



## **Case # BZA-07-25-00887**

### **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:**

Variance request to eliminate the required 25' land use buffer along the western property boundary for proposed mixed-use development.

**Requirement:**

The *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, Chapter 9 Development Standards, Article 9.4 Landscaping, Screening, and Buffers, Sec. 9.4.4 Landscape Buffers, B. Land Use Buffers, Table 9.4.4-2, Land Use Buffers and Table 9.4.4-3, 6. Buffer Depth and Landscaping Standards requires a Type D (25') land use buffer along the western property boundary.



## CHAPTER 9 | DEVELOPMENT STANDARDS

### ARTICLE 9.4 LANDSCAPING, SCREENING, AND BUFFERS

#### Sec. 9.4.4 Landscape Buffers

##### A. Right-of-Way Buffers.

1. *Applicability.* Right-of-Way buffers shall be required adjacent to road Rights-of-Way and ingress/egress Easements for all uses except for agricultural and Residential Uses existing on or prior to November 20, 2001. Minor Subdivisions may not have to comply with the requirements of this Section if the Zoning and Planning Director determines that compliance is not necessary to satisfy the purposes of this Ordinance.
2. *Buffer Types by Roadway.* Landscape Buffers are required along Roadways in accordance with Table 9.4.4-1, *Buffer Types by Roadway*. Streets, Rights-of-Way, and ingress/egress Easements not indicated in this table shall comply with the Type B buffer requirements.
3. *Development within Buffer Areas.*
  - a. No Development, storage, or display may occur within required buffer areas except for sidewalks and permitted drives and Signs;
  - b. All buffer areas shall accommodate the required Plant materials;
  - c. Drainage swales and stormwater Detention ponds may be placed in the buffer only when Protected Trees and Grand Trees are not endangered and when they meander through the buffer in a natural manner; and
  - d. Stormwater ponds and swales may not occupy more than 25 percent of the buffer depth.

**Table 9.4.4-1, Buffer Types by Roadway**

Abbapoola Road	G Main Road (Limehouse Bridge to Maybank Hwy.)	I
Ashley Hall Road	B Main Road Corridor Overlay Zoning District	[3]
Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	B Main Road (Bees Ferry Road to Limehouse Bridge)	G
Hwy. 61/Ashley River Road (Mark Clark Expressway to Church Creek)	E Manse Road	G
Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1]	I Mark Clark Expressway	I
Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line) [1]	J Mary Ann Point Road	E
Bears Bluff Road	I Mathis Ferry Road [1]	G
Bees Ferry Road	G Maybank Highway Corridor Overlay Zoning District [Johns Island]	[2]
Belvedere Road	G Maybank Highway Corridor Overlay Zoning District [James Island]	[4]
Betsy Kerrison Parkway [1]	I Maybank Highway (Main Road to Rockville)	I
Bohicket Road [1]	I Meeting Street	B
Botany Bay Road [1]	I Murraywood Road	G
Brownswood Road	G Old Georgetown Road	G
Cane Slash Road	G Liberia Road	G



[1] Denotes Scenic Road designation that shall require protection under the provisions of this Ordinance of all Trees 6 inches or greater in Diameter Breast Height (DBH) which are located within Rights-of-Way.

[2] Buffer type as described in the Johns Island Maybank Highway Corridor Overlay Zoning District.

[3] Buffer type as described in the Main Road Corridor Overlay District.

[4] Buffer type as described in the James Island Maybank Highway Corridor Overlay Zoning District.

#### *4. Buffer Depth and Planting Standards.*

(See Table 9.4.4-3)

5. The Zoning and Planning Director is authorized to reduce the depth of a required Right-of-Way buffer as follows:

a. A required Right-of-Way buffer not within an Overlay Zoning District may be reduced by up to one-third its depth when the following circumstance exist:

1. The Parcel is located on a Corner Lot with required Right-of-Way buffers of 35 feet or more; or
2. The area of all the required buffers, including land use buffers and Tree protection areas, exceeds 30 percent of the site.

b. A required Right-of-Way buffer of 35 feet or less located within the Urban/Suburban Area defined by the Urban Growth Boundary (UGB) and not within an Overlay Zoning District may be reduced as follows:

1. When no parking or vehicular use area is located between the building and the Right-of-Way, the required buffer may be reduced to no less than eight feet (Type A land use buffer) provided the site layout and building elevations meet all applicable sections of Article 9.5, *Architectural and Landscape Design Standards*.
2. When no more than 10 parking spaces are located between the Building and the Right-of-Way the required buffer may be reduced to no less than 15 feet (Type B buffer) provided the site layout and Building elevations meet all applicable sections of Article 9.5, *Architectural and Landscape Design Standards*.
3. Buffers required on Parcels that are part of redevelopment that preserves existing Structures may be reduced up to a depth no less than 10 feet (Type A land use buffer) in order to meet the parking and Tree preservation requirements of this Ordinance.
4. Buffers are not required along newly created internal Rights-of-Way and ingress/egress Easements on Parcels containing exclusively Duplex, Triplex, Fourplex, or Single Family Attached Dwellings.

c. The Zoning and Planning Director may require additional site improvements., including but not limited to, enhanced Building architecture and materials and/or increased plant material sizes and density when a buffer reduction is granted.

#### **B. Land Use Buffers.**

1. *Applicability.* Land use buffers shall be provided in accordance with the standards of this Section. In the case of conflict between the land use buffer requirements of this section and those contained in [CHAPTER 6, Use Regulations](#), of this Ordinance, the land use buffer requirements contained in [CHAPTER 6, Use Regulations](#), shall govern.

2. Single-Family Detached Dwelling Units on individual Lots are exempt from the land use buffer requirements of this Section.

3. The Zoning and Planning Director is authorized to modify or waive the buffer or landscape planting requirements and may require that additional plant material be added within remaining buffers or elsewhere on the site, as described below:

- a. When buffers will not serve any useful purpose due to the location of the following as determined by the Zoning and Planning Director: fences, walls, berms, or landscaping of at least equivalent height, opacity, and maintenance; uses; vehicles; buildings; structures; or storage; parking; loading; display or service areas; or
- b. The Zoning and Planning Director is authorized to allow a one-third reduction of required buffers, if all required buffers would exceed 25 percent of the site proposed for Development.

4. *Determination of Required Buffers.* The following procedure shall be used in determining which of the buffer types in Table 9.4.4-2, *Land Use Buffers*, apply:

- a. Determine the type of proposed use for the site being developed. (Column 1);
- b. Determine the residential use type (if residential) or the Zoning District that exists on the adjacent Parcel. This is the "Adjacent Site's Use or Zoning";



- c. At the intersection of the proposed use and the use or zoning of the adjacent site, identify the land use buffer type (A, B, C, D, E, or F) required along the developing site's boundary(ies); and
- d. Lastly, refer to Table 9.4.4-3, *Buffer Depth and Landscaping Standards*, for the applicable buffer type.

