



Case # BZA-05-24-00789

Charleston County BZA Meeting of July 1, 2024

Applicant/Property Owner: Jeffery McLain
Representative: Jenna Nelson of Bowman Consulting Group Ltd.
Property Location: 7200 Hightborne Road – St. Pauls Area
TMS#: 175-00-00-023
Zoning District: Resource Management (RM) Zoning District
Request: Special Exception request for the establishment of a Resource Extraction/Mining use in the Resource Management (RM) 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 RM 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-8	AGR	RR	S-3	R-4	UR	MHS	MHP	CI	RO	GO	NC	RC	CC		RI
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-8	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	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-05-24-00789
TMS # 175-00-00-023
ZONING MAP

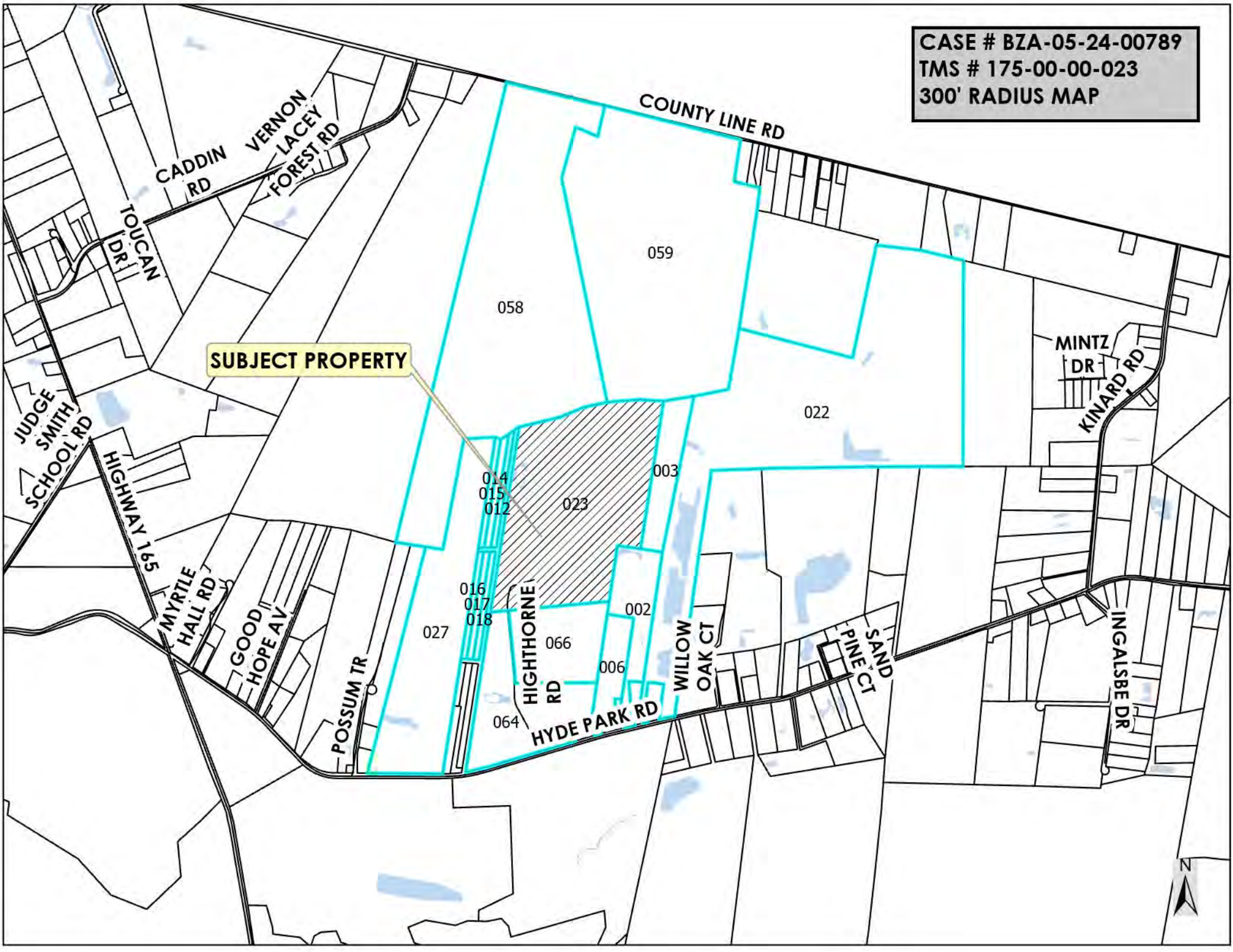


Legend

Parcel Boundaries	AGR; AGRICULTURAL RESIDENTIAL
SUBJECT PROPERTY	CC; COMMUNITY COMMERCIAL
Zoning Districts	
AG-10; AGRICULTURAL PRESERVATION	RM; RESOURCE MANAGEMENT

CASE # BZA-05-24-00789
 TMS # 175-00-00-023
 300' RADIUS MAP

SUBJECT PROPERTY

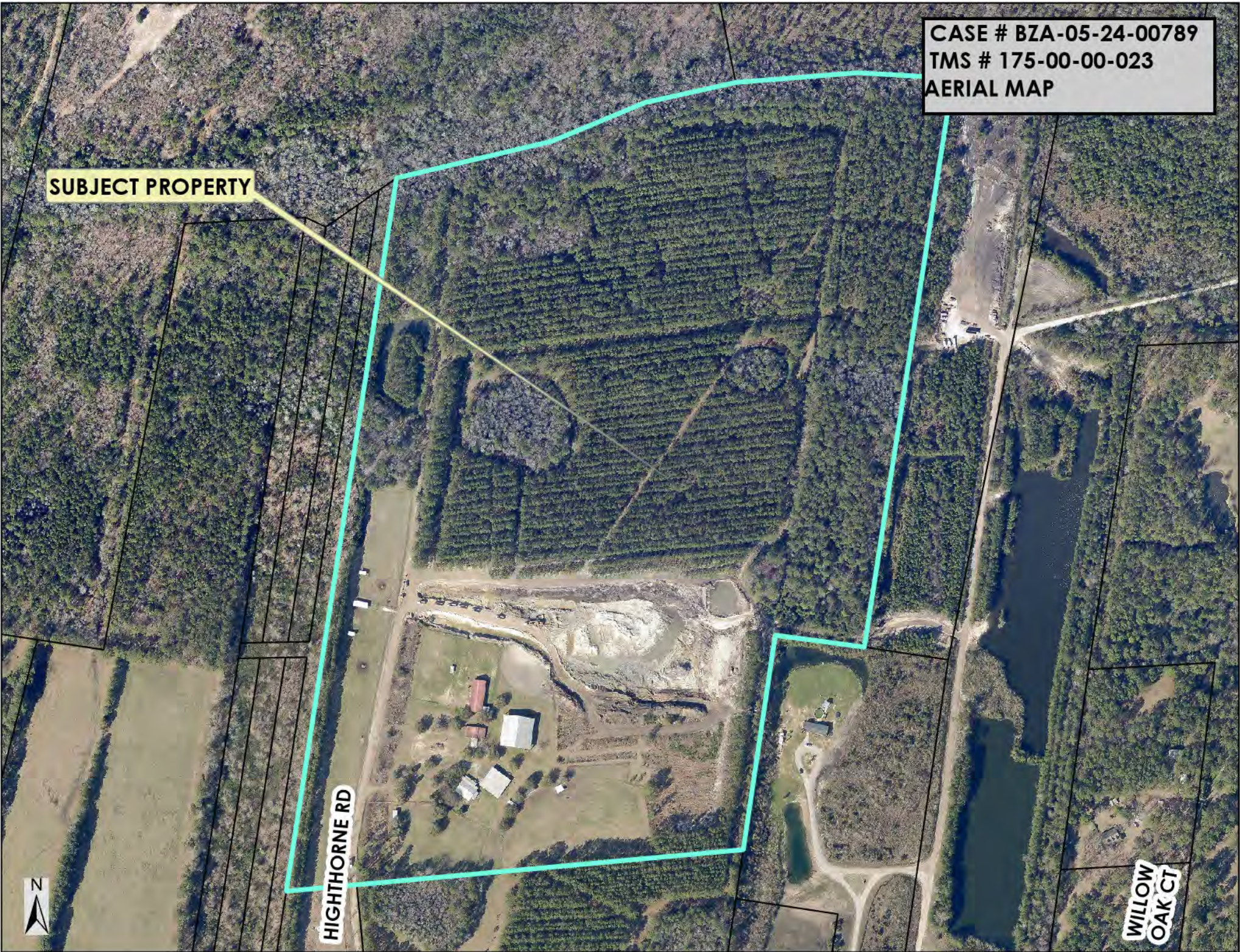


CASE # BZA-05-24-00789
TMS # 175-00-00-023
AERIAL MAP

SUBJECT PROPERTY

HIGHTHORNE RD

WILLOW
OAK CT



CASE # BZA-05-24-00789
TMS # 175-00-00-023
AERIAL MAP

SUBJECT PROPERTY



HIGHTHORNE RD

WILLOW OAK CT

HYDE PARK RD



POSSUM TR

Case # BZA-05-24-00789

BZA Meeting of July 1, 2024

Subject Property: 7200 Highthorne Road – St. Pauls Area

Proposal: Special Exception request for the establishment of a Resource Extraction/Mining use in the Resource Management (RM) Zoning District.



Posted on June 12, 2024

2024/06/12
14:59

Subject Property

General Location of Proposed Mine



Subject Property

Existing Mine



Subject Property

Existing Mine



Highthorne Road



Highthorne and Hyde Park Road



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Drone Photographs

June 20, 2024



Manage Permit ZONE-04-22-13303 Address 7200 HIGHTHORNE RD

Menu Permit Details

Permit Type Zoning Permit Project Application Date 4/27/2022

Work Class Site Constr - Commercial District St. Pauls Fire District Issue Date 4/28/2022

Permit Status ACTIVE Assigned To Stiles, Jennifer Expiration Date Enter date

Description PROPOSED 5-ACRE RESOURCE EXTRACTION OPERATING WITH 2 ON-S Square Feet 0 Last Inspection Date Enter date

Parcels (1) Addresses (1) Zones (1) Co

Drag a column header and drop it here to group by that color

Parcel Number
1750000023

Proposed 5-acre resource extraction operating with 2 on-site employees. BZA order approves operations Mon-Fri, 7am-5pm, and resource extraction activity to cease within 24 months of date of extraction commencement. Mine activity commenced 5/3/2022. Inspection of berm required prior to commencement of extraction. No construction trailer required but requires permitting if so.

OK Cancel

Version: 2020.1.2.93 Last changed by Stiles, Jennifer on Wednesday, August 23, 2022 4:42 PM

Staff Review:

The applicant and property owner, Jeffery McLain, represented by Jenna Nelson of Bowman Consulting Group Ltd., is requesting a Special Exception for the establishment of a Resource Extraction/Mining use in the Resource Management (RM) Zoning District at 7200 Hightborne Road (TMS # 175-00-00-023) in the St. Pauls Area of Charleston County.

The 94.48-acre subject property and the adjacent property to the south are located in the Resource Management (RM) Zoning District. The subject property is located at the end of Hightborne Road which is off of Hyde Park Road. The properties to the east and west are located in the Agricultural Residential (AGR) Zoning District and the property to the north is located in the Agricultural Preservation (AG-10) Zoning District.

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 RM 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."

The applicant is currently in the Site Plan Review process (ZSPR-02-24-01004) for the development of the proposed mine. The applicant's letter of intent explains, "The purpose of this letter is to express Mr. Jeff McLain's intent to install a sand/dirt mine, consisting of approximately 32.2 acres, which will be reclaimed as lakes and grasslands upon completion of mining operations. The site is located at 6366 Hyde Park Road, Ravenel, SC, 29470, identified as TMS #175-00-00-023, and zoned Resource Management (RM). As seen on the attached location map, County Line Rd is to the north and east, SC-165 is to the east, and US-17 is to the south. The Property is currently managed for silviculture, wildlife and recreation, and mining. The property was previously two parcels (TMS #175-00-00-023 & #175-00-00-065). The property line between the two parcels has

been abandoned, and the Charleston County approval letter and recorded plat are attached for reference.

The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549), and will include Segments 2, 3, 4, and Segment 5. Segment 1 (GP1-002322 BZA-01-22-00549) consists of approximately 5 acres, Segment 2 is approximately 6.2 acres, Segment 3 is approximately 3.6 acres, Segment 4 is approximately 13.4 acres, and Segment 5 is approximately 9 acres. The surrounding land will continue to be managed for silviculture and wildlife. The objective of the mine is to generate revenue from the properties' resources and to enhance and beautify the property.

This mine permit application will consider the location of existing wetland features, and proposed work will be designed to avoid any impacts to these resources. There is an active Army Corps. of Engineers Jurisdictional Determination Letter on the parcel (SAC #2020-00730). Water that enters the mine is to be pumped into an existing basin for settling and then passively discharge through an outlet into an existing ditch. The water will then exit the property through wetlands adjacent to Drayton Swamp, discharge to Wallace Creek, and eventually drain into Rantowles Creek. Buffers are measured from the proposed mine location and any adjacent property boundaries and will be 50 feet for the front and rear of the property and 100 feet for the sides of the property. A 50-ft buffer will be used from any identified wetland, as requested from Charleston County Planning and Zoning, and will follow all conditions set forth in the Charleston County BZA approval.

The proposed resource extraction is located approximately 0.5 miles north of Hyde Park Road. It is estimated that the mine will operate for approximately 5 years under the Individual Mine Operating Permit (I-002394).

Truck traffic is expected to be between 10-150 trucks per day with an average of 50 trucks per day, up to 6 days a week, but only when the operator has a specific need for the material. It is not the belief of the operator that the mine will be actively digging/hauling every day. Proposed business hours are to be from 7:00 am until 5:00 pm Monday through Friday. The mine may also occasionally operate from 8:00 am until 12:00 pm on Saturdays. Truck traffic patterns from past mining activity in the area have not caused any significant known issues.

Mining activities are not expected to adversely impact any surrounding properties. Trucks will use interior roads to access larger roads capable of supporting truck traffic. **Aside from the applicant's home, there is only one other dwelling along the haul road.** The operator will maintain respect for that resident and minimize potential issues to the greatest extent practicable. As evidenced by the surrounding zoning, there are no residential subdivisions within close proximity that will experience any noise, dust, vibrations, etc. No chemicals or harmful substances are used in the mining process that would impact wells or create odors on adjacent properties. A water truck will be treating the haul roads for dust.

A South Carolina Registered Forester performed a tree survey for TMS# 175-00-00-023 and along the haul road. **No grand trees (greater than 24" DBH) were identified.**

No water, sewer, or electrical service will be required of this operation. A portable toilet will be installed onsite.

No encroachment permit will be required of this operation because the mine is operated from an existing driveway. Please see the attached coordination."

