



Case # BZA-05-22-00583

Charleston County BZA Meeting of July 11, 2022

Applicant/Property Owner: Craig Calhoun of CLR Ladson, LLC

Representative: Kyle M. Hoyt of Hoyt + Berenyi

Property Location: 9705 Highway 78 – North Area

TMS#: 390-00-00-444

Zoning District: Industrial (IN) Zoning District

Request: Variance request to remove a 26" DBH Grand Red Oak Tree for a proposed office/warehouse development.

Requirement:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.2 Tree Protection and Preservation, Sec. 9.2.5.B. Tree Removal states, "Grand Trees and Protected Trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Zoning and Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such Trees."



A. General.

1. All Grand Trees and any other Trees required to remain on a site must be protected during construction and Development of a Parcel. Tree protection must be shown on all Development plans prior to site plan approval. A site inspection of the Tree barricades must be scheduled by the Applicant with the Zoning and Planning Department for approval prior to the issuance of permits or the start of Development activities.
 2. Prior to issuance of a Zoning Permit, a pre-construction planning conference is required for on-site Tree preservation with the Zoning and Planning Director or staff representative, the Applicant(s), and any appropriate parties for determining if there is need for additional Tree protection techniques and for designating placement of Tree barricades, construction employee parking, temporary construction office, and dumpsters.
- B. Prior to the start of Land Development activities, protective Tree barricades shall be placed around all Required Trees in or near Development areas. The barricades shall be constructed of wood, metal, or plastic fencing or other materials approved by the Zoning and Planning Director, and include a top rail. Tree barricades shall be placed beneath the canopy Drip Line or one-and-one-half feet times the DBH of the Tree as a radius from the trunk, whichever is greater. Other protective devices or construction techniques may be used as approved by the Zoning and Planning Director. Three inches of mulch shall be installed and maintained within all Tree barricade areas. The mulch shall remain in place throughout Development activities. The area within the Tree barricade shall remain free of all Building materials, dirt, fill, and other construction debris, vehicles, and Development activities. All Required Trees are also subject to the requirements of Sec. 9.4.6, *Landscape Materials Standards*, and Article 11.3, *Enforcement Responsibility and Complaints*.
- C. In no case shall any paving, filling, grading, Building, or construction footing occur or be placed within three times the DBH in inches from the trunk of the Tree, unless otherwise approved by the Board of Zoning Appeals.
- D. Limited Clearing and Grubbing may be authorized by the Zoning and Planning Director prior to the installation of Tree barricades on sites that exhibit unusually heavy undergrowth and where access to the interior of the site and its Protected Trees is impractical. Limited Clearing shall be for the express purpose of accessing the property and Protected Trees to erect the Required Tree barricades and silt fencing. Such limited Clearing shall be done with hand tools, push or walk -behind equipment, or lightweight bush-hog type equipment designed for brush and undergrowth Clearing and which is not capable of removing vegetation greater than three inches in diameter. Under no circumstances may metal-tracked bulldozers, loaders, or similar rider/operator equipment be allowed on site until the Tree barricades are erected and a Zoning Permit is issued.
- E. Limited encroachments into the area located within Tree barricades may be allowed by the Zoning and Planning Director provided that encroachments do not constitute more than 25 percent of the protected area beneath a Tree and do not occur in the area located within three times the DBH in inches from the trunk of the Tree unless otherwise approved by the BZA. Any paving, Grading, trenching, or filling of the protected area must be pre-approved by the Zoning and Planning Director or the Board of Zoning Appeals, as required by this Ordinance, and may require specific construction techniques to preserve the health of the Tree. When grading and construction within the protected area of a Tree has been approved, all damaged roots shall be severed clean.
- F. Prior to issuance of a Zoning Permit for uses other than Single-Family Detached Residential, the following numbers of Trees with a DBH of eight inches or greater shall be preserved and protected pursuant to the requirements of this Ordinance. Preservation and protection of native Trees is to be prioritized.
1. 20 Trees per acre; or
 2. Any number of Trees with a combined DBH of at least 160 inches per acre.
- G. When Lots lack a sufficient number of Trees to meet the requirement for DBH/number of Trees per acre, this requirement shall be fulfilled by existing Trees and must equal 40 inches per acre combined DBH. On Lots with less than 40 inches per acre combined DBH, additional Trees shall be planted on the Lot equaling or exceeding 40 inches per acre combined DBH. Planting schedules shall be approved by the Zoning and Planning Director.
- H. Required drainage improvements, such as Detention and retention ponds and wetlands, may be subtracted from the area used to calculate Tree preservation requirements.

Sec. 9.2.5 Tree Removal

- A. Permits for Tree removal may be approved where one or more of the following conditions are deemed to exist by the Zoning and Planning Director:
1. Trees are not required to be retained by the provisions of this Article.



