205-00-00-310 & 205-00-00-305
429 & 431 Championship Court

Site Photos- Proposed CGHs



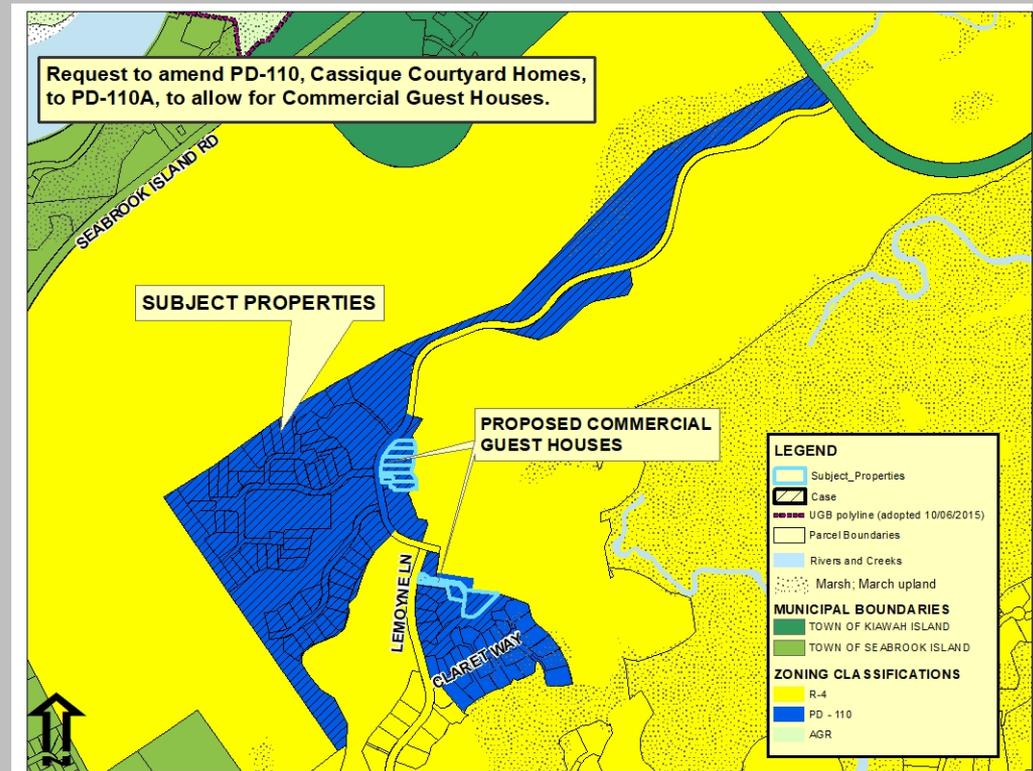
TMS 205-00-00-202
1 Dennison Lane

TMS 205-00-00-203
3 Dennison Lane



Requested Amendments

Allow for eight Commercial Guest House Short-Term Rentals pursuant to the requirements of the County's Short-Term Rental Property Ordinance. The proposed amendments would allow Commercial Guest Houses on the following properties: TMS 205-00-00-202, 205-00-00-203, 205-00-00-305, 205-00-00-306, 205-00-00-307, 205-00-00-308, 205-00-00-310, and 205-00-00-311.



Approval Criteria—Section 3.4.6

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;

Staff Response: The proposed amendment is consistent with the Comprehensive Plan, as well as the stated purposes of the Zoning and Land Development Regulations Ordinance, as the proposed amendments require compliance with the County's Short-Term Rental Property Ordinance.

B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff Response: The proposed amendment is consistent with existing uses in the area, and no changes to density or dimensional standards are proposed. Cassique caters to the vacation rental community, and the proposed allowance of Commercial Guest Houses on a select number of parcels is consistent with the existing land uses in the area.

Approval Criteria Cont'd

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

Staff Response: Not applicable.

D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

Staff Response: Short-Term Rentals have become increasingly popular in the past five years. When PD-110 was created in 2005, today's Short-Term Rental industry was not in existence. As such, amending the PD to allow for Commercial Guest House Short-Term Rentals, which allows for an unlimited number of rental days, would address a trend that has significantly changed the character of the area.

Recommendation

Staff Recommendation: Approval

The Zoning Map Amendment Request meets one or more of the approval criteria.

Planning Commission Recommendation: Approval (9-0)

Public Input

11 letters in support of allowing short-term rentals on the proposed 8 properties to guests of the Kiawah Island Club Members only

and

4 letters in opposition
have been received

Notifications

Planning Commission

- **November 23, 2020**
 - 198 notifications for the December 2020 Planning Commission meeting were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List
- **November 24, 2020**
 - 198 deferral notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List
- **December 23, 2020**
 - 198 notifications for the January 2021 Planning Commission meeting were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List
- **December 25, 2020**
 - Request advertised in the *Post & Courier*

Public Hearing

- **January 15, 2021**
 - 198 notifications for the January 2021 Planning Commission meeting were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List
- **January 15, 2021**
 - Request advertised in the *Post & Courier*

ZONING CHANGE APPLICATION

CASE ZREZ-10-20-00119 PD _____



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 PDD 110 REQUESTED DISTRICT N/A
 PARCEL ID(S) Multiple Parcels (reference attached listing)
 CITY/AREA OF COUNTY Cassique Charleston County
 STREET ADDRESS Multiple Addresses (reference attached listing) ACRES 81.256 total
 DEED RECORDED: BOOK _____ PAGE _____ DATE _____
 PLAT RECORDED: BOOK _____ PAGE _____ DATE _____ APPROVAL # _____

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT

HOME PHONE _____
 MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

OWNER

(IF OTHER THAN APPLICANT) HOME PHONE _____
 MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

REPRESENTATIVE

(IF OTHER THAN APPLICANT) Mark Permar HOME PHONE _____
 MAIL ADDRESS 130 Gardeners Circle #111 WORK PHONE _____
 CITY, STATE, ZIP Kiawah Island, SC 29455 CELL PHONE 843.696.5188
 EMAIL mpermar@permarinc.com

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 _____ 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) Jordan Phillips Date 10.20.20
 Signature of Applicant/ Representative (if other than owner) Mark Permar Date 10.29.20
 Planner's Signature _____ Date _____ Zoning Inspector's Signature _____ Date _____

OFFICE USE ONLY

Amount Received _____ Cash ? Check? # _____ Invoice Number _____

UNANIMOUS WRITTEN CONSENT
OF
THE BOARD OF DIRECTORS
OF
THE CASSIQUE HOMEOWNERS' ASSOCIATION, INC.

The undersigned, being all of the directors of The Cassique Homeowners' Association, Inc., (the "Association"), hereby adopt, consent to, and approve in writing the resolution shown on Exhibit A hereto in lieu of holding a meeting.

The undersigned, by executing this Written Consent, hereby direct that this document be filed with the minutes and proceedings of the Association and agree that the actions taken in the attached resolution shall have the same force and effect as if taken at a duly constituted meeting of the board of directors of the Association. This Written Consent may be signed in multiple counterparts, each of which shall be deemed and original, and all of which, taken together, shall constitute one and the same Written Consent.

Signed and effective as of the 1st day of January, 2016.