5. *Land Use Buffer Table*. Land use buffers are required along Side and Rear Yards in accordance with the requirements of the following table:

Table 9.4.4-2, Land Use Buffers									
Proposed Use	Use or Zoning of Adjacent Site								
	Residential Type			Civic/Institutional	Commercial Type		Industrial Type		Agricultural
	1	2	3		1	2	1	2	
Agricultural	B	B	B	-	-	-	-	-	-
Residential Type 1	-	-	-	-	-	-	-	-	-
Residential Type 2	A	-	A	B	B	C	E	F	B
Residential Type 3	B	A	-	A	B	C	E	F	B
Civic/Institutional	B	B	A	-	B	C	D	E	B
Commercial Type 1	B	B	B	A	-	C	D	E	B
Commercial Type 2	D	D	C	D	-	-	D	D	D
Industrial Type 1	H	H	H	F	E	B	-	A	G
Industrial Type 2	J	J	J	J	G	B	A	-	I
General Notes:									
<u>Residential Use Types:</u>									
Type 1 = Single family Detached and undeveloped Residential Lots; Type 2 = Duplex and Single family Attached; Type 3 = Triplexes, Fourplexes, and Multi-Family and all other residential use types, including Manufactured Housing Parks									
<u>Commercial Use Types:</u>									
Type 1 = Any commercial use allowed by right in an RO, GO, or NC district and undeveloped Commercial Lots; Type 2 = all other commercial uses									
<u>Industrial Use Types:</u>									
Type 1 = Any industrial or commercial use that is first allowed in an industrial (IN) Zoning District and undeveloped Industrial Lots; Type 2 = Waste-Related uses and Recycling Centers.									

#### 6. *Buffer Depth and Landscaping Standards.*

Table 9.4.4-3, Buffer Depth and Landscaping Standards										
Standard	Buffer Type									
	A	B	C	D	E	F	G	H	I	J
<b>MINIMUM BUFFER DEPTH</b> (feet from property line) [1]	10	15	20	25	35	40	50	60	75	100
<b>MINIMUM LAND USE BUFFER LANDSCAPING</b> (Plants per 100 linear feet) [2] [3]										
Canopy Trees [4]	2	2	2	3	4	5	6	7	9	12
Understory Trees (at least 50 percent evergreen)	3	3	4	4	6	7	9	10	12	15
Shrubs	20	25	30	35	40	45	50	55	60	75





**TABLE NOTES:**

1. Buffers may be traversed by permitted driveways and pedestrian ways.
2. The retention of natural buffers is required along all road or street Rights-of-Way of Buffer Type C designation or greater. The Zoning and Planning Director is authorized to waive or modify the minimum buffer planting requirements when an undisturbed natural buffer exists that is the same depth and amount of plant material as that which is required.
3. Bradford Pears cannot be used to fulfill any of the Tree requirements of this Ordinance. Any exotic species proposed by a designer are subject to approval by the Zoning and Planning Director.
4. Palmetto Trees may be substituted to fulfill the Canopy Tree requirements. These Trees are to be planted at a ratio of three Palmetto Trees for each Canopy Tree and are to be planted in groupings of three.

**GENERAL NOTES:**

1. The Zoning and Planning Director shall be authorized to require the installation of Berms within required buffers where deemed necessary to protect the visual quality of a road corridor or ensure land use compatibility.
2. All Trees with a Diameter Breast Height (DBH) of eight inches or greater within buffers shall be preserved.

**C. General.**

1. *Location of Buffers.* Buffers shall be located along the perimeter of a Lot or Parcel and shall extend to the boundary of the Lot or Parcel. They shall not be located on any portion of public Right-of-Way. Where drainage or other utility Easements exist along property lines, required Landscape Buffers shall be located adjacent to the Easement and may be reduced in width by the width of the Easement, but in no case shall the buffer width be less than 10 feet and shall be located adjacent to the Easement. Required buffers shall be noted on all Plats, plans and permit requests submitted for review and approval under this Ordinance.
2. *Plant Material within Buffers.* Plant material shall be selected and spaced properly to allow the Plants to thrive considering site specific conditions. Plant materials located adjacent to public Drainage Easements and Right-of-Ways shall be selected and placed so as not to impede access or maintenance, including low-lying lateral branches. Additionally, plant material within required buffers that contain Utility Easements shall be selected and located to minimize pruning for future maintenance and clearance of such Utilities. All selections are subject to the review and approval of the Zoning and Planning Director and may also require modifications (substitutions and relocation) of plant materials on proposed landscape plans when necessary to assure access and ease of maintenance to any Easements or Rights-of-Way and to preserve the public health, safety, and welfare.
3. *Use of Buffers.* The Zoning and Planning Director is authorized to allow On-Premises Signs, Fences, Walls, Berms, mailboxes, access to community Boat Ramps, permitted driveways, and sidewalks within required buffers. Other improvements may be allowed within buffers if the Zoning and Planning Director determines that such improvements will not detract from the intended purpose and function of the buffer or have any adverse effect on adjacent property.

