

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

**AGENDA**  
**April 8, 2024**

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- I. CALL TO ORDER & INTRODUCTIONS**
- II. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT**
- III. APPROVAL OF THE MARCH 11, 2024 MEETING MINUTES**
- IV. REQUEST TO AMEND THE COMPREHENSIVE PLAN AND THE ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR):**
  - a. ACP-03-24-00124 & ZLDR-03-24-00132: Request to amend Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, of the Comprehensive Plan and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR to change the zoning designation of TMS 354-12-00-006 from the Neighborhood Commercial designation to the Community Commercial designation.
- V. PLANNED DEVELOPMENT/AMENDMENT REQUESTS:**
  - a. ZREZ-03-24-00151: Request to rezone a 0.07-acre portion of TMS 583-00-00-016, from the Special Management (S-3) Zoning District to Rutledge Tomb Site Planned Development (PD-189) Zoning District to preserve a historic tomb site and allow for a pocket park.
- VI. CHAIR'S REMARKS**
- VII. NEXT MEETING: MAY 13, 2024**
- VIII. ADJOURNMENT**

**CHARLESTON COUNTY  
PLANNING COMMISSION  
ANNUAL BUSINESS  
MEETING MINUTES  
March 11, 2024**

**ATTENDEES**

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

County Staff: Joel Evans, Director of Zoning/Planning; Andrea Melocik, Deputy Director of Zoning/Planning; Marc Belle, Assistant County Attorney; Emily Pigott, Planner II; Monica Eustace, Planner II; Grayson Anderson, Planner II; Marche' Miller, Planner I; Annie Steele, Planning Technician II; Ronda Williams, Planner II; Win Carlisle, Planner I; Joyce McGrew, Project Officer II.

Members of the Public: No members of the public were present.

**CALL TO ORDER**

Chair Floyd called the Charleston County Planning Commission meeting to order at 12:15 p.m.

**COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT & INTRODUCTIONS**

Chair Floyd announced that the meeting was noticed in compliance with the South Carolina Freedom of Information Act and stated the purpose of the Planning Commission. Chair Floyd introduced the Commissioners and asked Mr. Evans to introduce Charleston County staff in attendance.

**REVIEW THE PLANNING COMMISSION'S RULES AND PROCEDURES**

Ms. Miller delivered a presentation that provided an overview of the continuing education training requirements, the Freedom of Information Act (FOIA), the 1991 Ethics Act, and the Planning Commission's Rules and Procedures pertaining to membership, election of officers, and Commission member attendance.

**CONTINUING EDUCATION TRAINING** Ms. Eustace introduced the topics for the continuing education (CE) training session which focused on ethics for planning officials and the zoning process. At the completion of the session those in attendance received 2 hours of continuing education credits.

**ADJOURNMENT**

Chair Floyd adjourned the meeting at 2:30 pm.

Annie Steele

Recording for the Planning Department

Ratified by the Charleston County Planning Commission  
this 8<sup>th</sup> day of April 2024.

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Cindy Floyd  
Chair

Attest:

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Joel Evans, PLA, AICP, Director  
Zoning & Planning Department

**PLANNING COMMISSION DISCLAIMER:**

**UNRATIFIED MEETING MINUTES**

**This document is a draft of the minutes of the most recent meeting of the Charleston County Planning Commission.**

**The members of the Planning Commission have neither reviewed nor approved this document; therefore, these minutes shall only become official meeting minutes after adoption by the Planning Commission at a public meeting of the Commission.**

**CHARLESTON COUNTY  
PLANNING COMMISSION  
MEETING MINUTES  
March 11, 2024**

**ATTENDEES**

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

County Staff: Joel Evans, Director of Zoning/Planning; Andrea Melocik, Deputy Director of Zoning/Planning; Emily Pigott, Planner II; Monica Eustace, Planner II; Marche' Miller, Planner I; and Annie Steele, Planning Technician II.

Members of the Public: No members of the public were present.

**CALL TO ORDER**

Chair Floyd called the Charleston County Planning Commission meeting to order at 2:30 p.m.

**COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT & INTRODUCTIONS**

Chair Floyd announced that the meeting was noticed in compliance with the South Carolina Freedom of Information Act and stated the purpose of the Planning Commission. Chair Floyd introduced the Commissioners and asked Mr. Evans to introduce Charleston County staff in attendance.

**APPROVAL OF THE JANUARY 8, 2024 MEETING MINUTES**

Vice Chair Paulatos put forward a motion to approve the January 8, 2024 meeting minutes, which was seconded by Commissioner MacConnell. The Commission voted, 9-0, to approve the minutes from the January 8<sup>th</sup> Planning Commission meeting.

**ELECTION OF OFFICERS** Chair Floyd read the Planning Commission Rules and Procedures regarding Chair and Vice Chair elections and asked if there were any nominations for Chair and Vice Chair. Commissioner MacConnell put forward motions to nominate Cindy Floyd as Chair and Pete Paulatos as Vice Chair, which were seconded by Commissioner Kent. The Commission voted, 9-0, to approve Cindy Floyd as Chair and Pete Paulatos as Vice Chair. There were no other nominations.

**ADJOURNMENT**

Chair Floyd announced that the next Planning Commission meeting will be held on April 8, 2024. Chair Floyd adjourned the meeting at 2:35 pm.

Annie Steele

Recording for the Planning Department

Ratified by the Charleston County Planning Commission  
this 8<sup>th</sup> day of April 2024.

---

Cindy Floyd  
Chair

Attest:

---

Joel Evans, PLA, AICP, Director  
Zoning & Planning Department

**PLANNING COMMISSION DISCLAIMER:**

**UNRATIFIED MEETING MINUTES**

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**ACP-03-24-00124 &  
ZLDR-03-24-00132**

- Case History
- Presentation
- Applications
- Public Input



## **ACP-03-24-00124 and ZLDR-03-24-00132: Case History**

**Planning Commission: April 8, 2024**  
**Public Hearing: May 7, 2024**  
**Planning and Public Works Committee: May 16, 2024**  
**First Reading: May 21, 2024**  
**Second Reading: June 4, 2024**  
**Third Reading: June 18, 2024**

### **CASE INFORMATION**

Applicant: Russell and Jessica Luzier

Owner: 2177 Ashley River Road LLC

Location: 2177 Ashley River Road

Parcel Identification: 354-12-00-006

Application: Request to amend Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, of the Comprehensive Plan, and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR, to change the zoning designation of TMS# 354-12-00-006 from the Neighborhood Commercial designation to the Community Commercial designation.

Council District: 6 (Middleton)

Property Size: 1.04 acres

Zoning History: In 1984, the subject parcel was rezoned from the RS-10 Single-Family District to the Neighborhood Shopping District (CN). A request to construct a dry-cleaning establishment was approved in 1985.

In 2001, upon adoption of the Zoning and Land Development Regulations Ordinance (ZLDR), this property was designated as the Neighborhood Commercial (NC) Zoning District.

The Ashley River Road Corridor Overlay Zoning District (ARRC-O) was adopted on March 24, 2015. It includes unincorporated parcels that front on Highway 61 from its intersection with Ashley Hall Road to Church Creek. The ARRC-O was adopted based on a large amount of public input and is intended to implement traffic safety measures, improve the visual character, and preserve the scenic quality of the corridor. The Overlay Zoning District also creates consistency and coordination between the City of Charleston and unincorporated Charleston County regarding land use, design standards, and code enforcement.

The ARRC-O is divided into three areas including the Light Commercial Area (Ashley Hall Road to Wappoo Road), the Core Commercial Area (Wappoo Road to William Kennerty Drive), and the Village Commercial Area (William Kennerty Drive to Church Creek). The subject property is located within the Village Commercial Area and retained its Neighborhood Commercial zoning upon adoption of the ARRC-O. The Village Commercial Area is intended to be developed with less intense commercial Development than the Commercial Core area. Future Development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and building architecture. Higher intensity uses are intended to be located in the Commercial Core Area.

The applicant's proposed use is classified as Artisan and Craftsman, which is allowed in the current zoning

district subject to the following conditions:

- A. Such use shall not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, radiation, or other conditions harmful or objectionable to adjacent or nearby properties.
- B. All truck parking or loading facilities shall be located to the side or rear of the Building housing the use and outside required landscaped yards, and shall be screened from Rights-of-Way, Easements, and/or adjacent property zoned or used for residential or agricultural purposes.
- C. Outdoor storage of materials is prohibited.
- D. Operation of this use shall not create noise in excess of 80 dB as measured at the property boundary of the noise source using the fast meter response of a sound level meter, reduced to 70 dB maximum between the hours of 7 p.m. and 7 a.m.
- E. Structures associated with this use shall be limited to a maximum Floor Area of 2,000 square feet.
- F. No more than five non-resident employees shall be allowed.
- G. All activities related to the Artisan and Craftsman use shall be confined to a Structure that is entirely enclosed.
- H. Onsite retail sales are prohibited.

The applicant stated in their letter of intent that their proposed use exceeds the conditions of approval for this use in the current zoning district. The structures on the site will exceed the 2,000 square foot limitation (they would like 5,000 gross square feet), they would like ten employees (only five are allowed in the current zoning district), and they would like to have a show room for display (onsite retail sales are prohibited). Therefore, they are requesting to change the zoning of the property to the Community Commercial Zoning District, which would allow the proposed use by right (not subject to the above-listed conditions).

If the designation is changed to Community Commercial, all uses in the Community Commercial Zoning District (special trade contractors, parking garages, vehicle rental/leasing, vehicle sales, truck stops, warehouse clubs, etc.) would be allowed on this property, with the exception of the uses prohibited in the Village Commercial Area (multi-family development not part of a mixed use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; fireworks stands (permanent and temporary); self-service storage; and tattoo facility uses).

Adjacent Zoning: The subject parcel has frontage along Ashley River Road and contains a vacant building that was formerly a dry-cleaning business. All adjacent parcels are within the City of Charleston. The adjacent parcel to the south contains an apartment complex and is zoned DR-12, the property to the north is vacant and is zoned SR-1, and the properties across Ashley River Road contain an apartment complex zoned DR-1F or are vacant and zoned DR-2.

Municipalities Notified/Response: The City of North Charleston, The City of Charleston, The City of Folly Beach, The City of Isle of Palms, The Town of Mount Pleasant, The Town of Awendaw, the Town of Lincolnville, The Town of Hollywood, The Town of Meggett, The Town of McClellanville, The Town of Rockville, The Town of Summerville, Town of James Island, Town of Kiawah Island, and The Town of Seabrook Island were notified of the request. Any responses are included in this packet.

## **APPROVAL CRITERIA**

### **Comprehensive Plan Amendment (ACP-03-24-00124)**

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

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

Applicant's Response: *"C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston."*

**STAFF RECOMMENDATION: DISAPPROVAL**

Prior to the adoption of the ARRC-O in 2015, the subject property was recommended for Urban/Suburban Mixed Use, which *"encourages compatible mixed-use development and a general land use pattern that includes a variety of housing types, retail, service, employment, civic and compatible industrial uses, as well as public and open spaces and linkages to public transit in a walkable environment."* The Comprehensive Plan was amended to incorporate the ARRC-O in March 2015, at which time the future land use recommendation for the subject property was changed to Neighborhood Commercial.

The ARRC-O was developed based on a large amount of public input resulting in the subject property retaining its Neighborhood Commercial zoning in the Village Commercial Area upon adoption of the Overlay. The Village Commercial Area is intended for lower intensity service uses. The majority of the properties zoned Community Commercial in the Village Commercial Area are located to the northwest of I-526; however, there is one property zoned Community Commercial located to the southeast of the subject property at the intersection of Tobias Gadson Blvd and Ashley River Rd. The majority of the properties surrounding the subject parcel are zoned for residential uses in the City of Charleston. There is some Limited Business zoning on properties across Ashley River Road in the City of Charleston, a zoning district equivalent to the County's Neighborhood Commercial Zoning District. The closest General Business zoning in the City, which is equivalent to the County's Community Commercial Zoning District, is located northwest of the subject property on the other side of I-526. The Wallace Lane/Richmond Street Community is also located near the subject properties.

Because the subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015, the approval criteria have not been met. Therefore, staff recommends disapproval.

**APPROVAL CRITERIA**

ZLDR Text Amendment Application (ZLDR-03-24-00132)

Pursuant to Section 3.3.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, amendments the ZLDR may be approved if the following approval criteria have been met:

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

Applicant's Response: *"The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to 1-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial."*

Staff Response: The proposed amendment does not correct an error or inconsistency or meet the challenge of a changing condition. The subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015.

- B. The proposed amendment is consistent with the adopted Charleston County *Comprehensive Plan* and goals as stated in Article [1.5](#), *Purpose and Intent*, and

Applicant's Response: *"The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with 1-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl."*

Staff Response: If the Comprehensive Plan amendment application is recommended for approval, the requested change to the Community Commercial Zoning District would be consistent with the Comprehensive Plan. Otherwise, the request would not meet this criterion.

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

Applicant's Response: *"The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters."*

Staff Response: The proposed amendment does not further the public welfare. The existing zoning district allows a variety of uses that could be developed on the site.

**STAFF RECOMMENDATION:**

**Disapproval – the approval criteria have not been met.**

**PLANNING COMMISSION MEETING: April 8, 2024**

Public Input: Four letters in support of the request were received.

Notifications: 687 notifications were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the boundary of the subject parcel and property owners of parcels within the Ashley River Road Corridor Overlay District on March 22, 2024. Additionally, this request was noticed in the *Post & Courier* on March 22, 2024 .



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

**Planning Commission: April 8, 2024**

**Public Hearing: May 7, 2024**

**Planning and Public Works Committee: May 16, 2024**

**First Reading: May 21, 2024**

**Second Reading: June 4, 2024**

**Third Reading: June 18, 2024**

# ACP-03-24-00124 and ZLDR-03-24-00132

Request to amend Map 3.1.13, Ashley River Road Overlay Zoning District, of the Comprehensive Plan, and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR, to change the zoning designation of TMS # 354-12-00-006 from Neighborhood Commercial designation to the Community Commercial designation.

- Location: 2177 Ashley River Road
- Parcel I.D.: 354-12-00-006
- Owner: 2177 Ashley River Road LLC
- Applicant: Russell and Jessica Luzier
- Property Size: 1.04 acres
- Council District: 6 - Middleton

# Zoning History

- In 1984, the subject parcel was rezoned from the RS-10 Single-Family Residential District to the Neighborhood Shopping (CN) District and in 1985, a request to construct a dry-cleaning establishment was approved.
- In 2001, upon adoption of the Zoning and Land Development Regulations Ordinance (ZLDR), this property was designated as the Neighborhood Commercial (NC) Zoning District.
- The Ashley River Road Corridor Overlay Zoning District (ARRC-O) was adopted on March 24, 2015. It includes unincorporated parcels that front on Highway 61 from its intersection with Ashley Hall Road to Church Creek. The ARRC-O was adopted based on a large amount of public input and is intended to implement traffic safety measures, improve the visual character, and preserve the scenic quality of the corridor.
- The ARRC-O also creates consistency and coordination between the City of Charleston and unincorporated Charleston County regarding land use, design standards, and code enforcement.

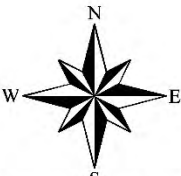


# Zoning History (cont'd)

- The ARRC-O is divided into three areas including the Light Commercial Area (Ashley Hall Road to Wappoo Road), the Core Commercial Area (Wappoo Road to William Kennerty Drive), and the Village Commercial Area (William Kennerty Drive to Church Creek). The subject property is located within the Village Commercial Area and retained its Neighborhood Commercial zoning upon adoption of the ARRC-O.
- The Village Commercial Area is intended to be developed with less intense commercial Development than the Commercial Core Area. Future Development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and building architecture. Higher intensity uses are intended to be located in the Commercial Core Area.
- The applicant's proposed use is classified as Artisan and Craftsman which is allowed in the current zoning district subject to conditions. The applicant stated in their letter of intent that their proposed use exceeds the conditions of approval for this use in the current zoning district. The structures on the site will exceed the 2,000 square foot limitation (they would like 5,000 gross square feet), they would like ten employees (only five are allowed in the current zoning district), and they would like to have a show room for display (onsite retail sales are prohibited).

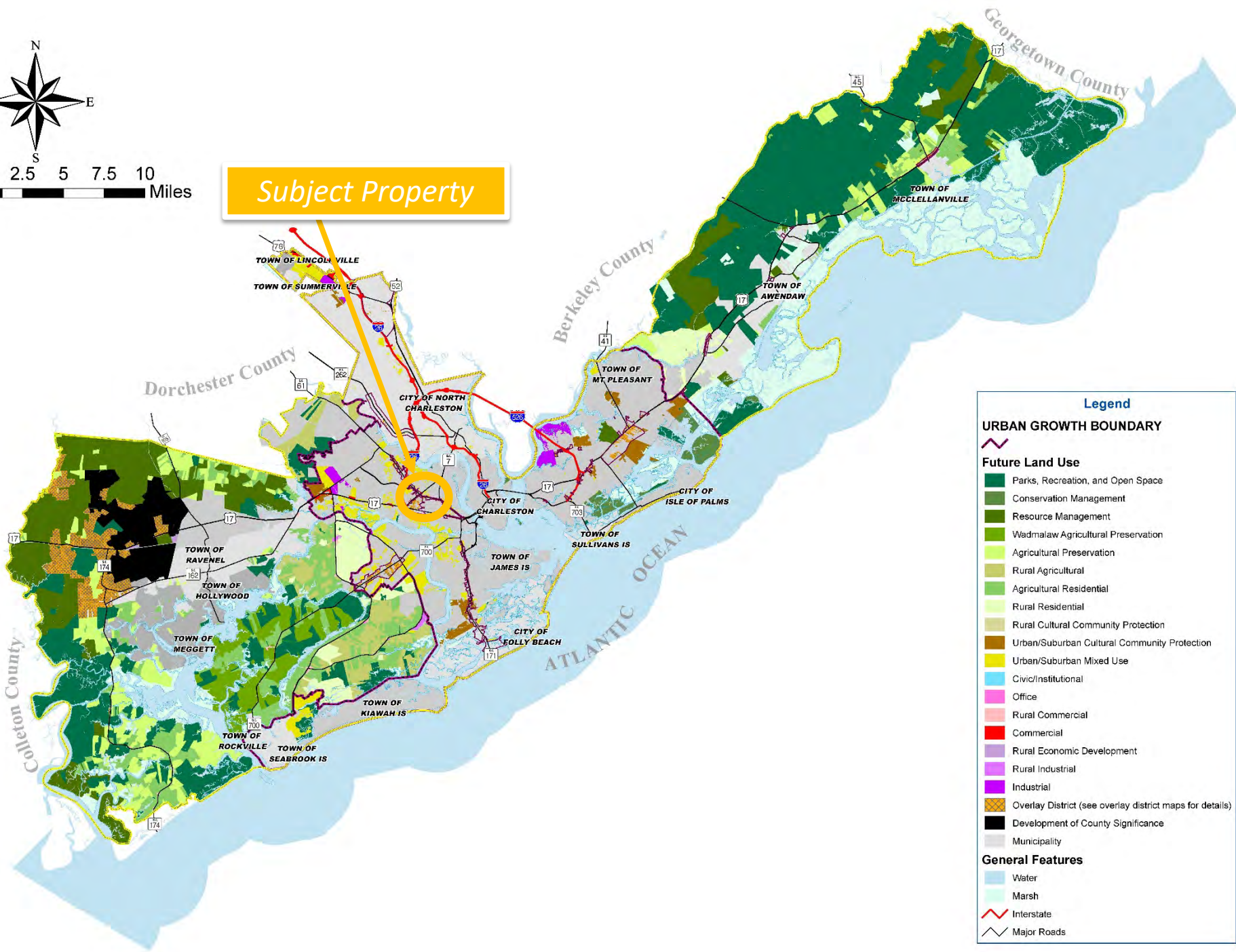
# Zoning History (cont'd)

- Therefore, the applicants are requesting to change the zoning of the property to the Community Commercial Zoning Designation, which would allow the proposed use by right (not subject to the conditions required within the current zoning designation).
- If the designation is changed to Community Commercial, all uses in the Community Commercial Zoning District (special trade contractors, parking garages, vehicle rental/leasing, vehicle sales, truck stops, warehouse clubs, etc.) would be allowed on this property, with the exception of the uses prohibited in the Village Commercial Area (multi-family development not part of a mixed-use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; firework stands (permanent and temporary); self-storage service facilities; and tattoo facility uses).



