



Case # BZA-02-23-00657

Charleston County BZA Meeting of April 3, 2023

Applicant: Cody Callarman of Zitro Farms, Inc.

Property Owner: Pinkney Mikell

Property Location: 8932 Peters Point Road – Edisto Island

TMS#: 025-00-00-154

Zoning District: Agricultural Preservation (AG10) Zoning District

Request: Special Exception request for Hemp Farm Production in the Agricultural Preservation (AG-10) Zoning District.

Requirement:

*The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 6 Use Regulations, Article 6.1 Use Types and Use Table, Sec. 6.1.3 Special Exception Uses, states, "An "S" indicates that a use type is allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions and all other applicable regulations of this Ordinance. Sec. 6.1.6 Table 6.1-1, Use Table, indicates that Hemp Crop Production and/or Processing in the Agricultural Preservation (AG-10) Zoning District is a use type allowed only if it complies with all other applicable regulations (Sec. 6.4.1) and is approved by the BZA as a Special Exception.*

*Article 6.4 Use Conditions, Sec. 6.4.1 Aquaculture, Mariculture, Animal and Insect Production, Horticultural Production, Hemp Production and Processing, and Agricultural Processing Uses, B. Hemp Production and Processing.*

- 1. Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with any Site Plan Review Application.*
- 2. Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with any Site Plan Review Application.*



## CHAPTER 6 | USE REGULATIONS

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(Ord. No. 2177, 10/26/2021)

### ARTICLE 6.1 USE TYPES AND USE TABLE

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This Article explains how to interpret Table 6.1-1, *Use Table*. The top of Table 6.1-1, *Use Table*, contains the Zoning Districts and left side of the table contains the use types. Under the hierarchy established by this Ordinance, the NR district is the least intensive base Zoning District, while the IN Zoning District is the most intensive base Zoning District. The uses listed in Table 6.1-1, *Use Table*, are permitted or not permitted in each Zoning District according to the letter coding described in Sections 6.1.1 through 6.1.5 below.

#### Sec. 6.1.1 A Uses Allowed by Right

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An "A" indicates that a use type is allowed by right in the respective Zoning District, subject to compliance with all other applicable regulations of this Ordinance. A Use Allowed by Right is defined in CHAPTER 12, *Definitions*, of this Ordinance as a Principal Use allowed without the requirement of a Special Exception.

#### Sec. 6.1.2 C Uses Subject to Conditions

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A "C" indicates that a use type is allowed in the respective Zoning District only if it complies with use-specific conditions and all other applicable regulations of this Ordinance. A cross-reference to the applicable conditions can be found in the "Condition" column of Table 6.1-1, *Use Table*. The number provides a cross-reference to the use-specific conditions contained in this Chapter.

#### Sec. 6.1.3 S Special Exception Uses

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An "S" indicates that a use type is allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions and all other applicable regulations of this Ordinance. A cross-reference to the applicable conditions can be found in the "Condition" column of Table 6.1-1, *Use Table*. The number provides a cross-reference to the use-specific conditions contained in this Chapter.

Any use that was legally established before April 21, 1999 without Special Exception approval and which after April 21, 1999 is located in a Zoning District that requires Special Exception approval for the subject use and which presently continues as an allowable use, shall not be considered a nonconforming use and shall not require a Special Exception. Such uses shall be deemed Uses Permitted by Right, as defined in CHAPTER 12, *Definitions*, of this Ordinance.

Any use that was legally established before April 21, 1999 with a Conditional Use Permit and which after April 21, 1999 is located in a Zoning District that requires Special Exception approval for the subject use and which presently continues as an allowable use, shall not be considered a nonconforming use and shall not require a Special Exception. Such uses shall be deemed Uses Permitted by Right, as defined in CHAPTER 12, *Definitions*, of this Ordinance.



**Sec. 6.1.4 Uses Not Allowed**

A blank cell indicates that a use type is not allowed in the respective Zoning District, unless it is otherwise expressly allowed by other regulations of this Ordinance.

**Sec. 6.1.5 New or Unlisted Uses and Use Interpretation**

The Zoning and Planning Director shall be authorized to make use determination whenever there is a question regarding the category of use based on the definitions contained in CHAPTER 12, *Definitions*, of this Ordinance or may require that the use be processed in accordance with the Planned Development (PD) procedures of this Ordinance.

**Sec. 6.1.6 Table 6.1-1, Use Table**

Principal uses shall be allowed within the Zoning Districts of this Ordinance in accordance with Table 6.1-1, *Use Table*.

Table 6.1-1 Use Table																							
A=Use Allowed By Right; C=Use Subject to Conditions; S=Special Exception Use (must also comply with applicable conditions); Blank cells indicated prohibited land uses																							
Land Uses	ZONING DISTRICTS																		Condition				
	NR	OS	RM	AG-15	AG-10	AG-8	AGR	RR	S-3	R-4	UR	MHS	MHP	CI	RO	GO	NC	RC		CC	RI	IN	
<b>AGRICULTURAL</b>																							
<b>AGRICULTURAL AND ANIMAL PRODUCTION, PROCESSING, AND SUPPORT</b>																							
Aquaculture			A	A	A	A	C	C													Sec. 6.4.1		
Mariculture			C	C	C	C	C	C													Sec. 6.4.1		
Apiculture (Bee Keeping)			A	A	A	A	A	A															
Animal and Insect Production			A	A	A	A	C	C	C												Sec. 6.4.1		
Concentrated Animal Feeding Operation			S	S	S	S																	
Horticultural Production			A	A	A	A	A	A	A	C				A				C	A	A	A	Sec. 6.4.1	
Hemp Crop Production and/or Processing			S	S	S	S	S														Sec. 6.4.1		
Winery			C	C	C	C	C	C											C	A	C	A	Sec. 6.4.21
Agricultural Processing			C	C	C	C	C	C	S										A	A	A	A	Sec. 6.4.1
Agricultural Sales or Service			A	A	A	A	C												A	A	A	A	Sec. 6.4.44
Roadside Stand; Sweetgrass Basket Stand			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 6.4.8
Community Garden			A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Farmers Market			A	A	A	A	A	C	C	C	C	C		A	A	A	A	A	A	A	A	A	Sec. 6.4.47
<b>FORESTRY AND LOGGING</b>																							
Bona Fide Forestry Operation			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 6.4.23
Lumber Mill, Planing, or Saw Mill			A	A	A	A	S														A	A	
<b>RESIDENTIAL</b>																							
<b>ASSISTED LIVING</b>																							
Assisted Living			S	S	S	S	S	S	S	S	A	S		S	S	A	A	S	A	S	A		
<b>MANUFACTURED HOUSING</b>																							
Manufactured Housing Unit			A	A	A	A	A	C	C	C	C	A	A									Sec. 6.4.24	
Manufactured Housing Park													A										
<b>MULTI-FAMILY DWELLING</b>																							



Table 6.1-1 Use Table

A=Use Allowed By Right; C=Use Subject to Conditions; S=Special Exception Use (must also comply with applicable conditions); Blank cells indicated prohibited land uses

Land Uses	ZONING DISTRICTS																Condition						
	NR	OS	RM	AG-15	AG-10	AG-8	AGR	RR	S-3	R-4	UR	MHS	MHP	CI	RO	GO		NC	RC	CC	RI	IN	
Railroad Facility																					A	A	
Sightseeing Transportation, Land or Water			S	S	S	S													A	A	A	A	Art. 5.2
Taxi or Limousine Service																			S	A	A	A	
Urban Transit System														A		A	A			C	A	C	Sec. 6.4.31
Water Transportation					S	S	S	S											A	A	A	A	Art. 5.2

Effective on: 10/26/2021, as amended

## ARTICLE 6.2 DEFINITIONS

All of the types of uses listed in the Table 6.1-1, *Use Table*, are defined in Chapter 12, *Definitions*.

## ARTICLE 6.3 RESERVED

## ARTICLE 6.4 USE CONDITIONS

The following use conditions shall apply to Principal Uses in any Zoning District where these uses are allowed as "Conditional Uses" or "Special Exceptions" as shown in Table 6.1-1, *Use Table*.

### Sec. 6.4.1 Aquaculture, Mariculture, Animal and Insect Production, Horticultural Production, Hemp Production and Processing, and Agricultural Processing Uses

- A. Aquaculture, Mariculture, Animal and Insect Production, Horticultural Production, **Hemp Production and Processing**, and Agricultural Processing uses shall be subject to the following standards.
  1. Such uses must be located on a Lot with a minimum area of five highland acres. On Lots with an area of less than five highland acres, such uses are allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance.
  2. If the subject Lot is less than five acres in size, a 25-foot vegetated buffer is required to adjoining Parcels. In lieu of a planted 25-foot vegetated buffer, a 75-foot Setback to the operation, from the side and rear property boundaries shall be provided.
  3. If the subject Lot is five acres or large in size, a 50-foot vegetated buffer is required to adjoining Parcels. In lieu of a 50-foot vegetated buffer, a 150-foot Setback to the operation, from the side and rear property boundaries shall be provided.
  4. Mariculture uses shall comply with the Commercial Dock requirements of this Ordinance in addition to the requirements of this Section.
  5. Onsite sales are permitted as an Accessory Use, subject to the provisions of this Ordinance.
- B. **Hemp Production and Processing.**
  1. Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with any Site Plan Review Application.
  2. Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with any Site Plan Review Application.

