



**JAMES ISLAND PLANNING COMMISSION**  
**Town Hall**  
**1122 Dills Bluff Road, James Island, SC 29412**

**MEETING AGENDA**  
**July 11, 2019**  
**6:00PM**

NOTICE OF THIS MEETING WAS POSTED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT

- I. CALL TO ORDER
- II. PRAYER AND PLEDGE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. APPROVAL OF MARCH 14, 2019 MINUTES
- VI. PUBLIC COMMENTS
- VII. STAFF COMMENTS
- VIII. PROPOSED AMENDMENTS TO THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) INCLUDING:
  - a. 153.341(3)(a)(12) Prohibited Signs : Adding sentence to allow LED message boards for Civic/ Institutional uses at the discretion of the Zoning Administrator.
- IX. PROPOSED AMENDMENTS TO THE TOWN OF JAMES ISLAND ZONING MAP INCLUDING:
  - a. Case # ZCC-5-19-010:

Zoning map amendment for the rear portion of two (2) Low- Density Suburban Residential (RSL) District lots (front portion of RSL lots to remain RSL) to the Community Commercial (CC) District to combine with adjacent CC zoned lot for parking lot use.
- X. COMMISSIONERS COMMENTS
- XI. CHAIR COMMENTS
- XII. NEXT MEETING DATE: AUGUST 8, 2019
- XIII. ADJOURN

The Planning Commission met in Council Chambers at the Town of James Island, 1122 Dills Bluff Road, James Island, SC on Thursday, March 14, 2019 at 6:00 p.m. Commissioners present: Bill Lyon, Zennie Quinn, Ed Steers, Lyndy Palmer, Vice-Chair, and Chairman, David Bevon, who presided. Also, Kristen Crane, Planning Director, Flannery Wood, Planner I, Leonard Blank, Town Council and Mayor Pro-Tem, and Frances Simmons, Town Clerk and Secretary to the Planning Commission.

Call to Order: Chairman Bevon called the meeting to order at 6:00 p.m. A quorum was present to conduct business.

Prayer and Pledge: Chairman Bevon led the Planning Commission in prayer and followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Bevon announced that this meeting was noticed in compliance with the South Carolina Freedom of Information Act.

Approval of November 8, 2018 Minutes: Chairman Bevon moved for approval of the November 8, 2018 meeting minutes, Commissioner Quinn seconded and it passed unanimously.

Public Comments: None.

Staff Comments: None

Proposed Amendments to the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) including:

- a. 153.110 Use Table: Planning Director, Kristen Crane presented an amendment for a proposed change on the use table. The amendment is to remove Nonalcoholic Beverage Bars from the Restaurant, Fast Food Category to its own category entitled: Nonalcoholic Beverage Bars, including Coffee Shops and Smoothie Bars, with Special Exception requirements in Office Residential (OR), General Office (OG), Neighborhood Commercial (CN) Community Commercial (CC) and Industrial (I) Zoning Districts.
- b. 153.013 Definitions: The amendment is to add a definition for Nonalcoholic Beverage Bar: Definition: A use engaged in the preparation and retail sale of nonalcoholic beverages for consumption on the premises, where 50% or more of the gross receipts are for the sale of nonalcoholic beverages. This use includes coffee shops and smoothie bars.

Vice Chair Palmer asked how the 50% would be determined. Mrs. Crane replied that it would be similar to how alcohol bars are monitored; that we do not monitor gross receipts. Commissioner Steers asked if some of the properties are in OR to which Mrs. Crane said yes, some are. He asked if parking would be an issue, and Mrs. Crane answered no, that parking requirements would be addressed when the applicant goes through site plan review.

**Motion to approve 153.110 Use Table and 153.013** was made by Chairman Bevon, seconded by Vice Chair, Palmer and passed unanimously.

- c. 153.124 (C) Bed & Breakfasts: Mrs. Crane presented an amendment for Bed & Breakfasts by lowering the allowed number of guest rooms from five (5) to three (3).

- d. 153.124 (F) Bed & Breakfasts: Mrs. Crane presented an amendment to add a sentence to (F) allowing one car per guest room in Bed & Breakfasts establishments.