BOARD OF DIRECTORS:



Jordan Phillips (SEAL)



Lee Cotton (SEAL)



Townsend Clarkson (SEAL)

Exhibit A

RESOLUTION

Appointment of Officers of the Association

WHEREAS, the Board of Directors ("Board") of The Cassique Homeowners' Association, Inc. (the "Association") wishes to designate and appoint the officers of the Association.

NOW, THEREFORE, BE IT RESOLVED, that the following persons be, and hereby are, appointed to the offices designated opposite their respective names below, each to serve in accordance with and subject to the direction of the Board, the South Carolina Nonprofit Corporation Act, and the ByLaws of the Association, until death, resignation, retirement, removal or disqualification, or until a successor is appointed:

<u>Name:</u>	<u>Office:</u>
Jordan Phillips	President
Lee Cotton	Vice President
Townsend Clarkson	Secretary/Treasurer

AND BE IT FURTHER RESOLVED, that the President of the Association is hereby authorized, directed and empowered on behalf of the Association to execute or acknowledge any contracts, documents, agreements, certificates, or other instruments, to make any required filings, and to do or cause to be done any and all other acts and things as he in his discretion deems necessary and/or appropriate in connection with such documents and transactions, until or unless such authority is expressly delegated to another Officer or agent by the Board.



Cassique Homeowners Association
Board Meeting

November 11th, 2020

The virtual Cassique Board meeting began at 11:00am November 11th, 2020.

Board Members present were:

- Jordan Philips - President
- Scott Dawson
- Townsend Clarkson – Vice President
- Warren Lasch
- Donna Hall
- Vacant – Secretary/Treasurer

By unanimous vote Ravenel & Associates was approved as the new Property Company

By unanimous vote, the Board agreed:

- The Cassique Home Owners Association (CHOA) has reviewed the proposed text amendment, before Charleston County, application ZREZ - 10 - 20 - 0019 to allow STRP (CGH) as a use permitted as a matter-of-right with specific limits and location standards as noted on the attached exhibit
- The CHOA finds the application is consistent with commitments to the property owners and supports the text amendment request as submitted on behalf of the Cassique Homeowners
- This document represents an official action by the board.

Approved as written:

Jordan Philips
President
Cassique Property Owners Association
November 11, 2020

Proposed PD Amendments

permar

October 11, 2020

Mr. Joel H. Evans, PLA, AICP
Planning Director
Charleston County Zoning & Planning Department
4045 Bridge View Drive
North Charleston, SC 29405-7464

RE: PD 110 - Cassique Courtyard Homes
Text Amendment Application ZREZ-10-20-0019

Dear Joel:

In accordance with provisions of the Charleston County Zoning and Land Development Regulations, Articles 3.4 and 3.5, please find attached an application to amend the text of PD – 110 Cassique Courtyard Homes, originally approved by Charleston County Council effective March 2, 2005, to allow for STRP, Commercial Guest House (CGH) as a use permitted as a matter-of-right within select sub-parcels. Following recent passage of Article 6.8 Short Term Rentals, the applicant proposes to address the stated goal “to protect the traditional quality of life and character of its residential neighborhoods” by sensitively integrating a limited number of low density short term stay dwellings.

This text amendment application requests the addition of CGH as a permitted use within Section 4.03 Building Development Standards of the PD - 110 with specific unit count limits and site conditions, and will be subject to the Article 6.8 performance conditions that may be amended in the future. This application is aligned with the original PD stated concept of a series of residential - recreation oriented neighborhoods of diverse housing types and is consistent with the established Charleston County growth policies and applicable Comprehensive Plan objectives.

Included for your review and assessment are a Zoning Change Application, fee, property description, Restrictive Covenants Affidavit, and supporting graphics and exhibits. I look forward to participating in the full assessment of this application.

Sincerely,


Mark Permar

Cc: Andrea Melocik
Emily Pigott

permar

October 15, 2020

Charleston County Planning Commission Members
Charleston County Zoning & Planning Department
4045 Bridge View Drive
North Charleston, SC 29405-7464

RE: PD 110 - Cassique Courtyard Homes
Text Amendment Application ZREZ-10-20-0019

Dear Members:

In accordance with provisions of the Charleston County Zoning and Land Development Regulations, Articles 3.4 and 3.5, please find attached an application to amend the text of PD – 110 Cassique Courtyard Homes, originally approved by Charleston County Council effective March 2, 2005, to allow for STRP, Commercial Guest House (CGH) as a use permitted as a matter-of-right within select geographic areas. Following recent passage of Article 6.8 Short Term Rentals, the applicant proposes to address the stated goal “to protect the traditional quality of life and character of its residential neighborhoods” by sensitively integrating a very limited number of low density short term stay dwellings within an area master planned to minimize the impacts associated with short term stays. The principal objective of this text amendment is to align the listing of uses of the PD 110 Cassique Courtyard Homes with the conditions of Article 6.8 and to bring into compliance select dwellings that were operating as STRP prior to passage of Article 6.8

This text amendment application requests the addition of CGH as a permitted use within Section 4.03 Building Development Standards of the PD - 110 with specific unit count limits and site conditions, and will be subject to the Article 6.8 performance conditions that may be amended in the future. This application is consistent with the original PD stated concept of a series of residential - recreation oriented neighborhoods of diverse housing types and the established Charleston County growth policies and applicable Comprehensive Plan objectives.

Included for your review and assessment are a Summary Brief, Zoning Change Application, fee, property description, Restrictive Covenants Affidavit, and supporting graphics and exhibits. I look forward to participating in the full assessment of this application.

