

TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting
January 29, 2019 – 2:30 PM

Town Hall, Council Chambers
2001 Seabrook Island Road



AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: January 18, 2019 *[Pages 2–4]*

PUBLIC HEARING ITEMS

1. Variance # 157 *[Pages 5–75]*

APPLICANT: John C. Butera & Jean W. Jones
ADDRESS: 2633 Jenkins Point Road
TAX MAP NUMBER: 149-00-00-046 (LT 34, BLK 52)
ZONING DISTRICT: SR Single-Family Residential
PURPOSE: Applicant is requesting a variance to reduce the 25-foot marsh setback requirement (§ 7.60.50) for the purpose of installing a pervious pergola system over an existing deck at the rear of the principal residence

2. Variance # 158 *[Pages 76–184]*

APPLICANT: Stephanie & Raymond Hamilton
ADDRESS: 2959 Seabrook Island Road Road
TAX MAP NUMBER: 149-10-00-036 (LT 12-B, BLK 42)
ZONING DISTRICT: SR Single-Family Residential
PURPOSE: Applicant is requesting a variance to exceed the 36-foot maximum height requirement for a single-family residential structure by 1.2 feet (§ 7.90.20)

ITEMS FOR INFORMATION / DISCUSSION

There are no Items for Information / Discussion

ADJOURN

TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting

January 18, 2019 – 2:30 PM

Town Hall, Council Chambers
2001 Seabrook Island Road



MINUTES

Present: Walter Sewell (Chairman), Ava Kleinman, John Fox, Dick Finkelstein, Joe Cronin (Zoning Administrator)

Absent: Robert Leggett

Guests: None

Chairman Sewell called the meeting of the Board of Zoning Appeals to order at 2:30 PM. Zoning Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled, and the meeting was properly posted.

Chairman Sewell then welcomed Mr. Dick Finkelstein to the Board of Zoning Appeals. Mr. Finkelstein was appointed by council to fill the remainder of an unexpired term following Robert Quagliato's recent resignation from the board.

ELECTION OF CHAIR & VICE CHAIR FOR 2019

Chairman Sewell opened the floor for nominations for the position of chair. Ms. Kleinman nominated Walter Sewell to serve as chair for 2019. Mr. Finkelstein seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to elect Mr. Sewell as chair was **APPROVED** by a vote of 4-0.

Chairman Sewell then opened the floor for nominations for the position of vice chair. Chairman Sewell nominated Ava Kleinman to serve as vice chair for 2019. Mr. Fox seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to elect Ms. Kleinman as vice chair was **APPROVED** by a vote of 4-0.

APPOINTMENT OF SECRETARY FOR 2019

Chairman Sewell nominated Zoning Administrator Cronin to serve as Secretary to the Board for 2019. Mr. Fox seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to appoint Zoning Administrator Cronin as secretary was **APPROVED** by a vote of 4-0.

APPROVAL OF MINUTES

1. **Board of Zoning Appeals Meeting: November 8, 2018:** Ms. Kleinman noted a typo on page 7 of the draft minutes (“...from a legal standpoint, the Board shouldn’t address questions ~~or~~ of intent if there is a plain meaning in the ordinance.”). Ms. Kleinman made a motion to approve the minutes from the November 8, 2018, meeting as amended. Mr. Fox seconded the motion. The motion was **APPROVED** by a vote of 4-0.

ITEMS FOR INFORMATION / DISCUSSION

1. **Update to Application Forms:** Zoning Administrator Cronin stated that he was in the process of finalizing an electronic version of the new application forms. He added that the forms should be ready for review and approval when the Board meets again to review the minutes from the January 29th meeting.
2. **Update on the Status of Previous Variances:** Zoning Administrator Cronin provided an update on the status of Variance #131, which was approved by the Board in 2004. He stated that the town has no records indicating that the owner of Cotton Island (Tax Map # 149-00-00-004) ever moved forward with obtaining a permit and installing a septic system in lieu of connecting to the town’s utility system, as allowed by the variance. He added that town staff is currently seeking records from SCDHEC to determine if a septic system was ever installed at the site, as well as whether the expansion of the existing dock had been reviewed and permitted by OCRM. If staff is unable to identify any records of the septic system being installed, then the town will notify the current owner that the 2004 variance is now expired. In addition, he noted that the Development Standards Ordinance (DSO) was subsequently amended to remove the zoning requirement that new development be connected to the town’s utility system. That section was instead placed under the utility section of the Code of Ordinances. If the current owner were to seek a renewal of the 2004 variance, the Board of Zoning Appeals would no longer have jurisdiction over the request, as it is no longer a part of the town’s zoning requirements. Therefore, only Town Council could modify the utility requirements.

SITE VISITS

Zoning Administrator Cronin distributed copies of the following variance applications to members of the Board and provided a brief overview of each request:

- **Variance #157:** 2633 Seabrook Island Road (To reduce the 25’ Marsh Setback)
- **Variance #158:** 2959 Seabrook Island Road (To exceed the 36’ Maximum Building Height)

Prior to departing for the site visits, Zoning Administrator Cronin stated that public notice of the site visits had been provided, pursuant to the Freedom of Information Act. He stated that the agenda for today’s meeting contained the following provision: *“These site visits will take place behind the Seabrook Island Property Owners Association security gate. Any individual wishing to observe one or both site visits who does not have access behind the security gate should contact (843) 768-5321 for assistance prior to the meeting.”* He added for the record that no one from

the public was present at the meeting, and that no one had requested access behind the security gate for the purpose of observing the site visits. Zoning Administrator Cronin noted that the purpose of each site visit was for observational purposes only, and no testimony would be heard pertaining to the variance application.

The meeting was recessed at approximately 3:45 PM. Board members then traveled individually to 2959 Seabrook Island Road. Staff members at Town Hall were notified that the Board was traveling to the sites, and anyone coming to Town Hall to observe one or both site visits should be directed to those locations.

1. **2959 Seabrook Island Road (Tax Map # 149-10-00-036 – Lot 12-B, Block 42)**: The Board reconvened at approximately 3:57 PM at 2959 Seabrook Island Road. Board members observed the site, as well as neighboring properties in the vicinity of the site. Board members asked general questions regarding the proposed variance; however, no testimony was received. Mr. Patrick Nichols of 2961 Seabrook Island Road observed the site visit.

Mr. Fox left the meeting at approximately 3:59 PM.

The meeting was again recessed at approximately 4:09 PM. Board members then traveled individually to 2633 Jenkins Point Road to conduct the second site visit.

Ms. Kleinman left the meeting at 4:10 PM.

2. **2633 Jenkins Point Road (Tax Map # 149-00-00-046 – Lot 34, Block 52)**: The Board, which now lacked a quorum, reconvened at approximately 4:22 PM at 2633 Jenkins Point Road. Board members observed the site, as well as neighboring properties in the vicinity of the site. Board members asked general questions regarding the proposed variance; however, no testimony was received. There were no observers present.

There being no further business, the meeting was adjourned at 4:36 PM.

Minutes Approved:



Joseph M. Cronin
Zoning Administrator



MEMORANDUM

TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Application # 157 – 2633 Jenkins Point Road (Lot 34, Block 52)
MEETING DATE: January 29, 2019

Variance Application #157

Applicants:	John C. Butera & Jean W. Jones (Owners)
Location:	2633 Jenkins Point Road
Tax Map Number:	149-00-00-046 (Lot 34, Block 52)
Zoning District:	SR Single-Family Residential
Purpose:	Applicant is requesting a variance to reduce the 25-foot marsh setback requirement (§ 7.60.50) for the purpose of installing a pervious pergola system over an existing deck at the rear of the principal residence

Overview

The Town has received a variance application from John C. Butera and Jean W. Jones, the owners of Charleston County Tax Map # 149-00-00-046, as well as their contractor, Tommy Burl of Surfside Construction. The applicants are requesting a reduction in the 25-foot marsh setback requirement to allow construction of a pervious pergola system over an existing deck at the rear of a single-family residence located at 2633 Jenkins Point Road (Lot 34, Block 52).

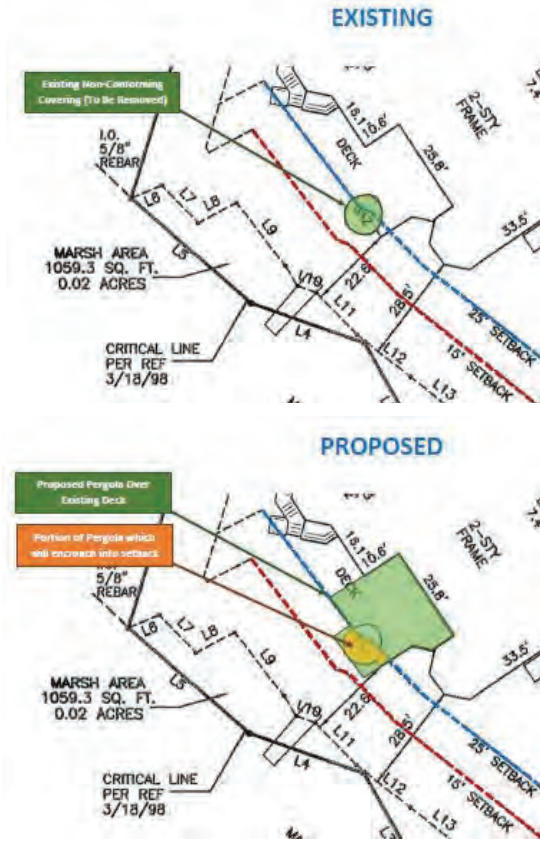
As shown in the photos contained in Attachment #5, there is a circular roof covering a portion of the existing deck at the rear of the home. The existing roof, which covers an outdoor kitchen area, encroaches approximately 6.5 feet into the 25-foot marsh setback. ***If should be noted that the existing roof was conforming at the time of its construction in 2007-08. The roof was only made non-conforming by subsequent changes to the marsh critical line over the last 10 years. (See Attachment #4 for the as-built survey from 2008.)***

The applicants are proposing to remove the existing circular roof and to replace it with a pervious pergola system that will cover the entire deck, including portions which are currently uncovered. The Zoning Administrator denied a zoning permit in October 2018 due to the fact that a pergola would constitute a “roof or covering of any kind,” thereby converting the existing “pervious deck” (which requires a 15-foot marsh setback) into a “covered porch” (which requires a 25-foot marsh setback). The Zoning Administrator also determined that while the existing non-conforming roof may be repaired and maintained, its removal and replacement with another non-conforming structure would require a variance from the Board of Zoning Appeals.

The applicants filed an appeal of the Zoning Administrator’s decision on October 9, 2018. The Board of Zoning Appeals considered the appeal on November 8, 2018, at which time the Board voted to uphold the Zoning Administrator’s decision. At that time, the applicants were also advised that they may resubmit the request for consideration by the Board as a variance application.

While a majority of the new pergola structure will meet the 25-foot marsh setback requirement, the structure will encroach, at most, 7 feet into the required setback. The proposed pergola will not increase the extent of non-conformity in the area where the existing roof is present; however, one small corner of the deck, if allowed to be covered, would encroach approximately 2-3 feet into the 25-foot marsh setback. The areas of encroachment are highlighted in orange in the graphic on the right.

The property is currently zoned SR Single-Family Residential, and a single-family residence is a permitted use by-right.



With the exception of the aforementioned non-conforming roof, the existing home meets all other requirements of the town’s DSO:

TYPE	REQUIRED PER DSO	DSO REFERENCE
Front (Principal Structure)	30 feet	§ 7.60.20.10
Side (Conforming Lot)	15 feet	§ 7.60.20.20
Marsh (Open Deck)	15 feet	§ 7.60.50
Marsh (All Other Structures)	25 feet (Roof Nonconforming)	§ 7.60.50
Driveway (Conforming Lot)	6 feet	§ 7.60.70.10

Therefore, the applicants are requesting a variance from the DSO to allow for the following encroachment into the marsh setback:

TYPE	REQUIRED PER DSO	VARIANCE (REQUESTED)
Marsh (All Other Structures)	25 feet	Allow encroachment of up to 7 feet where the existing roof is located and up to 3 feet where the non-conforming roof will be expanded

In their application, the applicants have stated their intent in seeking a variance is to be able to use and enjoy their outdoor deck. The applicants argue that replacing the existing solid roof with a

pervious pergola system will allow water to flow through the deck to the ground below, which is more in line with the intent of the marsh setback requirement.

Staff Comments

As a matter of practice, the town's Zoning Administrator does not typically provide a recommendation in favor of – or in opposition to – a variance application. In our opinion, these requests are best left to the Board of Zoning Appeals following a thorough review of the relevant facts, including the receipt of testimony from interested parties during the required public hearing.

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions 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.

Should the Board vote to approve the variance request, staff would recommend in favor of attaching the following conditions:

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the applicant and reviewed by the Board on January 29, 2019. Any modification to this site-specific plan prior to the issuance of a zoning permit, with the exception of minor corrections and/or modifications which conform to the requirements of the town's DSO, shall require further review and approval by the Board of Zoning Appeals prior to permitting.
- The variance shall expire on November 2, 2019 (five years from the date of the current OCRM Critical Line Survey) if no zoning permit has been issued by the town on or before that date.

Respectfully submitted,



Joseph M. Cronin

Town Administrator/Zoning Administrator

Criteria for Review

Pursuant to Section 6-29-800(A)(2) of the SC Code of Laws, the Board of Zoning Appeals has the power to hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) there are **extraordinary and exceptional conditions** pertaining to the particular piece of property;
- (b) these **conditions do not generally apply to other property** in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would **effectively prohibit or unreasonably restrict** the utilization of the property; and
- (d) the authorization of a variance **will not be of substantial detriment** to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use 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.

Attachments

The following supplemental items have been attached for review:

Application & Property Information		
1	Variance Application	p. 10-13
2	Property Survey (2014)	p. 14-15
3	Pergola Design & Renderings	p. 16-29
4	As-Built Survey (2008)	p. 30-31
5	Property Photos	p. 32-38
6	Zoning Map	p. 39-40
7	Aerial Image	p. 41-42
8	FEMA Base Flood Elevations (Current & Preliminary)	p. 43-44
9	Title to Real Estate	p. 45-50
10	Property Information Card	p. 51-52
11	Public Hearing Notice – List of Neighboring Property Owners	p. 53-54
12	Public Hearing Notice – U.S.P.S. Certified Mail Receipts	p. 55-57
13	Public Hearing Notice – Post and Courier Legal Ad	p. 58-59
14	Public Hearing Notice – Property Posting	p. 60-61

Other Information		
15	2018 Zoning Denial & Appeal:	
	a) Letter of Zoning Denial	p. 62-64
	b) Notice of Appeal	p. 65-69
	c) Board of Zoning Appeals Notice of Decision	p. 70-73

Written Correspondence Regarding the Proposed Variance Request		
16	Letter from Charles Measter (Dec. 31, 2018)	p. 74-75



ATTACHMENT #1

Variance Application

NOTICE OF APPEAL - Form 1
Board of Zoning Appeals
TOWN OF SEABROOK ISLAND-COUNTY OF CHARLESTON

Date Filed: 12/10/2018 (To be Completed by Office Administration)
Application Fee: \$ 150.00 ^{or} 350.00 Permit Application#: Variance
Appeal#

This form must be completed for a hearing on an Appeal (1) from the action of a zoning official, (2) application for a Variance or (3) application for Special Exception. Applications should be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) all must sign the Designation of Agent.

THE APPLICANT HEREBY APPEALS [indicate one with an X]:
 From action of a zoning official as stated on attached Form 2.
 For a variance as stated on attached Form 3.
 For a Special Exception as stated on attached Form 4.

Applicant(s) [Please print]: John A. Butera & Jean Jones
Address: 2633 Jenkins Point Rd.
Telephone: 610 710-1102

Owners(s) [if other than Applicant]
Address: _____
Telephone: _____

Property Address: 2633 Jenkins Point Road
Lot _____ Block _____ Tax Map # _____

Designation of Agent [Complete only if owner is not applicant]
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.
Date: _____
Tom Berel
Jean White Jones
Owner Signature(s)

Applicant's Certification
I (we) certify that the information in this application and attached Form 2,3 or 4 is correct.
Date: 12/10/18
Jean White Jones
Applicant Signature(s)

Variance Application - Form 3
Board of Zoning Appeals

Date Filed: _____ Permit Application No. _____ Appeal No. _____

1. Applicant hereby appeals to the board of zoning appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the zoning ordinance:

D50 Code 7.60.50 - max setback and Section 2.10(c) + (cc) Definitions
so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Construction of a Pergola over BACK DECK

for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the zoning ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts:
- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: see attached
- b. These conditions do not generally apply to other property in the vicinity as shown by:

- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: see attached

- d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: see attached

3. The following documents are submitted in support of this application: zoning permit applic, Survey/site plan, pergola Design, sample Photos [A plot plan must be submitted.]

Date: 12/10/18

Jean K. [Signature]
Applicant signature

Variance Application – Form 3

2a-d. Strict application of the ordinance and failure to grant the variance will cause undue hardship as we are currently unable to use and enjoy our deck due to the extreme heat/sun conditions. Mr. Butera suffers from multiple medical conditions, including cancer and diabetes, and his medical regime limits his sun exposure and tolerance. If we are not granted permission to erect the proposed Pergola over the deck, which will definitely shield that portion of the deck from direct sunlight and blasting heat, we will not be able to use and enjoy the outside of our new home at all.

The construction of the proposed Pergola does not go against the meaning and/or INTENT of the ordinance, and granting the variance will be harmless and cause no detriment to the surrounding neighbor's property or the environment. The proposed Pergola is an ornamental element that is in keeping with the character of Seabrook Island as the use of Pergolas are abundant on the island, including at the club, pool and property owners building.

Applicant is proposing the removal of the existing "solid roof" system over the outdoor kitchen and replacing it with the Pergola, which is an open system, that will act as a sun shade, but at the same time allows water to pass through and return to the surface. The proposed Pergola is more "environment friendly" than the solid roof structure that is currently in place. It does not transform the deck into a porch; it is not designed to create a new separate and distinct living space; there is no access to the top of it for one to walk on or place furniture on, it is merely an attractive ornamental architectural feature that will act to minimize the sun and heat at the height of the day.

Our proposal clearly meets the 15 foot setback rule and we argue it also complies with the intent of the 25 foot setback in that it is an open system, which merely acts as a sun shade, but allows water to pass through and return to the surface. Our plan is to remove the current "solid roof" which butts out 2 ½ - 3 feet into the 25 foot setback and replace it with a permeable open system which is more in compliance with the intent of the ordinance.

The Pergola is more like an architectural element than a "roof or a covering" as stated in the ordinance.



ATTACHMENT #2

Property Survey (2014)



A.H. SCHWACKE & ASSOCIATES

LAND SURVEYING & CONSTRUCTION LAYOUT
1975 FRAMPTON AVE. P.O. BOX 843-762-7000 FAX 843-762-0109
P.O. BOX 13077, CHARLESTON, SOUTH CAROLINA 29422-3077

CURVE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	35.00'	47.45'	28.18'	43.90'	S 42°34'13" E

LEGEND:

- I.O. IRON OLD (FOUND)
- I.N. IRON NEW (SET)
- CMO CONCRETE MONUMENT OLD
- P PORCH
- CS CONCRETE SLAB
- PP POWER POLE
- SP SCREEN PORCH
- AC AIR CONDITIONER
- GAZ GAZEBO
- CATV CABLE TV BOX
- EB ELECTRIC BOX



REFERENCE:

PLAT BY FORSMAN J ANDERSON
DATED MARCH 20, 1998
BOOK EC PAGE 475
FMC CHAS. CO.

TAX MAP No. 149-00-00-046
No. 2633 JENKINS POINT ROAD
Requested by: TOM BERL (SURFSIDE CONSTRUCTION)

TOTAL LOT AREA
36372.7 SQ. FT.
0.83 ACRES

LOT COVERAGE:
BUILDING = 3063.37 SQ.FT.
PORCH = 397.07 NSQ.FT.
DECK/GAZ = 745.06 SQ.FT.
STEPS/WALK = 688.8 SQ.FT.
DRIVEWAY = 3064.97 SQ.FT.
AIR CONDITIONER = 77.01 SQ.FT.
TOTAL = 8037.28 SQ.FT.
23% COVERAGE

NOTES:

BEARINGS SHOWN ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION

AREA DETERMINED BY COORDINATE METHOD

THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE HAWAII ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY. PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (EL. 14) AS PER FEMA FLOOD MAPS, PANEL No. 45019C 0785J DATED NOVEMBER 17, 2004 COMMUNITY No. 450256

SURVEYOR'S CERTIFICATION

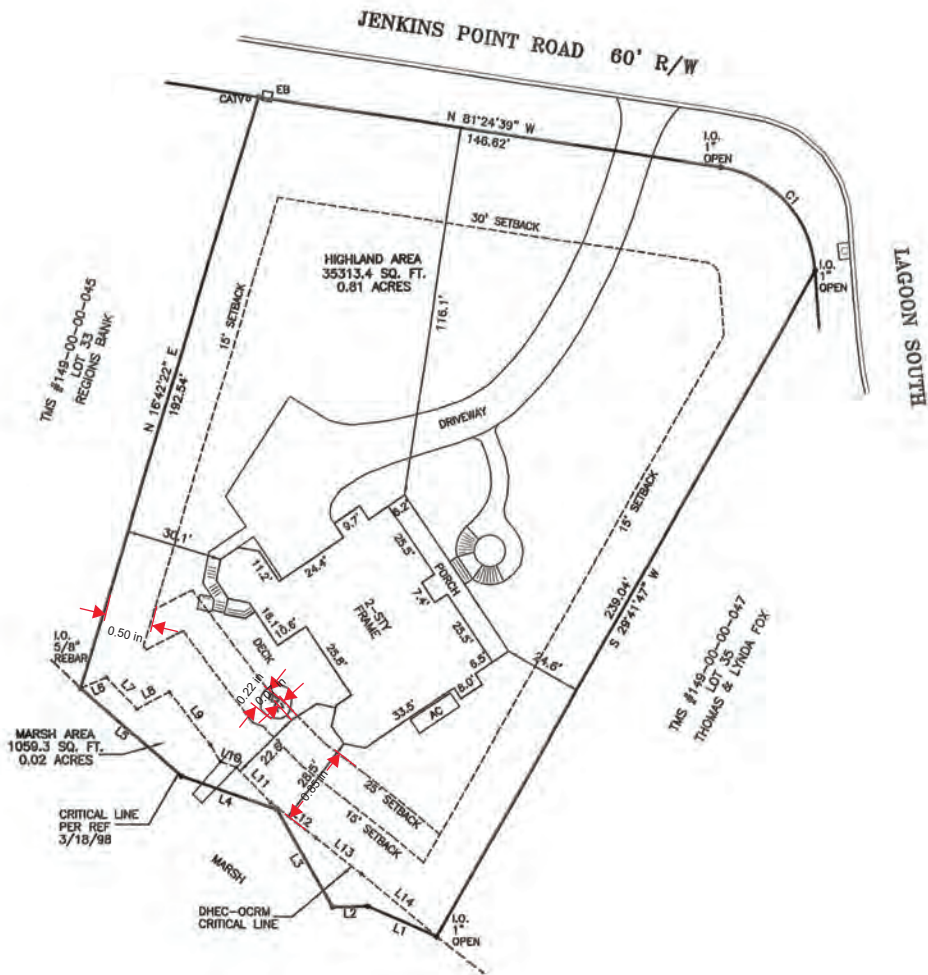
I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments or projections other than shown.

KEVIN M. SCHWACKE, SR. PLS
S.C. Registration Number 20468



CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HEREON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.

project14 14283



LINE	BEARING	DISTANCE
L1	N 66°21'40\" W	23.47'
L2	S 89°26'34\" W	11.10'
L3	S 30°01'21\" E	35.19'
L4	S 71°23'55\" E	31.70'
L5	S 48°39'46\" E	41.75'
L6	N 67°31'13\" E	8.67'
L7	N 44°10'55\" W	13.72'
L8	S 62°40'27\" W	11.40'
L9	N 37°44'12\" W	20.79'
L10	S 70°08'28\" E	5.43'
L11	N 44°23'16\" W	15.25'
L12	N 52°25'33\" W	18.08'
L13	N 51°50'56\" W	18.13'
L14	N 50°21'16\" W	30.72'

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

SIGNED BY: WILLIAM C. EISER 11/2/14
SIGNATURE DATE

The critical line shown on this plot is valid for five years from the date of this signature, subject to the cautionary language above.

