



Case # BZA-05-24-00788

Charleston County BZA Meeting of July 1, 2024

Applicant: Hank Walpole

Property Owner: Guerry Glover of Long Hill Farms Limited Partnership, L.P.

Property Location: 3621 Bonche Road – Johns Island

TMS#: 215-00-00-190

Zoning District: Rural Agricultural (AG-8) Zoning District

Request: Special Exception request for the establishment of a Resource Extraction/Mining use in the Rural Agricultural (AG-8) 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 Resource Extraction/Mining in the AG-8 Zoning District is a use type allowed only if it complies with use-specific conditions of Sec. 6.4.14, all other applicable regulations of this Ordinance and is approved by the BZA as a Special Exception.

Article 6.4 Use Conditions, Sec. 6.4.14 Resource Extraction, A. Applications: "All uses involving Resource Extraction shall complete the Site Plan Review process and obtain a Zoning Permit. Prior to Site Plan Review approval, the applicant shall receive approval or written documentation of exemption from the South Carolina Department of Health and Environmental Control (SCDHEC)."

C. Special Exceptions: "Resource Extraction uses that do not meet the conditions of Sec. 6.4.14.D below shall comply with the Special Exception procedures of this Ordinance and all requirements of sub-sections A. and B. above. The applicant shall receive Special Exception approval and approval from SCDHEC, prior to Site Plan Review approval. The Board of Zoning Appeals may, on a case-by-case basis, also require conditions of approval, including but not limited to: restricting days and hours of operation; requiring documentation from a South Carolina Registered Professional Geologist regarding potential impacts on wells, groundwater, and surface water; and requiring that the excavation area be screened and that a drainage plan be submitted and approved for the restoration of the site when excavation has been completed."

ARTICLE 6.1 USE TYPES AND USE TABLE

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

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

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

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-3 | AGR | RR | S-5 | R-4 | UR | MHS | IMHP | CI | RO | GO | NC | | RC | CC | RI | IN |
| AGRICULTURAL | | | | | | | | | | | | | | | | | | | | | | |
| AGRICULTURAL AND ANIMAL PRODUCTION, PROCESSING, AND SUPPORT | | | | | | | | | | | | | | | | | | | | | | |

| 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-5 | AGR | RR | S-3 | R-4 | UR | MHS | MHP | CI | RO | GO | NC | RC | CC | RI | | IN |
| Artisan and Craftsman | | | | | C | C | C | C | | | | | | | | C | C | C | A | A | A | Sec. 6.4.43 |
| Manufacturing and Production | | | | | | | | | | | | | | | | | | C | C | A | A | Sec. 6.4.57 |
| Aircraft Manufacturing and Production, including Related Parts | | | | | | | | | | | | | | | | | | | | | A | |
| Chemical Manufacturing and Production | | | | | | | | | | | | | | | | | | | | S | S | |
| Clay or Related Products, Furniture, Cabinets, or Related Products, Toy or Artwork, or Wood Products Manufacturing and Production | | | | | | | | | | | | | | | | | | C | C | A | A | Sec. 6.4.57 |
| Microbrewery and Distillery | | | | | | | | | | | | | | | | | | C | C | C | | Sec. 6.4.33 |
| Pulp Mill or Paper Mill; Rendering Plant | | | | | | | | | | | | | | | | | | | | | S | |
| Slaughter House and Meat Packing | | | | | | | | | | | | | | | | | | | | S | S | |
| Stone or Shell Products Manufacturing and Production | | | | | | | | | | | | | | | | | | C | S | S | | Sec. 6.4.57 |
| WAREHOUSE AND FREIGHT MOVEMENT | | | | | | | | | | | | | | | | | | | | | | |
| Warehouse and Distribution Facility | | | | | | | | | | | | | | | | | | | | A | A | |
| Container Storage Facility | | | | | | | | | | | | | | | | | | | C | C | | Sec. 6.4.52 |
| Freight Forwarding Facility | | | | | | | | | | | | | | | | | | C | C | C | | Sec. 6.4.49 |
| Fuel Storage Facility | | | | | | | | | | | | | | | | | | | | A | A | |
| Grain Terminals and Elevators | | | | | | | | | | | | | | | | | | | | A | A | |
| Stockpiling of Sand, Gravel, or other Aggregate Materials | | | | | | | | | | | | | | | | | | | | A | A | |
| Storage or Manufacturing of Weapons or Ammunition | | | | | | | | | | | | | | | | | | | | S | S | |
| OTHER USES | | | | | | | | | | | | | | | | | | | | | | |
| RECYCLING USES | | | | | | | | | | | | | | | | | | | | | | |
| Recycling Center | | | | | | | | | | | | | | | | | | | | A | A | |
| Recycling Collection, Drop-Off | | | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | Sec. 6.4.58 |
| RESOURCE EXTRACTION/MINING | | | | | | | | | | | | | | | | | | | | | | |
| Resource Extraction/Mining | | | S | S | S | S | S | | | | | | | | | | | | | S | S | Sec. 6.4.14 |
| TRANSPORTATION | | | | | | | | | | | | | | | | | | | | | | |

Sec. 6.4.14 Resource Extraction

A. Applications. All uses involving Resource Extraction shall complete the Site Plan Review process and obtain a Zoning Permit. Prior to Site Plan Review approval, the applicant shall receive approval or written documentation of exemption from the South Carolina Department of Health and Environmental Control (SCDHEC).

B. Requirements.

1. A Resource Extraction use shall not be allowed on a Lot located within 2.5 miles of another Lot for which a Site Plan Review or Zoning Permit application for a Resource Extraction use has been submitted or approved, or for which a Resource Extraction use has been permitted or is currently in operation, whether located in the unincorporated County or within a municipality. Distances shall be measured as a radius from the nearest property line of the subject Lot to the nearest property line of a Lot containing another Resource Extraction use as described above. Subdivision-related Resource Extraction uses required for compliance with Charleston County Stormwater regulations shall be exempt from this requirement provided that only the minimum amount of material required for compliance with the County's Stormwater regulations is removed. Removal of material beyond the minimum amount required for compliance with the County's Stormwater regulations shall be subject to the 2.5-mile radius requirement described above and all other applicable requirements of this Ordinance.
2. There shall be direct access to a public Arterial Street.
3. A Sign listing the name and phone number of a local contact for the Resource Extraction use shall be posted at the haul road entrance.
4. The Resource Extraction operation shall not be located within 50 feet of any property boundary, within 250 feet of a public Street, and/or within 250 feet of any Building intended for human occupancy existing at the time of permit application.
5. A Berm located within the required buffer may be required to mitigate noise at the discretion of the Zoning and Planning Director.
6. The hours of operation for Resource Extraction operations shall be limited to Mondays through Saturdays from 7:00 am to 6:00 pm. The Board of Zoning Appeals shall have the authority to modify the days and hours of operation to make them either more or less restrictive on a case-by-case basis.

