

**AN ORDINANCE AMENDING THE LINNEN PLACE PLANNED DEVELOPMENT
(PD-129) TEXT AND MAP OF PROPERTIES LOCATED WITHIN THE LINNEN PLACE
PLANNED DEVELOPMENT (PD-129)**

WHEREAS, the properties located at 2631 Lohr Dr.; 0 Shingleback Dr; 2717 Big Fire Ct; 2606 Lohr Dr; 2612 Lohr Dr; 2620 Lohr Dr; 1222 Korbel Cir/2628 Lohr Dr; 1216 Korbel Cir; 1210 Korbel Cir; 1204 Korbel Cir; 1205 Korbel Cir; 1211 Korbel Cir; 1217 Korbel Cir; 2634 Lohr Dr/1223 Korbel Cir; 2642 Lohr Dr; 2650 Lohr Dr; 2656 Lohr Dr; 2662 Lohr Dr; 2668 Lohr Dr; 2674 Lohr Dr; 2673 Lohr Dr; 2669 Lohr Dr; 2663 Lohr Dr; 2659 Lohr Dr; 2653 Lohr Dr; 2625 Lohr Dr; 2613 Lohr Dr; 2607 Lohr Dr; 0 Lohr Dr; 1252 Shingleback Dr/ 2680 Lohr Dr; 1228 Shingleback Dr; 1222 Shingleback Dr; 1216 Shingleback Dr; 1205 Shingleback Dr; 1213 Shingleback Dr; 1239 Shingleback Dr/2702 Big Fire Ct; 2708 Big Fire Ct; 2714 Big Fire Ct; 2720 Big Fire Ct; 2726 Big Fire Ct; 2725 Big Fire Ct; 2719 Big Fire Ct; 2713 Big Fire Ct; 2707 Big Fire Ct; 1251 Shingleback Dr/2701 Big Fire Ct; 1257 Shingleback Dr; 1263 Shingleback Dr; 1269 Shingleback Dr; 1275 Shingleback Dr; 1281 Shingleback Dr; 1288 Shingleback Dr; 1282 Shingleback Dr; 1276 Shingleback Dr; 1270 Shingleback Dr; 1264 Shingleback Dr/2679 Lohr Dr, respectively; identified as Tax Map Parcels 578-00-00-049; 578-00-00-050; 578-00-00-052; 578-00-00477; 578-00-00-478; 578-00-00-479; 578-00-00-480; 578-00-00-481; 578-00-00-482; 578-00-00-483; 578-00-00-484; 578-00-00-485; 578-00-00-486; 578-00-00-487; 578-00-00-488; 578-00-00-489; 578-00-00-490; 578-00-00-491; 578-00-00-492; 578-00-00-493; 578-00-00-494; 578-00-00-495; 578-00-00-496; 578-00-00-497; 578-00-00-498; 578-00-00-499; 578-00-00-500; 578-00-00-501; 578-00-00-503; 578-00-00-

506; 578-00-00-507; 578-00-00-508; 578-00-00-509; 578-00-00-510; 578-00-00-511; 578-00-00-512; 578-00-00-513; 578-00-00-514; 578-00-00-515; 578-00-00-516; 578-00-00-517; 578-00-00-518; 578-00-00-519; 578-00-00-520; 578-00-00-521; 578-00-00-522; 578-00-00-523; 578-00-00-524; 578-00-00-525; 578-00-00-526; 578-00-00-527; 578-00-00-528; 578-00-00-529; 578-00-00-530; 578-00-00-531, respectively are currently zoned Planned Development Zoning District (PD-129); and

WHEREAS, the applicant requests to amend the Planned Development Zoning District (PD-129) 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 with conditions the proposed development plan with conditions, 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 the proposed PD Development Plan with conditions based on the Approval Criteria of Section 4.27.9.E.9 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 IT ORDAINED by County Council of Charleston County, South Carolina, 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 2631 Lohr Dr.; 0 Shingleback Dr; 2717 Big Fire Ct; 2606 Lohr Dr; 2612 Lohr Dr; 2620 Lohr Dr; 1222 Korbel Cir/2628 Lohr Dr; 1216 Korbel Cir; 1210 Korbel Cir; 1204 Korbel Cir; 1205 Korbel Cir; 1211 Korbel Cir; 1217 Korbel Cir; 2634 Lohr Dr/1223 Korbel Cir; 2642 Lohr Dr; 2650 Lohr Dr; 2656 Lohr Dr; 2662 Lohr Dr; 2668 Lohr Dr; 2674 Lohr Dr; 2673 Lohr Dr; 2669 Lohr Dr; 2663 Lohr Dr; 2659 Lohr Dr; 2653 Lohr Dr; 2625 Lohr Dr; 2613 Lohr Dr; 2607 Lohr Dr; 0 Lohr Dr; 1252 Shingleback Dr/ 2680 Lohr Dr; 1228 Shingleback Dr; 1222 Shingleback Dr; 1216 Shingleback Dr; 1205 Shingleback Dr; 1213 Shingleback Dr; 1239 Shingleback Dr/2702 Big Fire Ct; 2708 Big Fire Ct; 2714 Big Fire Ct; 2720 Big Fire Ct; 2726 Big Fire Ct; 2725 Big Fire Ct; 2719 Big Fire Ct; 2713 Big Fire Ct; 2707 Big Fire Ct; 1251 Shingleback Dr/2701 Big Fire Ct; 1257 Shingleback Dr; 1263 Shingleback