PLAT OF
LOT 34 PHASE III
JENKINS POINT PLANTATION
TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY SOUTH CAROLINA

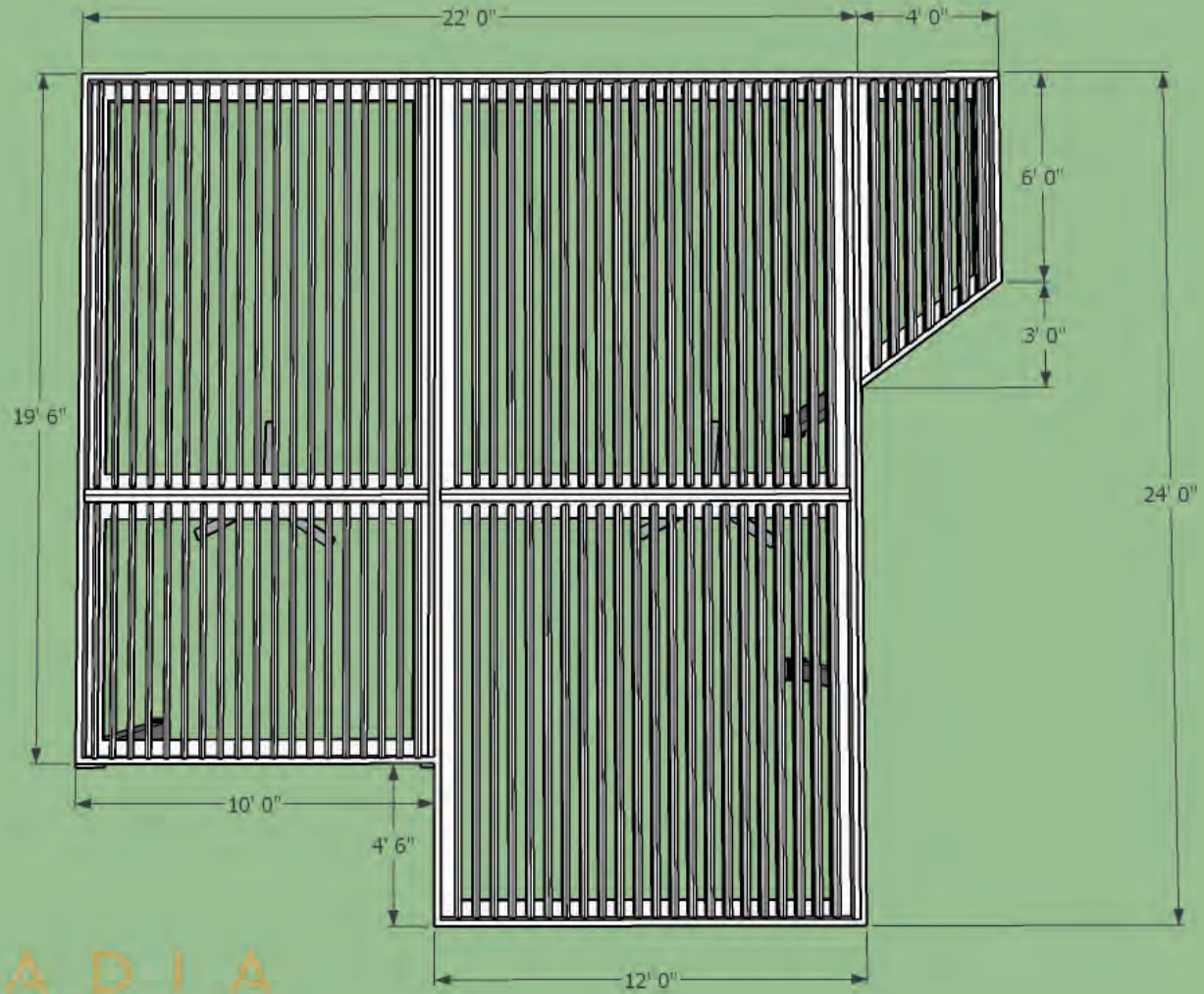


DATE: OCTOBER 27, 2014 SCALE: 1" = 30'

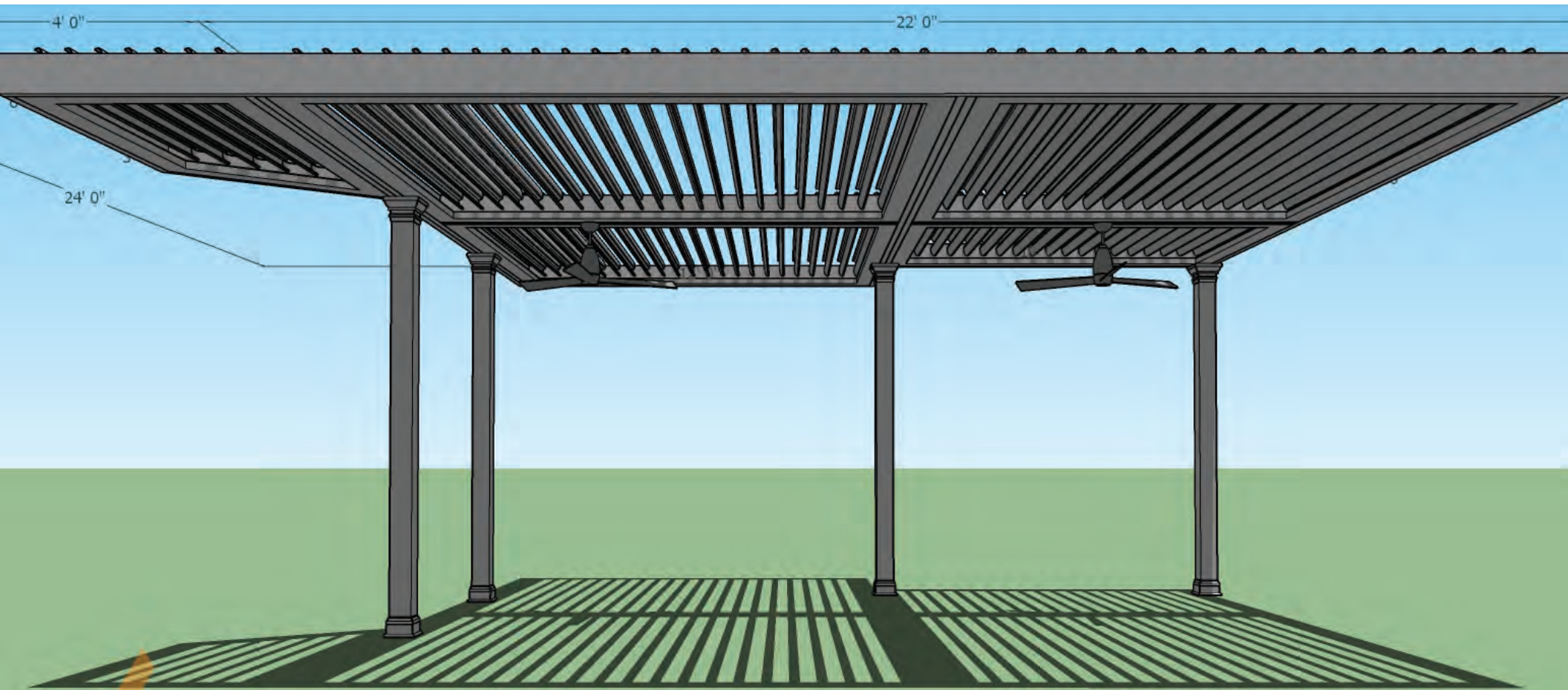


ATTACHMENT #3

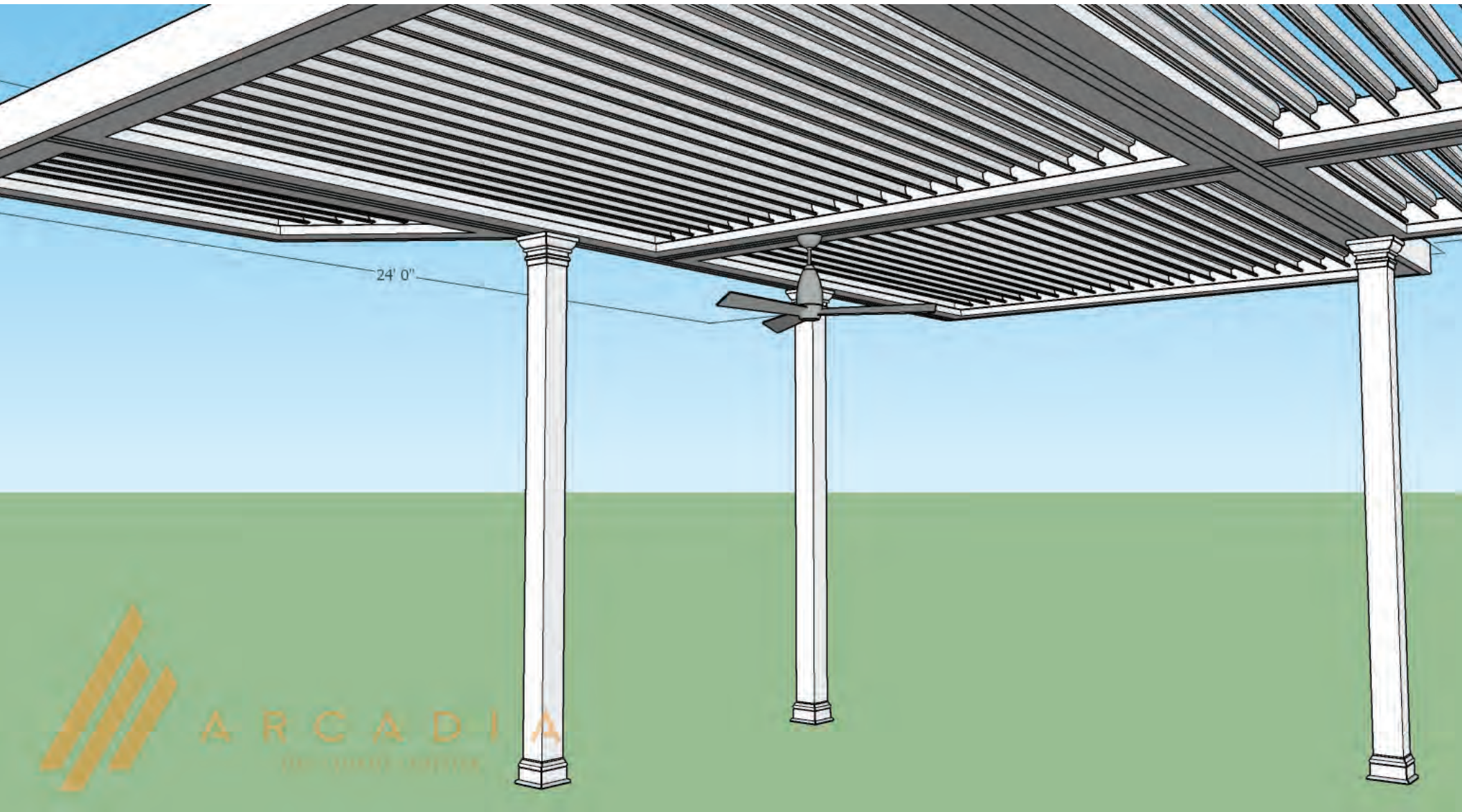
Pergola Design & Renderings

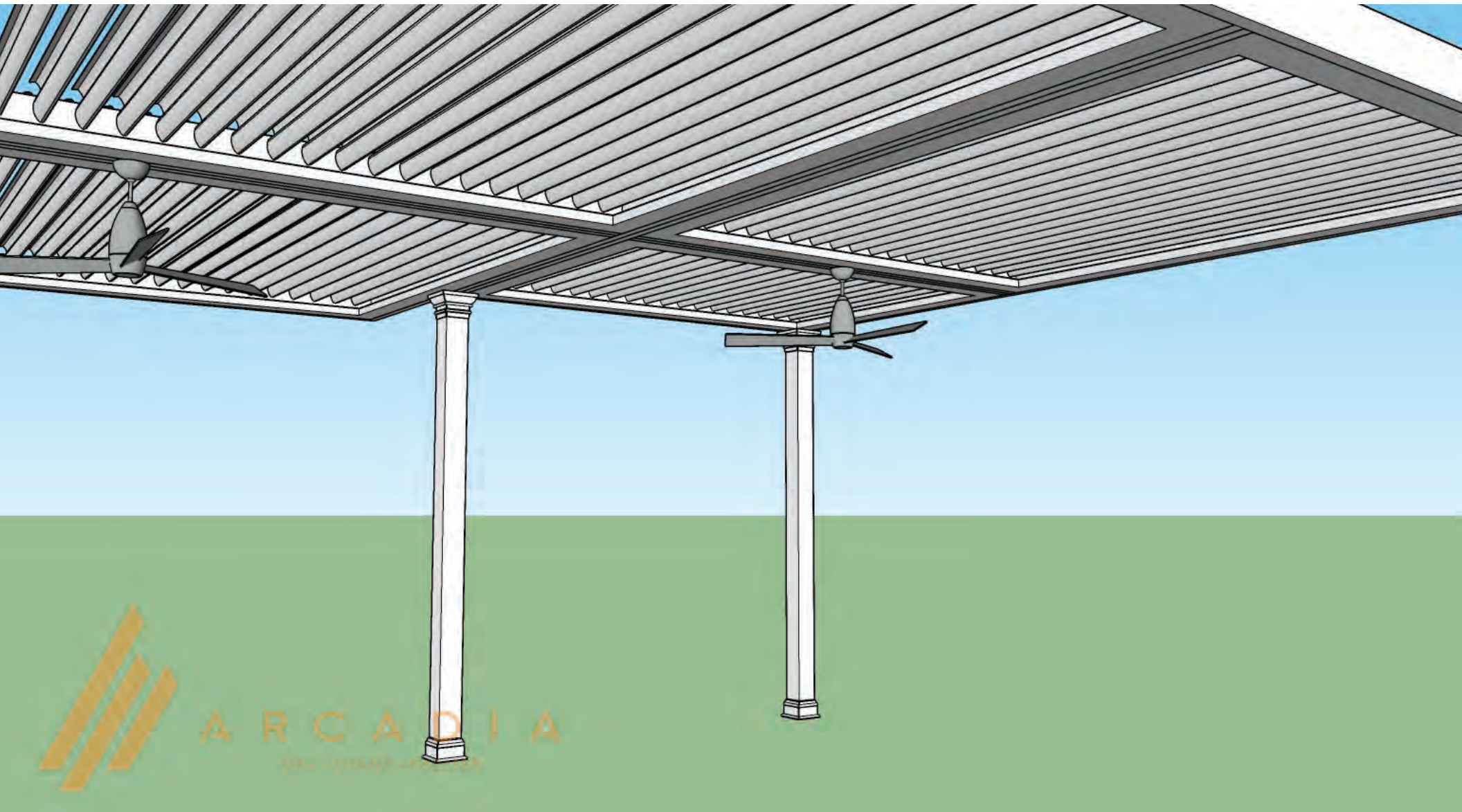


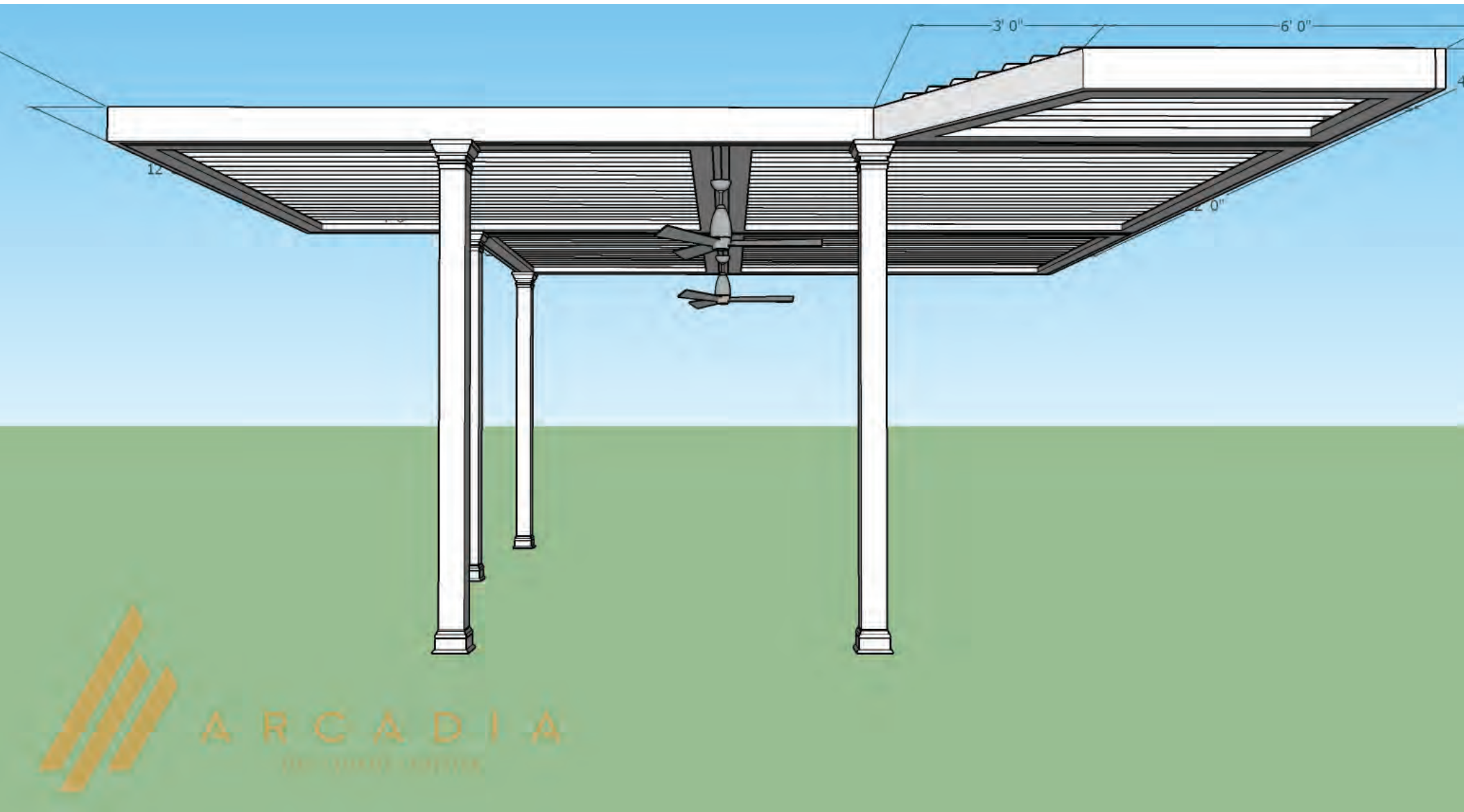
ARCADIA
 DESIGN + CONSTRUCTION

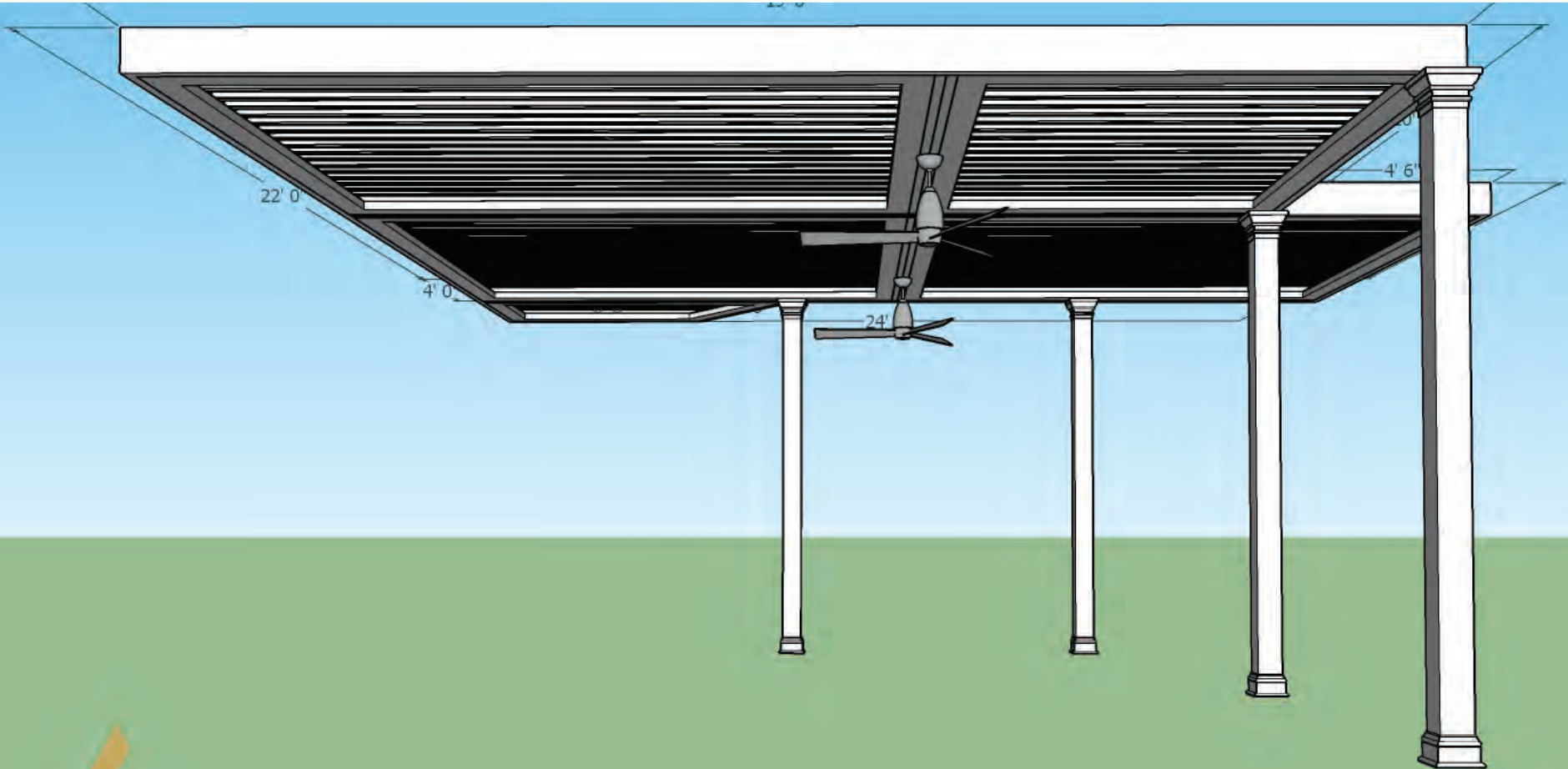


ARCADIA
DESIGN-BUILD CONTRACTORS





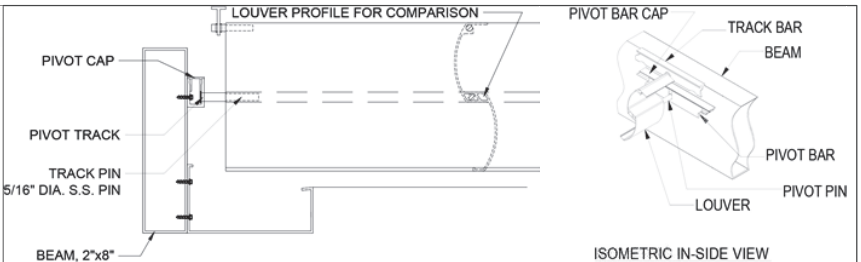
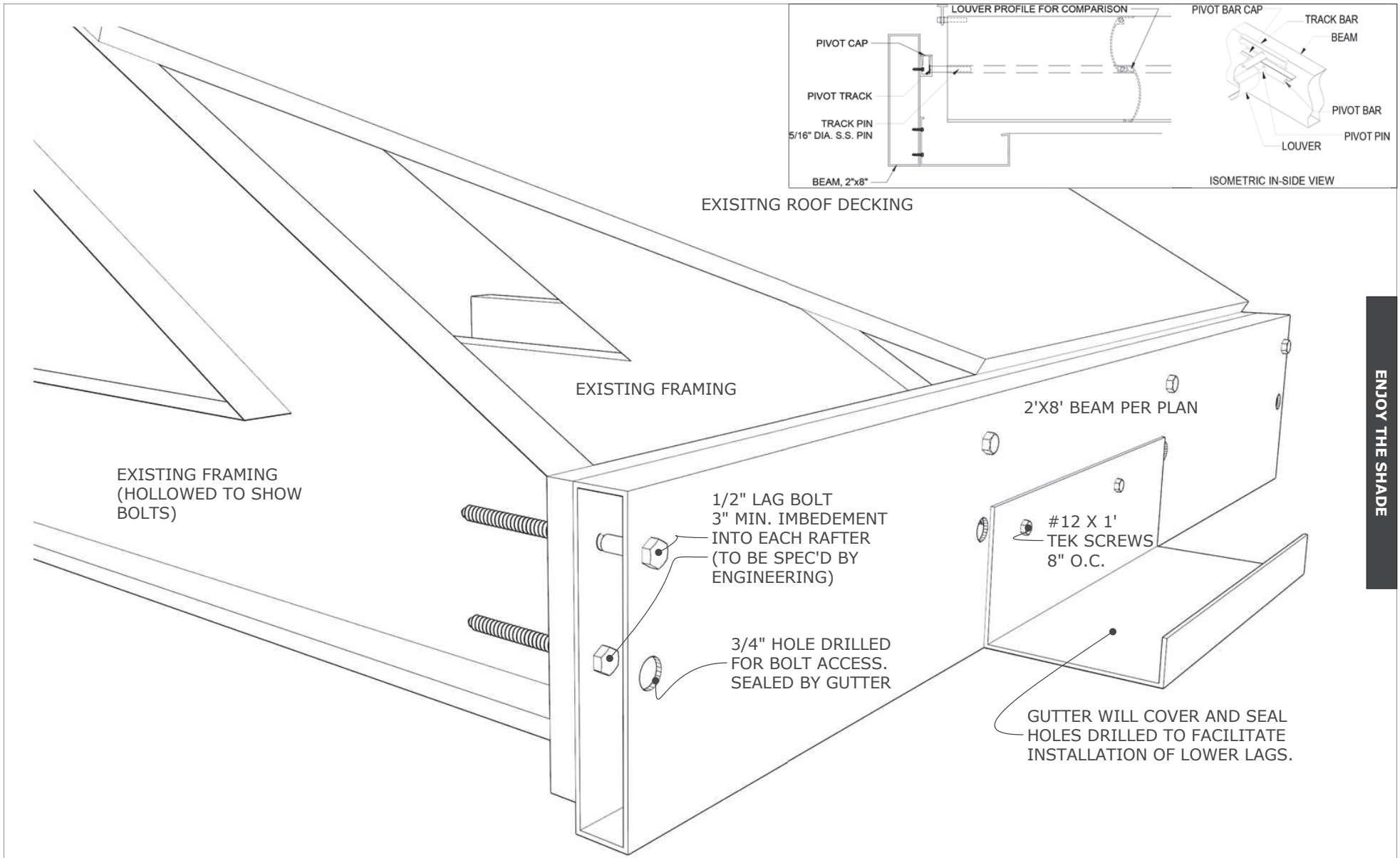




ARCADIA
DESIGN GROUP







EXISTING ROOF DECKING

EXISTING FRAMING

2'X8' BEAM PER PLAN

EXISTING FRAMING
(HOLLOWED TO SHOW
BOLTS)

1/2" LAG BOLT
3" MIN. IMBEDMENT
INTO EACH RAFTER
(TO BE SPEC'D BY
ENGINEERING)

3/4" HOLE DRILLED
FOR BOLT ACCESS.
SEALED BY GUTTER

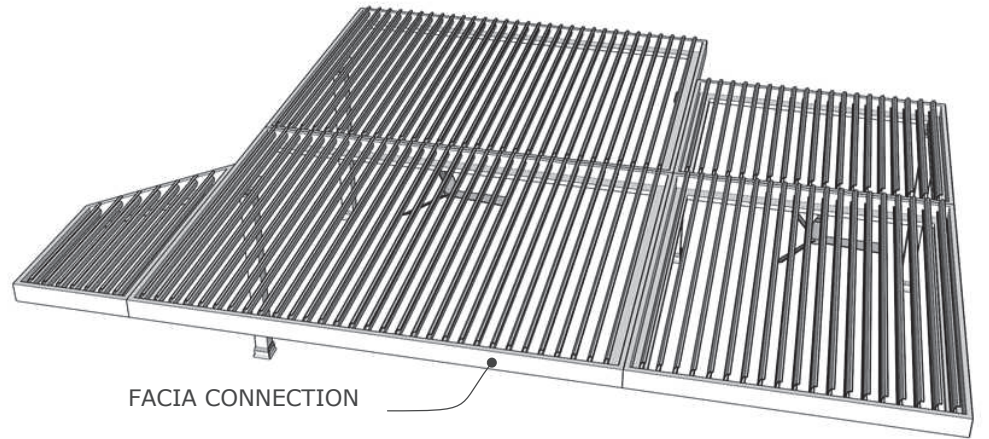
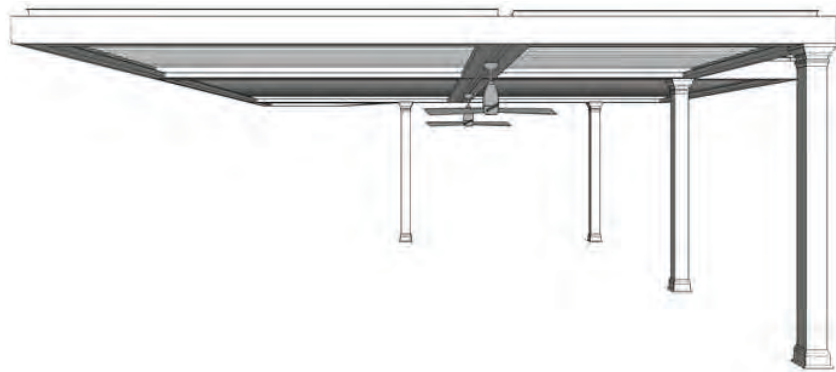
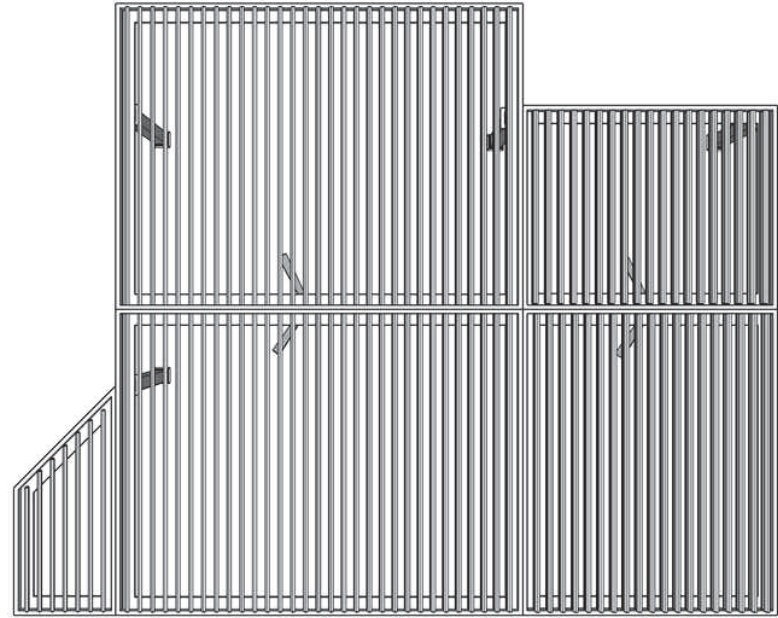
#12 X 1'
TEK SCREWS
8" O.C.

GUTTER WILL COVER AND SEAL
HOLES DRILLED TO FACILITATE
INSTALLATION OF LOWER LAGS.

