

County of Charleston
Charleston, South Carolina

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PHONE A/C B03, 722-3631
EXT. 240

PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29401

MEMORANDUM

TO: Tax Assessor
FROM: Development Administrator *lv*
SUBJECT: Authorized Change to a Zoning District
DATE: *APR. 4th 1973*

Listed for the updating of your zoning information is a recent change to a Charleston County Zoning District:

Zoning Request: # 0266-C
Zoning Grid Map: # 800-1
Location: James Island, Secessionville Rd
Tax Map or Photo: # 921-59
Tax or Photo Lot: # 16 & 17
Old Zoning Classification: RS-10
New Zoning Classification: PUD (PD-R7)
Effective Date of Change: APR. 15 1973
Owner's Name: Orvin Mortgage Company
Owner's Address: P.O. Box 482
Charleston, SC 29402

NAME:
LOCATION:
SIZE:

1. Resi
w/311
Pat
Tow
Apas
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Gol
Boa
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3. Rig
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MAN
VICE-CHAIRMAN

RECYCLER
1-5937
240

PD-R7

NAME: Stonefield Racquet & Golf Club

LOCATION: James Island, Seaside Plantation, East side of
Secessionville Road, 3200 feet east of Folly Road.

SIZE: 330 acres above 5 ft. mean sea level

THE FOLLOWING LAND-USE AND DENSITIES
HAVE BEEN APPROVED FOR THIS PLANNED
DEVELOPMENT DISTRICT DESIGNATED PD-R7:

| | <u>LAND USE</u> | <u>ACRES</u> | <u>DENSITY</u> | <u>UNITS</u> |
|----|--------------------|--------------|------------------|--------------|
| 1. | <u>Residential</u> | | | |
| | *Single Family | 132.0 | 2.65/acre | 350 |
| | Patio Homes | 16.3 | 6/acre | 98 |
| | Town Houses | 36.3 | 10/acre | 363 |
| | Apartments | 24.4 | 12/acre | 292 |
| | <u>TOTALS:</u> | <u>209.0</u> | <u>5.28/acre</u> | <u>1103</u> |

2. Recreation & Open Space

| | |
|---------------|------|
| Golf Course | 40.0 |
| Board Basin | 3.5 |
| **Green Belt | 7.1 |
| Sewage Treat. | 6.9 |
| Conservation | 20.9 |

TOTAL: 78.4 acres

3. Rights-of-way

| | |
|-----------------------|------|
| 120' R/W (800 L-ft) | 2.2 |
| 60' R/W (38,600 L-ft) | 39.4 |
| 50" R/W (1,100 L-ft) | 1.3 |

TOTAL: 42.9 acres

4. TOTAL DEVELOPMENT AREA 330.3 acres

SPECIAL CONDITIONS:

- In the absence of detailed information, zoning regulations applicable to townhouses, dwelling groups, patio homes and recreation areas shall be applied.
- Single family detached dwellings shall have the following minimum setbacks:
 - Front lot line --- 25 ft.
 - Side lot line --- 10 ft.
 - Back lot line --- 10 ft.

3. All roads, public or private shall be constructed to county standards. Curbs and gutters with a minimum of 30 feet of pavement shall be provided.
4. Fire protection and solid waste collection by James Island P.S.D.
5. Water (potable) by City of Charleston.
6. Sanitary sewers to be provided.
7. The owners of this PUD and the subsequent homeowners shall have the exclusive right to decide what rights the homeowners shall have in and/or to the recreation facilities provided.
8. No commercial activity was requested by the developers for this property nor is any commercial activity authorized.

*Average size Single Family Lot = $85/150 = 12,750$ sq.ft.