C. Special Exceptions. Resource Extraction uses that do not meet the conditions of Sec. 6.4.14.D below shall comply with the Special Exception procedures of this Ordinance and all requirements of sub-sections A and B above. The Applicant shall receive Special Exception approval and approval from SCDHEC, prior to Site Plan Review approval. The Board of Zoning Appeals may, on a case-by-case basis, also require conditions of approval, including but not limited to: restricting days and hours of operation; requiring documentation from a South Carolina Registered Professional Geologist regarding potential impacts on wells, groundwater, and surface water; and requiring that the excavation area be screened and that a drainage plan be submitted and approved for the restoration of the site when excavation has been completed. All owners of property located within 500 feet of the Subject Property shall be notified of Special Exception applications in accordance with the "Neighbor Notice" requirements of Sec. 3.1.6.B of this Ordinance.

D. Special Exception Exemptions for Residential and Bona Fide Agricultural Uses. Excavation or grading activities solely for residential use, recreational use, or Bona Fide Agricultural Use shall be exempt from the Special Exception procedures and Sec. 6.4.14.B of this Ordinance if the use complies with all of the following conditions:

1. The Resource Extraction operation shall be limited to one year;
2. The Resource Extraction operation shall not be located within 50 feet of any property boundary and/or within 250 feet of any Building intended for human occupancy existing at the time of permit application. No vegetated buffers are required;
3. The Resource Extraction operation shall be two acres or less, provided that the total accumulated area(s) dedicated to Resource Extraction uses on a Parcel is less than five acres. The Special Exception procedures and Sec. 6.4.14.B of this Ordinance shall apply if the total accumulated Resource Extraction area is greater than five acres;
4. No more than one Resource Extraction use shall be permitted on the same property within one year from the date of Zoning Permit approval for a previous Resource Extraction use;
5. A Sign listing the name and phone number of a local contact for the Resource Extraction use shall be posted at the haul road entrance; and
6. The hours of operation for Resource Extraction operations shall be limited to Mondays through Saturdays from 7:00 am to 6:00 pm.

E. Plat Alternative for Bona Fide Agricultural Uses. The Zoning and Planning Director may waive the requirement that an Approved and Recorded Plat of the Subject Property be submitted as part of a Resource Extraction application for a Bona Fide

Agricultural Use when the proposed use complies with all of the conditions of sub-section C, above, and a scaled survey, scaled aerial photograph, or print of equal quality is submitted.

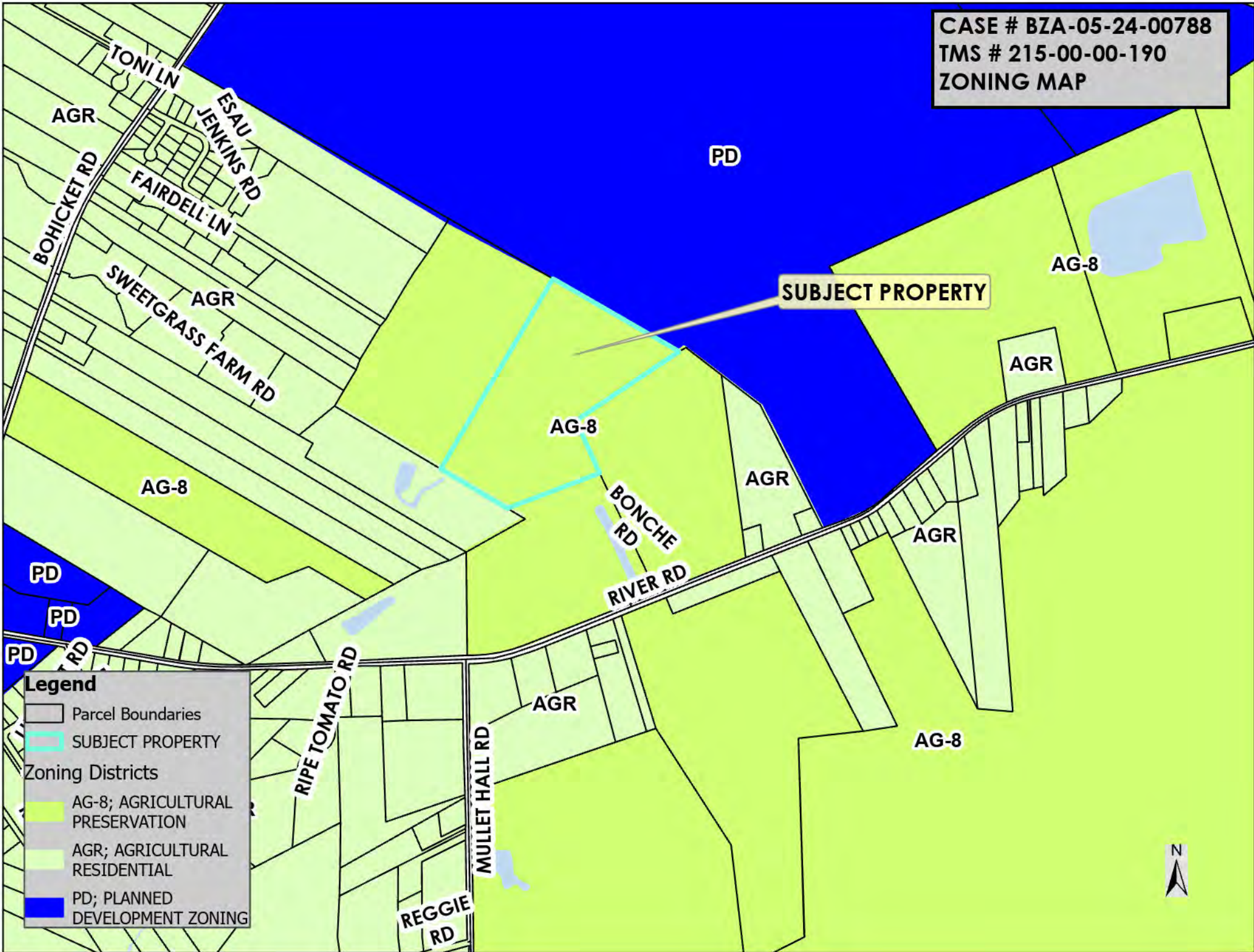
F. **Special Exception Exemption for Solid Waste Disposal Facility**. Excavation or grading activities required to prepare, operate, or close a permitted Solid Waste Disposal Facility site shall be exempt from the Special Exception procedures of this Ordinance and the requirements included in sub-section B above.

