

ZONING MAP
AMENDMENT REQUEST
ZREZ-12-16-00046

Packet Materials:

- Staff Report
- Staff Presentation
- Application
- Public Input

ZONING MAP AMENDMENT REQUEST: ZREZ-12-16-00046

CASE HISTORY

Public Hearing: March 28, 2017
PPW Committee: April 6, 2017
First Reading: April 6, 2017
Second Reading: April 25, 2017
Third Reading: May 9, 2017

CASE INFORMATION:

Location: 2250 and 2256 River Road (Johns Island)

Parcel Identification: 315-00-00-126 and 315-00-00-121

Property Size: TMS 315-00-00-126 is 33.67 acres, and TMS 315-00-00-121 is 31.42 acres. Total property size is 65.09 acres.

Council District: 8

Zoning Map Amendment Request:

The applicant is requesting to rezone two properties (TMS 315-00-00-126, 2250 River Road, and TMS 315-00-00-121, 2256 River Road) from the Rural Residential (RR-3) Zoning District to the Agricultural Preservation (AG-8) Zoning District. TMS 315-00-00-126 contains a barn and open horse field, and TMS 315-00-00-121 contains a barn with an associated pond and ancillary outbuildings.

History:

Prior to this request, no zoning map amendment applications have been submitted.

Adjacent Zoning:

Adjacent properties are zoned Rural Residential (RR-3). The properties in this area are either undeveloped or contain agricultural and residential uses.

Municipalities Notified/Responses: The City of Charleston, Town of Kiawah Island, and Town of Seabrook Island were notified of this request.

Public Input: One email in support of the request has been received and is included in this packet.

STAFF RECOMMENDATION:

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;

Staff response: The *Charleston County Comprehensive Plan* (the Plan) recommends the Rural Residential land use for the subject properties. The intent of this future land use designation "...is to accommodate modest population growth to reduce demand for public services and facilities while retaining rural community character."

The request to rezone the properties to the Agricultural Preservation (AG-8) Zoning District is consistent with the Plan's recommendations for this area as the AG-8 Zoning District is rural in nature

and promotes very low density residential development thereby providing for modest population growth and the retention of a rural community character.

- 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;**

Staff response: The requested zoning district is compatible with existing uses and recommended density, as this area contains various residential and agricultural uses. Development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the ZLDR.

- C. The proposed amendment corrects a zoning map error or inconsistency;**

Staff response: not applicable

- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.**

Staff response: not applicable

Because the zoning map amendment requests meet one or more of the above stated criteria, staff recommends approval.

PLANNING COMMISSION MEETING: FEBRUARY 13, 2017

Recommendation: Approval (vote: 8 to 0)

Speakers: Two person spoke in support of the request. No one spoke in opposition.

Notifications:

A total of 233 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the Johns Island Interested Parties List on January 27, 2017. Additionally, this request was noticed in the *Post & Courier* on January 27, 2017.

PUBLIC HEARING: MARCH 14, 2017

Note: This public hearing was rescheduled to March 28, 2017 due to the Post & Courier failing to run the public notice ad on February 24, 2017.

Notifications:

A total of 233 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the Johns Island Interested Parties List on February 24, 2017. Additionally, signs were posted on the properties on February 24, 2017.

PUBLIC HEARING: MARCH 28, 2017

Speakers: One person spoke regarding water service. No one spoke in support or opposition of the request.

Notifications:

A total of 233 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the Johns Island Interested Parties List on March 10, 2017. Additionally, signs were posted on the properties on March 10, 2017, and the request was noticed in the *Post & Courier* on March 11, 2017.

PLANNING AND PUBLIC WORKS: APRIL 6, 2017

Recommendation: Approval (vote 8 to 0)

FIRST READING: APRIL 6, 2017

Vote: Approval (Vote 8 to 0)

SECOND READING: APRIL 25, 2017

Vote: Approval (Vote 9 to 0)

A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a semi-transparent blue rectangle containing the title text. The text is in a bold, yellow font. The map shows the coastline and several inland areas, with different colors representing different zoning districts.

