



**Town of Summerville  
Planning Commission**  
**The public and Town Council members are invited to attend**  
**March 18, 2019 - 4:00 PM**  
**Summerville Town Hall, Training Room**  
**200 S. Main Street, Summerville, SC**

For additional information regarding items on this agenda including any public hearings, please contact the Planning Department at 843.851.5200. Applications and related documents for this meeting are available for review at any time at [www.summerville.sc.gov](http://www.summerville.sc.gov), Public Notices; and, in the Planning Department during regular business hours, Monday–Friday, 8:30–5:00 excluding Town of Summerville holidays.

**I. APPROVAL OF MINUTES:**

1. Approval of minutes from meeting on February 25, 2019.

**II. PUBLIC HEARINGS:** *(public hearing signs posted beginning on 3.01.19 with notice in Post & Courier on 3.03.19)*

1. Request to rezone TMS# 145-00-00-014, at Gahagan Road and Garbon Road, approximately 2.15 acres, and owned by Wesley R. Cherry from PUD, Planned Development District, to R-3, Single-Family Residential (attached buildings).. (Council District 3)

**III. OLD BUSINESS:**

**IV. NEW BUSINESS:**

1. New Street Names (as needed)

2. Request to rezone TMS# 145-00-00-014, at Gahagan Road and Garbon Road, approximately 2.15 acres, and owned by Wesley R. Cherry from PUD, Planned Development District, to R-3, Single-Family Residential (attached buildings). (Council District 3)

**V. MISCELLANEOUS:**

1. Comprehensive Plan & Master Transportation Plan update

**VI. ADJOURNMENT:**

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Chairman or Vice Chairman

Posted March 8, 2019

The Town of Summerville Planning Commission Meeting  
Minutes  
February 25, 2019

This meeting of the Town of Summerville Planning Commission was attended by Commission Members, Jim Reaves, Chairman; Elaine Segelken, Vice Chairman; Sarah Bares; Tom Hart; Betty Profit; Jonathan Lee; and Kevin Carroll. Staff in attendance included Jessi Shuler, AICP, Director of Planning and Bonnie Miley, Assistant Town Engineer.

Jim Reaves, Chairman, called the meeting to order at 4:00 PM.

**Approval of Minutes:**

The Chairman called for a motion for the approval of the minutes from the meeting on January 28, 2019. Dr. Bares made a motion to approve the minutes as presented, and Mr. Hart made the second. Following no discussion the motion carried.

**Public Hearings:**

The first public hearing opened at 4:02 PM and was for the petition by South City Construction, Inc. and Jens Franzen to annex Dorchester County TMS#136-12-03-019 (approximately 0.44 acres) located at 110 Pinewood Drive, currently zoned R-2 Single-Family Residential in Dorchester County and will be zoned R-2 Single-Family Residential upon annexation into the Town of Summerville's municipal limits. Mr. Reaves introduced the request. Greg Carney, one of the owners, explained that he was required to annex in order to gain access to SCPW sewer on the property.

Hearing no other public comment this hearing was closed at 4:02 PM.

**Old Business**

There were no items under Old Business.

**New Business:**

The first item under New Business was New Street Names (as applicable). Ms. Shuler stated that staff had no street names for approval.

The second item under New Business was the petition by South City Construction, Inc. and Jens Franzen to annex Dorchester County TMS#136-12-03-019 (approximately 0.44 acres) located at 110 Pinewood Drive, currently zoned R-2 Single-Family Residential in Dorchester County and will be zoned R-2 Single-Family Residential upon annexation into the Town of Summerville's municipal limits. Mr. Reaves introduced the request. Ms. Segelken made a motion to recommend annexation to Town Council, and Mr. Hart made the second. The motion passed unanimously.

**Miscellaneous:**

Ms. Shuler thanked all of the Planning Commission members for attending the kickoff workshop for Elected and Appointed Officials for the Comprehensive Plan and Master Transportation Plan process. She explained that she would be working with the consultants to schedule the stakeholder interviews, Community Workshop, and Business Workshop, which would most likely be in April. She reminded the Planning Commission members to provide her with recommendations of people to include in the stakeholder interviews. A few recommendations were briefly discussed, and Ms. Shuler asked that any recommendations be emailed to her.

**Adjourn**

With no further business for the Commission, Ms. Segelken made a motion to adjourn with Mr. Carroll making the second, and Mr. Reaves adjourned the meeting at 4:11 PM.

Respectfully Submitted,

Jessi Shuler, AICP  
Director of Planning

Date: \_\_\_\_\_

Approved: \_\_\_\_\_  
Jim Reaves, Chairman or Elaine Segelken, Vice Chairman

DRAFT

**REZONING REQUEST  
STAFF REPORT  
PLANNING COMMISSION  
March 18, 2019**

**TMS#: 145-00-00-014**

**Location: Gahagan Road & Garbon Road**

**Description: one lot approximately 2.15 acres**

**Request: Rezoning to R-3 from PUD**

The property owner, Wesley Cherry, is requesting for the above referenced parcel to be rezoned to R-3. Based on discussions with the property owner, the plan is for this property to be sold to be developed into townhomes.

This property is included in the Town's 'Neighborhood Mixed Use District' as identified within the Town's 2009-2011 Comprehensive Plan and Update as well as on the accompanying Future Land Use Map, which promotes neighborhood service-oriented businesses and residential land uses. Residential uses, such as, townhomes, rowhouses, duplexes, single-family housing, and accessory dwelling units are encouraged in this district. While there is not any other property zoned R-3 in the general vicinity of this lot, staff does not feel that this would fall under a "spot zoning" designation, as the Palmetto Row townhome development is very close by, but it happens to be zoned PUD. The Supreme Court stated that invalid "spot zoning" is the process of singling out a small land parcel for a use classification totally different from that of the surrounding area to benefit the property owners and to the detriment of other owners. Based on this information, the rezoning request for R-3 does not appear to meet the definition of "spot zoning" and does appear to be in conformance with the Town's Comprehensive Plan & Update 2009-2011.

