City of Charleston

BOARD OF ZONING APPEALS-SITE DESIGN

April 28, 2021 SPECIAL MEETING
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.

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
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.
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.
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.
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 March 3, 2021 BZA-SD Meeting Minutes.

MEMBERS PRESENT: JOEL ADRIAN, AMANDA BARTON, KELVIN HUGER, ANDREW HARGETT, PAULA MURPHY, RUTHIE RAVENEL, JEFF WEBB
STAFF PRESENT: LEE BATECHLER, ERIC SCHULTZ, BETHANY WHITAKER

AGENDA BOARD OF ZONING APPEALS – SITE DESIGN
MARCH 3, 2021 5:00 p.m. “virtually via Zoom Webcast”

A. Review of Minutes and Deferred applications from previously advertised BZA-SD agendas. For information call 843-724-3718.

Review of minutes of the February 3, 2021 BZA-SD Board Meeting.

APPROVED XX
WITHDRAWN 0
DISAPPROVED 0
DEFERRED 0

MOTION: Approval.
MADE BY: A.Darton; SECOND: J.Webb; VOTE: FOR 2 AGAINST 0

B. New applications:

1. 104 CANNON STREET (Peninsula) (CITY#000-10-04-013) APP. NO. 2103-02-01

Request a special exception from Sec. 54-327 to allow the removal of one grand tree.
Owner: 104 Cannon Street, LLC
Applicant: Freedom Engineering & Surveying, Inc.
Zoned PUD
APPROVED XX
WITHDRAWN 0
DISAPPROVED 0
DEFERRED 0

MOTION: Approved with conditions recommended by Staff: 1) must plant 17 caliper inches of recommended native canopy trees on the project site or make a contribution to the City’s Street Tree Program; 2) must provide a landscape plan for staff review and approval.
MADE BY: A.Darton; SECOND: P.Murphy; VOTE: FOR 2 AGAINST 0

2. 54 ST. PHILIP STREET (College of Charleston) (TMS#467-04-02-043)

Request a variance from Sec. 54-327 to allow the removal of five protected trees.
Owner: College of Charleston
Applicant: ADC Engineering, Inc.
Zoned G-6
APPROVED XX
WITHDRAWN 0
DISAPPROVED 0
DEFERRED 0

MOTION: Approved with conditions recommended by Staff: 1) must plant 25 caliper inches of recommended native canopy trees on the project site or make a contribution to the City’s Street Tree Program; 2) must provide a landscape plan for staff review and approval.
MADE BY: P.Murphy; SECOND: J.Webb; VOTE: FOR 2 AGAINST 0

3. 45 ROMNEY STREET (East Central) (TMS#451-13-61-001)

Request a variance from Sec. 54-311 B. to allow a non-hard parking surface.
Owner: 45 Romney Street Partners, LLC
Applicant: Fishberg Engineering & Surveying, Inc.
Zoned UP
APPROVED XX
WITHDRAWN 0
DISAPPROVED 0
DEFERRED 0

MOTION: Approved with conditions recommended by Staff: 1) must receive TRC approval for a modification to the previously approved plans.
MADE BY: J.Webb; SECOND: E.Ream; VOTE: FOR 2 AGAINST 0

4. SANDERS ROAD (West Ashley) (TMS#298-00-00-081) APP. NO. 2103-03-01

Request a variance from Sec. 54-327 to allow the removal of five grand trees.
Owner: Red Island, LLC
Applicant: Thomas & Horton
APPROVED 0
WITHDRAWN 0
DISAPPROVED 0
DEFERRED XX

MOTION: Deferred.
MADE BY: SECOND: VOTE: FOR 0 AGAINST 0

*J.Webb abstains
Agenda Item #A-2

SANDERS ROAD
(West Ashley)
TMS # 286-00-00-001

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

Zoned DR-9
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).

We request a variance from Section 54-327 (a) of the City of Charleston Zoning Ordinance to remove five (5) Grand Trees for a future Rhodes Crossing Residential Development. The site is located in the DR-9 zoning district that encourages medium density development, with up to 50% lot coverage. Multiple layout alternatives have been explored to minimize the tree and environmental impacts while also complying with the subdivision requirements of the Zoning ordinances. Roads and lot layouts were carefully planned to protect the higher quality trees. However, removal of these specific grand trees is necessary to construct the proposed roads, required drainage infrastructure, and houses. Trees Requesting Removal: 25’ Poplar (C), 30’ Beech (D), 29’ Hickory (D), 27.5’ Red Oak (D), 25’ Live Oak (F).

**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 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. 54-329, Sec. 54-311(b), or Sec. 54-213 (add as an attachment if necessary).

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**Application for Variance, Special Exception, Reconsideration, or Extension**

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/buffer
- Parking surface
- Other
- 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:** April 7, 2021

Property Address: Sanders Road, Charleston, SC 29414
TMS #: 286-00-00-001

Property Owner: Bear Island, LLC 2
Daytime Phone: 843-971-3500

Applicant: Thomas & Hilton / James A. Thomas, PE
Daytime Phone: 843-725-5268

Applicant’s Mailing Address: 682 Johnnie Dodds Blv, Suite 100

Mount Pleasant, SC 29464
Email Address: thomasja@thomasandhilton.com

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

Zoning of property: DR-9

**Information required with application:** (Check information submitted)
- Scaled site plan or plat showing the variance(s) 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, evaluations/reports from certified or qualified arborists
- Check, credit card or cash (make checks payable to the City of Charleston)
- YES at 18 NO at 19

**Special Note:** This property is not in the City of Charleston.

**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: [Signature]
Date: [Date]

For official use only
Date application received
Time application received
Staff memo
Fee $ [Amount]
Receipt # [Receipt Number]

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

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.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
April 7, 2021

ITEM A-1
Sanders Rd
(West Ashley)
TMS# 286-00-00-001
ZONED DR-9
March 18, 2020

Jamie Moore
Beazer Homes
4401 Belle Oaks Drive
St. 210
Charleston, SC 29405

Dear Ms. Moore,

As requested, this is my tree evaluation for the Rhodes Tract we spoke about. This property is located in the City of Charleston.

