CHARLESTON COUNTY PLANNING COMMISSION MEETING
County Council Chambers, 2nd Floor, Lonnie Hamilton, III Public Services Building
4045 Bridge View Drive, North Charleston, SC

AGENDA
October 14, 2024

I. CALL TO ORDER & INTRODUCTIONS

II. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT

III. APPROVAL OF THE SEPTEMBER 9, 2024 MEETING MINUTES

IV. ZONING AMENDMENT REQUESTS:

a. ZREZ-09-24-00154: Request to rezone TMS 215-00-00-014, 3555 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District.

b. ZREZ-09-24-00156: Request to rezone TMS 257-00-00-033, 2550 and 2554 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District.

V. CHAIR'S REMARKS

VI. NEXT MEETING: November 18, 2024

VII. ADJOURNMENT

CHARLESTON COUNTY
PLANNING COMMISSION
MEETING MINUTES
September 9, 2024

ATTENDEES
Planning Commission: Vice Chair Pete Paulatos, Luke Morris, Marlena Davis, Adam MacConnell, David Kent, Warwick Jones, Logan Davis, and Susan Cox. Chair Cindy Floyd was absent.

County Staff: Joel Evans, Director of Zoning/Planning; Andrea Melocik, Deputy Director of Zoning/Planning; Kevin DeAntonio, Assistant County Attorney; Marche' Miller, Planner I; Win Carlisle, Planner I; Tamara Avery, Planner III; Monica Eustace, Planner II; Stephanie Ondo, Planning Technician II; Kyle Foster, Planner I-Arborist.

Members of the Public: Bill Brodsky.

CALL TO ORDER
Vice Chair Paulatos called the Charleston County Planning Commission meeting to order at 2:01 p.m.

COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT & INTRODUCTIONS *(YouTube Timestamp: 0:07)*
Vice Chair Paulatos announced that the meeting was noticed in compliance with the South Carolina Freedom of Information Act and stated the purpose of the Planning Commission. Vice Chair Paulatos introduced the Commissioners and asked Mr. Evans to introduce Charleston County staff in attendance.

APPROVAL OF THE AUGUST 12, 2024 MEETING MINUTES *(YouTube Timestamp:1:46)*

On the motion of Commissioner Jones, seconded by Commissioner Kent, the Commission voted, 7-0-1, to approve the minutes from the August 12th Planning Commission meeting. Commissioner Cox abstained.

SBDV-03-24-02725: SUBDIVISION PLAT APPLICATION TAKING ONE EXISTING LOT AND CREATING A TOTAL OF FOUR LOTS, FOR TMS # 583-00-00-383 AT 1742 HABERSHAM ROAD. *(YouTube Timestamp: 3:26)*
Vice Chair Paulatos introduced the next agenda item, a subdivision plat application taking one existing lot and creating a total of four lots, for TMS # 583-00-00-383 at 1742 Habersham Road.

Ms. Avery delivered the staff presentation. She noted that the application was reviewed under the Special Management (S-3) zoning standards. She stated that Tugman Lane will be improved to a 50' wide right-of-way to meet Secondary County Road Standards as required for four or more lots by the Zoning and Land Development Regulations (ZLDR) Ordinance.

Ms. Avery stated there were concerns at the August 21, 2024 Historic Preservation Commission meeting about the proposed development's impact on one or more Grand Trees located on the adjacent property (TMS # 583-00-00-382). Because of these concerns, the County sent an arborist to review the health of the trees and the encroachment into their Protected Root Zone. The arborist's report showed that the proposed development falls within the allowed encroachment and one tree of particular concern was reported to be a diseased D-Grade 33''/32.5'' Southern live oak which meets the criterion for being permitted for removal and is no longer a protected tree.

Ms. Avery stated at the August 21, 2024 Historic Preservation Commission meeting the eight

members present of the Historic Preservation Commission stated the proposed subdivision *is not consistent* with the Cultural Resources Element of the Comprehensive Plan, citing inconsistencies with the Element Goal statement and strategies CR1, CR3, CR7, and CR13. Ms. Avery stated because the application complies with all requirements of the Charleston County Zoning and Land Development Regulations Ordinance, staff recommends approval.

Commissioner Morris asked who the owners of Tugman Lane and Habersham Road were. Ms. Avery stated that Tugman Lane would be private property and that Habersham Road is a state road. Commissioner Morris asked whether the proximity the roads have to the adjacent intersection might potentially change the road layout in a later determination. Ms. Avery stated the road will remain as shown and that the applicant has already received coordination from the South Carolina Department of Transportation (SCDOT).

Commissioner Cox stated there seemed to be a number of Grand Trees in the middle of the proposed lots; she asked how it would affect what's built there and when BZA would get involved. The county's arborist, Mr. Foster, stated that most of the oaks on the far right of the parcel have already been permitted for removal as they have serious defects of arbor decay.

Vice Chair Paulatos opened the floor for public comment. Bill Brodsky (690 Barbados Drive), the owner and applicant, spoke in support of the request. He stated that he has almost all approvals needed from SCDOT before they can sign off except for drainage. He stated that there is only one tree, located on Lot 4, for which he will need to figure out how to build a house that will not affect the tree and he plans to install some trees at the edge of the property to provide the adjacent property owner some screening.

On the motion of Commissioner Jones, seconded by Commissioner Kent, the Commission voted, 6-2, to approve the application. Commissioners Susan Cox and Marlena Davis dissented.

CHAIR'S REMARKS
Vice Chair Paulatos announced that the next Planning Commission meeting will be held on Monday, October 14, 2024 at 2:00 p.m. in Council Chambers.

ADJOURNMENT
Vice Chair Paulatos adjourned the meeting at 2:15 pm.

YOUTUBE VIDEO RECORDING
Video recordings of meetings are posted to the Charleston County YouTube Channel.
Link: https://www.youtube.com/watch?v=tJtWUInOpHk

Stephanie Ondo

Recording for the Planning Department

Ratified by the Charleston County Planning Commission this 14th day of October 2024.

Cindy Floyd
Chair

Attest:

Joel Evans, PLA, AICP, Director

Zoning & Planning Department

ZREZ-09-24-00154

- Case History

- Presentation

- Application

ZREZ-09-24-00154: Case History

Planning Commission: October 14, 2024
Public Hearing: November 12, 2024
Planning and Public Works Committee: November 21, 2024
First Reading: November 21, 2024
Second Reading: December 10, 2024
Third Reading: December 19, 2024

CASE INFORMATION

Applicant: Daniel Boorse

Owner: Daniel and Noelle Boorse

Location: 3555 Bohicket Road, Johns Island

Parcel Identification: 215-00-00-014

Application: Request to rezone TMS 215-00-00-014, 3555 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District for Landscaping and Horticultural Use.

Council District: 8 (Boykin)

Property Size: 14.6 acres

Zoning History: Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study. These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and Land Development Regulations Ordinance (ZLDR). Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR. In 2020, the current property boundary of the subject property was established when the subject property was subdivided to create a second lot (TMS# 215-00-00-195). Prior to this request, no zoning map amendment requests have been submitted for the subject property.

In 2022, the applicant approached staff about the possibility of establishing a landscaping/horticultural business on the subject property. The applicant was notified that the Landscaping and Horticultural Services use was not a permitted use in the AGR Zoning District and that a rezoning would be required to establish the proposed use. The applicant subsequently submitted this application to rezone to the AG-8 Zoning District where Landscaping and Horticultural Services is permitted with conditions as outlined in Sec. 6.4.48 of the ZLDR, including the completion of full Site Plan Review.

Adjacent Zoning: The subject property has frontage along Bohicket Road and contains a single-family residence and two storage accessory structures. To the north and south adjacent properties are zoned AGR and developed with single-family residences or are vacant. Properties across Bohicket Road, to the west, are zoned AGR and contain single-family residences or are vacant. The parcels to the east are zoned AGR and AG-8 and contain agricultural uses.

Municipalities Notified/Response: Town of Awendaw, Town of James Island, Town of Kiawah Island, Town of McClellanville, Town of Mount Pleasant, City of Isle of Palms and Town of Sullivans Island were notified of this request. Any responses are included in this packet.

