Your Board of Zoning Appeals-Zoning Members are:

- Joel Adrian
- Amanda Graham Barton
- Jennifer DeCiantis
- Paula Murphy

- Ruthie Ravenel
- Kelvin Huger
- Jeff Webb

Your City of Charleston Staff are:

- Lee Batchelder, Zoning Administrator
- Scott Valentine, TRC Coordinator

- Eric Schultz, Board Administrator/Principal Planner
Meeting Protocol

Order on Each Application:

- Chair announces each application
- Staff presents application and City’s recommendation. Staff will control slide presentation
- If recommendation is favorable and no one objects to the application, usually the Board treats application as uncontested and passes it
- If there is an objection, applicant and anyone else in favor, after being sworn in, will be allowed to speak on the application. Each speaker will be sworn in before speaking. Each speaker should state their name and address for the record
- Next, opponents, after being sworn in, can speak followed by a short rebuttal from the applicant
- The Board then closes the public hearing on that application and opens discussion for Board members

The Board of Zoning Appeals—Zoning has the authority to do three things:

1. Hear appeals to decisions of the Zoning Administrator;
2. Grant special exceptions, a fact finding function of the Board; and
3. Grant variances to the Zoning Ordinance if the application meets the hardship test outlined in Section 54-924 of the ordinance.
Board of Zoning Appeals-Site Design

Requirements for Granting a Variance

A variance may be granted by the Board of Zoning Appeals in an individual case of unnecessary hardship if the Board makes the following findings:

a. there are extraordinary and exceptional conditions pertaining to the particular piece of property;

b. these conditions do not generally apply to other property in the vicinity;

c. because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

d. the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
## Agenda Item #A-1

**Approval of the August 3, 2022 BZA-SD Meeting Minutes.**

<table>
<thead>
<tr>
<th>Board of Zoning Appeals - Site Design Meeting Minutes</th>
<th>August 3, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Review of minutes and approved applications from previously approved BZA-SD agendas.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>APPROVAL OF THE JUNE 6, 2022 BZA-SD MEETING MINUTES</strong></td>
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<tr>
<td><strong>APPROVED:</strong> XX</td>
<td><strong>WITHDRAWN</strong></td>
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<tr>
<td><strong>DISAPPROVED:</strong></td>
<td><strong>DEFERRED</strong></td>
</tr>
<tr>
<td><strong>MOTION:</strong> Precedent for approval</td>
<td></td>
</tr>
<tr>
<td><strong>MADE BY:</strong> Jeff Walsh</td>
<td><strong>SECOND:</strong> Katie Bayer</td>
</tr>
<tr>
<td><strong>VOTE:</strong> FOR ____ AGAINST ____</td>
<td></td>
</tr>
</tbody>
</table>

**NOTES:**

- **Staff recommendation & conditions:**
  - **Approved:**
    1. Must plant 425 square inches of native canopy trees.
    2. Must use a shade-tolerant tree in place of the proposed high tree.
    3. Must build a Certified Arborist plan and place the trees to be preserved.
    4. Must meet all applicable preservation plans for the 20' tree line as per City requirements.
    5. Must ensure that the landscape plan is submitted for review and approval.

**B. New applications.**

1. **2315 BAY STREET**
   - **Address:** 2315 Bay Street
   - **Applicant:** City of Charleston
   - **Owner:** City of Charleston
   - **APPROVED**

2. **1011 CLEMENS FERRY ROAD**
   - **Address:** 1011 Clemens Ferry Road
   - **Applicant:** City of Charleston
   - **Owner:** City of Charleston
   - **APPROVED**

**NOTES:**

- **Staff recommendation & conditions:**
  - **Approved:**
    1. Must provide a landscape plan for the site.
    2. Must ensure that the landscape plan is submitted for review and approval.

**MOTION:**

- **APPROVED**
- **WITHDRAWN**
- **DEFERRED**
- **VOTE:** FOR ____ AGAINST ____

**NOTES:**

- **Deferred:**
  - **VOTE:** FOR ____ AGAINST ____

**DATE:** 08/03/2022

**MEETING LOCATION:** City Hall, Charleston, SC

**ATTENDEES:** All Board Members, Staff, Citizens

**MATERIALS:** Agenda Packet, Minutes, Staff Reports, Applications
Agenda Item #A-2

2815 CLEMENTS FERRY ROAD
(Cainhoy)

TMS # 271-00-02-169

Request a variance from Sec 54-327 to allow the removal of five grand trees.
Request a variance from Sec 54-327 to allow the relocation of one grand tree.

Zoned GP
Application for Variance, Special Exception, Reconsideration, or Extension

City of Charleston

Instructions: This application, along with the required information, must be submitted in PDF format to the Board Administrator at SCHULTZ@charleston.sc.gov. The application must be complete and submitted on a deadline set by the Board. A public hearing will be conducted by the Board of Zoning Appeals—Site Design. The Board cannot be issued during a five (5) business day period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:

☑ A Variance and/or Special Exception as explained on page 2 of this form.
☑ Removal of a Tree—See Section 54-327-10, City of Charleston.
☑ A decision of the Board in connection with a zoning official (attach Appeal Form).
☑ Extension of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED:

August 1, 2023

Property Address: 5013 Ferry Road

Property Owner: Yarbee LLC

Applicant: Middlesex Partners, LLC

Applicant’s Mailing Address: 141 Waverly St, Charleston, SC 29403

Zoning of property: Zoning Plan

Information required with application:

☑ Site plan of proposed improvements in conformance with the Zoning Ordinance and other applicable laws and regulations.
☑ Location of all buildings and structures on the property, and the intended use of the property.
☑ Photographs of the site and surrounding area, including views from adjacent properties and public streets.
☑ A description of the proposed improvements, including materials, colors, and sizes.
☑ Any other information required by the Board.

I certify that I am the owner of the property and that the application is complete and in accordance with the regulations of the City of Charleston. I hereby request that the Board consider this application for Variance, Special Exception, Reconsideration, or Extension.

Applicant: [Signature] Date: 6/29/23

For your reference only:

Date: 7/2/23

Department of Planning, Preservation & Sustainability
2 George Street
Charleston, South Carolina 29401
(843) 724-3761 FAX (843) 724-3772 www.charlestonsc.gov
June 30, 2022

BZA-SD SUPPLEMENTAL INFORMATION
RE: 2815 Clements Ferry Road

The Board of Zoning Appeals-Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict adherence of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   - City ordinances require the finish floor elevation for the development to be 2’ above the Base Flood Elevation. For this site the BFE is AE10/11 requiring an average 8’ of fill over existing conditions eliminating the feasibility of retaining existing Grand Trees.
   - The project is to fill approximately 1.45 Acres Four (4) out of the Five (5) Grand Tree removals are located within this fill area.
   - Due to existing site conditions and existing wetlands, the majority of the existing Grand Trees are in decline due to salt intrusion.

