

R. Keith Summey - Chairman
Charlie Lybrand - Vice Chairman
Lonnie Hamilton, III
Vaughn H. Howard
Barrett S. Lawrimore
Burnet R. Maybank
Andrew J. Savage, III
Charles T. Wallace, M.D.
Charles C. Wannamaker, M.D.



Beverly T. Craven, Clerk
(803) 723-6772
1-800-524-7832

CHARLESTON COUNTY COUNCIL
O.T. WALLACE COUNTY OFFICE BUILDING

2 COURTHOUSE SQUARE

CHARLESTON, SOUTH CAROLINA
29401

2556-C

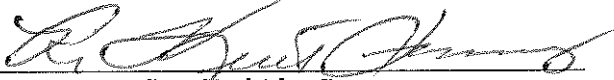
WHIPPOORWILL FARMS
PLANNED DEVELOPMENT (PD-43)

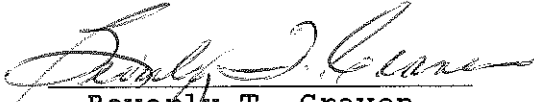
The following items when combined with the Master Plan and Development Guidelines will govern the zoning requirements for the Whippoorwill Farms Planned Development District designated as PD-43.

1. Land uses permitted within the Whippoorwill Farms development are as follows:
 - a. Single-family Residential (including mobile homes) on a maximum of 22 lots, with a minimum lot size of 1.117 acres.
 - b. Privately maintained dirt roads with access to Chisolm Road.
 - c. One (1) acre wetland buffer to be left undisturbed as part of Tract 1.
2. Roads and drainage systems will be constructed to County Standards in accordance with the adopted policy for construction of dirt streets (proposed Charleston County Road Code). These roads and drainage systems are to be privately maintained by the Whippoorwill Farms Homeowners Association (see Development Guidelines for streets and drainage).
3. Freshwater wetlands areas cannot be filled without obtaining permits from appropriate governmental authorities.
4. If the granting of permits by other governmental entities require the redesign of this property, an amendment to this Planned Development will be required.
5. Utilities and services shall be provided in accordance with the Development Guidelines for Whippoorwill Farms. Conditional Use Permits for same shall not be required.
6. Signs will exist as provided in the Development Guidelines and Master Plan for Whippoorwill Farms.

PAGE TWO
#2556-C
PD-43

8. Homeowners agreements, deed restrictions and covenants shall be submitted to the County Attorney (copy to Subdivision Administrator) for their review and approval prior to conditional or final plat submittal, (whichever comes first) prior to consideration by the Planning Board. Thereafter, copies of these restrictions, covenants and agreements must be recorded in the RMC Office for Charleston County prior to occupancy of the residential homeowners.
9. Presently, Tract 16 does not meet minimum Health Department standards for an individual septic system. This lot will not be used for building purposes until determined to be suitable by the Health Department.
10. This agreement shall become effective September 22, 1993.


R. Keith Summey
Chairman of County Council


Beverly T. Craven
Clerk of Council

R. Keith Summey - Chairman
Charlie Lybrand - Vice Chairman
Lonnie Hamilton, III
Vaughn H. Howard
Barrett S. Lawrimore
Burnet R. Maybank
Andrew J. Savage, III
Charles T. Wallace, M.D.
Charles C. Wannamaker, M.D.



