City of Charleston

BOARD OF ZONING APPEALS-SITE DESIGN

May 5, 2021
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.
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.

Go to www.charleston-sc.gov/bza-sd for instructions to join. Call (843) 724-3770 if you are experiencing technical difficulties.
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.
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 April 28, 2021 Special Meeting BZA-SD Meeting Minutes.
Agenda Item #A-2

SANDERS ROAD
(West Ashely)

TMS # 286-00-00-001

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

Zoned DI-RI
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 placed to save/protect the higher quality trees. However, removal of these specific grand trees is necessary to construct the proposed roadways, required drainage infrastructure, and houses. Trees Requiring Removal: 25” Poplar (C), 30” Beech (D), 29” Hickory (D), 27.5” Red Oak (D), 26.5” 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 54-911(b), or Sec 24-212 (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.
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, May 5, 2021

ITEM A-2
Sanders Rd
(West Ashley)
TMS# 286-00-00-001
ZONED DR-9

* "Only the right side"
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
### Rhodes Tract Tree Evaluation

<table>
<thead>
<tr>
<th>Tree #</th>
<th>D.B.H.</th>
<th>Species</th>
<th>Grade</th>
<th>Condition</th>
<th>Comment</th>
<th>Comment</th>
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<tr>
<td>1</td>
<td>12.13</td>
<td>Poplar</td>
<td>C</td>
<td>Fair</td>
<td>Poor Form</td>
<td></td>
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<tr>
<td>2</td>
<td>36.5</td>
<td>Live Oak</td>
<td>C</td>
<td>Fair</td>
<td>Suppressed</td>
<td>Decay in Base</td>
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<td>3</td>
<td>30.5</td>
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<td>Poor</td>
<td>Included Bark</td>
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<td>4</td>
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<td>Hickory</td>
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<td>Good</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>29</td>
<td>Hickory</td>
<td>D</td>
<td>Poor</td>
<td>Broken Top</td>
<td>Storm Damage</td>
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<td>6</td>
<td>9.5,10.5,11,13.5</td>
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<td>B</td>
<td>Good</td>
<td>Possible Separates</td>
<td>Leaning</td>
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<tr>
<td>7</td>
<td>24.15</td>
<td>Live Oak</td>
<td>B</td>
<td>Good</td>
<td>Leaning</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>28.5</td>
<td>Laurel Oak</td>
<td>D</td>
<td>Poor</td>
<td>Storm Damage</td>
<td>Decay</td>
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<td>9</td>
<td>26.5</td>
<td>Live Oak</td>
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<td>Poor</td>
<td>Decay</td>
<td>Storm Damage</td>
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<tr>
<td>10</td>
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<td>Live Oak</td>
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</tr>
<tr>
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<td>Poor Form</td>
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</tr>
</tbody>
</table>
Agenda Item #A-3

WILLIAM E MURRAY BOULEVARD & GLENN MCCONNELL PARKWAY
(West Ashely)

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 trees.

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 his 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
☐ Landscape/buffers
☐ Parking Space
☐ 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 12, 2021

Property Address

TMD

TMS # 536-00-084-33, 975, 971

Property Owner

UNIVERSITY MEDICAL ASSOCIATES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA

Daytime Phone: 843-868-4767

Applicant

PAUL PEPLES/SURAHMOHAMMED

Applicant’s Mailing Address

Zoning property

GENERAL SUMMARY

Information required with application:

☐ Scaled site plan or plot showing the variance(s) or special exception(s) being requested (3 sets)
☐ Photographs of the site, grand view to be treated, quality trees to be removed 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 the Property restricted by any recorded Covenant that is contrary to, conflicts with or prohibits the proposed land use encompassed in this permit application? 9.2.2.19 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 improvements 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

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
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 #06-60-00-333, -375, -377

William E. Murray Blvd. Apartments is requesting a variance for the removal of the following grand trees. A description of the condition of the tree 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” Oak – Grade D
   - 14’15” Oak – Grade D
   - 6/7’1” Oak – Grade C
   - 27’ Maple – Grade C
   - 27’ Oak – DEAD
   - 10’14’ 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 Schultz 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 boil 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) 884-1667.

