

**Proposed Development Guidelines
for
The Cleveland Holdings
Planned Development:**

**1384 Orleans Road
Charleston County, South Carolina
TMS No.: 351-06-00-038**

**February 1, 2019
Revised: July 2, 2019**

Statement of Objectives:

The applicant requests approval for rezoning of the above-referenced property from R-4 to Planned Development. The sole intent of the application is to allow for an expanded annual allotment of short term rental days, beyond that which is currently permitted by the property's R-4 classification. This will allow the property owner to exercise his ownership rights in the highest and best capacity, by continuing to operate a small hospitality business which has exerted no deleterious effects on the surrounding community, and which has been in existence prior to the institution of formal Short Term Rental Regulations in the unincorporated portions of Charleston County. If the subject site is not used as an Extended Home Rental Short-Term Rental in accordance with this Planned Development, uses permitted in the Single Family Residential 4 (R-4) zoning district, at the time of subsequent development application submittal, shall be allowed on site.

Intent and Results of Proposed PD:

The applicant prays for approval and general relief pursuant to Section 4.23.4 of the Charleston County Zoning Ordinance, which "allows flexibility in development of a property that proposes single or multiple use(s)...and preserve[s] natural and scenic features of open spaces." Specifically, the Planned Development application fulfills:

- Guideline A under this Section of the Ordinance, by allowing "a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the standards of [the] Ordinance." Expanded choice for the public includes a variety of short-term rental options, including alternatives to traditional hotels. If the Ordinance were strictly applied, the viability of alternative lodging options for the public would be significantly curtailed.
- Guideline B, by permitting "greater freedom" and Guideline C, by "allowing development to take advantage of special site characteristics, locations, and land use arrangements." Prior to the institution of formal Short Term Rental regulations in the County, the property owner successfully operated a responsible and carefully managed small hospitality business on the existing site. No complaints or objections from neighbors have been received. We submit that the owner should be allowed the freedom to continue to use the site in the manner to which he and others in the community were accustomed prior to adoption of regulations seeking to limit his usage of the property for short term rental purposes.
- We submit that the application fulfills Guideline D, as it is "in harmony with the applicable goals and strategies of the Comprehensive Plan," due to the fact that said plan envisions Future Urban/Suburban Mixed Usage for the area, which usage should include an alternative to short

term lodging that is currently offered by much larger and more environmentally impactful structures, such as hotels.

- Because the proposed development promises to make no additional changes to the land or its structures, it also adheres to Guideline E, which calls for “permanent preservation of common open space, recreation areas, and facilities.”
- The development would fulfill Guideline F, by allowing for “an efficient use of the land.” The applicant has previously requested commercial rezoning for the purpose of operating a Commercial Guest House. This application was declined, in favor of consideration of this Planned Development. Given that the Honorable Council wishes to preserve affordable housing options in the surrounding community, and was therefore reticent to approve a commercial usage that would apply broadly and would run with the land, the proposed development allows for a compromise which permits the highest, best, and most efficient usage of the land.
- The proposal directly coincides with Guideline G, which calls for creativity in the usage of land. As previously noted, travelers to the Charleston area, whether here by virtue of tourism or business, are increasingly seeking alternatives to traditional hotel lodging. The development therefore fulfills an integral purpose in the community, and, very importantly and in consideration of fairness, grants, to the owner, continuity in his creative and successful approach to the utilization of his property.
- Finally, the proposed development adheres to the concepts outlined in Guideline H, by “incorporat[ing] adequate public safety and transportation-related measures in its design” and by “complement[ing] the developed properties in the vicinity and the natural features of the site.” The structure on the property is adequately designed for short-term rental occupants’ safety, and is designed for the safety of the community at large, and the site currently contains adequate and convenient parking for short-term rental guests. No changes will be made to the current residential appearance of the structure already on the property, which is a single family home, and no additional dwelling structures will be placed on the property. Therefore, the proposed development will continue to coincide in appearance with adjacent structures, ensuring preservation of the character associated with the surrounding neighborhood.

Site Information:

The total acreage of TMS No. 351-06-00-038 is 0.11 acres, consisting entirely of high ground. The property consists of no freshwater wetland, 0.00 acres, Critical Line wetland, or marsh acreage.

Proposed Land Uses:

- All permissible R-4 uses at the time of subsequent development application submittal, if not used as an Extended Home Rental Short-Term Rental in accordance with this PD.
- Extended Home Rental Short-Term Rental, up to 144 days annually, by right and without the need for Special Exception. 4 bedrooms are permitted to be rented on a short-term basis.
- No accessory dwellings will be permitted on the property.

Maximum Density & Dimensional Standards:

There is one dwelling unit on the property, and as previously noted, no additional dwelling units will be constructed on the property. The maximum density of the proposed development will comply with all R-4 standards contained in Charleston County's Zoning Ordinance at the time of subsequent development application submittal.