Commissioner Quinn asked if there are many Bed & Breakfasts in the Town and Mrs. Crane said one in the Town is permitted. Mrs. Crane clarified and answered questions that Commissioner Quinn had about Bed & Breakfasts. She said the owner must live in the house full-time. She explained that the platform for Bed & Breakfasts, as well as someone that advertises on Craig's List, Air B&B, and VRBO are brand names that advertises room rentals. The Town requires the owner to live in the property and to follow established regulations. Commissioner Lyon asked about requirements for parking and Mrs. Crane noted that in residential districts, the vehicle must be screened from view and only one car per guest room is allowed. Commissioner Steers said the amendment sounds good because there would be less rooms and cars to infringe upon the neighborhood. Vice Chair Palmer asked about noise and Mrs. Crane said the Sheriff's Office would enforce the noise ordinance.

**Motion to approve 153.124 (C) and 153.124 (F)** was made by Vice Chair Palmer, seconded by Commissioner Steers and passed unanimously.

Chairman Bevon announced that Town Council would hold a public hearing and first reading on these amendments at the April 25<sup>th</sup> meeting and the second reading at its May 16<sup>th</sup> meeting.

Election of Planning Commission Officers: Chair and Vice Chair: Chairman Bevon announced that local planning commissions must elect one of its members as chairperson and one as vice chairperson for one-year terms. These appointments will begin immediately and last through 2019.

Commissioner Steers moved for the nomination of David Bevon to serve as Chairman; Vice Chair Palmer seconded, and all voted in favor.

Commissioner Lyon moved for the nomination of Lyndy Palmer to serve as Vice Chair; Commissioner Steers seconded, and all voted in favor.

Commissioners' Comments: Chairman Bevon wished Town Councilman Garrett Milliken a speedy recovery.

Next Meeting: The next Planning Commission meeting is scheduled for Thursday, April 11, 2019.

Adjourn: There being no further business to come before the Planning Commission, the meeting adjourned at 6:24 p.m.

Respectfully submitted:

Frances Simmons  
Town Clerk and Secretary to the Planning Commission

**§ 153.341 SIGNS.**

(3) *Prohibited signs.*

(a) Except as otherwise permitted by this chapter, the following signs will be prohibited:

1. Flashing signs;
2. Pennants, streamers, and other animated signs;
3. Signs imitating traffic devices (signal);
4. Signs imitating traffic signs;
5. Signs in marshes;
6. Signs in rights-of-way;
7. Snipe signs;
8. Vehicle signs;
9. Roof signs;
10. Banners (except when permitted per division (E) below);
11. Flutter feather banner flags; and
12. LED message boards **(except for Civic/Institutional uses when approved by Zoning Administrator)**

\*All Changes are highlighted

\*Proposed additions are indicated by ***bold, underlined, italicized font***

\*Proposed redactions are indicated by ~~strikethrough~~

# ZONING CHANGE APPLICATION



Zoning/Planning  
Department  
Town of James Island  
Town Hall  
1122 Dills Bluff Road  
James Island, SC 29412  
(843) 795-4141  
Fax: (843) 795-4878

CASE ZCC-5-19-010 PD \_\_\_\_\_

## PROPERTY INFORMATION

CURRENT DISTRICT PSL REQUESTED DISTRICT CC

PARCEL ID(S) 425-08-00-025 425-08-00-026

CITY/AREA OF COUNTY Charleston

STREET ADDRESS Rear Portion of Lots 132 and 133 Jordan Street 0151

ACRES .3+.5

DEED RECORDED: BOOK 0151 PAGE 389 DATE 10/26/2010

PLAT RECORDED: BOOK BC PAGE 079 DATE 12/07/1984 APPROVAL # \_\_\_\_\_

## APPLICANT—OWNER—REPRESENTATIVE

**APPLICANT** David Walters HOME PHONE \_\_\_\_\_  
MAIL ADDRESS 520 Folly Road STE 25 PMB 333 WORK PHONE \_\_\_\_\_  
CITY, STATE, ZIP Charleston, SC 29412 CELL PHONE 843-696-3909  
EMAIL \_\_\_\_\_