Effective on: 12/21/2023, as amended

Resource Extraction/Mining

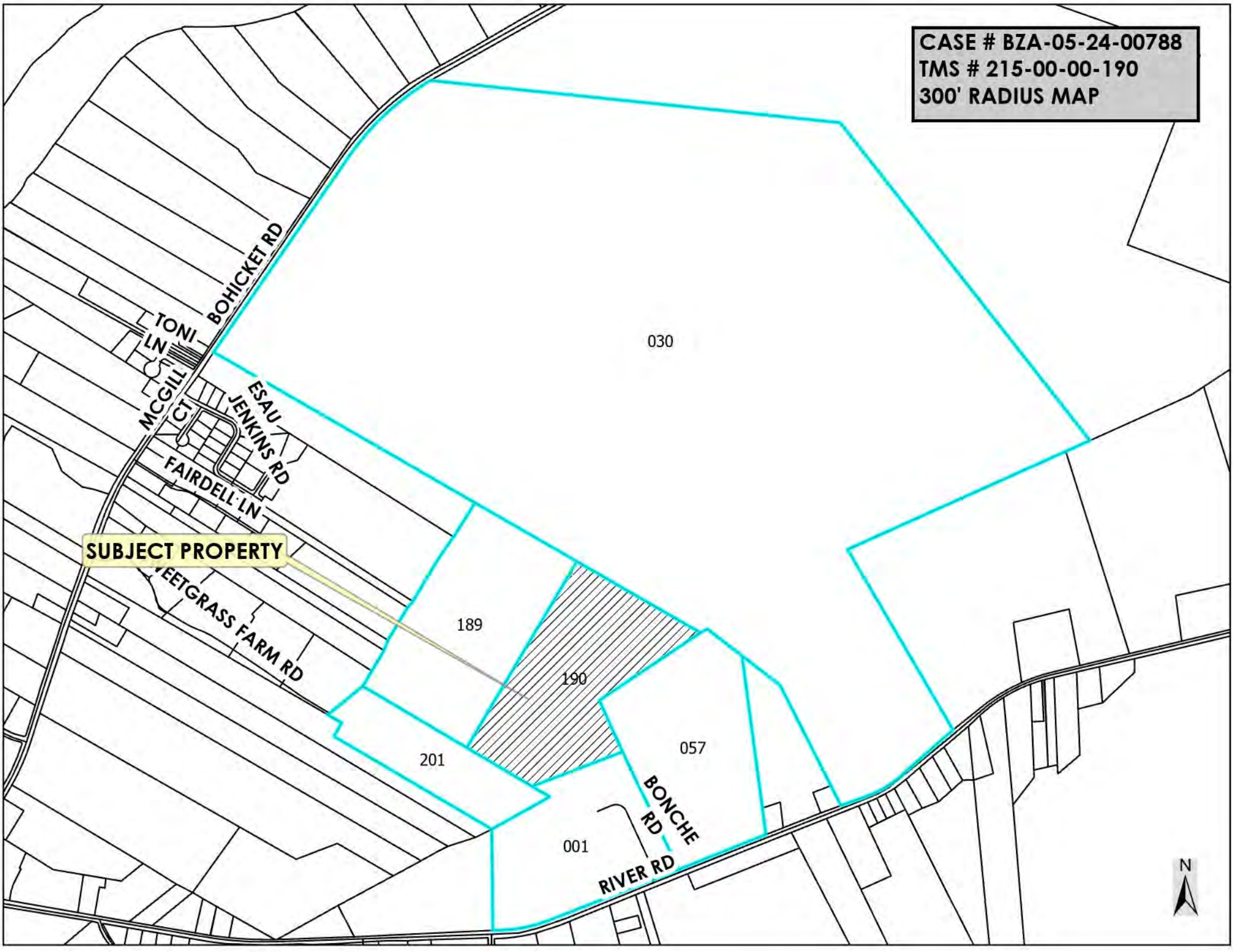
- A. The breaking of the surface soil to facilitate or accomplish the extraction or removal of ores or mineral solids for sale or processing or consumption in the regular operation of a business;
- B. Removal of overburden lying above natural deposits of ore or mineral solids and removal of the mineral deposits exposed, or by removal of ores or mineral solids from deposits lying exposed in their natural state.
- C. Removal of overburden and the Mining of limited amounts of ores or mineral solids are not considered Mining when done only for the purpose of determining location, quantity, or quality of a natural deposit, if no ores or mineral solids removed during exploratory excavation or Mining are sold, processed for sale, or consumed in the regular operation of a business and if the affected land does not exceed two acres in area. Mining does not include plants engaged in processing minerals except as the plants are an integral on-site part of the removal of ores or mineral solids from natural deposits. Mining does not include excavation or grading when conducted solely in aid of on-site farming or of on-site construction. Mining does not include dredging operations where the operations are engaged in the harvesting of oysters, clams, or the removal of shells from coastal bottoms.

CASE # BZA-05-24-00788
TMS # 215-00-00-190
ZONING MAP



CASE # BZA-05-24-00788
TMS # 215-00-00-190
300' RADIUS MAP

SUBJECT PROPERTY



CASE # BZA-05-24-00788
TMS # 215-00-00-190
AERIAL MAP

SUBJECT PROPERTY



CASE # BZA-05-24-00788
TMS # 215-00-00-190
AERIAL MAP

FAIRDELL LN

SWEETGRASS
FARM RD

SUBJECT PROPERTY

BONCHERD

RIVER RD



RIPE
TOMATO RD

MULLETT
HALL RD



Case # BZA-05-24-00788

BZA Meeting of July 1, 2024

Subject Property: 3621 Bonche Road – Johns Island

Proposal: Special Exception request for the establishment of a Resource Extraction/Mining use in the Rural Agricultural (AG-8) Zoning District.