Staff conducted site visits on June 12th and June 20, 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 Resource Management future land use category of the Charleston County Comprehensive Plan. Per the Plan, "Designation of Resource Management areas recognizes the importance of a coordinated effort to protect and conserve natural resources while allowing for the continued economic use of private property and public lands. The type and intensity of development in Resource Management areas should support the needs of timber production, wildlife habitat management, recreation, agriculture, and areas of environmental sensitivity." The **applicant's letter of intent states, "Mr. McLain's property is currently zoned Resource Management (RM).** The property is currently managed for silviculture, wildlife, and recreation, and has been for many decades. The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549). While the Comprehensive Plan identifies uses in these areas as principal for timber production, wildlife habitat, recreational, commercial fishing, and limited agriculture, sand, fill dirt and other mineral extraction are undoubtedly other examples of natural resource management and utilization that offers landowners additional potential sources of revenue. Considering this, resource extraction with the ultimate purpose of creating a pond that can be used as wildlife habitat and for recreation fits the character of the zoning district. Furthermore, the Plan identifies quality affordable housing as a primary goal. There is currently an obvious shortage of fill material in Charleston County. When developers must haul material in from surrounding counties, it increases the average home cost. Sources of fill material located in Charleston County not only increase tax revenue for the County, but also help to maintain lower price points for housing that the area so desperately needs." Therefore, the completed resource extraction use (the future pond) will be consistent with the recommendations contained in the Comprehensive Plan and the character of the RM 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 use may be compatible with the existing uses in the vicinity and may not adversely affect the general welfare or character or the **immediate community. The applicant's letter of intent states, "The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549). These new mineral extraction activities are not expected to adversely impact any surrounding properties. While multiple interior roads are shown on the Site Plan, only the thickened dashed linework that identifies the haul road will be used for mining operations. Aside from the Applicant's home, there is only one other dwelling along the haul road. The**

operators will maintain respect for that resident and minimize potential issues to the greatest extent practicable.

Segments 2, 3, 4, and 5 are an extension of the approved Segment 1 Mine **on Mr. McLain's property. Please see the attached 2.5-mile Proximity Analysis Exhibit** that showcases the surrounding mines. The three mines that fall within the 2.5-mile radius are the Hyde Park Soils Mine, Hyde Park Mine and the Draycor Mine. The Hyde Park Soils Mine is not active and has had known issues with Charleston County and SCDHEC. The Hyde Park Mine is also not active, and the mining permit is pending approval of reclamation. The Draycor Mine is not located in Charleston County and is located in Dorchester County. The Draycor Mine has not been approved by Dorchester County yet and is fully forested with no land disturbance occurring yet. Please see the attached correspondence from SCDHEC in regard to each mine within 2.5-miles. **SCDHEC's knowledge comes from the Annual Mine Reclamation Report that is due at the end of June each year.** The operator of both the Hyde Park Soils Mine and the Hyde Park Mine (Robert Collins Company) confirmed that mining was complete for both sites and reclamation processes were almost complete.

Much of the surrounding property is managed for timber production and mining. Log trucks as well as dump trucks are often seen on Hyde Park Road as the residents of the area manage their natural resources. Mining has been taking place off Hyde Park Road for over a decade while logging has been conducted on the surrounding properties much longer.”

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 project is currently in the Site Plan Review process to ensure compliance with the Ordinance. **The applicant's letter of intent states, “Reasonable precautions have been accounted for in this mining operation. Undisturbed buffers will be established at a distance of 100' from property mines and any adjacent properties zoned as residential and at a distance of 75' from proposed mines and any adjacent properties zoned as vacant agricultural. A 50' buffer from any wetlands and proposed mines has been provided. A 100' buffer will be established on the eastern border of the mine site, adjacent to parcels 180-00-00-022 & 180-00-00-003. The same 100' buffer will be established on the southern border of the mine site, adjacent to parcels 175-00-00-064 & 175-00-00-066. The western border of the mine site will have a 100' buffer, adjacent to parcels 180-00-00-018 & 180-00-00-012. The land use buffer of 100 feet against residential parcels complies with the Zoning and Land Development Regulations Ordinance. A 75' buffer will be established on the northern border, adjacent to parcel 180-00-00-058. The 100' buffer area along the eastern boarder was used to plant loblolly pine approximately 19 years ago, and there is a surplus of canopy trees. Natural regeneration of loblolly pine (evergreen) saplings, along with various types of hardwood saplings occupies the understory, also exceeding the requirements. A surplus of shrubs occupies the available space along the forest floor. All buffers around the mine site will remain**

undisturbed. There are currently approximately 227 loblolly pine trees per acre in the buffer area. In the approximately 80-foot linear section of landscape buffer that does not exist, a six-foot tall, fully stabilized, vegetative berm will be constructed. A locking gate will also be installed at the entrance of the mine site. Furthermore, as Mr. McLain resides on the property, there will be constant surveillance of the mine site outside of normal operating hours, ensuring trespassers will be kept out and to further ensure the safety of the general public. After having a conversation with SCDOT, it was determined that an encroachment permit would not be required, nor would any improvements need to be made to the existing haul road (Highthorne Road). Approximately 20 feet of paved apron exists at the junction of Hyde Park Road and Highthorne Road. Furthermore, all landowners sharing the use of Highthorne Road were made aware of Mr. **McLain's intentions to use the road for** mineral extraction. At approximately 0.5 miles, the graveled haul road should provide ample time for dust and dirt to settle before trucks enter Hyde Park Road. If sediment does accumulate on Hyde Park, sweepers will be utilized to remove any build up. Water trucks will also be available to reduce dust on Highthorne Road during dry periods. No chemicals or harmful substances are used in the mining process that would impact wells on adjacent properties or create foul odors. Monthly monitoring will be conducted to ensure total suspended solids as well as pH meet the requirements set forth by DHEC before water is discharged into wetlands. Lastly, a Stormwater Pollution Prevention Plan (SWPPP) has been prepared that includes very detailed monitoring and reporting protocol that will aid to significantly reduce the possibility of adverse effects on the mine site and surrounding properties." Therefore, the request may meet 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 for the resource extraction use preserves and **incorporates important natural features. The applicant's letter of intent** states, "This project has been designed in a way that will preserve any natural features found on the property. There is an active Jurisdictional Determination Letter on the parcel, referenced by US Army Corps of Engineers SAC#2020-00730. Water that enters each mine is to be pumped into an existing basin for settling, and then passively discharge through an outlet into an existing ditch, giving ample time for settling before entering wetlands. Some of the water will then exit the property through wetlands adjacent to Drayton Swamp, then Wallace Creek, and eventually into Rantowles Creek. Each Segment has this process, with some of the segments draining into the other. The settling process is shown on the Site Plans and in the SWPPP Report. The mine permit application has considered the location of these wetland features and has been designed to avoid any impacts to these resources. Additionally, a tree survey was performed by a South Carolina Registered Forester within the mine footprint, along the haul **road and 40 feet outside of both. No grand trees (24" DBH and greater)** were identified. Information on the tree survey can be found in the attached map. Finally, as outlined in the issued GP1 mine permit, upon completion of excavation, the mine will be reclaimed as either a fully vegetated grass

field, put back into silviculture, or turned into a fully stabilized lake feature, further beautifying the property, and offering additional opportunities for wildlife and recreation.” Therefore, the request may meet 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, “The Comprehensive Plan states, “Designation of Resource Management areas recognizes the importance of a coordinated effort to protect and conserve natural resources while allowing for the continued economic use of private property and public lands.” The proposed project aims to provide the landowner a source of income on his property, thus meeting the standard of economic development. As the mine will be reclaimed as an aesthetic lake used for recreation, it will also be protected from future development resulting in a conservation type of approach. The mining activity will not take away from the land’s current value but will instead ultimately modify it to a different type of value. The Plan also states, “The type and intensity of development in Resource Management areas should support the needs of timber production, wildlife habitat management, recreation, agriculture, and areas of environmental sensitivity.” The resulting lake will provide both game and non-game animals important habitat. Fish will occupy the lake, bringing in waterfowl and wading birds. Additionally, the Plan states “Accordingly, residential development should be limited to very low density, with a maximum density of one dwelling unit per 25 acre.” As Mr. McLain’s personal residence is the only one planned for the property, this activity is also consistent with the applicable zoning standards. The Plan puts an emphasis on allowing public services to be permitted in areas zoned as RM, provided it does not threaten natural resources. While a physical public service building is not planned for the property, the proposed mine may also provide the necessary material to repair and construct existing and future roads directly servicing the public. All applicable federal and state permits have been acquired at this point in the planning process. The wetlands have been verified by the USACE, the mining permit has been issued by DHEC-Mining, Coastal Zone Consistency has been issued by DHEC-OCRM and a land disturbance permit has been issued by DHEC-Bureau of Water. Furthermore, Charleston County Stormwater has determined a stormwater permit will not be required. SCDOT has also determined an encroachment permit will not be required and Charleston County Site Plan Review has given approval to proceed with the BZA Special Exception application. These approvals have been included in this application.”** Therefore, the request may meet 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, **"There are several important factors to note that will mitigate the potential hazards that could arise from added truck traffic resulting from expanded mine operations. The location of the proposed mine site is unique in that it provides multiple routes truck drivers can utilize to reach their destinations. It is also located in a central area as it relates to current and planned developments, reducing the time and distance trucks have to spend on the roads. Development is trending to areas located in southern Charleston County as well as Dorchester County. Depending on where a development is located, there are several routes that can be taken. Current and planned developments in Dorchester County along the Highway 165 corridor are less than 10 miles from this mine site. Improvements are already being made to Highway 165 which will greatly reduce the risk of traffic accidents when servicing those areas. Developments located in Hollywood and Ravenel are also less than 10 miles away and offer a route that would take truck drivers on low traffic roads until they hit Highway 17, a major four-lane corridor. For projects located closer to West Ashley, drivers may take Highway 17 or Hyde Park Road to County Line Road to get to their destinations. Having multiple routes to major highways will significantly reduce the risk of vehicular conflicts. Once trucks reach Highway 17 there are sidewalks located on both sides of the road, substantially reducing the risk of pedestrian/vehicular accidents. The hours of operation previously stated will only allow truck drivers on the road during daylight hours for the majority of the year, further reducing the risk of traffic hindrances. Finally, truck traffic is not expected to cause abnormal vehicular congestion along Hyde Park Road as similar traffic patterns from past mining activity in the **area have not caused any significant known issues.**"** 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-05-24-00789, [Special Exception request for the establishment of a Resource Extraction/Mining use in the Resource Management (RM) Zoning District at 7200 Hightborne Road (TMS # 175-00-00-023) in the St. Pauls 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 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.
3. The applicant shall maintain the travel way of Hyde Park Road for a distance of 300 feet in each direction from the truck entrance free of all dirt, gravel, or other debris associated with the resource extraction at least twice during each workday, and once at the end of each workday to maintain a safe travel way.
4. **The applicant shall maintain the 25' ingress/egress easement on Highborne Road** to include water application as required for dust mitigation on Highborne Road.
5. The applicant shall be responsible for any damage to roads associated with the resource extraction and coordinate with the State in maintaining and repairing the roads as necessary.
6. The applicant shall post an all-weather sign on the haul road entrance visible from the Hyde Park Road Right-of-Way listing the name and contact information, including a phone number, of the local contact. This person listed will serve as a contact for this project, in case there are any compliance issues that arise during the mining operation.
7. The Applicant shall provide documentation from an Environmental Engineer, Geologist, Hydrogeologist, or other similarly qualified professional outlining **the effect/impact on well and groundwater within 1000' of the subject property**. The Applicant shall work with County Staff to determine how the Owner will mitigate any negative impacts, if found.



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

Property Information			
Subject Property Address: 7200 Highthorne Road, Ravenel, SC 29470			
Tax Map Number(s): Resource Extraction Operation, Silviculture, Recreational			
Current Use of Property: Resource Extraction Operation (mining of topsoil and fill dirt)			
Special Exception Description:			
Applicant Information <small>(Required)</small>			
Applicant Name (please print): Jeffery McLain			
Name of Company (if applicable):			
Mailing Address: 7200 Highthorne Road			
City: Ravenel	State: SC	Zip Code: 29470	
Email Address: jeff@signaturekitchens.net		Phone #: 843.296.1558	
Applicant Signature:		Date: 4/11/24	
Representative Information <small>(Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)</small>			
Print Representative Name and Name of Company: Bowman Consulting Group Ltd.			
Mailing Address: 880 Island Park Drive, Suite 400			
City: Charleston	State: SC	Zip Code: 29492	
Email Address: jnelson@bowman.com		Phone #: 843.501.0338	
Designation of Agent <small>(Complete only if the Applicant listed above is not the Property Owner)</small>			
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: RM	Flood Zone: X(435K)	Date Filed: 5/24/24	Fee Paid: \$250
Application #: BA-0524-00789	TMS #: 175-00-00-023	Staff Initials: jpw	char # 1290038

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.)

See attached.

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:

See attached.

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.

See attached.

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.

See attached.

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

See attached.

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.

See attached.

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

See attached.

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.



April 17, 2024

Charleston County Planning and Zoning
4045 Bridge View Drive
North Charleston, SC 29405

RE: Highthorne Mine Letter of Inlet – Special Exception

Description of Request:

The purpose of this letter is to express Mr. Jeff McLain's intent to install a sand/dirt mine, consisting of approximately 32.2 acres, which will be reclaimed as lakes and grasslands upon completion of mining operations. The site is located at 6366 Hyde Park Road, Ravenel, SC, 29470, identified as TMS #175-00-00-023, and zoned Resource Management (RM). As seen on the attached location map, County Line Rd is to the north and east, SC-165 is to the east, and US-17 is to the south. The Property is currently managed for silviculture, wildlife and recreation, and mining. The property was previously two parcels (TMS #175-00-00-023 & #175-00-00-065). The property line between the two parcels has been abandoned, and the Charleston County approval letter and recorded plat are attached for reference.

The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549), and will include Segments 2, 3, 4, and 5. Segment 1 (GP1-002322 BZA-01-22-00549) consists of approximately 5 acres, Segment 2 is approximately 6.2 acres, Segment 3 is approximately 3.6 acres, Segment 4 is approximately 13.4 acres, and Segment 5 is approximately 9 acres. The surrounding land will continue to be managed for silviculture and wildlife. The objective of the mine is to generate revenue from the properties' resources and to enhance and beautify the property.

This mine permit application will consider the location of existing wetland features, and proposed work will be designed to avoid any impacts to these resources. There is an active Army Corps. of Engineers Jurisdictional Determination Letter on the parcel (SAC #2020-00730). Water that enters the mine is to be pumped into an existing basin for settling and then passively discharge through an outlet into an existing ditch. The water will then exit the property through wetlands adjacent to Drayton Swamp, discharge to Wallace Creek, and eventually drain into Rantowles Creek. Buffers are measured from the proposed mine location and any adjacent property boundaries and will be 50 feet for the front and rear of the property and 100 feet for the sides of the property. A 50-ft buffer will be used from any identified wetland, as requested from Charleston County Planning and Zoning, and will follow all conditions set forth in the Charleston County BZA approval.