We collected information including D.B.H., species, grade, and condition for each tree along with any comments. A graded trees are the best, and F graded trees are either dead, dying, or have structural defects that make them a hazard. Tree numbers on the site map correlate with the tree numbers on our spreadsheet.

Trees inherently pose hazards and I cannot guarantee the structural integrity of any tree. Although I am confident in the accuracy of this report, 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 SO-5166A
<table>
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<th>D.B.H.</th>
<th>Species</th>
<th>Grade</th>
<th>Condition</th>
<th>Comment</th>
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<td>C</td>
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<td>Poor Form</td>
<td></td>
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<td>Fair</td>
<td>Suppressed</td>
<td>Decay in Base</td>
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<td>29</td>
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<td>Broken Top</td>
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<td></td>
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Agenda Item #B-1

621 PARROT POINT DRIVE
(Parrot Point)

TMS # 452-06-00137

Request a variance from Sec 54-330 to allow a reduced impervious construction setback near the bases of five grand trees.

Zoned SR-1
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 an attachment if necessary).

REQUESTING A VARIANCE FOR IMPROVING THE REQUIRED TREE PROTECTION

A. 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 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 welfare, 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. 54-329, Sec. 54-511(b), or Sec. 54-513 (add 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.
31 March 2021

Board of Zoning Appeals - Site Design  
City of Charleston  
2 George St  
Suite 3100  
Charleston, SC 29401

RE: 621 Parrot Point Drive, Application for Variance

Dear Board:

We are pleased to present the application for a variance to permit the encroachment on the tree protective zones of four (4) trees defined as grand trees by the City of Charleston ordinance. We are presenting this application on behalf of the property owners, Brett and Kimberly Young, who currently reside elsewhere on James Island. We believe that a hardship exists to merit the granting of this variance.

There are extraordinary and exceptional conditions pertaining to this piece of property, and that do not generally apply to other properties in the vicinity. The property is much larger, at 1.79 acres than the other properties in the area, which would logically permit more opportunities to position a reasonably sized residence. The adjacent properties to the north (627 Parrot Point) and south (615 Parrot Point) are 0.89 acres and 1.12 acres, respectively, and no other property in this area of the neighborhood is greater than 1.17 acres.

There are also a total of 38 live oaks considered to be grand trees (24" or greater DBH) on the property, a high number for any developable lot of comparable size. The number of trees and their relatively even distribution is exceptional.

We believe that there are two natural areas on this property on which to position a reasonable residence: one to the west side of the dogleg turn in the property, and one to the east. Of the two natural areas on the property on which to site a house, the one to the west (site of an existing foundation) is approximately 110 ft from the street. This locates the house closer to the street than either of the neighboring residences.

The residence at 627 was built near the center of its smaller property. The residence at 615 was built to the rear of its 1.12 acre property, with much of the tree cover evident in satellite imagery pre-dating construction having been cleared from its eastern side to make way for the house and yard. On the Applicants' site, there are 27 documented grand trees, plus dozens of others that do not qualify as grand, on the property between the existing foundation and the east end of the property, the extremity of which is 450 ft from the back of the existing foundation.

The existing foundation is substantially to the west of 627 and landward of a larger number of grand and other trees. This position denies the applicants the enjoyment of the expansive marsh views to the northeast (toward Charleston Harbor, Ft. Sumter) and superior views to the southeast (toward Morris Island) from their residence. This positioning will effectively prohibit their reasonable enjoyment of this important feature of their property.

Because of the above conditions, we are proposing to position the residence within the second natural building lot, to the east. The proposed site will not require the removal of any grand trees, and will encroach on the tree protective zone of only 4 trees (as described in the exhibit sheet A103). Substantial encroachment (area cut by trench footing) will vary from 0% encroachment to a maximum of 6.52% as a maximum of the TFZ. Less significant encroachment (area impacted by open decks or stairs founded with spot footings) will vary from 1.02% encroachment as a minimum to 46.26% as a maximum (this is a 27’ quad of vertical character). This site locates the proposed residence within the required setbacks while offering more complete enjoyment of the views from the residence and minimally impacting adjacent grand trees.

The proposed site will not be of substantial detriment to adjacent property or the public good. It would locate the residence around 140 ft from the adjacent residence to the south (615), or over twice the distance of the existing foundation. It would locate the residence in greater parity with 627 to the north, while not impeding the principal marsh views of either adjacent residence.

As it will have a smaller footprint and lower impact on the adjacent natural grade than the existing foundation, the proposed site will have, at worst, a smaller impact on rain runoff than a house sited on the existing foundation. It the variance is granted, the existing foundation will be removed and the grade restored to its natural state, lowering the current grade by around 1 ft and decreasing the potential impacts on neighboring properties.