**SEAMON, WHITESIDE + ASSOCIATES**

Paul Peeples
Civil Engineering Project Manager
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, May 5, 2021

ITEM A-3
William E Murray Blvd & Glenn Mcconnell Pkwy
(West Ashley)
TMS# 306-00-00-933 & 973 & 975
ZONED GB
1 7.565' WATER OAK - GRADE C (TRIPLE TRUNK)
2 7.96' WATER OAK - GRADE C (TRIPLE TRUNK)
3 14.15' WHITE OAK - GRADE D (PARTIAL UPROOT)
5 9.71' LIVE OAK - GRADE C (TWO 5' TRUNKS DON'T COUNT)
15 18.17' MAPLE - GRADE C
16 29' SWAMP CHESTNUT OAK - DEAD
17 23' SWAMP CHESTNUT OAK - DEAD
21 10.71' WATER OAK - GRADE D (DOUBLE TRUNK)

TREES 1, 2, 3, 5, 16, 17, & 21 ARE PROPOSED TO BE REMOVED. PLEASE SITE CORRESPONDING SITE IN AN LOCATION AND GRADES AS PROVIDED BY NATURAL DIRECTIONS & ERC 350-447-102 (PAGE 1 OF 2).
February 23, 2021

Virginia Skidmore
Seamon Whiteside 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 species, 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/or 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 'E' 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 obtained 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-1

149 CAPTAINS ISLAND DRIVE
(Daniel Island)

TMS # 276-02-01-002

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

Zoned DI-RI
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
☐ 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: May 5th, 2021

Property Address: 119 Captain W. Israel Dr., TMS # 827602.01002

Property Owner: Ted Jenkins

Applicant: Erin Stevens

Applicant’s Mailing Address: 91 - B Broad Street, Charleston SC 29401

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

Zoning of property: D1 - BL

Information required with application: (check information submitted)
☒ Scale 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 card or cash (make checks payable to the City of Charleston) (will post online)
☒ 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: Erin Stevens
Date: 5/16/2021

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

Please see attached narrative for specific variance.

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 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.charlestonsc.gov

4/15
April 5, 2021

Board of Zoning Appeals – Site Design
Department of Planning, Preservation, & Sustainability
2 George Street
Charleston, SC 29401

RE: Tree Removal Variance Request for 149 Captains Island Dr

Dear Members of the Board:

We are writing today to request a variance to remove an 11.5’ and a 14.5’ Live Oak, Quercus virginiana, both grade D, that are fixed at the base, qualifying them to be considered as a 26’ Grand Tree (identified by the surveyors as 12/15” Oak on the attached Site Plan). The trees are located on the property of 149 Captains Island Drive on Captains Island (Daniel Island) in Charleston, SC.

As per our detailed explanation below and other attached support documents, we believe that the removal of these trees qualifies for your consideration of a variance due to (1) the unique conditions of this grand tree (two smaller trees fused at the base and further weakened by irreparable fire damage and subsequent decay), (2) the prevalence of and desire to preserve other more visible oaks throughout the property including one grand and several protected live oaks, and (3) the locations of the existing hazardous trees with regards to the proposed building footprint, tailored to protect more visible specimens. To mitigate for the removal of these trees and ensure that it will not cause a detriment to surrounding properties, our client is prepared to plant additional trees at the direction of the RZA and the Daniel Island ABB.

The subject property currently hosts two grand oaks (the subject tree and another 27” live oak) and several other protected oaks. The owners are working with John Denton Halsey, AIA and Surculus (landscape architects) to design a home that integrates most of these trees harmoniously into the site plan. Most notably, there is a 27” Live Oak, Quercus virginiana, on the southwestern side of the property. Because this oak is a much healthier specimen tree (see attached exhibit that includes images of both oaks) than the one proposed for removal, great effort is being invested in protecting it. While the plans are still being developed, the portions of the proposed home nearest the 27” Live Oak will be built on piers to minimize root disruption and ensure its long-term health. Removal of the hazardous 26” double oak will further ensure the long-term health of the other grand tree and several additional protected oaks by allowing the footprint to shift away from the other trees and better utilize the property (see included site plan).