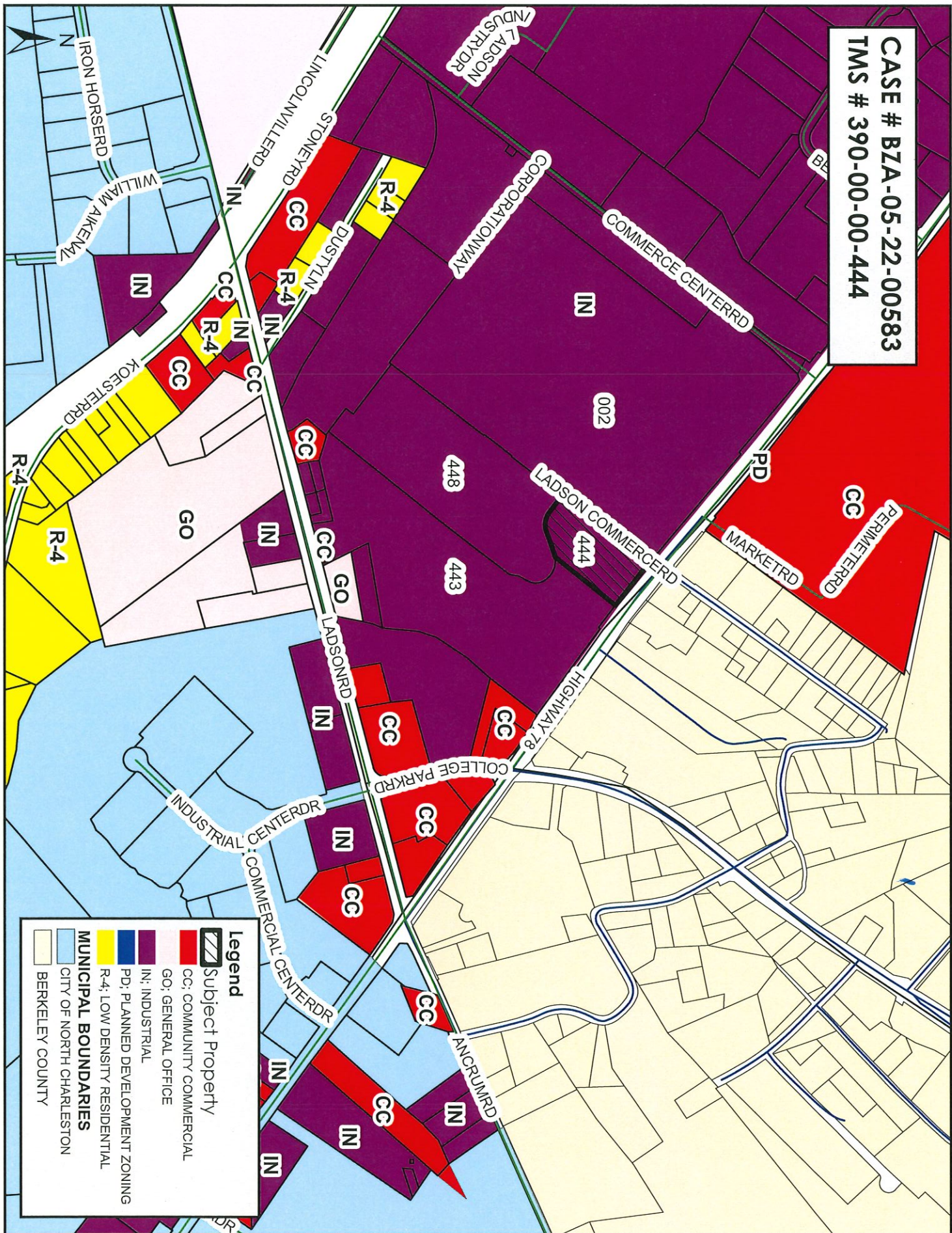
2. Trees are diseased, dead, or dying. Documentation may be submitted by a qualified tree care professional and approved by the Zoning and Planning Director;
 3. Trees pose an imminent safety hazard to nearby Buildings, pedestrian, or vehicular traffic (as determined by the Zoning and Planning Director or a qualified construction professional); or
 4. Removal of Required Trees has been approved by the Board of Zoning Appeals.
- B. Grand Trees and Protected Trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Zoning and Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such Trees.
- C. In the event that a Tree poses a serious and imminent threat to public safety due to death, disease, or damage resulting from emergencies including, but not limited to, fires, flooding, storms, and natural disasters, the Zoning and Planning Director may waive requirements of this Article. Documentation shall later be submitted for review outlining the threat to public safety which initiated the removal. Documentation must include any written findings by a qualified professional and photographs supporting the Tree Removal emergency.
- D. The Zoning and Planning Director may require replacement of Required Trees that are removed where it is determined that death or disease resulted from negligence.
- E. Violations and penalties are specified in **CHAPTER 11, *Violations, Penalties, and Enforcement***, of this Ordinance.

