

# STOREY FARMS

PLANNED DEVELOPMENT GUIDELINES  
JOHNS ISLAND | CHARLESTON COUNTY | SOUTH CAROLINA

TMS 203-00-00-232 | 203-00-00-233

PD-183  
Approved by County  
Council September 20,  
2022 with conditions

FINAL VERSION,  
CONDITIONS  
INCORPORATED

DATE: SEPTEMBER 20, 2022

**APPLICANT:**

JEREMY STOREY  
STOREY FARMS  
4104 BETSY KERRISON PARKWAY  
CHARLESTON, SC 29455

**LANDSCAPE ARCHITECTS:**

SGA | NW, a GF design company  
804 MEETING STREET, SUITE 103  
CHARLESTON, SC 29403

**CONTACT:**

WILLIAM T. EUBANKS, FASLA, LEED AP  
DIRECTOR, PLANNING & LANDSCAPE  
ARCHITECTURE  
beubanks@sganwdesign.com  
(843) 853-4506

SGA | NW

a  design company



## SECTION 1 | OVERVIEW



CONTEXT MAP | JOHNS ISLAND  
NOT TO SCALE



### 1.1 STATEMENT OF OBJECTIVES

This proposed Planned Development (PD) is comprised of two parcels totaling approximately 2.22-acres (the Site) to the west of the intersection of Trumpet Road and Betsy Kerrison Parkway in Charleston County to be known as Storey Farms. The PD is also referred to in this document as the “Project” and is surrounded by a mix of agricultural and residential uses. The Site is located outside of the Urban Growth Boundary established by Charleston County. The Project will primarily comprise agricultural and agriculturally oriented commercial uses, with single-family residential that complies with the existing AGR zoning as an allowed land use.

A Conceptual Master Plan (the “Conceptual Plan”) is included as part of this PD on Page 12. The Conceptual Plan provides a general depiction of the Land Use Areas, including desired buffer yards and setbacks. The final site layout will be determined by preliminary and final plats approved in accordance with the Land Development Regulations. The Planned Development is being proposed to provide a development pattern that is in harmony with the applicable goals and strategies of the Comprehensive Plan, as outlined in Chapter 3.1, by creatively offering blended uses of rural agricultural, rural commercial, and agricultural residential uses.

The objective of this PD is to preserve the rural character of the Site while allowing for the growth of a local business and providing greater public access to local agricultural goods. This Project is intended to provide a development that would not be possible under the strict application of the standards of this Ordinance that were designated primarily for uses permitted under AGR zoning by allowing for the addition of agriculturally oriented commercial uses. These additional uses would expand public access to the Site and provide for possible future employment opportunities, while maintaining the Site's existing agricultural uses and the rural character of its surroundings. This is achieved through an adaptive site layout that offers flexibility to accommodate changes in agricultural operations. This planning approach also results in an economical usage of the existing utilities and streets and intends to have minimal additional impact on County services such as schools and other public facilities.

## 1.2 INTENT AND RESULTS

The Project is intended to be developed to emulate the rural character of Johns Island while offering a mixture of agricultural and rural commercial uses that will offer residents access to local food sources. The Project meets the intent and results of Article 4.25.3 of the ZLDR as follows:

- A. A maximum choice in the types of environments available to the public by allowing a development that would not be possible under the strict application of the standards of this Ordinance that were designated primarily for development on individual lots. The PD is consistent with the historic land uses of Johns Island and align with the future land uses outlined in Chapter 3.1 of the Charleston County Comprehensive Plan by combining agricultural, rural commercial, and agricultural residential uses on the parcels. The project will support local and sustainable agriculture, enable local business growth, and increase public access to local foodways.
- B. A greater freedom in selecting the means to provide access, light, open space and design amenities. The PD will provide greater public access to agricultural amenities in order to draw a greater connection between the foods we eat and the land on which it is grown.
- C. Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements. The PD intends to foster the traditional rural character of the land and maintaining the visual identity of the bordering scenic road, Betsy Kerrison Parkway.
- D. A development pattern in harmony with the applicable goals and strategies of the Comprehensive Plan. The Comprehensive Plan calls for rural agriculture, rural commercial, and agricultural residential as future land uses for this Site and the surrounding areas. This PD is consistent with that development pattern.
- E. The permanent preservation of common open space, recreation areas and facilities. This PD intends to maintain the agricultural uses that currently exist on the Site and to preserve the rural character of the surrounding area.
- F. An efficient use of the land resulting in more economical networks of utilities, streets, schools, public grounds and buildings, and other facilities. The PD intends to have minimal additional impact on the networks of utilities, streets, schools, and other public facilities beyond the existing uses.
- G. A creative approach to the use of land and related physical facilities that results in better development and design and the construction of amenities. The PD, by allowing for greater flexibility

in the uses of the land, will offer increased public access to the agricultural and related commercial uses. It also provides for greater flexibility in agricultural practices as environmental and market conditions change over time.

- H. A development pattern that incorporates adequate public safety and transportation-related measures in its design and compliments the developed properties in the vicinity and the natural features of the site. The PD provides appropriate vehicular access, including emergency access, and offers safe pedestrian internal circulation. The Project takes advantage of the natural features of the site, including existing Grand Trees.

The development guidelines set forth in this PD are established pursuant to CHAPTER 4 | BASE ZONING DISTRICTS, ARTICLE 4.25 PD, PLANNED DEVELOPMENT ZONING DISTRICT of the Zoning and Land Development Regulations Ordinance (ZLDR) of Charleston County, last updated October 26, 2021 (the “Zoning Ordinance”), governing Planned Developments. To the extent that any of the guidelines, terms, conditions, or regulations of this PD conflict with any of the guidelines, terms, conditions, or regulations of the Zoning Ordinance and the Land Development Regulations, the guidelines, terms, conditions, or regulations of this PD shall control development of the Site. Issues not addressed in this PD shall comply with the AGR Zoning District requirements in effect at the time of subsequent development application submittal.

### 1.3 SITE INFORMATION

The Site is currently shown on Charleston County Tax Map Nos. 203-00-00-232 and 203-00-00-233. The land included in the Site will be rezoned as a Planned Development (PD) in accordance with the guidelines set forth in these Planned Development Guidelines. The land is broken down as follows:

Total Site:	2.22 AC
Parcel 203-00-00-232:	1.19 AC
Parcel 203-00-00-233:	1.03 AC
Highland Area:	2.22 AC
Wetland Area:	0.00 AC
Land Below Critical Line:	0.00 AC

## **SECTION 2 | LAND USE AREAS**

### **2.1 ALLOWED LAND USES**

The following are approved land uses within the Project:

USES ALLOWED BY RIGHT (see descriptions below in 2.1.1)

- A. Food Sales
- B. Food Truck and Food Vendor
- C. Fire Pit and Oyster Roast Area
- D. Sale of Alcohol
- E. Garden/Crop Areas
- F. Agricultural Processing
- G. Agricultural Storage
- H. Accessory Structures
- I. Education Trail/Petting Zoo
- J. Single Family Detached Residential (pursuant to AGR zoning district requirements)
- K. Roof-mounted Solar Collector

These Land Uses are generally depicted in the Conceptual Plan, subject to Preliminary and Final Plats as approved in accordance with the Land Development Regulations. Allowed Land Uses are further described in Sections 2.1.1 and 2.1.2.

#### **2.1.1 ALLOWED LAND USES DESCRIPTIONS**

The Allowed Land Uses primarily consist of an agriculturally oriented commercial area and supporting agricultural uses that promote public access to local agricultural products. The commercial areas may include structures and facilities related to the sale of local food sources including the Food Sales building that currently exists on the site. In addition to the sale of local produce, the business may also include the sale of meats, baked goods, and other home processed food products produced by the Owner and other local food producers.

Other agriculturally oriented commercial uses are allowed for the growth of the business and to promote sustainable food production. These uses shall include Food Truck and Food Vendor; and a Fire Pit and Oyster Roast Area. A maximum of one (1) Food Truck or Food Vendor would be allowed on-site at a given time. The Fire Pit and Oyster Roast Area is intended to service the food commercial area as an amenity for guests and an area for roasting oysters.

