

TOWN OF JAMES ISLAND  
BOARD OF ZONING APPEALS  
SUMMARY OF DECEMBER 16, 2025

The Board of Zoning Appeals (BZA) held its regularly scheduled meeting on Tuesday, December 16, 2025, at 5:02 p.m. at the James Island Town Hall, 1122 Dills Bluff Road, James Island, SC.

Comm'r present: Schuyler Blair, Joshua Hayes, Massey Yannitelli, and Chair David Savage, who presided. Absent: Vice Chair Roy Smith (gave notice). Also: Planning Director, Kristen Crane (via conference call), Mike Hemmer, Finance Director, Brook Lyon, Mayor, Brian Quisenberry, Town Attorney, and Frances Simmons, Town Clerk and Secretary to the BZA.

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

Call to Order: Chair Savage called the meeting to order. Comm'r Hayes 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.

Introductions: Chair Savage introduced himself as Chair, members of the BZA, staff, Mayor, and the Town Attorney. He noted that Vice Chair Roy Smith has recused himself.

Review Summary (Minutes) from the November 18, 2025, BZA Meeting: Motion to approve was made by Comm'r Hayes, seconded by Comm'r Blair. 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 introduced Case #BZAV-10-25-045: Variance request for the removal of two grand trees (25.5" DBH Laurel Oak and 27" DBH Laurel Oak) for the proposed construction of a free-standing Emergency Department (Roper St. Francis Healthcare) in the Community Commercial (CC) Zoning District and the Commercial Core of the Folly Road Corridor Overlay (FRC-O) Zoning District at 832 Folly Road, Town of James Island (TMS# 425-08-00-012). This request must meet all the criteria of the Ordinance.

Review of Case# BZAV-10-25-045: Finance Director, Mike Hemmer, provided the Staff Review for Planning Director, Kristen Crane who participated via conference call and answered questions from the Board.

Staff Review:

The applicant, Roper St. Francis Healthcare, represented by Seamon Whiteside, is requesting a Variance for the removal of two grand trees (25.5" DBH Laurel Oak and 27" DBH pecan) at 832 Folly Road (TMS #425-08-00-012). The property is located in the Community Commercial (CC) Zoning District and is in the Commercial Core Area of the Folly Road Corridor Overlay (FRC-O) Zoning District. Adjacent properties to the north, east, and other properties along Folly Road are also located in the CC Zoning District. Property on Highland Avenue is located in the Neighborhood Commercial (CN) Zoning District and the Low-Density Suburban Residential (RSL) Zoning District. Property to the south and west are under the jurisdiction of the City of Charleston in their General Business (GB) Zoning District.

*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 1.84 acres in size with the subject Laurel Oak trees being situated on the northwest side of the lot. The site is the former location of Wild Blue Ropes Adventure Park, with the modular office building, associated rope climbing structures, and 10 paved parking spots at the rear of the site remaining. The property also seasonally accommodates New River Nursery Christmas Trees and food trucks. The two subject Laurel Oak trees are located on the northwest side of the lot within the footprint of the proposed free-standing Emergency Department building, as depicted on the submitted site plan. The applicant's letter of intent states, "*while we will preserve as many grand trees as possible and remove only those that make the project feasible, approval of this variance is essential to ensure we can continue our legacy of trusted, mission-driven care close to where our neighbors live and work.*"

**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 commercial site is 1.84 acres in size and contains 21 grand trees that are fairly evenly disseminated. In addition, the prior use, shape, and layout of the property is unusual as the applicant clarifies, "trees have been able to grow and mature into larger canopies throughout the existing development. They are also planted more internally to the site because of the smaller footprint of a ropes course."**

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 commercial properties in the vicinity are developed with building footprints. The letter of intent explains, "while grand trees remain at the periphery of adjacent sites, space was cleared internally for development."**

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 to the subject property, may effectively prohibit or unreasonably restrict the utilization of the property as proposed because of the dispersed location of grand trees. The applicant's letter of intent states that "Given the existing canopy coverage, it would be challenging for most commercial development to fit on this site and include all necessary parking, stormwater requirements, and utilities."**