APPROVAL CRITERIA

Pursuant to ZLDR Section 3.4.6, 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 Charleston County Comprehensive Plan recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states, "The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. 'By-Right' uses include residential development, agriculture, and other uses necessary to support the viability of agriculture." The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.*

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: *Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. In the current AGR Zoning District, Landscaping and Horticultural Services is not a permitted use, however it is a conditionally allowed use in the requested AG-8 Zoning District. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Towers, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to 1 dwelling unit per 8 acres. Therefore, this criterion is met.*

c) The proposed amendment corrects a zoning map error or inconsistency; or

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: *Not Applicable.*

STAFF RECOMMENDATION:

The approval criteria have been met; therefore, Staff recommends approval.

PLANNING COMMISSION MEETING: October 14, 2024

Public Input: No Public input received as of October 11, 2024.

Notifications: 415 notification letters were sent to individuals on the Johns Island Interested Parties Lists, as well as property owners within 300 feet of the subject parcel on September 27, 2024. Additionally, this request was noticed in the *Post & Courier* on September 27, 2024.

Charleston County Zoning Map Amendment Request

Planning Commission: October 14, 2024
Public Hearing: November 12, 2024
Planning and Public Works Committee: November 21, 2024
First Reading: November 21, 2024
Second Reading: December 10, 2024
Third Reading: December 19, 2024

ZREZ-09-24-00154

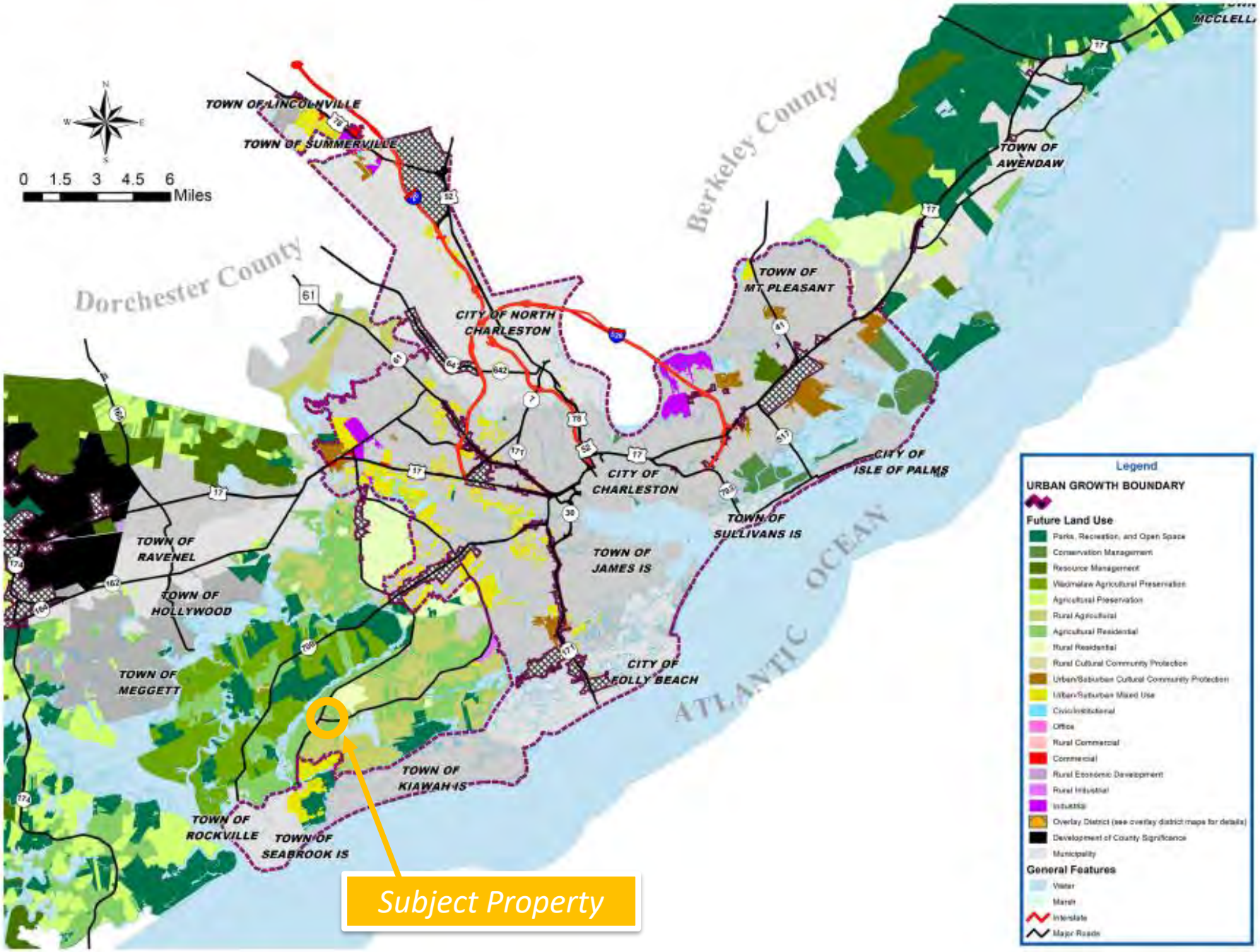
Request to rezone TMS # 215-00-00-014, 3555 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District for Landscaping and Horticultural Use.

- Mount Pleasant Area: 3555 Bohicket Road
- Parcel I.D.: 215-00-00-014
- Owner: Daniel & Noelle Boorse
- Applicant: Daniel Boorse
- Property Size: 14.6 acres
- Council District: 8 (Boykin)