On February 7th, 2020 ISA Board Certified Master Arborist, Marshall Badeaux, performed a tree assessment of the 11.5’ and 14.5’ Live Oaks, including a health grade for the trees, determination of the attachment / fusion, cause of decay / decline, increment core test and a recommendation for whether “the removal of the two trees would benefit the remaining trees on the site” (full assessment attached for your reference). During the Sounding Test, Badeaux “detected more hollow extending to the area beyond the wound”. Though the Increment Core test, he noted “Evidence decay is continuing to expand with the introduction of insects digesting the decaying wood” and concluded that “I suspect the tree only retains 25% living tissue around the wound at this time.” As a result of this tree assessment, Badeaux determined that “Having thoroughly tested both trees via visual analysis, sounding, probing, and increment core, I find the two trees to be in poor health and hazardous”. His recommendation was that “Both trees should be removed”. The tree assessment, included here, illustrates the “evidence of fire damage, fusion, significant decay and previously rooted stems.”

As the assessment is now more than a year old, the property owner engaged Mr. Badeaux to revisit the site to determine if the trees had corrected any signs of previous decay or if they had continued to decline over the past year. An Addendum to the original assessment was issued on April 1, 2021 and is included in this application for reference. During this reassessment, Badeaux concluded that a “D” health grade was appropriate for both trees at this time and noted that “The two subject Live oaks’ health grading has declined since the original Tree Assessment was produced due to the increase in decay taking place within the trees...Based on this decline and the extensive state of decay I find these trees to no longer be viable specimens and should be removed to prevent the spread of pests and disease. No mitigation is available to improve the health of these trees. […] I am recommending complete removal of both trees contained in this report.”

Because this property is under the jurisdiction of Daniel Island ABB, we have also involved them in our conversations surrounding the proposed tree removal. As per the attached email on March 31, they stated “If the arborist’s report states that the tree is in decline, the ABB does not object to its removal.”

As such, we are requesting permission to remove the damaged 11.5 and 14.5” Live Oaks to allow for the proposed home construction and ensure preservation of the healthy 27” Live Oak. The owners are prepared to provide either or a combination of onsite mitigation and street tree fund donation, as the board sees most fit. Thank you for your consideration of our request. Please let me know if we may provide any other materials that would be of assistance in your evaluation.

Sincerely,

[Signature]

Erin F. Stevens, RLA, LEED AP
President
Surculus, LLC
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, May 5, 2021

ITEM B 1
149 Captains Island Dr
(Daniel Island)
TMS# 276-02-01-002
ZONED DI-RI

Subject Property
Table of Contents

Summary ................................................................................................................. 3
Introduction ........................................................................................................... 3
Background ........................................................................................................... 3
Assignment ........................................................................................................... 3
Limits of Assignment ............................................................................................ 3
Purpose and Use of the Report ............................................................................. 3
Observations ......................................................................................................... 3
Site ......................................................................................................................... 4
Trees ...................................................................................................................... 4
Testing and Analysis ............................................................................................ 4
Sounding ............................................................................................................... 4
Increment Core .................................................................................................... 4
Discussion ............................................................................................................ 4
Conclusion ............................................................................................................ 5
Recommendations ............................................................................................... 5
Assumptions and Limiting Conditions ............................................................... 6
Certification of Performance .............................................................................. 6
Appendix A ........................................................................................................... 7
Appendix B ........................................................................................................... 8
Appendix C ........................................................................................................... 9
Summary

Ted Jenkins hired me to assess the health and condition of two Live oaks, Quercus virginiana, that will be impacted by construction and determine if the trees in question are viable and should be preserved. I have conducted a thorough examination with testing to determine viability of both trees.

After visiting the site on February 7, 2020 and a second visit several weeks to ascertain an increment core sample; I have found both trees are fused at the base and exhibit a significant amount of decay. I have concluded both trees are in poor condition, hazardous and will not survive impact of construction therefore should be removed prior to beginning construction of a new home site.

