



## **Case # BZA-07-25-00885**

### **Charleston County BZA Meeting of September 8, 2025**

**Applicant/Property Owner:**

Ryan Buck of 3517 Maybank Highway, LLC

**Representative:**

Andy Bajoczky of Barrier Island Engineering & Consulting

**Property Location:**

3517 Maybank Highway – Johns Island

**TMS#:**

279-00-00-168

**Zoning District:**

JO-MHC-O, Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District

**Request:**

Special Exception request for the sale of alcoholic beverages onsite (beer, wine, and liquor) for a proposed restaurant in the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District.

**Requirement:**

*The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 5 Overlay and Special Purpose Zoning Districts, Article 5.3 JO-MHC-O, Johns Island Maybank Highway Corridor Overlay Zoning District, Sec. 5.3.5 Use Regulations, A. Table 5.3-1, Johns Island Maybank Highway Overlay Zoning District Use Table, 2. Uses Subject to Conditions, Sec. 5.3.6 Use Conditions, K. Restaurants states, "All proposed Restaurants serving beer or alcoholic beverages located within 500 feet of the property line of a lot in a residential Zoning District or a Lot containing a Residential Use shall require review and approval in accordance with the Special Exception procedures of this Ordinance. Distances shall be measured from the nearest property line of a Lot containing a Residential Use or located in a residential Zoning District."*



## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

### ARTICLE 5.3 JO-MHC-O, JOHNS ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

#### Sec. 5.3.5 Use Regulations

- A. **Table 5.3-1, Johns Island Maybank Highway Overlay Zoning District Use Table.** Table 5.3-1 lists the Principal Uses permitted in the districts as identified and described in this Overlay Zoning District and as shown on the map entitled "Johns Island Maybank Highway Corridor Overlay Zoning District." The following is a description of the codes used in the table:
1. *Uses Allowed by Right.* "A" indicates uses allowed by right.
  2. *Uses Subject to Conditions.* "C" indicates uses subject to conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
  3. *Uses Subject to Special Exception.* "S" indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
  4. *Prohibited Uses.* Blank cells indicate uses that are not permitted.
- B. **New or Unlisted Uses and Interpretation.** The Zoning and Planning Director shall be authorized to make use determinations whenever there is a question regarding the category of use based on the definitions contained in [CHAPTER 12, Definitions](#), of this Ordinance.
- C. **Nonconforming Uses.** The requirements of Article [10.2, Nonconforming Uses](#), of this Ordinance apply to all development subject to the JO-MHC-O District, provided, however, that the following requirement shall apply in place of those contained in Sec. [10.2.4, Loss of Legal Nonconformity Status](#), sub-section A:
1. *Abandonment.* If a Nonconforming Use is replaced with another use or is discontinued for any reason for a period of more than 36 consecutive months, the use shall be considered abandoned. Once abandoned, the legal nonconforming status of the use shall be lost and re-establishment of a Nonconforming Use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the JO-MHC-O District.
- D. **Accessory Uses.** Accessory Uses shall be allowed pursuant to Article. [6.5, Accessory Uses](#), of this Ordinance.

Table 5.3-1, Johns Island Maybank Highway Overlay Zoning District Use Table

Uses	Mixed-Use (MU) District	Limited Commercial (LC) District	Conditions
<b>AGRICULTURAL</b>			
<b>AGRICULTURAL AND ANIMAL PRODUCTION, PROCESSING, AND SUPPORT</b>			
Aquaculture			
Mariculture			
Apiculture (Bee Keeping)			
Animal and Insect Production			
Concentrated Animal Feeding Operation			
Horticultural Production	A	A	
Hemp Crop Production and/or Processing	C	C	Sec. 5.3.6.A
Winery			
Agricultural Processing	A	A	
Agricultural Sale or Service	C	C	Sec. 5.3.6.B
Roadside Stand; Sweetgrass Basket Stand	A	A	
Farmers Market	A	A	



Campground			
<b>ANIMAL SERVICES</b>			
Stable, Commercial			
Stable, Private			
Kennel	A	A	
Pet Store or Grooming Salon	A	A	
Small Animal Boarding	A	A	
Veterinary Service	A	A	
<b>FINANCIAL SERVICES</b>			
Banks or Financial Services	A	A	
Short-Term Lender			
<b>FOOD SERVICES AND DRINKING PLACES</b>			
Bar or Lounge	S	S	
Catering Service	A	A	
Restaurant, Fast Food	C	C	Sec. 5.3.6.K
Restaurant, General	C	C	Sec. 5.3.6.K
Sexually Oriented Business			
<b>INFORMATION INDUSTRIES</b>			
Communication Service; Data Processing Service; and Publishing Industry	A	A	
Communications Tower	C	C	Sec. 6.4.5
<b>OFFICES</b>			
Administrative or Business Office; Government Office; Professional Office	A	A	
<b>OTHER NONRESIDENTIAL DEVELOPMENT</b>			
Convention Center or Visitors Bureau	A	A	
Heavy Construction Service or General Contractor	C	C	Sec. 5.3.6.L
Billboard			
Special Trade Contractor (Office/Storage)	C	C	Sec. 5.3.6.L
<b>PARKING, COMMERCIAL</b>			
Parking Lot	A	A	
Parking Garage	A		
<b>RENTAL AND LEASING SERVICES</b>			
Charter Boat or other Recreational Watercraft Rental Service			
Commercial or Industrial Machinery or Equipment, Construction Tools or Equipment, Heavy Duty Truck or Commercial Vehicle Rental or Leasing	C	C	Sec. 5.3.6.M
Consumer Goods Rental Center	A	A	
Self-Service Storage Facility	C	C	Sec. 5.3.6.N
Vehicle Rental or Leasing	C	C	Sec. 5.3.6.M
<b>REPAIR AND MAINTENANCE SERVICES</b>			
Boat Yard	A	A	
Repair Service, Consumer	C	C	Sec. 5.3.6.L
Repair Service, Commercial	C	C	Sec. 5.3.6.L
Vehicle and Boat Repair or Service	A	C	Sec. 5.3.6.L
<b>RETAIL SERVICES</b>			
Non-store Retailer	A	A	
Fuel Dealer; Heating Oil Dealer; Liquefied Petroleum Gas (Bottled Gas) Dealer	C	C	Sec. 5.3.6.O
Home Improvement Center	A		



## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

### ARTICLE 5.3 JO-MHC-O, JOHNS ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

#### Sec. 5.3.6 Use Conditions

**A. Hemp Production and Processing.**

1. *Industrial Hemp License.* Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with all Site Plan Review applications.
2. *Approval from South Carolina Department of Agriculture.* Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with any Site Plan Review Application.

**B. Agricultural Sales or Service, Retail Sales or Service, General, and Building Materials or Garden Equipment and Supplies Retailer.** Tractor-trailer containers are prohibited in outside storage areas.

**C. Single-Family Attached Dwelling Units.** Single-Family Attached Dwelling Units shall be subject to the following standards:

1. *Number of Attached Units in a Single Structure.* No single structure may contain more than eight Single-Family Attached Dwelling Units.
2. *Density/Intensity and Dimensional Standards.* Single-Family Attached Dwellings shall comply with the applicable Density/Intensity and Dimensional Standards of this Article.
3. *Accessory Structures.* All Accessory Structures shall be located on the same Lot as the associated principal Single-Family Attached Dwelling Unit and shall be for the private use of the property occupant(s). A minimum Interior Setback of three feet is required between an Accessory Structure and the Interior Lot Lines, provided that an Accessory Structure may be located on one of the zero Lot Lines when constructed of a material finish matching the Dwelling Unit exterior or when the Accessory Structure is the same height and materially a part of a fence or wall.
4. *Design Standards.*
  - a. **Front Façade.** The front façade of a Single-Family Attached Dwelling may not include more than 40 percent garage wall area.
  - b. **Roof.** The roof of each Single-Family Attached Dwelling must be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.
  - c. **Windows.** At least 10 percent of the area of each façade that faces a Street must be comprised of windows.