The ground-level garage is proposed to be built over a stem wall foundation system so that the need for adding fill over the tree roots will be minimized. Please see the drawing graphic, depicting the two most impacted trees and the relationship between the garage, natural grade, and the open nature proposed for the spaces below porches, docks and exterior stairs. Furthermore, two live oaks close to the proposed screened porch, which do not qualify as grand but that we consider to be particularly beautiful, will be preserved and protected by a deck system below the porch that will leave most of their root systems intact. All of the grand and significant trees adjacent to the proposed site will be under the care of a certified arborist, who will oversee any root or leader
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 1
621 Parrot Point Dr.
(Parrot Point)
TMS# 452-06-00-137
ZONED SR-1
Agenda Item #B-2

ASHLEY RIVER ROAD & ASHLEY HALL PLANTATION ROAD
(W. Ashley)

TMS # 353-00-00-009

Request a one-year extension of two variances granted by the Board on March 6, 2019.
Request a variance from Sec 54-327 to allow the removal of six grand trees.
Request a variance from Sec 54-330 to allow a reduced impervious construction setback from the bases of two grand trees.

Zoned DR-9
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 official (attach Appeal form).
☐ Extension of an unexpired Variance and/or Special Exception approval.

Meeting Date Requested:

4/7/21

Property Address

3 Kelley Ave

TMS #

363-80-00-009

Property Owner

The Mary Pamela Hollings McConnell Trust

Daytime Phone

843.284.2222

Applicant

Seamor/Whitehead + Associates (Russ Sessions)

Daytime Phone

843.884.3667

Applicant's Mailing Address

501 Wando Park Blvd, Suite 200

Mt Pleasant, SC 29464

E-mail Address

rseamor@seamorwhitehead.com

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

Zoning of property

II 569

Information required with application:

☐ Scale plot plan or plot showing the variance(s) or special exception(s) being requested (2 sets)
☐ 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 (缴 checks payable to the City of Charleston)

☑ YES ☒ 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? § 6-29-145 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 held with a notice of the hearing before the Board and Inspected.

Applicant

[Signature]

Date

3/1/21

For office use only

Date application received

Fee

Time application received

Inspection

Stallion

Receipt #

Page 2 of 2

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]:

see attached

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:

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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
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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 attached

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.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B.2
Ashley Hall Rd & Ashley Hall Plantation Rd

(West Ashley)

TMS# 353-00-00-009

ZONED DR-9

Subject Property
ASHLEY HALL PLANTATION TOWNHOMES  
TMS # 353-00-00-009

To Whom It May Concern,

We are requesting an extension of the approved variance request previously granted by the Board of Zoning Appeals (BZA-S) to remove five (5) grand trees.

Please find the previous approved submittal attached.

Thank you for your consideration in this matter.

David R. Seamon  
Director  
SeamonWhiteside
ASHLEY HALL PLANTATION TOWNHOMES  
TMS # 353-00-00-009

To Whom It May Concern,

We are requesting approval from the Board of Zoning Appeals (BZA-S) to remove five (5) grand trees by variance. All trees have been evaluated by an arborist. The trees are as follows:

Tree #6: 7" + 21" Laurel Oak: Grade C – poor form in fair condition. This is a Type II tree requiring mitigation at 75%. Removal of this tree would result in 21" of mitigation. At 2.5" caliper replacement this would require the planting of approximately 8 trees. This tree would be adversely affected by grading in the area between the parking and the existing wetlands.

Tree #10: 13" + 14" Magnolia: Grade C – fair condition. This is a Type I tree requiring mitigation at 100%. Removal of this tree would result in 2.7" of mitigation. At 2.5" caliper replacement this would require the planting of approximately 11 trees. This tree is located within a proposed parking field.

Tree #11: 30" Red Oak: Grade D – v shaped crotch, storm damage and poor condition. This is a Type II tree requiring mitigation at 75%. Removal of this tree would result in 22.5" of mitigation. At 2.5" caliper replacement this would require the planting of approximately 9 trees. This tree is located between two proposed structures and is impacted by a needed pedestrian connection.

Tree #12: 11" + 15.5" Live Oak: Grade C – poor form in fair condition. This is a Type I tree requiring mitigation at 100%. Removal of this tree would result in 26.5" of mitigation. At 2.5" caliper replacement this would require the planting of approximately 11 trees. This tree is located very close to a proposed building location.

Tree #14: 28.5" Red Oak: Grade C – storm damage in fair condition. This is a Type II tree requiring mitigation at 75%. Removal of this tree would result in 21.4" of mitigation. At 2.5" caliper replacement this would require the planting of approximately 9 trees. This tree is located very close to a proposed building location.

We are also requesting encroachment into the protected zones for two (2) grand trees by special exception. All trees have been evaluated by an arborist. The trees are as follows:

Tree #1: 32.5" Live Oak: Grade C – The encroachment includes a section of 5'-0" wide boardwalk. The sidewalk transitions to boardwalk within the protected area of the tree.

Tree #18: 42.5" Live Oak: Grade C – The encroachment includes a section of 5'-0" wide boardwalk. The sidewalk transitions to boardwalk within the protected area of the tree.

Both trees are near the edge of the public ROW and the parallel pedestrian connection is being required by the City of Charleston through the TSC process.

We believe that the project meets the four hardship criteria according to the descriptions below:

There are extraordinary and exceptional conditions pertaining to the particular parcel due to the long narrow configuration of the site and the fact that the western and southern edges of the property have existing wetlands. Ingress and egress options are also limited due to parcel configuration. Options for reasonable utilization of the land are limited by these constraints.

These conditions do not generally apply to other properties in the vicinity as other parcels have different parcel configurations and different means of access.

Because of these conditions, the strict application of the ordinance to this parcel would effectively prohibit or unreasonably restrict the utilization of the property. Victuialing access points are limited due to the proximity to the Highway 61 intersection and the need for adequate parking on Ashley Hall Plantation Road.

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. Removal of these trees will have no impact on adjacent properties since the row of the property sits on an elevated portion of I-526 and can’t be seen at all from the interstate.

Additionally, buffers along Highway 61 and the existing wetlands will do much to mitigate the impact of these removals. The great majority of the trees rated by the arborist as B are being retained. Also, mitigation that can be accomplished on-site will provide a tree canopy that is of higher quality than the trees being removed.