The lot which is the subject of the proposed development currently maintains the set back and buffer requirements of the R-4 Zoning District, and shall continue to do so at the time of subsequent development application submittal.

Impact/Assessment Analysis & Traffic Study:

Internal short-term rental guidelines for guests of the property allow for a maximum of *two* guests per bedroom rented, which does not exert and will not exert any significant impact on existing public facilities and services. Letters of Coordination have been obtained and are included in the application packet.

Internal short-term rental guidelines for guests of the property allow for only *one* vehicle on the premises per bedroom rented, for which adequate and supplemental parking is provided. Thus, the maximum trip generation at peak travel periods remains equivalent to that of a single family home.

Compliance with the ZLDR:

The proposed development will comply with all processes included in the Charleston County Zoning and Land Development Regulations that are not mentioned in the planned development stipulations.

The applicant agrees to proceed with the proposed development in accordance with provisions of the zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to the rezoning to the applicable PD District.

The provisions of Article 3.10, Variances, of this Ordinance shall not apply to the planned development, and all major changes to the planned development must be approved by County Council. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance.

The proposed development is serviceable by existing infrastructure and emergency services, and as previously noted, Letters of Coordination from the applicable service agencies are included with this application.

For these reasons, the proposed development complies with the approval criteria contained in ZLDR Section 4.23.9 in the following manner:

- 4.23.9(A): "The PD Development Plan complies with the standards contained in this article," as elucidated herein. The standards of this article are incorporated herein as if repeated verbatim.
- 4.23.9(B): "The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents." Such Comprehensive Plan and additional policy documents are incorporated herein as if repeated verbatim.
- 4.23.9(C): As noted above, "the County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed." Letters of Coordination from the applicable public service agencies,

submitted with the original application packet, are incorporated herein again, as if repeated verbatim.

Historic and Archaeological Information:

Consistent with Article 9.8, Historic Preservation, of the ZLDR, no National Register sites, historic structures, or landscapes are present on the property. Confirmation of these results from the South Carolina Institute of Archaeology and Anthropology is included in the application packet.

Letters of Coordination:

Charleston County EMS, the Charleston County Sheriff's Office, and the St. Andrews Public Service District have been made aware of the application for this proposed development, and have provided Letters of Coordination, which are included in the instant application packet.

Architectural Guidelines:

The proposed development currently complies with all Architectural Design Guidelines, contained in Article 9.6 of the ZLDR, and shall continue to do so at the time of subsequent development application submittal.

Areas Designated for Future Use:

All areas designated for future expansion or not intended for immediate improvement or development, shall remain in a natural state until such time as development permits are approved.

Signs:

No signs will be permitted on the property.

Parking:

The proposed development currently complies, and will continue to comply, with Article 9.3 of ZLDR, as pertains to parking accommodations. Available parking spaces are shown on the site plan included in this application packet, as well as on photos included in the application packet. There are a minimum of 7 parking spaces available on site for usage by the Extended Home Rental Short-Term Rental.

Tree Protection:

The site plan included in the application packet, produced by a licensed surveyor, verifies that there are no grand trees on the property. The proposed development will comply with all provisions of Article 9.4 of the ZLDR, pertaining to Tree Protection and Preservation.

Having submitted the foregoing, together with all documents, plans, and specifications otherwise requested, on behalf of his client, Charleston County property owner Joseph M. Cleveland, the Applicant again respectfully prays for approval and general relief.

REFERENCES:

1. MAP OF SUBDIVISION OF TRACT OF LAND OWNED BY JOHN MARSH, JR., ANDREW PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, SURVEYED SEPTEMBER 13, 1944, BY W.L. GALLAGHER, SURVEYOR, AND RECORDED IN PLAT BOOK 11, PAGE 102, CHARLESTON COUNTY ROAD OFFICE.
2. PLAT SHOWING SUBDIVISION OF A 0.481 AC LOT INTO LOTS 5 & 6, LOCATED ON ORLEANS ROAD & FLORENCE LANE, ST. ANDREWS PARISH, CHARLESTON COUNTY, SOUTH CAROLINA, SURVEYED BY JAMES H. GIBSON, SURVEYOR, SCOTTSVILLE, MISSISSIPPI, AND RECORDED IN PLAT BOOK 11, PAGE 652, CHARLESTON COUNTY ROAD OFFICE.
3. CHARLESTON COUNTY TMS 351-06-00-038.
4. PHYSICAL SITE ADDRESS: 1344 ORLEANS ROAD, CHARLESTON, S.C.