Alcohol is not currently served or sold on the premises; however, if in the future that should change with the commercial uses, the Sale of Alcohol would be an allowed use by-right for on-site and off-site consumption. The business would follow all licensing and regulatory processes as required by the State of South Carolina.

Additionally, other supporting agricultural uses are provided for the purposes of local agricultural activities, including vegetable, fruit, and grain production, as well as poultry (broilers and/or eggs) and pasture-raised pork. These uses shall include structures and facilities directly related to farming: Garden and Crop Areas, Agricultural Processing and Agricultural Storage, Accessory Structures, and an Educational Trail with Petting Zoo

as a public educational feature.

The Agricultural Processing facility is intended for the preparation for sale of eggs and meats produced by the Owner with limited processing, done in compliance with South Carolina Department of Health and Environmental Control (SCDHEC) and U.S. Department of Agriculture (USDA) regulations. The processing facility will be for the use of the Owner only and is not intended to be open to the public. The Agricultural Storage similarly supports food production by providing for storage of farming equipment and supplies for the properties within the PD, or other properties utilized by the owner.

The Garden/Crop Area is intended as demonstration gardens to offer education on growing crops and farming practices. Similarly, the Petting Zoo and Education Trail are intended to offer interactive lessons to the public on the animals found on the farm and general farming practices. Animals found in the Petting Zoo will be a limited number representative of those raised on the surrounding farm and may include chicken, ducks, turkey, quail, goats, and pigs (on a rotating basis). Petting Zoo animals will be limited to 50 or less chickens and other fowl, and 20 or less other animals. This area may also be used for other educational activities including classes and demonstrations from guest local farmers.

It is expected that a maximum of six (6) employees will be on site per shift and that operating hours would be from 7:00am – 7:00pm daily for all commercial uses. Other vendors such as food truck owners and other food vendors will be allowed to work from the site during business operating hours only.

Accessory Structures (such as sheds, storage areas, etc.) as allowed in the AGR zoning district are allowed pursuant to the applicable requirements of the ZLDR.

The commercial area will be connected to the adjacent uses by natural paths to keep with the rural nature of the setting (shown as trails on the Conceptual Plan). It will also include the Primary Parking Area to provide access to the existing Food Sales building and planned supporting uses. The Primary Parking Area shown on the Conceptual Plan will serve as a common parking area for all commercial structures and utilize common ingress and egress points from Trumpet Road. Further information on the Site's off-street parking can be found in Section 4.3.

Single family residential is not intended as a primary land use; however, should the agricultural and/or commercial uses change or cease to exist, Single Family Detached Residential will be an allowed land use. Residential dwellings shall comply with the density, dimensional and lot standards set forth in the AGR zoning district requirements in place at the time of the development application submittal.

Additionally, Roof-mounted solar panels shall be allowed as an accessory use. Owner(s) may sell electricity back to Dominion Energy South Carolina, as allowed by law.

#### 2.1.2 SPECIAL EVENT USE

The Project shall not host special events in excess of five (5) permitted events per lot per calendar year, as

allowed under Sec. 6.7.3 of the ZLDR. Any special event would comply with all relevant regulations in place at the time of the permit application submittal, including but not limited to, amplified music, traffic control, and coordination with Fire, Police, and Emergency Medical Services.

No amplified music shall be permitted outside of special events. All music and all loud noise that is above seventy (70) db.(A) shall cease no later than 11:00 p.m. Distances shall be measured from the site of the Special Event activity on the Subject Property to the nearest property line of a Lot containing a residential use. Noise levels shall be measured anywhere within the boundary line of the nearest residentially occupied property. All outdoor Special Event activities will be subject to the County’s livability and/or noise ordinance. Traffic control plans shall be provided at the time of a special permit application.

## 2.2 DEVELOPMENT SCHEDULE

Over the life of the Project, the shape, size, and configuration of different Land Use may undergo ~~minor~~ modifications in accordance with Article 4.25.10 of the ZLDR. These modifications, as determined by the Owner, include changes to the location and configuration of various Land Use Areas if minimum requirements are met per this PD. The Planning Director shall have final determination regarding compliance of these modifications with the PD.

The ongoing development of the Project needs to maintain flexibility in order to accommodate changes in agricultural business operations. Due to this need for flexibility, the exact locations of various Land Use Areas, the locations and sizes of parcels for any specific Allowed Land Uses within the Land Use Areas, and the preliminary planning concepts for the Land Use Areas as indicated on the Conceptual Plan are preliminary and subject to minor modifications. The Planning Director shall have final determination regarding compliance of these modifications with the PD.

## 2.3 DIMENSIONAL AND LOT STANDARDS

Setbacks, Building Heights, Maximum Building Coverage Requirements, and Minimum Lot Requirements for Principal and Accessory Structures shall be according to the following chart and accompanying notes.

### MINIMUM SETBACKS (FEET)

BETSY KERRISON PARKWAY: 75 (also serves as buffer)

TRUMPET ROAD: 20 (also serves as buffer)

REAR: 30

SIDE: 5

MINIMUM LOT SIZE: 30,000 Square Feet

MINIMUM LOT WIDTH: 100 Feet

DENSITY: 1 Dwelling Unit per Acre

### LOT BUILDING COVERAGE

MAXIMUM: 30%

BUILDING HEIGHT (FEET)

MAXIMUM: 35 Feet (Measured from the Base Flood Elevation)

2.4 COMPLIANCE WITH THE CHARLESTON COUNTY (ZLDR)

The Storey Farms PD shall comply with the AGR zoning district regulations of the Charleston County ZLDR in effect at the time of subsequent development application for all matters that are not specifically addressed in these Planned Development Guidelines. The Storey Farms PD agrees to proceed with proposed development in accordance with the provisions of the Charleston County ZLDR, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to any rezoning to the PD. The Zoning and Planning Director is authorized to approve minor modifications to the PD Development Plan, as defined in Sec. 4.25.10 of the ZLDR. Any major modifications to the PD Development Plan will require an amendment to the plan, as defined in Sec. 4.25.10 of the ZLDR. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance. The Storey Farms PD complies with the approval criteria contained in Section 4.25.8(J) as follows:

- A. The Storey Farms PD Development Plan complies with the standards contained in Article 4.25 of the ZLDR, except for setbacks which vary from the current zoning; a variation addressed in the State of South Carolina enabling legislation for Planned Developments.
- B. The development is consistent with the Comprehensive Plan and other adopted policy documents as the Comprehensive Plan identifies the site and surrounding areas for rural agricultural, rural commercial, and agricultural residential uses; and the project site is outside the Urban Growth Boundary.
- C. The development is in compliance with applicable permits and approvals. At the time of development, public support services and facilities may be made available as reflected by the coordination letters found in the Appendix.
- D. This Project shall obtain variances for tree removal or any encroachment into the protected area of Grand Trees. If needed, the Project shall seek approval from County Council for changes to the Planned Development, as defined in Article 9.2 of the ZLDR.
- E. All variance applications for trees, setbacks, buffers, height, and maximum lot/building coverage for individual lots shall be processed pursuant to Article 3.10 of the ZLDR.

2.5 CULTURAL RESOURCES DESKTOP REVIEW

A Cultural Resources Desktop Review was prepared by Passarella & Associates, Inc., dated April 12, 2021. The entire report is included as an Appendix. The findings are based upon the publicly available information provided by the South Carolina ArchSite Public View Map. Currently, no cultural resources are recorded within the direct footprint of the project tract.

One resource was found located within 300 feet of the Project site. However, per the Public View Map, this resource was determined to be ineligible for listing in the National Register of Historic Places (NRHP). The

nearest resources identified as eligible for listing in the NRHP is Mt. Hebron Presbyterian Church, which is located approximately 0.2± mile north-northeast of the Site.