The proposed resource extraction is located approximately 0.5 miles north of Hyde Park Road. It is estimated that the mine will operate for approximately 5 years under the Individual Mine Operating Permit (I-002394).

Truck traffic is expected to be between 10-150 trucks per day with an average of 50 trucks per day, up to 6 days a week, but only when the operator has a specific need for the material. It is not the belief of the operator that the mine will be actively digging/hauling every day. Proposed business hours are to be from 7:00 am until 5:00 pm Monday through Friday. The mine may also occasionally operate from 8:00 am until 12:00 pm on Saturdays. Truck traffic patterns from past mining activity in the area have not caused any significant known issues.

Mining activities are not expected to adversely impact any surrounding properties. Trucks will use interior roads to access larger roads capable of supporting truck traffic. Aside from the applicant's home, there is only one other dwelling along the haul road. The operator will maintain respect for that resident and minimize potential issues to the greatest extent practicable. As evidenced by the surrounding zoning, there are no residential subdivisions within close proximity that will experience any noise, dust, vibrations, etc. No chemicals or harmful substances are used in the mining process that would impact wells or create odors on adjacent properties. A water truck will be treating the haul roads for dust.

A South Carolina Registered Forester performed a tree survey for TMS# 175-00-00-023 and along the haul road. No grand trees (greater than 24" DBH) were identified.

No water, sewer, or electrical service will be required of this operation. A portable toilet will be installed onsite.

No encroachment permit will be required of this operation because the mine is operated from an existing driveway. Please see the attached coordination.

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:

Mr. McLain's property is currently zoned Resource Management (RM). The property is currently managed for silviculture, wildlife, and recreation, and has been for many decades. The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549). While the Comprehensive Plan identifies uses in these areas as principal for timber production, wildlife habitat, recreational, commercial fishing, and limited agriculture, sand, fill dirt and other mineral extraction are undoubtedly other examples of natural resource management and utilization that offers landowners additional potential sources of revenue. Considering this, resource extraction with the ultimate purpose of creating a pond that can be used as wildlife habitat and for recreation fits the character of the zoning district. Furthermore, the Plan identifies quality affordable housing as a primary goal. There is currently an obvious shortage of fill material in Charleston County. When developers must haul

material in from surrounding counties, it increases the average home cost. Sources of fill material located in Charleston County not only increase tax revenue for the County, but also help to maintain lower price points for housing that the area so desperately needs.

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.

The proposed work is an extension of the original McLain Hyde Park Mine Segment 1, approved by Charleston County on April 28, 2022 (GP1-002322 BZA-01-22-00549). These new mineral extraction activities are not expected to adversely impact any surrounding properties. While multiple interior roads are shown on the Site Plan, only the thickened dashed linework that identifies the haul road will be used for mining operations. Aside from the Applicant's home, there is only one other dwelling along the haul road. The operators will maintain respect for that resident and minimize potential issues to the greatest extent practicable.

Segments 2, 3, 4, and 5 are an extension of the approved Segment 1 Mine on Mr. McLain's property. Please see the attached 2.5-mile Proximity Analysis Exhibit that showcases the surrounding mines. The three mines that fall within the 2.5-mile radius are the Hyde Park Soils Mine, Hyde Park Mine and the Draycor Mine. The Hyde Park Soils Mine is not active and has had known issues with Charleston County and SCDHEC. The Hyde Park Mine is also not active, and the mining permit is pending approval of reclamation. The Draycor Mine is not located in Charleston County and is located in Dorchester County. The Draycor Mine has not been approved by Dorchester County yet and is fully forested with no land disturbance occurring yet. Please see the attached correspondence from SCDHEC in regard to each mine within 2.5-miles. SCDHEC's knowledge comes from the Annual Mine Reclamation Report that is due at the end of June each year. The operator of both the Hyde Park Soils Mine and the Hyde Park Mine (Robert Collins Company) confirmed that mining was complete for both sites and reclamation processes were almost complete.

Much of the surrounding property is managed for timber production and mining. Log trucks as well as dump trucks are often seen on Hyde Park Road as the residents of the area manage their natural resources. Mining has been taking place off Hyde Park Road for over a decade while logging has been conducted on the surrounding properties much longer.

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.

Reasonable precautions have been accounted for in this mining operation. Undisturbed buffers will be established at a distance of 100' from proposed mines and any adjacent properties zoned as

residential and at a distance of 75' from proposed mines and any adjacent properties zoned as vacant agricultural. A 50' buffer from any wetlands and proposed mines has been provided. A 100' buffer will be established on the eastern border of the mine site, adjacent to parcels 180-00-00-022 & 180-00-00-003. The same 100' buffer will be established on the southern border of the mine site, adjacent to parcels 175-00-00-064 & 175-00-00-066. The western border of the mine site will have a 100' buffer, adjacent to parcels 180-00-00-018 & 180-00-00-012. The land use buffer of 100 feet against residential parcels complies with the Zoning and Land Development Regulations Ordinance.

A 75' buffer will be established on the northern border, adjacent to parcel 180-00-00-058. The 100' buffer area along the eastern boarder was used to plant loblolly pine approximately 19 years ago, and there is a surplus of canopy trees. Natural regeneration of loblolly pine (evergreen) saplings, along with various types of hardwood saplings occupies the understory, also exceeding the requirements. A surplus of shrubs occupies the available space along the forest floor. All buffers around the mine site will remain undisturbed. There are currently approximately 227 loblolly pine trees per acre in the buffer area. In the approximately 80-foot linear section of landscape buffer that does not exist, a six-foot tall, fully stabilized, vegetative berm will be constructed.

A locking gate will also be installed at the entrance of the mine site. Furthermore, as Mr. McLain resides on the property, there will be constant surveillance of the mine site outside of normal operating hours, ensuring trespassers will be kept out and to further ensure the safety of the general public.

After having a conversation with SCDOT, it was determined that an encroachment permit would not be required, nor would any improvements need to be made to the existing haul road (Highthorne Road). Approximately 20 feet of paved apron exists at the junction of Hyde Park Road and Highthorne Road. Furthermore, all landowners sharing the use of Highthorne Road were made aware of Mr. McLain's intentions to use the road for mineral extraction. At approximately 0.5 miles, the graveled haul road should provide ample time for dust and dirt to settle before trucks enter Hyde Park Road. If sediment does accumulate on Hyde Park, sweepers will be utilized to remove any build up. Water trucks will also be available to reduce dust on Highthorne Road during dry periods. No chemicals or harmful substances are used in the mining process that would impact wells on adjacent properties or create foul odors. Monthly monitoring will be conducted to ensure total suspended solids as well as pH meet the requirements set forth by DHEC before water is discharged into wetlands.

Lastly, a Stormwater Pollution Prevention Plan (SWPPP) has been prepared that includes very detailed monitoring and reporting protocol that will aid to significantly reduce the possibility of adverse effects on the mine site and surrounding properties.

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

This project has been designed in a way that will preserve any natural features found on the property. There is an active Jurisdictional Determination Letter on the parcel, referenced by US Army Corps of Engineers SAC#2020-00730. Water that enters each mine is to be pumped into an existing basin for settling, and then passively discharge through an outlet into an existing ditch, giving ample time for settling before entering wetlands. Some of the water will then exit the property through wetlands adjacent to Drayton Swamp, then Wallace Creek, and eventually into Rantowles Creek. Each Segment has this process, with some of the segments draining into the other. The settling process is shown on the Site Plans and in the SWPPP Report. The mine permit application has considered the location of these wetland features and has been designed to avoid any impacts to these resources.

Additionally, a tree survey was performed by a South Carolina Registered Forester within the mine footprint, along the haul road and 40 feet outside of both. No grand trees (24" DBH and greater) were identified. Information on the tree survey can be found in the attached map.

Finally, as outlined in the issued GP1 mine permit, upon completion of excavation, the mine will be reclaimed as either a fully vegetated grass field, put back into silviculture, or turned into a fully stabilized lake feature, further beautifying the property, and offering additional opportunities for wildlife and recreation.

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.

The Comprehensive Plan states, "Designation of Resource Management areas recognizes the importance of a coordinated effort to protect and conserve natural resources while allowing for the continued economic use of private property and public lands." The proposed project aims to provide the landowner a source of income on his property, thus meeting the standard of economic development. As the mine will be reclaimed as an aesthetic lake used for recreation, it will also be protected from future development resulting in a conservation type of approach. The mining activity will not take away from the land's current value but will instead ultimately modify it to a different type of value.

The Plan also states, "The type and intensity of development in Resource Management areas should support the needs of timber production, wildlife habitat management, recreation, agriculture, and areas of environmental sensitivity." The resulting lake will provide both game and non-game animals important habitat. Fish will occupy the lake, bringing in waterfowl and wading birds.

Additionally, the Plan states "Accordingly, residential development should be limited to very low density, with a maximum density of one dwelling unit per 25 acre." As Mr. McLain's personal residence is the only one planned for the property, this activity is also consistent with the applicable zoning standards. The Plan puts an emphasis on allowing public services to be permitted in areas zoned as RM, provided it does not threaten natural resources. While a physical public service building is not planned for the property, the proposed mine may also provide the necessary material to repair and construct existing and future roads directly servicing the public.

All applicable federal and state permits have been acquired at this point in the planning process. The wetlands have been verified by the USACE, the mining permit has been issued by DHEC-Mining, Coastal Zone Consistency has been issued by DHEC-OCRM and a land disturbance permit has been issued by DHEC-Bureau of Water. Furthermore, Charleston County Stormwater has determined a stormwater permit will not be required. SCDOT has also determined an encroachment permit will not be required and Charleston County Site Plan Review has given approval to proceed with the BZA Special Exception application. These approvals have been included in this application.

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

There are several important factors to note that will mitigate the potential hazards that could arise from added truck traffic resulting from expanded mine operations. The location of the proposed mine site is unique in that it provides multiple routes truck drivers can utilize to reach their destinations. It is also located in a central area as it relates to current and planned developments, reducing the time and distance trucks have to spend on the roads.

Development is trending to areas located in southern Charleston County as well as Dorchester County. Depending on where a development is located, there are several routes that can be taken. Current and planned developments in Dorchester County along the Highway 165 corridor are less than 10 miles from this mine site. Improvements are already being made to Highway 165 which will greatly reduce the risk of traffic accidents when servicing those areas. Developments located in Hollywood and Ravenel are also less than 10 miles away and offer a route that would take truck drivers on low traffic roads until they hit Highway 17, a major four-lane corridor. For projects located closer to West Ashley, drivers may take Highway 17 or Hyde Park Road to County Line Road to get to their destinations. Having multiple routes to major highways will significantly reduce the risk of vehicular conflicts. Once trucks reach Highway 17 there are sidewalks located on both sides of the road, substantially reducing the risk of pedestrian/vehicular accidents. The hours of operation previously stated will only allow truck drivers on the road during daylight hours for the majority of the year, further reducing the risk of traffic hindrances. Finally, truck traffic is not expected to cause

abnormal vehicular congestion along Hyde Park Road as similar traffic patterns from past mining activity in the area have not caused any significant known issues.

Should you have any questions concerning this application please do not hesitate to reach out to me directly at (843) 501-0338, or jducker@bowman.com.

Sincerely,



Jim Ducker
Branch Manager

Enclosures:

1. Special Exception Application
 Restrictive Covenant Affidavit
 Posted Notice Affidavit
2. Site Plans
3. Property Deed
4. Recorded Plat
5. 2.5 Mine Proximity Analysis
6. Wetland JD Letter
7. CZC Approval Letter
8. SCDHEC Mine Operating Permit (I-002394)
9. Encroachment Permit Correspondence
10. SCDHEC NPDES Permit No. SCG731576
11. Signed Tree Survey
12. Segment 1 Charleston County BZA Approval
13. Hyde Park Mine Status from Operator
14. Draycor Mine Reclamation Status
15. Hyde Park Mine Reclamation Status
16. Hyde Park Soils Mine Reclamation Status
17. SWPPP Report
18. Threatened and Endangered Species Information

AFFIDAVIT

The State of South Carolina)
) S.S.
County of Charleston)

I, Jeffrey M. McLain, of *Ravenel*, in *Charleston County, South Carolina*, MAKE OATH AND SAY THAT:

1. After submittal of the site plan review packet for my property at TMS#175-00-00-023 to Charleston County Zoning and Planning, I was informed that we would need to obtain letters from SCDHEC (South Carolina Department of Health and Environmental Control) to ensure that the permitted resource extractions located within a two and a half (2.5) mile radius of my property were finished with permitted operations and in reclamation.
2. SCDHEC (South Carolina Department of Health and Environmental Control) was contacted and asked for the aforementioned information. We received response on the matter from Will Meservy, Project Manager, Mining and Reclamation Section Division of Mining and Solid Waste Management SCDHEC on or about April 4th, 2024, stating that the first property in question, Charleston County TMS#175-00-00-022 SCDHEC permit # I-001724 belonging to Donald Mullis was "reclaiming and seeded" according to their most recent annual reclamation report. See attached marked Exhibit A
3. We also received response on the matter from Will Meservy, Project Manager, Mining and Reclamation Section Division of Mining and Solid Waste Management SCDHEC on or about April 4th, 2024, stating that the second property in question, Charleston County TMS#175-00-00-031 SCDHEC permit # I-002119 belonging to The Hyde Park Preserve LLC had "not excavated material for the last twenty-four (24) months and is reclaiming." See attached marked Exhibit B
4. After submitting the requested information from SCDHEC (South Carolina Department of Health and Environmental Control) to Charleston County, I was informed that further information was needed. I was asked by Charleston County to collect documentation from the independent landowners pertaining to the status of the mines on their properties.
5. The first property being located at 6270 Hyde Park Rd, Ravenel SC 29470 TMS#175-00-00-022 owned by Donald Mullis with an existing SCDHEC permit # I-001724. Mr. Mullis was approached by our liaison, Robert Strange (Greentree Land Management) regarding the aforementioned TMS and asked about the state of current activity. We requested a letter declaring inactivity on the property of Mr. Mullis (TMS 175-00-00-022). He refused and attempted an extortive behavior with an attempt to force us to purchase his

property for an undisclosed amount. Upon further investigation of Charleston County online records, it was discovered that Mr. Mullis had documented complaints against his property for mining without permits, as well as a lawsuit by SCDHEC. We found a Charleston County Case Code Number PLN-02-21-00575 for TMS#175-00-00-022 opened on 02-03-2021 stating that SPR and BZA approval were required for additional resource extraction work. The case was closed on 12-09-2022. Furthermore, it appears that Mr. Mullis attempted to seek that required approval on 03-03-22 Plan Number-ZonA-03-22-02996 that was subsequently turned down with a notation of having an Incomplete/Expired status. The property at 6270 Hyde Park Rd TMS# 175-00-00-022 is non operational and if, in fact, was found in operation would be in violation of documented Charleston County ordinance.