Sincerely,



Mark Permar

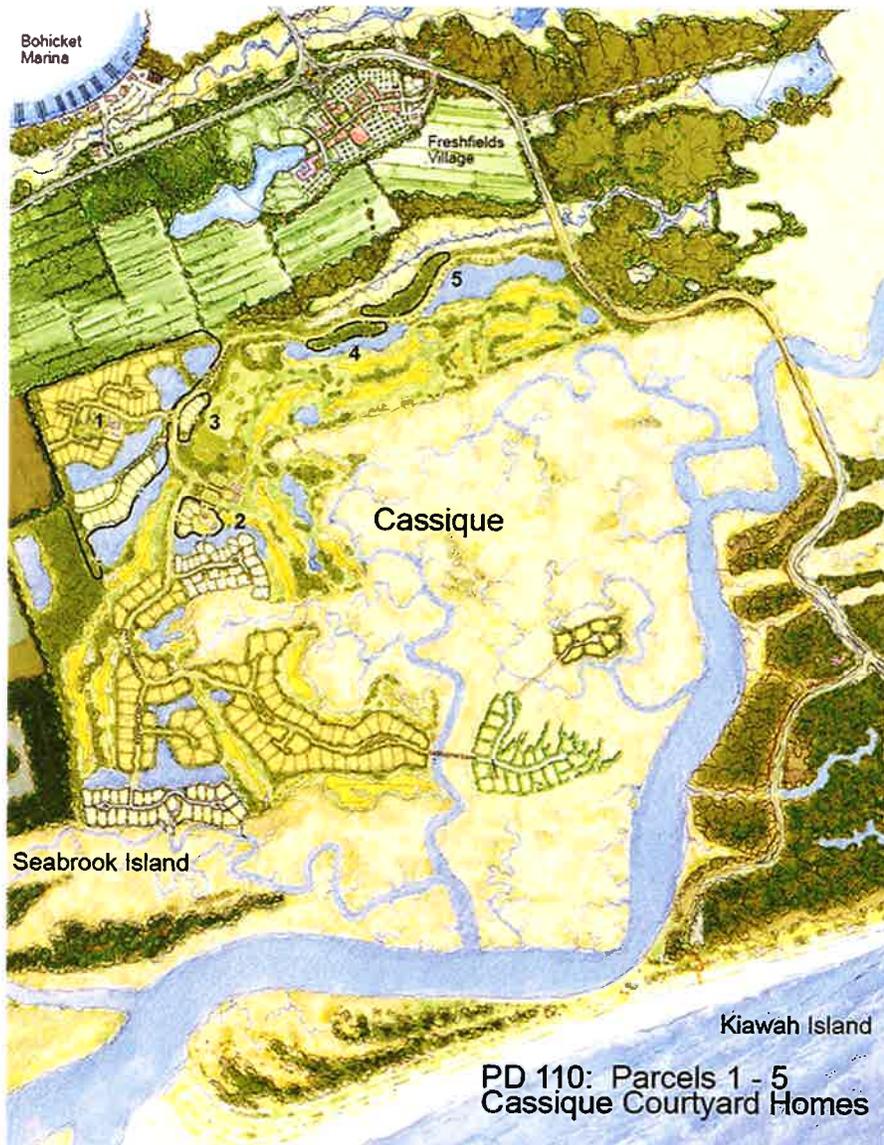
Cc: Joel Evans

PD 110 – Cassique Courtyard Homes
Text Amendment Application: ZREZ-10-20-0019
Summary Brief

11.11.20

Background

Cassique is a residential recreation oriented neighborhood located between the towns of the coastal communities of Seabrook Island and Kiawah Island. Development of the community commenced in the late 1990s with the opening of the Cassique Golf Course and initial sales of homesites in 2000. The 465 acre area is master planned for no more than 275 residential units, golf clubhouse, sports fitness pavilion and community boating facility. To date all facilities have been built and 175 homesites/dwellings have been sold. In March 2005, County Council approved creation of PD – 110 for 5 parcels within Cassique to allow for increased flexibility to design and site low density courtyard homes. **This application is a request to amend the text of the PD – 110 to allow for a limited number of CGH within specific parcels suitable for short term stays.**



Proposed Text Amendment

The applicant proposes to amend the PD – 110, Cassique Courtyard Homes, Sec. II, Land Uses, pg12, to permit STRP, Commercial Guest House (CGH) as a use permitted as a matter-of-right. This amendment will limit the number of CGH to 8 dwellings within specific locations planned for short term stays. Owners of these locations will be subject to the requirements of ZLDR Art. 6.8, Short - Term Rentals. The proposed amendment is as highlighted in red text below:

II. Land Uses

Uses permitted as a matter of right are as follows:

Residential

- Single Family Detached
- Single Family Attached
- Duplex
- Dwelling Group
- **STRP, Commercial Guest House (CGH):**
Subject to requirements of ZLDR Art. 6.8, Short - Term Rentals
Limited to homesites:
Parcel 2: TMS 2050000202 TMS 2050000203
Parcel 3: TMS 2050000305 TMS 2050000306 TMS 2050000307 TMS 2050000308 TMS 2050000310 TMS 2050000311

Recreation

- Fitness/Exercise Activities
- Locker Rooms
- Spa
- Tennis
- Swimming Pool
- Lawn games (Badminton, Croquet, etc.)
- Snack Bar (Accessory Use)

Parks

Utility Service Minor

- Electric Distribution
- Sewage Collection/Transmission Service
- Water Service

III. Setback Criteria

Setback and dimensional standards are as outlined above.

IV. Lot Size Criteria

Lot sizes will vary according to site constraints and market preferences but will not be less than listed above.

V. Lighting Plan

A lighting plan will be developed with each phase that is consistent with Charleston County Standards.

VI. Off-Street Parking

Off-street parking will meet all dimensional requirements as outlined in Charleston County Standards. Off-street parking in the area of the sports garden will include shared parking for daily and night time operation. Supplemental off-street parking will be integrated within select areas of the proposed private right-of-ways and partially on lots.

Based upon the walking distance from the majority of proposed dwelling units, the minimum off-street parking requirements for the amenity center will be 60 spaces.

VII. Tree Survey (on lots)

The property is largely void of tree cover except for perimeter locations. Prior to more detailed planning of each phase/subphase, appropriate tree surveys will be conducted to evaluate development impact. This will be executed consistent with the Charleston County subdivision/Site Plan Review process.

To assist in the assessment of the proposed text amendment, the following is a summary listing of additional background information and response to PD approval criteria:

Community Profile / Services

Cassique was planned as an extension of the Kiawah Island Club (KIC), a private club formed in 1993 to provide a diversity of recreation and community gathering venues for property owner members. All Cassique property owners are required to become club members. KIC provides management of all club recreation and support service facilities, as well as management oversight of the private infrastructure of roads, trails, master drainage and common open space conveyed to the Cassique Home Owners' Association, Inc (CHOA). Additional community infrastructure providers include the following:

- Electric: Berkeley Electric Cooperative
- Telephone: BellSouth
- Water: St. John's Water Company
- Sewer: Seabrook Island Utility Company
- Security: Private by KIC
- General Building and Operating Permits: Charleston County

The proposed text amendment to permit a limited number of CGH will not require revisions to infrastructure provider agreements. More specifically, **Charleston County will be able to provide the same level of necessary public services, facilities, and programs to serve the Cassique community as presently provided or may be provided in the future.** The applicant understands that, should County Council approve a limited number of CGH as proposed, it will require owners of such to meet the criteria of operation as outlined in Article 6.8, which will require onsite inspections by the County.

Comprehensive Plan

Prior to development, the Cassique land was a combination of substantial open farmland and modest areas of natural maritime forest. The master plan balanced the integration of the majority of the golf course routing within the open fields and low density residential within the tree canopy. Establishing an overall density cap of no more than 275 dwellings resulted in a plan that integrated significant open space with select areas of low-density residential neighborhoods. Primary community amenities were located in a central part of the land to reduce length/impact of vehicular trips and encourage property owners to walk or bike. This strategy was enhanced with passage of the PD – 110 in 2005 to locate courtyard homes within a 5 minute walking distance of the central clubhouse and sports fitness pavilion. The proposed 8 CGH are located within this concentrated area and away from more conventional residential neighborhoods.

