

**CHARLESTON COUNTY  
BOARD OF ZONING APPEALS (BZA)  
SUMMARY OF THE JULY 7, 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. Ross Nelson, Mr. Brad Brown, Mr. AD Jordan, Mr. Roy Neal, Mr. Robert Siedell, Ms. Jessica Smith, Ms. Shana Smith, and Mr. Doug Truslow

**Staff Members Present**

Mr. Kelvin Huger, BZA Attorney; Sally Brooks, Planner IV; Genesis Clark, Planning Technician II; 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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|------------|---|
| June 20th: | Site Visits and Postings were completed by this date.   |
| June 20th: | 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. |
| June 20th: | Notice of this meeting was published in the <i>Post and Courier</i> .   |

The July 7, 2025 BZA meeting was called to order at 4:00 p.m. by the Chair, Mr. William H. Ray.

**Minutes**

Mr. Siedell made a motion to approve the June 2, 2025 public hearing meeting minutes. Mr. Brown seconded the motion. The motion carried unanimously.

**Mr. Neal arrived.**

**CASE# BZA-04-25-00857 – Reconsideration Request**

The Appellant, LaDon Paige, represented by Jessica Monsell, Esq. of Keibler Law Group LLC, filed an application for an Appeal of an Administrative Decision regarding property identified as TMS # 301-00-00-809 and located at 1184 Bees Ferry Road, Unit 103, in the St. Andrews Area of Charleston County, South Carolina. The appellant states the decision being appealed is, "*Whether the [Charleston County Zoning and Planning Department and/or its Director] decision to grant the Permit [ZONE-03-25-22114 for the interior upfit for "Chillaxe Vaper"] was an abuse of discretion and contrary to the lawful commercial use restrictions of PD-73E.*" The Administrative Decision was Affirmed on June 2, 2025. Request from the Appellant for the BZA to reconsider the case at the next available BZA public hearing.

Findings: Staff presented the reconsideration request. A BZA member from the prevailing side must make a motion to reconsider. A motion to reconsider was not made. Therefore, the BZA's June 2<sup>nd</sup> decision for Case # BZA-04-25-00857 stands.

**Ms. S. Smith arrived.**

**CASE# BZA-04-25-00858 – Reconsideration Request**

Benjamin Farmery of Madison-Lansdowne, LLC/Madison Hospitality Services, 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 Natural Resource Management (NR) Zoning District at 2301 Captain John Hutt Road on Goat Island in Charleston County (TMS # 571-13-00-001). Natural Resource Management (NR) Zoning District standards apply. The

Special Exception request was approved with conditions on June 2, 2025. Request from BZA member, Mr. Truslow, for the BZA to reconsider the case at the next available BZA public hearing.

Findings: Staff presented the reconsideration request. A BZA member from the prevailing side must make a motion to reconsider. A motion to reconsider was not made. Therefore, the BZA's June 2<sup>nd</sup> decision for Case # BZA-04-25-00858 stands.

## **New Business**

### **CASE# BZA-05-25-00862**

Mendy McGuire ("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 2232 Tomedgan Circle in the St. Andrews Area of Charleston County (TMS # 355-11-00-072). 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. Nelson 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 motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

### **CASE# BZA-05-25-00863**

Jon Ory ("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 1648 Terns Nest Road on James Island in Charleston County (TMS # 331-07-00-167). 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. Brown 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-05-25-00864**

Manuel Montes ("the Applicant" and "the Property Owner"), filed a Variance request to reduce:

- the required 30' rear setback by 19.6' to 10.4' for an existing unpermitted detached accessory structure (24.2' x 24.2' garage); and
- the required 30' rear setback by 19.4' to 10.6' and the required 15' interior side setback by 4.7' to 10.3' for an existing detached accessory structure (10.3' x 10.3' shed)

at 3329 Habitat Boulevard on Johns Island in Charleston County (TMS # 203-00-00-087). Agricultural Residential (AGR) 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 conditions: (1) The applicant/property owner shall obtain all required zoning and building permits for the unpermitted detached garage; and (2) The structures shall not be used as Accessory Dwelling Units (ADUs). 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-05-25-00865**

Roger Hunt of Stanley Martin Homes LLC ("the Applicant" and "the Property Owner"), and Andrew Todd-Burke of Kimley-Horn ("the Representative") filed a Variance request to remove three (3) Grand Trees and to encroach a Grand Tree more than twenty-five percent (25%) of the protected root zone area and within a restricted area three times the DBH (Critical Root Zone) for a proposed subdivision (Elms Glen Subdivision, Phase 2) at 10165 and 10191 Highway 78 and 3221 Von Ohlsen Road in the North Area of Charleston County, (TMS # 388-00-00-116, -118, -119, -139, -163, -177, -178, -443, and -581). Elms Glen Planned Development (PD-184) 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. J. Smith made a motion to approve the Variance request with the following conditions: (1) The applicant shall mitigate the removal of the 64.5 DBH inches 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; (2) 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; (3) The applicant shall retain a Certified Arborist to monitor and treat all Grand Trees within 40' of disturbance 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; and (4) If the 83" 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. Mr. Truslow seconded the motion. Mr. Ray, Mr. Nelson, Mr. Jordan, Mr. Siedell, Ms. J. Smith, Ms. S. Smith, and Mr. Truslow voted in favor of the motion. Mr. Brown voted against the motion. Mr. Neal abstain from the vote. The majority of the members present, and voting (7 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

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

**CASE# BZA-05-25-00866**

Celina Goins of Master Home Builder ("the Applicant") and Jose de Jesus Navarro ("The Property Owner") filed a Special Exception request for a private stable in the Mount Pleasant Overlay (Residential Area) Zoning District at 2944 Bluff Lane in the East Area of Charleston County (TMS # 578-00-00-240). Mount Pleasant Overlay (Residential Area) 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. Truslow made a motion to approve the Special Exception request with the following condition: (1) Prior to zoning permit approval, the applicant shall complete the Limited Site Plan Review process for the private stable. Mr. Nelson seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced condition.

**CASE# BZA-05-25-00867**

George Michael Rentz Jr. ("the Applicant" and "the Property Owner"), and James Schulze of Discovery Development Group ("the Representative") filed a Variance request for a proposed single-family residence addition to encroach within a restricted area three times the DBH (Critical Root Zone) of a 73.5" DBH Grand Live Oak Tree at 2141 Edisto Avenue on James Island in Charleston County (TMS # 343-06-00-107). 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 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 conditions: (1) The applicant shall retain a Certified Arborist to monitor and treat all Grand Trees within 40' of disturbance 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; and (2) If the 73.5" 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. Mr. Neal seconded the motion. Mr. Ray, Mr. Brown, Mr. Jordan, Mr. Neal, Mr. Nelson, Mr. Siedell, Ms. S. Smith, and Mr. Truslow voted in favor of the motion. Ms. J. Smith voted against the motion. The majority of the members present, and voting (8 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

**Additional Business**

The BZA will hear ten (10) new business cases at the August 4, 2025 BZA Public Hearing that will be held in-person in Council Chambers at 4:00 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 6:40 p.m.

Respectfully submitted,

Jenny J. Werking, AICP  
Secretary to the BZA