TOWN OF JAMES ISLAND BOARD OF ZONING APPEALS

Town Hall

1122 Dills Bluff Road, James Island, SC 29412

BZA AGENDA November 18th, 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 these cases at Town Hall must sign in. The Town invites the public to submit comments on these cases 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 November 17th.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. REVIEW SUMMARY (MINUTES) FROM THE OCTOBER 21st, 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 APPLICATIONS:
 - CASE #BZAV-10-25-044 Variance Request for an increase in maximum accessory structure height allowance (maximum allowed is 25') of 5' to 30' for a detached accessory structure (treehouse) in the Low-Density Suburban Residential (RSL) Zoning District at 1038 Windward Rd. (TMS #452-01-00-137).
 - 2. CASE# BZAV-9-25-043 Variance request for the placement of an existing accessory structure in front of the principal structure in the Low-Density Suburban Residential (RSL) Zoning District at 1353 Harbor View Rd. (TMS #424-07-00-025).
- IX. ADDITIONAL BUSINESS:
 - 1. Next Meeting Date: December 16th, 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 OCTOBER 21, 2025

The Board of Zoning Appeals (BZA) held its regularly scheduled meeting on Tuesday, October 21, 2025, at 5:00 p.m. at the James Island Town Hall, 1122 Dills Bluff Road, James Island, SC.

<u>Comm'rs present</u>: Schuyler Blair, Joshua Hayes, Massey Yannitelli, and Chair David Savage. <u>Absent</u>: Roy Smith (gave notice). Also: Planning Director, Kristen Crane, Town Engineer, Laura Cabiness, Town/BZA Attorney, Brian Quisenberry, Mayor Brook Lyon, and Town Clerk and Secretary to the BZA, Frances Simmons.

*Chair Savage asked the audience to please silence their phones.

<u>Call to Order</u>: Chair Savage introduced new Commissioner, Schuyler Blair who led the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chair Savage 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 a sign was 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.

<u>Introductions</u>: Chair Savage introduced himself as Chair, members of the BZA, staff, Town Attorney, and Mayor Lyon.

Review Summary (Minutes) from the June 17, 2025, BZA Meeting: Motion to approve was made by Comm'r Hayes, seconded by Comm'r Yannitelli and passed unanimously.

Brief the Public on the Procedures of the Board of Zoning Appeals (BZA): Chair Savage explained that the BZA is 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.

Chair Savage gave an overview of how tonight's case would be conducted and introduced 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 Street (TMS #428-03-00-062). The request must meet all of the criteria of the ordinance.

Review of Application: Case #BZAV-9-25-042: Ms. Crane made the following presentation:

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. Ms. Crane stated that both trees were graded "B" by a certified arborist and did not meet the criteria to get an administrative tree removal permit.

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:

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;

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."

The authorization of a variance will not be of substantial detriment to adjacent property F (d): 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 trees 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 inchper-inch replacement.

Questions to Staff from the Board:

Comm'r Yannitelli said he is looking at the site plan to see if there were other layouts with the same amount of square footage that would work around the trees for the project. Ms. Crane said that she would defer to the architect or the engineer but did not believe there was another way to have the same amount of building space without removing any grand trees. Any other layout would require removing some oak trees and other grand trees and there are many on the site.

Comm'r Yannitelli asked if relocating the trees was considered. Ms. Crane said she did not know much about that but assumed that relocating trees would not be beneficial to the tree and would be costly; but she is not an arborist.

Chair Savage referred to the schematic where an "x" appears to be in a main area where the canopy is. He said most of the letters received were not opposed to the concept of the community center, but if someone were to ask about the "x" in the middle (that appears to be on pavers) why that tree could not be saved, how would that question be answered.

During discussion of the tree in the middle, Ms. Crane said there is a slanted roof that goes over the courtyard, so the tree would fit there. There is a work around the front where the circle is and that grand tree will be saved.

Chair Savage noted that some of the letters questioned mitigation and asked what the Town requires for mitigation. Ms. Crane said the ordinance is a replacement according to a schedule that is inch-by-inch mitigation. 54" in this case. She said if a tree is taken down for a violation the mitigation triples. The darker trees are the proposed plantings for the site, and the lighter ones are those that exists. The proposed trees equal 118 inches. As a standard when a site is being developed there is a requirement to retain a certain number of inches or trees. The site for the Arts and Community Center is an acre, and our standard is to retain at least 20 trees or 160 inches per acre. She said without the mitigation or proposed trees, the tree inches retained on the site would be 570 inches. Chair Savage asked about enforceability and if the standard is set in stone and Ms. Crane said we would be adhering to the enforceability, but it could be added as a condition to specify the number of inches. Chair Savage asked if the Board wanted to enforce what the language would be to ensure that it is understood. Ms. Crane said condition #3 could be edited to include 108 inches of onsite mitigation.

Applicant Presentation:

Brook Lyon, 669 Port Circle, James Island: Mayor Lyon stated that before she ran for mayor and was elected, she served on the BZA for 12 years and was the chair for six of those years. She heard many tree cases while she sat on the Board and shared with Comm'r Blair that her first BZA hearing was also a tree case. Mayor Lyon said when she reviewed a case, she would go through the "Findings of Facts" and look at the responses to see if it met criteria. She has gone through the criteria in this case, underlined them, and feels that they meet the criteria. She explained each criterion and why they met.

- a) There are many grand trees, and the two grand trees restrict construction.
- b) The location and number of grand trees on the surrounding lot, variety and property are developed and does not generally apply to other property in the vicinity. It is vacant and has tons of trees on it.

