

# Old Business

## Item # 2

Request to Reconsider Case # BZA-04-25-00858

- Reconsideration Procedure
- Letter from Mr. Truslow requesting a reconsideration
- **BZA's Final Decision and Order on** Special Exception Application BZA-04-25-00858

## **Old Business Case # BZA-04-25-00858**

### **2301 Captain John Hutt Road – Goat Island (TMS # 571-13-00-001)**

**Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Natural Resource Management (NR) Zoning District was approved with conditions on June 2, 2025. Request from BZA member, Mr. Truslow, for the BZA to reconsider the case at the next available BZA public hearing.**

**Applicant/Property Owner:** Benjamin Farmery of Madison-Lansdowne, LLC/Madison Hospitality Services, LLC

# Reconsideration Procedure

## Charleston County Board of Zoning Appeals Rules of Procedure:

20. *Upon vote of the BZA, a member from the prevailing side may make a motion to reconsider a case at the same or next BZA meeting. Any member may second the motion. If the motion to reconsider the case is granted, then the case will be scheduled and heard by the BZA at the same or next available BZA public hearing provided all required notifications have been met. A case may be reconsidered only once.*

- Public comment is at the Board's discretion.
- If a motion to reconsider is not made, the BZA's decision stands and the party may appeal the BZA's decision to Circuit Court.
- Final Decision and Orders for the June 2<sup>nd</sup> cases were mailed on June 13<sup>th</sup>.  
*Any person with a substantial interest may appeal the Board of Zoning Appeals' decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.*
- If a motion to reconsider is made and passes by majority vote, the case will be scheduled for the next available BZA public hearing, and the public hearing will be open to written and oral public comments from all parties.

## Old Business Case # BZA-04-25-00858

### June 2, 2025 Meeting Summary

- After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Neal made a motion to approve the Special Exception with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process; (2) The use shall comply with all requirements of Article 6.8; (3) This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year; and (4) The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance. Mr. Siedell seconded the motion. **Mr. Nelson, Mr. Brown, Mr. Jordan, Mr. Neal, Mr. Siedell, and Ms. S. Smith voted in favor of the motion.** Ms. J. Smith and Mr. Truslow voted against the motion. The majority of the members present, and voting (6 to 2) voted in favor of motion and therefore the application was granted with the above referenced conditions.

**Reconsideration request from  
Mr. Truslow, BZA member**

**Case #**

**BZA-04-25-00858**

## Jennifer Werking

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**From:** Douglas Truslow <doug\_truslow@yahoo.com>  
**Sent:** Tuesday, June 10, 2025 1:49 PM  
**To:** Jennifer Werking  
**Subject:** Re: Reconsideration Request

**CAUTION:** This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Thank you. Please consider this a request for reconsideration of the case ending in 858 (Goat Island at, I believe, 2301 Captain Hutt).

Sent from my iPhone

On Jun 10, 2025, at 11:25 AM, Jennifer Werking <JWerking@charlestoncounty.org> wrote:

Mr. Truslow,

We send the ad for the July 7 BZA meeting to the Post and Courier on Wed 6/18, so if you would like to request a reconsideration, please email me a letter requesting the board rehear the case in August no later than Tues so I can put it in the ad and on the July agenda under old business.

Thank you,

Jenny J. Werking, AICP

**From:** Jennifer Werking  
**Sent:** Friday, June 06, 2025 3:39 PM  
**To:** Doug Truslow <doug\_truslow@yahoo.com>  
**Subject:** RE: East Area Community Interest Notice

You probably already know this, but Douglas Kerr is the City Administrator for IOP.

**From:** Jennifer Werking  
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**To:** Doug Truslow <doug\_truslow@yahoo.com>  
**Subject:** East Area Community Interest Notice

Mr. Truslow,

I looked at our East Cooper Area notification list and Douglas Kerr – [dkerr@iop.net](mailto:dkerr@iop.net) receives an email and a text for all meeting and public hearing notifications for all cases in the East Area of unincorporated Charleston County (which includes Goat Island). The mayor is not on the list and Kerr is the only IOP employee subscribed with an IOP email.

## Jennifer Werking

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**From:** Douglas Truslow <doug\_truslow@yahoo.com>  
**Sent:** Tuesday, June 10, 2025 1:57 PM  
**To:** Jennifer Werking  
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The essential basis is that there is no provision for parking and garbage. A comparison to Dewees is but one example.

