

**TOWN OF JAMES ISLAND
BOARD OF ZONING APPEALS
Town Hall
1122 Dills Bluff Road, James Island, SC 29412
BZA AGENDA
October 21st, 2025
5:00 PM**

NOTICE OF THIS MEETING WAS POSTED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT

(MEETING WILL BE STREAMED ON THE TOWN WEBSITE jamesislandsc.us)

Members of the public addressing the Board in support or opposition of this case at Town Hall must sign in. The Town invites the public to submit comments on this case prior to the meeting via email to kcrane@jamesislandsc.us referencing the Case #. Emailed comments not sent to this email address, and comments that do not include a home address for the record, will not be accepted. Emailed comments must be received by noon on October 20th.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. REVIEW SUMMARY (MINUTES) FROM THE JUNE 17th, 2025 BZA MEETING
- VI. BRIEF THE PUBLIC ON THE PROCEDURES OF THE BZA
- VII. ADMINISTER THE OATH TO THOSE PRESENTING TESTIMONY
- VIII. REVIEW OF THE FOLLOWING APPLICATION:
 1. **CASE #BZAV-9-25-042** Variance request for the removal of two grand trees (20" DBH pecan and 34" DBH pecan) for the proposed construction of the James Island Arts and Community Center in the Residential Office (OR) Zoning District at 1129 Hillman St. (TMS #428-03-00-062).
- IX. ADDITIONAL BUSINESS:
 1. Next Meeting Date: November 18th, 2025
- X. ADJOURN

*Full packet available for public review on website, and Monday through Friday during normal business hours.

TOWN OF JAMES ISLAND
BOARD OF ZONING APPEALS
SUMMARY OF JUNE 17, 2025

The Board of Zoning Appeals (BZA) held its regularly scheduled meeting on Tuesday, June 17, 2025, at 5:00 p.m. at the James Island Town Hall, 1122 Dills Bluff Road, James Island, SC.

Comm'rs present: Commissioners: Roy Smith (serving as Chair), Massey Yannitelli, and David Savage (via conference). Absent: Comm'r Joshua Hayes, (gave notice). A quorum was present to conduct business. Also, Kristen Crane, Planning Director, Mayor Brook Lyon, Town/BZA Attorney, Brian Quisenberry, and Frances Simmons, Town Clerk/Secretary to the BZA, Frances Simmons).

Call to Order: Acting Chair Smith called the meeting to order and asked those who wished to participate to join in the prayer, followed by the Pledge of Allegiance.

Compliance with the SC Freedom of Information Act: Acting Chair Smith announced that this meeting was being held in compliance with the SC Freedom of Information Act. Fifteen (15) days prior to this hearing, a public notice was posted in the Post and Courier, sign posted on the designated property, and a notice was mailed to the applicant or representative of the property, the property owner, and property owners within 300 feet of the application, and to parties of interest. Persons, organizations and the news media that have requested declaration of our meetings were also notified. The Freedom of Information Act does not require notification to anyone other than the applicant and parties of interest. This hearing was also live-streamed on the Town's website.

Introductions: Comm'r Smith introduced himself as the Acting Chair, and BZA member Massey Yannitelli. **For the record, Acting Chair Smith announced that Commissioner David Savage is participating in the meeting via conference call.**

Also present: Kristen Crane, Planning Director, Mayor Brook Lyon, Brian Quisenberry, Town/BZA Attorney, and Frances Simmons, Town Clerk and Secretary to the BZA.

Review Summary (Minutes) of the May 20, 2025 Meeting: Acting Chair Smith called for a motion to approve the May 20, 2025 minutes. Motion made by Comm'r Yannitelli, seconded by Comm'r Savage. No discussion. Passed unanimously.

Brief the Public on the Procedures of the BZA: Acting Chair Smith explained the purpose of the Board of Zoning Appeals as a quasi-judicial board that is empowered to approve, approve with conditions, or to deny requests. The BZA is authorized to defer a case should there be a need to obtain additional information.

Administer the Oath to those Presenting Testimony: Town/BZA Attorney, Brian Quisenberry swore in persons wishing to provide testimony.

Executive Session: The BZA may enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina. Executive Session was not needed.

Review of the Following Application: Case# BZAS-5-25-030: Special Exception request for the placement of a Child Day Care Facility in the Low-Density Suburban Residential District (RSL)n at 1006 Honey Hill Road, TMS #428-07-00-129: Kristen Crane, Planning Director, presented the staff's review and findings of facts for the case:

The applicant, Julia Drayton-Crumblin of *Picking Up the Pieces Enrichment Program, LLC*, is requesting a Special Exception for the placement of a Child Day Care Facility in the Low-Density Suburban Residential (RSL) District at 1006 Honey Hill Road – Town of James Island (TMS #428-07-00-129). The parcel has a single-family home currently located on it. The adjacent properties to the north, east, south, and west are zoned Low-Density Suburban Residential (RSL) and are in the Town of James Island. Most uses within 300’ of the subject property are single family residential, and parcels in the City of Charleston that are used as parks/recreation.