Charleston County Zoning Map Amendment Requests

Public Hearing – March 28, 2017

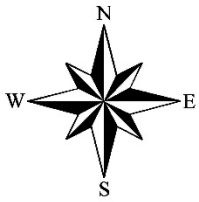
Planning & Public Works Committee – April 6, 2017

Rezoning Case ZREZ-12-16-00046

- Johns Island: 2250 and 2256 River Road
- Parcel I.D.: 315-00-00-126 and -121
- Request to rezone from Rural Residential (RR-3) Zoning District to Agricultural Preservation (AG-8) Zoning District
- Applicant: David J. C. Compton
14 Anson Street, Charleston, South Carolina, 29401
- Owner: Sugah Cain Properties, LLC
14 Anson Street, Charleston, South Carolina, 29401
- Acreage: 33.67 acres (TMS 315-00-00-126) (Total 65.09 acres)
31.42 acres (TMS 315-00-00-121)
- Council District: 8

History

- No zoning map amendment applications have been submitted for these properties prior to this request.

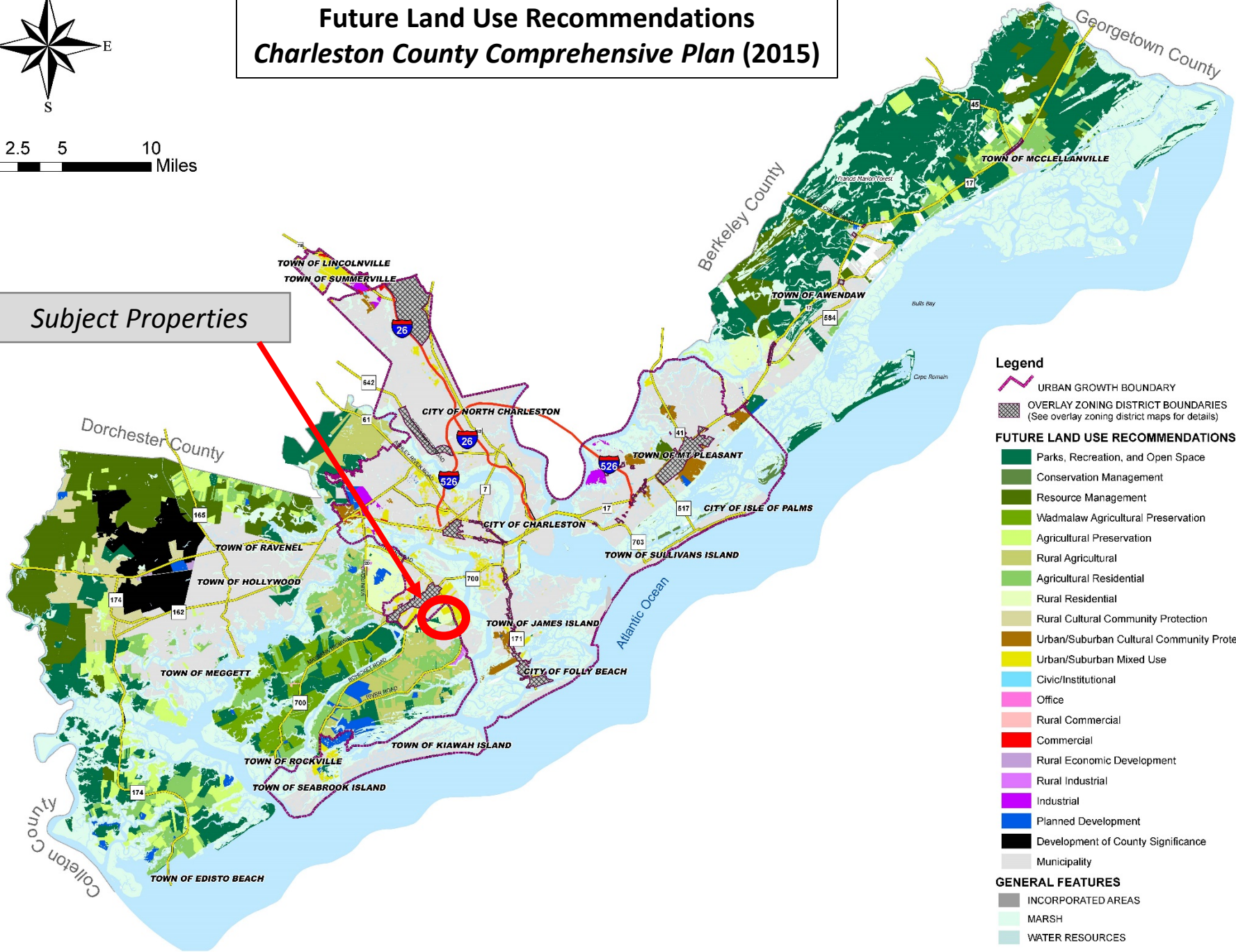


Future Land Use Recommendations

Charleston County Comprehensive Plan (2015)