**Greenbelt area is historic site known as Confederate Battery #5.



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JENNINGS F. STRIGHT, DIRECTOR
PHONE A/C 805, 722-8631
Rm. 240

April 5, 1973

In Reply Please Refer To:
Zoning: 4/5: #0266-C

Mr. George A. Z. Johnson, Jr.
Sigma Engineers Inc.
166 E. Bay Street
Charleston, S.C. 29401

Re: Zoning Classification Request #0266-C

Dear Mr. Johnson:

I am happy to inform you that the Charleston County Council has approved your request for a change from a Single Family Residential District (RS-10) to a Planned Unit Development (PD-R7).

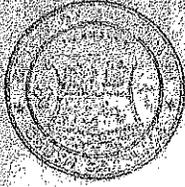
The change will become effective on April 15, 1973.

Thank you for your assistance in making our zoning ordinance meet the needs of our community.

Sincerely,


J. F. Stright
Director of Planning

JFS:WFK/amq



PLANNING BOARD
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 JENNINGS F. STRIGHT, DIRECTOR
 PHONE A/C BOS. 722-8631
 EXT. 240

March 21, 1973

In Reply Please Refer To:
 Fax: 3/21: #0266-C

Mr. George A. Z. Johnson
 Sigma Engineers
 166 East Bay Street
 Charleston, S.C.

Re: Zoning Request Change #0266-C

Dear Mr. Johnson:

The County Council Finance Committee, at a recent meeting, approved of your request to rezone from a Single Family Residential District (RS-10) to a Planned Development District (PD-R7).

Your request must now be presented to the full Council at their regularly scheduled meeting, (first and third Tuesday of each month), undergo three Public Readings, followed by the posting of two weekly Public Notices in a local newspaper prior to becoming effective. This is the normal procedure followed when any Charleston County Ordinance is passed or amended.

When the effective date has been determined (after the final hearing) you will again be informed by letter.

Thank you for your contribution to the improvement of our Zoning Ordinance, and above all, your patience.

Sincerely,


 J.F. Straight
 Director of Planning

JFS/WFK:amq

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CHARLESTON COUNTY ZONING AMENDMENT REQUEST

Number: #0266-C Received: Prelim 9/11/72
Rev. 11/29/72
Planning Board: 12/29/72 Hearing: Feb. /73 Committee: /73
Location: James Island, Seaside Plantation, East side of Secessionville
Road, 3200 feet east of Folly Road.
Size: 330 acres
Tax Map: 921-59-00-016, 017 Grid: 800-1
Existing Classification: Single Family Residential (RS-10)
Requested Changes: Planned Development (PD-R7)

EXISTING LAND USE:

This tract of farm land, consisting of four parcels, overlooks Clark South and is bounded on the south by Seaside Creek, to the east, north by marsh. To the west is Secessionville Road and Westchester Subdivision.

1. C
2. J
3. J
4. J

PROF
Re

CHARLESTON COUNTY ZONING AMENDMENT REQUEST #0266-C

STAFF EVALUATIONS

1. Compatible with the Long Range Plan for Charleston County.
2. This area is planned for urban residential use in the Long Range Plan.
3. The development proposes a density of 3.26 families per acre for a total of 1079 families. A mixture of 206 acres are for residential use and 81 acres for recreation and conservation, containing a nine hole golf course, boat basin and a "Green Belt" area to preserve the historical Confederate Battery #5.
4. Minor correction and additional requirements have been conveyed to the developers, the completion of which will establish an enforceable zoning district. (See attached list)

PROFESSIONAL EVALUATION:

Recommend APPROVAL

APPROVAL



PLANNING BOARD
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JENNINGS F. STRIGHT, DIRECTOR
PHONE A/C 803, 722-0631
EXT. 240

September 29, 1972

Sigma Engineers Inc.
166 East Bay Street
Charleston, S.C. 29401

ATTENTION: Mr. George Johnson, Jr.

RE: Proposed Planned Unit Development
Zoning Request #0266-C
Sea Island Plantation

Dear Mr. Johnson:

Upon review of your submission dated September 11, 1972, requesting a change in a zoning classification from a residential district classification to a Planned Unit Development, it was noted that the "authorized representative" clause on the change request form was not signed by the owners. A statement as to full knowledge of the proposed change must be signed by the owners and submitted with the application before any change request can be processed.