Thank you for your consideration in this matter.

William T. Ebanks, FASLA, LEED AP  
Creative Director  
SeamonWhiteSide  
Licensed Landscape Architect #484, South Carolina
January 31, 2019
Ashley Hall Plantation Townhomes

The trees should be properly pruned to remove hazardous deadwood, vines, and to provide construction clearance as needed. Avoid cutting excessive amounts of foliage and follow ANSI guidelines. All tree pruning should be performed by a qualified arborist or tree care company.

All underground utilities, including irrigation, should be routed away from protected trees so as to not trench through major root systems. The use of an air spade may be needed to locate roots and possibly install utilities under large roots and root mats. Directional drilling underground utilities is an acceptable installation process as long as the depth of the installation exceeds 24 inches and the boring and receiving pits are located outside of the tree protection area. If root cutting is unavoidable, the roots should be properly pruned under the direction of a qualified arborist.

Urban trees need attention and care to thrive, and to detect and reduce any hazardous conditions they may possess. Continual monitoring is recommended. Treess inherently pose a certain degree of hazard and risk from breakage, failure, or other causes and conditions. No formal hazard tree inspection or tree risk assessment was performed for any tree on the property. It is the client's responsibility to request further information regarding trees of concern within the project boundaries. If you have any further questions or concerns, please feel free to contact me.

Sincerely,

Michael W. Russell
ISA Certified Arborist
SC Registered Forester

Whitmer Kane
Seamon Whiteside
501 Wando Park Boulevard, Suite 200
Mt. Pleasant, SC 29464

Dear Mr. Kane:

As requested, the following is my tree preservation plan for the Ashley Hall Plantation Townhomes project in the City of Charleston. I examined the trees with proposed construction encroachments and reviewed the preliminary site plans. The following are my recommendations for the protected trees within the project boundaries that will be affected by construction activities.

During all phases of construction, every tree to be preserved on site must be protected from construction activities by the use of tree barricades. Install the barricades per the City of Charleston's tree protection ordinance. No activities, including material storage, trenching, and equipment or tool cleaning, should take place within the tree protection area. If work is needed within this protected area, it should be done by hand and under the supervision of a qualified arborist. All barricades should be inspected frequently and maintained throughout construction.

Unwanted underbrush and trees within the tree barricades should be removed by hand under the supervision of a qualified arborist. Stumps and roots of plant material removed should be left intact where feasible. A layer of organic mulch 3 to 4 inches deep should be installed within the tree barricade areas. The mulch provides tree roots with a good quality growing environment and inhibits the growth of unwanted, competing vegetation. This mulch will also aid in soil moisture retention and prevent harmful soil compaction.

The soil within the tree barricades should be tested for pH levels and nutrient availability. Use a soil injected fertilizer with mycorrhizae and biostimulants within the barricaded areas to amend the soil. Apply the fertilizer once in the spring and again in the fall using recommended rates provided by the manufacturer and based on the results of soil testing. These applications may be needed multiple times depending on the soil test results and the health of the trees. Avoid fertilizers that are high in nitrogen during this transition phase, even if test results recommend the application of nitrogen as a soil amendment.
Remove Tree #6 = 7” + 21” Laurel Oak – Grade C – Poor Form in Fair Condition.

Remove Tree #10 = 13” + 14” Magnolia – Grade C – Fair Condition.

Remove Tree #13 = 30’ Red Oak – Grade D – V-shaped crotch w/storm damage in Poor Condition.

Remove Tree #12 = 11” + 11.5” Live Oak – Grade C – Poor Form in Fair Condition.

Remove Tree #14 = 28.5” Red Oak – Grade C – Storm Damage in Fair Condition.
Agenda Item #B-3

334 FOLLY ROAD
(James Island)

TMS # 424-05-00-028

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

Zoned LB & GB
April 7, 2021

City of Charleston

Instructions – Submit this application, along with the required information and fee, to the Permit Center at 2 George Street. Applications 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:
☐ Variance and/or Special Exception as explained on page 2 of this form.
☐ Free Removal ☐ Landscaping/buffets ☐ Parking surface ☐ Other
☐ Recomputation 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: April 7, 2021
Property Address: 315 Folly Road
TMS #: 424-05-06-025
Property Owner: Michael McLeish
Daytime Phone: 843-371-1746
Applicant: Michael McLeish P.E.
Daytime Phone: 843-371-1746
Applicant’s Mailing Address: 1280 Fairmont Avenue, Mt. Pleasant, SC 29464

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

Zoning of property: EB-16

Information required with application:
☐ General site plan showing the variance(s) 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, evaluations/reports from certified or qualified arborists
☐ Check if credit card or cash payment is acceptable (payable to the City of Charleston)
☐ YES ☐ NO - is this Property restricted by any record covenant that is contrary to, conflicts with or prohibits the proposed land use, variances, or developments? § 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 improvements(s) comply with all applicable regulations and that the subject property or the authorized representative of the owner. The subject property to be posted with a notice of the hearing before the Board and Inspected.

Applicant: Michael McLeish

Date: 2-24-21

For application, 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. 54-329, Sec. 54-511B, or Sec. 54-513 (as an attachment if necessary): 1. Renovation or 43’W - Grand Ave - House - Tree 2 Sec 54-529 (b.3): Located outside of 35’ of property line within a parking lot with no other alternative to save in it.

