

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING **Tuesday, November 12, 2024 at 6:30 PM**

Charleston County Council will hold a public hearing on the matters listed below beginning at 6:30 p.m., Tuesday, November 12, 2024, in Council Chambers (second floor of the Lonnie Hamilton, III, Public Services Building, located at: 4045 Bridge View Drive, North Charleston, SC 29405). The meeting will be livestreamed at: <https://www.charlestoncounty.org/departments/county-council/cctv.php>. Public comments may be made in person or sent to the specific case email addresses listed below by 5:00 PM on Friday, November 8, 2024. Packet information and additional ways to provide comments can be found online at: <https://engage.charlestoncounty.org>. Contact the Zoning and Planning Department at (843)202-7200 for additional information.

- a. ZREZ-09-24-00154: Request to rezone TMS 215-00-00-014, 3555 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District. Email: ZREZ00154@publicinput.com
- b. ZREZ-09-24-00156: Request to rezone TMS 257-00-00-033, 2550 and 2554 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District. Email: ZREZ00156@publicinput.com

This Public Notice is in accordance with Section 6-29-760 of the Code of Laws of South Carolina.

Kristen L. Salisbury
Clerk of Council

ZREZ-09-24-00156: Case History

Planning Commission: October 14, 2024
Public Hearing: November 12, 2024
Planning and Public Works Committee: November 21, 2024
First Reading: November 21, 2024
Second Reading: December 10, 2024
Third Reading: December 19, 2024

CASE INFORMATION

Applicant: Johns Island Presbyterian Church, Inc.

Location: 2550 & 2554 Bohicket Road, Johns Island

Parcel Identification: 257-00-00-033

Application: Request to rezone TMS 257-00-00-033 from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District.

Council District: 8 (Boykin)

Property Size: 6.5 total acres

Zoning History: The Church was added to the National Register of Historic Places in November of 1975. Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study. These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and Land Development Regulations Ordinance (ZLDR). Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR.

In September of 2024, the owner had their surveyor apply to record a new boundary survey of the subject property and TMS 257-00-00-032, and the owner applied to rezone the subject property.

Adjacent Zoning: The subject property fronts on Bohicket Road and is developed with Johns Island Presbyterian Church, a fellowship hall, cemetery, rectory, and pole barn on the parcel. To the north and east, the adjacent property is also owned by the church, has an equestrian center, and is zoned AG-8. To the west and across Bohicket Road to the south, the adjacent properties have single-family residences, a nonprofit office, or are vacant, and are zoned AGR.

Municipalities Notified/Response: Town of Awendaw, Town of James Island, Town of Kiawah Island, Town of McClellanville, Town of Mount Pleasant, City of Isle of Palms, City of North Charleston, and Town of Sullivans Island were notified of this request. Any responses are included in this packet.

APPROVAL CRITERIA

Pursuant to ZLDR Section 3.4.6, 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 Comprehensive Plan recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states, “The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. ‘By-Right’ uses include residential development, agriculture, and other uses necessary to support the viability of agriculture.” The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.*

- 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: *Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Tower, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to dwelling unit per 8 acres. Therefore, this criterion is met.*

- c) The proposed amendment corrects a zoning map error or inconsistency; or

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:

The approval criteria have been met; therefore, Staff recommends approval.

PLANNING COMMISSION MEETING: October 14, 2024

Recommendation: Approval, 9-0.

Speakers: The applicant and one individual spoke in support of the request.

Public Input: No public input was received.

Notifications: 489 notifications were sent to property owners within 300 feet of the subject parcels and those on the Johns Island and Historic Preservation Interested Parties Lists on September 27, 2024. Additionally, this request was noticed in the *Post & Courier* on September 27, 2024.

PUBLIC HEARING: November 12, 2024

Speakers: No speakers spoke in support or opposition of the application.

Public Input: No public input was received.

Notifications: 489 notifications were sent to property owners within 300 feet of the subject parcels and those on the Johns Island and Historic Preservation Interested Parties Lists on October 25, 2024. Additionally, signs were posted and this request was noticed in the *Post & Courier* on October 25, 2024.