- 6. The second property being located at (unknown street number) Charleston County TMS# 175-00-00-031 owned by The Hyde Park Preserve LLC (operated by Robert Collins Company, i.e. R.O. Collins) with an existing SCDHEC permit #I-002119. R.O. Collins was contacted and we requested a letter declaring inactivity on the property (TMS 175-00-00-031). They kindly agreed to cooperate and a letter written by R.O. Collins' Operations Manager Bill Sharpe was submitted to Charleston County on or about 05-13-2024. See attached marked Exhibit C

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

SUBSCRIBED AND SWORN TO BEFORE ME,
on the 17 day of May,
2024

Signature Stacey R. Major
(Seal)

NOTARY PUBLIC

My Commission expires:
December 4, 2028



Jeffrey M. McLain
(Signature)
Jeffrey M. McLain

Exhibit A

From: **Meservy, William N.** <meservwn@dhec.sc.gov>
Date: Thu, Apr 4, 2024 at 4:25 PM
Subject: I-001724 | Hyde Park Soils Mine | Reclamation status
To: Robert Strange <rstrange@greentreeandmanagement.com>

Robert,

According to the most recent annual reclamation report of the Hyde Park Soils Mine (I-001724), they are reclaiming and seeded 7.9 acres in 2023.

Regards,

William Meservy

Project Manager, Mining and Reclamation Section
Division of Mining & Solid Waste Management
S.C. Dept. of Health & Environmental Control
Office: (803) 898-1369
Connect: www.scdhec.gov [Facebook](#) [Twitter](#)



Exhibit B

From: Meservy, William N. <meservwn@dhec.sc.gov>
Date: Thu, Apr 4, 2024 at 4:28 PM
Subject: I-002119 | Hyde Park Mine | Reclamation Status
To: Robert Strange <rstrange@greentreelandmanagement.com>

Robert,

According to its most recent Annual Reclamation Report, the Hyde Park Mine (I-002119) has not excavated material for the last 24 months and is reclaiming.

Regards

William Meservy

Project Manager, Mining and Reclamation Section
Division of Mining & Solid Waste Management

S.C. Dept. of Health & Environmental Control

Office: (803) 898-1369

Connect: www.scdhec.gov [Facebook](#) [Twitter](#)



Exhibit C

7:41

LTE



Upgrade to a smarter Gmail

Secure, fast & organized email

OPEN

Unread



Robert,

Following up on our phone conversation, We have mined all the available material at the Hide Park mine. There is currently no activity at the this mine, and I don't foresee any activity in the future. The owner is just letting the property sit at this point.



Bill Sharpe

Operations Manager

Robert Collins Company

AA

mail.google.com



Jennifer Werking

From: Jeff McLain <jmc3006@gmail.com>
Sent: Thursday, June 20, 2024 1:12 PM
To: Jennifer Werking; Joel Evans; Joshua D. Downey
Subject: SC State law

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.

Hello all, I understand that we are getting some negative feedback about our planned catfish farm and subsequent resource extraction. We strongly feel that we are protected and excluded under the SC Right to Farm Law SC title 46 chapter 45 from the Charleston county ordinance and any negative feedback from the community regarding our construction phase. I placed a link to the SC code of laws Title 46 - Chapter 45 below. Our specific points are listed below by Title- Chapter- paragraph- subsection

46-45-10
46-45-20 (A) (B)9
46-45-60
46-45-70

While we will file a personal Letter of Intent to state our case, we would like to submit this as well.
Thank you very much, Jeff and Nicole McLain

Code of Laws - Title 46 - Chapter 45 -
Nuisance Suits Related To Agricultural
Operations
scstatehouse.gov



Sent from my iPhone

South Carolina Legislature

South Carolina Law > Code of Laws > Title 46

South Carolina Code of Laws Unannotated

Title 46 - Agriculture

CHAPTER 45

Nuisance Suits Related to Agricultural Operations

Editor's Note

2006 Act No. 290, Section 2, provides in part as follows:

"This act does not apply to any license or permit application for which a Department of Health and Environmental Control decision is made prior to the effective date."

SECTION 46-45-10. Legislative findings.

The General Assembly finds that:

- (1) The policy of the State is to conserve, protect, and encourage the development and improvement of its agricultural land and facilities for the production of food and other agricultural products.
- (2) When nonagricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits and as a result (a) agricultural facilities are sometimes forced to cease operations, and (b) many persons are discouraged from making investments in farm improvements or adopting new technology or methods.
- (3) This chapter is enacted to reduce the loss to the State of its agricultural resources by limiting the circumstances under which agricultural facilities and operations may be considered a nuisance.
- (4) The purpose of this chapter is to lessen the loss of farmland caused by common law nuisance actions which arise when nonagricultural land uses expand into agricultural areas. This purpose is justified by the stated social desire of preserving and encouraging agricultural production.
- (5) With the exception of new swine operations and new slaughterhouse operations, in the interest of homeland security and in order to secure the availability, quality, and safety of food produced in South Carolina, it is the intent of the General Assembly that state law and the regulations of the Department of Health and Environmental Control pre-empt the entire field of and constitute a complete and integrated regulatory plan for agricultural facilities and agricultural operations as defined in Section 46-45-20, thereby precluding a county from passing an ordinance that is not identical to the state provisions.

HISTORY: 1980 Act No. 452; 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-20. Definitions.

(A) For purposes of this chapter, "agricultural facility" includes, but is not limited to, any land, building, structure, pond, impoundment appurtenance, machinery, or equipment which is used for the commercial production or processing of crops, trees, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, or products which are used in commercial aquaculture.

(B) For purposes of this chapter "agricultural operation" means:

- (1) the plowing, tilling, or preparation of soil at the agricultural facility;
- (2) the planting, growing, fertilizing, or harvesting of crops, ornamental horticulture, floriculture, and turf grasses;
- (3) the application of pesticides, herbicides, or other chemicals, compounds, or substances to crops, weeds, or soil in connection with the production of crops, livestock, animals, or poultry;
- (4) the breeding, hatching, raising, producing, feeding, keeping, slaughtering, or processing of livestock, hogs, aquatic animals, equines, chickens, turkeys, poultry, or other fowl normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes;
- (5) the production and keeping of the honeybees, the production of honeybee products, and honeybee processing facilities;
- (6) the production, processing, or packaging of eggs or egg products;
- (7) the manufacturing of feed for poultry or livestock;
- (8) the rotation of crops;
- (9) commercial aquaculture;
- (10) the application of existing, changed, or new technology, practices, processes, or procedures to an agricultural operation;
- (11) the operation of a roadside market; and
- (12) silviculture.

(C) For purposes of this chapter "new swine operations" means: porcine production operations not in existence on June 30, 2006.

(D) For purposes of this chapter, "new slaughterhouse operations" means agricultural operations that:

- (1) are established after this chapter's effective date; and
- (2) slaughter or process more than two hundred million pounds of livestock, hogs, aquatic animals, equine, chickens, turkeys, poultry, or other fowl normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes.

(3) a new slaughterhouse operation does not include a slaughterhouse located within the corporate limits of a city that relocates within that same county.

HISTORY: 1980 Act No. 452; 1990 Act No. 442, Section 1, eff April 24, 1990; 1992 Act No. 473, Section 1, eff June 18, 1992; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-40. Established date of operation.

For the purposes of this chapter, the established date of operation is the date on which an agricultural operation commenced operation. If the physical facilities of the agricultural operation are expanded subsequently or new technology adopted, the established date of operation for each change is not a separately and independently established date of operation and the commencement of the expanded operation does not divest the agricultural operation of a previously established date of operation.

HISTORY: 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-50. Liability for pollution and flooding.

The provisions of Section 46-45-70 do not affect or defeat the right of a person to recover damages for any injuries or damages sustained by him because of pollution of, or change in condition of, the waters of a stream or because of an overflow on his lands.

HISTORY: 1980 Act No. 452; 1976 Code Section 46-45-40; 1990 Act No. 442, Section 1, eff April 24, 1990; 2002 Act No. 340, Section 11, eff June 30, 2002; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-60. Local ordinances to contrary null and void.

(A) Notwithstanding any local law or ordinance, an agricultural operation or facility is considered to be in compliance with the local law or ordinance if the operation or facility would otherwise comply with state law or regulations governing the facility or operation. With the exception of new swine operations and new slaughterhouse operations, to the extent an ordinance of a unit of local government:

(1) attempts to regulate the licensing or operation of an agricultural facility in any manner that is not identical to the laws of this State and regulations of the Department of Health and Environmental Control and amendments thereto;

(2) makes the operation of an agricultural facility or an agricultural operation at an agricultural facility a nuisance or providing for abatement as a nuisance in derogation of this chapter; or

(3) is not identical to state law and regulations governing agricultural operations or agricultural facilities, is null and void. The provisions of this section do not apply whenever a nuisance results from the negligent, illegal, or improper operation of an agricultural facility. The provisions of this section do not apply to an agricultural facility or agricultural operation at an agricultural facility located within the corporate limits of a city.

(B) The provisions of this section shall not preclude any right a county may have to determine whether an agricultural use is a permitted use under the county's land use and zoning authority; provided, if an agricultural facility or an agricultural operation is a permitted use, or is approved as a use pursuant to any county conditional use, special exception or similar county procedure, county development standards, or other ordinances that are not identical with the laws of this State or the regulations of the Department of Health and Environmental Control are null and void to the extent they (a) apply to agricultural operations or facilities otherwise permitted by this chapter, the laws of this State, and the regulations of the Department of Health and Environmental Control, and (b) are not identical to this chapter, the laws of this State, and the regulations of the Department of Health and Environmental Control.

HISTORY: 1980 Act No. 452; 1976 Code Section 46-45-50; 1990 Act No. 442, Section 1, eff April 24, 1990; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-70. Established agricultural facility as nuisance; changed conditions in surrounding locality.

No established agricultural facility or any agricultural operation at an established agricultural facility is or may become a nuisance, private or public, by any changed conditions in or about the locality of the facility or operation. This section does not apply whenever a nuisance results from the negligent, improper, or illegal operation of an agricultural facility or operation.

HISTORY: 2002 Act No. 340, Section 6, eff June 30, 2002; 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006).

SECTION 46-45-80. Setback distances; waiver.

Any setback distances given in R. 61-43, Standards for Permitting of Agricultural Animal Facilities, are minimum siting requirements as established by the Department of Health and Environmental Control. As long as the established setbacks are achieved, the department may not require additional setback distances. Such distances from property lines or residences may be waived or reduced by written consent of the adjoining property owners. All animal facilities affected by these setback provisions must have an evergreen buffer between the facility and the affected residence as established by DHEC unless otherwise agreed to in writing by the adjoining landowners.

HISTORY: 2006 Act No. 290, Section 1, eff upon approval (became law without the Governor's signature on May 30, 2006); 2018 Act No. 139 (H.3929), Section 3, eff March 12, 2018.

Editor's Note

2018 Act No. 139, Section 4, provides as follows:

"SECTION 4. Nothing in this act shall be construed as affecting or applying to confined swine feeding operations."

Effect of Amendment

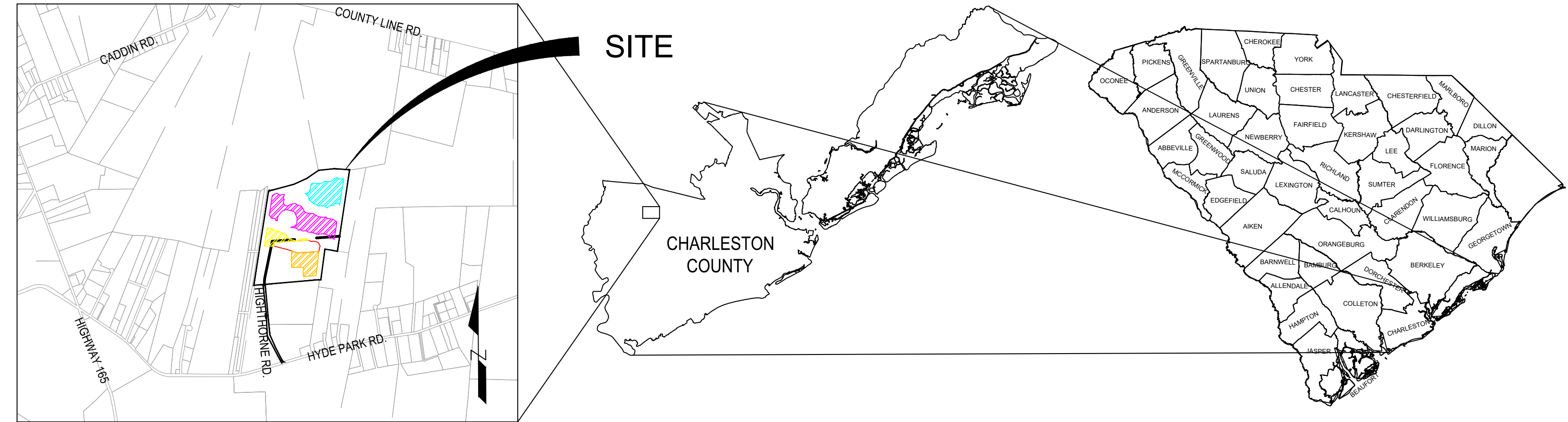
2018 Act No. 139, Section 3, in the second sentence, inserted "As long as the established setbacks are achieved," and substituted "the department may not require additional setback distances" for "The department may require additional setback distances on a case-by-case basis considering the factors set forth in the regulation"; in the third sentence, inserted "from property lines or residences" and deleted ", or otherwise without consent of the adjoining property owners, when there are innovative and alternative technologies approved by the department pursuant to the Innovative and Alternative Technologies Section of R. 61-43" following "adjoining property owners"; and in the fourth sentence, substituted "All animal facilities" for "All agricultural animal facilities" and "must have an evergreen buffer" for "must have a vegetative buffer".