Introduction

Background

Ted Jenkins contacted me on February 6, 2020 because he needed a Tree Assessment as required by the Daniel Island Architectural Review Board. Ted Jenkins' desire to preserve all viable trees on the site during construction and wishes to determine if any trees may be hazardous or in a state of decline before beginning construction of a new home.

Assignment

After meeting with Ted Jenkins and a follow-up email, we agreed that my assignment was to:

1. Identify the two trees in question.
2. Provide a health grade for the trees.
3. Determine that attachment/fusion between both trees.
4. Determine the cause of decay/decline.
5. Conduct an increment core test.
6. Determine if the removal of the two trees would benefit the remaining trees on the site.

Limits of Assignment

This report is based solely on my visual inspection, sounding and increment core testing. Tree inspections were limited to ground level observations; root crown and aerial inspection was not performed. I did not excavate any soil during testing.

Purpose and Use of the Report

The purpose of this report is to provide an accurate depiction of the two trees in question. This report is intended to be used by Ted Jenkins to implement a tree removal request. Upon submission, this report will become the property of Ted Jenkins and its use shall be at his discretion other than the reproduction or making of additional copies without my consent.

Observations

Site

The property is set along a quiet neighborhood street on a small island adjoining Daniel Island where many new homes are under construction or home construction has recently been completed. The trees are located on the right side near the rear of the property. The property experiences irregular flooding and likely contains high levels of salt from the adjacent waterway and marsh.

Trees

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>Site (dbh)</th>
<th>Condition</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Live oaks, Quercus virginiana</td>
<td>14 1/2&quot;</td>
<td>C - Poor</td>
<td>Fire damaged, fused, extensive decay.</td>
</tr>
<tr>
<td>2</td>
<td>Live oaks, Quercus virginiana</td>
<td>14 1/2&quot;</td>
<td>C - Poor</td>
<td>Fire damaged, fused, extensive decay.</td>
</tr>
</tbody>
</table>

Testing and Analysis

Sounding

I performed a sounding test with a rubber mallet by tapping the region around the decay/hollow and detected more hollow extending to the area beyond the wound wood.

Increment Core

I probed the tree with an increment core just above the root collar opposite of the wound and found much of the wood to be discolored and very dark. Evidence decay is continuing to expand with the introduction of insects digesting the decayed wood. I suspect the tree only retains 25% living tissue around the wound at this time.

Discussion

Upon visiting the site and making a visual observation of the tree I have found that the previous tree service had failed to meet A300 pruning standards by over-pruning many of the trees including the two trees in question. By removing the water-sprouts the tree service has inflicted damage to these and many other trees on the site. Trees develop water-sprouts as a stress response to conditions and removal is not recommended in most cases.

I have found the tree condition of both trees to be a Grade C. Trees which are semi-healthy, showing some signs of decline which are perhaps correctable; still shows signs of growth, but have suffered significant damage.

While probing the wounds I have determined the cause of decay to likely originate from an old camp fire near the shore embankment and in close proximity to the root collar. I have also determined both trees fused together an unknown time, many years ago.

I suspect the decay will continue. By removing these two trees; Ted Jenkins could in fact build a home further away from the other nearby Live oak, reducing the encroachment to approx 13 ft.
Conclusion

Having thoroughly tested both trees via visual analysis, sounding, probing, and increment core; I find the two trees to be in poor health and hazardous.

Recommendations

Both trees should be removed.

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 or of a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written consent of the consultant/appraiser.
6. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant/appraiser’s fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, 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 trees or property in question may not arise in the future.

Certification of Performance

I, Marshall Badeaux, certify:

1. That I have personally inspected the trees referred to in the report, and have stated my findings accurately; the extent of the evaluation is stated in the attached report;
2. That I have no bias with respect to the parties involved;
3. That the analysis, opinion and conclusions stated herein is my own and is based on current scientific procedures and facts;
4. That my analysis, opinion and conclusions were developed and this report has been prepared according to commonly accepted Arboriculture practices;
5. That no one provided significant professional assistance to me, except as indicated within the report;
6. That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results if the assignment of stipulated results, or the occurrence of any subsequent events.