PLANNING AND PUBLIC WORKS: November 21, 2024

Recommendation: Approval, 7-0; (Councilmembers Kobrovsky and Darby were absent).

FIRST READING: November 21, 2024

Vote: Approval, 8-0: (Councilmember Kobrovsky was absent).

SECOND READING: December 10, 2024

Vote: Approval, 8-0: (Councilmember Darby was absent).

SECOND READING: December 19, 2024



Charleston County Zoning Map Amendment Request

Planning Commission: October 14, 2024

Public Hearing: November 12, 2024

Planning and Public Works Committee: November 21, 2024

First Reading: November 21, 2024

Second Reading: December 10, 2024

Third Reading: December 19, 2024

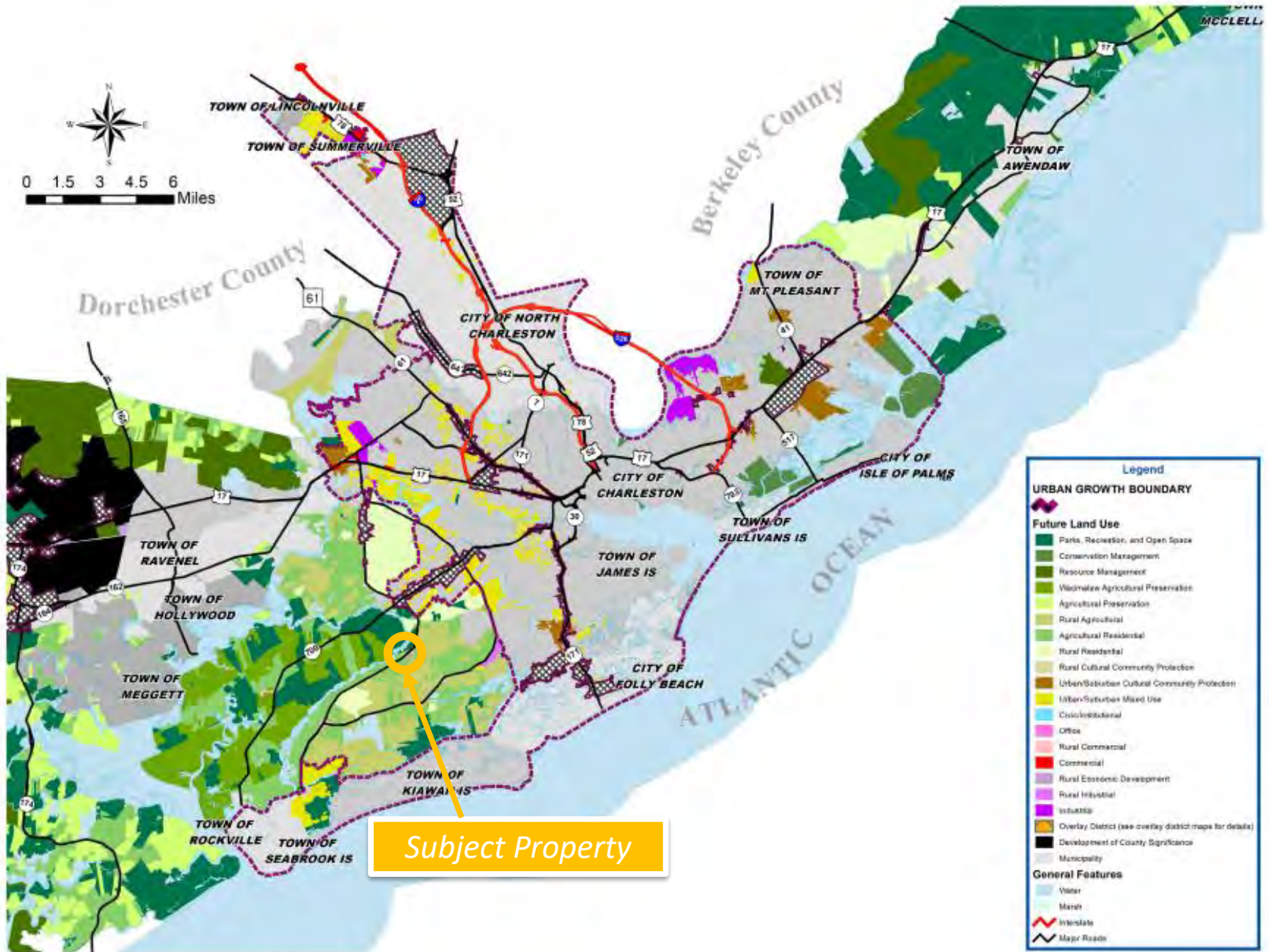
ZREZ-09-24-00156

Request to rezone TMS # 257-00-00-033, 2550 & 2554 Bohicket Road, from the Agricultural Residential (AGR) Zoning District to the Rural Agricultural (AG-8) Zoning District for Landscaping and Horticultural Use.

- Johns Island Area: 2550 & 2554 Bohicket Road
- Parcel I.D.: 257-00-00-033
- Owner: Johns Island Presbyterian Church, Inc.
- Applicant: Johns Island Presbyterian Church, Inc. (Charles Larsen, authorized by Church).
- Property Size: 6.5 acres
- Council District: 8 (Boykin)

