



Case # BZA-08-25-00894

Charleston County BZA Meeting of October 6, 2025

Applicants/Property Owners: Tracey Culcleasure and Frederick Culcleasure

Property Location: 532 Society Road – East Area

TMS#: 764-00-00-556

Zoning District: Agricultural Residential (AGR) Zoning District

Request:

Variance request to reduce the required 50' front/street side setback by 40.2' to 9.8' for an existing unpermitted detached accessory structure (carport).

Requirement:

The *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, Chapter 4 *Base Zoning Districts*, Article 4.9 *AGR, Agricultural Residential District*, Sec. 4.9.3 *Density/Intensity and Dimensional Standards* requires a 50' front/street side setback.



CHAPTER 4 | BASE ZONING DISTRICTS

ARTICLE 4.9 AGR, AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 4.9.1 Purpose and intent

The AGR, Agricultural Residential Zoning District implements the Agricultural Residential policies of the *Comprehensive Plan*. The district is intended for application in all Settlement Areas.

Sec. 4.9.2 Use Regulations

Uses are allowed in the AGR District in accordance with the Use Regulations of [CHAPTER 6, Use Regulations](#).

Sec. 4.9.3 Density/Intensity and Dimensional Standards

All Development in the AGR District shall be subject to the following Density/Intensity and Dimensional Standards:

Table 4.9.3, AGR Density/Intensity and Dimensional Standards		
	Non-Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY	1 Principal Dwelling Unit per Acre	
MINIMUM LOT AREA	30,000 square feet	1 acre
MINIMUM LOT WIDTH	100 feet	125 feet
MINIMUM LOT WIDTH AVERAGE	N/A	150 feet
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
WETLAND, WATERWAY, AND OCRM CRITICAL LINE SETBACK	N/A	50 feet
WETLAND, WATERWAY, AND OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVERAGE [1]	30% of Lot	
MAXIMUM IMPERVIOUS SURFACE COVERAGE [1]	40% of Lot or as allowed by the current edition of the Charleston County Stormwater Manual	
MAXIMUM HEIGHT	35 feet	
[1] Maximum Impervious Surface Coverage applies only to Residential Development on Parcels less than 30,000 square feet in size. When the Maximum Impervious Surface Coverage requirement applies, the Maximum Building Coverage requirement shall not apply.		

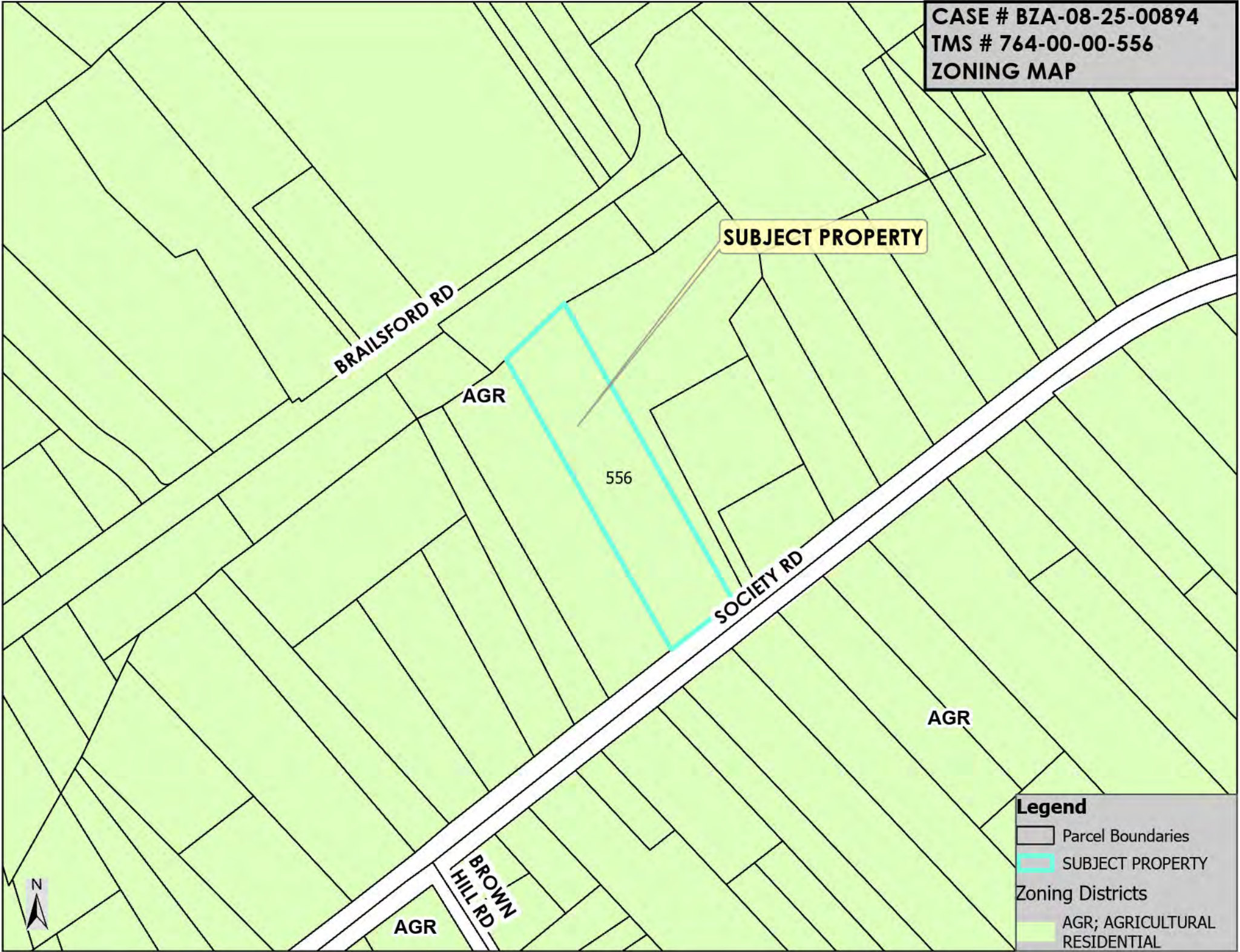
Effective on: 9/10/2017, as amended

Sec. 4.9.4 Other Regulations

Development in the AGR District shall comply with all other applicable regulations of this Ordinance, including the standards of [CHAPTER 9, Development Standards](#).