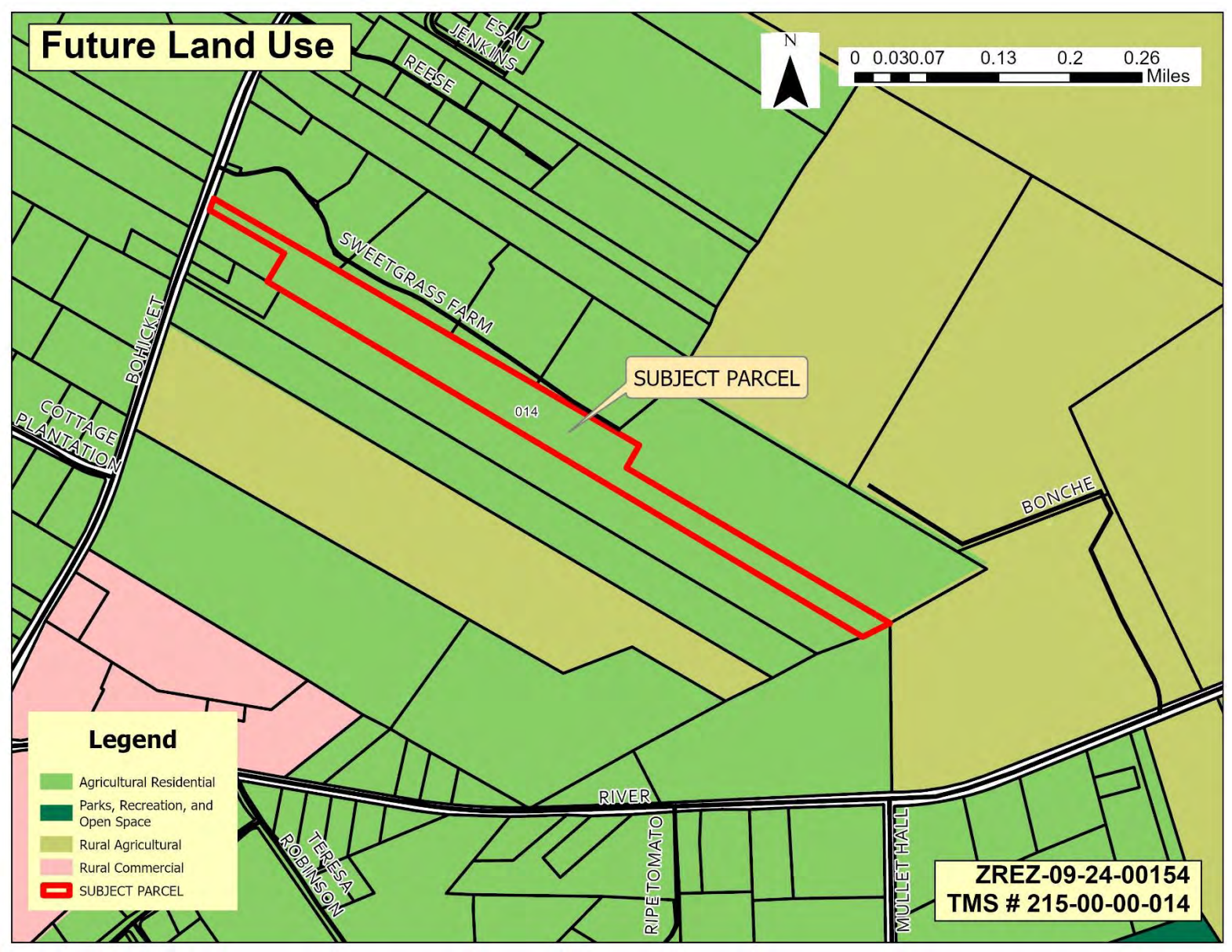
Zoning History

- Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study.
  - These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and land Development Regulations Ordinance (ZLDR).
- Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR.
- In 2020, the current property boundary of the subject property was established when the subject property was subdivided to create a second lot (TMS # 215-00-00-195).
- Prior to this request, no zoning map amendment requests have been submitted for the subject property.

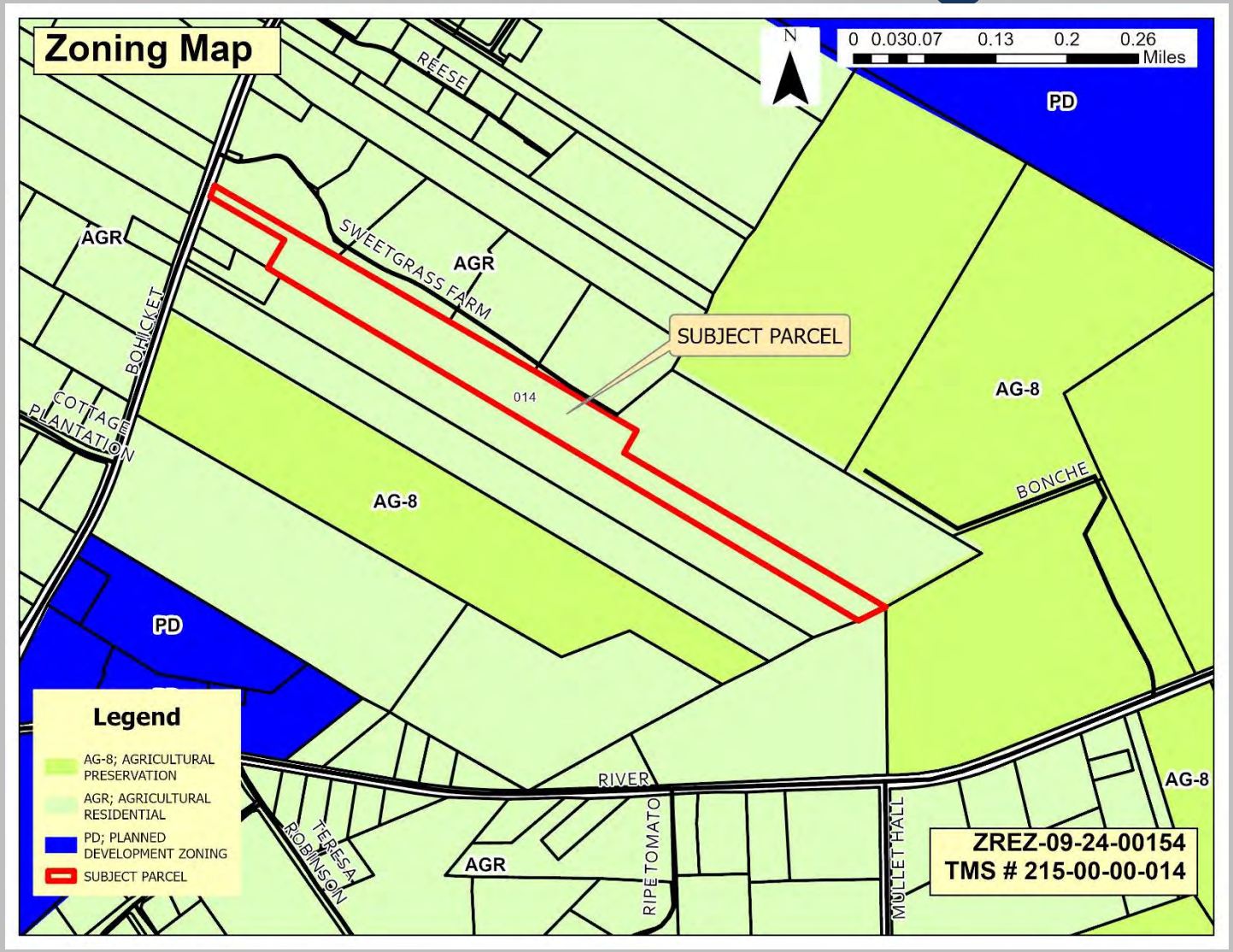
Map 3.1.5: Urban/Suburban Future Land Use Detail