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 properties or to the public good, if adequate tree replacement is provided, the remaining grand trees are sufficiently protected, and additional buffering is installed around the perimeter of the property as required. The letter of intent addresses this: "not only will this development provide a much-needed service to the James Island community, but 17 existing grand trees will remain on site-**

*both on the periphery and in the interior of the site. This remaining tree coverage will very much match the character of the neighboring commercial properties that have retained significant canopy coverage on their edges”.*

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. The applicant states that “the site has been studied repeatedly to best understand how to fit the development requirements while minimally impacting the number of grand trees. The proposed layout accommodates the most amount of existing trees and all necessary site and safety functions of the use.”**

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”. If the removal of the requested grand trees is mitigated and the remaining grand trees are preserved, the granting of the variance may 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-10-25-045 (Variance request for the removal of two grand trees for the proposed construction of a free-standing Emergency Department at 832 Folly 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 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 equals inch-per-inch replacement.

**Questions from the Board:**

After Mr. Hemmer presented the Staff’s Review, Chair Savage asked Ms. Crane if she had anything to add and she answered no.

Comm'r Yannitelli asked where proposed building is on the plan and is there a reason that it has to be in that location; specifically in terms of setbacks and utilities. Ms. Crane said the Overlay states that buildings in the Folly Road Overlay Corridor with parking must be at the side or rear of the building.

Comm'r Yannitelli asked if the square footage of the building would determine the number of parking spaces. Ms. Crane said yes that parking is determined by square footage. Mr. Hemmer added that it is also determined by the Use Ms. Crane said healthcare-related services is one (1) parking space per 200 square feet.

Comm'r Yannitelli said he did not see plans for stormwater and asked if stormwater retention is a part of the plan. Ms. Crane said from a Zoning standpoint the applicants have not applied for stormwater permits, perhaps from not knowing the outcome of their request. She has not seen any stormwater retention on the site, but the applicants could explain that more. Comm'r Yannitelli asked if stormwater retention became necessary for this approval, would the applicants have to come back to the BZA for other trees to be removed. Ms. Crane said the applicants could do an underwater retention or another creative way. If Grand Trees were needed to be taken down, the applicants would have to return to the BZA.

Chair Savage asked about parking in the rear or side (referred to the schematic), he thinks everyone agrees that Folly Road would be the front of the lot. Mr. Hemmer answered yes. Chair Savage said the side/rear would be where the lot comes to sharp point on the bottom right. Mr. Hemmer said the typical definition is the front is front and everything else is side or rear. The front is typically where the address of the building is shown.

#### Applicant Presentation:

Charles Fletcher, 2788 Latrobe Ct., Mt. Pl. representing Roper St. Francis Healthcare and Colleen Williams, 501 Wando Park Blvd., Suite 200, Mt. Pl. representing Seamon Whiteside

Mr. Fletcher introduced himself as the Vice President of Real Estate Construction at Roper St. Francis Healthcare. He expressed excitement in presenting this project to the Board. He said Ms. Williams would present the technical aspects of the project.

Mr. Fletcher stated that Roper St. Francis Hospital is moving off of the peninsula to North Charleston and because of that, they want to provide James Island residents with emergency services that they currently get at Roper. He said a good many of their patients comes from James Island and moving the downtown Roper Emergency Room further, a lot of services would not be convenient for the people on the island. The "why" of Mr. Fletcher's presentation is that Roper wants to provide emergency and imaging services on the island as a part of optimizing their footprint strategic plan.

Ms. Williams presentation focused on specifics of the site development and the tree planting applications proposed for the site. She stated that the site plan is driven by the Town's Zoning Ordinance and the emergency access requirements of the building. The parcel is located in the commercial core area within the Folly Road Corridor Overlay District. The Zoning Ordinance describes this as a higher intensity commercial use than others found in the corridor and this use is permitted by right. The building is under 11,000 square feet and is intentionally sited to Highland Avenue. It will require a pedestrian access and emergency access for ambulances (both of these accesses are shown in the site plan). The building is required by Ordinance to provide 54 parking spaces, and the plan has three (3) additional spaces for ADA (Americans with Disability Act) parking. The Town's Zoning Ordinance requires off-street parking in Office and Commercial and to provide parking either to the rear or side of the front façade of the building. She noted where the parking is shown on the site plan. She stated that this plan was studied numerous times and in many iterations and what is presented tonight meets the development standards of the Town's code, provides the necessary emergency access, and impacts the least amount of trees.