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# Old Business

## Item # 2

Request to Reconsider Case # BZA-04-25-00858

- **BZA's Final Decision and Order on** Special Exception Application BZA-04-25-00858

Board of Zoning Appeals  
Final Decision and Order on Special Exception  
Application # BZA-04-25-00858 for property  
Located at 2301 Captain John Hutt Road  
(Goat Island, Charleston County)



Findings of Fact

The Charleston County Board of Zoning Appeals ("BZA") makes the following finding of fact pursuant to S.C. Code Ann. §6-29-800 and the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)* Article 6.8, §6.8.2C. Based on the evidence presented at the hearing and pursuant to the *Charleston County ZLDR* §6.8.2C, the Charleston County BZA finds that Benjamin Farmery of Madison-Lansdowne, LLC/Madison Hospitality Services, LLC ("the Applicant" and "the Property Owner") filed an application for a Special Exception for property identified as TMS # 571-13-00-001 and located at 2301 Captain John Hutt Road on Goat Island in Charleston County, South Carolina. The Applicant requests a Special Exception to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Natural Resource Management (NR) Zoning District. The Applicant filed this request on April 21, 2025, and the BZA heard the Applicant's request on June 2, 2025.

The BZA finds that the proposed Short-Term Rental Property (STRP) use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community. The applicant's letter of intent states, "*Short-Term Extended Home Rentals are permissible for this property. Several other properties on Goat Island offer STRs. There is no HOA, parking, or other similar restrictions. This property offering STRs will not adversely affect the Goat Island community.*" Therefore, the request meets this criterion.

The BZA also finds that adequate provisions have been made and/or exist for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed STRP use, such as noise, traffic congestion, trash, parking, and similar factors. The applicant's letter of intent states, "*This property has recently had a new sea wall constructed around 400 feet of the property. A new six (6) foot fence was built to separate this property from our only immediate neighbor. Ample space to dock. Trash is removed after each stay. Local police and fire have been notified of our intent to rent this property.*" Therefore, the request meets this criterion.

The BZA also finds that the applicant is currently in the STRP, Limited Site Plan Review process to ensure the property is in compliance with the applicable requirements of this *Ordinance* and to coordinate with other pertinent regulatory agencies including Revenue Collections (Business License) and Building Inspection Services. In addition, the applicant's letter of intent states, "*Our research and discussions with the county indicate that this property complies with all applicable rules, regulations, laws, and standards of this ordinance. There are no use conditions, zoning district standards, or applicable STRP Site Plan Review requirements that this property does not meet.*" Therefore, the request meets this criterion.

The BZA also finds that the applicant shall meet the following conditions:

1. Prior to zoning permit approval, the applicant shall complete the STRP, Limited Site Plan Review process.
2. The use shall comply with all requirements of Article 6.8.
3. This property shall not be used as a Short-Term Rental for more than 144 days in aggregate during any calendar year.
4. The property owner shall be responsible for ensuring that tenants comply with the Charleston County Noise Ordinance.

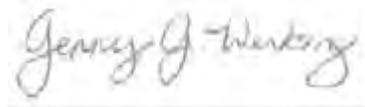
Conclusions of Law

The BZA is authorized pursuant to S.C. Code Ann. §6-29-800 and the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) §6.8.2C* to hear and approve, approve with conditions, or deny special exceptions. Based upon the findings of fact, the Board of Zoning Appeals concludes as a matter of law that the applicant's request for the special exception satisfies the Approval Criteria in the *Charleston County (ZLDR) §6.8.2C*.

THEREFORE, the Charleston County Board of Zoning Appeals approves the Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Natural Resource Management (NR) Zoning District with the above referenced conditions.

Pursuant to the *Charleston County (ZLDR), Article 3.6 Special Exceptions, Section 3.6.9 Lapse of Approval, "An approved Special Exception shall lapse and be of no further effect 12 months after the date that the Special Exception was approved by the Board of Zoning Appeals unless a Complete Application for a Zoning Permit to establish the Special Exception use is submitted in accordance with Article 3.8, Zoning Permits, of this Ordinance. One one-year extension of a Special Exception approval may be granted by the Zoning and Planning Director if the Applicant/Property Owner can demonstrate that a Complete Application for a Zoning Permit is being diligently pursued. Applications for extensions of Special Exception approvals shall be submitted to the Zoning and Planning Director on forms available in the Zoning and Planning Department at least 15 days prior to the expiration of the Special Exception approval."*

Any person with a substantial interest may appeal the Board of Zoning Appeals' decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.



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Jenny J. Werking, AICP  
BZA Secretary

Date issued: June 2, 2025

Date mailed to parties in interest: June 13, 2025