The *Town of James Island Zoning and Land Development Regulations Ordinance*, Use Table §153.110 allows child day care facilities, including group day care homes or childcare centers, with a Special Exception in RSL districts.

In the letter of intent, the applicant explains, “*This program is an extension of my lifelong connection to the James Island community and my commitment to expanding access to quality care. I am a graduate of the Lowcountry Local First Community Business Academy, which has prepared me to run a responsible, values driven, and community serving business. I am committed to being a good neighbor and to helping address the urgent local need for infant care, homeschool support, and safe after-school supervision.*”

Findings of Fact:

According to §153.045 E, Special Exceptions Approval Criteria of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR), Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use:

E. (a): *Is consistent with the recommendations contained in the Town of James Island Comprehensive Plan and the character of the underlying zoning district “Purpose and Intent”;*

Response: *The Town of James Island Comprehensive Plan, Population Element states, in reference to the most recent data available at the time of the last Comprehensive Plan update, that “The Island, as a whole, increased in population by more than twelve percent...Children aged five and younger increased by over eleven percent” with a significant increase of the number of young adults. Additionally, the Comprehensive Plan explains, “the purpose of the following land use information, goals, and strategies is to encourage sustainable development practices to allow for growth.” The applicant’s letter of intent states that this project will follow goals of “encouraging local entrepreneurship, strengthening family resources, and fostering safe, walkable neighborhoods, by providing affordable, flexible care options within a residential area.” Therefore, this application may be consistent with the Town of James Island Comprehensive Plan and its intent.*

E (b): *Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;*

Response: *The subject property is bordered on all sides by residential uses, and there is a park within the vicinity. The applicant is “committed to maintaining a quiet, residential character while operating a small and respectful neighborhood-based program...This request does not seek to expand commercial zoning or introduce a new district*

classification, but simply to allow a home-based business that meets all required safety and licensing standards.”

E (c): *Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors;*

Response: **The applicant states that “With only 12 children at one time, staggered arrivals, no commercial signage, and strict supervision of outdoor play, this use will not create noise or traffic disturbances.” In addition, the proposed site plan shows fencing surrounding any outdoor play areas to protect adjacent properties from noise.**

E (d): *Where applicable, will be developed in a way that will preserve and incorporate any important natural features;*

Response: **The current site has an existing single-family home, and any existing natural features will be preserved and incorporated.**

E (e): *Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and*

Response: **The applicant is in the process to ensure compliance with the applicable regulations.**

E (f): *Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.*

Response: **As the applicant’s letter of intent explains, “Unlike many homes in the immediate vicinity, this property provides both ample interior space and dedicated front of house parking, making it uniquely suited for a safe and small-scale childcare setting. The quiet residential street limits traffic and ensures a safe, calm drop off and pickup environment.” Due to the provided parking and drop-off area, and the existing circular flow and layout of the street, vehicular traffic and pedestrian movement should not be hindered or endangered.**

In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure 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 (§153.045 E 2).

Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case # BZAS-5-25-030 (Special Exception request for the placement of a Child Day Care Facility in the Low-Density Suburban Residential (RSL) District), based on the “Findings of Fact” listed above, unless additional information is deemed necessary to make an informed decision. In the event the Board decides to approve the application, the Board should consider the following conditions:

1. Sound-attenuating coverage is to be installed on the fencing proposed between the subject parcel and the neighboring residential properties.

2. There shall be no more than 12 children present at one time, with staggered arrivals and pick-ups as explained in the applicant's letter of intent.
3. Parking shall be contained on the subject property and not in the Right-of-Way.
4. No signage allowed.

Questions to Staff from the Board: None.

Applicant Presentation:

Julia Drayton, Crumblin
3237 Ben Watson Court
Charleston, SC 29412

Acting Chair Smith informed Ms. Crumblin that for the record one Board Member, Comm'r Savage, is participating in the meeting via conference call. He asked if she was in agreement with this procedure and she stated that she was.

Ms. Crumblin thanked the Board and staff for the opportunity to speak. She is requesting approval to operate a small group home for a Child Daycare Center at 1006 Honey Hill Road. She was born and raised on James Island. This community raised her. Now that she is raising her children here she feels a deep responsibility to give something back; and that is what *Picking up the Pieces Enrichment Program, LLC* is about. This is more than a business, it is her way of investing in the future of the island, children, families and the community.

The Center will provide quality care for a small group of children. Day Care services will be offered for younger children and afterschool enrichment for school-aged children. This program is designed to be inclusive, flexible and nurturing, especially for children that may not thrive in larger settings, such as in a public school. She stated that many families on James Island are struggling to find affordable childcare and accessibility to support children with behavioral or learning differences. Also, wait lists are long and options are limited. The gap has real impacts on working parents, single parents, home school parents and caregivers that need help and this is where *Picking Up the Pieces (PUP)* comes in.

Ms. Crumblin stated that this homebased setting will provide a peaceful and safe environment for all families. Traffic will be kept to a minimum with staggered drop-off times; safe outdoor play will be offered with fencing; and DHEC licensing requirements will be met for small group childcare. The location of the center is not located in a highly trafficked area; it is a neighborhood resource. Ms. Crumblin further stated that this request is personal. As a mom and a life-long resident of James Island and someone who has worked hard to build this from the ground up, she wants to create something that will be lasting, not only for her children, but for other families who deserve the same peace of mind and opportunity. The center will be more than a daycare; it is about community care and giving children the chance to grow in an environment that values who they are. She stated to the Board that with their approval, the Center can become a place where the children on James Island feels safe, are seen and supported and a place where parents can continue to work, grow, and contribute to our island with confidence.

Questions to the Applicant from the Board:

Comm'r Savage asked a question about the crème colored house, that it appears to be close to the property and asked who the owner is. Ms. Crumblin said the owner is Carolyn Michael (the owner's aunt). Comm'r Savage said in some of the exhibits, there is one that looked to be hand-drawn that showed eight (8) parking spaces outside of the front door. He said there is another schematic that showed those parking places (at least four) designated areas very close to the crème colored house and is interested in the proximity of the proposed parking to the neighbor. Ms. Crumblin explained that the original schematic that showed the eight (8) parking spaces was drawn in a condensed version. When the second schematic was revised with the

four (4) parking spaces it was discussed with the owner and she is okay if some parking were a “little” in her property. It would not be for long periods, only for drop-offs.

Comm’r Savage said he is not familiar with the requirements for operating a daycare facility. He asked if there are 12 children, how many employees would be required? Ms. Crumblin said for age six months to one year old, it would be 1 to 5 and for 18 months to 4 ½ to 5 years, it would be 1 to 6. She said since they are technically starting out small, it would only be her and another person who lives in the neighborhood and would not need a parking space because they live close to the daycare. Ms. Crane reiterated that a full site plan review would be required if the request is approved. She said the requirements for a daycare would be the same as the state requires, which is a maximum of five (5).

In Support:

Inez Brown-Crouch, 1163 Mariner Dr.: stated being a resident of this community forever. Growing up in the Honey Hill community, she is touched that the community will have something where kids in the neighborhood can go. She supports this request because it would do wonderful things for the neighborhood. She asked for the Board’s approval of this request.

Henrietta Martin, 1235 Hepburn St: President and CEO of the Grace Triangle Association and the sits on the Town’s Neighborhood Council spoke in support of the daycare center because it is greatly needed.

Adelai Brown, 1520 W. Robinhood Dr: lives in West Ashley but was raised on James Island. She raised her children here and they went to school here. Ms. Brown stated that she was a student and an instructor at the Lowcountry Local First Program and she taught the community academy business class. Ms. Brown spoke as an instructor of Julia (the applicant) and as a coach/consultant. Her daycare is needed in the community. She recalled as a young mother being in need of specific childcare that was not available on James Island and it still is not available. She watched Julia; her sister and family educate their children in a way that she feels more children need access to, especially with the many challenges in the public school system. Ms. Brown spoke in support of this request as a community member and one who sees the need for this to spread further than the Honey Hill area.

Jackie Burger, 8482 Folly Dr: Executive Director of Lowcountry Local First and a parent. Ms. Burger said we are lucky to have Julia in this community and her standing up to do this. She said Julia is of, by, and for James Island. She does it with heart, care and intention; not slap-dashing something together. Julia went through the training program and learned how to run a business effectively. She has done all of the research and is reaching out for resources and support to make sure that she has funding, technical assistance, support and mentorship. Ms. Burger said she has no doubt and Julia will create an incredible resource for this community. As a mom herself on James Island, she has been on long waiting lists to get her kids into preschool and know how much this community has grown. There is a huge need for this daycare and the fact that it is from a James Island family for James Island families we are lucky to have. Ms. Burger expressed her strong support to approve of this request. Julia will be supported by the Lowcountry Local First every step of the way.

Vera Roper, 1020 Honey Hill Rd: stated at first she was against the request. After speaking with the applicant and learning what she was going to do, she is now supportive. Ms. Roper stated as long as the applicant erects a fence, traffic is not “horrible” and kids won’t be running around, she is in support.

Vella Washington, 986 Honey Hill Rd: spoke in support of the request. She has four grandchildren ages 11 to two-months so to walk from her house to the daycare and after school would be tremendously help to her and her daughter.

Josephine Prioleau-Richardson: stated that she grew up on Greenhill Road. When she was a kid and her parents had to work, the older siblings had to take off from school to care for the younger ones. Today, with this proposed request that Ms. Crumblin is wanting to implement, it is a beautiful idea. By doing this, children will not have to miss time from school to care for their younger siblings. Ms. Prioleau-Richardson is in support of this request.

Sandra Barbour-Brisbane, 1022 Honeyhill Rd. /1018 Honeyhill Rd. (legal residence) 2937 Murray Rd, Johns Island): in support.

In Opposition: None.

Rebuttal: Not required.

Acting Chair Smith called for a motion to close the hearing at 5:35 p.m. Motion to close the hearing was made by Comm'r Yannitelli, seconded by Acting Smith.

Vote

Comm'r Yannitelli	Aye
Comm'r Savage	Aye
Acting Chair Smith	Aye
Unanimous	

Acting Chair Smith called for a motion to approve Case #BZAS-5-25-030: Special Exception request for the replacement of a Child Day Care Facility in the Low-Density Suburban Residential District (RSL) at 1006 Honey Hill Rd. (TMS#428-07-00-129): Motion was made by Comm'r Yannitelli, seconded by Comm'r Savage.

Discussion: Comm'r Savage stated his two primary concerns were: Criteria B: that the proposed exception be consistent with the area and not have an adverse effect on the neighboring community; and Criteria C: that the special exception does not produce excessive noise and other irritants to the neighborhood. Comm'r Savage said whenever there is a request for a special exception there is going to be by nature something "somewhat" inconsistent with the existing community. In this case he does not see this application as opening up the area to commercial establishments. He also did not hear from the neighborhood that anyone expressed concerned about the adverse impact to the community. In this particular case he does not see the need to substitute his judgement for those of the neighbors who appear to be in favor of the request. In Criteria C regarding noise, he noted that the daycare facility will operate until 5:30 p.m.. He said the time is from 8 a.m. to 5:30 p.m. in any community there will be people working (i.e., mowing lawns, etc.) so he does not see any additional noise as being excessive. He stated for those reasons the application meets all of the criteria and should be granted with the staff's recommendation.

Comm'r Yannitelli agreed that the staff's recommendation would cover the parking and noise with the fence which were his two concerns. Acting Chair Smith stated that the application met all criteria. Some opposite to what the problem might be. He heard no testimony that the application would have an adverse effect on the community; rather it would be a benefit to the community. He supports the application.

Acting Chair Smith called for the vote to approve Case #BZAS-5-25-030: Special Exception request for the replacement of a Child Day Care Facility in the Low-Density Suburban Residential District (RSL) at 1006 Honey Hill Rd. (TMS#428-07-00-129) with the following staff's recommendation: 1) Sound attenuating coverage is to be installed on the fencing proposed between the subject parcel and the neighboring residential properties. 2) There shall be no more than 12 children at one time, with staggered

arrivals and pick-ups as explained in the applicant's letter of intent. 3) Parking shall be contained on the subject property and not in the Right-of-Way. 4) No signage allowed.

Vote:

Comm'r Yannitelli	Aye
Comm'r Savage	Aye
Acting Chair Smith	Aye
Unanimous	

Acting Chair Smith announced for the record that Case# BZAS-5-25-030 met all of criteria and the vote of 3-0 was unanimous. The final decision of the Board will be mailed to the applicant within ten (10) working days and the applicant may contact the Planning and Zoning staff with questions regarding the application.

Additional Business:

Next Meeting Date: The next meeting of the Board of Zoning Appeals is scheduled for Tuesday, July 15, 2025.

Adjourn: There being no further business to come before the body, the meeting was adjourned at 5:41 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk and Secretary to the BZA

Variance Application

Town of James Island Board of Zoning Appeals

Town of James Island
Zoning/Planning Department
1122 Dills Bluff Road
James Island, SC 29412
Phone 843-795-4141
Fax 843-795-4878
www.jamesislandsc.us



This application must be complete and submitted in person to the Town of James Island Zoning/Planning Department in order to apply for a Variance. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is filed. **This application will be returned to the applicant within fifteen (15) working days if these items are not submitted with the application or if any are found to be inaccurate:**

- 1) Completed Variance application signed by the current property owner(s).
- 2) Copy of **Current Recorded Deed** to the property (Owner's signature must match documentation). If the applicant is not the owner of the property, the **Current Property Owner(s)** must sign and print the **Designation of Agent** found below.
- 3) **Restrictive Covenants & Posted Notice Affidavit(s)** signed by the applicant or current property owner(s).
- 4) A **letter of intent** signed by the applicant or property owner(s) stating the reason for the request that explains why this request should be granted and how it meets the Approval Criteria of §153.049 F. All proposed Variances, except single family, shall satisfy the Site Plan Review process and attend at least one Site Plan Review meeting prior to submitting this application.
- 5) An accurate, legible **Site Plan** drawn to **Engineers Scale** must be attached. The site plan must show property dimensions, dimensions and locations of all existing and proposed structures and improvements, parking areas, Grand trees(18" DBH or greater, Pine, Sweetgum, SC Invasive Pest Trees are exempt), wetlands(properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on site plan or plat), holding basins and buffers when applicable.
One 24 x 36 copy and one digital copy via email.
- 6) Copy of a legible **Approved and Recorded Plat** showing present boundaries of property.
- 7) **Fee \$250** check made out to "Town of James Island". Grand tree variances add \$50 each additional tree

Applicant Name: Mayor Brook Lyon / Represented by Chip Wyatt (Barrier Island Eng.)

Mailing Address: 1122 Dills Bluff Road

City, State, Zip Code: Charleston, SC 29412 Daytime Phone: 843-795-4141

Email Address: blyon@jamesislandsc.us

Subject Property Address: 1129 Hillman St.

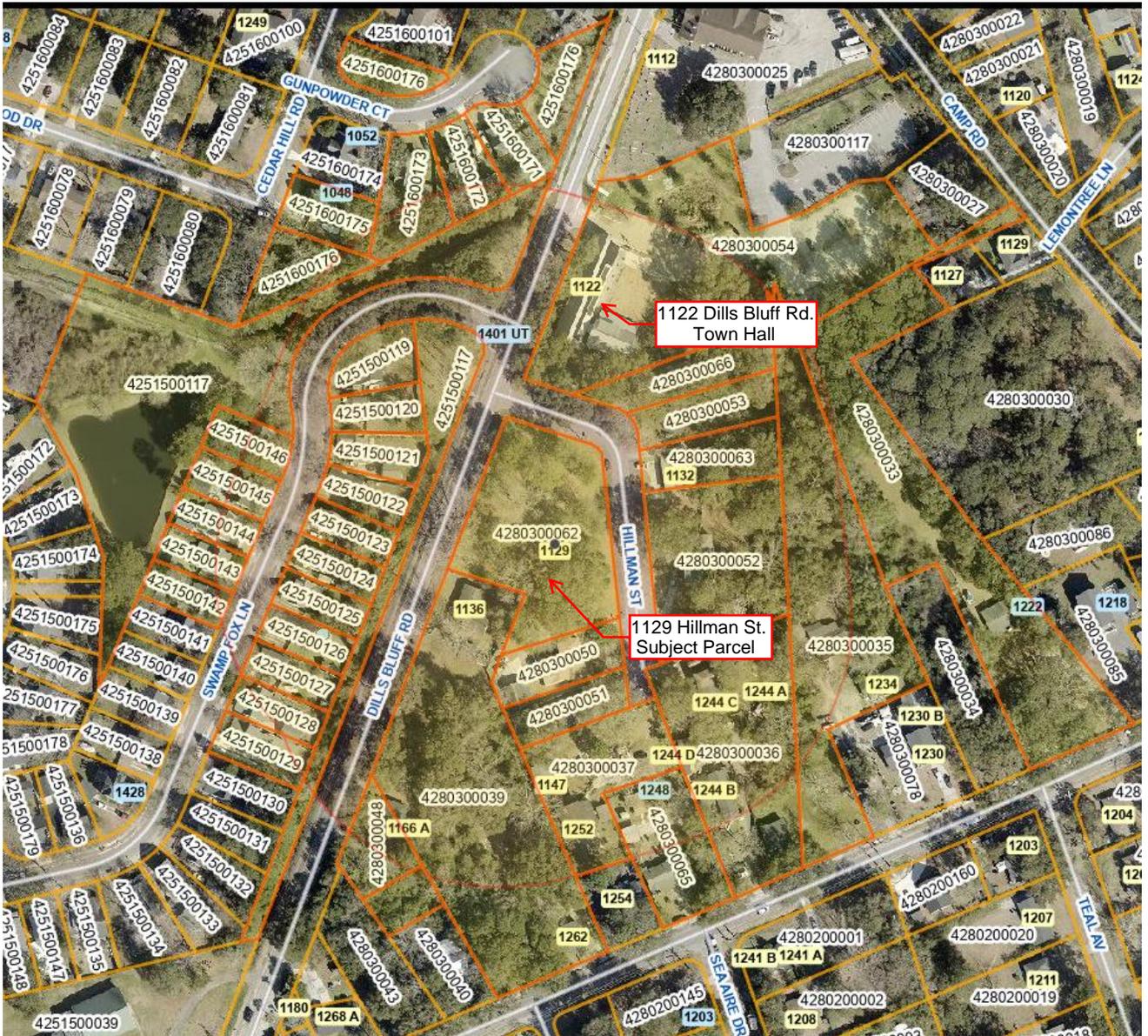
Present Use of Property: Vacant

Variance Description: Removal of two Grade B Grand Trees

Brook Lyon
Applicant Signature 09/15/2025
Date

Designation of Agent (Complete only if owner is not applicant): I hereby appoint the person named as Applicant above as my (our) agent to represent me (us) in this application.
Brook Lyon / Town of James Island 9/15/25 PO Box 12240, Charleston, SC 29422
Owner Print Name Date Owner Mailing Address
Brook Lyon Charleston, SC 29412
Owner Signature City, State, Zip Code

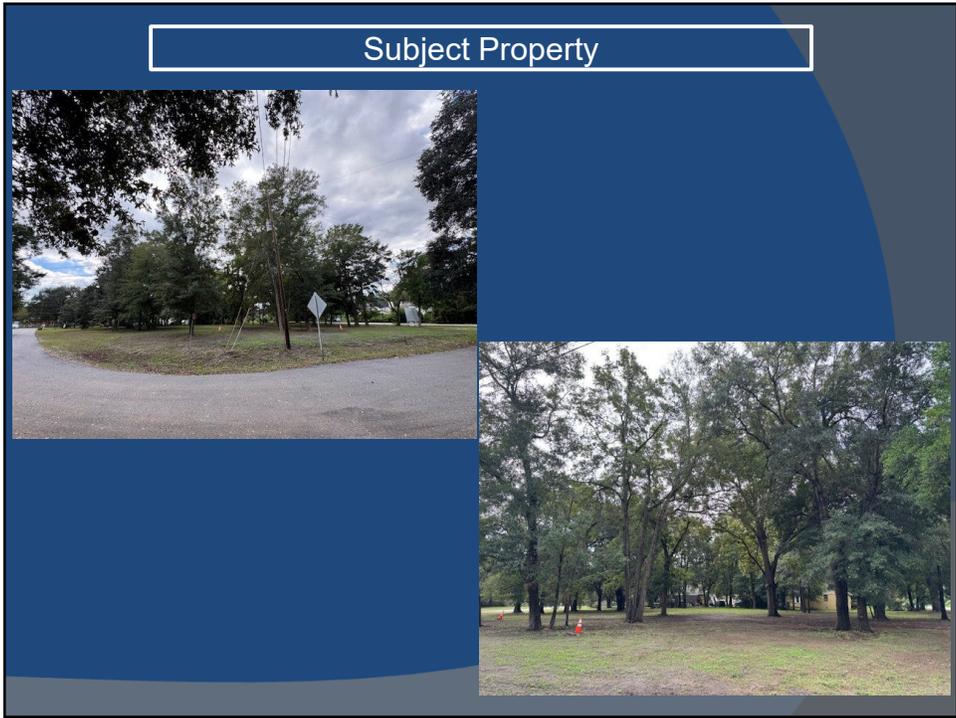
FOR OFFICE USE ONLY:	
Application #: <u>BZAV-9-25-042</u>	Flood Zone: <u>X</u>
Zoning District: <u>OR</u>	Fee Paid (\$250): <u>check</u>
Date Filed: <u>9/19/2025</u>	Zoning Officer: <u>KAC</u>
TMS#: <u>428-03-00-062</u>	



Selected Parcel	
PID	4280300062
OWNER1	TOWN OF JAMES ISLAND
PLAT BOOK PAGE	S25- 0010
DEED BOOK PAGE	1181-855
Jurisdiction	TOWN OF JAMES ISLAND