NOTES:

1. BY GRAPHICAL NOTING ONLY, THIS PROPERTY APPEARS TO BE WITHIN FLOOD ZONE "X" AS PER F.L.M. COMMUNITY PANEL NUMBER 45019C, 0493A, WITH AN EFFECTIVE DATE OF NOVEMBER 17, 2004.
2. THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
3. PROPERTY CORNERS FOUND AS LABELED, NO PROPERTY CORNERS TO BE SET.
4. EXISTENTS SHOWN, IF ANY, ARE PER REFERENCES. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT APPEARING OR DERIVED TO SOMEONE.
5. ANYTHING SHOWN OUTSIDE THE DEDINED BOUNDARY OF THIS PLAT IS FOR DESCRIBING PURPOSES ONLY.
6. IT IS EXPRESSLY UNDERSTOOD THAT THE SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR ABSENCE OF ANY METAMORPHS ON THE PROPERTY SHOWN HEREON.
7. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR OBSERVED AS PART OF THIS SURVEY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR ANY CONDITIONS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
8. TOTAL NUMBER OF MARKED PARKING SPACES = 1.
9. THERE ARE NO GRASS TREES ON SITE.

10. Additional, unmarked parking spaces = 4.

LINE TYPE AND SYMBOL LEGEND

- PROPERTY LINE W/ CORNER FOUND AS DESCRIBED
- PROPERTY LINE W/ COLLATERAL CORNER
- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- OVERHEAD POWER LINE
- CENTER LINE
- ENCE LINE
- POWER POLE



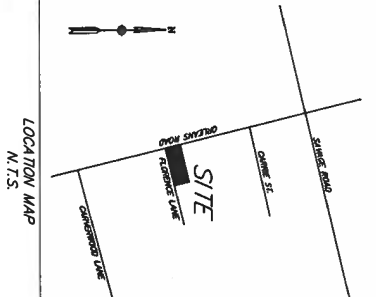
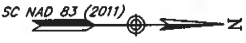
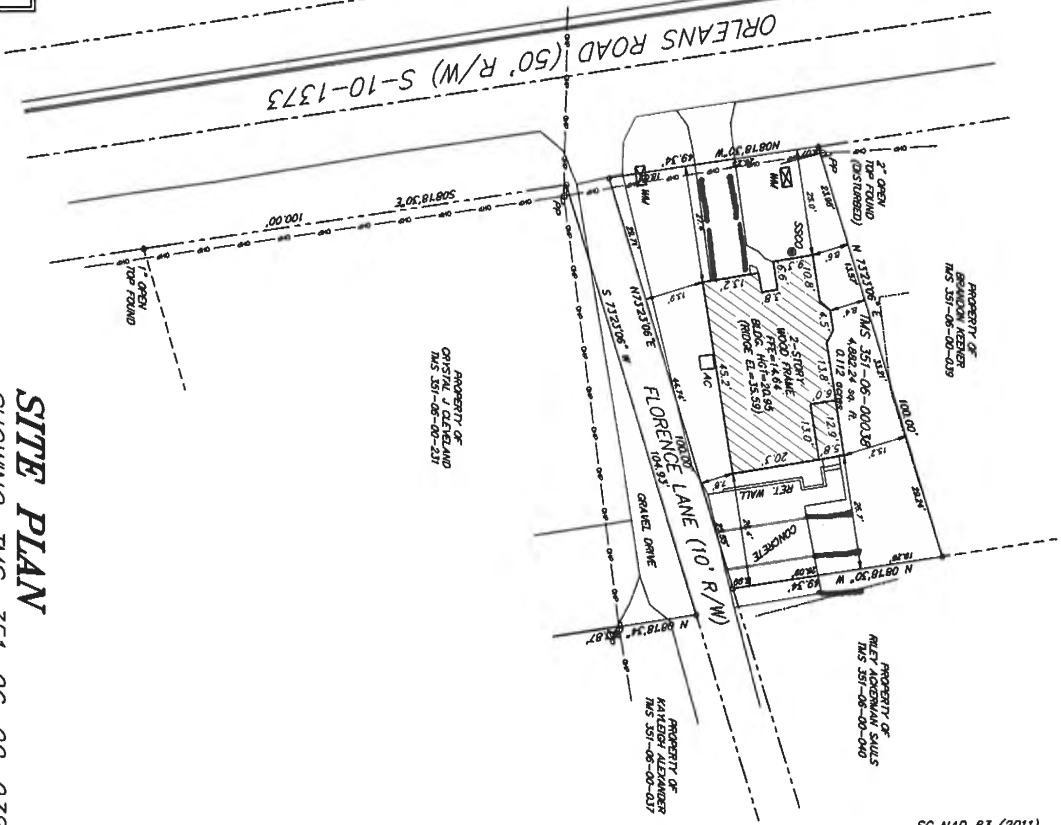
I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS GREATER THAN SHOWN.

ANDREW C. GILLETTE

Parish Land Surveying, LLC
1220 Yemassee Road
Benton, SC 29410
Phone: (803) 554-7777
Fax: (803) 554-7779



PLS 5933-B



SITE PLAN

SHOWING TMS 351-06-00-038, 0.112 ACRES, PROPERTY OF JOSEPH M. CLEVELAND, LOCATED IN ST. ANDREWS PARISH, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA

DATE: JANUARY 29, 2019

SCALE: 1" = 20'