Subject Properties



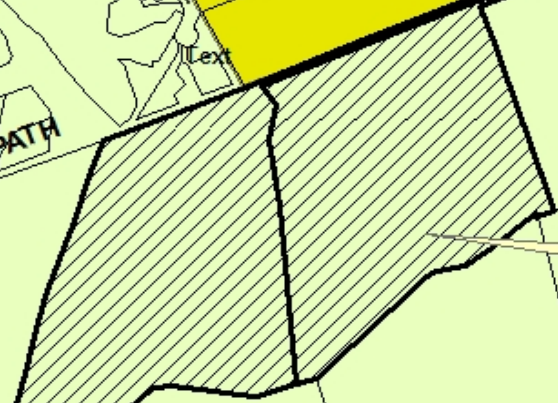
- ### Legend
- URBAN GROWTH BOUNDARY
 - OVERLAY ZONING DISTRICT BOUNDARIES (See overlay zoning district maps for details)
- ### FUTURE LAND USE RECOMMENDATIONS
- Parks, Recreation, and Open Space
 - Conservation Management
 - Resource Management
 - Wadmalaw Agricultural Preservation
 - Agricultural Preservation
 - Rural Agricultural
 - Agricultural Residential
 - Rural Residential
 - Rural Cultural Community Protection
 - Urban/Suburban Cultural Community Protection
 - Urban/Suburban Mixed Use
 - Civic/Institutional
 - Office
 - Rural Commercial
 - Commercial
 - Rural Economic Development
 - Rural Industrial
 - Industrial
 - Planned Development
 - Development of County Significance
 - Municipality
- ### GENERAL FEATURES
- INCORPORATED AREAS
 - MARSH
 - WATER RESOURCES

**Future Land Use Recommendations: Johns Island Area
Charleston County Comprehensive Plan (2015)**

City of Charleston

Legend

-  Parks, Recreation, and Open Space
-  Rural Agricultural
-  Agricultural Residential
-  Rural Residential
-  Urban/Suburban Mixed Use
-  Urban Growth Boundary