0 2.5 5 7.5 10 Miles

**Subject Property**



**Legend**

**URBAN GROWTH BOUNDARY**  
~

**Future Land Use**

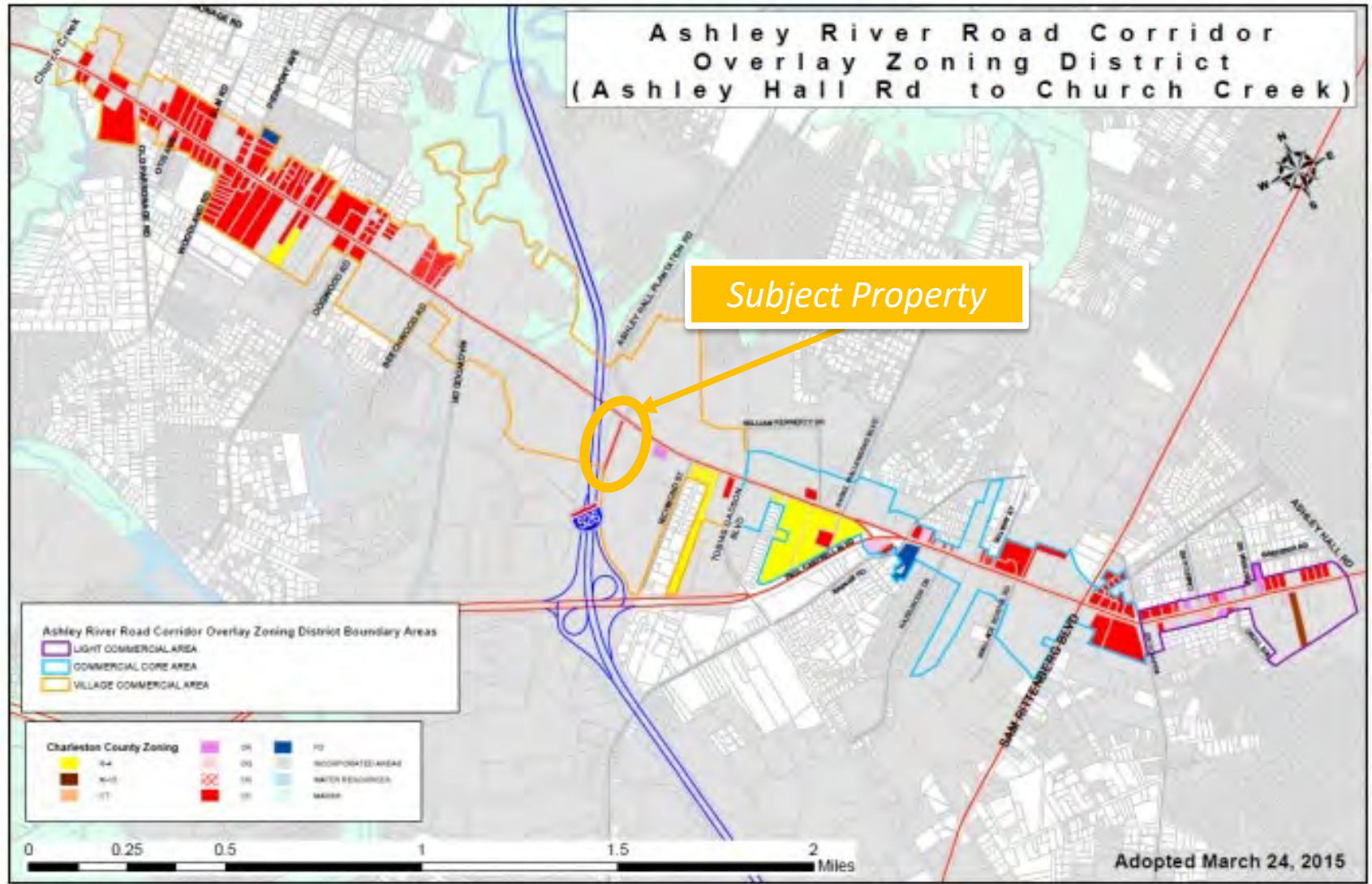
- Parks, Recreation, and Open Space
- Conservation Management
- Resource Management
- Wadmalaw Agricultural Preservation
- Agricultural Preservation
- Rural Agricultural
- Agricultural Residential
- Rural Residential
- Rural Cultural Community Protection
- Urban/Suburban Cultural Community Protection
- Urban/Suburban Mixed Use
- Civic/Institutional
- Office
- Rural Commercial
- Commercial
- Rural Economic Development
- Rural Industrial
- Industrial
- Overlay District (see overlay district maps for details)
- Development of County Significance
- Municipality

**General Features**

- Water
- Marsh
- Interstate
- Major Roads



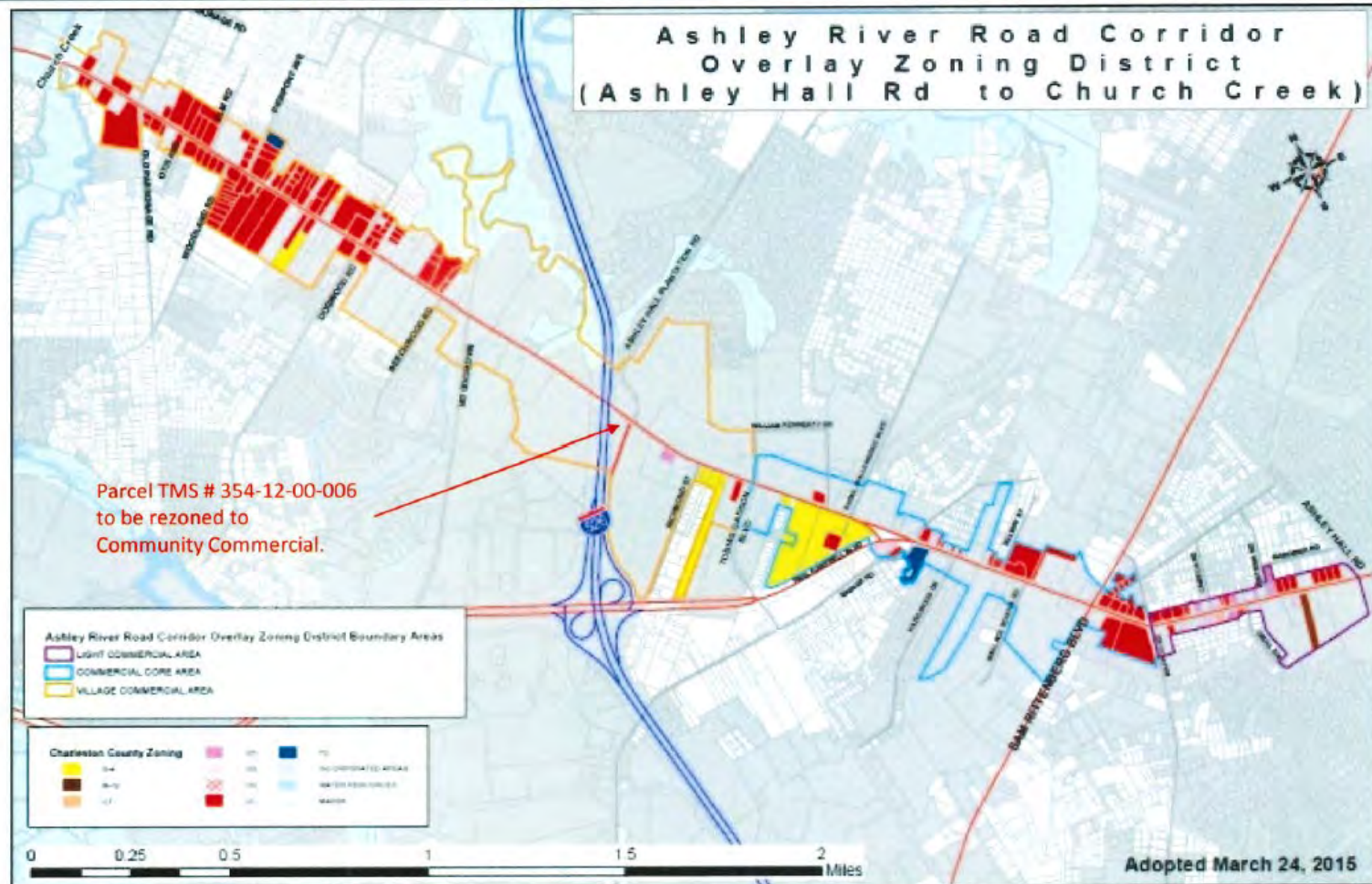
# Comprehensive Plan Map 3.1.13, Ashley River Road Overlay Zoning District



# Proposed Amendment - Comprehensive Plan Map 3.1.13, Ashley River Road Overlay Zoning District

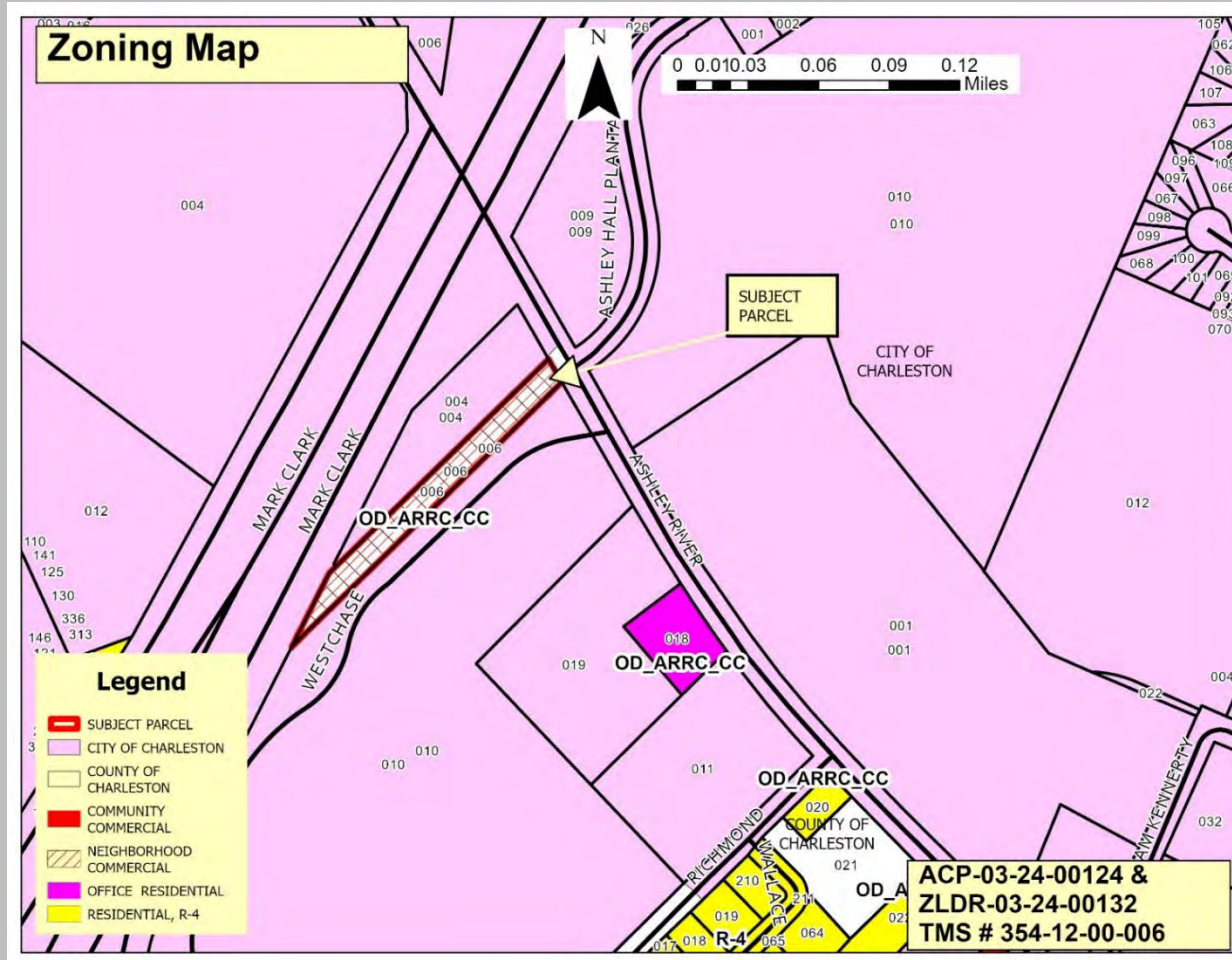
Proposed Amendment

Map: 3.1.13: Ashley River Road Corridor Overlay Zoning District



Requested amendment: Amend Map 3.1.13 :Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 withing the Village Commercial Area.

# Current Zoning Within the ARRC-O



The subject properties are in the West Ashley area with direct frontage along Ashley River Road. All adjacent parcels are within the City of Charleston. The adjacent parcel to the south contains an apartment complex and is zoned DR-12, the property to the north is vacant and is zoned SR-1, and the properties across Ashley River Road contain an apartment complex zoned DR-1F or are vacant and zoned DR-2.

# ZLDR Map 5.10, Ashley River Road Corridor Overlay Zoning District

## Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek)

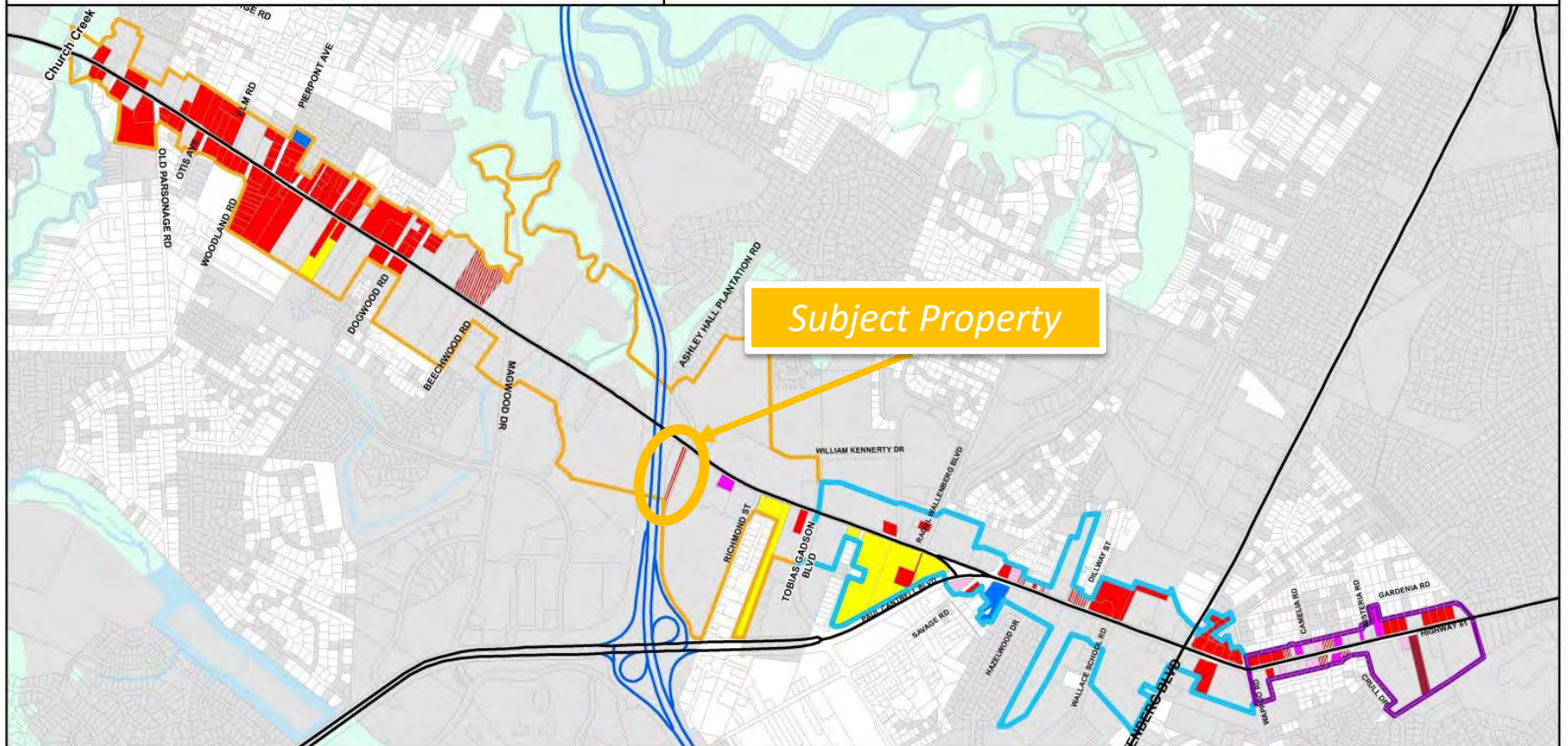


### Legend

- AARC Overlay District**
- Commercial Core Area
  - Light Commercial Area
  - Village Commercial Area

- Zoning Designation**
- Neighborhood Commercial (NC)
  - Community Commercial (CC)
  - Planned Development (PD)
  - General Office (GO)
  - Residential Office (RO)
  - Urban Residential (UR)
  - Single Family Residential (R-4)

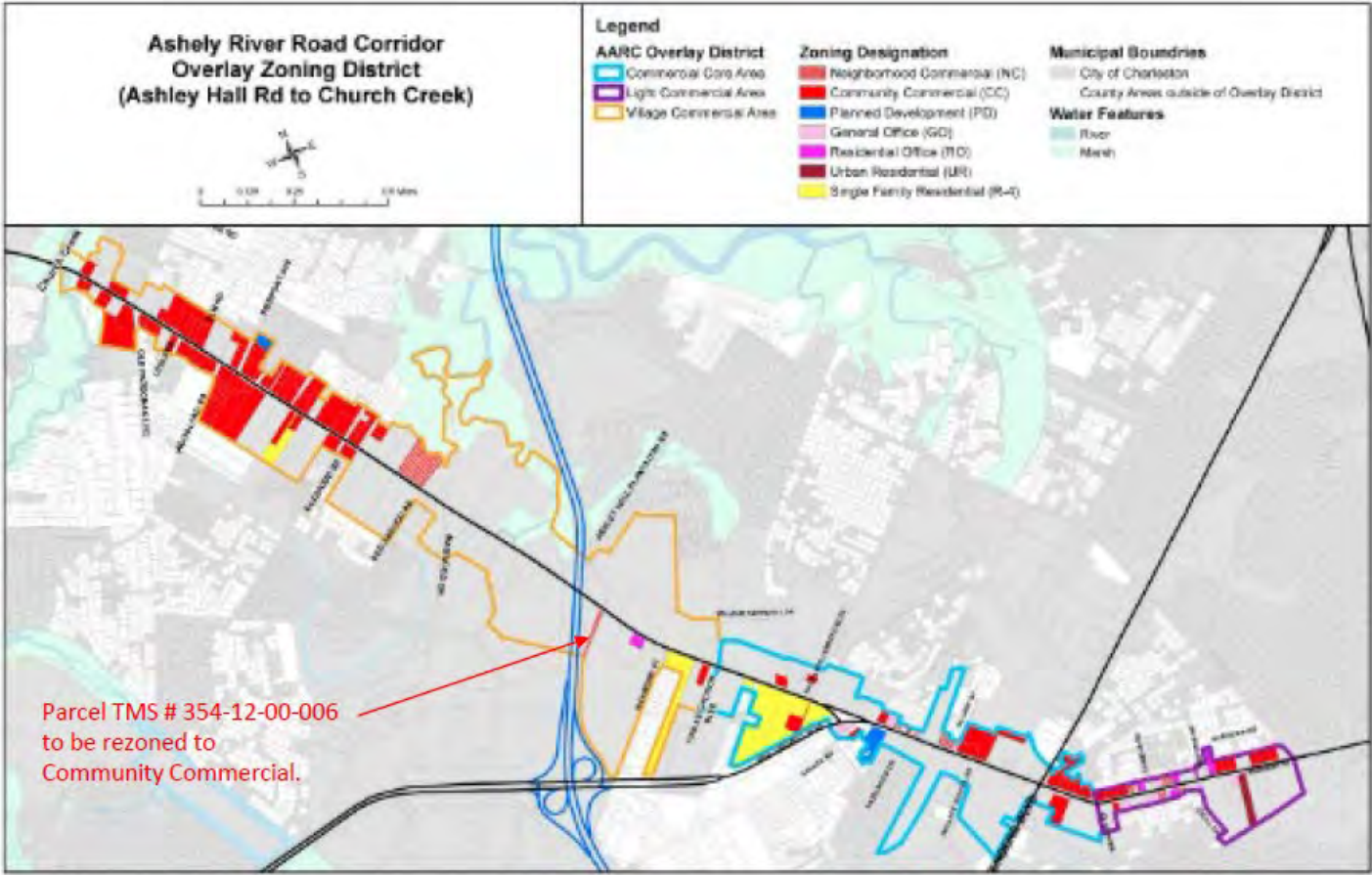
- Municipal Boundaries**
- City of Charleston
  - County Areas outside of Overlay District
- Water Features**
- River
  - Marsh





# Proposed Amendment - ZLDR Map 5.10, Ashley River Road Corridor Overlay Zoning District

Map 5.10



ZLDR Text Amendment:

Requested amendment: Amend Map 5.10, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to the Community Commercial zoning designation within the Village Commercial Area.