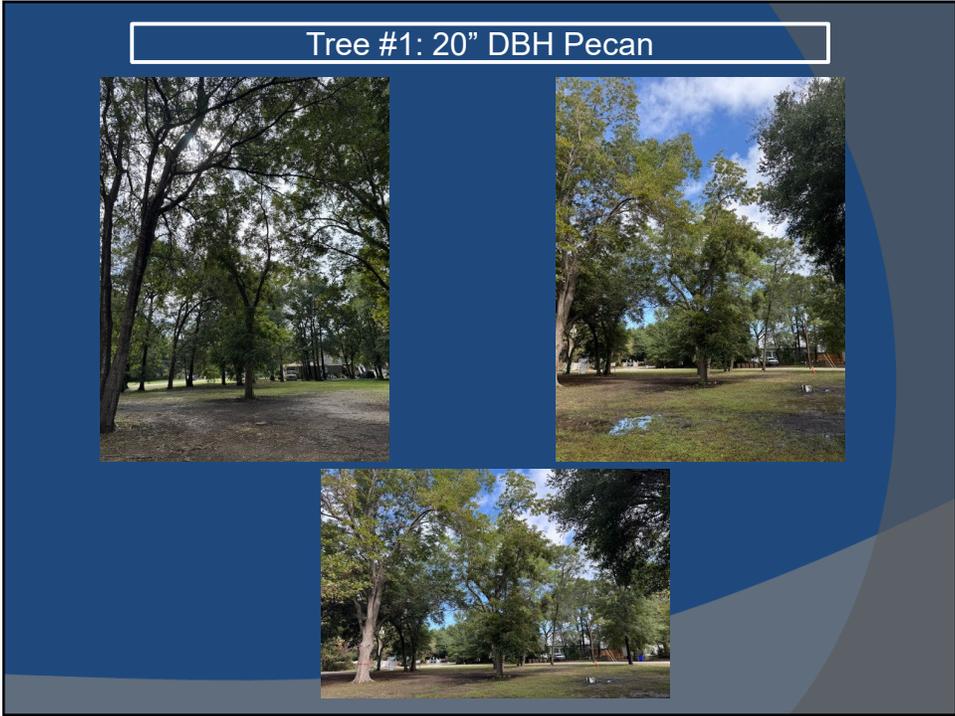
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7



8



9

Tree #1: 34" DBH Pecan



Staff Review:

The applicant, Mayor Brook Lyon, represented by Chip Wyatt of Barrier Island Engineering, is requesting a Variance for the removal of two grand trees (20" DBH pecan and 34" DBH pecan) at 1129 Hillman Street (TMS #428-03-00-062). Surrounding properties on the south and east sides of the subject parcel are residentially zoned in the Town of James Island. Property to the north is zoned Residential Office (OR) in the Town and is the location of Town Hall. To the west is residential property in the City of Charleston.

Town of James Island Zoning and Land Development Regulations, §153.334 (E) (2) states that grand trees that do not meet the criteria for tree permits may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Zoning Administrator.

The property is 0.99 acres in size with the subject pecan trees being situated in the center of the lot. There are no structures located on the subject parcel. The combined property was purchased by the Town of James Island in 2023 and is the location for the proposed James Island Arts and Community Center which *"will greatly enhance the lives of the citizens of James Island. The Center will include three buildings, interconnected by outdoor learning and activity spaces with a combined footprint of 10,250 sf, and designed to save as many trees as possible"* according to the letter of intent.

Findings of Fact:

According to §153.049 F, Zoning Variance Approval Criteria of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR), The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application of the provisions of this Ordinance would result in unnecessary hardship. A Zoning Variance may be granted in an individual case of unnecessary hardship if the Board of Appeals makes and explains in writing the following findings:

F. (a): *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Response: **There may be extraordinary and exceptional conditions pertaining to this piece of property as the site is vacant, is proposed for municipal/community use, and has many grand trees located on it, with two grand trees that restrict construction. In addition, the site is surrounded on three sides by road frontage, therefore 25' front/street-side setbacks would be applicable to three sides.**

F (b): *These conditions do not generally apply to other property in the vicinity;*

Response: These conditions do not generally apply to other properties in the vicinity. The location and number of grand trees on surrounding lots varies and property in the vicinity is developed, with no municipal/community uses planned. In addition, the layout of the subject property is unique with regards to road frontage.

F (c): *Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;*

Response: The application of this Ordinance, §153.334, *Required Tree Protection*, may effectively prohibit or unreasonably restrict the utilization of the property because of the central location of the two grand pecan trees, combined with the limitations of building area due to the triple-frontage layout of the lot and corresponding street setbacks. The applicant's letter of intent states, "*The existing canopies would make development of the site infeasible without the selective removal of trees.*"

F (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 zoning district will not be harmed by the granting of the variance;*

Response: The character of the zoning district should not be harmed and the authorization of the variance should not be of substantial detriment to adjacent property as the letter of intent addresses, "*the project will provide new plantings of a variety of species on the site and along Dills Bluff Road and Hillman Street to meet and exceed the Town's ordinance requirements*". Additionally, the applicant states that "*the Town is also prepared to pay into the tree fund in excess of the standard inch-per-inch mitigation requirements*".

F (e): *The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a non-conforming use of land or to change the zoning district boundaries shown on the Official Zoning Map;*

Response: The variance does not allow a use that is not permitted in this zoning district, nor does it extend physically a nonconforming use of land or change the zoning district boundaries.