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 elapsed.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 3
334 Folly Rd
(James Island)
TMS# 424-05-00-028
ZONED GB & LB
# TREE CHART

**EVALUATIONS BY MIKE RUSSELL, ARBORIST, NATURAL DIRECTIONS, LLC**

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Agenda Item #B-4

565 RIVERLAND DRIVE
(James Island)

TMS # 343-16-00-018, 019, 021, 063 & 064

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 SR-1
For **Variance** requests, applicants should list the specific variance(s) being requested and, if possible, explain how the variance test that follows is met (adding as an attachment if necessary):

- **APPLICANT REQUESTS VARIANCE TO SECTION 54-327G (REMOVAL OF GRAND TREES)**
- **VARIANCE TO ALLOW REMOVAL OF THREE (3) GRAND TREES LOCATED IN PROPOSED ROADSAY**
  - THE THREE TREES IN QUESTION ARE DISEASED/BAD HEALTH AND ONE IS AN INVASIVE SPECIES TREE
  - PLEASE SEE ATTACHED SITE PLAN AND ARBORISTS REPORT FOR ADDITIONAL DETAILS OF VARIANCE REQUESTS
  - TREE #6: 11/2/14 S BL, MAGNOLIA, GRAN D, DISEASED
  - TREE #7: 11/7/14 S BL, MAGNOLIA, GRAN D, DISEASED
  - TREE #9: CAMPHOR TREE, GRADE D, DISEASED & INVASIVE SPECIES

**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 such a 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 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. 54-329, 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 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) 724-2081 Fax (843) 724-3772 www.charleston County.gov
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 4
565 Riverland Dr
(James Island)
TMS# 343-16-00-018, 019, 021, 063 & 064
ZONED SR-1
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<tr>
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Agenda Item #B-5

BEES FERRY ROAD & SANDERS ROAD
(West Ashley)

TMS # 343-16-00-018, 019, 021, 063 & 064

Request a variance from Sec 54-327 to allow the removal of 13 grand trees.
Request a special exception from Sec 54-327 to allow the removal of three grand tree.

Zoned LB & DR-1F
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 Merely 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 zoning official (attach Appeal form).
- Extension of an expired Variance and/or Special Exception approval.

Meeting Date Requested: April 7, 2021

Property Address: SW Corner of Bees Ferry Road & Sanders Road

TMS # 288-00-00 0401

Property Owner: Bear Island LLC 2

Daytime Phone: 843-878-2788

Applicant: Thomas & Hutton on behalf of Davis Development

Daytime Phone: 843-725-5276

Applicant’s Mailing Address: 682 Johnnie Dodds Blvd, Suite 100, Mount Pleasant, SC 29464

Email Address: riley.bittandt.com

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

Engineer

Zoning of property 

LR & DR 1F

Information required with application: (check information submitted)
- Scaled site plan or plot showing the variance(s) or special exception(s) being requested (3 sets)
- Photographs of the site, grand trees to be removed, quality trees to be preserved by moving 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 at 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? § 6-29-1145 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: 03/18/2021

For office use only

Date application received

Time application received

Sign

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). We request a variance from Section 54-329 (b) of the City of Charleston Zoning Ordinance to remove ten (10) Grand Trees for construction of a multi-family development. The site is located at the southwest corner of Bees Ferry Road and Sanders Road. Multiple layout alternatives have been explored to minimize the tree & environmental impacts while also complying with subdivision requirements of the Zoning Ordinance. 85% of the grand trees and over 1300 protected trees will be saved resulting in a post development tree density of over 36 trees per acre.

Trees Requesting Removal:

28’ Hickory (C), 29’ Blackgum (C), 25.5’ Hickory (C), 25.5’ Live Oak (B), 32.5’ Red Oak (D), 26’ Live Oak (D), 31’ Red Oak (C), 29’ Live Oak (C), 25’ Hickory (C), 30’ Red Oak (D).

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 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 Sections 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). We request a special exception from Section 54-329 (b) of the City of Charleston Zoning Ordinance to remove five (5) Category III & IV Grand Trees for construction of a multi-family development. The site is located at the southwest corner of Bees Ferry Road and Sanders Road. Multiple layout alternatives have been explored to minimize the tree & environmental impacts while also complying with subdivision requirements of the Zoning Ordinance. 85% of the grand trees and over 1300 protected trees will be saved resulting in a post development tree density of over 36 trees per acre.

Trees Requesting Removal:

24.5’ Poplar (D), 24’ Poplar (C), 25’ Water Oak (D), 25.5’ Water Oak (D), 24.5’ Water Oak (D)

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.
Variance Test Explanation:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property:
   - The density of the grand trees, the stormwater requirements for the Church Creek basin and the existing power transmission easement through the center of the property make this an extraordinarily challenging location. Governmental requirements for stormwater detention, parking lots, utility separations, sidewalks, building placement, etc. force the removal of some trees for compliance as well as for safety and maintenance of the required infrastructure.
   - The property is also subject to additional environmental constraints such as jurisdictional wetlands to work around.
   - Multiple layout alternatives have been explored to incorporate/save the higher quality trees into the plan and to minimize the overall tree & environmental impacts while also complying with development requirements of the City Zoning ordinances.

2. These conditions do not generally apply to other property in the vicinity:
   - The density of the grand trees, the stringent stormwater requirements for the Church Creek basin and the existing power transmission easement are conditions that do not generally apply to the majority of properties in the surrounding vicinity.
   - These site constraints limit the layout/infrastructure options which have to comply with the many other zoning/regulatory requirements.

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:
   - Protection of all grand trees would effectively prohibit the utilization of the property for the proposed use allowed by the City Zoning ordinance.