Subject Property



Subject Property



Subject Property



Subject Property



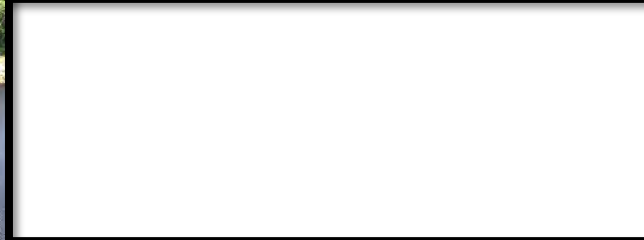
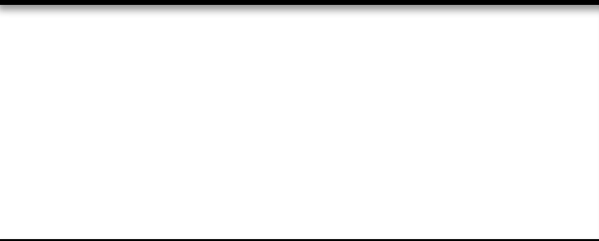
Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Staff Review:

The applicant, Hank Walpole, and the property owner, Guerry Glover of Long Hill Farms Limited Partnership, L.P. are requesting a Special Exception for the establishment of a Resource Extraction/Mining use in the Rural Agricultural (AG-8) Zoning District at 3621 Bonche Road (TMS # 215-00-00-190) on Johns Island in Charleston County.

The subject property and properties to the east, west, and southwest are located in the Rural Agricultural (AG-8) Zoning District. The property to the north is zoned Planned Development and the property to the south is located in the Agricultural Residential (AGR) Zoning District.

Currently, the 33.67-acre subject property (Lot A2 for agricultural use only on the approved and recorded plat) is in the Site Plan Review process (ZSPR-11-23-00956) to retroactively permit an irrigation pond. The proposed finished pond will be 6.63 acres.

The applicant's letter of intent explains, *"In July of 2017, we received a permit from SCDHEC to construct an irrigation pond to serve our farms, including irrigating a tree nursery and 28 acres of crops. Material was used on site to build farm access roads and remaining was proved to various builders and landscapers on the Sea Islands. Pond excavation is complete, and we are requesting a permit to finish sloping and seeding the bank."*

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 Resource Extraction/Mining in the AG-8 Zoning District is a use type allowed only if it complies with use-specific conditions of Sec. 6.4.14, all other applicable regulations of this Ordinance and is approved by the BZA as a Special Exception.

Article 6.4 Use Conditions, Sec. 6.4.14 Resource Extraction, A. Applications: *"All uses involving Resource Extraction shall complete the Site Plan Review process and obtain a Zoning Permit. Prior to Site Plan Review approval, the applicant shall receive approval or written documentation of exemption from the South Carolina Department of Health and Environmental Control (SCDHEC)."*

C. Special Exceptions: *"Resource Extraction uses that do not meet the conditions of Sec. 6.4.14.D below shall comply with the Special Exception procedures of this Ordinance and all requirements of sub-sections A. and B. above. The applicant shall receive Special Exception approval and approval from SCDHEC, prior to Site Plan Review approval. The Board of Zoning Appeals may, on a case-by-case basis, also require conditions of approval, including but not limited to: restricting days and hours of operation; requiring documentation from a South Carolina Registered Professional Geologist regarding potential impacts on wells, groundwater, and surface water; and requiring that the excavation area be screened and that a drainage plan be submitted and approved for the restoration of the site when excavation has been completed."*

Staff conducted a site visit on June 12, 2024. Please review the attachments for further information 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 subject property is located in the Rural Area and implements the Rural Area policies and Rural Agriculture future land use category of the Charleston County Comprehensive Plan. Per the Plan, "The intent for this area is to retain the viability of agriculture while accommodating low levels of population growth. Density is one dwelling per eight acres. Incentive provisions should be made to encourage conservation design to retain acreage suitable for maintaining agriculture, protection of natural, historic, and cultural resources, and provision of open space. Specific regulatory techniques may include flexible site planning guidelines, minimum lot sizes, or conservation or clustered design with retention of open space. Such provisions will maintain the agricultural land base, while enhancing development values, particularly along waterfront properties. Appropriate public services and facilities that are consistent with the goals and strategies of this Plan should be permitted to ensure sufficient provision of **services.**" In addition, the **applicant's letter of intent states**, "Yes, we are in a zoned agriculture district and the irrigation farm should fit this use." Therefore, the completed irrigation pond will be consistent with the recommendations contained in the Comprehensive Plan and the character of the AG-8 Zoning District. Thus, the request meets 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 resource extraction use is compatible with the existing 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**, "We are requesting to finish sloping and seeding the irrigation pond which is being used primarily to serve the crops and farming on the property as commonly present throughout the Lowcountry. The benefits of this pond are multi factorial and in no way adversely affects the immediate community. As noted by the arborist all trees have been preserved, buffers and setbacks are met, it has already become a haven for more wildlife. The area is a conserved and beautiful green space amidst a developing Johns Island. In addition, the pond will provide benefit to the crops and tree nursery. Currently our main concern is that not finishing the sloping is an endangerment to others." Therefore, the request meets 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 project is currently in the Site Plan Review process to ensure compliance with the Ordinance. **The applicant's letter of intent states**,

“As seen in the Site Plan and approved in our meeting with the arborist all setbacks and buffering requirements have been met. The two grand oaks are across the pond from the requested work needed and have tree protection in place. The irrigation pond sits on a 30-acre farm and is enriching the space around. Work will be done in the business hours noted by the city to avoid additional noise. We have great relationships with the properties adjacent and they are aware and in support of our request.” 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 proposed plan preserves and incorporates important natural features. The **applicant’s letter of intent states**, *“Yes, the pond was designed to enhance and serve the beauty of the surrounding farm while maintaining the integrity and benefits of wildlife and land. We have preserved trees in the process of completing work.”* 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: The applicant is currently in the Site Plan Review process to ensure compliance with the applicable requirements of this Ordinance and to coordinate with other pertinent regulatory agencies. **The applicant’s letter of intent states**, *“Pond was designed and constructed using best management practices. All setbacks and protection measures have been met and it is our desire to meet the City Ordinances needed. Please advise so that we can complete the final work on the pond.”* 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**, *“No, the irrigation pond sits back on the farm and does not impact vehicular or pedestrian traffic. There will be very little equipment or traffic to complete the requested proposal.”* 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-05-24-00788, [Special Exception for the establishment of a Resource Extraction/Mining use in the Rural Agricultural (AG-8) Zoning District at 3621 Bonche Road (TMS # 215-00-00-190) on Johns 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.
2. The days and hours of operation for this project shall not exceed Monday through Friday, 7:00 am to 5:00 pm.



