

**AN ORDINANCE
REZONING PROPERTY LOCATED AT 6775 BEARS BLUFF ROAD,
PARCEL IDENTIFICATION NUMBER 133-00-00-041, FROM THE
PLANNED DEVELOPMENT DISTRICT (PD-94A) TO THE PLANNED
DEVELOPMENT DISTRICT (PD-94B)**

WHEREAS, the property located at 6775 Bears Bluff Road, identified as Tax Map Parcel Number 133-00-00-041, is currently zoned Planned Development District (PD-94A); and

WHEREAS, the applicant requests to amend the Planned Development District (PD-94A) 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 PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve the proposed development plan with conditions, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 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 the proposed PD Development Plan with conditions based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR; and

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 IT ORDAINED by the County Council of Charleston County, South Carolina, in meeting duly assembled, 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 property located at 6775 Bears Bluff Road, identified as Tax Map Parcel Number 133-00-00-041, from the Planned Development District (PD-94A) to the Planned Development District (PD-94B); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development Guidelines for Irvin House Planned Development, Wadmalaw Island, South Carolina, Dated October 2009," shall constitute the PD Development Plan for the parcel which shall be identified as Planned Development 94B or PD-94B; and

C. Any and all development of PD-94B 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 Number 133-00-00-041 is amended to PD-94B 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.