2. These conditions do not generally apply to other property in the vicinity;
   - Base flood elevations (BFE) and Wetland Fill specific to this site does not generally apply to properties within the vicinity.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
   - The above conditions would effectively prohibit or restrict the property as there is no feasible way to meet the Base flood elevation freeboard for the occupied space and meet stringent building frontage requirements within the Gathering Place (GF) Zoning.

4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
   - The only Grand Tree determined worth saving through coordination with the City of Charleston and a Certified Arborist is a 26” Live Oak Good/B Rating is planned for relocation.

Majority of Grand trees for which variance(s) are being requested have a health/quality rating of C, D & F and/or have been assessed as in decline or other negative attributes, as determined by a Certified Arborist and confirmed by City Principal Planner.

Mitigation requirements as required from the removal of the Grand trees will further enhance the district for the good of the public.

Sincerely,

SITECAST, LLC

[Signature]

Jacob Cordray, RIA
Principal

SITECAST, LLC
1250 Fairmont Avenue
Mt. Pleasant, SC 29464
jcordray@sitecastsc.com

(803)599-3808
ITEM A 1
2815 CLEMENTS FERRY RD
(CAINHOY)
TMS# 271-00-02-169
ZONED GP
Executive Summary

Middle Street Partners (MSP) is requesting a variance to remove (4) Grand Oak trees in declining health and relocate (1) Grand Oak tree onsite at 2815 Clements Ferry Rd. MSP is willing to take significant measures to relocate the (1) tree "removal" that has been viewed favorably by the Certified Arborist and Principal Planner. This presentation is intended to synopsize the variance request and outline the procedures of the proposed tree relocation.

Self-Imposed Transplant Conditions

- MSP to post a $50,000 bond with the City prior to the relocation of the tree. The bond would only be released when the Principal Planner and Certified Arborist determined the tree was in good health. Under no condition could the final tree inspection and bond release occur sooner than 12-months following the receipt of a final Certificate of Occupancy.

- Final TRC Approval to be conditioned upon the receipt of a detailed Quality Control Plan from the General Contractor outlining routine monitoring and maintenance.

- MSP to contact the Principal Planner in advance of all root prunings and tree relocations

- Final CO to be conditioned upon the receipt of all monthly reports prepared by the Certified Arborist in connection with the transplant and maintenance of the relocated tree
Site Plan Exhibit

A more detailed site plan exhibit is included with the application
Variance Test

There are extraordinary and exceptional conditions pertaining to the particular piece of property:

- City ordinances require the finish floor elevation for the development to be 2' above the Base Flood Elevation (BFE). The site is within an AE11 floodplain (BFE 11'), and the existing grade is approximately 5', therefore the site will require approximately 8' of fill, which makes retaining the existing Grand Trees infeasible.
- The project is to fill approximately 1.45 Acres, and Four (4) out of the Five (5) Grand Tree removals are located within this fill area.
- Due to existing site conditions and existing wetlands, the majority of the existing Grand Trees are in decline due to salt intrusion.

These conditions do not generally apply to other property in the vicinity:

- The size of the site, existing zoning, BFE requirements, and approved wetland fill area are extremely unique and not applicable to nearby properties.

Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

- The above conditions would effectively prohibit or restrict the property as there is no feasible way to satisfy the minimum freeboard requirement, meet the intent of the code, and meet the zoning code's stringent building frontage requirements.

The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

- Four (4) out of the Five (5) requested Grand Tree removals for which variance(s) are being requested have a health/quality rating of (C, D & F) and/or have been determined to be in decline or possess other negative attributes severely jeopardizing long-term viability, as determined by a Certified Arborist and confirmed by the City's Principal Planner.
- The remaining Grand Tree is a 26" Live Oak Good/B Rating. It has been included as a "removal," but significant measures are being taken to relocate it to a more suitable part of the site.
- Mitigation requirements as required from the removal of the Grand trees will further enhance the district for the good of the public.
# Tree Transplant Team

<table>
<thead>
<tr>
<th>Role</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree Transplant Specialist – Urban Forestry Works</td>
<td>Barberville, FL</td>
</tr>
<tr>
<td>Arborist - Natural Directions</td>
<td>Charleston, SC.</td>
</tr>
<tr>
<td>General Contractor &amp; Developer</td>
<td>Charleston, SC</td>
</tr>
<tr>
<td>Civil Engineer</td>
<td>Mt. Pleasant, SC</td>
</tr>
</tbody>
</table>
Tree Transplant Summary

Location

- The proposed location and finished grade of the tree relocation is strategic in that it was intended to elevate it to prevent saltwater intrusion and construction traffic. Although the tree is healthy now, and it currently sits at 6.25', we are proposing that the relocation area be elevated to 8'.

Pre-Transplant (Month 0 – Month 1)

- UFW will install temporary irrigation on the tree off the supplied water source. The irrigation will run automatically off a battery timer. There will be (6) spray heads around the root ball and will have multiple run times a day.
- Minimum requirements call for 4' tall chainlink, but we will install 6' as an added means of protection.
- UFW will apply Hydchume and Asset drenches along with Harrell's 16-4-10 and other material during initial site visits
- A soil test shall be taken prior to relocation to be able to match a similar soil type in the final planting hole.

Root Pruning (Month 1 – Month 8)

- According to ANSI – A300 Standards, The root ball should be a minimum of 12" diameter root ball for every inch of DBH. UFW suggests a 10' diameter box or a 15' Diameter box. Both of these should be sufficient size to encompass the needed root zone for the survival of this tree.
- As an added precaution, Natural Directions will air spade (compressor and air gun) prior to root pruning to alleviate any damage that a mechanical root pruner may create (SEE PHOTO)
- Root pruning will be conducted in multiple intervals over the course of 6-8 months to allow roots to callus and regenerate new roots. Prior to root pruning, a member of the development team will inform the Director of Zoning of the scheduled pruning date to allow for onsite supervision.
- Supplements - During this time UFW will apply fungicides, systemic drenches and granular fertilizer to provide nutrients and help encourage new root growth.
Tree Transplant Summary

Excavation and Boxing (Month 8)
- Once the root pruning process is complete, UFW will begin excavating and boxing the root pruned root ball, encompassing all the new regenerated root system. The LTTS box protects the root ball throughout the transplanting process and prevents the root ball from fracturing and the tree being compromised. Fracturing of the root ball can be found with hand dug, ball and burlap, and from pinning the tree during transplanting.