**D. Short-Term Rentals, Commercial Guest House (CGH).** Short-Term Rentals, Commercial Guest House (CGH) use shall comply with the requirements of [ARTICLE 6.8, Short-Term Rentals](#), of this Ordinance as regulated for the Community Commercial (CC) Zoning District.

**E. Affordable Dwelling Units.**

1. Affordable Dwelling Units in the Mixed-Use (MU) District shall comply with the requirements of Article [6.4.19, Affordable and Workforce Dwelling Units](#), of this Ordinance as regulated for the Community Commercial (CC) Zoning District.
2. Affordable Dwelling Units in the Limited Commercial (LC) District shall comply with the requirements of Article [6.4.19, Affordable and Workforce Dwelling Units](#), of this Ordinance as regulated for the Neighborhood Commercial (NC) Zoning District.

**F. Family Home.** A Family Home, as defined in this Ordinance, does not require compliance with the Site Plan Review procedures contained within this Ordinance.



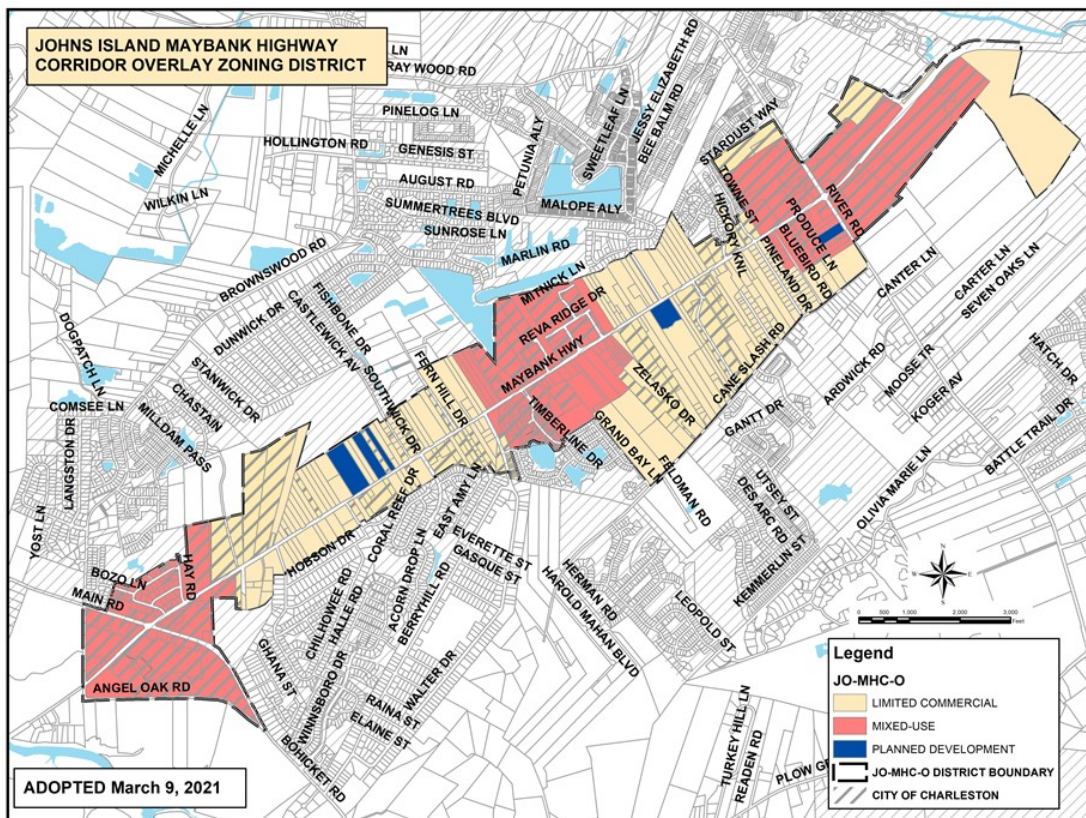
- G. **Community Residential Care Facility.** A Community Residential Care Facility that provides care for nine or less persons shall be considered a Family, and is an allowed use in all Zoning Districts pursuant to the Fair Housing Act, Section 800 [42 U.S.C. 3601].
- H. **Outdoor Recreation and Entertainment.** Any Structure or activity use area established in connection with Outdoor Recreation and Entertainment uses shall have a vegetated land use buffer of not less than 50 feet from any property that contains a residential use or is located in an agricultural, residential or Office Zoning District, except where such property line abuts a Street, in which case the Front Setback established for the Zoning District shall apply.
- I. **Special Events.** Special Events established as a principle use in the MU and LC Districts shall comply with the requirements of [ARTICLE 6.7](#) of this Ordinance as regulated for the Community Commercial (CC) Zoning District.
- J. **Utility Service, Major.**
1. *Sewage Disposal Facility, Water and Sewage Treatment Facility, Water Storage Tank, and Electric or Gas Power Generation Facility.* Vegetated Buffers. Any Structure established in connection with a Water Storage Tank, Water and Sewage Treatment Facility, Sewage Disposal Facility, or Electric or Gas Power Generation Facility shall have a vegetated buffer of not less than 50 feet from any property line, in compliance with the [CHAPTER 9, Development Standards](#), buffer standards of this Ordinance.
  2. *Utility Substation, Electrical or Telephone Switching Facility, Sewage Collector or Trunk Line, Utility Pumping Station, and Water Main.*
    - a. Above ground Structures that have a cumulative area of 120 square feet or less, associated with underground Utilities such as meters, which are necessary for maintenance and monitoring, shall have a vegetated buffer of 10 feet from all property boundaries, in compliance with [CHAPTER 9, Development Standards](#), buffer standards of this Ordinance;
    - b. Above ground Structures that have a cumulative area of greater than 120 square feet established in connection with a Utility Substation, Electrical or Telephone Switching Facility, Sewage Collector or Trunk Line, or Utility Pumping Station shall have a vegetated buffer of 25 feet from all property boundaries, or the minimum Setback of the overlay district, whichever is greater; and
    - c. The accessory storage of vehicles and equipment on the premises shall be prohibited in the LC District.
- K. **Restaurants.** All proposed Restaurants serving beer or alcoholic beverages located within 500 feet of the property line of a lot in a residential Zoning District or a Lot containing a Residential Use shall require review and approval in accordance with the Special Exception procedures of this Ordinance. Distances shall be measured from the nearest property line of the subject Parcel to the nearest property line of a Lot containing a Residential Use or located in a residential Zoning District.
- L. **Heavy Construction Service or General Contractor, Special Trade Contractor, Consumer and Commercial Repair Service, and Vehicle and Boat Repair or Service.** All materials and equipment associated with this use shall be entirely screened from view of adjacent properties, and public or private Right-of-Ways, by the use of solid fencing or appropriate landscaping.
- M. **Commercial or Industrial Machinery or Equipment, Construction Tools or Equipment, Heavy Duty Truck or Commercial Vehicle Rental or Leasing, Vehicle Rental or Leasing, and Vehicle Sales and Heavy Duty Truck or Commercial Vehicle Dealer; Manufactured Home Dealer.**
1. Vehicles must be located behind a commercial or Office Building as viewed from the facing Street Frontage.
  2. In the LC District, Vehicle Sales, Dealers, Rental, and Leasing uses, including all associated Vehicle Storage areas, must not exceed one acre in size; otherwise, these uses are prohibited.
- N. **Self-Service Storage Facility.**
1. *Performance Standards.*
    - a. Street Frontages and Mixed-Use Development.
      1. In the MU District, a Self-Service Storage Facility shall be part of a mixed-use Development where the ground floor use facing Street Frontages (entire Street Frontage) are commercial or office space independent of the Self-Service Storage Facility business.
      2. In the LC District, a Self-Service Storage Facility shall be either:



## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

### ARTICLE 5.3 JO-MHC-O, JOHNS ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

Map 5.3

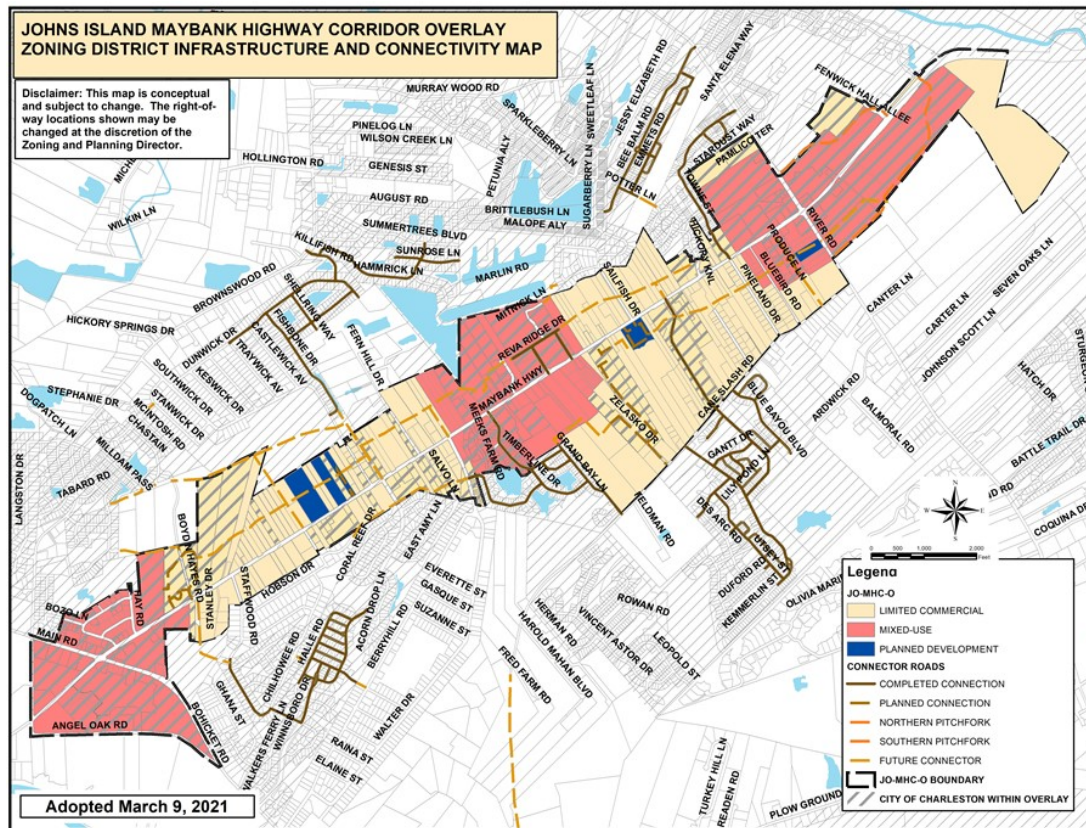


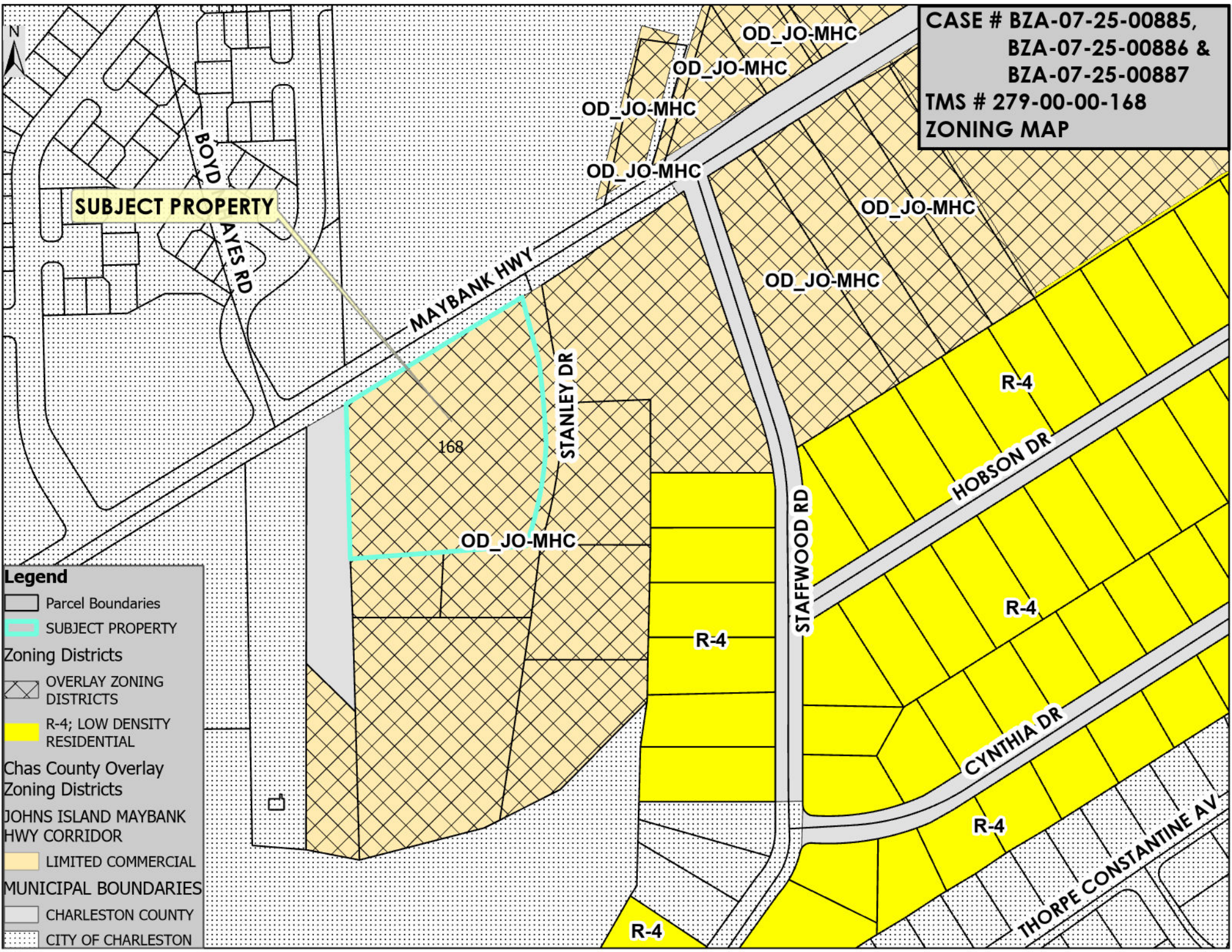


## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

### ARTICLE 5.3 JO-MHC-O, JOHNS ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

Map 5.3.A

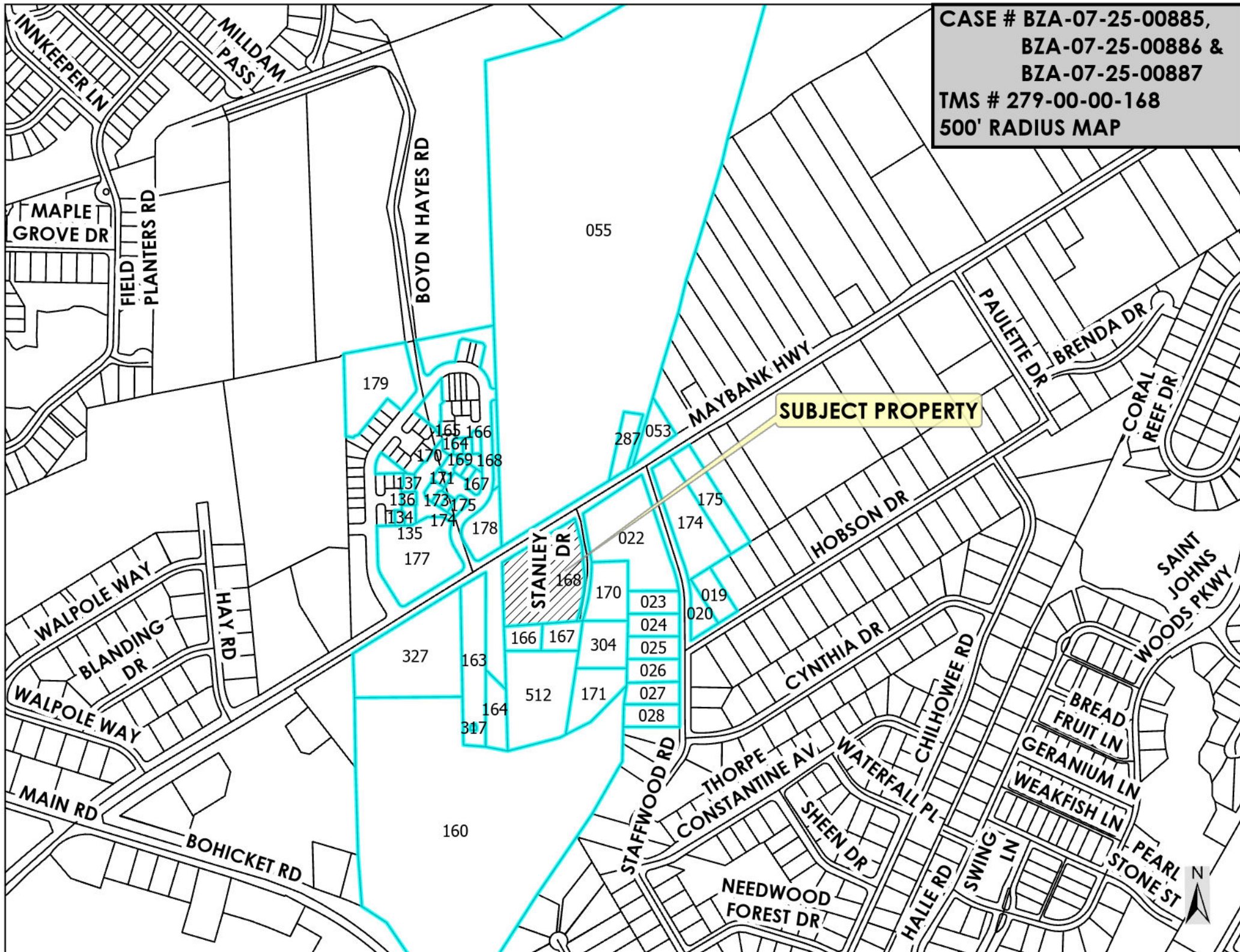




CASE # BZA-07-25-00885,  
BZA-07-25-00886 &  
BZA-07-25-00887  
TMS # 279-00-00-168  
ZONING MAP

- Legend**
- Parcel Boundaries
  - SUBJECT PROPERTY
  - Zoning Districts
  - OVERLAY ZONING DISTRICTS
  - R-4; LOW DENSITY RESIDENTIAL
  - Chas County Overlay Zoning Districts
  - JOHNS ISLAND MAYBANK HWY CORRIDOR
  - LIMITED COMMERCIAL
  - MUNICIPAL BOUNDARIES
  - CHARLESTON COUNTY
  - CITY OF CHARLESTON

**CASE # BZA-07-25-00885,  
BZA-07-25-00886 &  
BZA-07-25-00887  
TMS # 279-00-00-168  
500' RADIUS MAP**



CASE # BZA-07-25-00885,  
BZA-07-25-00886 &  
BZA-07-25-00887  
TMS # 279-00-00-168  
AERIAL MAP

BOYD N HAYES RD

MAYBANK HWY

STANLEY DR

SUBJECT PROPERTY

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CASE # BZA-07-25-00885,  
BZA-07-25-00886 &  
BZA-07-25-00887  
TMS # 279-00-00-168  
AERIAL MAP

SUBJECT PROPERTY

MAYBANK HWY

STANLEY DR

STAFFWOOD RD

HOBSON DR

CYNTHIA DR

168



**Case # BZA-07-25-00885**

**BZA Meeting of September 8, 2025**

**Subject Property: 3517 Maybank Highway – Johns Island**

**Proposal: Special Exception request for the sale of alcoholic beverages onsite (beer, wine, and liquor) for a proposed restaurant in the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District.**



# Subject Property



# Stanley Drive



# Maybank Highway



**Staff Review:**

The applicant, Ryan Buck of 3517 Maybank Hwy, LLC, represented by Andy Bajoczky of Barrier Island Engineering & Consulting is requesting a Special Exception for the sale of alcoholic beverages onsite (beer, wine, and liquor) for a proposed restaurant in the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District at 3517 Maybank Highway (TMS # 279-00-00-168) on Johns Island in Charleston County. The subject property and properties to the east and south are located in the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District. Properties to the north and west are located in the City of Charleston's jurisdiction.

The approximately 3-acre subject property is located at the corner of Maybank Highway and Stanley Drive. The property contains a residence that will be demolished for a proposed mixed-use development consisting of office, retail, a restaurant, and a grocery store. The proposed development project is currently going through the Site Plan Review process (ZSPR-07-24-01044).

In addition to this Special Exception request, the applicant is requesting two (2) Variances as follows:

1. **Case # BZA-07-25-00886:** Variance request to remove a 28" DBH Grand Live Oak Tree; and
2. **Case # BZA-07-25-00887:** Variance request to eliminate the required 25' land use buffer along the western property boundary for a proposed mixed-use development.