**OWNER**  
(IF OTHER THAN APPLICANT) HOME PHONE \_\_\_\_\_  
MAIL ADDRESS \_\_\_\_\_ WORK PHONE \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_ CELL PHONE \_\_\_\_\_  
EMAIL \_\_\_\_\_

**REPRESENTATIVE** Joseph Walters HOME PHONE \_\_\_\_\_  
(IF OTHER THAN APPLICANT) \_\_\_\_\_  
MAIL ADDRESS 520 Folly Road STE 25 PMB 333 WORK PHONE \_\_\_\_\_  
CITY, STATE, ZIP Charleston SC 29412 CELL PHONE 843-270-3939  
EMAIL jmw@knology.net

## CERTIFICATION

*This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:*

- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
- ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- ✓ Copy of Signed Restricted Covenants Affidavit
- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that Joseph Walters is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

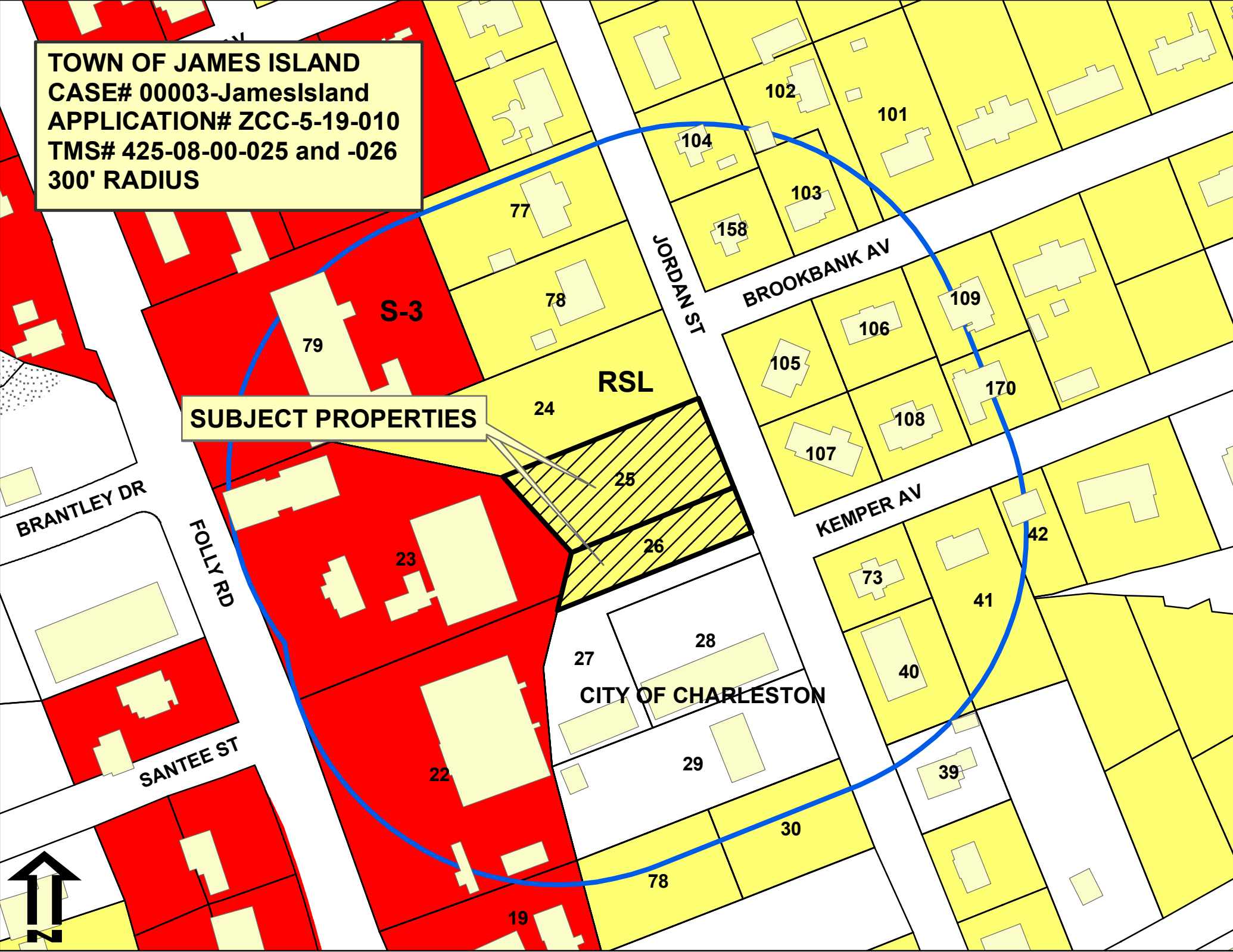
Signature of Owner(s) [Signature] 5/28/2019 Date  
Signature of Applicant/ Representative (if other than owner) [Signature] 5/28/2019 Date  
Planner's Signature [Signature] 6/6/2019 Date  
Zoning Inspector's Signature [Signature] Date