Subject Properties

ARTHUR ROSE LN

WATERLOO PLANTATION DR

COQUINA DR

CLAM DR

STARFISH DR

SHAD DR

RIVER RD

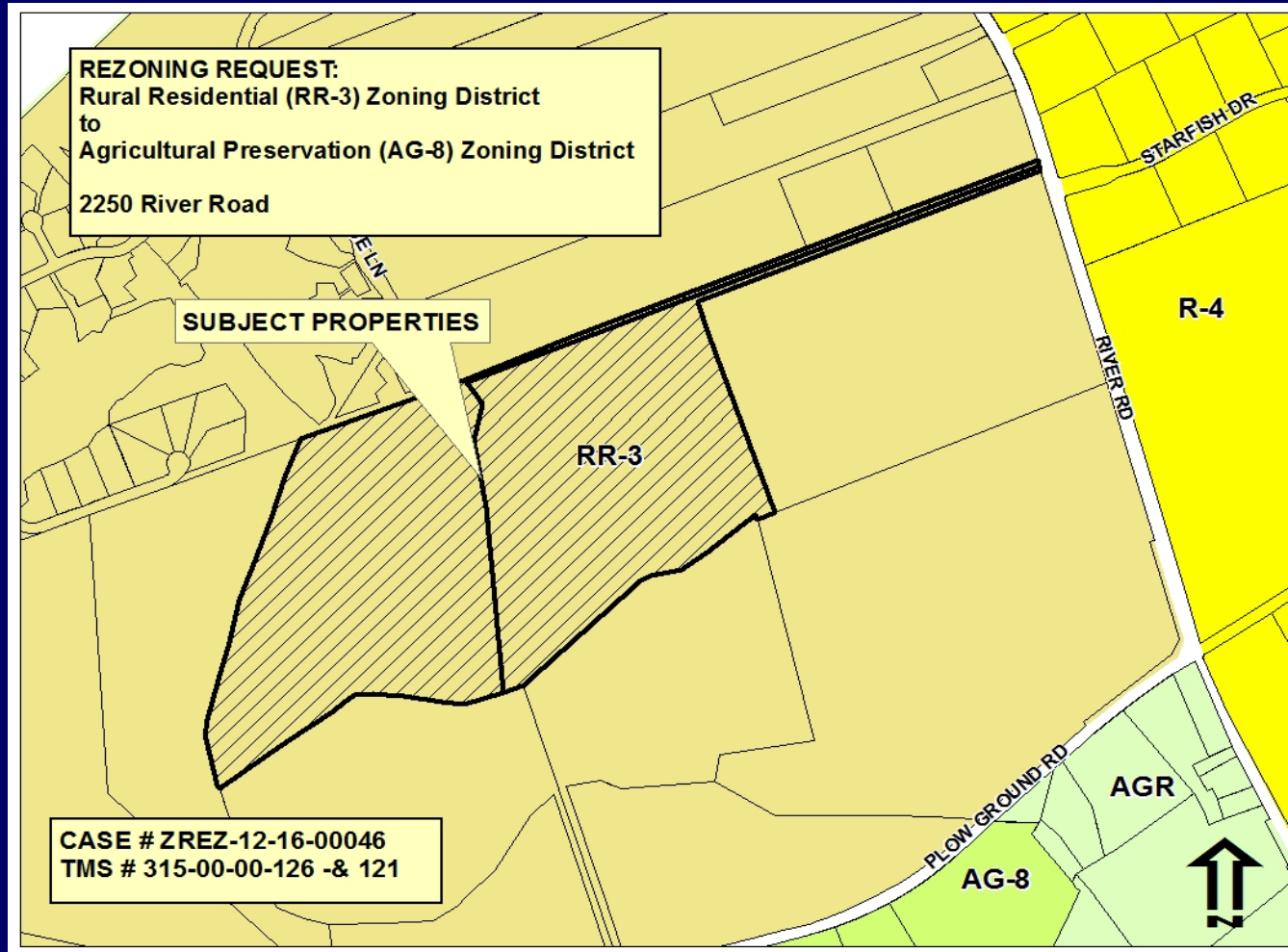
OLIVIA MARIE LN

NICHOLAS DAVID PATH

PLOW GROUND RD



Area Description



Both properties are zoned Rural Residential (RR-3). TMS 315-00-00-126 contains a barn and open horse field, and TMS 315-00-00-121 contains a barn with an associated pond and ancillary outbuildings. Adjacent properties are also zoned RR-3. The properties in this area are either undeveloped or contain agricultural and residential uses.

Subject Parcels to the North



Subject Properties

01/30/2015

© 2015 Pictometry

Subject Parcels to the East and South



Subject Properties

ZREZ-12-16-00046



**1 – Subject Property
(TMS 315-00-00-126)**

**2 – Subject Property
(TMS 315-00-00-126)**



ZREZ-12-16-00046



**3 – Subject Property
(TMS 315-00-00-126)**

**4 – Subject Property
(TMS 315-00-00-126)**



ZREZ-12-16-00046



**5 – Subject Property
(TMS 315-00-00-121)**



**6 – Subject Property
(TMS 315-00-00-121)**

ZREZ-12-16-00046



**7 – Subject Property
(TMS 315-00-00-121)**

**8 – Subject Property
(TMS 315-00-00-121)**



ZREZ-12-16-00046



9 – Adjacent Property

10 – Adjacent Property



ZREZ-12-16-00046



11 – Adjacent Property

12 – Adjacent Property



Typical Allowed Uses

Rural Residential (RR-3)

- Density: 1 dwelling unit/3 acres
- Single-Family Detached
- Family Day Care Home
- Manufactured Housing Unit, Replacement
- School, Primary and Secondary
- Libraries or Archives
- Museums
- Community Recreation
- Greenhouse Production
- Horticultural Production
- Crop Production
- Hydroponics

Agricultural Preservation (AG-8)

- Density: 1 dwelling unit/8 acres
- Single Family Detached
- Family Day Care Home
- Manufactured Housing Unit
- Libraries or Archives
- Community Recreation
- Stable (Commercial or Private)
- Agricultural Sales and Services
- Flower, Nursery Supplies Wholesalers
- Greenhouse Production
- Horticultural Production
- Hydroponics
- Crop Production

Approval Criteria—Section 3.4.6

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this *Ordinance*;

Staff response: The Charleston County Comprehensive Plan (the Plan) recommends the Rural Residential land use for the subject properties. The intent of this future land use designation “...is to accommodate modest population growth to reduce demand for public services and facilities while retaining rural community character.”

