

## AGENDA FOR PUBLIC HEARINGS

**Public Hearings** to solicit public comment, written or oral, will be held on **Monday May 23, 2005**, immediately following the meeting of the Committee on Finance, the Workshop meeting of the Committee on Finance and the Workshop meeting of the Committee on Water and Sanitation at 3:00 p.m., or as soon thereafter as may be heard following other public hearings, in the **Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C.**, regarding the following:

### CALL TO ORDER

1. **Bill No. 05-10**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **CM Construction, LLC**, 1179 Royle Road, Ladson, TMS #233-06-00-005 (1 lot), **from R2, Manufactured Residential District to GC, General Commercial District**. Council District No. 4.

### PUBLIC DISCUSSION

2. **Bill No. 05-16**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jessco Homes, Inc.**, St. James Avenue, Goose Creek, TMS #222-00-00-030 (12 acres), **from PDMU, Planned Development Mixed Use District, to GC General Commercial District**. Council District No. 4.

### PUBLIC DISCUSSION

3. **Bill No. 05-17**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **HLA, Inc.**, Old Hwy 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-109 (204.89 acres), **from R-1 Single Family Residential, R-4 Multi-Family Residential (Small Scale) and GC, General Commercial to PDMU, Planned Development Mixed Use District and Proposed Development Plan**. Council District No. 3.

### PUBLIC DISCUSSION

4. **Bill No. 05-18**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Dana Winters**, 2105 S. Live Oak Drive, Moncks Corner, TMS #180-00-03-072 (2.354 acres), **from R2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

### PUBLIC DISCUSSION

5. **Bill No. 05-19**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Berkeley Fraternal Order of Police**, South Live Oak Drive, Moncks Corner, TMS #161-11-00-058 (3.87 acres), **from GC, General Commercial and F-1, Agricultural District to General Commercial District**. Council District No. 6.

### PUBLIC DISCUSSION

6. **Bill No. 05-20**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Harold Fitzgerald**, 111 Donna Drive, Ridgeville, TMS #156-00-02-048 (portion of 2.29 acres), from **GC, General Commercial** to **F-1, Agricultural**. Council District No. 7.

**PUBLIC DISCUSSION**

7. **Bill No. 05-21**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Willie Ladson**, 1850 Old Highway 6, Cross, TMS #041-00-02-049 (.32 acres), from **F-1, Agriculture** to **RNC, Rural and Neighborhood Commercial**. Council District No. 7.

**PUBLIC DISCUSSION**

8. **Bill No. 05-22**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Aslan Ventures, LLC**, 900 Block of Redbank Road, Goose Creek, TMS #252-00-00-039, from **PDMU, Planned Development Mixed Use District**, to **R-5, Multi-Family District**, (14.452 acres) and **GC, General Commercial District**, (11.562 acres) (26.01 acres total). Council District No. 3.

**PUBLIC DISCUSSION**

9. **Bill No. 05-23**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ana Oster**, 1717 South Live Oak Drive, Moncks Corner, TMS #161-14-00-033 (1.90 acres), from **F-1, Agricultural District** to **RNC, Rural Neighborhood Commercial District**. Council District No. 6.


**PUBLIC DISCUSSION**

10. **Bill No. 05-24**, an **ordinance** to amend **Ordinance No. 04-06-47**, adopted June 21, 2004 to provide for **Supplemental Appropriations and Allocations** thereof within the 2004-2005 budget for Berkeley County; and other matters relating thereto.

**PUBLIC DISCUSSION**

**ADJOURNMENT**

May 18, 2005

  
Barbara B. Austin, CCC  
Clerk of County Council

**PUBLIC HEARINGS**  
**May 23, 2005**

**PUBLIC HEARINGS** were held on Monday, **May 23, 2005**, at 6:27 p.m., in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, South Carolina, to solicit public comment, written or oral, on **Bills Numbered 05-10, 05-16, 05-17, 05-18, 05-19, 05-20, 05-21, 05-22 and 05-23** for zoning reclassifications; and **05-24** for supplemental appropriations and allocations.

Present: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. Phillip Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Rozier called the meeting to order and stated there were 10 Public Hearings being held to solicit public comment, written or oral.

There were no written comments on any of the bills for Public Hearing.