### Sec. 6.4.2 Single-Family Attached Dwelling

CASE# BZA-02-23-00657  
TMS# 025-00-00-154

Subject Property

PD

PD

AG-10

154

176

153

AGR

AG-10

MARSH BLUFF COURT

TAVEL DRIVE

PETERS POINT ROAD

AGR

015

178

179

AG-10

AGR

**Legend**

-  Subject Property
-  AG-10; AGRICULTURAL PRESERVATION
-  AGR; AGRICULTURAL RESIDENTIAL
-  PD; PLANNED DEVELOPMENT ZONING
-  RM; RESOURCE MANAGEMENT
-  WATER BOUNDARIES
-  MARSH BOUNDARIES

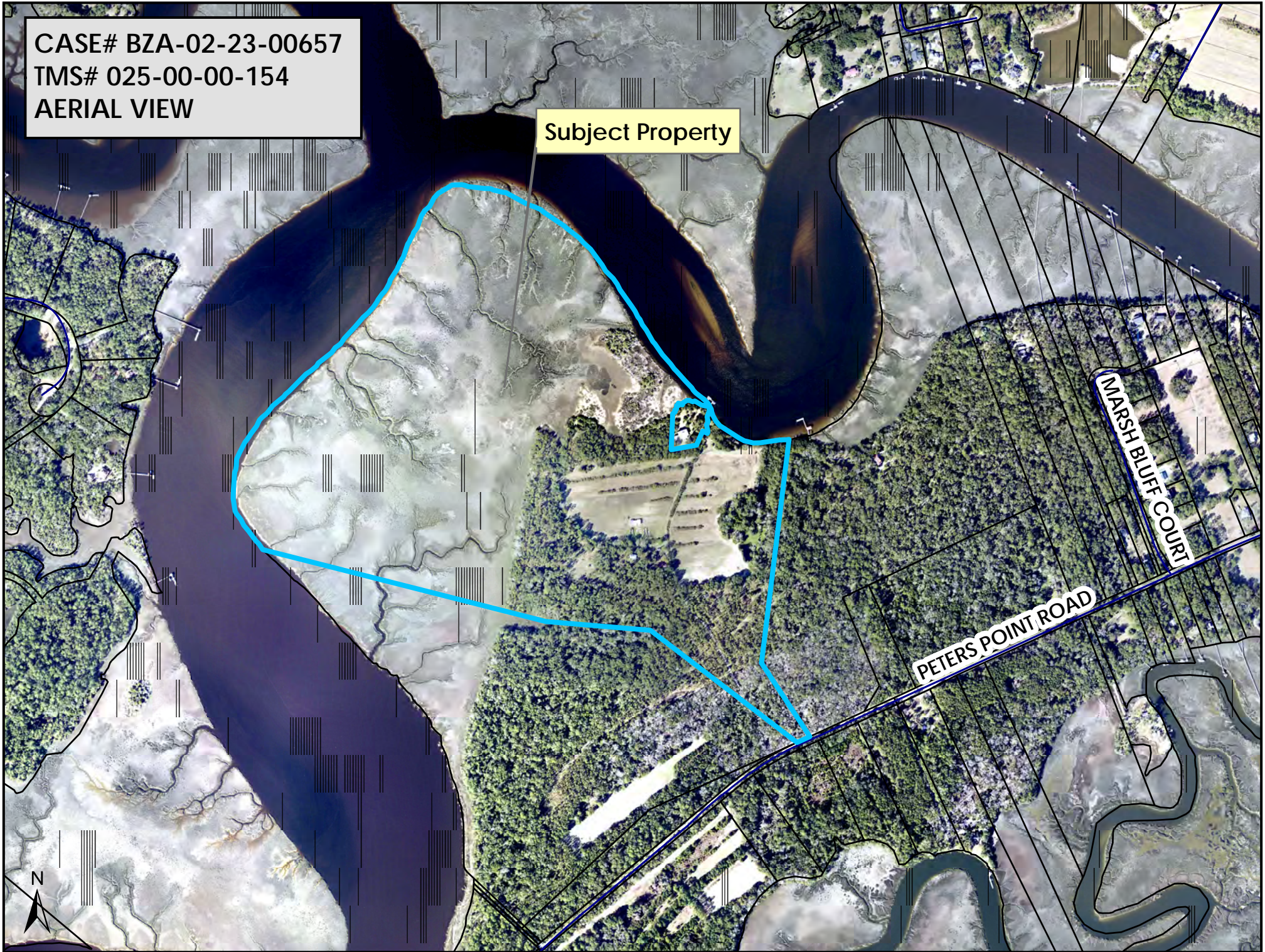


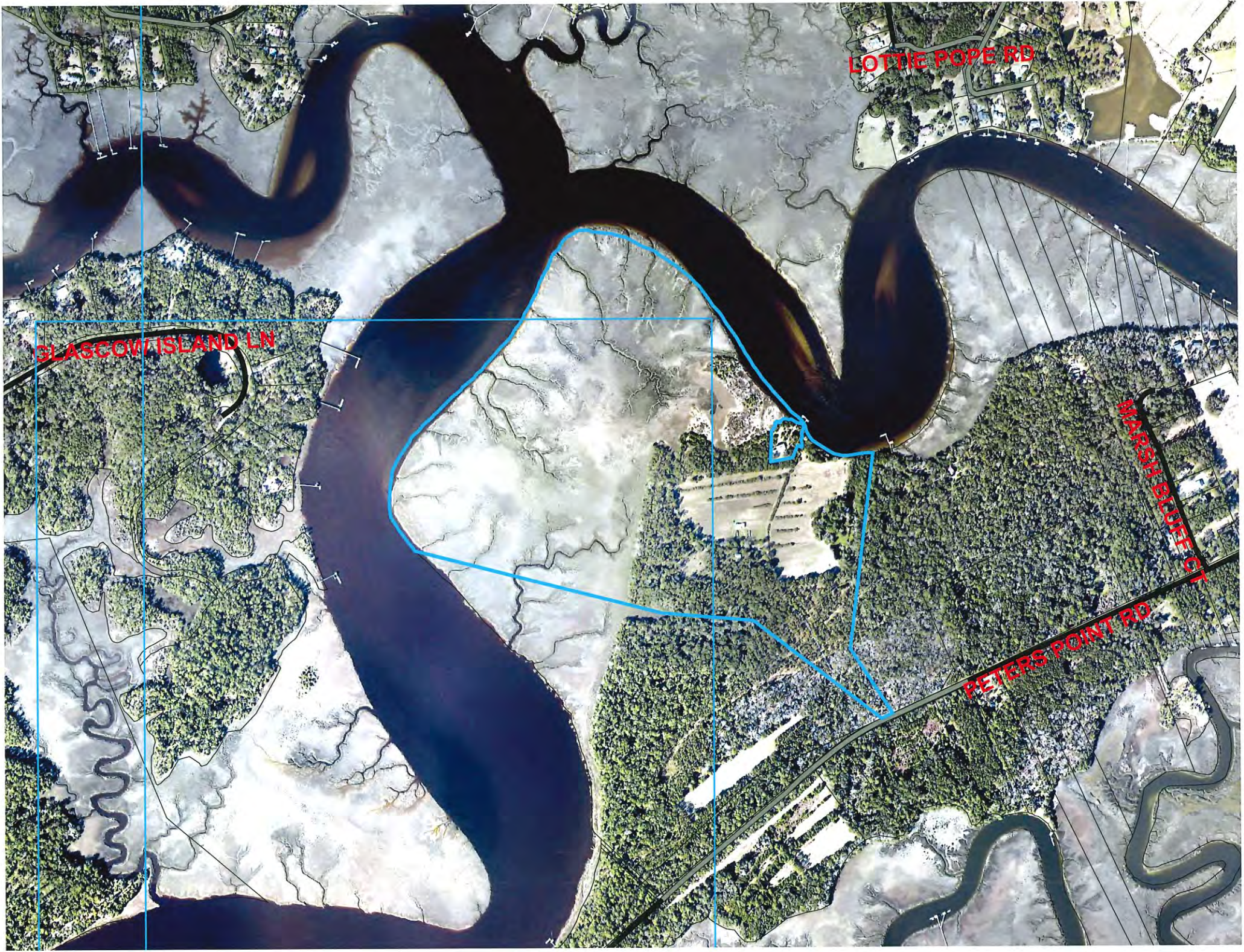
CASE# BZA-02-23-00657  
TMS# 025-00-00-154  
AERIAL VIEW

Subject Property

MARSH BLUFF COURT

PETERS POINT ROAD





LOTTIE POPE RD

GLASGOW ISLAND LN

PETERS POINT RD

WAREHOUSE CREEK RD



BAILEY ISLAND LN  
SCRAWNAY TR

LAUREL HILL RD

GLASCOW ISLAND LN

EDISTO OAK LN

HIGHWAY 174

CYPRESS TREES LN

CREEKWOOD RD

PETERS POINT RD

SHELL HOUSE RD

RED HOUSE RD

MARSH AIRE LN

OYSTER FACTORY RD

PALMETTO RD

HIGHWAY 174



**Case # BZA-02-23-00657**

**BZA Meeting of April 3, 2023**

**Subject Property: 8932 Peters Point Road – Edisto Island**

**Proposal: Special Exception request for Hemp Farm Production in the Agricultural Preservation (AG-10) Zoning District**



# Subject Property



# Subject Property



# Subject Property



# Subject Property



**Staff Review:**

The applicant, Cody Callarman of Zitro Farms, Inc., and the property owner, Pinkney Mikell, are requesting a Special Exception for Hemp Farm Production in the Agricultural Preservation (AG-10) Zoning District at 8932 Peters Point Road (TMS # 025-00-00-154) on Edisto Island in Charleston County. Adjacent properties are also located in the Agricultural Preservation (AG-10) Zoning District. The subject property is 185.9-acres total, 62.5-acres highland.

**Applicable ZLDR requirement:**

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 6 Use Regulations, Article 6.1 Use Types and Use Table, Sec. 6.1.3 Special Exception Uses, states, "An "S" indicates that a use type is allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions and all other applicable regulations of this Ordinance. Sec. 6.1.6 Table 6.1-1, Use Table, indicates that Hemp Crop Production and/or Processing in the Agricultural Preservation (AG-10) Zoning District is a use type allowed only if it complies with all other applicable regulations (Sec. 6.4.1) and is approved by the BZA as a Special Exception.

Article 6.4 Use Conditions, Sec. 6.4.1 Aquaculture, Mariculture, Animal and Insect Production, Horticultural Production, Hemp Production and Processing, and Agricultural Processing Uses, B. Hemp Production and Processing.

1. Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with any Site Plan Review Application.
2. Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with any Site Plan Review Application.

The applicant is currently in the Site Plan Review process (ZSPR-02-23-00657) for the proposed hemp farm production use. The applicant's letter of intent explains,

"We will be using the AG-10 land for grass, flower, and hemp cultivation. We are in compliance of the Charleston Greenbelt program and Edisto Island Land Trust's easement."

"I wanted to clarify, since the word "cannabis" was previously used on email and topic header, that this site will never cultivate Medical nor Recreational Cannabis. The plan for this site is only for the use of cultivation bona fide agricultural products.

The property owner, Pickney Mikell, has allowed Cody Callarman of Zitro Farms to utilize the agriculture zoned land for agricultural use only. There is no manufacturing

of goods or products, retail sales, or visitors nor tours. This site is purely for cultivation. We currently have a land lease for 2 years at this time, renewing at the end of that second year. Last updated in March 2022.

The property will be used for cultivation of flowers, hemp, rye, wheat, and other bona fide agricultural products. There will be no processing, retail, or non-employees allowed on site. The current plan is to use the field plots, marked as proposed field 1 - 4 and 7 on the site plan, for the row cropping areas. All used areas have more than a 50' offset from the tree line of the surrounded wooded areas. All of the planned use of field are surrounded by at least 50' of wooded areas, making it not possible to have line-of-sight on hemp cultivation from neighboring parcels.

This is to ensure we do not disturb grand oak trees on this tree-line border, but to also places crop outside the shading area and damage from falling trees. The row crops will be irrigated using drip lines, natural wood chip mulch, and no chemicals to ensure we keep the land organic and are using the least amount of well water possible.

We have the permission of the Edisto Island Land Trust to use the land for farming since they were the group that introduced me to Mr. Mikell and ensuring their easement of keeping the land for agricultural and preservation use. We have been following every rule and guideline set by landowner and the Land Trust to preserve the property. The proposed horticulture building, labeled 'Proposed Indoor Grow House', has been built and is currently not in use. The structure's intended use will be for direct agricultural use (plant propagation, plant growth for half of its expected life, plant drying, and storage). There are no dwellings, and no one is living, or planned to live, on site. This structure was put together with transport in mind. If the landowner wanted us to leave or we decided to leave the property, the building can be dismantled and placed on trucks to be transported. The build's area is 2,380 sq. ft. The other structures and hoop houses were all in existing when Zitro Farms signed a lease for the property.

The High Tunnel Hoop Houses what are now marketed as Growspan Round Economy High Tunnels (item PB01700R6C). The 14-gauge steel tubing 'Ground Posts' are hammered into the ground at a depth of 1.5' to hold the hoop poles in place. The hooped poles are then covered with a 6mm plastic covering. We will use this hoop houses for year-round crop production. In the event of a hurricane or large storm, the 6mm plastic covering is removed to prevent destruction of the plastic, bending the poles, or the plastic covering from flying away.

The pole barn structure was existing and built in 2017 by the landowner before we agreed to use the property. The pole barn has had building permits pulled for building of the structure but were not required once the permit got to the Building Department for final approval.

Our used area has parking for 3 employees which was placed out of the way the property's existing dirt Ingress and Egress route. This parking spots are framed using 12' and 9' railroad ties that are 4"x4" in weight and height. Parking spaces utilize gravel for a

*parking surface. This was to ensure we did not block or congest the property owner's way to his residence."*

Staff conducted a site visit of the subject property on March 14, 2023. Please review the attachments for further details regarding this request.

**Planning Director Review and Report regarding Approval Criteria of §3.6.5:**

§3.6.5(1): *Is consistent with the recommendations contained in the Charleston County Comprehensive Plan and the character of the underlying zoning district, as indicated in the zoning district "Description";*

Response: **The Rural Area "Description" in the Comprehensive Plan states, "The Rural Area is located outside of the Urban Growth Boundary and is identified by forests, tidal marshes, and freshwater wetlands, which dominate the landscape. It is traversed by scenic rural roads and dotted with historic buildings and archaeological sites indigenous to the Lowcountry. Agricultural and forestry activities and geographically dispersed Settlement Areas with homes are secondary to the natural and historic landscapes in the Rural Area. A small number of service and agriculturally oriented businesses are sited along major highways. The Rural Area is not targeted for public wastewater treatment except when approved by County Council for the general health, safety, and welfare of the community. A significant amount of land is in public ownership, open space easements, agricultural use, timber management, and wildlife habitat uses, contributing to the rural character of Charleston County. Therefore, this proposal is consistent with the recommendations of the Comprehensive Plan and the Agricultural Preservation (AG-10) Zoning District standards. In addition, the applicant's letter of intent states, "The use of the AG-10 farmland is to be used as farmland. We will be cultivating flowers and hemp. The land will not be altered nor disturbed in any way. The land is protected agricultural land and we propose to use the land carefully as such." Thus, the request may meet this criterion.**

§3.6.5(2): *Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;*

Response: **The proposed hemp farm production use may be compatible with the existing agricultural uses in the vicinity and may not adversely affect the general welfare or character of the immediate community. The applicant's letter of intent states, "There will be no modifications. The**



*proposed "row cropping" fields have more than 100 feet of wooded area surrounding them with no direct sight-lines from adjacent properties. All of the fields meet the ZLDR 6.4.1." Therefore, the request may meet this criterion.*

§3.6.5(3): *Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors*

Response: **The applicant is currently in the Site Plan Review process to ensure that adequate provisions have been made to protect adjacent properties from the possible adverse influence of the proposed hemp farm production use. The applicant's letter of intent states, "All use areas included in the site plan met all provisions addressed in ZLDR 6.4.1. Property to the west, 0250000015, is also agricultural land. The property to the east, 0250000153, is classed 101 - RESID-SFR with more than 800ft from their residence to the nearest point or proposed farm usage." Therefore, the request meets this criterion.**

§3.6.5(4): *Where applicable, will be developed in a way that will preserve and incorporate any important natural features;*

Response: **The site will be used for agricultural farm production. The applicant's letter of intent states, "Yes, the land will be preserved. The Edisto Island Land Trust and Charleston County Greenbelt have easements on parcel 0250000154. The site plan is in compliance with their preservation easements." Therefore, the request meets this criterion.**

§3.6.5(5): *Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and*

Response: **As previously stated, the applicant is currently in the Site Plan Review process for the proposed use to ensure the site complies with the applicable requirements of this Ordinance. The applicant's letter of intent states, "All site plan requirements have been met and reflect on the Site Plan attached. Hemp farming will only take place with a permitted license from the South Carolina Dept of Agriculture." Therefore, the request meets this criterion.**

§3.6.5(6): *Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.*

Response: **Vehicular traffic and pedestrian movement on adjacent roads should not be hindered or endangered. The applicant's letter of intent states, "The property has a private driveway and connects to Peters Point Rd though a private road. The site plan shows how the operation does not block nor hinder the driveway to the landowner's home." Therefore, the request may meet this criterion.**

**Board of Zoning Appeals' Action:**

According to Article 3.6 Special Exceptions, Section §3.6.5 Approval Criteria of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), (adopted July 18, 2006), Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all of the Approval Criteria of §3.6.5A.

In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare (§3.6.5B).

The Board of Zoning Appeals may approve, approve with conditions or deny Case # BZA-02-23-00657, [Special Exception for Hemp Farm Production in the Agricultural Preservation (AG-10) Zoning District at 8932 Peters Point Road (TMS # 025-00-00-154) on Edisto Island in Charleston County], based on the BZA's "Findings of Fact", 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 recommended by Staff:

- 1. Prior to zoning permit approval, the applicant shall complete the Site Plan Review process and provide the current South Carolina Department of Agriculture Hemp Grower approved application and license.**
- 2. The applicant shall obtain all applicable zoning and building permits for any unpermitted structures on the property.**



**SPECIAL EXCEPTION APPLICATION**  
**Charleston County Board of Zoning Appeals (BZA)**

<b>Property Information</b>			
Subject Property Address: 8932 Peters Point Rd. Edisto Island, SC 29438			
Tax Map Number(s): 025-00-00-154			
Current Use of Property: AG-10 Farmland			
Special Exception Description: Permitted Hemp farming on permitted and leased land.			
<b>Applicant Information</b>			
Applicant Name (please print): Cody Callarman			
Name of Company (if applicable): Zitro Farms, Inc.			
Mailing Address: 8465 Chisolm Plantation Rd.			
City: Edisto Island	State: SC	Zip Code: 29438	
Email Address: cody@zitrofarms.com		Phone #: 843-532-2016	
Applicant Signature:		Date: 17 Feb 2023	
<b>Representative Information</b> (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company:			
Mailing Address:			
City:	State:	Zip Code:	
Email Address:		Phone #:	
<b>Designation of Agent</b>			
I hereby appoint the person named as Applicant and/or Representative as my (our) agent to represent me (us) in this application.			
Property Owner(s) Name(s) (please print): Pinkney Mikell			
Name of Company (if applicable, LLC etc.):			
Property Owner(s) Mailing Address: 8974 Peters Point Rd.			
City: Edisto Island	State: SC	Zip Code: 29438	Phone #: 843-532-2016
Property Owner(s) Email Address: pmikell@gmail.com			
Property Owner(s) Signature:		Date: 13 Feb 2023	
<b>FOR OFFICE USE ONLY:</b>			
Zoning District: AG-10	Flood Zone: A-10 (765K)	Date Filed: 2/17/23	Fee Paid: \$250 credit card
Application #: BZA-02-23-00657	MS #: 025-00-00-154	Staff Initials: jfw	

- 00657

**Description of Request**

*Please describe your proposal in detail. You may attach a separate sheet if necessary. Additionally, you may provide any supporting materials that are applicable to your request (photographs, letter of support, etc.)*

Please see file named "Zitro Farms Site Plan Explanation" for an extended explanation of the proposed land use. We will be using the AG-10 land for grass, flower, and hemp cultivation. We are in compliance of the Charleston Green Belt program and Edisto Island Land Trust's easement.