**Applicable ZLDR requirement:**

*The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 5 Overlay and Special Purpose Zoning Districts, Article 5.3 JO-MHC-O, Johns Island Maybank Highway Corridor Overlay Zoning District, Sec. 5.3.5 Use Regulations, A. Table 5.3-1, Johns Island Maybank Highway Overlay Zoning District Use Table, 2. Uses Subject to Conditions, Sec. 5.3.6 Use Conditions, K. Restaurants states, "All proposed Restaurants serving beer or alcoholic beverages located within 500 feet of the property line of a lot in a residential Zoning District or a Lot containing a Residential Use shall require review and approval in accordance with the Special Exception procedures of this Ordinance. Distances shall be measured from the nearest property line of a Lot containing a Residential Use or located in a residential Zoning District."*

Staff conducted a site visit of the subject property on August 19, 2025. Please review the attachments for further details regarding this request.

**Planning Director Review and Report regarding Approval Criteria of §3.6.5:**

§3.6.5(1): *Is consistent with the recommendations contained in the Charleston County Comprehensive Plan and the character of the underlying zoning district, as indicated in the zoning district "Description";*

Response: **The Commercial "Description" in the Comprehensive Plan states, "This designation encourages compatible mixed-use development and a general land use pattern that includes a variety of housing types, retail, service, employment, civic and compatible industrial uses as well as public and open spaces and linkages to public transit in a walkable environment." The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 5 Overlay and Special Purpose Zoning Districts, Article 5.3 JO-MHC-O, Johns Island Maybank Highway Corridor Overlay Zoning District, Sec. 5.3.9 Limited Commercial (LC) District states, "The LC District is intended for lower intensity commercial development and lower Density residential uses than those allowed in the MU District. This district should serve as a transition from the more intense mixed-use node and provide convenience goods and Services to the surrounding neighborhoods as well as limited comparison-shopping goods for a wider market. The range of comparison goods and Services offered should be varied and include specialty retail stores, restaurants, and neighborhood-serving offices." Therefore, the request may meet this criterion.**

§3.6.5(2): *Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;*

Response: **The proposed sale of alcoholic beverages onsite (beer, wine, and liquor) for a restaurant may be compatible with the existing commercial uses and restaurants in the vicinity that sell alcohol along Maybank Highway. The applicant will provide proof of State approval to Zoning and Planning Staff, prior to Zoning Permit approval for the use if this Special Exception is approved. Furthermore, the applicant's letter of intent states, "The proposed use is compatible with other existing restaurants and retail businesses in the surrounding area. It will not adversely affect the general welfare or character of the surrounding community, because ample buffer is proposed along the southern and eastern property boundaries that adjoin parcels currently under residential use. Numerous existing restaurants with alcohol sales are located along Maybank Highway within 500 feet of residentially zoned parcels. The attached Alcohol Sales Exhibit depicts their locations and relation to residential properties." Therefore, the request may meet this criterion.**