ENJOY THE SHADE

**BOLT SPACING AND LENGTHS
ARE SUBJECT TO CHANGE
DURING FINAL ENGINEERING APPROVAL.

Not to scale

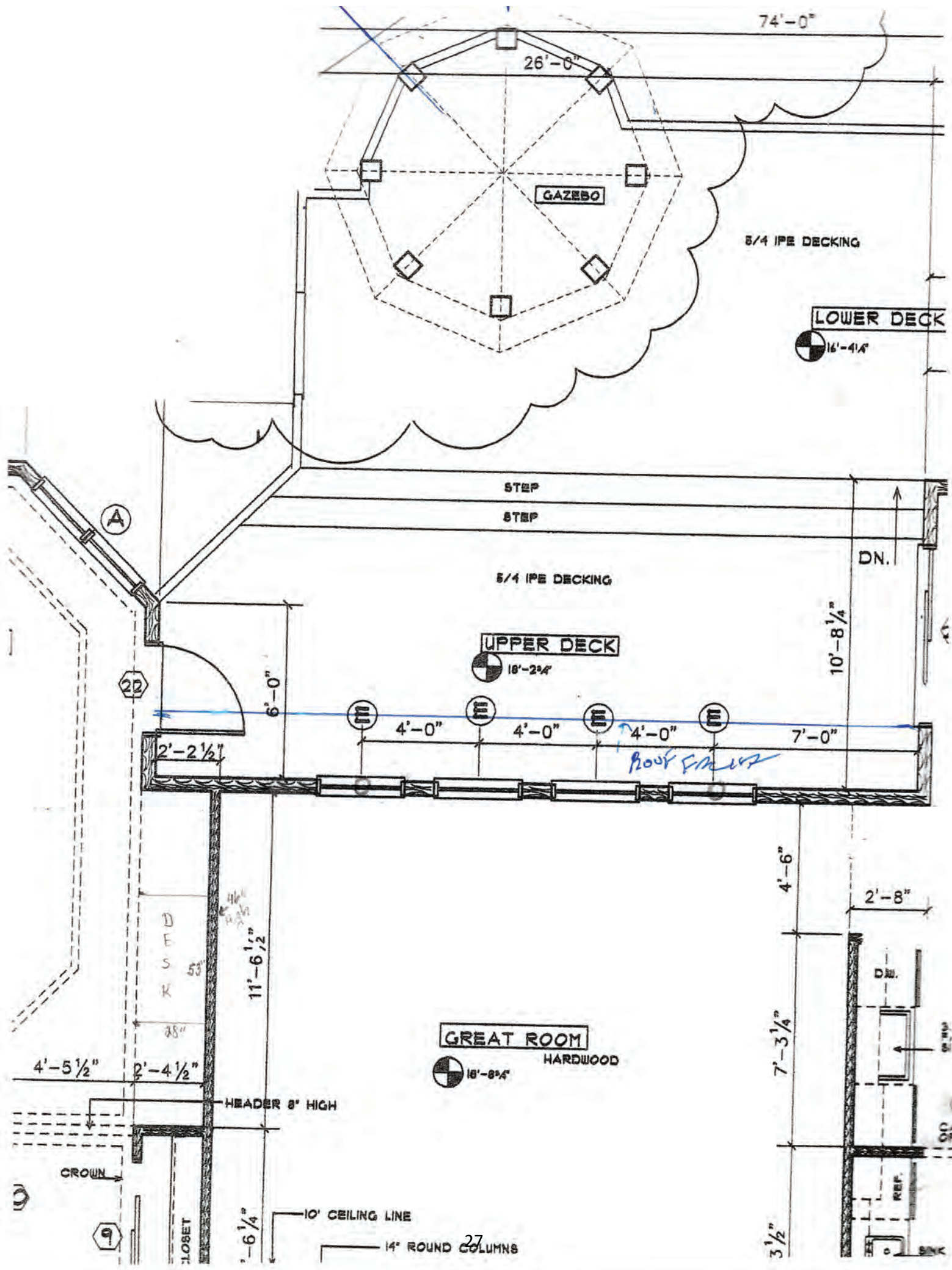


ENJOY THE SHADE

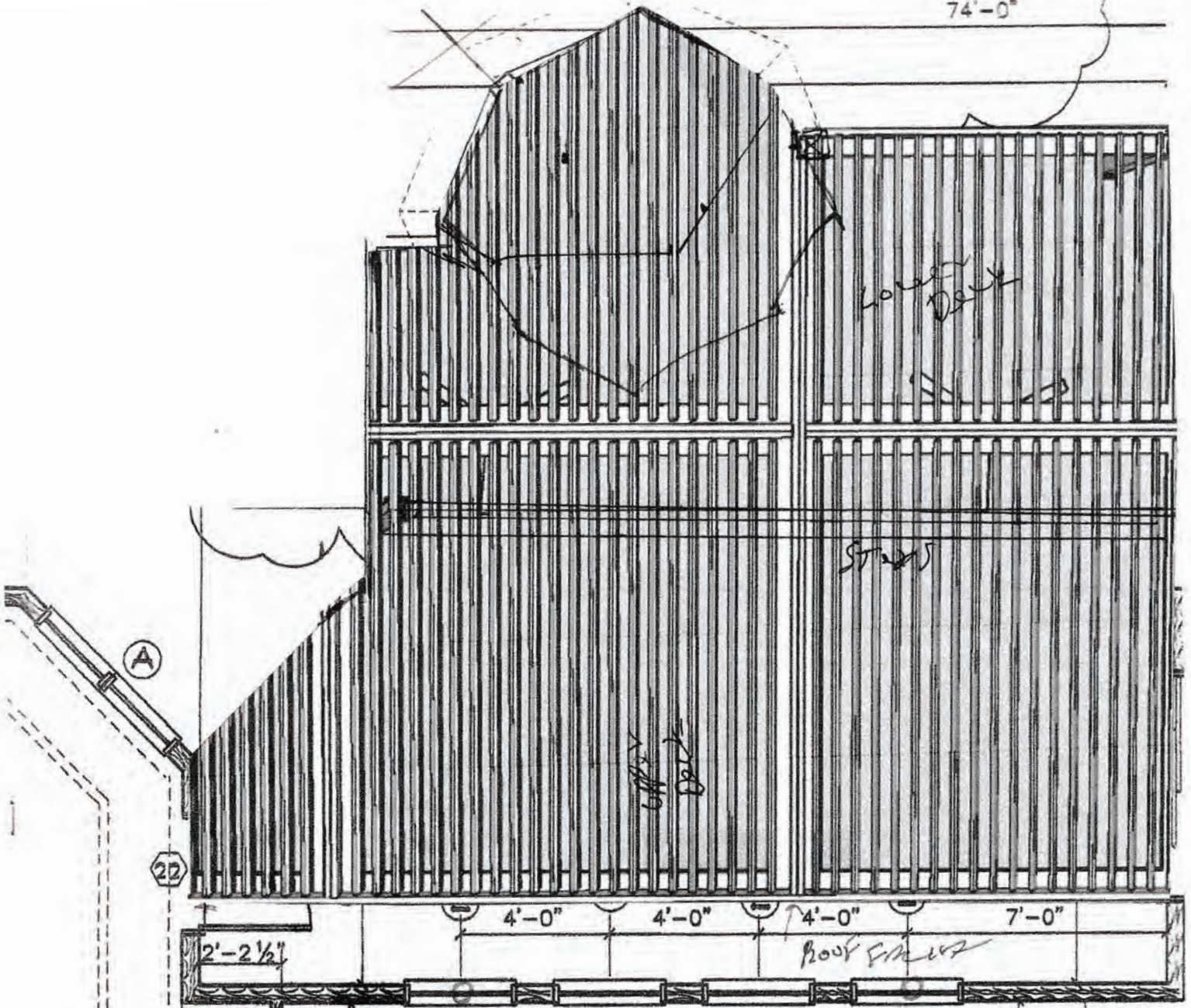
**BOLT SPACING AND LENGTHS
ARE SUBJECT TO CHANGE
DURING FINAL ENGINEERING APPROVAL.

December 5, 2018

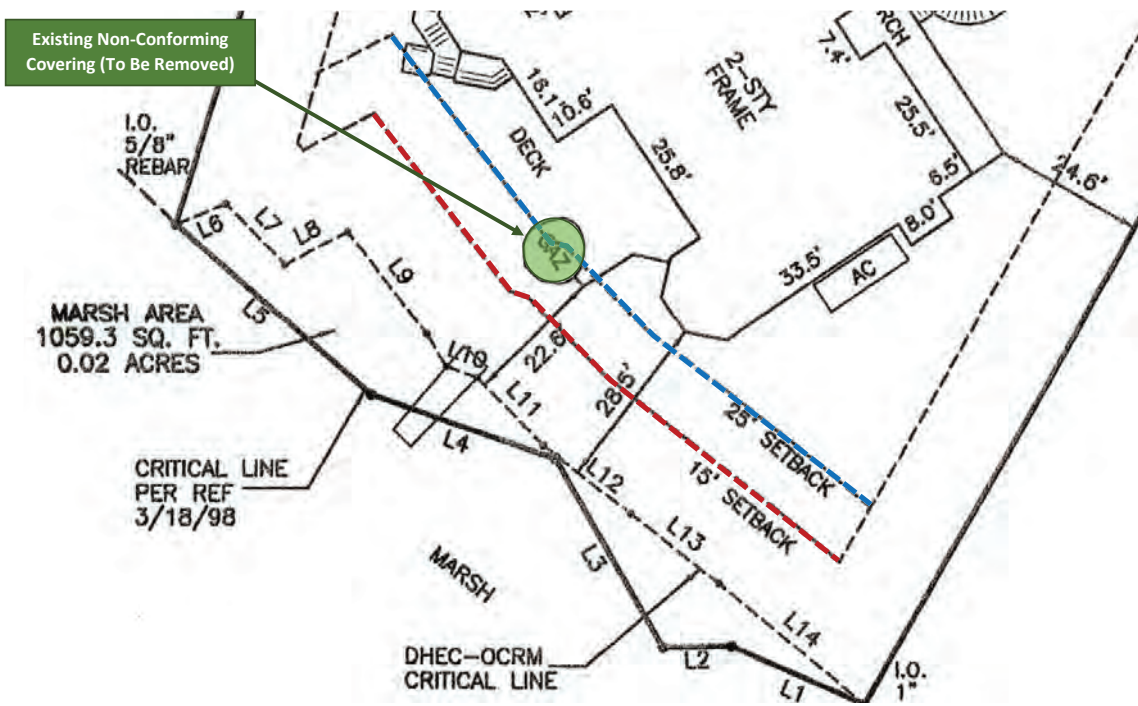
2633 Jenkins Point Road |



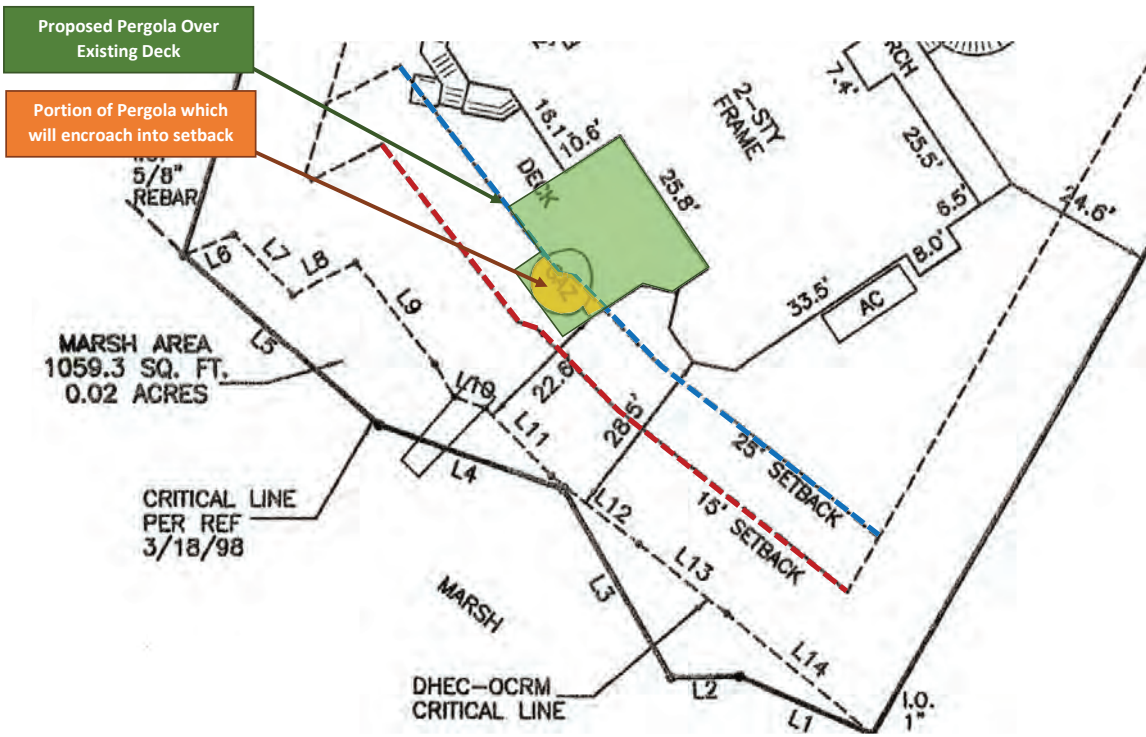
74'-0"



EXISTING



PROPOSED





ATTACHMENT #4

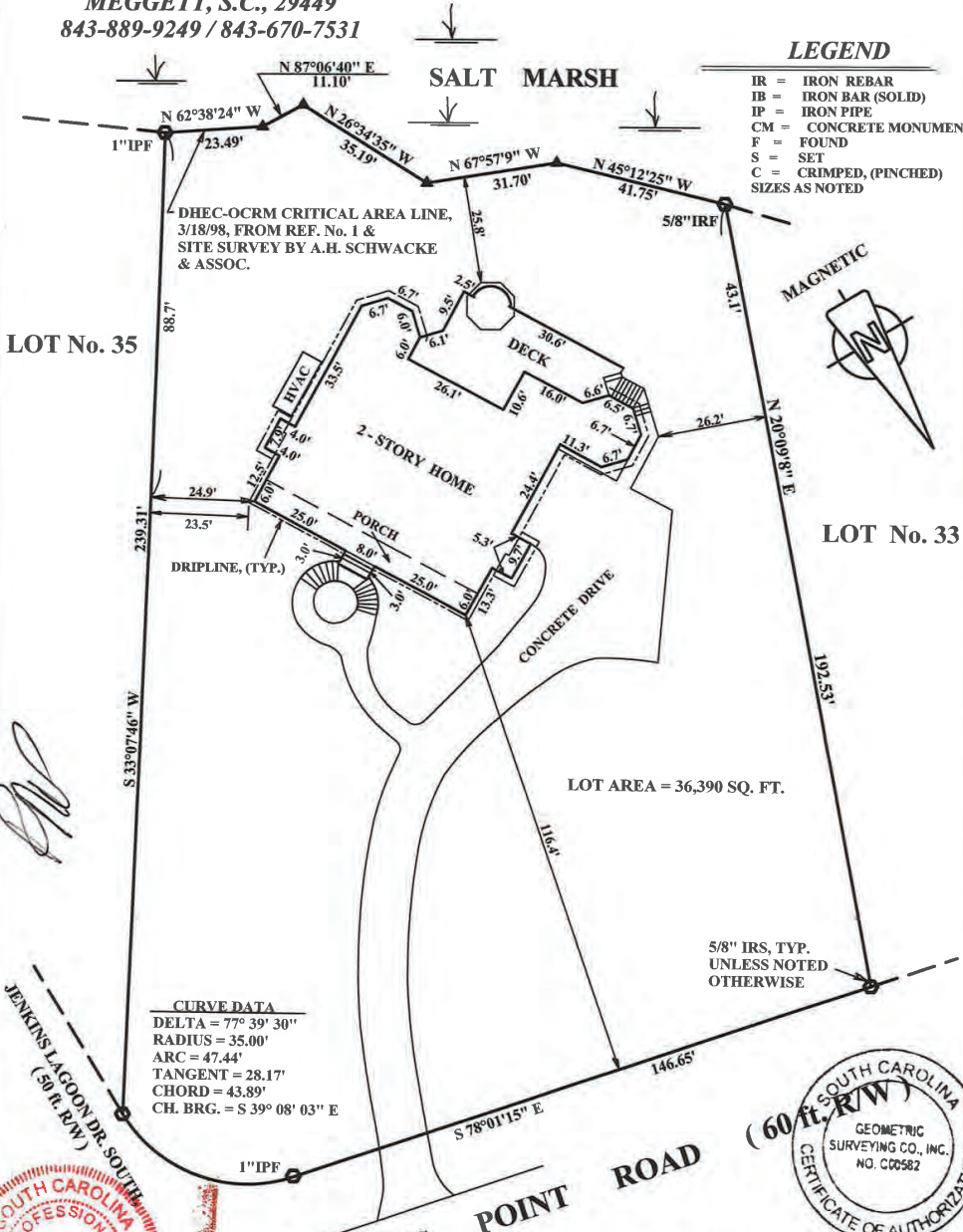
As-Built Survey (2008)

GEOMETRIC SURVEYING CO., INC.
 4835 WILSON RD.
 MEGGETT, S.C., 29449
 843-889-9249 / 843-670-7531

REFERENCE:
 1. PLAT BY ANDERSON & ASSOCIATES, 3/20/96, BK. EC,
 PG. 475, RMC, CHARLESTON CO., S.C.
 2. TMS # 149 - 00 - 00 - 046

LEGEND

- IR = IRON REBAR
- IB = IRON BAR (SOLID)
- IP = IRON PIPE
- CM = CONCRETE MONUMENT
- F = FOUND
- S = SET
- C = CRIMPED, (PINCHED)
- SIZES AS NOTED



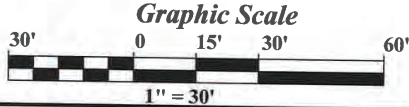
CURVE DATA
 DELTA = 77° 39' 30"
 RADIUS = 35.00'
 ARC = 47.44'
 TANGENT = 28.17'
 CHORD = 43.89'
 CH. BRG. = S 39° 08' 03" E



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

CHARLIE B. AYCOCK, III, P.L.S., REG. No. 9543

PLAT of
LOT No. 34, PHASE III, JENKINS POINT PLANTATION
THE TOWN of SEABROOK ISLAND
CHARLESTON COUNTY SOUTH CAROLINA
JULY 14, 2007 SCALE: 1" = 30'
OWNED BY KENNETH W. & DEANNA HUBBARD
 REVISED / UPDATED 10/06/08



070404-S



ATTACHMENT #5

Property Photos









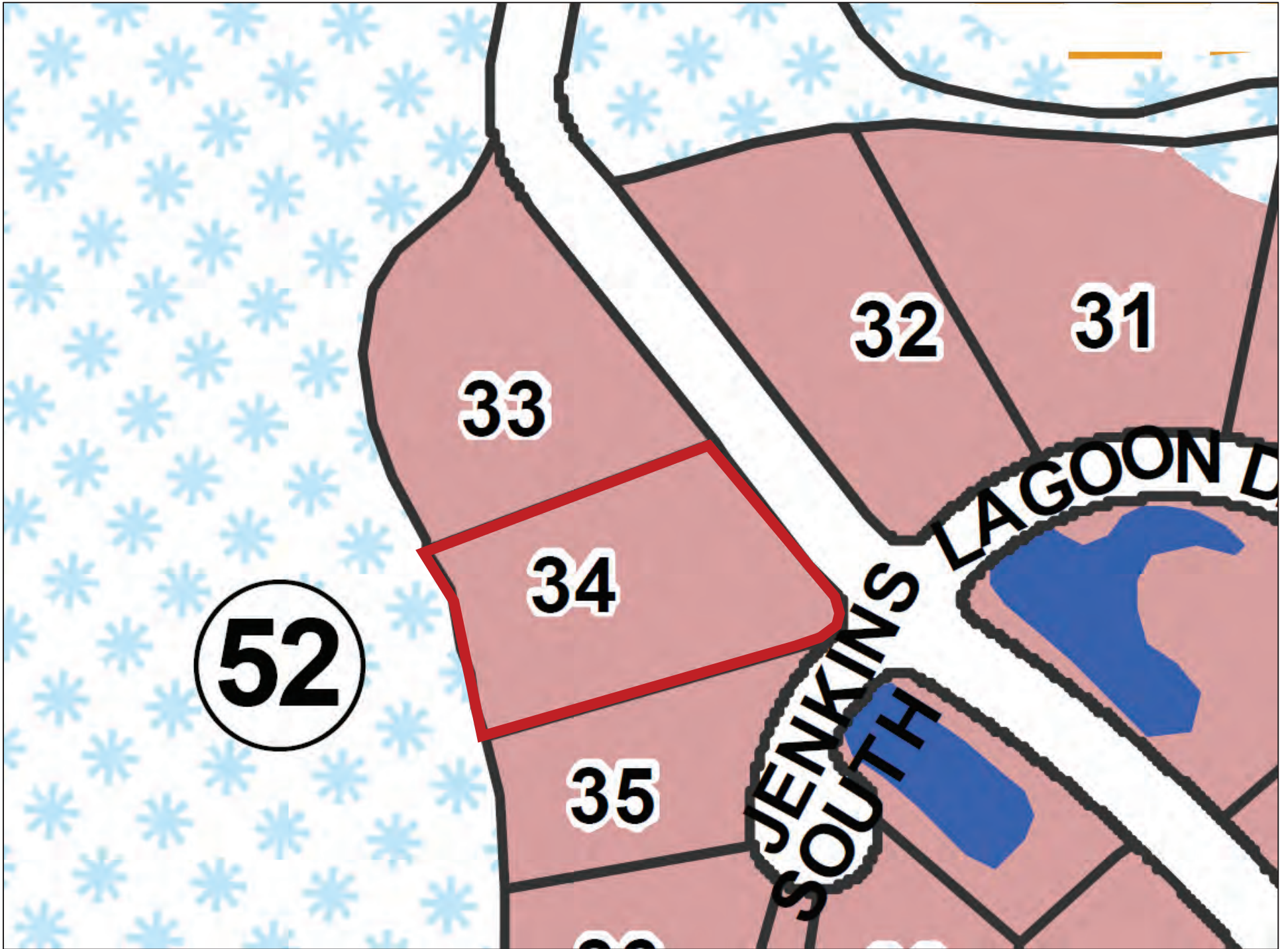






ATTACHMENT #6

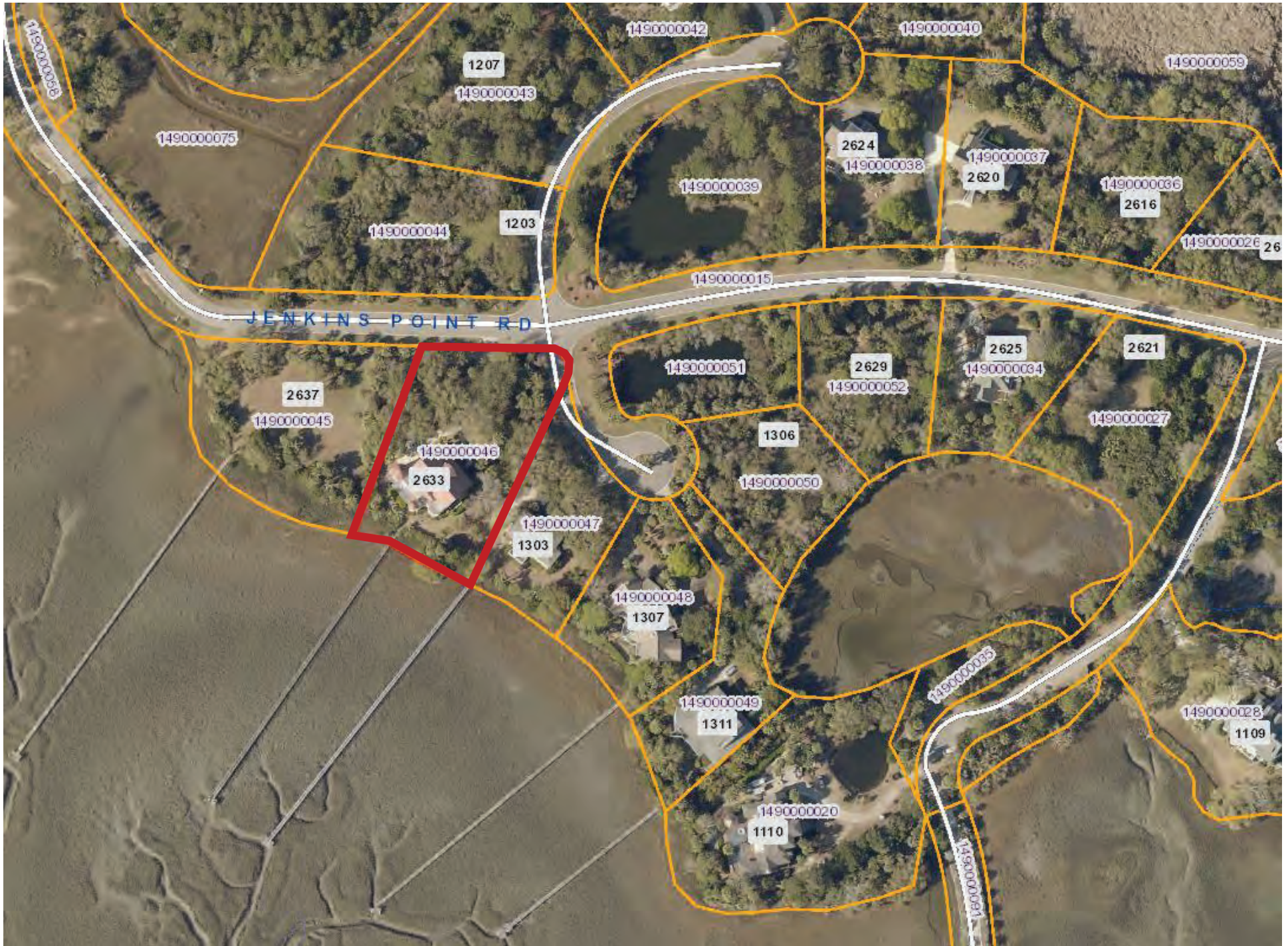
Zoning Map





ATTACHMENT #7

Aerial Image

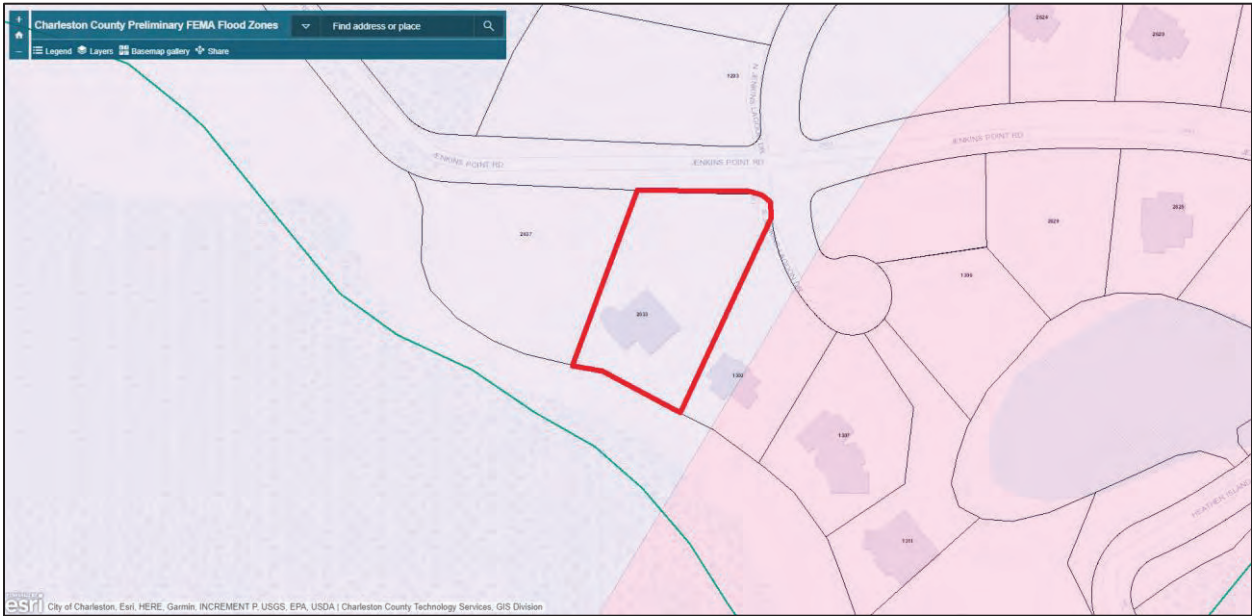




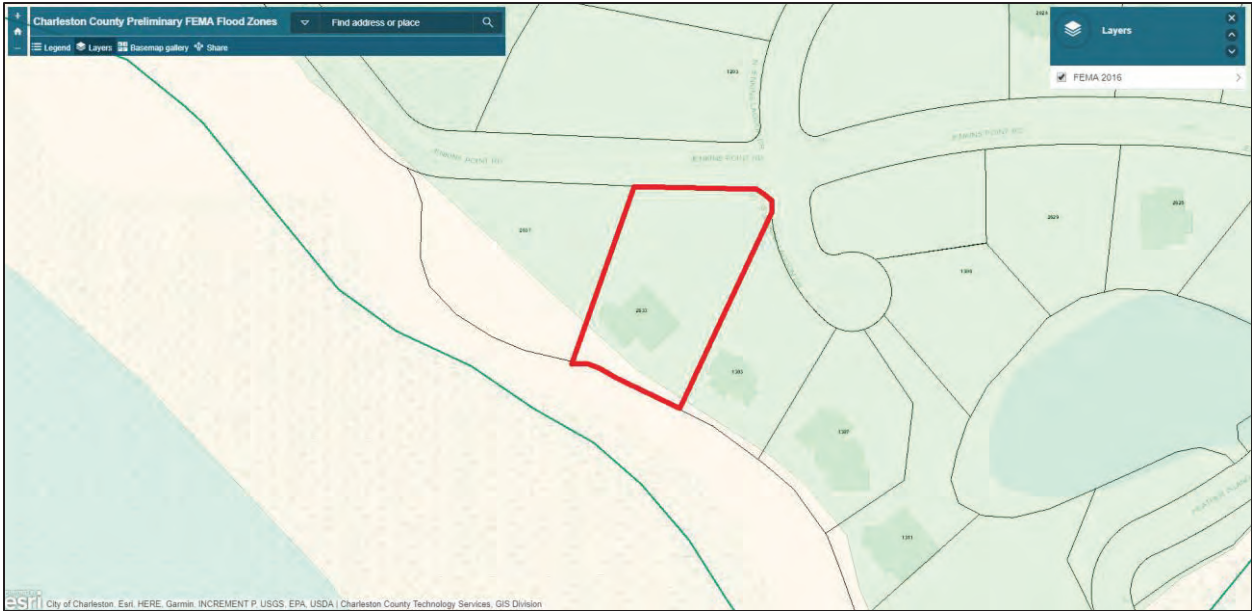
ATTACHMENT #8

FEMA Base Flood Elevations
(Current & Preliminary)

**FEMA Base Flood Elevation (Current)
VE-14**



**FEMA Base Flood Elevation (Preliminary)
AE-9/10**





ATTACHMENT #9

Title to Real Estate



BP0743729

PGS:

5

PREPARED BY:
Buist, Byars & Taylor, LLC
130 Gardener's Circle
PMB# 138
Johns Island, SC 29455
File No. 4537.0001

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that **Kenneth W. Hubbard and Deanna Hubbard** ("Grantor"), in the State aforesaid, for/and in consideration of the sum of ONE MILLION SIX HUNDRED EIGHTY FOUR THOUSAND AND 00/100 DOLLARS (\$1,684,000.00), to us in hand paid at and before the sealing of these Presents by **John C. Butera and Jean White E. Jones**, in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said **John C. Butera and Jean White E. Jones, as joint tenants with rights of survivorship and not as tenants in common**, the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE FOR LEGAL DESCRIPTION.

