

**CHARLESTON COUNTY
BOARD OF ZONING APPEALS (BZA)
SUMMARY OF THE SEPTEMBER 9, 2024 MEETING
5:00 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

Acting Chair, Mr. Ross Nelson, Mr. AD Jordan Mr. Marc Marchant, Mr. Roy Neal, Mr. Robert Siedell, Ms. Tonnia Switzer-Small, Mr. Doug Truslow, and Mr. Jesse Williams

Members Absent

Chair, Mr. William H. Ray

Staff Members Present

Mr. Kelvin Huger, BZA Attorney; Genesis Clark, Planning Technician II; Joshua Downey, Planning Technician II, and Jenny Werking, Planner III Secretary for 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:

- August 23rd: Site Visits and Postings were completed by this date.
- August 23rd: 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.
- August 23rd: Notice of this meeting was published in the *Post and Courier*.

The September 9, 2024 BZA meeting was called to order at 5:00 p.m. by the Acting Chair, Mr. Ross Nelson.

Minutes

Mr. Truslow made a motion to approve the August 26, 2024 public hearing meeting minutes. Mr. Siedell seconded the motion. Mr. Nelson, Mr. Marchant, Mr. Neal, Mr. Siedell, Mr. Truslow, and Mr. Williams voted in favor of the motion. Therefore, the motion carried unanimously.

Mr. Jordan and Ms. Switzer-Small arrived after the vote of the minutes.

New Business:

CASE# BZA-06-24-00790

Christian Skowlund ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low Density Residential (R-4) Zoning District at 1545 Oak Island Drive on James Island in Charleston County, TMS # 328-03-00-031. Low Density Residential (R-4) 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 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had not been satisfied. Mr. Neal made a motion to deny the Special Exception stating that the application did not meet criterion 1. Mr. Williams seconded the motion. Mr. Marchant, Mr. Neal, Mr. Siedell, Mr. Truslow, and Mr. Williams voted in favor of the motion.

Mr. Jordan, Mr. Nelson, and Ms. Switzer-Small's voted against the motion. The motion to deny the application passed (5 to 3). Therefore, the application was disapproved.

The BZA had a 10-minute recess.

CASE# BZA-07-24-00797

Michelle Trementozzi ("the Applicant") and James Trementozzi ("the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the DuWap-O, DuPont-Wappoo Area Overlay (Low Density Residential [R-4]) Zoning District at 818 Castle Avenue in the St. Andrews Area of Charleston County, TMS # 350-02-00-122. DuWap-O, DuPont-Wappoo Area Overlay (Low Density Residential [R-4]) 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 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Marchant made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Siedell seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-07-24-00798

Bradley Flaig ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low-Density Manufactured Housing Subdivision (MHS) Zoning District at 1658 Terns Nest on James Island in Charleston County, TMS # 331-07-00-171. Low-Density Manufactured Housing Subdivision (MHS) 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 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Marchant seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-07-24-00800

Ginger R. Summers of Joe Summers Landscape Construction, Inc dba "The Tree House" ("the Applicant" and "the Property Owner"), David Tomblin of The Tomblin Company ("the Representative") and Kevin E. Whalley of Architecture + SC, LLC ("the Representative") filed a Variance request to reduce the 8' perimeter landscape area required along the north, east, and west, property lines for existing parking and existing structures, and to reduce the required 75' right-of-way buffer along Main Road by 42' to 33' at 849 Main Road on Johns Island in Charleston County, (TMS # 282-00-00-128). Main Road Corridor Overlay (Belvedere-Main Commercial [BMC]) 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. Williams made a motion to approve the Variance request following condition: (1)

The applicant shall satisfy all conditions of approval outlined in the Site Plan Review project status report dated March 7, 2024. Mr. Jordan seconded the motion. The motion to approve the application was unanimous and therefore granted with the above referenced condition.

Additional Business

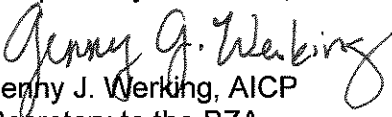
The BZA will hear two (2) old business cases and five (5) new business cases at the October 7, 2024 BZA Public Hearing that will be held in-person in Council Chambers at 4:30 p.m.

Ms. Werking reminded the board members that the annual continuing education training is self-study and the deadline to finish the training is December 31, 2024.

Adjournment

There being no further business, the board adjourned at 7:30 p.m.

Respectfully submitted,


Jenny J. Werking, AICP
Secretary to the BZA