Sec. 9.2.6 Tree Replacement

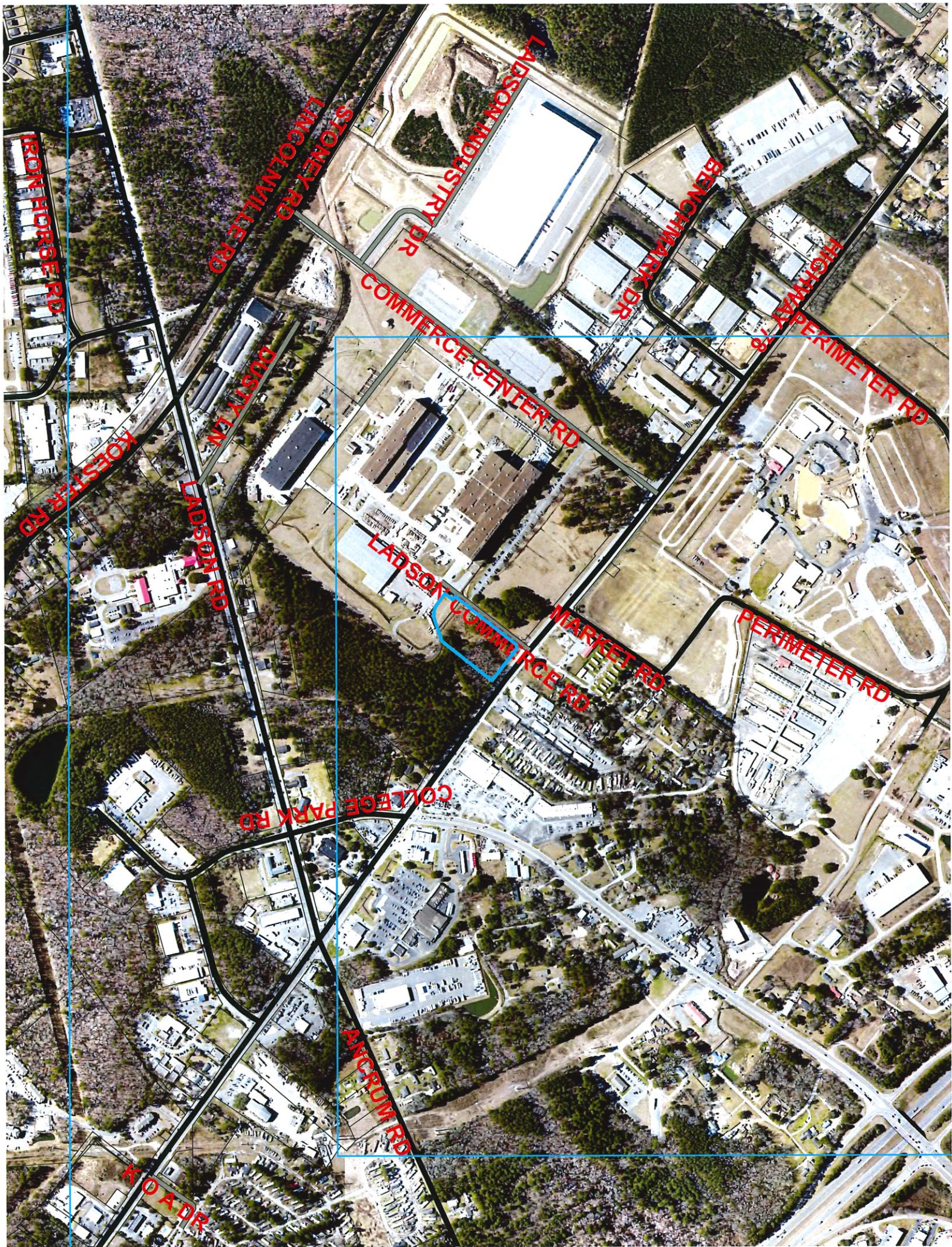
- A. Tree replacement shall be required accompanying Development on all non-exempt properties in the manner described below:
1. When replacement Canopy Trees are required in fulfillment of the requirements of this Article, they shall be no smaller than two and one-half-inch Caliper.
 2. The Zoning and Planning Director or Board of Zoning Appeals is empowered to require Trees of larger Caliper as determined appropriate for site-specific conditions and the circumstances, lawful or illegal, under which removal occurred.
- B. When Trees of eight inches DBH or greater have been removed in violation of this Ordinance, replacement Trees shall be planted in the same general area according to a replacement schedule approved by the Zoning and Planning Director.
- C. Where sites were cleared of Trees prior to the adoption of this Article or have been cleared subsequently for activities exempted from this Article, replacement Trees shall be planted, the combined Caliper of which equals or exceeds 40 inches per acre. Replacement schedules, including number, species, Caliper, and placement shall be approved by the Zoning and Planning Director.
- D. The Tree Fund is established to receive monies exacted from tree removal violation fines or other Tree removal mitigation, to include, but not limited to, removal, damage, destruction, or as defined in Sec. 9.2.1.C of this Chapter, and as a form of mitigation when planting of the Required Trees is determined to be detrimental to the overall health of existing Trees or impractical for the intended site design. The Zoning and Planning Director shall impose a Tree Mitigation fee based on the current market retail value of two-and one-half inch Caliper Trees installed to the American Association of Nurserymen Standards. The Applicant shall provide a minimum of two quotes from local (tri-county area) contractors for review and fee determination by the Zoning and Planning Director. If the Applicant disagrees with the amount of the Tree Mitigation fee imposed, they may file appeal with the Board of Zoning Appeals in accordance with the provisions contained in this Ordinance. All Tree Mitigation fees collected shall be paid to the County Treasurer and placed in an account established exclusively for public beautification through the planting of trees in Charleston County.
- E. When Trees have been removed through an approved mitigation program and the project will not be completed for any reason (i.e., bankruptcy, abandonment, change in ownership, etc.), the owners of the Subject Property are responsible for the mitigation of the removed Trees as outlined and agreed or subject to Sec. 9.2.6.D of this Chapter.

Sec. 9.2.7 Inspections and Final Approval

CASE # BZA-05-22-00583
TMS # 390-00-00-444







IRON HORSE RD

KOESTER RD

STONEY RD
LINCOLNVILLE RD

DUSTY LN

LADSON RD

LADSON INDUSTRY DR

COMMERCE CENTER RD

BENCHMARK DR

PERIMETER RD
HIGHWAY 28

LADSON

COMMERCE RD

MARKET RD

PERIMETER RD

COLLEGE PARK RD

ANCRUM RD

K O A DR

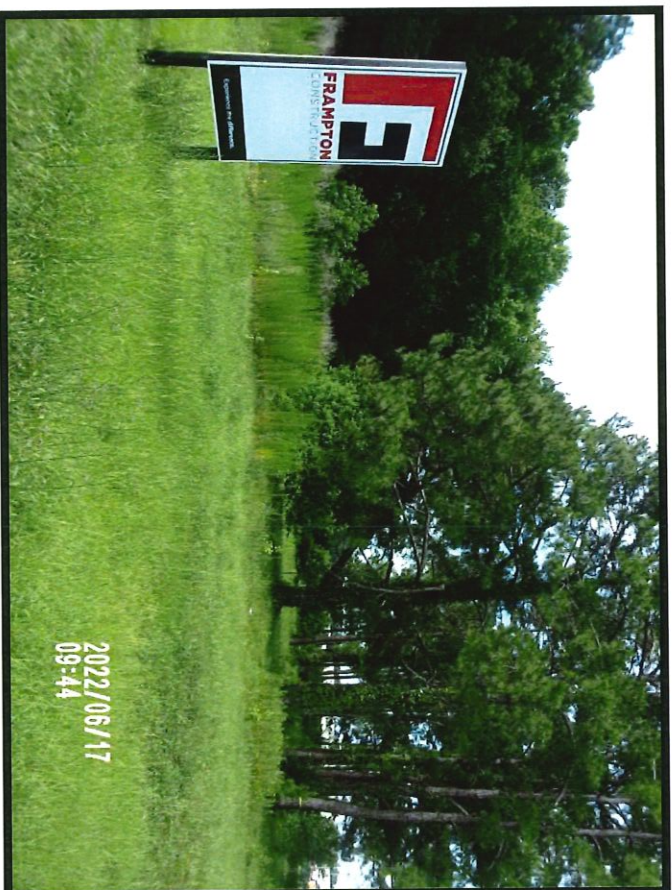
Case # BZA-05-22-00583
BZA Meeting of July 11, 2022
Subject Property: 9705 Highway 78 – North Area

Proposal: Variance request to remove a 26" DBH Grand Red Oak Tree for a proposed office/warehouse development.