Sec. 4.9.5 Settlement Areas

Settlement Areas include small older Crossroads communities, Family lands, typical suburban-style Subdivisions, Frontage Lots along local roads, waterfront Developments, and vacant land that has been subdivided for residential Use but not yet built upon. The criteria for additional Parcels to qualify for inclusion into a "Settlement Area" are as follows:



SUBJECT PROPERTY

BRAILSFORD RD

AGR

556

SOCIETY RD

AGR

BROWN
HILL RD

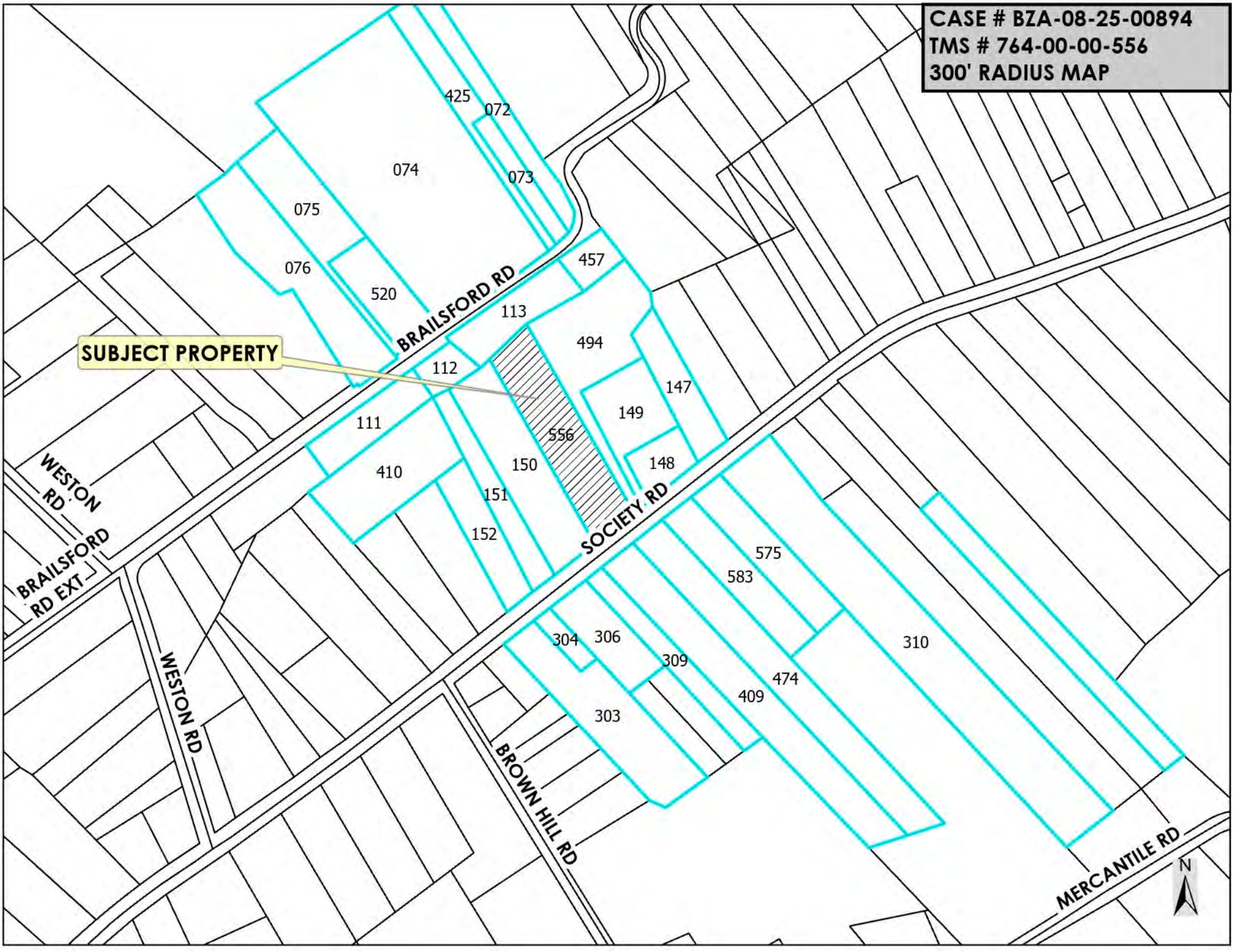
AGR

Legend

- Parcel Boundaries
- SUBJECT PROPERTY
- Zoning Districts
 - AGR; AGRICULTURAL RESIDENTIAL

CASE # BZA-08-25-00894
TMS # 764-00-00-556
300' RADIUS MAP

SUBJECT PROPERTY



CASE # BZA-08-25-00894
TMS # 764-00-00-556
AERIAL MAP

BRAILSFORD RD

SUBJECT PROPERTY

556

SOCIETY RD



CASE # BZA-08-25-00894
TMS # 764-00-00-556
AERIAL MAP

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Subject Property: 532 Society Road – East Area

Proposal: Variance request to reduce the required 50' front/street side setback for an existing unpermitted detached accessory structure (carport).



Subject Property

Unpermitted (24' x 35') Carport



Subject Property



Adjacent Property



Society Road



Staff Review:

The applicants and property owners, Tracey and Frederick Culcleasure, request a variance to reduce the required 50' front/street-side setback by 40.2', resulting in a 9.8' setback, for an existing, unpermitted detached accessory structure (carport) located at 532 Society Road (TMS # 764-00-00-556) in the East Area of Charleston County. The subject property and surrounding properties are located within the Agricultural Residential (AGR) Zoning District.

The 1.99-acre subject property contains a single-family residence and an 18.2' × 30.2' shed that were permitted and constructed in 2020, according to Charleston County records. The property also contains an existing, unpermitted detached accessory structure, a 24.1' × 35.1' carport, which was illegally placed on the property in 2020 or 2021, based on aerial photographs.

Applicable ZLDR requirements:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards requires a 50' front/street side setback.

Staff conducted a site visit of the subject property on September 16, 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 do not appear to be extraordinary or exceptional conditions pertaining to the 1.99-acre subject property. The lot size, shape, and zoning classification are consistent with other properties in the vicinity. The need for a variance arises from the unpermitted placement of a detached accessory structure (carport), which reflects a self-created condition rather than a physical hardship inherent to the property. Therefore, the request may not meet the criteria. However, **applicant's letter of intent** contends, "We are asking to have a setback adjustment done. When we put the carport on the property, we were not aware that we needed to have a permit. The company Eagle Carports never asked or informed us **that we needed a permit.**"

§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. While surrounding properties within the Agricultural Residential (AGR) Zoning District are subject to the same setback requirements, the unpermitted placement of a detached carport without the required approvals is specific to this property and results from actions taken by the property owner rather than conditions inherent to the parcel itself. Therefore, the request may meet 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: Because of these conditions, the application of the Ordinance to the 1.99-acre subject property would not effectively prohibit or unreasonably restrict the utilization of the property. The property already contains a single-family residence and a permitted accessory structure (shed), both of which were legally established in 2020. The unpermitted detached carport, placed on the property without required permits, represents a self-created condition rather than a restriction caused by the Ordinance itself. Therefore, the request may not 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 a variance is not expected to result in substantial detriment to adjacent properties or to the public good, and the character of the Agricultural Residential (AGR) Zoning District would not be harmed by the granting of the variance. The existing detached accessory structure (carport) is residential in nature and consistent with typical accessory uses found within the district. 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 is the **result of the applicant's** own actions. Even though the property owners were unaware of the setback and permit requirements, the hardship arises directly from their own actions (or the **contractor's actions on their behalf**). Therefore, the request may not meet this criterion. However, the applicant's letter of intent contends, "**We weren't aware of the setback guidelines.**"

§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 does not appear to substantially conflict with the *Comprehensive Plan* or the purposes of the *Zoning and Land Development Regulations Ordinance (ZLDR)*. The accessory structure is residential in nature and generally consistent with the intent of the Agricultural Residential (AGR) Zoning District to accommodate low-density residential uses and compatible accessory structures. Therefore, the request 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 the Case # BZA-08-25-00894 [Variance request to reduce the required 50' front/street-side setback by 40.2', resulting in a 9.8' setback, for an existing, unpermitted detached accessory structure (carport) located at 532 Society Road (TMS # 764-00-00-556) in the East Area of 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. The applicant/property owners shall obtain all required zoning and building permits for the existing, unpermitted detached accessory structure (carport).