Beverly T. Craven, Clerk
(803) 723-6772
1-800-524-7832

CHARLESTON COUNTY COUNCIL
O.T. WALLACE COUNTY OFFICE BUILDING
2 COURTHOUSE SQUARE
CHARLESTON, SOUTH CAROLINA
29401

AN ORDINANCE

TO FURTHER AMEND ORDINANCE NO. 138 OF THE COUNTY COUNCIL OF CHARLESTON COUNTY ENTITLED "ZONING ORDINANCE FOR CHARLESTON COUNTY, SOUTH CAROLINA. AN ORDINANCE (1) DIVIDING THE UNINCORPORATED PORTIONS OF THE COUNTY INTO DISTRICTS AND ESTABLISHING THE BOUNDARIES THEREOF; (2) REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND AND THE USE AND CONDITIONS OF USE OR OCCUPANCY OF BUILDINGS, STRUCTURES AND LAND FOR COMMERCE, TRADE, MANUFACTURING, RESIDENCE, RECREATION, TRANSPORTATION, AGRICULTURE, AND OTHER USES WITHIN THOSE DISTRICTS; (3) REGULATING AND RESTRICTING THE INTENSITY OF SUCH USES; (4) REGULATING AND RESTRICTING THE HEIGHT AND SIZE OF STRUCTURES, AND THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES; (5) REGULATING AND RESTRICTING THE DENSITY OF POPULATION; (6) DEFINING CERTAIN TERMS USED HEREIN; (7) PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; (8) DEFINING THE POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT WITH RESPECT TO THIS ORDINANCE; (9) REPEALING CONFLICTING ORDINANCES; AND (10) FOR OTHER PURPOSES."

BE IT ORDAINED by the County Council of Charleston County:

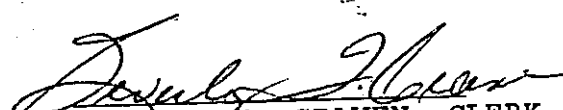
SECTION 1: That a section of Ordinance No. 138, specifically the official zoning map of Charleston County, be further amended as follows:

2556-C

Johns Island: 5237 Chisolm Road.
64.24 Acre. Change from an Agriculture
General (AG) District to a Planned
Development (PD-43) District.
(TM #221-00-00-055)

SECTION 2: This Ordinance shall become effective on third reading


R. KEITH SUMMEY, CHAIRMAN
CHARLESTON COUNTY COUNCIL


BEVERLY T. CRAVEN, CLERK
CHARLESTON COUNTY COUNCIL

899
ORDINANCE NO.

September 21, 1993
DATE ADOPTED

Development Guidelines For

Whippoorwill Farms

Charleston County, SC

TMS # 221-00-00-055

9 July 1993

Purpose and Intent

The purpose and intent of these development guidelines is to allow for the description of a planned development district which is composed of 64.24 acres. This site is located on Chisolm Road on Johns Island in Charleston County, SC. The project is to be an agricultural residential development and is intended to be a community which is harmonious with the natural setting of the land.

Land Use

All uses are allowed as in Charleston County Agricultural Residential zoning district. The proposed land tabulation is as follows:
(All acreages are approximate)

Gross Land Area	64.24 Acres
Total Dwelling Units	22 D.U.
Gross Density	.3 D.U./Acre

Total Freshwater Wetlands	28.18 Acres
Total Highland	36.06 Acres
Net Density	.6 DU/Acre

Lot, Height, and Setback Criteria

The following lot setback requirements shall apply to all proposed construction within the project boundaries.

Minimum Lot Area (Highland)	30,000 Square Feet
Building Height Limitations	35'2-1/2 Story*
Building and Accessory Structure Setbacks (From property line)	Front Yard 50' Rear Yard 30' Side Yard 20'
Freshwater Wetlands Setback	None
Maximum Lot Occupancy	20%

* Exceptions to Height Limitations (Section 10.5.61) shall apply to this setback.

Property lines may be adjusted and/or combined as necessary within the Whippoorwill Farms Planned Development, however no additional lots may be created other than the planned 22 total lots.

Accessory Structures

Accessory structure regulations shall be per Agricultural Residential zoning.

Off-Street Parking and Loading Requirements

Each single-family residence shall provide a minimum of two (2) 9' x 18' off-street parking spaces. No parking shall be permitted off of roadway surfaces.

Trees/Screening

The project will comply with all Charleston County Tree Preservation and Buffer requirements. No buffers are required for this project.

Tree protection barricades are to be installed and approved by County Landscape Architect prior to any clearing and/or construction activity on the site. Barricades to be installed in accordance with the Tree Preservation Administration Guidelines.

All lot owners shall be responsible for compliance to the Charleston County Tree Ordinance.

Fences and Walls

Fences and walls shall be permitted on an individual lot basis. The maximum height of all fences and walls shall be 6'.