PROPOSED SITE PLAN FOR: HIGHTHORNE MINE SEGMENTS 2, 3, 4, & 5

7200 HIGHTHORNE ROAD
RAVENEL, SC 29470
CHARLESTON COUNTY, SC
PARCEL ID #175-00-00-023

PROJECT INFORMATION:

JURISDICTION:	CHARLESTON COUNTY
PARCEL NUMBER:	175-00-00-023
ZONING:	RM - RESOURCE MANAGEMENT
PROPERTY BOUNDARY	+/- 92.00 AC
MINE PERMIT BOUNDARY	+/- 94.5 AC
SCDHEC PERMIT I-002394 (APPROVED 1/5/24):	+/- 92.00 AC
UPLAND	+/- 73.00 AC
WETLAND	+/- 19.00 AC
USACE PJD SAC-2020-00730 (USACE LETTER, DATED 7/30/20):	+/- 92.00 AC
UPLAND	+/- 72.60 AC
WETLAND	+/- 19.00 AC
STORMWATER POND	+/- 0.40 AC
SEGMENT 2 SITE PLAN OPERATIONAL BOUNDARY:	+/- 6.20 AC
UPLAND	+/- 6.20 AC
WETLAND	+/- 0 AC
SEGMENT 3 SITE PLAN OPERATIONAL BOUNDARY:	+/- 3.60 AC
UPLAND	+/- 3.60 AC
WETLAND	+/- 0 AC
SEGMENT 4 SITE PLAN OPERATIONAL BOUNDARY:	+/- 13.40 AC
UPLAND	+/- 13.40 AC
WETLAND	+/- 0 AC
SEGMENT 5 SITE PLAN OPERATIONAL BOUNDARY:	+/- 9.00 AC
UPLAND	+/- 9.00 AC
WETLAND	+/- 0 AC
DISTURBED AREA:	+/- 36.2 AC



SITE LOCATION MAP
SCALE: 1" = 2000'

OWNER

JEFFERY MCLAIN
7200 HIGHTHORNE ROAD
RAVENEL, SC 29470
PHONE: (843) 296-1558
EMAIL: JEFF@SIGNATUREKITCHENS.NET

ENGINEER

BOWMAN CONSULTING GROUP LTD
880 ISLAND PARK DRIVE, SUITE 400
CHARLESTON, SC 29492
CONTACT: JIM DUCKER, PE
PHONE: (843) 501-0333
EMAIL: JDUCKER@BOWMAN.COM

Sheet Number	Sheet Title
C0.0	COVER SHEET
X1.0	EXISTING CONDITIONS
C1.0	SITE PLAN
C1.1	SITE DETAILS
C1.2	PROXIMITY MAP

HIGHTHORNE MINE SEGMENTS 2, 3, 4, AND 5			
AGENCY	APPROVAL DATE	STATUS	PERMIT NO.
SCDHEC MINE OPERATING PERMIT	1/5/2024	APPROVED	I-002394
MINOR MODIFICATION TO NPDES GENERAL PERMIT CHARLESTON COUNTY ZONING AND PLANNING	4/17/2023	APPROVED	SCG731576

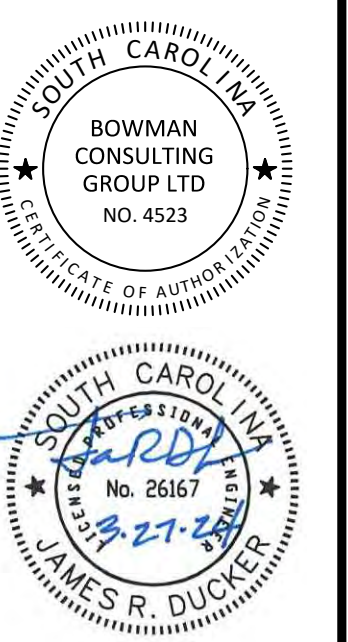
PROJECT DESCRIPTION:

THE HIGHTHORNE MINE INCLUDES SEGMENTS 2, 3, 4, & 5. THE SITE IS A PROPOSED RESOURCE EXTRACTION OPERATION FOR AN APPROXIMATELY 92-ACRE SITE WITHIN CHARLESTON COUNTY PARCEL IDENTIFICATION NUMBER 175-00-00-023. THE PARCEL IS LOCATED TO THE NORTH OF HYDE PARK ROAD AND SOUTH OF COUNTY LINE ROAD. THIS PROPERTY IS ZONED AS RM (RESOURCE MANAGEMENT). THE CURRENT PROPERTY OWNER, JEFF MCLAIN, PROPOSES THE INSTALLATION OF A RESOURCE OPERATION TO BE USED FOR MINING OF TOPSOIL AND FILL DIRT FOR THE REGION'S BUILDING/CONSTRUCTION NEEDS. THE MINE SITE WILL BE RECLAIMED FOR AGRICULTURAL USE UPON COMPLETION OF THE MINING OPERATION. THE MINE SEGMENTS 2, 3, 4, AND 5 ARE THE EXTENSION OF THE ORIGINAL MINE (MCLAIN HYDE PARK MINE) APPROVED BY CHARLESTON COUNTY ON 4/28/22. THE PREVIOUS SCDHEC GENERAL PERMIT, HYDE PARK GP1 (GP1-002322) WAS SUPERSEDED AND TERMINATED BY MINE OPERATING PERMIT I-002394. THE WETLAND JD LETTER HAS BEEN ACQUIRED FOR THE ENTIRE SITE (SAC-2020-00730, DATED 7/30/20).

Bowman

Bowman Consulting Group, Ltd.
880 Island Park Drive
Suite 400
Charleston, SC 29492
Phone: (843) 501-0333
bowman.com
© 2021 Bowman Consulting Group, Ltd.

COVER SHEET
HIGHTHORNE MINE SEGMENT 2, 3, 4, & 5
TMS # 175-00-00-023
CHARLESTON COUNTY, SC



PLAN STATUS	
2/14/24	1ST CHARLESTON COUNTY
3/27/24	2ND CHARLESTON COUNTY
DATE	DESCRIPTION
KM DESIGN	KM DRAWN
SCALE	HN: N/A VN: N/A
JOB No: 150155-01-001	
DATE MARCH 27, 2024	
PERMITTING ONLY NOT FOR CONSTRUCTION	
SHEET	C0.0

Robert Strange

CERTIFIED BY ROBERT STRANGE
 SOCIETY OF AMERICAN FORESTERS CERTIFIED FORESTER
 SC REGISTERED FORESTER #1931
 (843) 830-5375
 105 WAPPOO CREEK DR
 CHARLESTON, SC
 29412

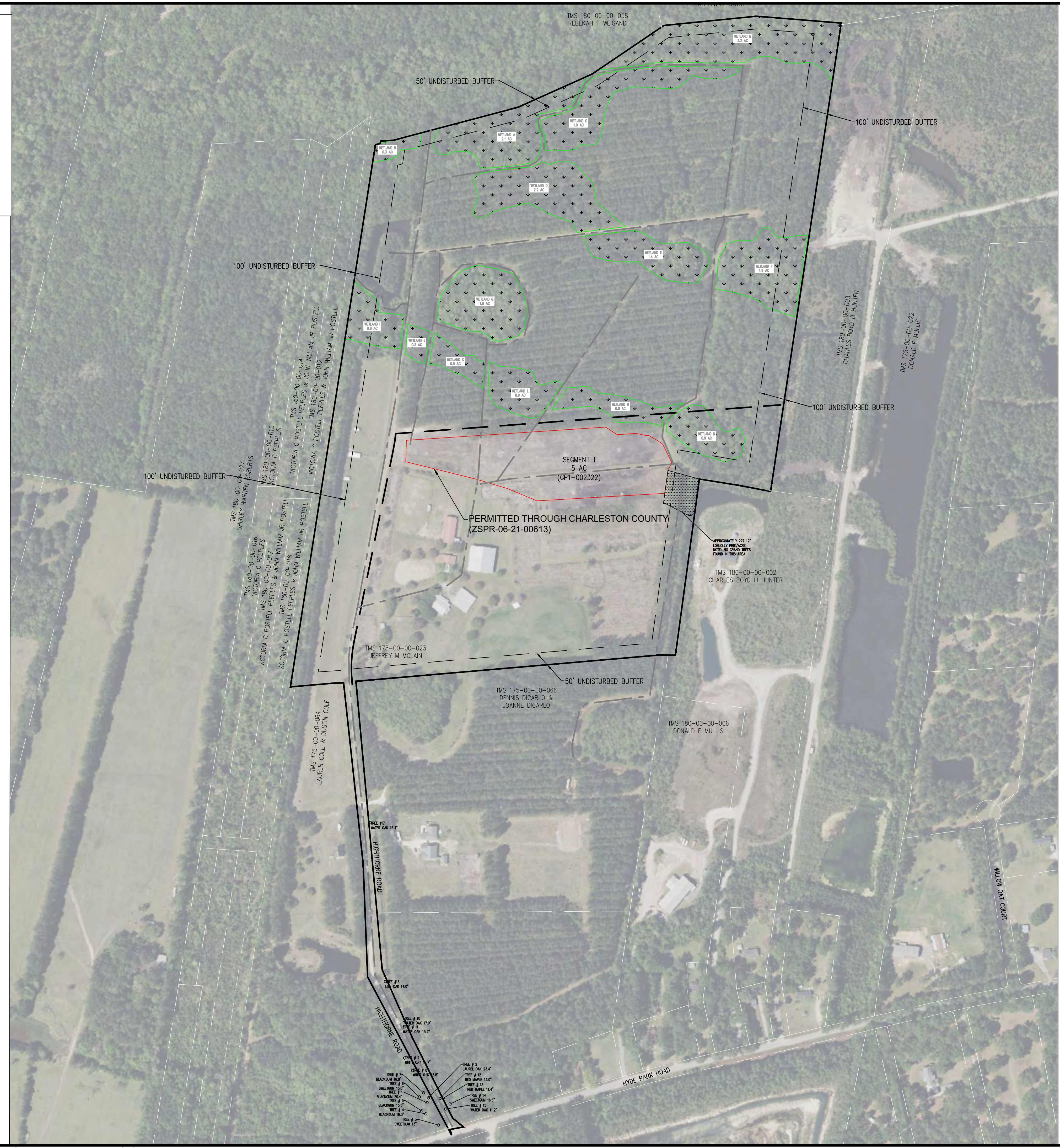
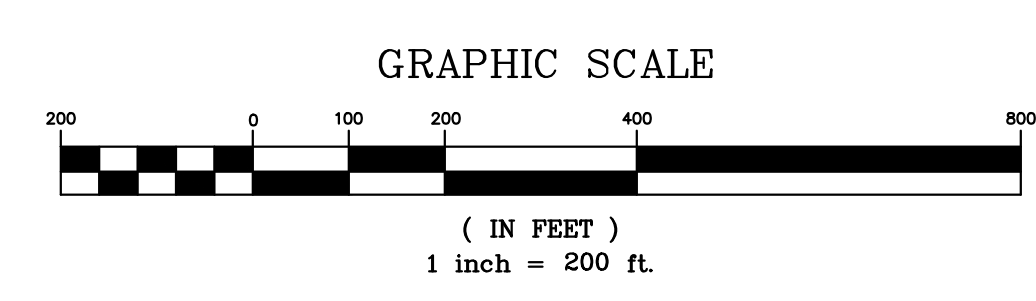
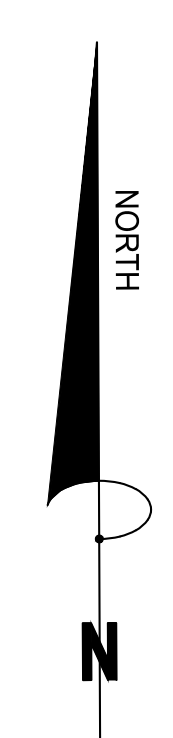
LEGEND

- EXISTING TREE
- PROPERTY BOUNDARY
- ADJACENT PARCELS
- SEGMENT 1 OPERATIONAL BOUNDARY (FULLY PERMITTED)
- WETLAND
- STOCKPILE
- SETTLING POND
- RIP RAP
- EXISTING ROADS
- UNDISTURBED BUFFER

- GENERAL NOTES**
- ADJACENT PROPERTY LINES ARE SHOWN AS PER CHARLESTON GIS DATA (2023) AND THE PROJECTS BOUNDARY LINE IS SHOWN PER ROBERT STRANGE FROM GREENTREE LAND MANAGEMENT.
 - WETLANDS AND PONDS WERE DELINEATED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JULY 24, 2020.
 - TREES WERE SURVEYED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JANUARY 13, 2022.
 - ALL LAND USE BOUNDARIES ARE APPROXIMATE AND NOT TO SCALE. BOUNDARIES SHOWN ARE NOT BASED UPON A FIELD-RUN LAND SURVEY.
 - THERE ARE NO GRAND TREES WITHIN THE PROPERTY BOUNDARY PER ROBERT STRANGE, SC REGISTERED FORESTER #1931.

TREE SURVEY
 NO GRAND TREES WERE OBSERVED WITHIN THE SURVEY AREA

Tree Number	Species	DBH	Latitude	Longitude
1	Blackgum	20.4"	32.817289	-80.258481
2	Laurel Oak	23.4"	32.817342	-80.258463
3	Sweetgum	13"	32.817045	-80.258336
4	Blackgum	19.3"	32.817168	-80.258498
5	Blackgum	15.5"	32.817201	-80.25855
6	Sweetgum	16.4"	32.817353	-80.25858
7	Blackgum	16.8"	32.817398	-80.258526
8	Water Oak	13.5"	32.817642	-80.258664
9	White Oak	12.7"	32.817779	-80.258766
10	Water Oak	17.9"	32.818189	-80.258768
11	Water Oak	15.2"	32.818114	-80.25879
12	Red Maple	13.0"	32.817335	-80.258314
13	Red Maple	11.4"	32.817337	-80.258272
14	Sweetgum	16.6"	32.817274	-80.258183
15	Water Oak	11.2"	32.817219	-80.25824
16	Live Oak	14.0"	32.818617	-80.259008
17	Water Oak	15.4"	32.820352	-80.259188



Bowman

Bowman Consulting Group, Ltd.
 880 Island Park Drive
 Suite 400
 Charleston, SC 29492
 Phone: (843) 501-0333
 bowman.com
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EXISTING CONDITIONS
 HIGHTHORNE MINE SEGMENT 2, 3, 4, & 5
 TMS # 175-00-00-023
 CHARLESTON COUNTY, SC