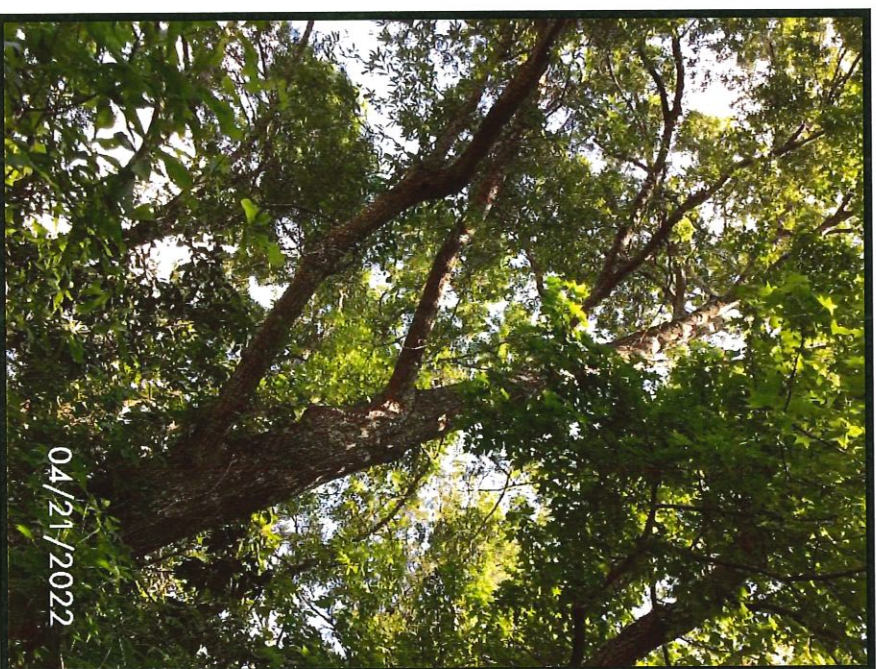
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Subject Property



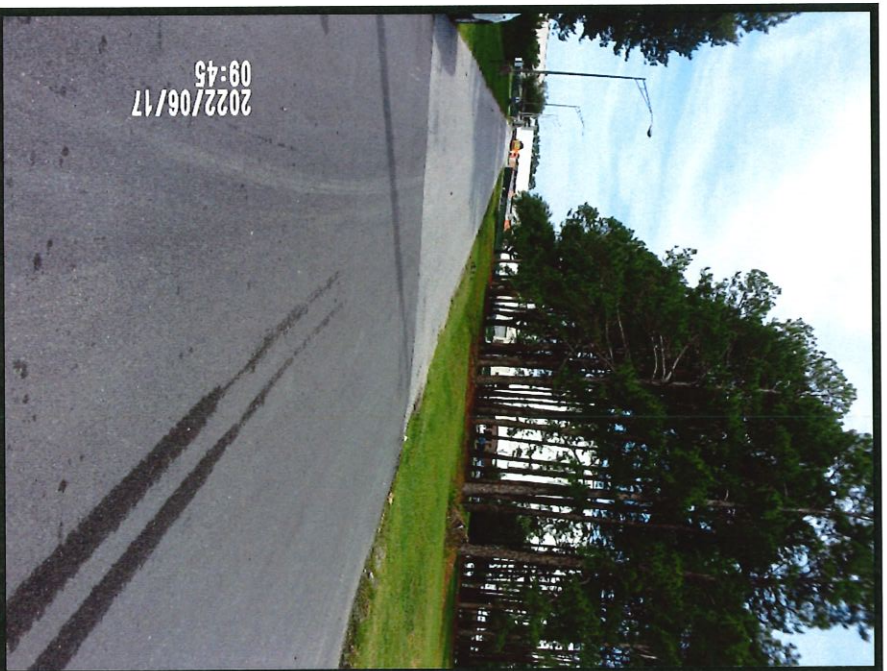
Subject Property

26" DBH Red Oak



Highway 78

Ladson Commerce Road



Staff Review:

The applicant and property owner, Craig Calhoun of CLR Ladson, LLC, represented by Kyle M. Hoyt of Hoyt + Berenyi, is requesting a variance to remove a 26" DBH (Diameter Breast Height) Grand Red Oak Tree for a proposed office/warehouse development at 9705 Highway 78 (TMS # 390-00-00-444) in the North Area of Charleston County. The subject property and adjacent properties are located in the Industrial (IN) Zoning District. Properties across from Highway 78 from the subject property are located in Berkeley County.

The subject property is 3.71 acres and is currently vacant. The applicant is proposing a new 45,474 sq. ft. office/warehouse building. The applicant is in the Site Plan Review process (ZSPR-02-22-00696) for the proposed office/warehouse development. The applicant's letter of intent states, "We are proposing to remove (1) grand tree – 26" Red Oak, Rated as 'C' by the Arborist as soon on the attached exhibit." Please refer to the Charleston Tree Experts Arborist's report.

Applicable ZLDR requirement:

The Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), Chapter 9 Development Standards, Article 9.2 Tree Protection and Preservation, Sec. 9.2.5.B. Tree Removal states, "Grand Trees and Protected Trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Zoning and Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such Trees."

Applicable ZLDR Chapter 12 Definitions, Article 12.1 Terms and Uses Defined:

Arborist, Certified A Person certified by the International Society of Arboriculture.

Diameter Breast Height (DBH) The total diameter, in inches, of a Tree trunk or trunks measured at a point four and one-half feet above existing Grade (at the base of the Tree). In measuring DBH, the circumference of the Tree shall be measured with a standard diameter tape, and the circumference shall be divided by 3.14.

Grand Tree Any Tree with a diameter breast height of 24 inches or greater, with the exception of Pine Tree and Sweet Gum Tree (*Liquidambar styraciflua*) species.

Staff conducted a site visit on the subject property on June 17, 2022. The Grand Tree site inspection was conducted on April 21, 2022. Please review the attachments for further information regarding this request.

