

**CHARLESTON COUNTY
BOARD OF ZONING APPEALS (BZA)
SUMMARY OF THE JUNE 2, 2025 MEETING
4:00 P.M.**

In compliance with the Freedom of Information Act (FOIA), notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.

Members Present

Acting Chair, Mr. Ross Nelson, Mr. Brad Brown, Mr. AD Jordan, Mr. Roy Neal, Mr. Robert Siedell, Ms. Jessica Smith, Ms. Shana Smith, and Mr. Doug Truslow

Members Absent

Chair, Mr. William H. Ray

Staff Members Present

Mr. Kelvin Huger, BZA Attorney; Kevin DeAntonio, Assistant County Attorney; Sally Brooks, Planner IV; Genesis Clark, Planning Technician II; Joel Evans, Zoning and Planning Director; Niki Grimbail, Project Officer III; Karie Vasché, Landscape Architect; Jenny Werking, Planner III and Secretary for BZA; Andrea Melocik-White, Zoning and Planning Deputy Director; and Lee Ziegler, Planner I

Notification Procedures

Staff has met the requirements of state law and *Section 3.1.6* of the *Charleston County Zoning and Land Development Regulations Ordinance* for notification for all cases to be heard by the BZA at this meeting. The notification procedures were completed by staff 15 calendar days prior to this meeting as follows:

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| May 16th: | Site Visits and Postings were completed by this date. |
| May 16th: | Letters were mailed to property owners within 300' for all other requests, and to Parties in interest for all cases. These notifications are above and beyond the state requirements. |
| May 16th: | Notice of this meeting was published in the <i>Post and Courier</i> . |

The June 2, 2025 BZA meeting was called to order at 4:00 p.m. by the Acting Chair, Mr. Ross Nelson.

Minutes

Mr. Truslow made a motion to approve the May 5, 2025 public hearing meeting minutes. Mr. Siedell seconded the motion. The motion carried unanimously.

Old Business

CASE# BZA-02-25-00843

Colin Garner of Garner & McCulloch LLC ("the Applicant" and "the Property Owner") and Kimberly Sayre and Justin Hetherington ("the Representatives") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Low Density Residential (R-4) Zoning District at 2173 Welch Avenue on James Island in Charleston County (TMS # 343-06-00-063). Low Density Residential (R-4) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Siedell 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. Truslow seconded

motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

New Business

CASE# BZA-01-25-00842

Shaun Stroble of Stroble B&D Scrap Yard ("the Applicant"), Donna Stroble ("the Property Owner"), Barry Whalen of HLA, Inc. ("the Representative"), and Ross Appel of McCullough Khan Appel filed a Variance request to waive the required 8' vehicular use perimeter buffer and to waive the required 40' (Type F) land use buffer for an existing salvage yard at 1951 Stokes Avenue in the North Area of Charleston County (TMS # 475-04-00-006). Industrial (IN) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, Sec. 3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow made a motion to approve the Variance request with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process; and (2) B&D will not locate any material or structure inside the 8-foot buffer along the shared property line with the landfill owned by GS II, Inc. (TMS # 475-08-00-018). Mr. Neal seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-04-25-00857

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

Findings: After hearing the Appellant's presentation, Staff's findings, and any public comments concerning the Appeal, the Board determined pursuant to *Article 3.13 Appeals of Zoning-Related Administrative Decisions, §3.13.8 Approval Criteria; Findings of Fact of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)* that: the BZA considered the evidence and testimony presented at the hearing, denied the Appeal, and affirmed the Administrative Decision based on the following findings of fact: The BZA finds that the Planning Director did not err in his decision to issue the Zoning Permit ZONE-03-25-22114 for the interior upfit for "Chillaxe Vaper" based on the evidence and testimony presented at the June 2, 2025 public hearing. Ms. J. Smith made a motion to uphold the Planning Director's decision and deny the Appeal. Mr. Neal seconded the motion. Mr. Nelson, Mr. Brown, Mr. Neal, Ms. J. Smith, and Ms. S. Smith voted in favor of the motion. Mr. Jordan, Mr. Siedell, and Mr. Truslow voted against the motion. Therefore, the Charleston County Board of Zoning Appeals, by a majority vote (5 to 3) denies the appeal and affirms the Planning Director's decision.

The BZA had a 10-minute recess

CASE# BZA-04-25-00858

Benjamin Farmery of Madison-Lansdowne, LLC/Madison Hospitality Services, LLC ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Natural Resource Management (NR) Zoning District at 2301 Captain John Hutt Road on Goat Island in Charleston County (TMS # 571-13-00-001). Natural Resource Management (NR) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land

Development Regulations Ordinance (ZLDR) had been satisfied. Mr. 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.

CASE# BZA-04-25-00859

Stewart Middleton, Trustee for the Daniel Middleton, Sr. Trust ("the Applicant" and "the Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Special Management (S-3) Zoning District at 1843 S Grimball Road on James Island in Charleston County (TMS # 334-00-00-170). Special Management (S-3) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 6.8 Short-Term Rentals, §6.8.2 Operating Standards and Requirements, C. Special Exception of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Truslow 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. Jordan seconded the motion. The motion to approve the application was unanimous and therefore the application was granted with the above referenced conditions.

CASE# BZA-04-25-00860

Arthur Wilder, Trustee of the Arthur and Marlane Wilder Trust, ("the Applicant" and "The Property Owner") filed a Special Exception request to establish a Short-Term Rental Property, Extended Home Rental (EHR) in the Sol Legare Community Overlay (Residential Area, Special Management [S-3]) Zoning District at 2046 Sol Legare Road on James Island in Charleston County (TMS # 330-11-00-015). Sol Legare Community Overlay (Residential Area, Special Management [S-3]) Zoning District standards apply.

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

CASE# BZA-04-25-00861

James Duggan of AMDG 17N LP ("the Applicant" and "the Property Owner"), and Kyle A. Taylor, P.E. of Taylor Consulting Group, LLC ("the Representative") filed a Variance request to reduce/eliminate the 8' perimeter landscape area required along the property line adjacent to TMS # 578-00-00-028 and to eliminate the 15' landscape right-of-way buffer required along the ingress/egress easement for existing and proposed parking at 2521 Highway 17 North

in the East Area of Charleston County (TMS # 580-14-00-031). Mount Pleasant Overlay (Village Commercial Area [from Isle of Palms Connector to Hamlin Road]) Zoning District standards apply.

Findings: After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the board determined that all items in Article 3.10 Zoning Variances, Sec. 3.10.6 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) had been satisfied. Mr. Nelson made a motion to approve the Variance request with the following conditions: (1) Prior to zoning permit approval, the applicant shall complete the Site Plan Review process; and (2) Prior to zoning permit approval, the applicant shall obtain a Certificate of Historic Appropriateness from the Charleston County Historic Preservation Commission. Mr. Siedell seconded the motion. Mr. Nelson, Mr. Brown, Mr. Jordan, Mr. Siedell, Ms. J. Smith, Ms. S. Smith, and Mr. Truslow voted in favor of the motion. Mr. Neal voted against the motion. The majority of the members present, and voting (7 to 1) voted in favor of motion and therefore the application was granted with the above referenced conditions.

Additional Business

The BZA will hear six (6) new business cases at the July 7, 2025 BZA Public Hearing that will be held in-person in Council Chambers at 4:00 p.m. Mrs. Werking reminded the board members that the annual continuing education training is self-study and the deadline to finish the training is December 31, 2025.

Adjournment

There being no further business, the board adjourned at 9:28 p.m.

Respectfully submitted,



Jenny J. Werking, AICP
Secretary to the BZA