## OFFICE USE ONLY

Amount Received \$150.00 Cash ?  Check?  # 1182 Invoice Number \_\_\_\_\_

**TOWN OF JAMES ISLAND**  
**CASE# 00003-JamesIsland**  
**APPLICATION# ZCC-5-19-010**  
**TMS# 425-08-00-025 and -026**  
**300' RADIUS**

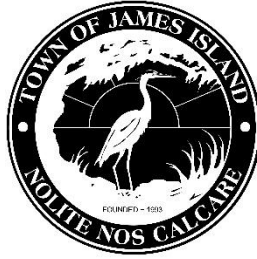
**SUBJECT PROPERTIES**











**ZONING/PLANNING  
DEPARTMENT**

**TOWN OF JAMES ISLAND PLANNING COMMISSION**

**July 11, 2019**

**Case Summary: ZCC-5-19-010**

**Request to rezone rear portion of two lots from the Low-Density Suburban Residential (RSL) Zoning District to the Community Commercial (CC) Zoning District**

**History and Overview:**

813 & 809 Jordan Street, are located close to the intersection of Jordan Street and Kemper Avenue, and are adjacent to the mixed-use development at 792 Folly Road (Charleston Sports Pub, Baguette Magic, View Salon, Hurricane Boxing, Charleston Tattoo, offices). The properties currently have no structures located on them. The parcels included in the current Zoning Map Amendment Request are 0.25 and 0.51 acres in size and are located in the RSL Zoning District. 813 Jordan Street is currently considered a legal nonconforming lot due to its lot area and lot width of 50 feet.

The applicant, Mr. Joseph M. Walters, is seeking to rezone the rear portion of both lots from the RSL Zoning District to the Community Commercial (CC) Zoning District to enable the use of this rear portion as a pervious parking lot for surrounding businesses, as it will be combined with the already CC zoned 792 Folly Road property, if approved. The proposed parking lot will only be accessed from the existing rear parking lot of 792 Folly Road. The front portion of the RSL lots are to remain RSL along Jordan Street. If approved, the applicant intends on abandoning the lot line between the two residential lots, resulting in one conforming residential lot of 14,520 square feet, which meets the minimum lot size required for RSL Zoning.

**Adjacent Zoning:**

Surrounding properties to the north and east side of the subject properties contain undeveloped and developed property in the Low-Density Suburban Residential District in the Town of James Island. Property to the west is also in the Town of James Island, zoned Community Commercial, and owned by the applicant. To the south is residential multi-family property in the City of Charleston, owned by the Housing Authority.

**Approval Criteria:**

According to Section §153.043 of the *Zoning and Land Development Regulations*

*Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) approval may be approved only if Town Council determines that the following criteria are met:

**1. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.**

Staff's response: The Comprehensive Plan, Land Use Element states, "*one issue that should be addressed is the number of parcels currently in a state of legal nonconforming status that should be rezoned.*" Additionally, The Transportation Element of the Comprehensive Plan states that one of the Town's strategies should be to "*coordinate transportation strategies with growth management and land use strategies*".

**2. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;**

Staff's response: The proposed amendment will support the existing uses of nearby and adjacent commercial property, and therefore may be compatible with existing uses. Within 300 feet of the subject parcels are commercial properties, offices, single-family and multi-family. The neighboring multi-family parcel contains a parking lot adjacent to the subject property. Additionally, the front portion of the RSL lots will keep the current zoning of RSL to stay compatible with existing zoning of Jordan Street.