Future Land Use

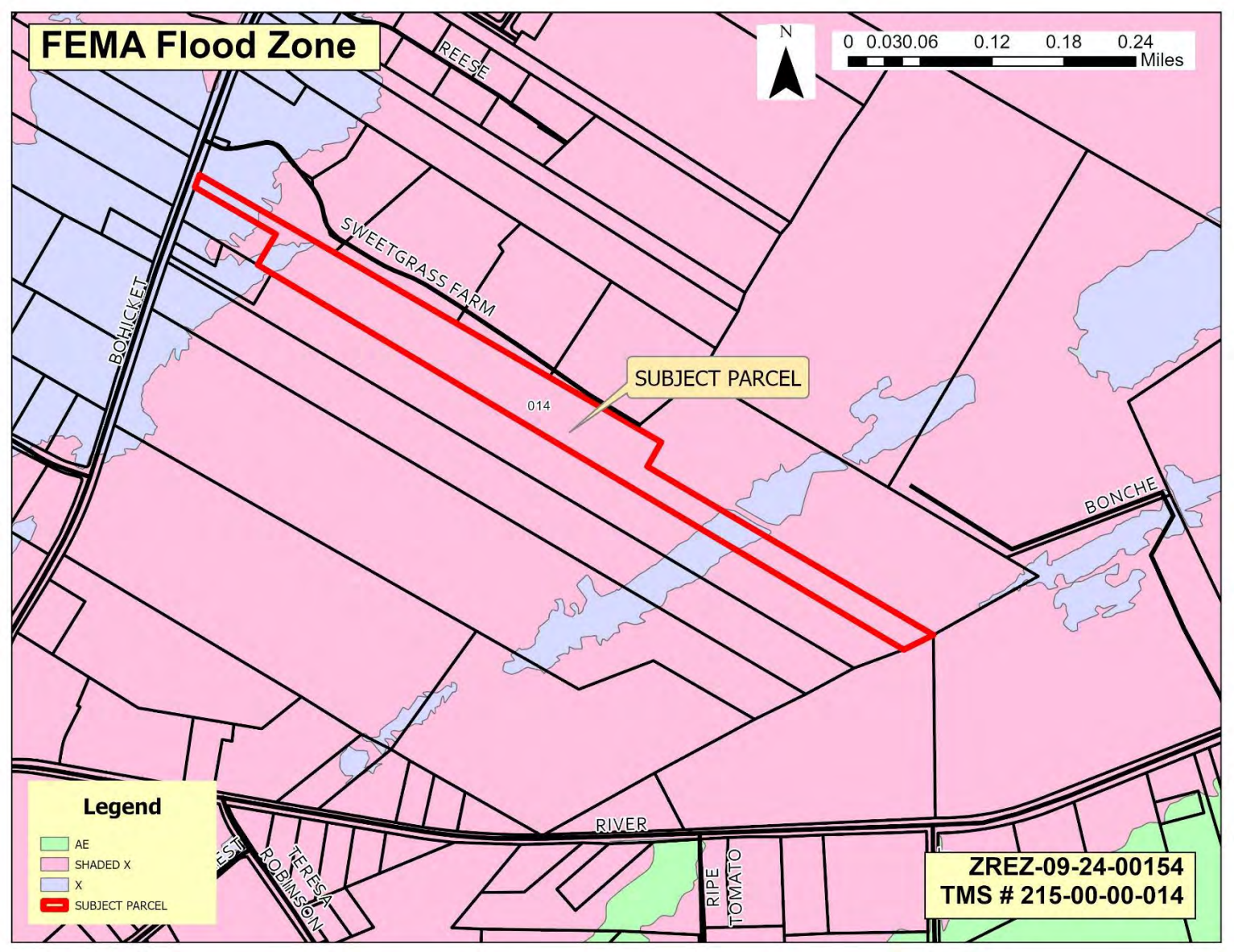


Current Zoning

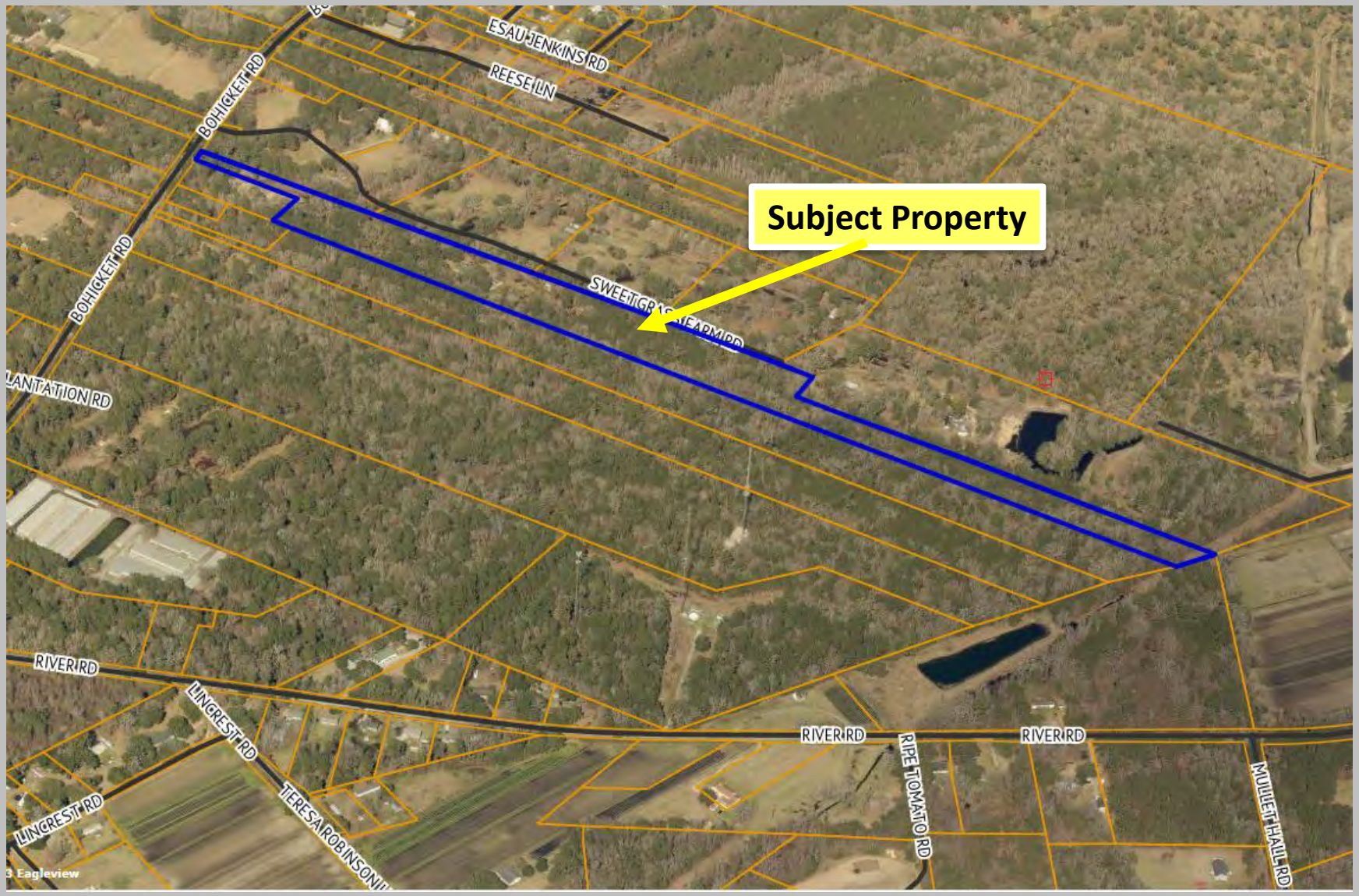


The subject property has frontage along Bohicket Road and contains a single-family residence and two storage accessory structures. To the north and south adjacent properties are zoned AGR and developed with single-family residences or are vacant. Properties across Bohicket Road, to the west, are zoned AGR and contain single-family residences or are vacant. The parcels to the east are zoned AGR and AG-8 and contain agricultural uses.