Planning Director Review and Report regarding Approval Criteria of §3.10.6:

§3.10.6(1): *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Response: **There may be extraordinary and exceptional conditions pertaining to the 3.71-acre subject property. The applicant's letter of intent states, "In general the site is low lying and will require a substantial amount of fill to properly convey stormwater runoff to the stormwater management location on the west side of the property. The site is further burdened by a utility easement and required buffer along the HWY 78 right of way, as well as the need for a fire access loop around the building. The site is also a smaller outparcel which does not lend itself to a tremendous amount of site flexibility without significant development impact." Therefore, the request may meet this criterion.**

§3.10.6(2): *These conditions do not generally apply to other property in the vicinity;*

Response: **These conditions are unique to the subject property and do not generally apply to other property in the vicinity. The applicant's letter of intent states, "The surrounding parcels are much larger and are generally fully developed, including the neighboring General Dynamics Facility or Ladson Fairgrounds. The neighboring property to the east is undeveloped, but is much larger which would afford more development flexibility for tree preservation, stormwater management, and grading options. Lands across Highway 78 are also located in Berkeley County subject to different development standards." Therefore, the request may meet this criterion.**

§3.10.6(3): *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, Article 9.2 Tree Protection and Preservation, Sec. 9.2.5.B. Tree Removal to 9705 Highway 78 may unreasonably restrict the utilization of the property. The applicant's letter of intent states, "...application of the ordinance will significantly impact the building. If the tree were to be preserved, the fire access road would need to shift south of the subject tree. In order to provide sufficient room for grading and stormwater conveyance the fire access road would need to sit approximately 20' from the tree and our building may be reduced by about 50' - 60' in width; which, could translate in a reduction of over 15% of the building. In this case the tree proposed to be removed is only 26" and has been rated as 'C'; and, the impacts would unreasonably restrict the utilization of the property." Therefore, the request may meet this criterion.**

§3.10.6(4): *The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance;*

Response: **The authorization of this variance may not be of substantial detriment to adjacent properties or to the public good and the character of the IN Zoning District may not be harmed if this variance is granted. The applicant's letter of intent states, "The approval of this variance will not be a detriment to the adjacent property or to the public good and the character of the zoning district will not be harmed. The tree is not a prominent fixture and is not easily visible from the street. The proposed development should be an aesthetically appealing building with landscaping to compliment the facility; and should be a benefit for the community. Frampton Construction has been a part of the Charleston County Community, located down the street on Benchmark Drive, for many years. This is part of their growth and continued vested interest in the Community." Therefore, the request may meet this criterion.**

§3.10.6(5): *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 nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

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. Therefore, the request meets this criterion.**

§3.10.6(6): *The need for the variance is not the result of the applicant's own actions;*

Response: **The need for the variance may not be the result of the applicant's own actions. The applicant's letter of intent states, "...no actions have been taken by the applicant to establish the need for a variance." Therefore, the request may meet this criterion.**

§3.10.6(7): *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance;*

Response: **Granting of the variance may not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance if the Board finds that strict application of the provisions of the Ordinance results in an unnecessary hardship. Therefore, the request may meet this criterion.**

Board of Zoning Appeals' Action:

According to Article 3.10 Zoning Variances, Section §3.10.6 Approval Criteria of the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)*, (adopted July 18, 2006), 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 (§3.10.6A). A Zoning Variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing their findings (§3.10.6B Approval Criteria).

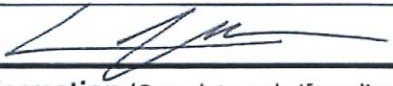
In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare (§3.10.6C).

The Board of Zoning Appeals may approve, approve with conditions or deny Case BZA-05-22-00583 [request to remove a 26" DBH Grand Red Oak Tree for a proposed office/warehouse development at 9705 Highway 78 (TMS # 390-00-00-444) in the North Area of 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 BZA decides to approve the application, Staff recommends the following conditions:

1. **Prior to zoning permit approval, the applicant shall complete the Site Plan Review process.**
2. **The applicant shall mitigate the removal of the 26" DBH tree by either: (a) submitting a mitigation plan for review and approval indicating the installation of canopy trees no smaller than two and one-half (2.5) inches in caliper equaling inch per inch replacement, (b) by depositing funds into the Charleston County Tree Fund as described in Sec. 9.2.6 of the Charleston County Zoning and Land Development Regulations, or (c) a combination of both (a) and (b).**



ZONING VARIANCE APPLICATION
Charleston County Board of Zoning Appeals (BZA)

Property Information			
Subject Property Address: 9705 Hwy 78 Ladson, SC 29456			
Tax Map Number(s): 390-00-00-444			
Current Use of Property: undeveloped			
Proposed Use of Property: Multi-tenant office/warehouse			
Applicant Information (Required)			
Applicant Name (please print): Craig Calhoun			
Name of Company (if applicable): CLR Ladson, LLC			
Mailing Address: 3227 Benchmark Dr			
City: Ladson		State: SC Zip Code: 29456	
Email Address: ccalhoun@frampton.construction		Phone #: 864-680-7569	
Applicant Signature: 		Date: 5/19/2022	
Representative Information (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Print Representative Name and Name of Company: Kyle M. Hoyt, PE -- Hoyt + Berenyi			
Mailing Address: PO Box 1470			
City: Ladson		State: SC Zip Code: 29456	
Email Address: MWiksell@hoytberenyi.com		Phone #: 843-532-6757	
Designation of Agent (Complete only if the Applicant listed above is not the Property Owner.)			
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):			
Name of Company (if applicable, LLC etc.):			
Property Owner(s) Mailing Address:			
City:		State:	Zip Code: Phone #:
Property Owner(s) Email Address:			
Property Owner(s) Signature:			Date:
FOR OFFICE USE ONLY:			
Zoning District: IN	Flood Zone: X 280 K	Date Filed: 5/20/2022	Fee Paid: \$250 check #403
Application #: BZA-05-22-00583		TMS #: 390-00-00-444	Staff Initials: jyw

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.)

We are proposing to remove (1) grand tree - 26" Red Oak, Rated as "C" by the Arborist - as shown on the attached exhibit.

Applicant's response to Article 3.10 Zoning Variances, §3.10.6 Approval Criteria

Zoning Variances may be approved only if the Board of Zoning Appeals finds that the proposed use meets all 7 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. Are there extraordinary and exceptional conditions pertaining to the subject property? Explain:

In general the site is low lying and will require a substantial amount of fill to properly convey stormwater runoff to the stormwater management location on the west side of the property. The site is further burdened by a utility easement and required buffer along the HWY 78 right of way, as well as the need for a fire access loop around the building. The site is also a smaller outparcel which does not lend itself to a tremendous amount of site flexibility without significant development impact.