TMS Number: 149-00-00-046

Address of Grantee(s):

2633 Jenkins Point
Sabrook Island, S.C. 29455

This is the same property conveyed to Grantor by deed from Thomas J. Colatsky and Susan D. Colatsky dated March 28, 2003 and recorded April 4, 2003 in Book E443, page 31, Charleston County Recording Office.

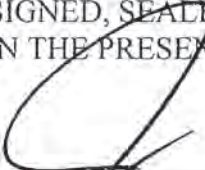
TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said **John C. Butera and Jean White E. Jones, as joint tenants with rights of survivorship and not as tenants in common**, their heirs and assigns, forever.

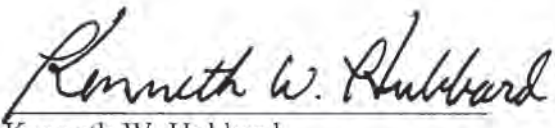
AND subject to the exceptions set forth above, Grantor does hereby bind ourselves and our heirs, executors, and administrators, to warrant and forever defend, all and singular, the premises before mentioned unto the said **John C. Butera and Jean White E. Jones**, their heirs and assigns, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our hand and seal this 16th day of August, in the year of our Lord Two Thousand Eighteen and in the Two Hundred and forty-third year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:



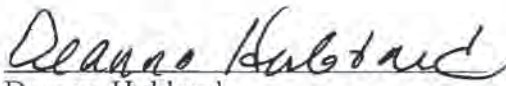
Witness #1



Kenneth W. Hubbard



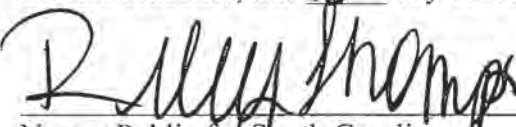
Witness #2



Deanna Hubbard

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me by Kenneth W. Hubbard and Deanna Hubbard, this 16 day of August, 2018.

 (SEAL)

Notary Public for South Carolina
My commission expires: _____

Riley Thompson
Notary Public for South Carolina
Commission Expires: September 19, 2027

EXHIBIT A

ALL that certain lot, piece, or parcel of land, together with the improvements thereon, situate, lying and being in the Town of Seabrook Island, Charleston County, South Carolina, and being shown and designated as Lot 34, Jenkins Point Plantation, on a plat entitled "FINAL PLAT OF JENKINS POINT PLANTATION, PHASE III, TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA," prepared by Anderson & Associates, dated March 20, 1998, and recorded in Charleston County RMC Office in Plat Book EC at Page 475.

Reference to said plat is hereby craved for a more complete description as to distances, courses, metes, and bounds.

ALSO

Together with a Non-Exclusive Easement for Ingress and Egress appurtenant to the above described property, on foot or by vehicle, over, upon and across the private roads as shown on the above description plat; said easement to be transferable and is necessary for access to the above described property and shall remain in existence until such time as said private roads are dedicated or are conveyed to Seabrook Island Property Owners Association, at which time this easement shall come to an end.

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

- (a) All covenants, obligations, restrictions and limitations contained in the Restate and Fifth modification of Protective Covenants for Seabrook Island Development, recorded in the RMC Office for Charleston County, SC in Book K-215, Page 23, and the Fourth Restated and Amended By-Laws of the Seabrook Island Property Owners Association recorded in the RMC Office for Charleston County in Book K-215, Page 1, which covenants are made applicable to the property hereby conveyed by Declaration dated March 30, 1995, and recorded in Book B-254, Page 588, said RMC Office.
- (b) Said property is conveyed subject to all easements as shown or mentioned on the aforesaid plat.
- (c) Taxes, user fees, and assessments not yet due and payable.
- (d) Interests created by, or limitation on use imposed by the Federal Coastal Zone Management Act or other Federal Law or by S.C. Code, Chapter 39, Title 48, as amended, or any regulations promulgated pursuant to said state or federal laws.

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property.

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- 1. I have read the information on this Affidavit and I understand such information.
- 2. The property being transferred is located at 2633 Jenkins Point Road, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 149-00-00-046, was transferred by **Kenneth W. Hubbard and Deanna Hubbard** to **John C. Butera and Jean White E. Jones** on August 27, 2018.

3. Check one of the following: The deed is

- (a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
- (c) _____ exempt from the deed recording fee because (See Information section of affidavit): _____ (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):

- (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$1,684,000.00
- (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
- (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.

5. Check YES _____ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____

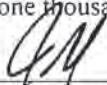
6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: 1,684,000.00
- (b) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
- (c) Subtract line 6(b) from Line 6(a) and place result here: 1,684,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$6,230.80

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as : Legal Representative

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



 Legal Representative
Randall J. Drew

 Print Name

Sworn to before me this 27th day of August, 2018.



 Notary Public for South Carolina
 My Commission Expires: _____



RECORDER'S PAGE



NOTE: This page **MUST** remain with the original document

Filed By:

RANDALL J DREW, LLC
 1156 BOWMAN RD.
 SUITE 200
 MT PLEASANT, SC 29464 (BOX)

RECORDED		
Date:	August 29, 2018	
Time:	10:23:54 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0743	729	Deed
Elaine H. Bozman, Register Charleston County, SC		

MAKER:

HUBBARD KENNETH W AL

of Pages: 5

Note:

RECIPIENT:

BUTERA JOHN C AL

Recording Fee	\$ 10.00
State Fee	\$ 4,378.40
County Fee	\$ 1,852.40
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 6,240.80

Original Book:

Original Page:

DRAWER **Drawer 4**
 CLERK **SLW**

AUDITOR STAMP HERE
 RECEIVED From ROD
 Sep 05, 2018
 Peter J. Tecklenburg
 Charleston County Auditor

PID VERIFIED BY ASSESSOR
 REP MKD
 DATE 09/05/2018
 4



0743
Book



729
Page



08/29/2018
Recorded Date



5
Pgs



Original Book



Original Page



D
Doc Type



10:23:54
Recorded Time



ATTACHMENT #10

Property Information Card

Charleston County, South Carolina

generated on 1/23/2019 11:08:50 AM EST

Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	Assess Year	Pay Year
1490000046		2633 JENKINS POINT RD, SEABROOK ISLAND	1/3/2019	2018	2018

Current Parcel Information

Owner	BUTLER JOHN C E JONES JEAN WHITE	Property Class Code	101 - RESID-SFR
Owner Address	2633 JENKINS POINT JOHNS ISLAND SC 29455	Acreage	.8300
Legal Description	Subdivision Name -JENKINS POINT PLANTATION Description -LOT 34 PHASE III PlatSuffix EC-182 PolTwp 009		

Historic Information

Tax Year	Land	Improvements	Market	Taxes	Payment
2018	\$604,300	\$882,500	\$1,486,800	\$5,623.73	\$5,623.73
2017	\$604,300	\$882,500	\$1,486,800	\$5,489.92	\$5,489.92
2016	\$604,300	\$882,500	\$1,486,800	\$5,162.84	\$5,162.84
2015	\$604,300	\$882,500	\$1,486,800	\$5,442.34	\$5,442.34

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
HUBBARD KENNETH W	0743 729	8/27/2018	Ge		\$1,684,000
COLATSKY THOMAS J	E443 031	4/2/2003	Ge		\$380,000
HORSESHOE CREEK DEVELOPMENT	V289 387	9/3/1997	Ge		\$280,000
NOT SUPPLIED	E267 652	3/28/1996	Ge		\$0
	EC 475	1/1/1900	Ma		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Bedrooms	Finished Sq. Ft.	Improvement Size
R01	DWELL	Dwelling	2008	1.75	03	4,591	
R01	WALKWAY	Dock Walkway	1998	0	0		1,592
R01	WALKWAY	Dock Walkway	1998	0	0		54



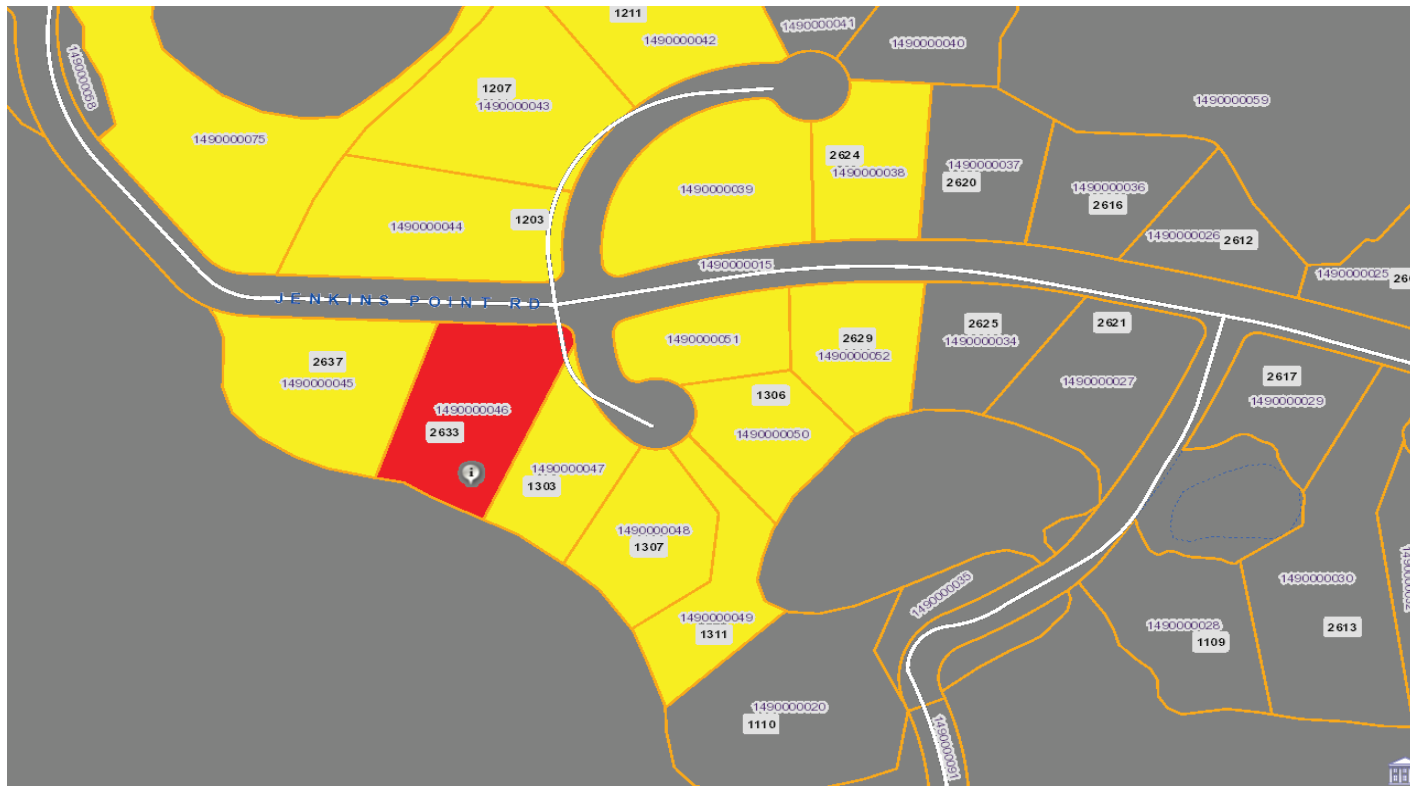
ATTACHMENT #11

Public Hearing Notice:
List of Neighboring Property Owners

Variance Notification List

2633 Jenkins Point Road

Property Address	Owner(s) of Record	Mailing Address	City	State	Zip
1203 Jenkins Lagoon Drive N	Maritza & Brian Doak	13604 Manor Road	Baldwin	MD	21013
1207 Jenkins Lagoon Drive N	John Ambler	128 Belden Hill Road	Wilton	CT	06897
1211 Jenkins Lagoon Drive N	Eddie Davis (Trustee) & Elizabeth Davis (Trustee)	1211 Jenkins Lagoon Drive N	Seabrook Island	SC	29455
Tax Map # 149-00-00-051	Horseshoe Creek Development	2805 Jenkins Point Road	Seabrook Island	SC	29455
2624 Jenkins Point Road	Timothy & Maureen Barr	2684 Radford NW Street	North Canton	OH	44720
2629 Jenkins Point Road	Charles & Barbara Measter	2430 Bent Twig Drive	Seabrook Island	SC	29455
Tax Map # 149-00-00-039	Seabrook Island Property Owners Association	1202 Landfall Way	Seabrook Island	SC	29455
1303 Jenkins Lagoon Drive S	Thomas & Lynda Fox	1303 Jenkins Lagoon Drive S	Seabrook Island	SC	29455
1306 Jenkins Lagoon Drive S	Gilles Daviet (Trustee) & Viviane Daviet (Trustee)	101 Doyle Drive	Greenville	SC	29615
1307 Jenkins Lagoon Drive S	Audrey McNulty (Trustee) & Frank McNulty (Trustee)	1307 Jenkins Lagoon Drive S	Seabrook Island	SC	29455
1311 Jenkins Lagoon Drive S	Eileen Smith & Donald Smith (Co-Trustees)	1311 Jenkins Lagoon Drive S	Seabrook Island	SC	29455
2637 Jenkins Point Road	326 Beach Club Villa LLC	713 St. James Street	Pittsburgh	PA	15232
Tax Map # 149-00-00-075	Lawrence Bradham Jr	2805 Jenkins Point Road	Seabrook Island	SC	29455
Property Owners Association	Seabrook Island Property Owners Association	1202 Landfall Way	Seabrook Island	SC	29455
Regime	Not Applicable				





ATTACHMENT #12

Public Hearing Notice:
U.S.P.S. Certified Mail Receipts

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Mantiza + Brian Doole 13604 Manor Rd Baldwin, MD 21013		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5525		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Eddie Davis + Eliza both Davs (Trustees) 1211 Jenkins Lagoon Dr S Seabrook Is. SC 29455		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5501		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Timothy + Maureen Barr 2684 Redford NW St North Canton, OH 44720		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5488		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Charles + Barbara Meester 2430 Bent Twig Dr. Seabrook Island SC 29455		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5471		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Gilles + Viviane David (Trustees) 101 Doyle Dr. Greenville SC 29615		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5440		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Thomas + Lynda Fox 1303 Jenkins Lagoon Dr S Seabrook Island SC 29455		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5464		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: Ellen + Donald Smith Co-Trustees 1311 Jenkins Lagoon Dr S Seabrook Island, SC 29455		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5426		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: 326 Beach Clubville LLC 713 St. James St. Pittsburgh, PA 15232		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5419		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<ul style="list-style-type: none"> Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee Received by (Printed Name) <input type="checkbox"/> Date of Delivery Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
1. Article Addressed to: 51904 1202 Landfall Way Seabrook Island, SC 29455		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5396		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

CERTIFIED MAIL	
 7018 0360 0000 9504 5433	 02 1P \$006.67 0001219818 DEC 28 2018 MAILED FROM ZIP CODE 29455
1. Article Addressed to: McNulty (Trustee) & Frank McNulty (Trustee) Jenkins Lagoon Drive S Seabrook Island, SC 29455	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5419	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	

UNC
29455>>6321

RETURN TO SENDER UNCLAIMED
UNABLE TO FORWARD

NIXIE 296 DE 1 0001/17/19
DEC 28 2018

BC: 29455632101 *1980-00858-17-29



ATTACHMENT #13

Public Hearing Notice:
Post & Courier Legal Ad

TOWN OF SEABROOK ISLAND
2001 SEABROOK ISLAND RD
JOHNS ISLAND SC 29455

Attn: Joseph McClellin

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina
County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

12/30/18 Sun PC
12/30/18 Sun CNW

at a cost of **\$112.35**
Account# **108294**
Order# **1755587**
P.O. Number:

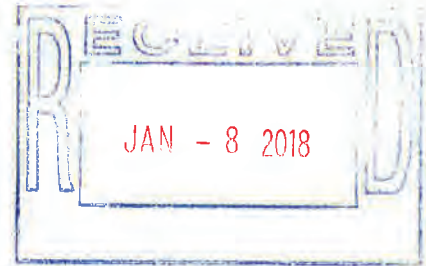
Subscribed and sworn to before me this 4th day of January A.D. 2019

Alfred Bent
advertising clerk



Virginia D. Mixon
NOTARY PUBLIC, SC
My commission expires

**TOWN OF SEABROOK ISLAND, SC
NOTICE OF PUBLIC HEARING**
The Town of Seabrook Island Board of Zoning Appeals will conduct a Public Hearing at 2:30 pm on Tuesday, January 29, 2019, at Seabrook Island Town Hall (2001 Seabrook Island Road). During the meeting, the board will consider the following request for variance from the Development Standards Ordinance for the Town of Seabrook Island:
Application # 157
APPLICANT:
John C. Butera & Jean W. Jones
LOCATION:
2633 Jenkins Point Road
TAX MAP #: 149-00-00-046 (LT 34, BLK 52)
ZONING DISTRICT: SR Single-Family Residential
VARIANCE(S) REQUESTED: To reduce the 25-foot marsh setback requirement (\$ 7,60.50) for the purpose of installing a pervious pergola system over an existing deck at the rear of the principal residence
The meeting will be open to the public. Documents relating to the variance request may be viewed at Town Hall during regular business hours. For more information, please call (843) 768-9121.
AD# 1755587





ATTACHMENT #14

Public Hearing Notice:
Property Posting

NOTICE
Board of Zoning Appeals Hearing

The Board of Zoning Appeals of the Town of Seabrook Island, SC will hold a public hearing at 2:30 PM on 1/24/19 at Town Hall

PUBLIC INVITED

Property Owner is seeking variance from Section 7.56 of the Zoning Ordinance

VARIANCE IS TO ALLOW Reduction of 25 foot marsh setback
to allow for construction of a pergola system over an
existing deck at the rear of the principal residence

Documents related to this appeal may be viewed at the Town of Seabrook Town Hall

THIS NOTICE SHALL NOT BE REMOVED OR DEFACED
UNDER PENALTY OF LAW



ATTACHMENT #15-A

2018 Zoning Denial & Appeal:
Letter of Zoning Denial



MEMORANDUM

TO: Tom Berl, Surfside Construction, 3418 Green Heron Ct, Seabrook Island, SC 29455
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Zoning Permit Request for 2633 Jenkins Permit Road
DATE: October 9, 2018

Dear Mr. Berl:

We have reviewed your zoning permit application, submitted on behalf of John C. Butler and Jean W. Jones (owners), to allow for the installation of a new pergola system over a portion of an existing deck at the rear of **2633 Jenkins Point Road (Charleston County Tax Map Number 149-00-00-046)**.

Your request for a zoning permit for the above referenced property has been **DENIED** for the following reasons:

- The rear of the above referenced property abuts a marsh critical area which has been delineated on a survey by SCDHEC-OCRM. Pursuant to the town’s Development Standards Ordinance (DSO), all structures which abut a marsh (exclusive of “open decks”) shall be set back at least 25 feet from the OCRM critical line. “Open decks” are permitted to encroach into the 25-foot marsh setback; provided, however, no part of the deck may be closer than 15 feet from the critical line.
- Though the proposed pergola system is designed to allow water to pass through to the deck and ground below, the DSO defines a deck having a “**roof or other covering of any kind**” as a “porch” rather than a “deck.”
- Therefore, in my opinion, the installation of a pergola system would require the covered portions of the existing deck to be reclassified as a “porch” rather than an “open deck,” and the 25-foot marsh setback would apply. Because the pergola system would encroach into the 25-foot marsh setback, the zoning permit application has been denied.
- DSO Code References:
 - § 7.60.50. Marsh Setbacks. The minimum setback for a structure, **exclusive of open decks**, on a lot abutting the marsh shall be twenty-five (25) feet from the South Carolina Ocean and Coastal Resource Management critical area or the lot line, whichever is landward. No part of an open deck shall be closer than fifteen (15) feet from the critical area.
 - § 2.10. Definitions:
 - (o) Deck. An open and uncovered horizontal surface, attached and accessible to and being a part of the primary structure, which is constructed so that rain can

pass directly through it to the ground beneath. **A deck having a roof or other covering of any kind is defined to be a porch.**

- **(ccc) Porch.** A horizontal surface, attached and accessible to and being a part of the primary structure, which is constructed with or without walls and **with a roof or covering of any kind.** The term "porch" shall include any veranda, terrace, portico **or similar projection** from a main wall of a building and covered by a roof.

Right to Appeal

Any applicant who believes there has been an error in any order, requirement, decision, or determination by the Zoning Administrator in the enforcement of the DSO may submit a Notice of Appeal to the Board of Zoning Appeals, pursuant to § 19.40 of the DSO. Any such appeal must be initiated within 30 days from the date of this letter.

Variance Applications

Any applicant may submit a request for a variance from the requirements of the DSO by filing an Application for Variance to the Board of Zoning Appeals. In instances of unnecessary hardship, the Board of Zoning Appeals may authorize the granting of a variance from the requirements of the DSO upon finding that the request meets each of the following criteria:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and
- (b) Such conditions are peculiar to the particular piece of property involved and do not generally apply to other property in the vicinity; and
- (c) Because of these conditions, application of DSO on this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) Relief, if granted, would not cause substantial detriment to adjacent property, the public good or impair the purpose and intent of the DSO or the comprehensive plan

If you or the property owner would like to initiate an appeal or variance request, please contact our office as soon as possible.

If you have any questions about the contents of this letter, please feel free to contact me by phone at (843) 768-5321 or by email at jcronin@townofseabrookisland.org.

Respectfully submitted,



Joseph M. Cronin
Town Administrator/Zoning Administrator



ATTACHMENT #15-B

2018 Zoning Denial & Appeal:
Notice of Appeal

NOTICE OF APPEAL - Form 1
Board of Zoning Appeals
TOWN OF SEABROOK ISLAND-COUNTY OF CHARLESTON

Date Filed: _____ (To be Completed by Office Administration)

Application Fee: ~~\$ 150.00~~ ⁰² \$ 350.00 Permit Application#: _____ Appeal# _____

This form must be completed for a hearing on an Appeal (1) from the action of a zoning official, (2) application for a Variance or (3) application for Special Exception. Applications should be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) all must sign the Designation of Agent.

THE APPLICANT HEREBY APPEALS [indicate one with an X]
_____ From action of a zoning official as stated on attached Form 2
_____ For a variance as stated on attached Form 3
_____ For a Special Exception as stated on attached Form 4

Applicant (s) (Please print): John C. Butera & Jean Jones
Address: 2633 Jenkins Point Rd

Telephone: 610 710-1102

Owners(s) [if other than Applicant]
Address: _____

Telephone: _____

Property Address: 2633 Jenkins Point Road

Lot _____ Block _____ Tax Map # _____

Designation of Agent [Complete only if owner is not applicant]
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application
Date: _____

Tom Berl
Jean White Jones
Owner Signature(s)

Applicant's Certification
I (we) certify that the information in this application and attached Form 2, 3 or 4 is correct
Date: _____

Jean White Jones
Applicant Signature(s)

Appeal from Action of Zoning Official - Form 2
Board of Zoning Appeals

Date Filed: _____ Permit Application No. _____ Appeal No. _____

1. Applicant hereby appeals to the board of zoning appeals from the action of the zoning official affecting the property described in the Notice of Appeal [Form 1] on the grounds that:

granting denial of an application for a permit to construct a Pergola
was erroneous and contrary to provisions of the zoning ordinance in Section _____;
or other action or decision of the zoning official was erroneous as follows:

See ATTACHED STATEMENT

2. Applicant is aggrieved by the action or decision in that:

See ATTACHED STATEMENT

3. Applicant contends that the correct interpretation of the zoning ordinance as applied to the property is:

See ATTACHED STATEMENT

4. Applicant requests the following relief:

See ATTACHED STATEMENT

Date: 10/9/18

Juan White Jones
Applicant signature

Appeal form Action of Zoning Official

1. My husband, John Butera, and I hereby appeal the denial of our recent application for a building permit to construct a Pergola on the back side of our home, over a portion of our open deck and covered outdoor kitchen.

We understand the denial was based on the fact that the proposed Pergola may be considered a roof and would therefore turn our open deck into a "porch" and the marsh set back guidelines for a "porch" are different than for an "open deck."

Currently we have an open deck and on the corner of the deck sits an outdoor kitchen area which is currently covered by a solid tin roof structure. (Pictures of current deck/outdoor kitchen and plans for Pergola have been submitted to Joe Cronin, Town Administrator and are available for review.)

Our proposal is to take down the solid roof covering the kitchen area and instead have the Pergola extend from the back of the house over to and on top of the outside kitchen.

We disagree that the construction of the Pergola, an open permeable system that allows water to return to the surface, turns our deck into a porch. Rather it is an architectural element that also acts as a sun shield on the deck.

2. We are currently unable to use and enjoy our deck due to the extreme heat/sun conditions. Mr. Butera suffers from multiple medical conditions, including cancer and diabetes, and his medical regime limits his sun exposure and tolerance. If we are not granted permission to erect the proposed Pergola over the deck, which will definitely shield that portion of the deck from direct sunlight and blasting heat, we will not be able to use and enjoy the outside of our new home at all.

3. The ordinance wording is ambiguous at best, however, we believe the proposed Pergola does not go against the intent of the ordinance. The ordinance was meant to prevent a solid roof or closed horizontal structure from being constructed within the defined marsh setback.

Our proposal clearly meets the 15 foot setback rule and we argue it also complies with the intent of the 25 foot setback in that it is an open system, that merely acts as a sun shade, but allows water to pass through and return to the surface. Our plan is to remove the current "solid roof" which butts out into the 25 foot setback and replace it with a permeable open system which is more in compliance with the intent of the ordinance.

The proposed Pergola does not transform our deck into a porch; is not designed to create a new separate and distinct living space; there is no access on top of it for one to walk, or place furniture; it is merely a system to help shade a portion of the current deck.

The Pergola is more like an architectural element than a "roof or a covering" as stated in the ordinance.

4. We respectfully request the Zoning Board grant our request and issue a permit allowing us to construct a Pergola over that portion of the deck described in our initial application.

Thank you for your time and consideration.



ATTACHMENT #15-C

2018 Zoning Denial & Appeal:
Board of Zoning Appeals Notice of Decision



NOTICE OF DECISION

Board of Zoning Appeals
Town of Seabrook Island

TO: John C. Butera & Jean W. Jones, 2633 Seabrook Island Road, Seabrook Island, SC 29455
FROM: Walter Sewell, Chairman, Board of Zoning Appeals
SUBJECT: Notice of Decision – Appeal #38 (2633 Jenkins Point Road)
DATE: November 29, 2018

John C. Butera and Jean W. Jones (hereafter, the “Property Owners”) are the owners of real property located at 2633 Jenkins Point Road (Tax Map # 149-00-00-046), in the Town of Seabrook Island, County of Charleston, State of South Carolina (hereafter, the “Property”).