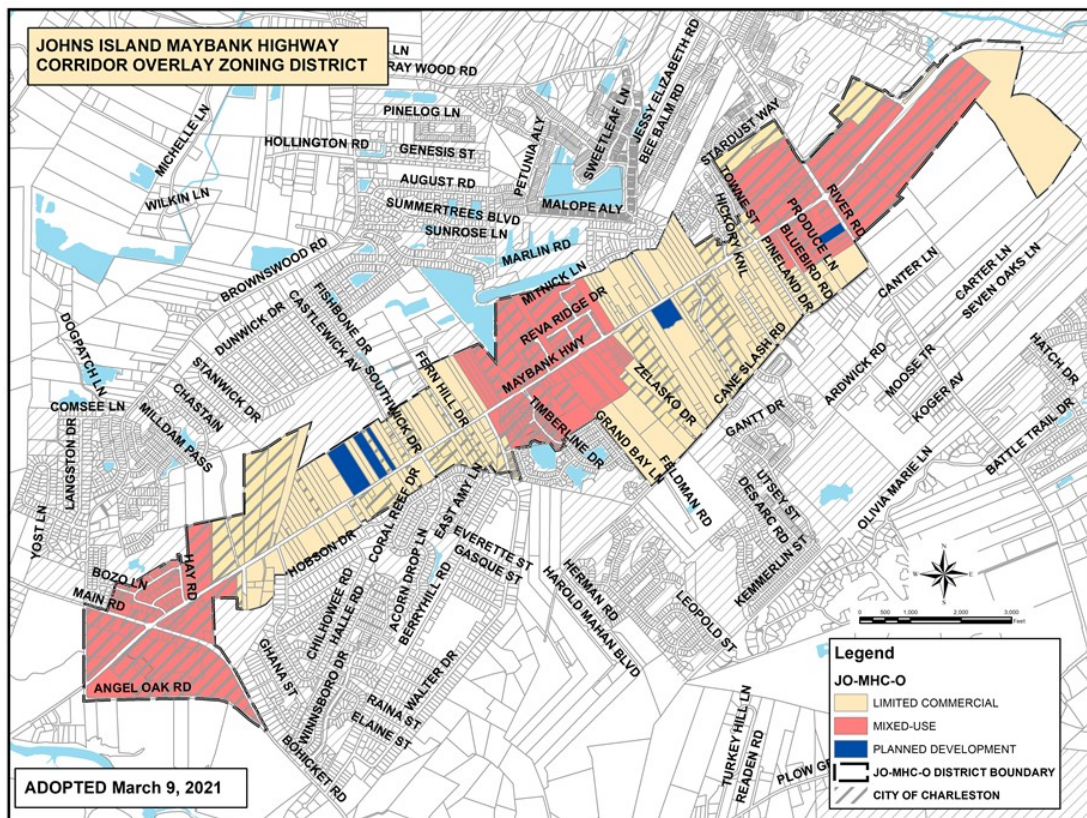
Effective on: 12/6/2022, as amended



## 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



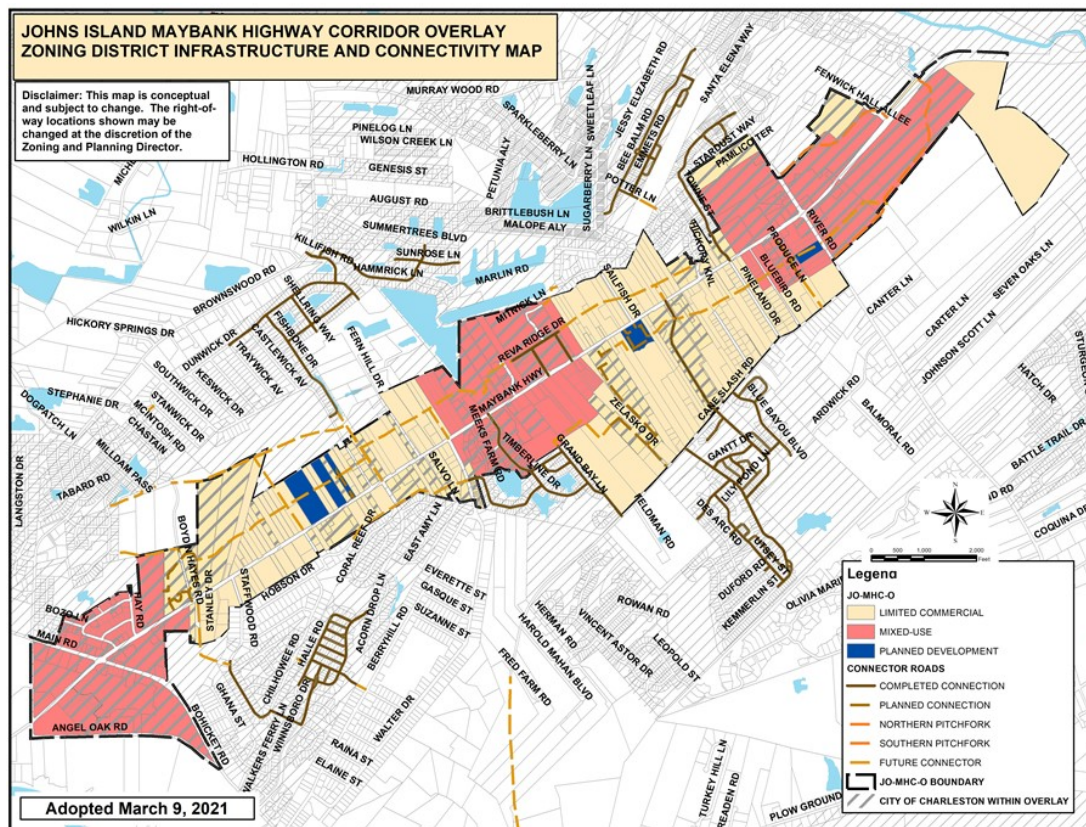




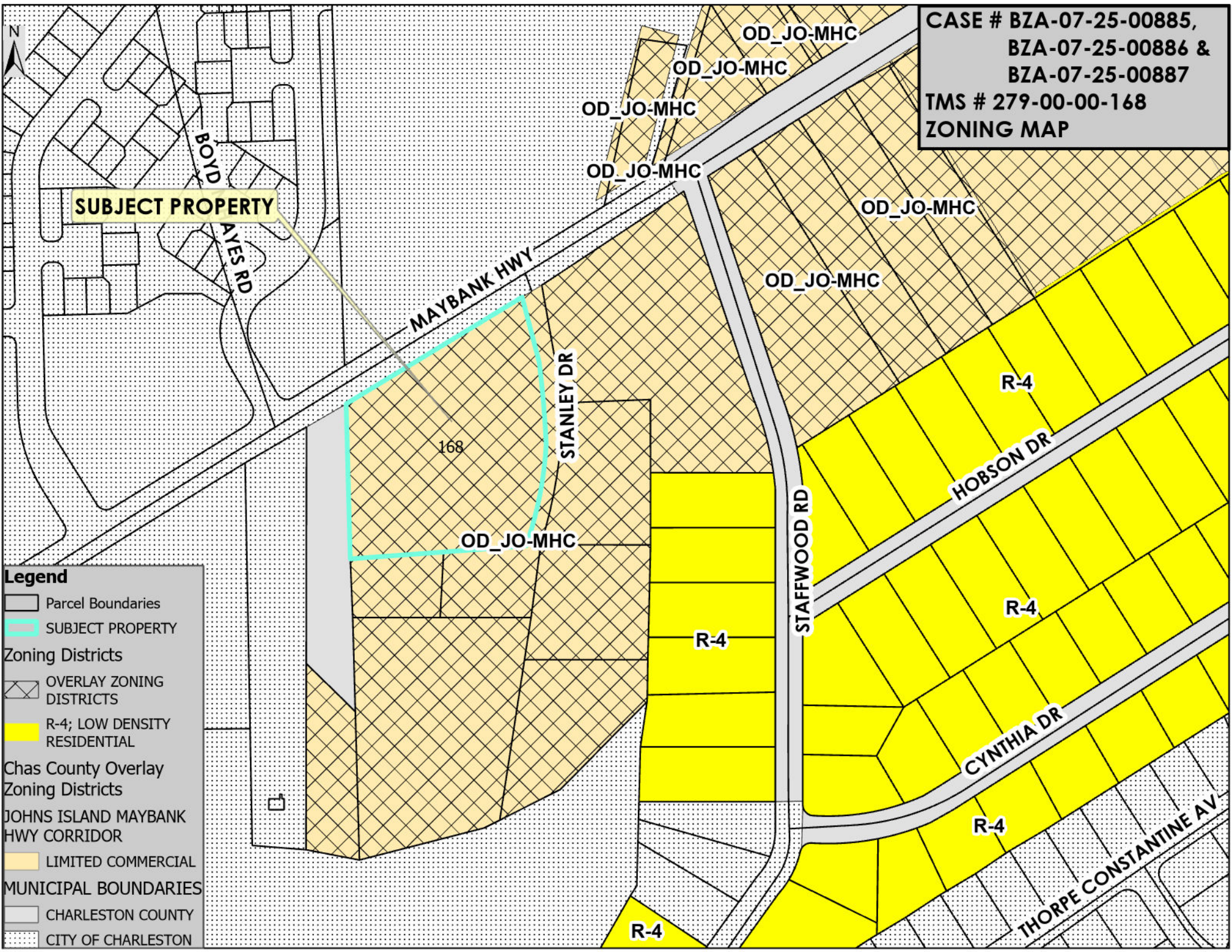
## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