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

*Full Application
Submitted via email*

| | | | |
|--|------------------------------|----------------------------|------------------------|
| Property Information | | | |
| Subject Property Address: Bonche Road, Johns Island, SC 29455 | | | |
| Tax Map Number(s): 215-0000-190 | | | |
| Current Use of Property: This is a multi-generational farm conserved for enjoyment and has current farming with plans to extend to a tree nursery. | | | |
| Special Exception Description: We are requesting to finish sloping the bank to complete the irrigation pond at Longhill Farm. | | | |
| Applicant Information (Required) | | | |
| Applicant Name (please print): Hank Walpole | | | |
| Name of Company (if applicable): | | | |
| Mailing Address: 2568 Sunnyside Farm Road | | | |
| City: Johns Island | State: SC | Zip Code: 29455 | |
| Email Address: fhwalpole@gmail.com | | Phone #: 843-708-0526 | |
| Applicant Signature: <i>[Signature]</i> | | Date: <i>4/16/24</i> | |
| Representative Information (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 #: | |
| 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): Guerry Glover | | | |
| Name of Company (if applicable, LLC etc.): 1545 Burnswick Drive Long Hill Farms LP | | | |
| Property Owner(s) Mailing Address: 1545 Burnswick Drive | | | |
| City: Johns Island | State: SC | Zip Code: 29455 | Phone #: 843-224-6175 |
| Property Owner(s) Email Address: guerryglover@icloud.com | | | |
| Property Owner(s) Signature: <i>Guerry Glover</i> | | Date: <i>4/17/24</i> | |
| FOR OFFICE USE ONLY: | | | |
| Zoning District: <i>A15-8</i> | Flood Zone: <i>X (0655K)</i> | Date Filed: <i>5/24/24</i> | Fee Paid: <i>\$250</i> |
| Application #: <i>BZA-0524-00788</i> | TMS #: <i>215-00-00-190</i> | Staff Initials: <i>jjw</i> | |

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.)

In July of 2017, we received a permit from SCDEC to construct an irrigation pond to serve our farms, including irrigating a tree nursery and 28 acres of crops. Material was used on site to build farm access roads and remaining was proved to various builders and landscapers on the Sea Islands. Pond excavation is complete and we are requesting a permit to finish sloping and seeding the bank.

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:

Yes, we are in a zoned agriculture district and the irrigation farm should fit this use.

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.

We are requesting to finish sloping and seeding the irrigation pond which is being used primarily to serve the crops and farming on the property as commonly present throughout the Lowcountry. The benefits of this pond are multi factorial and in no way adversely affects the immediate community. As noted by the arborist all trees have been preserved, buffers and setbacks are met, it has already become a haven for more wildlife. The area is a conserved and beautiful green space amidst a developing Johns Island. In addition the pond will provide benefit to the crops and tree nursery. Currently our main concern is that not finishing the sloping is an endangerment to others.

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.

As seen in the Site Plan and approved in our meeting with the arborist all setbacks and buffering requirements have been met. The two grand oaks are across the pond from the requested work needed and have tree protection in place. The irrigation pond sits on a 30 acre farm and is enriching the space around. Work will be done in the business hours noted by the city to avoid additional noise. We have great relationships with the properties adjacent and they are aware and in support of our request.

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

Yes, the pond was designed to enhance and serve the beauty of the surrounding farm while maintaining the integrity and benefits of wildlife and land. We have preserved trees in the process of completing work.

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.

Pond was designed and constructed using best management practices. All setbacks and protection measures have been met and it is our desire to meet the City Ordinances needed. Please advise so that we can complete the final work on the pond.

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

No, the irrigation pond sits back on the farm and does not impact vehicular or pedestrian traffic. There will be very little equipment or traffic to complete the requested proposal.

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.



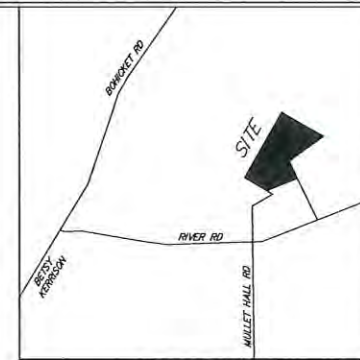
LOT A1
PROPERTY OF
LONG HILL FARMS LIMITED PARTNERSHIP
TMS# 215-00-00-189

LOT A2
PROPERTY OF
LONG HILL FARMS LIMITED PARTNERSHIP
1,486,718 SQ. FT.
33.67 ACRES

LOT A3
PROPERTY OF
SUNNYSIDE FARMS II LLC
TMS# 215-00-00-001

PROPERTY OF
RIVER ROAD TREE FARM LLC
TMS# 215-00-00-001

PROPERTY OF
KIWAH RESORT
ASSOCIATES LP
TMS# 215-00-00-165



LOCATION MAP
N.T.S.

NOTES:
BY GRAPHICAL PLOTTING ONLY THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND "Y" SHADED, AS PER F.L.R.M. COMMUNITY PANEL NUMBER 45018C 0885 K, WITH AN EFFECTIVE DATE OF JANUARY 29, 2021.
PROPERTY IS NOT LOCATED WITHIN THE LIMITS OF MODERATE WAVE ACTION.
LOT MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT OBVIOUS OR APPARENT TO THE SURVEYOR.
ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARIES OF THIS SURVEY IS FOR DESCRIPTIVE PURPOSES ONLY.
THE PUBLIC RECORDS REFERENCE ARE ONLY THOSE USED FOR ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY AND DOES NOT IN ANY WAY CONSTITUTE A TITLE SEARCH.
THE HORIZONTAL DATUM IS SC NAD 83 (2011 ADJUSTMENT) STATE PLANE.
VERTICAL DATUM IS NAVD 1988.