On October 9, 2018, the Zoning Administrator for the Town of Seabrook Island (hereafter, the “Zoning Administrator”) denied a request from the Property Owners to issue a zoning permit to construct a pergola at the rear of an existing residence located on the Property. The reasons cited by the Zoning Administrator for denial of the permit were as follows:

- The rear of the Property abuts a marsh critical area which has been delineated on a survey by SCDHEC-OCRM. Pursuant to the town’s Development Standards Ordinance (DSO), all structures which abut a marsh (exclusive of “open decks”) shall be set back at least 25 feet from the OCRM critical line. “Open decks” are permitted to encroach into the 25-foot marsh setback; provided, however, no part of the deck may be closer than 15 feet from the critical line.
- Though the proposed pergola system was designed to allow water to pass through to the deck and to the ground below, the DSO defines a deck having a “**roof or other covering of any kind**” as a “porch” rather than a “deck.” *[Emphasis added]*
- Therefore, in the Zoning Administrator’s opinion, the installation of a pergola system would require the covered portions of the existing deck to be reclassified as a “porch” rather than an “open deck,” and the 25-foot marsh setback would apply. Because the pergola system would encroach into the 25-foot marsh setback, the zoning permit application was denied.

On October 9, 2018, the Town of Seabrook Island (hereafter, the "Town") received a completed Notice of Appeal (Appeal #38) from the Property Owners, as well as their designated agent, Tom Berl of Surfside Construction (hereafter, collectively, the "Applicants"). In their Notice of Appeal, the Applicants argued:

- We disagree that the construction of the Pergola, an open permeable system that allows water to return to the surface, turns our deck into a porch. Rather it is an architectural element that also acts as a sun shield on the deck.
- The ordinance wording is ambiguous at best, however, we believe the proposed Pergola does not go against the intent of the ordinance. The ordinance was meant to prevent a solid roof or closed horizontal structure from being constructed within the defined marsh setback.
- Our proposal clearly meets the 15 foot setback rule and we argue it also complies with the intent of the 25 foot setback in that it is an open system, that merely acts as a sun shade, but allows water to pass through and return to the surface. Our plan is to remove the current "solid roof" which butts out into the 25 foot setback and replace it with a permeable open system which is more in compliance with the intent of the ordinance.
- The proposed Pergola does not transform our deck into a porch; is not designed to create a new separate and distinct living space; there is no access on top of it for one to walk, or place furniture; it is merely a system to help shade a portion of the current deck.
- The Pergola is more like an architectural element than a "roof or a covering" as stated in the ordinance.

A public hearing on the Applicants' appeal was advertised, pursuant to § 19.40 of the DSO, and held at 2:30 PM on November 8, 2018, at Seabrook Island Town Hall. During the public hearing, the Board heard testimony from the Applicants and the Zoning Administrator. No other residents or neighboring property owners provided testimony in support of, or in opposition to, the Applicants' appeal. An agenda packet, including supporting materials, was prepared and distributed to members of the Board and the Applicants in advance of the meeting. These materials were also made available for public inspection prior to the meeting.

Pursuant to § 19.30.10 of the DSO, the Board of Zoning Appeals has the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination by the Zoning Administrator in the enforcement of the DSO. In exercising these powers, the Board of Zoning Appeals may reverse or affirm, wholly or in part, or may modify the order, requirements, decisions, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court having jurisdiction.

DECISION

Following a thorough review of the application, including all supporting materials received in advance of the meeting, and all testimony received during the public hearing, the Board of Zoning Appeals determined that the language in the DSO regarding the definition of an “open deck” and “porch” were clear and unambiguous, and that the installation of a covering “of any kind” would convert the existing deck into a porch under the provisions of the DSO.

Therefore, Mr. Leggett made a motion, seconded by Ms. Kleinman, to accept the appeal as submitted by the Applicants. The motion to accept the appeal was **REJECTED** by a vote of 0-4.

Therefore, the decision of the Zoning Administrator is hereby **AFFIRMED**.

IT IS SO ORDERED

Respectfully submitted,



Walter Sewell
Chairman, Board of Zoning Appeals



ATTACHMENT #16

Letter from Charles Measter (Dec. 31, 2018)

Joe Cronin

From: Charlie Measter <cmeaster@comcast.net>
Sent: Monday, December 31, 2018 12:04 PM
To: Joe Cronin
Subject: 2633 Jenkins Point Road

*Charles L. Measter
2430 Bent Twig
Seabrook Island SC 29455*

*843-768-2520
cmeaster@comcast.net*

Dear Mr. Cronin,

We object to reducing the 25 ft setback requirement on this property. To our knowledge you have had numerous requests for variances in the past and you have not allowed this setback requirement to be adjusted

Best regards,

Barbara & Charles Measter



MEMORANDUM

TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator Variance
SUBJECT: Application # 158 – 2959 Seabrook Island Road (Lot 12-B, Block 42)
MEETING DATE: January 29, 2019

Variance Application #157

Applicants:	Raymond & Stephanie Hamilton (Owners) Galloway Family Homes (Builder)
Location:	2959 Seabrook Island Road
Tax Map Number:	149-10-00-036 (Lot 12-B, Block 42)
Zoning District:	SR Single-Family Residential
Purpose:	Applicant is requesting a variance to exceed the 36-foot maximum height requirement for a single-family residential structure by 1.2 feet (§ 7.90.20)

Overview

The Town has received a variance application from Raymond and Stephanie Hamilton, the owners of Charleston County Tax Map # 149-10-00-036, as well as their builder, Clint Galloway of Galloway Family Homes. The applicants are requesting a variance from the town’s zoning requirements to exceed the 36-foot maximum height requirement for a single-family residential structure currently under construction at 2959 Seabrook Island Road (Lot 12-B, Block 42).

The town’s Zoning Administrator approved a zoning permit (Permit #14595) for construction of a new single-family home at 2959 Seabrook Island Road on March 16, 2018. A building permit was subsequently issued by Charleston County, and construction on the new home began in the spring of 2018.

As part of its permitting and inspection process, the town’s Development Standards Ordinance (DSO) requires a permit holder to perform and file with the town several surveys at various stages of the construction process. These include:

- § 13.70.30. Foundation Survey. A South Carolina Registered Land Surveyor immediately upon completion of the foundation must perform a foundation survey for each new structure, or addition to an existing structure which exceeds or is outside the furthestmost limits of the existing footprint. Such survey must be filed with the Zoning Administrator before any further construction can proceed.

- § 13.70.40. Certification of Height of Structure. Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.
- In addition, the town requires completion of a preliminary elevation certificate to verify that the foundation of a new structure meets the town and county's minimum flood elevation requirements.

As of October 30, 2018, the town had not received any of these documents from the builder, Galloway Family Homes. On that date, the town's License & Permit Specialist, Lynda Stearns, sent a letter to Galloway reminding them of their obligation to file the required information. After 30 days in which no response was received, the town's Code Enforcement Officer placed a "Stop Work Order" on the property on December 4, 2018. A follow up letter was sent by Ms. Stearns to Galloway on December 5, 2018.

Galloway submitted a foundation survey, certificate of height and preliminary elevation certificate to the town on or around December 22, 2018. These documents were reviewed by the Zoning Administrator for consistency with the town's DSO and the approved construction plans for the project. While the foundation survey and preliminary elevation certificate were found to comply, the certificate of height – which was completed by professional surveyor Lauren Maurice Wilder on December 6, 2016 – indicated that the total height of the structure (39.2 feet) exceeded the maximum allowable under the town's DSO by 1.2 feet. The town's Zoning Administrator, Joe Cronin, notified Galloway of this non-conformity on December 20, 2018, and the builder was further instructed on December 27, 2018, to either 1) bring the structure into conformity with the maximum height requirement; or 2) submit a variance application for consideration by the Board of Zoning Appeals.

Prior to submitting their variance application, the builder notified the Zoning Administrator by phone that the primary reasons for the non-conformity were the SIPOA's request to raise the finished grade of the property for drainage purposes, as well as an error made in the field when constructing the building's foundation.

A review of the approved building plans, as well as the preliminary elevation certificate, support Galloway's second claim regarding a building error. In the approved plans (see sheet 4.10 in Attachment #3), the finished elevation at the top of the first floor was intended to be 4' 9" above the 15-foot design flood elevation, or 19' 9" above mean sea level. On page 2 of the preliminary elevation certificate, however, the finished elevation at the top of the first floor was surveyed at 21.2 feet above mean sea level, or 1.3 feet higher than in the approved plans (see Attachment #5). This discrepancy resulted in the structure exceeding the maximum height requirement by 1.2 feet. A subsequent survey prepared by professional surveyor Mark E. Lamb on January 17, 2019, indicated the structure exceeded the maximum height requirement by only 0.96 feet.

The town's maximum building height requirement is governed by § 7.90 of the town's DSO, which contains the following provisions:

- § 7.90.20 The maximum height for any single family residential structure shall be thirty-six (36) feet above the combination of the base flood elevation and the Charleston County Building Department's minimum freeboard requirement as set forth and defined in the County's applicable rules, regulations and ordinances in effect at such time. In the event there exist elevations which are higher than the base flood elevation combined with the County's freeboard requirement as defined above, and such land is located within the building's footprint, then the maximum height of thirty-six (36) feet shall be measured from whichever is greater.
 - **Note: The county's current freeboard (FB) requirement is two (2) feet above Base Flood Elevation (BFE). Therefore, the maximum allowable height under the zoning ordinance is $BFE + 2\text{-foot FB} + 36\text{ feet}$; or alternatively, $BFE + 38\text{ feet}$.**
- § 7.90.30. Exemptions. Height limitations of this Ordinance shall not apply to monuments, water towers, transmission towers, utility poles, chimneys, flag poles or farm structures not intended for human occupancy. They do, however, apply to decks, widow walks, etc., erected on top of structures.

As indicated on both the Wilder survey of December 6, 2018 (39.2 feet), as well as the subsequent Lamb survey prepared on January 17, 2019 (38.96 feet), it is clear that the building exceeds the town's maximum height requirements by at least 0.96 foot, and as much as 1.2 feet.

In reviewing options for addressing this error, the Zoning Administrator considered the following factors, as allowed by the DSO:

- Pursuant to § 7.90.10 of the DSO, multi-family and commercial buildings may increase height one (1) additional foot for each three (3) feet of additional front setback with a maximum height of forty (40) feet above the required base flood elevation as established by Town Code.
 - **Conclusion: While the home at 2959 Seabrook Island Road contains a front yard setback well in excess of the required 30 feet, the property is not zoned for multi-family or commercial use. Therefore, the Zoning Administrator determined that the additional height allowance authorized by § 7.90.10 would not apply.**
- In addition, § 13.70.60.20 of the DSO contains the following provisions for "Building Errors:"
 - In the event that a building has been partially constructed in a manner that it does not comply with **yard** requirements applicable at the time of such construction, such building may be exempt from district requirements provided a reduction has been approved by the Zoning Administrator in accord with the following provisions:
 - (a) The Zoning Administrator has determined that:
 - (1) The error does not exceed ten (10%) percent of the measurement that is involved;
 - (2) The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in location of the building subsequent to the issuance of a building permit, if such was required;
 - (3) Such reduction will not impair the purpose and intent of this Ordinance;

- (4) The reduced yard requirement will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
 - (5) The reduced yard requirement will not create an unsafe condition with respect to both other property and public streets;
 - (6) To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner; and
 - (7) The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulation.
- (b) In approving such a reduction under the provision of this Section, the Zoning Administrator has allowed only a reduction necessary to provide reasonable relief and, as deemed available, and prescribed such conditions, to include landscaping and screening measures to assure compliance with the intent of this Ordinance.
 - (c) The Zoning Administrator shall not have waived or modified the standards necessary for approval specified in this Section.
 - (d) If there is an error greater than ten (10%) percent of the measurement that is involved, the property owners shall have obtained a variance from the Board of Zoning Appeals.
- ***Conclusion: While the non-conforming height at 2959 Seabrook Island Road is less than 10% and appears to have been the result of a good faith error through no fault of the property owner, the provisions of § 13.70.60.20 deal explicitly with “yards.” Therefore, it was the opinion of the Zoning Administrator that § 13.70.60.20 was intended to authorize “de minimus” encroachments into the required setbacks, but that such modifications would not be applicable to buildings which exceed the maximum height requirement.***

Absent any administrative remedies, the builder was advised to either modify the home to bring it into conformity with the town’s maximum height requirement, or to submit a variance application for consideration by the Board of Zoning Appeals. The applicant has elected to pursue the latter.

The property is currently zoned SR Single-Family Residential, and a single-family residence is a permitted use by-right at this location. With the exception of the aforementioned building height, the structure at 2959 Seabrook Island Road will meet or exceed all other requirements of the DSO:

TYPE	REQUIRED PER DSO	DSO REFERENCE
Front (Principal Structure)	30 feet	§ 7.60.20.10
Side (Conforming Lot)	15 feet	§ 7.60.20.20
Rear (Principal Structure)	25 feet	§ 7.60.20.30
Rear (Deck/Open Space Lot)	15 feet	§ 7.60.50
Driveway (Conforming Lot)	6 feet	§ 7.60.70.10
Building Height	36 feet above BFE + FB (Nonconforming)	§ 7.90.20

Therefore, the applicants are requesting a variance from the DSO to allow for the following modification:

TYPE	REQUIRED PER DSO	VARIANCE (REQUESTED)
Building Height	36 feet above Base Flood Elevation + Freeboard	Allow the building height to exceed the maximum allowed by up to 1.2 feet

In their application, the applicants have stated that bringing the house into conformity would result in an unnecessary hardship. They argue that the combination of the ARC’s request to elevate the foundation, as well as a building error in the field which was not discovered until the house was fully framed, both contributed to the structure’s current non-conforming height. The applicants further state that modifying the pitch of the roof to conform with the maximum height requirement would result in a structure which looks out of character with other homes in the vicinity, and that the front yard setback (approximately 57 feet) significantly exceeds the 30-foot front yard setback required by the town’s DSO.

Staff Comments

As a matter of practice, the town’s Zoning Administrator does not typically provide a recommendation in favor of – or in opposition to – a variance application. In our opinion, these requests are best left to the Board of Zoning Appeals following a thorough review of the relevant facts, including the receipt of testimony from interested parties during the required public hearing.

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions 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.

Should the Board vote to approve the variance request, staff would recommend in favor of attaching the following conditions:

- The approved variance shall apply to the building elevation as presented by the applicant and reviewed by the Board on January 29, 2019. Any modification to this building elevation prior to the issuance of an amended zoning permit and/or certificate of occupancy, with the exception of minor corrections and/or modifications which conform to the requirements of the town’s DSO, shall require further review and approval by the Board of Zoning Appeals.
- If the existing building permit for 2959 Seabrook Island Road expires prior to the issuance of a Certificate of Occupancy, or prior to the granting of an extension pursuant to § 7.90.20 of the DSO, a variance authorizing the structure to exceed the maximum height shall terminate upon expiration of the existing building permit.

Respectfully submitted,



Joseph M. Cronin
Town Administrator/Zoning Administrator

Criteria for Review

Pursuant to Section 6-29-800(A)(2) of the SC Code of Laws, the Board of Zoning Appeals has the power to hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) there are **extraordinary and exceptional conditions** pertaining to the particular piece of property;
- (b) these **conditions do not generally apply to other property** in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would **effectively prohibit or unreasonably restrict** the utilization of the property; and
- (d) the authorization of a variance **will not be of substantial detriment** to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use 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.

Attachments

The following supplemental items have been attached for review:

Application & Property Information		
1	Variance Application	p. 83-86
2	Zoning Permit (March 2018)	p. 87-88
3	Approved Building Plans (March 2018)	p. 89-104
4	Approved Site Plan (March 2018)	p. 105-106
5	Elevation Certificate (October 2018)	p. 107-113
6	Foundation Survey (December 2018)	p. 114-115
7	Certification of Height (December 2018)	p. 116-117
8	Certification of Height (January 2019)	p. 118-119
9	Property Photos	p. 120-124
10	Zoning Map	p. 125-126
11	Aerial Image	p. 127-128
12	FEMA Base Flood Elevations (Current & Preliminary)	p. 129-130
13	Title to Real Estate	p. 131-136
14	Property Information Card	p. 137-138
15	Public Hearing Notice – List of Neighboring Property Owners	p. 139-140
16	Public Hearing Notice – U.S.P.S. Certified Mail Receipts	p. 141-143
17	Public Hearing Notice – Post and Courier Legal Ad	p. 144-145
18	Public Hearing Notice – Property Posting	p. 146-147
19	Communication from Lynda Stearns to Galloway Homes	p. 148-151
20	Communication from Joe Cronin to Galloway Homes	p. 152-154
21	Communication between BOZA, Joe Cronin & SIPOA/ARC	p. 155-157

Other Information		
22	Height Certificates & Photos of Neighboring Properties	
	a) 2962 Seabrook Island Road (Lot 3, Block 38)	p. 158-160
	b) 2960 Seabrook Island Road (Lot 4, Block 38)	p. 161-163
	c) 2958 Seabrook Island Road (Lot 5, Block 38)	p. 164-166
	d) 2956 Seabrook Island Road (Lot 6, Block 38)	p. 167-169
	e) 2963 Seabrook Island Road (Lot 12, Block 42)	p. 170-171
	f) 2961 Seabrook Island Road (Lot 12-A, Block 42)	p. 172-174
	g) 2957 Seabrook Island Road (Lot 12-C, Block 42)	p. 175-177
	h) 2955 Seabrook Island Road (Lot 12-D, Block 42)	p. 178-180

Written Correspondence Regarding the Proposed Variance Request		
23	Letter from Jean & Kevin Dunn (Jan. 08, 2019)	p. 181-182
24	Letter from Julie McCulloch (Jan. 22, 2019)	p. 183-184



ATTACHMENT #1

Variance Application

Notice of Appeal - Form 1 Board of Zoning Appeals

Variance 158

Date Filed: 12/28/2018 Permit Application No. 14595 Appeal No. _____

Instructions

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance or application for special exception. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

THE APPLICANT HEREBY APPEALS [indicate one]:

- from action of a zoning official as stated on attached Form 2
- for a variance as stated on attached Form 3.
- for a special exception as stated on attached Form 4.

APPLICANT(S) [print] Galloway Family Homes
 Address: PO Box 1482, Ft. Mill, SC 29063
 Telephone: 803-907-0370 [work] _____ [home]

Interest: _____ Owner(s): _____ Adjacent Owner(s); Other: _____

OWNER(S) [if other than Applicant(s)]: Raymond & Stephanie Hamilton
 Address: _____
 Telephone: 770-289-6241 [work] _____ [home]

[Use reverse side if more space is needed.]

PROPERTY ADDRESS:

Lot 12B Block 42 Subdivision Seabrook Island
 Tax Map No. 149-10-00-036 Plat Book AX Page 58
 Lot Dimensions: 180 x 100 Area: 18,000
 Zoning District: _____ Zoning Map Page: _____

DESIGNATION OF AGENT [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

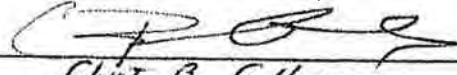
Date: 12/28/2018

DocuSigned by:

 DocuSigned by:
 Raymond Hamilton 89723D458D8C43B
 DS4E6F242E944A0
 Owner signature(s)

I (we) certify that the information in this application and the attached Form 2, 3 or 4 is correct.

Date: 12/27/18


 Clint B. Galloway
 Applicant signature(s)

Variance Application - Form 3 Board of Zoning Appeals

Variance 158

Date Filed: 12/28/2018 Permit Application No. 14595 Appeal No. _____

1. Applicant hereby appeals to the board of zoning appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the zoning ordinance:

7.90.20 Maximum Height for Single Family Home
so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Allow Height of Roof to be 39.2 feet, which is 1.2 feet above existing code for setback. for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the zoning ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: ① pool was increased due to drainage needed ② House was already framed before roof height was discovered. ARB recommended increased pool.
- b. These conditions do not generally apply to other property in the vicinity as shown by: House is already constructed. Because pool was raised on foundation, this was not discovered until framing was completed. There are finished houses on both sides with completed landscaping. ARB recommended increasing pool.
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: water flow for drainage would not meet code, to lower roof pitch to bring into code would not flow with other houses in vicinity.
- d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: The setbacks on the front is far enough back (76.7) to not be noticed. Commercial and Mult. Family allows for an additional 2 feet in height for every 3 feet further setback.

3. The following documents are submitted in support of this application: plot plan, certificate of height, [A plot plan must be submitted.]

Date: 12/27/18


Applicant signature

Unnecessary Hardship Worksheet

Would these facts support a variance?

- | <u>Yes</u> | <u>No</u> | |
|------------|-------------------------------------|---|
| 1. | <input checked="" type="checkbox"/> | The variance will be harmless. |
| 2. | <input checked="" type="checkbox"/> | Applicant will have difficulty locating a site for his use if relief is denied. |
| 3. | <input checked="" type="checkbox"/> | Applicant will suffer economic disadvantage if a variance is not granted. |
| 4. | <input checked="" type="checkbox"/> | The hardship existed when applicant bought the property. |
| 5. | <input checked="" type="checkbox"/> | Other property in the neighborhood suffers from the same problems. |
| 6. | <input checked="" type="checkbox"/> | Property cannot be used for any permitted purpose without the variance. |
| 7. | <input checked="" type="checkbox"/> | Strict application of ordinance would destroy the value of the property. |
| 8. | <input checked="" type="checkbox"/> | Applicant could make increased profit if variance is granted. |
| 9. | <input checked="" type="checkbox"/> | Applicant can make no reasonable return from any permitted use without a variance. |
| 10. | <input checked="" type="checkbox"/> | The hardship is not due to the zoning ordinance. |
| 11. | <input checked="" type="checkbox"/> | A similar variance was granted on other property. |
| 12. | <input checked="" type="checkbox"/> | Property cannot be sold for any permitted use without the variance. |
| 13. | <input checked="" type="checkbox"/> | The owner has invested money in anticipation of a variance. |
| 14. | <input checked="" type="checkbox"/> | A substantial investment was made before more restrictive zoning amendments were adopted. |
| 15. | <input checked="" type="checkbox"/> | A variance would make an operation more efficient. |
| 16. | <input checked="" type="checkbox"/> | Adjacent property is used in the same manner as proposed by the variance. |
| 17. | <input checked="" type="checkbox"/> | Increased highway noise and traffic make use unprofitable without a variance. |
| 18. | <input checked="" type="checkbox"/> | Taking a portion of the property for highway widening makes lot size nonconforming. |
| 19. | <input checked="" type="checkbox"/> | Natural conditions make filling or grading too expensive. |
| 20. | <input checked="" type="checkbox"/> | Owner cannot get a loan because use is not feasible without a variance. |



ATTACHMENT #2

Zoning Permit (March 2018)

Town of Seabrook Island - Zoning Permit

Permit Date: 3/14/2018 Permit #, Town: 14595 License #: 20180962
Paid Date: 3/14/2018 App Fee: \$100.00 Cash: No Check #: 8218
Applicant Name: Galloway Family Homes Phone: 803-513-1439
Contact Name: Chris Eller
App Address1: Post Office Box 1483
App Address2:
App City: Irmo St: SC Zip: 29063

Property Owner: Hamilton Phone: 770-289-6241
Owner Address1: 1660 Winding Creek Circle,
Owner Address2:
Owner City: Seabrook Island St: SC Zip: 29455

TMS Number: 149-10-00-036 Thru: Lot: 12B Block: 42

Property Address: 2959 Seabrook Island Road

Purpose: New Construction Single Family

Work Value: \$745,000.00 Flood Elev: 13 Zone: AE

Architectural Review Board: KB

Comments: The applicant must obtain a Charleston County building permit and inspections. All special trade contractors must have a Seabrook Island business license.

Amendment:

This Zoning Permit is valid for six (6) months. The action for which this permit was obtained must be taken within that time period.

If this zoning permit is for issuance of a building permit, such building permit is valid for a period of one (1) year as described in the town code. Any extensions, alterations, or amendments must be approved in writing by the Town of Seabrook Island Zoning Administration.

I hereby certify that the above information and any plan or drawing submitted herewith are true and accurate indications of existing or proposed improvements to the above identified property.



Owner/Applicant's Signature

3/16/2018



Zoning Administrator

3/16/2018



ATTACHMENT #3

Approved Building Plans (March 2018)

GENERAL NOTES	
1.	MAIN HOUSE WALLS EXTERIOR TO BE 2X6 (UNO)
2.	GARAGE WALLS TO BE PIERS & LOUVERS (UNO)
3.	INTERIOR WALLS TO BE 2X4 (UNO)
4.	GARAGE PLATE HEIGHT TO BE 8'-4"
5.	FIRST FLOOR PLATE HEIGHTS TO BE 10'-1 1/2"
6.	SECOND FLOOR PLATE HEIGHT TO BE 9'-1 1/2" (UNO)
7.	SCREENED PORCH ROOF PLATE HEIGHT TO BE 10'-1 1/2" (PULLED FROM TOP OF FIRST FLR)
8.	FRONT PORCH PLATE HEIGHT TO BE 10'-1 1/2" (PULLED FROM TOP OF FIRST FLR)
9.	RAISE HEEL AS NEEDED TO MATCH EAVES PER ELEVATIONS
10.	SEE ENGINEERING OR TRUSS LAYOUT FOR ALL FLOOR & CEILING JOIST SIZES AND SPACING, HEADER & BEAM SIZES
11.	ALL LINEN CLOSETS TO HAVE 5 SHELVES, 16" OR 12" DEEP AS SPECIFIED
12.	PANTRY TO HAVE 5 SHELVES, 12" DEEP
13.	VERIFY REQUIRED EGRESS WINDOWS MEET EGRESS W/ WINDOW MANUFACTURER, CASEMENTS MAY NEED EGRESS HARDWARE
14.	ANY ROOF HAVING A 4:12 ROOF PITCH OR LESS TO HAVE 2 LAYERS OF ROOFING FELT INSTALLED
15.	CABINET BLOCKING: 2X6 CENTERED ON ALL CABINET WALLS FRAMED @ 24" O.C. @ 34", 55", 83" A.F.F. CABINET HEIGHTS AT 36" HIGH TO HAVE 89" BLOCKING. CABINET HEIGHTS AT 42" HIGH TO HAVE 95" BLOCKING. INSTALL 72" BLOCKING FOR CABINET ABOVE REFRIGERATOR
16.	WINDOWS & DOOR GLASS U-FACTOR TO BE A MAX. OF .50 (.65 FOR IMPACT)
17.	GLAZED FENESTRATION SHGC RATING TO BE A MAX. OF .30
18.	CEILING INSULATION TO BE R30
19.	WALL INSULATION TO BE A R19
20.	FLOOR INSULATION TO BE A R19
21.	ALL DOORS THAT ARE NOT DIMENSIONED TO THE CENTER LINE ARE EITHER CENTERED OR 6" OFF NEAREST WALL
22.	PROVIDE STUD CLUSTERS @ ENDS OF EACH BEAM
23.	PROVIDE FIREBLOCKING AT ALL CHASES PER IRC 602.8
24.	SEAL ALL PENETRATIONS FROM GROUND FLOOR TO HABITABLE SPACE ABOVE w/FIRE RATED CAULK
25.	PROVIDE 5/8" TYPE "X" GYPSUM ON GROUND FLOOR CEILING FOR FIREBLOCKING TO FIRST FLOOR
26.	DUCTS IN ATTIC TO HAVE R8 INSUL, DUCTS

ELECTRICAL NOTES	
1	ALL BEDROOM SMOKE DETECTORS TO BE WALL MOUNTED AND CENTERED BETWEEN DOOR HEADER AND CEILING UNITS TO BE INTERCONNECTED (CAN BE WIRELESS INTERCONNECTED)
2	FIELD VERIFY LOCATION OF TELEVISION JACKS AND PHONE JACKS WITH OWNER PRIOR TO INSTALLATION
3	ELECTRICAL PANEL TO BE LOCATED BY ELECTRICIAN
4	ELECTRICAL CONTRACTOR TO INSTALL A U.L. LISTED DIRECT BURIAL CLAMP (OE-01-DB) ONTO CONT. FTG STEEL w/ #4 COPPER GROUND
5	ELECTRICAL CONTRACTOR TO INSTALL 110 OUTLET & 220 DISCONNECT IN ATTIC FOR A.H.U. 110 OUTLET TO BE WITHIN 24" OF UNIT
6	ALL 120V, 15AMP, AND 20AMP, OUTLETS SHALL BE TAMPER RESISTANT RECEPTACLES, PER NEC 406.11
7	PROVIDE HIGH EFFICIENCY LAMPING FOR AT LEAST 50% OF LIGHTING FIXTURES
8	ALL 120V 15AMP - 20AMP CIRCUITS IN ALL ROOMS SHALL BE PROTECTED BY A LISTED COMBINATION TYPE AFCI DEVICE. EXCEPT: KITCHEN, BATHROOM, OUTSIDE RECEPTACLES, BASEMENT OR SPECIAL DEDICATED CIRCUITS. PER NEC 210.12 (B)
9	STANDARD ELECTRICAL FIXTURES TO BE 1' ABOVE BFE (2' FOR CHARLESTON COUNTY)
10	ALL ELECTRICAL LOCATED BELOW FLOOD ELEVATION TO COMPLY WITH R322.1.6 IN THE IRC 2015 OR THE APPLICABLE CODE IN THE NEC 2014, WHICHEVER SUPERCEDES
11	VERIFY TYPE & LOCATION OF WATER HEATER & INSTALL NECESSARY ELEC. COMPONENTS

DESIGN CRITERIA:	
1	1 1/2 STORY SINGLE FAMILY RESIDENTIAL STRUCTURE
2	LOCATED IN THE CITY OF SEABROOK ISLAND
3	PROPERTY IS LOCATED IN AN AE13 FLOOD ZONE
4	SEE FRONT ELEVATION SHEET FOR BUILDING HEIGHT
5	PLANS TO COMPLY WITH 2015 IRC, IFGC, & IFC w/SC MODIFICATIONS
6	PLANS TO COMPLY WITH 2015 IPC & IMC
7	PLANS TO COMPLY WITH 2009 IECC
8	PLANS TO COMPLY WITH 2014 NEC

FOUNDATION VENTING CALCCS:
 1 square inch of ventilation per square foot of floor space.
 Louvered vents provide 1.28 s.f. of ventilation per linear foot.
 2260 s.f. of ground floor space
 approx. 107 linear feet of louvered vents,
 this will provide 19,722 sq. inches of ventilation.