**Applicant's response to Article 3.6 Special Exception, §3.6.5 Approval Criteria**

**Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use meets all 6 of the approval criteria. In evaluating your request, the members of the board will review the answers below as a part of the case record. You may attach a separate sheet if necessary.**

1. Is the proposed use consistent with the recommendations contained in the Charleston County Comprehensive Plan and the character of the underlying zoning district "Purpose and Intent"? Explain:

The use of the AG-10 farmland is to be used as farmland. We will be cultivating flowers and hemp. The land will not be altered nor disturbed in any way. The land is protected agricultural land and we propose to use the land carefully as such.

2. Describe how the proposed use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community.

There will be no modifications. The proposed "row cropping" fields have more than 100 feet of wooded area surrounding them with no direct sight-lines from adjacent properties.

All of the fields meet the ZLDR 6.4.1

3. Describe what adequate provisions have been or will be made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors.

All use areas included in the site plan met all provisions addressed in ZLDR 6.4.1. Property to the west, 0250000015, is also agricultural land. The property to the east, 0250000153, is classed 101 - RESID-SFR with more than 800ft from their residence to the nearest point or proposed farm usage.

4. If applicable, will the property be developed in a way that will preserve and incorporate any important natural features? Explain:

Yes the land will be preserved. The Edisto Island Land Trust and Charleston County GreenBelt have easements on parcel 0250000154. The site plan is in compliance with their presevation easements.

5. Explain how the proposed use complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance.

All site plan requirments have been met and reflect on the Site Plan attached. Hemp farming will only take place with a permitted license from the South Carolina Dept of Agriculture.

6. Will the proposed use hinder or endanger vehicular traffic and pedestrian movement on adjacent roads? Explain:

No. The property has a private driveway and connects to Peters Point Rd though a private road. The site plan show how the operation does not block nor hinder thedriveway to the landowners home.

In granting a special exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

## Zitro Farms Letter of Intent

To Charleston County Zoning and Planning Dept.

Please provide a detailed explanation of your proposal:

This section has minor changes to the pervious submissions. Last updated February 17<sup>th</sup>, 2023.

### Property Use:

I wanted to clarify, since the word "cannabis" was previously used on email and topic header, that this site will never cultivate Medical nor Recreational Cannabis. The plan for this site is only for the use of cultivation bona fide agricultural products.

The property owner, Pickney Mikell, has allowed Cody Callarman of Zitro Farms to utilize the agriculture zoned land for agricultural use only. There is no manufacturing of goods or products, retail sales, or visitors nor tours. This site is purely for cultivation. We currently have a land lease for 2 years at this time, renewing at the end of that second year. Last updated in March 2022.

The property will be used for cultivation of flowers, hemp, rye, wheat, and other bona fide agricultural products. There will be no processing, retail, or non-employees allowed on site. The current plan is to use the field plots, marked as proposed field 1 - 4 and 7 on the site plan, for the row cropping areas. All used areas have more than a 50' offset from the tree line of the sounded wooded areas. All of the planned use of field are surrounded by at least 50' of wooded areas, making it not possible to have line-of-sight on hemp cultivation from neighboring parcels.

This is to ensure we do not disturb grand oak trees on this tree-line boarder, but to also places crop outside the shading area and damage from falling trees. The row crops will be irrigated using drip lines, natural wood chip mulch, and no chemicals to ensure we keep the land organic and are using the least amount of well water possible.

We have the permission of the Edisto Island Land Trust to use the land for farming since they were the group that introduced me to Mr. Mikell and ensuring their easement of keeping the land for agricultural and preservation use. We have been following every rule and guideline set by land owner and the Land Trust to preserve the property.

The proposed horticulture building, labeled 'Proposed Indoor Grow House', has been built and is currently not in use. The structure's intended use will be for direct agricultural use (plant

propagation, plant growth for half of its expected life, plant drying, and storage). There are no dwellings and no one is living, or planned to live, on site. This structure was put together with transport in mind. If the land owner wanted us to leave or we decided to leave the property, the building can be dismantled and placed on trucks to be transported. The build's area is 2,380 sqft. The other structures and hoop houses were all in existing when Zitro Farms signed a lease for the property.

The High Tunnel Hoop Houses what are now marketed as Growspan Round Economy High Tunnels (item PB01700R6C). The 14-gauge steel tubing 'Ground Posts' are hammered into the ground at a depth of 1.5' to hold the hoop poles in place. The hooped poles are then covered with a 6mm plastic covering. We will use this hoop houses for year-round crop production. In the event of a hurricane or large storm, the 6mm plastic covering is removed to prevent destruction of the plastic, bending the poles, or the plastic covering from flying away.

The pole barn structure was existing and built in 2017 by the landowner before we agreed to use the property. The pole barn has had building permits pulled for building of the structure but were not required once the permit got to the Building Department for final approval.

Our used area has parking for 3 employees which was placed out of the way the property's existing dirt Ingress and Egress route. This parking spots are framed using 12' and 9' railroad ties that are 4"x4" in weight and height. Parking spaces utilize gravel for a parking surface. This was to ensure we did not block or congest the property owner's way to his residence.

Addressing comments from SPR submitted Jan 13<sup>th</sup>, 2022. Comments received Feb 7<sup>th</sup>, 2023:

a. See ZLDR Section 6.4.1 for conditions applicable to horticulture/crop/hemp project. Special Exception application and approval from the Board of Zoning Appeals will be required for hemp production on AG-10 parcel.

- Submitted Feb 17<sup>th</sup>, 2023. Hearing on April 3<sup>rd</sup>, 2023.

b. Submit Special Exception application to BZA staff, Jenny Werking.

- Submitted Feb 17<sup>th</sup>, 2023. Hearing on April 3<sup>rd</sup>, 2023.

c. Pervious Surface Coverage definition pertains to Chapter 4 and recently amended Ordinance requirement for maximum Impervious Surface Coverage on residential parcels. Provide all-weather surface for three parking spaces (see ZLDR Article 9.3).

- Parking surface will utilize gravel or 'crush and run' for surface.

d. Email complete resubmission to [siteplanreview@charlestoncounty.org](mailto:siteplanreview@charlestoncounty.org). Also, submit one hard copy to the Zoning and Planning Department of any revised documentation.

- I will complete submit following BZA approval April 3<sup>rd</sup>. “If/when BZA has made their decision, please return to SPR committee to finish the SPR and zoning permitting processes.”

e. Note: If expired at the time of zoning permit to establish, provide updated/current state hemp permit.

- Application period end February 28<sup>th</sup>. We normally get our permits in hand by the end of March. I will have new license by the time BZA approves and resubmit SPR.

Addressing previous comments from review process:

Sept 23<sup>rd</sup>, 2022

**I. 6.4.1**

A. Aquaculture, Mariculture, Animal and Insect Production, Horticultural Production, Hemp Production and Processing, and Agricultural Processing uses shall be subject to the following standards.

- 1 Such uses must be located on a Lot with a minimum area of five highland acres. On Lots with an area of less than five highland acres, such uses are allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance.
  - Lot is greater than 5 acres, lot is 59.39 Acres of highland.
- 2 If the subject Lot is less than five acres in size, a 25-foot vegetated buffer is required to adjoining Parcels. In lieu of a planted 25-foot vegetated buffer, a 75-foot Setback to the operation, from the side and rear property boundaries shall be provided.
  - N/A
- 3 If the subject Lot is five acres or large in size, a 50-foot vegetated buffer is required to adjoining Parcels. In lieu of a 50-foot vegetated buffer, a 150-foot Setback to the operation, from the side and rear property boundaries shall be provided.
  - Planned land use for all agriculture use has a setback greater than 150 feet. The agriculture land use areas are also surrounded by acres of wooded area (see boundary/tree-line on site plan).
- 4 Mariculture uses shall comply with the Commercial Dock requirements of this Ordinance in addition to the requirements of this Section.
  - N/A



- 5 Onsite sales are permitted as an Accessory Use, subject to the provisions of this Ordinance.
  - There are no onsite sales allowed.

**B. Hemp Production and Processing.**

- 6 Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with any Site Plan Review Application.
  - Please see attached Hemp Cultivation Permits. (Grow only. No Processor).
- 7 Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with any Site Plan Review Application.
  - Please see above.

**II. Restroom Requirements**

1. Confirm what/if SCDHEC will require for restroom provisions. Are port-o-lets appropriate per SCDHEC standards for agricultural farms with employees?
  - In conversation with DHEC, there are none. DHEC first stated we had to install a septic system if we were to work for more than 2.5 hours a day. I asked for the specific standard/policy and redacted their comments since there were no DHEC standards/policy.
  - In my research in ZLDR, there are no policy/codes for port-o-lets either.
  - The only regulation we found was OSHA: 1 portable toilet for 20 or less employees.

**III. Existing vehicular drive surfacing should be labeled (gravel, pavement, etc.) and proposed drive/parking areas should be detailed to include an all-weather surfaces (gravel, at minimum), wheel stops, ADA parking, etc. (see ZLDR Article 9.3).**

- Sec. 9.3.7 Design, D. Markings and Surface Treatment., 4. *Unpaved Parking Areas.*
  - a. All parking spaces must have a minimum four-inch Curb stop to delineate the location of each space and to prevent Encroachment onto adjoining properties, Rights-of-Way, or landscaped or pervious areas.
    - All parking spaces on site plan have a 6"x6" rail road tie, 10' wide, acting as a curb stop.
  - b. ~~All Parking Lots must have an all-weather surface, such as gravel, slag, or another approved pervious surface, excluding asphalt shingles. Ingress and egress drives serving unpaved Parking Lots accessed from a Paved Street must be~~

## Jennifer Werking

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**From:** Cody Callarman <cody@zitrofarm.com>  
**Sent:** Wednesday, March 01, 2023 12:35 PM  
**To:** Jennifer Werking  
**Subject:** Re: Special Exception for Hemp Farm  
**Attachments:** 31Jan23 Hemp Planting Report Form.pdf; ROD Recorded 2023 Lease.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Jennifer,

I've attached the signed and notarized lease agreement that the Dept of Ag is requiring to be registered with the Registrar of Deeds of Charleston County this year and my last planting report. The permit has my address on it since the Hemp Permit has to be issued to an individual (and my personal address), not an entity. The only place where we use the physical address for planting areas, the farm in this case, is on planting/harvest report submissions. They have also wanted me to use the 8974 address previously since that matched the physical location (in previous years, the 8932 address didn't match the actual location. This was a no go for Dept of Ag). The submission window has already closed for 2023, but as soon as I get a permit back, I can make the change to 8932 Peters Point Rd for the physical location. We normally get this back by the end of the month and I'll ensure the changes are made, then sent to you.