Dr; 1269 Shingleback Dr; 1275 Shingleback Dr; 1281 Shingleback Dr; 1288 Shingleback Dr; 1282 Shingleback Dr; 1276 Shingleback Dr; 1270 Shingleback Dr; 1264 Shingleback Dr/2679 Lohr Dr, respectively; identified as Tax Map Parcels 578-00-00-049 ; 578-00-00-050; 578-00-00-052; 578-00-00477; 578-00-00-478; 578-00-00-479; 578-00-00-480; 578-00-00-481; 578-00-00-482; 578-00-00-483; 578-00-00-484; 578-00-00-485; 578-00-00-486; 578-00-00-487; 578-00-00-488; 578-00-00-489; 578-00-00-490; 578-00-00-491; 578-00-00-492; 578-00-00-493; 578-00-00-494; 578-00-00-495; 578-00-00-496; 578-00-00-497; 578-00-00-498; 578-00-00-499; 578-00-00-500; 578-00-00-501; 578-00-00-503; 578-00-00-506; 578-00-00-507; 578-00-00-508; 578-00-00-509; 578-00-00-510; 578-00-00-511; 578-00-00-512; 578-00-00-513; 578-00-00-514; 578-00-00-515; 578-00-00-516; 578-00-00-517; 578-00-00-518; 578-00-00-519; 578-00-00-520; 578-00-00-521; 578-00-00-522; 578-00-00-523; 578-00-00-524; 578-00-00-525; 578-00-00-526; 578-00-00-527; 578-00-00-528; 578-00-00-529; 578-00-00-530; 578-00-00-531 respectively from Planned Development (PD-129) to Planned Development (PD-129A); and

B. The PD Development Plan submitted by the applicant and identified as the “Planned Development District Guidelines for Linnen Place, Charleston County, South Carolina Dated February 2011”, including the changes thereto and conditions, if any, approved by County Council as Planned Development 129A or PD-129A, 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-129A 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 578-00-00-049 ; 578-00-00-050; 578-00-00-052; 578-00-00477; 578-00-00-478; 578-00-00-479; 578-00-00-480; 578-00-00-481; 578-00-00-482; 578-00-00-483; 578-00-00-484; 578-00-00-485; 578-00-00-486; 578-00-00-487; 578-00-00-488; 578-00-00-489; 578-00-00-490; 578-00-00-491; 578-00-00-492; 578-00-00-493; 578-00-00-494; 578-00-00-495; 578-00-00-496; 578-00-00-497; 578-00-00-498; 578-00-00-499; 578-00-00-500; 578-00-00-501; 578-00-00-503; 578-00-00-506; 578-00-00-507; 578-00-00-508; 578-00-00-509; 578-00-00-510; 578-00-00-511; 578-00-00-512; 578-00-00-513; 578-00-00-514; 578-00-00-515; 578-00-00-516; 578-00-00-517; 578-00-00-518; 578-00-00-519; 578-00-00-520; 578-00-00-521; 578-00-00-522; 578-00-00-523; 578-00-00-524; 578-00-00-525; 578-00-00-526; 578-00-00-527; 578-00-00-528; 578-00-00-529; 578-00-00-530; 578-00-00-531 is amended to PD-129A 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 June 2011.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to County Council

First Reading: _____, 2011
Second Reading: _____, 2011
Third Reading: _____, 2011

EXHIBIT "A"

**PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDED CHANGES AND CONDITIONS TO PD-129A
APPROVED BY COUNTY COUNCIL**

1. Revise the PD text and master plan to indicate a maximum density of 2.46 dwelling units per acre for the development.
2. Page 1, last sentence: Revise to state that “All matters not addressed within this document shall comply with the Special Management 3 (S-3) Zoning District and the Mt. Pleasant Overlay Zoning District-Sweetgrass Basket Stand Special Consideration Area standards.”
3. Update the PD text and master plan to reflect any changes to Page 2, Section 3A (Open Space/Common Area).
4. Page 4, Section 2H, include the following: “Fences shall be installed subject to §3.8.2 (Zoning Permit Exemptions – Fences) of the *Charleston County Zoning and Land Development Regulations Ordinance*, and the Charleston County Building Code. Furthermore, this section will nullify the RR-1 fence height regulations found in this document.”