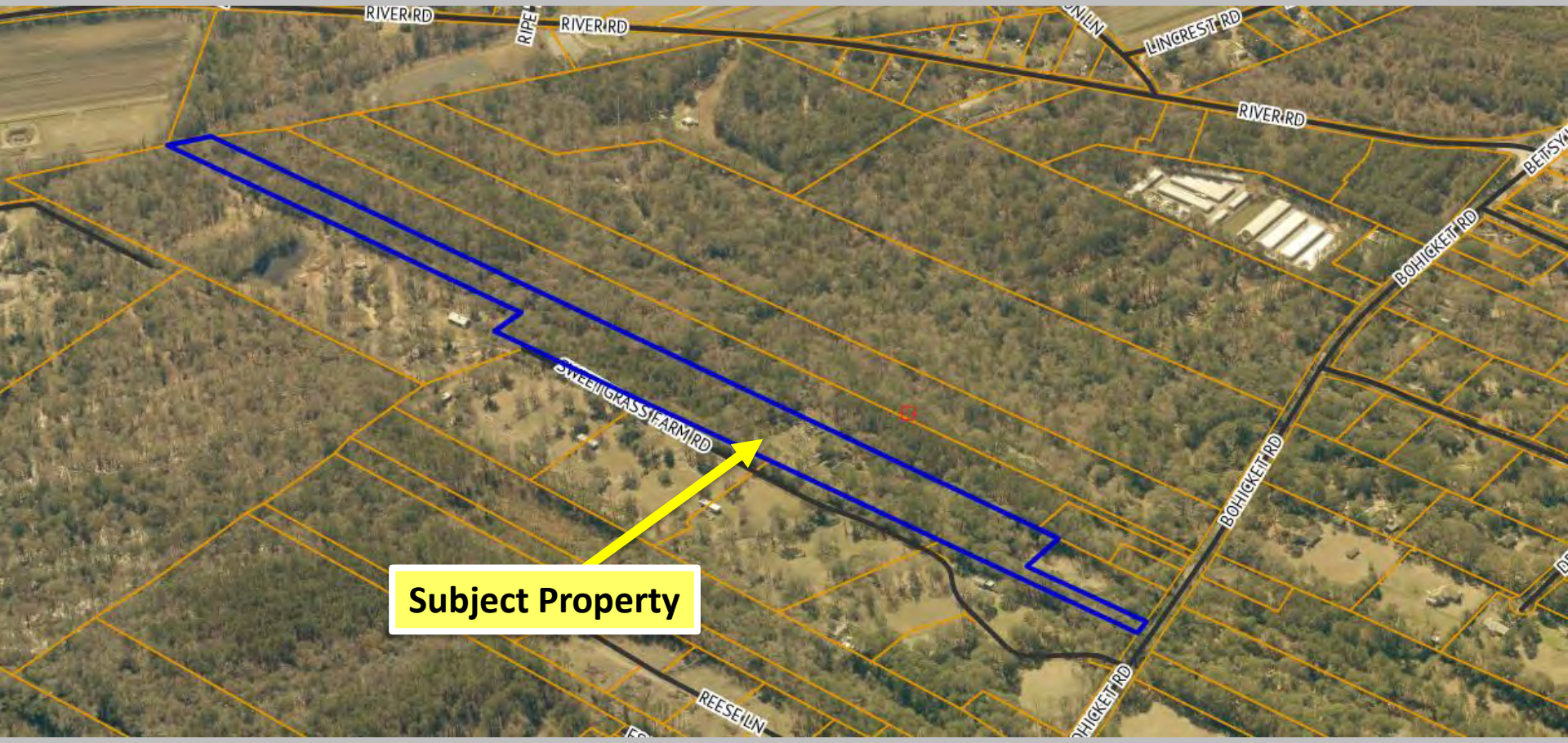
FEMA Flood Zone



Aerial View to the North



Aerial View to the South



Site Photos

1 – Subject Property
TMS 215-00-00-014

2 –Adjacent Property
TMS 214-00-00-195

Site Photos

3 – Adjacent Property
TMS 215-00-00-014

4 – Properties Across Bohicket Road
TMS 215-00-00-048

Comparison of Land Uses

	AGR (Current Zoning)	Proposed AG-8 (Requested Zoning)
Allowed Land Uses Include **C - Allowed with conditions** **S- Special Exception Approval by the BZA Required**	-Allows for 1 Dwelling Units per acre -Detached, Single Family Residence -Horticultural Production -Agricultural Sales or Service (C) -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -School, Primary -School, Secondary **-Medical Office (S)** **-Community Residential Care Facility (S)** **-Counseling Services (S)** **-Home Health Agency (S)** **-Intermediate Care Facility for Individuals with Intellectual Disabilities (S)** **-Residential Treatment Facility for Children or Adolescents (Mental Health Treatment) (S)** -Museum -Community Recreation -Campground (S) -Kennel (S) -Small Animal Boarding (C) -Veterinary Service (S) -Artisan and Craftsman (C) -Resource Extraction/Mining (S)	-Allows for 1 dwelling units per 8 acres -Detached, Single-Family Residence -Horticultural Production -Agricultural Sales or Service **-Landscaping and Horticultural Services (C)** -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -Museum (C) -School, Primary (S) -School Secondary (S) -Community Recreation **-Outdoor Recreation and Entertainment (C)** **-Outdoor Shooting Range (S)** -Campground (S) -Kennel (C) -Small Animal Boarding -Veterinary Service **-Flower, Nursey Stock, or Florists' Supplies Wholesaler** -Artisan and Craftsman (C) -Resources Extractions/ Mining (S) **-Aviation (C)** **-Private Air Strip (C)**

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, 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 Charleston County Comprehensive Plan recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states, "The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. 'By-Right' uses include residential development, agriculture, and other uses necessary to support the viability of agriculture." The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.*

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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: *Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. In the current AGR Zoning District, Landscaping and Horticultural Services is not a permitted use, however it is a conditionally allowed use in the requested AG-8 Zoning District. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Towers, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to 1 dwelling unit per 8 acres. Therefore, this criterion is met.*

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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

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: *Not applicable.*

Staff Recommendation

The approval criteria have been met; therefore, Staff recommends approval.

Public Input

No public input has been received as of October 11, 2024.

Notifications

- 415 notification letters were sent to individuals on the Johns Island Interested Parties List, as well as property owners within 300 feet of the subject parcel on September 27, 2024.

- Additionally, this request was noticed in the Post & Courier on September 27, 2024.

ZONING CHANGE APPLICATION

CASE ZREZ-09-24-00154 PD N/A

CHARLESTON COUNTY
SOUTH CAROLINA

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 AGR REQUESTED DISTRICT AG8

PARCEL ID(S) TMS # 215-00-00-014

CITY/AREA OF COUNTY JOHNS ISLAND

STREET ADDRESS 3555 BOTHCKET RD. ACRES 14.06

DEED RECORDED: BOOK 1070 PAGE 390 DATE 1/21/2022

PLAT RECORDED: BOOK S20 PAGE 0053 DATE 3/20/2020 APPROVAL # SBDV-00999

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT
DANIEL BOORSE
MAIL ADDRESS 2809 POTTINGER DR.
CITY, STATE, ZIP JOHNS ISLAND, SC 29455
HOME PHONE
WORK PHONE
CELL PHONE 843-607-8466
EMAIL 4SEASONSMGMTLLC@GMAIL.COM

OWNER (IF OTHER THAN APPLICANT)
DANIEL + NOELLE BOORSE
MAIL ADDRESS 2809 POTTINGER DR.
CITY, STATE, ZIP JOHNS ISLAND, SC 29455
HOME PHONE
WORK PHONE
CELL PHONE 843-607-8466
EMAIL 4SEASONSMGMTLLC@GMAIL.COM

REPRESENTATIVE (IF OTHER THAN APPLICANT)
MAIL ADDRESS
CITY, STATE, ZIP
HOME PHONE
WORK PHONE
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 Daniel Boorse / Noelle Boorse 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) / Noelle Boorse — Date 9/3/24

Signature of Applicant/ Representative (if other than owner) — Date

Planner's Signature Marche' Miller — Date 9/6/2024

Zoning Inspector's Signature — Date

OFFICE USE ONLY

Amount Received $296.00 Cash ? ☐ Check? ☐ # Invoice Number # 01203505

ZREZ-09-24-00156

- Case History

- Presentation

- Application

ZREZ-09-24-00156: Case History

Planning Commission: October 14, 2024
Public Hearing: November 12, 2024
Planning and Public Works Committee: November 21, 2024
First Reading: November 21, 2024
Second Reading: December 10, 2024
Third Reading: December 19, 2024

CASE INFORMATION

Applicant: Johns Island Presbyterian Church, Inc.

Location: 2550 & 2554 Bohicket Road, Johns Island

Parcel Identification: 257-00-00-033

Application: Request to rezone TMS 257-00-00-033 from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District.

Council District: 8 (Boykin)

Property Size: 6.5 total acres

Zoning History: The Church was added to the National Register of Historic Places in November of 1975. Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study. These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and Land Development Regulations Ordinance (ZLDR). Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR.

In September of 2024, the owner had their surveyor apply to record a new boundary survey of the subject property and TMS 257-00-00-032, and the owner applied to rezone the subject property.

Adjacent Zoning: The subject property fronts on Bohicket Road and is developed with Johns Island Presbyterian Church, a fellowship hall, cemetery, rectory, and pole barn on the parcel. To the north and east, the adjacent property is also owned by the church, has an equestrian center, and is zoned AG-8. To the west and across Bohicket Road to the south, the adjacent properties have single-family residences, a nonprofit office, or are vacant, and are zoned AGR.

Municipalities Notified/Response: Town of Awendaw, Town of James Island, Town of Kiawah Island, Town of McClellanville, Town of Mount Pleasant, City of Isle of Palms, City of North Charleston, and Town of Sullivans Island were notified of this request. Any responses are included in this packet.

APPROVAL CRITERIA

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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Staff Response: *The Comprehensive Plan recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states, "The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. 'By-Right' uses include residential development, agriculture, and other uses necessary to support the viability of agriculture." The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.*

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: *Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Tower, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to dwelling unit per 8 acres. Therefore, this criterion is met.*

c) The proposed amendment corrects a zoning map error or inconsistency; or

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: *Not Applicable.*

STAFF RECOMMENDATION:

The approval criteria have been met; therefore, Staff recommends approval.

PLANNING COMMISSION MEETING: October 14, 2024

Public Input: No public input received as of October 11, 2024.

Notifications: 489 notifications were sent to property owners within 300 feet of the subject parcels and those on the Johns Island and Historic Preservation Interested Parties Lists on September 27, 2024. Additionally, this request was noticed in the *Post & Courier* on September 27, 2024.

Charleston County Zoning Map Amendment Request

Planning Commission: October 14, 2024
Public Hearing: November 12, 2024
Planning and Public Works Committee: November 21, 2024
First Reading: November 21, 2024
Second Reading: December 10, 2024
Third Reading: December 19, 2024

ZREZ-09-24-00156

Request to rezone TMS # 257-00-00-033, 3555 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District for Landscaping and Horticultural Use.

