

**AN ORDINANCE**

**REZONING THE REAL PROPERTIES LOCATED AT 3510, 3522 AND 3564 KITFORD ROAD AND 3459 DOCTOR WHALEY ROAD, PARCEL IDENTIFICATION NUMBERS 283-00-00-118, 283-00-00-121, 283-00-00-131 AND 283-00-00-147 RESPECTIVELY, FROM THE RURAL RESIDENTIAL/INDUSTRIAL (RR-3/I) ZONING DISTRICT TO THE RURAL RESIDENTIAL (RR-3) ZONING DISTRICT.**

WHEREAS, the properties identified as parcel identification numbers 283-00-00-118, 283-00-00-121, 283-00-00-131 and 283-00-00-147 are currently split-zoned Rural Residential/Industrial (RR-3/I) District; and

WHEREAS, the current owners have requested that County staff process the rezoning of the properties, and the requests included that the parcels be rezoned to the Rural Residential (RR-3) District, pursuant to Article 3.4 of the *Charleston County Zoning and Land Development Regulations* (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the requests for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (County Council) approve the requests for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least one public hearing and after close of the public hearing, County Council has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- C. The proposed amendment corrects a zoning map error or inconsistency;
- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

NOW, THEREFORE, be ordained it by the 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 PROPERTY

The properties identified as parcel identification numbers 283-00-00-118, 283-00-00-121, 283-00-00-131 and 283-00-00-147 are hereby rezoned from the Rural Residential/Industrial (RR-3/I) Zoning Districts to the Rural Residential (RR-3) Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the sites must conform to all requirements of the *Charleston County Zoning and Land Development Regulations* and other applicable laws, rules and regulations.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 6th day of June, 2017.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
A. Victor Rawl  
Chairman of Charleston County Council

ATTEST:

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

First Reading: May 9, 2017  
Second Reading: May 23, 2017  
Third Reading: June 6, 2017