Roadways and Storm Drainage

All roads will be built to meet the requirements of the Charleston County Road Code for Earth Streets. If the property owners association decides they no longer want responsibility for these roads, it will be the responsibility of the Whippoorwill Farms Homeowners Association to construct the roads to county standards for paving. The statement that all roads and drainage systems shall be privately owned and maintained by the Whippoorwill Farms Homeowners Association shall be recorded as restrictive covenants or shall be incorporated in other documents simultaneously recorded with the final plat. These covenants shall include dedication of roadways and drainage to property owners association so as to insure future maintenance responsibilities. Roads will not be accepted by Charleston County until they have been constructed to County Road Code Standards for Paving.

A total of 24 lots will be allowed to access the proposed roadway. All lots which have access shall be members of the Whippoorwill Farms Homeowners Association.

Storm drainage systems design shall be approved by Charleston County Public Works and shall be in accordance with the best management practices of the South Carolina Coastal Council and to SC Land Resources Stormwater Management Regulations.

All storm drainage easements shall be maintained by the developer until 50% of the lots of the project have been sold, at which time the maintenance shall be conveyed to the Whippoorwill Farms Homeowners Association.

Lighting

Exterior illumination will be allowed for the purposes of safety and security. All exterior lighting will not be excessive and will be shielded from adjacent properties.

Phasing

This project will be built in four phases with construction of Phase One anticipated to begin in 1993 or following the implementation of Planned Development zoning and appropriate permitting.

Water Service

Water service shall be provided by St. Johns Water Company. An existing 10" water main

is located in Chisolm Road.

Sewer Service

Sewer service shall be provided by individual private septic tank and drain field systems located on each lot. Locations have been preliminarily approved by the Charleston County Health Department.

Public Services

Maintenance of the individual septic system shall be the responsibility of the property owner. Water service maintenance shall be by St. Johns Water Company. Trash removal shall be the responsibility of the property owner.

Fire protection services shall be provided by St. Johns Fire Department. Police protection services shall be provided by Charleston County.

Electrical service shall be provided by Berkeley Electric Co-op. Telephone service shall be provided by Southern Bell.

Signage

A project sign identifying the project will be located at the entrance to the proposed development at the intersection of Chisolm Road. This sign will be a ground sign with a maximum height of 6' feet and may be double-sided. It will consist of metal, wood and/or plastic materials and shall be located so as to not impede traffic visibility. The sign will have a minimum setback from Chisolm Road and side property lines of 10' and will have a maximum surface area of 32 square feet per side. This sign will be attractively landscaped and may have indirect landscape lighting.

All other signage shall be per Charleston County Zoning Ordinance.

Freshwater Wetlands

The area within the development defined as Freshwater Wetlands will be under the jurisdiction of the U. S. Army Corps of Engineers. Freshwater wetlands crossings shall be as permitted.

A one acre site on Tract/Lot 1 has been established as a wetland buffer and is to remain undisturbed. This buffer is shown on the preliminary plat and on the site plan. In addition, a 35' wetland buffer is to be established immediately adjacent to the freshwater wetland boundary on Tract F-8. This buffer area is not within the planned development.

Site Plan

Site plan approval will be obtained from the Charleston County Planning Department prior to obtaining construction permits.

Soils Survey Information

The Charleston County Soil Survey shows the site consists of several soil types. Those types listed include Kiawah and Seabrook Loamy Fine sand, Leon sand, and Santee Loam. These soils exhibit a range of limitation from slight to severe.

Public Utilities

Substations or utilities will not require conditional use permits and must obtain site plan approval and zoning permits by the Charleston County Planning Department.

Zoning

The Charleston County Zoning Ordinance shall apply to all areas of this development where not covered by these regulations and guidelines.