Ms. Williams stated that the current use of the site makes it unique in nature and the Ropes Course has allowed for many Grand Trees to remain central to the site. The Letter of Intent states that the Grand Trees are somewhat evenly distributed across the site. She noted that in order to meet all development requirements: setbacks, buffers, parking, stormwater, utilities, and emergency access, Grand Trees would be impacted. The intent is to impact the least amount of trees per caliper inches. They are proposing the removal of two (2) Laurel Oaks (25.5" and 27") both Graded B. Seventeen (17) Grand Oak trees will remain on site along the southern border and throughout the center of the site.

The site plan has intentionally worked around the largest trees which are all Live Oaks. The three (3) largest trees on site will remain and are each, if not more, caliper inches than each of the Laurel Oaks combined. Ms. Williams noted that Laurel Oaks have a shorter lifespan than Live Oaks and that is why they favor protecting the Live Oaks. The proposed site plan will exceed the planting required per the Ordinance. The site is proposed to provide 20 trees per acre and 160 inches per acre. The site is 1.4 acres and is required to provide 37 trees and 295 caliper inches along with additional mitigation inches. The site will offer over 650 caliper inches in existing trees; double the amount of inches required per code. 28 trees will remain onsite and with the required buffer landing, there will be a minimum of 41 trees onsite post development.

Questions for the Applicant:

Comm'r Hayes asked for clarification because he did not see trees numbered 4,12,16, 17 or 19. Ms. Williams explained that some of the trees are rated "d" and plans to be removed, but they do not require approval to be removed.

Chair Savage stated that he saw two trees numbered 6 and asked if one of them should be #16. Ms. Williams confirmed. Chair Savage asked the location of trees #17 and #19 and Ms. Williams said they are either offsite or are some of the trees Graded "d" to be removed but do not require a variance.

Comm'r Blair asked about the statement mentioned that "there are other facilities around James Island that provide services that may not be identical to this request". He asked what are those services that the Town does not have. Mr. Fletcher said Roper currently does not have emergency services here. Roper does not have CT, advanced imaging, or emergency services on James Island. Patients addresses and zip codes show that they go for emergency services to Roper downtown. He said by Roper moving off of the peninsula is the crux of why they want to provide this service on James Island. Comm'r Blair asked if there were statistics or utilization trends of the other facilities on James Island. Mr. Fletcher said he did not have that information on the top of his head.

Comm'r Hayes asked what is driving the 10,800? Is there a specific metric for the capability they are trying to provide? What type of trauma center or ER is this supposed to be? Or, is it based off of the square footage? Mr. Fletcher said the square footage is for a typical emergency room. They have a few other free standings i.e., Northwoods. The standard is to have eight (8) exam rooms and coverage for imaging (CT and X-rays and ultrasound machine) having the ambulance entrance, a trauma bay, and some larger exam rooms leads to the square footage being what it is.

Comm'r Blair asked if work were done in terms of what the maximum square footage would be if no trees were removed. Mr. Fletcher said they did not do a study and tried to *push* the building all over the place to not have to remove any trees. He said two different entrances are required for ambulances for certain turn radius and the Zoning Ordinances requires parking in the rear. He gave an example of how the ER would look from Folly Road, but they did not to attempt to do that because of the Live Oaks.

Comm'r Hayes asked if a Traffic Study was done that identified the entrance for the ambulance. He asked if the orientation changes if that would have an impact. Mr. Fletcher said that a Traffic Study was not done. Comm'r Hayes asked and was shown the entrance for the ambulance on the site plan.