**3. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;**

Staff's response: The subject properties are vacant and the applicant is seeking rezoning for the rear portion of these lots for a pervious parking lot use that will combine with an existing commercial lot (with existing facilities) and parking area, with no water and sewer supply proposed to the newly combined portion. The resulting residential lot will continue to have access to both water and sewer. Additionally, The Town and other service providers will be able to provide facilities and services while maintaining adequate levels of service to existing or future development.

**4. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and**

Staff's response: A 6' opaque fence and land use landscape buffering will be required to be installed at the rear of the commercial property to protect adjacent residential property to the east. A natural vegetated buffer protects residential property to the north. In addition, the City of Charleston has recently installed a fence along their adjoining property line to the south. The proposed parking lot will be accessed from the existing rear parking area of 792 Folly Road, and should not increase traffic congestion and will not have access to Jordan Street.

- 5. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of resources and amenities.**

Staff's response: The subject properties may be suitable for the proposed zoning classification because the resulting RSL parcel will become one legal conforming lot due to its lot size and width, as previously mentioned.

- REFERENCE:
- 1). PLAT BY HAROLD J. LeMOND  
 DATED NOVEMBER 2, 1984  
 PLAT BOOK BC PAGE 79  
 RMC CHAS. CO.
  - 2). PLAT BY CLARENCE S. MATTHEWS  
 DATED JANUARY 23, 1987  
 PLAT BOOK BM PAGE 105  
 RMC CHAS. CO.
  - 3). PLAT BY WILLIAM M. FERUSON  
 DATED MARCH 22, 2000  
 PLAT BOOK DC PAGE 506  
 RMC CHAS. CO.
  - 4). PLAT BY A.H. SCHWACKE III  
 DATED JUNE 29, 2001  
 PLAT BOOK DC PAGE 885  
 RMC CHAS. CO.
  - 5). PLAT YOUNGBLOOD & CO.  
 DATED NOVEMBER, 1945  
 PLAT BOOK F PAGE 228  
 RMC CHAS. CO.
  - 6). PLAT BY W.L. GAILLARD  
 DATED NOVEMBER 27, 1979  
 PLAT BOOK U PAGE 128  
 RMC CHAS. CO.
  - 7). PLAT BY MOSES A. THOMAS  
 DATED NOVEMBER 10, 1983  
 PLAT BOOK AY PAGE 173  
 RMC CHAS. CO.
  - 8). PLAT BY W.L. GAILLARD  
 DATED APRIL 26, 1977  
 BOOK AJ PAGE 24  
 RMC CHAS. CO.
  - 9). SCDOT PLANS  
 DOCKET No. 10.494  
 PROJECT No. S-859(2)  
 SHEET #17

TAX MAP No. 425-08-00-023, 025 & 026

PREPARED FOR:  
 JOSEPH M. WALTERS

**NOTES:**  
 BEARINGS SHOWN ARE GRID83 (2011)  
 AREA DETERMINED BY COORDINATE METHOD  
 THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY  
 DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE (AE EL 12) AS PER FEMA FLOOD MAP.  
 PANEL No. 45019C 0677J  
 DATED NOVEMBER 17, 2004

THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES ON THIS PROPERTY/THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT.

CHARLESTON COUNTY MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

**SURVEYOR'S CERTIFICATION**

I hereby state that to the best of my 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 other than shown.