# ZLDR Map 5.10.C, Village Commercial Area

**Ashley River Road Corridor  
Overlay Zoning District  
(Ashley Hall Rd to Church Creek)  
Village Commercial Area**



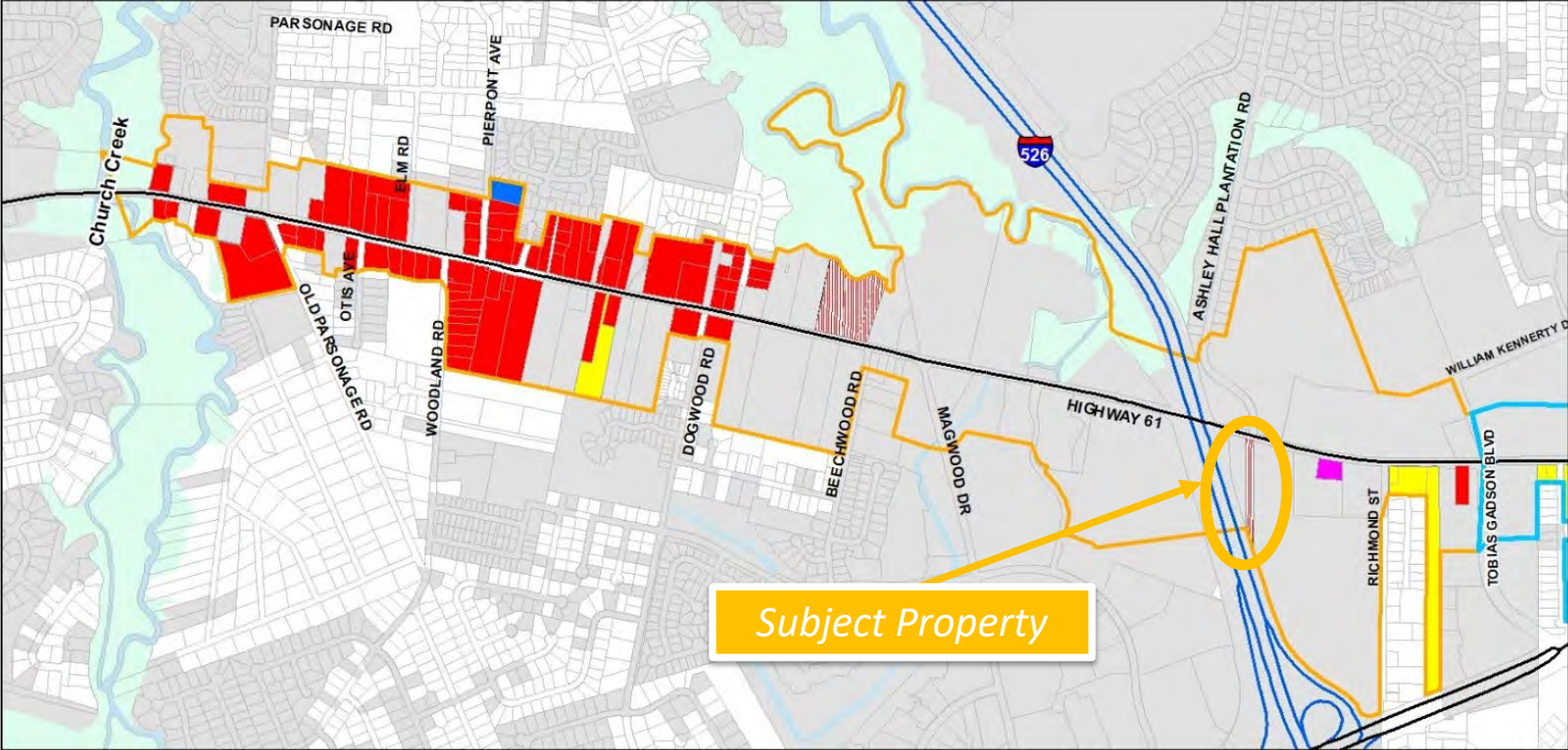
0 0.125 0.25 0.5 Miles

**Legend**

- AARC Overlay District**
- Commercial Core Area
  - Village Commercial Area

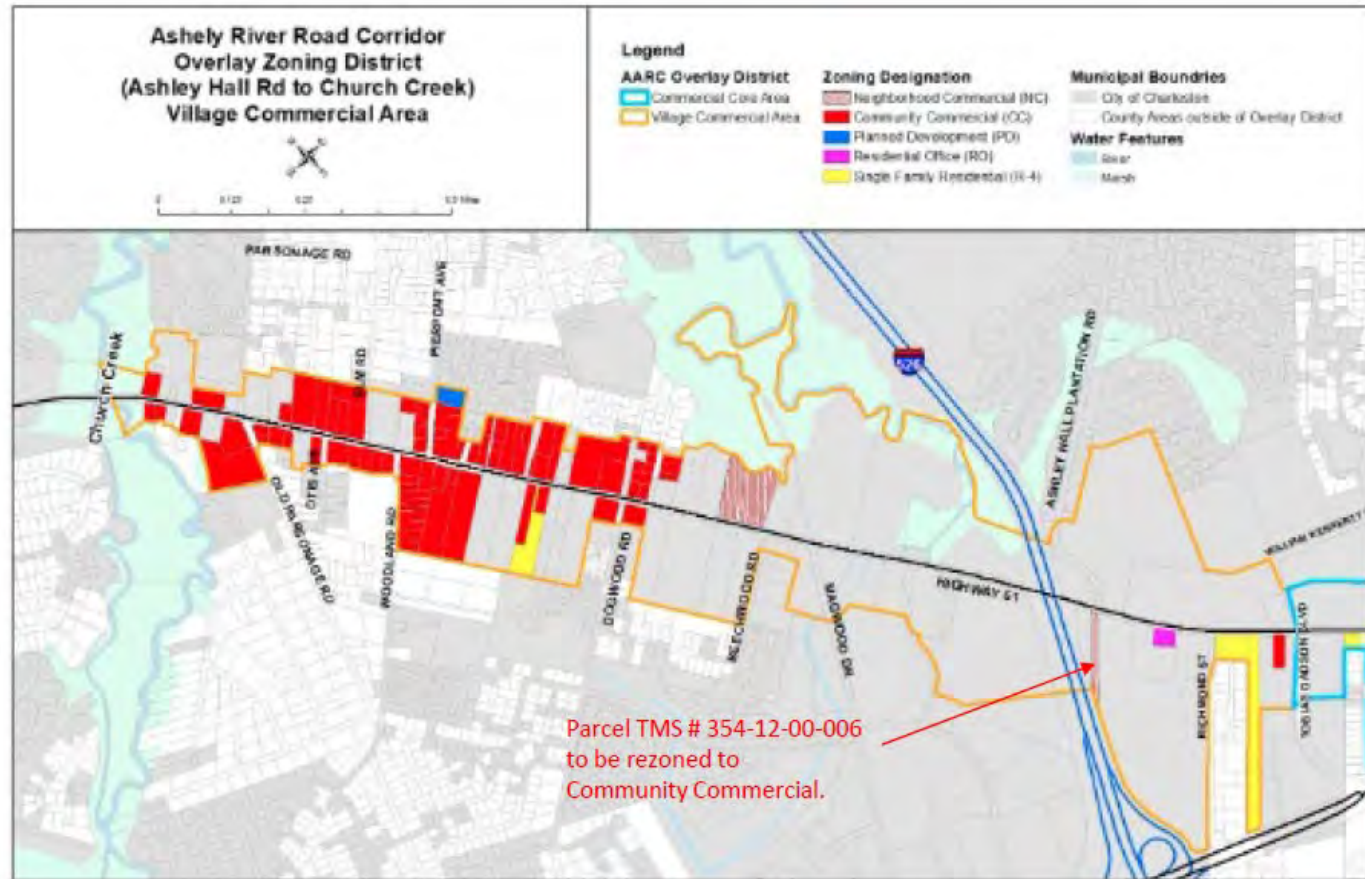
- Zoning Designation**
- Neighborhood Commercial (NC)
  - Community Commercial (CC)
  - Planned Development (PD)
  - Residential Office (RO)
  - Single Family Residential (R-4)

- Municipal Boundries**
- City of Charleston
  - County Areas outside of Overlay District
- Water Features**
- River
  - Marsh



# Proposed Amendment - ZLDR Map 5.10.C, Village Commercial Area

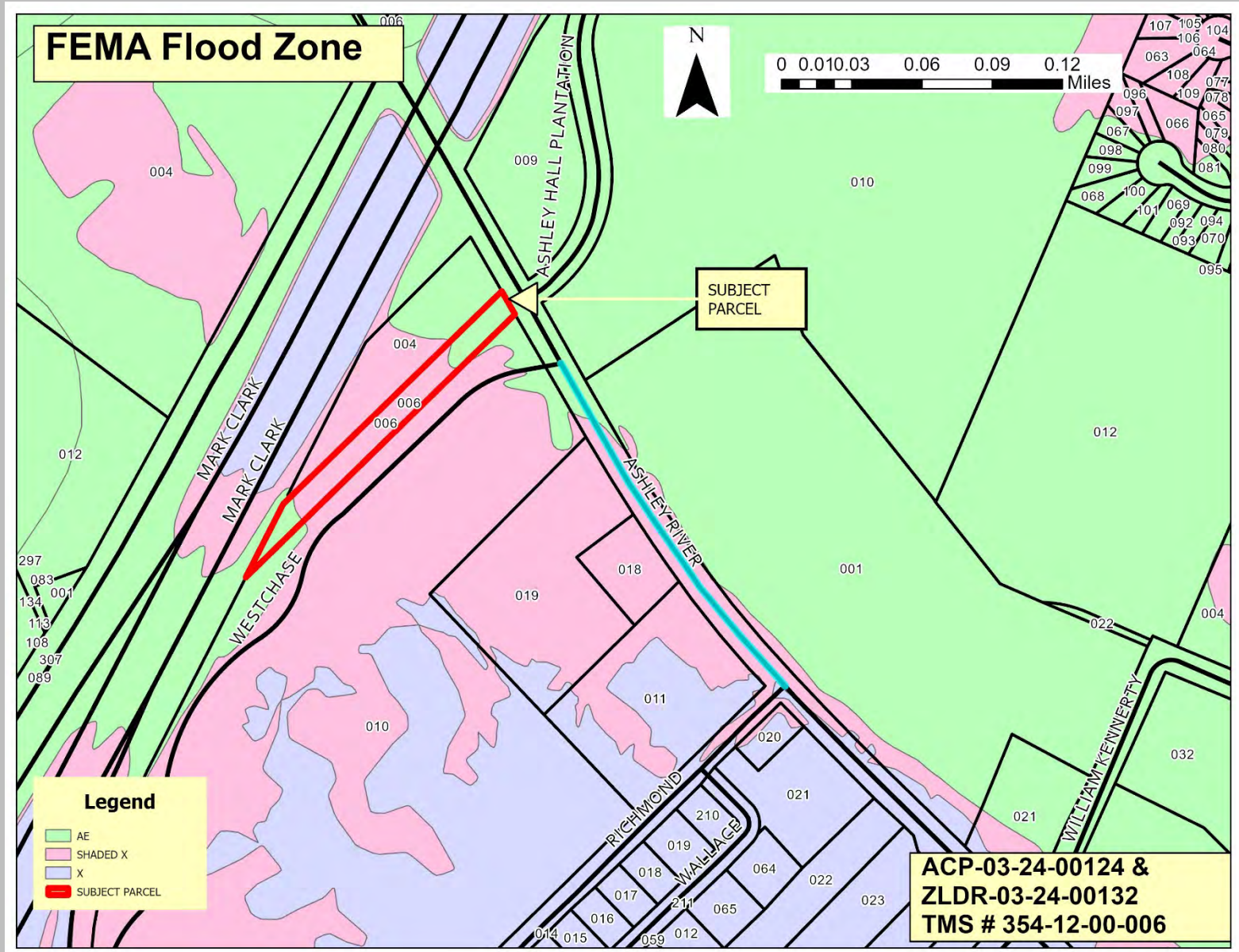
Map 5.10.C



ZLDR Text Amendment:

Requested amendment: Amend Chapter Map 5.10.C, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to Community Commercial zoning designation within the Village Commercial Area.

# Flood Zone Map



# Aerial View to the West



**Subject Property**

# Aerial View to the East



**Subject Property**

# Site Photos



**Subject Property**  
**TMS 354-12-00-006**  
**2177 Ashley River Road**

# Site Photos



**Across Ashley River Road**



**Adjacent Property to the South**



# Comparison of Land Uses

## Neighborhood Commercial District (NC)\*

- Single-Family Detached Housing (max. 4 units/acre)
- Duplex, Triplex, Fourplex and Single Family Attached Housing (max. 4 units/acre)
- School, Primary and Secondary; Preschool
- Hospital (S)
- Medical Office
- Outpatient Facility (S)
- Rehabilitation Facility
- Commercial Guest House (C)
- Artisan and Craftsman (C)
- Restaurant, Fast Food (S)
- Professional Office
- Retail Sales (C)
- Library
- Community Recreation
- Religious Assembly

## Community Commercial District (CC)\*

- Single-Family Detached Housing (max. 16 units/acre)
- Duplex, Triplex, Fourplex and Single Family Attached (max. 16 units/acre)
- Multi-family (max. 16 units/acre)
- School, Primary Secondary; Pre-school
- Hospital
- Medical Office
- Outpatient and Rehabilitation Facilities
- Kennel and Veterinary Services
- Artisan and Craftsman
- Restaurant, Fast Food (S)
- Restaurant General (C)
- Heavy Construction Services or General Contractor
- Commercial or Industrial Machinery or Equipment, Construction Tools, Heavy Duty Vehicle Leasing or Rental
- Truck Stop
- Gas Station (S)
- Landscaping and Horticultural Services
- Vehicle Sales (S)
- Vehicle Storage (S)

*\*The following uses are prohibited in the Village Commercial Area: Multi-family development not part of a mixed-use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; fireworks stands (permanent and temporary); self-service storage; and tattoo facility uses.*

# Approval Criteria

## Comprehensive Plan Amendment

Pursuant to ZLDR Section 3.2.6, Approval Criteria, applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

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

# Approval Criteria: Comprehensive Plan Amendment

Pursuant to ZLDR Section 3.2.6, Approval Criteria applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

## Applicant's Response:

*“C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston.”*

# Staff Recommendation

- The ARRC-O was developed based on a large amount of public input resulting in the subject property retaining its Neighborhood Commercial zoning in the Village Commercial Area upon adoption of the Overlay.
- The Village Commercial Area is intended for lower intensity service uses.
- The majority of the properties zoned Community Commercial in the Village Commercial Area are located to the northwest of I-526; however, there is one property zoned Community Commercial located to the southeast of the subject property at the intersection of Tobias Gadson Blvd and Ashley River Rd.
- The majority of the properties surrounding the subject parcel are zoned for residential uses in the City of Charleston.
- There is some Limited Business zoning on properties across Ashley River Road in the City of Charleston, a zoning district equivalent to the County's Neighborhood Commercial Zoning District.
- The closest General Business zoning in the City, which is equivalent to the County's Community Commercial Zoning District, is located northwest of the subject property on the other side of I-526.
- The Wallace Lane/Richmond Street community is also located near the subject properties.

**Because the subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015, the approval criteria have not been met.**

**Therefore, staff recommends disapproval.**

# Approval Criteria

## ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines that the following criteria are met:

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

### Applicant's Response:

*"The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to 1-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial."*

### Staff Response:

The proposed amendment does not correct an error or inconsistency or meet the challenge of a changing condition. The subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015.

# Approval Criteria

## ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines the may be approved only if County Council determines that the following criteria are met:

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5, *Purpose and Intent*; and**

### Applicant's Response:

*"The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with 1-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl."*

### Staff Response:

If the Comprehensive Plan amendment application is recommended for approval, the requested change to the Community Commercial Zoning District would be consistent with the Comprehensive Plan. Otherwise, the request would not meet this criterion.

# Approval Criteria

## ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines the may be approved only if County Council determines that the following criteria are met:

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

### Applicant's Response:

*"The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters."*

### Staff Response:

The proposed amendment does not further the public welfare. The existing zoning district allows a variety of uses that could be developed on the site.

# Staff Recommendation

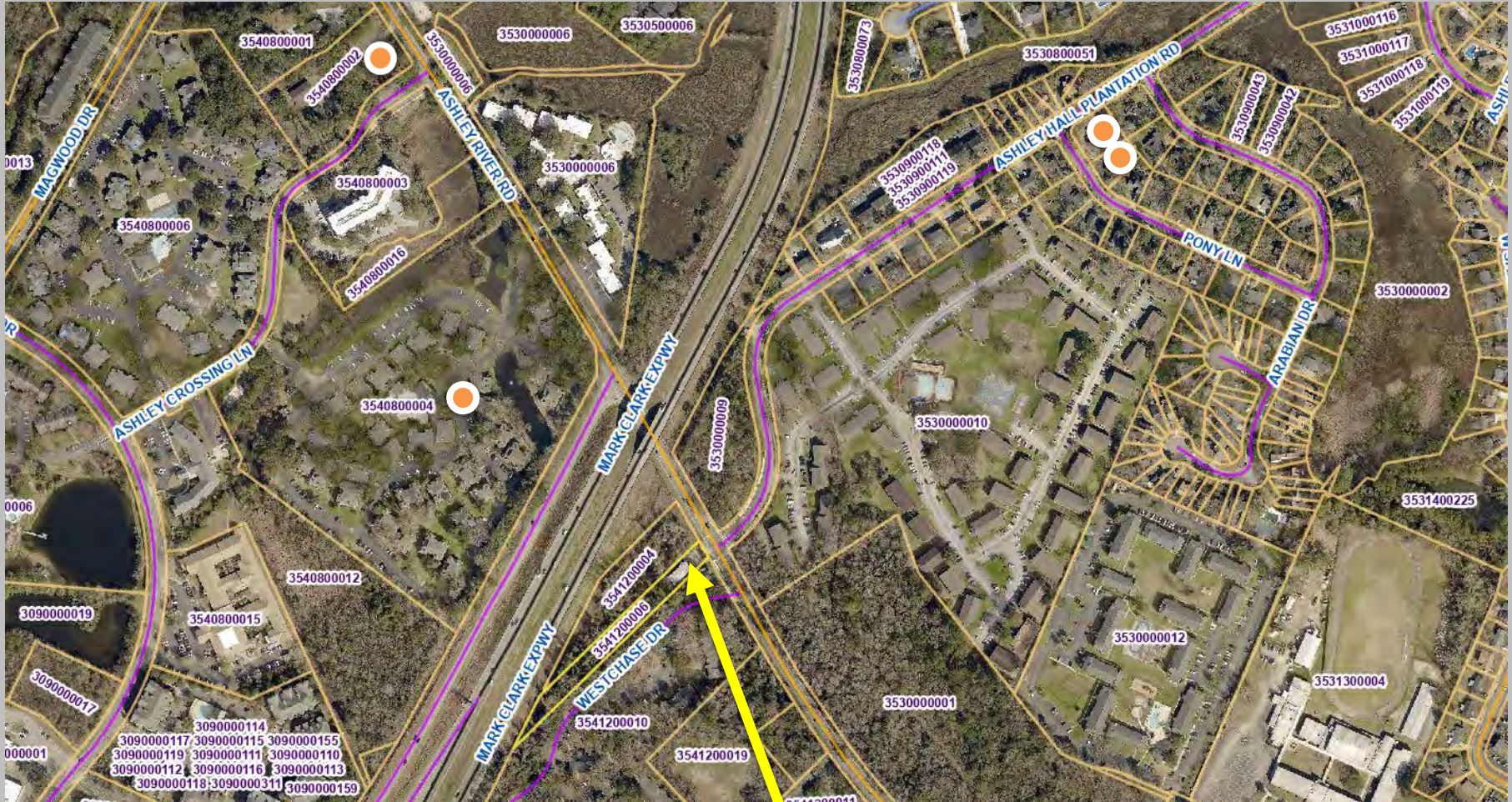
Because the approval criteria have not been met,  
Staff recommends disapproval.



# Public Input

Four letters in support of the request were received.

# Public Input Map



**Subject Property**

# Notifications

- 687 notifications were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the boundary of the subject parcel and property owners of parcels within the Ashley River Road Corridor Overlay District on March 22, 2024.
- Additionally, this request was noticed in the Post & Courier on March 22, 2024.

# STONE CASTINGS OF CHARLESTON

1708 PINEVIEW RD  
CHARLESTON, SC 29407

843-852-9800

We are a small local family business looking to keep our business in Charleston County. We live in the West Ashley area with our 3 small children. 2177 Ashley River is minutes from our current shop, our house and the children's school (attend Charleston County Public Schools). The business has been operating in CHS County for over 18 years. We are happy to continue providing this service to the community. We lease our current building and the Landlord is not interested in selling (it is an investment property for them). We would like to move into a space we own.