- c) This will prohibit and restrict the utilization of the property. We have worked hard to tweak the buildings and worked to save as many trees as possible, but these two trees are in the middle of the way.
- d) This request should not be of substantial detriment and would be a great asset to our community. All of the mitigation plantings we will do will enhance the site and will be fantastic.
- e) This variance does not allow a use that is not permitted, so we meet criteria.
- f) The trees are pre-existing. It is something we cannot help; they were already there.
- g) It does not conflict with the Comprehensive Plan or the purpose of the Ordinance.

Mayor Lyon said the Town continues to evaluate and plan for community facilities and services. She believes the variance meets all criteria and we want to show our citizens that not only do we comply, but we want to go above and beyond the mitigation requirements and have more mitigation than is needed. She asked the Board to approve the removal of the two Pecan Trees based on the fact that the request meets criteria. Mayor Lyon thanked the Board for allowing her to speak.

Chip Wyatt, Owner, and Sr. Development Consultant, Barrier Island Engineering, 759 Folly Road. (Home address: 552 Cecelia Cove): Mr. Wyatt thanked the Board for the opportunity to speak. He said that Mayor Lyon had gone through the criteria, and he would answer questions. In reference to the tree with the "x;" he said even if the overhang were removed that grand tree root system would be detrimental and cause structural concerns to the foundation. The permeable pavement system is not only an aesthetic component, but it serves as a vital stormwater component in a special protective area. The dark green trees are proposed. The plantings serve as tree mitigation and are a vital function for stormwater quality and quantity.

Re: the question about alternate configurations of the building, an example was given of rotating the building at 90 degrees. The way the setbacks are off of the two road frontages, the building would not fit or allow the tiedown of the grades. He said geometrically this was the ideal location for the site. As a public community center, the site has a unique and geographical component that is extremely important in the variance request. He talked about the Town's parking lot and overflow parking noting that this option is not available with other sites throughout the island, but it is a critical component that needs to be discussed. If the Community Center is to be an asset to the Town, 100-200 people need to be able to park there for events.

Regarding trees, if inches only were counted it would be 700 inches of existing trees. These are not only grand trees but also significant trees. Mr. Wyatt said they have done their best to minimize the tree impacts and the plantings will serve as a stormwater component for noise reduction, and screenings. He referred to notes on the schematic that addressed mitigation that detailed entails existing inches; how many is proposed to be removed (54") and inches proposed for planting (118"); a total tree inch of 600"; 160" per acre is a requirement and the required inches would quadruple. Mr. Wyatt summed by stating that they have done the best they could to save many trees and to provide connectivity for the parking the Center to be beautiful and functional.

Questions to the Applicant from the Board

Chair Savage asked about mitigation and Mr. Wyatt replied that what Ms. Crane was referring to was if the Board felt that double mitigation was appropriate; the double mitigation number would be two times the fifty-four would is 108 and they are proposing 10 extra inches, which is 118. They can work with that number if the Board wants a double mitigation.

Chair Savage asked about the mitigation inches and Mr. Wyatt said the mitigation number they would request is 108, a double mitigation.

Chair Savage asked if the Town purchased the property with two lots and had the lot line combined into one lot. Mayor Lyon confirmed that the lot line was dissolved when it was surveyed and we have a larger lot to work with and gives more flexibility to save as many trees as possible.

Comm'r Blair asked about the mitigation schedule, do we have an idea of the timeline of when the trees would be planted? Mr. Wyatt said Ms. Crane was referring to the schedule of species not the timeframe. Mayor Lyon added that the plantings would be done after construction.

In Support:

<u>Inez Brown-Crouch, 1149 Mariner Dr</u>: Spoke in support of the James Island Arts and Community Center. She grew up on James Island and had nothing here. The Arts and Cultural Center have brought the community together. She is 85 years old, and this community was shameful at one point. Now that we have the Town and the Art and Cultural Center the community is coming together. She supports the Center, and it would do wonders for James Island.

James Bernacki, 1182 Julian Clark Road, (Manager of Ace Hardware): Spoke in behalf of his wife, Kimberly, who worked at the previous JI Arts and Cultural Center and believes it is an excellent addition to our community. He works at the Hardware store and talks to a lot of people. When the former center closed a lot of people were bummed and now that there will be a new Center it has lifted their spirit. As a former teacher he worried about what kids would do after school. All of the activities the Center will provide would be an excellent way for children and adults to spend time. Kimberly has grown by attending the classes at the Center and she is now a successful artist who owes that to Community Center. He asked the Board to approve the variance as it would be a great addition to our community.

Henrietta Martin, 1235 Hepburn St.; rep. for the Greenhill, Honey Hill, and Dills Bluff communities: Ms. Martin stated has been associated with the Town for over 15 years. When she learned that the Town wanted to have an Arts Center near Paisano's she applauded because this is something desperately needed for the community; especially for Black kids to have somewhere to go. Then it was learned that the Center was going to close which was a big disappointment, so she started banging on the mayor's doors asking, "what is going to happen to our children"? "Where are they going to go?" The mayor had an idea to do something here. She asked the Board to approve the variance, not only for herself but for the children. The location is perfect for them to walk to or bike. It is desperately needed.

<u>Victor Crouch, 1149 Mariner Dr</u>: spoke in support of the variance request. In looking at the schematic there are a lot of other trees that will be planted. He loves trees and the fact that we are adding more to the property. He is a licensed clinical social worker by trade and the importance of community, assets in community make a difference. It makes a difference to have a place where people can go, learn, feel valued, and to be able to say this is our Arts and Cultural Center.

<u>Trudie Mack, 1042 Greenhill Rd</u>: Spoke in support of the Arts Center for the Children to learn. Some who lived on James Island knew about Gresham Meggett where children were to sew, have arts and cook. She thinks the Art Center would be good for children and adults.