A central objective of the PD – 110 was to provide a diversity of housing types in appropriate locations near community amenities. **The proposed text amendment of integrating residences suitable for short term stays is consistent with the structuring elements of the original master plan, which balanced retention and enhancement of natural resources, market preferences and responsible residential development, all key goals of the Charleston County Comprehensive Plan.**

Short Term Rental Standards

As indicated above, the Cassique master plan envisioned a hierarchy of residential patterns that included areas near the core amenities that would be appropriate for a short term stay without adverse impacts on areas planned for long term residency. With the exception of the 8 homesites proposed for the CGH designation, all homesites within

Cassique are subject to protective covenants that preclude rentals for continuous time periods of less than 90 days. Only members and their guests have occupancy access to the proposed CGH. The KIC is the exclusive manager of rentals and is based onsite and in nearby Freshfields Village to insure immediate and direct responsiveness. **The proposed text amendment, if approved, will be managed by KIC, the onsite responsible entity, in conformance with Art. 6.8.**

Planned Development

The PD – 110 was approved in part by County Council based upon conformance to particular areas of focus in achieving the goals of the Comprehensive Plan. The PD format of allowing flexibility in development "...that will result in improved design, character and quality of new or redesigned developments and preserve natural and scenic features of open spaces" has been followed since approval in 2005. Parcels 2 and 3 within the master plan are specifically organized to provide short-term stay residential within the immediate area of primary amenities and to be easily accessible without going through conventional residential neighborhoods. **The proposed text amendment will allow for the responsible integration of STRP while continuing to meet the Intent and Results outlined in Art. 4.23 PD, Planned Development Zoning District, with specific reference to objective in 4.23.4 C "Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements; "**



Exhibit 1.0 Description of Real Property within PDD 110 Cassique
Total Area of Parcels 1-5: 81.256 acres

Parcel No.	TMS	Notation
1	205-00-00-077	Open Space
1	205-00-00-078	
1	205-00-00-079	
1	205-00-00-080	
1	205-00-00-081	Kiawah Island Club Sports Center
1	205-00-00-082	
1	205-00-00-083	Road ROW
1	205-00-00-089	
1	205-00-00-090	
1	205-00-00-091	
1	205-00-00-092	
1	205-00-00-093	
1	205-00-00-094	
1	205-00-00-095	
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1	205-00-00-214	
1	205-00-00-215	
1	205-00-00-216	

1 205-00-00-217
1 205-00-00-117 Lagoon
1 205-00-00-226
1 205-00-00-227
1 205-00-00-228
1 205-00-00-229
1 205-00-00-230
1 205-00-00-231
1 205-00-00-232
1 205-00-00-233
1 205-00-00-234
1 205-00-00-235
1 205-00-00-236
1 205-00-00-237
1 205-00-00-238
1 205-00-00-239
1 205-00-00-240
1 205-00-00-241 Lagoon and Open Space
1 205-00-00-242 Road ROW
2 205-00-00-202 * Proposed STRP (CGH)
2 205-00-00-203 * Proposed STRP (CGH)
2 205-00-00-204
2 205-00-00-245
2 205-00-00-246
2 205-00-00-247
2 205-00-00-248
3 205-00-00-013
3 205-00-00-304 Cassique Golf Course
3 205-00-00-305 * Proposed STRP (CGH)
3 205-00-00-306 * Proposed STRP (CGH)
3 205-00-00-307 * Proposed STRP (CGH)
3 205-00-00-308 * Proposed STRP (CGH)
3 205-00-00-310 * Proposed STRP (CGH)
3 205-00-00-311 * Proposed STRP (CGH)
3 205-00-00-013 Seabrook Island Utility
4 205-00-00-200 Undeveloped Parcel
5 205-00-00-201 Undeveloped Parcel

Proposed Text Amendment

The applicant proposes to amend the PD – 110, Cassique Courtyard Homes, Sec. II, Land Uses, pg12, to permit STRP, Commercial Guest House (CGH) as a use permitted as a matter-of-right. This amendment will limit the number of CGH to 8 dwellings within specific locations planned for short term stays. Owners of these locations will be subject to the requirements of ZLDR Art. 6.8, Short - Term Rentals. The proposed amendment is as highlighted in red text below:

II. Land Uses

Uses permitted as a matter of right are as follows:

Residential

- Single Family Detached
- Single Family Attached
- Duplex
- Dwelling Group
- **STRP, Commercial Guest House (CGH);**
Subject to requirements of ZLDR Art. 6.8, Short - Term Rentals
Limited to homesites:

Parcel 2:	Parcel 3:	
TMS 2050000202	TMS 2050000305	TMS 2050000308
TMS 2050000203	TMS 2050000306	TMS 2050000310
	TMS 2050000307	TMS 2050000311

Recreation

- Fitness/Exercise Activities
- Locker Rooms
- Spa
- Tennis
- Swimming Pool
- Lawn games (Badminton, Croquet, etc.)
- Snack Bar (Accessory Use)

Parks

Utility Service Minor

- Electric Distribution
- Sewage Collection/Transmission Service
- Water Service

III. Setback Criteria

Setback and dimensional standards are as outlined above.

IV. Lot Size Criteria

Lot sizes will vary according to site constraints and market preferences but will not be less than listed above.

V. Lighting Plan

A lighting plan will be developed with each phase that is consistent with Charleston County Standards.

VI. Off-Street Parking

Off-street parking will meet all dimensional requirements as outlined in Charleston County Standards. Off-street parking in the area of the sports garden will include shared parking for daily and night time operation. Supplemental off-street parking will be integrated within select areas of the proposed private right-of-ways and partially on lots.

Based upon the walking distance from the majority of proposed dwelling units, the minimum off-street parking requirements for the amenity center will be 60 spaces.

VII. Tree Survey (on lots)

The property is largely void of tree cover except for perimeter locations. Prior to more detailed planning of each phase/subphase, appropriate tree surveys will be conducted to evaluate development impact. This will be executed consistent with the Charleston County subdivision/Site Plan Review process.

Public Input

From: [Victor Orlor](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org; [CCPC](#)
Subject: Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Wednesday, December 30, 2020 6:51:11 PM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

County Board Members and Plan Commission Members –

I want to thank you for your actions related to governing short-term rentals of properties. Permitting such rentals in residential areas can be disruptive and unfair to homeowners. Initiating a process to govern the issuance of short-term rental permits provides the means to balance the interests of homeowners and the property rights of owners with rental properties in vacation communities.

I am emailing you regarding the pending short-term rental permit request for eight properties in the Cassique community of Kiawah. I am a South Carolina resident and have resided in Cassique since 2016. I chose the Cassique community for my residence because it was marketed as a defined community that does not permit short-term rentals, yet it is part of Kiawah Island and all its amenities. Essentially, Cassique is a community of residential properties that are adjacent to, but not part of, the Kiawah vacation rental beach community.

Recently, the Kiawah Partners developed eight properties within Cassique that permitted Kiawah Island Club members to rent these on a short-term basis for personal use. I respect and welcome the Kiawah Partners efforts to creatively expand their development while maintaining the commitment to Cassique residents. I am not opposed to their application for a short-term rental permit for these eight properties. However, I would be opposed to easing the rental restrictions on these properties and expansion of further properties available for short-term rental in the future. The Kiawah Partners have assured residents of Cassique that their intention is to limit their short-term rental properties to these eight properties with strict restrictions of renting only to Kiawah Island Club members. I believe this strikes the proper balance among community residents who chose to live in Cassique because of rental restrictions and the property rights of the Kiawah Partners.

Thank you for your leadership and service to Charleston County.