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

Map 5.3.A





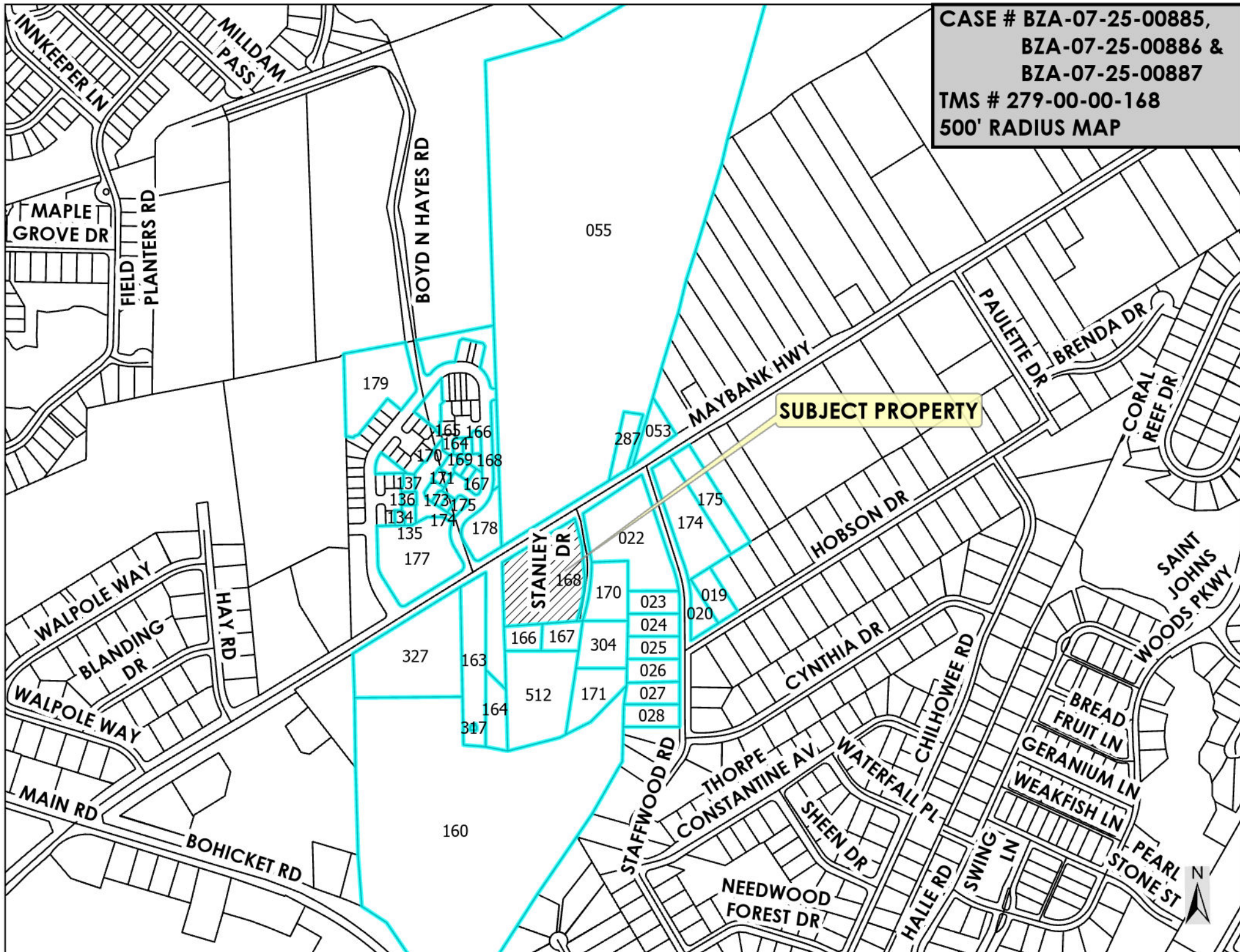


CASE # BZA-07-25-00885,  
BZA-07-25-00886 &  
BZA-07-25-00887  
TMS # 279-00-00-168  
ZONING MAP

- 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

168





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





# Subject Property: 3517 Maybank Highway – Johns Island

08/19/2025

08/19/2025



# 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 two (2) variances for a proposed mixed-use development 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.

More specifically 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.

In addition to the variances, the applicant 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 **(BZA-07-25-00885)**.

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).

**Applicable ZLDR requirement Case # BZA-07-25-00886:**

*The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.2 Tree Protection and Preservation, Sec. 9.2.5.B. Tree Removal states, "Grand Trees and Protected Trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Zoning and Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such Trees."*

**Applicable ZLDR Chapter 12 Definitions, Article 12.1 Terms and Uses Defined:**

**Arborist, Certified** A Person certified by the International Society of Arboriculture.



**Diameter Breast Height (DBH)** The total diameter, in inches, of a Tree trunk or trunks measured at a point four and one-half feet above existing Grade (at the base of the Tree). In measuring DBH, the circumference of the Tree shall be measured with a standard diameter tape, and the circumference shall be divided by 3.14.

**Grand Tree** Any Tree with a diameter breast height of 24 inches or greater, with the exception of Pine Tree and Sweet Gum Tree (*Liquidambar styraciflua*) species.

**Applicable ZLDR requirement Case # BZA-07-25-00877:**

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.4 Landscaping, Screening, and Buffers, Sec. 9.4.4 Landscape Buffers, B. Land Use Buffers, Table 9.4.4-2, Land Use Buffers and Table 9.4.4-3, 6. Buffer Depth and Landscaping Standards requires a Type D (25') land use buffer along the western property boundary.

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

**Planning Director Review and Report regarding Approval Criteria of §3.10.6:**

§3.10.6(1): *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

**Response:** **There may be extraordinary and exceptional conditions pertaining to the approximately 3-acre property. The Arborist's report states the 28" Live Oak (Tree # 11) "has had severe pruning over years from the electric company. It has approx. 25%-33% of its canopy pruned out for the utility overhead line. It has many stubs and areas of injury/healing in this ½ of the tree close to the power line. There are some areas of decay and cuts that have not callused or healed over. There are several areas of stubs and epicormic sprouts, areas trying to heal over but not, this tree is in less than average condition." The Applicant's Arborist graded the tree C-. The County Arborist graded the tree C+.**  
**Regarding the buffer variance the applicant's letter of intent states, "Approximately 11,120 SF of the subject parcel is proposed to be ceded to the county along the eastern property boundary to aid Main Road Corridor improvements. Doing so has created difficulties meeting the 25-foot type D Landscape Buffer along the western property boundary, to be applied from the existing Central Electric Company power easement line." Therefore, the requests may meet this criterion.**

§3.10.6(2): *These conditions do not generally apply to other property in the vicinity;*

**Response:** **These conditions do not generally apply to other properties in the vicinity. The applicant's letter of intent states, "Conditions are unique to the subject property. Most other properties in the vicinity do not have more than one power easement and do not have right-of-way on three sides. The subject property is impacted by two power easements and has public right of way on three sides, two of which are Charleston County non-standard rights-of-way." Therefore, the request meets this criterion.**

§3.10.6(3): *Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;*

**Response:** **The application of this Ordinance, Article 9.2 Tree Protection and Preservation and Article 9.4 Landscaping, Screening, and Buffers to 3517 Maybank Highway may unreasonably restrict the utilization of the property due to the location of utility overhead lines. The applicant's letter of intent states, Therefore, the request may meet this criterion.**

§3.10.6(4): *The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance;*

**Response:** **The authorization of this variance request may not be of substantial detriment to the adjacent properties and to the public good, and the character of the Johns Island Maybank Highway Corridor Overlay (Limited Commercial) Zoning District may not be harmed if the variance is granted. The applicant's letter of intent states, "Granting the reduction of the landscape buffer would be of no detriment to the adjacent properties, as there is still substantial vegetation between the western property line and the exiting roadway. Additionally, all portions of the property adjoining dissimilar uses will still maintain landscape buffers meeting the requirements of the Charleston County ZLDR." Therefore, the request may meet this criterion.**

§3.10.6(5): *The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

**Response:** **The variance does not allow a use that is not permitted in this zoning district, nor does it extend physically a nonconforming use of land or change the zoning district boundaries. Therefore, the request meets this criterion.**