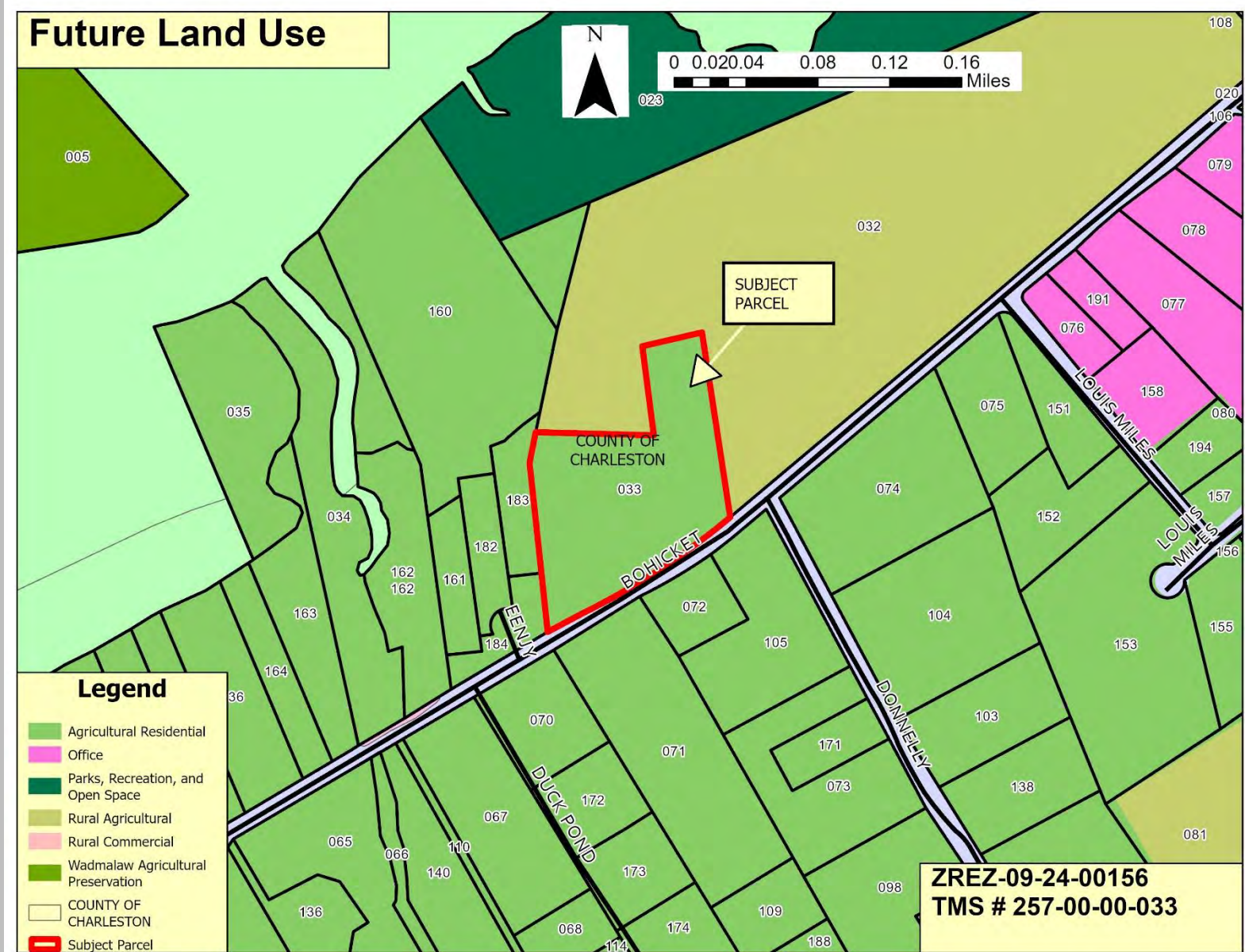
Zoning History

- The Church was added to the National Register of Historic Places in November of 1975.
- Prior to 2001, the subject property was zoned Rural Agricultural (AG-8) Zoning District. The subject parcel was considered for inclusion in a 'Settlement Area' as part of the 2001 Charleston County Settlement Area Study.
- These identified 'Settlement Areas' were designated as Agricultural Residential (AGR) Zoning Districts in the 2001 Zoning and Land Development Regulations Ordinance (ZLDR).
- Because of the size of the parcel on April 21, 1999 (less than 30 acres in size), the property was placed in the AGR Zoning District with the adoption of the 2001 ZLDR.

