

**AN ORDINANCE REZONING PROPERTIES LOCATED  
AT 9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD,  
EDISTO ISLAND FROM (PD-99) TO  
PLANNED DEVELOPMENT AMENDMENT PD 99A**

**WHEREAS**, the properties located at **9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD, EDISTO ISLAND**, identified as Tax Map Parcel Numbers **027-00-00-034, -002, -004, -057** and (is/are) currently zoned (PD-99); and

**WHEREAS**, the applicant requests the parcels be rezoned to Planned Development Amendment (PD) and has submitted a complete application for PD Development Plan amendment approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

**WHEREAS**, the Charleston County Planning Commission has reviewed the proposed Amended PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; and

**WHEREAS**, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan Amendment based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

**WHEREAS**, County Council has determined the PD Development Plan meets the following criteria:

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

4.27 of the ZLDR;

- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- 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.

**NOW, THEREFORE**, be ordained it by Charleston County Council, in meeting duly assembled, finds as follows:

#### **SECTION I. FINDINGS INCORPORATED**

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

#### **SECTION II. REZONING OF PROPERTIES**

A. Charleston County Council rezones the properties located at **9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD, EDISTO ISLAND** , identified as Tax Map Parcel Numbers **027-00-00-034, -002, -004, -057** , from **(PD-99)** to Planned Development Amendment **PD 99A** ; and

B. The PD Development Plan submitted by the applicant and identified as the “Planned Development District Guidelines for **PD 99A**, Charleston County, South Carolina Dated **4-14-2009**”, including the changes thereto and conditions, if any, approved by County Council as Planned Development **99A** or **PD 99A** is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of **PD 99A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **027-00-00-034, -002, -004, -**

**057** is amended to PD-**99A** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

**SECTION III. SEVERABILITY**

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon approval of County Council following third reading.

**ADOPTED and APPROVED** in meeting duly assembled this \_\_\_ day of \_\_\_\_\_, 2009.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman

ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk of Council