City of Charleston

BOARD OF ZONING APPEALS-SITE DESIGN

February 2, 2022
5:00 PM

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY
www.charleston-sc.gov/bza-sd

**Video and microphone is currently disabled for all attendees.**
This meeting is being recorded.
Virtual Meeting Protocol

Staff will control the slides displayed throughout the meeting.

Applicants, staff, Board members and members of the public should give their name first whenever speaking.

Applicants and members of the public must be sworn in before speaking for the first time.

Only attendees who have registered to speak before the deadline at noon today may speak during the meeting.

Video and microphone have been disabled for all attendees. Attendees will only be given the capabilities to speak when they are called on during the public comment period.

Board members who need to recuse themselves from voting will be temporarily removed from the meeting and re-admitted prior to addressing the next item.

If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.

Chat has been disabled for everyone.

This meeting is being recorded.

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
The Board of Zoning Appeals—Site Design 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.
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.
Public Comment

Order on Each Application:

• Chair announces each application followed by staff presentation and recommendation.
• Staff will call on applicant to present their application after being sworn in by Chair.
• Staff will open the public comment period to receive comments from registered attendees in favor (first spoken, then written). Each speaker will be sworn in by the Chair.
• Staff will then recognize registered attendees for public comments in opposition after speaker is sworn in (first spoken, then written).
• Staff will recognize the applicant for a short rebuttal.
• Chair will then close the public comment period and begin Board discussion.

Providing Comment:

• If you submitted a request to speak on an item before the deadline, staff will call your name when it is your turn to speak and enable your microphone.
• Your microphone will be disabled after you are done speaking.
• You may only speak once for each item and you must state your name and address for the record or you will not be permitted to provide comment.

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
Board Discussion

• Following public comment period, Board members can make comments, ask questions and make motions.

• After a motion and second, Board members will vote “Aye, in favor” or “Nay, not in favor”. If vote is not unanimous, Chair will poll each member for their vote. The Chairman shall announce the vote on the motion and the final decision on the application.

• If a Board member needs to recuse, he will be temporarily removed from the meeting and placed back in the meeting at the start of the next agenda item.

• If the Board needs to go into Executive Session, they will call into a separate conference line and all video and audio on Zoom will be temporarily turned off until they are ready to return to the regular meeting.
Agenda Item #A-1

Approval of the January 5, 2022 BZA-SD Meeting Minutes.
Agenda Item #A-2

FOLLY ROAD BOULEVARD
(Old Windemere)

TMS # 421-11-00-002

Request a variance from Section 54-327 to allow the removal of one grand tree.

Zoned SR-2
Application for Variance: Special Exception, Reclassification, or Extension to the Board of Zoning Appeals – Site Design (BZA-SID)

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 the 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.
- A Reclassification of a decision of the Board or action of a zoning official (attach Appeal form).
- A Reclassification of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: January 5, 2023

Property Address: 0 Holly Rd

Property Owner: Richard Vargo

Applicant: Nathan Harten

Applicant’s Mailing Address: 554 Godfrey Park Pl, Charleston SC 29407

E-mail Address: nathan.harten@gmail.com

Relationship of applicant to owner: Same, Representative, prospective buyer, other

Zoning of property: SR-2

Information required with application:
- A site plan or plat showing the variance(s) or special exception(s) being requested.
- Photographs of the site, growth trees to be removed, quality trees to be saved by removing others, etc.
- Certifications of tree removal, evaluations/reports from certified or qualified arborists.
- Copy of the deed, survey, or plat.
- A copy of the current property tax bill.
- A copy of the current zoning certificate.
- A copy of the current building permit.

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. 54-317, or Sec. 54-515 (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.
Respectfully request City permission to remove a 27" DBH pecan tree in the middle of the lot on the property 421-11-00-002, a vacant lot between 89 Folly Road and 47 Fenwick Dr in West Ashley.

This tree is near the center of a 50' x 150' lot and prohibits the placement of a house of a home on this lot designated for single family residential use. We intend to build a single family home on this lot of modest size similar to neighboring homes, roughly 2200 sq ft total, 1500 sq ft footprint.

Further, this lot will be accessed by a driveway on Folly Road, a busy state road. It is very unsafe and likely impermissible to have vehicles back onto the road, providing sufficient parking and a turnaround area will be essential.

Alternative placement of the house on the lot deep in the rear setback (which would also require a variance) a) is not as fitting with the neighborhood and b) would impede family parking and turnaround.

The bigger priority should be protecting any encroachment of the grand 31" DBH magnolia tree at the front of the lot, providing garden scenery along Folly Road.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, February 2, 2022

ITEM A 1
Folly Road Blvd
(Old Windemere)
TMS# 421-11-00-002
ZONED SR-2

Subject Property
BLUE PRINT 1/2" to 1/4" SCALE

3. Projection: Transverse Mercator

ACRETIONARY SURVEYING, INC.

Property of Charleston County, SC
City of Charleston
Folly Road Boulevard
TMS 421-11-00-002
1000 WINDERMERE
Lot 74, Block A
Boundary Survey

Legend:
- (DH) - Property Line
- (D) - Property Corner
- (CD) - Road Ramps
- (C) - Avonmore Property Line

NOTES & REFERENCES:

1. Coordinate System
2. Datum
3. Projection

SCALE 1" = 20'
Request to remove 27” DBH non-native pecan tree to develop lot with. Single family residence

Neighborhood
47 Fenwick Dr., Charleston SC 29407
421-11-00-003

Neighborhood
89 Folly Rd., Charleston SC 29407
421-11-00-001

Scale: 1/16", 1'
Access to this lot will come from Folly Road. A driveway with a designated turnaround should be essential for traffic safety.

Removal of the 27" DBH pecan tree will allow for minimal disturbance of the grander, native, Magnolia tree closer to the road.

Proposed home would be ~2300 sq ft, detached single family residence with a 1450 sq ft footprint and 168 sq ft porch. This is a modest-sized home appropriate to the lot, and prevented by the location of the non-native 27" DBH pecan tree.
July 2, 2021

Marshall Badeaux - Consulting Arborist

To Whom It May Concern:

Enclosed is a report ordered by Richard Vargo based on my independent field investigation of a 27" Pecan located in the middle of the property located at 0 Folly Road Boulevard, Charleston, SC 29407. It has been prepared for the consideration of his desire to determine the health and safety of the tree and to meet the requirements outlined in the municipal ordinance for removal of protected trees. I have included my assessment of the tree's current conditions, as well as my recommendations for removal.