Respectfully,

Victor Orlor
64 Lemoyne Lane
Johns Island, SC 29455

From: [Brian Richson](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org; [CCPC](#)
Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Monday, January 04, 2021 10:22:28 AM

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County Board Members and Plan Commission Members –

I want to thank you for your actions related to governing short-term property rentals. Initiating a process to govern the issuance of permits provides the means to balance the interests of homeowners and the property rights of owners with rental properties in vacation communities.

I am emailing you regarding the pending short-term rental permit request for eight properties in the Cassique community of Kiawah. I am a South Carolina resident and relocated to the Cassique community full-time in connection with my retirement this past June. My wife and I chose the Cassique community for many reasons, including because it was marketed as a community that does not permit short-term rentals, yet it is part of Kiawah Island and all its amenities. Essentially, Cassique is a community of residential properties that are adjacent to, but not part of, the Kiawah vacation rental beach community.

Recently, the Kiawah Partners developed eight properties within Cassique that permitted Kiawah Island Club members to rent these on a short-term basis for personal use. I respect and welcome the Kiawah Partners efforts to creatively expand their development while maintaining the commitment to Cassique residents. I am not opposed to their application for a short-term rental permit for these eight properties. However, I would be opposed to easing the rental restrictions on these properties and expansion of further properties available for short-term rental in

the future. In a recent communication, the Kiawah Partners reassured residents of Cassique of their commitment to limit their short-term rental activities to these eight properties with the restriction of renting only to Kiawah Island Club members. I believe this strikes the proper balance among community residents who chose to live in Cassique because of rental restrictions and the property rights of the Kiawah Partners.

Thank you for your leadership and service to Charleston County.

Respectfully,

Brian R. Richson

74 Lemoyne Lane

From: [Fritz Lance](#)
To: [CCPC](#)
Cc: [Fritz Lance](#); [Kelly Lance](#)
Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Monday, January 04, 2021 8:56:21 AM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Folks, my wife & I are full time resident in the Cassique neighborhood where Kiawah Partners have submitted a request for change of zoning allowing short - term rentals at 8 ‘cottages’ which are located in the Cassique neighborhood.

One of the benefits of living in the Cassique community is that it is best described as a ‘full time’ community where home owners full time, there are no short term or seasonal rentals and, the community has a true family feel - this is a big reason why we, and many of our neighbors, decided to build and live in this community.

This being said I also understand and respect the partners business decision to develop these 8 cottages for short term rental.

It should be noted that when the Partners messaged to the community their intent to build and make these cottages available for short term rentals, it was also made clear that **TOTAL NUMBER OF UNITS THAT WOULD BE AVAILABLE IN THE COMMUNITY WILL BE THESE 8 and, ONLY GUESTS OF KIAWAH CLUB MEMBERS WOULD BE ABLE TO RENT THESE UNITS.**

I do believe the majority of my neighbors in Cassique are in agreement that as long as these limits previously communicated by the Partners to current residents are maintained, then the change in permit should be approved.

Our hope is that these limitations are messaged in writting to the Partners as a condition of approval by Charleston County to insure a clear understanding by all parties.

Thank for your consideration.

Respectfully,

R Fritz & E Kelly Lance
Owners
53 Lemoyne Lane
Cassique
Johns Island, SC 29455

From: [Rob Jones](#)
To: [CCPC](#)
Subject: Cassique short term rental
Date: Saturday, January 02, 2021 9:58:38 AM

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subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties

County Board Members and Plan Commission Members:

I want to thank you for your actions related to governing short-term rentals of properties. Permitting such rentals in residential areas can be disruptive and unfair to homeowners. Initiating a process to govern the issuance of permits provides the means to balance the interests of homeowners and the property rights of owners with rental properties in vacation communities.

I am emailing you regarding the pending short-term rental permit request for eight properties in the Cassique community of Kiawah. I am a South Carolina resident and have resided in Cassique since 2016. I chose the Cassique community for my residence because it was marketed as a defined community that does not permit short-term rentals, yet it is part of Kiawah Island and all its amenities. Essentially, Cassique is a community of residential properties that are adjacent to, but not part of, the Kiawah vacation rental beach community.

Recently, the Kiawah Partners developed eight properties within Cassique that permitted Kiawah Island Club members to rent these on a short-term bases for personal use. I respect and welcome the Kiawah Partners efforts to creatively expand their development while maintaining the commitment to Cassique residents. I am not opposed to their application for a short-term rental permit for these eight properties. However, I would be opposed to easing the rental restrictions on these properties and expansion of further properties available for short-term rental in the future. The Kiawah Partners have assured residents of Cassique that their intention is to limit their short-term rental properties to these eight properties with strict restrictions of renting only to Kiawah Island Club members. I believe this strikes the proper balance among community residents who chose to live in Cassique because of rental restrictions and the property rights of the Kiawah Partners.

Thank you for your leadership and service to Charleston County.

Rob and Cynthia Jones
234 beauty berry Ct

Johns island, SC
Sent from my iPad

From: [Ed Simon](#)
To: [CCPC](#); [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org
Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Tuesday, January 05, 2021 4:53:12 AM

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County Board Members and Plan Commission Members:

We have been coming to Kiawah Island for many years and have purchased property to build our retirement home in Cassique. Recently, we were made aware that the Kiawah Partners have requested re-zoning to allow 8 short-term rental cottages. We are not opposed to the 8 short-term rental cottages as long as they are only rented to Kiawah Island Club members and their guests. This is what was communicated/marketed to us by the Kiawah Partners when we purchased our property.

However, we are opposed to any expansion of the existing 8 rental properties and the opening of the short-term rental program to non-members. We do not believe that it would serve the community well and it is not consistent with what has been communicated to the residents by the Kiawah Partners.

We are requesting that short-term rentals be limited to the existing 8 cottages and accessible to only Kiawah Island Club members and their guests as a condition of the re-zoning approval.

Thank you for your consideration of this issue.

Sincerely,

Ed Simon

416 Estuary Lane

Johns Island, SC

From: [John Shippee](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org; [CCPC](#)
Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Monday, January 04, 2021 9:50:54 PM

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County Planning Commission Board Members,

Thank you for your continuing service to Charleston County and to our community. My wife Christine and I have been property owners in Cassique since 2015 and moved to our newly constructed home as full time residents in June 2019. The most important factor in our decision to invest in and relocate to Cassique was its unique position within the Kiawah Island Club. Specifically, Cassique afforded us the benefits of membership within a world class resort but with the promise of a neighborhood comprised of committed, like-minded homeowners with no transient, short term rental occupants permitted. We take great comfort in regularly seeing, interacting with and having more than a passing relationship with many of our neighbors. As you may know, Cassique is a relatively small community with approximately 230 homes in the Developer's master plan. As such, the character of Cassique would be greatly affected if short term rentals were broadly allowed or if restrictions limiting short term guests only to Club members were to be lifted.

As I understand it, there is a technical amendment before the Board which would allow Kiawah Development Partners to continue to provide short term rentals within eight specific Cassique properties with rentals restricted only to Kiawah Island Club members. If the amendment merely serves to update a prior agreement which allows the Partners to offer short term rentals only to Club members in these specific properties, then I would agree that it serves both the Developer's and our community's interests. However, I would be greatly concerned if the "compact" that defines Cassique were to be threatened by a future expansion of allowable rental units or by permitting rentals from parties who are not Club members.