Regina Ruopoli, 1434 Birthright St (business @ 1872 Camp Rd): stated that it is clear that the Town and the design build team has more than thoroughly thought through the entire process and saved as many trees as possible. The plan for the mitigation of new plantings and to offer to donate more than necessary has been more than enough proof that they are trying to save as many trees as possible and unfortunately on occasion certain trees just need to go. She is deeply involved in the arts community in Charleston and thinks the value that the Center will bring to the community will more than make up for the beautiful trees that unfortunately are in the way. Driving to the meeting she passed countless football and baseball fields and soccer courts and cannot imagine the number of trees that have gone in order for those facilities to be put

in. She loves and supports sports but there is not enough opportunity for the arts community to have the same connecting facilities in Charleston. For the Town to be able to connect the arts to the community is very unique and is more than worth granting the variance.

<u>Parker Richardson, 1161 Winborn Dr</u>: previously worked at the JI Arts and Cultural Center spoke that the new center would be crucial to our community and she is supporting the removal of the two pecan trees.

In Opposition: None.

Rebuttal: None.

Chair Savage called for a motion to close the Public Hearing and a second for discussion. Comm'r Hayes moved to close the public hearing at 5:51 p.m. seconded by Comm'r Yannitelli. No discussion. Motion passed unanimously.

Chair Savage called for a motion to approve the variance request with the existing staff recommendations. The motion was made by Comm'r Hayes, seconded by Comm'r Blair followed by discussion.

Comm'r Hayes commented on criteria F(f) that the need for the variance is not the result of the applicant's own actions. As he was looking at the southernmost tree that identified the pavers, he understood there would be a shaded structure there but initially he had concerns about that until after Mr. Wyatt provided a deeper explanation that the roof structure would interfere with the structure. He wants to make sure that group does not have any additional issues with the southern tree, but for him that was the looming issue. Chair Savage said he thought Mr. Wyatt's explanation was satisfactory.

Chair Savage stated typically when there is a variance request for a tree removal what trips people up is criteria F(f) ... that the need for the variance request is not the result of the applicant's own action. He sees quite the contrary in this case because the He two lots were purchased, and both were wooded; the property line was dissolved and something designed to mitigate the loss of the trees.

Chair Savage touched on each of the criteria making comments noting that the testimony and presentation weighs in favor of the applicant who has met all criteria for the reasons that he stated. Also, the letters received was in favor of the public's good; none were critical of the Arts and Cultural Center. Comm'r Blair said he agreed with what has been said. One point that resonated with him during the applicant's presentation was the vicinity being close to the Town Hall and its existing parking lot. He said creating an additional parking lot would come with further clearing of trees if the parking lot was not close to the Town Hall. For there to already be adequate parking space at the Arts Center is something he did not think of before, but he feels better about it after the fact.

In terms of the public good, and what he kept holding back on, is the productivity factor of what the Arts Center will provide for decades that clearly outweighs taking two trees down from an economic, productivity, and engagement standpoint it is a no-brainer. As long as all criteria are met, and he thinks they are, he is happy to approve the variance.

Comm'r Yannitelli asked if there is a pedestrian sidewalk in the plan which will connect to the Art Center for safety. Chair Savage asked Attorney Quisenberry if this question was in order since the Public Hearing had closed. Attorney Quisenberry said the motion to close the public hearing needed to be withdrawn and another motion made to reopen. The motion to withdraw was made by Comm'r Yannitelli, seconded by Comm'r Hayes and passed unanimously.

Chair Savage called for a motion to reopen the hearing at 6:00 p.m. to accept additional evidence. The motion was made by Comm'r Hayes, seconded by Comm'r Blair, and passed unanimously.

Comm'r Yannitelli said a lot of kids will be accessing the area along with parents driving and parking at the Town Hall. He asked if there were a plan how pedestrians would access the facility safely because there are few sidewalks on James Island. Mayor Lyon responded that the Town applied to the SC Department of Transportation (SCDOT) to take over Hillman Road (previously a State Road). Since this is a Town road, we have more flexibility to address issues such as crosswalks and easements and can streamline the process. Joellen and Chip (Barrier Island Engineering) is working on a plan for access.

Mr. Wyatt showed on the schematic where the sidewalks would be located. He said there will be three ADA compliant sidewalks and the ladder to the left will be a designated crosswalk, signage, and possibility some signalization. The crosswalk will line up with the breezeway at Town Hall. Mayor Lyon added that there is very little traffic on Hillman, she would say there are eight houses, and it takes one car, but we are working on that.

*A citizen in the audience requested to speak and permission was granted.

Sharay Prioleau, 61 Cypress St, Chas, stated that she grew up in this neighborhood as a child. She came to the Town when the process for the Art Center first began. She is in favor of art, but Hillman Road is a family neighborhood and a community. When events are held there could be anywhere from 100-200 people, and the road does get congested. She disagreed with the mayor's statement that there are only 8 homes and there is very little congestion. There are family gatherings, and it is congested during the holidays and fellowship. She further stated that when someone purchased the property, they were told that the trees could not be taken down. She is trying to figure out why build on something if you know the trees had to be taken down.

Chair Savage called for a motion to close the Public Hearing at 6:05 p.m. Motion was made by Comm'r Yannitelli, seconded by Comm'r Hayes. No discussion. Motion passed unanimously.

Chair Savage called for a motion to approve the application with the staff's stated conditions found in the initial BZA packet. Comm'r Yannitelli moved for approval, seconded by Comm'r Blair.

Chair Savage said while the information was useful to him, he did not change his position as to whether or not the applicant had met all of the criteria. All members of the Board agreed. He said at this time there may be some interest in adjusting the mitigation to comply with the offer made by the applicant. If the Board decides to go that route, he does not want an individual who gets a lot to think that is now the standard. He understands when the applicant is the Town they want to be a good representative because of their interest in trees. He is inclined to ask someone to make a motion to amend condition #3 to reflect Ms. Crane's language and wants to be on record stating that he is not making this a precedent for future landowners, especially individual landowners in the event they have to purchase mitigation.