SOUTH CAROLINA
 BOWMAN CONSULTING GROUP LTD
 NO. 4523
 STATE OF APPROVAL

SOUTH CAROLINA
 JAMES R. DUCKETT
 No. 26167
 3-27-2024

PLAN STATUS

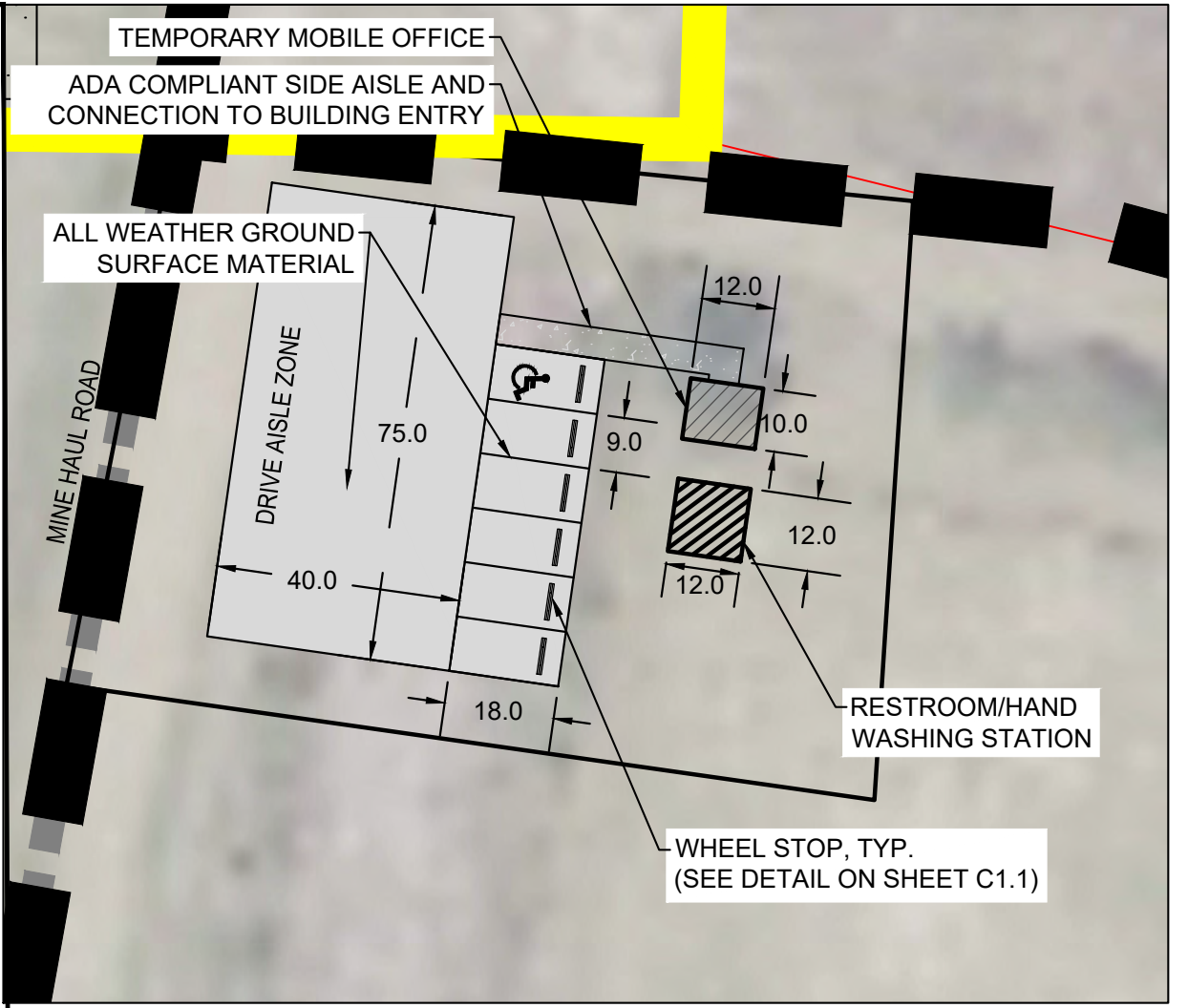
2/14/24	1ST CHARLESTON COUNTY
3/27/24	2ND CHARLESTON COUNTY

DATE	DESCRIPTION
KM DESIGN	KM DRAWN
JN CHKD	
SCALE: H: 1" = 200'	
V: N/A	
JOB No.150155-01-001	
DATE MARCH 27, 2024	
PERMITTING ONLY	
NOT FOR CONSTRUCTION	

SHEET **X1.0**

LEGEND

PROPERTY BOUNDARY	
ADJACENT PARCELS	
SEGMENT 1 OPERATIONAL BOUNDARY (FULLY PERMITTED)	
SEGMENT 2 OPERATIONAL BOUNDARY	
SEGMENT 3 OPERATIONAL BOUNDARY	
SEGMENT 4 OPERATIONAL BOUNDARY	
SEGMENT 5 OPERATIONAL BOUNDARY	
WETLAND	
DRAINAGE PATH	
STOCKPILE	
SETTLING POND	
RIP RAP	
MINE HAUL ROAD	
EXISTING ROADS	
UNDISTURBED BUFFER	



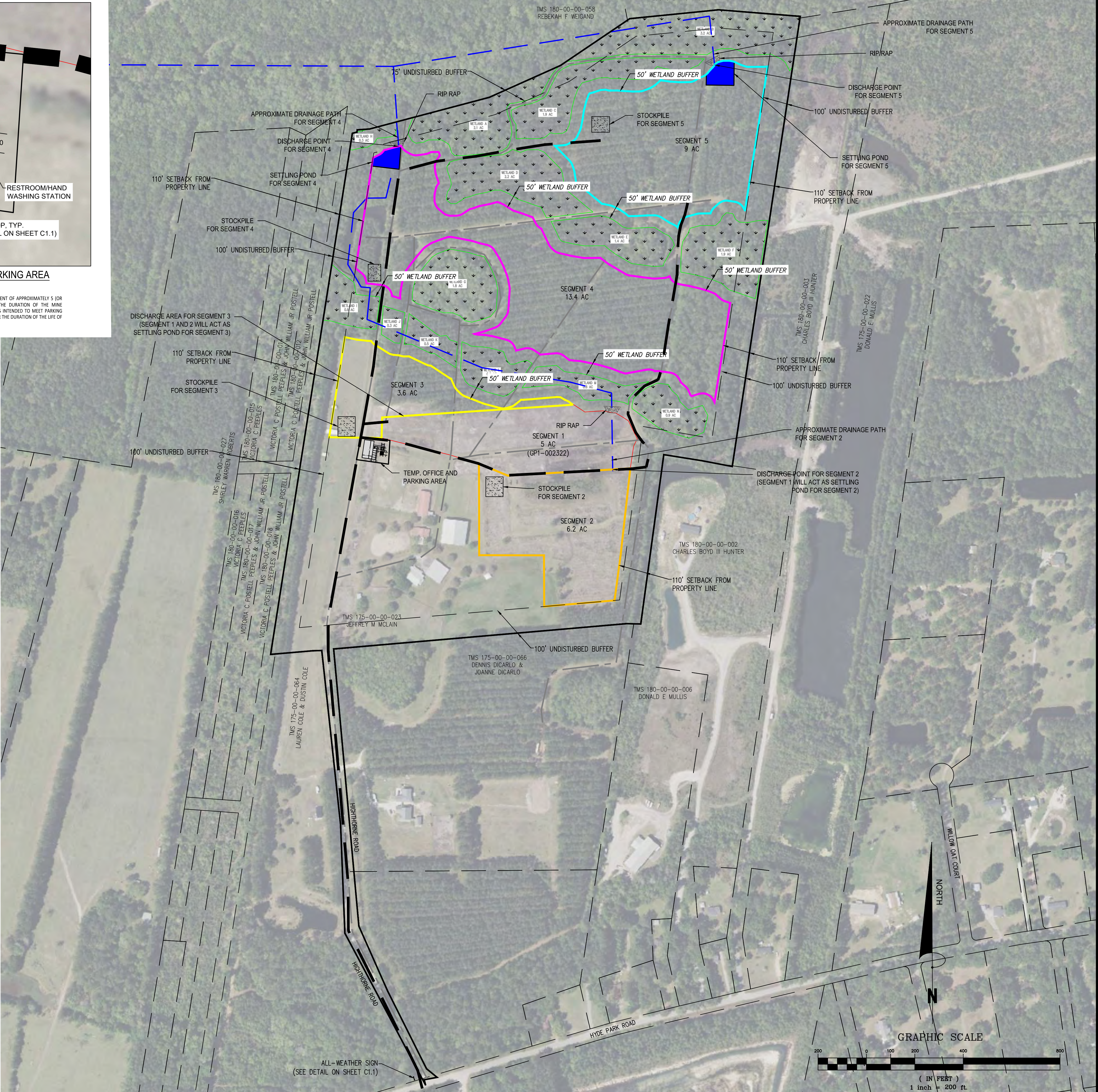
TEMPORARY MOBILE OFFICE & PARKING AREA
SCALE: 1" = 30'

NOTE: HIGHTHORNE MINE SEGMENTS 2, 3, 4, & 5 ANTICIPATES THE EMPLOYMENT OF APPROXIMATELY 5 (OR LESS) EMPLOYEES FOR HANDLING DAY-TO-DAY MINE SITE ACTIVITIES FOR THE DURATION OF THE MINE OPERATION. ALLOCATED EMPLOYEE PARKING AS DETAILED IN THE SITE PLAN IS INTENDED TO MEET PARKING REQUIREMENTS FOR THE FULL EXTENT OF THE OPERATIONAL BOUNDARY AND FOR THE DURATION OF THE LIFE OF THE MINE.

- GENERAL NOTES**
- ADJACENT PROPERTY LINES ARE SHOWN AS PER CHARLESTON GIS DATA (2023) AND THE PROJECTS BOUNDARY LINE IS SHOWN PER ROBERT STRANGE FROM GREENTREE LAND MANAGEMENT.
 - WETLANDS AND PONDS WERE DELINEATED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JULY 24, 2020.
 - TREES WERE SURVEYED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JANUARY 13, 2022.
 - ALL LAND USE BOUNDARIES ARE APPROXIMATE AND NOT TO SCALE. BOUNDARIES SHOWN ARE NOT BASED UPON A FIELD-RUN LAND SURVEY.
 - UNDISTURBED BUFFERS AROUND THE PROPERTY BOUNDARY ARE PER BZA APPROVAL.

SITE SUMMARY

JURISDICTION:	CHARLESTON COUNTY
PARCEL NUMBER:	175-00-00-023
ZONING:	RM - RESOURCE MANAGEMENT
PROPERTY BOUNDARY	+/- 92.00 AC
MINE PERMIT BOUNDARY	+/- 94.5 AC
SCDHEC PERMIT #002394 (APPROVED 1/5/24):	+/- 92.00 AC
UPLAND	+/- 73.00 AC
WETLAND	+/- 19.00 AC
USACE PJD SAC-2020-00730 (USACE LETTER, DATED 7/30/20):	+/- 92.00 AC
UPLAND	+/- 72.60 AC
WETLAND	+/- 19.00 AC
STORMWATER POND	+/- 0.40 AC
SEGMENT 2 SITE PLAN OPERATIONAL BOUNDARY:	+/- 6.20 AC
UPLAND	+/- 6.20 AC
WETLAND	+/- 0 AC
SEGMENT 3 SITE PLAN OPERATIONAL BOUNDARY:	+/- 3.60 AC
UPLAND	+/- 3.60 AC
WETLAND	+/- 0 AC
SEGMENT 4 SITE PLAN OPERATIONAL BOUNDARY:	+/- 13.40 AC
UPLAND	+/- 13.40 AC
WETLAND	+/- 0 AC
SEGMENT 5 SITE PLAN OPERATIONAL BOUNDARY:	+/- 9.00 AC
UPLAND	+/- 9.00 AC
WETLAND	+/- 0 AC
DISTURBED AREA:	+/- 36.2 AC



Bowman

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880 Island Park Drive
Suite 400
Charleston, SC 29492
Phone: (843) 501-0333
bowman.com
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SITE PLAN

HIGHTHORNE MINE SEGMENT 2, 3, 4, & 5

TMS # 175-00-00-023

CHARLESTON COUNTY, SC

PROFESSIONAL SEAL

SOUTH CAROLINA
JAMES R. DUCKER
No. 26167
9-27-2023

PLAN STATUS

2/14/24	1ST CHARLESTON COUNTY
3/27/24	2ND CHARLESTON COUNTY

DATE	DESCRIPTION
KM	DESIGN
KM	DRAWN
JN	CHKD

SCALE: H: 1" = 200'
V: N/A

JOB No: 150155-01-001

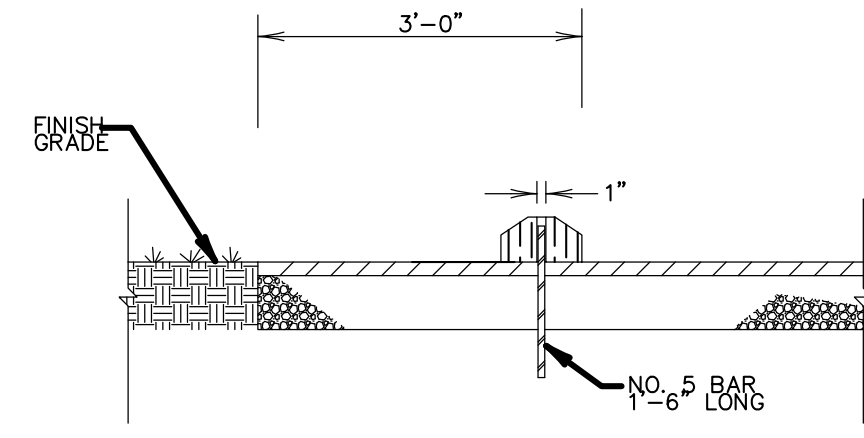
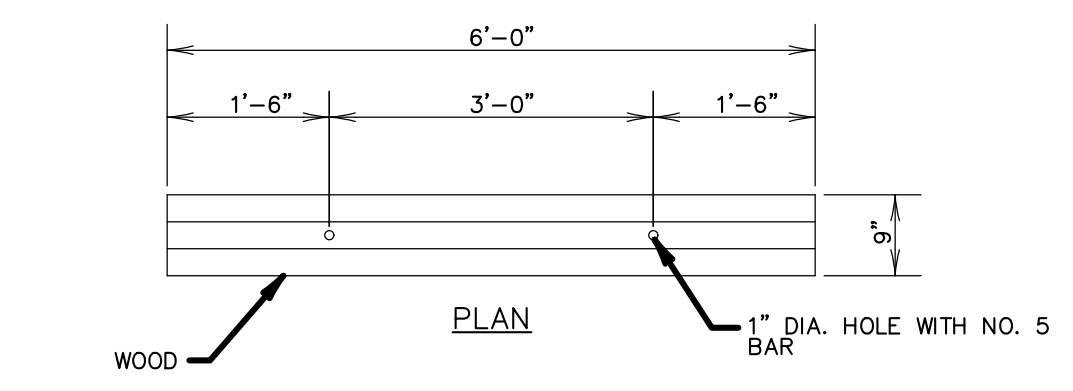
DATE MARCH 27, 2024