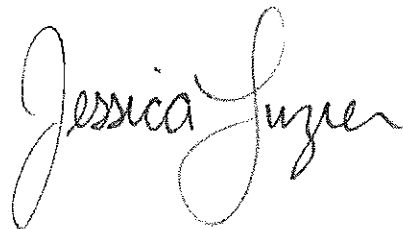
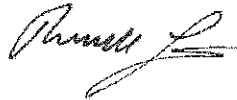
We want to invest in our area and continue to grow our business and our community. We have been proud to be a part of many local projects including the Charleston 9 memorial, Susie Jackson memorial, Officer Kee Memorial and providing custom products to MUSC, Charleston Water, CCSD, College of Charleston and many more. We currently employ 8 Charleston County residents. This building would be a perfect location (minutes from our current location) and size for our operations. We would continue to be an owner operated and occupied business.

We hand craft unique products out of cast stone and concrete. We are heavily relied upon by local builders, architects, designers and like. You can see various examples of our work downtown from window casings on a restoration project to bollards for traffic mitigation at the Dewberry. At this site we would house our manufacturing and product building. We would also like to have a show room to display some of our products and finishes. This would occupy no more than 15% of the total floor area.

We are a low volume business and operate Monday through Friday from 7:30-4:30. We have read the policies and our business would comply with the regulations set forth. Our product assembly will occur within the enclosed structure. Our proposed site plan does not include larger than 5,000 square feet of structures. We enjoy our small family oriented business and do not plan to expand and plan to have no more than ten employees.

We appreciate your consideration of this rezoning and look forward to many years in 2177 Ashley River.

Sincerely,



Russell & Jessica Luzier  
& the Rest of the StoneCastings of Charleston Team

---

**We Appreciate Your Consideration**

[www.makeitstone.com](http://www.makeitstone.com)



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

Joel H. Evans, PLA, AICP, Director

## COMPREHENSIVE PLAN AMENDMENT APPLICATION

### APPLICATION INFORMATION

Application Number:  
 Date Submitted:  
 Applicant Name: Russell and Jessica Luzier  
 Address: 1708/ Pineview Road  
 City: Charleston State: SC ZIP Code: 29407  
 Telephone: 843-852-9800 Fax: E-mail: russell@makeitstone.com

### TEXT/MAP LOCATION OF REQUESTED AMENDMENT

Section No. and Title: Map 3.1.13, Ashley River Road Corridor Overlay District  
 Page: 3.1-21  
 Please provide further indicators below to locate the subject text (subsection, item, paragraph, figure/exhibit)  
 Located within the Charleston County Comprehensive Plan for TMS #354-12-00-006.

### REQUESTED AMENDMENT

PROVIDE PRECISE WORDING FOR THE PROPOSED AMENDMENT

(documentation may be attached to the application in lieu of completing this section)

In addition, an amendment to Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, on page 3.1-32 of the Charleston County Comprehensive Plan for TMS # 354-12-00-006 from the Neighborhood Commercial zoning designation to the Community Commercial zoning designation within the Village Commercial Area of the Ashley River Road Corridor Overlay Zoning District.

### SIGNATURES

APPLICANT(S)	PLANNING DEPARTMENT OFFICIAL
PRINTED NAME: Russell Luzier	PRINTED NAME:
SIGNATURE:	SIGNATURE:
DATE: 2/19/2024	DATE:
<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;">                     DocuSigned by:  <i>Russell Luzier</i>  <small>09D398486F59443...</small> </div>	<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;">                     DocuSigned by:  <i>Dexter Wilson</i>  <small>0DDCB41054AA4D3...</small> </div>
PRINTED NAME: Jessica Luzier	<i>2/29/24</i>
SIGNATURE:	
DATE: 2/19/2024	

### FOR OFFICE USE ONLY

Application Number			
Date Submitted			
Amount Received	\$250.00	Cash	Check Number:
Receipt Number			

# Comprehensive Plan Letter of Intent

February 28, 2024

**Marche' Miller**  
Charleston County Zoning & Planning

Re: 2177 Ashley River Road Rezoning

Dear Ms. Miller,

Section 3.2.6 of the Comprehensive Plan lists the criteria that are necessary to be met in order to amend the Comprehensive Plan in Charleston County. We feel that we have met Criteria C, as outlined below:

- C. Events, trends, or facts after adoption of the *Comprehensive Plan* have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston.

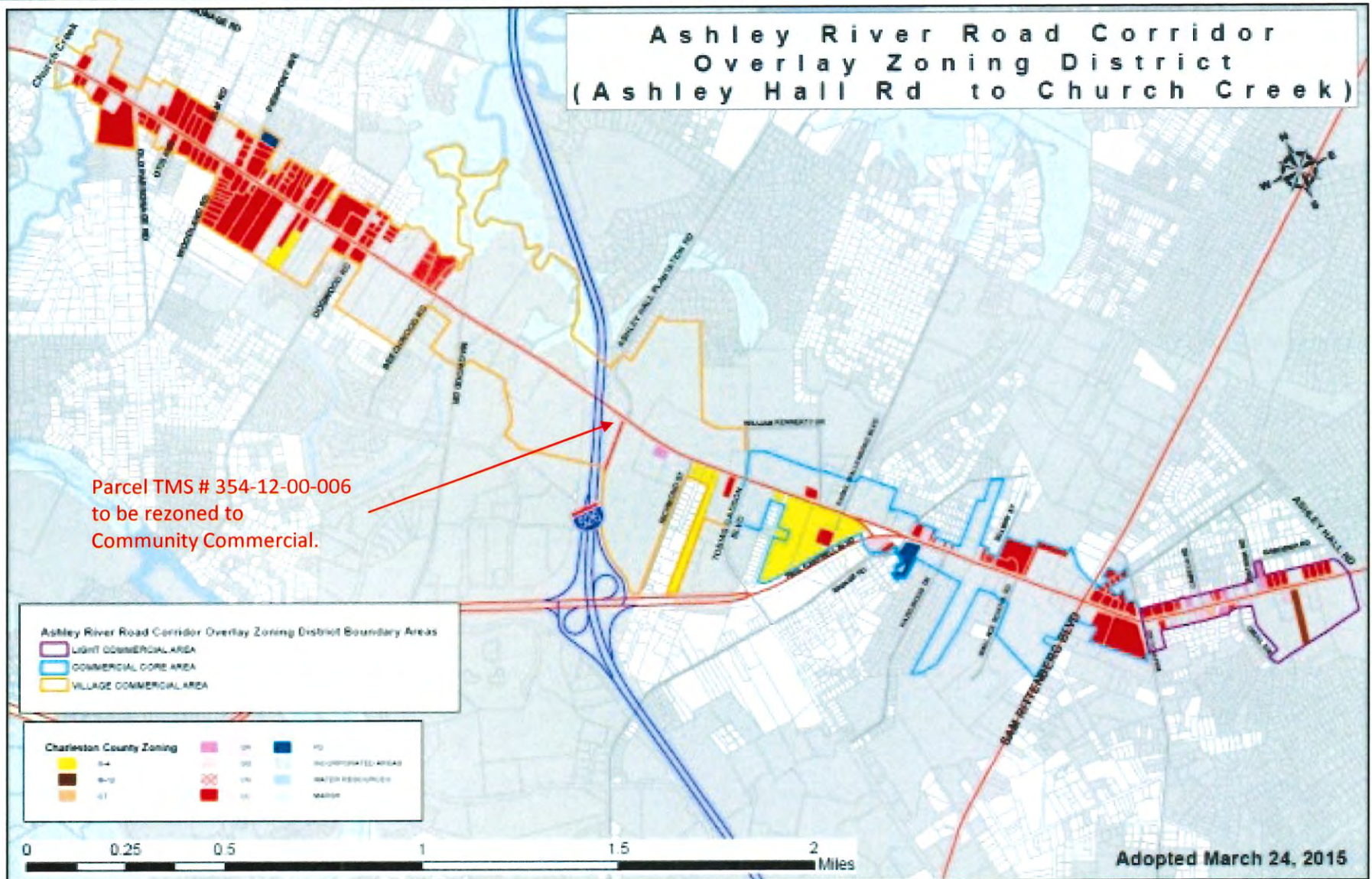
In summary, we feel that the amendment of the Comprehensive Plan for this property is in the best interest of the County and its residents.

Yours truly,

Russell and Jessica Luzier

# Proposed Amendment

## Map: 3.1.13: Ashley River Road Corridor Overlay Zoning District



Requested amendment: *Amend Map 3.1.13 :Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 withing the Village Commercial Area.*



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

Joel H. Evans, PLA, AICP, Director

## ZONING ORDINANCE TEXT AMENDMENT APPLICATION

### APPLICATION INFORMATION

Application Number:  
 Date Submitted:  
 Applicant Name: Russell and Jessica Luzier  
 Address: 1708 Pineview Road  
 City: Charleston State: sc ZIP Code: 29407  
 Telephone: 843-852-9800 Fax: E-mail: russell@makeite.com

### TEXT/MAP LOCATION OF REQUESTED AMENDMENT

Section No. and Title: Map 5.10 and Map 5.10.C located in ZLDR Chapter 5  
 Page:  
 Please provide further indicators below to locate the subject text (subsection, item, paragraph, figure/exhibit)

### REQUESTED AMENDMENT

PROVIDE PRECISE WORDING FOR THE PROPOSED AMENDMENT

(documentation may be attached to the application in lieu of completing this section)

Change parcel TMS # 354-12-00-006 from the Neighborhood Commercial zoning designation to the Community Commercial zoning designation within the Village Commercial Area of the Ashley River Road Corridor (ARRC-O) to amend Map 5.10 and Map 5.10.C of the Ashley River Road Corridor Overlay District located in ZLDR Chapter 5.

### SIGNATURES

APPLICANT(S)	PLANNING DEPARTMENT OFFICIAL
PRINTED NAME: Russell Luzier	PRINTED NAME:
SIGNATURE: 	SIGNATURE: 
DATE: 2/19/2024	DATE: 2/29/24
PRINTED NAME: Jessica Luzier	
SIGNATURE: 	
DATE: 2/19/2024	

### FOR OFFICE USE ONLY

Application Number			
Date Submitted			
Amount Received	\$250.00	Cash	Check Number:
Receipt Number			



## ZLDR Plan Letter of Intent

February 28, 2024

**Marche' Miller**  
Charleston County Zoning & Planning

Re: 2177 Ashley River Road Rezoning

Dear Ms. Miller,

Section 3.3.6 of the ZLDR lists three criteria that are necessary to be met in order to rezone a property in Charleston County. We feel that we have met those criteria, as outlined below:

- A. The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to I-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial.
- B. The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with I-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl.
- C. The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters.

In summary, we feel that the rezoning of this property is in the best interest of the County and its residents.

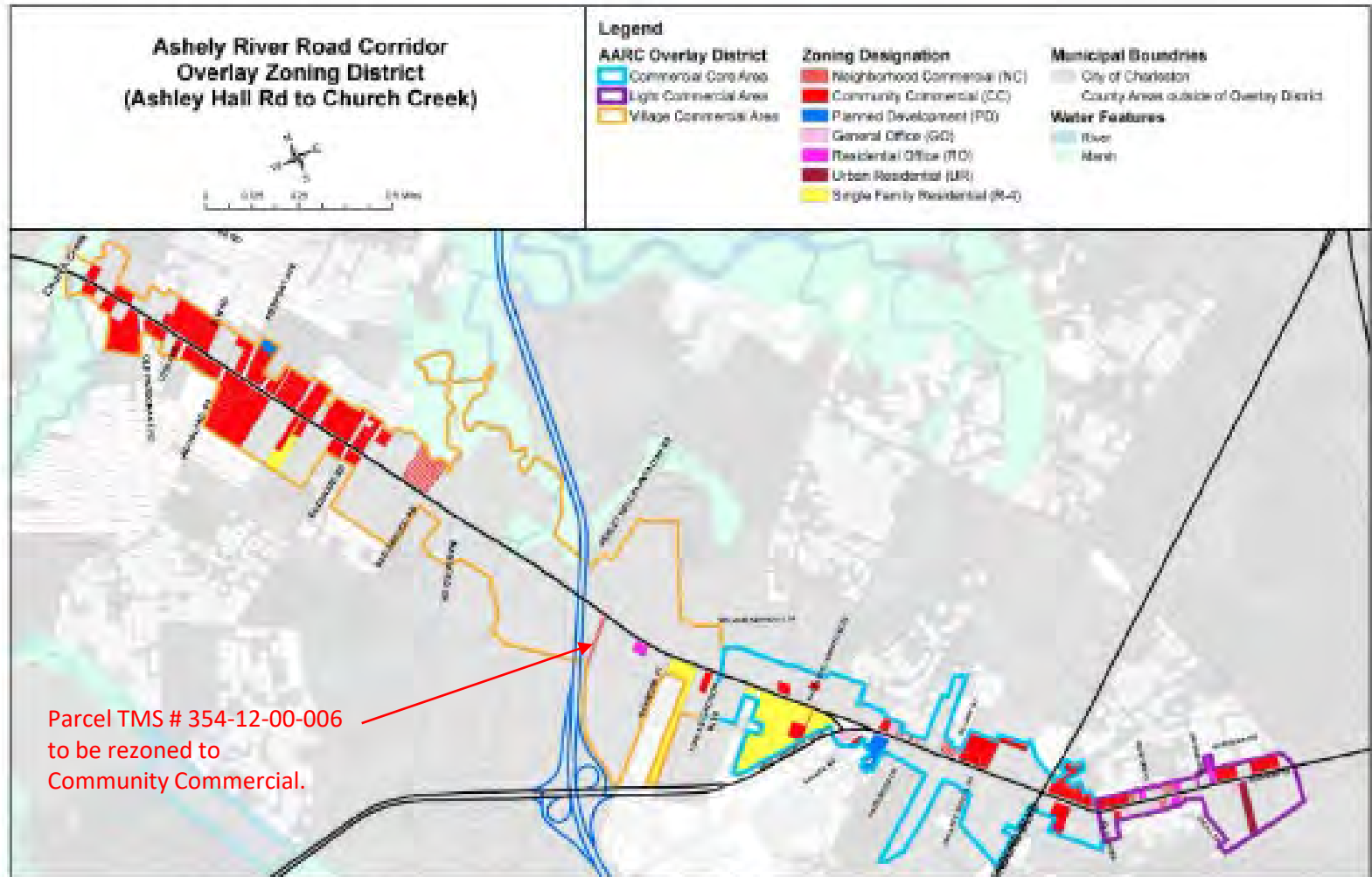
Yours truly,

DocuSigned by:  
*Jessica Luzier*  
0DDCB41054AA4D3...

DocuSigned by:  
*Russell Luzier*  
09D398486F59443...

Russell and Jessica Luzier

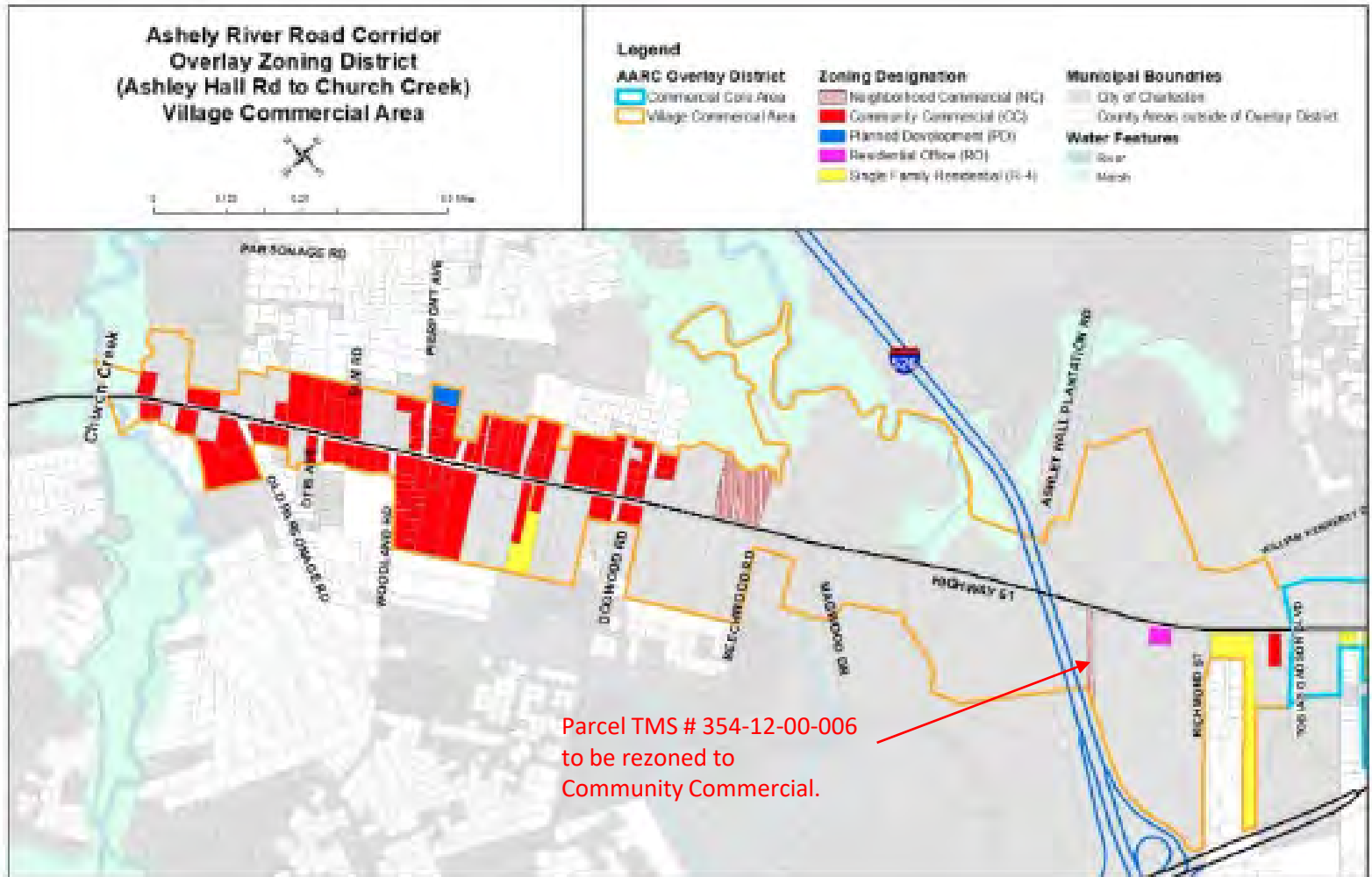
## Map 5.10



ZLDR Text Amendment:

Requested amendment: Amend Map 5.10, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to the Community Commercial zoning designation within the Village Commercial Area.

## Map 5.10.C



ZLDR Text Amendment:

Requested amendment: Amend Chapter Map 5.10.C, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to Community Commercial zoning designation within the Village Commercial Area.

# Public Input

January 29, 2024

**Marche' Miller**

Charleston County Zoning & Planning  
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

My name is Paige Marie Krest, of the Marsh Cove Subdivision, located at 1 Pony Lane, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

I strongly support the request of this property being rezoned in order to enhance the functionality and use of this property. It will be a great addition to the community to have this building up and running, and not in its current vacant state.

Thank you for consideration of this application.

Yours truly,

Paige Marie Krest

A handwritten signature in black ink that reads "Paige Marie Krest". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

January 27, 2024

**Marche' Miller**

Charleston County Zoning & Planning  
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

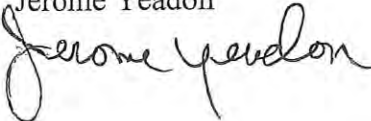
My name is Jerome Yeadon, located at 2225 Ashley River Road, Apt. 333, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

I am in support of the application for this building to be rezoned. Having this property as functioning building instead of the vacant state that it is in will make this building more appealing in the community.

Thank you for consideration of this application.

Yours truly,

Jerome Yeadon

A handwritten signature in black ink that reads "Jerome Yeadon". The signature is written in a cursive style with a large, looping initial "J".

January 29, 2024

**Marche' Miller**

Charleston County Zoning & Planning  
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

My name is Bennie Gardner II, a resident of the March Cove Community, located at 3 Pony Lane, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

The rezoning will allow a building that has been vacant for a long time to come back to life and will have a positive impact on the neighborhood and remove an eyesore that exists today.

Thank you for consideration of this application. If you have questions, or require additional information, please do not hesitate to contact me at (843) 793-7287.

Yours truly,

Bennie Gardner II

A handwritten signature in black ink that reads "Bennie Gardner II". The signature is written in a cursive style with a double underline at the end.

# ST. ANDREWS ANGLICAN MISSION CHURCH

January 31, 2024

**Marche' Miller**

Charleston County Zoning & Planning  
via email

Re: 2177 Ashley River Road Rezoning

Dear Ms. Parrish

I am writing on behalf of St. Andrews Anglican Mission Church, which is located at 2257 Ashley River Road, to express support for the rezoning requests for 2177 Ashley River Road.