Chair Savage restated the amendment to the original motion that the variance be approved with Conditions #1 and #2 as presented by staff in the BZA packet. With regard to Condition #3, the last condition to state the applicant/owner shall mitigate removal of the grand trees by submitting a mitigation plan to the Zoning Administrator as described in the statute of the Ordinance that includes 108 inches of onsite mitigation. The motion was made by Comm'r Hayes, seconded by Comm'r Blair. No discussion.

Vote

Comm'r Blair

Aye

Comm'r Hayes Aye

Comm'r Yannitelli Aye

Chair Savage Aye

Unanimous

Chair Savage reiterated the motion and approval of Case 39-25-042: 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 Street (TMS #428-03-00-062). The final decision 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.

Election of Chair and Vice Chair

Chair Savage called for a motion to amend the agenda to add the election of officers for Chair and Vice Chair. The motion was made by Comm'r Hayes, seconded by Comm'r Yannitelli. No discussion. Passed unanimously.

Chair

Comm'r Hayes moved for the appointment of Chair Savage, seconded by Comm'r Yannitelli. There were no other nominations. Motion passed upon vote by Comm'rs Blair, Hayes, and Yannitelli. Mr. Savage abstained. Mr. Savage was appointed to serve as Chair for a one-year term.

Vice Chair

Comm'r Hayes moved for the appointment of Comm'r Smith, seconded by Comm'r Yannitelli. There were no other nominations. Motion passed unanimously for Comm'r Smith to serve as Vice Chair for a one-year term.

Additional Business:

Next Meeting Date: November 18, 2025.

Adjourn: There being no further business to come before the body, the meeting was adjourned.

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

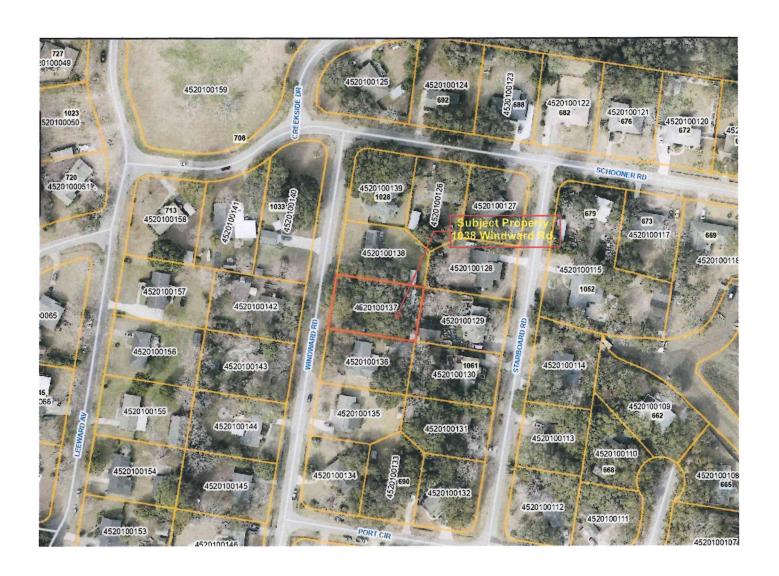


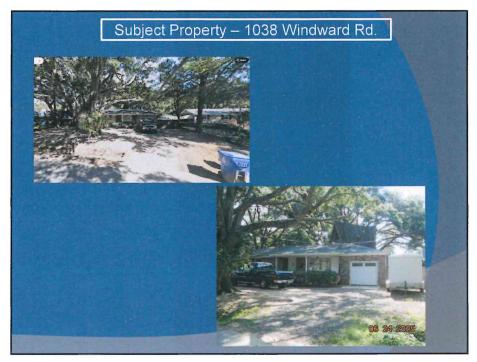
This application must be complete and submitted in person to the Town of James Island Zoning/Planning Department in order to apply for a Variance. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is 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:

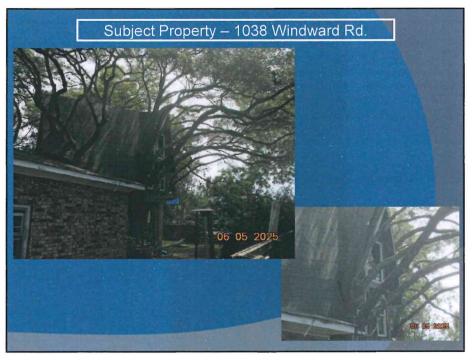
- 1) Completed Variance application signed by the current property owner(s).
- Copy of Current Recorded Deed to the property (Owner's signature must match documentation). If the applicant is not the owner of the property, the Current Property Owner(s) must sign and print the Designation of Agent found below.
- Restrictive Covenants & Posted Notice Affidavit(s) signed by the applicant or current property owner(s).
- 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.
- 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.

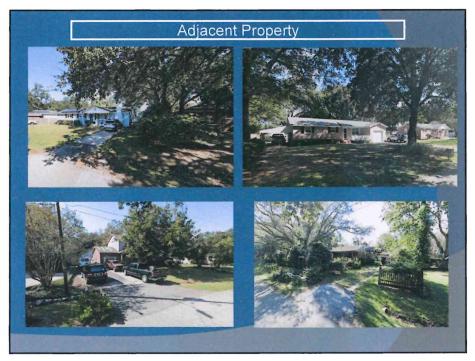
 One 24 x 36 copy and one digital copy via email.
- 6) Copy of a legible Approved and Recorded Plat showing present boundaries of property.
- 7) Fee \$250 check made out to "Town of James Island". Grand tree variances add \$50 each additional tree