2. Do these conditions generally apply to other property in the vicinity or are they unique to the subject property? Explain:

The surrounding parcels are much larger and are generally fully developed, including the neighboring General Dynamics Facility or Ladson Fairgrounds. The neighboring property to the east is undeveloped, but is much larger which would afford more development flexibility for tree preservation, stormwater management, and grading options. Lands across Highway 78 are also located in Berkeley County subject to different development standards.

3. Because of these extraordinary and exceptional conditions, does the application of this Ordinance to the subject property effectively prohibit or unreasonably restrict the utilization of the property? Explain:

Yes, application of the ordinance will significantly impact the building. If the tree were to be preserved, the fire access road would need to shift south of the subject tree. In order to provide sufficient room for grading and stormwater conveyance the fire access road would need to sit approximately 20' from the tree and our building may be reduced by about 50' - 60' in width; which, could translate in a reduction of over 15% of the building. In this case the tree proposed to be removed is only 26" and has been rated as "C"; and, the impacts would unreasonably restrict the utilization of the property.

4. Will the authorization of a variance be a substantial detriment to adjacent property or to the public good? Will the character of the zoning district be harmed if this variance is granted? Explain:

The approval of this variance will not be a detriment to the adjacent property or to the public good and the character of the zoning district will not be harmed. The tree is not a prominent fixture and is not easily visible from the street. The proposed development should be an aesthetically appealing building with landscaping to compliment the facility; and, should be a benefit for the community. Frampton Construction has been a part of the Charleston County Community, located down the street on Benchmark Drive, for many years. This is part of their growth and continued vested interest in the Community.

5. The BZA 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 Nonconforming Use of land, or to change the zoning district boundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably if a Zoning Variance is granted shall not be considered grounds for granting a Zoning Variance. Does the variance request meet this criterion?

The variance does not propose to extending or create any nonconforming uses and the grounds are not based upon profitability. The variance request is in conformance with this item.

6. Is the need for the variance the result of applicant's own actions? Explain:

No, no actions have been taken by the applicant to establish the need for a variance.

7. Does the variance substantially conflict with the Charleston County Comprehensive Plan or the purposes of the Ordinance? Explain:

No, this request conforms to the County Comprehensive Plan for development at this location.

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.

February 23, 2022

Marshall Badeaux – Consulting Arborist

To Whom It May Concern:

Enclosed is a Tree Risk Assessment ordered by Mattson Wiksell based on my independent field investigation of a 26" Red oak, *Quercus rubra* located on the property at 9705 Highway 78, Ladson, SC 29456. It has been prepared for the consideration of his desire to determine the size, health and safety of the tree and to meet the requirements outlined in the municipal ordinance for removal of a protected tree. I have included my assessment of the tree's current conditions, as well as my recommendations for removal.

Please feel free to contact me with any questions you may have about this report, or any other service we can provide.

Best regards,



E. Marshall Badeaux, RCA #742
Registered Consulting Arborist
(843) 501-4297
marshall@charlestantreeexperts.com
2851 Maybank Hwy
Johns Island, SC 29455





CHARLESTON
Tree Experts

TREE RISK ASSESSMENT

www.charlestantreeexperts.com
marshall@charlestantreeexperts.com
(843) 952-8300

Report for:

9705 Highway 78
Ladson, SC 29456

Prepared for:

Mattson Wiksell
Hoyt + Berenyi

Prepared By:

Marshall Badeaux, RCA #742
ASCA, Registered Consulting Arborist
International Society of Arboriculture Certified Arborist SO-7159A
Member, American Society of Consulting Arborists
TRAQ, Tree Risk Assessment Qualified
TPAQ, Tree and Plant Appraisal Qualified
CTSP, Certified Treecare Safety Professional #03122
EHAP, Electrical Hazards Awareness Program

February 23, 2022

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NARRATIVE

Summary

After Mattson Wiksell had become concerned with the condition of a 26" Red oak, *Quercus rubra* growing on the property his company is contracted to work on, my firm was contacted to provide an independent, objective opinion regarding the health and structural stability of the tree located on the site. I performed a Level 2: Basic Tree Risk Assessment (BTRA).

Based on this level 2 evaluation, I have determined that the tree outlined in this report is healthy with a low risk rating.

Background

In February 2022, Mattson Wiksell contacted my firm and expressed concerns after observing a grand tree on the property. I discussed the terms of our engagement with Mattson Wiksell and upon approval of the Arborist Report line item, I was scheduled for site inspection to perform a BTRA.

Assignment

Prepared for:

Mattson Wiksell
Hoyt + Berenyi

Parcel location:

9705 Highway 78
Ladson, SC 29456

Prepared by:

Marshall Badeaux, RCA #742
Charleston Tree Experts
2851 Maybank Hwy
Johns Island, SC 29455
ISA Certification Number: SO-7159A

After discussing the terms of my engagement and the levels of assessment with Mattson Wiksell, they agreed that I would conduct the following:

1. Identify the tree species.
2. Measure and determine the diameter at breast height (DBH).
3. Assess and provide a health grade and risk rating to the tree.
4. Provide recommendations for the tree outlined in this report.
5. Provide my findings in a booklet style report.

Limits of Assignment

My inspection was performed at ground level using visual observations, and my knowledge of the site history was limited to the past-history details provided by Mattson Wiksell. These

were my only limitations in addition to the normal restrictions of a Level 2: BTRA.

Purpose and Use of Report

The purpose of this report is to provide an accurate depiction of defective or hazardous conditions of the tree and site, and develop recommendations based on that data. This report is intended to be used by Mattson Wiksell to request reduced mitigation of the tree. Upon submission, this report will become the property of Mattson Wiksell and its use will be at his discretion. Reproduction or making of additional copies without explicit consent by the preparing Arborist is strictly prohibited.

OBSERVATIONS

Site

The property is located on Hwy 78 in a commercial and industrial corridor. The tree resides on the edge of the field area where it meets the forest.

Analysis

There are no targets within 1x height of the tree.

Tree Condition and Inventory Table

Tree #	(DBH)	Species	Health	Risk Rating	Comments
1	26"	Red oak, <i>Quercus rubra</i>	C	Low	Some side loading in the canopy, some deadwood and broken branches but not severe.