A preliminary staff review of your basic plan generated the following comments:

- a. Highland (or developable land) is to be figured from 5 feet MSL as in the County Zoning Ordinance.
- b. Provisions to meet Flood Insurance Program requirements be considered.
- c. Eliminate the open ditch type storm drainage system.
- d. All streets should be constructed with curbs and gutters.

(continued on page two)

Mr. George Johnson
Page Two
September 29, 1972

| e. | STREET REQUIREMENTS | R/W | Pavement (not incl. base) | Moving Lanes | Parking Lanes | 4 or 4½' Sidewalks |
|----|---------------------|----------|---------------------------|--------------|---------------|--------------------|
| a) | Major Collector | 60 | 34' | 2 (12'ea) | 1 (10') | 2 (4') |
| b) | Minor Collector | 60 | 30' | 2 (11'ea) | 1 (8') | 1 (4½') |
| c) | Loop, Cul de sac | 50 | 26' | 2 (10'ea) | 0 (5' emerg.) | 0 |
| d) | Entrances (divided) | 60' Min. | 30' (15'ea) | 2 (15'ea) | 0 | 2 |

- f. Straighten the sharp curve at Secessionville Road.
- g. Planting screen along Secessionville Road---atleast 30' width.
- h. Maintenance of planted areas in the half-moon and cul de sac should be the responsibility of the Home owners Association.

The above comments are the result of a preliminary review since all of the required information for a Planned Unit Deve'opment have not been submitted for review and evaluation.

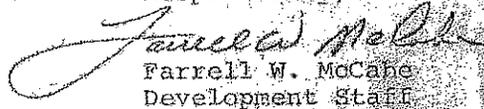
Section 97.30.70 of the Zoning Ordinance is also quoted for your information:

"The period within which the Planning Board's report shall be submitted to the County Council shall be 60 days."

Enclosed is a copy of excerpts from the Zoning Ordinance applicable to Planned Development Districts which set forth requirements and procedures. Also enclosed is a memorandum to developers, prepared primarily to assist in the presentation of a complete package.

Formal presentation to the Planning Board cannot be made until the additional required information is received.

Respectfully,


Farrell W. McCabe
Development Staff

FWM/amg

Enclosures



PLANNING
COUNTY OF
2 COUNTY ST
CHARLESTON

NOV 15 1972
Tidal
Flooding
Expected

Moderate flooding is expected at times of high tides Sunday and Monday mornings.

The flooding is forecast to be produced by a combination of high morning tides and an off-shore low pressure center.

The normal high for Sunday is 6.5 feet and for Monday 6.8 feet. A developing low pressure center in the Gulf of Mexico is expected to push the tides from one and a half to two feet higher.

"We could have fairly high tides anywhere from eight to eight and a half feet on Sunday morning and again on Monday morning," reported a spokesman at the National Weather Service's Charleston Municipal Airport office.

This will occur with the morning high tides and not the afternoon tides, he said, because the afternoon tides have a lower normal level. They might reach close to seven feet.

The spokesman said the level usually gets up to eight feet or higher only once a year. He noted that there was a nine-foot height on Dec. 31, 1970.

Shallow flooding forecasts are predicted above the seven-foot height. Moderate flooding is the term for the expected level from eight to eight and a half feet.

w/e 11/14/72

TO:

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PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29403

County of Charleston
Charleston, South Carolina

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CHARLES T. TORGERSON
JENNINGS F. STRIGHT, DIRECTOR
PHONE A/C 603 723-6631
EXT. 240

MEMORANDUM

TO: Chief Planner
Traffic Engineer
Mr. Fleres

FROM: Development Administrator

SUBJECT: Proposed Planned Unit Development,
Zoning Permit #0266-C;
Sea Island Plantation.

DATE: September 14, 1972

1. The enclosed plat is for your review and comments.
2. It is requested that your evaluation and recommendations be submitted to this office in writing for resolution of this request.