**TOWN OF SUMMERVILLE  
APPLICATION FOR REZONING APPLICATION**

**Planning Department  
200 South Main Street  
Summerville, SC 29483  
843.851.4214**

Per Town of Summerville Zoning Ordinance Chapter 32, Article I  
(SC Code of Laws Title 6, Chapter 29)

Date: 2/6/19 TMS# 145-00-00-014  
Property Owner: Wesley R Cherry Phone: 843-696-6777  
Mailing Address: 4 Elton Ct, Charleston, SC 29407  
Site Address: Gahagan Road  
Representative for Property Owner if applicable\*: \_\_\_\_\_  
Current Zoning Classification: PUD  
Requested Zoning Classification: R-3  
Reason for Rezoning Request: To be able to build townhomes.

Present Use of Property: Residential  Commercial ( ) Institutional ( )  
Industrial ( ) Other ( ) vacant land

**THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:**

1. Copy of recorded plat of property.
2. ~~Non~~ refundable fee of \$250.00 – check made payable to Town of Summerville.

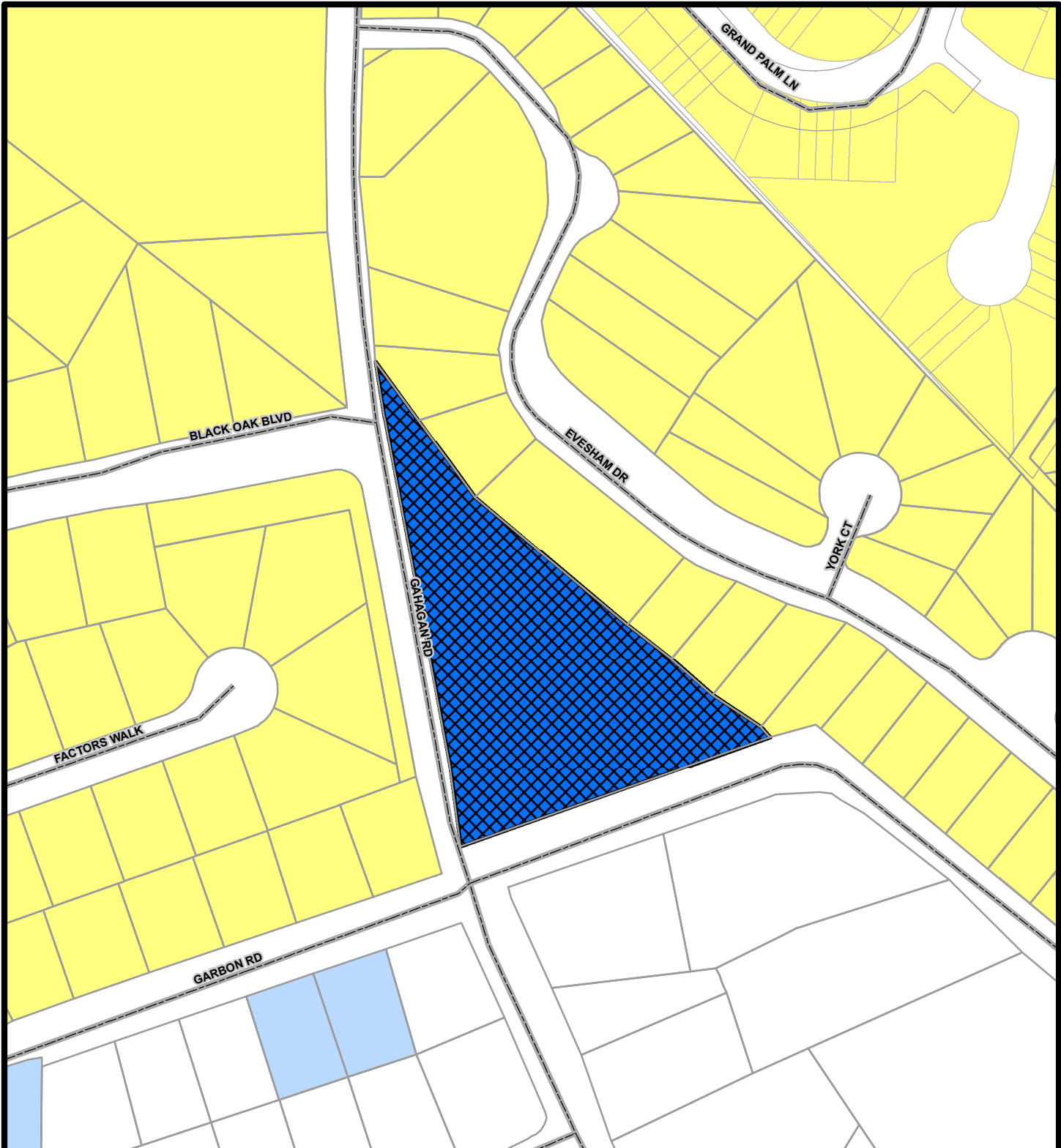
  
Property Owner Signature

1-3-19  
Date

Applicant / Representative for Property Owner  
Signature\* Date

\*If applicant is not legal property owner, please submit documentation from property owner giving permission for applicant to represent property owner.





**Legend**

- Road Centerlines
- Parcels**
- To be Rezoned
- Dorchester Parcels
- Summerville Zoning**
- PUD
- R-2

**Exhibit Showing**  
**TMS #: 145-00-00-014.000**  
**to be Rezoned**  
**R-3, Single-Family Residential (attached)**

March 2019

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.