

**CHARLESTON COUNTY  
BOARD OF ZONING APPEALS (BZA)  
SUMMARY OF THE JANUARY 8, 2024 MEETING  
5:30 P.M.\***

In compliance with the Freedom of Information Act (FOIA), notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.

**Members Present**

Chair, Mr. William H. Ray, Mr. AD Jordan, Mr. Roy Neal, Ms. Tonia Switzer-Small, Mr. Doug Truslow, and Mr. Jesse Williams.

**Members Absent**

Mr. Marc Marchant, Mr. Ross Nelson, and Mr. Robert Siedell

**Staff Members Present**

Mr. Kelvin Huger, BZA Attorney; Mr. Grayson Anderson, Planner II; Ms. Sally Brooks, Planner III; Mrs. Genesis Clark, Planning Technician II; Mr. Joshua Downey, Planning Technician II; and Mrs. Jenny Werking, Planner III and Secretary for the BZA

**Notification Procedures**

Staff has met the requirements of state law and *Section 3.1.6* of the *Charleston County Zoning and Land Development Regulations Ordinance* for notification for all cases to be heard by the BZA at this meeting. The notification procedures were completed by staff 15 calendar days prior to this meeting as follows:

- December 15th: Site Visits and Postings were completed by this date.
- December 15th: Letters were mailed to property owners within 300' and to Parties in interest for all cases. These notifications are above and beyond the state requirements.
- December 15th: Notice of this meeting was published in the *Post and Courier*.

The January 8, 2024 BZA meeting was called to order at 5:30 p.m. by the Chair, Mr. Ray.

\*The meeting was scheduled to begin at 5:00 p.m., however President Biden was in route to the airport and there was not a quorum of BZA members until 5:30 p.m. In addition, several of the applicants and citizens did not arrive until 5:30 p.m.

**Minutes**

Mr. Neal made a motion to approve the December 4, 2023 public hearing meeting minutes. Mr. Truslow seconded the motion. The motion carried unanimously.

**Mr. Jordan arrived after the vote for the minutes.**

**New Business**

**CASE# BZA-11-23-00728**

Barry Whalen of HLA, Inc. ("the Applicant") and George Gratzick of GANB LLC ("the Property Owner") filed a Variance request to remove three (3) Grand Trees and to encroach more than twenty-five percent (25%) of the protected area of one Grand Tree at 3253 Maybank Highway on Johns Island, Charleston County, (TMS # 279-00-00-206). The Johns Island Maybank Highway Corridor Overlay (Limited Commercial [LC]) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had not been satisfied. Ms. Switzer-Small made a motion to deny the application because it did not meet criteria 6. Mr. Neal seconded the motion. Mr. Ray, Mr. Jordan, Mr. Neal, Ms. Switzer-Small, and Mr. Williams voted in favor of the motion. Mr. Truslow voted against the motion. A simple majority of the members present and voting (5 to 1), voted in favor of the motion to disapprove the application. Therefore, application was denied.

**CASE# BZA-11-23-00729**

Barry Whalen of HLA, Inc. (“the Applicant”) and George Gratzick of GANB LLC (“the Property Owner”) filed a Variance request to relocate the required 8’ perimeter landscape area to an easement on the adjacent property, TMS # 279-00-00-205, and to reduce the required 25’ (Type D land use buffer) by 15’ to 10’ at 3253 Maybank Highway on Johns Island, Charleston County, (TMS # 279-00-00-206). The Johns Island Maybank Highway Corridor Overlay (Limited Commercial [LC]) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant’s presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had not been satisfied. Mr. Neal made a motion to deny the application because it did not meet criteria 6. Mr. Williams seconded the motion. The motion to disapprove the application was unanimous and therefore application was denied.

**CASE# BZA-11-23-00730**

Eric Ladson, EIT of Earthsource Engineering (“the Applicant”) and Jonathan Steinberg of 4212 Scott Street LLC (“the Property Owner”) filed a Variance request to waive the required 8’ perimeter landscape along the eastern and western property boundaries and to waive the required 15’ right-of-way landscape buffers along Veneer Avenue and Scott Street for an existing laydown yard at 4212 Scott Street in the North Area of Charleston County, (TMS # 411-09-00-001). Industrial (IN) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant’s presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Neal made a motion to approve the Variance request with the following condition: (1) Prior to zoning permit approval, the applicant shall install an opaque screen on the existing fence along Veneer Avenue and the applicant shall complete the Site Plan Review process. Mr. Jordan seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced condition.