§3.10.6(6): *The need for the variance is not the result of the applicant's own actions;*

**Response:** **The need for the variance may not be the result of the applicant's own actions. The applicant's letter of intent states, "The need for [Grand Tree removal Variance] was caused by excessive pruning of the [28" Live Oak] which left it in a condition of poor health. Our actions did not place the electric utility in close proximity to the subject tree, requiring extensive pruning. Approximately 11,120 SF of the subject parcel is proposed to be ceded to the county along the eastern property boundary to aid Main Road Corridor improvements. Doing so has created difficulties meeting the 25-foot type D Landscape Buffer along the western property boundary, to be applied from the existing Central Electric Company power easement line." Therefore, the request may meet this criterion.**

§3.10.6(7): *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance;*

**Response:** **Granting of the variance may not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance if the Board finds that the strict application of the provisions of the Ordinance results in an unnecessary hardship. In addition, the applicant's letter of intent states, "The variances do not conflict with the Comprehensive Plan or the purposes of the Ordinance. All 75 feet of front buffer off of Maybank Highway are being respected in accordance with planned future use and ample landscape buffer is being supplied along property boundaries adjoining parcels under residential use." Therefore, the requests may meet this criterion.**

#### **Board of Zoning Appeals' Action:**

According to Article 3.10 Zoning Variances, Section §3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), (adopted July 18, 2006), The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application of the provisions of this Ordinance would result in unnecessary hardship (§3.10.6A). A Zoning Variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing their findings (§3.10.6B Approval Criteria).

In granting a variance, 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 (§3.10.6C).

The Board of Zoning Appeals may approve, approve with conditions or deny Case BZA-07-25-00886 and 07-25-00887 [Variance request to remove a 28" DBH Grand Live Oak

Tree and Variance request to eliminate the required 25' land use buffer along the western property boundary for a proposed mixed-use development 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 BZA decides to approve the application, Staff recommends the following condition:

- 1. Prior to zoning permit approval, the applicant shall complete the Site Plan Review process.**
- 2. The applicant shall mitigate the removal of the 28" 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.**
- 3. 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*.**
- 4. 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.**

**ZONING VARIANCE 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			
Proposed Use of Property: Mixed Use (Office, Retail, and Restaurant)			
Zoning Variance Description: <i>Article 9.4</i>			
<b>Applicant Information</b> (Required)			
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: [REDACTED]		Phone #: [REDACTED]	
Applicant Signature: <i>[Signature]</i>			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: <i>DD-50 mtc</i>	Flood Zone: <i>X (655K)</i>	Date Filed: <i>7/31/25</i>	Fee Paid: <i>\$250</i>
Application #: <i>B24-07-25-00887</i>	TMS #: <i>279-00-00-168</i>	Staff Initials: <i>jji</i>	

### 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.)*

1. Variance requested for reduction of Landscape Buffer from 25 feet to 0 feet, per ZLDR Sec 9.4.4.D.
2. Variance requested for removal of 29" grade C- laurel oak tree, per ZLDR Section 9.2.5.B.

### Applicant's response to Article 3.10 Zoning Variances, §3.10.6 Approval Criteria

**Zoning Variances may be approved only if the Board of Zoning Appeals finds that the proposed use meets all 7 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. Are there extraordinary and exceptional conditions pertaining to the subject property? Explain:

Approximately 11,120 SF of the subject parcel is proposed to be ceded to the county along the eastern property boundary to aid Main Road Corridor improvements. Doing so has created difficulty meeting the 25-foot type D Landscape Buffer along the western property boundary, to be applied from the existing Central Electric Company power easement line, and the need for Variance #1.

The 29" laurel oak has experienced significant canopy damage from pruning intended to keep it out of the electrical easement, which has left it in poor condition and created the need for Variance #2.

2. Do these conditions generally apply to other property in the vicinity or are they unique to the subject property? Explain:

Conditions are unique to the subject property. Most other properties in the vicinity do not have more than one power easement and do not have right-of-way on three sides. The subject property is impacted by two power easements and has public right of way on three sides, two of which are Charleston County non-standard rights-of-way.

3. Because of these extraordinary and exceptional conditions, would the application of this Ordinance to the subject property effectively prohibit or unreasonably restrict the utilization of the property? Explain:

Due to its central location on the subject property, failure to remove the poor-condition 29" laurel oak would unreasonably restrict development on the parcel.



4. Will the authorization of a variance be a substantial detriment to adjacent property or to the public good? Will the character of the zoning district be harmed if this variance is granted? Explain:

Granting the reduction of the landscape buffer would be of no detriment to the adjacent properties, as there is still substantial vegetation between the western property line and the exiting roadway. Additionally, all portions of the property adjoining dissimilar uses will still maintain landscape buffers meeting the requirements of the Charleston County ZLDR.

5. The BZA shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a Nonconforming Use of land, or to change the zoning district boundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably if a Zoning Variance is granted shall not be considered grounds for granting a Zoning Variance. Does the variance request meet this criterion?

Yes; The variance request meets the aforementioned criterion. All proposed uses of the property comply with the requirements of the Maybank Highway Overlay Zoning District.

6. Is the need for the variance the result of your own actions? Explain:

The need for Variance #2 was caused by excessive pruning of the 29" laurel oak, which left it in a condition of poor health. Our actions did not place the electric utility in close proximity to the subject tree, requiring extensive pruning.

7. Does the variance substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance? Explain

The variances do not conflict with the Comprehensive Plan or the purposes of the Ordinance. All 75 feet of front buffer off of Maybank Highway are being respected in accordance with planned future use and ample landscape buffer is being supplied along property boundaries adjoining parcels under residential use.