Transplant (Month 8)
Excavation and Boxing
- Once the root pruning process is complete, UFW will begin excavating and boxing the root pruned root ball, encompassing all the new regenerated root system. The LTTS box protects the root ball throughout the transplanting process and prevents the root ball from fracturing and the tree being compromised. Fracturing of the root ball can be found with hand dug, ball and burlap, and from pinning the tree during transplanting (SEE PHOTO)

Transport
- Using an excavator, the tree will be carefully sled across the site to its new destination (SEE PHOTO).

Underdrain, Anchoring, and Backfill
- After the tree is set in position, UFW will install a 4" drain underneath tree with (2) T's. One T is for the relief, and the other comes straight up for a check pipe during maintenance (SEE PHOTO)
- UFW will anchor the tree by the root ball and canopy (SEE PHOTO), and will backfill the tree using a 50% builders sand and 40% organic top soil mix (mix to be refined based upon onsite sample). Backfilling of the hole will be done in layers to reduce future settling and nutrient loss. A 3" Layer of Organic Mulch shall be spread around the final planting location to reduce soil compaction and provide important nutrients from decomposing organic material.

Irrigation
- The tree will require (300) gallons of water per day, (7) days a week, for over (2) years. UFW will install temporary, underground irrigation from the metered water source. The irrigation system will be automatically controlled via a battery timer, and it will feature (6) spray heads around the root ball, with multiple scheduled run times throughout the day.
Tree Transplant Summary

Mid-Construction (Month 9 – Month 33)

- In addition to UFW’s periodic assessments, Natural Directions will assess the tree weekly for insect infestation, water loss, and flooding.
- The General Contractor will have 3 to 4 representatives onsite during construction responsible for implementing the project’s Quality Control Plan (QCP). The QCP will call for daily inspections of the tree’s boundary protection, irrigation system, and water source to ensure all are consistently operational. System deficiencies will be reported immediately to the Owner and documented in the monthly progress meetings.

Post-Construction (Month 33 – Month 45)

- Natural Directions will assess the tree monthly for insect infestation, water loss, and flooding, and it will be fertilized once in the spring and once in the fall with 100 Gallons of Deep Root Mycorrhizae Fertilizer.
Photos: Excavation & Boxing
Photos: Anchoring
Photos: Drain
1900 DANIEL ISLAND DRIVE
(Daniel Island)

TMS # 275-00-00-086

Request a variance from Section 54-327 to omit the 15 protected trees per acre requirements.

Zoned DI-GO

DEFERRED
Agenda Item #B-2

1243 SAVANNAH HIGHWAY

(Parkwood/Farmfield)

TMS # 309-00-00-262 & 483

Request a variance from Sec 54-327 to allow the removal of seven protected trees.
Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to Savannah Hwy.
Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to SR-1 zoned parcels.
Request a variance from Sec 54-343.1 to allow a reduced number of parking lot islands.

Zoned GB
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Site Design (BZA-SD)  

City of Charleston  

Instructions – Submit this application, along with the required information and fee, to the Permit Center at 2 George Street. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals-Site Design. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:  
☐ A Variance and/or Special Exception as explained on page 2 of this form.  
☐ Tree Removal  
☐ Landscaping/buffers  
☐ Parking surface  
☐ Other:  
☐ Reconsideration of a decision of the Board or action of a zoning officer (attach Appeal form).  
☐ Extension of an unexpeted Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 9/7/2022

Property Address: 1243 Savannah Highway  
TMS #: 349-07-00-220

Property Owner: Gramling Brothers  
Daytime Phone: 803-309-0599

Applicant: Earthsource Engineering-Kevin M Berry, PE  
Daytime Phone: 843-881-0525

Applicant’s Mailing Address: 962 Houston Northcutt Blvd, Suite 200 Mount Pleasant, SC 29464  
E mail Address: berryk@earthsourceeng.com

Relationship of applicant to owner (sure, representative, prospective buyer, other): Engineer

Zoning of property: GB

Information required with application (check information submitted):  
☐ Scaled site plan (or plan showing the variance) or special exception(s) being requested (3 sets)  
☐ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.  
☐ For requests to remove trees, a review of records from certified or qualified arborists  
☐ Check, credit card or cash (make checks payable to the City of Charleston)

YES ☐ NO ☐ Is this property restricted by any burdensome covenant that is contrary to, conflicts with or prohibits the proposed land use contemplated in this permit application?  

Optional but very helpful information:

☐ Letters or positions from neighbors or organizations directly affected by your request

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the hearing before the Board and inspected.

Applicant:  
Date:

For office use only
Date application received
Fax:

Signature:
Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401
(843) 724-3781 FAX (843) 724-3772 www.charleston-sc.gov

BZA-SD Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary).

Request a variance from Sec 54-327 to allow the removal of six protected trees.  
Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to Savannah Hwy.  
Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to SR 1, zoned parcels.

Request a variance from Sec 54-343.1 to allow a reduced number of parking lot islands.

Variance Test: The Board of Zoning Appeals-Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.  
2. These conditions do not generally apply to other property in the vicinity.  
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prevent or unreasonably restrict the utilization of the property.  
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws Section 6-79-800)

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-329, Sec. 54-511(b), or Sec. 54-513 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for a new request that has been denied by the Board until a period of six (6) months has lapsed.
Request #1 (Six Protected Tree Removals)

Removal of (4) existing Pine trees to be mitigated with (4) new canopy trees and buffer plantings to meet City requirements. Removal of 12-inch Gum tree. Request to remove 17-inch Oak to be mitigated by planting (2) new canopy trees.

Variance Test Adherence

1. The property is exceptional in that it is an existing developed site with graveled parking area in the front that is planned for various upgrades to improve flow and appearance.

2. The redevelopment of this site requires limited site improvements around the existing building with minimal tree removals and proposed mitigation plantings.

3. Requirement of the full buffer restricts the ability to add vegetation along the building facade to soften and improve the site while also allowing parking and flow, along with stormwater control improvements to meet City requirements.

4. The character of the site will remain the same since parking will still happen in the same but better managed with upgraded materials and landscaping to meet current City standards.

Request #2 (Reduction of Front Buffer)

Request to reduce front buffer depth by an average of 5 feet as shown to allow for pervious paver parking, replacing existing graveled.

Variance Test Adherence

1. The property is exceptional in that it is an existing developed site with graveled parking area in the front that is planned for various upgrades to improve flow and appearance.

2. Since the building is existing, the only way to accommodate better flow and parking is a slight reduction in the buffer.

3. To meet City standards for drive aisle and parking dimensions, while allowing landscape around the building, requires a buffer reduction.

4. The slight reduction will not be noticed as most developments in the area front close to the street and will have landscape mitigation.