Respectfully,

F. W. McCabe
(By Direction)

Enclosure: One (1) copy of preliminary plat.

#0266-C RS-10 to PD-R7

I. Revise Plan To:

A. Improve layout to meet Subdivision Regulations for lots 38, 39, and 40; 28, 29, and 30; 295, 296, and 297; and 332.

B. Add To Notes:

- "1. General--In the absence of detailed information, zoning regulations applicable to townhouses, dwelling groups, patio homes and recreation areas shall be applied.
2. Single family detached dwellings shall have the following minimum setbacks:
 - a. Front lot line---25 feet
 - b. Side lot line----10 feet
 - c. Back lot line----10 feet
3. All roads, public or private, shall be constructed to County standards. Curbs and gutters with a minimum of 30 feet of pavement and 4 foot sidewalks shall be provided."
4. (Insert statement regarding method of providing police and fire protection, garbage disposal, mail and school bus service.)

C. Add to Greenbelt Area:

"Historical Site (Confederate Battery #5)"

D. Clarify the Following:

1. Townhouses---340 units stated, 363 units shown.
2. Apartments---291 stated, 288 units apparent.

II. Prior to Council action, the following will be required:

1. Tentative approval of the Environmental Health Section of S.C. Health Department must be evidenced.
2. A statement of proposed rights of homeowners on use of the recreational facilities provided. (marina, club house, tennis courts and golf course)

III. It is understood that there is no commercial activities proposed for this development.

PLANNING
COUNTY OFFICE
2 COURT HOUSE
CHARLESTON, S.C.

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PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29401

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Charleston, South Carolina

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CHARLES Y. TORGERSON
JENNINGS F. STRIGHT, DIRECTOR
PHONE A/C 803, 722-6831
EXT. 240

December 22, 1972

In Reply Please Refer To:
Zoning: #0266-C

Mr. George A.Z. Johnson, Jr.
Sigma Engineers, Inc.
166 E. Bay Street
Charleston, S.C.

Dear Mr. Johnson:

The Charleston County Planning Board is scheduled to hear your zoning change request at their next regular meeting. The meeting is open to the public and you may attend if you so desire.

Action of the Planning Board is in the form of a recommendation only, a change in the zoning of property can be changed by County Council only.

County Council will schedule a public hearing of which you will be notified by letter. At that time you may appear before Council and address your remarks directly to them concerning your request.

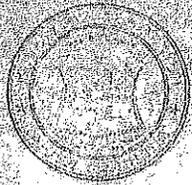
Respectfully,


J. F. Stright
Director of Planning

JFS/FWM:amq

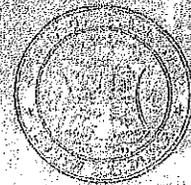
Planning Board Meeting:

Time: 9:30 a.m.
Place: Room 302
#2 Court House Square
Charleston, S.C. 29401
Date: December 29, 1972



County of Charleston
Charleston, South Carolina

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PHONE A/C 803, 732-6531
EXT. 240



PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29601

PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29601

January 24, 1973

In Reply Please Refer To:
McCabe: 1-24/#0266-C

Mr. George A.Z. Johnson, Jr.
Sigma Engineers, Inc.
166 E. Bay Street
Charleston, S.C.

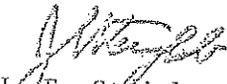
Dear Mr. Johnson:

Your request for a change in land classification has been scheduled for public hearing by the County Council.

The hearing is scheduled for Tuesday, February 13, 1973, at 7:00 p.m., in Council Chambers, Room 402, Two Court House Square.

It is requested that lengthy presentations be submitted in advance to the Clerk of Council.