**In granting a variance, 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.

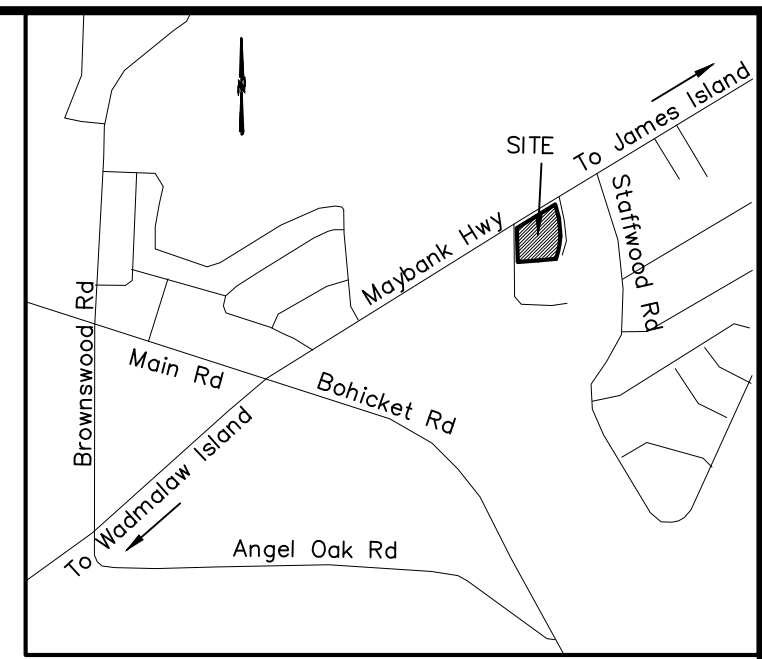
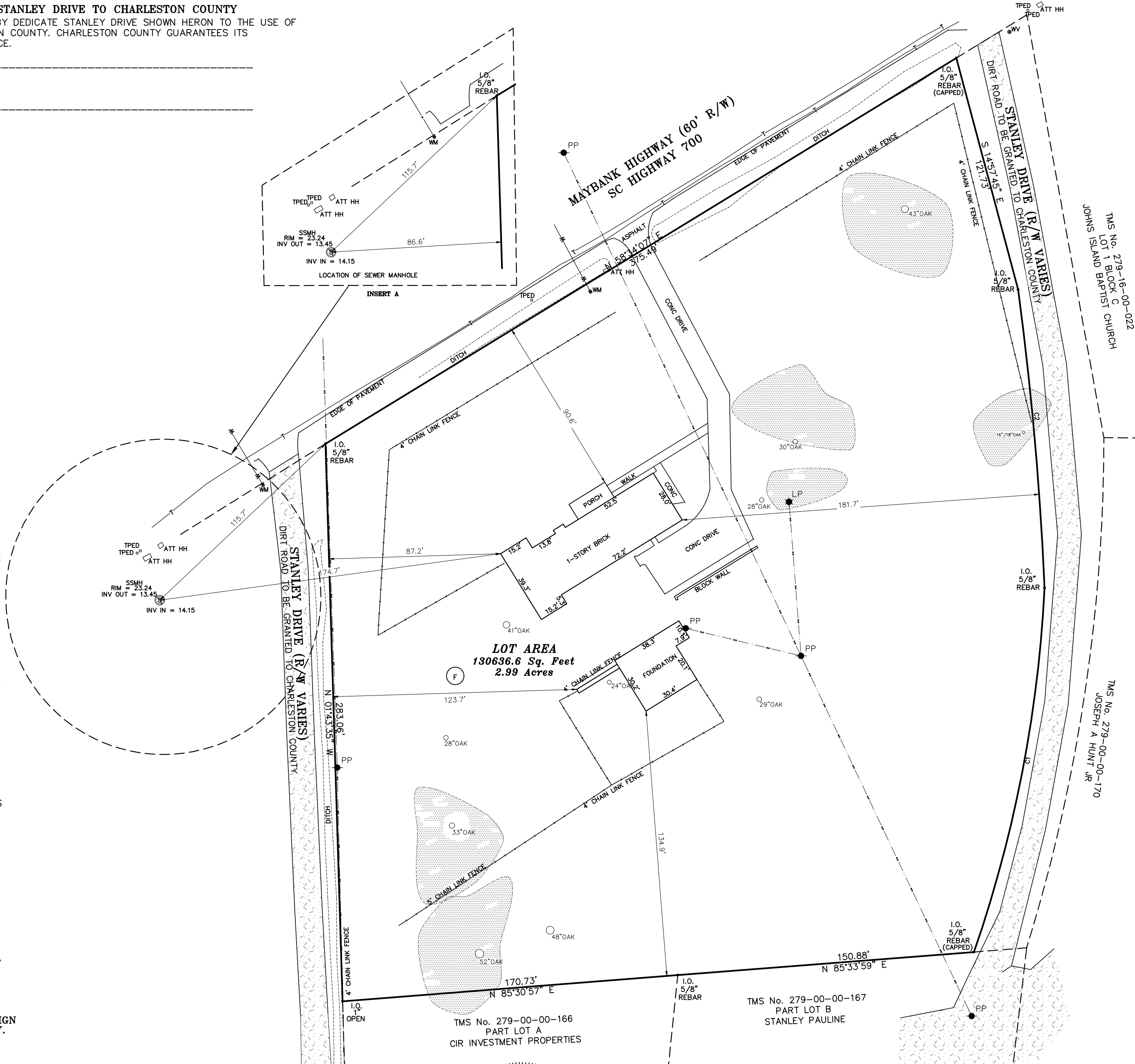
**SURVEYOR'S CERTIFICATION**

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

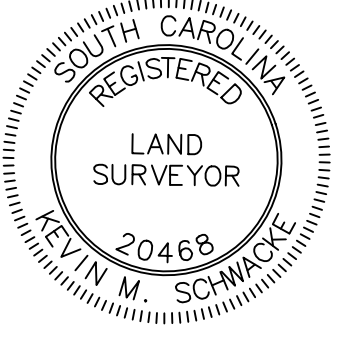
REQUIRED BY RMC CHAS. CO.