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.
   - 81% of the grand trees & over 1300 protected trees are being saved which is in keeping with the character of development of adjacent properties.
   - The proposed development is consistent and in harmony with the adjacent properties and is consistent with the allowed land uses in the City of Charleston Zoning Ordinance.
   - The character of the district will not be harmed. This project will provide completion to the existing development of adjacent properties and infrastructure that was previously installed.
ITEM B 5
Bees Ferry & Sanders Rd

(West Ashley)

TMS# 286-00-00-001

ZONED LB & DR-1F

Subject Property
<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>BZA Request Type</th>
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<tr>
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<td>D</td>
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<td>IV</td>
<td>C</td>
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<td>Special Exception</td>
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<td>F</td>
<td>Hollow base - Storm Damage</td>
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<td>C</td>
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<td>10.5-14.5</td>
<td>Water oak</td>
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<td>B*</td>
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<td>Broken top - Hollow</td>
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<td>Special Exception</td>
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<td>D</td>
<td>Broken top - Hollow</td>
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<td>Decay - Broken Top</td>
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<td>Variance</td>
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*Tree grade downgraded by City Zoning Administrator
Agenda Item #B-6

WILLAM E MURRAY BLVD. & GLENN MCCONNELL PARKWAY
(West Ashley)

TMS # 306-00-00-933, 973 & 975

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

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 time (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.
☐ Landscape/_buffer
☐ Parking spaces
☐ Other
☐ Reconsideration of a decision of the Board of action of a zoning official (attach Appeal form).
☐ Extension of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: APRIL 1, 2021

Property Address

TMD

TMS # 306-08-843, 175-075

Property Owner

UNIVERSITY MEDICAL ASSOCIATES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA
Developer: 701-703-4449

Applicant

PAUL PUFFERS / MEDICAL OFFICE BUILDERS
Daytime Phone: 843-644-1487

Applicant’s Mailing Address: 501 WANDO PARK BLVD., STE 200, MT. PLEASANT, SC 29464

E-Mail Address: PUFFERS@MEDICALOFFICEBUILDERS.COM

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

Zoning of property: GENERAL SHENED

Information required with application: (check information submitted)
☐ Scaled site plan and plot showing the variance(s) or special exception(s) 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, evaluations/reports from certified or qualified arborists
☐ Check: credit card or check (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? 
☐ 5A-29-1155 of the South Carolina Code of Laws

Optional but very helpful information:
☐ Letters of support 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 notice of the hearing before the Board and inspected.

Applicant: Paul Puffers

Date: 3/1/11

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 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. 5A-32-9, Sec. 5A-31-10, or Sec. 5A-31-12 (add as an attachment if necessary).

N/A

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.
March 1, 2021

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

William E. Murray Blvd. Apartments
City of Charleston – West Ashley
TMS #06-00-05-033, 975, 973

William E. Murray Blvd. Apartments is requesting a variance for the removal of the following grand trees. A description of the condition of the trees and hardship are provided below:

1. Removal by Variance of seven (7) Category I Grand Trees:
   - 7.5/8’ Oak – Grade D
   - 7’8’1/10’ Oak – Grade D
   - 14’15’ Oak – Grade D
   - 6’7’1/10’ Oak – Grade C
   - 27’ Maple – Grade C
   - 27’ Oak – DEAD
   - 10’1/4’ Oak – Grade D

Evaluation Procedures: Natural Directions LLC assessed twenty-one (21) grand trees onsite, of which, four (4) were determined to be significant instead of grand by Eric Shultz per his site walk on 2/12/2021. Seven (7) of the remaining seventeen (17) grand trees are being requested for removal by variance at the SZA-SD meeting on April 7, 2021.

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

This property is extraordinary in that it is overall low in elevation in comparison to adjacent grades. In order to correctly treat stormwater quality and quantity, meet all City stormwater system requirements, and create adequate fall on site to drain the proposed development, approximately 3 – 4 feet of fill will need to be added to the existing grades on site. This fill would negatively impact the trees proposed to be removed.

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

The property is unique in that it is surrounded by road on 3 sides, and a portion of the development is bisected by a road. All of these surrounding roads limit the location and the elevation of the stormwater outfall. The surrounding roads have equal, and in some areas higher, grades than our property existing grades. This creates a bowel situation in which fill is required in order to achieve appropriate and functional drainage onsite.

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 grand trees (proposed to be removed) would unreasonably restrict the site configuration in such a manner that it would be a hardship to develop the site in a fashion that meets other city of Charleston design criteria. The proposed grand trees to be removed are the lower quality grand trees of grade D & C, with all higher grade trees of grade A & B proposed to be saved and the site plan worked around them.

D. The authorization of the variance will not be of substantial detriment to adjacent property or to the public-good.

Authorization of this variance will not detract from the neighbors, the public good, or character of the community. This development will be a major improvement to the area and a significant investment in the City of Charleston and the surrounding community. Given the development’s approach to preserve and protect the higher quality grand trees, and replant the required mitigation on site to the greatest extent possible, the request will not result in a detriment to the adjacent properties, the public good, or the character of the neighborhood. As part of the development, a 50 foot buffer will be maintained along Glenn McConnell Parkway that will preserve many grand and significant trees.

Should you have any questions or need additional information, please feel free to call our office at (843) 854-1687.

SEAMON, WHITESIDE + ASSOCIATES

Paul Peeples
Civil Engineering Project Manager
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 6
William E Murray Blvd & Glenn
McConnell Pkwy
(West Ashley)

TMS# 306-00-00-933 & 973 & 975

ZONED GB
Virginia Skidmore
Seamore Whitehile Assoe
501 Wando Park Blvd Suite 200
Mt. Pleasant, SC 29464

Dear Ms. Skidmore:

As requested, I assessed the condition of all grand trees on the William E. Murray Apartments project in the City of Charleston. Attached is a site map showing the tree numbers that correlates with the tree list as part of this report.