### SECTION 3 | EXISTING CONDITIONS



EXISTING CONDITIONS | AERIAL PHOTOGRAPH

#### 3.1 EXISTING ZONING AND SITE CONDITIONS

The Site is bounded by Betsy Kerrison Parkway, Trumpet Road, and by agricultural and residential uses. The Site is a combination of crop growing areas and agricultural commercial uses. The Site is currently zoned AGR in Charleston County.

#### 3.2 IMPACT ASSESSMENT AND ANALYSIS

The Project currently has direct access to Trumpet Road, an unpaved private road maintained by the fronting lot owners. A legal opinion letter prepared by Buist, Byars & Taylor, dated April 12, 2022, on the Property's legal access to Trumpet Road is included in the Appendix, along with the referenced recorded plats. The existing access point from Trumpet shall remain and no other access points will be necessary.

Utilities will be provided by various entities including Berkeley Electric Cooperative (electrical), and St. John's Water Company, Inc. (water). The site is currently serviced by a septic system. Any improvements to the existing septic system that may be required to service the proposed uses shall be compliant with all South Carolina Department of Health and Environmental Control (SCDHEC) permitting and regulatory requirements at the time of development. There is limited anticipated additional impact on Charleston County services such as schools, waste disposal, fire protection, and police services. Coordination letters from the applicable entities can be

found in the Appendix.

### 3.3 TRAFFIC STUDY

A study over a seven-day period of December 15-22, 2021, was conducted to calculate the estimated number of trips generated daily. The study found a weekday average of 29.4 trips generated per day, and a weekend average of 45.5 trips per day.

A traffic study may be required by Public Works Engineering at the time of the proposed initial development and/or subsequent phases.

### 3.4 PRELIMINARY THREATENED AND ENDANGERED SPECIES DETERMINATION

Based on current land uses and observations made over time, no known endangered or threatened species are known to exist on the subject parcels.

### 3.4 WETLANDS

An U.S. Army Corps of Engineers (COE) Wetland Approved Jurisdictional Determination (AJD) letter was prepared by Passarella & Associates, Inc., dated May 5, 2021. The entire letter is included as an Appendix. Based on the findings, the Site does not contain wetlands or other aquatic features. The Approved Jurisdictional Determination (AJD) letter from the U.S. Army Corps of Engineers, dated June 3, 2021, is included in the Appendix as well. Development occurring after the expiration of the COE AJD dated June 3, 2021, will require issuance of current determination and approval by all applicable jurisdictional agencies.

### 3.5 STORMWATER

The Planned Development shall comply with all Charleston County Stormwater Ordinances and South Carolina Department of Health and Environmental Control (SCDHEC) Regulatory requirements. For site locations within sensitive drainage basins, additional stormwater design and construction requirements may be required by the Director of Public Works prior to Stormwater permit approval and issuance. Sensitive drainage basins may include but are not limited to areas which incur flooding conditions, are designated as Special Protection Areas, discharge to water bodies with restrictive Water Quality conditions, and/or are governed by other restrictive Water Quantity and Water Quality conditions. Where possible and allowed by permit, the proposed site may connect its stormwater system with existing conveyances. Best Management Practices (BMP's) shall be utilized, installed, and maintained in compliance with applicable approved permits throughout all phases including, but not limited to, site development, construction, and post construction.

The Project shall comply with Charleston County Stormwater Ordinances and SCDHEC Regulatory requirements for pre- and post-construction water quality and quantity. Stormwater design, construction, and maintenance shall comply with applicable approved Charleston County Stormwater Permits. Comprehensive Master Drainage Plan must be provided for proposed site and incorporate all development phasing, future development, existing drainage systems and conveyances, and proposed drainage systems and conveyances. The Comprehensive Stormwater Master Plan shall also include discharge management plans for activities within the development including but not limited to farming and urban agriculture activities. Utilization of approved and permitted Low Impact Design elements is encouraged within a comprehensive site Master Drainage Plan.

The maintenance of all stormwater devices, structures, and facilities will be the responsibility of the Owner. A Covenant for Permanent Maintenance of Stormwater Facilities shall be established by responsible party and recorded at the Registrar of Deeds office.

### 3.6 TREE PROTECTION

The Project will comply with Charleston County ZLDR Article 9.2, Tree Protection and Preservation. The PD shall have minimal impact to the existing trees. Existing Grand trees are shown on the Conceptual Plan.

## SECTION 4 | OTHER REQUIREMENTS

### 4.1 BUFFER YARDS

Required Buffers will not be disturbed except for signs, utilities, storm drainage connections, driveways, sidewalks, pedestrian or bicycle paths, screening walls, fences, required landscaping, landscaping maintenance and replacement.

The existing vegetation shall be preserved wherever practical to provide better buffers and improved tree canopy. A buffer yard shall be required as follows:

Betsy Kerrison Parkway Buffer: A 75' Type I landscaped buffer shall be required along Betsy Kerrison Parkway, inclusive of existing utility easements. The buffer yard is shown in the Conceptual Plan on page 12. The buffer shall comply with the ZLDR.

Trumpet Road Buffer: The Owner shall maintain a 20' natural buffer along the frontage of Trumpet Road.

### 4.2 AREAS DESIGNATED FOR FUTURE USE

All areas designated for future expansion, or those not intended for immediate improvement or development, will remain in a natural state until such time as development permits are approved.

### 4.3 SIGNAGE

All signage will follow all applicable regulations found in ARTICLE 9.8 SIGNS of the Charleston County ZLDR. Freestanding on-premises signs would comply with the Agricultural dimensional standards as outlined in Table 9.8.2 of the ZLDR.

### 4.4 PARKING

Off-street Parking shall be provided in accordance with the standards set forth in ARTICLE 9.3 of the ZLDR, including standards for ADA parking. Parking will be allowed in the front of the building. A 4-foot fence shall be included along the edge of the parking area for screening.

### 4.5 RESOURCE AREAS

This Project shall protect any resources determined significant by the Planning Director including, but not limited to agricultural soils and active farmland, buffer areas between active farmland and existing/planned future non-farm development, wetlands, mature trees, land adjacent to preserved farmland on neighboring properties,

scenic views, water access and shoreline buffers, and habitat of species designated as of federal, state and local concern. In addition, this Project shall comply with all provisions of ARTICLE 9.2, Tree Protection and Preservation, of the ZLDR. Water access and some grand trees will be protected. Some grand trees may be removed, as allowed by BZA.

#### 4.6 ARCHITECTURE

The development shall follow the guidelines found in ARTICLE 9.5 ARCHITECTURAL AND LANDSCAPE DESIGN STANDARDS of the Charleston County ZLDR.

1. Roof-mounted solar panels shall be allowed as an accessory use. Owner(s) may sell electricity back to Dominion Energy South Carolina, as allowed by law.
2. Agricultural and commercial structures will be built following a Lowcountry agricultural vernacular in architectural style and materiality.

#### **EXISTING MARKET BUILDING (FOR ILLUSTRATIVE PURPOSES ONLY)**



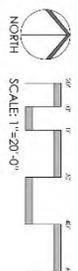
# CONCEPTUAL SITE PLAN

SGA | NW  
a design company

Note: This plan is conceptual in nature and subject to change.



**Storey Farms**  
Johns Island, SC  
Site Plan



Job No. 20229130 | 04/03/22

## **APPENDICES**

CULTURAL RESOURCES DESKTOP REVIEW

COE WETLAND JURISDICTIONAL DETERMINATION LETTER

TRUMPET ROAD OPINION LETTER

COORDINATION LETTERS

1. BERKELEY ELECTRIC COOPERATIVE
2. CHARLESTON COUNTY EMERGENCY MEDICAL SERVICES
3. CHARLESTON COUNTY SHERIFF'S OFFICE
4. CHARLESTON COUNTY PUBLIC WORKS – STORMWATER
5. CHARLESTON COUNTY PUBLIC WORKS – TRANSPORTATION
6. SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT)
7. ST. JOHN'S FIRE DISTRICT
8. ST. JOHN'S WATER COMPANY, INC.
9. UNITED STATES POSTAL SERVICE



# PASSARELLA & ASSOCIATES INC

May 5, 2021

Mr. Jeremy Storey  
Storey Farms  
3373 Trumpet Road  
Johns Island, South Carolina 29455

RE: Cultural Resources Desktop Review  
Storey Farms  
Project No. SC-21SFF3466

Dear Mr. Storey:

Per your request, this letter documents the desktop cultural resources review for the 2.24± acre Storey Farms property (Property) located in Charleston County, South Carolina. The Property is located to the west of the intersection of Trumpet Road and Betsy Kerrison Parkway in Johns Island, South Carolina. The Property site is comprised of two parcels, Charleston County TMS Nos. 203-00-00-232 and 203-00-00-233, and consists primarily of developed and maintained land.