ZONING CASE

NUMBER 2556-C DATE RECEIVED 7/9/93

PLNG. BRD. 7/26/93 HEARING 8/3/93 COMM. 8/12/93

EXISTING ZONING Agriculture General (AG)

REQUESTED CHANGE Planned Development (PD-43)

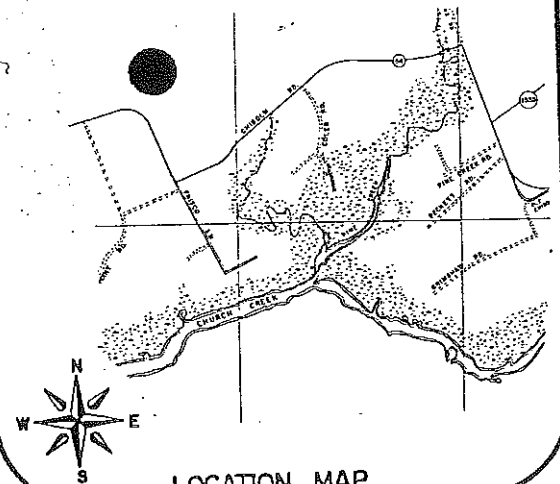
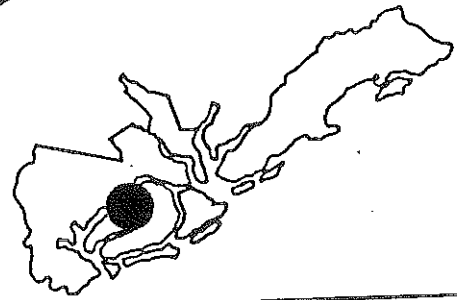
LOCATION Johns Island; 5237 Chisolm Road.

TAX MAP NO. 221-00-00-055

PARCEL SIZE 64.24 Acres

APPLICANT Ms. Ann J. Gillespie

ADDRESS 1591-C Savannah Hwy.
Charleston, SC 29407



LOCATION MAP

2556-C

EXISTING LAND USE

This 64.24 acre parcel is presently zoned Agriculture General (AG) and is located on Johns Island. The parcel contains 36.06 acres of highland and 28.18 acres of wetlands. The surrounding area is also zoned Agriculture General (AG) and contains mostly agricultural uses and undeveloped properties. Some scattered single-family residences are also located in the surrounding area, giving the area a rural residential character.



CHARLESTON COUNTY PLANNING DEPARTMENT

STAFF ANALYSIS

1. The applicant seeks to rezone this property from the Agriculture General (AG) district to the Planned Development (PD-43) district in order to create a planned residential community of single-family residences on individual lots.
2. A Planned Development District is intended to promote the following objectives:
 - a) flexibility in site design and in the location of structures;
 - b) more efficient land use, building arrangements, circulation systems, and utilities;
 - c) preservation of landscape features and amenities;
 - d) innovation design, architectural styles, building forms and site relationships.
3. The major features of this Planned Development includes:
 - a) a maximum of 22 single-family residential parcels ranging from 1.117 to 10.995 acres in size (minimum highland - 0.747 acre), most containing freshwater wetlands, allowing single-family residences or mobile homes.
 - b) one (1) acre site on Tract 1 has been established as a wetland buffer to remain undisturbed.
 - c) dirt roads constructed to Charleston County standards and privately maintained by the Whippoorwill Farms Homeowners Association.
4. Land uses will be the same as allowed in the Agriculture Residential (AR) district, including:
 - a) Single-Family Residential (22 lots) - 60.046 acres
 - b) Wetlands buffer - 1.0 acre (included in Tract 1)
 - c) Private Dirt Road - 4.197 acres
5. The streets and drainage systems will be owned and maintained by the Whippoorwill Farms Homeowners Association.

PAGE TWO
#2556-C
STAFF ANALYSIS

6. The development will consist of a maximum of 22 single-family residential lots on a 64.243 acre tract, for a total density of 0.34 units per acre. The proposed density is less intense than what would be allowed under the current Agriculture General (AG) district.
7. The regulations and development guidelines for this Planned Development are attached as part of this analysis.

RECOMMENDATION:
Approval

NOTE: Restrictive Covenants guaranteeing maintenance of the roads and drainage systems (as stated in development guidelines on page 3 Roadways and Storm Drainage) must be approved by the Planning Department and the Charleston County Deputy Attorney prior to approval of conditional plat.