Sign: [Signature]

Date: March 4, 2020
Appendix A

Tree #1 and #2.

Appendix B

Evidence of fire damage, fusion, significant decay and previously rotted stems.
Appendix A

Tree #1 and #2 increment cores samples showing significant discoloration and decay.
Plan for:
149 Captains Island Drive
Daniel Island, SC 29492

Prepared for:
Ted Jenkins

Reference:
ADDENDUM to Tree Assessment

Original Report Date:
March 3, 2020

Addendum Date:
April 1, 2021

Prepared by:
Marshall Badenex, Consulting Arborist
International Society of Arboriculture Certified Arborist SO-7159A Member, American Society of Consulting Arborists
TPAQ, Tree Risk Assessment Qualified
TPAQ, Tree and Plant Appraisal Qualified
CTSP, Certified Tree Care Safety Professional 603122
EHAP, Electrical Hazards Awareness Program

www.charlestonreelexperts.com
marshallb@charlestonreelexperts.com
(843) 552-8390

Assignment

Ted Jenkins had previously retained my services as a consulting arborist. In March 2020, I authored a Tree Assessment for two Live oaks located at 149 Captains Island Drive, Daniel Island, SC 29492. Upon request of Ted Jenkins, I am providing an addendum to the Tree Assessment dated March 3, 2020 to update the health status of the subject trees.

Summary

Upon request of Ted Jenkins, I revisited the two Live oaks located at 149 Captains Island Drive, Daniel Island, SC 29492 to reassess the health and risk status of these trees. My original Tree Assessment assigned the trees with a C health rating and after inspecting these trees again the health rating has now declined to a D health rating due to the progression of decay.

Discussion

With the consistent progression of decay, as well as other signs of overall poor vigor and distress, it was necessary to reassess these trees and provide a lower health rating. Below is the updated Tree Inventory Table and is accompanying Tree Grading System for reference. In addition to the advancement of decay, these trees also show more intense signs of distress than previously reported, such as tip dieback which is a condition in which the tree’s branches die starting from the tip working in towards the stem. This is a sign of diseased stress in a tree which coincides with the advanced decay displayed.

Updated Tree Inventory

<table>
<thead>
<tr>
<th>Tree #</th>
<th>DBH</th>
<th>Species</th>
<th>Health</th>
<th>Risk Rating</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11.5&quot;</td>
<td>Live oak, Quercus virginiana</td>
<td>D</td>
<td>High</td>
<td>Fire damaged, fused, extensive decay, in continued state of decline</td>
</tr>
<tr>
<td>2</td>
<td>14.5&quot;</td>
<td>Live oak, Quercus virginiana</td>
<td>D</td>
<td>High</td>
<td>Fire damaged, fused, extensive decay, in continued state of decline</td>
</tr>
</tbody>
</table>

Tree Grading System

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

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

C - Semi-healthy tree, showing some signs of decline which are perhaps correctable (i.e. some insect infestations, some diseases, root compaction, etc.); still shows signs of growth, but suffered significant storm damage.
April 1, 2021

Marshall Badeaux – Consulting Arborist

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

The two subject Live oaks’ health grading has declined since the original Tree Assessment was produced due to the increase in decay taking place within the trees. The trees are now receiving a D health grade meaning they are in a continued state of decline and decay. Based on this decline and the extensive state of decay I find these trees to no longer be viable specimens and should be removed to prevent the spread of pest and disease. No mitigation is available to improve the health of these trees. Any additional changes to the original Tree Assessment shall be presented as an addendum to the report. I am recommending complete removal of both trees contained in this report.

APPENDIX A – Updated Tree Photographs

Note the signs of tip dieback seen here, a symptom of a distressed/diseased tree.
Observe the extensive signs of decay within a cavity.