PERMITTING ONLY
NOT FOR CONSTRUCTION

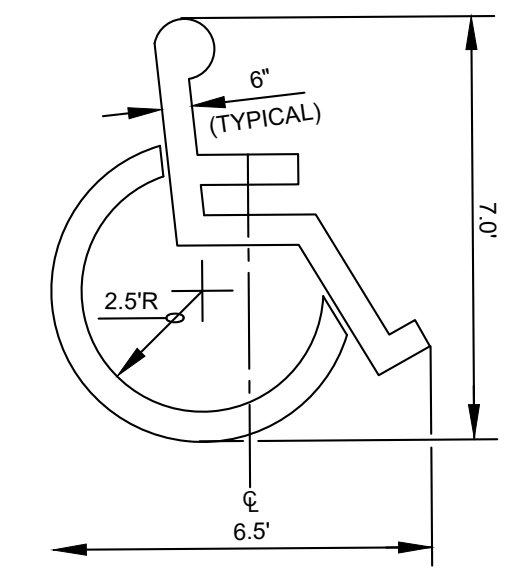
SHEET **C1.0**



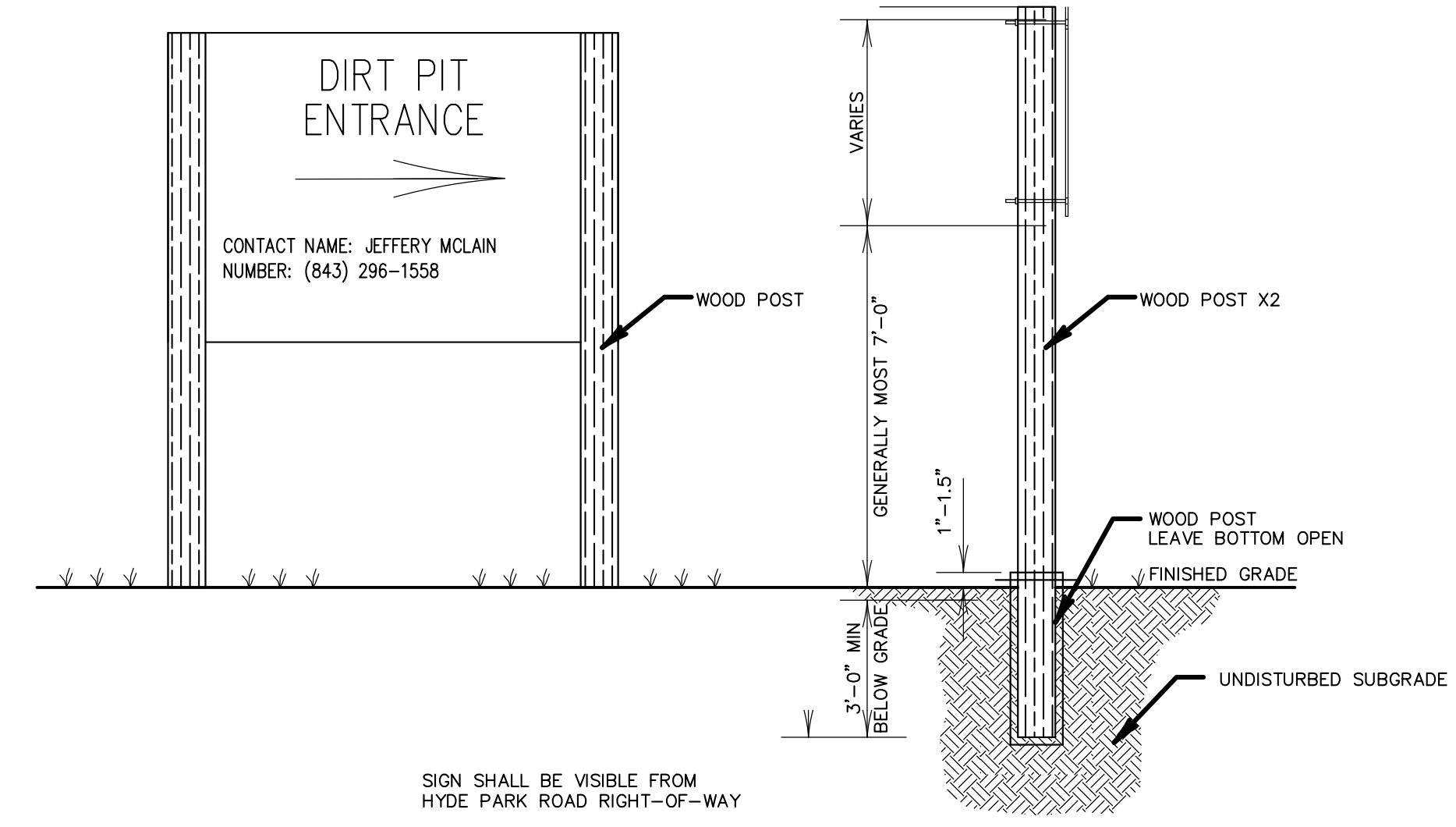
PLAN STATUS	
2/14/24	1ST CHARLESTON COUNTY
3/27/24	2ND CHARLESTON COUNTY
DATE	DESCRIPTION
KM DESIGN	KM DRAWN JN CHKD
SCALE	H: N/A V: N/A
JOB No. 150155-01-001	
DATE MARCH 27, 2024	
PERMITTING ONLY NOT FOR CONSTRUCTION	
SHEET	C1.1



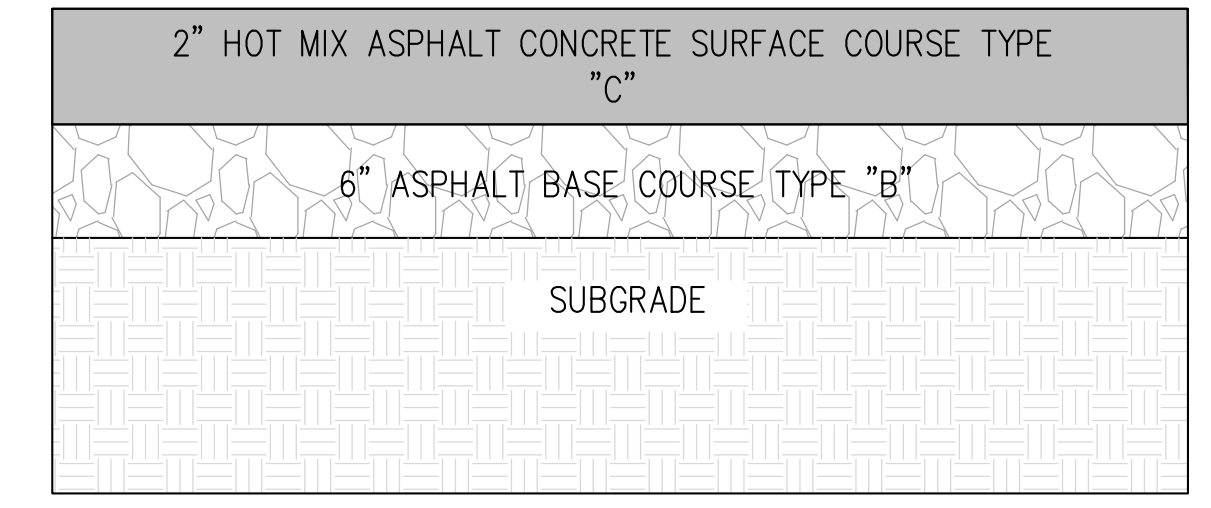
SECTION
WHEEL STOP DETAIL
 NOT TO SCALE



LOCATE AT EDGE OF PARKING SPACE UNLESS ACCOMPANIED BY "VAN" LETTERING
ACCESSIBLE PARKING SYMBOL
 NOT TO SCALE



SIGN SHALL BE VISIBLE FROM HYDE PARK ROAD RIGHT-OF-WAY
ALL-WEATHER SIGN
 NOT TO SCALE

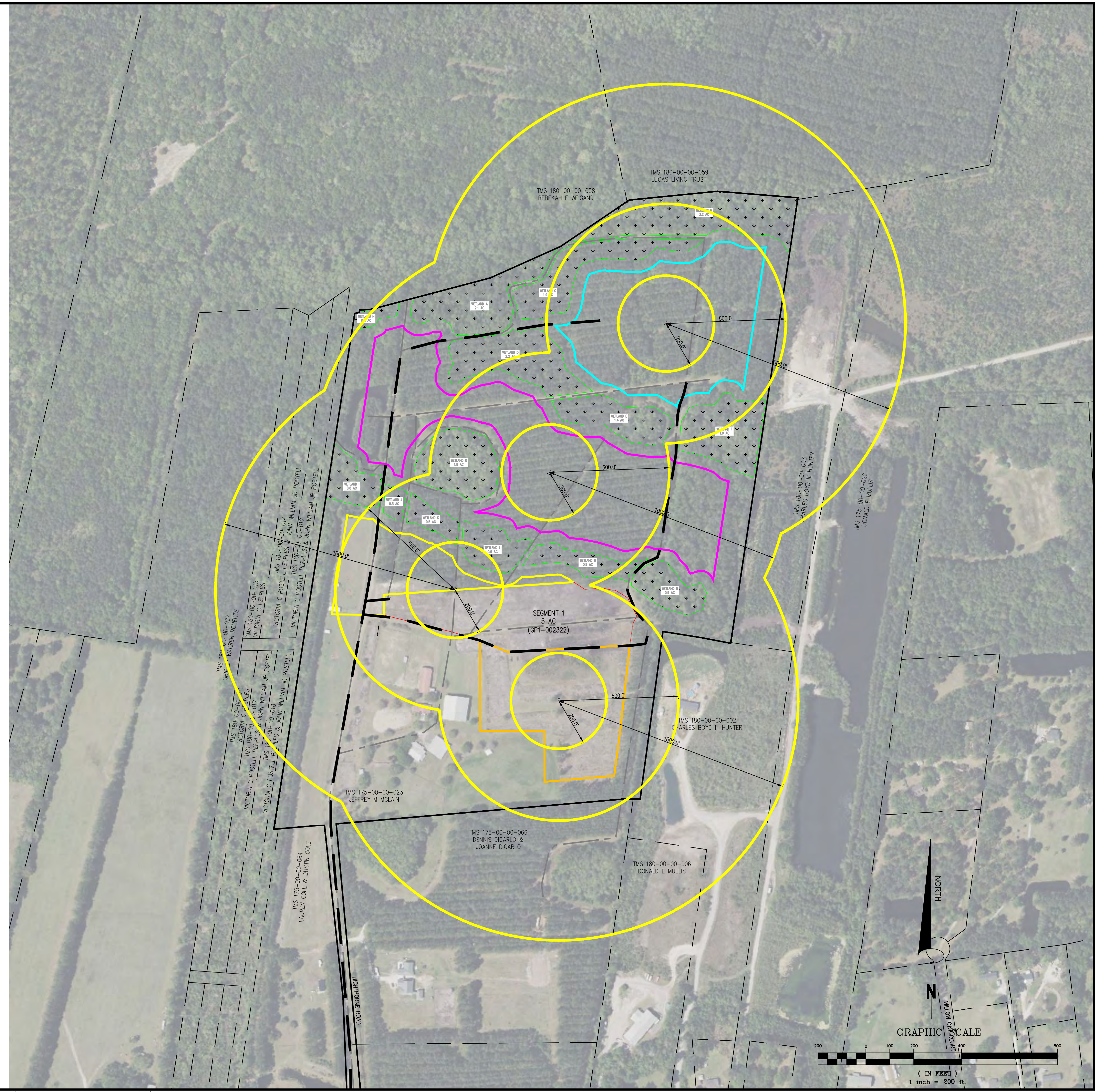


LIGHT DUTY FLEXIBLE PAVEMENT SECTION
 NOT TO SCALE

LEGEND

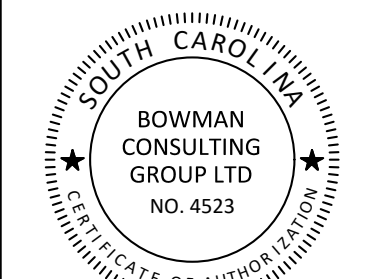
- PROPERTY BOUNDARY
- ADJACENT PARCELS
- SEGMENT 1 OPERATIONAL BOUNDARY (FULLY PERMITTED)
- SEGMENT 2 OPERATIONAL BOUNDARY
- SEGMENT 3 OPERATIONAL BOUNDARY
- SEGMENT 4 OPERATIONAL BOUNDARY
- SEGMENT 5 OPERATIONAL BOUNDARY
- WETLAND
- MINE HAUL ROAD
- EXISTING ROADS
- MINE BUFFERS (200', 500', 1000')

- GENERAL NOTES**
1. ADJACENT PROPERTY LINES ARE SHOWN AS PER CHARLESTON GIS DATA (2023) AND THE PROJECTS BOUNDARY LINE IS SHOWN PER ROBERT STRANGE FROM GREENTREE LAND MANAGEMENT.
 2. WETLANDS AND PONDS WERE DELINEATED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JULY 24, 2020.
 3. TREES WERE SURVEYED BY SABINE & WATERS, INC. ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS ON JANUARY 13, 2022.
 4. ALL LAND USE BOUNDARIES ARE APPROXIMATE AND NOT TO SCALE. BOUNDARIES SHOWN ARE NOT BASED UPON A FIELD-RUN LAND SURVEY.
 5. UNDISTURBED BUFFERS AROUND THE PROPERTY BOUNDARY ARE PER BZA APPROVAL.



Bowman Consulting Group, Ltd.
 680 Island Park Drive
 Suite 400
 Charleston, SC 29492
 Phone: (843) 501-0333
 bowman.com
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SITE PLAN
HIGHTHORNE MINE SEGMENT 2, 3, 4, & 5
 TMS # 175-00-00-023
 CHARLESTON COUNTY, SC



PLAN STATUS

2/14/24	1ST CHARLESTON COUNTY
3/27/24	2ND CHARLESTON COUNTY

DATE	DESCRIPTION
KM	KM JUN
DESIGN	DRAWN CHKD
SCALE	H: 1" = 200'
	V: N/A
JOB No: 150155-01-001	
DATE MARCH 27, 2024	
PERMITTING ONLY	
NOT FOR CONSTRUCTION	

NOTES:

- 1) THIS IS NOT A VALID, TRUE COPY OF THIS DOCUMENT UNLESS IT BEARS THE ORIGINAL SIGNATURE, SIGNATURE DATE, AND THE RAISED EMBOSSED SEAL OF THE SURVEYOR NOTED HEREON.
- 2) THIS PLAT HAS BEEN PREPARED FOR ? IN ACCORDANCE WITH THEIR PLANNED USE. THIS SURVEY WAS PREPARED USING PUBLIC DOCUMENTS AS NOTED ON THIS PLAT. THE PUBLIC RECORDS SHOWN ON THIS PLAT ARE ONLY THOSE USED TO CONSTRUCT, AS CLOSE AS POSSIBLE, THE BOUNDARIES OF THE SUBJECT PARCEL SHOWN HEREON. THE LINES DELINEATING THE CONTIGUOUS PARCELS SHOWN HEREON DO NOT CONSTITUTE A COMPLETED BOUNDARY SURVEY FOR THOSE PARCELS.
- 3) THIS PROPERTY MAY BE SUBJECT TO VARIOUS UTILITY EASEMENTS (i.e. POWER, TELEPHONE, SANITARY &/or STORM SEWER, etc.) THAT WERE NOT NOTED EITHER IN THE REFERENCE DEED, THE REFERENCE PLATS OR THE ABOVE MENTIONED TITLE COMMITMENT ASSOCIATED WITH THIS PROPERTY. THE UTILITIES SHOWN HEREON ARE BASED ON FIELD SURFACE LOCATIONS, AND WERE NOT VERIFIED AS TO SIZE, DEPTH, MATERIAL, &/or CONDITION. THIS PLAT DOES NOT ADDRESS ANY SUBTERRANEAN CONDITIONS OF ANY NATURE UNLESS SPECIFICALLY NOTED OTHERWISE.