Request #3 (Reduction of Rear Buffer)

Request to utilize small section of rear buffer for bio-swale stormwater detention and control. Area is a spur of property not buffering the site and could create storm management and provide a needed use for the area.

Variance Test Adherence

1. The property is an extraordinary shape with a narrow section of property running behind the neighboring commercial site that is undevelopable.

2. Other properties in the area have more standard dimensions with usable areas.

3. This parcel section is only 34 feet wide and imposing the buffer renders it useless, however with the creation of a bio-swale, this can be a great utilization with low impact design.

4. This section of property runs along the rear of the neighboring commercial site that is a telephone company parking lot with heavy vegetated area to its rear already and will not be visible for neighbors once granting the variance.

Request #4 (Parking Islands)

Request relief from requirement to have 23 parking islands for the site based on redevelopment of an existing site with no current islands and little greenspace internally. However the redevelopment plan adds many greenspace areas, improved flow and 18 islands, just 5 short of the requirement to achieve required parking ratios.

Variance Test Adherence

1. The property is extraordinary being previously developed with the building to remain while providing better flow and internal landscape.

2. Other existing developments have little to no landscape islands so adding internal landscape planned will improve the overall appearance of the site.

3. This requirement would not allow meeting the parking ratio requirement for the site and the existing building.

4. Granting the variance will benefit the public good by drastically improving the overall site appearance and flow of an existing development.
ITEM 82
1243 SAVANNAH HWY
(PARKWOOD/FARMFIELD)
TMS# 349-07-00-218 - 220 & 228
ZONED GB
Agenda Item #B

1243 SAIVANNAH HIGHWAY
(Parkwood/Farmfield)
TMS # 309 - 00 - 00 - 262 & 483

Request a variance from Sec 54-327 to allow the removal of seven protected trees.

Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to Savannah Hwy.

Request a variance from Sec 54-347 to allow the reduction of the landscape buffer adjacent to SR 1 zoned parcels.

Request a variance from Sec 54-343.1 to allow a reduced number of parking lot islands.

Zoned GB
Drainage In Rear Buffer
Interior Parking Lot Islands
Agenda Item #B-3

2300 HENRY TECKLENBURG BOULEVARD
(W. Ashley)

TMS # 279-14-00-039

Request a variance from Sec 54-327 to allow the removal of eight grand trees.
Request a special exception from Sec 54-327 to allow the removal of two grand trees.

Zoned PUD
BZA-SD Application (continued)

For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

APPLICANT REQUESTS VARIANCE TO SECTION 54-327C (REMOVAL OF GRAND TREES)

PLEASE SEE ATTACHED SITE PLAN AND ARBORIST REPORT FOR ADDITIONAL DETAILS OF VARIANCE REQUEST.

ALL TREES PREVIOUSLY APPROVED FOR REMOVAL, PREVIOUS APPROVALS ATTACHED.

Variances: The Board of Zoning Appeals-Site Design is authorized to approve variances from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property, and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. (SC Code of Laws Section 6-29-600)

For **Special Exception** requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-327, Sec. 54-511(6), or Sec. 54-513 (add as an attachment if necessary).
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, September 7 2022

ITEM B 3
2300 HENRY TECKLENBURG
(WEST ASHLEY)
TMS# 309-00-00-262 & 483
ZONED PUD

[Diagram of the site with marked subject property]
ALL GRAND TREES PROPOSED FOR REMOVAL WITHIN HATCHED REGION WERE APPROVED BY BZA—ID IN AUGUST OF 2021. TREES SHOWN IN RED ARE NEW TREES BEING REQUESTED FOR REMOVAL.
All grand trees proposed for removal within hatched region were approved by BZA-3D in August of 2021. Trees shown red are new trees being requested for removal.
Agenda Item #B-9

Staff recommendations & conditions:

Approval:

1. Must plant 33 caliper inches of native canopy trees on the project site.

2. Must have a Certified Arborist prune and treat the grand trees to be preserved and the protected trees within 25-feet of any construction activity.

3. Must use 4’ chain-link fence as tree protection barricades.

4. Must provide a tree preservation plan for the Southern magnolia trees on the site to be preserved.
Staff recommendations and conditions:

Approval:

1. Must plant 151 caliper inches of native canopy trees on the project site; landscape plan to be approved by both DRB (sites only) and TRC,

2. Must use 4’ chain-link fence as tree protection barricades,

3. Must maintain as many non-grand trees as possible in the narrow strip adjacent to the CWS access easement and project elements,

4. Must have a Certified Arborist treat and prune all protected and grand trees to be preserved on the site.

5. The site plan is to be further developed to satisfy the other requirements of the PUD.

6. Provide a landscape plan to be approved by both DRB and TRC.
Agenda Item #B-4

1888 CLEMENTS FERRY ROAD
(Cainhoy)

TMS # 268-00-00-092

Request a variance from Sec 54-327 to allow the removal of two grand trees. Request a special exception from Sec 54-327 to allow the removal of one grand tree.

Zoned LI
For **Variance** requests, applicants should list the specific variance[s] being requested and, if possible, explain how the variance test that follows is met (and as an attachment if necessary):

We request a variance, from Sec. 54-327, to allow the removal of two grand trees (Live Oak).

**Variance Test:** The Board of Zoning Appeals-Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prevent or unreasonably restrict the utilization of the property;
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety or general welfare. (SC Code of Laws Section 6-29-400)

For **Special Exception** requests, applicants should list the specific approval[s] being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-329, Sec. 54-81(b), or Sec. 54-513 (add as an attachment if necessary):

We request a special exception from section 54-329, to allow removal of one, water oak.

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for renewal renewal of the current approval(s) if the Board has denied.

(Date) 8/1/22

For office use only

Date application received ___________________________ Time application received ___________________________

Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401

(843) 724-3788 FAX (843) 724-3772 www.charleston.gov
ITEM 8.4
1888 CLEMENTS FERRY ROAD
(CAINHOY)
TMS# 268-00-00-092
ZONED LI
28 inch oak tree
To Whom It May Concern:

Enclosed is a Tree Conditions Report ordered by Lang Tarrant based on my independent field investigation of a 30” Live oak, Quercus virginiana, a 28” Live oak, Quercus virginiana, and a 25” Water oak, Quercus nigra located on the property at 1888 Clements Ferry Road, Charleston, SC 29492. It has been prepared for the consideration of his desire to determine the size, health and safety and current condition of the trees.

Please feel free to contact me with any questions you may have about this report, or any other service we can provide.