The rezoning will allow a building that has been vacant for a long time to come back to life and will have a positive impact on the neighborhood and remove an eyesore that exists today.

Thank you for your consideration of this application. If you have questions, or require additional information, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Jimmy Gallant". The signature is written in a cursive style with a large initial "J".

Rev. Jimmy Gallant



# **ZREZ-03-24-00151**

- Case History
- Presentation
- Application

## **ZREZ-03-24-00151: Case History**

**Planning Commission: April 8, 2024**  
**Public Hearing: May 7, 2024**  
**Planning and Public Works Committee May 16, 2024**  
**First Reading: May 21, 2024**  
**Second Reading: June 4, 2024**  
**Third Reading: June 18, 2024**

### **CASE INFORMATION**

Applicant: Sam Seawell

Owner: Fred Rouse

Location: 1594 Joe Rouse Road, Mt. Pleasant, SC 29466

Parcel Identification: A 0.07-acre portion of TMS 583-00-00-016

Application: Request to rezone a 0.07-acre portion of TMS 583-00-00-016, from the Special Management (S-3) Zoning District to the Rutledge Tomb Site Planned Development (PD-189) Zoning District to preserve a historic tomb and allow for a pocket park.

Council District: 1 (Sass)

Property Size: 0.07 acres.

#### Overview of Requested PD Guidelines:

- Subdivide 0.07 acres (3,335.1 Square Feet) of TMS 583-00-00-016 for historic preservation and open space uses.
- The intent is to preserve the "Rutledge Tomb", a historic tomb dating back to the Seventeenth Century, while allowing for public access to the site via the establishment of a pocket park.
- Allowed uses include a historic site and pocket park.
- Residential and commercial uses are prohibited, no structures are allowed to be constructed onsite, and further subdivision is prohibited.
- Site will be accessed by existing sidewalks and therefore, no parking will be provided.
- Requesting that land use, perimeter and right-of-way buffers not be required.
- Signage will be limited to one monument style sign that will be landscape lit.
- No impervious surfaces are permitted on the site other than those required by law in order to meet ADA requirements and those required for the restoration of the tomb.

Zoning History: With the adoption of the Zoning and Land Development Regulations Ordinance in 2001, the subject property was zoned Rural Residential (RR-1). The RR-1 Zoning District was renamed S-3 in 2006 and the density changed from 2.75 dwelling units per acre to 3 dwelling units per acre.

The subject property is located in the Phillips Community. In 2016, Charleston County conducted a Cultural Resources Survey Update, which included documentation and history of settlement communities in Charleston County, including the Phillips Community. Based on the information provided in the Update, the South Carolina Historic Preservation Office determined that the Phillips Community was eligible for inclusion on the National Register of Historic Places for its association with the African American ethnic heritage and due to its characteristics of Post-Bellum African American settlement patterns. On August 24, 2021, Charleston County Council approved the Phillips Community application for Historic District designation. The National Register of Historic Places approved listing the Phillips Community Historic District on the

Register on September 7, 2023.

In April of 2023, Charleston County Council approved Greenbelt Funds for the eligible Greenbelt Fund Recipient, Lowcountry Land Trust, to purchase the 0.07-acre Rutledge Tomb site, with the understanding the subject parcel can only be used as a heritage site and pocket park.

In November of 2023, the owner of the subject property applied for a subdivision of TMS 583-00-00-016 to create a new 0.07-acre parcel for the tomb site and pocket park.

In March of 2024, the owner and applicant submitted a formal application for the proposed Planned Development.

Adjacent Zoning: The subject property is currently undeveloped. Properties to the North, East, West, and South are zoned Special Management District (S-3) and contain single-family residences, manufactured housing units, or are vacant.

Municipalities Notified/Response: The Town of Mount Pleasant, Town of Awendaw, Town of McClellanville, Town of Sullivan's Island, City of Isle of Palms, City of North Charleston, Town of James Island, and Town of Kiawah Island were notified of the request. All responses are included in this packet.

### **APPROVAL CRITERIA**

Pursuant to ZLDR Section 4.25.8.J, Approval Criteria: "Applications for Planned Developments may be approved only if County Council determines that the following criteria are met:"

- A. The PD Development Plan complies with the standards contained in this Article;

Staff Response: *The application is consistent with all requirements of the Planned Development Zoning District article except the requirement that the dimensional standards of the S-3 Zoning District not be modified through the PD process. This requirement was adopted in order to limit the development of small lot subdivisions within the areas zoned S-3. The applicant is requesting a reduction in the minimum lot size from 12,500 square feet to 3,335.1 square feet to subdivide the property into two parcels and rezone the smaller parcel to the Planned Development Zoning District in order to protect a historic site and allow for a pocket park. The residual parcel is 21,928.5 square feet (approximately 1/2 acre) in size. Because the proposed planned development prohibits residential and commercial uses, does not allow any structures to be constructed onsite, and prohibits further subdivision, the request to reduce the minimum lot size does not conflict with this requirement of the Planned Development article.*

*Additionally, as described in criterion B below, the development furthers the Comprehensive Plan Cultural Resources Element goal and strategies.*

- B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and

Staff Response: *The subject parcel is recommended for the Urban/Suburban Cultural Community Protection Future Land Use Category in the Comprehensive Plan, which "is intended to protect and promote the culture and unique development patterns of existing communities and sustain their strong sense of community." As stated by the applicant below, the proposed Planned Development promotes the culture of the Phillips Community and assists with sustaining their strong sense of community through preservation of the tomb site and provision of a pocket park. The application also is consistent with the Cultural Resources Element goal and strategies as follows:*

*“This Project meets the Cultural Resources Element Goal by preserving a significant historic and archaeological resource of Charleston County while increasing public awareness of the historic character of the County. This Project is a collaboration between Clemson University’s Warren Lasch Conservation Center, Preservation Society of Charleston, Lowcountry Land Trust, the Phillips Community Association and the Charleston County Greenbelt Program. Thus, also meeting the County’s goal of promoting public and private partnerships to preserve and protect cultural resources.*

*This Project meets the following Cultural Resources Element Strategies of the County’s Comprehensive Plan.*

- i. CR3. Work with communities along the Gullah Geechee Corridor to establish ways to preserve the unique settlement patterns and community character. **This Project was identified by the Phillips Community, one of Charleston County’s Historic Gullah Geechee Settlement Communities, as an important piece of their history and community. This project is in full collaboration with the Phillips Community.***
- ii. CR9. Utilize planning and zoning techniques to protect historic communities and neighborhoods and other areas of cultural significance. **This Project utilizes planning and zoning techniques to protect another piece of protected property in the Phillips Community.”***

- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the Development proposed, at the time the property is developed.

Staff Response: *By providing the required Letters of Coordination from service and utility providers, the applicant has demonstrated that all applicable agencies will be able to provide the necessary services, facilities, and programs to serve the proposed development.*

**STAFF RECOMMENDATION:**

**Because all the approval criteria have been met, Staff recommends approval with the following conditions:**

- 1. Section 2.1, Allowed Land Uses: Include a statement as follows: “Nothing other than the historic site and pocket park described in this PD shall be developed on this site whether developed pursuant to this PD or the S-3 zoning district.”
- 2. Section 3.1, Existing Zoning and Site Conditions: Include a statement as follows: “See buffer requirements in Section 4.2.”
- 3. Section 4.2 Right-of-Way Buffer:
  - a. Rename section to “Buffers”.
  - b. Replace the first and second sentences with the following: “No land use, perimeter, or right-of-way buffers shall be required.”
  - c. In the third sentence remove the term “right-of-way” as this sentence should apply to all buffer types.
- 4. Section 4.3 Signage: Change the first sentence as follows: “Signage will be limited to one sign, **which shall be** monument **style** and landscape ~~style-lit~~.”

**PUBLIC INPUT**

No public input has been received as of March 26, 2024.

**PLANNING COMMISSION MEETING: April 8, 2024**

Notifications: 291 notification letters were sent to individuals on the East Cooper and Historic Preservation Interested Parties Lists, as well as property owners within 300 feet of the subject parcel on March 22, 2024. Additionally, this request was noticed in the *Post & Courier* on March 22, 2024.



# **Charleston County Zoning Map Amendment Request**

**Planning Commission: April 8, 2024**

**Public Hearing: May 7, 2024**

**Planning and Public Works Committee: May 16, 2024**

**First Reading: May 21, 2024**

**Second Reading: June 4, 2024**

**Third Reading: June 18, 2024**

# ZREZ-03-24-00151

Request to rezone a 0.07-acre portion of TMS 583-00-00-016 from the Special Management (S-3) Zoning District to the Rutledge Tomb Site Planned Development (PD-189) Zoning District to preserve a historic tomb and allow for a pocket park.

- East Cooper Area: 1594 Highway 41
- Parcel I.D.: 0.07-acre portion of 583-00-00-016
- Owner: Fred Rouse
- Applicant: Sam Seawell
- Property Size: 0.07 acres
- Council District: 1 (Sass)

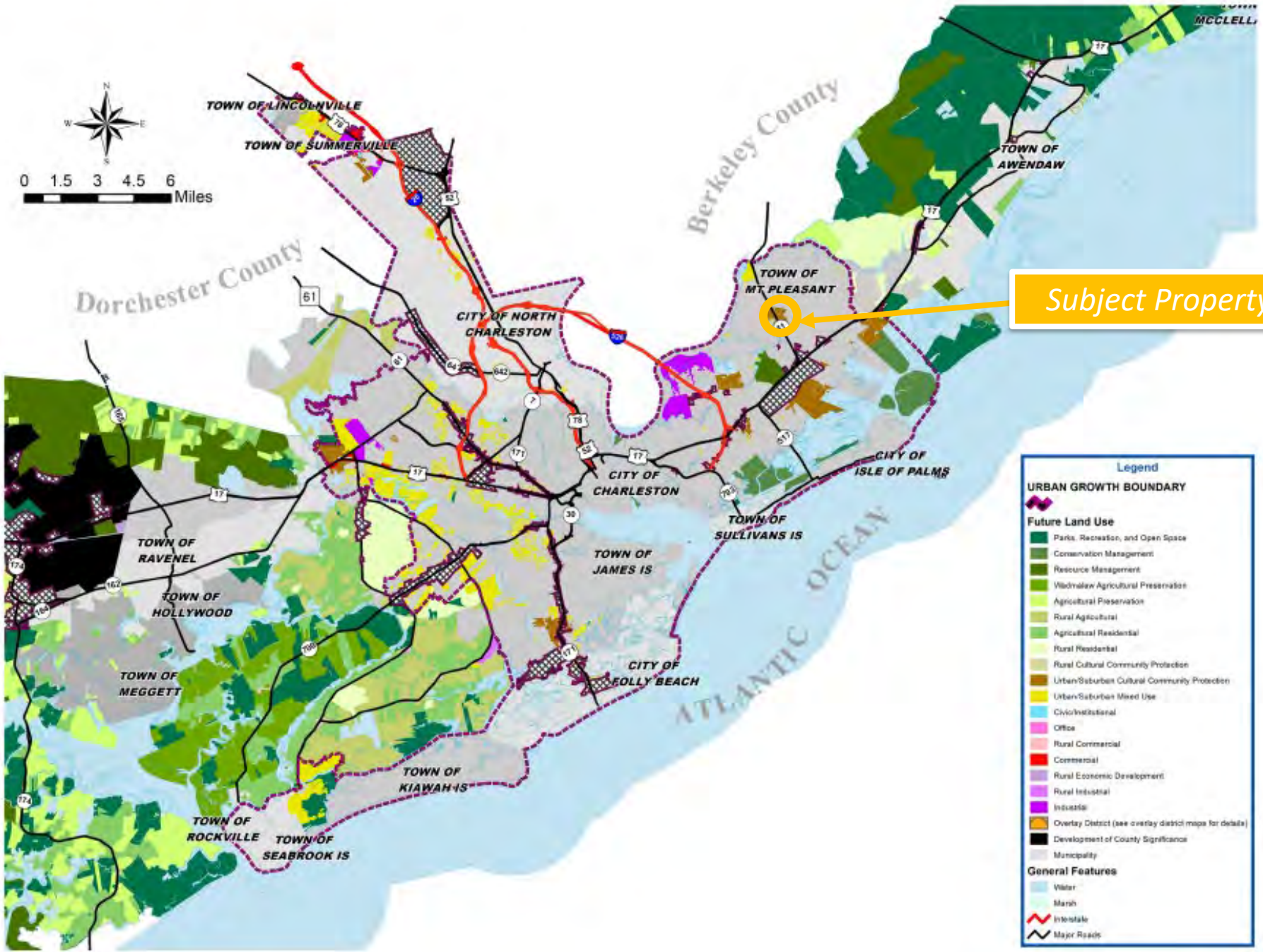
# Zoning History

- 2001: With the adoption of the Zoning and Land Development Regulations Ordinance in 2001, the subject property was zoned Rural Residential (RR-1).
- 2006: The RR-1 Zoning District was renamed S-3 in 2006 and the density changed from 2.75 dwelling units per acre to 3 dwelling units per acre.
- August 24, 2021: In 2016, Charleston County conducted a Cultural Resources Survey Update, which included documentation and history of settlement communities in Charleston County, including the Phillips Community. Based on the information provided in the Update, the South Carolina Historic Preservation Office determined that the Phillips Community was eligible for inclusion on the National Register of Historic Places for its association with the African American ethnic heritage and due to its characteristics of Post-Bellum African American settlement patterns. The subject property, as part of the Phillips Community, has their application for Historic Preservation District designation approved by Charleston County Council.

# Zoning History

- April 2023: Charleston County Council approved Greenbelt funds for the eligible Greenbelt Fund Recipient, Lowcountry Land Trust, to purchase the 0.07-acre Tomb site.
- September 7, 2023: The National Register of Historic Places approved listing the Phillips Community Historic District on the Register.
- November 2023: Owner of the subject property applies to subdivide the parcel to create a new 0.07-acre parcel for the Rutledge tomb site and pocket park.
- March 2024: The Owner and Applicant submitted a formal application for the proposed Planned Development.





Subject Property

**Legend**

**URBAN GROWTH BOUNDARY**  
 Urban Growth Boundary

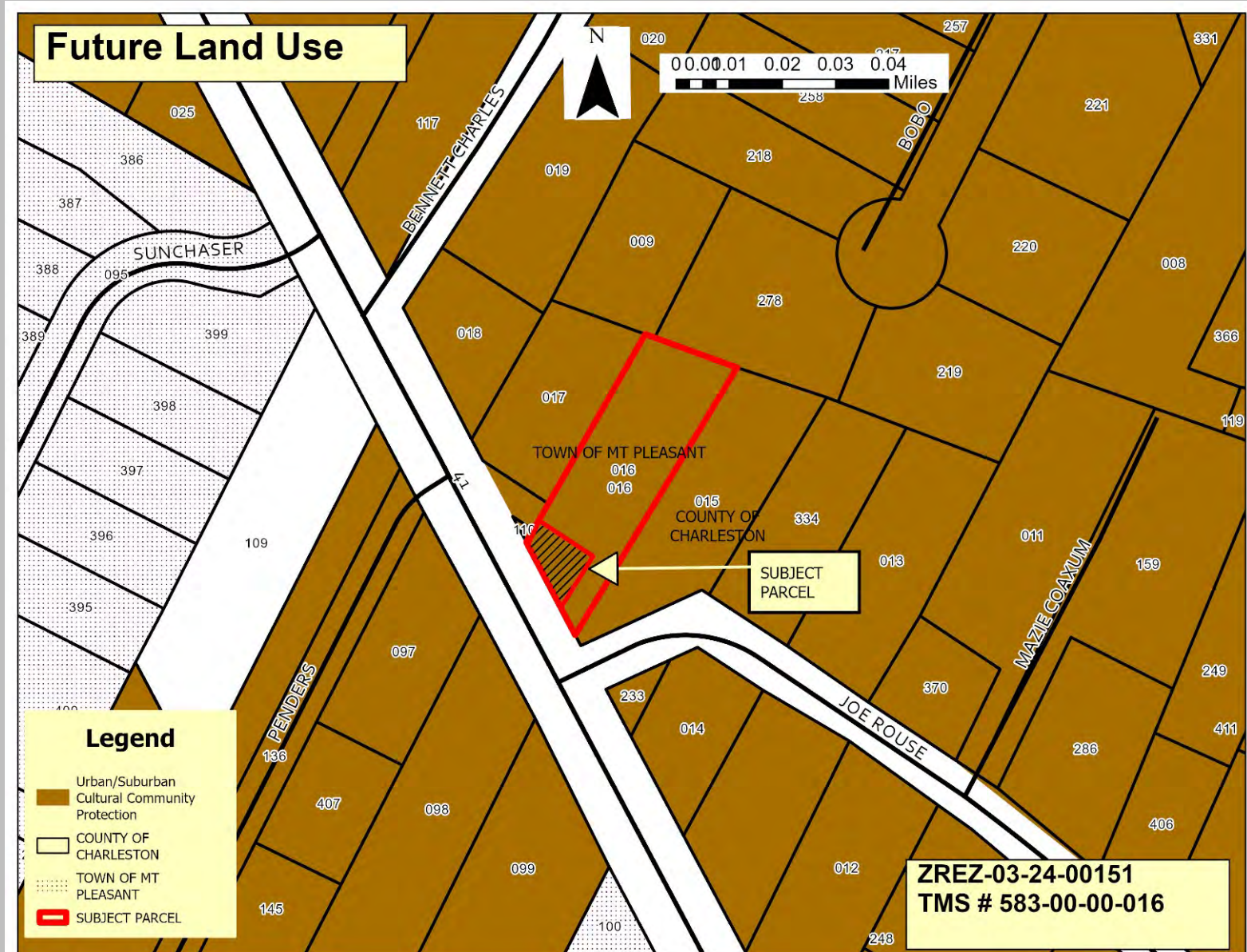
**Future Land Use**

- Parks, Recreation, and Open Space
- Conservation Management
- Resource Management
- Wildland Agricultural Preservation
- Agricultural Preservation
- Rural Agricultural
- Agricultural Residential
- Rural Residential
- Rural Cultural Community Protection
- Urban/Suburban Cultural Community Protection
- Urban/Suburban Mixed Use
- Civic/Institutional
- Office
- Rural Commercial
- Commercial
- Rural Economic Development
- Rural Industrial
- Industrial
- Overlay District (see overlay district maps for details)
- Development of County Significance
- Municipality

**General Features**

- Water
- Marsh
- Interstate
- Major Roads

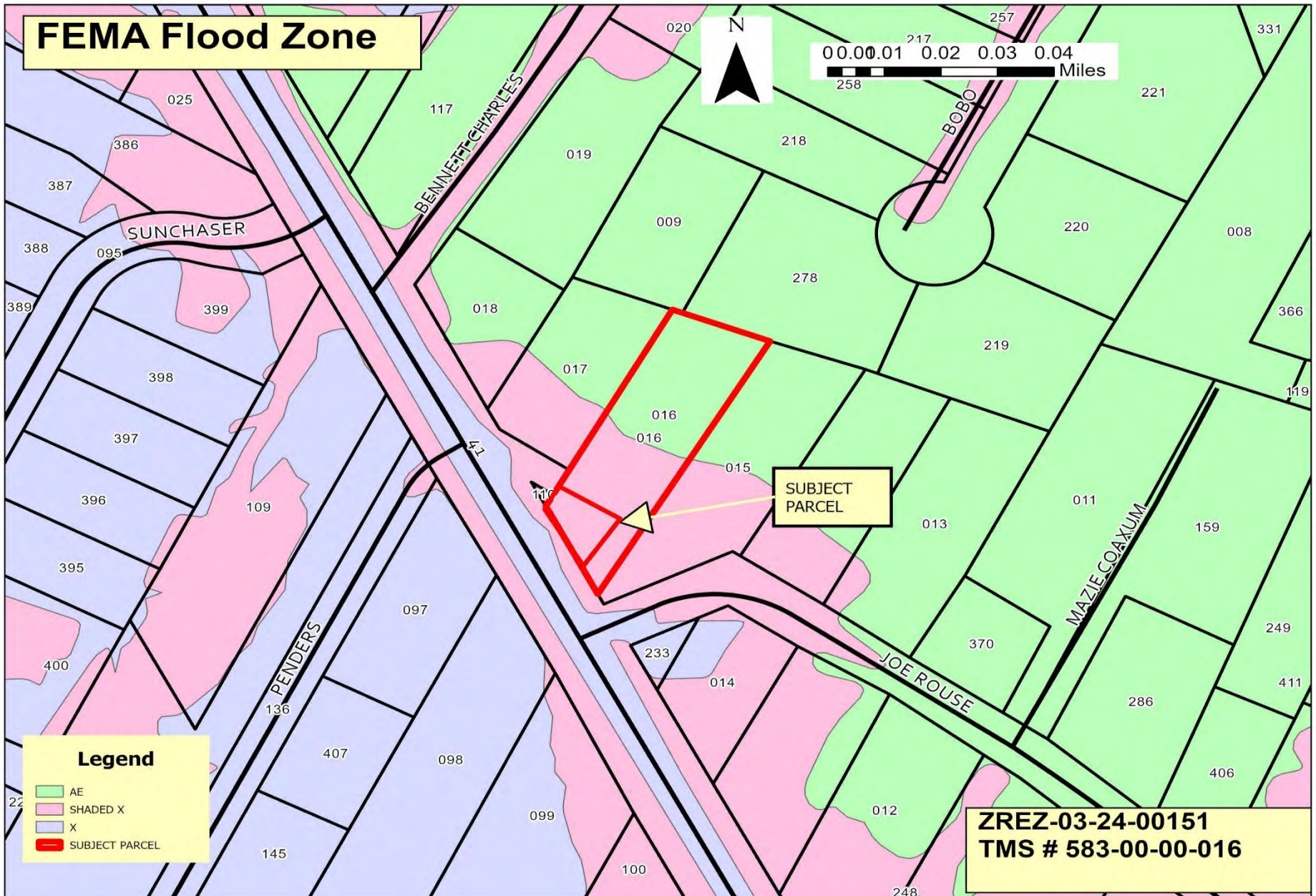
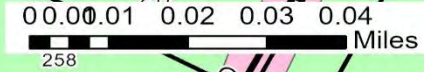
# Future Land Use