TREES SHOWN WERE LOCATED 9/19/23 AND WERE MEASURED AT DIAMETER BREST HEIGHT (DBH) WITH A FORESTRY TREE TAPE. ALL TREE SIZES AND SPECIES SHOULD BE VERIFIED BY GOVERNING MUNICIPALITY AND/OR A LICENSED ARBORIST BEFORE DESIGN OR CONSTRUCTION.
TREE LINE SHOWN WAS LOCATED 1/10/2024, AND WAS SHOOT AT THE APPROXIMATE BASE OF EXISTING TREES, AND DOES NOT INCLUDE CANYONES / DRIP LINES.

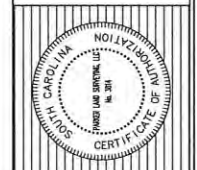
APPROVAL/PERMISSION TO REMOVE TREES IS GRANTED BY THE GOVERNING MUNICIPALITY. THIS DOCUMENT SHOULD BE VERIFIED AGAINST THE MUNICIPALITY APPROVED TREE REMOVAL PLAN. THIS DOCUMENT CANNOT BE CONSTRUED IN ANY WAY AS TO GRANT APPROVAL. PARKER LAND SURVEYING, LLC IS IN NO WAY RESPONSIBLE FOR TREES REMOVED.

THIS SURVEY DOES NOT CONFIRM OR DENY THE EXISTENCE OF WETLANDS.

REFERENCE:
PLAT RECORDED IN PLAT BOOK L16, PAGE 0275

| NO. | DATE | REVISIONS |
|-----|------------|---------------------------------------|
| 1 | 12/26/2023 | SHOW PROPOSED FINISHED TOP OF POND |
| 2 | 1/10/2024 | ADD DIRT ROADS AND EXISTING TREE LINE |

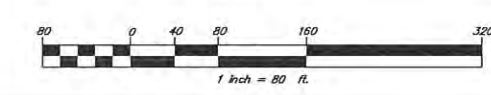
TITLE
POND ASBUILT
LOT A2, TMS# 215-00-00-190
BONCHE / RIVER ROAD
LOCATED ON JOHNS ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA



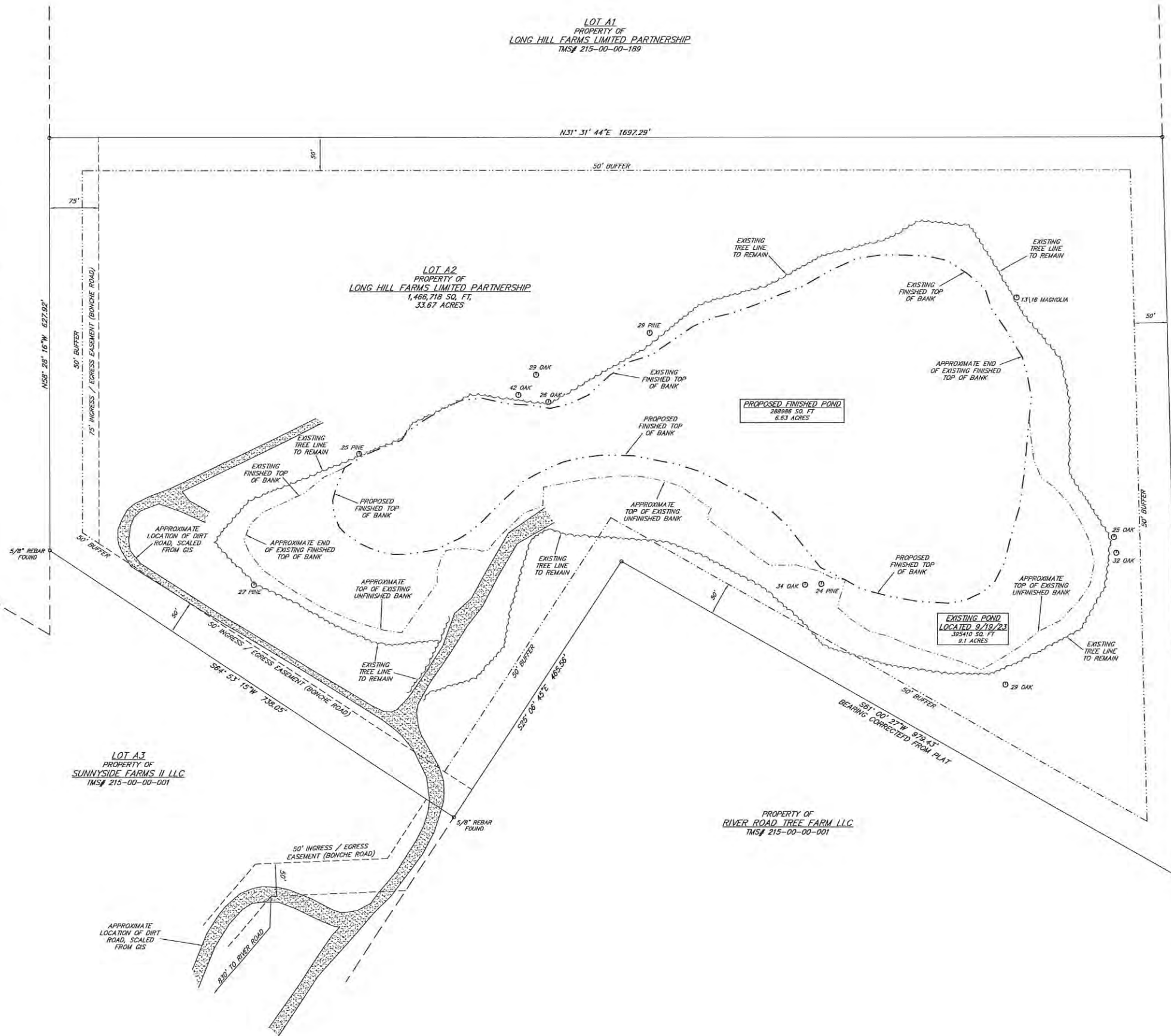
Parker Land Surveying, LLC
5910 Griffin Street
Hanahan, SC 29410
Phone: (843) 554-7777
plssc.com



DESIGNED: MEB
DRAWN: PAA
CHECKED: PAA
APPROVED: PAA
SCALE: 1" = 80'
DATE: SEPTEMBER 19, 2023
PROJECT NO.: 23-051
SHEET 1 OF 1