§3.6.5(3): *Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the*

*possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors*

Response: **The project is currently in the Site Plan Review process to ensure compliance with all Charleston County Zoning and Land Development Regulations Ordinance. Adequate provisions have been made for such items as setbacks, buffering (including fences and landscaping) to protect adjacent properties from the possible adverse influence of the proposed use. The applicant's letter of intent states, "Adequate landscape buffer is proposed along all property boundaries adjoining parcels currently under residential use." Therefore, the request may meet this criterion.**

§3.6.5(4): *Where applicable, will be developed in a way that will preserve and incorporate any important natural features;*

Response: **The site may be developed in a way that will preserve and incorporate natural features. The applicant's letter of intent states, "The property will be developed in a way that prioritizes saving healthy protected trees, particularly where healthy grand trees are located on the southwest portion of the property adjacent to a residentially zoned parcel." Therefore, the request may meet this criterion.**

§3.6.5(5): *Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and*

Response: **The applicant is currently in the Site Plan Review process to ensure compliance with the applicable requirements of this Ordinance. The applicant's letter of intent states, "In compliance with ZLDR Sec 5.3.6.K, a Special Exception is being requested for the proposed restaurant to be able to sell alcoholic beverages. Otherwise, the proposed use of the subject parcel aligns with all regulations and standards outlined in the ZLDR and Comprehensive Plan. Many other restaurant establishments along Maybank Highway that also adjoin residential parcels have been granted the ability to sell alcoholic beverages." Therefore, the request may meet this criterion.**

§3.6.5(6): *Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.*

Response: **Vehicular traffic and pedestrian movement on adjacent roads should not be hindered or endangered. The applicant's letter of intent states, "The proposed use will neither hinder nor endanger vehicular traffic and pedestrian movement on adjacent roads. Pedestrians will be able to safely move along the proposed 10-foot multi-use path that parallels Maybank Highway. The vehicular entryway maintains an acceptable sight distance, as outlined by the SCDOT ARMS Manual." Therefore, the request may meet this criterion.**

**Board of Zoning Appeals' Action:**

According to Article 3.6 Special Exceptions, Section §3.6.5 Approval Criteria of the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, (adopted July 18, 2006), Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all of the Approval Criteria of §3.6.5A.

In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare (§3.6.5B).

The Board of Zoning Appeals may approve, approve with conditions or deny Case # BZA-07-25-00885, [Special Exception for the sale of alcoholic beverages onsite (beer, wine, and liquor) for a proposed restaurant in the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District at 3517 Maybank Highway (TMS # 279-00-00-168) on Johns Island in Charleston County], based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision. In the event the Board decides to approve the application, the Board should consider the following conditions recommended by Staff:

- 1. Prior to zoning permit approval, the applicant shall complete the Site Plan Review process.**
- 2. The applicant shall meet all requirements of the State of South Carolina for alcoholic beverage sales and provide proof of State approval to Zoning and Planning Staff, prior to Zoning Permit approval for the use.**



**SPECIAL EXCEPTION APPLICATION**  
**Charleston County Board of Zoning Appeals (BZA)**

<b>Property Information</b>			
Subject Property Address: 3517 Maybank Highway, Johns Island, SC 29455			
Tax Map Number(s): 279-00-00-168			
Current Use of Property: Low Density Residential			
<b>Special Exception Description:</b> Special Exception for restaurant to serve alcohol within 500 feet of residential property			
<b>Applicant Information (Required)</b>			
Applicant Name (please print): Ryan Buck			
Name of Company (if applicable): RM Buck, LLC			
Mailing Address: [REDACTED]			
City: [REDACTED]	State: [REDACTED]		Zip Code: [REDACTED]
Email Address: ryan@rmbuck.com		Phone #: [REDACTED]	
Applicant Signature: [Signature]			Date: 7/14/25
<b>Representative Information</b> (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company: Andrew Bajoczky, Barrier Island Engineering & Consulting			
Mailing Address: [REDACTED]			
City: [REDACTED]	State: [REDACTED]		Zip Code: [REDACTED]
Email Address: [REDACTED]		Phone #: [REDACTED]	
<b>Designation of Agent</b> (Complete only if the Applicant listed above is not the Property Owner.)			
I hereby appoint the person named as Applicant and/or Representative as my (our) agent to represent me (us) in this application.			
Property Owner(s) Name(s) (please print):			
Name of Company (if applicable, LLC etc.):			
Property Owner(s) Mailing Address:			
City:	State:	Zip Code:	Phone #:
Property Owner(s) Email Address:			
Property Owner(s) Signature:			Date:
<b>FOR OFFICE USE ONLY:</b>			
Zoning District: 00-JD-MHC	Flood Zone: X (0655K)	Date Filed: 7/31/25	Fee Paid: \$250
Application #: BZA-07-25-00885	TMS #: 279-00-00-168	Staff Initials: jiw	

### **Description of Request**

*Please describe your proposal in detail. You may attach a separate sheet if necessary. Additionally, you may provide any supporting materials that are applicable to your request (photographs, letter of support, etc.)*

Special Exception requested for permission for restaurant within 500 feet of residential property line to serve alcoholic beverages, per ZLDR Sections 5.3.6.K and 6.4.15.

### **Applicant's response to Article 3.6 Special Exception, §3.6.5 Approval Criteria**

**Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all 6 of the approval criteria. In evaluating your request, the members of the board will review the answers below as a part of the case record. You may attach a separate sheet if necessary.**

1. Is the proposed use consistent with the recommendations contained in the Charleston County Comprehensive Plan and the character of the underlying zoning district "Purpose and Intent"? Explain:

The proposed use is consistent with Comprehensive Plan recommendations and future use zoned as Limited Commercial. It also fits with the Purpose and Intent of the underlying R-4 zoning district, as it adds retail, service, and employment to the existing housing.

2. Describe how the proposed use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community.

The proposed use is compatible with other existing restaurants and retail businesses in the surrounding area. It will not adversely affect the general welfare or character of the surrounding community, because ample buffer is proposed along the southern and eastern property boundaries that adjoin parcels currently under residential use.

Numerous existing restaurants with alcohol sales are located along Maybank Highway within 500 feet of residentially zoned parcels. The attached Alcohol Sales Exhibit depicts their locations and relation to residential properties.

3. Describe what adequate provisions have been or will be made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors.

Adequate landscape buffer is proposed along all property boundaries adjoining parcels currently under residential use.

4. If applicable, will the property be developed in a way that will preserve and incorporate any important natural features? Explain:

The property will be developed in a way that prioritizes saving healthy protected trees, particularly where healthy grand trees are located on the southwest portion of the property adjacent to a residentially zoned parcel.

5. Explain how the proposed use complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance.

In compliance with ZLDR Sec 5.3.6.K, a Special Exception is being requested for the proposed restaurant to be able to sell alcoholic beverages. Otherwise, the proposed use of the subject parcel aligns with all regulations and standards outlined in the ZLDR and Comprehensive Plan. Many other restaurant establishments along Maybank Highway that also adjoin residential parcels have been granted the ability to sell alcoholic beverages.

6. Will the proposed use hinder or endanger vehicular traffic and pedestrian movement on adjacent roads? Explain:

The proposed use will neither hinder nor endanger vehicular traffic and pedestrian movement on adjacent roads. Pedestrians will be able to safely move along the proposed 10-foot multi-use path that parallels Maybank Highway. The vehicular entryway maintains an acceptable sight distance, as outlined by the SCDOT ARMS Manual.

In granting a special exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

REFERENCE:  
PLAT BY: ROBERT L. FRANK  
DATED: JANUARY 5, 199  
BOOK: DB PAGE: 970  
RMC CHAS. CO.

PLAT BY: EDWARD GLEN CHEARS  
DATED: AUGUST 30, 2017  
BOOK: S17 PAGE: 0283  
RMC CHAS. CO.