Let me know if you have any other questions.

On Tue, Feb 28, 2023 at 5:21 PM Jennifer Werking <[JWerking@charlestoncounty.org](mailto:JWerking@charlestoncounty.org)> wrote:

Hello,

I am working on your case for the April BZA meeting and I noticed the 2022 hemp permit (attached) has your mailing address on it instead of the subject property address – 8932 or 8974 Peters Point Road (I am using 8932 for the BZA case – but can change it to match the state permit if needed). Do you have any documentation from the state with subject property address or TMS # on it?

Thank you,

Jenny J. Werking, AICP

Planner III

Charleston County Zoning & Planning Department



South Carolina  
**DEPARTMENT OF AGRICULTURE**  
 CONSUMER PROTECTION DIVISION | HEMP FARMING PROGRAM

Hugh E. Weathers, Commissioner

## HEMP PLANTING REPORT FORM

- This form is due for each and every growing location approved on your application and any subsequent Site Modification Requests, and must include each field Location ID.
- Use separate forms for different addresses.
- This form is **due within 15 days of your field planting date, for each field.**
- If you will NOT plant at a permitted Location ID, **report of a “No Planting” is due by July 31, 2022** by completing the Location ID field(s) in the table and checking the “No Planting” box.

<b>INTERNAL USE ONLY</b>  Date Received  _____
--

Indicate Permitted Growing Address for this Report. Be sure to complete the table on page 2.

Permit Holder Name Cody Callarman

Farm Address 8974 Peters Point Rd. Edisto Island, SC 29438

Home Address 8465 Chisolm Plantation Rd. Edisto Island, SC 29438

County of Farm Charleston Permit # 45\_22283 FSA # 1119

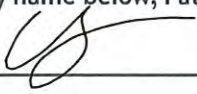
Phone 843-532-2016 Email Cody@zitrofarm.com

Do you intend to plant additional hemp at this address this year?

Yes  No If yes, explain: Indoor operation allows to plant year round

FSA deadline for reporting planted acreage for the season is July 31, 2022. If you plant past this date, you will have 15 days to report acreage to their office. A late fee will incur if you report beyond either of these deadlines.

By signing my name below, I attest that I am the permit holder and that this information is accurate and complete.

Signature  Permit # 45\_22283 Date 31Jan2023

**SUBMIT FORM**

Any form submitted to any other email will not be accepted.

[hempforms@scda.sc.gov](mailto:hempforms@scda.sc.gov)

Save this form to your computer first before filling out and submitting. Do not submit from an internet browser.

**SUBMIT FORM** **CLEAR FORM**



Complete the following information for Field Location IDs.

Note: The Location ID **MUST** match the ID listed in your application or Site Modification Request. If a field contains multiple varieties/strains, enter those on separate rows.

Check if Indoor or Outdoor Growing Location		Field Location ID (MUST Match Permitted Location ID)	Hemp Variety / Strain	Acres / Square Feet Planted	Primary Intended Purpose of Crop (Grain, Fiber, Floral)	Date Planted	Expected Harvest Date	Check if this is a Replant	Check if NO Planting Will Occur
Indoor	Outdoor								
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ex: Field 11A	Hemp18	25 A	Grain	5/15/22	8/30/22	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indoor 1	Tune F2 RND	20sqft	Floral	1/10/23	4/19/23	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indoor 1	Pink Pineapple	20sqft	Floral	1/20/23	5/10/23	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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BP1165400

# PGS:

5

**CASH LEASE OF FARM LAND, BUILDINGS AND EQUIPMENT**

THIS LEASE is entered into this 26th day of February, 2023,

Between Pickney V Mikell, landlord, of 8974 Peters Point Rd. Edisto Island, SC 29438  
(Address)  
and Cody L Callarman, tenant, of 8974 Peters Point Rd. Edisto Island, SC 29438  
(Address)

1. The landlord hereby leases to the tenant, to use for agricultural purposes, the following-described property, located in Charleston County, State of South Carolina, and commonly known as Tract 1549, FSA# 1119, TMS 0250000154, Tract 2.

Usage of tillable land, hoop houses, and farming equipment as needed.

Land use of lease are the 18 acres of Tract 2 of TMS 0250000154 are the open, non-wooded, tillable highland. Tenant must keep agricultural highland in conditions.

Peters Point Rd of Edisto Island, See Exhibit A  
and consisting of 18 acres, more or less, all rights thereto except as specified below:

a. The landlord reserves the right to use the following land and buildings:

Residential Housing

2. The landlord reserves the right of himself, his agents, his employees, or his assigns to enter the farm at any reasonable time for purposes of (a) of consultation with the tenant; (b) of making repairs, improvements, and inspections; (c) of developing mineral resources; and (d) after notice of termination of the lease is given, none of which is to interfere with the tenant in carrying out regular farm operations.

3. The landlord does not convey to the tenant the right to lease or sublet any part of the land or buildings or to assign the lease to any person or persons whomsoever.

4. If the landlord should sell or otherwise transfer title to the land and buildings, he will do so subject to the provisions of this lease.

5. The terms of this lease shall be binding upon the heirs, executors, administrators, and successors of both the landlords and tenant in like manner as upon the original parties. However, in event the lease is for more than one year, the heirs or successors of the tenant shall have the option to give written notice of termination effective at the end of the lease year in which the death occurs.

6. The landlord warrants that he has the right to lease the land and buildings, and will defend the tenant's possession against any and all persons whomsoever.

7. To improve the land, conserve its resources, and maintain it in a high state of cultivation, the two parties agree as follows:

a. The tenant will maintain the land during his tenancy in as good condition as at the beginning, normal wear and depreciation and damages from causes beyond tenant's control excepted.

b. The tenant will operate the land in an efficient and husbandlike way.

c. The tenant will not, without oral consent of the landlord, cut live trees for sale or personal use.

d. The landlord reserves the right to prevent the production of any crop on any or all land where the production of such crop would clearly damage the land due to excessive erosion or other causes.

e. The tenant will use fertilization practices which will prevent depletion of the essential plant food elements in the soil.

8. The tenant will maintain the buildings and equipment during his tenancy in as good condition as at the beginning, normal wear and depreciation beyond tenant's control excepted.

9. The tenant agrees to pay to the landlord as cash rent the amount of \$ 1.00, per acre and such payment will be made as follows:

Tenant agrees to pay additional electrical and utilities expenses as used. Paid monthly.

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10. The term of this lease shall be 2 years(s) from 1 March, 20 23, to 1 March, 20 25, and this lease shall continue in effect from year to year thereafter until written notice of termination is given by either party to the other at least 3 months before expiration of this lease or any renewal.

11. The tenant agrees that he or his agent will possess the land and facilities continuously during the term of the lease.

12. The tenant agrees to surrender possession of the land, buildings and equipment peaceably at the termination of the lease.

13. A request for general review of the lease may be at least 30 days prior to the final date for giving notice to terminate this lease. Amendments and alterations to this lease shall be made in writing.

14. This lease shall not give rise to a partnership relationship, and neither party shall have the authority to obligate the other without written consent, except as specifically provided in this lease.

15. Each party agrees that the other party shall in no way be responsible for the debts of, or liabilities for accidents or damages caused by the other party.

16. Willful neglect, failure, or refusal by either party to carry out any substantial provision of this lease shall give the other party the benefits of any proceedings provided by law.

17. Any differences between the parties as to their several rights and obligations under this lease that are not settled by mutual agreement after thorough discussion, shall be submitted for arbitration to a committee of three disinterested persons, one selected by each party hereto and the third by the two thus selected, and the committee's decision shall be accepted by both parties.

**Additional agreements:**

Tenant will have atleast general liability insurance to cover tenent and as-needed employees/subcontractors.

Additional insuracne is also recommended. Tenent will proved proof prior to occupation.

Additional usage of utilities paid for by tenent.

IN WITNESS WHEREOF, the parties have signed this lease on the 26th day of February 27, 20<sup>23</sup>.

A notary public or other officer completing this certificate verifies only the identity of the individual(s) who signed the document to which this certificate attached, and not truthfulness, accuracy or validity of that document.

STATE OF South Carolina

COUNTY OF Colleton

On Feb 27 2023 before me, Sherri Edsall a notary public personally appeared Cody Callarman Pickney V Mikell who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/they authorized capacity(ies), and by that by his/her/they signature(s) on this instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of South Carolina that the forgoing paragraph is true and correct. WAITNESS my hand and official seal.