As a result of an accelerated sale and development program, the Partners stated at our September HOA meeting that they now control a limited number of Cassique lots. By value, it is very clear that the collective investment of third party Cassique property owners now dwarfs that of the Partners. This critical point must be taken into account if any future motions are brought before your Planning Commission. Thank you for your consideration.

Sincerely,
John & Christine Shippee
78 Lemoyne Lane

From: [JOHN WALTERS](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); [Jenny C. Honeycutt](#); [CCPC](#)
Subject: Proposed zoning change to rental properties in Cassique section of Kiawah Island Club.
Date: Tuesday, January 05, 2021 9:31:41 AM

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County Board Members and Planning Commission Members:

I am writing to you regarding the proposed change to the zoning for the 8 short term rental properties in the Cassique section of Kiawah. My wife and I moved to Cassique about 2 1/2 years ago, and love being part of the Johns Island and Cassique communities. When we committed to build our house, we selected the Cassique neighborhood because it specifically did not allow rentals of less than 3 months except for 2 properties near the clubhouse. Since then the club has added the six additional properties that are included in the zoning change proposal, and I support continuing to allow short term rentals of these properties exclusively to members and members guests per the original approvals of the plans for these properties.

However - in the zoning submission, Cassique is described as being part of a short term vacation rental community, and therefore it states that this zoning change represents no meaningful change to the area. I do not agree at all with this representation of Cassique as a short term vacation rental community. Therefore, my wife and I would strongly oppose any proposal to expand the number of short term rentals in Cassique or any proposal to expand the availability of short term rentals beyond the current use as defined by the members of Kiawah Partners. Specifically - only 8 units total and only to member and guests of members, not to unaffiliated visitors.

I thought it was important to provide this clarity to the board and commission to make sure there is no misunderstanding of the nature of our community. I know that most if not all of my neighbors in Cassique share this view and do not want any expansion of rental properties to EVER be permitted in our community. Most of the people in Cassique are residents of SC and are at their Cassique homes most of the year, so our community is very different from many other parts of Kiawah. We want to preserve the "neighborhood" feel that attracted us to this community, and any expansion of short term rentals would damage the nature of living in Cassique.

Thank you for your leadership and service to Charleston County.

Best - John

JOHN WALTERS
jswalters01@mac.com
860-550-5912

From: [S.W. Serenbetz](#)
To: [CCPC](#)
Cc: [S.W. Serenbetz](#); [Jean Serenbetz](#)
Subject: RE: Application ZREZ-10-20-00119
Date: Tuesday, January 05, 2021 12:37:15 PM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Dear Planning Commission Members:

My name is Stuart Serenbetz and I write representing myself and my wife, Jean B. Serenbetz, owner of the property at 526 Claret Way in Cassique. Our property is located a short walk away from the area of the proposed amendment and all of the properties within the Cassique subdivision would be negatively affected by the proposed rezoning. I write to comment on and object to this proposal on the grounds that it does not meet one or more of the Approval Criteria.

With respect to Approval Criteria A: The Staff logic is circuitous. IF the property were zoned for Short Term rentals, then compliance with the Short Term Rental Ordinance would be required. However, since it is not currently zoned for Short Term rental, compliance with the Ordinance is not required.

With respect to Approval Criteria B: We totally disagree that the amendment is consistent with existing uses in the area. A major selling point of this property when we acquired it in 2015 was that NO short term rentals were or would be permitted in Cassique. I think few if any of my fellow homeowners would agree that Cassique “caters to the vacation rental community”. This is an area of homes, people live here, some full time, some on a part year basis. We do not want to have short term renters or vacationers here who do not respect our community and treat it as they would treat their own homes. People know their neighbors in Cassique and we treat each other with respect and consideration. We would like to keep it that way.

With respect to Approval Criteria C: We agree with Staff that this is not applicable.

With respect to Approval Criteria D: Again, we must strongly disagree with the Staff’s position. As stated above, the character of the area is NOT a Commercial Guest House Short Term rental area. This was NOT intended to be a community for short term vacationers. This is a family club community where it was intended that everyone know your name. Residents of Cassique are required to be Members of the Kiawah Island Club and this requirement is a key element of the social fabric of this community.

One final point: The meeting notification for this Amendment was not sent to us directly. We received it from one of the other impacted homeowners. In the future, I would suggest that meeting notification for any changes within the Cassique subdivision should be sent to all of the residents of Cassique since this is a relatively small and close knit community.

Finally, I would like to thank you in advance for your thoughtful consideration of our comments and objections and thank you for your service to our community.

Sincerely,

Stuart W. Serenbetz
526 Claret Way
Cassique
Johns Island, SC 29455

Sent from [Mail](#) for Windows 10

From: [Brad Eden](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org; [CCPC](#)
Subject: Proposed zoning change
Date: Tuesday, January 05, 2021 2:34:38 PM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

I am sending this email in regards to the proposed change to the zoning for the 8 short term rental properties in the Cassique section of Kiawah. My wife and I moved to Cassique 2 years ago, and love being part of the Johns Island and Cassique communities. When we bought our existing home, we selected the Cassique neighborhood, in part, because it explicitly did not allow rentals of less than 3 months except for 2 properties near the clubhouse. Since then the club has added the six additional properties that are included in the zoning change proposal, and I support continuing to allow short term rentals of these properties exclusively to members and members guests per the original approvals of the plans for these properties.

However - in the zoning submission, Cassique is described as being part of a short-term vacation rental community, and therefore it states that this zoning change represents no meaningful change to the area. I do not agree with this representation of Cassique as a short term vacation rental community. Therefore, my wife and I would strongly oppose any proposal to expand the number of short term rentals in Cassique or any proposal to expand the availability of short term rentals beyond the current use as defined by the members of Kiawah Partners. Specifically - only 8 units total and only to member and guests of members, not to unaffiliated visitors.

I thought it was important to provide this clarity to the board and commission to make sure there is no misunderstanding of the nature of our community and the way we feel about this matter. I know that most if not all of my neighbors in Cassique share this view and do not want any expansion of rental properties to EVER be permitted in our community. Most of the people in Cassique, including us, are full-time taxpaying residents of SC and are at their Cassique homes most of the year, so our community is very different from the rest of Kiawah.

We want to preserve the "neighborhood" feel that attracted us to this community, and any expansion of short term rentals would damage the nature of living in Cassique. The remainder of Kiawah is embroiled in a myriad of problems caused by the high velocity of rentals and we would like to remain separate from their troubles.

Thank you for your leadership and service to Charleston County.

Best
Joan and Brad Eden

H. Bradley Eden, J.D.
Managing Member
Eden Capital, LLC
101 Raynor Lane
Johns Island, SC 29455
(817) 995-5944
hbradleyeden@gmail.com

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From: [Don Patch](#)
To: [CCPC](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); honeycutt@charlestoncounty.org
Subject: Subject: Pending Special Use Short-Term Rental Permit for Cassique Community Properties
Date: Wednesday, January 06, 2021 9:29:23 AM

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County Board Members and Plan Commission Members –

I want to thank you for your actions related to governing short-term rentals of properties. Permitting such rentals in residential areas can be disruptive and unfair to homeowners. Initiating a process to govern the issuance of permits provides the means to balance the interests of homeowners and the property rights of owners with rental properties in vacation communities.