ZONING VARIANCE APPLICATION
Charleston County Board of Zoning Appeals (BZA)

Property Information			
Subject Property Address: 532 Society Rd McClellanville S.C. 29458			
Tax Map Number(s): 764-00-00-556			
Current Use of Property: Permanent home			
Proposed Use of Property: Permanent home			
Zoning Variance Description:			
Applicant Information (Required)			
Applicant Name (please print): Tracey Culcleaseure + Frederick Culcleaseure			
Name of Company (if applicable):			
Mailing Address:			
City:	State:	Zip Code:	
Email Address:		Phone #:	
Applicant Signature: Tracey Culcleaseure + Frederick Culcleaseure		Date: Aug 20, 2025	
Representative Information (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company:			
Mailing Address:			
City:	State:	Zip Code:	
Email Address:		Phone #:	
Designation of Agent (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:
FOR OFFICE USE ONLY:			
Zoning District: AG12	Flood Zone: Shaded X (0205K)	Date Filed: 8/29/25	Fee Paid: \$250
Application #: BZA-08-25-0589		TMS #: 764 00 00556	Staff Initials: jju

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.)

We are asking to have a setback adjustment done. When we put the carport on the property we were not aware that we needed to have a permit the company eagle carports never asked or informed us that we needed a permit.

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:

NO

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

I'm not sure because we weren't aware of the setback guidelines

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:

NO

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:

NO it will not have a negative impact or cause any harm to the neighboring property.
The Adjacent property will not be affected

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 it does

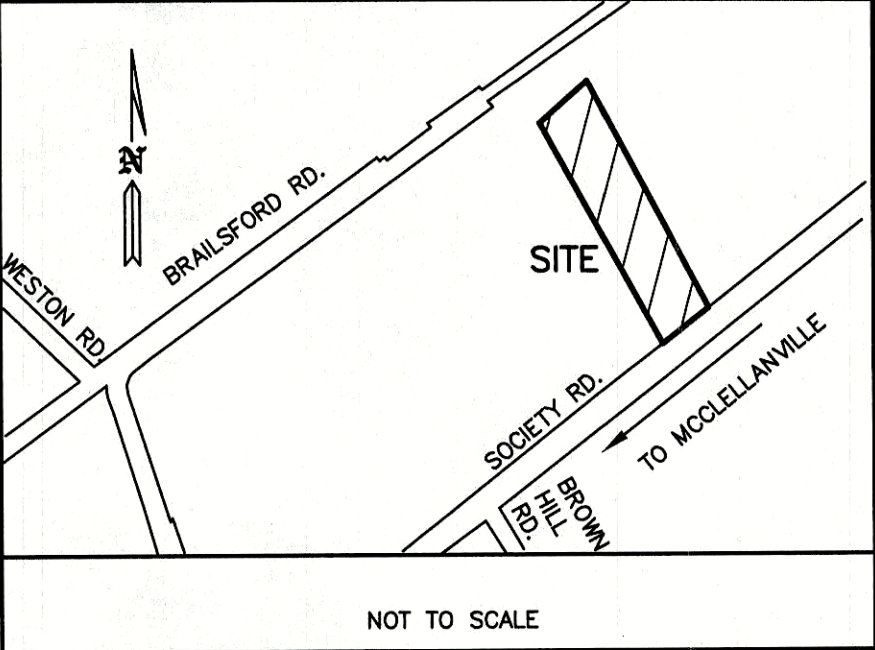
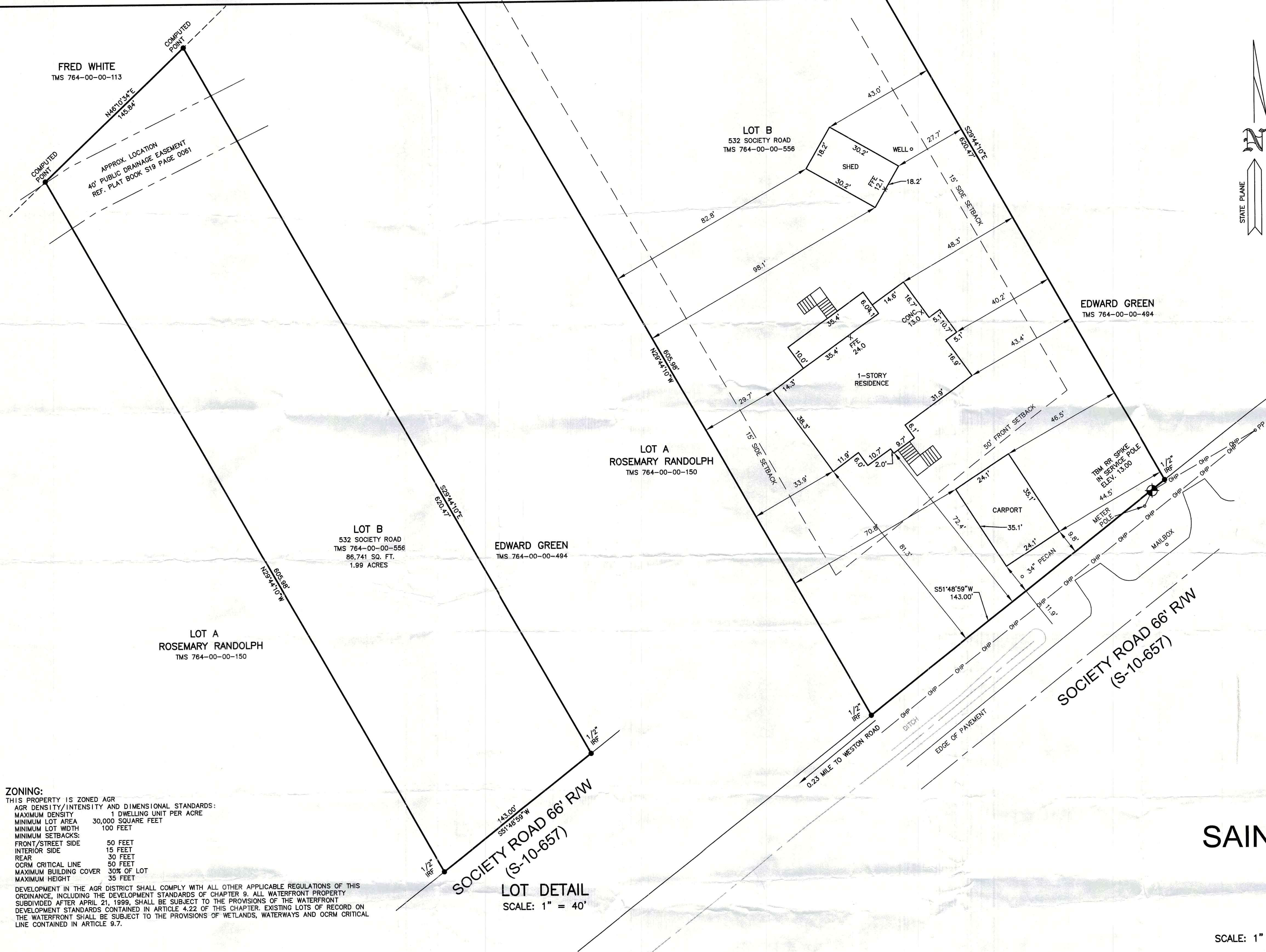
6. Is the need for the variance the result of your own actions? Explain:

Yes.
We weren't aware of the setback guidelines

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

NO

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.