Best regards,

E. Marshall Badeaux, RCA #742
Registered Consulting Arborist
(843) 501-4297
marshall@charlestonreexperts.com
2851 Maybank Hwy
Johns Island, SC 29455

TREE CONDITIONS REPORT

www.charlestonreexperts.com
marshall@charlestonreexperts.com
(843) 952-8300

Report for:
1888 Clements Ferry Road
Charleston, SC 29492

Prepared for:
Lang Tarrant

Prepared By:
Marshall Badeaux, RCA #742
ASCA, Registered Consulting Arborist
International Society of Arboriculture Certified Arborist SO-7159A
Member, American Society of Consulting Arborists
TRAQ, Tree Risk Assessment Qualified
TPAQ, Tree and Plant Appraisal Qualified
CTSP, Certified Treescare Safety Professional #03122
EHAP, Electrical Hazards Awareness Program

August 2, 2022
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NARRATIVE

Summary

After Lang Tarrant had become concerned with the condition of several grand trees on the property, my firm was contacted to provide an independent, objective opinion regarding the health and structural stability of the trees located on the site. I performed a Level 2 Basic Tree Risk Assessment (BTRA).

Based on this level 2 evaluation, I have determined that the two Live oaks contained in this report both have a Health Grade of C and a Risk Rating of Moderate, additionally the Water oak contained in this report has a Health Grade of F and a Risk Rating of High.

Background

In July 2022, Lang Tarrant contacted my firm and expressed concerns after observing several potentially high-risk trees on his new property. My Qualified Arborist, Ashley Connelly discussed the terms of my engagement with Lang Tarrant and upon approval of the Arborist Report line item, I was scheduled for site inspection to perform a BTRA.

Assignment

Prepared for:
Lang Tarrant

Located:
1888 Clements Ferry Road
Charleston, SC 29492

Prepared by:
Marshall Badeaux, RCA #742
Charleston Tree Experts
2851 Maybank Hwy
John’s Island, SC 29455
ISA Certification Number: SC-7159A

After discussing the terms of my engagement and the levels of assessment with Lang Tarrant, he agreed that I would conduct the following:

1. Identify the tree species.
2. Measure and determine the diameter at breast height (DBH).
3. Assess and provide a health grade and risk rating to the trees.
4. Provide recommendations for the trees outlined in this report.
5. Provide my findings in a booklet style report.
Limits of Assignment

My inspection was performed at ground level using visual observations, and my knowledge of the site history was limited to the past-history details provided by Lang Tarrant. These were my only limitations in addition to the normal restrictions of a Level 2: BTRA.

Purpose and Use of Report

The purpose of this report is to provide an accurate depiction of defective or hazardous conditions of the tree and site, and develop recommendations based on that data. Upon submission, this report will become the property of Lang Tarrant and its use will be at his discretion. Reproduction or making of additional copies without explicit consent by the preparing Arborist is strictly prohibited.

OBSERVATION

Site

The site is a 22.96-acre light industrial lot. The trees are growing in a field area adjacent to the warehouse located in the middle of the site. The surrounding area had been filled many years ago.

Analysis

Tree #1 is approx. 45 feet in height with a crown spread of 45 feet.
Tree #2 is approx. 55 feet in height with a crown spread of 45 feet.
Tree #12 is approx. 45 feet in height with a crown spread of 40 feet.

Tree Condition and Inventory Table

<table>
<thead>
<tr>
<th>Tree #</th>
<th>DBH</th>
<th>Species</th>
<th>Health</th>
<th>Risk Rating</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30&quot;</td>
<td>Live oak, <em>Quercus virginiana</em></td>
<td>C</td>
<td>Moderate</td>
<td>Growing with a significant lean.</td>
</tr>
<tr>
<td>2</td>
<td>28&quot;</td>
<td>Live oak, <em>Quercus virginiana</em></td>
<td>C</td>
<td>Moderate</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>25&quot;</td>
<td>Water oak, <em>Quercus nigra</em></td>
<td>F</td>
<td>High</td>
<td>Severe decay; two large cavities, diseased.</td>
</tr>
</tbody>
</table>

Tree Grading System

A - Specimen tree exhibiting vigorous growth and showing little or no sign of disease or storm damage.

B - Healthy tree, exhibiting vigorous growth, showing minimal signs of disease, but having suffered notable storm damage.

C - Semi-healthy tree, showing some signs of decline which are perhaps correctable (i.e., some insect infestations, some diseases, root compaction, etc.); still shows signs of growth, but suffered significant storm damage.

D - Tree in declining health; has suffered extensive storm damage; tree may still live for many years without posing a hazard but may not be successfully treated to again become a healthy, specimen tree.

F - Tree which is determined to be irreparably damaged, diseased or hazardous.
Discussion

Trees provide numerous benefits to the urban environment. These benefits increase as the age and size of the trees increase. However, as a tree becomes larger and more mature, it is likely to shed branches or develop decay or other conditions that can predispose it to failure. In assessing and managing trees, we strive to strike a balance between the risk that a tree poses and the benefits that individuals and communities derive from trees.

Tree risk assessment (TRA) is the systematic approach used to identify, analyze and evaluate tree risk. By identifying the tree risk, mitigation can be conducted to reduce risk while preserving the trees that meet acceptable levels of risk. A primary goal of TRA is to provide the tree owner with resourceful information about the level of risk posed by a tree over a period of time. This is accomplished by conducting a qualitative analysis and determining the likelihood and consequences of a tree failure. If the risk rating defined for a tree exceeds the level of acceptable risk, mitigation is recommended.

A primary goal of TRA is to provide the tree owner with resourceful information about the level of risk posed by a tree over a period of time. This is accomplished by conducting a qualitative analysis and determining the likelihood and consequences of a tree failure. If the risk rating defined for a tree exceeds the level of acceptable risk, mitigation is recommended.

Upon inspection of Tree #1 and Tree #2, I found both assets to be in good health at this time. The trees survived the impacts of construction and are continuing to sustain a Health Grade of C and a Risk Rating of Moderate.

I found Tree #12 to be hazardous beyond repair. I located a large a severe cavity in the root collar and a second large and severe cavity within the junction of co-dominant stems along the trunk column. Additionally, I found two wounds along the trunk column seeping tannic acid which is an indicator for the presence of a wood decay pathogen digesting the wood within the tree.

CONCLUSION

The two Live oaks are relatively healthy and safe at this time. The Water oak is hazardous and should be removed.

RECOMMENDATIONS

- If removal of the two Live oaks is necessary for warehouse expansion, mitigation options should be explored.
- Complete removal of the Water oak utilizing ANSI A300 Standards for Tree Care Operations.
GLOSSARY

Acceptable risk—The degree or amount of risk that the owner, manager, or controlling authority is willing to accept.

ANSI A300 Standards for Tree Care Operations—In the United States, industry-developed, national consensus safety standards of practice for tree care.