Tree Grading System

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

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

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

D - Tree in declining health; has suffered extensive storm damage; tree may still live for many years without posing a hazard but may not be successfully treated to again become a healthy, specimen tree.

F - Tree which is determined to be irreparably damaged, diseased or hazardous.

Discussion

Trees provide numerous benefits to the urban environment. These benefits increase as the age and size of the trees increase. However, as a tree becomes larger and more mature, it is likely to shed branches or develop decay or other conditions that can predispose it to failure. In assessing and managing trees, we strive to strike a balance between the risk that a tree poses and the benefits that individuals and communities derive from trees.

Tree risk assessment (TRA) is the systematic approach used to identify, analyze and evaluate tree risk. By identifying the tree risk, mitigation can be conducted to reduce risk while preserving the trees that meet acceptable levels of risk. A primary goal of TRA is to provide the tree owner with resourceful information about the level of risk posed by a tree over a period of time. This is accomplished by conducting a qualitative analysis and determining the likelihood and consequences of a tree failure. If the risk rating defined for a tree exceeds the level of acceptable risk, mitigation is recommended.

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Upon inspection, I found this tree to be unremarkable in fairly good health with some side loading in the canopy and a small amount of deadwood and broken branches. The side loading is likely an abiotic condition due to the dense canopies of surrounding trees in the forest encouraging this tree to develop it's canopy outward to the field area to the west.

CONCLUSION

This tree is healthy.

RECOMMENDATIONS

Reduce mitigation requirement to a 26" grade C tree.

GLOSSARY

Acceptable risk--The degree or amount of risk that the owner, manager, or controlling authority is willing to accept.

ANSI A300 Standards for Tree Care Operations--In the United States, industry-developed, national consensus safety standards of practice for tree care.

Booklet style report--Booklet reports present information in an abbreviated book form. Booklet reports are probably the most commonly used and readily recognizable report format.

Canopy--Upper portion of the tree consisting of scaffolding branches, smaller limbs, and twigs.

Compartmentalization—The natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms.

Diameter--The length of a straight line through the center of a circle.

Failure--Breakage of a stem, branch, or roots, or loss of mechanical support in the root system.

Hazard--Situation or condition that is likely to lead to a loss, personal injury, property damage, or disruption of activities; a likely source of harm. Tree part identified as likely source of harm.

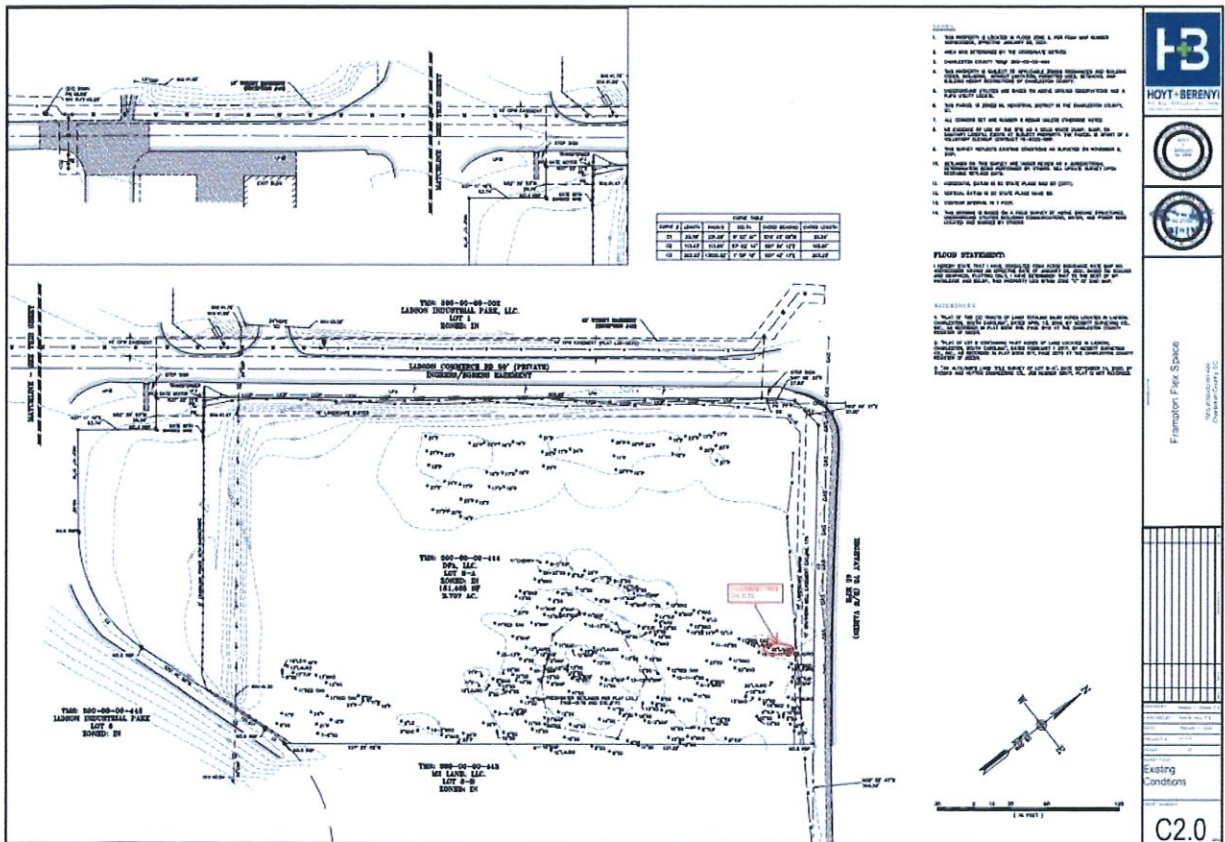
Levels of assessment--Categorization of the breadth and depth of analysis used in an assessment.

Targets--People, property, or activities that could be injured, damaged, or disrupted by a tree.