The request to rezone the properties to the Agricultural Preservation (AG-8) Zoning District is consistent with the Plan’s recommendations for this area as the AG-8 Zoning District is rural in nature and promotes very low density residential development thereby providing for modest population growth and the retention of a rural community character.

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;

Staff response: The requested zoning district is compatible with existing uses and recommended density, as this area contains various residential and agricultural uses. Development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the ZLDR.

Approval Criteria—Section 3.4.6 *(cont'd)*

- C. The proposed amendment corrects a zoning map error or inconsistency;

Staff response: Not applicable.

- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

Staff response: Not applicable.

STAFF RECOMMENDATION:

Approval

PLANNING COMMISSION RECOMMENDATION:

Approval (vote: 8 to 0)

Notifications

- 233 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcels and individuals on the Johns Island Interested Parties List on Jan. 27, 2017, Feb. 24, 2017, and Mar. 10, 2017.
- Request advertised in the *Post & Courier* on Jan. 27, 2017 and Mar. 10, 2017.
- Signs were posted on the properties on Feb. 24, 2017 and Mar. 10, 2017.

Public Input

- One letter of support has been received.

A map of Charleston County, South Carolina, showing various zoning districts. The map is overlaid with a grid and colored regions representing different zoning types. The text is centered over the map.

Charleston County Zoning Map Amendment Requests

Public Hearing – March 28, 2017

Planning & Public Works Committee – April 6, 2017

ZONING CHANGE APPLICATION

CASE ZREZ-12-16-00046 PD _____



Zoning/Planning
Department
Lonnie Hamilton, III
Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405
(843) 202-7200
1-800-524-7832
Fax: (843) 202-7222

PROPERTY INFORMATION

CURRENT DISTRICT RR3 REQUESTED DISTRICT AG-8
 PARCEL ID(S) 315-00-00-126 + 121
 CITY/AREA OF COUNTY Johns Island
 STREET ADDRESS 2250 River Rd. ACRES 65.09
 DEED RECORDED: BOOK 0344 PAGE 953 DATE 7/9/2013
 PLAT RECORDED: BOOK 0344 PAGE 952 DATE 2/7/13 APPROVAL # 16930

↳ EB 734 - April 1997

APPLICANT-OWNER-REPRESENTATIVE

APPLICANT David J.C. Compton HOME PHONE _____
 MAIL ADDRESS 14 Anson St WORK PHONE (843) 723-9712
 CITY, STATE, ZIP Charleston, SC. 29401 CELL PHONE (843) 906-5206
 EMAIL Papa Compton@gmail.com

OWNER Sugah Cair Properties, LLC HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS 14 Anson St. WORK PHONE _____
 CITY, STATE, ZIP Charleston, S.C. 29401 CELL PHONE _____
 EMAIL _____

REPRESENTATIVE HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

CERTIFICATION

- This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:
- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
 - ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
 - ✓ Copy of Signed Restricted Covenants Affidavit
 - ✓ Copy of Signed Posted Notice Affidavit
 - ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that _____ is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

David J.C. Compton 12/06/16
 Signature of Owner(s) Date Signature of Applicant/ Representative (if other than owner) Date
Andrea Harris Long 12/6/16
 Planner's Signature Date Zoning Inspector's Signature Date

OFFICE USE ONLY

Amount Received \$785.80 Cash ? Check? # 11555 Invoice Number TRC-110499-06-12-2016

Letters/Emails of Support

From: Jaime DeBasse [<mailto:jaime@hflcharleston.com>]
Sent: Friday, January 27, 2017 10:44 AM
To: Joel Evans <JEvans@charlestoncounty.org>
Subject: on behalf of Charles Lane

January 27, 2017

Joel Evans
Planning Commission

Dear Joel,

As the managing member of the adjoining property Case Reference #ZREZ-12-16-00046 I would like to show my support for this zoning change. Exchange Plantation was developed as an equestrian property in 1993. Covenants and restrictions on the entire 350 acre parcel were put in place at that time and are recorded on December 15, 1993 in the RMC Office for Charleston County and Book M-237 Page 751.

These covenants restrict further subdivision of the property to ten acre parcels for twenty-five years and thereafter to five acres in perpetuity. This zoning change is in total keeping with private restrictions in the area. The adjoining properties are all being used for horse farms, agriculture and hunting.

Sincerely yours,

Charles Lane

Jaime DeBasse
Holcombe, Fair & Lane
843-722-2642
www.hflcharleston.com