This assessment included a desktop review of the South Carolina ArchSite Public View Map to identify the potential presence of historic or cultural resources on-site or within the immediate vicinity. One resource (Site No. 1466) is located within 300 feet of the Project site (Figure 1). Per the Public View Map, Site No. 1466, Freeman House, was determined to be ineligible for listing in the National Register of Historic Places (NRHP). The nearest resources identified as eligible for listing in the NRHP is Site No. 1468, Mt. Hebron Presbyterian Church, which is located approximately 0.2± mile north-northeast of the Property (Figure 1).

The results of the review found no previously identified cultural or historic resources within the Property. One resource, identified as not eligible for listing in the NRHP, is located within 300 feet of the Property. These findings are based upon the publicly available information provided by the SC ArchSite Public View Map.

Should you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,

PASSARELLA & ASSOCIATES, INC.

Sydni Redmond  
Ecologist

SR/ab

Enclosure

cc: Bill Eubanks, w/ enclosure

*Offices in South Carolina and Florida*

**COE JURISDICTIONAL DETERMINATION INFORMATION**

PROJECT NAME: STOREY FARMS  
 APPLICANT: STOREY FARMS  
 3373 TRUMPET ROAD  
 JOHNS ISLAND, SOUTH CAROLINA 29455  
 COUNTY: CHARLESTON COUNTY  
 STATE: SOUTH CAROLINA  
 DATE: MARCH 31, 2021

PROJECT LOCATION

UPLAND  
(2.24 Ac.±)

PS-1

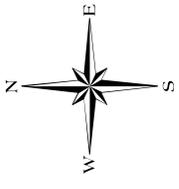
PS-3

PS-2

BETSY KERRISON PKWY

**LEGEND**

-  STOREY FARMS
-  COE DATA POINT
-  PHOTO STATION
-  PHOTO STATION DIRECTION



PROJECT ACREAGE TABLE		% OF
TYPE	ACREAGE	TOTAL
UPLAND	2.24 Ac.±	100.0%
<b>TOTAL</b>	<b>2.24 Ac.±</b>	<b>100.0%</b>

NOTES:

AERIAL PHOTOGRAPH WAS ACQUIRED FROM GOOGLE EARTH AND THE U.S. GEOLOGICAL SURVEY WITH A FLIGHT DATE OF JANUARY 2019.

PROPERTY BOUNDARY ESTIMATED FROM THE CHARLESTON COUNTY GIS WEBSITE.

EXISTING LAND USE (ELU) LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.



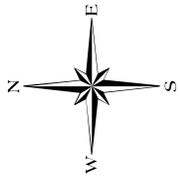
**FIGURE 8. AERIAL WITH DATA POINTS AND PHOTO STATION LOCATIONS**  
 STOREY FARMS

DRAWN BY	T.S.	DATE	3/31/21
REVIEWED BY	S.R.	DATE	3/31/21
REVISED		DATE	



**LEGEND**

-  STOREY FARMS
-  300 FOOT BUFFER
-  HISTORIC STRUCTURE ELIGIBLE
-  HISTORIC STRUCTURE NOT ELIGIBLE




NOTES:

AERIAL PHOTOGRAPH WAS ACQUIRED FROM GOOGLE EARTH AND THE U.S. GEOLOGICAL SURVEY WITH A FLIGHT DATE OF JANUARY 2019.

PROPERTY BOUNDARY ESTIMATED FROM THE CHARLESTON COUNTY GIS WEBSITE.

ARCHAEOLOGICAL SITES PER PUBLIC VIEWER MAP AT [WWW.SCARCHSITE.ORG](http://WWW.SCARCHSITE.ORG) WHICH IS MAINTAINED BY THE SOUTH CAROLINA INSTITUTE OF ARCHAEOLOGY AND ANTHROPOLOGY AND ACCESSED MARCH 31, 2021.

DRAWN BY	T.S.	DATE	3/31/21
REVIEWED BY	S.R.	DATE	3/31/21
REVISED		DATE	

**FIGURE 1. AERIAL WITH SC ARCHSITES AND 300 FOOT RADIUS STOREY FARMS**





**DEPARTMENT OF THE ARMY**  
CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A HAGOOD AVENUE  
CHARLESTON, SC 29403-5107

June 3, 2021

Regulatory Division

Ms. Sydney Redmond  
Passarella & Associates, Inc.  
363 Wando Place Drive Suite 200  
Mount Pleasant, South Carolina 29464  
SydniR@passarella.net

Dear Ms. Redmond:

This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2021-00831) received in our office on May 6, 2021, for a 2.24-acre site located at 3373 Trumpet Road, Johns Island, Charleston County, South Carolina (Latitude: 32.630845°, Longitude: -80.151105°). An AJD is used to indicate that the U.S. Army Corps of Engineers (Corps) has identified the presence or absence of wetlands and/or other aquatic resources on a site, including their accurate location(s) and boundaries, as well as their jurisdictional status as waters of the United States pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344) and/or navigable waters of the United States pursuant to Sections 9 and 10 of the Rivers and Harbors Act of 1899 (RHA) (33 U.S.C. § 401 *et. seq.*). This AJD is issued in accordance with the definition of Waters of the United States in Corps regulations at 33 C.F.R. §328.3, as revised by the Navigable Waters Protection Rule: "Definition of Waters of the United States," 85 Fed. Reg. 22250 (April 21, 2020), which became effective on June 22, 2020.

The site is shown on the attached map entitled "Figure 8, Aerial With Data Points and Photo Station Locations" and dated March 31, 2021 prepared by you. Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, and Wetland Determination Data Form(s), we conclude the site, as shown on the referenced map, does not contain any aquatic resources, including aquatic resources that would be subject to regulatory jurisdiction under Section 404 of the CWA or Sections 9 and 10 of the RHA.

Attached is a form describing the basis of jurisdiction for the delineated area(s). Note that some or all of these areas may be regulated by other state or local government agencies and you should contact the South Carolina Department of Health and Environmental Control, Bureau of Water, or Department of Ocean and Coastal Resource Management, to determine the limits of their jurisdiction.

This AJD is valid for five (5) years from the date of this letter unless new information warrants revision before the expiration date. This AJD is an appealable action under the Corps administrative appeal procedures defined at 33 CFR Part 331. The administrative appeal options, process and appeals request form is attached for your convenience and use.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for

purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

In all future correspondence, please refer to file number SAC-2021-00831. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact Carl A.L. Johnson, Project Manager, at 843-494-0348, or by email at Carl.A.Johnson@usace.army.mil.