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

Best regards,

[Signature]

Marshall Badeaux
Consulting Arborist
(843) 501-4297
marshall@charlestonreexperts.com
2851 Maybank Hwy
Johns Island, SC 29455
Tree Report

TMS # 4211100002
0 Folly Road Boulevard
Charleston, SC 29407

Prepared for:
Richard Vargo

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 Treescape Professional #03122
EHAP, Electrical Hazards Awareness Program

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SUMMARY

After Richard Vargo had become concerned with the condition of a 27" Pecan growing in the middle of 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 (BTTRA).

Based on this level 2 evaluation, I have determined that the tree outlined in this report is hazardous, beyond repair and should be removed as soon as possible to reduce unnecessary risk or spread of disease and pest.

INTRODUCTION

Background

In June 2021, David Saari with Carolina One Real Estate contacted my firm and expressed concerns after his client, Richard Vargo, observed a high-risk tree in the middle of the property. My Qualified Arborist, Eloes Palm, inspected and felt the tree could be beyond repair and provided a proposal to assess the tree further. She discussed the terms of our engagement and upon approval of the Arborist Report line item, I was scheduled for site inspection to perform a BTTRA.

Assignment

After discussing the terms of my engagement and the levels of assessment with Richard Vargo, 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 tree.
4. 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 David Saari and Richard Vargo. These were my only limitations in addition to the normal restrictions of a Level 2: BTTRA.

Purpose and Use of the Report

The purpose of this report is to provide an accurate depiction of defensive or hazardous conditions of the trees and site, and develop recommendations based on that data. This report is intended to be used by Richard Vargo to request a tree removal permit. Upon submission, this report will become the property of Richard Vargo and its use will be at his discretion. Reproduction or making of additional copies without explicit consent by the preparing Arborist is strictly prohibited.

OBSERVATIONS

Site

The tree is growing in the middle of the property.

The tree poses a threat to the surrounding structures and their inhabitants. These are the only targets within 1x the height of the trees. Most of these targets are constant and cannot be moved or mitigated.

ANALYSIS AND TESTING

The tree is approximately 50 feet in height with a crown spread of 40 feet.

Tree Inventory

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>Health</th>
<th>Risk Rating</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pecan, Carya</td>
<td>D</td>
<td>High</td>
<td>Termites, decay, cavities, Hypoxylon canker, broken limbs</td>
</tr>
<tr>
<td>27&quot;</td>
<td>illinoensis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DISCUSSION

Trees provide numerous benefits to the urban environment. These benefits increase as the age and size of the trees increase. However, as trees becomes larger and more mature, they are 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 tree 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.

Upon inspection of this tree, I observed multiple lesions along the tree’s limbs. These lesions are a sign of Hypoxylon canker. Hypoxylon canker is a disease that in advanced stages causes a white rot decay of the sapwood. This decay contributes to tree mortality, compromises the structural integrity of the tree, and makes it a danger to life and property. Unfortunately, there is no cure or treatment for this disease and it will result in total tree failure. This tree also showed signs of termite and other insect infestation determined by the insect frass seen along the buttress roots and trunk, as well as active insects within the trunk. Since termites consume dead cellulose, this is an indication that at least parts of the tree are dead, weakening the structure. There were multiple broken limbs within the canopy with signs of decay at the breakage point. The fallen limbs were observed around the tree. There were multiple cavities observed along the trunk and limbs. Cavities act as an entry point for dangerous diseases and pests that can accelerate the decline of the tree.
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.

CONCLUSION

This tree is hazardous beyond repair and should be removed to eradicate hazard as well as inhibit disease and pest spread to surrounding trees and plants.

RECOMMENDATIONS

1. Complete removal 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.

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.
Note the insect frass on the buttress roots indicating a termite infestation.
Additional insect frass and decay present along the buttress roots.

Active insect infestation along the trunk of the tree.
Multiple cavities along the trunk and limbs as well as broken, decaying limbs within the canopy.

Note the broken limb and the dark lesions seen here. These lesions are indicative of Hypoxylon canker.
Appendix C - 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 insofar as possible 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's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor 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 tree or property in question may not arise in the future.
Appendix D - Certification of Performance

I, Marshall Badeaux, certify:

1. That I have personally inspected the tree 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 if 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:

Date: 07/02/2021

[Stamp]
Agenda Item #A-3

MAYBANK HIGHWAY
(Johns Island)

TMS # 279-00-00-029, 030, 031 & 035

Request a variance from Section 54-327 to allow the removal of five grand trees.
Request a special exception from Sec 54-327 to allow the removal of ten grand trees.
Request a variance from Sec 54-330 to allow reduced impervious construction setbacks near the base of 16 grand trees.

Zoned PUD
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 accompanied by payment and 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.
- Reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED:
01/05/2022

Property Address:
Maplink Highway, Johns Island, SC
TMS #:
279-00-00-026-030-431 and 432

Property Owner:
Stancley Martin Companies, LLC, Res: Roger Hunt
Daytime Phone:
(843) 751-4348

Applicant:
HRA, Inc. Res: Ed Sudduth
Daytime Phone:
(843) 763-1166

Applicant’s Mailing Address:
250 Lambrick Dr., Charleston, SC 29407
E-Mail Address:
interior@hriinc.com
Relationship of applicant to owner [name, representative, prospective buyer, other] Representative

Zoning of property: [Street, County, Zip Code]

Information required with application:
- Check information submitted
- Submit site plan or plot showing the variance or special exception (be requested) being requested (3 sets)
- Photographs of the site, land to be removed, quality trees to be saved by removing others, etc.
- For requests to remove trees, evaluations/reports from certified or qualified arborists
- Check credit card or credit checks payable to the City of Charleston
- YES or NO - Is this property restricted by any recorded covenant that is contrary to, conflicts with or permits the proposed land use encompassed in this permit application? 
- 6-29-1145 of the South Carolina Code of Laws

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: 12/05/2021

For office use only
Date application received: 12/05/2021
Time application received: 1:00 PM
Sticker:

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

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. 54-510(b), or Sec. 54-513 (add an attachment if necessary).

The applicant asks for a special exception from section 54-329 to allow the removal of the Grand Trees (as indicated on the attached plan).