Hamilton Residence

2959 Seabrook Isle Rd.

Seabrook, SC

SQUARE FOOTAGE			
Name	HEATED SQ. FTG.	UNHEATED SQ. FTG.	TOTAL UNDER ROOF
First Floor	2092 SF		2092 SF
Second Floor	1062 SF		1062 SF
Ground Floor		2260 SF	2260 SF
Front Porch		168 SF	168 SF
Screened Porch		232 SF	228 SF
TOTAL SQ. FTG.	3154 SF	2660 SF	5810 SF
Grilling Deck		95 SF	

SHEET LIST	
1-CS	Cover Sheet
1.10	Ground Floor
1.11	First Floor
1.12	Second Floor
2.10	Ground Floor Elect.
2.11	First Floor Elect.
2.12	Second Floor Elect.
3.10	Roof Plan
4.10	Front Elevation
4.11	Left Elevation
4.12	Right Elevation
4.13	Rear Elevation
4.14	3D Views
5.10	Section
5.11	Section + Details
6.10	Site Plan

ROOF VENTING CALCCS.
 2092 s.f. of attic space
 2092 / 150 = 14 s.f. (required ventilation)
 14 x 144 = 2016 sq. inches (required ventilation)
 1008 sq. inches of ridge vent required,
 Install a minimum of 56 Linear Ft. of VenturiVent Plus ridge vent, this will provide 1008 sq. inches of ventilation.
 1008 sq. inches of vented soffit required, Install a minimum of 161 Linear Ft. of hardi vented soffit, this will provide 644 sq. inches of ventilation. Additionally install 150 (4") round soffit vents. This will provide a total of 1008.5 sq. inches of ventilation.

ELECTRICAL LEGEND	
OUTLETS	
	DUPLEX OUTLET
	GFI OUTLET
	RANGE / DRYER 220V OUTLET
	WATERPROOF OUTLET
	WATERPROOF & GFI OUTLET
	FLOOR OUTLET
	GARAGE OUTLET
	CATV (TELEVISION) OUTLET
	DIRECT WIRE APPLIANCE CONNECTION
SWITCHES	
	SINGLE POLE SWITCH
	THREE-WAY SWITCH
	FOUR-WAY SWITCH
LIGHT FIXTURES	
	CEILING FAN
	CEILING SURFACE MOUNT LIGHT
	RECESSED CAN LIGHT
	WALL SCONCE
	WALL SURFACE MOUNT LIGHT
	FLOOD LIGHT
MISC FIXTURES	
	CARBON MONOXIDE & SMOKE DETECTOR
	SMOKE DETECTOR
	EXHAUST FAN
	ELECTRICAL PANEL



Robert T. Eckels



FINAL FOR CONSTRUCTION

Copyright: RTE LLC
 Designed By:

RTE LLC
 No. 101168
 ROBERT T. ECKELS, ARCHITECT
 5231 OLD WASHINGTON COURSE
 10041 WYOMING SC 29449
 heckels@gmail.com

Designed Exclusively for:
Hamilton

Sheet Name
Cover Sheet

Project Name & Address
Hamilton
 2959 Seabrook Isle Rd.
 Seabrook, SC

Project #
CC1745
 Date
05/08/2017
 Scale
 1/4" = 1'-0"
 1/8" = 1'-0"

1-CS



Robert Eckels



FINAL FOR CONSTRUCTION

Copyright: RTE, LLC

Designed By:



Designed Exclusively for:
Hamilton

Sheet Name

Ground Floor

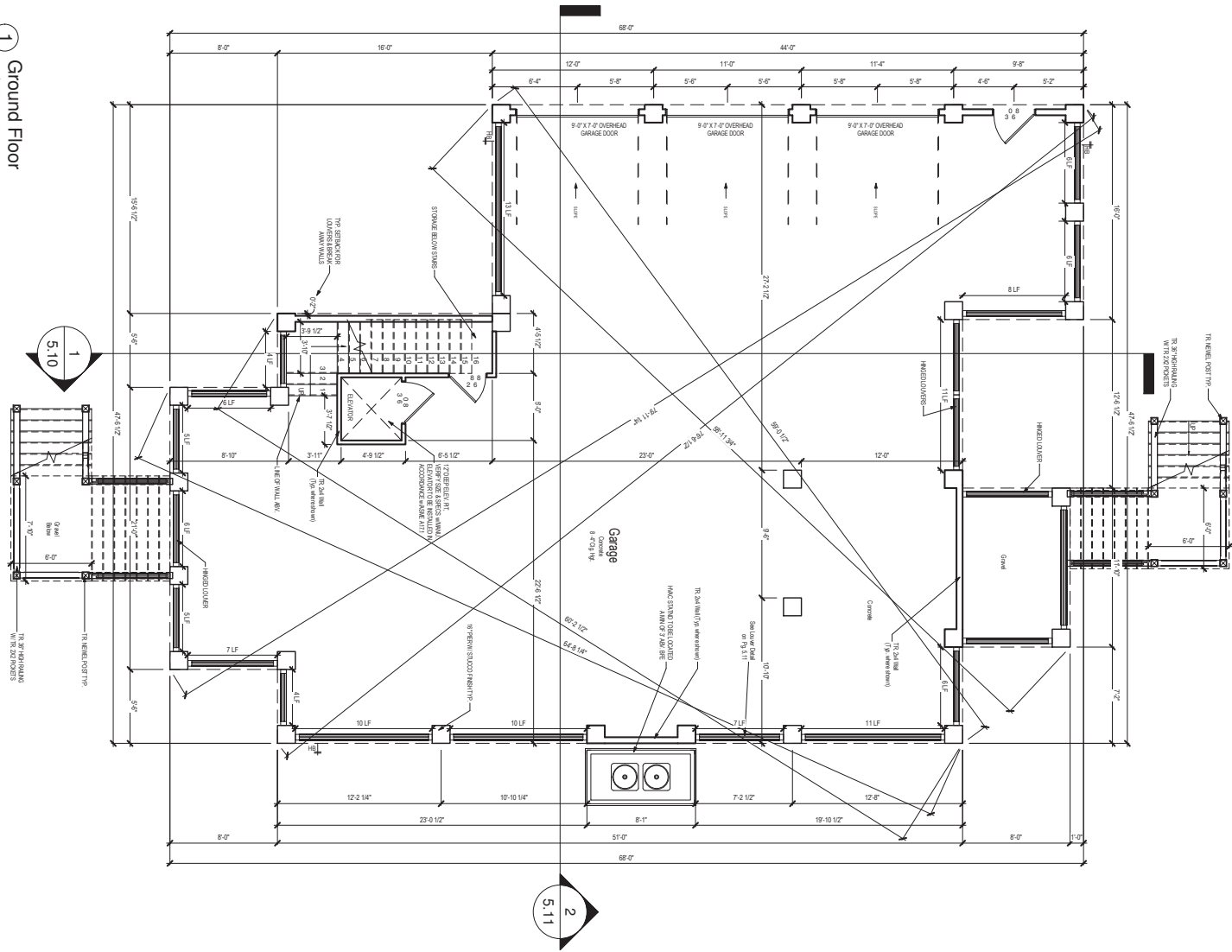
Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project #
CC1745
Date
05/08/2017
Scale
1/4" = 1'-0"
1/8" = 1'-0"

Sheet
1.10

1/16/2018 12:58:58 PM

REAR

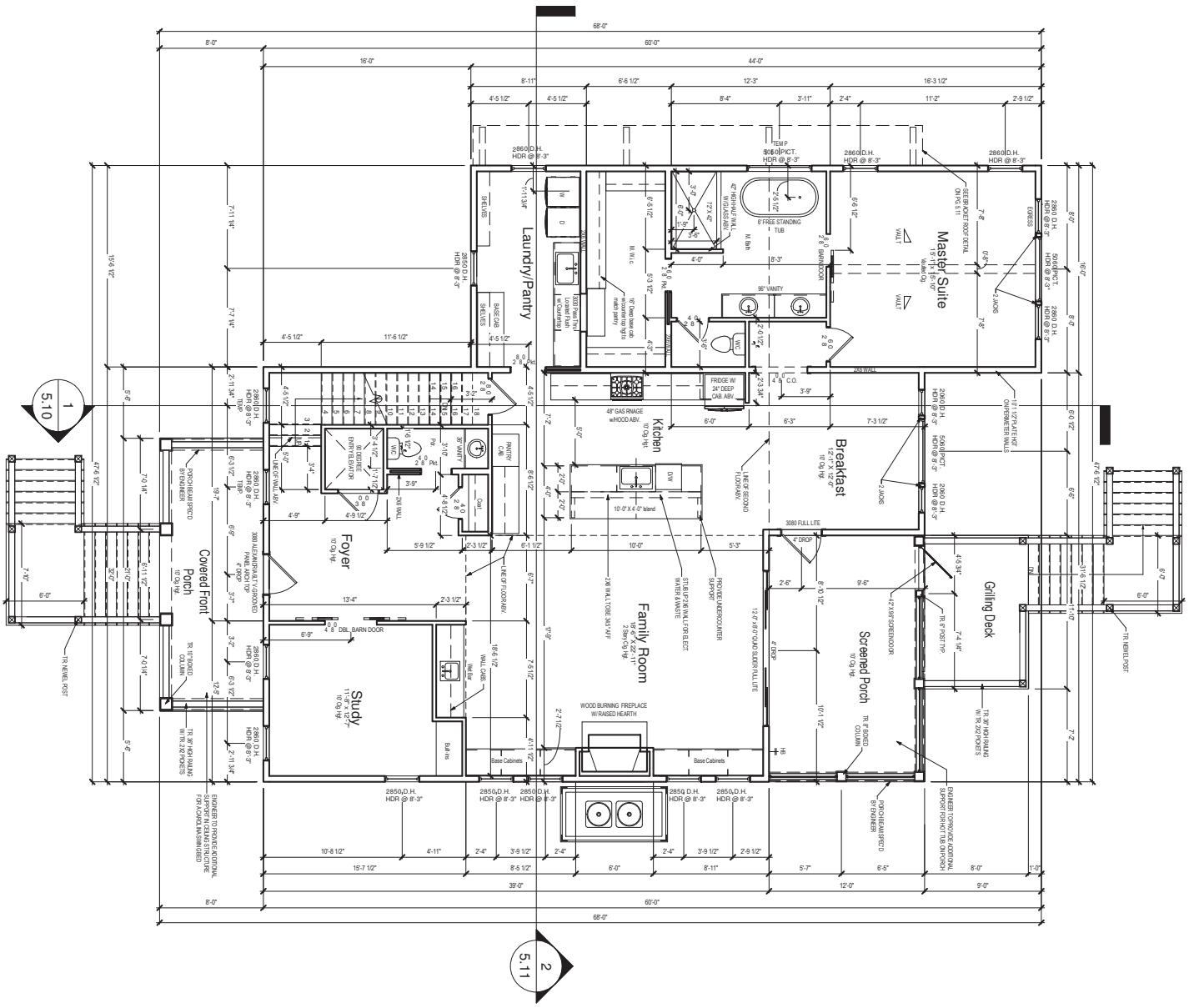


1 Ground Floor
1/8" = 1'-0"

SEE ENGINEERING FOR PERIPLING PLACEMENT. ENG. OVERRIDES ARCHITECTURALS
ALL WOOD MATERIAL 2" ABOVE BFE AND BELOW TO BE PRESSURE TREATED

FRONT

1 1st Floor
1/8" = 1'-0"



FRONT

REAR

FINAL FOR CONSTRUCTION



Robert Eckels



Designed Exclusively for:
Hamilton

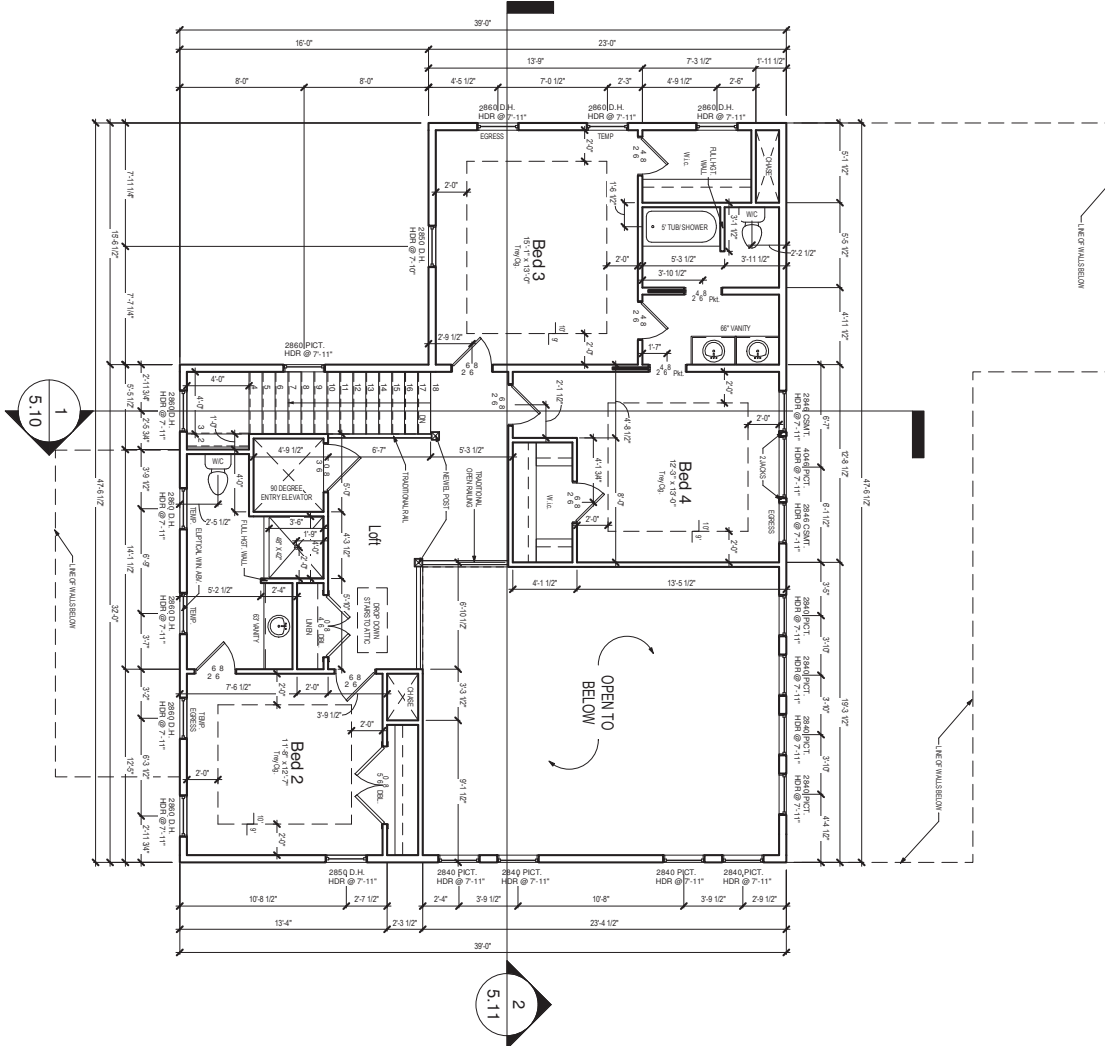
Copyright: RTE, LLC
Designed By: **RTE**
No. 101168
ROBERT T. ECKELS, ARCHITECT
5231 OLD WASHINGTON COURSE
FLORENCE, SC 29505
304.671.2535
eckels@gmail.com

Sheet Name
First Floor

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project #	CC1745	Sheet	
Date	05/08/2017		1.11
Scale	1/8" = 1'-0" 25/64" = 1/4" = 1'-0"		

1 2nd Floor
1/8" = 1'-0"



FRONT

REAR

FINAL FOR CONSTRUCTION



Robert T. Eckels



Designed Exclusively for:
Hamilton

RTE LLC
No. 101168
ROBERT T. ECKELS, ARCHITECT
5231 OLD WASHINGTON COURSE
FLORENCE, SC 29447
Heckels@gmail.com

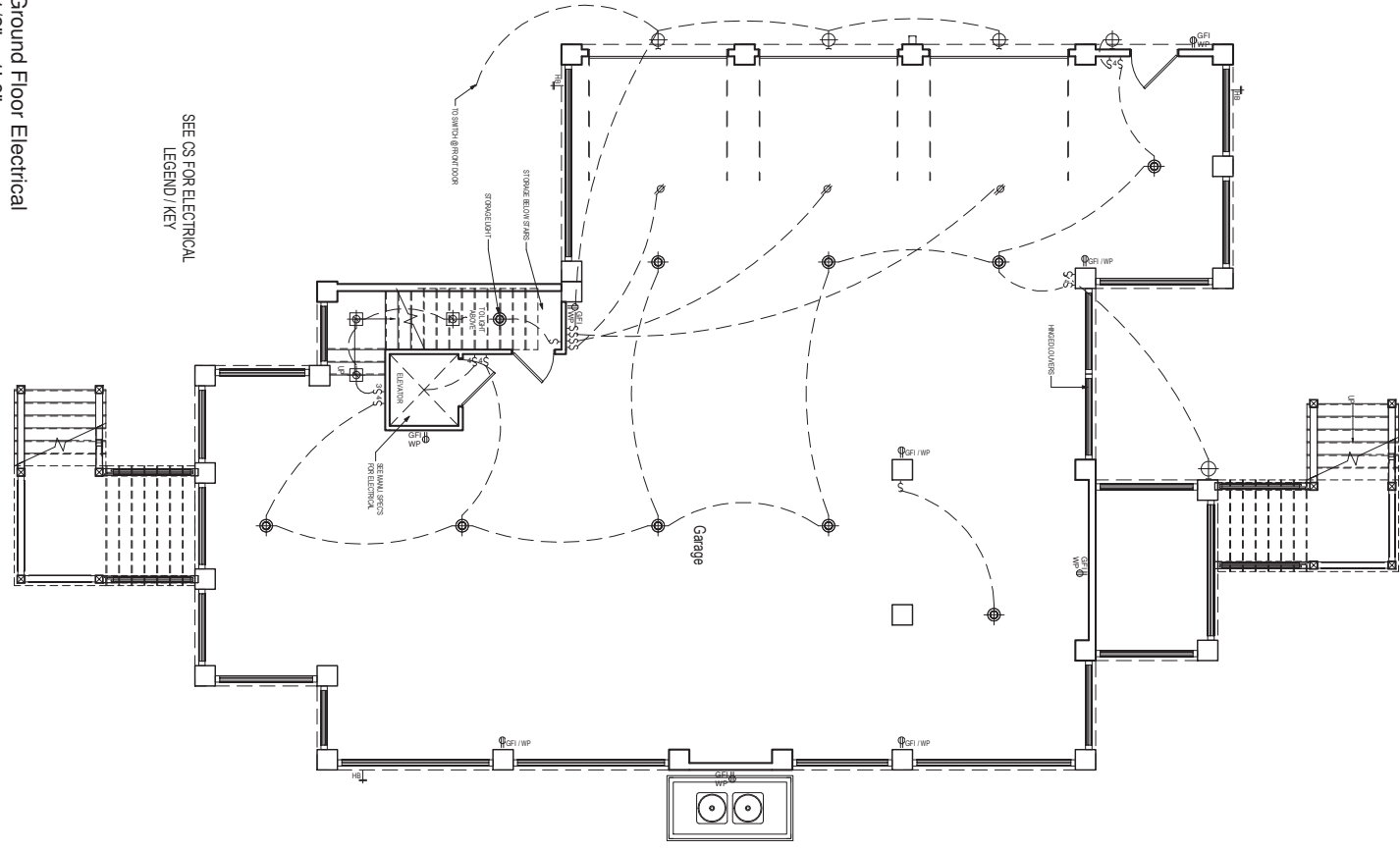
Sheet Name
Second Floor

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	1.12
Scale 1/4" = 1'-0" 1/8" = 1'-0"	

1 Ground Floor Electrical
1/8" = 1'-0"

SEE CS FOR ELECTRICAL
LEGEND / KEY



FRONT

REAR

FINAL FOR CONSTRUCTION

Copyright: RTE, LLC
Designed By:

RTE LLC
 No. 101168
 ROBERT T. ECKELS, ARCHITECT
 5231 OLD WASHINGTON COURSE
 FOLLY BEACH, SC 29449
 rte@eckels.com
 heckels@gmail.com

Sheet Name
Ground Floor Elect.

Project Name & Address
Hamilton
 2959 Seabrook Isle Rd.
 Seabrook, SC

Project #	CC1745	Sheet	
Date	05/08/2017		2.10
Scale	11x17 - 1/8" = 1'-0" 22x34 - 1/4" = 1'-0"		

STATE OF SOUTH CAROLINA
 ROBERT THOMAS ECKELS
 HOLLYWOOD, SC 29424
 REGISTERED ARCHITECT

Robert T. Eckels

STATE OF SOUTH CAROLINA
 RTE, LLC
 HOLLYWOOD, SC 29424
 REGISTERED ARCHITECT



Robert T. Eckels



Designed Exclusively for:
Hamilton



No. 101168
ROBERT T. ECKELS, ARCHITECT
5231 OLD WASHINGTON COURSE
FLORENCE, SC 29505
Heckels@gmail.com

FINAL FOR CONSTRUCTION

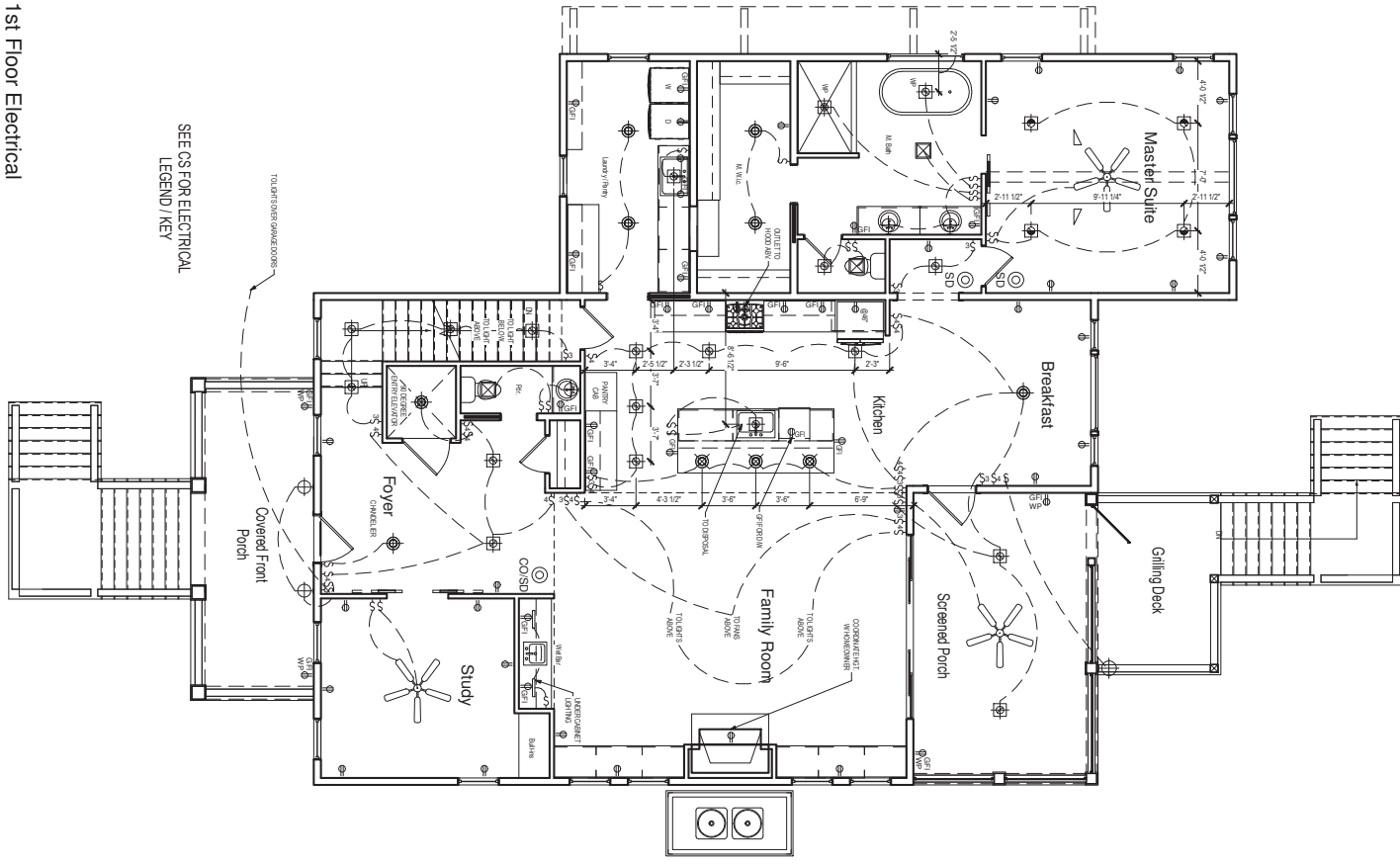
Sheet Name
First Floor Elect.