- LEGEND**
- IRF IRON REBAR FOUND
 - PP POWER POLE
 - OHP OVERHEAD POWER LINE

- REFERENCES:**
- PLAT BY TIDEWATER LAND SURVEYING, INC. DATED DEC. 1, 2018, RECORDED IN CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK S19 PAGE 0061

NOTE:
THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATERS OF UNITED STATES ON THIS PROPERTY/THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

- NOTES:**
- AREA DETERMINED BY COORDINATES.
 - BASED ON INTERPRETATION OF FEMA FLOOD INSURANCE RATE MAP NUMBER 45019C 0205 J DATED NOVEMBER 17, 2004, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE AE (ELEV. 15).
 - THERE IS NO OBSERVABLE EVIDENCE OF THE LOCATION OF CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY. SUBSURFACE CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING ANY SUBSURFACE OBJECTS THAT MAY AFFECT THE USE OR FURTHER DEVELOPMENT OF THIS PROPERTY.

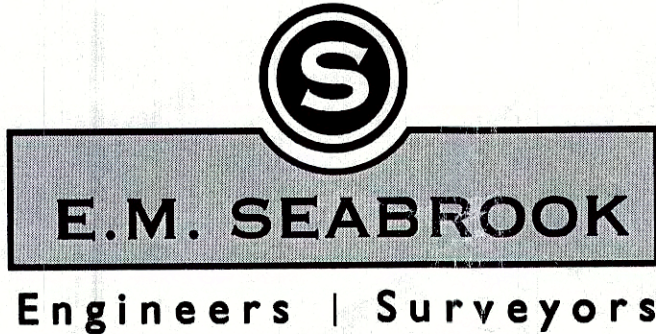
ZONING:
THIS PROPERTY IS ZONED AGR
AGR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS:
MAXIMUM DENSITY 1 DWELLING UNIT PER ACRE
MINIMUM LOT AREA 30,000 SQUARE FEET
MINIMUM LOT WIDTH 100 FEET
MINIMUM SETBACKS:
FRONT/STREET SIDE 50 FEET
INTERIOR SIDE 15 FEET
REAR 30 FEET
OCRM CRITICAL LINE 50 FEET
MAXIMUM BUILDING COVER 30% OF LOT
MAXIMUM HEIGHT 35 FEET
DEVELOPMENT IN THE AGR DISTRICT SHALL COMPLY WITH ALL OTHER APPLICABLE REGULATIONS OF THIS ORDINANCE, INCLUDING THE DEVELOPMENT STANDARDS OF CHAPTER 9. ALL WATERFRONT PROPERTY SUBDIVIDED AFTER APRIL 21, 1999, SHALL BE SUBJECT TO THE PROVISIONS OF THE WATERFRONT DEVELOPMENT STANDARDS CONTAINED IN ARTICLE 4.22 OF THIS CHAPTER. EXISTING LOTS OF RECORD ON THE WATERFRONT SHALL BE SUBJECT TO THE PROVISIONS OF WETLANDS, WATERWAYS AND OCRM CRITICAL LINE CONTAINED IN ARTICLE 9.7.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL 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.

Lewis E. Seabrook
LEWIS E. SEABROOK
CIVIL ENGINEER & LAND SURVEYOR
S. C. REG. NO. 09860
P. O. BOX 96
MOUNT PLEASANT, S. C. 29465
(843) 884-4496



15" RCP
INV. 9.92



NGVD 29

SEPTEMBER 26, 2019
REVISED JANUARY 12, 2021
REVISED APRIL 6, 2021



LEGEND

I.P.F. - IRON PIPE FOUND
I.P.S. - IRON PIPE SET
I.R.F. - IRON REBAR/ROD FOUND
I.R.S. - IRON REBAR/ROD SET
C.M.F. - CONC. MON. FOUND
C.M.S. - CONC. MON. SET
CP - CALCULATED POINT

THOMAS GEATHERS
LIFE ESTATE
764-00-00-112

FRED WHITE
764-00-00-113

EDWARD GREEN
764-00-00-134

LOT B
2.0 ACRES
SURVEYED FOR
JOSEPH GREEN

LOT A
2.0 ACRES
SURVEYED FOR
ROSEMARY RANDOLPH

EDWARD GREEN
764-00-00-148

GROVER LIVING TRUST
764-00-00-148

N 27°10'51" W
610.26'
764-00-00-151
MACKAY GREEN, SR.



TIDEWATER
LAND SURVEYING LLC

36 NEW CASTLE LANE
PAWLEYS ISLAND, SC 29585



L. BRUCE ABBOTT SCPLS#29504
843-833-2190 lbruceabbott@gmail.com

PLAT OF A DIVISION OF A 4.0 ACRE TRACT IN THE McCLELLANVILLE COMMUNITY, SURVEYED FOR LOT A - ROSEMARY RANDOLPH LOT B - JOSEPH GREEN ST. JAMES SANTEE PARISH, CHARLESTON COUNTY, SOUTH CAROLINA T.M.#764-00-00-150 DECEMBER 1, 2018

0 50 100 150 200
ONE INCH = 100'

REFERENCES:

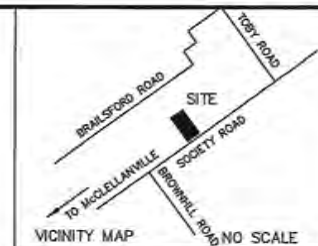
1. PLAT RECORDED IN PLAT BOOK DE PAGE 394
2. DEED RECORDED IN DEED BOOK 0774 PAGE 521

NOTES:

1. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE-15, PER F.I.R.M. COMMUNITY PANEL 45019C0205 J, DATED 11/17/04.
2. OWNER OF RECORD: ROSEMARY RANDOLPH AND JOSEPH GREEN
169 FRANKLIN BOULEVARD
SOMERSET, NJ 08873
3. OVERALL DENSITY = ONE UNIT / ACRE
4. *BUILDING SETBACKS: FRONT/SIDE STREET = 50'
INTERIOR SIDE = 15'
REAR = 30'
FRESH WATER WETLANDS = 35'
OCRM BUFFER = 50'

* SETBACKS TO BE VERIFIED BY CHARLESTON COUNTY (AND IF APPLICABLE, VERIFIED BY APPROPRIATE HOA OR ARB).

5. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE SEARCH PERFORMED BY THIS OFFICE.



The Property owner(s) of record hereby acknowledge(s) that the surveyed parcel(s) and/or tract remainder has not been approved to determine the availability of on-site waste disposal systems or provisions of public water/sewer services. Recordation of this plat and deed shall not be an implied or expressed consent of Charleston County that the lots or other land divisions shown hereon are capable of being serviced by on-site waste disposal or public water/sewer systems. Unless otherwise stated hereon, all surveyed parcels and/or tract remainders have not been reviewed for on-site waste disposal systems or public water/sewer services. Property Owner(s) Signature: *Joseph Green* Date: *2-8-19* CHS PER LOT B

NOTES CONTINUED:

6. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY APPEARING ON SAID SURVEY. THIS SURVEY DOES NOT EXTEND TO ANY UNNAMED PERSON(S) OR ENTITY WITHOUT AN EXPRESSED RECERTIFICATION BY L. BRUCE ABBOTT.