Applicant Name:	unas
Mailing Address: 1038 W	ndward od
City, State, Zip Code:	Slave Daytime Phone: <u>243-860-33</u> 35
Email Address:	Co-Custombuilt.com
Subject Property Address: 10381	undward od
Present Use of Property:	family residence.
Variance Description: a 5 he	ight variance on Tree house
Applicant Signature	Date /
Designation of Agent (Complete only if owner is named as Applicant above as my (our) agent to re	not applicant): I hereby appoint the person epresent me (us) in this application.
Owner Print Name D	ate Owner Mailing Address
Owner Signature	City, State, Zip Code
FOR OFFICE USE ONLY:	
Application #: BZAV -10 -25 - 044	Flood Zone:
Zoning District: ZSL	Fee Paid (\$250):
Date Filed: 10 17 2025	Zoning Officer: LAC.
TMS#: 452-01-00-137	









Staff Review:

The applicant, Mr. John Gricunas, is requesting a Variance for an increase in the maximum accessory structure height allowance (maximum allowed is 25') of 5' in the Low-Density Suburban Residential (RSL) Zoning District at 1038 Windward Road. All adjacent properties are zoned RSL in the Town of James Island.

Town of James Island Zoning and Land Development Regulations Ordinance § 153.207 E states that accessory buildings shall not exceed 25' in height as measured from ground level.

The subject property is a 0.30-acre lot and currently has one single-family home, built in 1966 per Charleston County records. The applicant is requesting an additional 5' of height for an existing accessory structure (treehouse), with a finished height of 30' from ground level. The applicant states, "In May 2020 I received material from a church downtown that was being remodeled so I built my kids a treehouse. This was a labor of love during an unprecedented world lockdown because of the coronavirus."

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;

piece of proper

Response: There may be extraordinary and exceptional conditions pertaining to this particular piece of property due to the existing tree canopy and the large grand live oaks located in the backyard. Previous storm damage to the live oak trees and their resulting structural support system created a vertical opening for the subject structure as the applicant explains "mature trees were preserved and incorporated into the design with the advice from multiple arborists. Supports were placed in the tree at the breakage point during Hurricane Hugo, strengthening the trees and influencing the finished elevation."

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

Response: There does not appear to be many properties in the vicinity with a similar amount of canopy coverage, from an aerial perspective. In addition, the location and number of grand trees on surrounding lots vary; storm damage

also varies and there is no way to know of any corresponding corrective actions.

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 to the subject property would prohibit the

retainment of the accessory structure at its current height and may unreasonably restrict the utilization of the property's accessory use as the

letter of intent explains, "a 5-foot variance is the minimum required to

preserve safety and functionality".

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 or to the public good. The applicant states that "the treehouse is well within property lines, does not obstruct views and is

aesthetically designed."

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: In the letter of intent, the applicant explains that the "design was created to

comply with zoning as best as possible, but upon further evaluation, and after construction began, it became clear that the safe and stable installation required the current height. Lowering the structure would compromise,

structural safety, and disturb the integrity of the trees." 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 granting of the variance does not substantially conflict with the 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-10-25-044 (Variance request for an increase in maximum accessory structure height allowance to 30' in the Low-Density Suburban Residential 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. The applicant shall obtain all required retroactive and current zoning, stormwater, and building permits for the detached accessory structure.
- 2. The applicant shall maintain annual inspections with a certified arborist and provide a tree care plan for the grand trees, as recommended in the submitted arborist letter dated 10/16/2025.

Kristen Crane

From:

John Gricunas < john@JGcustombuilt.com>

Sent:

Friday, October 17, 2025 2:43 PM

To:

Kristen Crane

Subject:

Letter of intent to the BZA

CAUTION: This email originated from outside the Town of James Island. Maintain caution when opening external links/attachments

To whom it may concern,

My name is John Gricunas. I've lived on James Island for over 20 years and have a local custom cabinet business. In May 2020 I received material from a church downtown that was being remodeled so I built my kids a treehouse. This was a labor of love during an unprecedented world lockdown because of the coronavirus.

Mature trees were preserved and incorporated into the design with the advice from multiple arborists. Supports were placed in the tree at the breakage point during Hurricane Hugo, strengthening the trees and influencing the finished elevation. The design was created to comply with zoning as best as possible, but upon further evaluation, and after construction began, it became clear that the safe and stable installation required the current height. Lowering the structure would compromise, structural safety, and disturb the integrity of the trees.

The treehouse is well within property lines does not obstruct views and is aesthetically designed. It does not affect neighborhood character. I have spoken with nearby neighbors, and there are no objections to the treehouse or its current height (See attached neighbor support statements).

I am requesting the smallest variance necessary. A 5 foot variance is the minimum required to preserve safety and functionality.

Thank you for your consideration.

Sincerely,

John Gricunas

The Charleston Arborist Company

Ary Fun

International Society of Arboriculture Certified Arborist SO-1951A

PO Box 12137 Charleston SC 29422 843-478-8831 aryifun@thecharlestonarborist.com

October 16, 2025

John Gricunas 1038 Windward Road Charleston SC 29412

Dear Mr Gricunas.

This is an evaluation of the health of the grand Live oaks (Quercus virginiana) and the effects of the constructed treehouse within the canopy located at 1038 Windward Road, Charleston SC. The trees of concern are located in the backyard of 1038 Windward Rd (GPS 32.72870° N, 79.92016° W). The two Live Oaks measure 46 inch and 54 inch diameter at breast height (DBH), with an approximate height of 64 feet and a crown spread of 45 feet. The canopy has a healthy normal density with good color throughout. There are no signs of tip dieback or stress factors like disease or insect population.

The treehouse is constructed in an area of the tree where previous damage was sustained from Hurricane Hugo. This allowed for minimal canopy pruning or the removal of any large limbs. The canopy as a whole is intact allowing the tree to fully utilize its full photosynthesis production. The treehouse utilizes proper hardware that minimally effect the surface area and cambium layers of the tree. Special attention to allow for growth and movement of the tree has been maintained. The load distribution has been strategically placed in areas that are low in the canopy, this reduces the forces generated by the added weight. The tie in points within the design provides also acts similar to that of an arborists cabling system used in a tree for stabilization. The treehouse reduces the forces of the wind by allowing the canopy to move as one whole unit, as opposed to individual limbs that can fail. Overall this

makes for a stronger tree unit. The structure is situated within the center of the two trees. The roof line allows water to shed within the drip line of the canopy allowing the tree to maintain its natural water saturation.