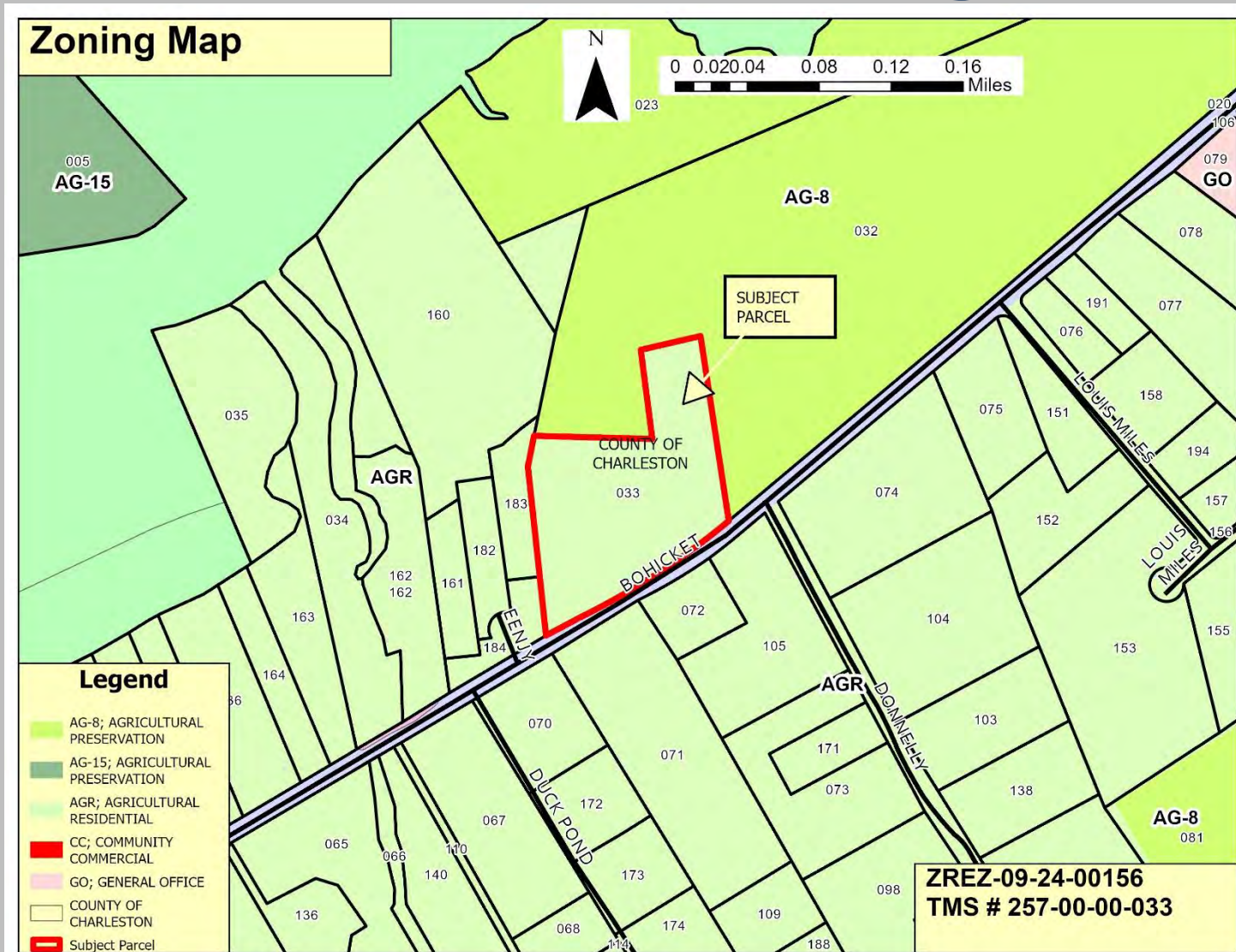


Subject Property

Future Land Use

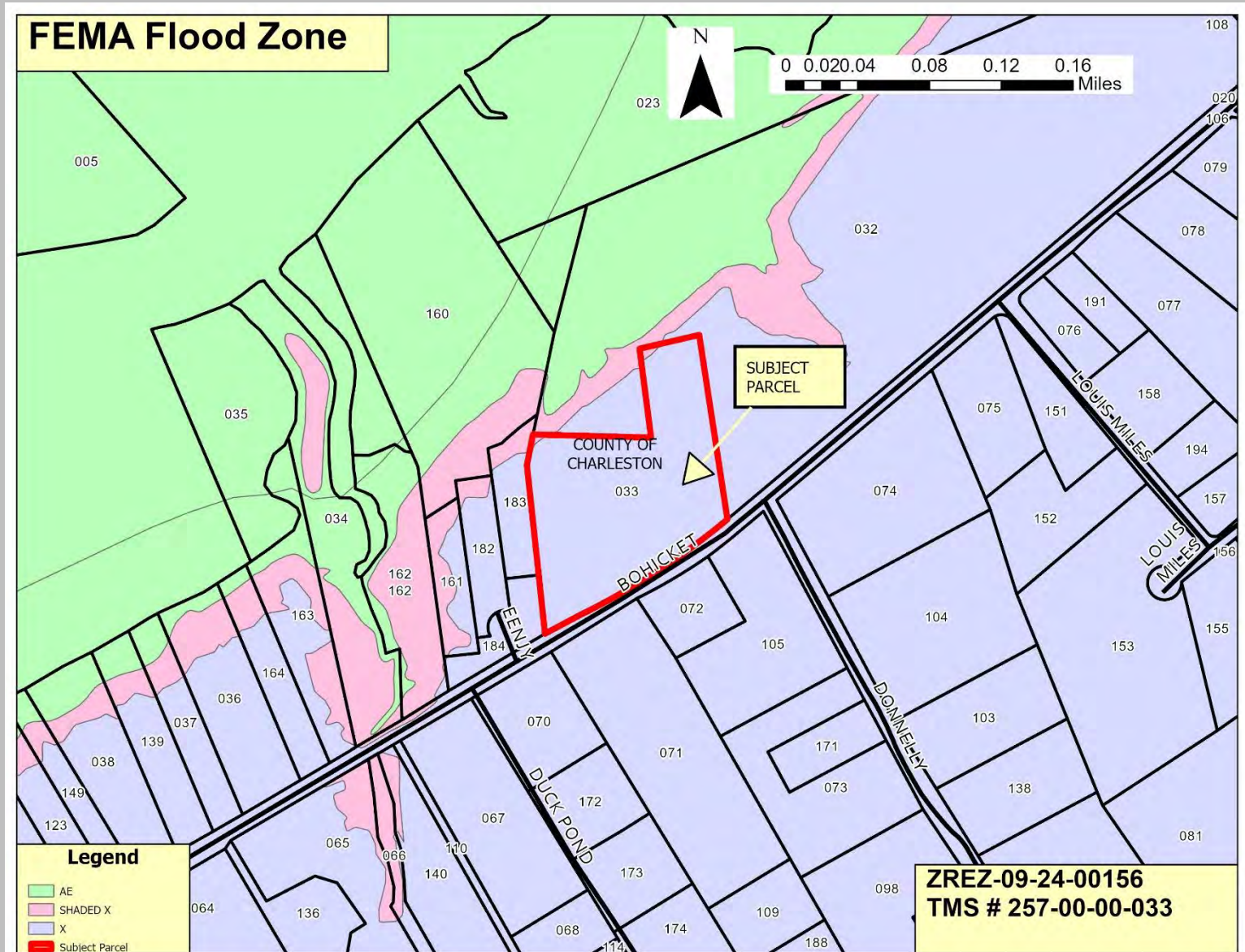


Current Zoning

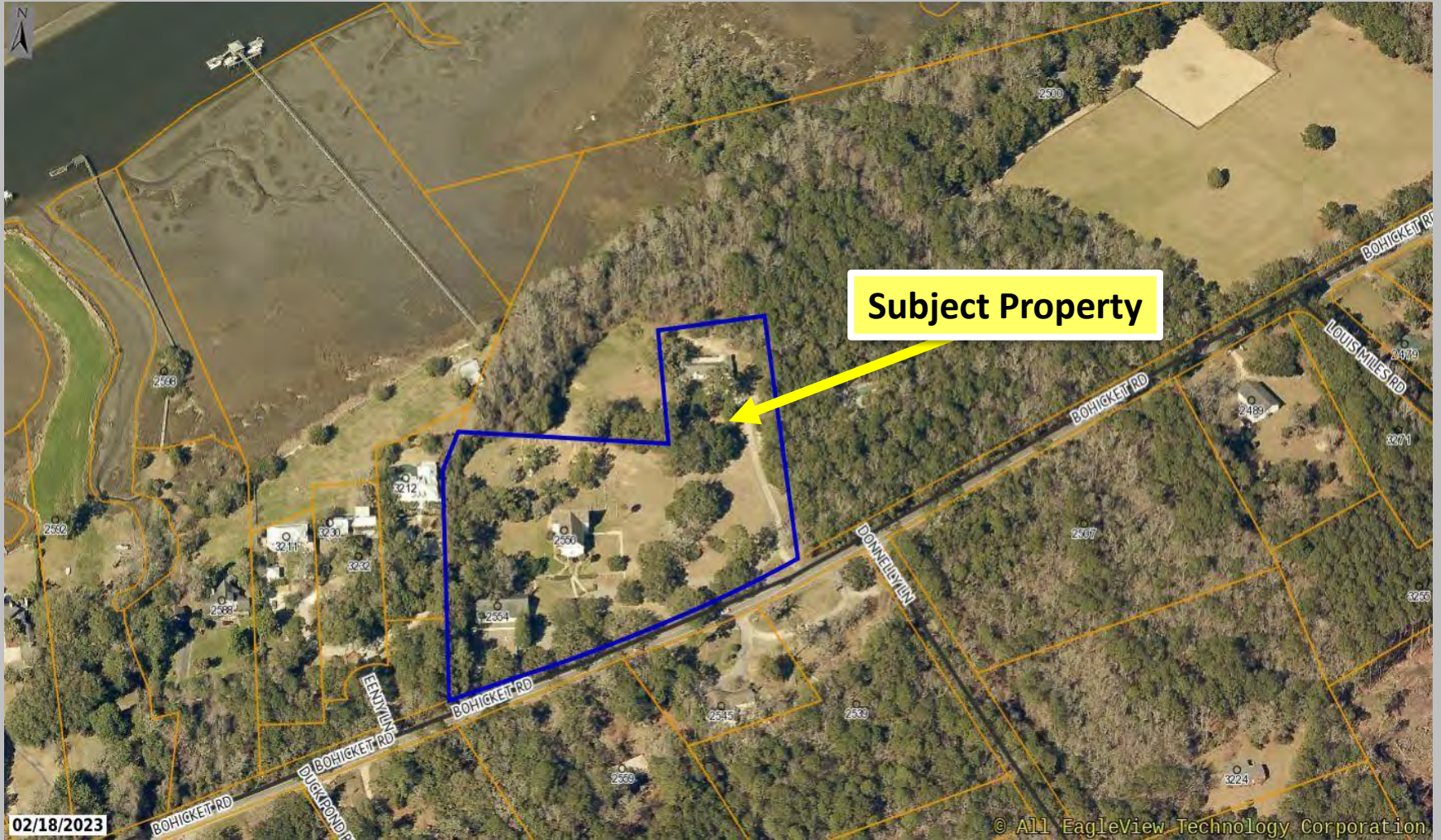


The subject property fronts on Bohicket Road and is developed with Johns Island Presbyterian Church, a fellowship hall, cemetery, rectory, and pole barn on the parcel. To the north and east, the adjacent property is also owned by the church, has an equestrian center, and is zoned AG-8. To the west and across Bohicket Road to the south, the adjacent properties have single-family residences, a nonprofit office, or are vacant, and are zoned AGR.

FEMA Flood Zone



Aerial View to the North



Aerial View to the South



Site Photos



1 – Subject Property
TMS 257-00-00-033



2 –Adjacent Property
TMS 257-00-00-032

Site Photos



**3 – Adjacent Property
TMS 257-00-00-184**



**4 – Property Across Bohicket
TMS 257-00-00-072**

Comparison of Land Uses

	AGR (Current Zoning)	Proposed AG-8 (Requested Zoning)
<p>Allowed Land Uses Include</p> <p>C - Allowed with conditions</p> <p>S- Special Exception Approval by the BZA Required</p>	<ul style="list-style-type: none"> -Allows for 1 Dwelling Units per acre -Detached, Single Family Residence -Horticultural Production -Agricultural Sales or Service (C) -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -School, Primary -School, Secondary -Medical Office (S) -Community Residential Care Facility (S) -Counseling Services (S) -Home Health Agency (S) -Intermediate Care Facility for Individuals with Intellectual Disabilities (S) -Residential Treatment Facility for Children or Adolescents (Mental Health Treatment) (S) -Museum -Community Recreation -Campground (S) -Kennel (S) -Small Animal Boarding (C) -Veterinary Service (S) -Artisan and Craftsman (C) -Resource Extraction/Mining (S) 	<ul style="list-style-type: none"> -Allows for 1 dwelling units per 8 acres -Detached, Single-Family Residence -Horticultural Production -Agricultural Sales or Service -Landscaping and Horticultural Services (C) -Farmers Market -Dwelling Group (C) -Adult Daycare Services (S) -Museum (C) -School, Primary (S) -School Secondary (S) -Community Recreation -Outdoor Recreation and Entertainment (C) -Outdoor Shooting Range (S) -Campground (S) -Kennel (C) -Small Animal Boarding -Veterinary Service -Flower, Nursey Stock, or Florists' Supplies Wholesaler -Artisan and Craftsman (C) -Resources Extractions/ Mining (S) -Aviation (C) -Private Air Strip (C)

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, 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 recommends the Agricultural Residential Future Land Use designation for the subject parcel, which states, “The land use category consists of rural residential Settlement Areas that have been subdivided into small properties. Proposed densities generally range from one dwelling per acre to one dwelling per five acres. ‘By-Right’ uses include residential development, agriculture, and other uses necessary to support the viability of agriculture.” The requested Rural Agricultural (AG-8) Zoning District would permit a lower residential density (1 dwelling unit per 8 acres) than the allowed density in the current Agricultural Residential (AGR) Zoning District (1 dwelling unit per acre) and allows uses consistent with the Agricultural Residential Future Land Use designation. Therefore, the request is consistent with the Comprehensive Plan Future Land Use Recommendation.

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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: Nearby properties are largely zoned Agricultural Residential (AGR) or Rural Agricultural (AG-8), both of which allow for primarily agricultural uses and single-family detached residences. If the rezoning map amendment is approved, all uses allowed within the Rural Agricultural (AG-8) Zoning District (Landscaping & Horticultural Services, Outdoor Recreation and Entertainment, Outdoor Shooting Range, Communications Tower, etc.) would be allowed on the property. The Dimensional Standards would remain the same with the exception of the Minimum Lot Areas (30,000 sq ft for AGR; one (1) acre for AG-8) and Minimum Lot Widths (100 ft for AGR; 135 ft for AG-8). As stated above, the requested AG-8 Zoning District would permit a reduction in density from 1 dwelling unit per 1 acre to dwelling unit per 8 acres. Therefore, this criterion is met.

Approval Criteria—Section 3.4.6

Pursuant to ZLDR Section 3.4.6, Zoning Map Amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

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

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.

Recommendations

October 14th Planning Commission Meeting:

Planning commission voted 9-0 to recommend approval of the rezoning request.

Staff Recommendation:

The approval criteria have been met; therefore, Staff recommends approval.

Public Input and Speakers

October 14, 2024 Planning Commission Meeting:

Speakers: Two speakers in support.

Public Input: No public input was received.

November 12, 2024 Public Hearing:

Speakers: No speakers in support or opposition of the application.

Public Input: No public input was received.

Notifications

October 14, 2024 Planning Commission Meeting:

- 489 notification letters were sent to individuals on the Johns Island Interested Parties List, the Historic Preservation Interested Parties List, as well as property owners within 300 feet of the subject parcel on September 27, 2024.
- Additionally, this request was noticed in the Post & Courier on September 27, 2024.

November 12, 2024 Public Hearing:

- 489 notification letters were sent to individuals on the Johns Island Interested Parties List, the Historic Preservation Interested Parties List, as well as property owners within 300 feet of the subject parcel on October 25, 2024.
- Additionally, this request was noticed in the Post & Courier on October 25, 2024.
- Signs were posted on October 25, 2024.

ZONING CHANGE APPLICATION



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

CASE ZREZ-09-24-00156 PD _____

PROPERTY INFORMATION

CURRENT DISTRICT AGR REQUESTED DISTRICT AG-8

PARCEL ID(S) TMS#257-00-00-033

CITY/AREA OF COUNTY JOHNS ISLAND

STREET ADDRESS 2550/2554 Bohicket Road ACRES 6.51

DEED RECORDED: BOOK T168 PAGE 176 DATE _____

PLAT RECORDED: BOOK F9 PAGE 338 DATE _____ APPROVAL # forthcoming
(prior to 10/14/24)

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT Johns Island Presbyterian Church, Inc. HOME PHONE _____
MAIL ADDRESS 2550 Bohicket Road WORK PHONE 843.559.9380
CITY, STATE, ZIP Johns Island, SC 29455 CELL PHONE _____
EMAIL _____

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

REPRESENTATIVE
(IF OTHER THAN APPLICANT) HOME PHONE _____
MAIL ADDRESS Dr. Jeri Perkins (Rev. JIPC) WORK PHONE _____
CITY, STATE, ZIP 2550 Bohicket Road CELL PHONE mobile: 843.229.0572
Johns Island, SC 29455 EMAIL jperkins@jipc.org

CERTIFICATION

- | | |
|--|--|
| <p><i>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:</i></p> | <input checked="" type="checkbox"/> Copy of <u>Approved and Recorded Plat</u> showing present boundaries of property |
| | <input checked="" type="checkbox"/> Copy of <u>Current Recorded Deed</u> to the property (Owner's signature must match documentation.) |
| | <input checked="" type="checkbox"/> Copy of <u>Signed Restricted Covenants Affidavit</u> |
| | <input checked="" type="checkbox"/> Copy of <u>Signed Posted Notice Affidavit</u> |
| | <input checked="" type="checkbox"/> Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.) |

I (we) certify that CHARLES LARSEN 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.

Charles Larsen 9/20/24 Charles Larsen 9/20/24
Signature of Owner(s) Date Signature of Applicant/ Representative (if other than owner) Date

Win Carlisle 10/4/24 _____
Planner's Signature Date Zoning Inspector's Signature Date

OFFICE USE ONLY

Amount Received \$215 Cash? Check? # _____ Invoice Number 01205997