The tree list contains tree diameter, species, and grade for each tree. My grading system factors in tree species, form and health, and structural integrity. An ‘A’ rated tree is one that is healthy, has no obvious structural issues and is a species that performs well in this area. ‘B’ graded trees have only minor defects and may be a species that is somewhat prone to health or structural problems. A ‘C’ rated tree is one that has a moderate defect or a structural issue that may need a more in-depth evaluation to determine its severity. ‘C’ graded trees may also be a species that is not desirable as a shade tree. ‘D’ rated trees have major defects and should be seriously considered for removal. An ‘F’ rated tree is one that is either dead or dying or has structural problems that make it a hazard.

My assessment of the trees was done visually from the ground. I did not perform aerial inspections of the canopies of the trees, but did recognize obvious structural issues. Hollows, cavities, wood decay, etc. were noted, but no measurements were obtainable to calculate the severity of these issues. All trees to be preserved possessing defects of concern should be examined more closely to verify their viability as a shade tree.

This report is to be used to make decisions on tree preservation and conceptual project design. Trees inherently pose a certain degree of hazard and risk from breakage, failure, or other causes and conditions. No formal hazard tree inspection was performed for any tree on the property. If you have any questions, please feel free to contact me.

Sincerely,

Michael W. Russell
ISA Certified Arborist

Enclosures
Agenda Item #B-7

WEST WILDCAT BLVD. & GLENN MCCONNELL PARKWAY
(West Ashley)

TMS # 306-00-00-002

Request a variance from Sec 54-327 to allow the removal of six grand trees.
Request a special exception from Sec 54-327 to allow the removal of one grand tree.
Request a variance from Sec 54-327 to allow a reduced impervious construction setback near the bases of three grand trees.

Zoned LB & GO
Application for Variance, Special Exception; Recodification or Extension

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 office [attach Appeal form].
☐ Extension of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: 03/18/2021

Property Address: West Wild Blvd., Charleston

Property Owner: The Sundara Company

Applicant: H.A. Inc

Applicant’s Mailing Address: 29A Leinbach Dr., Charleston, SC 29407

E-mail Address: stafford@hanc.com

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

Zoning of property: UB and GO

Information required with application: (check information submitted)
☐ Sealed site plan or plot showing the variance(s) or special exception(s) being requested (3 sets)
☐ Photographs of the site: grading to be removed, quality trees to be removed, other site, 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? § 6-29-1145 of the South Carolina Code of Laws

Optionally 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: [Signature]

Date: 03/01/2021

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

The applicant asks for a variance from section 54-327 to allow removal of (1) Grand Tree as illustrated on the attached plan. Additionally, the applicant requests a variance from section 54-330 to allow the reduction of the impervious setback around (3) Grand Trees also indicated on the attached plan. See attached letter for further description.

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 prohibit 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.

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. 54-329, Sec. 54-511(b), or Sec. 54-513 (add an attachment if necessary):

The applicant asks for a special exception from section 54-327 to allow the removal of (1) Category III Grand Tree as illustrated on the attached plan. Please see attached letter for further description.

For the Board of Zoning Appeals—Site Design, the application 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.
City of Charleston Board of Zoning Appeals
GEO Eric Schulz - Principal Planner
Planning, Preservation, and Sustainability
2 George St,
Charleston, SC 29401

RE: Grand Tree Removal and Impervious Setback Zone Variance Request of the proposed West Wildcat MOB.

Dear Mr. Schultz,

Please find attached our request, on behalf of our client, for a variance to allow the removal of 6 category 1-3 grand trees and to allow the encroachment into the impervious setback zone of 3 grand trees as indicated on the attached exhibit. The design team has worked to keep the best trees on site. Following, are the reasons for our requested tree variance:

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

a. there are extraordinary and exceptional conditions pertaining to the particular piece of property;
The site development is constrained by Grand Trees unevenly spread across the site and the location of wetlands to the south and west. The site lies within a Special Protection Area as defined by the City of Charleston's Stormwater Department. The SPA designation will require additional drainage design capacities which will result in larger than normal storm water ponds combined with other stormwater mitigation measures. This will narrow down available options for site layout design and tree retention. While the drainage has not been completely designed, the applicant is aware of the possible need for more stormwater measures than shown on the attached exhibit including raising the site elevation for additional underground detention. This fact restricts the possible configurations of the building and parking arrangements with regards to tree retention. These conditions all together resulting in the conditions where no other reasonable design or economically reasonable alternative exists to save the trees in question. Some trees requested for removal already pose safety risks and they will only worsen with adjacent development. The site has only one possible point of access from West Wildcat Boulevard. The road is higher in elevation compared to the site and therefore, the ingress and egress of the property must be raised in elevation as well. The existence of a large wetlands area adjacent and encroaching onto the site, further restricts the ability to design around all grand trees.

b. those 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 the strict application of the ordinance would limit the flexibility of the site to react to the site's constraints in order to create a design that complements the surrounding vicinity and adherence to other applicable ordinances. 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.

The applicant's client approached Mr. Eric Schulz and together they conducted tree evaluation on the site. Additionally, the applicant visited the site and conducted separate evaluation of the trees. The two 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 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 was focused on keeping groups of trees together and undisturbed, trying to limit the removals to single lower grade trees. The trees requested for removal are grade "B", "C", "D" and "F". Also considered in the selection of trees for removal is the long-term ability of a tree to survive the proposed constructed environment and remain safe for the future development users.

The authorization of the variance will allow development of the site similar to the surrounding commercial and office uses while allowing for the removal of lesser grade potentially hazardous trees.

Please call me if you have any questions or need any additional information regarding this submittal.