Respectfully,


J.F. Stright
Director of Planning

JFS:FW1/amq

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County of Charleston
Charleston, South Carolina

PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29401

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JENNINGS F. STRIGHT, DIRECTOR
PHONE A/C 009, 782-6581
EXT. 240

January 24, 1973

In Reply Please Refer To
McCabe: 1-24: #0266-C

Re: #0266-C

TO WHOM IT MAY CONCERN:

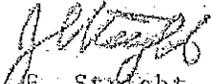
This is to inform you of the scheduled public meeting to be held for the purpose of considering an application to amend the Zoning Ordinance of Charleston County affecting the land in your neighborhood.

Seaside Plantation, east side of Secessionville Road, 3200 feet east of Folly Road; 330 acres. Change from a Single Family Residential District (RS-10) to a Planned Development District (PD-R7).

The public hearing is scheduled to be held on Tuesday, February 13, 1973, 7:00 p.m., Council Chambers, Room 402, Two Court House Square, Charleston. The public is invited to attend.

Lengthy presentations should be submitted in writing in advance of the meeting.

Respectfully,


J. F. Stright
Director of Planning

JES:FMW/amq

MEMORANDUM

TO: Farrell W. McCabe
FROM: Charles A. Fox
SUBJECT: Staff Review of Application by the Developers
of PD-R7 (#0266-C)
DATE: 6 December 1972

W. WY
JOHN B
R. W. F
WINATO
KEITH
J. HOW
WILLIAM

I. SINGLE FAMILY AREA

- ~~1. Lots 38 and 40 will not front on an approved road.~~
2. Improve design of lots 29, 39, 296, and 332 to provide adequate frontage.
- ~~3. Determine use of area marked "Patio Homes or Single Family".~~
4. Provide playground in SF area--possibly in AC District.
- ~~5. Identify use of land (if any) between lot 243 and 290.~~
- ~~6. Increase widths of lot 53, 54.~~

II. TOWNHOUSES

- ~~1. Indicate number of units per building.~~
2. Indicate number of bedrooms.
3. Show off-street parking relative to densities.
4. Provide maintenance arrangements/Homeowners Association.
5. Indicate total number of townhouses.
340 units stated 363 units shown.

III. APARTMENTS

1. Show off-street parking relative to land densities.
2. Indicate number of units per building.
3. Indicate number of bedrooms.
4. Density stated = 291 units, number of units shown (assuming two levels) = 288 units.

South Carolina State Board of Health

J. MARION SIMS BUILDING
COLUMBIA 29201

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WINSTON Y. GODWIN, M.D. CHERAW
KEITH H. SMITH, M.D. GREENVILLE
J. HOWARD STOKES, M.D. FLORENCE
WILLIAM H. HUNTER, M.D. CLEMSON



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HENRY MILLS, COMP. GEN. COLUMBIA