• Mount Pleasant Area:	2550 & 2554 Bohicket Road
• Parcel I.D.:	257-00-00-033
• Owner:	Johns Island Presbyterian Church, Inc.
• Applicant:	Johns Island Presbyterian Church, Inc. (Charles Larsen, authorized by Church).
• Property Size:	6.5 acres
• Council District:	8 (Boykin)

Zoning History

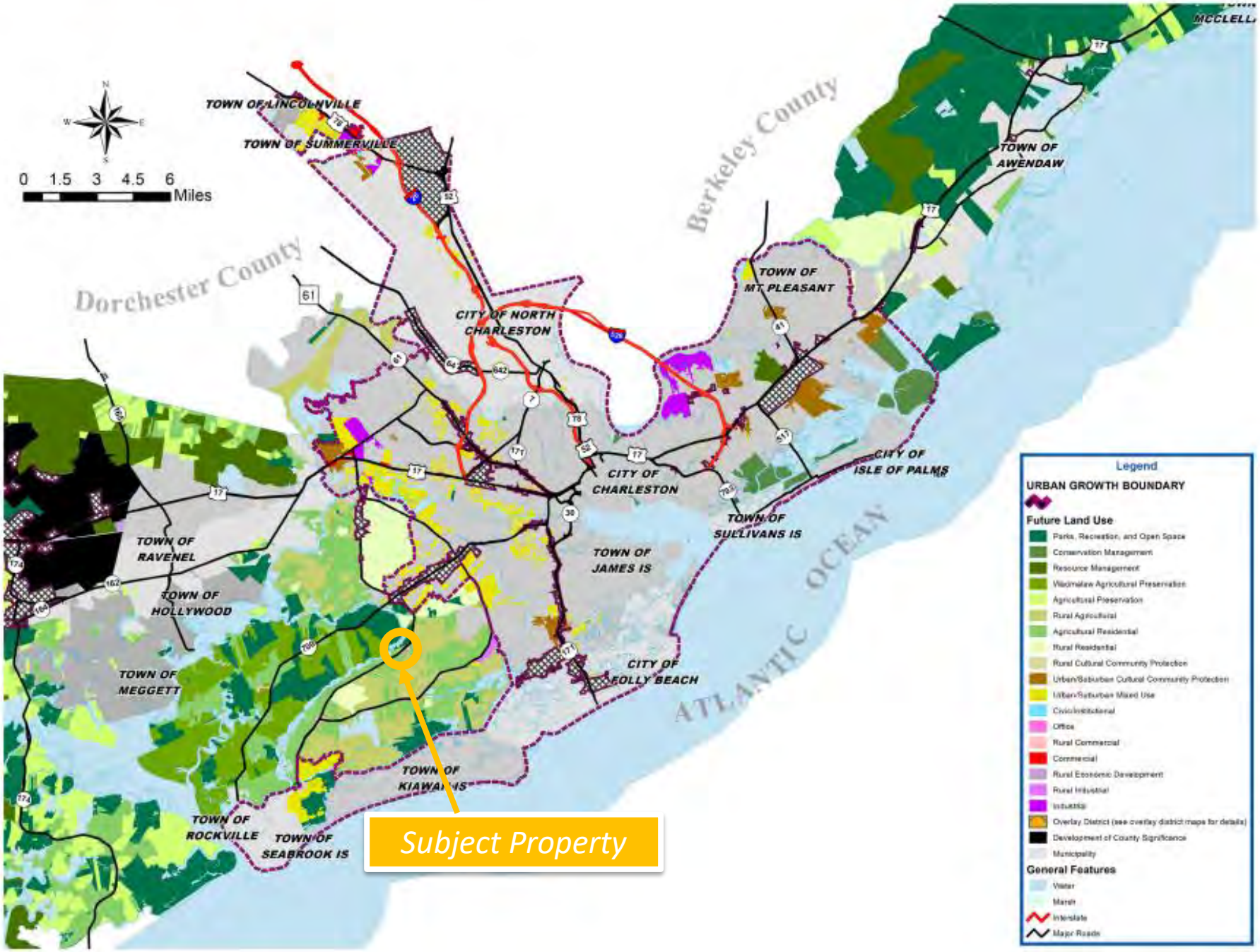
- The Church was added to the National Register of Historic Places in November of 1975.

- Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study.

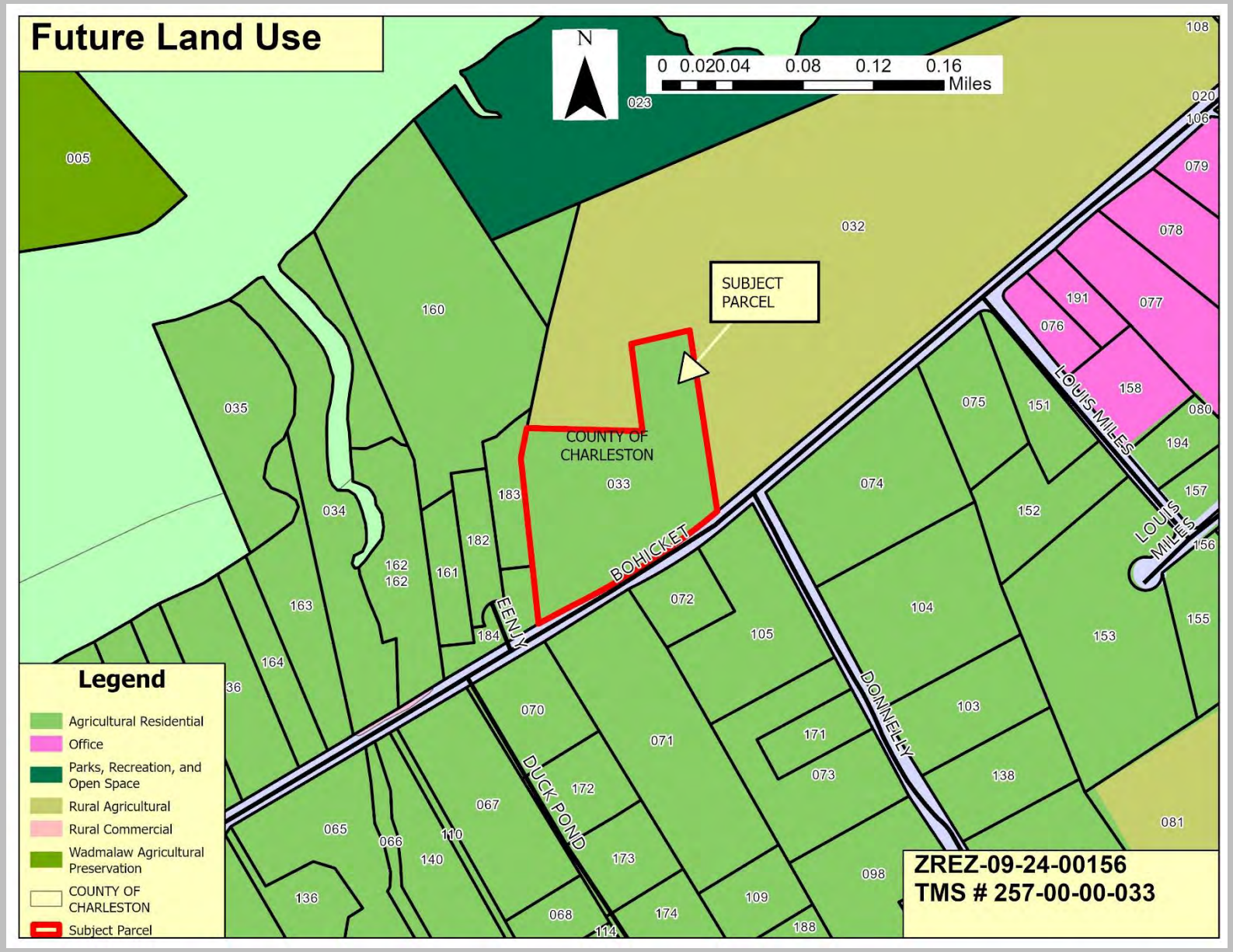
- These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and Land Development Regulations Ordinance (ZLDR).

- Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR.

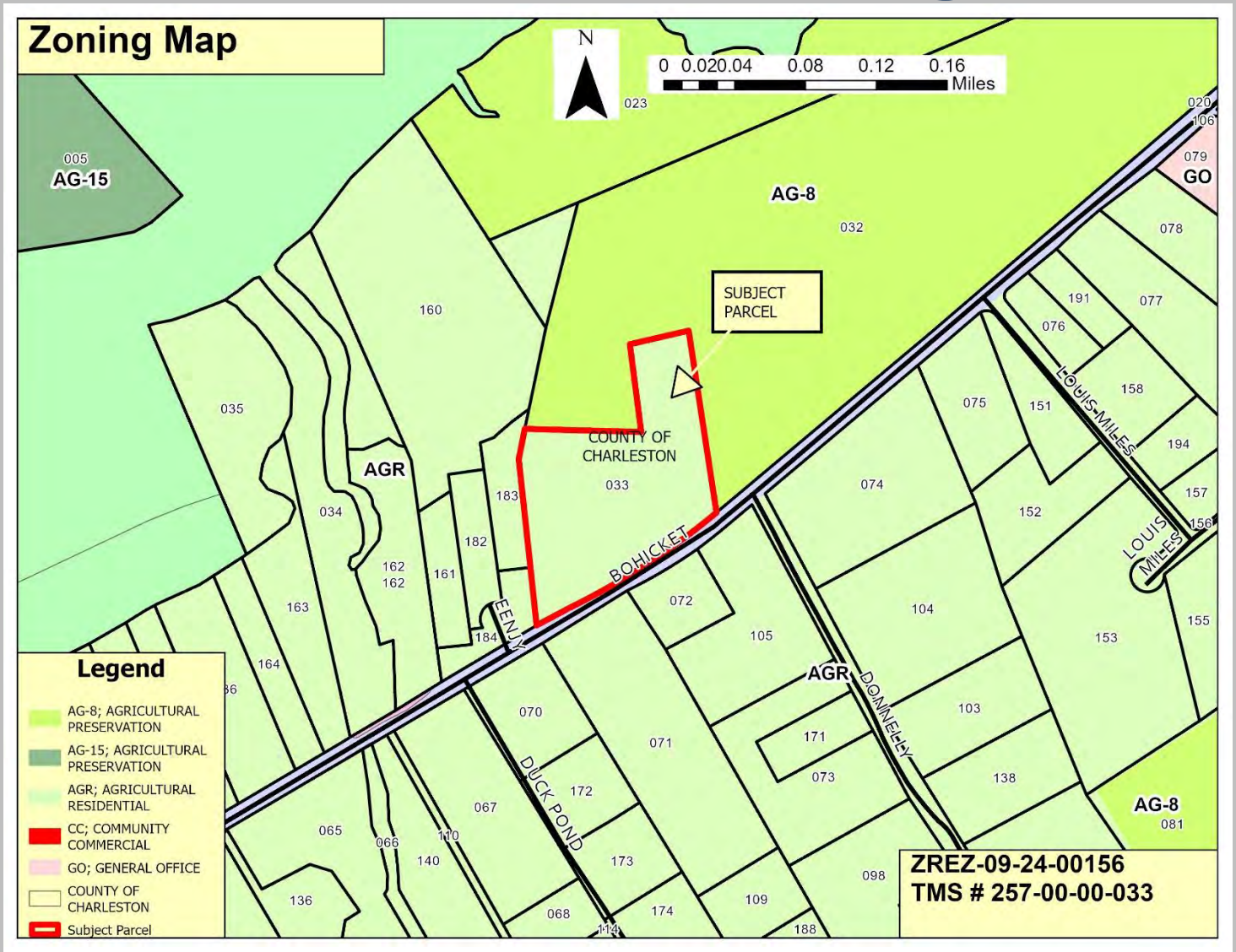
Map 3.1.5: Urban/Suburban Future Land Use Detail