In conclusion, it is my professional opinion as an ISA Certified Arborist and Qualified Tree Risk Assessor that this Treehouse structure has minimal effect on the health of these Live Oaks or the surrounding canopy trees within its area. Upon my inspection there are no visible wounds or fractures caused by the structure. The canopy color and density indicate that the health of the tree is good. The lack of presence of disease or insects indicate the tree is not under any stress. I recommend to provide a good layer of organic mulch around the root zone and to maintain proper nutrients within the soil with annual inspections by a certified arborist.

Sincerely yours,

AMI

Ary Fun

ISA Certified Arborist SO 1951-A

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

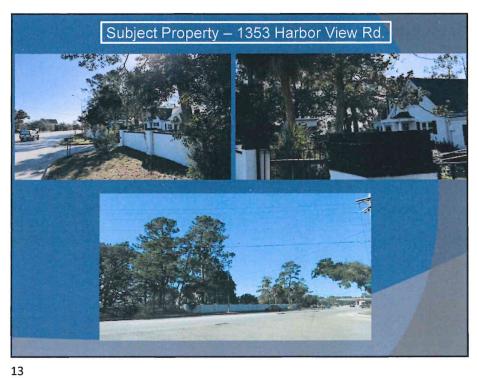


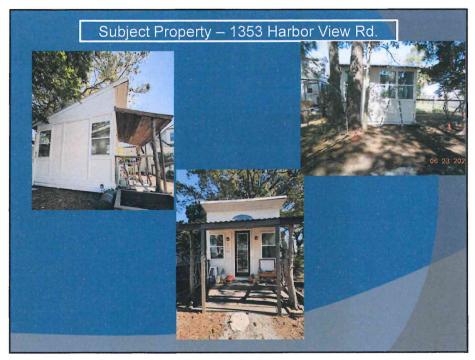
This application must be complete and submitted in person to the Town of James Island Zoning/Planning Department in order to apply for a Variance. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is 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:

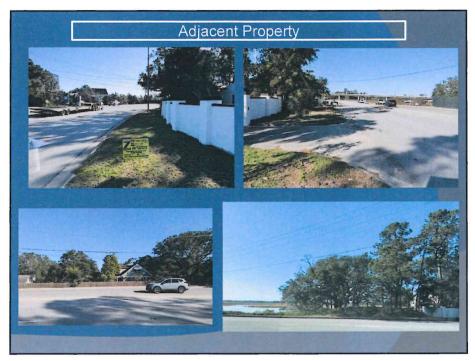
- Completed Variance application signed by the current property owner(s).
- 2) Copy of Current Recorded Deed to the property (Owner's signature must match documentation). If the applicant is not the owner of the property, the Current Property Owner(s) must sign and print the Designation of Agent found below.
- Restrictive Covenants & Posted Notice Affidavit(s) signed by the applicant or current property 3)
- A letter of intent signed by the applicant or property owner(s) stating the reason for the request 4) 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.
- An accurate, legible Site Plan drawn to Engineers Scale must be attached. The site plan must 5) 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. Copy of a legible Approved and Recorded Plat showing present boundaries of property.
- 6)

7) Fee \$250 check made out to "Town of James	s Island". Grand tree variances add \$50 each additional tree
Applicant Name: Christopher L	yon
Mailing Address: 1353 Harbor Vices	Roud
City, State, Zip Code: Charleston, SC, 294	Daytime Phone: (843) 814 - 1972
Email Address:cjchas 84@ gmail.	com
Subject Property Address: 1353 Harbor V	icw Road
Present Use of Property:	
Variance Description: Shed Locat	nen
1992	8/15/25
Applicant Signature	Date
Designation of Agent (Complete only if owner is not named as Applicant above as my (our) agent to repre	applicant): I hereby appoint the person sent me (us) in this application.
Owner Print Name Date	Owner Mailing Address
Owner Signature	City, State, Zip Code
FOR OFFICE USE ONLY:	
Application #: <u>BZAV-9 - 25 - 04</u> 3	Flood Zone:
Zoning District: RSL	Fee Paid (\$250): CASH \$250 MBF
Date Filed: 9/15/2025 (incomplete)	Zoning Officer: UC
TMS#: 424 -07-00-025	









Staff Review:

The applicant, Mr. Christopher Lyon is requesting a Variance for the placement of an existing accessory structure in front of the principal structure in the Low-Density Suburban Residential (RSL) Zoning District at 1353 Harbor View Rd. (TMS #424-07-00-025). Adjacent properties to the north are residential in nature and are in the City of Charleston and the Town of James Island. The remaining surrounding properties are considered undevelopable marshland.

Town of James Island Zoning and Land Development Regulations, § 153.207(B) (1) states that a detached accessory structure shall be located on the rear of the lot, behind the principal structure.

The subject property contains one single-family home that was constructed in 1951 per Charleston County records, as well as a utility shed and detached carport. According to the applicant, "the shed was constructed to the side of my home rather than to the rear, due to extraordinary and exceptional conditions that directly affect the usability and safety of my backyard." Please review the attached documents for further information regarding this request.

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 due to its location with surrounding marsh and critical area on three sides. The applicant's letter of intent states "my property backs up to marshland and is uniquely situated with no direct neighboring homes on either side. Because of this geographic configuration, the rear portion of my lot is

subject to severe and frequent flooding."