E. KENNETH AYCOCK, M.D., M.P.H.
SECRETARY AND STATE HEALTH OFFICER

TO: Charleston County Planning Board

DATE: February 27, 1973

FROM: A. E. Williams, District Engineer

RE: Orvin Mortgage Co.
Property at Secessionville

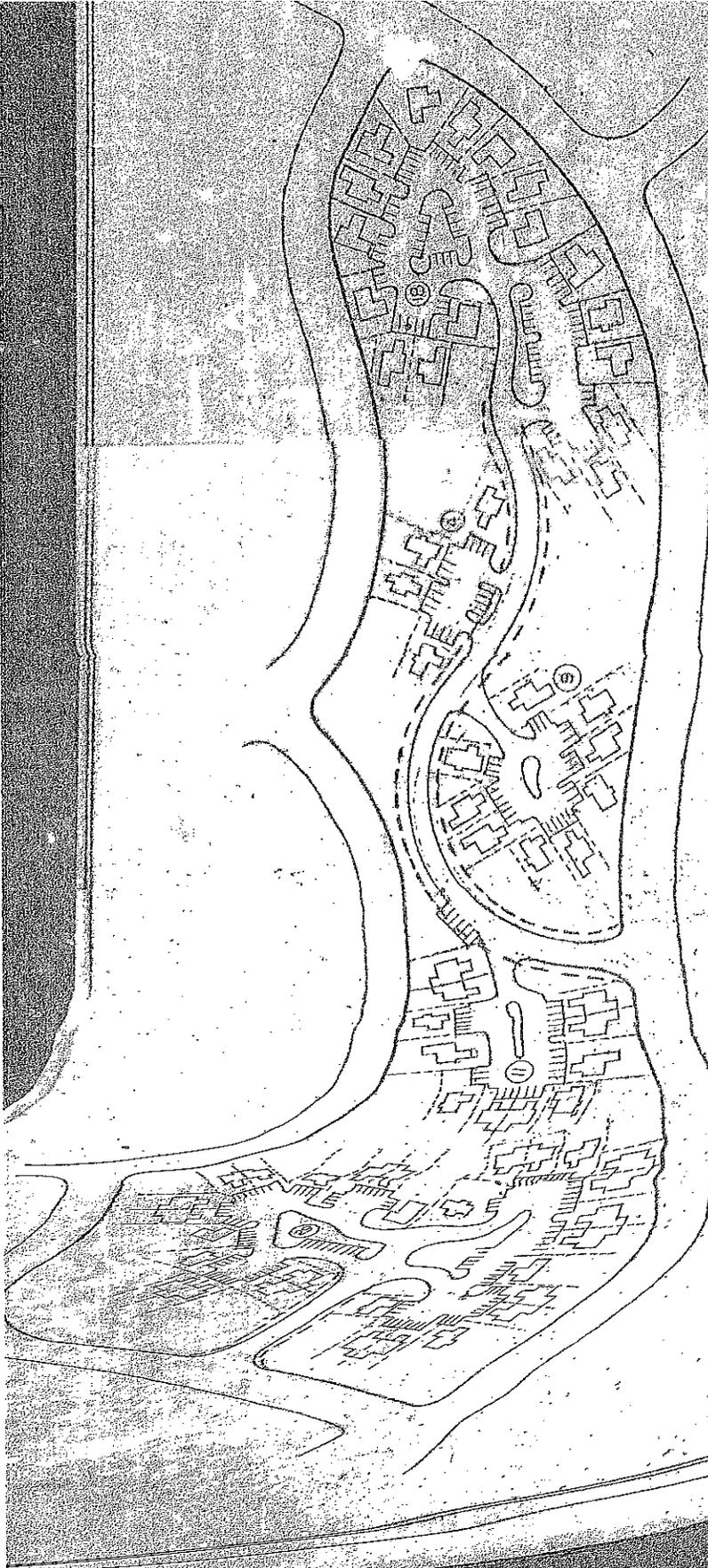
With reference to the property of Orvin Mortgage Company located at Secessionville, please be advised that I have reviewed this proposed development with Mr. George Johnson, Sigma Engineers, and concur that the S. C. State Board of Health will look favorable upon this project if all engineering for water and sewage systems meet with good engineering practices and Board of Health regulations.

If I can be of further service, please call.

AEW:cal

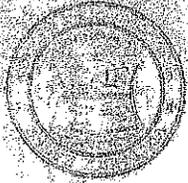
cc George Johnson

J. C. Hawkins



PLANNING PLAN
PROPOSED 71 UNIT DEVELOPMENT
STONEFIELD
CHARLESTON — SOUTH CAROLINA

TOWNES ASSOC
ARCHITECTS
GREENVILLE



County of Charleston
Charleston, South Carolina

PLANNING BOARD
COUNTY OFFICE BUILDING
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CHARLESTON, S. C. 29401

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CHARLES T. TORGERSON
JENNINGS F. SYNGHT, DIRECTOR
PHONE A/C 803, 722-6651
EXT. 240

Mr. G
Page 1
Septem

September 29, 1972

Sigma Engineers Inc.
166 East Bay Street
Charleston, S.C. 29401

ATTENTION: Mr. George Johnson, Jr.