# FEMA Flood Zone

**FEMA Flood Zone**



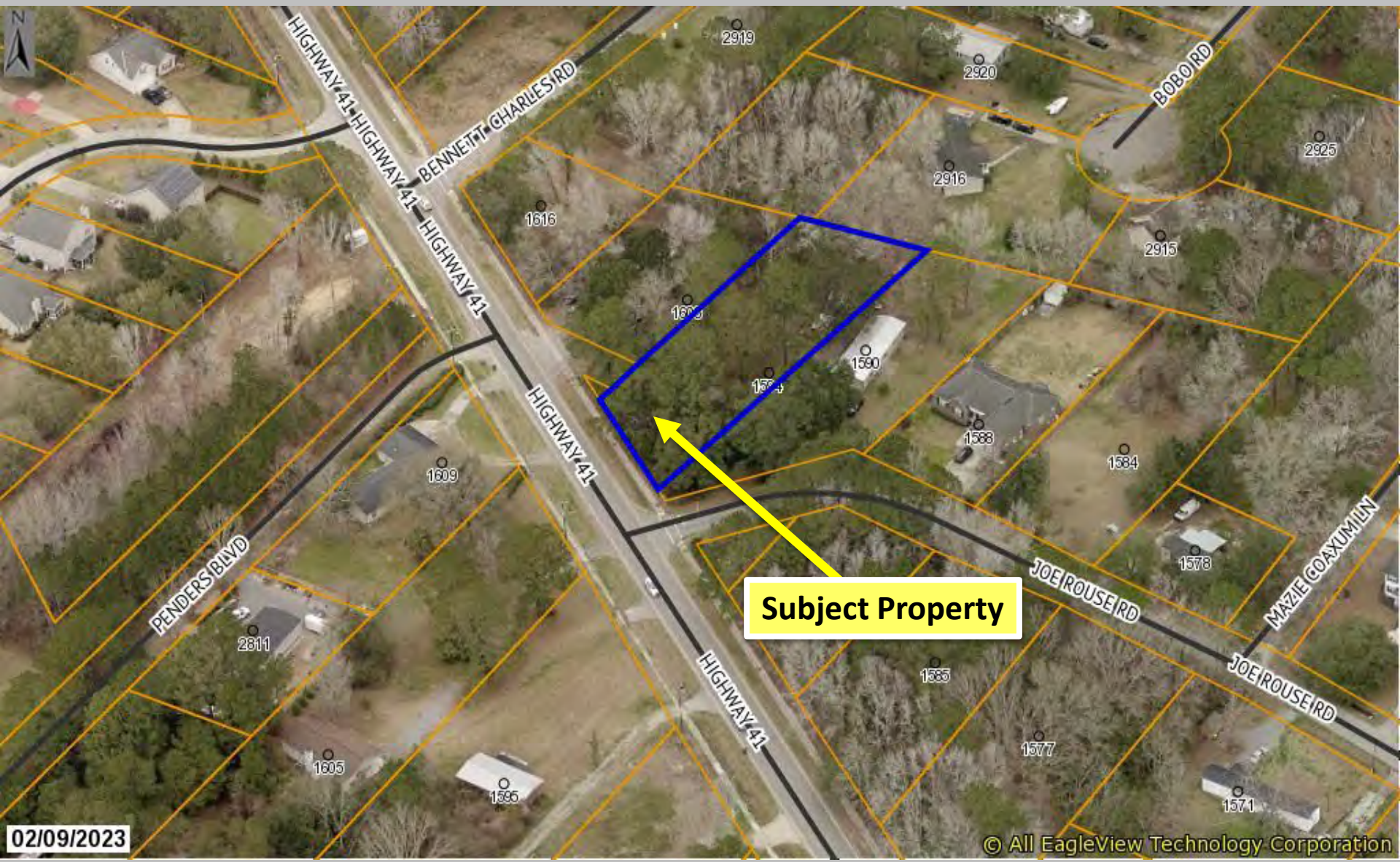
**Legend**

- AE
- SHADED X
- X
- SUBJECT PARCEL

**SUBJECT PARCEL**

**ZREZ-03-24-00151  
TMS # 583-00-00-016**

# Aerial View to the North

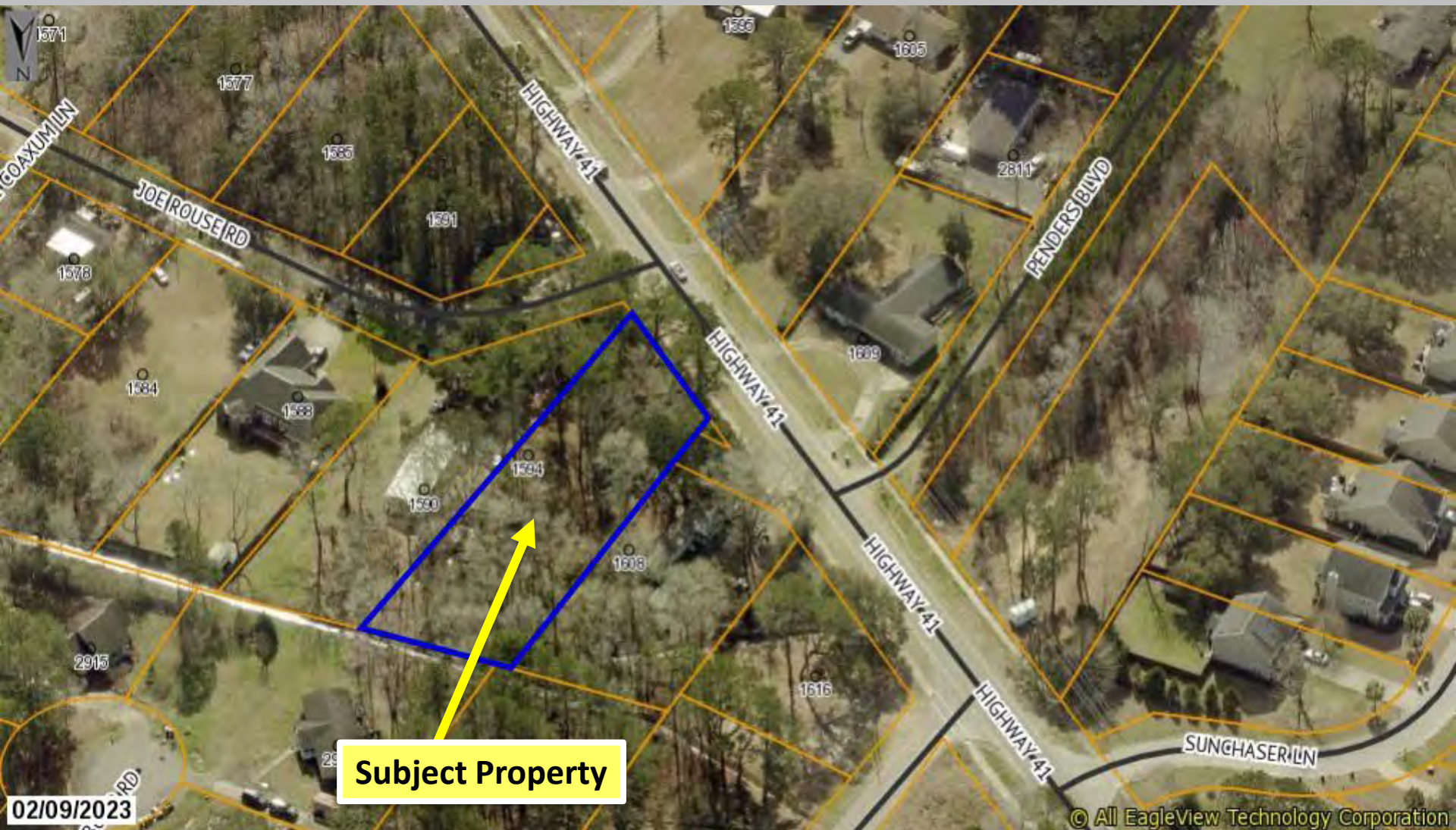


**Subject Property**

02/09/2023

© All EagleView Technology Corporation

# Aerial View to the South



**Subject Property**

02/09/2023

© All EagleView Technology Corporation

# Site Photos



**1 – Subject Property  
TMS 538-00-00-016**



**2 –Subject Property  
TMS 538-00-00-016**

# Site Photos



**3 – Adjacent Parcel  
TMS 583-00-00-015**



**4 – Property Across Highway 41**



# Requested PD Guidelines

- Subdivide 0.07 acres (3,335.1 Square Feet) of TMS 583-00-00-016 for historic preservation and open space uses.
- The intent is to preserve the “Rutledge Tomb”, a historic tomb dating back to the Seventeenth Century, while allowing for public access to the site via the establishment of a pocket park.
- Allowed uses include a historic site and pocket park.
- Residential and commercial uses are prohibited, no structures are allowed to be constructed onsite, and further subdivision is prohibited.
- Site will be accessed by existing sidewalks and therefore, no parking will be provided.
- Requesting that land use, perimeter and right-of-way buffers not be required.
- Signage will be limited to one monument style sign that will be landscape lit.
- No impervious surfaces are permitted on the site other than those required by law in order to meet ADA requirements and those required for the restoration of the tomb.

# Comparison of Land Uses

## Special Management (S-3) Zoning District

- Single-Family Detached Housing (max. 3 units/acre)
- Duplex, Triplex, and Fourplex (S) (max. 3 units/acre)
- Community Garden
- Horticultural Production
- Group Home
- School, Primary & Secondary
- Manufactured Housing Unit
- Limited Home Rental Short Term Rental (C)
- Extended Home Rental Short-Term Rental (S)
- Community Recreation
- Library or Archive
- Golf Course or Country Club (C)
- Pre-School or Educational Nursery (S)
- Hair, Nail, or Skin Care Services (C)
- Recycling Collection, Drop-Off
- Catering Service (S)
- Business, Professional, Labor, Political Organization; Social or Civic Organization; Social Club or Lodge (S)

## Proposed Rutledge Tomb PD (PD-189)

- Historic Site
- Pocket Park
- **Residential & Commercial Uses Not Permitted**



# Approval Criteria—Section 4.25.8.J

Applications for Planned Developments may be approved only if the County Council determines that the following criteria are met:

## **A. The PD Development Plan complies with the standards contained in this Article;**

Staff Response: *The application is consistent with all requirements of the Planned Development Zoning District article except the requirement that the dimensional standards of the S-3 Zoning District not be modified through the PD process. This requirement was adopted in order to limit the development of small lot subdivisions within the areas zoned S-3. The applicant is requesting a reduction in the minimum lot size from 12,500 square feet to 3,335.1 square feet to subdivide the property into two parcels and rezone the smaller parcel to the Planned Development Zoning District in order to protect a historic site and allow for a pocket park. The residual parcel is 21,928.5 square feet (approximately 1/2 acre) in size. Because the proposed planned development prohibits residential and commercial uses, does not allow any structures to be constructed onsite, and prohibits further subdivision, the request to reduce the minimum lot size does not conflict with this requirement of the Planned Development article.*

*Additionally, as described in criterion B below, the development furthers the Comprehensive Plan Cultural Resources Element goal and strategies.*

# Approval Criteria—Section 4.25.8.J

Applications for Planned Developments may be approved only if the County Council determines that the following criteria are met:

**B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and**

Staff Response: *The subject parcel is recommended for the Urban/Suburban Cultural Community Protection Future Land Use Category in the Comprehensive Plan, which “is intended to protect and promote the culture and unique development patterns of existing communities and sustain their strong sense of community.” As stated by the applicant below, the proposed Planned Development promotes the culture of the Phillips Community and assists with sustaining their strong sense of community through preservation of the tomb site and provision of a pocket park. The application also is consistent with the Cultural Resources Element goal and strategies as follows:*

*“This Project meets the Cultural Resources Element Goal by preserving a significant historic and archaeological resource of Charleston County while increasing public awareness of the historic character of the County. This Project is a collaboration between Clemson University’s Warren Lasch Conservation Center, Preservation Society of Charleston, Lowcountry Land Trust, the Phillips Community Association and the Charleston County Greenbelt Program. Thus, also meeting the County’s goal of promoting public and private partnerships to preserve and protect cultural resources.”*

# Approval Criteria—Section 4.25.8.J

Applications for Planned Developments may be approved only if the County Council determines that the following criteria are met:

**B. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and**

Staff Response (cont'd):

*“This Project meets the following Cultural Resources Element Strategies of the County’s Comprehensive Plan.*

- i. CR3. Work with communities along the Gullah Geechee Corridor to establish ways to preserve the unique settlement patterns and community character. **This Project was identified by the Phillips Community, one of Charleston County’s Historic Gullah Geechee Settlement Communities, as an important piece of their history and community. This project is in full collaboration with the Phillips Community.***
- ii. CR9. Utilize planning and zoning techniques to protect historic communities and neighborhoods and other areas of cultural significance. **This Project utilizes planning and zoning techniques to protect another piece of protected property in the Phillips Community.”***

# Approval Criteria—Section 4.25.8.J

Applications for Planned Developments may be approved only if the County Council determines that the following criteria are met:

- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.**

Staff Response: *By providing the required Letters of Coordination from service and utility providers, including Fire and EMS, water and sewer, and the County Public Works Department, the applicant has demonstrated that all applicable agencies will be able to provide the necessary services, facilities, and programs to serve the proposed development.*

# Staff Recommendation

Because all the approval criteria are met, Staff recommends **approval with the following conditions:**

1. Section 2.1, Allowed Land Uses: Include a statement as follows: “Nothing other than the historic site and pocket park described in this PD shall be developed on this site whether developed pursuant to this PD or the S-3 zoning district.”
2. Section 3.1, Existing Zoning and Site Conditions: Include a statement as follows: “See buffer requirements in Section 4.2.”
3. Section 4.2 Right-of-Way Buffer:
  - a. Rename section to “Buffers”.
  - b. Replace the first and second sentences with the following: “No land use, perimeter, or right-of-way buffers shall be required.”
  - c. In the third sentence remove the term “right-of-way” as this sentence should apply to all buffer types.
4. Section 4.3 Signage: Change the first sentence as follows: “Signage will be limited to one sign, **which shall be** monument **style** and landscape ~~style~~ **lit.**”



# Public Input

No public input has been received as of March 26, 2024.

# Notifications

- 291 notification letters were sent to individuals on the East Cooper and Historical Preservation Interested Parties Lists, as well as property owners within 300 feet of the subject parcel on March 22, 2024.
- Additionally, this request was noticed in the Post & Courier on March 22, 2024.

# ZONING CHANGE APPLICATION



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

CASE \_\_\_\_\_ PD \_\_\_\_\_

## PROPERTY INFORMATION

CURRENT DISTRICT S-3 REQUESTED DISTRICT PD  
 PARCEL ID(S) 583-00-00-016  
 CITY/AREA OF COUNTY Laurel Hill, Mt. Pleasant  
 STREET ADDRESS 1594 Joe Rouse Road, Mt. Pleasant, SC 29466 ACRES .57  
 DEED RECORDED: BOOK 1034 PAGE 191 DATE 09/20/2021  
 PLAT RECORDED: BOOK S20 PAGE 0108 DATE 06/18/20 APPROVAL # SBE 01475

## APPLICANT—OWNER—REPRESENTATIVE

**APPLICANT** Sam Seawell HOME PHONE \_\_\_\_\_  
 MAIL ADDRESS 635 Rutledge Avenue, Suite 107 WORK PHONE 843-996-4602  
 CITY, STATE, ZIP Charleston, SC, 29403 CELL PHONE \_\_\_\_\_  
 EMAIL sseawell@lowcountrylandtrust.org

**OWNER** Fred Rouse HOME PHONE \_\_\_\_\_  
 (IF OTHER THAN APPLICANT)  
 MAIL ADDRESS 201 Summer View Rd WORK PHONE \_\_\_\_\_  
 CITY, STATE, ZIP Summerville, SC 29486 CELL PHONE 843-754-7894  
 EMAIL rouse.lamar81@gmail.com

**REPRESENTATIVE** HOME PHONE \_\_\_\_\_  
 (IF OTHER THAN APPLICANT)  
 MAIL ADDRESS \_\_\_\_\_ WORK PHONE \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_ CELL PHONE \_\_\_\_\_  
 EMAIL \_\_\_\_\_

## CERTIFICATION

- This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:*
- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
  - ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
  - ✓ Copy of Signed Restricted Covenants Affidavit
  - ✓ Copy of Signed Posted Notice Affidavit
  - ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Sam Seawell 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] 10/05/2023 [Signature] 10/03/2023  
 Signature of Owner(s) Date Signature of Applicant/ Representative (If other than owner) Date

Planner's Signature \_\_\_\_\_ Date \_\_\_\_\_ Zoning Inspector's Signature \_\_\_\_\_ Date \_\_\_\_\_

## OFFICE USE ONLY

Amount Received \_\_\_\_\_ Cash?  Check?  # \_\_\_\_\_ Invoice Number \_\_\_\_\_

# **Rutledge Tomb Site Planned Development (PD)**

**Charleston County, SC  
TMS # 583-00-00-016 (a portion of)**

Applicant: Lowcountry Land Trust, Inc.  
Owner: Fred Lamar Rouse

Prepared by: Lowcountry Land Trust, Inc.  
635 Rutledge Avenue Suite 107  
Charleston, SC 29403  
843-577-6510

## SECTION 1 | OVERVIEW



Figure 1 Context Map: Phillips Community and Highway 41 Corridor

### 1.1 Statement of Objectives

The proposed Rutledge Tomb Site Planned Development (PD) is comprised of one parcel totaling approximately 0.07 acres (the Site) adjacent to Highway 41, near the intersection of Joe Rouse Road and Highway 41, located within the Phillips Community, an historic settlement community. The Site is a portion of TMS # 583-00-00-016. The PD is also referred to in this document as the “Project” and is surrounded by low density residential development consistent with the Phillips Community’s S-3 Special Management zoning. The Project will be comprised of historic preservation and open space uses.

A Conceptual Master Plan (the “Conceptual Plan”) is included as part of this PD on page 9. The Conceptual Plan provides a general depiction of the Land Use Areas. The final site layout will be determined by preliminary and final plats approved in accordance with the Land Development Regulations. The Planned Development is being proposed to provide a development pattern that is in harmony with the applicable goals and strategies of the Comprehensive Plan, as outlined in Chapter 3.1, by creatively blending in the preservation of open space while establishing a publicly accessible, community owned park within the Urban/Suburban Area.

The objectives of this PD are to preserve the “Rutledge Tomb”, an historic tomb dating back to the 17<sup>th</sup> century, while allowing for public access to the Site via the establishment of a pocket park. The Site will be protected by either a conservation easement or deed restriction, which will be held and enforced by the Lowcountry Land Trust in perpetuity. The Project is proposing to create a parcel that would not be possible under the strict application of the standards of this Ordinance, that were designated primarily for uses permitted under S-3 zoning, by allowing for historical and open space preservation. The Project is being proposed in order to preserve the history of the site, which in turn preserves the history of the Phillips Community. The Phillips Community is designated by Charleston County as an Historic District and the community is listed on the National Register of Historic Places, the first settlement community in South Carolina to be listed.