Comm'r Yannitelli questioned trees #22, and #21 if the building were reoriented, or if there would not be enough parking spaces. He asked if a variance was asked for to reduce the number of parking spaces to work around the trees. Mr. Fletcher stated in his experience with emergency rooms, parking is needed for patient emergencies and would like to stay with the required parking spaces.

Comm'r Yannitelli asked about a plan for stormwater. Mr. Fletcher said they looked at underground detention and Ms. Williams stated for underground detention chambers under the parking with pervious paving on top.

Chair Savage reiterated the question that Comm'r Blair asked for clarification. He asked Mr. Fletcher if when the facility is built, will all of the offices and rooms be utilized, or are they asking for a variance to build something to grow into. Mr. Fletcher said 10-11,000 square feet is maximizing the requirements because there are certain circulation requirements needed for the building. This would be a hospital-based service and must have 8 ft. hallways. They do not want to go less than eight (8) exam rooms. These are some things that leads to the number of square footages needed. Chair Savage asked if everything the applicant is proposing will be built out when the building becomes

operational. Mr. Fletcher said “absolutely”, there will be no shell space; eight (8) bay ER with trauma bay and imaging to service the emergency room.

Chair Savage stated that the Arborist Report from Natural Directions was made a part of their BZA packet. He asked Mr. Fletcher if he had the chance to review it and saw the recommendations. Mr. Fletcher answered yes. Chair Savage asked if Roper intends to comply with those recommendations. Mr. Fletcher said yes. Chair Savage talked about some letters of opposition that were received. He asked Mr. Fletcher if he reviewed them and he said yes. Chair Savage noted that some letters stated “*not being sure we have a need for this because of other facilities on the island.*” He asked Mr. Fletcher if Roper would be the only facility to accept critical care needs or someone transported by ambulance on James Island. Mr. Fletcher said yes, Roper St. Francis. Chair Savage asked what other facilities on James Island has the same capabilities and Mr. Fletcher said Trident. Chair Savage asked about advanced imaging services; i.e., CT scans and MRIs. Mr. Fletcher stated that Roper will provide CT, probably not MRI, but Ultrasound, X-rays, and Outpatient Orders.

Chair Savage questioned Ms. Williams about the Development Summary notes. He said a number of letters in opposition talked about the lack of green space and Ms. Williams talked about increasing the canopy. He asked how many grand trees would remain on the site. Ms. Williams said 17. Chair Savage asked if there would be no objection to making the recommendations in the Arborist Report a condition if the Board were inclined to approve the request. There was no objection. There was discussion about Roper’s plan for inch-by-inch mitigation. Ms. Williams explained it would be the required buffer plantings along Folly Road and Highland Avenue, and the required parking lot plantings, and an additional 53 inches.

Chair Savage asked for clarification on criteria “d” and “f” (Staff Review). He thinks this is where most of the letters of opposition raises issues. Criteria “d” (*... for the public good*) states that we have so many medical providers on the island. He asked Ms. Williams if she could add to what Mr. Fletcher said. Ms. Williams said the intent to the response they gave is the site plan layout will match the conditions of the commercial sites around it and retain the large Live Oaks. There will be significant tree canopy coverage, and it will match the feel of James Island in the Commercial Corridor area. Criteria “f” (*... not the result of the applicant’s own actions*). He had asked if there was flexibility in the movement of the building but learned that parking is required at the sides and back. He is unclear about what the requirements are for the entrance as Folly would be the quickest entrance and exit. He asked if there was discretion for the entrance to be where it is or if the only location where it could be.

Daniel Etheridge, Civil Engineer, Seamon Whiteside, 501 Wando Park Blvd., Mt. Pleasant said that Highland Avenue is a SCDOT Road and Folly Road is a City of Charleston Road and they have certain restrictions on where driveways could be placed. He said SCDOT would not allow multiple driveway access points on Highland Avenue. Chair Savage was given information that an area on the site plan was private property when Folly Road was widened and realigned to the left many years ago.