Sincerely,



Carl A.L. Johnson  
Project Manager

Attachments:

Approved Jurisdictional Determination Form  
Notification of Appeal Options  
Figure 8, Aerial With Data Points and Photo Station Locations

Copies Furnished:

Mr. Jeremy Storey  
Storey Farms  
3373 Trumpet Road  
Johns Island, South Carolina 29455

SCDHEC – Bureau of Water  
2600 Bull Street  
Columbia, South Carolina 29201  
[WQCWetlands@dhec.sc.gov](mailto:WQCWetlands@dhec.sc.gov)

SCDHEC - OCRM  
1362 McMillan Avenue, Suite 400  
North Charleston, South Carolina 29405  
[OCRMPermitting@dhec.sc.gov](mailto:OCRMPermitting@dhec.sc.gov)



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

**I. ADMINISTRATIVE INFORMATION**

Completion Date of Approved Jurisdictional Determination (AJD): 03-JUNE-2021

ORM Number: SAC-2021-00831

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: SC City: Johns Island County: Charleston County

Center Coordinates of Review Area: Latitude 32.630845 Longitude -80.151105

**II. FINDINGS**

**A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: Based on infrared and aerial photos, there does not appear to be any aquatic resources in the review area.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

**B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>**

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

**C. Clean Water Act Section 404**

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)<sup>3</sup>

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide and included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

N/A	N/A	N/A	N/A
-----	-----	-----	-----

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
N/A	N/A	N/A	N/A

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: Request for Corps Jurisdictional Determination, May 5, 2021  
This information is sufficient for purposes of this AJD.  
Rationale: N/A
- Data sheets prepared by the Corps: N/A
- Photographs: Three onsite photos taken April 2021
- Corps Site visit(s) conducted on: N/A
- Previous Jurisdictional Determinations (AJDs or PJDs): N/A
- Antecedent Precipitation Tool: N/A
- USDA NRCS Soil Survey: Figure 4, Soil Map 3/31/21
- USFWS NWI maps: N/A
- USGS topographic maps: Figure 3, Quad Sheet (Wadmalaw Island) 3/31/21

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** N/A

**C. Additional comments to support AJD:** N/A

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide and included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:	File Number:	Date:
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer, South Atlantic Division, 60 Forsyth St, SW, Atlanta, GA 30308-8801. This form must be received by the Division Engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD **is not appealable**. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

Dated: April 12, 2022

Mr. William T. Eubanks  
SGA Narmour Wright Design  
804 Meeting Street, Suite 103  
Charleston, SC 29403

Re: Storey Farms  
TMS Numbers 203-00-00-232 and 203-00-00-233  
Legal Opinion – Property Access to Trumpet Road

Dear Mr. Eubanks,

Our firm was asked to provide an opinion as to whether that property in Johns Island, Charleston County, South Carolina, bearing TMS Numbers 203-00-00-232 and 203-00-00-233 (the “**Property**”) has legal access to Trumpet Road. Based upon our review of the below documents and subject to the qualifications and assumptions set forth herein, it is our opinion that the Property has legal access to Trumpet Road, arising from the dedication in the 1981 Plat (as hereinafter defined), the dedication in the 1979 Plat (as hereinafter defined), and the Property owner’s sole upkeep and maintenance of Trumpet Road.

Documents Reviewed

In connection with delivering this opinion, we have reviewed the following documents (the “**Documents**”):

1. “Subdivision Plat, Lot 12, Hopkinson Plantation into Lots A, B, C, D, E, F & G TMS No 203-00-00-004, Located on Johns Island, Charleston County, South Carolina” by Forsberg Engineering and Surveying, Inc., dated June 1, 2001 and recorded in the Charleston County Register of Deeds at Plat Book EF, Page 718 on July 12, 2002 (the “**2002 Plat**”).
2. “Map of Lot No. 11 Hopkinson Plantation on Johns Island in Charleston Co. S.C., Owned by Heirs of Cyrus Wilkinson, Surveyed and Subdivided Dec. 4, 1981” by Harold A. Moore dated December 1981 and recorded in the Charleston County Register of Deeds at Plat Book Q, Page 152 (the “**1981 Plat**”).
3. “A Survey of Lot 11 of Tin Can No. 2, Hopkinson Plantation, Owned by Francis Engles” dated October 10, 1978 and recorded in the Charleston County Register of Deeds at Plat Book AM, Page 040 on January 3, 1979 (the “**1979 Plat**”).
4. Quitclaim Deed dated March 28, 2013, and recorded in the Charleston County Register of Deeds at Book 0321, Page 206 on April 2, 2013, (the “**2013 Deed**”).
5. Master’s Deed dated February 3, 2012, and recorded in the Charleston County Register of Deeds at Book 0232, Page 085 on February 6, 2012 (the “**2012 Deed**”).
6. Deed dated April 4, 1997, and recorded in the Charleston County Register of Deeds at Book G282, Page 155 on April 7, 1997 (the “**1997 Deed**”).
7. Deed dated October 1, 2001, and recorded in the Charleston County Register of Deeds at Book

Z383, Page 019 on October 3, 2001 (the “**2001 Deed**”).

The 2002 Plat, 1981 Plat, and 1979 Plat are collectively referred to as the “**Plats**.” The 2013 Deed, 2012 Deed, 1997 Deed, and 2001 Deed are collectively referred to as the “**Deeds**.”

As to certain matters of fact, we have relied upon statements and representations of the Property owner, agents of the Property owner, and of public officials and agencies, which have not been independently established, verified or confirmed by us. As to factual matters which form the basis for certain legal opinions set forth in this opinion, the words “our knowledge” signify that, in the course of our review of the Documents and communication with the Property owner and his agents, no factors have come to our attention that would give us actual knowledge or actual notice that any such opinions or other matters are not accurate and complete.

For purposes of this opinion, except for the documents specifically referenced herein as being reviewed by us, we have not made an independent review of any other agreements, contracts, instruments, writs, orders, judgments, or decrees that may have been executed by or that may now be binding upon the Property owner or that may affect the Property, nor have we undertaken to review any other files of the Property owner or to discuss any other matters with the Property owner or his agents. Further, because we have not undertaken any investigation to determine the existence of other documents or facts, unless expressly so stated herein, no inference as to any knowledge thereof should be implied from the fact of our representation of any party or otherwise.

#### Coverage

The opinions set forth herein are limited to matters governed by the law of the State of South Carolina (sometimes referred to herein as the “**State**”), and no opinion is expressed herein as to the law of any other jurisdiction.

#### Assumptions

In rendering the opinions set forth below, we have assumed, without independent verification, among other things:

- (i) Each of the parties to the Documents has duly and validly executed and delivered each such instrument, document, and agreement;
- (ii) Each party to the Documents, whether individually or on behalf of any entity, including heirs to a decedent, is duly authorized to do so;
- (iii) Each natural person executing any Document is legally competent to do so;
- (iv) All signatures on the Documents reviewed by us are genuine;
- (v) All photostatic copies conform to the original document, and all public records reviewed are accurate and complete;
- (vi) All applicable recorded Documents have been duly filed, indexed and recorded among the appropriate official records, with all fees, charges, and taxes having been paid;
- (vii) All Documents fully state the agreement between the parties with respect to the matters they cover and have not been amended, modified or supplemented, and no other agreements, understandings or course of dealing by or between the parties modify, amend, supplement, terminate or rescind the agreements between the parties;
- (viii) There has been no mutual mistake of fact or misrepresentation, fraud, or deceit by any of the parties of the Documents, or by and other person or entity in connection with the execution, delivery, or performance under the Documents; and
- (ix) The accuracy and completeness of all recitals, representations, warranties, descriptions of collateral, schedules and exhibits contained in the Documents.

### Opinion

Based solely on our review of the Documents and subject to the foregoing and such other qualifications, exceptions, limitations and assumptions set forth below, it is our opinion that, to the best of our knowledge, the Property owner has legal access to Trumpet Road, affirmatively arising from the dedication in the 1981 Plat, the dedication in the 1979 Plat, and the Property owner's sole upkeep and maintenance of Trumpet Road.

South Carolina law allows for easements to specific parties to be created by dedication in a subdivision plat. See *Outlaw v. Moise*, 222 S.C. 24 (1952). Additionally, South Carolina law allows for the easements to the public created by dedication in a subdivision plat. See *Outlaw*. Any dedication to the public is considered complete upon actual or implied acceptance by the public and the acceptance must be made within a reasonable time. See *Chafee v. City of Aiken*, 57 S.C. 507 (1900). Acceptance of the dedication to the public may be evidenced by general public use. See *Chafee* and *Outlaw*.