PROPERTY LINE WITH
PROPERTY CORNER,
MONUMENT FOUND
AS DESCRIBED



RECORDED
DATE: 6/17/2016 TIME: 3:24:43 PM
Book-Page: L16 0275 DocType: Large Plat
Charlie Lybrand, Register, Charleston County, SC

APPROVED PLAT
George A.Z. Johnson, Jr.
Director of Planning
Charleston County Planning Commission
S.M. 000000 Orellelle
App# Date

Record Fee: \$10.00
Postage: \$2.00
TOTAL: \$12.00
Drawn: 0
Clerk: 0
Location: RIVER RD

| LINE | LENGTH | BEARING |
|------|--------|-------------|
| L1 | 45.96 | S32°10'26"W |
| L2 | 94.64 | N31°39'19"E |
| L3 | 61.80 | S61°23'30"W |
| L4 | 20.00 | S69°36'30"W |
| L6 | 100.00 | S72°25'00"W |
| L7 | 100.00 | S77°22'55"W |
| L8 | 100.00 | S82°20'49"W |
| L9 | 100.00 | S87°18'43"W |
| L10 | 50.13 | N88°57'41"W |
| L11 | 9.62 | S62°00'23"W |
| L12 | 50.13 | N88°57'41"W |
| L13 | 100.00 | S87°18'43"W |
| L14 | 100.00 | S82°20'49"W |
| L15 | 100.00 | S77°22'55"W |

LEGEND:

- I.O. IRON PIN OLD
- LN. IRON PIN NEW (5/8 REBAR)
- CONCRETE MONUMENT FOUND
- C.P. CALCULATED POINT
- POWER POLE
- LIGHT POLE
- PROPERTY LINE
- ADJOINER LINE
- FENCE LINE
- OVERHEAD UTILITY LINE
- EASEMENT LINE
- OAK TREE
- PINE TREE
- GUM TREE
- MISC TREE



LOCATION MAP
N.T.S.

NOTES:

- 1.) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
- 2.) AREA DETERMINED BY COORDINATE METHOD.
- 3.) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.
- 4.) THE PRESENCE OR ABSENCE OF U.S. ARMY CORP OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
- 5.) TREE SPECIES SHOWN HEREON ARE OUR OPINION ONLY AND HAVE NOT BEEN VERIFIED BY A CERTIFIED ARBORIST PRIOR TO ANY DEVELOPMENT OR TREE REMOVAL TREE SPECIES SHALL BE VERIFIED.
- 6.) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.
- 7.) THIS PROPERTY IS LOCATED IN FLOOD ZONE A, X, SHADED X, AS PER FEMA MAP COMMUNITY-PANEL No. 455413 0665 J, DATED 11/17/2004. IT IS THE OWNER'S/BUILDER'S RESPONSIBILITY TO VERIFY THIS FLOOD ZONE WITH LOCAL AUTHORITIES PRIOR TO BUILDING.
- 8.) DECLARATION IS MADE TO THOSE PERSONS FOR WHICH THIS PLAT WAS PREPARED. IT IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS. THIS DRAWING/PLAT IS AN INSTRUMENT OF SERVICE AND IS THE SOLE PROPERTY OF GEORGE A.Z. JOHNSON, JR., INC. IT SHALL NOT BE REPRODUCED OR USED IN ANY WAY, WHATSOEVER, WITHOUT THE WRITTEN PERMISSION OF F. STEVEN JOHNSON, PLS, SC REG No. 10038. COPYRIGHT © 2016, F. Steven Johnson
- 9.) USE OF UNSEALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL OR LAND TRANSACTION, OR FILING WITH ANY PUBLIC AGENCY OR OFFICE IS UNAUTHORIZED USE AND IS A VIOLATION OF FEDERAL COPYRIGHT LAWS.
- 10.) "SURVEY INSPECTIONS" OR "UPDATES" OF THIS MAP ARE PROHIBITED.
- 11.) THESE CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 12.) ANY FURTHER SUBDIVISION OF THIS PARCEL, OR ROAD CONSTRUCTION OR EXTENSION OF THE EXISTING ROAD(S) SHOWN HEREON SHALL REQUIRE COMPLIANCE WITH THE CHARLESTON COUNTY ZONING & LAND DEVELOPMENT REGULATIONS. BEFORE THE COUNTY OF CHARLESTON ACCEPTS ANY DEDICATION OF THE ROAD(S) INTO THE COUNTY SYSTEM, THE PROPERTY OWNER SHALL CONSTRUCT THE ROAD(S) TO THE COUNTY OF CHARLESTON ROAD STANDARDS.
- 13.) IT IS HEREBY EXPRESSLY UNDERSTOOD BY THE PROPERTY OWNER, DEVELOPER OR ANY SUBSEQUENT PURCHASER(S) OF ANY LOTS SHOWN ON THIS 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 ARE NOT LIMITED TO, GARBAGE DISPOSAL, PUBLIC WATER, FIRE PROTECTION OR EMERGENCY MEDICAL SERVICE.
- 14.) BE AWARE THAT THE COUNTY OF CHARLESTON IS NOT RESPONSIBLE FOR DRAINAGE PROBLEMS AND FLOODING PROBLEMS, OR FOR PROBLEMS RELEVANT TO THE REAL PROPERTY, AND THAT EMERGENCY VEHICLES MAY HAVE DIFFICULTY ACCESSING THE PROPERTY.
- 15.) NO PUBLIC FUNDS SHALL BE USED FOR THE MAINTENANCE OF THE ROADS SHOWN ON THIS PLAT.
- 16.) THE APPROVAL OF THIS PLAT IN NO WAY OBLIGATES THE COUNTY OF CHARLESTON TO ACCEPT CONTINUED MAINTENANCE OF ANY OF THE ROAD(S) AND/OR EASEMENT(S) SHOWN ON THIS PLAT.
- 17.) ALL FLAG LOTS, CUL-DE-SAC, AND PRIVATELY ACCESSED LOTS SHALL COMPLY WITH THE INTERNATIONAL FIRE CODE, AS ADOPTED BY COUNTY COUNCIL. (MIN. 13'6" HEIGHT, 20' WIDTH WITHIN EASEMENT)

General Property Survey

I, F. Steven Johnson, a Registered Professional Land Surveyor in the State of South Carolina, certify to owner(s) shown hereon that this 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.