TAX MAP No. 279-00-00-168

Requested by: MARK BURGESSON

- LEGEND:**
- I.O. IRON OLD (FOUND)
  - CI CURB INLET
  - EBOX ELECTRIC BOX
  - F FOUNTAIN
  - LP LIGHT POLE
  - PP POWER POLE
  - WM WATER METER
  - WV WATER VALVE
  - SSMH SEWER MANHOLE
  - ATT HH COMMUNICATION HANDHOLE
  - OHW- OVER HEAD WIRE
  - T- UNDERGROUND COMM LINE
  - W- UNDERGROUND WATER LINE
  - +23.5 SPOT ELEVATION (NAVD '88)
  - 8" OAK 8" (DBH) OAK TREE
  - TREE DRIP LINE

**NOTES:**  
BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.

ELEVATIONS ARE BASED ON NAVD '88 DATUM.

THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

TREES LABELED GENERAL TYPES WITH DIAMETER SIZE SHOWN IN INCHES. AN ARBORIST OR LANDSCAPE ARCHITECT SHOULD BE CONSULTED IF SPECIFIC NAMES OR OTHER DETAILS ARE NEEDED.

THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE CHARLESTON COUNTY BUILDING & PLANNING DEPARTMENT. THE BUILDING & PLANNING DEPARTMENT RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT, THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE "X" AS PER FEMA FLOOD MAPS.  
PANEL No. 45019C 0655K  
DATED: JANUARY 29, 2021  
COMMUNITY No. 455413

\* SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

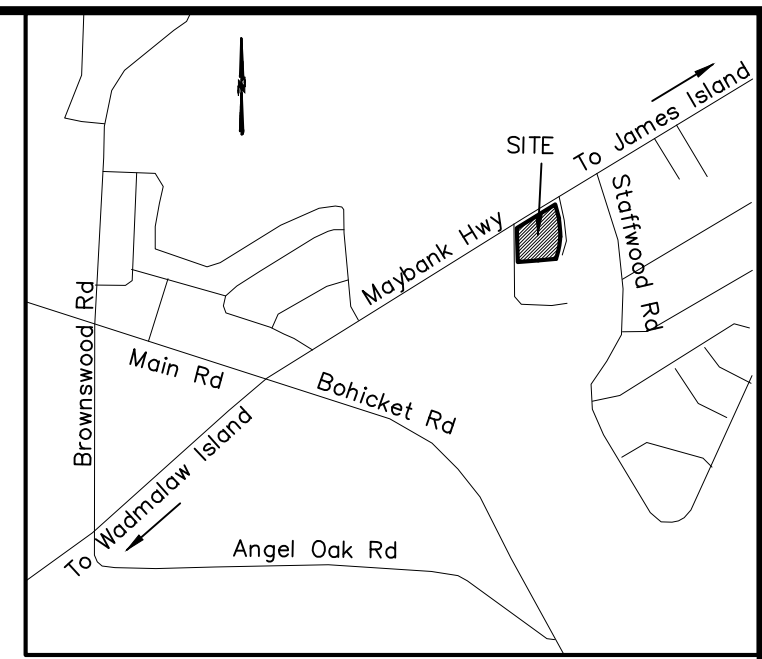
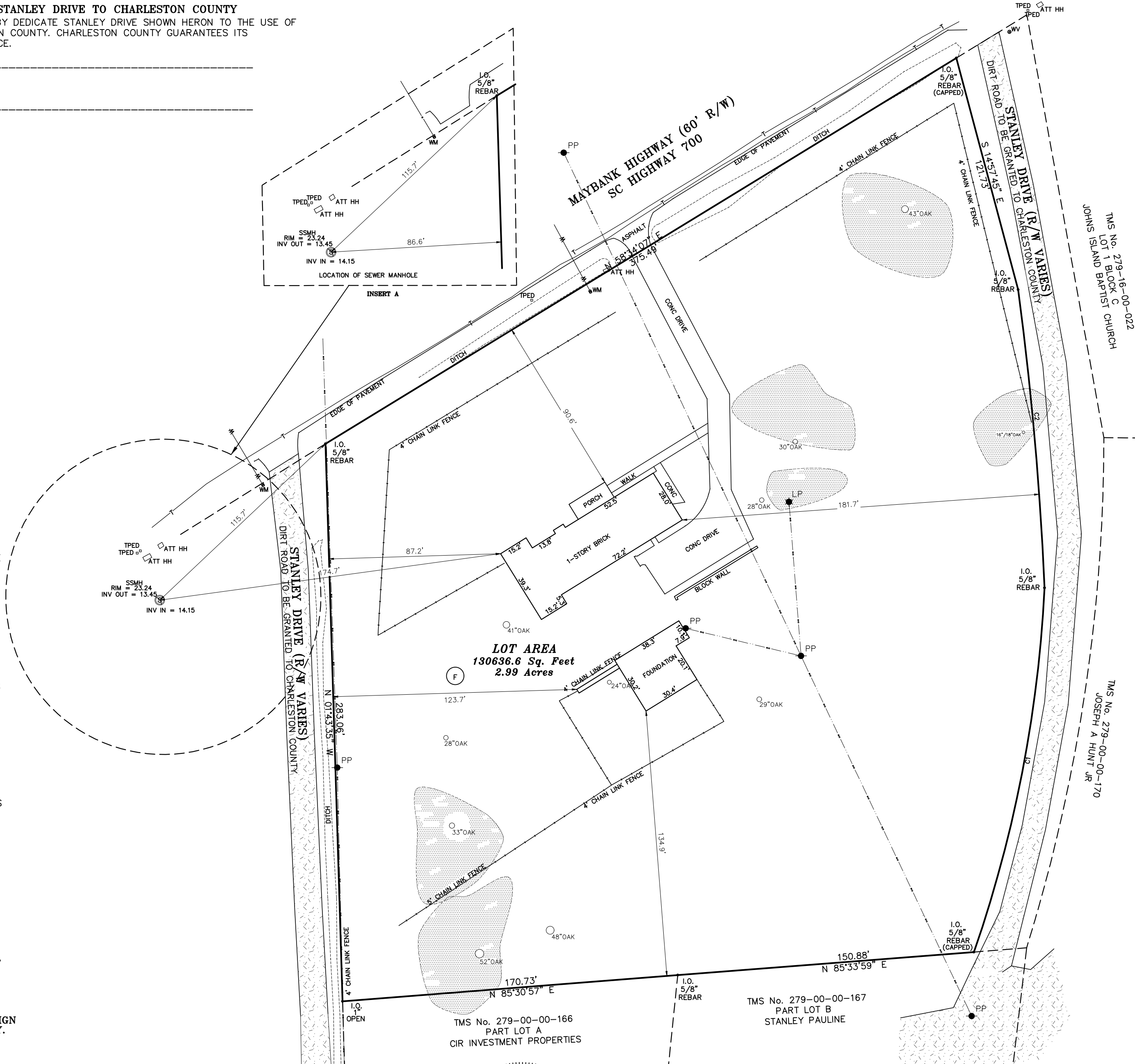
**SURVEYOR'S CERTIFICATION**

I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments or projections other than shown.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.  
THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HEREON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.

KIM21 / 21510

**GRANT OF STANLEY DRIVE TO CHARLESTON COUNTY**  
I/WE HEREBY DEDICATE STANLEY DRIVE SHOWN HERON TO THE USE OF CHARLESTON COUNTY. CHARLESTON COUNTY GUARANTEES ITS MAINTENANCE.



LOCATION MAP  
-NOT TO SCALE-

TMS No. 279-16-00-022  
LOT 1 BLOCK C  
JOHNS ISLAND BAPTIST CHURCH

TMS No. 279-00-00-170  
JOSEPH A HUNT JR

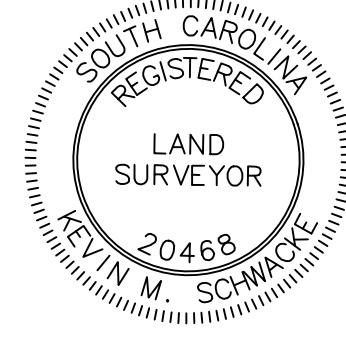
REQUIRED BY RMC CHAS. CO.