The 1979 Plat contains the following dedication: "I (we) do hereby dedicate this 50' road right-of-way to the use of the public forever." The referenced 50' road right-of-way is now commonly known as Trumpet Road. The dedication is duly signed by Francis C. Engles, owner of the land upon which Trumpet Road now sits. Trumpet Road has been used by the Property owner, as well as the predecessor in title to the Property owner, since the time of its dedication to the public in 1979. The dedication to the public was, to the best of our knowledge, both properly made in the 1979 Plat and accepted within a reasonable time by the general public.

In addition to the 1979 Plat, the 1981 Plat contains the following dedication: "I hereby dedicate the 50-foot R/W easement shown on this plat to the use of the lot owners fronting thereon, and I, my heirs and assigns guarantee maintenance of this R/W which may not be changed, either in size or location, without the express written consent of Charleston County Council." This dedication is duly signed by James Freeman, authorized signor for the heirs of Cyrus Wilkinson by Court Order. The 50-foot R/W easement referenced in the 1981 Plat dedication is now commonly known as Trumpet Road and the Property is one of the lots fronting thereon. The dedication was, to the best of our knowledge, properly made in the 1981 Plat, and includes the Property owner as a lot owner to which the dedication was made.

Upon information and belief, the Property owner solely maintains Trumpet Road. To the best of our knowledge, no owners of land surrounding the Property have objected to the Property owner's maintenance, use or access of Trumpet Road.

The Plats and Deeds, to the best of our knowledge, do not negate, modify, or limit the Property owner's access to Trumpet Road and, based upon a limited search, no other documents appearing in the public record appear to modify or limit access.

To the best of our knowledge, the 1979 Plat dedication was properly made and accepted, the 1981 Plat dedication was properly made and included the Property as a benefitted lot, the Property owner solely maintains the right-of-way without objection from surrounding landowners, and the Plats and Deeds do not negate, modify, or limit the conclusions from the dedications and use. Therefore, it is our opinion that the Property owner has legal access to Trumpet Road.

### Qualifications

The foregoing opinions are further limited by the following assumptions, limitations, and qualifications:

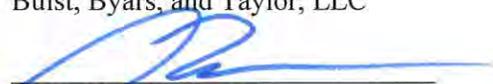
1. We express no opinion as to any other document that may be referred to or otherwise incorporated by reference into any Document. Furthermore, we express no opinion as to the enforceability of any provision relating to the construction of the Documents to the extent such Documents contain provisions that may be inconsistent.
2. We express no opinion regarding title to, the location of any property (whether real or personal, tangible or intangible).
3. We express no opinion as to the condition or previous, present or future use of any property. Furthermore, we express no opinion as to the effect of or compliance with any federal, state or local law, rule or regulation relating to environment, health and safety, building and construction, land use, land sales, subdivision and zoning.
4. We express no opinion as to the findings of the Court in the Court Order for the Heirs of Cyrus Wilkinson.
5. We express no opinion as to any recent, current, or developing case law in the area of easement law in South Carolina.
6. We express no opinion as to any modification, termination or limitation of access afforded the Property in documents not reviewed by our firm.
7. Our firm did not perform a full title search and, to the extent any additional information would be discovered thereby, we reserve the right to modify or rescind our opinion.

The legal opinions expressed herein are an expression of professional judgment and not a guaranty of any result.

This opinion letter is delivered to you and is solely for your use in connection with the Planned Development Guidelines for Storey Farms. Without our prior written consent, it may not be used or relied upon by any other person, firm or entity or quoted for any other purpose. This opinion letter is given as of the date of this letter based upon existing facts, law and without the benefit of a full title search. We are under no obligation, and do not undertake any obligation, to update or revise the opinions set forth herein for any reason including, without limitation, facts or laws subsequently becoming known to us that cause such opinions to be inaccurate or incomplete.

Very truly yours,

Buist, Byars, and Taylor, LLC



---

Ian N. Bowers

Its: Associate Attorney

7451

BOOK 117 PAGE 148

DEDICATION - I (WE) DO HEREBY DEDICATE THIS 50' ROAD RIGHT-OF-WAY TO THE USE OF THE PUBLIC FOREVER. THE OWNERS OF THESE LOTS AND THEIR HEIRS AND ASSIGNS, GUARANTEE ITS MAINTENANCE UNTIL SUCH TIME AS IT IS ACCEPTED INTO A PUBLIC MAINTENANCE SYSTEM. THE APPOINTMENT OF THIS PLAT IN NO WAY OBLIGATES THE COUNTY OF CHARLESTON TO ACCEPT THE RIGHT-OF-WAY FOR MAINTENANCE OR CONSTRUCTION.

*Francis C. Engles*  
 APPROVED FINAL PLAT  
*Francis C. Engles*  
*M. Koyanaka*

CHARLESTON, SOUTH CAROLINA  
 JANUARY 2, 1979

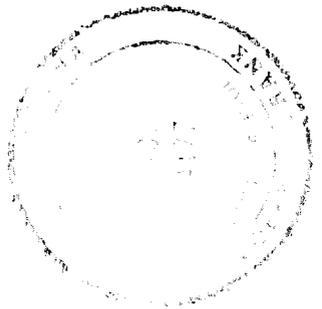
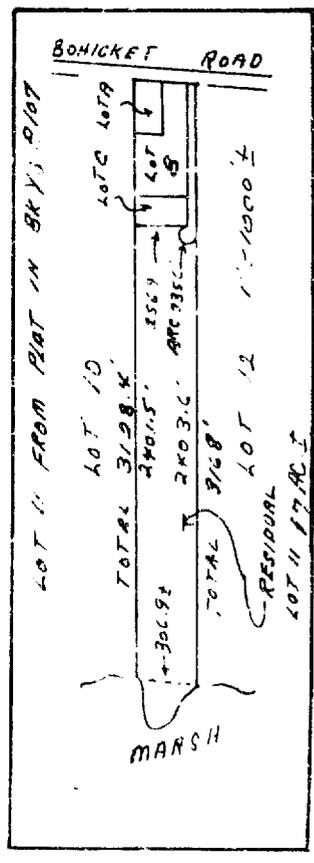
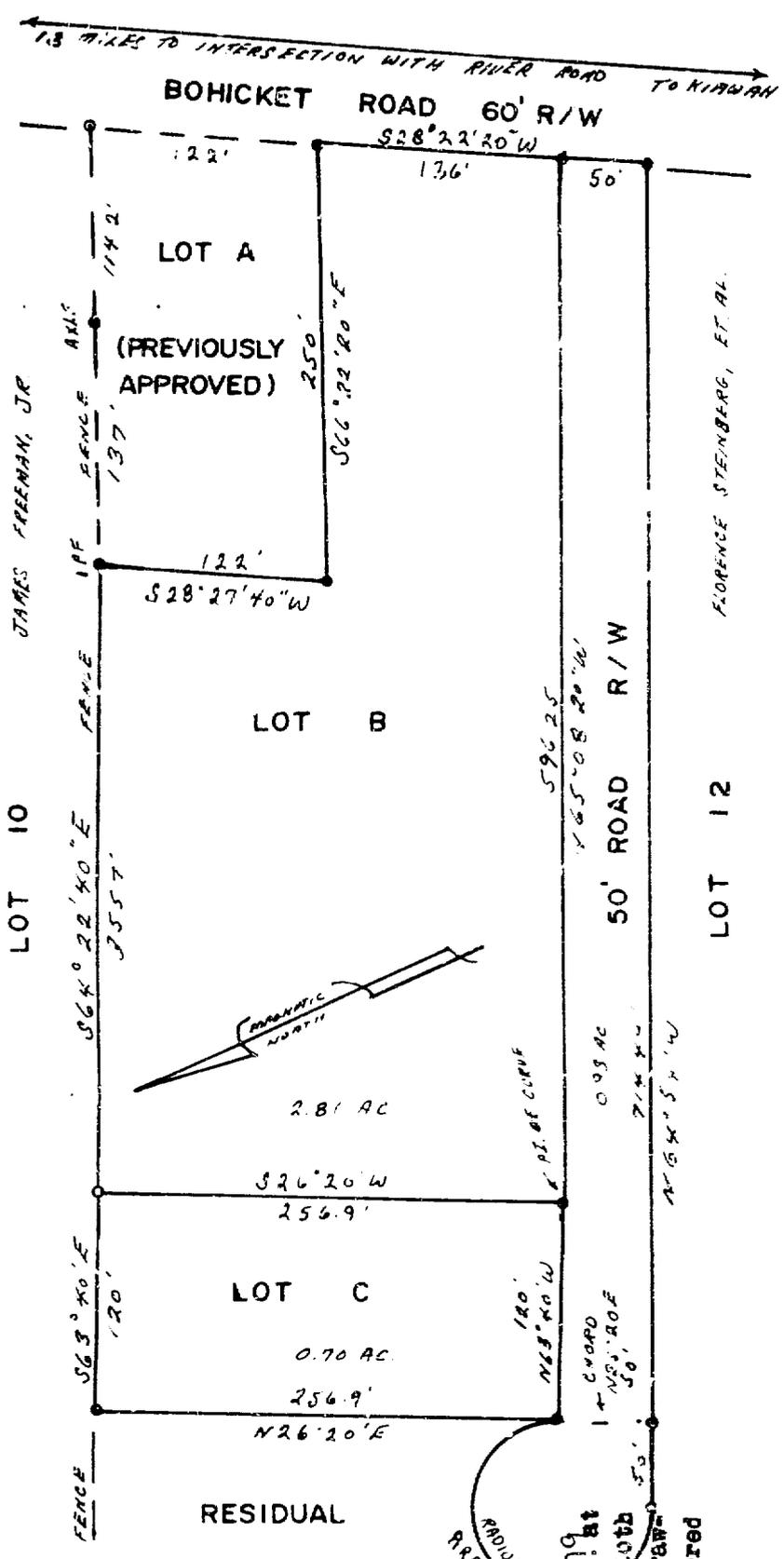
Office of the Register  
 Plat recorded this 3<sup>rd</sup> day of Jan. 1979 at 10:00'clock in Plat Book A Page 10, and tracing cloth copy filed in File 4. Tracer Folder 587, Drawing No. 1. Original plat (a duplicate) delivered to Charleston Planning Board