Two substantial cavities at the trunk bases act as entry points for dangerous pests and pathogens. The cavity locations and the amount of decay observed result in the tree being deemed hazardous.
I certify that I am a member in good standing of the American Society of Consulting Arborists and the International Society of Arboriculture. I have been involved in the practice of Arboriculture and the care of trees for over 20 years.

Signed: [Signature]

Date: 04/01/2021
Erin,

Thanks for your email. If the arborist’s report states that the tree is in decline, the ARB does not object to its removal, but City approval is required. Any mitigation required by the ARB for the removal of the tree will be determined after further review of the landscape, grading and drainage plan and review of the City’s mitigation requirements, if any. I hope that helps.

On Wed, Mar 31, 2021 at 4:34 PM Erin Stevens <estevens@surculusdesign.com> wrote:

Mary Stuart & Carson,

I hope that you are doing well! We sent the email below to Jeff this afternoon, but we received an out of office message. Just curious if we can get any sort of opinion from ARB on this issue to include in our application to BJC due on Monday. We’re still waiting on the updated report from the arborist, but we do know that he has confirmed that the tree has declined significantly over the past year and he will be reducing the grade to a D. T.I. toward it doing as soon as we have it in hand.

Feel free to call with any questions!

Erin
843-705-5240

From: Robert Maer lender <maer lender@surculusdesign.com>
Sent: Wednesday, March 31, 2021 3:41 PM
To: Jeff Elliott <jeff.elliott@deco.co>
Cc: Erin Stevens <estevens@surculusdesign.com>
Subject: RE: follow-up

Jeff,

I wanted to follow up on the conversation we had earlier this month related to the tree removal at 149 Captain’s Island. We are anticipating that we will apply for its removal with application to the City BZA on Monday for the May meeting.

Our client has been unable to re-engage with his arborist to provide an updated arborist report by the end of the week. It is his opinion that the tree is in a continued state of decline and he will be reducing its grade to a D. We should have that updated arborist report any day now and will include that in our application package. As part of our submittal narrative we will need to provide some detail of the ST ARB’s position on the request. If you could assist us with that in the form of an email or whatever you believe appropriate we would certainly appreciate it.

Thanks in advance,

Robert K Maer lender ASLA, CLARB
STUDIO DIRECTOR

SURCULUS
50 © Broad Street
Charleston, SC 29401

(843) 843-827-5158
rm@surculusdesign.com

From: Ted Jenkins <tj@rubirqec.org.com>
Sent: Monday, March 8, 2021 11:32 AM
To: Erin Stevens <estevens@surculusdesign.com>
Subject: FW: follow-up

Erin
This is an email from Eric one year ago.

From: Schulz, Eric <SCHULTZL@charleston-sc.gov>
Sent: Wednesday, February 26, 2020 11:32 AM
To: Ted <jenkins@charleston-sc.gov>
Subject: RE: follow-up

Dear Ted,

...The City looks forward to the receipt of the application. I assume you have settled on the footprint? Please make sure you address the hardship test in the application. For D1 variance request, the City likes to understand the DARB's position on the request. The DARB's approval is also necessary for the single-family house plan building application to be approved by the City.

Thanks - Eric

Eric Schulz | Principal Planner
City of Charleston | Department of Planning, Preservation & Sustainability
Zoning Division
2 George Street | Charleston, SC 29401
Tel: (843) 724-3796 | schulze@charleston.sc.gov | www.charlestonsc.gov

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CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Eric,

Hope it’s going well. This rain is crazy. My buddy put it his tree in case you are over on Captains this week and want to take a look. Its right in the front yard on the left (1st Captains), which is the second lot on the left when you come over the bridge. See attached pic.

I am trying to hit the deadline for the variance application in early March to hit April meeting, but the surveyors are incredibly delayed.

Talk soon.

Ted Jenkins

843-573-7530 (O)
843-990-6762 (M)
Agenda Item #B-2

KING AND SPRING STREET
(Cannonborough/Elliottborough)

TMS # 460-08-02-015, 016, 021, 098, 100-104

Request a variance from Section 54-327 to allow the removal of one grand tree.
Request a special exception from Section 54-327 to allow the removal of two grand trees.
Request a variance from Section 54-327 to omit the 15 protected trees per acre requirement.