Booklet style report—Booklet reports present information in an abbreviated book form. Booklet reports are probably the most commonly used and readily recognizable report format.

Canopy—Upper portion of the tree consisting of scaffolding branches, smaller limbs, and twigs.

Compartmentalization—The natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms.

Diameter—The length of a straight line through the center of a circle.

Failure—Breakage of a stem, branch, or roots, or loss of mechanical support in the root system.

Hazard—Situation or condition that is likely to lead to a loss, personal injury, property damage, or disruption of activities; a likely source of harm. Tree part identified as likely source of harm.

Levels of assessment—Categorization of the breadth and depth of analysis used in an assessment.

Likelihood of failure—The chance of tree failure occurring within the specified time frame.

Likelihood of impact—The chance of a tree failure impacting the target in the specified time frame.

Targets—People, property, or activities that could be injured, damaged, or disrupted by a tree.

APPENDIX A - TREE MAP
APPENDIX D - #12 WATER OAK, QUERCUS NIGRA

Severe cavity in the root collar.
Tannic acid beginning to seep from the trunk wounds. Evidence of a possible wood decay pathogen present in the wood.

Tannic acid seeping from another trunk wounds.
Severe decay leading into the included bark region of primary co-dominant stems along the trunk column.

APPENDIX E – ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable.

2. Care has been taken to obtain all information from reliable sources. All data has been verified to the best of our ability for the accuracy of information provided by others.

3. The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services described in the fee schedule and contract of engagement.

4. Loss or alteration of any report invalidates the entire report.

5. Possession of this report of a copy thereof does not imply right of publication or use for any purpose by any person other than to whom it is addressed, without the prior expressed written consent of the consultant/appraiser.

6. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant/appraiser’s fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, or upon any finding to be reported.

7. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports.

8. Unless expressed otherwise: 1) Information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.
APPENDIX F - CERTIFICATION OF PERFORMANCE

1. Marshall Badeaux, certify:

1. That I have personally inspected the trees referred to in the report, and have stated my findings accurately. The extent of the evaluation is stated in the attached report;

2. That I have no bias with respect to the parties involved;

3. That the analysis, opinion and conclusions stated herein is my own and is based on current scientific procedures and facts;

4. That my analysis, opinion and conclusions were developed and this report has been prepared according to commonly accepted Arboriculture practices;

5. That no one provided significant professional assistance to me, except as indicated within the report;

6. That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assignment of stipulated results, or the occurrence of any subsequent events.

I furthermore certify that I am a member in good standing of the American Society of Arboriculture and the International Society of Arboriculture. I have been involved in the practice of Arboriculture and the care of trees for over 20 years.

Signed: [Signature]

Date: August 2, 2022
Agenda Item #B-5

2923 ZACHARY GEORGE LANE
(Johns Island)

TMS # 282-00-00-092

Request a variance from Sec 54-347.1 to allow a reduction in the OCRM Critical Line Buffer and Building Setback.

Zoned SR-1
Application for Variance, Special Exception, Reconsideration, or Extension to the Board of Zoning Appeals – Site Design (BZA-SD)

City of Charleston

Instructions – This application, along with the required information, must be submitted in PDF format to the Board Administrator at SCHULTZER@charleston-sc.gov. Applicant will then be invoiced for the fee. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property, and a public hearing will be conducted by the Board of Zoning Appeals – Site Design. Permits authorized by the Board cannot be issued during a five (5) business day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

THE APPLICANT HEREBY REQUESTS:
☑ A Variance and/or Special Exception as explained on page 2 of this form.
☐ Tree Removal ☐ Landscaping/buffering ☐ Parking surface ☐ Other ☐ Critical Line Buffer and Setback
☐ Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
☐ Extension of an unexpired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: September 7, 2022

Property Address: 2923 Zachary George Ln

Property Owner: KT Properties, LLC (Attn: Kyle A. Taylor, P.E.)

Daytime Phone: 843-870-7001

Applicant: KT Properties, LLC (Attn: Kyle A. Taylor, P.E.)

Daytime Phone: 843-870-7001

Applicant’s Mailing Address: 295 Seven Farms Drive Suite C-133, Daniel Island, SC 29492

E-mail Address: ktauler@ktproperties.net

Relationship of applicant to owner (same, representative, prospective buyer, other): Same

Zoning of property: SR-1

Information required with application:
☒ Check information submitted:
☒ Scale plan or plat showing the variance(s) or special exception(s) being requested.
☒ Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
N/A ☐ For requests to remove trees, evaluations/reports from certified or qualified arborists.
☒ YES or NO - Is the property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? ☒ 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:
N/A ☐ Letters or petitions from neighbors or organizations directly affected by your request.

I certify that the information on this application and any attachments is correct, that the proposed improvement(s) comply with private neighborhood covenants, if there are any, and that I am the owner of the subject property or the authorized representative of the owner. I authorize the subject property to be posted with a notice of the hearing before the Board and inspected.

Applicant: Kyle A. Taylor

Date: 7/29/22

For office use only
Date application received Time application received
Staffperson: Fax: 

Department of Planning, Preservation & Sustainability South Carolina 29401

2 George Street www.charleston-sc.gov

(843) 724-3781 29401

6/22

Department of Planning, Preservation & Sustainability

2 George Street Charleston, South Carolina 29401

(843) 724-3781 www.charleston-sc.gov

BZA-SD Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Please see attached.

Variances Test: The Board of Zoning Appeals – Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:
1. There are extraordinary and exceptional conditions, pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. [SC Code of Laws Section 6-29-800]

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 54-129, Sec. 54-511(b), or Sec. 54-513 (add as an attachment if necessary):

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 9, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
July 29, 2022

City of Charleston
Board of Zoning Appeals-SD
Dept. of Planning, Preservation & Sustainability
2 George St
Charleston, SC 29401

Attn: Mr. Eric Schultz

RE: 2923 Zachary George Lane
Johns Island, SC 29455
Request for Variance to Sec. 5B-371.1

Dear Eric:

Variance Request: Reduction to 0’ of a 25’ Critical Line Buffer and 10’ Setback, along an approx. 600 SF along a new, suspected Critical Area onsite, via freshwater to critical area “Conversion”. The subject property is a single family lot located on Johns Island. All appropriate perimeter BMP measures during construction and water quality considerations as part of grading and landscape design will be provided. All existing critical area buffers and setbacks will be adhered to.

The subject 600 SF area was deemed jurisdictional Freshwater Wetland as part of a 0.09 ac wetland area onsite during the initial Subdivision circa 2001, was re-evaluated and delineated in 2022, re-verified in 2022 as Jurisdictional Freshwater Wetland thru the Army Corps of Engineers and public notice process, and was granted approval for impacts under NWP 18 “Minor Discharges”. The furnished permit covers 0.09 ac of freshwater wetland impacts, of which includes the subject 600 SF area. The suspected area does not appear tidally influenced.