7. THIS SURVEY IS NULL AND VOID IF SIGNATURE AND EMBOSSED SEAL ARE ABSENT.

8. THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES ON THIS PROPERTY/THOSE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORP OF ENGINEERS ON THIS ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

I hereby state that to the best of my professional knowledge, information, and belief, the survey shown herein 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 B as specified therein; also there are no visible encroachments or projections other than shown.

RECORDED	
DATE:	3/1/2019
TIME:	2:51:56 PM
Book-Page	S19 0061
DocType	Small Plat
Michael Miller, Register, Charleston County, SC	

Record Fee	By:
Postage	\$10.00
TOTAL	\$10.00
Drawer	0
Clerk	0

Location: SOCIETY RD

APPROVED PLAT

Michael Miller
Director of Planning
Charleston County Planning Commission

APR 01 2019 02 28 2019
App# Date



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ARTICLE 4.9 AGR, AGRICULTURAL/RESIDENTIAL DISTRICT

Sec. 4.9.1 Purpose and intent

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Uses are allowed in the AGR District in accordance with the Use Regulations of [CHAPTER 6, Use Regulations](#).

Sec. 4.9.3 Density/Intensity and Dimensional Standards

All Development in the AGR District shall be subject to the following Density/Intensity and Dimensional Standards:

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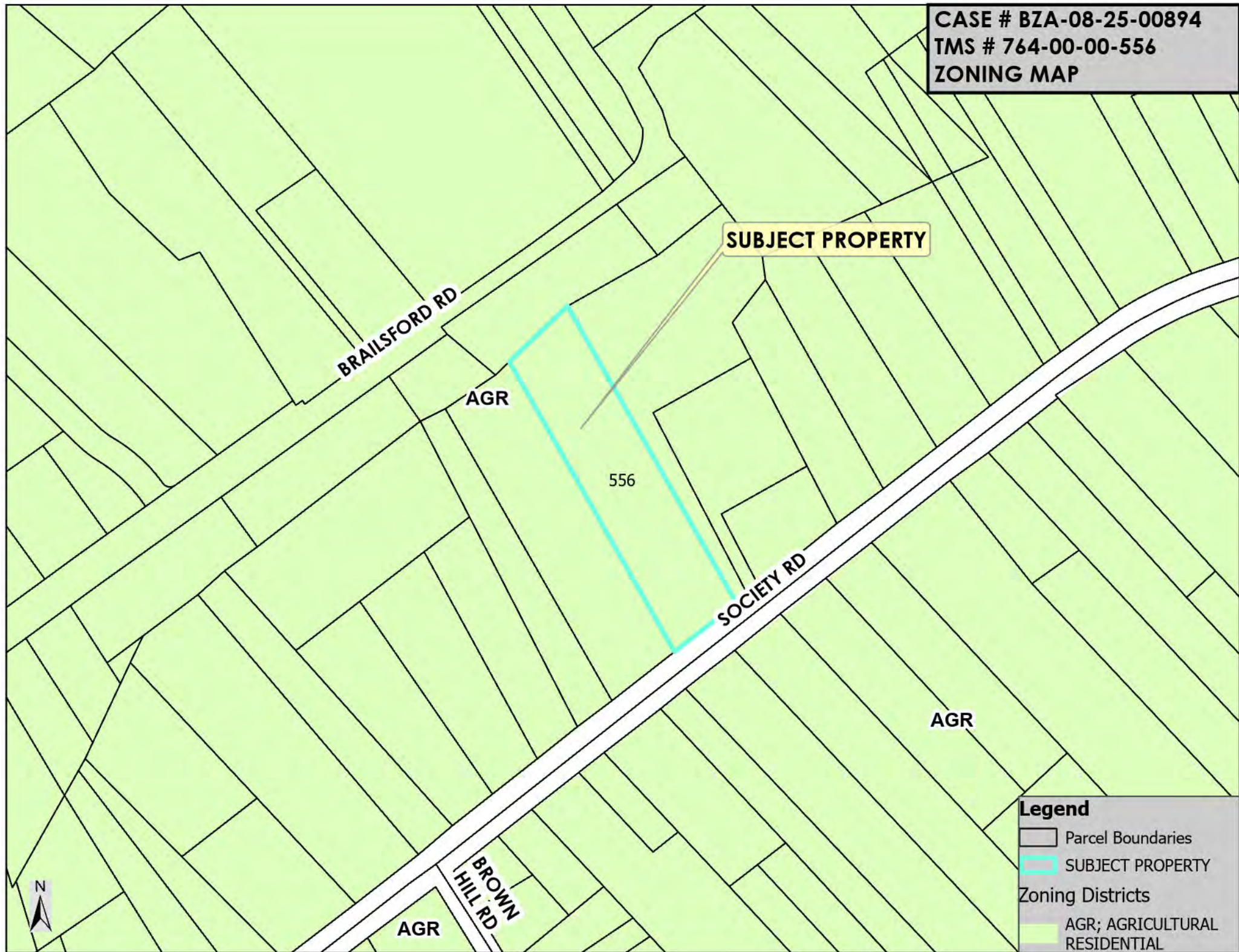
Effective on: 9/10/2017, as amended

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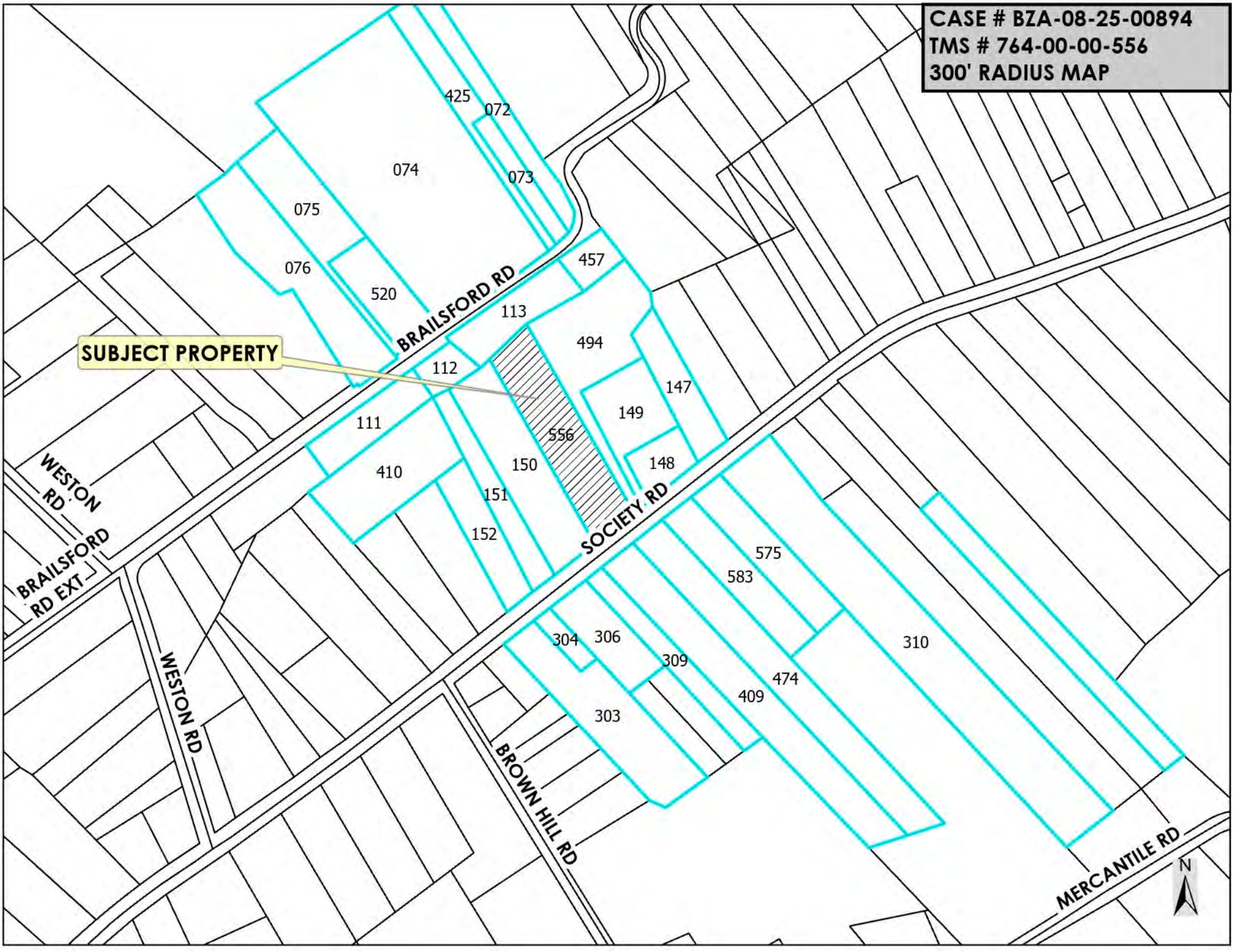
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Settlement Areas include small older Crossroads communities, Family lands, typical suburban-style Subdivisions, Frontage Lots along local roads, waterfront Developments, and vacant land that has been subdivided for residential Use but not yet built upon. The criteria for additional Parcels to qualify for inclusion into a "Settlement Area" are as follows:



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TMS # 764-00-00-556
300' RADIUS MAP

SUBJECT PROPERTY



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TMS # 764-00-00-556
AERIAL MAP

BRAILSFORD RD

SUBJECT PROPERTY

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SOCIETY RD



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Adjacent Property



Society Road



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The applicants and property owners, Tracey and Frederick Culcleasure, request a variance to reduce the required 50' front/street-side setback by 40.2', resulting in a 9.8' setback, for an existing, unpermitted detached accessory structure (carport) located at 532 Society Road (TMS # 764-00-00-556) in the East Area of Charleston County. The subject property and surrounding properties are located within the Agricultural Residential (AGR) Zoning District.

The 1.99-acre subject property contains a single-family residence and an 18.2' × 30.2' shed that were permitted and constructed in 2020, according to Charleston County records. The property also contains an existing, unpermitted detached accessory structure, a 24.1' × 35.1' carport, which was illegally placed on the property in 2020 or 2021, based on aerial photographs.

Applicable ZLDR requirements:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 4 Base Zoning Districts, Article 4.9 AGR, Agricultural Residential District, Sec. 4.9.3 Density/Intensity and Dimensional Standards requires a 50' front/street side setback.

Staff conducted a site visit of the subject property on September 16, 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 do not appear to be extraordinary or exceptional conditions pertaining to the 1.99-acre subject property. The lot size, shape, and zoning classification are consistent with other properties in the vicinity. The need for a variance arises from the unpermitted placement of a detached accessory structure (carport), which reflects a self-created condition rather than a physical hardship inherent to the property. Therefore, the request may not meet the criteria. However, **applicant's letter of intent** contends, "We are asking to have a setback adjustment done. When we put the carport on the property, we were not aware that we needed to have a permit. The company Eagle Carports never asked or informed us **that we needed a permit.**"

§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. While surrounding properties within the Agricultural Residential (AGR) Zoning District are subject to the same setback requirements, the unpermitted placement of a detached carport without the required approvals is specific to this property and results from actions taken by the property owner rather than conditions inherent to the parcel itself. Therefore, the request may meet 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: Because of these conditions, the application of the Ordinance to the 1.99-acre subject property would not effectively prohibit or unreasonably restrict the utilization of the property. The property already contains a single-family residence and a permitted accessory structure (shed), both of which were legally established in 2020. The unpermitted detached carport, placed on the property without required permits, represents a self-created condition rather than a restriction caused by the Ordinance itself. Therefore, the request may not 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 a variance is not expected to result in substantial detriment to adjacent properties or to the public good, and the character of the Agricultural Residential (AGR) Zoning District would not be harmed by the granting of the variance. The existing detached accessory structure (carport) is residential in nature and consistent with typical accessory uses found within the district. 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 is the **result of the applicant's** own actions. Even though the property owners were unaware of the setback and permit requirements, the hardship arises directly from their own actions (or the **contractor's actions on their behalf**). Therefore, the request does not meet this criterion. However, the applicant's letter of intent contends, "**We weren't aware of the setback guidelines.**"

§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 does not appear to substantially conflict with the Comprehensive Plan or the purposes of the Zoning and Land Development Regulations Ordinance (ZLDR). The accessory structure is residential in nature and generally consistent with the intent of the Agricultural Residential (AGR) Zoning District to accommodate low-density residential uses and compatible accessory structures. Therefore, the request 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 the Case # BZA-08-25-00894 [Variance request to reduce the required 50' front/street-side setback by 40.2', resulting in a 9.8' setback, for an existing, unpermitted detached accessory structure (carport) located at 532 Society Road (TMS # 764-00-00-556) in the East Area of 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. The applicant/property owners shall obtain all required zoning and building permits for the existing, unpermitted detached accessory structure (carport).

BZA Meeting of October 6, 2025
Staff Review, Case # BZA-08-25-00894

ZONING VARIANCE APPLICATION
Charleston County Board of Zoning Appeals (BZA)

Property Information			
Subject Property Address: 532 Society Rd McClellanville S.C. 29458			
Tax Map Number(s): 764-00-00-556			
Current Use of Property: Permanent home			
Proposed Use of Property: Permanent home			
Zoning Variance Description:			
Applicant Information (Required)			
Applicant Name (please print): Tracey Culcleaseure + Frederick Culcleaseure			
Name of Company (if applicable):			
Mailing Address:			
City:	State:	Zip Code:	
Email Address:		Phone #:	
Applicant Signature: Tracey Culcleaseure + Frederick Culcleaseure		Date: Aug 20, 2025	
Representative Information (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company:			
Mailing Address:			
City:	State:	Zip Code:	
Email Address:		Phone #:	
Designation of Agent (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:
FOR OFFICE USE ONLY:			
Zoning District: AG12	Flood Zone: Shaded X (0205K)	Date Filed: 8/29/25	Fee Paid: \$250
Application #: BZA-08-25-0589	TMS #: 764 00 00 556	Staff Initials: jju	

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.)

We are asking to have a setback adjustment done. When we put the carport on the property we were not aware that we needed to have a permit the company eagle carports never asked or informed us that we needed a permit.