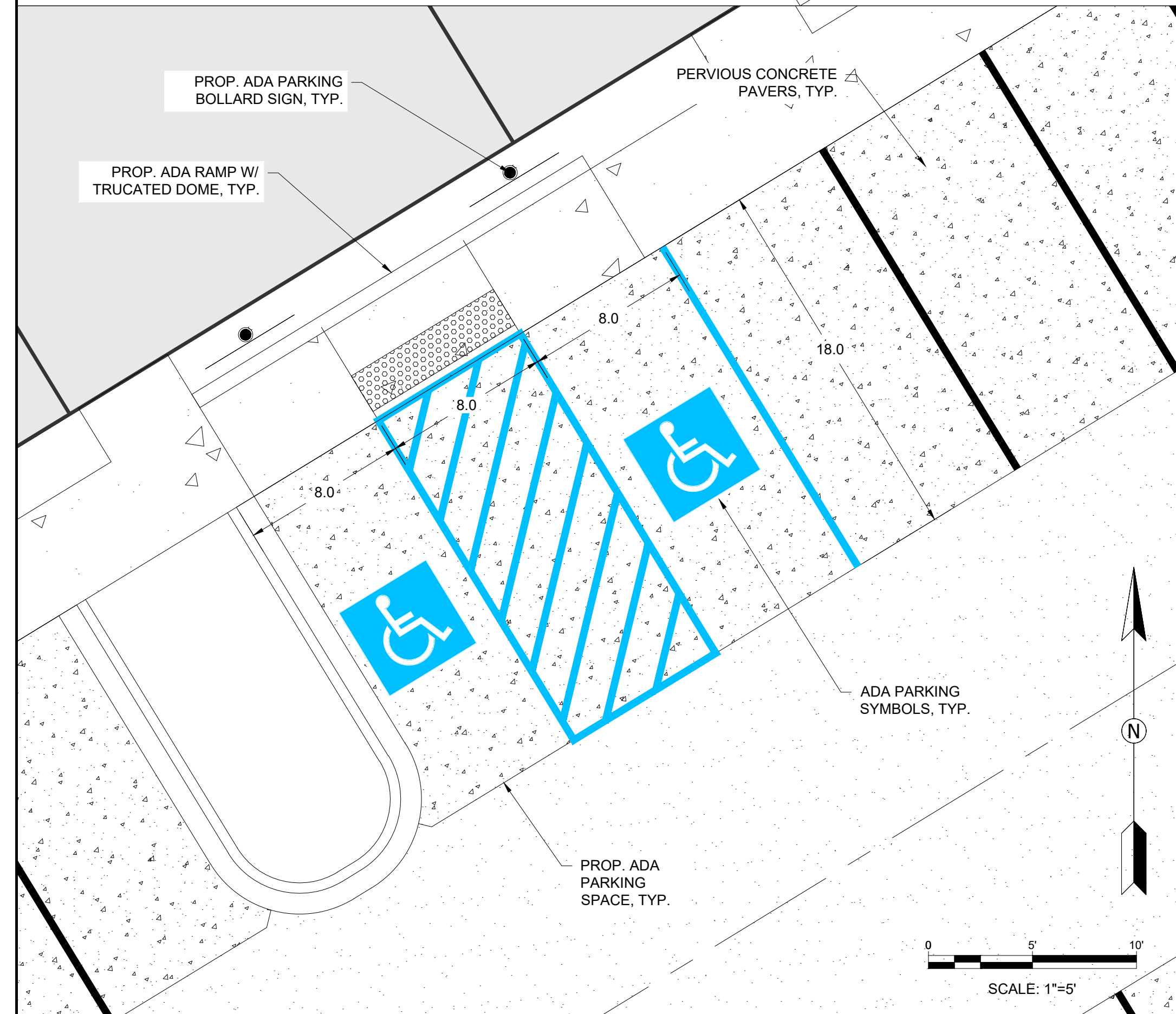
**BOUNDARY PLAT**  
**TAX MAP No. 279-00-00-168**  
**SHOWING STANLEY DRIVE DEDICATION**  
**& SHOWING UTILITIES**  
**LOCATED ON JOHNS ISLAND**  
**CHARLESTON COUNTY, SOUTH CAROLINA**



DATE: FEBRUARY 11, 2022 SCALE: 1" = 20'  
REVISED: MARCH 10, 2022 (TREE CANOPIES)  
REVISED: MARCH 16, 2022 (DRIP LINES)  
REVISED: MAY 3, 2022 (R/W LINE)  
REVISED: MAY 31, 2022 (UNDERGROUND UTILITIES)  
REVISED: MAY 15, 2025 (RECORDABLE PLAT)

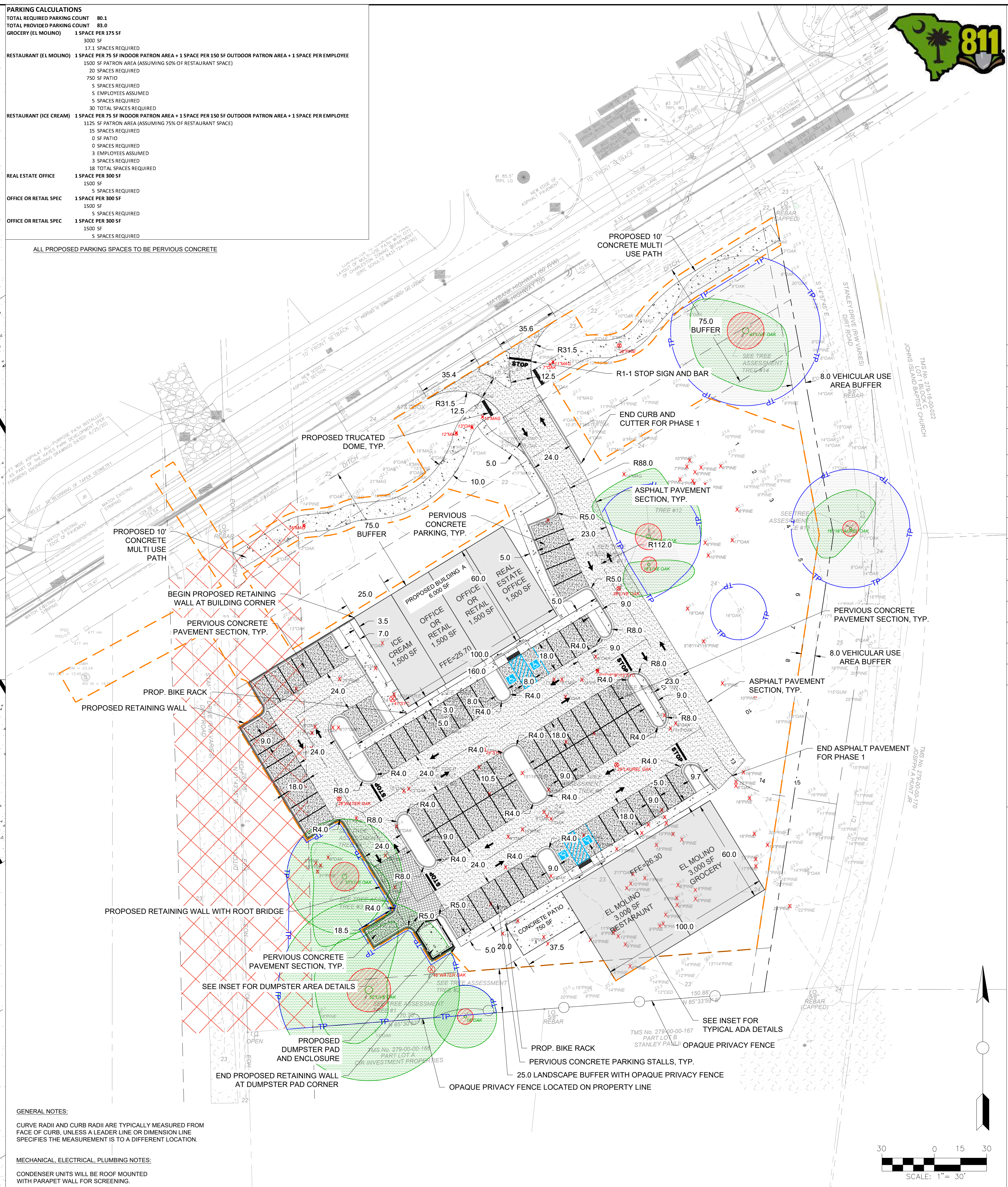
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	666.47'	189.02'	188.39'	S 10°58'35" W	16°15'01"
C2	1738.46'	151.98'	151.93'	N 05°03'20" W	5°00'32"