Signature Sherri Edsall (SEAL)

[Signature] 2/27/23  
(Landlord)

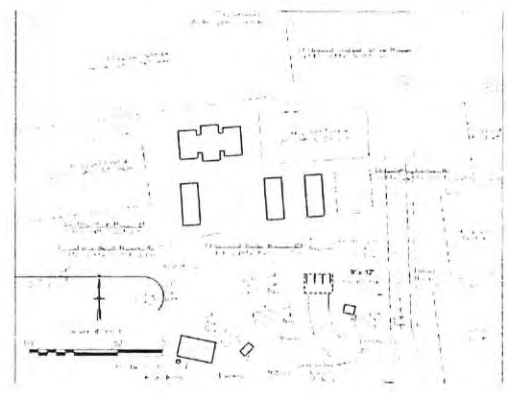
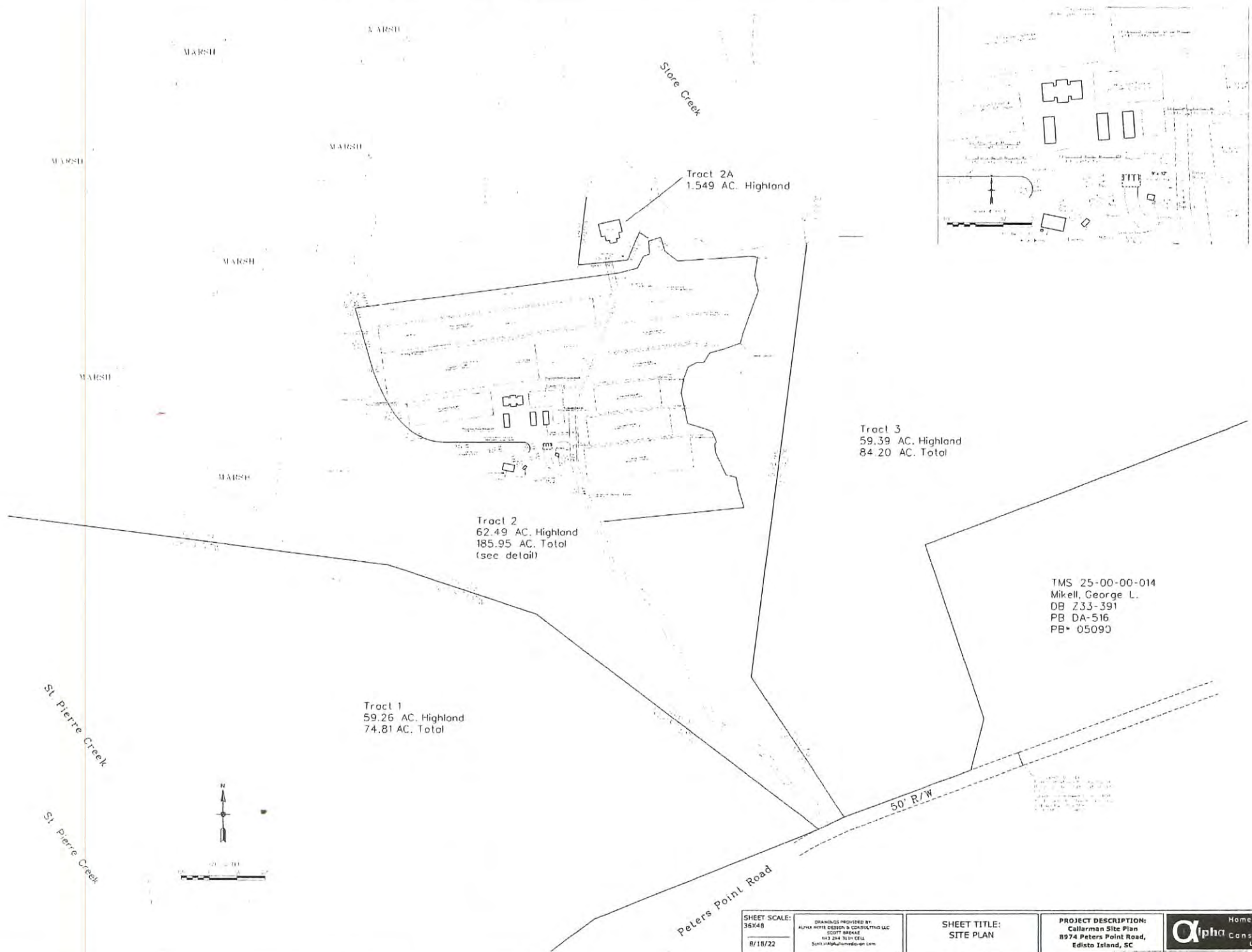
Pickney V Mikell

[Signature] 2/27/23  
(Tenant)

Cody L Callarman

Witness 1: [Signature]

Witness 2: Kate Black



TMS 25-00-00-014  
Mikell, George L.  
DB 233-391  
PB DA-516  
PB\* 05090



# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

**Filed By:**

CODY L. CALLARMAN  
 8465 CHISOLM PLANTATION ROAD  
 EDISTO ISLAND, SC 29438

RECORDED		
Date:	February 27, 2023	
Time:	3:17:44 PM	
Book	Page	DocType
1165	400	Lease
Karen Hollings, Register of Deeds Charleston County, SC		

**MAKER:**

MIKELL PINCKNEY V

# of Pages:	5
# of Sats:	
# of References:	

Note:

**RECIPIENT:**

CALLARMAN CODY L

Recording Fee	\$ 25.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ 1.00

Original Book:

Original Page:

**TOTAL** \$ 26.00

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Book



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Recorded Date



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SOUTH CAROLINA DEPARTMENT OF AGRICULTURE  
**2022 Hemp Farming Permit**

This is to certify that the permittee shown below has complied with Section 46-55-20 of the code of laws of South Carolina and is issued this permit to engage in the farming of hemp on such approved growing locations on records with the Department during the calendar year shown above.

**CODY LEE CALLARMAN**

**ISSUED** 4/1/2022

**ADDRESS** 8465 CHISOLM PLANTATION RD

**EXPIRES** 3/31/2023

EDISTO ISLAND, SC, 29438

**PERMIT #** 45\_22283

**COUNTY** CHARLESTON



A handwritten signature in black ink, reading "Hugh E. Weathers", is written over a horizontal line.