SOUTH CAROLINA  
 CHARLESTON COUNTY, JOHN'S ISLAND Conveyance

A SURVEY OF LOT 11 OF TIN CAN NO. 2, HOPKINSON PLANTATION,  
 OWNED BY FRANCIS ENGLS.

1" = 100'

OCT. 10, 1978



REF PLAT SK. Y PAGE 107.

NOTE: DIMS AT ALL CORNERS @ SOUTH LINE ESTABLISHED OFF FENCE ON NORTH LINE.

11/11/78 3:010

7451

LOT #	ACRES
D	.70
E	.70
F	.69
G	.99
H	4.36
I	2.69
J	2.60
K	2.53
14.86 Total	

LOT I DOES NOT MEET MINIMUM HEALTH DEPARTMENT REQUIREMENTS AND IS NOT APPROVED AS A BUILDING LOT.

I hereby dedicate the 50 foot R/W easement shown on this plat to the use of the various frontages, hereon, and I, my heirs and assigns, guarantee maintenance of this R/W which may not be changed, either in size or location, without the express written consent of Charleston County Council. Approval of this plat in no way obligates the County of Charleston to accept this R/W for continued maintenance.

Authorized signature for the heirs of Cyrus Wilkinson by  
 Court Order

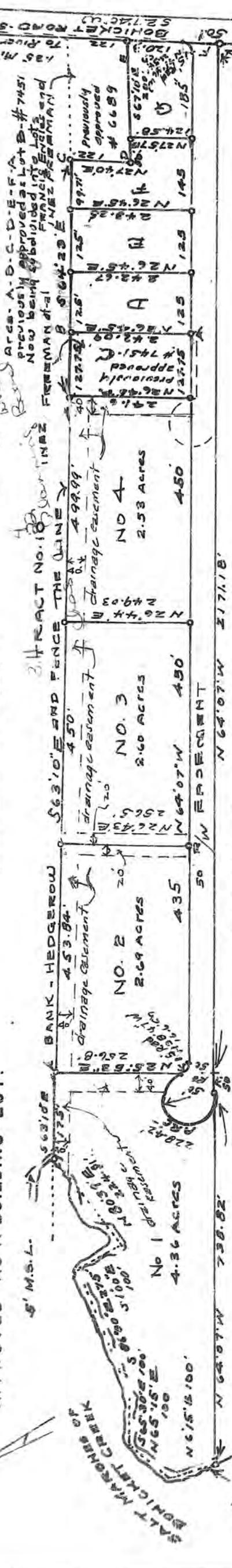
*July Freeman*

JAMES FREEMAN



APPROVED FINAL PLAN  
 E. Gordon K. B. Borden  
 CHARLESTON COUNTY BOARD  
 DEPARTMENT OF PLANNING  
 February 16, 1982  
 #9242

300  
 152 40  
 19 5  
 300  
 152 40



TRACT NO. 12

FORMERLY EST. JAMES PENDERGRAST. NOW FLORENCE STEINBERG - et al and BARBARA S. SPITZIG JO-ANN S. MORROS  
 MAP OF LOT NO. 11. HOPKINSON PLANTATION ON MOANS ISLAND IN CHARLESTON CO. S.C., OWNED BY HEIRS OF CYRUS WILKINSON. SURVEYED AND SUBDIVIDED DEC 4, 1981. SCALE 1" = 200 FEET

Harold A. Moore REC SUR 359

I, Harold A. Moore, a registered surveyor of the State of South Carolina hereby certify that I have surveyed the property shown on this plat to the use of the public for...  
 Authorized Signature for the heirs of Cyrus Wilkinson by  
 Court Order. *July Freeman*

Note  
 Pipes at all corners unless otherwise designated

Note  
 Lot C on this map is a corrected plot and renders null and void Lot C recorded in plat Book Y-117 page 148

Note  
 Harold A. Moore, a registered surveyor of the State of South Carolina hereby certifies that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property, all necessary markers have been installed and the precision is 1:3350 (April 2, 77) and

Note  
 All drainage Easements 40 Feet wide

Reference Book Y-Page 107

TMS-203.00-003



# Berkeley Electric Cooperative, Inc.

Your Touchstone Energy® Cooperative 

www.berkeleyelectric.coop

Post Office Box 1234, Moncks Corner, SC 29461

December 2, 2021

SGA NarmourWright Design  
C/o: Anne Tyler Howell  
804 Meeting Street, Suite 103  
Charleston, SC 29403

**Re: Power Availability for Storey Farms Commercial Development Located off Betsy Kerrison Parkway  
Charleston County, SC  
TMS 203-00-00-232 & TMS 203-00-00-233**

Dear Anne:

Berkeley Electric Cooperative will supply the electrical distribution requirements for the above referenced location. We look forward to extending our facilities to meet the needs of this property.

All services that are rendered will be under our service rules and regulations at the time of service. If you have any questions, please don't hesitate to give me a call.

Sincerely,

Kevin Mims  
Supervisor of Distribution Design

KM/ts

Cc: Thomas Barnette, Manager of Construction and Maintenance  
Scott Bennett, Johns Island District Line Superintendent  
Charles Tyrrell, Johns Island District Planning Supervisor  
William Howe, Johns Island District Service Planner  
Anne Tyler Howell, SGA NarmourWright Design (emailed copy)  
Bill Eubanks, SGA NarmourWright Design (emailed copy)  
File



**EMERGENCY MEDICAL SERVICES**

843.202.6700  
Fax: 843.202.6712  
Lonnie Hamilton, III Public Services Building  
4045 Bridge View Drive, Suite C204  
North Charleston, SC 29405-7464

January 24, 2022

Letter of Coordination  
RE: 3388 Trumpet Road, Johns Island

Dear Mrs. Tayler,

This is a letter to acknowledge that EMS is in receipt of information about the proposed zoning changes at 3388 Trumpet Road, Johns Island.