F (f): *The need for the variance is not the result of the applicant's own actions; and*

Response: The large number and specific locations of grand trees are pre-existing site conditions, therefore the need for the variance may not be the result of the applicant's own actions.

F (g): *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Response: The Land Use Element of the Comprehensive Plan states a strategy is to *"Implement sustainable and flexible development guidelines and integrate development with growth to maintain the suburban character of the Town"*. In addition, the Community Facilities Element states a need as *"continuing to evaluate and plan for community facilities and service."* The granting of the variance does not conflict with Comprehensive Plan or the purposes of this Ordinance.

In granting a Variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure 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 (§153.045 E 2).

Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case # BZAV-9-257-042 (Variance request for the removal of two grand trees for the proposed construction of the James Island Arts and Community Center at 1129 Hillman St.), based on the "Findings of Fact" listed above, unless additional information is deemed necessary to make an informed decision. In the event the Board decides to approve the application, the Board should consider the following conditions:

1. The applicant/owner shall install tree barricades around the grand and protected trees on the property, as described in §153.334 of the *Ordinance*, throughout the duration of construction.
2. Prior to obtaining a Zoning Permit for the proposed site improvements, the applicant/owner shall provide documentation that the grand trees on the subject parcel have been pruned and fertilized as recommended by a Certified Arborist, in order to mitigate any potential damage to the tree caused by construction.
3. The applicant/owner shall mitigate the removal of the grand trees by submitting a mitigation plan to the Zoning Administrator, as described in 153.334 (E) (2) of the *Ordinance*, that exceeds inch-per-inch replacement.



October 10, 2025

Town of James Island
Zoning / Planning Department
1122 Dills Bluff Rd
James Island, SC 29412

RE: James Island Arts and Community
Center

Dear Board of Zoning Appeals,

The Town of James Island proposes the construction of a new Arts and Community Center at 1129 Hillman Street, which will greatly enhance the lives of the citizens of James Island. The Center will include three buildings, interconnected by outdoor learning and activity spaces with a combined footprint of 10,250 sf, and designed to save as many trees as possible.

According to 153.334 Tree Protection and Preservation, a grand tree is defined as any species of tree measuring 18 inches or greater in diameter breast height except pine and sweet gum. All grand trees are prohibited from removal unless a grand tree permit is issued, with the exception of grand trees identified and evaluated by a SC Certified Arborist resulting in a dead or dying tree, commonly graded as "F".

We are submitting a variance request for the removal of a 34" Pecan tree and removal of a 20" Pecan tree on TMS#428-03-00-052 for the construction of the new James Island Arts and Community Center and associated site development. These trees have been assessed by Natural Directions, a Certified Arborist.

The parcel is heavily canopied with existing grand trees as is typical of this area of James Island. Due to the proximity to Town Hall and central location in the Town, this site has been identified as the proposed location for the new James Island Arts and Community Center. The existing canopies would make development of the site infeasible without the selective removal of trees.

The site was analyzed to determine the most efficient manner to site the building while removing the fewest number of trees possible. Live oaks, laurel oaks, and oak species in general were identified to be maintained at all costs as these trees are typically identified as the most "high value" tree species. Parking, access and other infrastructure was designed in a manner to save grand oaks and result in the proposed removal of the two pecan trees.

The new building and associated sitework is sited to maintain nineteen (19) grand trees. These trees will be protected during construction. We are proposing to mitigate the pecan tree removals by the significant preservation of trees as well as supplemental buffer and screening plantings.

The ordinance requires 235 inches of tree preservation on the site; we are going above these requirements by preserving over 250% (586 inches) of what is required. The project will provide new plantings of a variety of species on the site and along Dills Bluff Road and Hillman Street to meet and exceed the Town's ordinance requirements. Maintaining more trees than required will mitigate removing the pecan trees, however the Town is also prepared to pay into the tree fund in excess of the standard inch-per-inch mitigation requirements, if the Board sees fit.

Regarding the variance criteria articulated in article 153.049F, the property is almost completely canopied with grand trees. Without the removal of the pecan trees, it would be unattainable for the Town of James Island to use this property for the new James Island Arts and Community Center or other Municipal use. These pecan trees would unreasonably restrict the utilization of the property for any owner that wished to build any structure. The removal of the pecan trees will not be of detriment to the adjacent property or to the public good.

We are happy to assist with any further information that may be required and thank you for your consideration of this matter.

Sincerely,

A handwritten signature in blue ink that reads "Chip B. Wyatt". The signature is fluid and cursive, with the first name "Chip" being the most prominent.

Chip Wyatt
Principal Project Manager
Barrier Island Engineering