I am emailing you regarding the pending short-term rental permit request for eight properties in the Cassique community of Kiawah. I am a South Carolina resident and have resided in Cassique since 2018. I chose the Cassique community for my residence because it was marketed as a defined community that does not permit short-term rentals, yet it is part of Kiawah Island and all its amenities. Essentially, Cassique is a community of residential properties that are adjacent to, but not part of, the Kiawah vacation rental beach community.

Recently, the Kiawah Partners developed eight properties within Cassique that permitted Kiawah Island Club members to rent these on a short-term bases for personal use. I respect and welcome the Kiawah Partners efforts to creatively expand their development while maintaining the commitment to Cassique residents. I am not opposed to their application for a short-term rental permit for these eight properties. However, we are very opposed to easing the rental restrictions on these properties and expansion of further properties available for short-term rental in the future. The Kiawah Partners have assured residents of Cassique that their intention is to limit their short-term rental properties to these eight properties with strict restrictions of renting only to Kiawah Island Club members. I believe this strikes the proper balance among community residents who chose to live in Cassique because of rental restrictions and the property rights of the Kiawah Partners.

Thank you for your leadership and service to Charleston County.

Respectfully,
Don and Sheila Patch
112 Raynor Lane
Johns Island, SC 29455

From: [Jorge Milo](#)
To: [CCPC](#)
Cc: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#)
Subject: Zoning Application ZREZ-10-20-00119
Date: Friday, January 08, 2021 11:29:56 AM

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Charleston County Planning Commissioners:

My wife and I are property owners and full time residents in the Cassique community (a Kiawah Island Club residential community). Our address is 70 LeMoyne Lane, Kiawah Island, SC 29455. We have owned our property since 2014 and completed construction of our home in 2017.

As it relates to the proposed change in zoning, we have serious concerns. When we decided to purchase our property in the Kiawah Island area we were significantly influenced by the fact that the Cassique community did not allow short term rentals. Since living here full time we are pleased with the sense of community and neighborhood feeling we enjoy in large part by the fact that we do not have a short term rental feeling to the community.

We acknowledge that the Cassique community has permitted 8 units to be rented on a short term basis solely to Kiawah Club members and would not be opposed to limiting any zoning action to continuing that limited and restricted rental option. However, we would not want any action taken to create the potential for expansion of short term rentals to either non-Kiawah Club members or to other current or future properties in the Cassique subdivision.

It is my understanding that the sentiments we are expressing are shared by the vast majority of Cassique property owners. Most of the Cassique community is made up of full time or majority time residents and strongly oppose a short term rental community. We have heard that someone has expressed that Cassique is a rental and resort type community. I can assure you nothing could be further from reality. Many of us decided on Cassique as our home specifically because it is not such a community. Cassique is not a commercial, short term rental community and does not cater to the vacation business.

We would like to thank the Commission for its consideration of the interests and concerns of the current home owners in Cassique.

Respectfully submitted

Jorge and Lisa Milo
70 LeMoyne Lane
Kiawah Island, SC 29455
(h) 843-779-0881
(c) 908-803-4206
jorge.milo.ki@gmail.com

From: [Dick Wilson](#)
To: [CCPC](#)
Subject: Cassique , Kiawah island zoning change for short term rentals
Date: Thursday, January 14, 2021 10:21:01 AM

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To County board members and planning committee members :

My wife and I are writing in regards to the zoning changes under review for Cassique , Kiawah Island, short term rental land development . We are residence of South Carolina and have a home in Cassique . We understand that the issue under review has been submitted by Kiawah Island Partners due a change in zoning laws and the submittal may appear to be administrative in nature for compliance . However, there is a question we have regarding the long term plan for the community that was not clarified in the Partners submittal . Four parcels of land were highlighted which have both undeveloped lots and the existing 8 short term rental lots which have been constructed .

The question and concern is the future use and intent by the Partners regarding land development plans associated with the undeveloped lots in the parcels of land highlighted in their submittal. As a resident of this community, it is our understanding based on the Partners communication that the existing 8 short term rentals is the maximum they will develop. We strongly urge the Board and committee to not expand the zoning approval , now or in the future, to allow for any land development for short term rentals within Cassique. This request is based on what the Partners have currently promised to residents , what they have stated to prospective buyers and more importantly what we were told and sold at the time of our real estate purchase . This community can not mänge any further low density development , it was never intended to allow for short term rentals (even though 8 have been allowed) and our interest in purchasing within this community was based on the original land development plan for single family, non rental only.

My spouse and I request that short term rentals be limited to the existing 8 properties and only be assessable, as promised, by Kiawah Island Club members and their quests. Future development on those undeveloped lots within the highlighted parcels should not be allowed for short term rental .

Thank you for your time and appreciate all you do .

Kind regards,
Richard and Joan Wilson
518 Claret Way, Cassique., Kiawah Island
Sent from my iPad

From: [Debbie O'Brien](#)
To: esummey@charlestoncounty.org <esummey@charlestoncounty.org>; HSass@charlestoncounty.org <HSass@charlestoncounty.org>; VRawl@charlestoncounty.org <VRawl@charlestoncounty.org>; honeycutt@charlestoncounty.org <honeycutt@charlestoncounty.org>; dickieschweers@tds.net <dickieschweers@tds.net>; henrydarby@msn.com <henrydarby@msn.com>; TPryor@charlestoncounty.org <TPryor@charlestoncounty.org>; BMoody@CharlestonCounty.org <BMoody@CharlestonCounty.org>; AJohnson@charlestoncounty.org <AJohnson@charlestoncounty.org>; C: [CCPC](#)
Subject: Application ZREZ-10-20-00119
Date: Monday, January 18, 2021 2:48:06 PM

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Dear County Board Members and Plan Commission Members:

This note is in reference application (ZREZ-10-20-0019).

As a homeowner in Cassique Clubhouse Village, a residential community closest to the proposed rental units, it is my hope that this application is reviewed carefully and that the decision by the County is not based solely on the information provided on the application as completed which does not necessarily accurately reflect the true interests of Cassique homeowners.

Please consider additional information from a concerned homeowner.

1. The Staff response to Criteria B of the Approval Criteria on page 2 is **FALSE**. It reads:

“B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff Response: The proposed amendment is consistent with existing uses in the area, and no changes to density or dimensional standards are proposed. Cassique caters to the vacation rental community, and the proposed allowance of Commercial Guest Houses on a select number of parcels is consistent with the existing land uses in the area.” (This is quoted from application ZREZ-10-20-0019).

Cassique is a residential community that does not allow homeowners to rent their own homes. It does NOT cater to the vacation rental community!!!! AND rental homes/CGHs are NOT consistent with the existing land uses of the area!!!! All the amenities in Cassique neighborhood are private.

2. Homeowners were not made aware of this application. When questioned, an email response to the Cassique community from a representative of the Kiawah Partners was “we neglected to update the greater community which was a mistake given the notices that were seemingly mailed to neighbors.” Was it coincidence that The Post and Courier notification was posted on Christmas Day?

3. A “private” putting green is directly adjacent to the proposed CGHs, #1 and #3 Dennison Lane. Maintaining the putting green **is the financial responsibility of the residents of the Clubhouse Village community**, as we are assessed quarterly.