For variance requests from section 54-329 to allow the reduction of the Impervious surface area, the Grand Trees are also indicated on the attached plan.

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 S 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.

Department of Planning, Preservation & Sustainability
2 George Street
Charleston, South Carolina 29401
(843) 724-3781 FAX (843) 724-3772 www.charlestonsc.gov
City of Charleston Board of Zoning Appeals
C/o Eric Schultz – Principal Planner
Planning, Preservation, and Sustainability
75 Calhoun St.
Charleston, SC 29401

Re: Special Exception Request for the proposed Rhett’s Cove Development.

December 13, 2021

Dear Mr. Schultz,

Per the attached application for a Special Exception to the Board of Zoning Appeals – Site Design, please find below the applicant’s documentation of compliance with section 54-329 regarding relevant special exception requirements for removing the 10 requested category II Grand Trees as indicated on the attached exhibit.

1. The site was designed originally with exceptional care to avoid the removal of every grand tree, while still providing a feasible single-family attached community with a commercial component. Through the City’s PUD and Concept Plan review and approval process, the site layout was redesigned several times to accommodate the City Staff’s requirements, regarding the location of the road connectivity to neighboring parcels, on-street parking, and project access. The approved site concept resulted in a design that requires excessive grading and fill to accommodate the required stormwater detention and the removal of Grade ‘D’ Grand Trees.

2. The Grand Trees in question are in poorer health than the surrounding trees. The Landscape Architect and the Arborist reviewed and reported on the health and condition of the project’s Grand Trees. Per the reviews, the Grand Trees referenced by this request for a special exception are rated “D” (on an “A”-“F” scale, A being the best health and condition). The applicant feels that the retention of the trees in better health and condition and the higher category is of more long-term benefit.

3. The Grand Trees are located within an area that will require extensive grading and fill to allow for the interconnecting road required by City and required drainage. The Grand Trees are also located within the proposed buildings, roads, and drainage ponds. No other reasonable alternative of the site design exists to accommodate the City’s requirements for the road and drainage and save the trees. By using the evaluation provided by the Landscape Architect and the Arborist to determine which trees are of lower category and health, we are enabling the preservation of trees of higher category and health.

Would you please call me if you have any questions or need any additional information regarding this submittal?

Sincerely,

Kataryna Stafford
Some trees requested for removal already pose safety risks, and they will only worsen with
adjacent development.

b. these conditions do not generally apply to other property in the vicinity;
The conditions described do not generally exist in this combination on adjacent properties.

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
Due to the restrictions on the site and requests presented by the City with regards to the location
of the interconnection road, strict application of the ordinance would limit the flexibility of the
site. The granting of the variance will allow the project to react to the constrained conditions of
the site and focus on saving healthier trees of higher value.

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.

On behalf of our client, HLA, Inc., contacted Mr. Eric Schultz with the request of an on-site meeting
to conduct the tree evaluation. Mr. Schultz advises applying for the EZA-SD approval on December
6th with the possibility of meeting on-site in the week commencing on December 6th. The
applicant visited the site and conducted a separate evaluation of the trees. Additionally, the trees
were evaluated by the Natural Tree Arborist. The arborist and applicant visit outcomes agree
on the tree's conditions and grades. The trees were given a grade A, B, C, D, or F, with "A" being
the best and "F" being the poorest condition and possibly dead or dying. Throughout the initial
site design efforts, the applicant has worked to preserve the higher quality trees for the benefit
of the site and the adjacent property. The design focused on keeping groups of trees together and
undisturbed, limiting the removals to single lower grade trees. The change of design per the City's
request for interconnectivity road rendered saving more trees impossible. The trees requested
for removal are grade "C", "D", or "F." Also, considered in the selection of trees for removal is
the long-term ability of a tree to support the proposed constructed environment and remain safe
for future development users. The authorization of the variance will allow the development of
the site similar to the surrounding commercial and residential uses while allowing for the removal
of mostly lesser grade potentially hazardous trees.

Would you please call me if you have any questions or need any additional information regarding this
submittal?

Sincerely,

Katarzyna Stafford
Landscape Designer
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, February 2, 2022

ITEM A 2
Maybank Hwy
(Johns Island)
TMS# 279-00-00-029, 030, 031 & 035
ZONED PUD
<table>
<thead>
<tr>
<th>Tree List</th>
<th>DBH</th>
<th>SPECIES</th>
<th>GRADE</th>
<th>ARBORIST COMMENTS</th>
<th>ORDINANCE CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25</td>
<td>Live Oak</td>
<td>D</td>
<td>Hollow Base - Suppressed</td>
<td>Category I</td>
</tr>
<tr>
<td>2</td>
<td>34</td>
<td>Hickory</td>
<td>D</td>
<td>Hollow Base</td>
<td>Category II</td>
</tr>
<tr>
<td>3</td>
<td>27</td>
<td>Hickory</td>
<td>D</td>
<td>Forked - Included Bark</td>
<td>Category II</td>
</tr>
<tr>
<td>4</td>
<td>9.5/16</td>
<td>Poplar</td>
<td>C</td>
<td>Crook</td>
<td>Category II</td>
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<td>29/17</td>
<td>Poplar</td>
<td>D</td>
<td>Stump Sprouts - Included Bark</td>
<td>Category II</td>
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**Staff Removal**

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<tr>
<th>Tree List</th>
<th>DBH</th>
<th>SPECIES</th>
<th>GRADE</th>
<th>ARBORIST COMMENTS</th>
<th>ORDINANCE CATEGORY</th>
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**Special Exception**

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<th>GRADE</th>
<th>ARBORIST COMMENTS</th>
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<td>Category III</td>
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<td>12.5/16</td>
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<td>25</td>
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<td>Lean</td>
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</table>
Variance for Removal

#21-12.5/14.5 Live Oak - Cat D (Hollow Base, Suppressed)

#22-34 Hickory - Cat D (Hollow Base)

#25-27 Hickory - Cat D (Forked, Included Bark)

#26-9.5/16 Tulip - Cat C (Crook)

#27-17/29 Tulip - Cat D (Stump Sprouts, Included Bark)

Staff Removal

#15-40.5 Water Oak - Cat F (Decline, Vines)

Rhett’s Cove - Variance for Removal and Staff Removal

12-4-3-2021
Agenda Item #B-1

CENTRAL PARK ROAD
(James Island)

TMS #: 340-03-00-007
Request an after-the-fact special exception from Sec 54-327 to allow the removal of one grand tree.

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 – 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 decision.

The Applicant hereby requests:

☐ A Variance and/or Special Exception as explained on page 2 of this form.
☐ Tree Removal, Landscape buffers, Parking Surface, Other
☐ Decision of a Zoning official (attach Appeal form)
☐ Extension of an unvaried Variance and/or Special Exception approval.

Meeting Date Requested: February 2, 2020

Property Address: Central Park Road, James Island, SC 29412
TMS # 349-03-00-007

Property Owner: Central Park Road, LLC
Daytime Phone: 843-573-9535

Applicant: Lesemann & Associates, LLC
Daytime Phone: 843-724-5155

Applicant’s Mailing Address: 418 King Street, Suite 301, Charleston, South Carolina 29403

Relationship of applicant to owner (name, representative, prospective buyer, other)

Attorney

Zoning of property: BR-1 (Dwes)

Information required with application: (Check information submitted)

☐ Site plan or photo showing the variance(s) or special exception(s) being requested (2 sets)
☐ Photographs of the site, good trees to be removed, other trees to be saved, etc.
☐ For requests to remove trees, evaluation reports from certified or qualified arborists
☐ Check credit card or charge (note checks payable to the City of Charleston)
☐ Yes or No Is this property restricted by any recorded restriction or a covenant by which the property is explained to prohibit the proposed land use encompassed in this permit? § 6-29-1145 of the South Carolina Code of Laws

Optional but very helpful information:

☐ Letter or petition from neighbors or organization 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 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: December 8, 2021

For Office use only

Date application received

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):

N/A

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:

☐ There are extraordinary and exceptional conditions pertaining to the particular piece of property.
☐ These conditions do not generally apply to other property in the vicinity.
☐ Because of these conditions, the application of the ordinance to the particular piece of property would be effective prohibit or unreasonably restrict the use of the property.
☐ 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 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. 54-329, Sec. 54-511(b), or Sec. 54-513 (add as an attachment if necessary):

See Attachment

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.
Renewed Request for Special Exception

At the request of the City, Central Park Road, LLC (“Owner”) requests retroactive approval of a special exception to remove a clustered set of four sprouted trees that were classified as a Category III, Grade of a “C” grade Persimmon tree(s) located within the Central Park Cluster Development. Under City Ordinance Section 54-331, Persimmon trees (Diospyros virginiana) are designated as “Category III” trees, such that the special exception standard, rather than the variance “hardship” test, is applicable.

The City and Owner disagree whether the tree is considered a “grand tree” for purposes of the City’s Grand Tree Ordinance. At the City’s direction, Owner submitted a prior request for a special exception. However, after obtaining an opinion from a certified arborist (Van Atkins of Atkins Tree Service) and a letter from Reverend Seabrook requesting removal of the tree for safety reasons, Owner removed the tree(s) and withdrew its prior application.

As noted in the prior application, the Central Park Cluster Development is fully vested. It has been approved by the City of Charleston (the “City”), the County of Charleston, SC DHEC’s Bureau of Water, and SC DHEC’s Office of Coastal Resource Management. The approved project involves 38 units which will, in accordance with the goals of the applicable cluster overlay zoning, maximize the open space on the site. As a result of the City’s determination that the subject property is within a “Special Protection Area,” the project underwent significant redesign to provide additional stormwater storage capacity and meets the strictest design standards that can be applied to a residential project under the City’s Stormwater Design Standards Manual.

Additional limitations arose and applied to the property due to the City’s designation of the site as a Special Protection Area. Since the cluster overlay requires a high percentage of open space and a clustering of lots there are further restrictions placed on flexibility. However, from a stormwater and development standpoint, the cluster overlay was the most environmentally responsible approach, allowing the designers to save over 50% of the site as open space.

The guiding factors in the site design of the property have been: (1) adapting to meet and exceed the heightened stormwater standards that were applied to the project; (2) maximizing the most desirable open space, including a sizeable wetland area; and (3) meeting the objectives of the cluster overlay zoning, and (4) preserving the best trees on the site.

The subject Persimmon trees are located directly in the pathway of “Highcroft Avenue,” which is the entry boulevard for the Central Park Road Cluster Development. The entry boulevard is designed in accordance with City standards, with a right of way that is 35.5 feet. The project site has an elongated linear configuration, particularly in the entrance area where the subject trees are located. As a result, the project site had limitations in the way that lots could be laid out as allowed under the applicable zoning.

At the time of the original tree survey, the tree surveyor did not consider the cluster of sprouted persimmons to be a grand tree and therefore did not mark it as protected or grand. Additional site visits by other professionals and the City during the multi-year administrative review for this project also did not result in any suggestion that the sprouted persimmons were considered as a single, grand tree. Based on the configuration and features, it was considered multiple non-protected trees, rather than a single Grand Tree. The arborist graded the sprouted persimmons that are the subject of this application as “C.”

As noted above, at the City’s request, Owner submitted a prior application for a special exception. The matter was presented to the BZA-SD on August 4, 2021, and was deferred by the BZA-SD. The application for a special exception was withdrawn due to the following reasons, which reasons justify a retroactive approval of the removal:

1. the persimmon trees are not the original tree, but are a set of four sprouts that generated after the original tree died;
2. the sprouted trees are not a “Grand Tree” under the City’s Ordinances as applied and interpreted in accordance with applicable law;
3. the Owner recently received an opinion from a certified arborist (Van Atkins, ISA Certified Arborist) confirming that the trees are actually four distinct sprouted trees, which means that the trees are not (individually or collectively) a Grand Tree;
4. numerous surveys and inspections by surveyors and City officials were conducted on the property from 2017 up through the approval of the preliminary plat in January 2021, none of which resulted in any opinion that the sprouted trees were considered a Grand Tree;
5. the approval of the preliminary plat in January 2021 resulted in vested rights on the part of the Owner to undertake and complete the development in accordance with the approved preliminary plat;
6. removal of the sprouted trees is necessary for the installation of approved roads and drainage infrastructure that, once completed, are expected to improve drainage conditions in the immediate area;
7. the sprouted trees are in poor health, no longer bear good fruit, and have precipitously dropped large limbs on several occasions in the recent past, which is particularly concerning based on the proximity of the sprouted trees to neighboring residences, power lines, and driveways where vehicles are parked; and
8. the Owner recently received a written request from the Reverend Charles Seabrook, who is a neighboring property owner and who also speaks for
other family members who own additional adjoining properties, asking that
the subject tree be removed for reasons of health and safety.

As necessary, Owner seeks retroactive approval for its prior removal of a set of four sprouts
of a “C” grade, Category III persimmon tree(s). The trees are a less-desirable species and of lesser
grade, according to the consulting arborist and the City’s ordinances. As noted above, it was
necessary to remove the trees for project infrastructure and to protect the safety of persons and
property. They are located along the Southwestern property line, adjacent to a concrete driveway
on a neighboring property, and is in the direct path of an approved road plan. At the hearing,
Owner intends to present a voluntary mitigation plan that will allow for the creation of a vegetative
buffer in the area.

Owner believes a special exception is not required as the sprouted persimmons do not meet
the definition of a Grand Tree. However, even if the sprouted trees were to constitute a single
grand tree, approval of the removal is appropriate. The trees should be removed under City
Ordinance Section 54-329, as the trees are “located within a proposed building footprint, street,
road, driveway, drainage way, or parking area.” As explained above, there is no other reasonable
design or economically reasonable alternative exists to save the trees. Also, the trees are less
desirable than the actual Grand Trees that the project has been previously designed and redesigned
in order to protect. For these reasons, retroactive approval is requested.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, February 2, 2022

ITEM B-1
Central Park Rd
(James Island)
TMS# 340-03-00-007
ZONED SR-1

Subject Property
Dear Mr. Harvey,

As requested, this is my evaluation of the tree we spoke about at the Central Park Cluster Development. This project is located off of Central Park Road on James Island. This property is in the City of Charleston.

The tree in question is an 8.9.11.11’ Pecan tree located along the Southwestern property line adjacent to the concrete driveway. This tree is located within the proposed roadway for this development. The multiple stumps are a result of stumpy pruning, therefore the tree as a whole has poor form. This tree is a C grade tree in fair condition.

Trees inherently pose hazards and I cannot guarantee the structural integrity of any tree. No tree removal should be performed without permission from the City of Charleston. Please give me a call with any questions at (843) 296-1581.

Sincerely,

Donald E. Skinner, Jr.

Donald E. Skinner, Jr.
Certified Arborist 503-5166A
SC Registered Forester #1707
Joshua Craig  
843-693-4141  
575 Savannah Hwy.  
Joshua.craig@levigrantham.com  

1804 Central Park  

Regarding a four trunk Persimmon tree.  
These trees sprouted out of a rotted Persimmon stump approximately fifteen years ago.  
It is natural for sprouted trees that grow up individually to appear as one as they grow older due  
to the spreading of the root flare which is the fastest growing part of the tree.  
So as the root flare spreads it is natural for it to encompass the surrounding root flares, making  
It appears as one tree when in fact it is four separate trees  
Mrs. Seabrook, that has always lived there remembers when the original Persimmon tree died several years ago.  
These are seedling trees bearing non usable fruit.  
There have been many studies done documenting sprouts growing out of stumps, live or with rotted tops  
but still having live roots.  
It is very apparent that this is the case here as you can see where the old stump was by the indentation in the middle.

Van Atkins  
ISA Certified Arborist
November 13, 2021

To Whom it may Concern:

My Name is Reverend Charles Seabrook and I live at 1804 Central Park Road. I am writing out of concern that a persimmon tree that died some years ago has now had multiple seedlings sprout from a rotted stump and is now a danger to my family's cars, house and power line. This tree has had many large limbs fall and we are afraid to be near these trees that are obviously dying. The fruit is no longer good and is full of seeds.

Being the folks that are closest to these trees, we would like to see them removed out of an abundance of caution that we may be physically harmed or that our property may be damaged.

Peace and Blessings,

[Signature]

Reverend Charles Seabrook
Agenda Item #B-2

108 NORVIEW DRIVE
(Northbridge Terrace)

TMS # 415-04-00-222

Request an appeal to a staff decision to deny the removal of one grand tree without seeking a variance.

Zoned SR-1
Appeal for Reconsideration of a Board of Zoning Appeals Site Design (BZA-SD)

Applicants appealing for reconsideration of a Board decision or decision of the zoning administrator must submit the following information with the BZA-SD application and fee to the Permit Center at 2 George Street:

1. A Variance and/or Special Exception as explained on page 2 of this form.
3. A Site Plan.
4. A Request for Approval of an Exception or Variance.
5. A Letter from a Tree Expert.
7. A Letter from a Civil Engineer.
8. A Letter from a Geotechnical Engineer.
10. A Letter from a Historical Preservation Expert.
11. A Letter from a Traffic Engineer.
17. A Letter from an Anthropologist.
20. A Letter from a Structural Engineer.
22. A Letter from an Environmental Scientist.
23. A Letter from an Environmental Planner.
25. A Letter from an Environmental Attorney.
27. A Letter from an Environmental Consultant.
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100. A Letter from an Environmental Consultant.

Meeting Date Requested: 12/29/2021

Property Address: 108 Norview Drive, Charleston, SC 29407

Property Owner: Van's Woodlands, LLC

Applicant: Gloria A. Auld

Applicant's Mailing Address: 108 Norview Drive, Charleston, SC 29407

Applicant's Email Address: gauld@aol.com

Zoning of property: Residential

Applicant's signature: Auld

Date: 12/29/2021

For office use only

Date application received: 12/29/2021

Sign here: Auld

Date: 12/29/2021

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

Phone: (843) 724-3781
Fax: (843) 724-3772

www.charleston.sc.gov
Board of Zoning Appeals Site Design
Order on Appeal

The Board of Zoning Appeals Site Design held a public hearing on

[redacted] to consider the above appeal for reconsideration of a decision of the Board or the zoning administrator alleged to be erroneous by the applicant and affecting the property described above. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions:

1. The Board makes the following findings of fact which are supported by the evidence:

2. The Board concludes the following:

b. In the case of an appeal for reconsideration of a decision of the Board, the Board
   [redacted] denies the appeal . . . grants the appeal, withdraws its decision, and agrees to hear the application de novo, as if no hearing, consideration or determination has been previously made or heard.

a. In the case of an appeal for reconsideration of a decision of the zoning administrator, the Board orders that the decision of the zoning administrator is [redacted] affirmed [redacted] reversed [redacted] modified as follows:

[blank spaces for additional text]
ITEM B 2
108 Norview Dr
(Northbridge Terrace)
TMS# 415-04-00-222
ZONED SR-1
11/11/2021
Gloria Aslanidis
108 Norview Drive
Charleston, SC 29407

Per the request of Mrs. Gloria Aslanidis, I inspected one 45 feet tall Grand Red Maple, 28.5 DBH, located in the middle of her front yard, 10 feet from her residence.

This tri-dominant mature tree has compromised the integrity of her front foundation as well as destroyed her driveway along the front right side of her home. The homeowner had to replace her entire driveway due to root uplifting. This will happen again until the tree is removed.

Aggressive root damage is visible as you approached the center and right front structure of her home. A 2.5” surface root has touched the house and is growing well beneath her foundation. Several areas of the brick structure near the front door have been cracked, separated along with new mortar attempting to limit the continual destruction. The surface roots continue to uplift the foundation weakening the large window frames across from the tree. The entire front facade will keep deteriorating due to the expansive outer root nature.

Structurally, this aging Maple has areas of cracked, separated bark and even signs of bore infestation just above a large canker. While this tree may be expanded in scope, it is also distressed and must be removed prior to any additional structural damage to her home.

I strongly advise Mrs. Aslanidis to contact the City of Charleston to request a tree removal permit.

Sincerely,

James Critikos
Agenda Item #B-3

1455 FOLLY ROAD
(James Island)

TMS # 334-00-00-066

Request a variance from Section 54-327 to allow the removal of five grand trees.
Request a special exception from SEC 54-327 to allow the removal of three grand trees.
Request a variance from Sec 54-330 to allow a reduced impervious construction setback near the bases of seven grand trees.

Zoned GB & Li
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
- A reconsideration of a decision of the Board or action of a zoning official (attach Appeal form).
- Extension of an unaunched Variance and/or Special Exception approval.

MEETING DATE REQUESTED: February 2, 2022
Property Address: 1455 Folly Rd, Charleston, SC 29412
TMS #: 334-00-00-006
Property Owner: Industrial Ventures, LLC
Daytime Phone: 843-696-0444
Applicant: Bob Almirall
Daytime Phone: 970-222-9133
Applicant’s Mailing Address: 2671 W, Montague Ave, Suite 101, North Charleston, SC 29418
Email Address: ballofal@reveergroup.com
Relationship of applicant to owner (same, representative, prospective buyer, other) Representative

Zoning of property: Light Industrial and General

Information required with application:
- Check all that apply
- Show all variances or special exceptions being requested if any
- Photographs of the site, grand trees to be removed, quality trees to be saved by removing others, etc.
- For requests to remove trees, evaluations/reports from certified or qualified arborists
- Check, credit card or cash (make checks payable to the City of Charleston)
- 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? Sec 6-29:1145 of the South Carolina Code of Laws

Optional but very helpful information:
- 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 ___________________________ Date __________________

For office use only
Date application received ___________________________ Time application received __________________
Signature ___________________________
Department of Planning, Preservation & Sustainability 2 George Street Charleston, South Carolina 29401
(843) 724-5751 FAX (843) 724-3772 www.charleston-sc.gov

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. 54-311(c), or Sec. 54-313 (add as an attachment if necessary).

See Attachment.

We request a special exception from Section 54-329(b) of the City of Charleston Zoning Ordinance to remove two (2) Category III grand trees for construction of a multi-building self-storage facility as these two trees fall within the building footprints.

Tree Requested for Removal:
- 15'10" Water Oak(D), 17'12" Water Oak(C)

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.
January 3, 2022

Mr. Eric Schultz
City of Charleston
Department of Planning, Preservation & Sustainability
2 George Street
Charleston, SC 29401

Re: Folly Self Storage (TMS # 334-00-00-0096)
BZA-SD Grand Tree Removal Variance or Special Exception

On behalf of Barron Holdings, Reveer Group is requesting a variance or special exception for the removal of eight (8) grand trees on the site. The western portion of the site is proposed to be developed as a multi-building self-storage facility while the eastern portion will remain undeveloped at this time. The parcel (TMS # 334-00-00-0096) is 5.01 acres in size and split zoned as Light Industrial on the west and General Business on the east within the Folly Road Overlay District. The main building (~40,875 sq ft) will be encircled by a drive aisle with enclosed storage units on 3 sides. A small parking area, dry detention pond and driveway connection to Folly Road is also proposed.

Chris Gerardi, certified Arborist, assessed the property and has provided an evaluation of the thirty (30) grand trees initially identified on the tree survey provided by Atlas Surveying. Several of which were determined to not meet grand tree criteria based on species or health conditions while others were determined to be a different species and have been updated on the Grand Tree Site Plan provided. Additional modifications to the initial report were made pursuant to a field meeting on December 30, 2021 with Eric Schultz and are reflected in the attached documents.

We request a variance from Section 54-325(b) of the City of Charleston Zoning Ordinance to remove six (6) grand trees for construction of a multi-building self-storage facility.

Tree Requested for Removal:
12”/12”/11” Live Oak(C), 17”/13”/12” Live Oak(C), 12”/13” Water Oak(C), 18”/7” Laurel Oak(C), 15”/13”/11”/9” Maple(D), 18”/6” Live Oak(C)

We request a special exception from Section 54-325(b) of the City of Charleston Zoning Ordinance to remove two (2) Category III grand trees for construction of a multi-building self-storage facility as these two trees fall within the building footprints.

Tree Requested for Removal:
15”/10” Water Oak(C), 17”/12”/9” Water Oak(C)

Multiple parking and pond layouts were explored to save the maximum number of grand trees.

The following evaluation criteria has been reviewed and deemed to be satisfactorily met:

A. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
Folly Road is a commercial corridor with business/industrial zoning surrounding the subject property and there are few undeveloped parcels with mature trees like this site. The portion of the property currently proposed for development is surrounded by commercial, industrial or business uses or zones. On the north is an existing Public Storage self-storage facility, to the east the site is undeveloped and in the General Business (GB) zone, to the south is the Folly Road Church of Christ within the Limited Business (LB) zoning district, and on the west the James Island Business Park property is heavily developed and devoid of large trees within the Heavy Industrial (HI) zoning.

The property is located within the City of Charleston’s Special Protection Area (SPA) for stormwater management which requires a larger than typical detention pond and water quality measures to be implemented to reduce the volume and flow rate in accordance with city design criteria. There are extraordinary and exceptional conditions pertaining to the property in that this criterion significantly reduces the area of developable land and this is the only remaining undeveloped fully wooded property zoned light industrial along Folly Road.

B. Those conditions do not generally apply to other properties in the vicinity:

These conditions do not generally apply to other properties in the vicinity as they were developed prior to the adoption of the Special Protection Area requirements. To effectively develop a property for use as a self-storage facility, like the property immediately adjacent to the north, a significant portion of the site must be utilized for building footprints, access, parking, and drainage. A variety of building configurations were evaluated, and a concerted effort has been made to separate and align buildings and access drives in a way to maintain as many high value grand trees as possible.

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
The location of the existing grand trees as distributed across the site would unreasonably restrict the building configuration in such a manner that it would be a hardship to develop in a fashion that meets the general density and design guidelines for the zoning district. The protection of all the site grand trees and compliance with the requirements of city ordinances and the SPA would effectively prohibit the utilization of the property for the allowable uses.

D. 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.

Authorization for the removal of the requested grand trees would not be of substantial detriment to the adjacent property to the north with similar use and vegetation density. To the west, the heavy industrial site has no existing trees that were saved. To the south, a 25-foot buffer yard with the church property with protected and grand trees will ensure that the public good and the character of the district will not be harmed. In addition, the future general business development on the eastern portion of the site will provide a visual buffer between Folly Road and the propose self-storage uses with existing and required landscaping that will complement the urban nature of this segment of Folly Road.

148 protected and 16 grand trees are proposed to remain on the site during the initial phase of development. Using a net site area of 4.94 acres (excluding the existing utility easement adjacent to Folly Road), the resulting ratio is 20.2 trees per acre remaining, making the development consistent and in harmony with the adjacent properties and the character of the district.

A certified arborist will be engaged to prune and treat the grand and non-grand trees to be preserved and a landscape plan will be provided during the TRC process that will reflect trees being mitigated.

Thank you in advance for your consideration of this request.

Sincerely,
REVEER GROUP

[Signature]
Robert Almirall, P.E.
Senior Project Manager
ITEM B3
1455 Folly Rd
(James Island)

TMS# 334-00-00-066

ZONED GB & LI
<table>
<thead>
<tr>
<th>Tree #</th>
<th>DBH</th>
<th>Species</th>
<th>Category</th>
<th>Grade</th>
<th>Comments</th>
<th>Condition</th>
<th>Proposed Removal</th>
<th>BZA Request Type</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>17/17</td>
<td>Live Oak</td>
<td>I</td>
<td>B</td>
<td>Good condition</td>
<td>Good</td>
<td>No</td>
<td></td>
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<tr>
<td>2</td>
<td>17/15/13/11</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition w/ included bark</td>
<td>Good</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>12/12/11</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition w/ included bark</td>
<td>Good</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>4</td>
<td>17/13/12</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition w/ significant lean</td>
<td>Good</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>5</td>
<td>18</td>
<td>Live Oak</td>
<td>I</td>
<td>D</td>
<td>Tree is in poor condition with 1 leader completely broken out. Large cavity in broken leader. Included bark cavity in the trunk of the remaining leader about 20ft up. Tree should be inspected for trunk decay. Significant Tree per Eric Schultz</td>
<td>Poor</td>
<td>Yes</td>
<td>N/A-Significant Tree</td>
</tr>
<tr>
<td>6</td>
<td>15/10</td>
<td>Water Oak</td>
<td>III</td>
<td>D</td>
<td>Fair to poor condition due to declining crown, pocket of decay in one leader in the crown. Significant Tree per Eric Schultz</td>
<td>Poor</td>
<td>Yes</td>
<td>Special Exception</td>
</tr>
<tr>
<td>7</td>
<td>17/12/9</td>
<td>Water Oak</td>
<td>III</td>
<td>C</td>
<td>Fair condition w/ included bark</td>
<td>Fair</td>
<td>Yes</td>
<td>Special Exception</td>
</tr>
<tr>
<td>8</td>
<td>19 &amp; 18</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>One of the two leaders looks to have decay in the crown at the top, second leader of the tree is in good condition, the small third leader is broken and dead. Two significant trees per Eric Schultz.</td>
<td>Good</td>
<td>Yes</td>
<td>N/A-Significant Tree</td>
</tr>
<tr>
<td>9</td>
<td>14/13</td>
<td>Live Oak</td>
<td>I</td>
<td>B</td>
<td>Good condition</td>
<td>Good</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>16/15</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Fair condition, with two large dead leaders at the base. Tree has included bark.</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>30</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition, 3&quot; cavity on the trunk.</td>
<td>Fair</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>12</td>
<td>12/13</td>
<td>Water Oak</td>
<td>III</td>
<td>C</td>
<td>Fair condition w/ included bark. Excessive sucker growth.</td>
<td>Fair</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>13</td>
<td>21/13</td>
<td>Water Oak</td>
<td>III</td>
<td>C</td>
<td>Fair condition shows a canker on the trunk and has a truncated asymmetrical leader.</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>18/7</td>
<td>Laurel Oak</td>
<td>II</td>
<td>C</td>
<td>Fair condition w/ included bark.</td>
<td>Fair</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>15</td>
<td>24</td>
<td>Laurel Oak</td>
<td>II</td>
<td>C</td>
<td>Fair condition, shows severe pruning from power lines.</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>24</td>
<td>Laurel Oak</td>
<td>II</td>
<td>C</td>
<td>Good condition w/ an asymmetrical crown.</td>
<td>Good</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>25/20</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition, 13&quot; co leader is dead, 20&quot; co leader is alive.</td>
<td>Good</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>27</td>
<td>Maple</td>
<td>I</td>
<td>D</td>
<td>Fair-poor condition, has a cavity and large dead stub. Suspect decay in the trunk.</td>
<td>Poor</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>15/13/11/4</td>
<td>Maple</td>
<td>I</td>
<td>D</td>
<td>Fair to poor condition w/ a disturbed root plate.</td>
<td>Poor</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>20</td>
<td>28</td>
<td>Water Oak</td>
<td>III</td>
<td>C</td>
<td>Has several cavities and signs of cankers in the crown and suspect decay in the trunk. Recommend aerial inspection.</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>18/16</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Fair condition with included bark and asymmetrical crown.</td>
<td>Fair</td>
<td>Yes</td>
<td>Variance</td>
</tr>
<tr>
<td>22</td>
<td>26/19/9</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Good condition w/ included bark</td>
<td>Good</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>15</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>15&quot; leader in good condition, 13&quot; leader is completely dead. Significant Tree per Eric Schultz</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>15 &amp; 10</td>
<td>Sweetgum</td>
<td>N/A</td>
<td>N/A</td>
<td>Two separate trees</td>
<td>N/A</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>16/10</td>
<td>Sweetgum</td>
<td>N/A</td>
<td>N/A</td>
<td>Good Condition</td>
<td>N/A</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>18/16</td>
<td>Sweetgum</td>
<td>N/A</td>
<td>N/A</td>
<td>Good condition w/ included bark</td>
<td>N/A</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>18/16</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Tree is bifurcated with included bark in fair condition.</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>22/11</td>
<td>Live Oak</td>
<td>I</td>
<td>C</td>
<td>Fair condition</td>
<td>Fair</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>18/17</td>
<td>Winged Elm</td>
<td>III</td>
<td>D</td>
<td>Fair to poor condition with a cracked 18&quot; trunk.</td>
<td>Poor</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>18/17/15/14</td>
<td>Maple</td>
<td>I</td>
<td>D</td>
<td>Tree is overly mature with a severe lean and included bark root plate seems to be lifting. Tree is in poor condition.</td>
<td>Poor</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>24</td>
<td>N/A</td>
<td>N/A</td>
<td>F</td>
<td>Dead</td>
<td>Dead</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>24/20</td>
<td>N/A</td>
<td>N/A</td>
<td>F</td>
<td>Dead</td>
<td>Dead</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
Dear Bob,

Included is my tree inspection report for lot c 8, signal Point Subdivision, Folly Rd.

While reviewing the plat and walking the lot, there are a few additions worth noting:

- #1, as per our discussion is one single tree.
- #25 is an additional grand tree, 16in and 10in gum.
- #26 is one tree: 16in and 18in gum
- #27 is an additional grand tree with a 16in leader that had been unaccounted for on the survey.
- #28 is an 11in and 22in live oak left out of the first count.
- #29 is a 17in and 18in elm tree that does not appear on the survey.
- #30 is a 18-15-14-17in maple tree that is listed as a gum tree on the survey.

Included below is the annotated plat with all the trees marked with numbers which in turn relate to the pictures and descriptions in the excel sheet. The list of trees that are indicated as dead on the survey is correct.

Sincerely Yours,

Chris CM Gerards
Tree #1, Two leadered 17in and 17in Live Oak in good condition B rating

Tree #2, 17in, 11in, 15in, 13in Live Oak with included bark is in good condition. C rating

Tree #3, 12in, 11in, 12in Live Oak in good condition with included bark. C rating

Tree #4, 13in, 12in, 17in Live Oak in good condition with significant lean. C rating

Additional dead trees:
A: 20in dead  
B: 5in, 6in, 8in dead  
C: 13in, 11in dead  
D: 16in, 16in dead  
E: 9in dead  
F: 12in dead  
G: 15in dead  
H: 16in dead  
I: 16in dead  
J: 8in dead  
K: 16in dead  
L: 24in, 20in dead  
M: 23in dead  
N: 20in dead  
O: 17in dead  
P: 15in dead  
Q: 24in dead  
R: 16in dead  
S: 8in dead  
T: 17in dead
Tree #5, 17in, 18in, 6in Live Oak. Tree is in fair to poor condition with 1 leader completely broken out. Large cavity in broken leader. Included bark cavity in the trunk of the remaining leader about 20ft up. Tree should be inspected for trunk decay. D rating.

Tree #6, 15in and 10in Water Oak. Water Oak is in fair to poor condition due to declining crown, pocket of decay in one leader in the crown. D rating.

Tree #7, 12in, 17in, 9in Water Oak. In fair condition with included bark. C rating.

Tree #8, 19in, 18in, 14in Live Oak. One of the two leaders looks to have decay in the crown at the top, second leader of the tree is in good condition, the small third leader is broken and dead. Recommend further aerial inspection. C rating.
Tree #9, 14 in, 13 in Live Oak in good condition. B rating

Tree #10, 16 in, 15 in Live Oak in fair condition, with two large dead leaders at the base. Tree has included bark. C rating

Tree #11, 30 in Live Oak is in good condition, has a 5 in cavity on the trunk. B rating

Tree #12, 12 in. 13 in Water Oak is in fair condition with included bark, excessive sucker growth. C rating
Tree #13, 21in, 13in Water Oak is in fair condition shows a canker on the trunk and has a truncated asymmetrical leader. C rating.

Tree #14, 18in, 7in Laurel Oak is in fair condition with included bark. C rating.

Tree #15, 24in Laurel Oak is in fair condition, shows severe pruning from power lines. C rating.

Tree #16, 26in Live Oak is in good condition with an asymmetrical crown. C rating.
Tree #17, 25" Live Oak is in good condition, 13" co leader is dead, 20" co leader is alive. C rating

Tree #18, 27" Maple is in fair-poor condition, has a cavity and a large dead stub. Suspect decay in the trunk. D rating

Tree #19, 15" Maple in fair to poor condition with a disturbed root plate. D rating

Tree #20, 28" water oak in fair condition. Has several cavities and signs of cankers in the crown and suspect decay in the trunk. Recommend aerial inspection. C rating
Tree #21, 18 in. and 16 in. Live Oak in fair condition with exfoliated bark and asymmetrical crown. C rating.

Tree #22, 20 in., 15 in. Live Oak is in good condition with exfoliated bark. C rating.

Tree #23, 15 in. Live Oak, 15 in. leader in good condition, 13 in. leader is completely dead. C rating.

Tree #24, are two separate trees.
Tree #25. 16in and 10 in Gum Tree is in good condition.

Tree #26. 16in, 16in Gum Tree is in good condition with included bark.

Tree #27, shows on plet as a 18in Live oak but has additional 16in attached leader. Tree is bifurcated with included bark in fair condition. C rating

Tree #28, 11in and 22in live oak in fair condition. C rating
Tree #29, 17in and 18in winged elm. (tree is not on the plat) tree is in fair to poor condition with a cracked 18” trunk. D rating

Tree #30 shows as a 18-15-14” gum tree on survey but is a 18-15-14-17” maple. Tree is overly mature with a severe lean and included bark root plate seems to be lifting. Tree is in poor condition. D rating