KEVIN M. SCHWACKE, SR. PLS  
 S.C. Registration Number 20468

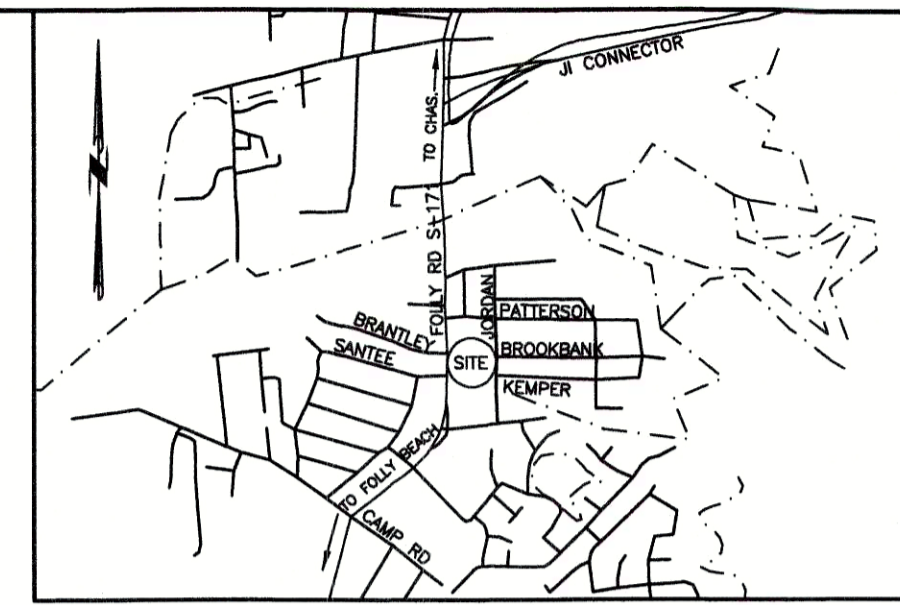
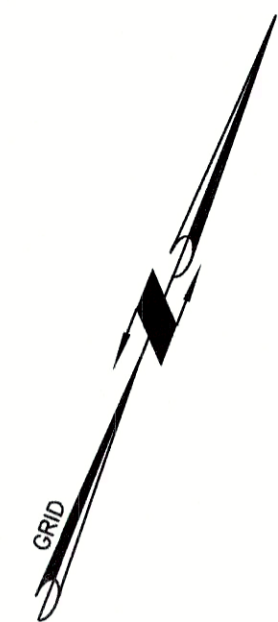
CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HEREON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.

KWOK18\18326



Required by Chas. Co. RMC

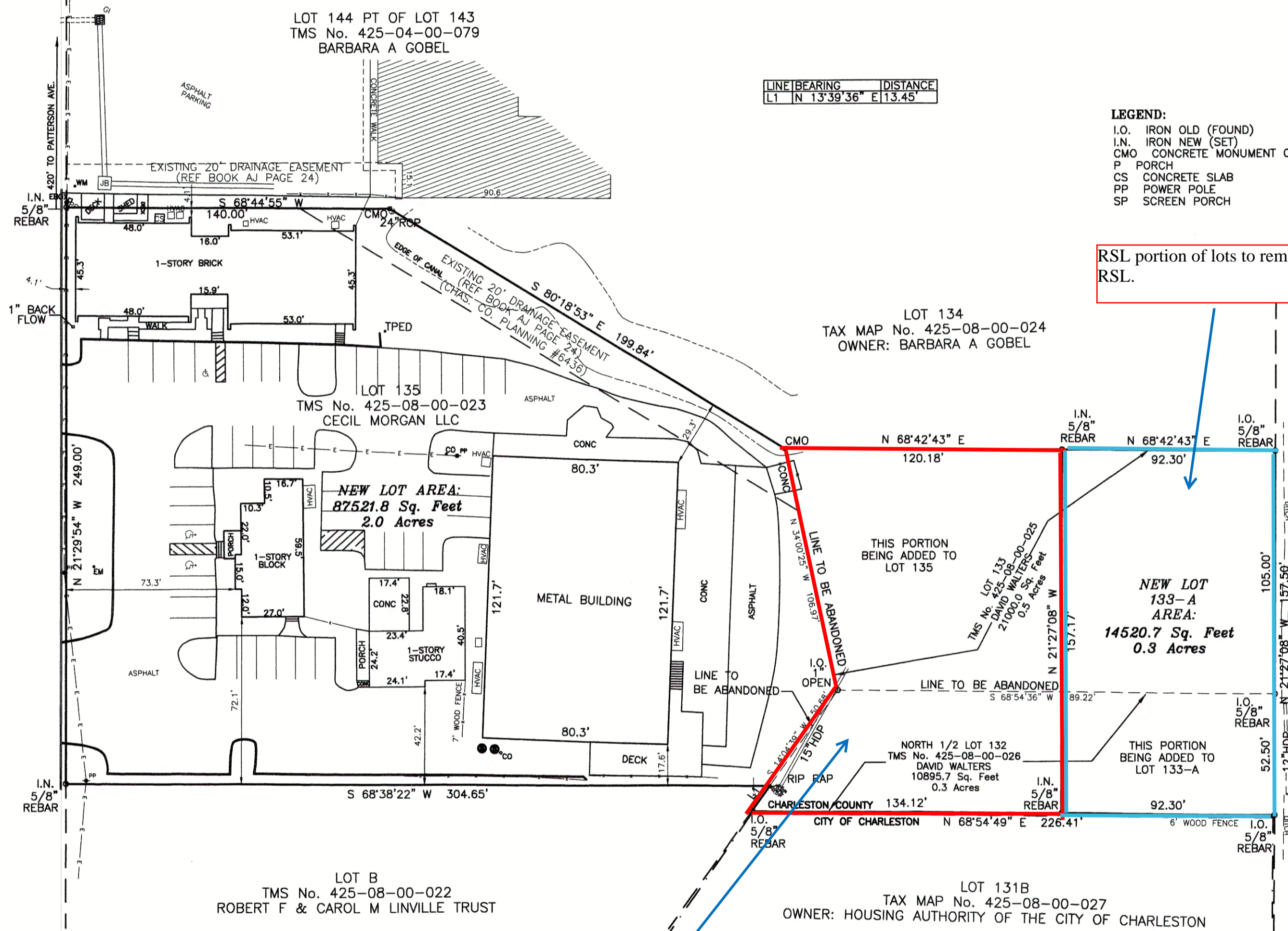
LINE	BEARING	DISTANCE
L1	N 13°39'36" E	13.45'