In Support:

Stephanie Tucker, 923 Stillwater Place: stated that she is a 37-year resident of James Island and trees are important to her. She contracts with an arborist every year to make sure that her trees are healthy and remain an asset to her home and has 10 trees on her property in those 37 years. She is telling the Board this because she appreciates trees, including the two in question for this project. She also knows that when there is a medical emergency minutes counts and can be a matter of life and death. That is not only what you hear on TV, this is true. In 2024 her husband had a fall and was transported to Roper ER on Calhoun Street, less than 10 minutes away. He underwent emergency surgery for traumatic brain injury. Due to the quick response and superior care that he received, he survived that traumatic accident. Roper Hospital has served the Charleston area for over 100 years and she and many on James Islanders have depended on its ER from broken bones to strokes. Roper St. Francis Healthcare wants to continue that accessibility and high standard of care which can only benefit James Island. As she stated, trees matter a great deal to her but two trees, not as much as saving one life. This is not her opinion alone but talking with other people on the island she knows is a matter of concern to many.

In Opposition:

Carolyn Walentisch, 1578 Highland Avenue: stated that the proposed tree removal and the building will be almost directly across from her residence and that would negatively impact her property with the noise, traffic, and flooding. If she were to purchase her home today and this facility was across the street on Highland Avenue she would not purchase it. She is not alone and asked the Board to put themselves in her position. She has had wonderful emergency care at Trident including and having an MRI. She has two small children, and they walk in the area as many others in the neighborhood on Highland, Bayfront and Rivers Point do and use the sidewalks and enjoy the trees and nature. She said some may be surprised, but there is quite a bit of nature in the area including hawks, eagles, and osprey. She hopes her voice as a resident and community member will be directly impacted and carry weight to uphold the protection of our trees and not put community guidelines aside. She stated this is one of the rare parcels of trees on this portion of Folly Road and it would be a shame to lose it to a medical building of which there are several. The proposed plan is not in keeping with the character of her neighborhood and it does not add value. She reiterated that she receives great care at Trident Emergency Services just down the road. She further commented that the parking and property would protrude into the residential area and the plan does not offer something valuable, having four similar facilities. The traffic on Highland Avenue is already a problem combined with cut-thru and a 30-mph speed limit, a stop sign midway down the street that was never replaced, and an awkward angled turn off of Folly Road. With ambulances, it is set for disaster. She makes this turn every day and it is consistently dicey due to the angle and potential for cars not seeing around the corners. The plan adds complexity to additional traffic and simply is dangerous. More walkability is needed, especially near Martins BBQ, which is a wonderful place, but is busy where families gather. The traffic on James Island continues to worsen especially between Camp and the Connector and backups in this area is increasingly common and dangerous for turning. Anyone living in this area can tell that the Highland/Folly area floods at the "drop of a hat" and paving this large parcel and removing trees will exasperate this dangerous flooding. The larger area of the intersection extending through to Martin's and the Hair Salon will essentially be underwater if it rains. It is not a question that this will be detrimental, the placement of younger trees does little to solve this problem or recover damage from losing an established root system and underbrush. In no way does this plan warrant removing two grand trees and she sees no redeeming quality. She knows that she speaks for several neighbors on Highland Avenue and is grateful to share her thoughts with the Board.

Adam Friend, 448 Woodland Shores Road: stated he has been an advocate in this area since Hugo. He owns a company that staffs positions. He has not looked at the exact plans, but this is being called an emergency room. He knows that since there are no beds for overnight stays (asked the applicant, who said no). An emergency room is only as good as the service it provides at the time. An ambulance going there with someone having an active heart attack is going to be taken from there and we are talking about a facility more in line with what we already have. The fact that Roper is leaving downtown (he would love to have some of their Board here) is the major reason flooding. So they are very well aware of the conditions of the downtown peninsula. He knows the area is prone to flood and to take away any porous surfaces in the low country is incredibly under appreciated. The amount of high density that we have allowed to be put around us has caused exasperation and there are repercussions by continuing to take away porous surfaces, including trees. The amount of absorption a mature tree provides is amazing. You cannot plant a few trees and say tit is an equal tradeoff. You have to wait 50-75 years to recoup the loss. Traffic in that area is at a standstill in both directions. For a facility that wants to offer emergency services, he would encourage them to find another parcel that might be a better location further towards Folly Beach where there is frontage. We are trying to make a square fit into a circle because perhaps the price is right. We need to think twice and not let another open porous surface area go opposite.

