

**AN ORDINANCE
REZONING PROPERTIES LOCATED AT 1218 LIEBEN ROAD & A
PORTION OF 3745 HIGHWAY 17N FROM A SINGLE FAMILY
RESIDENTIAL 4 (R-4) & COMMUNITY COMMERCIAL (CC) DISTRICTS TO
A PLANNED DEVELOPMENT (PD0-144) DISTRICT.**

WHEREAS, the properties located at 1218 Lieben Road and 3745 Highway 17N, identified as Tax Map Parcel Numbers 614-00-00-155 and of 614-00-00-033, are currently zoned Single Family Residential 4 District (R-4) and Community Commercial District (CC), respectively; and

WHEREAS, the applicant requests that Tax Map Parcel Number 614-00-00-155 and 0.84 acres of tax parcel number 614-00-00-033 be rezoned to Planned Development (PD-144) and has submitted a complete application for PD Development Plan 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 with conditions the proposed development plan, which recommendation is based on the approval criteria set forth in the ZLDR and in accordance with the procedures established in State law; 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 based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR; and

WHEREAS, the 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 meetings 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. The County Council rezones the property located at 1218 Lieben Road and 0.81 acres of the property located at 3745 Highway 17N, identified as Tax Map Parcel Numbers 614-00-00-155 and 614-00-00-033, respectively the acreage identified on the approvable plat attached hereto as Exhibit "B", from the Single Family Residential 4 (R-4) District and the Community Commercial (CC) District to the Planned Development (PD-144) District; and

B. The PD Development Plan submitted by the applicant and identified as the "Commonwealth Planned Development District Guidelines, Charleston County, South Carolina, including the changes and conditions approved by County Council that are attached hereto as Exhibit "A" and made part of this ordinance by reference, shall constitute the PD Development Plan for the parcels identified which shall be identified as Planned Development 144 or PD-144; and

C. Any and all development of PD-144 must comply with the PD Development Plan, the Comprehensive Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers 614-00-00-155 and 614-00-00-033 (as identified in Exhibit "B") is amended to PD-144 in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

E.

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 its following third reading by the County Council.