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:

NO

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

I'm not sure because we weren't aware of the setback guidelines

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:

NO

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:

NO it will not have a negative impact or cause any harm to the neighboring property.
The Adjacent property will not be affected

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 it does

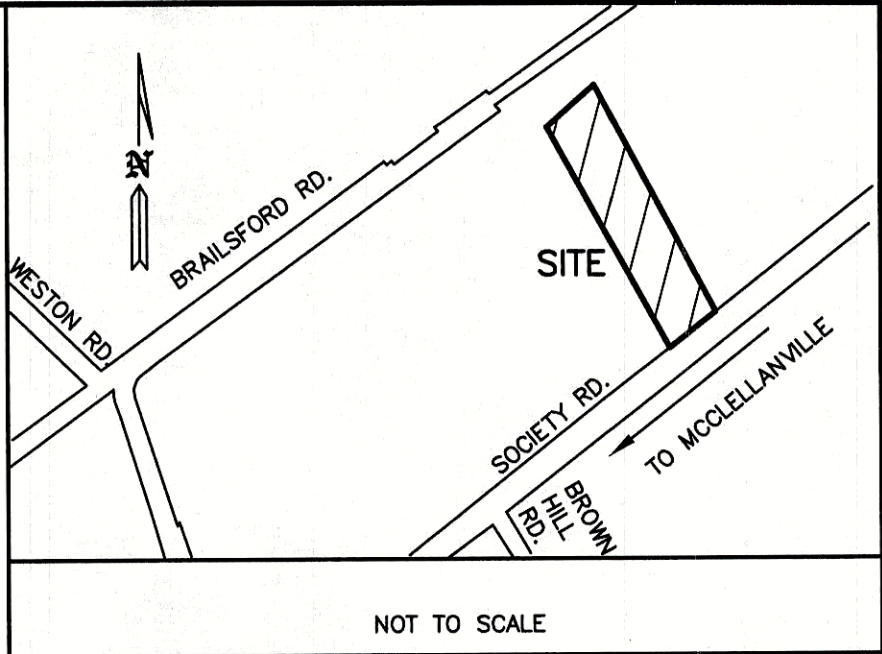
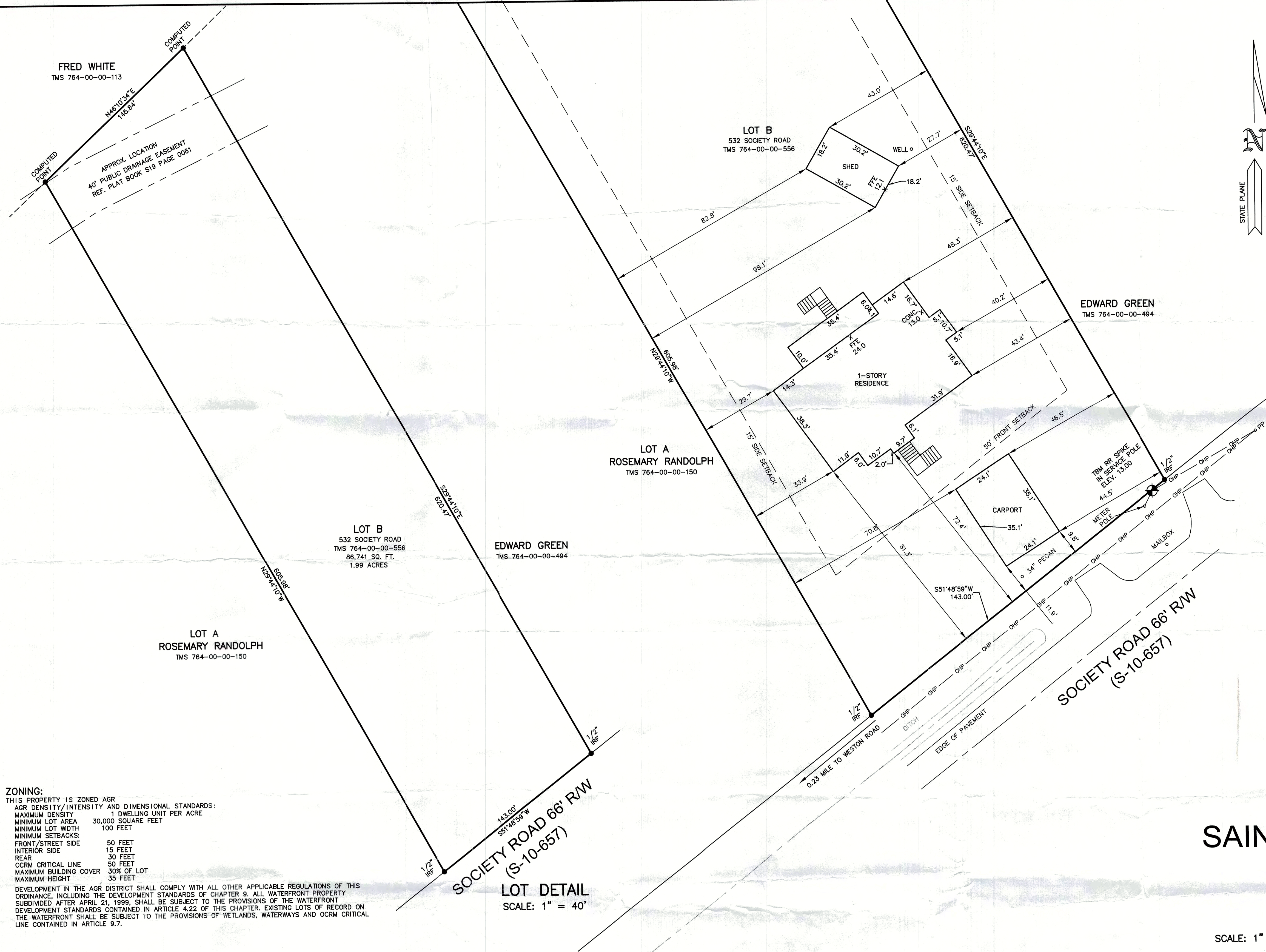
6. Is the need for the variance the result of your own actions? Explain:

Yes.
We weren't aware of the setback guidelines

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

NO

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.



- LEGEND**
- IRF IRON REBAR FOUND
 - PP POWER POLE
 - OHP OVERHEAD POWER LINE

- REFERENCES:**
- PLAT BY TIDEWATER LAND SURVEYING, INC. DATED DEC. 1, 2018, RECORDED IN CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK S19 PAGE 0061

NOTE:
THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATERS OF UNITED STATES ON THIS PROPERTY/THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

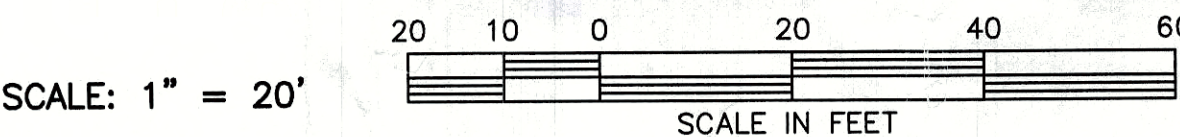
- NOTES:**
- AREA DETERMINED BY COORDINATES.
 - BASED ON INTERPRETATION OF FEMA FLOOD INSURANCE RATE MAP NUMBER 45019C 0205 J DATED NOVEMBER 17, 2004, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE AE (ELEV. 15).
 - THERE IS NO OBSERVABLE EVIDENCE OF THE LOCATION OF CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY. SUBSURFACE CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING ANY SUBSURFACE OBJECTS THAT MAY AFFECT THE USE OR FURTHER DEVELOPMENT OF THIS PROPERTY.