Zoned GB (A)
BOARD OF ZONING APPEALS SITE DESIGN
City of Charleston
Wednesday, May 5, 2021

ITEM B 2
King & Spring St
(Cannonborough/Elliotborough)

TMS# 460-08-02-015, 016, 021, 098
100-104

ZONED GB-(A)
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 finds the following:

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, and the character of the district will not be harmed by the granting of the variance.

In granting a variance, the Board may attach 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 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).

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.
April 5, 2021

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

Liberty Senior Living King Street
City of Charleston — Peninsula
TMS #490-09-02-015, -016, -106, -107, -102, -103, -104, -096, & -021

Liberty Senior Living King Street is requesting a variance for the removal of the following grand trees and the code requirement of 15 protected trees per acre requirement. A description of the condition of the trees and hardships are provided below:

1. Removal by Variance of three (3) Category I Grand Trees:
   - 25’ Magnolia – Grade C
   - 34’ Elm – Grade D
   - 24’ Elm – Grade D

   Evaluation Procedures: Natural Directions LLC assessed live (5) grand trees onsite, of which, two (2) were determined to be significant instead of grand by Eric Schulte per his site work on 3/24/2021. All three (3) of the remaining three (3) grand trees are being requested for removal by variance at the 32A-SD meeting on May 5, 2021.

2. Removal of 56 Protected Trees, which will make the site fall below the 15 Protected Trees per acre requirement. The site is 2.51 acres with 56 Protected Trees, so the site currently has 22.3 Protected Trees per acre. No existing grand or protected trees are proposed to remain on the site.

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

This property is extraordinary in that it is located on King Street on the Charleston Peninsula. Being an urban style project, the proposed buildings will take up almost the entire recombined parcel and the existing trees fall in the future building footprint. BAR will require the building to be fronted on the surrounding streets reducing the ability to save or plant the required trees per acre. The situation is common for infill projects in the urban areas that occur over much of the peninsula. The grand trees are explained in #1 and the existing protected trees consist primarily of Holly, Ginkgo, Hackberry, and Palms.

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

This site is a relatively small site in an urban location that occupies the property along 3 City streets. This site, at only 2.51 acres, is also constrained by site access from all 3 street frontages. The future senior living development will encompass almost an entire city block with large multi-story buildings, which does not create an environment for the existing trees to flourish.

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 and existing protected trees (proposed to be removed) would unreasonably restrict the building configuration in such a manner that it would be a hardship to develop and build the building in a fashion that meets other city of Charleston design and construction criteria for city buildings on the peninsula. The proposed grand trees to be removed are all on the decline,showing decay, and graded as lower quality grand trees with C & D grades.

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 be harmed by the granting of the variance.

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. The future development will have landscaping to compliment the urban style buildings and will provide a landscaped pedestrian alley for the connectivity between Cannonborough - Elliottborough neighborhoods on the northwest property line between the Liberty Senior Living and Coulter Square Phase II developments.

Should you have any questions or need additional information, please feel free to call our office at (843) 884-1667.

SEAMON, WHITESIDE & ASSOCIATES

Abigail Richardson
Civil Engineering Project Manager
**TREE EVALUATION**

<table>
<thead>
<tr>
<th>Tree Number</th>
<th>DBH (inches)</th>
<th>Species</th>
<th>Grade</th>
<th>Arborist Comments</th>
<th>Comments per Eric Schultz</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>24.5&quot;</td>
<td>Elm</td>
<td>D*</td>
<td>Decay &amp; storm damage</td>
<td>Appear Dead with check in a few weeks</td>
<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>23.5&quot;</td>
<td>Elm</td>
<td>D*</td>
<td>Decay &amp; decline</td>
<td>Appear Dead with check in a few weeks</td>
<td>Poor</td>
</tr>
<tr>
<td>3</td>
<td>7.5/8/10.5</td>
<td>Magnolia</td>
<td>C*</td>
<td>Poor Form</td>
<td>Scurvy</td>
<td>Fair</td>
</tr>
</tbody>
</table>

*Tree grades were confirmed at the BZA site walk on 3/24/2023 with Eric Schultz, Natural Directions, SeamonWhiteside, & DesignWorks.