APPENDIX A - TREE MAP



APPENDIX B - SITE MAP



APPENDIX C – TREE #1, RED OAK, *QUERCUS RUBRA*



APPENDIX D – ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable.
2. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible for the accuracy of information provided by others.
3. The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services described in the fee schedule and contract of engagement.
4. Loss or alteration of any report invalidates the entire report.
5. Possession of this report of a copy thereof does not imply right of publication or use for any purpose by any person other than to whom it is addressed, without the prior expressed written consent of the consultant/appraiser.
6. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
7. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports.
8. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.

APPENDIX E - CERTIFICATION OF PERFORMANCE

I, Marshall Badeaux, certify:

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

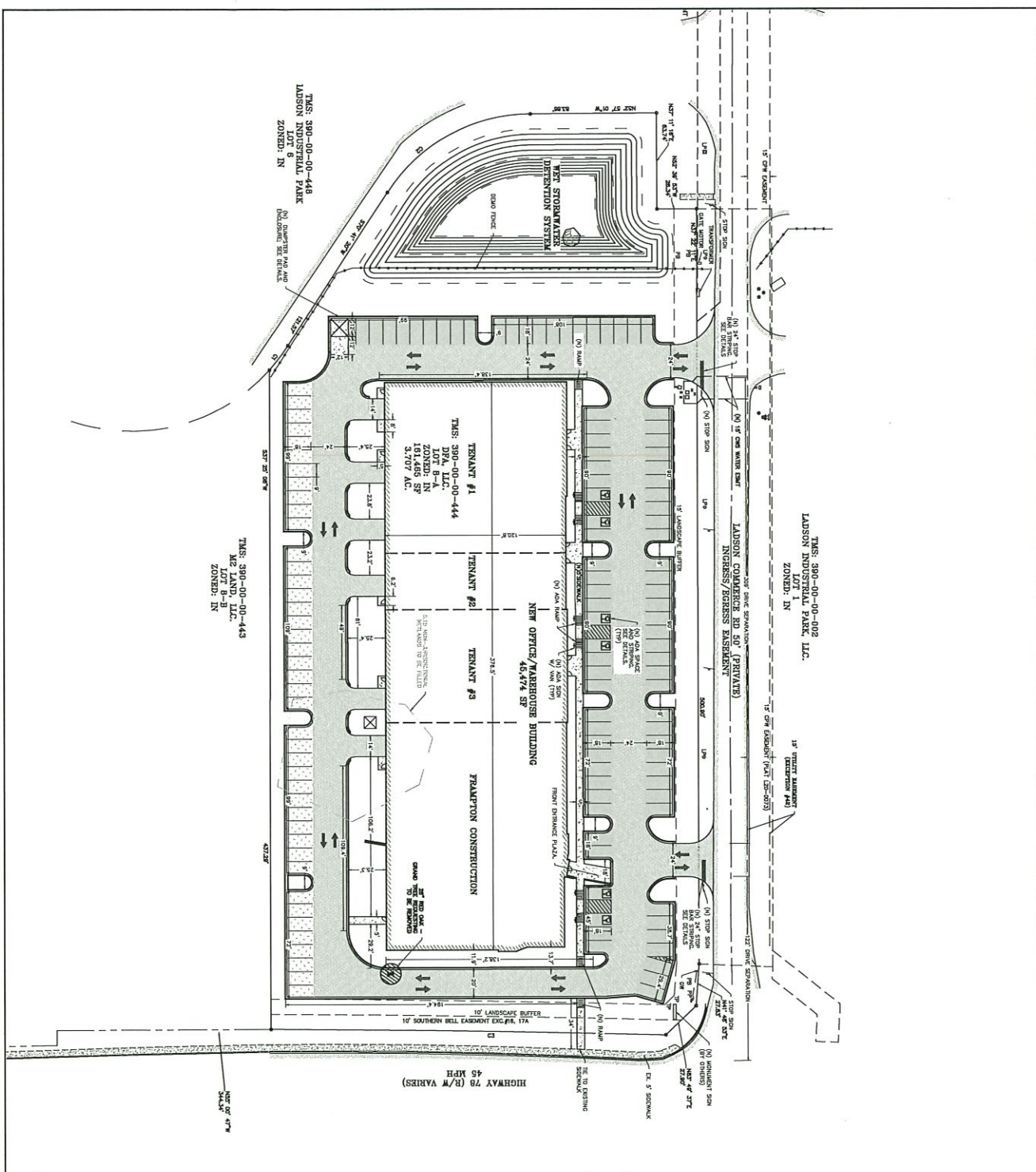
I furthermore certify that I am a member in good standing of the American Society of Arboriculture and the International Society of Arboriculture. I have been involved in the practice of Arboriculture and the care of trees for over 20 years.

Signed:



Date: February 23, 2022





GENERAL NOTES

1. REFER TO ALL NOTES ON THE PLANS FOR THE BUILDING, PARKING, TRUCK SPACE, STORAGE, AND OTHER AREAS. ALL DIMENSIONS SHOWN ARE TO CENTER LINE OF BUILDING, FACE OF CURB, OR FACE OF PAVEMENT.
2. ALL DIMENSIONS SHOWN ARE TO CENTER LINE OF BUILDING, FACE OF CURB, OR FACE OF PAVEMENT.

PARKING SUMMARY

TOTAL BUILDING SPACES	45,474 SF
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC

BUILDING COVERAGE

TOTAL BUILDING AREA	45,474 SF (10.47 AC)
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC

PERVIOUS AREAS COVERAGE

TOTAL PERVIOUS AREA	2,307 AC (10.47 AC)
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC
TOTAL TRUCK SPACE	2,307 AC
TOTAL STORAGE SPACE	2,307 AC

PAVING LEGEND

PERVIOUS CONCRETE	CONCRETE
STANDARD DUTY ASPHALT	HEAVY DUTY ASPHALT (ONE LAYER SHOWN)

GENERAL NOTES

1. REFER TO ALL NOTES ON THE PLANS FOR THE BUILDING, PARKING, TRUCK SPACE, STORAGE, AND OTHER AREAS. ALL DIMENSIONS SHOWN ARE TO CENTER LINE OF BUILDING, FACE OF CURB, OR FACE OF PAVEMENT.
2. ALL DIMENSIONS SHOWN ARE TO CENTER LINE OF BUILDING, FACE OF CURB, OR FACE OF PAVEMENT.

Case # 5

**Public Comment
Received before
6/29**

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