LOCATION MAP  
 -NTS-

FOLLY ROAD (S.C. HWY 171) R/W VARIES

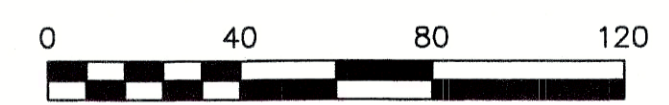
JORDAN STREET 50' R/W



RSL portion of lots to remain RSL.

RSL portion of lots to be rezoned to Community Commercial (CC).

PLAT SHOWING  
 PROPERTY LINE ADJUSTMENT  
 LOTS 132, 133 & 135  
 BAYFRONT SUBDIVISION  
 LOCATED ON JAMES ISLAND  
 CHARLESTON COUNTY SOUTH CAROLINA



DATE: NOVEMBER 14, 2018 SCALE: 1" = 40'  
 DATE: APRIL 24, 2019  
 DATE: APRIL 30, 2019  
 DATE: MAY 15, 2019



92.30 Feet

6' Tall Fence to be built here.

This view is part of the proposed New Lot created from the two existing lots on Jordan Street. If this re-subdivision is approved only one house may be built. (This view only shows 52.50' of the 157.50' frontage on Jordan Street)

TMS No. 425-04-00-0/9  
 BARBARA A GOBEL

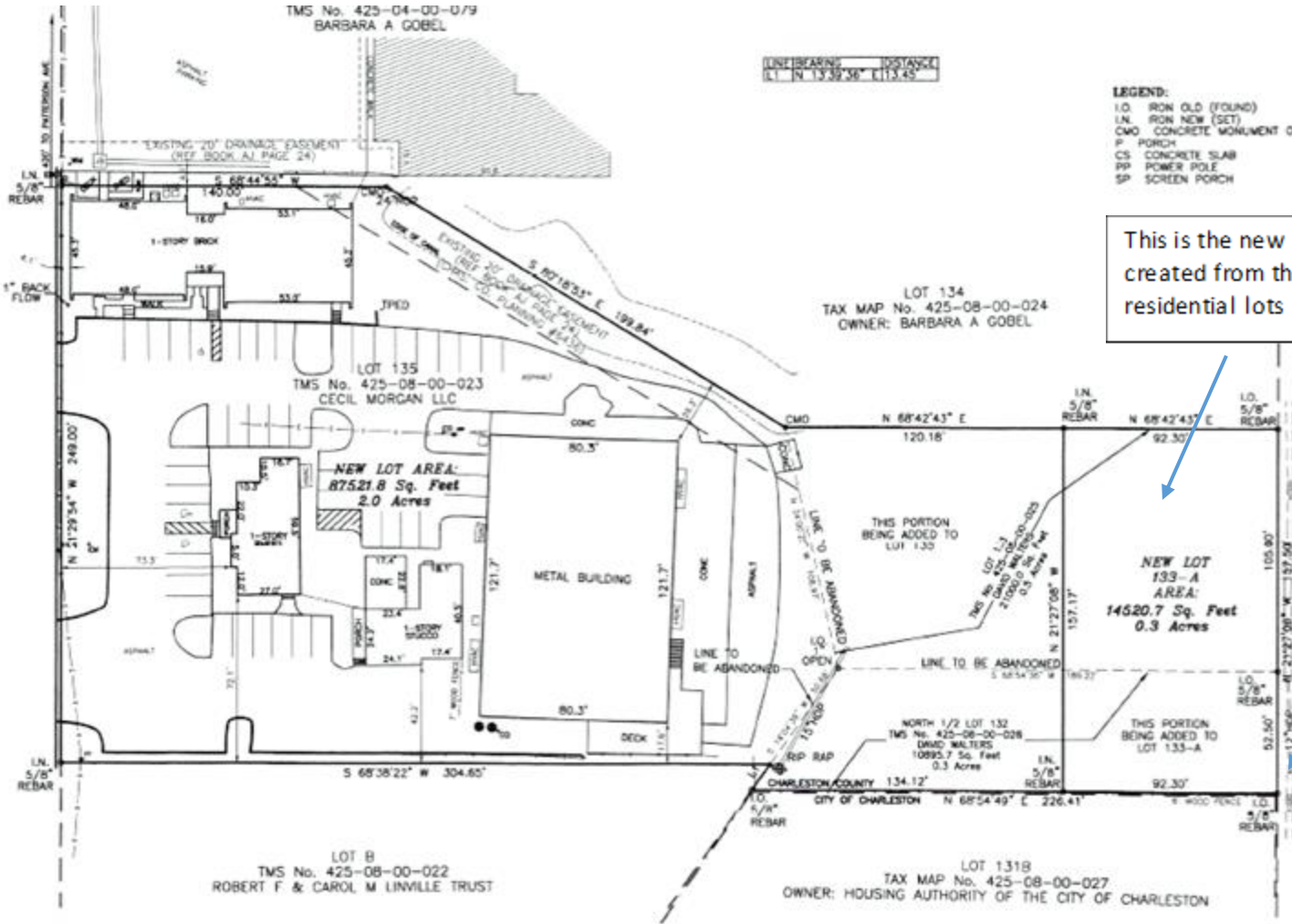
LINE BEARING: 105.6254  
 L L N 13.39.36° E 113.45

**LEGEND:**  
 L.O. IRON OLD (FOUND)  
 L.N. IRON NEW (SET)  
 C.M.O. CONCRETE MONUMENT OLD  
 P. PORCH  
 C.S. CONCRETE SLAB  