If the intent is to rent #1 and #3 Dennison Lane, as Commercial Guest Houses, do the private residents in Clubhouse Village continue the responsibility of maintaining the not-so-private putting green? Does the marketing in the sales brochure for Cassique Clubhouse Village which advertises it as a “private putting green exclusive for the Clubhouse Village” change? Who will monitor its use? Click on the sales brochure below.

[https://issuu.com/kiawahisland/docs/ccv_brochure_oct2020_issuu_final?
fr=sNmE2MjE3ODg0MjY](https://issuu.com/kiawahisland/docs/ccv_brochure_oct2020_issuu_final?fr=sNmE2MjE3ODg0MjY)

Allowing CGHs in our neighborhood sets a very dangerous precedence. It provides an opportunity for future CGHs and defies the essence of the private community that was promised and sold to current homeowners and that continues to be marketed to prospective buyers.

Thank you for your continued service to Charleston County and to our community and thank you for your consideration.

Debbie OBrien
520 Claret Way

From: [Jim and Sherry Bowden](#)
To: [J. Elliott Summey](#); [Herb R. Sass](#); [A. Vic Rawl](#); honeycutt@charlestoncounty.org; dickieschweers@tds.net; henrydarby@msn.com; [Teddie Pryor](#); [Brantley Moody](#); [Anna B. Johnson](#); [CCPC](#)
Subject: Application ZREZ-10-20-00119
Date: Sunday, January 17, 2021 7:52:41 PM

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County Board Members and Plan Commission Members

Thank you for your continuing service to Charleston County and or community.

We were recently made aware of an application (ZREZ-10-20-0019) by Permar Inc. on behalf of the Cassique Property Owners Association seeking to allow STRP (CGH) as a use permitted as a matter-of-right within specific limits and location standards.

Cassique is a unique community within the Kiawah area because of the privacy it provides for its residents. Privacy and sense of community are two key features, Kiawah Partners, the developers advertised in their marketing materials to prospective homeowners. The point was made by real estate agents of Kiawah Island Real Estate, a real estate brokerage business also owned by the developers of Cassique, that Cassique is private and homeowners will not have issues with rental units because homeowners are not permitted to rent their homes.

The impression that is given in the zoning application is that the current eight rental properties are available exclusively to the property owners in the Cassique development. The fact is that the properties are available to any member of the Kiawah Island Club and offered to members on the Club's website. We do not have the specific number of KIC members, but the member directory lists over 1,000 people. A majority of members who can take advantage of the rental properties do not even live in Cassique. The impression is given in the application that the current rental policies are very restrictive. When over 1,000 members have the ability to rent any of the units, it is hard for us to consider that restrictive.

The rental properties have been frequently used to cater to groups. Each of the six cottages can accommodate four to six people. While a member must be financially responsible for the rental of a unit(s), there is no requirement that a member be present on site when the properties are in use or with the guests when they use the Club facilities. If all the rental properties are occupied to their full capacity, it is possible that an additional 40 to 50 people are being given access to a private community. These units are not being used by members for the casual guest.

The homeowners in Cassique were never given a voice in how the six cottages were developed and rented and have not been asked for any approval for the current zoning application. The Cassique Homeowners Association approved the application at a meeting on November 11, 2020, but this should not be confused with an approval of the homeowners. The majority of members on the CHOA board are members of Kiawah Partners and they choose who the two homeowner representatives happen to be. It is not an independent body and the composition of the Board creates inherent conflicts between the interest of Kiawah Partners and the broader Cassique community.

We acknowledge that is too late to unwind the detrimental impact the rental properties have had on the Cassique Community. Our concern is for the future and that there are no additional rental properties. Also, that there is no change to the current policy of making the properties available exclusively to members of the Kiawah Island Club. Notwithstanding the representations of Kiawah Partners that there will be no further development of rental properties within Cassique, we understand there are additional sites available with the master plan where rental properties could potentially be developed.

We believe our fellow Cassique homeowners would strongly object to either further development of rental properties within Cassique or any actions that would lessen the restrictions on what is now a minimally restrictive rental access policy.

We want to thank you for your actions related to governing short-term rentals of Properties. Permitting such rentals in residential areas can be disruptive and unfair to homeowners. Initiating a process to govern the issuance of short-term rental permits provide the means to balance the interests of homeowners and the property rights of owners with rental properties in vacation communities.

Regards,

James D Bowden and Sherry E. Bowden
538 Claret Way
Kiawah, SC 29455

From: mccollom@ptd.net
To: [CCPC](#)
Subject: Application ZREZ-10-20-00119
Date: Saturday, January 30, 2021 10:26:12 AM

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County Board Members and Planning Commission Members:

We appreciate and thank you for your public service to Charleston County and our community.

We are writing to express our concerns over a proposed waiver request relating to 8 short-term rental properties located in the Cassique community. In reading the developer's proposal, it describes Cassique as part of a short-term rental vacation community and as a result the waiver will have no meaningful impact on the community. In rendering your decision, we want to express our view that Cassique is clearly **not** a short-term rental vacation community. Please consider the following:

- We purchased a lot in Cassique, and finished building our home on Claret Way in March 2019
- As we considered Cassique along with other locations on Kiawah Island, a key consideration in our decision to live within Cassique was the private, gated, residential nature of the community
- Our realtor on this purchase worked for Kiawah Island Real Estate (KIRE). This is an important fact, as KIRE is an affiliated company with Kiawah Partners (we had to sign a conflict waiver in order for her to work with us)
- Our realtor noted to us several times throughout our home search the exclusive, private nature of Cassique, stating that several home owners within Cassique (including several of our Claret Way neighbors we have since met) have moved there FROM Kiawah Island, as they became frustrated with the ever-transient, short-term nature of their neighbors. Cassique was different from this, she noted.
- These comments from our realtor, an affiliated company of Kiawah Partners, are in conflict with the assertion of Kiawah Partners that Cassique is a short-term vacation community.

We also note that the Kiawah Island Club is a national club with over 1,200 members. Since any of these members may rent OR sponsor guests in these cottages without being present, I have concerns over this potential lack of control within a private community. Our property is situated directly across a lagoon from two of the rental cottages (Arrington and Watson) and we have observed guest behavior that is inconsistent with the expectations for the rest of the community (loud music, late night outdoor parties).

We are not completely opposed to the idea of short-term rentals within our community. We actually stayed in one of the cottages while our home was being built, and believe that if more closely monitored the rental cottages would not detract from the overall ambience of our community, perhaps by limiting the rentals to residents of Cassique as opposed to any member of a

national club such as the Kiawah Island Club.

Lastly, Cassique is a community of approximately 230 home sites. We hope that the voice of those 230 homeowners / residents trumps the developer's desire for increased short-term rentals within a private, gated community.

While it may be too late to stop this waiver request for the 8 properties in question, we understand that the waiver request submitted by the developer may have included other tracts of land within Cassique. To be clear, **we strongly oppose the addition of any additional short-term rental units within Cassique.**

We thank you for your consideration in this matter.

Best regards,

Mark and Beth McCollom
513 Claret Way (within Cassique)
Johns Island, SC 29455