Hugh E. Weathers, Commissioner



# HEMP FARMING PROGRAM

## HEMP FARMER PERMIT APPLICATION INSTRUCTIONS

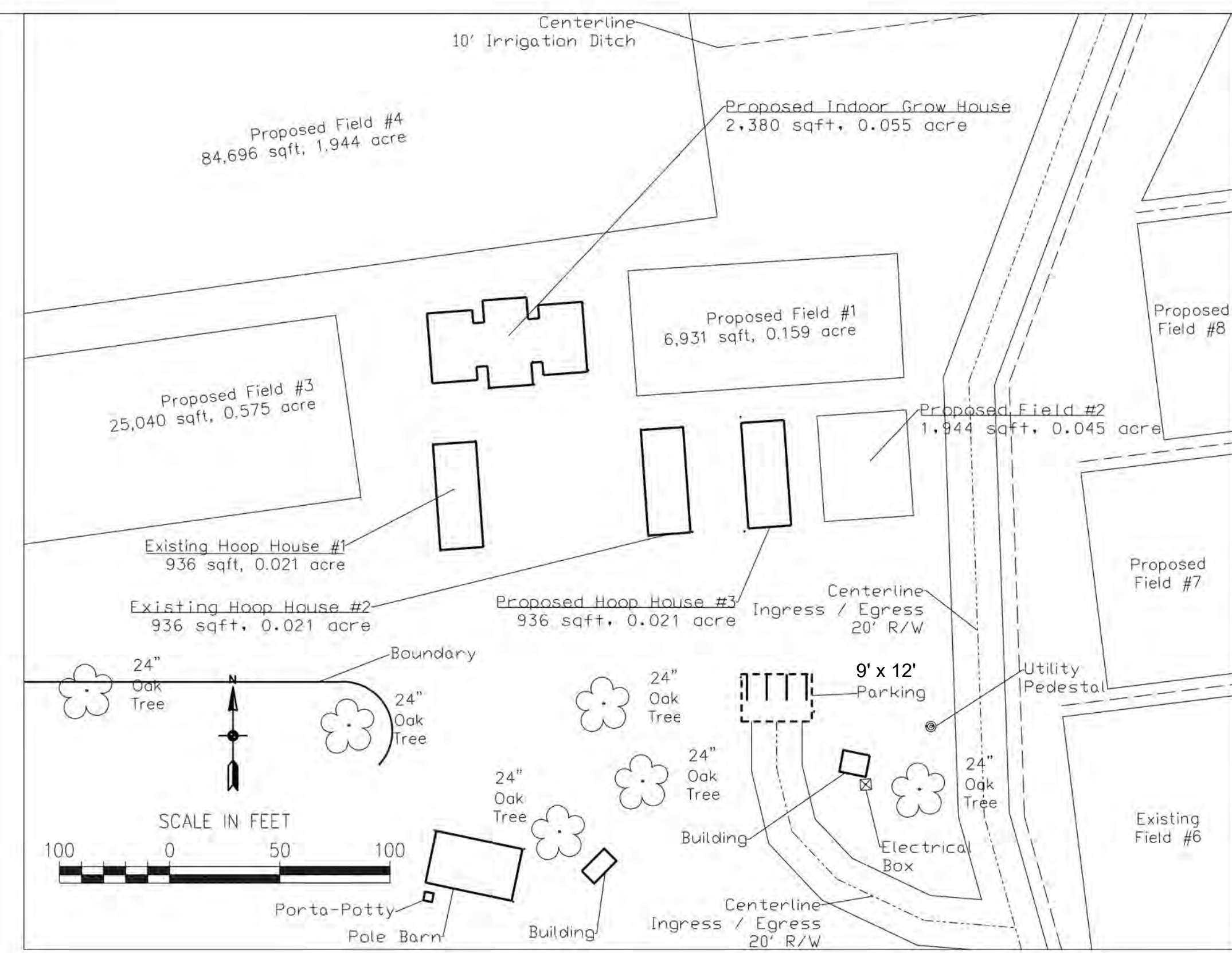
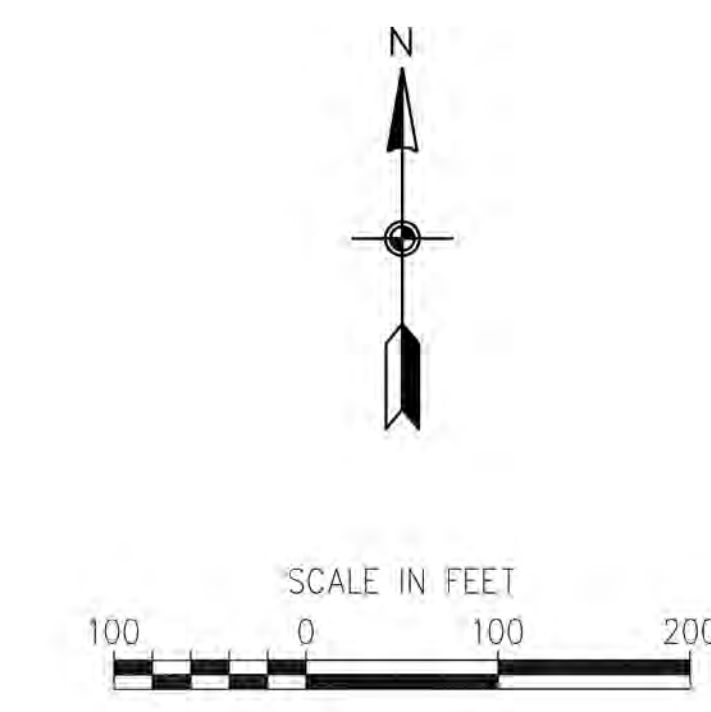
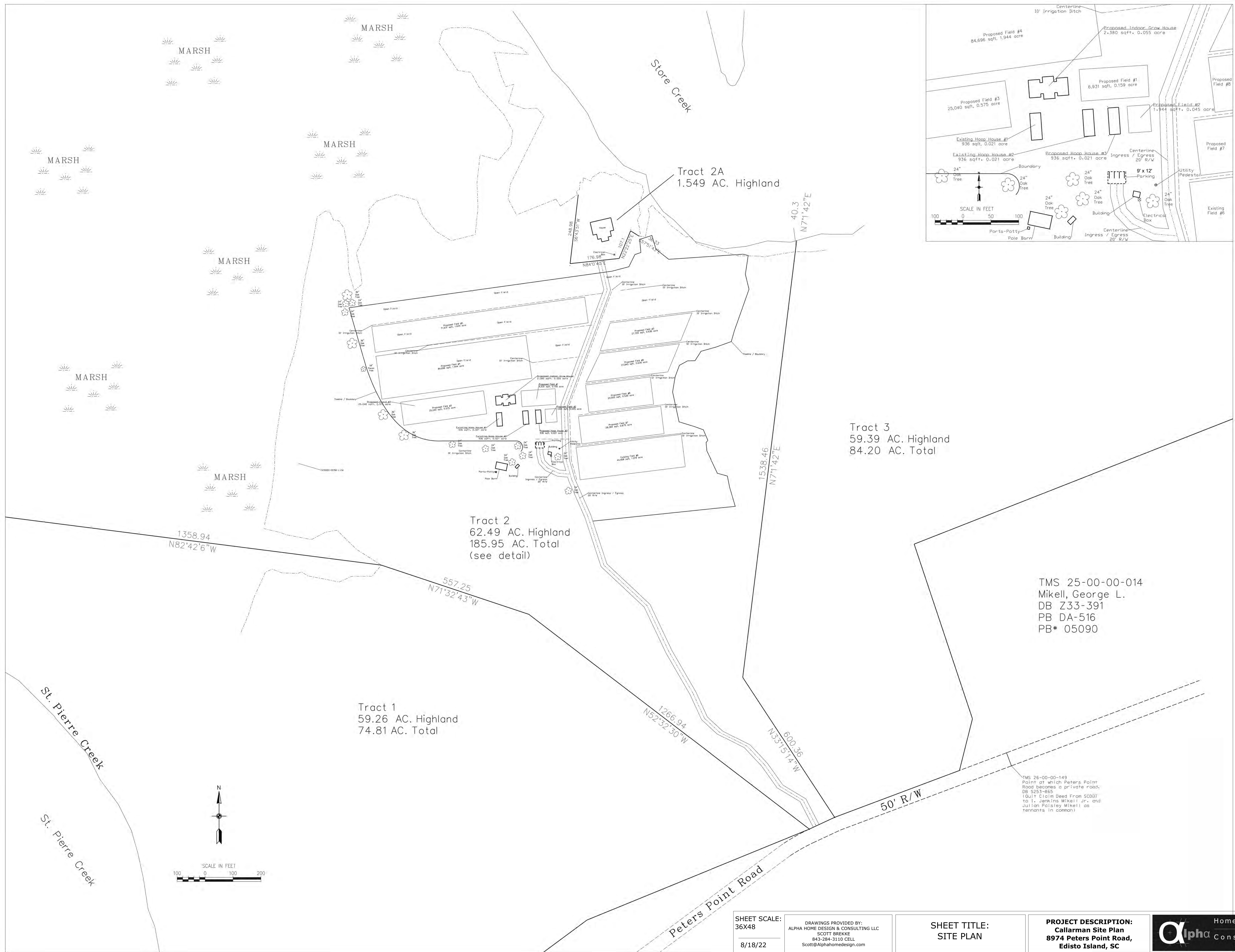
- The South Carolina Department of Agriculture (SCDA) is administering the South Carolina Hemp Farming Program as authorized by SC Code Ann. § 46-55-10 et seq.
- Anyone growing hemp in the State of South Carolina must successfully complete the full application process with SCDA and be issued a Hemp Farming Permit prior to taking possession of any viable hemp seeds, propagules, in-program harvested hemp materials (biomass) or any other sort of hemp plant material regardless of whether it is living (rooted) or cut. Farmers must submit this Hemp Farming Permit application; processors, handlers, or service providers (storage facilities, couriers, etc.) must complete the Hemp Processor Permit Application or the Hemp Handler Permit Application.
- Please note that only South Carolina Residents are currently eligible to receive a Hemp Farming Permit. Proof of residency may be required.

### Application Requirements:

1. Applicant Full Name, First, Middle and Last
2. Valid Email address (This will be the primary contact with SCDA)
3. Valid Phone Number
4. FSA Farm #, FSA Farm Tract #
5. Primary Residential Address (Where you reside)
6. Primary Mailing Address (Where you would like SCDA to send mail, may be the same as residence)
7. Business Information, If applicable
8. Enter Drivers License number and State of Residence
9. Attach a copy of your Drivers License
10. Attach a headshot photo of yourself
11. Attach GPS Ariel shot photos of your field locations, with fields indicated on the map
12. Attach a lease agreement for the land being farmed, unless the land is owned by the applicant
13. Insert Field locations (please note: if land is added after the application is approved, there will be an acreage amendment form completed, and a fee associated with it)
14. Complete a background check with IDENTOGO, instructions are provided below

### Key Information

- Background checks are required for all applicants.
- FSA Farm # is a requirement on your application. Please visit <https://www.farmers.gov/service-center-locator> to find your local Farm Service Agency office to apply for the FSA Farm #.
- In addition to providing this information to the Department, Permitted Hemp Farmer shall report hemp crop acreage to the FSA (Farm Service Agency) and shall include with the report, at a



Tract 2  
62.49 AC. Highland  
185.95 AC. Total  
(see detail)

Tract 1  
59.26 AC. Highland  
74.81 AC. Total

Tract 2A  
1.549 AC. Highland

Tract 3  
59.39 AC. Highland  
84.20 AC. Total

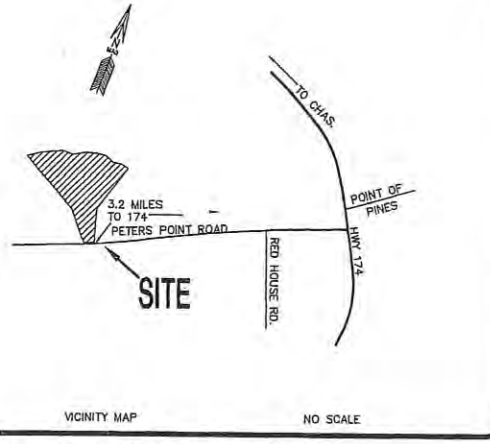
TMS 25-00-00-014  
Mikell, George L.  
DB Z33-391  
PB DA-516  
PB# 05090

TMS 26-00-00-149  
Point at which Peters Point  
Road becomes a private road,  
DB S293-865  
(Quit Claim Deed From SC007  
to i. Jenkins Mikell Jr. and  
Julian Paisley Mikell as  
tenants in common)

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSESS PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

SIGNATURE: *[Signature]* DATE: 11-19-08

THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE (5) YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.



VICINITY MAP NO SCALE

- NOTES:
- 1) ANY FURTHER SUBDIVISION OF THIS PARCEL, OR ROAD CONSTRUCTION OR EXTENSION OF THE EXISTING ROADS SHOWN HEREON SHALL REQUIRE COMPLIANCE WITH THE CHARLESTON COUNTY ZONING & LAND DEVELOPMENT REGULATIONS BEFORE CHARLESTON COUNTY ACCEPTS ANY DEDICATION OF ROADS INTO THE COUNTY ROAD SYSTEM. THE PROPERTY OWNER SHALL CONSTRUCT THE ROADS TO THE COUNTY OF CHARLESTON STANDARDS.
  - 2) IT IS HEREBY EXPRESSLY UNDERSTOOD BY THE PROPERTY OWNER, DEVELOPER OR ANY SUBSEQUENT PURCHASER OF ANY LOTS SHOWN ON THE PLAT THAT THE COUNTY OF CHARLESTON IS NOT RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROADS, COMMON AREAS, DRAINAGE SYSTEMS AND ANY OTHER MUNICIPAL SERVICES WHICH INCLUDE BUT NOT LIMITED TO, GARBAGE DISPOSAL, PUBLIC SEWAGE, FIRE PROTECTION OR EMERGENCY MEDICAL SERVICE.
  - 3) BE AWARE THAT THE COUNTY OF CHARLESTON IS NOT RESPONSIBLE FOR DRAINAGE AND FLOODING PROBLEMS RELEVANT TO THE REAL PROPERTY AND EMERGENCY VEHICLES MAY HAVE DIFFICULTY ACCESSING THE PROPERTY.
  - 4) NO PUBLIC FUNDS SHALL BE USED FOR THE MAINTENANCE OF THE ROADS SHOWN ON THE PLAT.
  - 5) THIS APPROVAL IN NO WAY OBLIGATES THE COUNTY OF CHARLESTON TO MAINTAIN THE 20' INGRESS/EGRESS EASEMENT UNTIL IT HAS BEEN CONSTRUCTED TO COUNTY STANDARDS AND ACCEPTED FOR MAINTENANCE BY CHARLESTON COUNTY COUNCIL.