PARKING CALCULATIONS	
TOTAL REQUIRED PARKING COUNT	80.1
TOTAL PROVIDED PARKING COUNT	83.0
GRcery (EL MOLINO)	1 SPACE PER 175 SF
	3000 SF
	17.1 SPACES REQUIRED
RESTAURANT (EL MOLINO)	1 SPACE PER 75 SF INDOOR PATRON AREA + 1 SPACE PER 150 SF OUTDOOR PATRON AREA + 1 SPACE PER EMPLOYEE
	1500 SF PATRON AREA (ASSUMING 50% OF RESTAURANT SPACE)
	20 SPACES REQUIRED
	750 SF RATIO
	5 SPACES REQUIRED
	5 EMPLOYEES ASSUMED
	5 SPACES REQUIRED
	90 TOTAL SPACES REQUIRED
RESTAURANT (ICE CREAM)	1 SPACE PER 75 SF INDOOR PATRON AREA + 1 SPACE PER 150 SF OUTDOOR PATRON AREA + 1 SPACE PER EMPLOYEE
	1125 SF PATRON AREA (ASSUMING 75% OF RESTAURANT SPACE)
	15 SPACES REQUIRED
	0 SF RATIO
	0 SPACES REQUIRED
	3 EMPLOYEES ASSUMED
	3 SPACES REQUIRED
	18 TOTAL SPACES REQUIRED
REAL ESTATE OFFICE	1 SPACE PER 300 SF
	1500 SF
	5 SPACES REQUIRED
OFFICE OR RETAIL SPEC	1 SPACE PER 300 SF
	1500 SF
	5 SPACES REQUIRED
OFFICE OR RETAIL SPEC	1 SPACE PER 300 SF
	1500 SF
	5 SPACES REQUIRED

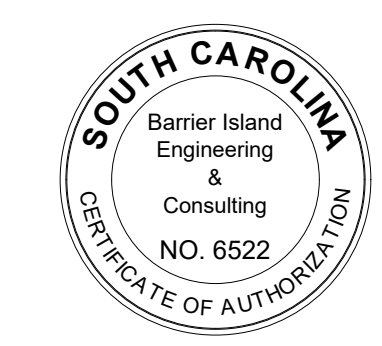
ALL PROPOSED PARKING SPACES TO BE PERVIOUS CONCRETE



**BARRIERISLAND**  
ENGINEERING & CONSULTING

843-697-0411  
843-412-9223  
[WWW.BARRIERISLANDENG.COM](http://WWW.BARRIERISLANDENG.COM)

PROJECT #	21-037
DESIGNED BY:	AJB
APPROVED BY:	CBW
DATE:	2/10/2025

[illegible]

3517 MAYBANK HIGHWAY MIXED USE  
CHARLESTON COUNTY, SC

## SITE PLAN

E1.0



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PROJECT #	21-037
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APPROVED BY:	CBW
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REVISION LOG	
DATE:	REASON:
11/14/24	SPR COMMENTS
2/10/25	SPR RESUBMITTAL

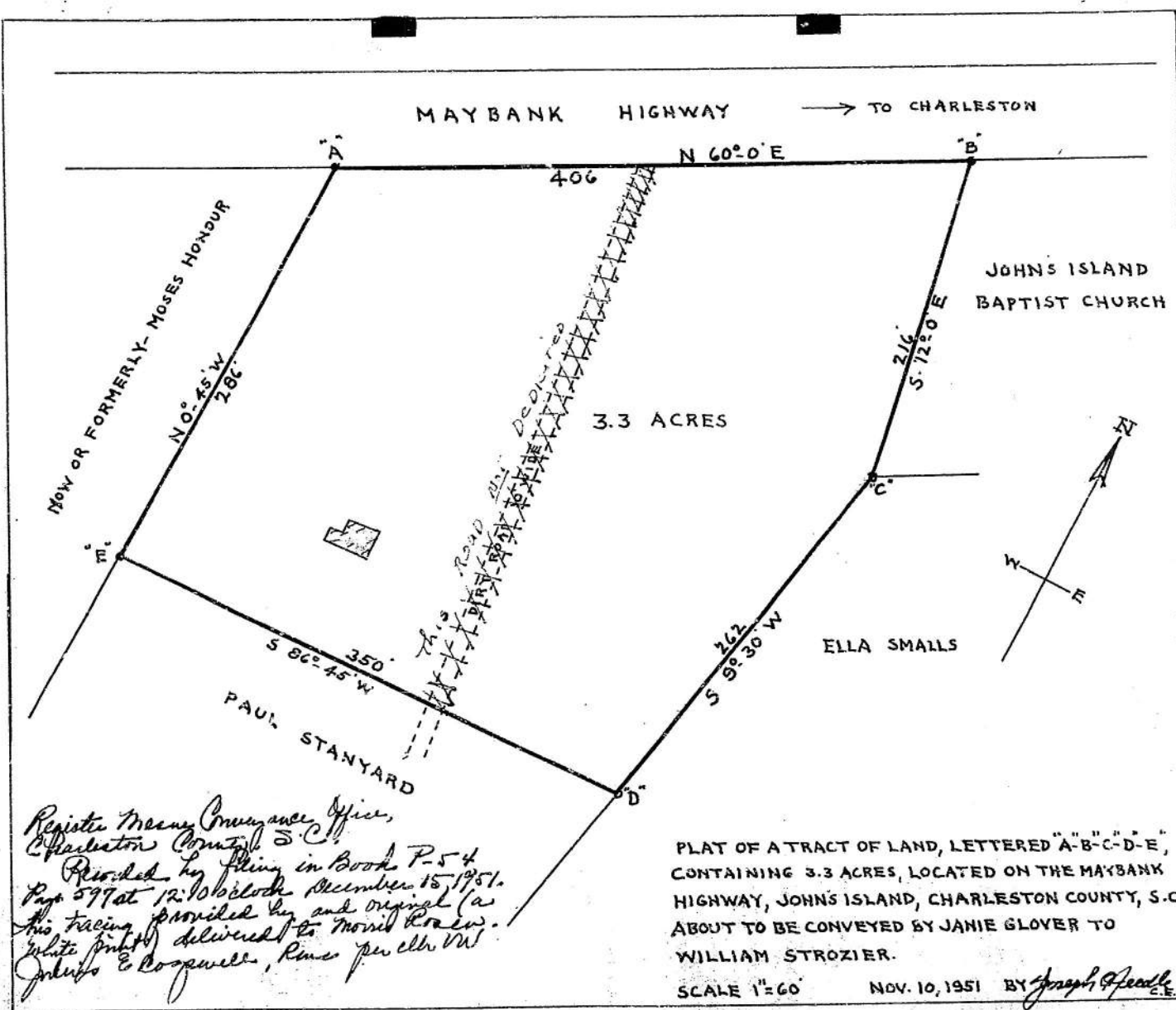


3517 MAYBANK HIGHWAY MIXED USE  
CHARLESTON COUNTY, SC

ALCOHOL SALES EXHIBIT

E2.0

P54-597



Register Meane Insurance Office,  
Charleston County, S.C.  
Provided by filing in Book P-54  
Page 597 at 12:10 o'clock December 15, 1951.  
This tracing provided by and original (as  
white print) delivered to Morris K. R. W.  
Johns & Roswell, Rome, per letter W.