## **1.2 Intent and Results**

The Project is intended to preserve an important historical structure while creating a publicly accessible park that will enable the historical interpretation of the tomb and the Phillips Community. The Project meets the intent and results of Article 4.25 of the ZLDR as follows:

- A. A maximum choice in the types of environments available to the public by allowing a development that would not be possible under the strict application of the standards of this Ordinance that were designated primarily for development on individual lots. The PD is consistent with the historic land uses of Phillips Community and align with the future land uses outlined in Chapter 3.1 of the Charleston County Comprehensive Plan by promoting a mixed-use development and a general land use pattern that includes parks and open space protection and low-density residential development.
- B. A greater freedom in selecting the means to provide access, light, open space and design amenities. The PD will provide greater public access to culturally and historically significant open space in order to draw a greater connection between the local community and the land on which they live.
- C. Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements. The PD intends to foster the historic character of the land and community while maintaining the visual identity of the bordering scenic road, Highway 41.
- D. A creative approach to the use of land that results in better development and design and the construction of amenities. The PD, by allowing for greater flexibility in the uses of the land, will offer increased public access to an historically significant site.
- E. A development pattern that incorporates adequate public safety and compliments the developed properties in the vicinity and the natural features of the site. The PD provides appropriate vehicular access for emergency access, and offers safe pedestrian internal circulation. The Project takes advantage of the natural features of the site.

The development guidelines set forth in this PD are established pursuant to CHAPTER 4 | BASE ZONING DISTRICTS, ARTICLE 4.25 PD, PLANNED DEVELOPMENT ZONING DISTRICT of the Zoning and Land Development Regulations Ordinance (ZLDR) of Charleston County, currently in effect (the “Zoning Ordinance”), governing Planned Developments. To the extent that any of the guidelines, terms, conditions, or regulations of this PD conflict with any of

the guidelines, terms, conditions, or regulations of the Zoning Ordinance and the Land Development Regulations, the guidelines, terms, conditions, or regulations of this PD shall control development of the Site. Issues not addressed in this PD shall comply with the S-3 Zoning District requirements in effect at the time of subsequent development application submittal.

### **1.3 Site Information**

The Site is currently shown on Charleston County Tax Map No. 583-00-00-016. Only a portion of the land included in the Site will be rezoned as a Planned Development (PD) in accordance with the guidelines set forth in these Planned Development Guidelines. The remainder of the land included in the Site will remain under its current S-3 Special Management Zoning. The land in the Site that will be included in the PD is referred to as the PD Area and the land in the Site that is remaining zoned as S-3 is referred to as the S-3 Area, as shown on the attached site plan. The land is broken down as follows:

Total Site Area:	25263.7 Sq. Feet 0.58 Acres
PD Area:	3335.1 Sq. Feet 0.07 Acres
S-3 Area:	21928.6 Sq. Feet 0.50 Acres
Highland Area:	0.58 Acres
Wetland Area:	0.00 Acres
Land Below Critical Line:	0.00 Acres

## **SECTION 2 | LAND USE AREAS**

### **2.1 Allowed Land Uses**

The following are approved land uses within the Project:

#### **USES ALLOWED BY RIGHT**

- A. Historic Site
- B. Pocket Park

#### **2.1.1 Allowed Land Uses Descriptions**

The primary use of the Site is as an Historic site with the allowed land uses consisting of an open space area with supporting historical preservation/interpretation and park uses that promote the public access to an historically significant landmark, the Rutledge Tomb. Archeological excavation and restoration of the tomb is allowed and professional companies and academic institutions are permitted to perform archeological excavation of the site and restoration of the tomb.

Landscaping and Maintenance on the site will be allowed in order to maintain the vegetation and aesthetic qualities of the site. Non-native species are prohibited from being introduced onto the site. The goal of the project is to protect an historic resource, preserve open space, and develop a publicly accessible park. No impervious surfaces are permitted on the site other than those required by law in order to meet ADA requirements and those required for the restoration of the tomb. Access to the site will be provided by a trail that connects to an existing sidewalk that runs adjacent to the site. The following Park Amenities and Structures are permitted: trash receptacles, benches, water fountains, fencing and gates, and interpretive signage.

Lighting is permitted on the site given the following: fixtures must use long wavelength (greater than 560 nm AND absent wavelengths below 560 nm) light sources such as amber, orange, or red LEDs without the use of filters, gels, or lenses; fixtures must meet or exceed full cutoff (defined as no light emitting above a 90-degree plane) and must be shielded so that the lamp or glowing lens is not directly visible; fixtures use the lowest lumen output necessary for the needed purpose (never to exceed 1100 lumen).

The site will be accessible by the public during daylight hours, from sunrise to sunset. The site will meet ADA requirements and be publicly accessible from the existing side walk that runs adjacent to the site and Highway 41. Parking will not be incorporated in this site. This project is meant to provide a pocket park adjacent to an existing sidewalk that will be accessible by pedestrians.

## **2.2 Dimensional and Lot Standards**

Setbacks, Building Heights, Maximum Building Coverage Requirements, and Minimum Lot Requirements for Principal and Accessory Structures shall be according to the following chart and accompanying notes. These dimensional and lot standards shall pertain to the PD Area only, the S-3 area shall maintain the dimensional and lot standards of S-3 Special Management Zoning.

### Minimum Setbacks (Feet)

Front:	0
Rear:	0
Side:	0

Minimum Lot Size: 3,000 Sq. Feet

Minimum Lot Width: 60 Feet

Density: 0 Dwelling Unit Per Acre

### Building Coverage

Maximum: 0%

### Building Height (Feet)

Maximum: 0 Feet (Measured from the Base Flood Elevation)



Subdivision: Further subdivisions are not permitted beyond the intended subdivision to create the lot for the proposed site.

The Rutledge Tomb Site PD shall comply with the S-3 zoning district regulations of the Charleston County ZLDR in effect at the time of subsequent development application for all matters that are not specifically addressed in these Planned Development Guidelines. The Rutledge Tomb Site PD agrees to proceed with proposed development in accordance with the provisions of the Charleston County ZLDR, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to any rezoning to the PD. Proposed modifications to the approved PD development plan shall be processed in accordance with Sec. 4.25.10, Variances and other Modifications to Approved PD Development Plans. The Rutledge Tomb Site PD complies with the approval criteria contained in Section 4.25.8(J) as follows:

- A. The Rutledge Tomb Site PD Development Plan complies with the standards contained in Article 4.25 of the ZLDR.
- B. This Project is consistent with the Comprehensive Plan and other adopted policy documents. This Project meets the Cultural Resources Element Goal and Strategies of the Comprehensive Plan.
  - a. This Project meets the Cultural Resources Element Goal by preserving a significant historic and archaeological resource of Charleston County while increasing public awareness of the historic character of the County. This Project is a collaboration between Clemson University's Warren Lasch Conservation Center, Preservation Society of Charleston, Lowcountry Land Trust, the Phillips Community Association and the Charleston County Greenbelt Program. Thus, also meeting the County's goal of promoting public and private partnerships to preserve and protect cultural resources.
  - b. This Project meets the following Cultural Resources Element Strategies of the County's Comprehensive Plan.
    - i. CR3. *Work with communities along the Gullah Geechee Corridor to establish ways to preserve the unique settlement patterns and community character.* This Project was identified by the Phillips Community, one of Charleston County's Historic Gullah Geechee Settlement Communities, as an important piece of their history and community. This project is in full collaboration with the Phillips Community.
    - ii. CR9. *Utilize planning and zoning techniques to protect historic communities and neighborhoods and other areas of cultural significance.* This Project utilizes planning and zoning techniques to protect another piece of protected property in the Phillips Community.
- C. This Project identifies the site and surrounding areas for urban/suburban cultural community protection, parks, recreation and open space, and urban/suburban mixed uses; and the project site is inside the Urban Growth Boundary.

- D. The development is in compliance with applicable permits and approvals. At the time of development, public support services and facilities may be made available as reflected by the coordination letters found in the Appendix.
- E. This Project shall obtain variances for tree removal or any encroachment into the protected area of Grand Trees. If needed, the Project shall seek approval from County Council for changes to the Planned Development, as defined in Article 9.2 of the ZLDR.
- F. All variance applications for trees, setbacks, buffers, height, and maximum lot/building coverage for individual lots shall be processed pursuant to Article 3.10 of the ZLDR.

### **2.3 Cultural Resources Desktop Review**

A Cultural Resources Desktop Review was prepared by the SC Department of Archives & History on September 14, 2023. The site is within the boundary of the Phillips Community Historic District which is listed in the National Register of Historic Places. The tomb itself was recorded as an archaeological site (site number 38CH1752) in 2000 with a revisit in 2017. The tomb is a non-contributing resource in the Phillips Community Historic District and was recommended as not individually eligible for the National Register upon the 2017 revisit. A late 20th century structure (1609 SC Hwy 41, Mount Pleasant) is located across the highway on a different parcel, ~800 feet away. A map of depicting the area and aforementioned resources is included in the Appendix.

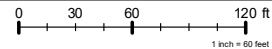
## SECTION 3 | EXISTING CONDITIONS



### Charleston County SC

PID: 5830000016  
OWNER1: ROUSE FRED LAMAR  
PLAT BOOK PAGE: S20- 0108  
DEED BOOK PAGE: 1034-191  
Jurisdiction: COUNTY OF CHARLESTON

**Note:** The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County explicitly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.



Author: Charleston County SC  
Date: 9/26/2023

### 3.1 Existing Zoning and Site Conditions

The Site is bounded by Highway 41 and residential uses. The Site is a residential area, zoned S-3 Special Management in Charleston County. Highway 41 has a Type G Right-of-Way Buffer of 50 feet.

### 3.2 Impact Assessment and Analysis

The Project currently has direct access to Highway 41, a two-lane paved road maintained by the state of South Carolina. There is limited anticipated additional impact on Charleston County services such as schools, waste disposal, fire protection, and police services. Coordination letters from the applicable entities can be found in the Appendix.

### 3.3 Preliminary Threatened and Endangered Species Determination

Based on current land uses and observations made over time, no known endangered or threatened species are known to exist on the subject parcels.

### **3.4 Wetlands**

A wetland delineation was performed by Sabine & Waters, on September 21, 2023 and a letter outlining the summary of findings was provided. The entire letter is included in the Appendix. Based on the findings, the Site does not contain wetlands or other aquatic features.

### **3.5 Stormwater**

The planned development shall comply with all Charleston County Stormwater Ordinances and South Carolina Department of Health and Environmental Control (SCDHEC) Regulatory requirements. For site locations within sensitive drainage basins, additional stormwater design and construction requirements may be required by the Director of Public Works prior to Stormwater permit approval and issuance. Sensitive drainage basins may include but are not limited to areas which incur flooding conditions, are designated as Special Protection Areas, discharge to water bodies with restrictive Water Quality conditions, and/or are governed by other restrictive Water Quantity and Water Quality conditions. Where possible and allowed by permit, the proposed site may connect its stormwater system with existing conveyances. Best Management Practices (BMP's) shall be utilized, installed, and maintained in compliance with applicable approved permits throughout all phases including, but not limited to, site development, construction, and post construction.

Applicant shall comply with Charleston County Stormwater Ordinances and SCDHEC Regulatory requirements for pre and post construction water quality and quantity. Stormwater design, construction, and maintenance shall be in compliance with applicable approved Charleston County Stormwater Permits. Comprehensive Master Drainage Plan must be provided for proposed site and incorporate all development phasing, future development, existing drainage systems and conveyances, and proposed drainage systems and conveyances. The Comprehensive Stormwater Master Plan shall also include discharge management plans for specialized activities within the development including but not limited to micro farming and urban agriculture activities. Utilization of approved and permitted Low Impact Design elements is encouraged within a comprehensive site Master Drainage Plan.

The maintenance of all stormwater devices, structures, and facilities will be the responsibility of the Developer and/or Property Owner's Association. A Covenants for Permanent Maintenance of Stormwater Facilities shall be established by responsible party and recorded at the Registrar of Deeds office.

The applicant shall coordinate with US Army Corps of Engineers (USACOE), South Carolina Department of Health and Environmental Control (SCDHEC), and Charleston County Public Works regarding any and all wetland areas.

### **3.6 Tree Protection**

The Project will comply with Charleston County ZLDR Article 9.2, Tree Protection and Preservation. The PD shall have minimal impact to the existing trees. Existing Grand trees are shown on the Conceptual Plan.

## **SECTION 4 | OTHER REQUIREMENTS**

### **4.1 Areas Designated for Future Use**

All areas designated for future expansion, or those not intended for immediate improvement or development, will remain in a natural state until such time as development permits are approved.

### **4.2 Right-Of-Way Buffer**

No Right-of-Way Buffer will be required in the PD area. Compliance to the requirements of a Right-of-Way Buffer is not necessary to satisfy the purposes of the ZLDR Ordinance. The existence of the PD area without a right-of-way buffer satisfies the following purposes of the ZLDR as stated in Chapter 1 Article 1.5:

*D. Protecting and preserving scenic, historic, or ecologically sensitive areas.*

*I. Facilitating the creation of a convenient, attractive and harmonious community;*

*L. Assuring the provision of needed public Open Spaces, Building sites and new Land Developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes; and*

*M. Assuring, in general, the wise and timely Development of new areas, and redevelopment of previously developed areas in harmony with the Comprehensive Plan; and*

*N. Fostering growth and Development, and preserving our natural and cultural resources, always respecting the rights of the individual, including private property rights.*

The PD Area is a minor subdivision that prohibits the construction of any structures. Landscaping and Maintenance on the site will be allowed in order to maintain the vegetation and aesthetic qualities of the site, however, non-native species are prohibited from being introduced onto the site.

The goal of the project is to protect an historic resource, preserve open space, and develop a publicly accessible park. No impervious surfaces are permitted on the site other than those required by law in order to meet ADA requirements and those required for the restoration of the tomb. Access to the site will be provided by a trail that connects to an existing sidewalk that runs adjacent to the site. The following Park Amenities and Structures are permitted: trash receptacles, benches, water fountains, fencing and gates, and interpretive signage.

### **4.3 Signage**

Signage will be limited to one sign, monument and landscape style. All signage will follow all applicable regulations found in ARTICLE 9.8 SIGNS of the Charleston County ZLDR. Freestanding on-premises signs would comply with the Residential dimensional standards as outlined in Table 9.8.2 of the ZLDR.

### **4.4 Parking**

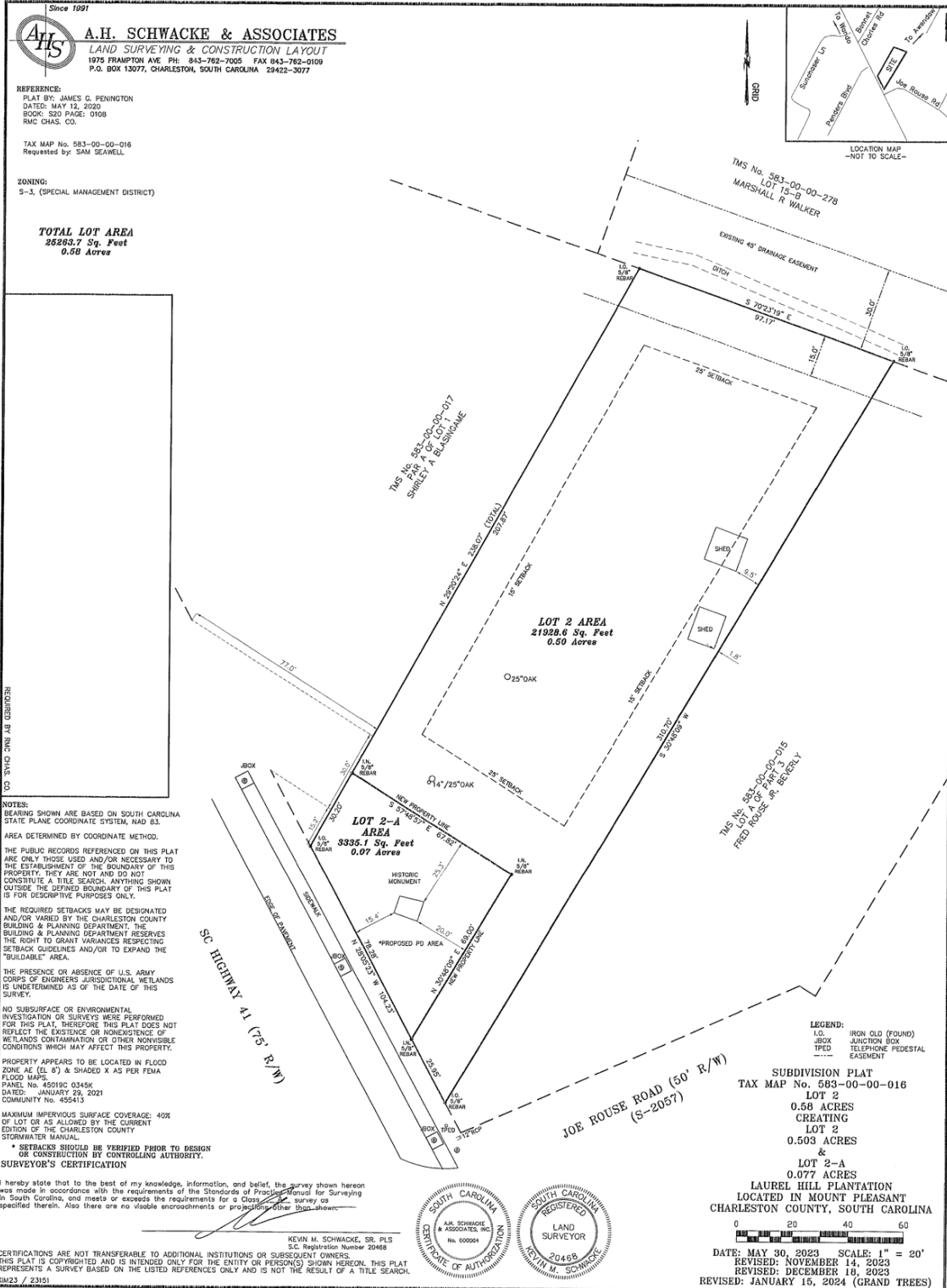
There will be no parking included in this project. The site is intended to be a pocket park located adjacent to an existing sidewalk and accessed by pedestrians.

#### **4.5 Resource Areas**

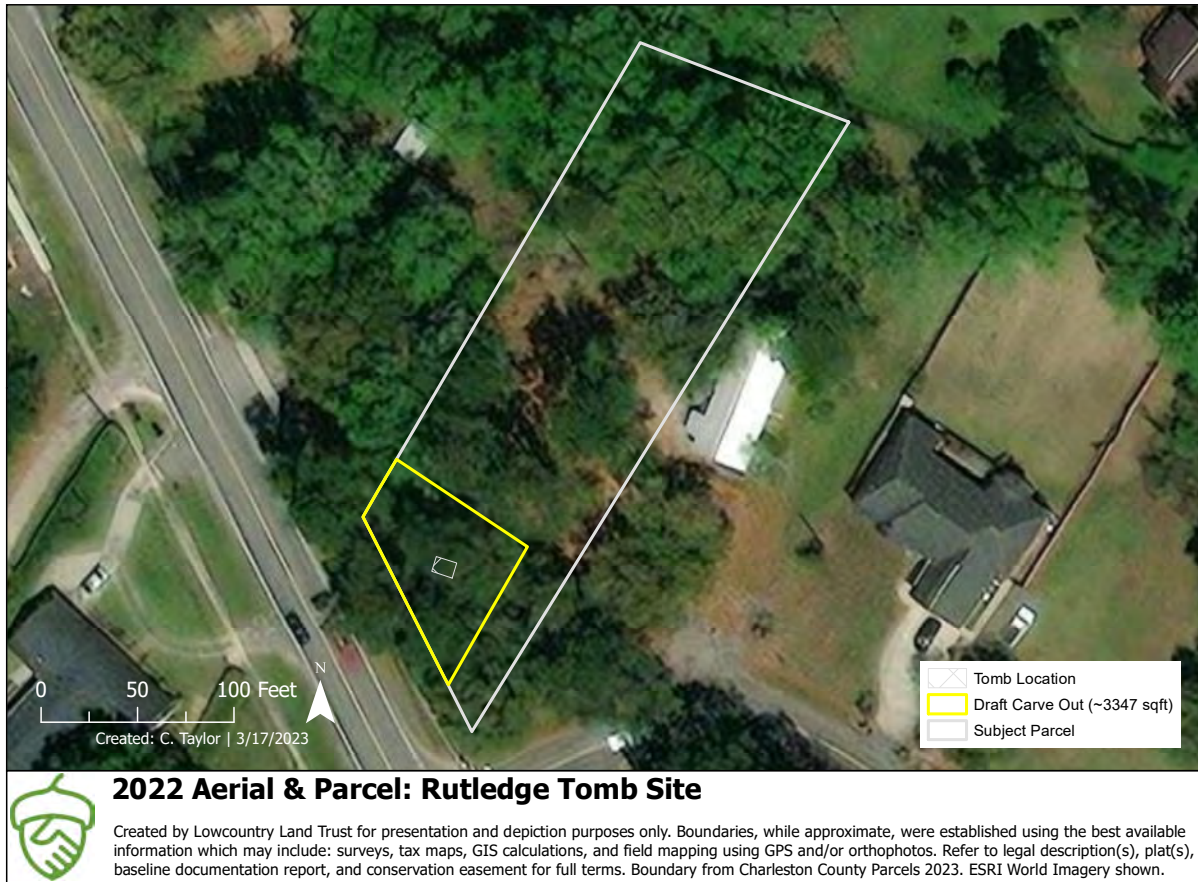
This Project shall protect any resources determined significant by the Planning Director including, but not limited to agricultural soils and active farmland, buffer areas between active farmland and existing/planned future nonfarm development, wetlands, mature trees, land adjacent to preserved farmland on neighboring properties, scenic views, water access and shoreline buffers, and habitat of species designated as of federal, state and local concern. In addition, this Project shall comply with all provisions of ARTICLE 9.2, Tree Protection and Preservation, of the ZLDR.