I/WE HEREBY DEDICATE THE 20' INGRESS-EGRESS EASEMENT TO THE USE OF THE PROPERTY OWNER FOREVER. OWNERS OF THESE LOTS AND THEIR HEIRS AND ASSIGNS GUARANTEE ITS MAINTENANCE UNTIL SUCH TIME AS IT IS ACCEPTED INTO A PUBLIC MAINTENANCE SYSTEM.

*[Signature]* 6/2/09  
PINKNEY V. MIKELL (OWNER) DATE

I/WE HEREBY DEDICATE THE 5' EFFLUENT LINE EASEMENT AND THE 50' x 110' REMOTE DRAINFIELD EASEMENT TO THE USE OF THE PROPERTY OWNERS FOREVER.

*[Signature]* 6/2/09  
PINKNEY V. MIKELL (OWNER) DATE

PER LETTER DATED MAY 26, 2009 SIGNED BY DEBRA W. KING WATERSHED MANAGER USACOE THERE ARE NO JURISDICTIONAL WETLANDS LOCATED ON THE 1.549 ACRE SITE SHOWN (SAC2009-0579-1JQ)

**LEGEND:**  
RF #11 REBAR FOUND  
RS #6 REBAR SET

- NOTES:**
- 1) REFERENCE PLAT BOOK ED-141
  - 2) THERE ARE NO JURISDICTIONAL WETLANDS LOCATED ON THE 1.549 ACRE TRACT SHOWN
  - 3) TMS# 025-00-00-154
  - 4) THERE ARE NO 24" TREES LOCATED IN THE 20' INGRESS/EGRESS EASEMENT OTHER THAN THE TREES DESIGNATED "A" & "B"
  - 5) PROPERTY ZONED AG-10  
OVERALL DENSITY IS ONE UNIT PER 10 ACRES
  - 6) PUBLIC WATER AND SEWER ARE LOCATED ON EDISTO BEACH (6+ MILES AWAY)
  - 7) WATER TO BE SUPPLIED BY PRIVATE WELL
  - 8) SEWER SERVICE SUPPLIED BY REMOTE DRAINFIELD SCDHEC PERMIT# 2008070041

JOHN E. WADE JR., RLS  
POST OFFICE BOX 686  
ISLE OF PALMS  
SOUTH CAROLINA  
29451  
(843) 886-6262  
FILE 034-93SD



**RECORDED**

DATE: June 12, 2009 TIME: 3:11:43 PM  
Book-Page [L09 | 0255] DocType [Large Plat]  
Charlie Lybrand, Register, Charleston County, SC

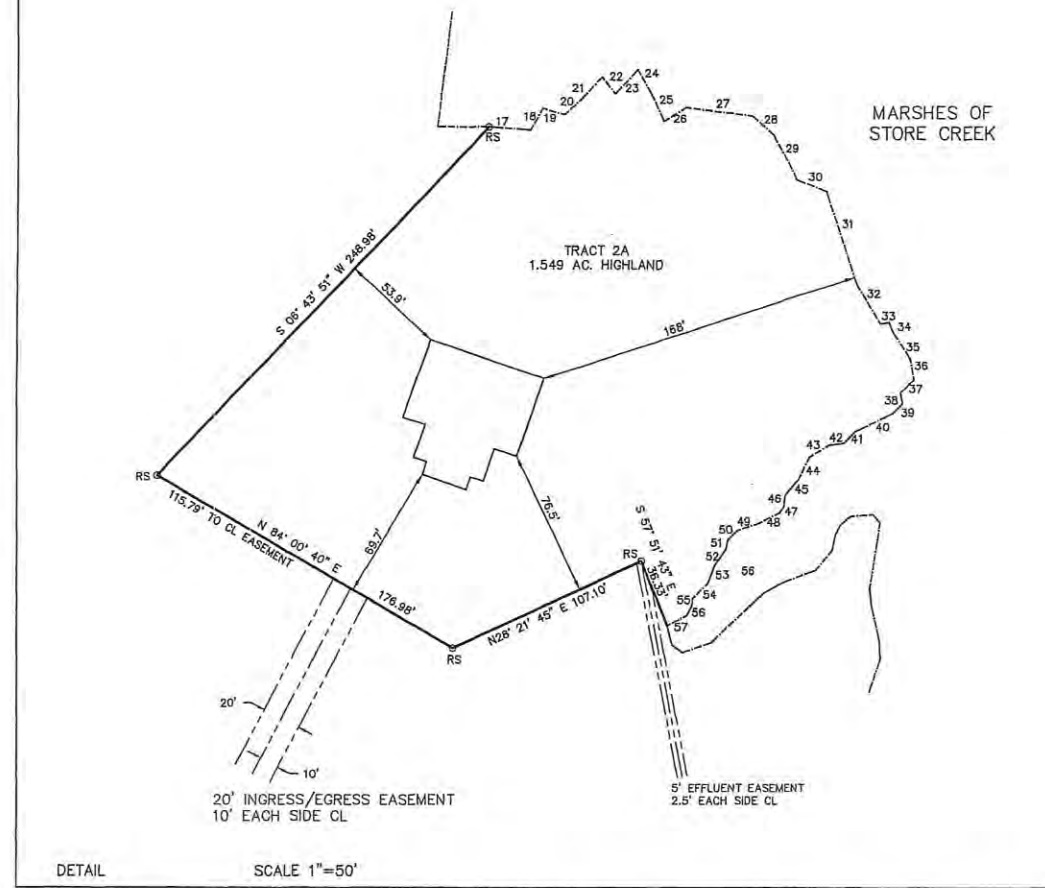
Record Fee: 1.10  
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TOTAL: 1.10  
Drawn: [Signature]  
Clerk: [Signature]

APPROVED FINAL PLAT  
*[Signature]* FOR DANIEL C. PENNICK  
Director of Planning  
Charleston County Planning Commission  
SBM#-3480 Date: JUN 11, 2009  
Appl. # \_\_\_\_\_

Location: PETERS POINT RD

SUBDIVISION  
OF A 185.95 ACRE TRACT OF LAND  
BEING A PORTION OF PETERS POINT PLANTATION  
OWNED BY PINKNEY V. MIKELL  
EDISTO ISLAND  
CHARLESTON COUNTY  
SOUTH CAROLINA

DATE: MARCH 23, 2009  
REVISED: APRIL 20, 2009  
SCALE: 1" = 400'



DETAIL SCALE 1"=50'

CENTERLINE LINE NO.	BEARING	DIST	CRITICAL LINE CHART LINE NO.	BEARING	DIST
1	N 22° 57' 32" W	103.54'	17	N 57° 24' 27" E	21.41'
2	N 54° 48' 51" W	95.82'	18	N 07° 50' 35" W	12.77'
3	N 31° 14' 08" V	96.19'	19	N 69° 24' 00" E	11.75'
4	N 38° 52' 08" V	90.49'	20	N 10° 05' 25" E	12.96'
5	N 58° 59' 33" V	109.11'	21	N 07° 05' 31" E	14.33'
6	N 43° 20' 57" V	76.04'	22	S 75° 23' 18" E	11.02'
7	N 20° 27' 02" V	98.80'	23	N 06° 09' 17" E	17.06'
8	N 25° 49' 25" V	171.72'	24	S 66° 01' 48" E	13.22'
9	N 21° 07' 35" V	182.82'	25	S 60° 29' 45" E	16.76'
10	N 42° 33' 22" V	211.99'	26	N 21° 08' 40" E	13.49'
11	N 14° 00' 11" V	185.23'	27	N 61° 03' 39" E	34.25'
12	N 19° 37' 39" V	143.07'	28	S 84° 43' 08" E	15.27'
13	N 11° 26' 08" V	73.38'	29	S 64° 15' 55" E	25.86'
14	N 02° 13' 55" E	197.72'	30	N 75° 32' 17" E	16.01'
15	N 24° 41' 47" E	441.08'	31	S 54° 50' 47" E	52.05'
16	N 08° 51' 11" V	108.24'	32	S 68° 00' 10" E	22.40'
A	24" OAK		33	N 46° 04' 45" E	4.49'
B	3x14"16"24" OAK		34	S 58° 32' 31" E	5.21'
			35	S 68° 37' 22" E	16.90'
			36	S 46° 27' 08" E	11.40'
			37	S 10° 27' 45" W	9.49'
			38	S 48° 20' 00" E	5.84'
			39	S 09° 53' 52" W	7.22'
			40	S 26° 07' 19" W	21.63'
			41	S 08° 29' 58" W	7.83'
			42	S 45° 06' 27" W	8.16'
			43	S 20° 44' 55" W	11.73'
			44	S 11° 25' 59" E	13.01'
			45	S 05° 06' 08" W	10.82'
			46	S 31° 24' 04" E	6.01'
			47	S 02° 30' 26" E	4.03'
			48	S 27° 27' 20" V	12.68'
			49	S 35° 24' 38" W	10.94'
			50	S 08° 15' 11" W	6.67'
			51	S 24° 40' 58" E	5.20'
			52	S 01° 30' 03" E	10.00'
			53	S 15° 46' 34" E	10.03'
			54	S 08° 29' 26" W	11.45'
			55	S 32° 49' 19" E	3.84'
			56	S 08° 27' 38" E	5.43'
			57	S 24° 48' 30" W	11.35'

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

*[Signature]*  
JOHN E. WADE JR., RLS.  
S.C. REG. NO. 13171