Jay Browder, 1532 Highland Avenue: stated that he does not oppose building an emergency room on the island, but the location does not fit the footprint of what he feels an ER would be suited for. Martins BBQ on a Friday night is very busy with a lot of kids playing, and people walking dogs in the area. It is a dangerous area for ambulances. He has been trying to get Town Council to reduce the speed limit from 30 mph which is very excessive on that road. He knows how construction is and once it gets going things change. He knows that two trees would lead to more than just two. He hopes it will not but feels that would be the case. He asked the Board to deny the request.

Victoria Carl, 1551 Highland Avenue: Her contention is not with having emergency services but with the location of the proposed services. She said one of the conditions of the variance is "it does not harm the character of the zoning district" but she firmly believes that it does. Based on what she heard so far, she does not think that Roper has exacerbated their options and think there are some places to explore and what they are counting on is that some voices

not to be raised. She heard a few neighbors say they did not get notification in the mail but happened to scroll across it on Facebook. She is very grateful that she received notice in the mail and had her voice represented. She said one of the conditions of the variance is that notification was made, and she noticed it said that they spoke to many property owners in the area and questions whether than is true. As a new mother living in the area this being a residential area was the primary reason she chose it because the area because the neighborhoods behind her were not heavily populated with traffic. She and her husband walk to Martins BBQ . Her husband has come home at least 3-5 times in the last month and says: *"I almost got hit again" ... I had the stroller this time and the car didn't see me, and I had to step in the middle of the road.* She said already they are experiencing problems and do not feel safe on Highland Avenue. She fears that adding an emergency room will make this worse between ambulances, police cars, firetrucks, and people rushing to get to get services. She asked the Board to consider that James Island is one of the few gems left in Charleston area and is where they chose to raise children; and that puts that directly at risk.

Mike Scharnhorst, 1551 Highland Avenue: stated that Highland Avenue is a highly trafficked area and to remove the trees and put more traffic in the area is not safe. Based on his experience (his spouse was the previous speaker) there have been multiple times that he has walked his son in the stroller and almost hit by a car. This is something that needs to be brought to light. He thinks there is room for emergency services on James Island and there are other locations at this time that are not Roper that people could go to but every option should be exhausted before finalizing this specific location.

Rebuttal: None.

Chair Savage called for a motion to close the Public Hearing at 6:09 p.m. The motion was made by Comm'r Hayes, seconded by Comm'r Yannitelli and passed unanimously.

Chair Savage called for a motion to approve the variance request with the staff's recommendations and make as an additional condition that the recommendations in the Arborist Report be followed. The motion was made by Comm'r Hayes, seconded by Comm'r Blair.

Chair Savage informed the audience that legal counsel has advised the Board that sometimes when we hear information on traffic conditions, or someone's opinion, or when someone has personal experience with what is going on the Courts have often overruled BZA opinions that deny an application based on the fact that traffic will increase. Any development on any property, and any type will increase traffic. If the Board considers traffic we need not only the technical information in the record but also must show that the traffic increase for a Variance or Special Exception would be greater than the traffic increase from a conforming use within the property and that is not to downplay the significance of those concerns.

Comm'r Blair asked to pose a question to the applicant or staff. Chair Savage said in order to do that we would have to reopen the Public Hearing. The motion on the floor was withdrawn by Comm'r Blair and seconded by Comm'r Hayes and passed unanimously.

Motion to re-open the Public Hearing for further questions was made by Comm'r Blair at 6:13 p.m. seconded by Comm'r Hayes.

Comm'r Blair asked if there has been diligence in terms of implementing a sidewalk on Highland Avenue to augment some of the concerns and provide walkability. Ms. Williams spoke that there will be a sidewalk on Highland Avenue; that the Ordinance requires a 12 ft multi-use path along Folly Road as well.