RE: Proposed Planned Unit Development
Zoning Request #0266-C
Sea Island Plantation

Dear Mr. Johnson:

Upon review of your submission dated September 11, 1972, requesting a change in a zoning classification from a residential district classification to a Planned Unit Development, it was noted that the "authorized representative" clause on the change request form was not signed by the owners. A statement as to full knowledge of the proposed change must be signed by the owners and submitted with the application before any change request can be processed.

A preliminary staff review of your basic plan generated the following comments:

- a. Highland (or developable land) is to be figured from 5 feet MSL as in the County Zoning Ordinance.
- b. Provisions to meet Flood Insurance Program requirements be considered.
- c. Eliminate the open ditch type storm drainage system.
- d. All streets should be constructed with curbs and gutters.

(continued on page two)

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Mr. George Johnson
Page Two
September 29, 1972

| e. | STREET REQUIREMENTS | R/W | Pavement (not incl. base) | Moving Lanes | Parking Lanes | 4 or 4 1/2' Sidewalks |
|----|---------------------|----------|---------------------------|--------------|---------------|-----------------------|
| a) | Major Collector | 50 | 34' | 2 (12'ea) | 1 (10') | 2 (4') |
| b) | Minor Collector | 60 | 30' | 2 (11'ea) | 1 (8') | 1 (4 1/2') |
| c) | Loop, Cul de sac | 50 | 26' | 2 (10'ea) | 0 (6' emerg.) | 0 |
| d) | Entrances (divided) | 60' Min. | 30' (15'ea) | 2 (15'ea) | 0 | 2 |

- f. Straighten the sharp curve at Secessionville Road.
- g. Planting screen along Secessionville Road---atleast 30' width.
- h. Maintenance of planted areas in the half-moon and cul de sac should be the responsibility of the Home owners Association.

The above comments are the result of a preliminary review since all of the required information for a Planned Unit Development have not been submitted for review and evaluation.

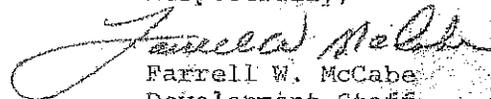
Section 97.30.70 of the Zoning Ordinance is also quoted for your information:

"The period within which the Planning Board's report shall be submitted to the County Council shall be 60 days."

Enclosed is a copy of excerpts from the Zoning Ordinance applicable to Planned Development Districts which set forth requirements and procedures. Also enclosed is a memorandum to developers, prepared primarily to assist in the presentation of a complete package.

Formal presentation to the Planning Board cannot be made until the additional required information is received.

Respectfully,


Farrell W. McCabe
Development Staff

FWM/amq

Enclosures



PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29401

County of Charleston
Charleston, South Carolina

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CHARLES V. TORRESON
JENNINGS V. STRIGHT, DIRECTOR
PHONE A/C 803 722-8631
Ext. 240

TO: Development Planner
FROM: Long Range Section
SUBJECT: Sea Island Plantation PUD
DATE: September 26, 1972

- FACTS:
1. Total Acres--314.7 acres starting 5 feet Mean Low Water which is approximately 2.6 feet Mean Sea Level.
 2. Total Dwelling Units--1,102
 3. Density--Dwelling Units/Residential Acre.
Single Family -- 2.6
Patio Homes -- 6.0
Town Houses --10.0
Apartments --12.0
Average----- 5.2
 4. Gross Density Total D.U./Total Land Area --3.5
 5. Right of Way 120'
60' (close to 3/4th)
50'

- RECOM:
1. Highland (or developable land) is to be figured from 5 feet MSL as in the County Zoning Ordinance.
 2. Provisions to meet Flood Insurance Program requirements be considered.
 3. Eliminate the open ditch type storm drainage system.
 4. All streets should be constructed with curbs and gutters.