ZONING:
THIS PROPERTY IS ZONED AGR
AGR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS:
MAXIMUM DENSITY 1 DWELLING UNIT PER ACRE
MINIMUM LOT AREA 30,000 SQUARE FEET
MINIMUM LOT WIDTH 100 FEET
MINIMUM SETBACKS:
FRONT/STREET SIDE 50 FEET
INTERIOR SIDE 15 FEET
REAR 30 FEET
OCRM CRITICAL LINE 50 FEET
MAXIMUM BUILDING COVER 30% OF LOT
MAXIMUM HEIGHT 35 FEET
DEVELOPMENT IN THE AGR DISTRICT SHALL COMPLY WITH ALL OTHER APPLICABLE REGULATIONS OF THIS ORDINANCE, INCLUDING THE DEVELOPMENT STANDARDS OF CHAPTER 9. ALL WATERFRONT PROPERTY SUBDIVIDED AFTER APRIL 21, 1999, SHALL BE SUBJECT TO THE PROVISIONS OF THE WATERFRONT DEVELOPMENT STANDARDS CONTAINED IN ARTICLE 4.22 OF THIS CHAPTER. EXISTING LOTS OF RECORD ON THE WATERFRONT SHALL BE SUBJECT TO THE PROVISIONS OF WETLANDS, WATERWAYS AND OCRM CRITICAL LINE CONTAINED IN ARTICLE 9.7.

LOT DETAIL
SCALE: 1" = 40'

McCLELLANVILLE AREA
SAINT JAMES SANTEE PARISH
CHARLESTON COUNTY, S. C.

FINAL SURVEY
532 SOCIETY ROAD (TMS 764-00-00-556)



SEPTEMBER 26, 2019
REVISED JANUARY 12, 2021
REVISED APRIL 6, 2021

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL 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.

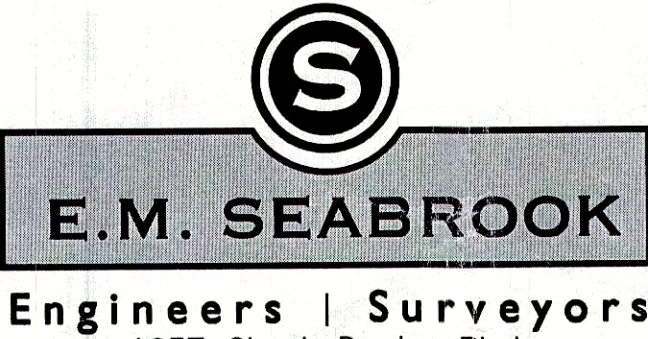
Lewis E. Seabrook
LEWIS E. SEABROOK
CIVIL ENGINEER & LAND SURVEYOR
S. C. REG. NO. 09860
P. O. BOX 96
MOUNT PLEASANT, S. C. 29465
(843) 884-4496



15" RCP
INV. 9.92



Know what's below.
Call before you dig.



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Building F, Suite 200
Post Office Box 96
Mount Pleasant, SC 29465
Phone (843) 884-4496
www.emsedbrook.com

NGVD 29



LEGEND

I.P.F. - IRON PIPE FOUND
I.P.S. - IRON PIPE SET
I.R.F. - IRON REBAR/ROD FOUND
I.R.S. - IRON REBAR/ROD SET
C.M.F. - CONC. MON. FOUND
C.M.S. - CONC. MON. SET
CP - CALCULATED POINT

THOMAS GEATHERS
LIFE ESTATE
764-00-00-112

FRED WHITE
764-00-00-113

EDWARD GREEN
764-00-00-434

LOT B
2.0 ACRES
SURVEYED FOR
JOSEPH GREEN

LOT A
2.0 ACRES
SURVEYED FOR
ROSEMARY RANDOLPH

EDWARD GREEN
764-00-00-148

GROVER LIVING TRUST
764-00-00-148

N 27°10'51" W
610.26'
764-00-00-151
MACKAY GREEN, SR.



TIDEWATER
LAND SURVEYING LLC

36 NEW CASTLE LANE
PAWLEYS ISLAND, SC 29585



L. BRUCE ABBOTT SCPLS#29504
843-833-2190 lbruceabbott@gmail.com

PLAT OF A DIVISION OF A 4.0 ACRE TRACT IN THE McCLELLANVILLE COMMUNITY, SURVEYED FOR LOT A - ROSEMARY RANDOLPH LOT B - JOSEPH GREEN ST. JAMES SANTEE PARISH, CHARLESTON COUNTY, SOUTH CAROLINA T.M.#764-00-00-150 DECEMBER 1, 2018

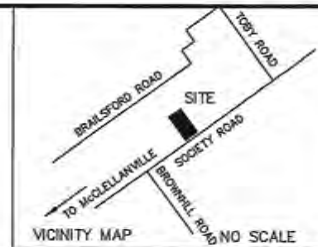
0 50 100 150 200
ONE INCH = 100'

REFERENCES:

1. PLAT RECORDED IN PLAT BOOK DE PAGE 394
2. DEED RECORDED IN DEED BOOK 0774 PAGE 521

NOTES:

1. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE-15, PER F.I.R.M. COMMUNITY PANEL 45019C0205 J, DATED 11/17/04.
2. OWNER OF RECORD: ROSEMARY RANDOLPH AND JOSEPH GREEN
169 FRANKLIN BOULEVARD
SOMERSET, NJ 08873
3. OVERALL DENSITY = ONE UNIT / ACRE
4. *BUILDING SETBACKS: FRONT/SIDE STREET = 50'
INTERIOR SIDE = 15'
REAR = 30'
FRESH WATER WETLANDS = 35'
OCRM BUFFER = 50'
- * SETBACKS TO BE VERIFIED BY CHARLESTON COUNTY (AND IF APPLICABLE, VERIFIED BY APPROPRIATE HOA OR ARB).
5. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE SEARCH PERFORMED BY THIS OFFICE.



The Property owner(s) of record hereby acknowledge(s) that the surveyed parcel(s) and/or tract remainder has not been approved to determine the availability of on-site waste disposal systems or provisions of public water/sewer services. Recordation of this plat and deed shall not be an implied or expressed consent of Charleston County that the lots or other land divisions shown hereon are capable of being serviced by on-site waste disposal or public water/sewer systems. Unless otherwise stated hereon, all surveyed parcels and/or tract remainders have not been reviewed for on-site waste disposal systems or public water/sewer services. Property Owner(s) Signature: *Joseph Green* Date: *2-8-19* CHS PER LOT B

NOTES CONTINUED:

6. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY APPEARING ON SAID SURVEY. THIS SURVEY DOES NOT EXTEND TO ANY UNNAMED PERSON(S) OR ENTITY WITHOUT AN EXPRESSED RECERTIFICATION BY L. BRUCE ABBOTT.
7. THIS SURVEY IS NULL AND VOID IF SIGNATURE AND EMBOSSED SEAL ARE ABSENT.
8. THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES ON THIS PROPERTY/THOSE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT. CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORP OF ENGINEERS ON THIS ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

I hereby state that to the best of my professional knowledge, information, and belief, the survey shown herein 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 B as specified therein; also there are no visible encroachments or projections other than shown.

RECORDED	
DATE:	3/1/2019
TIME:	2:51:56 PM
Book-Page	S19 0061
DocType	Small Plat
Michael Miller, Register, Charleston County, SC	
Record Fee	\$10.00
Postage	\$0.00
TOTAL	\$10.00
Drawer	Drawer 4
Clerk	SUPV
Location:	SOCIETY RD

APPROVED PLAT
Signature
Director of Planning
Charleston County Planning Commission
SCM.01022 02 28 2019
App# Date