NOTES: (CONTINUED)

- 4) AREA COMPUTED BY COORDINATE METHOD.
- 5) HORIZONTAL AND VERTICAL CONTROL ESTABLISHED WITH GPS USING THE SCGS VRS SYSTEM. HORIZONTAL DATUM - SOUTH CAROLINA STATE COORDINATE SYSTEM (NAD83/2011) VERTICAL DATUM - NAVD 88, ALL DISTANCES ARE GROUND.
- 6) NO ABOVEGROUND ENCROACHMENTS OF BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS FROM THE SUBJECT PROPERTY ONTO ADJOINING PROPERTIES OR FROM ADJOINING PROPERTIES ONTO THE SUBJECT PROPERTY WERE OBSERVED AT THE TIME OF THIS SURVEY OTHER THAN SHOWN HEREON.
- 7) THIS AREA IS ZONED X PER FEMA PANEL 45019C0435K, EFFECTIVE ON 1/29/2021.

REFERENCES:

1. PLAT SHOWING THE SUBDIVISION OF CHARLESTON COUNTY TMS# 175-00-00-023, A 156.073 ACRE TRACT OWNED BY JOHN R. WALKER INC, INTO PARCEL A, A 61.593 ACRE TRACT, PARCEL B, A 30.000 ACRE TRACT, AND PARCEL C, A 64.480 ACRE TRACT, WITH A TWENTY FIVE FOOT (25') INGRESS/EGRESS EASEMENT LOCATED ALONG HYDE PARK ROAD IN CHARLESTON COUNTY, SOUTH CAROLINA, DATED JUNE 24, 2019 IN CABNET L19- PAGE 0427.
2. PLAT SHOWING CHARLESTON COUNTY TMS# 175-00-00-064, PARCEL A (36.593 ACRES), AND TMS 175-00-00-066, PARCEL A-1 (25.000 ACRES), LOCATED ALONG HYDE PARK ROAD IN CHARELSTON COUNTY, SOUTH CAROLINA, DATED JUNE 26, 2020 IN CABINET L20 - PAGE 0286.

APPROVED PLAT

Andrew C. Gillette
 Director of Planning
 Charleston County Planning Commission
 SBD-0 2508 09-13-23
 Appl# Date

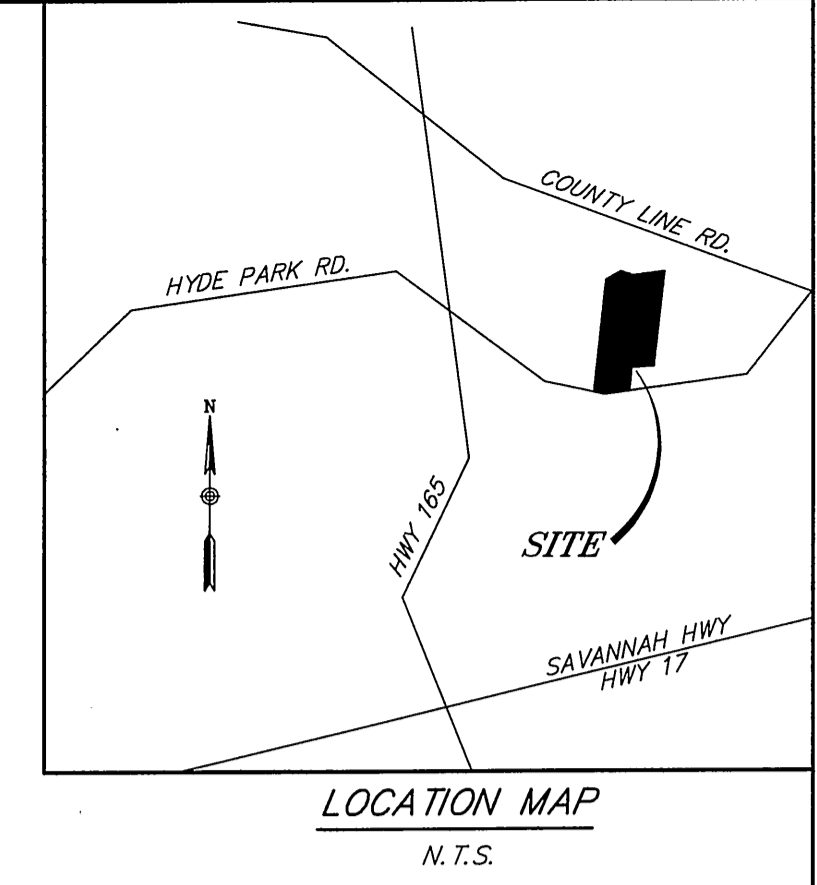
RESERVED FOR STAMPS
 CHARLESTON COUNTY

RECORDED

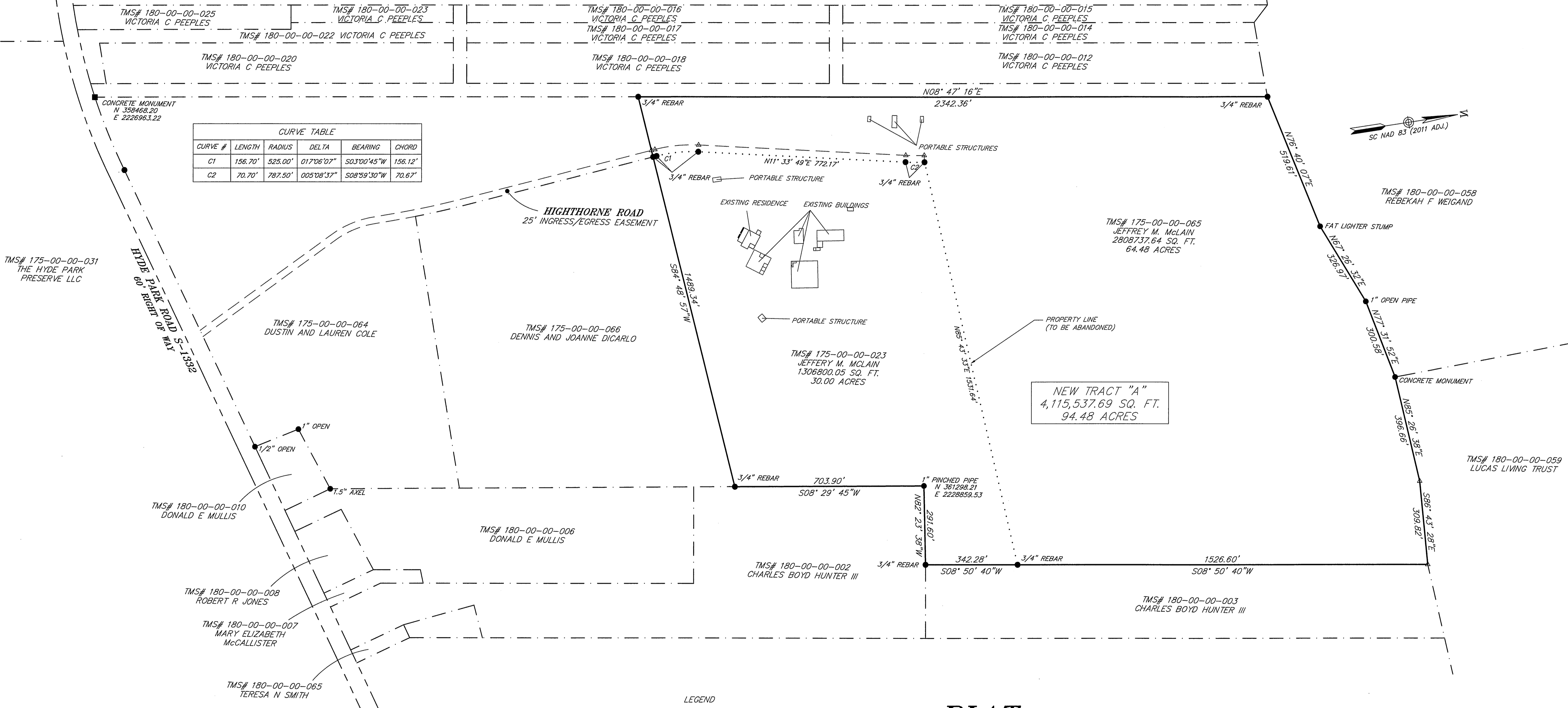
DATE: 9/15/2023 TIME: 10:03:20 AM
 Book-Page: L23 0354 DocType: Large Plat
 Karen Hollings, Register of Deeds, Charleston County, SC

Record Fee: \$25.00
 Postage: \$0.00
 TOTAL: \$25.00
 Drawer: []
 Clerk: []

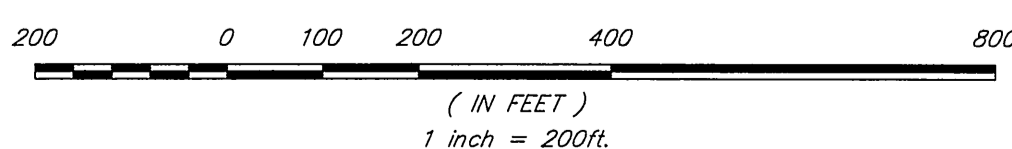
Location: HIGHTHORNE ROAD



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	156.70'	525.00'	017°06'02"	S03°00'45"W	156.12'
C2	70.70'	787.50'	005°08'37"	S08°59'30"W	70.67'



- LEGEND
- PROPERTY LINE WITH CORNER FOUND (AS DESCRIBED)
 - PROPERTY LINE WITH CORNER SET (3/4" REBAR)
 - PROPERTY LINE TO BE ABANDONED
 - - - - - PROPERTY LINE ADJACENT
 - - - - - RIGHT OF WAY
 - △ CALCULATED POINT



PLAT
 SHOWING PROPERTY LINE ABANDONMENT BETWEEN TMS# 175-00-00-023, 30.00 AC., AND TMS 175-00-00-065, 64.48 AC., PROPERTIES OF JEFFREY M. McCLAIN., LOCATED IN CHARLESTON COUNTY, SOUTH CAROLINA

DATE: JULY 18, 2023

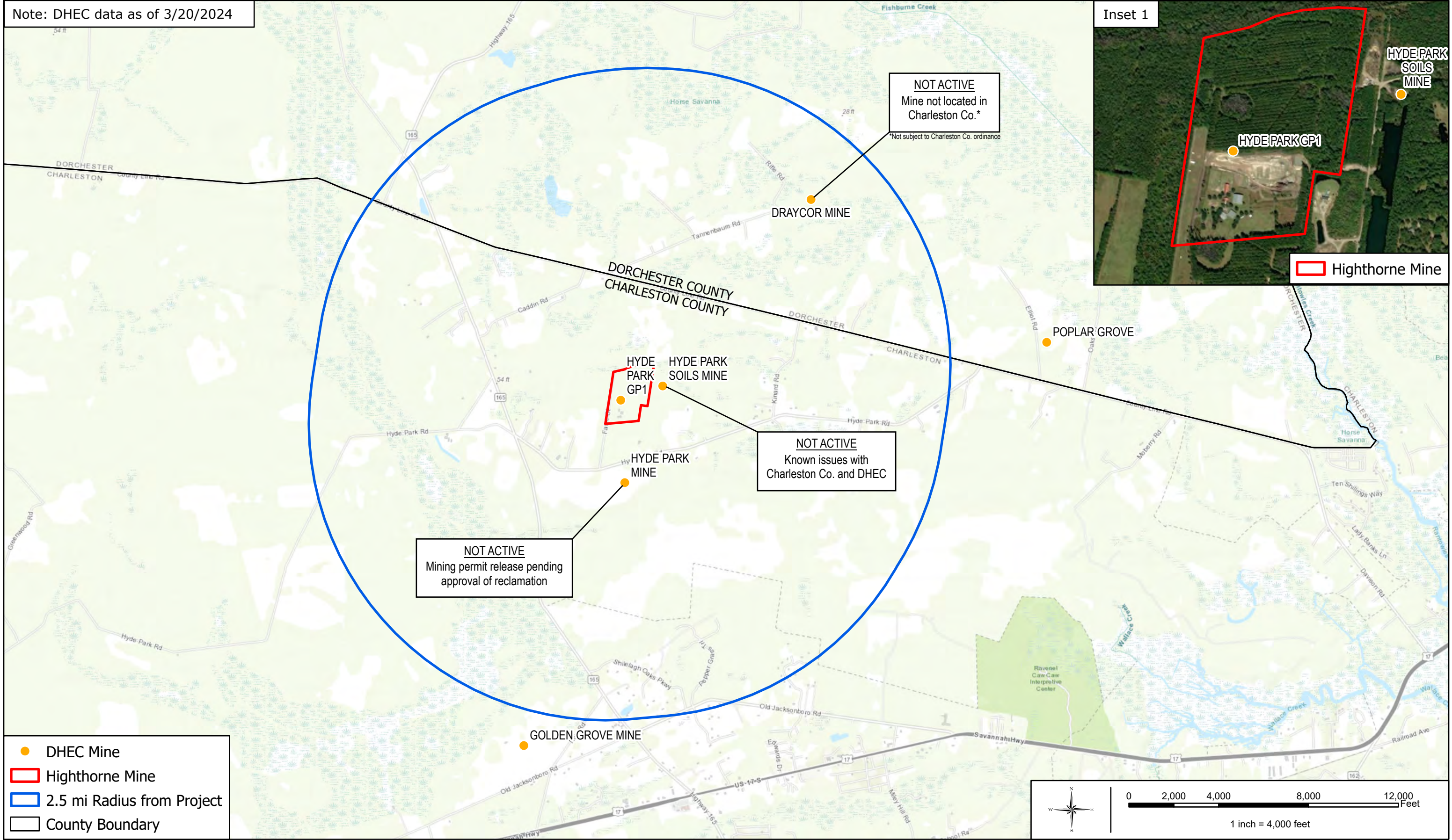
SCALE: 1" = 200'

Parker Land Surveying, LLC
 5910 Griffin Street
 Hanahan, SC 29410
 Phone: (843) 554-7777
 Fax: (843) 554-7779

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

Andrew C. Gillette
 ANDREW C. GILLETTE JR.
 No. 27736
 P.L.S. 27736
 9/11/23

Note: DHEC data as of 3/20/2024



Charleston & Dorchester Counties
South Carolina

Highthorne Mine

2.5 Mile Proximity Analysis