# SECTION 5 | SITE PLAN

## 5.1 CONCEPTUAL SITE PLAN

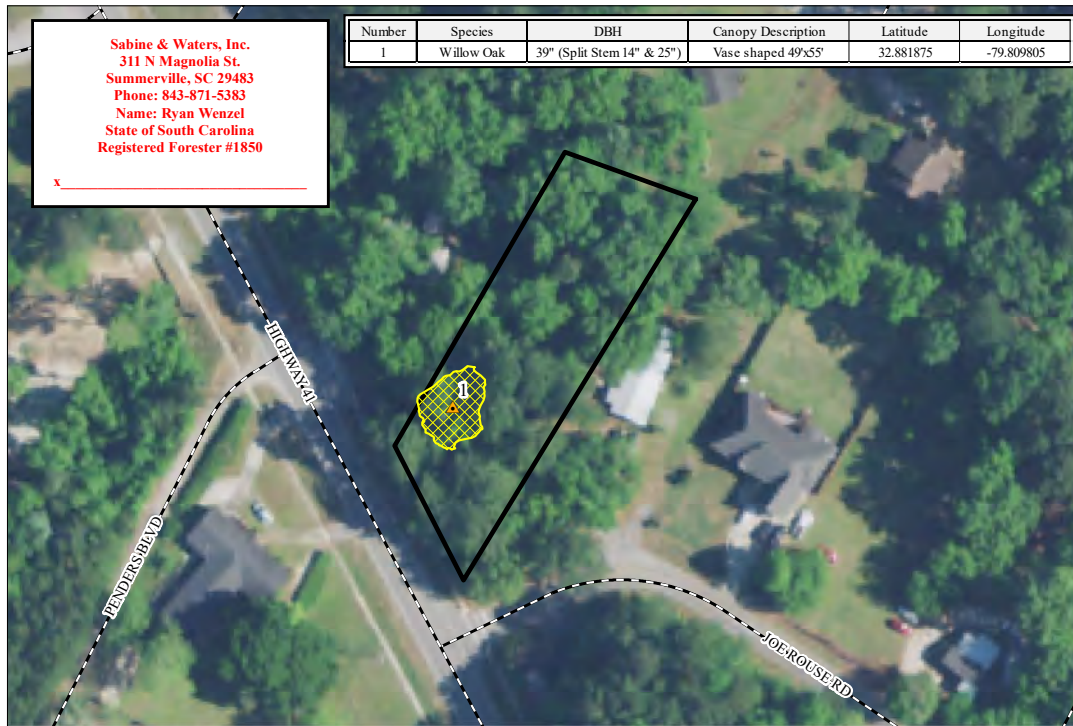


## 5.2 CONCEPTUAL SITE PLAN- AERIAL





# 5.3 CONCEPTUAL SITE PLAN- TREE SURVEY



Sabine & Waters, Inc.  
311 N Magnolia St.  
Summerville, SC 29483  
Phone: 843-871-5383  
Name: Ryan Wenzel  
State of South Carolina  
Registered Forester #1850

Number	Species	DBH	Canopy Description	Latitude	Longitude
1	Willow Oak	39" (Split Stem 14" & 25")	Vase shaped 49x55'	32.881875	-79.809805

EXTERNAL SOURCES: NAD 2011 TRUE COLOR AERIAL, U.S. CENSUS ROADS, CHARLESTON COUNTY GIS PARCEL.  
Created By: Stephen Drennon, Sabine & Waters, Inc.  
Date Created: August 14, 2023  
Project: 2023 Rutledge Tomb Site  
Project Manager: Ryan Wenzel  
Project Engineer: Ryan Wenzel  
Project Surveyor: Ryan Wenzel  
Project Forester: Ryan Wenzel  
Project Designer: Ryan Wenzel  
Project Checker: Ryan Wenzel  
Project Approver: Ryan Wenzel  
Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Sabine & Waters, Inc. does not warrant the accuracy and reliability of the data used.

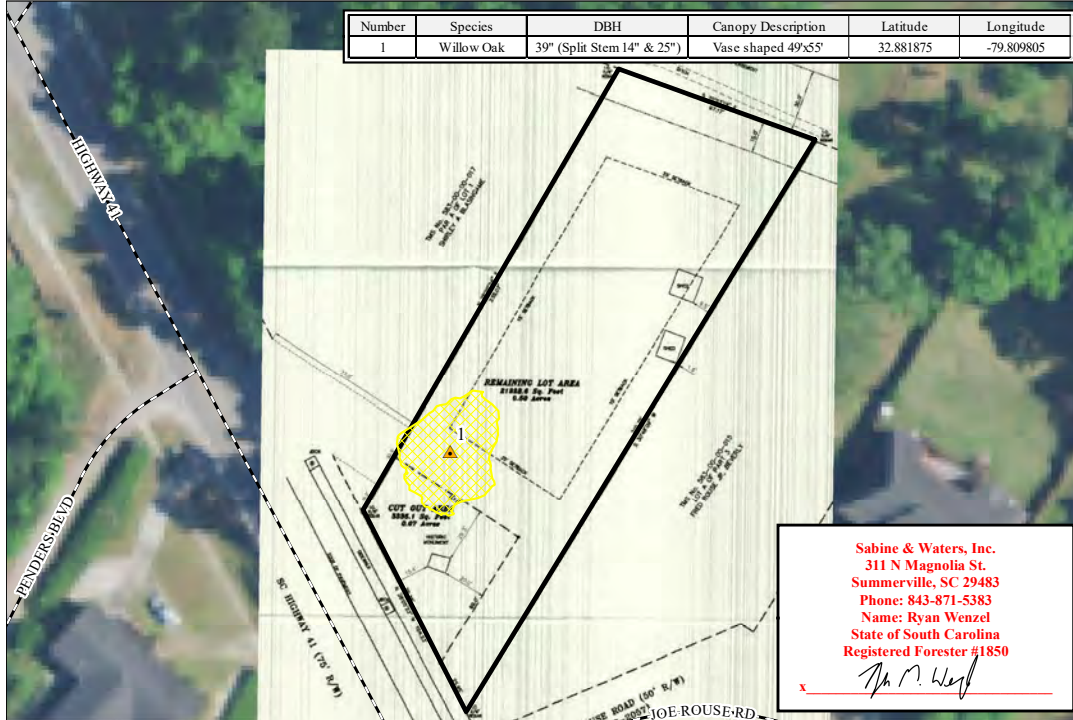
GRAND TREE MAP  
LOWCOUNTY LAND TRUST - RUTLEDGE TOMB SITE  
CHARLESTON COUNTY, SC

0 75 150  
Feet

**LEGEND**

- ▣ PROPERTY BOUNDARY: +/- 0.58 AC
- ▨ GRAND TREE CANOPY: +/- 1876 FT<sup>2</sup>
- ▲ GRAND TREE Long: -79.809657 W  
Lat: 32.881954 N
- ⇒ ROADS

REVISED: 9/6/2023



Number	Species	DBH	Canopy Description	Latitude	Longitude
1	Willow Oak	39" (Split Stem 14" & 25")	Vase shaped 49x55'	32.881875	-79.809805

EXTERNAL SOURCES: NAD 2011 TRUE COLOR AERIAL, U.S. CENSUS ROADS, CHARLESTON COUNTY GIS PARCEL.  
Created By: Stephen Drennon, Sabine & Waters, Inc.  
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GRAND TREE MAP  
LOWCOUNTY LAND TRUST - RUTLEDGE TOMB SITE  
CHARLESTON COUNTY, SC

0 75 150  
Feet

Sabine & Waters, Inc.  
311 N Magnolia St.  
Summerville, SC 29483  
Phone: 843-871-5383  
Name: Ryan Wenzel  
State of South Carolina  
Registered Forester #1850

*Ryan Wenzel*

**LEGEND**

- ▣ PROPERTY BOUNDARY: +/- 0.58 AC
- ▨ GRAND TREE CANOPY: +/- 1876 FT<sup>2</sup>
- ▲ GRAND TREE Long: -79.809657 W  
Lat: 32.881954 N
- ⇒ ROADS

REVISED: 9/11/2023

## **SECTION 6 | APPENDICES**

6.1.1 Cultural Resources Desktop Review

6.1.2 Wetland Determination Letter

6.1.3 Coordination Letters

1. Charleston County Emergency Medical Services
2. Charleston County Sheriff's Office
3. Awendaw Fire District
4. South Carolina Department of Transportation (SCDOT)
5. Charleston County Public Works

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**Rutledge Tomb Site PD Application-**

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Sauls, Brad &lt;BSauls@scdah.sc.gov&gt;

Thu, Sep 14, 2023 at 11:32 AM

To: "sseawell@lowcountrylandtrust.org" &lt;sseawell@lowcountrylandtrust.org&gt;

Mr. Seawell:

Thank you for contacting us regarding the tomb site in the Phillips Community. The parcel where the tomb is located is within the boundary of the Phillips Community Historic District which was just listed in the National Register of Historic Places as of September 7, 2023. The tomb itself was recorded as an archaeological site (site number 38CH1752) in 2000 with a revisit in 2017. The tomb is a non-contributing resource in the Phillips Community Historic District and was recommended as not individually eligible for the National Register upon the 2017 revisit.

The only other resource in our ArchSite database is a late 20<sup>th</sup> century structure (1609 SC Hwy 41, Mount Pleasant). The data point in ArchSite shows it as adjacent to the tomb but it is actually across the highway on a different parcel.

I hope this information, along with the attachments will be of assistance for you.

For future reference, this information is viewable at <http://scarchsite.org>. Only buildings and structures are visible in the Public view. To remotely access archaeological site data you must have a Subscriber view.

Please let me know if you have any questions.

Sincerely,

Brad Sauls



We're hiring!

[Job Openings at Archives & History](#)

Brad Sauls

Supervisor of Registration, Grants &amp; Local Government Assistance

State Historic Preservation Office (SHPO)

SC Department of Archives &amp; History

8301 Parklane Road

Columbia, SC 29223

803.896.6172 <http://scdah.sc.gov/historic-preservation>

---

**From:** Harness, Virginia <[VHarness@scdah.sc.gov](mailto:VHarness@scdah.sc.gov)>  
**Sent:** Thursday, September 14, 2023 10:23 AM  
**To:** Sauls, Brad <[BSauls@scdah.sc.gov](mailto:BSauls@scdah.sc.gov)>  
**Subject:** FW: Rutledge Tomb Site PD Application-

FYI


**From:** Sam Seawell <[sseawell@lowcountrylandtrust.org](mailto:sseawell@lowcountrylandtrust.org)>  
**Sent:** Thursday, September 14, 2023 10:15 AM  
**To:** Breeden, Edwin <[EBreeden@scdah.sc.gov](mailto:EBreeden@scdah.sc.gov)>; Harness, Virginia <[VHarness@scdah.sc.gov](mailto:VHarness@scdah.sc.gov)>  
**Subject:** Rutledge Tomb Site PD Application-

Virginia and Edwin,

[Quoted text hidden]

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**4 attachments**

 **x\_\_\_\_\_xTIZkdy5zmUEcDvVQE6fNMg..x\_\_\_\_\_x\_ags\_46c2c83f-5311-11ee-ac94-0eacf60f9b41.pdf**  
748K

 **Archaeological Sites.csv**  
8K

 **Historic Areas.csv**  
1K

 **Historic Structures.csv**  
1K





# SABINE & WATERS

ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS

September 21, 2023

Mr. Sam Seawell  
Lowcountry Land Trust  
635 Rutledge Ave., Suite 107  
Charleston, SC 29403

**RE: Wetland delineation summary of findings for Charleston County TMS# 583-00-00-016**

Dear Mr. Seawell,

Per your recent request, Sabine & Waters, Inc. personnel evaluated the above referenced property for the presence of freshwater wetlands and/or other aquatic resources. Freshwater wetlands are defined by the November 2010 **Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)**. This technique uses a multi-parameter approach, which under normal circumstances requires positive evidence of three criteria:

- o Hydrophytic vegetation
- o Hydric soils
- o Wetland hydrology

As shown on the enclosed exhibit, our onsite investigation did not reveal the presence of any wetland within the project boundary. It is our opinion that the site consists entirely of upland. If you have any questions or would like to discuss further, please do not hesitate to contact me anytime.

Sincerely,

*Hunter Lee*

Hunter Lee  
Ecologist  
Sabine & Waters, Inc.

Enclosure



**THE APPROXIMATE WETLAND BOUNDARIES DEPICTED ON THIS MAP ARE NOT FINAL AND ARE SUBJECT TO CHANGE BY THE U.S. ARMY CORPS OF ENGINEERS.**

No wetlands were observed within the property boundary

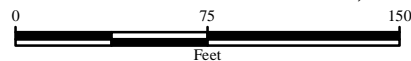
EXTERNAL SOURCES: NAIP 2023 TRUE COLOR AERIAL, U.S. CENSUS ROADS, CHARLESTON COUNTY GIS PARCEL

Created By: Stephen Bennett	Sabine & Waters, Inc.
Date Created: September 21, 2023	Environmental Land Management Consultants
Copyright 2023 Sabine & Waters, Inc.	P.O. Box 1072 Summerville, SC 29484
R:\c\usdata\joh\rutledge tomb site\mapping\uplon_41.mxd	843.871.5383 (phone) 843.871.2050 (fax)
	<a href="http://www.sabine.net">http://www.sabine.net</a>

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Sabine & Waters, Inc. disclaims all responsibility and liability for the use of this map.

**REVISED: 9/21/2023**

**PROJECT AREA UPLAND MAP  
LOWCOUNTY LAND TRUST - RUTLEDGE TOMB SITE  
CHARLESTON COUNTY, SC**



**LEGEND**

- PROPERTY BOUNDARY: +/- 0.58 AC
- ROADS

Long: -79.809657 W  
Lat: 32.881954 N



**Emergency Medical Services**

DAVID ABRAMS, J.D., NREMT-P  
Director

843.202.6700  
Fax: 843.202.6712  
dabrams@charlestoncounty.org  
Lonnie Hamilton, III Public Services Building  
4045 Bridge View Drive, Suite C204  
North Charleston, SC 29405-7464

DATE: September 29, 2023  
TO: Sam Seawell  
RE: Letter of Coordination

Dear Sam:

This is a letter to acknowledge that EMS is in receipt of information about the proposed zoning changes at 1595 Joe Rouse Rd.

We have reviewed the information provided regarding the proposed rezoning. It does not appear this would impact our operations or response to the area.

I wish you the best of success with the project.

Respectfully,

Carl Spike Benton  
Deputy Chief





## County of Charleston, South Carolina

Sheriff Kristin R. Graziano

September 27, 2023

Lowcountry Land Trust  
ATTN: Mr. Sam Seawell  
635 Rutledge Ave  
Charleston, SC 29403  
[sseawell@lowcountrylandtrust.org](mailto:sseawell@lowcountrylandtrust.org)

re: Letter of Coordination

Mr. Seawell,

The Charleston County Sheriff's Office acknowledges your intention to develop property located in the area of 1594 Joe Rouse Road, Mt. Pleasant, South Carolina. This location is currently under the jurisdiction of this agency.

Please understand that *all* law enforcement matters will need to be reported to this agency. This can be accomplished by calling the **Charleston County Consolidated Dispatch Center** at **843-743-7200** or dialing **911 for emergencies**. Additional information can be accessed on our agency website at [www.ccsso.charlestoncounty.org](http://www.ccsso.charlestoncounty.org).

If you have any questions, feel free to contact this office via telephone or by email.

Regards,

A handwritten signature in blue ink, appearing to read "John Jacobik", with a stylized flourish at the end.

Major John Jacobik  
Charleston County Sheriffs Office  
3691 Leeds Avenue  
N. Charleston, SC 29405  
843-554-2443 - Office  
[jjacobik@charlestoncounty.org](mailto:jjacobik@charlestoncounty.org)

---

#### Administrative Office

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

#### Law Enforcement Division

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

#### Detention Center

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

#### Judicial Center

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



# Awendaw McClellanville Consolidated Fire Department

*Fire Chief*  
**Shaun R. Gadsden**

**1131 Guerin's Bridge Rd**  
**Awendaw, SC, 29429**  
**(843)856-1617**



10/10/2023

Sam Seawell  
Lowcountry Land Trust

Mr. Seawell,

The Awendaw McClellanville Fire District is in receipt of your request for a letter of coordination for project to protect the 17<sup>th</sup> Century tomb located at TMS #583-00-00-016, in the Phillips Community, Highway 17 SC 29466. We also acknowledge that your organization is involved in the planning of this parcel. Any emergency needs at the site shall be addressed by dialing 911.

The site plan is preliminarily approved based on provided documents. Appropriate codes regarding fire apparatus access and fire department locations are based on the 2018 International Fire Code and final approval by the Awendaw McClellanville Fire District.

While this letter serves as an acknowledgement of the proposed development only, further site plan review and onsite inspection will be required as final plans are further developed. Additionally, applicable code compliance will be based on the type and use of the structure, including the location of fire hydrants and fire department access points. Inspections of the facility area will be required during construction and annually after the certificate of occupancy is approved. A final report will be provided for your reference after each inspection.

Regards,

DocuSigned by:

*Shaun Gadsden*

Shaun R. Gadsden

Fire Chief

Awendaw McClellanville Fire District



South Carolina  
Department of Transportation

October 9, 2023

Sam Seawell

SC-Highway 41

Charleston County, SC

**Re: Subdivision TMS No. 583-00-00-016 Located on SC-Highway #41**

To whom it may concern:

This letter is to inform you that we have reviewed the surveyed plat submitted, dated May 30, 2023, for coordination at your request with Charleston County Zoning and Land Development. The subject plat referenced a proposed subdivision of TMS Number 583-00-00-016, an approximately 0.58 acre site creating Cut Out Area and Remaining Lot Area. All pertinent personnel at SCDOT have reviewed the proposed subdivision and agree that it is feasible in concept. When Developed the access to the Property will be from SC-Highway #41.

Our knowledge of this subdivision is that no changes in use of the property are being proposed, nor will any construction activity be performed in the SCDOT right of way. Therefore, an encroachment permit is not required at this time. However, know that at such a time when the newly created properties will be developed, a new driveway will be necessary and a permit package shall be submitted to the SCDOT for review.

If it is the intent of the owner(s) to improve, relocate, or modify any existing driveways now or in the future or to construct an additional driveway then an encroachment permit package must be submitted for review. Also, any future subdivision of any parcel will necessitate an encroachment permit and Department review as well. All encroachment permits must meet the requirements set forth in the Access and Roadside Management Standards (ARMS) Manual. A copy of the ARMS Manual can be found at: [www.scdot.org/doing/trafficengineering.shtml#access Roadside](http://www.scdot.org/doing/trafficengineering.shtml#access_Roadside)

Thank you for your cooperation and if you have any questions concerning this issue, please feel free to contact me.

**Wayne E. Clark**

Assistant Resident Maintenance Engineer SCDOT- District 6  
(843) 745-7454  
clarkwe@scdot.org

cc: File/Charleston Maintenance



Steven L. Thigpen, P. E.  
Director of Public Works

843.202.7600  
Fax: 843.202.7601  
[sthigpen@charlestoncounty.org](mailto:sthigpen@charlestoncounty.org)  
Lonnie Hamilton III Public Services Building  
4045 Bridge View Drive, Suite B309  
North Charleston, SC 29405

December 7, 2023

A.H. Schwacke & Associates  
P.O. Box 13077  
Charleston, SC 29422

RE: LOT SUBDIVISION  
TMS # 583-00-00-016

Dear Mr. Pennington,

This letter acknowledges and states the following regarding TMS # 583-00-00-016:

- You have notified Charleston County Public Works regarding your intent to subdivide parcel TMS # 583-00-00-016
- This letter represents sufficient coordination with the Public Works Department to continue the subdivision process for the property.
- This coordination letter does not represent a technical or comprehensive review or approval for this subdivision.

Please continue to submit documentation directly to the County Zoning and Planning Department other than specific encroachment permit applications for County right-of-way. These applications should be provided to the Public Works Department to the attention of Mr. Joshua Tronnier at the address listed above.

Sincerely,

Wesley Linker, P.E.  
Technical Programs Manager

cc: Tamara Avery - Charleston County Planning Department