Chair Savage called for a motion to close the Public Hearing at 6:14 p.m. Motion was made by Comm'r Blair, seconded by Comm'r Hayes, and passed unanimously.

Chair Savage called for the motion to approve the variance with the staff's recommendations and make as an additional condition that the recommendations in the Arborist Report be followed. Motion was made by Comm'r Hayes, seconded by Comm'r Blair.

Discussion by the Board:

It was consensus that conditions “d” and “needed further discussion. Comm’r Hayes said he viewed “d” as the public good of weighing the institution going there vs. not going there and how does that make a play? His view is there is not enough data points to showcase that right now.

Chair Savage stated from personal experience he realize there is a Trident facility and this, but those that have the Affordable Care Act (ACA) insurance, him personally they are required to use either MUSC or a Roper facility. Often times the facility where someone can go to is dictated by the insurance. He said someone mentioned getting very good care at Trident and he believes that, but everyone may not have the luxury based upon their insurance to go to Trident.

Comm’r Hayes said the other concern is the public good and he would like to see a traffic study. If Folly Road will be the primary ingress/egress he would like to know what mitigation is being done to insure there are no further incidents. If the road is based on who owns it, i.e., County, State, Town, he would like that data also. He said to simply base the decision off of the trees i.e., for the public good, but he would like to see something more on the aspect of the public good. If we are solely basing the approval on the trees, he already has a decision; if basing on the public good for the entirety of the island, he has another opinion.

Chair Savage stated for the record in the event there is an appeal he said it is not the applicant’s responsibility to show that is for the public good, what they have to show is it is not a detriment to the public good. Comm’r Hayes said he want to showcase that based on the vote showcasing that it is not a detriment.

Comm’r Yannitelli asked if the facility is in the zoning district’s definition and is allowed to be there. The consensus was yes. He asked if we needed to focus on the trees and Chair Savage said he could not say yes, or no because he is the member evaluating those criteria, but he understands what he is saying.

Comm’r Blair commented on trade-off of what would be constructed there. He noted that at the end of the day a something could go there such as a shopping center, bar, or something else. We can never have enough access to healthcare by trading two trees for someone’s life.

In further discussion, the Board discussed that all the criteria of the ordinance were met. Comm’r Yannitelli noted that criteria “f” was addressed if that is the number of parking spaces they are required to have.

Comm’r Hayes asked if a traffic study would be requested. Attorney Quisenberry commented that the trees is the only issue for the variance and the use was not a question.

Chair Savage called for vote on Case #BZAV-10-25-045: Variance request for the removal of two grand trees (25.5” DBH Laurel Oak and 27” DBH Laurel Oak) for the proposed construction of a free-standing Emergency Department (Roper St. Francis Healthcare) in the Community Commercial (CC) Zoning District and the Commercial Core of the Folly Road Corridor Overlay (FRC-O) Zoning District at 832 Folly Road, Town of James Island (TMS# 425-08-00-012). This request must meet all the criteria of the Ordinance.

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 equals inch-per-inch replacement.
4. That each and every suggestion and recommendation contained in the Arborist Report by Natural Directions (attached) be made a condition for the granting of this variance.

Vote:

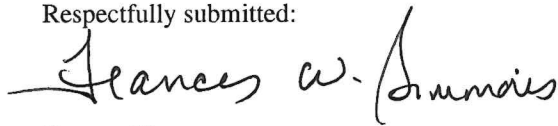
Comm'r Blair	Aye
Comm'r Hayes	Aye
Comm'r Yannitelli	Aye
Chair Savage	Aye
Unanimous	

Chair Savage stated the approval of the Variance and that the final decision of the Board would be mailed to the applicant within ten (10) working days. The applicant may contact the Planning and Zoning staff with questions regarding the request.

Additional Business:

Next Meeting Date: The next meeting of the Board of Zoning Appeals will be held on January 20, 2026.

Respectfully submitted:



Frances Simmons  
Town Clerk and Secretary to the BZA