

**CHARLESTON COUNTY
BOARD OF ZONING APPEALS (BZA)
SUMMARY OF THE FEBRUARY 3, 2025 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. Brad Brown, Mr. AD Jordan, Mr. Roy Neal, Mr. Robert Siedell, and Mr. Doug Truslow

Members Absent

Chair, Mr. William H. Ray and Ms. Shana Smith

Staff Members Present

Mr. Kelvin Huger, BZA Attorney; Genesis Clark, Planning Technician II; Kyle Foster, Planner I/Arborist; and Jenny Werking, Planner III and 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:

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| January 17th: | Site Visits and Postings were completed by this date. |
| January 17th: | Letters were mailed to property owners within 300' for all other requests, and to Parties in interest for all cases. These notifications are above and beyond the state requirements. |
| January 17th: | Notice of this meeting was published in the <i>Post and Courier</i> . |

The February 3, 2025 BZA meeting was called to order at 5:00 p.m. by the Acting Chair, Mr. Ross Nelson.

Minutes

Staff stated that an error was found in the draft meeting minutes for the January 6, 2025 meeting. The error will be corrected, and the January meeting minutes will be reviewed at the March BZA meeting.

New Business

CASE# BZA-12-24-00834

Tyler Spears of Bessemer Road, LLC ("the Applicant") and Bob Almirall of Reeve Group ("the Representative") filed a Variance request to remove two (2) Grand Trees for a proposed subdivision at 1572 and 1576 Joe Rouse Road and 3037 Julius Robertson Road in the East Area of Charleston County (TMS # 583-00-00-007, -008, and -236). Special Management (S-3) Zoning District standards apply.

Findings: After hearing the representative's request to defer the case, Mr. Jordan made a motion to defer the variance application. Mr. Truslow seconded the motion. The motion passed unanimously. Therefore, the variance application was deferred for up to 90 days.

CASE# BZA-12-24-00829

Julian Hodgeman of BengalRock, LLC ("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 1546 Little Rock Boulevard on James Island in Charleston County (TMS # 334-15-00-096). 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. 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. Neal seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-12-24-00830

Jenitza L. Laguna of The Grace Shack LLC ("the Applicant" and "the Property Owner"), filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Special Management (S-3) Zoning District at 1417 Tarrington Lane in the East Area of Charleston County (TMS # 577-00-00-158). Special Management (S-3) 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. Brown seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

Mr. Truslow recused himself from hearing Case # BZA-12-24-00831.

CASE# BZA-12-24-00831

Jeff Gallman ("the Applicant" and "the Property Owner"), filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Natural Resource Management (NR) Zoning District at 2325 Captain John Hutt Road on Goat Island in Charleston County (TMS # 571-13-00-005). Natural Resource Management (NR) and 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. Siedell 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. Neal seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-12-24-00832

Robert Louis Bellah III ("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 1535 Harbor View Road on James Island in Charleston County (TMS # 424-10-00-021). 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. Siedell 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. Brown seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-12-24-00833

Homer Buster Altine, III ("the Applicant" and "the Property Owner") filed a Variance request to reduce the required 35' Critical Line setback by 27.7' to 7.3' at the closest point and to reduce the required 15' Critical Line buffer by 7.7' to 7.3' at the closest point for an existing unpermitted detached accessory structure (shed) at 2388 Sol Legare Road on James Island in Charleston County (TMS # 330-08-00-017). Sol Legare Community Overlay (Residential Area, Special Management [S-3]) 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, Sec. 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 conditions: (1) The applicant shall use stormwater mitigation measures, such as the use of rain barrels or rain gardens, to reduce the flow of stormwater into the marsh; and (2) The applicant/property owner shall obtain all required zoning and building permits for the unpermitted detached accessory structure (shed). Mr. Jordan seconded the motion. Mr. Nelson, Mr. Brown, Mr. Jordan, Mr. Neal, and Mr. Siedell voted in favor of the motion. Mr. Truslow voted against the motion. The majority of the members present, and voting (5 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

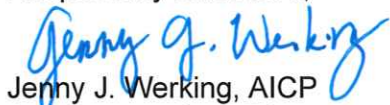
Additional Business

The BZA's Annual Business Meeting will be held on March 3, 2025 from 3:00 to 5:00 p.m. in the Council Committee Room. Dinner will be served, and the annual meeting will count towards two (2) hours of continuing education (CE). The BZA will hear two (2) old business cases and eight (8) new business cases at the March 3, 2025 BZA Public Hearing that will be held in-person in Council Chambers at 5:00 p.m. Mrs. Werking reminded the board members that the annual continuing education training is self-study and the deadline to finish the training is December 31, 2025.

Adjournment

There being no further business, the board adjourned at 6:58 p.m.

Respectfully submitted,



Jenny J. Werking, AICP
Secretary to the BZA