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	2.11
Scale 1/8" = 1'-0" 1/4" = 1'-0"	

① 1st Floor Electrical
1/8" = 1'-0"

SEE CS FOR ELECTRICAL
LEGEND / KEY

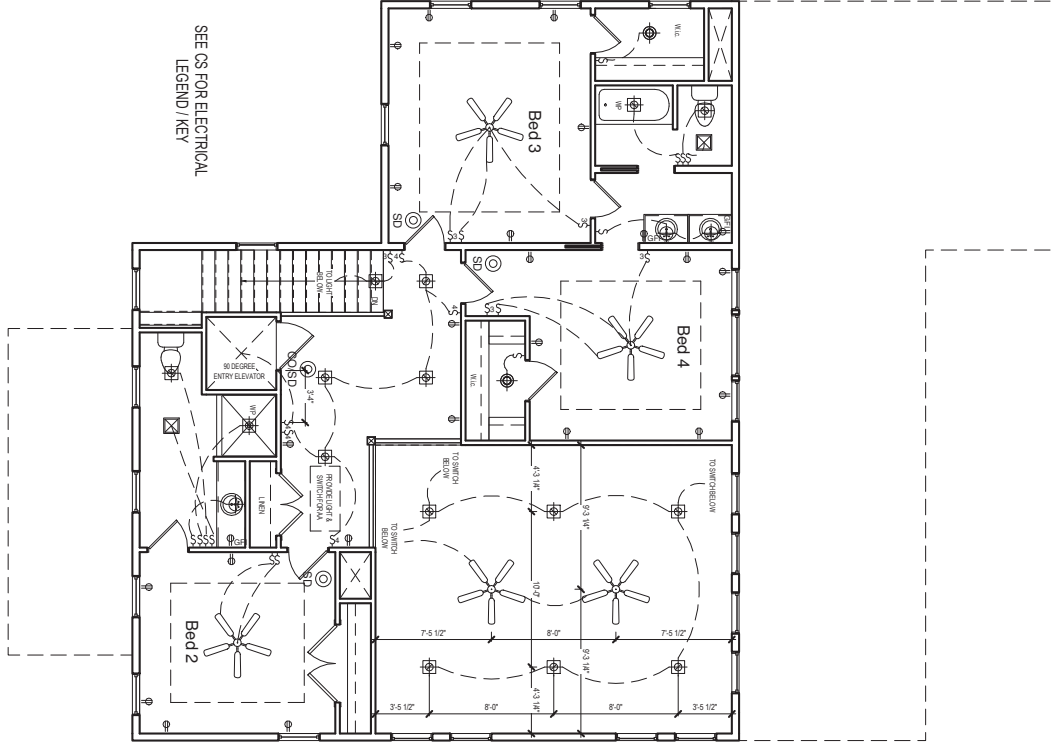


REAR

FRONT

① 2nd Floor Electrical
 1/8" = 1'-0"

FRONT



REAR

FINAL FOR CONSTRUCTION

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 FOLLY BEECH, SC 29449
 803.471.7535
 rteckels@gmail.com

Sheet Name
**Second
 Floor Elect.**

Project Name & Address
Hamilton
 2959 Seabrook Isle Rd.
 Seabrook, SC

Project #	CC1745	Sheet	
Date	05/08/2017		2.12
Scale	11x17 - 1/8" = 1'-0" 22x34 - 1/4" = 1'-0"		



Robert T. Eckels





Robert T. Eckels



Designed Exclusively for:
Hamilton

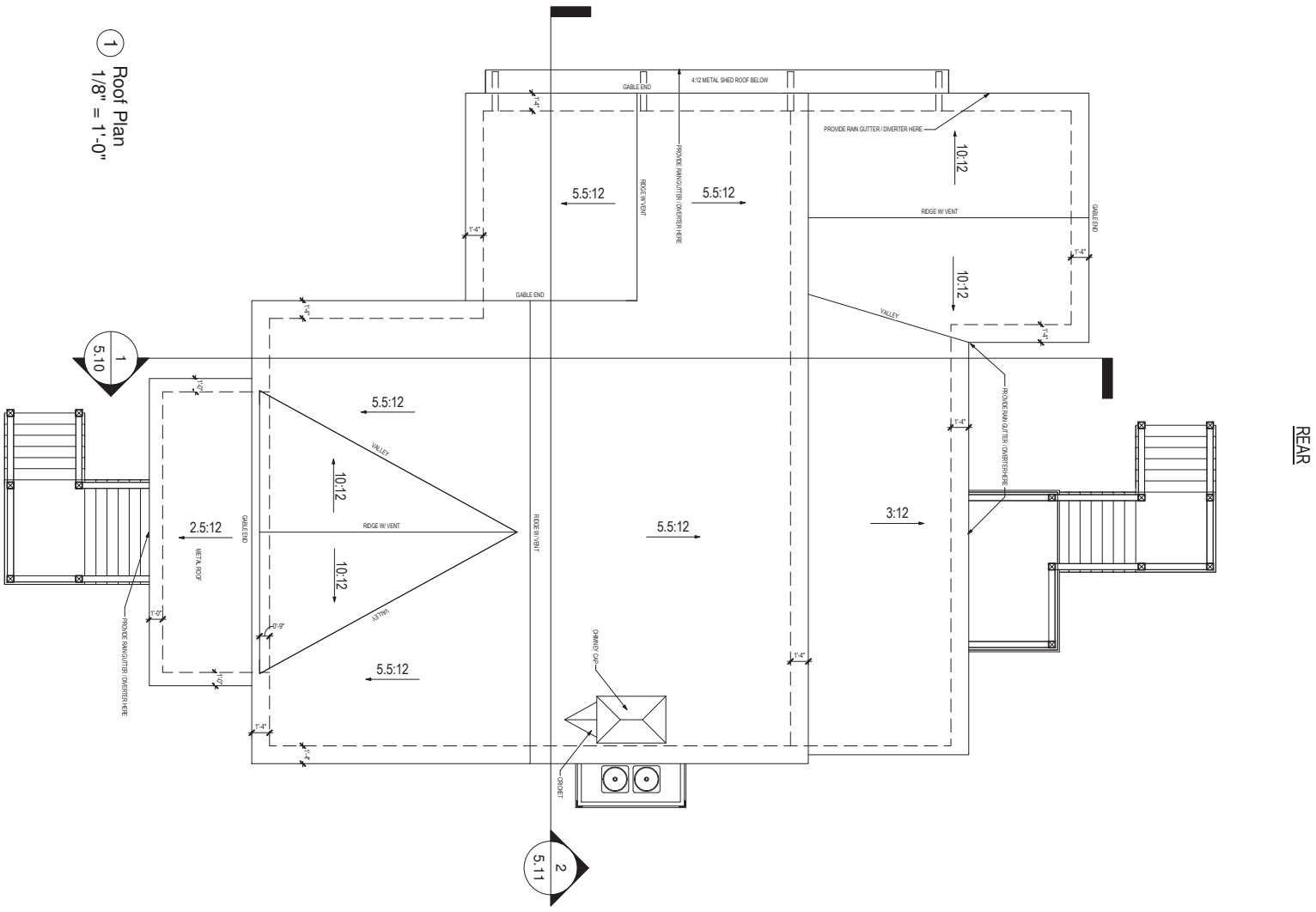
RTE LLC
 No. 101168
 ROBERT T. ECKELS, ARCHITECT
 5231 OLD WASHINGTON COURSE
 FORT WASHINGTON, SC 29447
 803.416.7535
 rteckels@gmail.com

Copyright: RTE, LLC
 Designed By:
 Sheet Name
Roof Plan

Project Name & Address
Hamilton
 2959 Seabrook Isle Rd.
 Seabrook, SC

Project #	CC1745	Sheet	3.10
Date	05/08/2017		
Scale	11x17 - 1/8" = 1'-0" 22x34 - 1/4" = 1'-0"		

FINAL FOR CONSTRUCTION



1 Roof Plan
 1/8" = 1'-0"

FRONT

REAR



① Front Elevation
1/8" = 1'-0"

FINAL FOR CONSTRUCTION



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ROBERT T. ECKELS, ARCHITECT
5231 OLD WASHINGTON COURSE
HOLLYWOOD, SC 29449
13041 671-7535 SC 29449
eckels@gmail.com

Sheet Name
Front Elevation

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	4.10
Scale 1:147 - 1/8" = 1'-0" 2268 - 1/4" = 1'-0"	



① Left Elevation
1/8" = 1'-0"

FINAL FOR CONSTRUCTION

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804.671.7535
rteckels@gmail.com



Robert T. Eckels



Designed Exclusively for:
Hamilton

Sheet Name
Left Elevation

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project #	CC1745	Sheet	
Date	05/08/2017	4.11	
Scale	1/8" = 1'-0" 25/64" = 1/4" = 1'-0"		



1 Right Elevation
1/8" = 1'-0"

FINAL FOR CONSTRUCTION



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5231 OLD WASHINGTON COURSE
FOLLY BEACH, SC 29449
Heckels@gmail.com

Sheet Name
Right Elevation

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	4.12
Scale 1/4" = 1'-0" 1/8" = 1'-0"	



1 Rear Elevation
1/8" = 1'-0"

FINAL FOR CONSTRUCTION

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Designed By:



Sheet Name

Rear Elevation

Project Name & Address

Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project #

CC1745

Date

05/08/2017

Scale

1/4" = 1'-0"
22/64 - 1/4" = 1'-0"

Sheet

4.13



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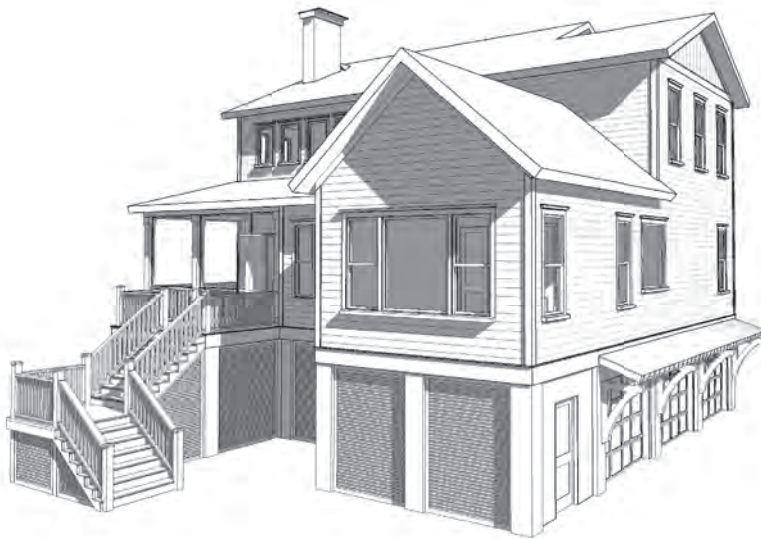




① Front Left



② Front Right



③ Rear Left



④ Rear Right



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RTE@GMAIL.COM

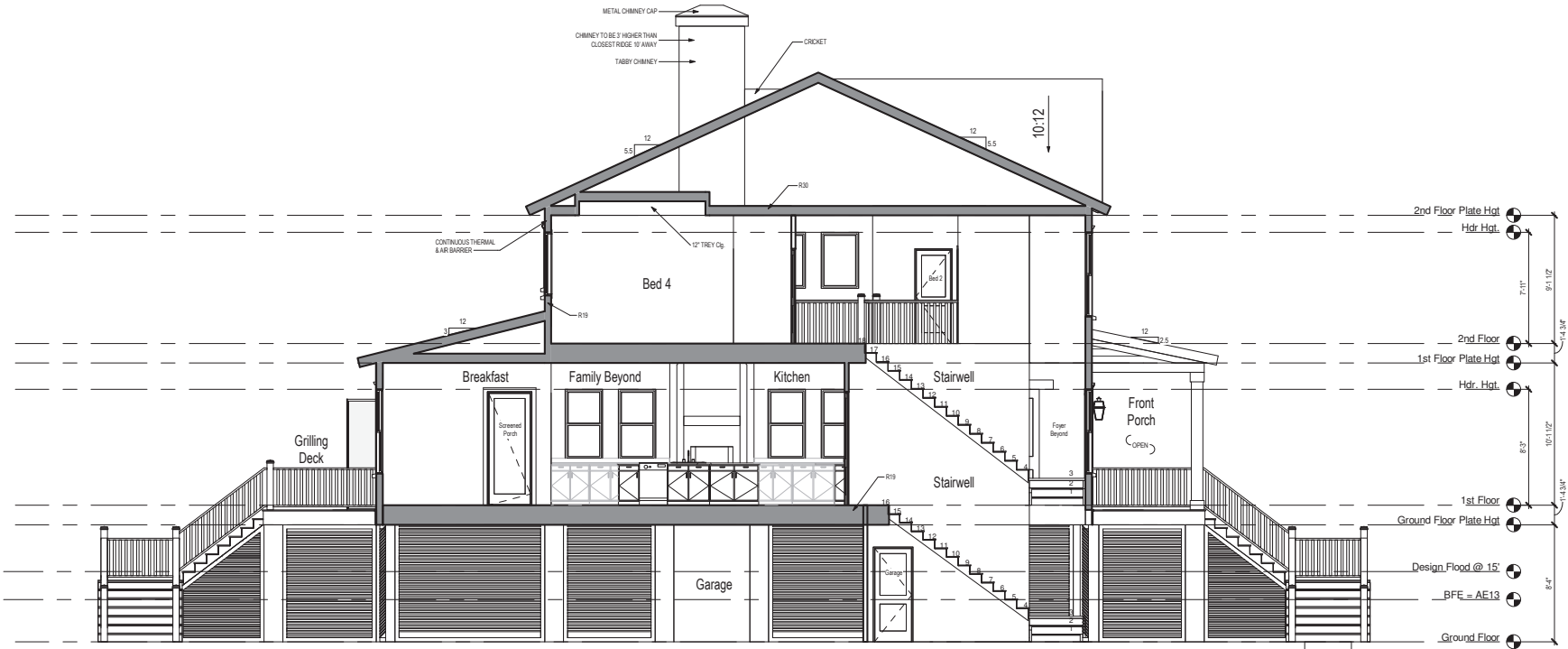
Sheet Name
3D Views

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	4.14
Scale: 1/4" = 1'-0" 1/8" = 1'-0"	

ADDITIONAL IECC COMPLIANCE INFORMATION

1. PRESCRIPTIVE METHOD OF IECC COMPLIANCE TO BE USED
2. SEE SECTION ON THIS SHEET FOR DESCRIPTION OF R VALUES AND CONTINUOUS AIR & THERMAL BARRIER
3. A BLOWER TEST WILL BE PERFORMED
4. SEE IECC 2009 COMPLIANCE FORM FOR DUCT INFORMATION & WINDOW U & SHGC FACTORS
5. A RESCHECK AND MANUAL J WILL BE SUPPLIED BY THE HOMEOWNER/BUILDER
6. ATTIC ACCESS PANELS SHALL HAVE APPROPRIATE WEATHER STRIPPING AROUND OPENING AND R19 INSULATION ABOVE



① Section 1
1/8" = 1'-0"

FINAL FOR CONSTRUCTION



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rteckels@gmail.com
No. 101168

Copyright: RTE, LLC
Designed By:

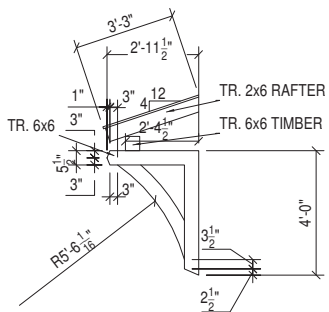
Sheet Name
Section

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

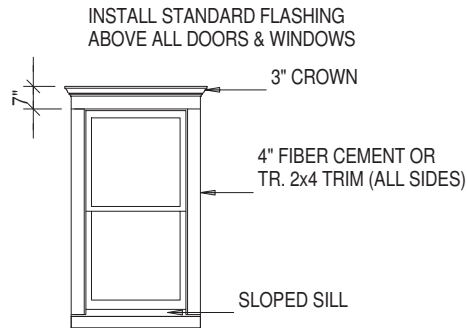
Project # CC1745	Sheet
Date 05/08/2017	5.10
Scale 1/8" = 1'-0" 1/4" = 1'-0"	



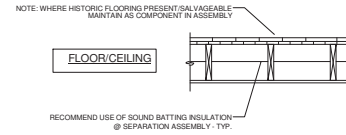
2 Section 2
1/8" = 1'-0"



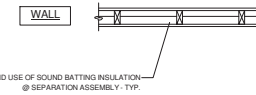
SHED ROOF & BRACKET DETAIL



DOOR/WINDOW TRIM DETAIL

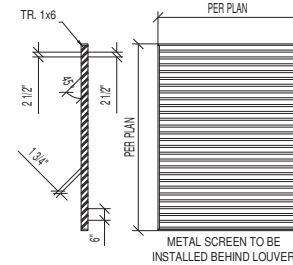


SIMILAR TO UL DETAIL 822 (1 HOUR RATED FLOOR/CEILING ASSEMBLY):
 L501 (1 HOUR): 5/8" (15.9 mm) Fire-Shield Gypsum Board applied at right angles to 2x10 wood joists 16" o.c. with 6x6 male, 1-7/8" long, 2x12 female, 1-1/2" heads, 5/8" Wood joists supporting 1" nominal T&G wood subfloor and 1" nominal wood finish floor, or 19/32" plywood finished floor with long edges T&G and 19/32" interior plywood with exterior glue subfloor perpendicular to joists with joints staggered.

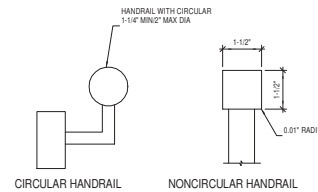


UL DETAIL 306 (1 HOUR RATED SEPARATION WALL):
 5/8" (15.9mm) Fire-Shield Gypsum Wallboard or 5/8" (15.9mm) Fire-Shield MR Board nailed both sides 2 x 4 (38 mm x 89 mm) wood studs, 16" o.c. (406mm).

FIRE PROTECTION DETAIL



LOUVER DETAIL



GRASPABLE HANDRAIL DETAIL



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 Designed By: RTE

Designed Exclusively for:
Hamilton

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 FOLLY BEACH, SC 29449
 804.671.7535
 rteckels@gmail.com

Sheet Name
Section + Details

Project Name & Address
Hamilton
 2959 Seabrook Isle Rd.
 Seabrook, SC

Project #	Sheet
CC1745	
Date	5.11
05/08/2017	
Scale	
1/4" = 1'-0"	
25/64" = 1/4" = 1'-0"	



ATTACHMENT #4

Approved Site Plan (March 2018)



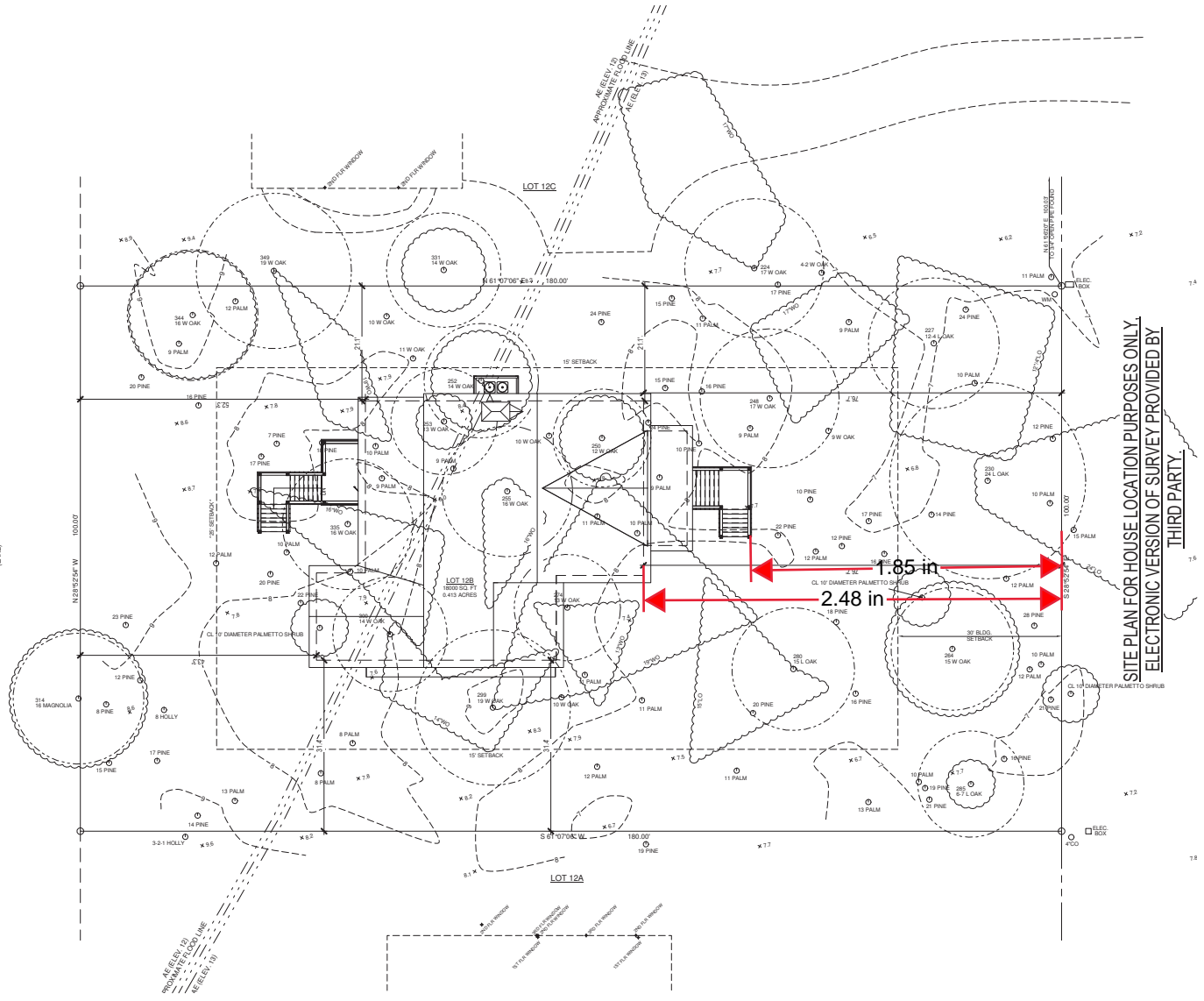
ALL CORNERS ARE 1.5" OPEN PIPE FOUND

SEABROOK ISLAND PROPERTY OWNERS ASSOCIATION
TRK 58 147.00' 0.00' 0.00' (LINE)



1 Site
1" = 20'-0"

GRAPHIC SCALE



SITE PLAN FOR HOUSE LOCATION PURPOSES ONLY.
ELECTRONIC VERSION OF SURVEY PROVIDED BY
THIRD PARTY.



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Designed By: 

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FLORENCE, SC 29505
803.477.1255
eckels@gmail.com

Sheet Name
Site Plan

Project Name & Address
Hamilton
2959 Seabrook Isle Rd.
Seabrook, SC

Project # CC1745	Sheet
Date 05/08/2017	6.10
Scale REFER TO GRAPHIC SCALE	



ATTACHMENT #5

Elevation Certificate (October 2018)

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name GALLOWAY HOMES				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD				Company NAIC Number:	
City JOHNS ISLAND		State South Carolina		ZIP Code 29455	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 12B, BLOCK 42 SEABROOK ISLAND TMS# 149-10-00-036					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>32.5836</u> Long. <u>80.1562</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>5</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>0</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A8.b <u>0</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>0</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A9.b <u>0</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TOWN OF SEABROOK ISLAND 450256			B2. County Name CHARLESTON		B3. State South Carolina
B4. Map/Panel Number 45019C 0785	B5. Suffix J	B6. FIRM Index Date 11/17/2004	B7. FIRM Panel Effective/ Revised Date 11/17/2004	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 13
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

Handwritten signature and date:
 12/20/18

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD			Policy Number:
City JOHNS ISLAND	State South Carolina	ZIP Code 29455	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: SC VRS STATION SCEB Vertical Datum: NGVD1929, PER NGS VERTCON

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.



Check the measurement used.

- | | | | | | |
|---|------|-------------------------------------|------|--------------------------|--------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | 21.2 | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| b) Top of the next higher floor | N/A | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | N/A | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| d) Attached garage (top of slab) | N/A | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | N/A | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | 9.4 | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| g) Highest adjacent (finished) grade next to building (HAG) | 10.1 | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | N/A | <input checked="" type="checkbox"/> | feet | <input type="checkbox"/> | meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name ANDREW C. GILLETTE	License Number 5933-B	
Title SENIOR VICE PRESIDENT		
Company Name PARKER LAND SURVEYING, LLC		
Address 5910 GRIFFIN STREET		
City HANAHAN	State South Carolina	
Signature 	Date 10/17/2018	Telephone (843) 554-7777

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)
ELEVATION OF SLAB UNDERNEATH HOUSE IS 10.6' // BENCHMARK: MAG NAIL EDGE OF ASPHALT APPROXIMATELY 2' FROM LEFT SIDE PROPERTY LINE AT 2956 SULLIVANS ISLAND ROAD (ELEV. 6.29') // LATITUDE AND LONGITUDE WERE DETERMINED BY GPS TECHNOLOGY.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD			Policy Number:
City JOHNS ISLAND	State South Carolina	ZIP Code 29455	Company NAIC Number

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)
FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ feet meters above or below the HAG.
 - b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ . _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ . _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ . _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address _____ City _____ State _____ ZIP Code _____

Signature _____ Date _____ Telephone _____

Comments

Check here if attachments.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD			Policy Number:
City JOHNS ISLAND	State South Carolina	ZIP Code 29455	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

G7. This permit has been issued for: New Construction Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____

G10. Community's design flood elevation: _____ feet meters Datum _____

Local Official's Name	Title
Community Name	Telephone
Signature	Date

Comments (including type of equipment and location, per C2(e), if applicable)

Check here if attachments.

BUILDING PHOTOGRAPHS

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD			Policy Number:
City JOHNS ISLAND	State South Carolina	ZIP Code 29455	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption FRONT VIEW (10/17/2018)



Photo Two

Photo Two Caption LEFT SIDE VIEW (10/17/2018)

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2959 SEABROOK ISLAND ROAD			Policy Number:
City JOHNS ISLAND	State South Carolina	ZIP Code 29455	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo One

Photo One Caption REAR VIEW (10/17/2018)



Photo Two

Photo Two Caption RIGHT SIDE VIEW (10/17/2018)



ATTACHMENT #6

Foundation Survey (December 2018)

ALL CORNERS ARE
1.5" OPEN TOP PIPE FOUND

SEABROOK ISLAND PROPERTY OWNERS ASSOCIATION
TMS# 147-00-00-002
(LAKE)

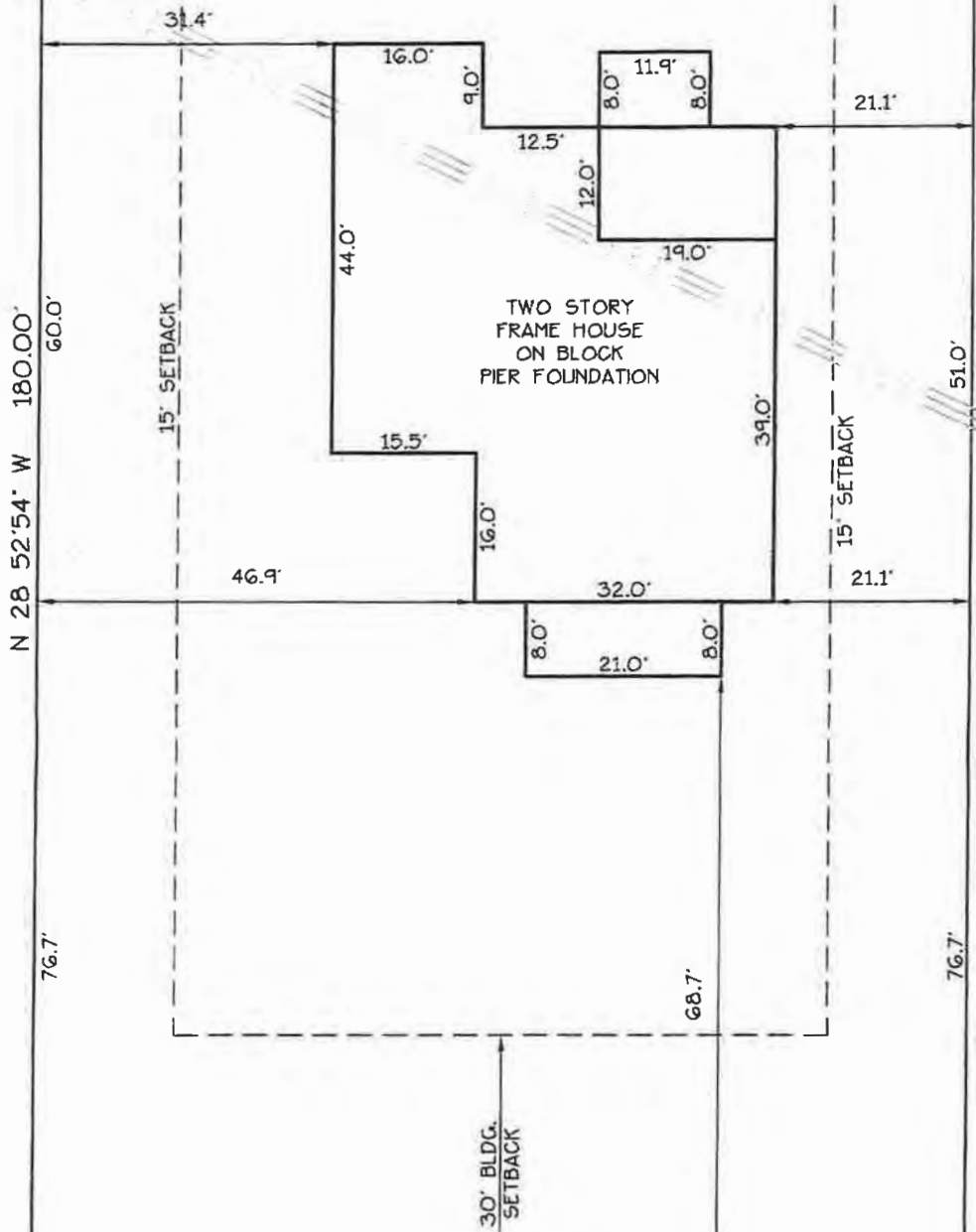


N 61 07'06" E 100.00'

LOT 12B
18000 SQ. FT
0.413 ACRES

25' SETBACK

MAGNETIC
AE CELEV. 12)
APPROXIMATE FLOOD LINE
AE CELEV. 13)



TWO STORY
FRAME HOUSE
ON BLOCK
PIER FOUNDATION

LOT 12A

LOT 12C

AE CELEV. 12)
APPROXIMATE FLOOD LINE
AE CELEV. 13)

470' TO CENTERLINE
INTERSECTION OF
MARSH HAVEN ROAD

S 61 07'06" W 100.00'

S 28 52'54" E 180.00'

N 28 52'54" W 180.00'

2959

SETBACKS PER PHONE CALL TO
SEABROOK ISLAND.