**TREE REMOVAL IMAGES**
April 5, 2021

Eric Schultz
Principal Planner
2 George Street, Charleston, SC 29401

Dear Mr. Schultz,

I was called out to assess the health of the grand trees at the future Liberty King Street Project in the City of Charleston.

The first tree is a 34.5” Elm – D Grade (poor condition). This tree is in significant decline. There are spots of decay and old storm damage throughout the trunk and canopy of the tree. The tree is located next to a cinderblock wall and is growing in a compacted gravel lot. Given the growing conditions of this tree and its defects, it is my professional opinion that this tree should be removed.

The second tree is a 24” Elm – D Grade (Poor Condition). This tree is in significant decline as well. There are areas of old storm damage in the canopy and the trunk has a large area of decay. This tree is located next to a cinderblock wall and is growing in a compacted gravel lot. Given the growing conditions of this tree and the large area of decay, it is my professional opinion that this tree should be removed.

Please let me know if you have any questions or concerns regarding these trees or would like to meet on site to discuss this letter further.

Sincerely,

Forrest S. Evans
ISA Certified Arborist
Sales Representative
Natural Directions, LLC

<table>
<thead>
<tr>
<th>Tree Number</th>
<th>DBH (inches)</th>
<th>Species</th>
<th>Grade</th>
<th>Comments</th>
<th>Comments</th>
<th>Condition</th>
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<td>Elm</td>
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<td>Decay</td>
<td>Storm Damage</td>
<td>Poor</td>
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<td>Decay</td>
<td>Decline</td>
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<td>Decay</td>
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<td>Poor</td>
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<td>Ginkgo</td>
<td>C</td>
<td>Poor Form</td>
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<td>Fair</td>
</tr>
<tr>
<td>5</td>
<td>7/7.5/10.5</td>
<td>Magnolia</td>
<td>C</td>
<td>Poor Form</td>
<td></td>
<td>Fair</td>
</tr>
</tbody>
</table>
Agenda Item #B-3

KING AND LINE STREET
(Cannonborough/Elliottborough)

TMS # 460-08-02-007, 010-013, 015, 109-114, 117-122, 124

Request a variance from Section 54-327 to allow the removal of seven grand trees.
Request a special exception from Section 54-327 to allow the removal of one grand tree.
Request a variance from Section 54-327 to omit the 15 protected trees per acre requirement.

Zoned GB (A)
Application for Variance, Special Exception, Reconsideration, or Extension (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: 15 Protected Trees/Acre
☐ Reconsideration of a decision of the Board or action of a zoning officer (Attach Appeal Form).
☐ Extension of an expired Variance and/or Special Exception approval.

MEETING DATE REQUESTED: May 5, 2021

Property Address: Line Street and King Street

Property Owner: Evening Post Publishing Company

Applicant: Seaman Whiteside

Applicant's Mailing Address: 501 Wando Park Blvd. Ste 200, Mount Pleasant, SC 29464

E-mail Address: famer@seamanwhiteside.com

Zoning of property: General Business (GB)

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 card or cash (credit cards 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? § 6-29-115 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: 4-5-21

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. 54-411(b), or Sec. 54-513 (add as an attachment if necessary).

Please see attached for detailed special exception request.

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, May 5, 2021

ITEM B 3
King & Line St

(Cannonborough/Elliottborough)

TMS# 460-09-02-007, 010-013, 015, 109-114, 117-122, 124

ZONED GB-(A)

Subject Property
TOTAL OF GRAND TREES TO BE REMOVED
GRADE B - 4 TREES - 171.6 SDH
GRADE C - 1 TREE - 34.0 SDH
GRADE D - 3 TREES - 78.5 SDH
TOTAL - 8 TREES - 283.1 SDH

**ALL GRAND TREE REMOVALS WILL BE SUBMITTED TO BZA-60 FOR APPROVAL.**