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

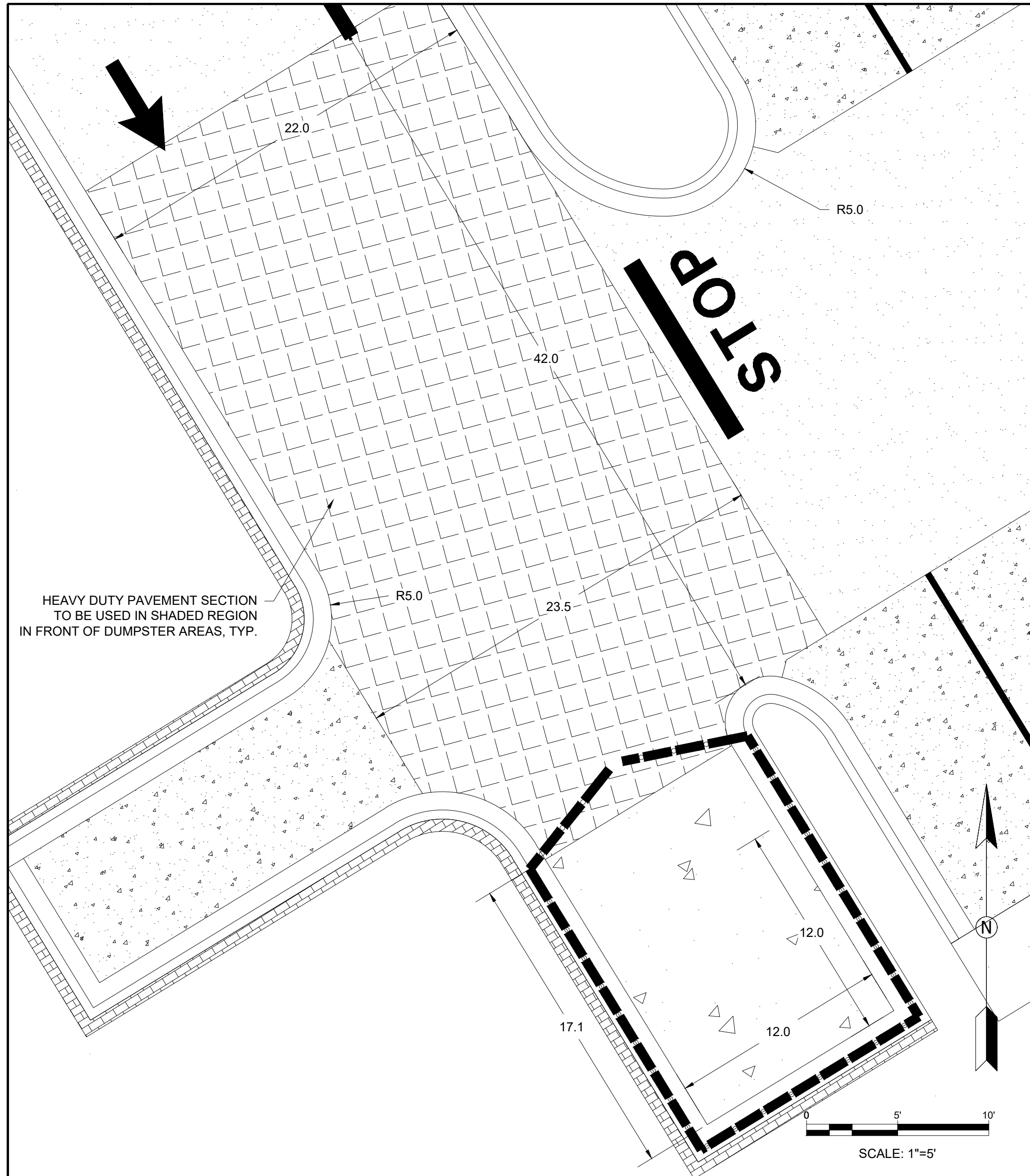


DATE: FEBRUARY 11, 2022 SCALE: 1" = 20'  
REVISED: MARCH 10, 2022 (TREE CANOPIES)  
REVISED: MARCH 16, 2022 (DRIP LINES)  
REVISED: MAY 3, 2022 (R/W LINE)  
REVISED: MAY 31, 2022 (UNDERGROUND UTILITIES)  
REVISED: MAY 15, 2025 (RECORDABLE PLAT)

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"



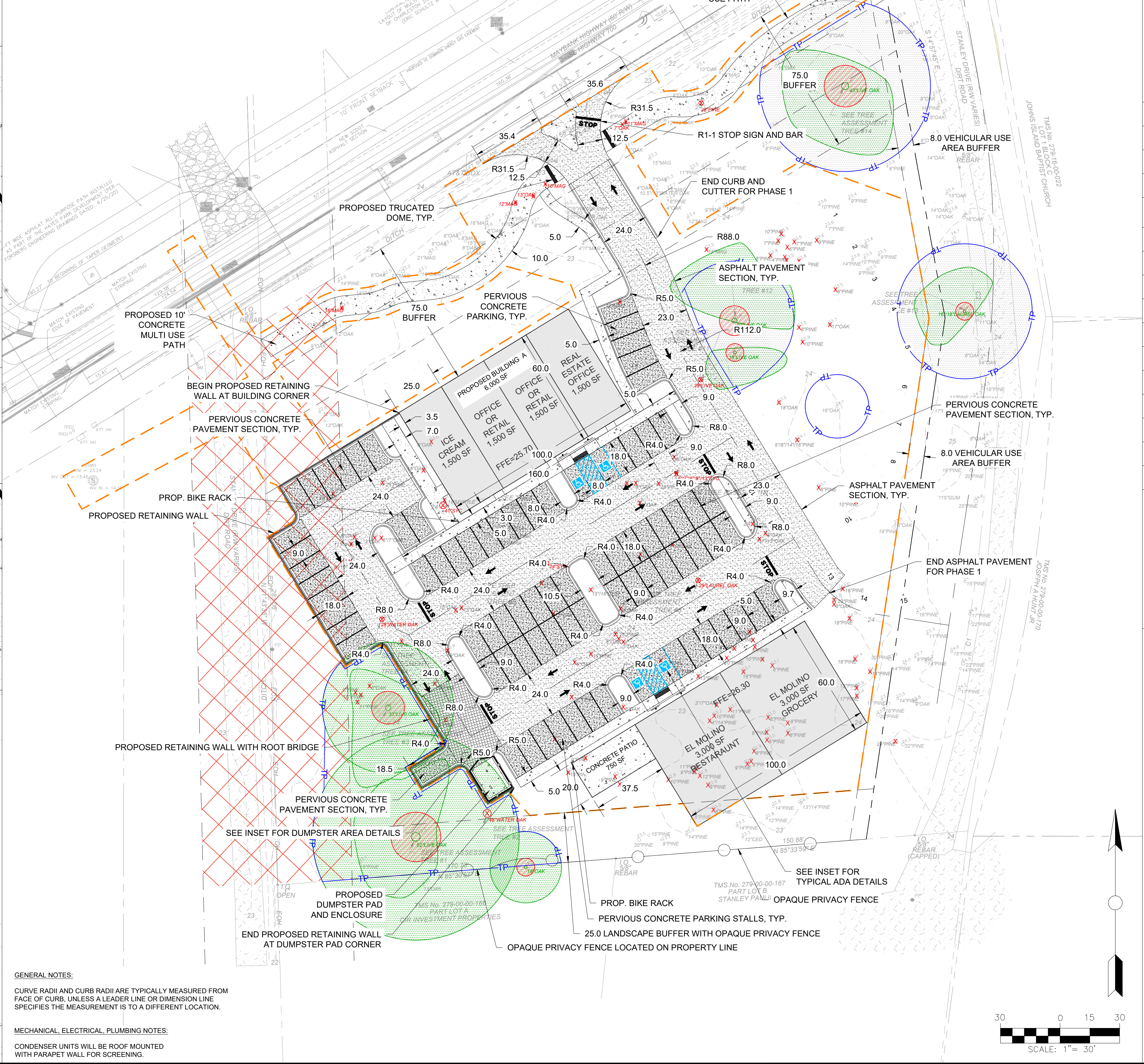




**PARKING CALCULATIONS**

TOTAL REQUIRED PARKING COUNT	80.1
TOTAL PROVIDED PARKING COUNT	83.0
GROCERY (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 PATIO 5 SPACES REQUIRED 5 EMPLOYEES ASSUMED 5 SPACES REQUIRED 30 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 PATIO 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



843-697-0411  
843-412-9223  
WWW.BARRIERISLANDENG.COM

PROJECT #	21-037
DESIGNED BY:	AJB
APPROVED BY:	CBW
DATE:	2/10/2025
REVISION LOG	
DATE:	REASON:
11/14/24	SPR COMMENTS
2/10/25	SPR RESUBMITTAL