In the spirit of cooperation, the Applicant intends to concede this new, suspected Critical Area via freshwater to critical area “conversion”, however, the additional buffer and setback imposed (not required adjacent to Freshwater Wetlands) causes an undue burden on the property. Upon consideration and approval of this request, the effect generally is Impacting the Lot/Concept Plan by approx. 12’, and not 47’.

Variance Criteria:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:

   The property contains existing Jurisdictional Freshwater Wetlands, which is verified as Jurisdictional Freshwater Wetlands, and approved for impacts under NWP 18 “Minor Discharges”, and of which a portion approx. 600 SF in size is thence following suspected as Dorem Critical Area, via “Conversion”. This set of circumstances, with wetland impact permit in hand, followed by suspected “conversion”, is an extraordinary and exceptional condition.

2. These conditions do not generally apply to other property in the vicinity:

   Generally, other residential lots do not consist of freshwater wetlands, which are suspected of “conversion”.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

   The subject area is currently permitted for impacts under a furnished NWP 18. Application of the additional 25’ buffer and 10’ setback, beyond the approx. 12’ wide suspected critical area will unreasonably restrict utilization of the property, and generally restrict permitted impacts per the furnished wetland NWP 18. By accepting the suspected critical area, and waiving the buffer and setback, the effect generally is impacting the lot/plan by 12’, and not 47’.

4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Water quality concerns are intended to be addressed - all appropriate perimeter BMP measures during construction and water quality considerations as part of grading and landscape design will be provided. All existing critical area buffers and setbacks will be adhered to. No adjacent properties will be impacted, nor the public character, as a result of this authorization.

If you have any questions or require additional information, please don’t hesitate to contact me at 843-870-7001 or via email at ktaylor@ktproperties.net.

Very sincerely,

KT Properties, LLC

Kyle A. Taylor, P.E.
ITEM B 5
2923 ZACHARY GEORGE LANE

(JOHNS ISLAND)

TMS# 282-00-00-268

ZONED SR-1
LEGEND

- Jurisdictional Wetlands to Remain
- Jurisdictional Wetlands to be Filled
- SCHEC CRM Critical Area

EXHIBIT IS FOR REFERENCE PURPOSES ONLY AND DOES NOT CONSTITUTE ACCEPTANCE OR PLATTING OF ANY NEW CRITICAL AREAS NOT SHOWN ON PLATS OF RECORD.

NWP 18 APPROVED FOR ALL 0.09 AC WETLANDS SHOWN, SAC-2022-00538.

NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.

Approx. limits of OCRM Critical Area anticipated to be certified; +/-600SF

City of Charleston 25' Critical Line Buffer

City of Charleston 10' Critical Line Setback

(N) Pool and Patio Area
+/- 2,000 SF SHOWN

(N) Detached Structure
+/- 600 SF SHOWN

ZACHARY
GEORGE LANE

(N) CONC. DRIVEWAY

2919 ZACHARY
GEORGE LN

TMS: 307-01-00-0028
2023 ZACHARY GEORGE LN

(N) STAIRS

EX. HOA ACCESS AND BOARDWALK

R/W DRAINAGE TO CONTINUE AS SHOWN

2922 ZACHARY GEORGE LN

10' D.E.
10' G.U.E.

10' S.E.
25' BUFFER PER CITY

25' BUFFER PER CITY

FROM BUFFER PER CITY

0.09 AC WETLANDS TO BE FILLED

2019 ZACHARY
GEORGE LN

(N) CONC. DRIVEWAY

2919 ZACHARY
GEORGE LN

(N) D.E.
10' G.U.E.

KTP 21-002

11/14

Conceputal Site Plan

SCALE: 1" = 87'

DATE: August 1, 2022
Regulatory Division

Mr. Kyle Taylor  
KT Properties  
280 Seven Farms Drive, Unit 204  
Daniel Island, South Carolina 29492  
kTaylor@ktproperties.net

Dear Mr. Taylor:

This is in response to a Pre-Construction Notification (PCN) (SAC-2022-00538) received on March 29, 2022. In submitting the PCN, you requested verification the proposed project is authorized by a Department of the Army (DA) Nationwide Permit (NWP).

The work affecting waters of the United States is part of an overall project known as 2923 Zachary George Lane. The activities in waters of the United States include the placement of fill material in wetlands for the construction of a single-family home. The project involves impacts to not more than 0.09 acre of waters of the United States. The project is located at 2923 Zachary George Lane in Johns Island Charleston County, South Carolina (Latitude: 32.7585°, Longitude: -80.0729°). The PCN also includes the following supplemental information:

a. Drawing sheets 1-3 of 3 titled "SAC-2022-00538/ 2923 Zachary George Lane / Applicant: Kyle Taylor / Charleston County, South Carolina" and dated June 6, 2022.

b. A delineation of wetlands, other special aquatic sites, and other waters.

Based on a review of the PCN, including the supplemental information indicated above, the Corps has determined the proposed activity will result in minimal individual and cumulative adverse environmental effects and is not contrary to the public interest. Furthermore, the activity meets the terms and conditions of Nationwide Permit #18.

For this authorization to remain valid, the project must comply with the enclosed NWP General Conditions, Charleston District Regional Conditions, and the following special conditions:

a. That prior to beginning the authorized work the permittee must obtain and provide the Corps with a copy of all appropriate state certifications and/or authorizations (e.g., Coastal Zone Management Act concurrence, State Navigable Waters Permit, etc.). This PROVISIONAL NWP is NOT VALID until the permittee obtains and provides the requisite state certification(s) and/or authorization(s) in accordance with this special condition.

b. That impacts to aquatic areas do not exceed those specified in the above mentioned PCN, including any supplemental information or revised permit drawings that were submitted to the Corps by the permittee.

c. That the construction, use, and maintenance of the authorized activity is in accordance with the information given in the PCN, including the supplemental information listed above, and is subject to any conditions or restrictions imposed by this letter.

d. That the permittee shall submit the attached signed compliance certification to the Corps within 30 days following completion of the authorized work.

e. That the permittee shall use only clean fill material obtained from an upland source.

f. That the permittee shall incorporate Best Management Practices (BMPs) during construction to protect adjacent wetlands and Waters of the United States from sediment and erosion during construction. BMPs to be utilized, independently or in combination, may include but are not limited to: erosion control matting, mulch, silt fences, sediment tubes, and other devices. BMPs shall be maintained until the fill material is stabilized.

g. Prior to beginning the authorized work, the permittee must coordinate with the local NFIP flood plain manager and comply with FEMA requirements. A list of NFIP floodplain managers may be found at: http://www.dnr.sc.gov/water/flood/index.html.

This verification is valid until March 14, 2028, unless the district engineer modifies, suspends, or revokes the NWP authorization in accordance with 33 CFR 330.5(d). If prior to this date, the NWP authorization is reissued without modification or the activity complies with any subsequent modification of the NWP authorization, the verification continues to remain valid until March 14, 2026. If you commence, or are under contract to commence this activity before the NWP expires, or the NWP is modified, suspended, or revoked by the Chief of Engineers or division engineer in accordance with 33 CFR 330.5(b) or (c), respectively, in such a way that the activity would no longer comply with the terms and conditions of the NWP, you will have 12 months after the date the NWP expires or is modified, suspended, or revoked, to complete the activity under the present terms and conditions of this NWP.
This NWP is verified based on information you provided. It is your responsibility to read the attached NWP(s) along with the General, Regional, and Special Conditions before you begin work. If you determine your project will not be able to meet the NWP and the conditions, you must contact the Corps before you proceed.

In all future correspondence, please refer to file number SAC-2022-00538. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact me at (843) 365-4239, or by email at Erica.L.Stone@usace.army.mil.

Sincerely,

Erica L. Stone
Project Manager

Attachments
Permit Drawings
Nationwide Permit #18
Nationwide Permit General Conditions
Nationwide Permit Regional Conditions
Compliance Certification Form

Copies Furnished:
Mr. Eric McClanahan
Cygnus Environmental, LLC
P.O. Box 548
Cordesville, South Carolina 29434
Eric.mcclanahan@comcast.net

SC DHEC - Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201
WQCCWetlands@dhec.sc.gov

SC DHEC - OCRM
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405
OCRMPermitting@dhec.sc.gov

LEGEND

WETLAND SUMMARY

TOTAL PARCEL
0.75 AC

JURISDICTIONAL WETLANDS ONSITE
0.03 AC

JURISDICTIONAL WETLANDS TO BE FILLED
0.09 AC

WETLANDS TO REMAIN
0.00 AC

CRITICAL AREA DISTURBED
0.00 AC

SEE ACREAGE SUMMARY ON PAGE 2 FOR USABLE AREA.
Agenda Item #B-6

20 JOHNSON ROAD
(Crescent)

TMS # 421-10-00-044

Request a special exception from Sec 54-327 to allow the removal of one grand tree.

Zoned SR-8
Instructions – This application, along with the required information, must be submitted in PDF format to the Board of Zoning Appeals – Site Design (BZA-SD) of the City of Charleston at bdzappeals@charlestonsc.gov. Applicants will then be notified of the fee. Applications are due by 12 Noon on the deadline date and must be complete to be accepted and placed on an agenda. A sign will be posted on the property and a public hearing will be conducted by the Board of day appeal period following the decision of the Board. An appeal to the Board during this five (5) business day appeal period stays all further action on the application.

The Applicant HEREBY REQUESTS:
☐ A variance and/or special exception as explained on page 2 of this form.
☐ Tree Removal ☐ Landscaping/buffers ☐ Parking plan ☐ Other.
☐ Extension of a decision of the Board or action of a zoning official (attach Appeal form).
☐ Extension of an unexpired variance and/or special exception approval.

Meeting Date Requested: September 7, 2022
Property Address: 20 Johnson Rd, Charleston
Property Owner: William Stowell Living Trust
Daytime Phone: 843-708-3926
Applicant: William Stowell
Daytime Phone: 843-708-3926
Applicant’s Mailing Address: 20 Johnson Rd, Charleston, SC 29407
Email Address: bill.stowell@conesteg.com
Relationship of applicant to owner (name, representative, prospective buyer, etc.) Same.

Zoning of property: Residential

Information required with application: (check information submitted)
☒ Location of site plan or plot showing the variance(s) or special exceptions being requested.
☒ Photograph of the site, general trees to be removed, quality trees to be saved by removing others, etc.
☒ For requests to remove trees, deterioration/ripped from certified or qualified arborist.
☒ Yes or No, is this property restricted by any recorded covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? (§ 6-26-114) of the South Carolina Code of Laws.

Optional but very helpful information:
☒ Letters or protests from neighbors or organizations directly affected by your request.

I certify that the information on this application and any attachments is correct, that the proposed improvements, take place with private neighborhood covenants, if any, and that I am the owner of the subject property as the authorized representative of the owner. I authorize the subject property to be posted with a notice of the hearing before the Board and inspected.

Applicant: William Stowell
Date: 7-27-2022

BZA-SD Application (continued)

For Variance requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (add as an attachment if necessary):

Variance Test: The Board of Zoning Appeals – Site Design is authorized to approve a variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes the following findings:
1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would be ineffective or impractical or unreasonable restriction the utilization of the property; and
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect public health, safety, or general welfare. (SC Code of Laws, Section 6-29-800)

For Special Exception requests, applicants should list the specific approval(s) being requested and include documentation to demonstrate compliance with the relevant special exception requirements of the Zoning Ordinance, such as Sec. 5A-329, Sec. 5A-511 (b), or Sec. 5A-513 (add as an attachment if necessary):

I am requesting a Special Exception to remove or
☐ An existing Black Cherry Tree which is preventing
Completion of the site plan which includes
the attached landscape plan which also includes
the addition of several new trees in the same area as the cherry.
I am glad to also pay into the Tree Fund.

All approvals of the Board shall remain valid for two (2) years from the approval date, unless extended in accordance with the provisions of Article 5, Part 5 of the zoning ordinance. Applicants may not apply for the same request that has been denied by the Board until a period of six (6) months has lapsed.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, September 7 2022

ITEM B 6
20 JOHNSON RD
(CRESCENT)
TMS# 421-10-00-044
ZONED SR-8
WINTHROP TREE SERVICE
2417 Savannah Highway, Charleston, SC 29414
PH: 843-870-9070 – FAX: 843-402-0866
OFFICE: 843-402-0588
winthroptreeservice.com

7 July 2022

To whom it may concern,

I have inspected a mature, multi-trunk Cherry tree (left side of driveway near the home) at
20 Johnson Street for Mr. Bill Stovall.

It is our opinion that while the tree appears healthy, it is compromised structurally due to
two (2) narrow “V” attachments which support the huge crown. Included and / or discolored bark is
visible and in the event of tree failure, Stovall residence as well as neighboring School playground are in
the direct impact zone.

It is therefore our recommendation that the tree warrants complete removal. Please advise if
a tree removal permit can be made available. If you require anything further please do not hesitate to call
me direct at 843-870-9070

Respectfully Yours,

Gren Winthrop
SO - 0726