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

Response: There are several properties in the surrounding area that have marsh in the

adjacent rear yard. However, marsh and critical area on three sides, along with undevelopable land with no direct neighboring homes on either side are

conditions that do not generally apply. The letter of intent states that "after

periods of heavy rain or high tides, the backyard becomes inaccessible for days at a time. These conditions are not present on nearby properties and do not generally apply to other lots in the vicinity."

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 to the subject property would prohibit the

retainment of the accessory structure in its current location. The applicant states that "strict application of the Ordinance requiring the shed to be placed behind the house would effectively prohibit or unreasonable restrict the use of my property. Placement in the rear would expose the shed to conditions that would almost certainly lead to deterioration, potential collapse, and ongoing risk of damage to stored items. Standing water accumulates in depths that make the area hazardous to access, structurally unstable for storage buildings, and susceptible to damage from flooding and moisture intrusion."

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 authorization of the variance should not be of substantial detriment to

adjacent property or to the public good, and the character of the zoning district should not be harmed by the granting of the variance. In the letter of intent, the applicant explains that "the property borders marshland and open space, and there are no immediate neighbors whose enjoyment, view, or property value would be negatively affected." In addition, the accessory structure does not

hinder any sight lines for vehicles.

F (e): The Board of Zoning Appeals shall not grant a variance to 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 need for the variance may not be the result of the applicant's own actions.

The applicant explains that "it is a practical necessity driven by the physical

F (d):

conditions of the property that are beyond my control. The need for this variance is not the result of my own actions, but of circumstances inherent of the land itself."

F (g): Granting of the variance does not substantially conflict with the Comprehensive

Plan or the purposes of this Ordinance.

Response: The granting of the variance does not substantially conflict with the

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-9-25-043 (variance request for the placement of an existing accessory structure in front of the principal structure in the RSL Zoning District at 1353 Harbor View Rd) 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 condition:

1. The applicant shall obtain all required retroactive and current zoning, stormwater, and building permits for the detached accessory structure.

CJ Lyon

1353 Harbor View Rd

Charleston, SC 29412

(843) 814-1972

November 2025

Town of James Island Board of Zoning Appeals

1122 Dills Bluff Road

James Island, SC 29412

Re: Request for Variance - Shed Placement

Dear Members of the Board of Zoning Appeals,

I am writing to formally request a variance for the placement of a shed on my property at 1353 Harbor View Road. The shed was constructed to the side of my home rather than to the rear, due to extraordinary and exceptional conditions that directly affect the usability and safety of my backyard.

My property backs up to marshland and is uniquely situated with no direct neighboring homes on either side. Because of this geographic configuration, the rear portion of my lot is subject to severe and frequent flooding. After periods of heavy rain or high tides, the backyard becomes inaccessible for days at a time. Standing water accumulates in depths that make the area hazardous to access, structurally unstable for storage buildings, and susceptible to damage from flooding and moisture intrusion. These conditions are not present on nearby properties and do not generally apply to other lots in the vicinity, making my property an exceptional case under the criteria outlined in the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR).

Strict application of the Ordinance requiring the shed to be placed behind the house would effectively prohibit or unreasonably restrict the use of my property. Placement in the rear would expose the shed to conditions that would almost certainly lead to deterioration, potential collapse, and ongoing risk of damage to stored items. Locating the shed at the side of the home was the only feasible option that preserved both safety and utility.

The shed's current placement has no substantial detrimental impact on adjacent properties, nor does it alter the character of the surrounding area. The property borders marshland and open space, and there are no immediate neighbors whose enjoyment, view, or property value would be negatively affected. The side-placement also avoids any conflict with the Comprehensive Plan or the overall purposes of the Ordinance, as it promotes responsible land use and protects structures from environmental harm.

My request is not based on any desire for financial gain or more profitable use of the land. Rather, it is a practical necessity driven by the physical conditions of the property that are beyond my control. The need for this variance is not the result of my own actions, but of circumstances inherent in the land itself.

For these reasons, I respectfully request that the Board of Zoning Appeals grant the variance for the existing shed placement. I am fully willing to comply with any reasonable conditions the Board may deem appropriate to ensure compliance with the spirit of the Ordinance and to protect surrounding property values and community welfare.

Thank you for your time and consideration.

Sincerely,

CJ Lyon

1353 Harbor View Rd

Charleston, SC 29412

(843) 814-1972

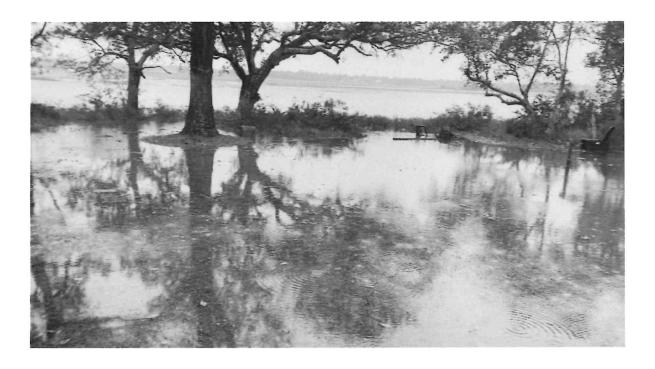
1353 Harbor View Rd.

Photos provided by applicant:





1353 Harbor View Rd.









1353 Harbor View Rd.



Neighbor Support Statement for Zoning Variance

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1033 Windward Rd.
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
■ Object to the request (optional)
Comments (optional):
I have the tree chouse. I live
right across was street from it. Let
Does not bother me at all. John was
put alot of worls and love in it. He
should be able to finish it.
State of Francisco
Name Printed): Linda Hubbard Signature: Autobard Date: 10/11/25

Neighbor Support Statement for Zoning Variance

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at: Address: 1028 Mindward Rd
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
I have no objection to any of the above
Name Printed): Kathbeen Pridger

Neighbor Support Statement for Zoning Variance

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: [103 Windward Road
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
■ Object to the request (optional)
Comments (optional):
We think the freehouse is awesome!
Name Printed): John tooker Signature: John Grands Date: 10/16/25

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1057 Starboard
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
Name Printed): PAUL CRAIG
Signature: Day VI aug.