**Bill No. 05-10**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **CM Construction, LLC**, 1179 Royle Road, Ladson, **TMS #233-06-00-005** (1 lot), **from R2, Manufactured Residential District to GC, General Commercial District**. Council District No. 4.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:28 p.m.

**Bill No. 05-16**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Jessco Homes, Inc.**, St. James Avenue, Goose Creek, **TMS #222-00-00-030** (12 acres), **from PDMU, Planned Development Mixed Use District, to GC General Commercial District**. Council District No. 4.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:29 p.m.

**Bill No. 05-17**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **HLA, Inc.**, Old Hwy 52 and Cypress Gardens Road, Moncks Corner, **TMS #211-00-02-109** (204.89 acres), **from R-1 Single Family Residential, R-4 Multi-Family Residential (Small Scale) and GC**,

**General Commercial to PDMU, Planned Development Mixed Use District and Proposed Development Plan. Council District No. 3.**

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:30 p.m.

**Bill No. 05-18, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Dana Winters**, 2105 S. Live Oak Drive, Moncks Corner, **TMS #180-00-03-072** (2.354 acres), **from R2, Manufactured Residential District to GC, General Commercial District.** Council District No. 6.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:31 p.m.

**Bill No. 05-19, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Berkeley Fraternal Order of Police**, South Live Oak Drive, Moncks Corner, **TMS #161-11-00-058** (3.87 acres), **from GC, General Commercial and F-1, Agricultural District to General Commercial District.** Council District No. 6.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:32 p.m.

**Bill No. 05-20, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Harold Fitzgerald**, 111 Donna Drive, Ridgeville, **TMS #156-00-02-048** (portion of 2.29 acres), **from GC, General Commercial to F-1, Agricultural.** Council District No. 7.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:33 p.m.

**Bill No. 05-21, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Willie Ladson**, 1850 Old Highway 6, Cross, **TMS #041-00-02-049** (.32 acres), **from F-1, Agriculture to RNC, Rural and Neighborhood Commercial.** Council District No. 7.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:34 p.m.

**Bill No. 05-22, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Aslan Ventures, LLC**, 900 Block of Redbank Road, Goose Creek, **TMS #252-00-00-039**, **from PDMU, Planned Development Mixed Use District, to R-5, Multi-Family District, (14.452**

acres) and GC, General Commercial District, (11.562 acres) (26.01 acres total). Council District No. 3.

Chairman Rozier asked if there were any public comments.

Ms. Madelyn Robinson, Berkeley County Planning Administrator, stated that the applicant of this zoning reclassification had recently submitted a request to alter the division lines between the proposed R-5 and GC areas. There are six acres of wetlands involved, and those wetland acres would be included in R-5, versus GC. In addition, there is a portion of acreage in the GC out-parcel, and the applicant has requested that parcel to be classified as R-5 also. This would not change the development of the site, as the proposed number of units would remain the same, at 224 apartments.

There being no further comment, the Public Hearing was declared ended at 6:37 p.m.

**Bill No. 05-23**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, regarding **Ana Oster**, 1717 South Live Oak Drive, Moncks Corner, **TMS #161-14-00-033** (1.90 acres), **from F-1, Agricultural District to RNC, Rural Neighborhood Commercial District**. Council District No. 6.

Chairman Rozier asked if there were any public comments.

Mr. Stewart Driggers, residing at 2078 South Live Oak Drive, Moncks Corner, addressed Council and stated that he represented four families, along with 25 individuals that signed a petition in opposition to Bill No. 05-23. Mr. Driggers stated that there was no objection to the owner living in the house located on the property, in addition to operating a computer shop or offering computer training classes on the same site. Although, residents were opposed to the U-Haul trucks and trailers parked on the site. Mr. Driggers cited various passages in the County's Zoning Ordinance, and stated that home occupation is an accessory use and must comply with the regulations. The exterior appearance should reflect no visible evidence of a home occupation when viewed from the street or adjacent lot. Buffers are also required. In conclusion, Mr. Driggers stated that if the owner agreed to abide by all the regulations of a home occupation under RNC, the property would not have to be rezoned, because F-1 allowed home occupation.

Mr. Oster, owner of the property, addressed Council and stated that his intention was to run a computer store out of his garage. There is a separate building in the back of the property, and that could eventually be developed into a business.