We have reviewed the information you provided regarding the proposed rezoning. It does not appear this would impact our operations or response to the area.

Please contact me by email at [cfehr@charlestoncounty.org](mailto:cfehr@charlestoncounty.org) with any questions.

We wish you the best of success with your project.

Respectfully,

*Carl Fehr*

Carl Fehr  
Division Chief



## County of Charleston, South Carolina

Sheriff Kristin R. Graziano

December 23, 2021

SGA Narmour Wright Design  
ATTN: Ms. Anne Tyler Howell  
804 Meeting Street, Suite 103  
Charleston, SC 29403  
[athowell@sgawdesign.com](mailto:athowell@sgawdesign.com)

re: Letter of Coordination

Ms. Howell,

The Charleston County Sheriff's Office acknowledges your intention to develop property located in the area of 3388 Trumpet Road (Storey Farms), Johns Island, South Carolina. This location is currently under the jurisdiction of this agency.

Please understand that *all* law enforcement matters will need to be reported to this agency. This can be accomplished by calling the **Charleston County Consolidated Dispatch Center** at **843-743-7200** or dialing **911 for emergencies**. Additional information can be accessed on our agency website at [www.ccsso.charlestoncounty.org](http://www.ccsso.charlestoncounty.org).

If you have any questions, feel free to contact this office via telephone or by email.

Regards,

*Master Deputy Monique A. Martinez*

Master Deputy Monique A. Martinez  
Bureau of Community Engagement  
Charleston County Sheriff's Office  
(843) 529-5324  
[mmartinez@charlestoncounty.org](mailto:mmartinez@charlestoncounty.org)

**From:** [Fleming, Juleigh B.](#)  
**To:** [Anne Tyler Howell](#)  
**Cc:** [Grooms, Robert W.](#)  
**Subject:** RE: Letter of Coordination for Charleston County Planned Development, TMS 203-00-00-232 & 203-00-00-233  
**Date:** Thursday, November 4, 2021 9:25:08 AM  
**Attachments:** [image007.png](#)  
[image008.png](#)  
[image014.png](#)  
[Coordination Letter\\_SCDOT\\_rev 10.13.21.pdf](#)

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Good morning, Anne;

I apologize for the delayed response.

After reviewing the attached preliminary plan, our office has no objection to the proposed project. The existing driveway (Trumpet Rd) appears to accommodate the proposed commercial use and no work is proposed in SCDOT right of way. Trumpet Road is a local road that is not maintained by SCDOT therefore access to Trumpet Road will not require any permissions from our agency. Since no work will be completed in SCDOT right of way, you are not required to apply for an encroachment permit.

If you choose to reconstruct/improve Trumpet Road at Betsy Kerrison Pkwy you would be required to acquire an encroachment permit. This would be achieved by submitting an encroachment permit through our online EPPS program.

Please let me know if you have any questions.

Thank you!



---

**From:** Anne Tyler Howell <athowell@sganwdesign.com>  
**Sent:** Wednesday, October 13, 2021 12:08 PM  
**To:** Fleming, Juleigh B. <FlemingJB@scdot.org>  
**Cc:** Grooms, Robert W. <GroomsRW@scdot.org>  
**Subject:** RE: Letter of Coordination for Charleston County Planned Development, TMS 203-00-00-232 & 203-00-00-233

**\*\*\* This is an EXTERNAL email. Please do not click on a link or open any**

# ST. JOHN'S FIRE DISTRICT

COMMISSIONERS:  
DEBRA LEHMAN, Chair  
LEROY BLAKE, Vice-Chair  
ROBERT E. WRIGHT  
ISIAH WHITE  
MARY JONES  
WILLIAM THOMAE  
FRANK J. BROCCOLO  
STEPHEN ROLANDO  
ERIC P. BRITTON

P.O. BOX 56  
1148 Main Road  
JOHNS ISLAND, S.C. 29455  
PHONE: (843) 559-9194  
FAX: (843) 737-0058



RYAN KUNITZER, Fire Chief

12/2/2021

Bill Eubanks  
SGA | NarmourWright Design

Mr. Eubanks,

The St. John's Fire District is in receipt of your request for a letter of coordination for project labeled "Storey Farms" located at TMS 203-00-00-232 and 203-00-00-23, Johns Island, SC 29455 and acknowledges your organization is involved in the planning of this parcel. Any emergency needs at the site shall be addressed by dialing 911.

The site plan is preliminarily approved based on provided documents. Appropriate codes regarding fire apparatus access and fire department locations are based on the 2018 International Fire Code and final approval by the Fire District.

While this letter serves as an acknowledgement of the proposed development only, further site plan review and onsite inspection will be required as final plans are further developed. Additionally, applicable code compliance will be based on the type and use of the structure, including the location of fire hydrants and fire department access points. Inspections of the facility area will be required during construction and annually after the certificate of occupancy is approved. A final report will be provided for your reference after each inspection.

Regards,

Chris Wilhoit  
Chief Fire Marshal  
St. Johns Fire District  
843-559-919

**ST. JOHN'S WATER COMPANY, INC.**  
"This institution is an equal opportunity employer and provider"  
Post Office Box 629  
John's Island, South Carolina 29457-0629  
Phone (843) 559-0186  
Fax (843) 559-0371

Board Members  
Thomas Legare, Jr., Chair  
Cindy Floyd, Vice Chair  
Robert M. Lee, Sec/Treas  
Cheryl Glover  
Isaac Robinson  
Becky J. Dennis  
Glenda Miller  
Tommy West  
Richard Thomas

Original: May 10, 2021  
Updated: December 2, 2021

Mr. Bill Eubanks  
SGA Narmour Wright Design  
804 Meeting Street, Suite 103  
Charleston, SC 29403

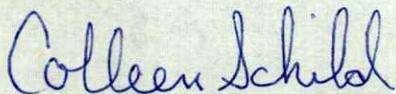
Re: Storey Farms  
TMS numbers 203-00-00-232 & 233  
Letter of Coordination/Water Availability and Willingness to Serve Letter

Dear Mr. Eubanks:

This letter confirms that TMS numbers 203-00-00-232 & 233 are within the water service area of St. John's Water Company (SJWC). SJWC does have water available from an existing 24-inch water line located on Betsy Kerrison Parkway which is within 50 feet of the property. Our system is SC DHEC approved and we have the capacity and willingness to provide potable water service to TMS numbers 203-00-00-232 & 233 for approximately 21 equivalent residential units for the development of Storey Farms including the construction of the following: farm store, food truck, restaurant, bakery, smokehouse, butcher shop, agricultural production facility, and two residential dwellings.

If you have any questions, please feel free to give me a call at 843-514-5570.

Sincerely,



Colleen Schild  
Assistant Manager/Engineer



May 11, 2021

SGA/Narmour Wright Design  
803 Meeting St, Ste 103  
Charleston, SC 29403



Ref: Proof Of coordination

This letter is proof of coordination between SGA/Narmour Wright Design and the United States Postal Service; South Carolina District, Growth Management, for the property located at (Agriculture site) crossroads of Trumpet Rd and Betsy Kerrison Hwy, Johns Island SC 29455.

Please provide a plat when available so we can discuss Centralized delivery (CBU) location.

If you require anything further, please use the contact information below.

Respectfully,

A large, stylized handwritten signature of Eric Sigmon.

Eric Sigmon  
USPS; GSC District  
Growth Management Coordinator  
[eric.r.sigmon@usps.gov](mailto:eric.r.sigmon@usps.gov)  
C-803-662-5436  
O-(803) 926-6258



**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact the Corps biologist who signed the letter to which this notification is attached. The name and telephone number of this person is given at the end of the letter.

If you only have questions regarding the appeal process you may also contact: Mr. Philip A. Shannin  
Administrative Appeal Review Officer  
CESAD-PDS-O  
60 Forsyth Street Southwest, Floor M9  
Atlanta, Georgia 30303-8803

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number: