

**CHARLESTON COUNTY
BOARD OF ZONING APPEALS (BZA)
SUMMARY OF THE AUGUST 4, 2025 MEETING
4:00 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

Chair, Mr. William H. Ray, Mr. AD Jordan, Mr. Roy Neal, Mr. Robert Siedell, and Ms. Shana Smith

Members Absent

Vice Chair, Mr. Ross Nelson, Mr. Brad Brown, Ms. Jessica Smith, and Mr. Douglas Truslow

Staff Members Present

Mr. Kelvin Huger, BZA Attorney; Sally Brooks, Planner IV; Genesis Clark, Planning Technician II; Kyle Foster, Planner I/Arborist; Karie Vasché, Landscape Architect; 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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| July 18th: | Site Visits and Postings were completed by this date. |
| July 18th: | Letters were mailed to property owners within 500' for the alcohol sales request, within 300' for all other requests, and to Parties in interest for all cases. These notifications are above and beyond the state requirements. |
| July 18th: | Notice of this meeting was published in the <i>Post and Courier</i> . |

The August 4, 2025 BZA meeting was called to order at 4:00 p.m. by the Chair, Mr. William H. Ray.

New Business

CASE# BZA-06-25-00868

Adam Bergen and Nicole Ridberg ("the Applicants" and "the Property Owners") 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 475 Lindberg Street on James Island in Charleston County (TMS # 343-10-00-062). 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. Siedell made a motion to deny the Special Exception stating that the application did not meet criteria 1, 2, and 3. Mr. Neal seconded the motion. The motion to deny the application was unanimous and therefore the application was disapproved.

CASE# BZA-06-25-00870

Margarita D. Heyward ("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 1960 River Road on Johns Island in Charleston County (TMS # 345-00-00-097). 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. Neal 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-06-25-00871

Ryan Rabbitt ("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 1441 N Edgewater Drive in the St. Andrews Area of Charleston County (TMS # 349-13-00-055). 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. Neal 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. (The number of Rental Days shall apply per lot and not per unit); (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance; and (5) The property owner shall rent no more than three (3) bedrooms and shall provide seven (7) parking spaces. Mr. Siedell seconded the motion. Mr. Jordan, Mr. Neal, Mr. Siedell, and Ms. S. Smith voted in favor of the motion. Mr. Ray voted against the motion. The majority of the members present, and voting (4 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

CASE# BZA-06-25-00869

Stephanie Kelly ("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 2112 Wappoo Hall Road on James Island in Charleston County (TMS # 343-02-00-004). 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. Ray seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-06-25-00872

Chris McCarthy of Ravenel Construction Group ("the Applicant") and Peter and Rhonda Rubcic ("Property Owners") filed a Variance request to reduce the required 30' rear setback by 16.6' to 13.4' at the closest point for a proposed swimming pool at 2997 Maritime Forest Drive on Johns Island in Charleston County (TMS # 203-12-00-051). Planned Development (PD-27E, Kiawah River Estates) 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. Siedell made a motion to approve the Variance request with the following condition: (1) The encroachment area shall be limited to the footprint shown on the submitted site plan. Mr. Neal seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced condition.

CASE# BZA-06-25-00873

Inga George ("the Applicant" and "the Property Owner") filed a Variance request to reduce the required 25' rear setback by 15' to 10' at the closest point for a proposed single-family residence, deck, and steps at 3801 Tim Ascue Lane in the East Area of Charleston County (TMS # 614-00-00-755). 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. Ms. S. Smith made a motion to approve the Variance request with the following conditions: (1) The applicant shall retain a Certified Arborist to monitor and treat the 46" DBH Live Oak Tree through the duration of construction. The applicant shall provide a copy of the Tree Preservation Plan to Zoning Staff for review and approval prior to Zoning Permit approval for construction; (2) If the 46" DBH Live Oak Tree dies within up to three (3) years from the date the structure is permitted, the applicant shall mitigate the DBH of the 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 its removal; and (3) The driveway shall be constructed using pervious materials. 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-06-25-00874

Inga George ("the Applicant" and "the Property Owner") filed a Variance request to encroach a 46" DBH Grand Live Tree located on the adjacent property, TMS # 614-00-00-348, by more than twenty-five (25%) of the protected root zone area for a proposed single-family residence on TMS # 614-00-00-755 at 3801 Tim Ascue Lane in the East Area of Charleston County (TMS # 614-00-00-755). 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. Ms. S. Smith made a motion to approve the Variance request with the following conditions: (1) The applicant shall retain a Certified Arborist to monitor and treat the 46" DBH Live Oak Tree through the duration of construction. The applicant shall provide a copy of the Tree Preservation Plan to Zoning Staff for review and approval prior to Zoning Permit approval for construction; (2) If the 46" DBH Live Oak Tree dies within up to three (3) years from the date the structure is permitted, the applicant shall mitigate the DBH of the 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 its removal; and (3) The driveway shall be constructed using pervious materials. Mr. Siedell seconded the motion. Mr. Ray, Mr. Jordan, Mr. Siedell, and Ms. S. Smith voted in favor of the motion. Mr. Neal voted against the motion. The majority of the members present, and voting (4 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

CASE# BZA-06-25-00875

Edward Kronsberg of Tall Oak HQ LLC ("the Applicant" and "the Property Owner") and Jessica Myers, PE of C Baker Engineering, LLC ("the Representative") filed a Special Exception request to establish Hair, Nail, and Skin Care Service use with two (2) chairs, in the Urban Residential (UR) Zoning District at 2 Tall Oak Avenue in the St. Andrews Area of Charleston County (TMS # 418-13-00-129). Urban Residential (UR) 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 3.6 Special Exceptions, Sec. 3.6.5 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Neal made a motion to approve the Special Exception request with the following condition: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process. Mr. Jordan seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced condition.

CASE# BZA-06-25-00876

Edward Kronsberg of Tall Oak HQ LLC ("the Applicant" and "the Property Owner") and Jessica Myers, PE of C Baker Engineering, LLC ("the Representative") filed a Variance request from the parking lot design and layout requirements and to reduce the number of required parking spaces for proposed Hair, Nail, and Skin Care Service use at 2 Tall Oak Avenue in the St. Andrews Area of Charleston County (TMS # 418-13-00-129). Urban Residential (UR) 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 condition: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process. Ms. S. Smith seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced condition.

CASE# BZA-06-25-00877

Edward Kronsberg of Tall Oak HQ LLC ("the Applicant" and "the Property Owner") and Jessica Myers, PE of C Baker Engineering, LLC ("the Representative") filed a Variance request to eliminate the required land use buffers along the side property lines and to reduce the required 15' right-of-way landscape buffers by 5' to 10' along Tall Oak Avenue and Magnolia Road for proposed Hair, Nail, and Skin Care Service use at 2 Tall Oak Avenue in the St. Andrews Area of Charleston County (TMS # 418-13-00-129). Urban Residential (UR) 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 condition: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process. Mr. Ray seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced condition.

Minutes

Mr. Neal made a motion to approve the July 7, 2025 public hearing meeting minutes. Mr. Jordan seconded the motion. The motion carried unanimously.

Additional Business

The BZA will hear ten (10) new business cases at the September 8, 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 8:31 p.m.

Respectfully submitted,

Jenny J. Werking, AICP
Secretary to the BZA

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