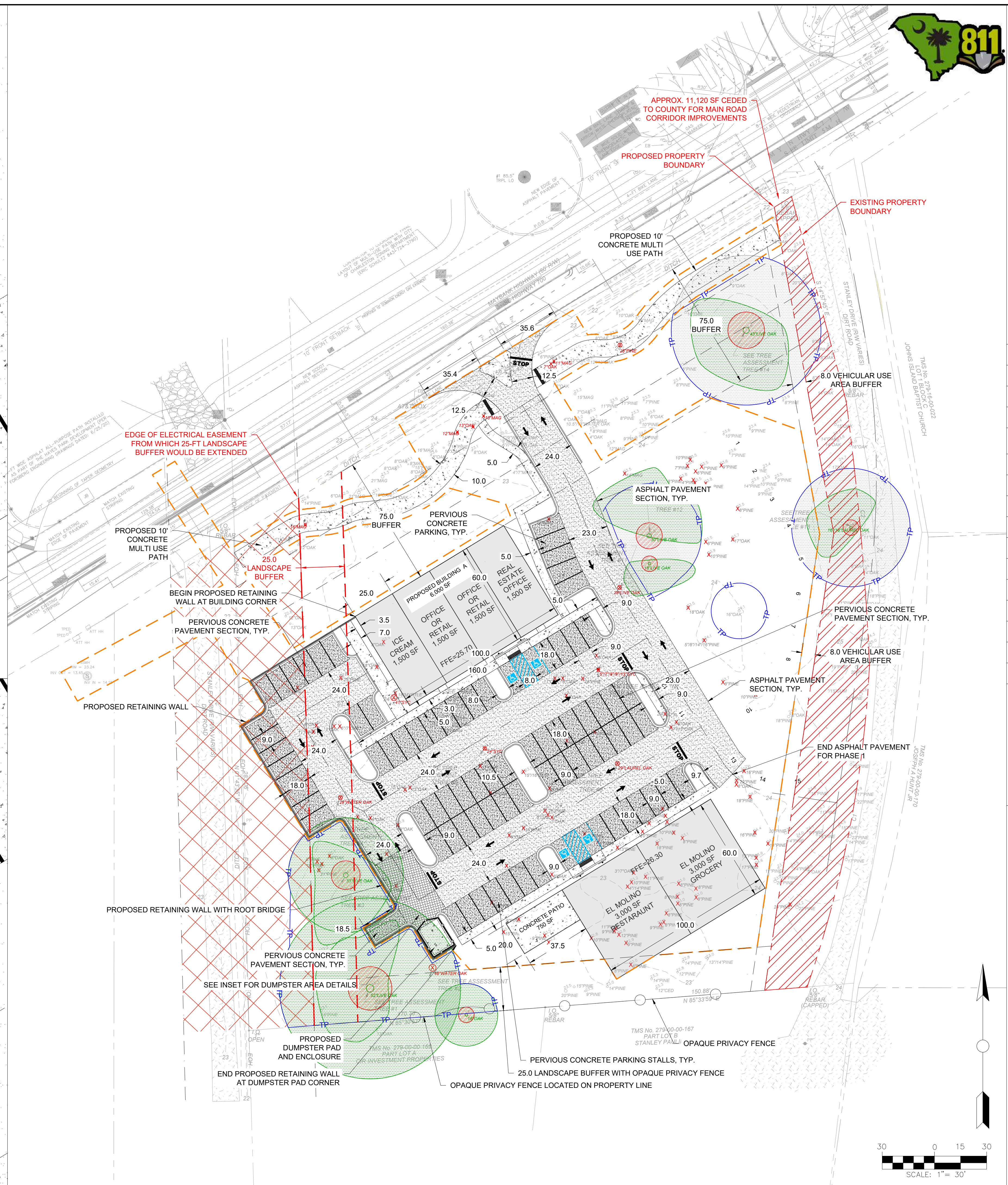
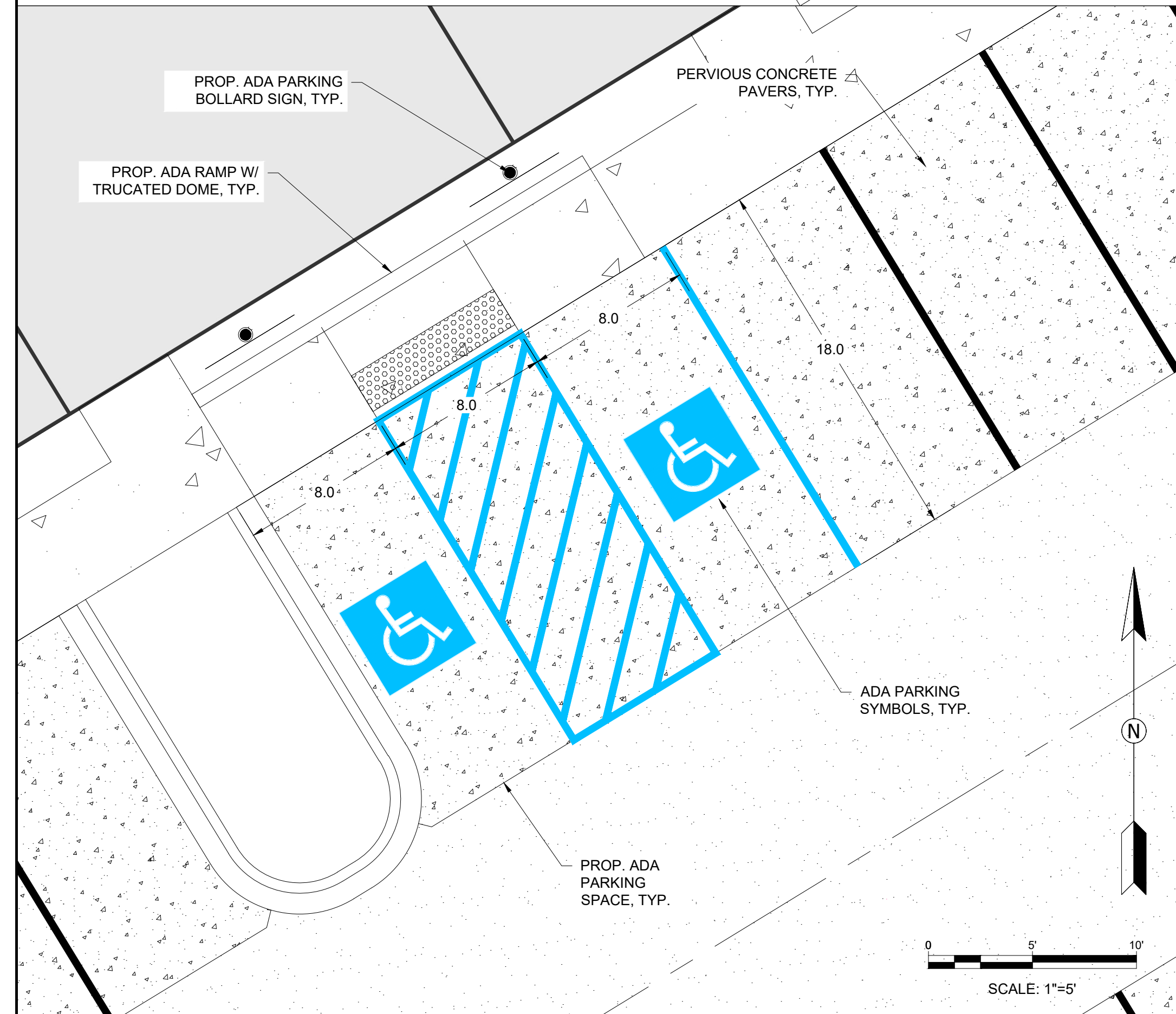
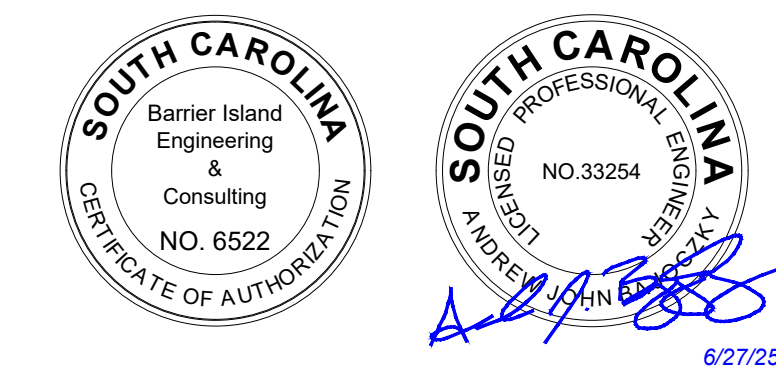


3517 MAYBANK HIGHWAY MIXED USE  
CHARLESTON COUNTY, SC

SITE PLAN

E1.0



[illegible]

LANDSCAPE BUFFER EXHIBIT

E2.0



P54-597

