



The Lowcountry's Hometown

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STAFF REPORT

TO: Planning Commission
FROM: Justin Westbrook, Community Development Director
SUBJECT: Tree Removal Request (TR-25-02) – 1233 Sheridan
DATE: June 24, 2025

Background: The applicant, Charlyn Hamann, has applied for a Tree Removal Request (TR-25-02) for one **Grand Tree** located at 1233 Sheridan Ct. A **Grand Tree** are defined as,

“any tree having a diameter at breast height (DBH) of twenty-four (24) inches or larger”.

The applicant reached out to Staff to express their desire to seek a permit to remove approximately thirteen (13) trees on the subject property. Of the thirteen (13) trees seeking to be removed by the applicant, twelve (12) of them will be mitigated by the applicant with palm trees, up to forty-three (43) inches in total. Staff visited the property and examined each tree to be removed. Staff found one (1) large tree, a Magnolia, in excess of twenty-six and a half (26.5) inches. The applicant has expressed desire to remove without mitigation due to concerns over the tree's health as it has been “damaged” and is within close proximity to their house. The applicant has provided a Tree Risk Assessment, prepared by a licensed Arborist, which states that after inspection, the arborist believes the Magnolia has a “likely” probability of “failing and striking a potential target”. The assessment further explains that the consequences of falling are “significant to “severe” to pedestrians, vehicles parked on the property and the roof and windows of the applicant's estate. The Tree Risk Assessment states the recommendation to reduce this risk is a “complete removal of the tree”. The applicant has expressed their desire to seek the Planning Commission's permission to remove without mitigation.

Procedural Issues: Per the Town's Code of Ordinance (Article III, Chapter 16), grand trees may be removed without mitigation under the following circumstances:

- A. Tree(s) is/are dead.
- B. Tree(s) which pose(s) an imminent safety hazard to nearby buildings, persons, utility lines or vehicular traffic.
- C. Trees which are located in the footprint of a proposed building or drive which cannot be reasonably relocated.

- D. Trees which are being cut as a commercial timber operation in accordance with the South Carolina Right to Practice Forestry Act. The Town requests but does not require that a 50-foot wide perimeter buffer of all existing trees be maintained in an undisturbed manner. Trees grown specifically for sale by commercial nurseries are exempt from the provisions of this article with respect to their removal from the commercial site upon which they are grown.
- E. Protected trees required to be removed to carry out a permitted wetland alteration and/or mitigation plan approved by the Army Corps of Engineers or South Carolina Office of Coastal Resource Management are exempt from the provisions of this article.
- F. Removal because of density or interference with the development of other trees.
- G. Removal of pine trees, unless permit is for multiple trees in which removal would constitute clear-cutting.
- H. Trees identified by the South Carolina Exotic Pest Plant Council Non-Native Plant Species List.

Staff Analysis: Staff was able to attempt a visual inspection of the tree, which appears that the Magnolia tree is in good health. The applicant's provided a Tree Risk Assessment does indicate a "likely" probability of striking a target but does not indicate why. Staff does not believe the tree is subject to any additional circumstances that would warrant removal without mitigation.

Staff Recommendation: Staff requests the Planning Commission consider the applicant's application with additional context to the provided for the Tree Risk Assessment. Staff has studied this assessment and feels that it could indicate that any tree within a fall radius to a home, sidewalk, street, or a "target would return similar results and worded letter. Therefore, Staff believes while the assessment provides some educated insight, it does not warrant removal without mitigation as it provides none of the circumstances required by the Planning Commission to remove without mitigation. It is for these reasons that Staff recommends the Planning Commission deny the request to remove without mitigation for the large Magnolia.

Attachments: *Application (20250423)*
 Staff Pictures (20250424)
 Mitigation Agreement (20250424)
 Arborist's Tree Risk Assessment (20250515)
 Arborist's Invoice (20250501)