Sincerely,

Katarzyna Stafford
Landscape Designer
RE: Special Exception Request for the proposed West Wildcat MOB Development,

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 56-329 regarding relevant special exception requirements for the removal of the 1 requested category iii Grand Tree as indicated on the attached exhibit:

1. The Grand Tree in question is in poorer health than the surrounding trees. The Landscape Architect and the Principal Planner reviewed and reported on the health and condition of the project’s Grand Trees. Per the reviews, the Grand Tree referenced by this request for a special exception is 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 of higher category is of more long-term benefit. The removal of the subject tree will allow the project to retain these more beneficial trees, with particular regards to the building location and the parking layout.

2. The Grand Tree is located within the proposed building footprint. The building location was proposed, in response to DRA Parcel Overlay zoning requirements, at the corner of the site, fronting Glenn McConnel street and West Wildcat Blvd. No other reasonable alternative of the site design exists to save the tree due to the wetland’s fixed location, required 50’ street front buffer to the Glenn McConnel street and grand tree distribution. By using the evaluation provided by the Landscape Architect and the Principle Planner to determine which trees are of lower category and health, we are enabling the preservation of trees of higher category and health.

Please call me if you have any questions or need any additional information regarding this submittal.

Sincerely,

Katarzyna Stafford
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 7
West Wildcat Blvd & Glenn Mcconnell Prkwy
(West Ashley)
TMS# 306-00-00-002
ZONED LB & GO
Variance for Encroachment

#2-20’ Red Oak - Cat B

#8-30’ Red Oak - Cat B

#19-35’ Red Oak - Cat B

Special Exception

#4-20’ Water Oak - Cat D

Staff Removal

#7-35’ Red Oak Cat F (Dead)
Agenda Item #B-8

1500 GREENLEAF STREET
(Four Mile/Hibernian)

TMS # 464-00-00-009 & 466-00-00-001 & 003

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

Zoned HI
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 space
☐ Other (trees per acre)
☐ 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: April 7, 2021
4:00-6:00 PM
Property Address: 1500 Greenleaf St
TMS #: 486-00-006, 003
Property Owner: Kinder Morgan Terminals
Daytime Phone: 910-228-1962
Applicant: Kinder Morgan Terminals
Daytime Phone: 910-228-1962
Applicant’s Mailing Address: 1500 Greenleaf St, Charleston, SC 29405
E-mail Address: Scott.Kolderhouse@kindermorgan.com

Relationship of applicant to owner: (same, representative, prospective buyer, other) same
Zoning of property: HI

Information required with application: (check information submitted)
☐ Scaled site plan or plot showing the variance(s) 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, evaluations/reports from certified or qualified arborists
☐ Check credit or cash payment is payable to the City of Charleston.
☐ YES ☐ 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? § 6-29-1145 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: ____________________________

For office use only
Date application received: ____________________________
Time application received: ____________________________
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):

Request a variance from Section 54-327 b, which states that "The total number of protected trees existing on any one parcel shall not be reduced below a total number equal to fifteen (15) protected trees per acre." This property has been used for industry for decades. There are few existing trees on the site. Applicant seeks to remove protected trees in order to develop a new landfill adjacent to the railroad tracks. Both the sparse tree cover and the proposed use are consistent with other properties in the area.

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 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. 54-329, 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 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.charleston-sc.gov
6/15
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, April 7, 2021

ITEM B 8
1500 Greenleaf St
(Four Mile/Hibernian)
TMS# 464-00-00-009 & 466-00-00-001 & 003

ZONED HI

[Map showing the location and zoning details]
Agenda Item #B-9

2300 HENRY TECKLENBURG DRIVE  
(West Ashley)

TMS # 309-00-00-483

Request a variance from Sec 54-327 to allow the removal of one grand tree.  
Request a variance from Sec 54-330 to allow the reduced impervious construction  
setback from the bases of two 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 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/buffs
- Parking surfaces
- Other
- 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: APRIL 7, 2021

<table>
<thead>
<tr>
<th>Property Address</th>
<th>2300 HENRY TREATLENG VIEGE</th>
<th>TMS #: 5090000983</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
<td>DIAMOND CLINIC, INC.</td>
<td>Daytime Phone: 615-242-0418</td>
</tr>
<tr>
<td>Applicant</td>
<td>HERB GILLIAM</td>
<td>Daytime Phone: 706-724-5156</td>
</tr>
<tr>
<td>Applicant’s Mailing Address</td>
<td>P.O. BOX 2413, MOUNT PLEASANT, SC 29465</td>
<td></td>
</tr>
<tr>
<td>E-mail Address</td>
<td><a href="mailto:hjgilliam@thejagroup.com">hjgilliam@thejagroup.com</a></td>
<td></td>
</tr>
</tbody>
</table>

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

Zoning of property: PUD

Information required with application: (check information submitted)
- Scaled site plan or part showing the variance(s) or special exception(s) being requested (3 sets)
- Photographs of the site, grand trees to be removed, quality trees to be retained 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? § 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: Robert H. McGee
Date: 2/14/2021

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).

REMOVAL OF GRAND TREE T-151, A TRUNK-TOPPED YELLOW MAPLE (COMPOSE OF THREE LEADERS AT 9.5", 15" AND 26" (TOTAL 41"") IS REQUESTED. THE TREE HAS A 'D' GRADE, IS IN POOR CONDITION, HAS STUMP SPROUTS, ACCORDING TO THE TREE SURVEY CONDUCTED BY JAMES MAHONEY & ASSOCIATES ON 2-17-17.

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. 54-329, 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 ordinances. 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) 724-3761 FAX (843) 724-3772 www.charleston.gov
ITEM B 9
2300 Henry Tecklenburg Dr
(West Ashley)
TMS# 309-00-00-483
ZONED PUD
9.5, 15, 20” Tulip poplar