**CASE# BZA-11-23-00731**

Eric Ladson, EIT of Earthsource Engineering (“the Applicant”) and Jonathan Steinberg of 4212 Scott Street LLC (“the Property Owner”) filed a Variance request to allow an existing fence (6’ high chain link fence with 18-24” barbed wire on top) to remain within the required right-of-way landscape buffers along Veneer Avenue and Scott Street for an existing laydown yard at 4212 Scott Street in the North Area of Charleston County, (TMS # 411-09-00-001). Industrial (IN) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant’s presentation, and any public comments concerning the applications, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Neal made a motion to approve the Variance request with the following condition: (1) Prior to zoning permit approval, the applicant shall install an opaque screen on the existing fence along Veneer Avenue and the applicant shall complete the Site Plan Review process. Mr. Jordan seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced condition.

**The BZA had a 10-minute recess.**

**CASE# BZA-11-23-00733**

Tripp Moye of GBSC FDN LLC (“the Applicant” and “the Property Owner”) and Bob Almirall of Reeve Group (“the Representative”) filed a Variance request to remove one Grand Tree and to encroach more than twenty-five (25% of the protected area of two (2) Grand Trees for a proposed soccer field complex (Phase II) at 5116 and 5130 Highway 17 North in the East Area of Charleston County, (TMS # 625-00-00-095 and an approximately 3.3-acre portion of TMS # 625-00-00-003). Agricultural Preservation (AG-10) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant’s presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied.

Mr. Truslow made a motion to approve the Variance request with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process; (2) The applicant shall mitigate the removal of the 27" DBH Grand Red Oak Tree by either (a) submitting a mitigation plan for review and approval indicating the installation of canopy trees no smaller than two and one-half (2.5) inches in caliper equaling inch per inch replacement, (b) by depositing funds into the Charleston County Tree Fund as described in Sec. 9.2.6 of the Charleston County Zoning and Land Development Regulations, or (c) a combination of both (a) and (b). The allotted mitigation shall be in place prior to removal; (3) If any of the Grand Trees requested for encroachment (27" DBH Live Oak and 50" DBH Live Oak) dies within 3 years of the installation of completion of the project, the applicant shall mitigate the tree or trees by either (a) submitting a mitigation plan for review and approval indicating the installation of canopy trees no smaller than two and one-half (2.5) inches in caliper equaling inch per inch replacement, (b) by depositing funds into the Charleston County Tree Fund as described in Sec. 9.2.6 of the ZLDR, or (c) a combination of both (a) and (b). The allotted mitigation shall be in place prior to its removal; (4) Tree barricades constructed of chain link fencing shall be installed around all protected trees within 40' of disturbance prior to any construction, pursuant to Sec. 9.2.4 of the Charleston County Zoning and Land Development Regulations; and (5) The applicant shall retain a Certified Arborist to monitor and treat all Grand Trees onsite through the duration of construction. The applicant shall provide a copy of the treatment plan to Zoning Staff for review and approval prior to Site Plan Review approval. Mr. Neal seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced conditions.

**CASE# BZA-11-23-00734**

Tripp Moyer of GBSC FDN LLC ("the Applicant" and "the Property Owner") and Bob Almirall of Reeve Group ("the Representative") filed a Variance request to reduce the required 75' right-of-way landscape buffer along Highway 17 North by 25' to 50' for a proposed soccer field complex (Phase II) at 5116 and 5130 Highway 17 North in the East Area of Charleston County, (TMS # 625-00-00-095 and an approximately 3.3-acre portion of TMS # 625-00-00-003). Agricultural Preservation (AG-10) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Variance request with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process; (2) The applicant shall install an architectural wall or fence a minimum of 36" in height around the perimeter of the parking area that fronts Highway 17 North. The Planning Director shall review and approve the wall or fence design before installation and prior to Site Plan Review approval; and (3) The 50' right-of-way buffer from Highway 17 North shall be installed and maintained as required by Ordinance. Ms. Switzer-Small seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced conditions.

**Additional Business**

The BZA will hear nine (9) new business cases at the February 5, 2024 BZA Public Hearing that will be held in-person in Council Chambers at 5:00 p.m. Mrs. Werking announced that all of the board members are required to complete annual continuing education training for 2024.

**Adjournment**

There being no further business, the board adjourned at 8:30 p.m.

Respectfully submitted,



Jenny J. Werking, AICP  
Secretary to the BZA