Future Land Use

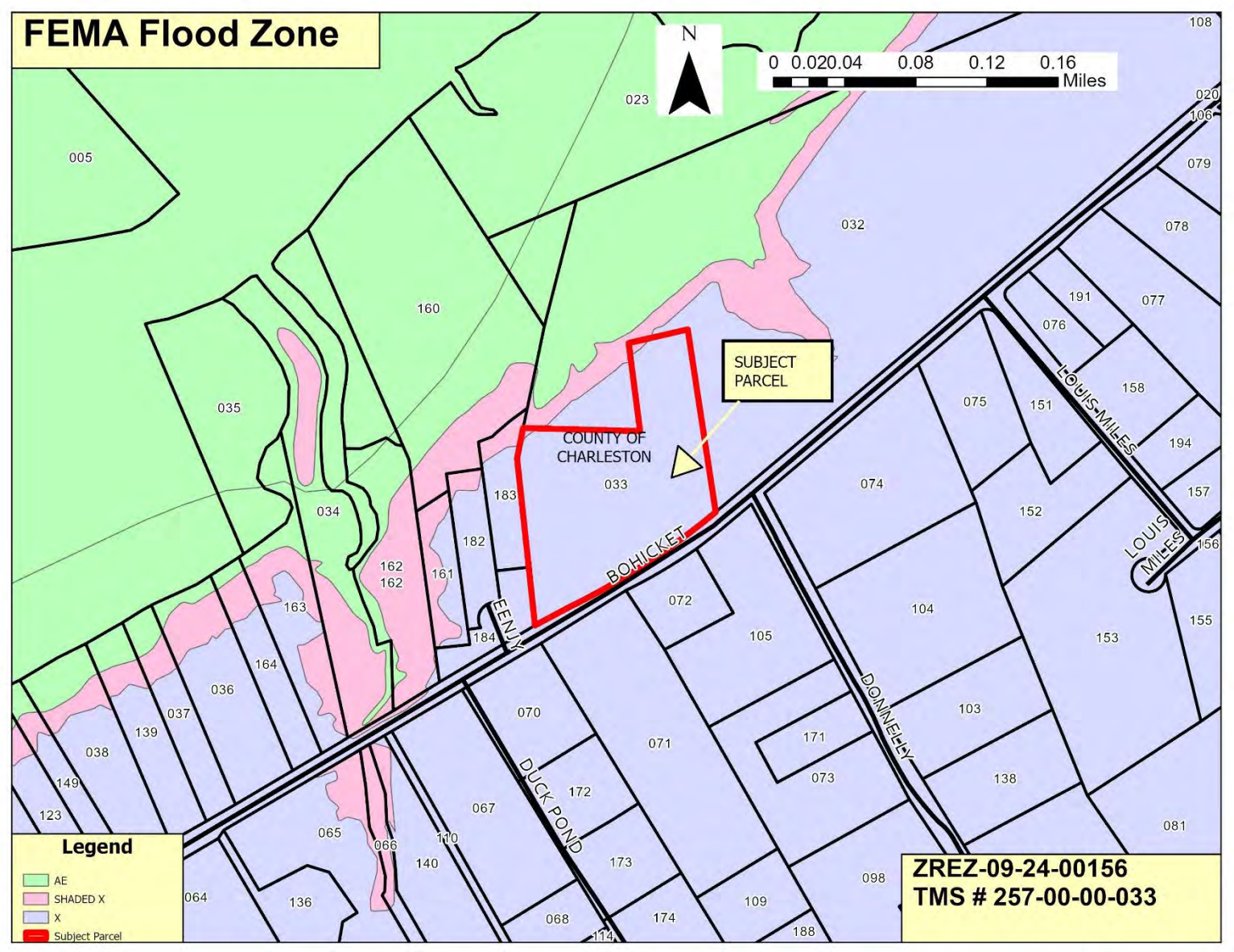


Current Zoning

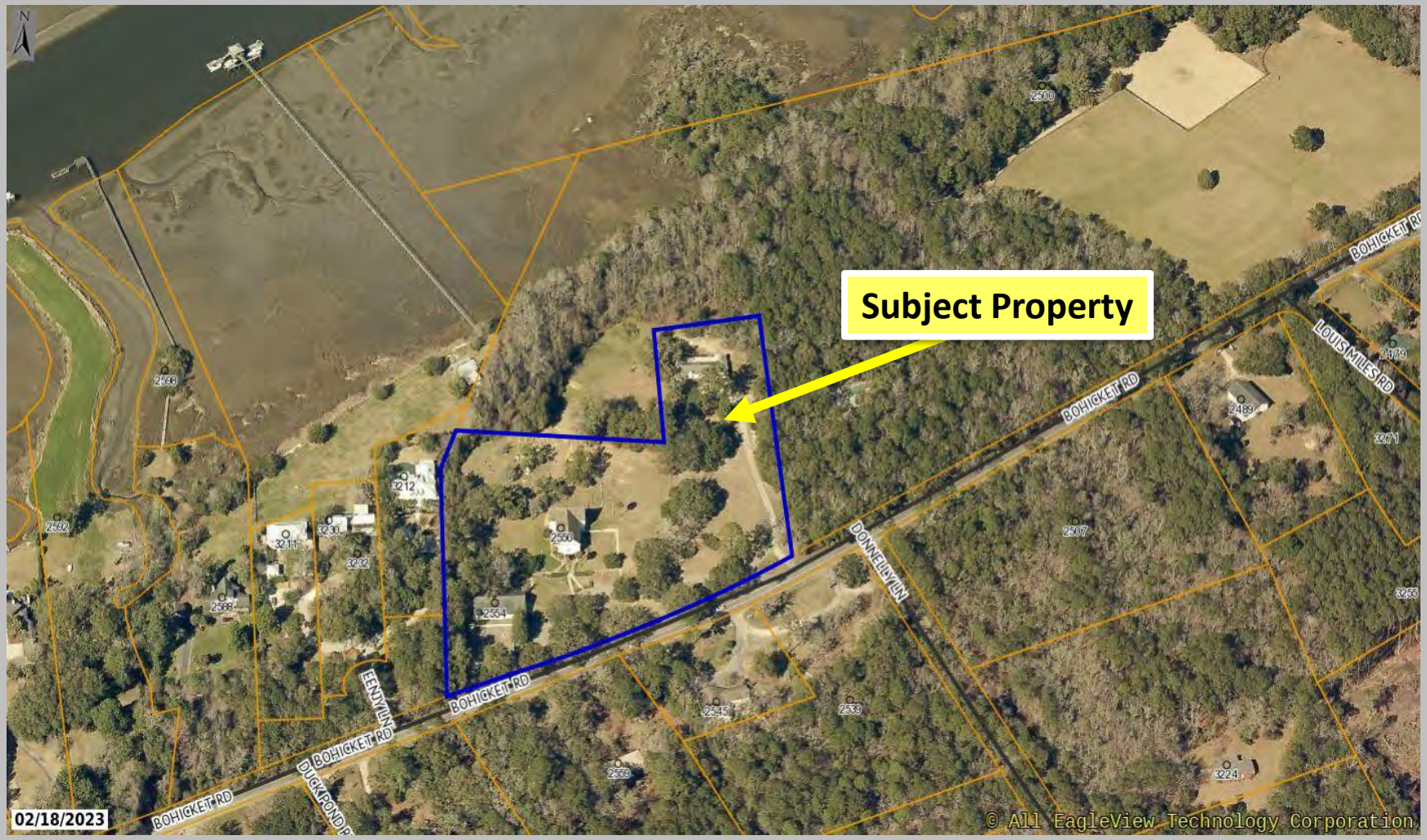


The subject property fronts on Bohicket Road and is developed with Johns Island Presbyterian Church, a fellowship hall, cemetery, rectory, and pole barn on the parcel. To the north and east, the adjacent property is also owned by the church, has an equestrian center, and is zoned AG-8. To the west and across Bohicket Road to the south, the adjacent properties have single-family residences, a nonprofit office, or are vacant, and are zoned AGR.

FEMA Flood Zone



Aerial View to the North



Aerial View to the South

Site Photos

1 – Subject Property
TMS 257-00-00-033

2 –Adjacent Property
TMS 257-00-00-032

Site Photos

3 – Adjacent Property
TMS 257-00-00-184

4 – Property Across Bohicket
TMS 257-00-00-072

Comparison of Land Uses

	AGR (Current Zoning)	Proposed AG-8 (Requested Zoning)
Allowed Land Uses Include **C - Allowed with conditions** **S- Special Exception Approval by the BZA Required**	-Allows for 1 Dwelling Units per acre -Detached, Single Family Residence -Horticultural Production -Agricultural Sales or Service (C) -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -School, Primary -School, Secondary **-Medical Office (S)** **-Community Residential Care Facility (S)** **-Counseling Services (S)** **-Home Health Agency (S)** **-Intermediate Care Facility for Individuals with Intellectual Disabilities (S)** **-Residential Treatment Facility for Children or Adolescents (Mental Health Treatment) (S)** -Museum -Community Recreation -Campground (S) -Kennel (S) -Small Animal Boarding (C) -Veterinary Service (S) -Artisan and Craftsman (C) -Resource Extraction/Mining (S)	-Allows for 1 dwelling units per 8 acres -Detached, Single-Family Residence -Horticultural Production -Agricultural Sales or Service **-Landscaping and Horticultural Services (C)** -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -Museum (C) -School, Primary (S) -School Secondary (S) -Community Recreation **-Outdoor Recreation and Entertainment (C)** **-Outdoor Shooting Range (S)** -Campground (S) -Kennel (C) -Small Animal Boarding -Veterinary Service **-Flower, Nursey Stock, or Florists' Supplies Wholesaler** -Artisan and Craftsman (C) -Resources Extractions/ Mining (S) **-Aviation (C)** **-Private Air Strip (C)**

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, 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 Charleston County Comprehensive Plan recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states ,"The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. 'By-Right' uses include residential development, agriculture, and other uses necessary to support the viability of agriculture." The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.*

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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: *Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Tower, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to dwelling unit per 8 acres. Therefore, this criterion is met.*

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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

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: *Not applicable.*

Staff Recommendation

The approval criteria have been met; therefore, Staff recommends approval.

Public Input

No public input has been received as of October 11, 2024.

Notifications

- 489 notification letters were sent to individuals on the Johns Island Interested Parties List, the Historic Preservation Interested Parties List, as well as property owners within 300 feet of the subject parcel on September 27, 2024.

- Additionally, this request was noticed in the Post & Courier on September 27, 2024.

ZONING CHANGE APPLICATION

CHARLESTON COUNTY
SOUTH CAROLINA

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 ZREZ-09-24-00156 PD _____

PROPERTY INFORMATION

CURRENT DISTRICT AGR REQUESTED DISTRICT AG-8

PARCEL ID(S) TMS#257-00-00-033

CITY/AREA OF COUNTY JOHNS ISLAND

STREET ADDRESS 2550/2554 Bohicket Road ACRES 6.51

DEED RECORDED: BOOK T168 PAGE 176 DATE _____

PLAT RECORDED: BOOK F9 PAGE 338 DATE _____ APPROVAL # forthcoming (prior to 10/14/24)

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT Johns Island Presbyterian Church, Inc. HOME PHONE _____

MAIL ADDRESS 2550 Bohicket Road WORK PHONE 843.559.9380

CITY, STATE, ZIP Johns Island, SC 29455 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) _____ HOME PHONE _____

MAIL ADDRESS Dr. Jeri Perkins (Rev. JIPC) WORK PHONE _____

CITY, STATE, ZIP 2550 Bohicket Road CELL PHONE mobile: 843.229.0572

Johns Island, SC 29455 EMAIL jperkins@jipc.org

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 CHARLES LARSEN 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.

Charles Larsen 9/20/24 Charles Larsen 9/20/24

Signature of Owner(s) Date Signature of Applicant/ Representative (if other than owner) Date

Win Carlisle 10/4/24

Planner's Signature Date Zoning Inspector's Signature Date

OFFICE USE ONLY

Amount Received $215 Cash ? ☐ Check? ☐ #_____ Invoice Number 01205997