Ms. Madelyn Robinson, Planning Administrator, stated that a home occupation allows use of a garage, so long as the garage does not exceed 25 percent of the square

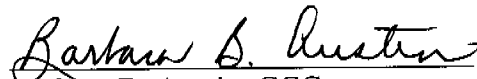
footage of the main dwelling. Under RNC, the owner could use the building on the back of the property for a business.

Mr. Oster indicated that he would not be allowed to erect a sign advertising a business under F-1, and this was another reason for his rezoning request to RNC.

The Public Hearing was declared ended at 6:51 p.m.

**Bill No. 05-24**, an ordinance to amend **Ordinance No. 04-06-47**, adopted June 21, 2004 to provide for **Supplemental Appropriations and Allocations** thereof within the 2004-2005 budget for Berkeley County; and other matters relating thereto.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:52 p.m.

  
Barbara B. Austin, CCC  
Clerk of County Council

June 20, 2005  
Date Approved

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me  
the undersigned advertising Clerk of the  
above indicated newspaper published  
in the City of Charleston, County and  
State aforesaid, who, being duly sworn,  
says that the advertisement of

(copy attached)

appeared in the issues of said newspaper

on the following day(s):

May 5, 2005

Subscribed and sworn to  
before me this 6<sup>th</sup> day

of May

A.D. 20 05

(Advertising clerk)

NOTARY PUBLIC, SC

My Commission expires October 10, 2013

# BERKELEY COUNTY COUNCIL

## NOTICE OF PUBLIC HEARINGS

BERKELEY COUNTY COUNCIL will hold **Public Hearings** on **Monday, May 23, 2005, at 6:00 P. M.**, immediately following the meeting of the Committee on Finance or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., to receive public comment, written or oral, regarding:

**1. Bill No. 05-10, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: CM Construction, LLC, 1179 Royle Road, Ladson, TMS #233-06-00-005 (1 lot), from R2, Manufactured Residential District to GC, General Commercial District, Council District No. 4.**

**2. Bill No. 05-16, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Jessco Homes, Inc., St. James Avenue, Goose Creek, TM #222-00-00-030 (12 acres), from PDMU, Planned Development Mixed Use District, to GC General Commercial District, Council District No. 4.**

**3. Bill No. 05-17, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: HLA, Inc., Old Hwy 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-109 (204.89 acres), from R-1 Single Family Residential, R-4 Multi-Family Residential (Small Scale) and GC, General Commercial to PDMU, Planned Development Mixed Use District and Proposed Development Plan, Council District No. 3.**

**4. Bill No. 05-18, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Dana Winters, 2105 S. Live Oak Drive, Moncks Corner, TMS #180-00-03-072 (2.354 acres), from R2, Manufactured Residential District to GC, General Commercial District, Council District No. 6.**

**5. Bill No. 05-19, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Berkeley Fraternal Order of Police, South Live Oak Drive, Moncks Corner, TMS #161-11-00-058 (3.87 acres), from GC, General and F1, Agricultural District to General Commercial District, Council District No. 6.**

**6. Bill No. 05-20, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Harold Fitzgerald, 111 Donna Drive, Ridgeville, TMS #156-00-02-048 (portion of 2.29 acres), from GC, General Commercial to F-1, Agricultural, Council District No. 7.**

**7. Bill No. 05-21, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Willie Ladson, 1850 Old Highway 6, Cross, TMS #041-00-02-049 (.32 acres), from F-1, Agriculture to RNC, Rural and Neighborhood Commercial, Council District No. 7.**

**8. Bill No. 05-22, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Asian Ventures, LLC, 900 Block of Redbank Road, Goose Creek, TMS #252-00-00-039, from PDMU, Planned Development Mixed Use District, to R-5, Multi-Family District, (14.452 acres) and GC, General Commercial District, (11.562 acres) (26.01 acres total), Council District No. 3.**

**9. Bill No. 05-23, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ana Oster, 1717 South Live Oak Drive, Moncks Corner, TMS #161-14-00-033 (1.90 acres), from F-1, Agricultural District to RNC, Rural Neighborhood Commercial District, Council District No. 6.**  
[Recommended by Committee on Land Use]

**10. Bill No. 05-24, an ordinance to amend Ordinance No. 04-06-47, adopted June 21, 2004 to provide for Supplemental Appropriations and Allocations thereof within the 2004-2005 budget for Berkeley County; and other matters relating thereto.**

April 27, 2005

Barbara B. Austin, CCC  
Clerk of County Council

CLC-9-81973