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1042 Windward 1
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
■ Object to the request (optional)
Comments (optional):
clin the next door mightor and
I have no problem with the
treshouse.
Name Printed): ROBENT L. MORRIS Signature: Date: 10-16-25

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1113 Windward
Address: III) WIWWW
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
Name Printed): Pront & Bash Signature: Am Bash
Date: 40/16/3035

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1052 Windward 10
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Object to the request (optional)
Comments (optional):
We tour the treehouse
We approve of 1966
Name Printed & Lington McCom
Name Printed: 106 00 1100000000000000000000000000000

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1057 Windward Road
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
Name Printed): Ben Adam Signature: Brown Date: 16 oct 25

Petition to the Town of James Island Board of Zoning Appeals I, the undersigned, am the owner or resident of property located at: I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and: Support the request for a height variance LHave no objection to the request ■ Object to the request (optional) Comments (optional):

Name Printed): 2025

Name Printed): 2025

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1046 Windward
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
Brenda Brown
d
Name Printed):
Signature: Date:

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 647 Windward Ro.
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
■ Object to the request (optional)
Comments (optional):
I cannot see how a resident's
Personal preference for the size
of a tree house should be any
matter for the town to concern
to If and the
- OSCH WICE
Name Printed): Andrew Wohlsen Signature: 40-16-25

Petition to the Town of James Island Board of Zoning Appeals I, the undersigned, am the owner or resident of property located at: I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and: Support the request for a height variance Have no objection to the request Object to the request (optional) Comments (optional): Name Printego Lynn, Turner

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 1043 Windward Rd
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
we've never had a poblem with the treehouse.
It has hever bothered any of us or cur
neighbors.
3
· <u>8</u>
·
•
Name Printed): Law Tyrcel
Name Printed): LUM LYCCU Signature: Date: 10-16-35

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 105/ Starboard Road
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
■ Object to the request (optional)
Comments (optional):
It's a tree house and this is Americal
•
Name Printed): Matthew Beecher Signature: Various Buch Date: 10/16/2025

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at:
Address: 703 Windward Rd
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance
Have no objection to the request
Object to the request (optional)
Comments (optional):
This tree house is honestly a remarkable
landsmark in this neighborhood. It is
always a vice sight when wasking by
It's clearly very well made and designed.
would lave to see the finished product. Johnny
is a great neighbor and very passionate
about this Project, as are most of the
People in this community.
Name Printed Anthony Consonery

Petition to the Town of James Island Board of Zoning Appeals
I, the undersigned, am the owner or resident of property located at: Address: 1032 Windwood Roll
I have been informed of the request by John Gricunas for a 5-foot height variance for a proposed treehouse at 1038 Windward Rd, James Island, SC 29412 I have reviewed the project description and/or plans and:
Support the request for a height variance Have no objection to the request
■ Object to the request (optional)
Comments (optional):
I live right next door and Love the
tree house. I am more than ok
with it being the height is.
Name Printed): (30 W) 155 Signature: (17 250

Town of James Island

Breek Lyen Mayor



Council Members

Lamot & Boles Lowrs Lodson Dr. Cynthui Mignano Darron Troy Mullinace

BOARD OF ZONING APPEALS PUBLIC HEARING NOTIFICATION

Regarding the following application:

CASE#: BZAV-10-25-044 Variance request for an increase in maximum accessory structure height allowance (maximum allowed is 25') of 5' to 30' for a detached accessory structure (treehouse) in the Low-Density Suburban Residential (RSL) Zoning District at 1038 Windward Rd. – Town of James Island (TMS #452-01-00-137).

To: MORRIS ROBERT L MORRIS JOYCE S 1042 WINDWARD RD CHARLESTON SC 29412-8955 DUE TO A PREVIOUS COMMITMENT; AM UNABIR TO ATTEMP THIS MEETING.; AM 201 AWAY FROM THE TRREHOUSE AND, AASOLUTLY HAVE NO PROBLEM WITH THE COMPLETION OF THIS PROSECT.

Date of Letter: November 3, 2025

Morries

11-8-25

This is a notification to area property owners and other interested parties that the Town of James Island Board of Zoning Appeals (BZA) will hear comments on this case at their next Public Hearing on Tuesday, November 18th at 5:00pm.

For additional information on this application, please contact the Town of James Island Planning Department at 843-795-4141 or kcrane@jamesislandsc.us. An area map of this location is printed on the reverse side of this page.

TOWN OF JAMES ISLAND BZA PUBLIC HEARINGS

Tuesday, November 18, 2025 5:00 P.M. Town of James Island Town Hall 1122 Dills Bluff Road James Island, SC 29412

Kristen Crane

From: lyongusts@aol.com

Sent: Wednesday, November 12, 2025 7:34 AM

To: Kristen Crane

Cc: john@jgcustombuilt.com; brooklyon; Frances Simmons

Subject: BZA Hearing November 18th 2025

CAUTION: This email originated from outside the Town of James Island. Maintain caution when opening external links/attachments

Good morning Kristen!

The Lighthouse Point Civic Club received a notification of the BZA hearing scheduled for November18th, 2025 for the height variance for Mr. Gricunas (treehouse). I wanted to let the Board know to date I have not had a complaint from residents in Lighthouse Point about the treehouse.

I live around the corner and down the street from Mr. Gricunas and while not in the radius for a letter, I walk by several times a day (walking my dogs) and do not object.

Please do not hesitate to contact me if you have any questions.

Brook Lyon, President Lighthouse Point Civic Club 843-670-1314