 P.P. POWER POLE  
 S.P. SCREEN PORCH

FOLLY ROAD (S.C. HWY 171) R/W VARIES

HE DRY,  
 SEARCH  
 Y OF THIS  
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 PROPERTY.

HAS NOT MADE A  
 F WETLANDS AND/OR  
 /THESE PROPERTIES  
 IS PLAT.  
 VAL DETERMINATION  
 IS ON THIS PROPERTY  
 OWING PERMITS FOR



This is the new Lot that will be created from the two existing residential lots

The above view is standing on Jordan Street looking towards Folly Road Here.

PLAT SH  
 PROPERTY LINE  
 LOTS 132, 1  
 BAYFRONT ST  
 LOCATED ON J  
 CHARLESTON COUNTY



DATE: NOVEMBER 14, 20  
 DATE: APRIL  
 DATE: APRIL  
 DATE: MAY



Information, and belief, the survey shown hereon  
 the Standards of Practice Manual for Surveying  
 instruments for a Class A survey as  
 comments or projections other than shown.  
 KEVIN M. SCHWACKE, SR. PLS  
 S.C. Registration Number 20468  
 NATIONAL INSTITUTIONS OR SUBSEQUENT OWNERS  
 FOR THE ENTITY OR PERSON(S) SHOWN HEREON, THIS PLAT  
 REFERENCE ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.