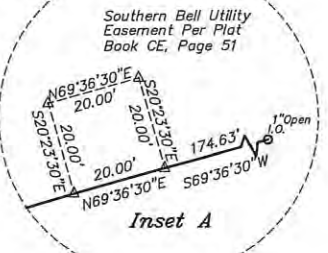


1/ We hereby dedicate the 50' & 75' road ingress/egress easement to the use of the property owners forever. Owners of these lots and their heirs and assigns guarantee its maintenance.

Querry Glover
Property Owner

F. Steven Johnson, RLS S.C. No. 10038
This plat not a valid, true copy unless bearing the raised, embossed seal of the surveyor.
JOB# 24277 F.B.# PLAT DRAWN BY: FSJ

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AC-B DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

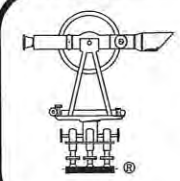
| | |
|------------------------|-----------------------------|
| MAXIMUM DENSITY | 1 dwelling unit per 8 acres |
| MINIMUM LOT AREA | 1 acres |
| MINIMUM LOT WIDTH | 135 feet |
| MINIMUM SETBACKS | |
| Front/Street Side | 50 feet |
| Interior Side | 15 feet |
| Rear | 30 feet |
| OCRM Critical Line | 50 feet |
| MAXIMUM BUILDING COVER | 30% of lot |
| MAXIMUM HEIGHT | 35 feet |

REFERENCES:

- 1.) T.M.S. 215-00-00-001
- 2.) PLAT BY CALVERT SURVEYING CO. INC. DATED DECEMBER 15, 1972 PLAT BOOK AB, PAGE 30 RMC CHARLESTON COUNTY
- 3.) PLAT BY A.L. GLEN DATED JANUARY 1957 PLAT BOOK R 86, PAGE 71 RMC CHARLESTON COUNTY
- 4.) PLAT BY W.C. BLOT DATED DECEMBER 15, 1949 PLAT BOOK NOT RECORDED
- 5.) PLAT BY GEOMETRIC SURVEYING COMPANY, INC. DATED MARCH 16, 1988 PLAT BOOK BR, PAGE 19 RMC CHARLESTON COUNTY
- 6.) PLAT BY HAROLD J. LEA MOND DATED JULY 15, 1974 PLAT BOOK AD, PAGE 143 RMC CHARLESTON COUNTY
- 7.) PLAT BY PALMETTO LAND SURVEYING, INC. DATED JULY 20, 2000 REV AUGUST 10, 2000 PLAT BOOK EE, PAGE 465 RMC CHARLESTON COUNTY
- 8.) PLAT BY PALMETTO LAND SURVEYING, INC. DATED APRIL 7, 2000 REV APRIL 24, 2000 PLAT BOOK EE, PAGE 068 RMC CHARLESTON COUNTY
- 9.) PLAT BY ASHLEY SURVEYING, INC. DATED FEBRUARY 19, 1997 PLAT BOOK PB, PAGE 100 RMC CHARLESTON COUNTY
- 10.) PLAT BY JOHN E. WADE JR. DATED JANUARY 29, 1997 PLAT BOOK EB, PAGE 632 RMC CHARLESTON COUNTY
- 11.) PLAT BY ASHLEY SURVEYING, INC. DATED APRIL 19, 1994 PLAT BOOK DA, PAGE 111 RMC CHARLESTON COUNTY
- 12.) PLAT BY E.M. SEABROOK JR., INC. DATED OCTOBER 8, 1998 PLAT BOOK ED, PAGE 135 RMC CHARLESTON COUNTY

SUBDIVISION
PLAT OF TMS No. 215-00-00-001
TRACT A, 102.365 ACRE TRACT OF LAND
INTO LOT A1, A2, AND A3
OWNED BY LONGHILL FARMS MANAGEMENT, LLC
LOCATED ON JOHNS ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA

DATE: MAY 4, 2016 SCALE: 1" = 200'
200 100 0 200 400 600
SCALE IN FEET



GEORGE A.Z. JOHNSON, JR., INC.
ENGINEERS · PLANNERS · LAND SURVEYORS

6171 SAVANNAH HIGHWAY
RAVENEL, SOUTH CAROLINA 29470
(843) 889.1492 Charleston No. 722.3892 Edisto No. 869.1495
Fax No. (843) 889.1054

**Letters of Support
provided by the
Applicant**

April 29, 2024

Charleston County Board of Zoning Appeals
4045 Bridge View Drive
North Charleston, SC 29405

Re: Longhill Farms Limited Partnership, L.P.
TMS #: 2150000190
Special Exception Request
ZSPR-11-23-00956- Johns Island

Dear Board Members,

I am writing on behalf of Kiawah Resort Associates, L.P., (KRA) who are the adjacent property owners to the subject tract regarding the above referenced Special Exception request that is needed to complete the construction of an irrigation pond. KRA fully supports this request and the Site Plan Review application related to this request.

The Glover and Walpole families have owned this property for many years, and I am confident they will continue to not only take care of the land, but also maintain good relationships with those around them. As explained in the application materials, the irrigation pond will support the farming on their adjacent properties and thus is consistent with the County's Comprehensive Plan and the Zoning classification for the property.

Sincerely,



Ray C. Pantlik

Danny Milleman

843.834.5999

dmillem@bellsouth.net

April 21st, 2024

▶ **Charleston County Zoning Board of Appeals**

RE: Longhill Farm Zoning: 215-0000-190

Dear Charleston County Zoning Board of Appeals,

Thank you for the opportunity to share my support for the Glover and Walpole family, and the irrigation pond they are seeking a permit for. My family has owned the 37 acres directly adjacent to Longhill Farm for the past 7 years or so, our family property location is 3694 River Road (River Road Tree Farm, LLC). Prior to owning the property and becoming neighbors we knew both the Glover and Walpole family, since purchasing the land, we have gotten to know them personally, but also seen the care and passion they have for farming and enjoying the land of Johns Island.

We understand and agree with the work completed, and greatly support the need for them to finish the sloping and seeding of the pond. As the direct neighbors to this work, we have no objection and know that they will continue to be exceptional stewards of this property. I appreciate you reviewing their request and our support. Should you have any additional questions please don't hesitate to reach out.

Best,

 4-21-24
Danny Milleman