MEMORANDUM

Page 2

September 26, 1972

| 5. Street Requirements | R/W | Pavement (not incl. base) | Moving Lanes | Parking Lanes | 4 or 4 1/2' Sidewalks |
|------------------------|-------------|------------------------------|-----------------|---------------------|--------------------------|
| a) Major Collector St. | 60 | 34' | 2 (12'ea) | 1 (10') | 2 (4') |
| b) Minor Collector St. | 60 | 30' | 2 (11'ea) | 1 (8') | 1 (4') |
| c) Loop & Cul De Sac | 50 | 26' | 2 (10'ea) | 0 (6' emergency) | 0 |
| d) Entrances (divided) | 60' Mim. | 30' (15' ea.) | 2 (15'ea) | 0 | 2 |

6. Straighten the sharp curve at Secessionville Road.
7. Planting screen along Secessionville Road--atleast 30' width.
8. Maintenance of planted areas in the half-moon and cul de sac should be the responsibility of the Home Owners Association.

LAW OFFICES
BARNWELL, WHALEY, STEVENSON & PATTERSON
ONE HUNDRED TWENTY MEETING STREET
CHARLESTON, SOUTH CAROLINA
29402

NATHANIEL B. BARNWELL, 1877-1890
BEN SCOTT WHALEY
NATHANIEL S. BARNWELL
ROYMAN W. STEVENSON
ROBERT A. PATTERSON
SAMUEL J. COOPER
WILLIAM C. HIZLOR, DT

December 8, 1972

TELEPHONE 723-6813
POST OFFICE DRAWER 11
ASSOCIATE
N. ELLIOTT BARNWELL

RECEIVED

Dec. 19, 1972
BERKELEY - CHARLESTON
REGIONAL PLANNING COMMISSION

In Re: Charleston County - Planning Board
Your Reference: Kopacka 12-5

Mr. J. F. Stright
Director of Planning
County Office Building
Charleston, South Carolina

Dear Mr. Stright:

I am in receipt of your letter of December 5th, 1972, in which you advise that the Planning Board requests my consideration, as well as a legal opinion regarding their voting procedures on zoning changes.

I am not aware of any requirement in the Planning Act which requires that the vote taken be made public. It is my opinion that the Board could adopt a reasonable rule and regulation as to the tabulation of votes and as to whether or not they wish to vote publicly would be a matter for the Board to decide. I, therefore, answer your three questions in the negative.

I would suggest that for your own records, you may like to know how each member voted on each application should a question be raised in the future as to whether or not a majority voted for or against the application.

Trusting that this answers your inquiry, I am

Faithfully yours,


Ben Scott Whaley

BSW:mb
cc: Mr. Richard L. Black

PLANNING BOARD
COUNTY OFFICE BUILDING
2 COURT HOUSE SQUARE
CHARLESTON, S. C. 29401

JOSEPH V. WELBYEN, JR.
CHARLES T. THURGOOD
BENNING F. STRIGHT, DIRECTOR
PHONE A/C 803, 722, 8681
EXT. 345

December 5, 1972

In Reply Please Refer To
Kopacka 12-5

Mr. B.S. Whaley
120 Meeting Street
Charleston, S.C. 29402

Dear Mr. Whaley:

The Planning Board requests your consideration as well as a legal opinion regarding their voting procedures on zoning changes.

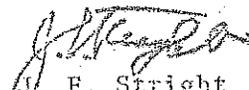
Individual zoning change requests are presented to the Planning Board by the staff at their regularly scheduled public meetings. The presentation includes a verbal and written analysis of each application by the staff and, upon occasion, discussion between the applicant and the members present. Each member present records his vote on a ballot prepared for each request and passes his ballot to the Chairman. The Chairman, in each instance, counts the votes and announces the result, i.e., five for change, three against change. This is then recorded on a prepared tally sheet by the Chairman and is utilized to prepare minutes and for the permanent file. Sample copies of the forms are attached.

The Board requests a reply to these questions:

1. By law, are members required to publicly announce their vote in each instance?
2. Must the records indicate each members vote for each application?
3. Must the records indicating the vote of each member be made public?

Board members are anxiously awaiting your reply to this matter.

Most Sincerely,


J. F. Stright
Director of Planning

JFS/WPK:amq

Enclosures

cc: Mr. Richard Black