SEABROOK ISLAND ROAD (80' PRIVATE R/W)

SURVEYED FOR GALLOWAY HOMES

FOUNDATION SURVEY SHOWING LOT 12 B. BLOCK 42

SEABROOK ISLAND. TMS# 149-10-00-036

LOCATED IN THE TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SC.

SCALE: 1" = 20'

DATE: NOVEMBER 26, 2018

REFERENCE: PLAT RECORDED IN PLAT BOOK AX, PAGE 58

LOT MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS

NOT OBVIOUS OR APPARENT TO THE SURVEYOR.

PROPERTY APPEARS TO LIE IN FLOOD ZONE

AE CELEV. 12 and 13). 45019C 0785 J. EFFECTIVE NOVEMBER 17, 2004

SBI-12Bfo/ KRB

FEMA REVISION CHECK: 11/29/2018

RICHARD A. ALDRIDGE

S.C.P.L.S. No. 20854

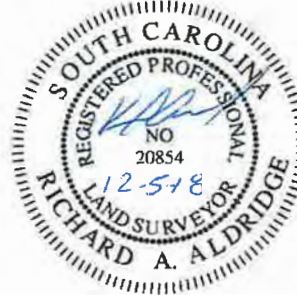
PARKER LAND SURVEYING, LLC

5910 GRIFFIN STREET, MANAHAN, SC 29410

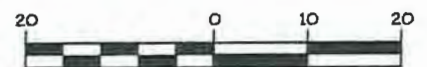
TEL: (843) 554-7777

FAX: (843) 554-7779

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN 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 B SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



*of gwe
12/20/18*



1 inch = 20 ft



ATTACHMENT #7

Certification of Height (December 2018)

TOWN OF SEABROOK ISLAND

CERTIFICATION OF HEIGHT

(Must be Completed by a Registered, Certified Land Surveyor)

**Town of Seabrook Island Development Standards Ordinance
Section 13.70.40 Certification of Height of Structure**
Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.

Lot: 12B Block: 42 TMS # 149 - 10 - 00 - 036

Street Address: 2959 Seabrook Island Drive

Contractor: Galloway Family Homes, LLC


Property Owner: _____

Surveyor: LAUREN MAURICE WILDER

Flood Zone: AE Base Flood Elevation: 13

Height of Roof Peak Above FEMA Base Flood Elevation is 39.2
(Feet)

SURVEYOR'S STAMP AND SEAL



Surveyor's Signature



12-6-18

Date

The original copy of this certification must be filed with the Town of Seabrook Island. Faxed copies are unacceptable.



ATTACHMENT #8

Certification of Height (January 2019)

TOWN OF SEABROOK ISLAND

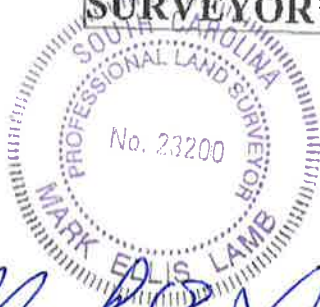
CERTIFICATION OF HEIGHT

(Must be Completed by a Registered, Certified Land Surveyor)

Town of Seabrook Island Development Standards Ordinance
Section 13.70.40 Certification of Height of Structure
Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.

Lot: 12 B Block: 42 TMS # 149-10-00-036
Street Address: 2959 Seabrook Island Rd.
Contractor: Galloway Homes
Property Owner: Raymond & Stephanie Hamilton
Surveyor: Mark E. Lamb
Flood Zone: AE Base Flood Elevation: 13
Height of Roof Peak Above FEMA Base Flood Elevation is 38.96
(Feet)

SURVEYOR'S STAMP AND SEAL



Mark E. Lamb
Surveyor's Signature

1/17/19
Date

The original copy of this certification must be filed with the Town of Seabrook Island. Faxed copies are unacceptable.



ATTACHMENT #9

Property Photos





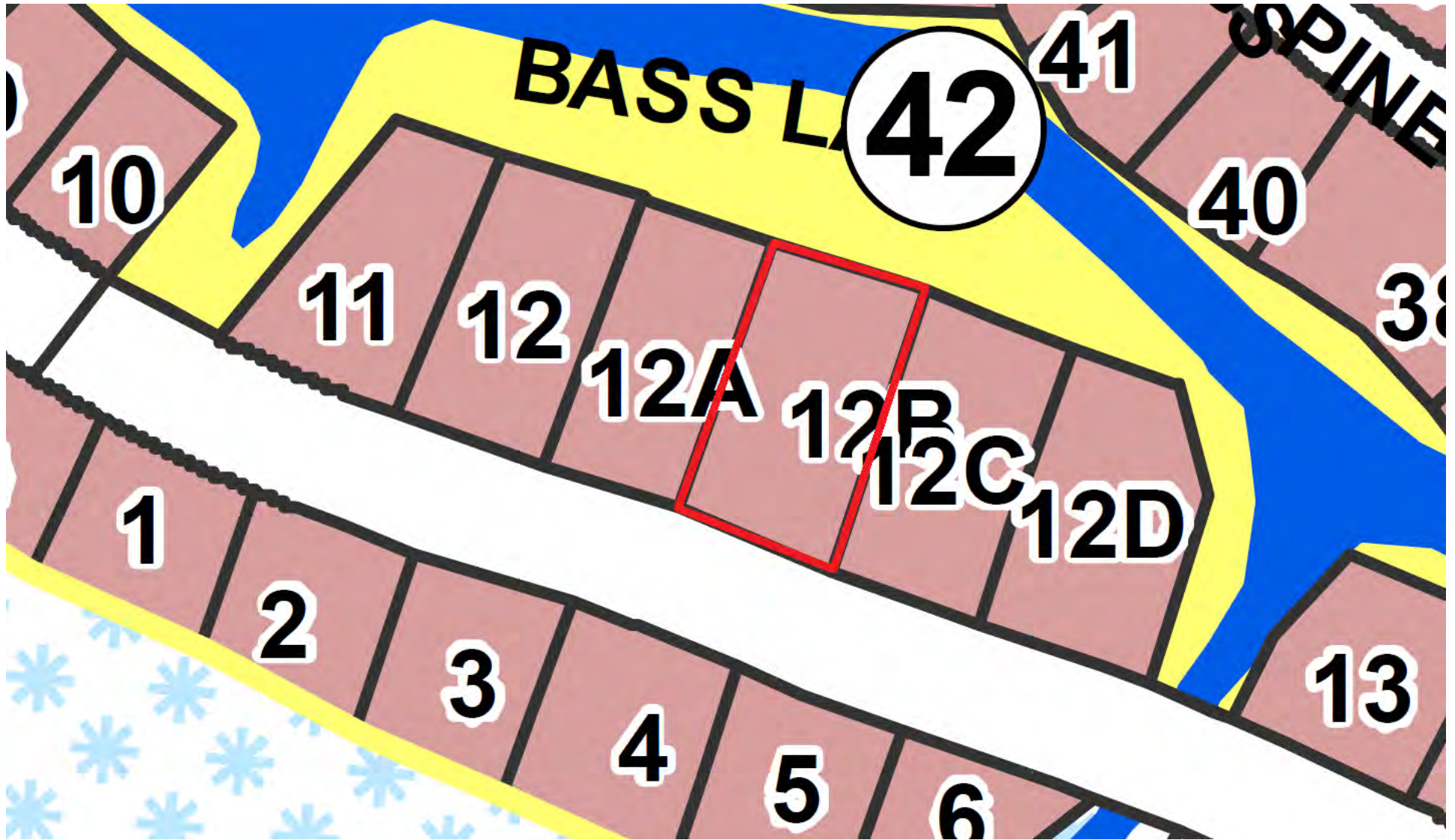






ATTACHMENT #10

Zoning Map





ATTACHMENT #11

Aerial Image

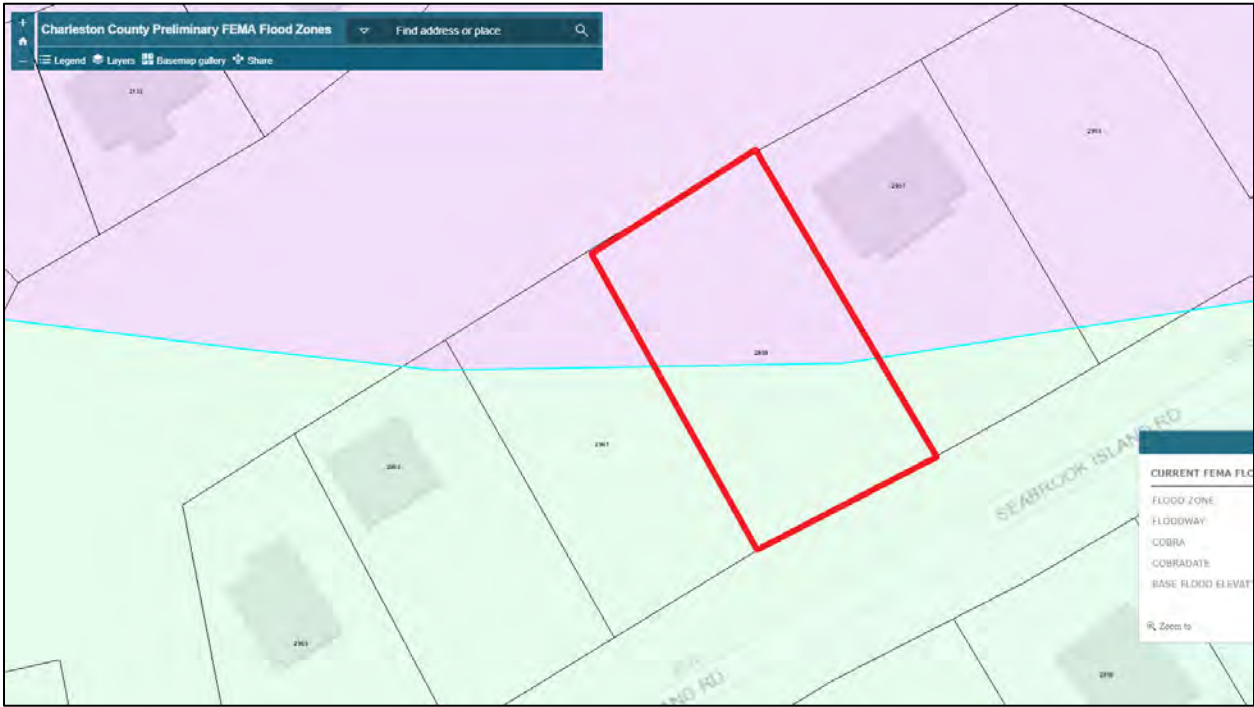




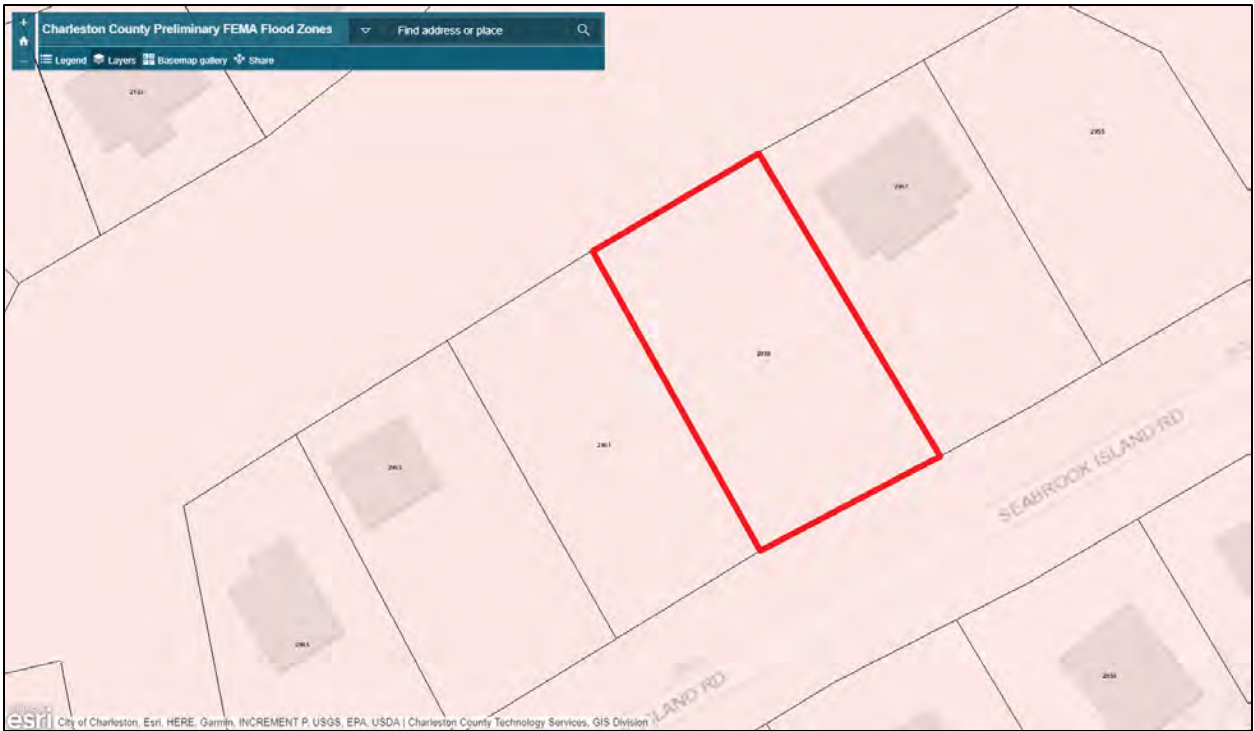
ATTACHMENT #12

FEMA Base Flood Elevations (Current & Preliminary)

**FEMA Base Flood Elevation (Current)
AE 12/13**



**FEMA Base Flood Elevation (Preliminary)
AE-11**





ATTACHMENT #13

Title to Real Estate

Prepared By:

McAngus Goudelock & Courie, LLC
735 Johnnie Dodds Blvd.,
Mt. Pleasant, SC 29464
20602.17520SMYTHMCLOUDLLC



BP0652473

PGS:

5

Space above this line reserved for Recording information

THE STATE OF SOUTH CAROLINA)	
)	TITLE TO REAL ESTATE
COUNTY OF CHARLESTON)	

KNOW ALL MEN BY THESE PRESENTS, that **Smyth McCloud LLC**, (hereinafter "Grantor") in the State aforesaid, for and in consideration of the sum of **ONE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$125,000.00)**, the receipt and sufficiency of which is here acknowledged, **subject to easements, restrictions, covenants, and conditions of record, including matters shown on recorded plats**, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said:

Stephanie S. Hamilton and Raymond M. Hamilton

as Joint Tenants with Right of Survivorship and Not as Tenants in Common (hereinafter "Grantee") his/her/their/its heirs/successors and assignees forever all his/her/its right, title and equitable or legal interest in and to:

See attached Exhibit "A"

DERIVATION: This being the same property conveyed to Smyth Mcloud, LLC by Warranty Deed of Claude E. Kennard, Jr dated March 31, 2004 and recorded in Book T489, Page 773, Charleston County, South Carolina.

Charleston County Tax Map No.: 149-10-00-036

Property Address: 2959 Seabrook Island Rd, Johns Island, SC 29455

Grantee's Address: 112 Sea Lapender Ln, Summerville, SC 29486

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee, Stephanie S. Hamilton and Raymond M. Hamilton, as joint tenants with rights of survivorship and not as tenants in common.

AND GRANTOR DOES hereby promise, for themselves and his/her/its heirs/successors, assigns, and representatives, to warrant and forever defend the above premises unto the Grantee, his/her/its heirs/successors and assigns, against the Grantor and his/her/its heirs/successors, assigns, and representatives against any and all others whomsoever lawfully claiming the same or any part thereof.

FOTI LAW FIRM, LLC
112 W. 4th North Street, Ste. A
Summerville, SC 29483

WITNESS the Hand and Seal of Smyth McLoud LLC this 6TH day of July, 2017.

Signed, Sealed and Delivered
in the presence of:

Kristin Clayton
Witness No. 1
J Bullock
Witness No. 2 (NOTARY)

Smyth McLoud LLC
BY: [Signature]
James Lee McLoud, Member

STATE OF SOUTH CAROLINA

COUNTY OF

I, Jessica Bullock, a Notary Public for the State of South Carolina, do hereby certify that
Smyth McLoud LLC, by James Lee McLoud, its manager,
personally appeared before me this 6 day of July, 2017, and acknowledged the due execution of the
foregoing instrument.

Witness my hand and official seal, this the 6 day of July, 2017.

J Bullock
Notary Public for South Carolina

My Commission Expires: 10/21/2025

(SEAL)

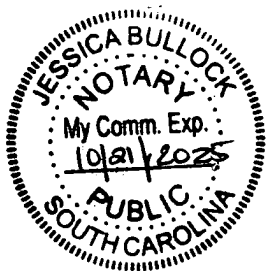


EXHIBIT A

All that certain lot, piece or parcel of land, situate, lying and being on Seabrook Island, Charleston County, State of South Carolina, and known and designated as Lot 12B, Block 42, on a plat by E.M. Seabrook, Jr., CE & LS, dated August 25, 1982, revised March 24, 1983, and recorded in the Charleston County RMC Office in Plat Book AX, Page 58.

Said lot having the size, shape, dimensions, buttings and boundings, more or less, as are shown on said plat, which is specifically incorporated herein by reference.

THIS CONVEYANCE IS SUBJECT TO the Covenants, Conditions, Restrictions, Limitations, Affirmative Obligations and Easements of record and more particularly set forth in instruments duly recorded in the RMC Office for Charleston County, as follows: Book M-100, at Page 296; as amended by instrument recorded in Book Y-110, at Page 143; and Second Modifications thereto dated March 26, 1985 and recorded in Book J-144, at page 67; Third Modifications of Protective Covenants dated April 24, 1987 and recorded in Book J-164, at Page 487; also, second restated and amended By Laws dated October 18, 1984 and recorded in Book B-141, at page 267; as amended by instrument dated March 26, 1985 and recorded Book J-144, at page 59; Third Restated and Amended By-Laws of the Seabrook Island Property Owners Associations, dated August 1, 1989, and recorded in the RMC Office for Charleston County in Book L-186, Page 718; and Amendment filed in Book K-215, Page 001; Restatement and Fourth Modification of Protective Covenants for Seabrook Island Development, dated August 1, 1989, and recorded in the Charleston County RMC Office in Book L-186, Page 697; Restatement and Fifth Modification recorded in Book K-215, Page 23.

STATE OF SOUTH CAROLINA

Date of Transfer of Title 7th day of July, 2017

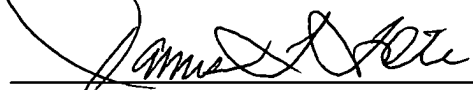
COUNTY OF CHARLESTON

AFFIDAVIT

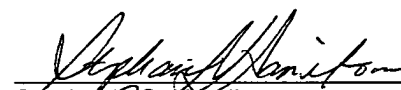
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred by Smyth McCloud, LLC to Stephanie S. Hamilton and Raymond M. Hamilton on July 7, 2017.
3. Check one of the following: The deed is:
 - (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) subject to the deed recording fee as a transfer between a corporation, a partnership or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) EXEMPT from the deed recording fee because (Exemption: n/a) (Explanation, if required: n/a, If exempt, please skip items 4-6 and go to Item No. 7 of this affidavit
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$125,000.00
 - (b) The fee is computed on the fair market value of the realty, which is \$N/A
 - (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is \$N/A
5. Check YES or NO to the following: A lien or encumbrance existed on the land, tenement or realty before the transfer and remained on the land, tenement or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is n/a.
6. The DEED Recording Fee is computed as follows:
 - (a) \$125,000.00 the amount listed in Item No. 4 above
 - (b) \$0.00 the amount listed on Item No. 5 above (no amount, please zero)
 - (c) \$125,000.00 subtract Line 6(b) from Line 6(a) and place the result here.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as grantor or grantee.
8. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year or both.

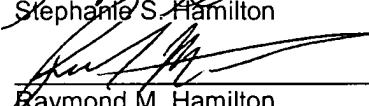
SWORN to before me this 7th day of July, 2017.



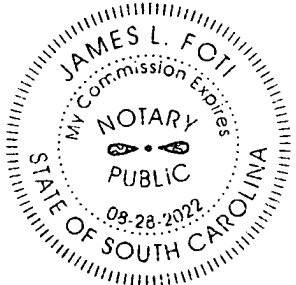
 Notary Public for South Carolina
 My commission expires: August 28, 2022



 Stephanie S. Hamilton



 Raymond M. Hamilton



RECORDER'S PAGE



NOTE: This page **MUST** remain with the original document

Filed By:

FOTI LAW FIRM, LLC
(BOX)

RECORDED		
Date:	July 17, 2017	
Time:	10:46:39 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0652	473	Deed
Charlie Lybrand, Register Charleston County, SC		

MAKER:

SMYTH MCLOUD LLC

Note:

RECIPIENT:

HAMILTON STEPHANIE S AL

of Pages:

Recording Fee	\$ 10.00
State Fee	\$ 325.00
County Fee	\$ 137.50
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 472.50

Original Book:

Original Page:

Drawer
Clerk

AUDITOR STAMP HERE

RECEIVED From RMC
Jul 20, 2017
Peter J. Tecklenburg
Charleston County Auditor

PID VERIFIED BY ASSESSOR

REP RJB _____

DATE 07/21/2017 _____

4



0652
Book



473
Page



07/17/2017
Recorded Date



5
Pgs



Original Book



Original Page



D
Doc Type



10:46:39
Recorded Time



ATTACHMENT #14

Property Information Card

Charleston County, South Carolina

generated on 1/23/2019 4:37:48 PM EST

Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	Assess Year	Pay Year
1491000036		2959 SEABROOK ISLAND RD, SEABROOK ISLAND	1/3/2019	2018	2018

Current Parcel Information

Owner	HAMILTON STEPHANIE S HAMILTON RAYMOND M	Property Class Code	905 - VAC-RES-LOT
Owner Address	142 SEA LAVENDER LN SUMMERVILLE SC 29486	Acreage	.0000
Legal Description	Subdivision Name -PART SEABROOK ISLAND Description -LOT 12B BLK 42 Site Name -EXT PlatSuffix AX-58 PolTwp 009		

Historic Information

Tax Year	Land	Improvements	Market	Taxes	Payment
2018	\$125,000		\$125,000	\$1,677.00	\$1,677.00
2017	\$172,000		\$172,000	\$2,243.91	\$2,243.91
2016	\$172,000		\$172,000	\$2,155.51	\$2,371.07
2015	\$172,000		\$172,000	\$2,041.30	\$2,041.30

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
SMYTH M CLOUD LLC	0652 473	7/7/2017	Ge		\$125,000
KENNARD CLAUDE E JR	T489 773	4/2/2004	Ge		\$140,000
MORITZ MICHAEL E TRUSTEE	A270 732	5/30/1996	Ge		\$45,000
	Y187 085	10/6/1989	Ge		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Bedrooms	Finished Sq. Ft.	Improvement Size
----------	------	----------------------	------------------	---------	----------	------------------	------------------



ATTACHMENT #15

Public Hearing Notice:
List of Neighboring Property Owners

Variance Notification List

2959 Seabrook Island Road

Property Address	Owner(s) of Record	Mailing Address	City	State	Zip
2955 Seabrook Island Road	Hunter & Barbara Harwood	112 Old Orchard Lane	Ocean	NJ	07712
2957 Seabrook Island Road	Leslie & Deborah Rogers	5910 Bradley Blvd	Bethesda	MD	20814
2961 Seabrook Island Road	Nichols Living Trust	2961 Seabrook Island Road	Seabrook Island	SC	29455
2963 Seabrook Island Road	David & Dorothea LeBlanc	2963 Seabrook Island Road	Seabrook Island	SC	29455
2956 Seabrook Island Road	Kevin & Jean Dunn	2956 Seabrook Island Road	Seabrook Island	SC	29455
2958 Seabrook Island Road	James T. Kindley Trust & Susan G. Kindley Trust	2958 Seabrook Island Road	Seabrook Island	SC	29455
2960 Seabrook Island Road	Don & Debra Ferguson	PO Box 11132	Rock Hill	SC	29731
2962 Seabrook Island Road	Charles & Lisa Baker	14108 Phoenix Road	Phoenix	MD	21131
2123 Kings Pine Drive	Dziubek/Donovan Family Revocable Trust	444 Kenmont Avenue	Pittsburgh	PA	15228
2127 Loblolly Lane	Kersti & Charles Riehl	5611 Cedarmere Drive	Winston Salem	NC	27106
2129 Loblolly Lane	Peter & Patricia Brooke	2129 Loblolly Lane	Seabrook Island	SC	29455
2133 Loblolly Lane	James L/ Bannwart Trust & Maryann V. Bannwart Trust	2133 Loblolly Lane	Seabrook Island	SC	29455
Property Owners Association	Seabrook Island Property Owners Association	1202 Landfall Way	Seabrook Island	SC	29455
Regime	Not Applicable				



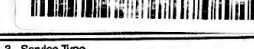


ATTACHMENT #16


Public Hearing Notice:
U.S.P.S. Certified Mail Receipts


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery 1-2-19</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Hunter + Barbara Hanwood 112 Old Orchard Ln Ocean, NJ 07712		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5570			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Dana Debra Ferguson P.O. Box 11132 Rock Hill, SC 29731		 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0042			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Nichols Living Trust 2961 Seabrook Island Rd Seabrook Island, SC 29455		 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 0360 0000 9504 5532			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: David + Dorothea LeBlanc 2963 Seabrook Is. Rd Seabrook Is., SC 29455		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0127			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Carrin + Jean Dunn 2956 Seabrook Is. Rd. Seabrook Is., SC 29455		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 2527			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: James T. Kindley Trust Susan G. Kindley Trust 2958 Seabrook Is. Rd. Seabrook Is., SC 29455		 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0035			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery 1/4/19</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>	
1. Article Addressed to: Charles + Lisa Baker 14108 Phoenix Rd Phoenix, MD 21131		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0059			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Dr. Ipek Donovan Family Trust 444 Kenmont Ave Pittsburgh, PA 15228		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0066			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery 1-3-19</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Kersti + Charles Riehl 5611 Cedarlane Dr. Winston-Salem, NC 27106		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0073			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Peter + Patricia Brooke 2129 Loblolly Lane Seabrook Is., SC 29455		 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0080			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: James Bannum Trust Mary Ann Bannum Trust 2123 Loblolly Ln Seabrook Is., SC 29455		 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0103			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 17? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: SPOA 1202 Landfall Way Seabrook Is., SC 29455		 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7018 2290 0002 2810 0110			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540			



ATTACHMENT #17

Public Hearing Notice:
Post & Courier Legal Ad

TOWN OF SEABROOK ISLAND
2001 SEABROOK ISLAND RD
JOHNS ISLAND SC 29455

Attn: Joseph M. Cronin

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

01/02/19 Wed PC
01/02/19 Wed CNW

at a cost of **\$88.14**
Account# **108294**
Order# **1756338**
P.O. Number:

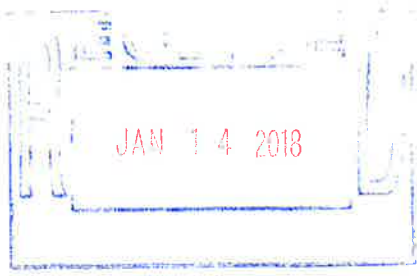
Subscribed and sworn to before me this 3rd day of January A.D. 2019

Alexis B...
advertising clerk



[Signature]
NOTARY PUBLIC, SC
My commission expires

TOWN OF SEABROOK ISLAND, SC NOTICE OF PUBLIC HEARING
The Town of Seabrook Island Board of Zoning Appeals will conduct a Public Hearing at 2:30 pm on Tuesday, January 29, 2019, at Seabrook Island Town Hall (2001 Seabrook Island Road). During the meeting, the board will consider the following request for variance from the Development Standards Ordinance for the Town of Seabrook Island:
Application # 158
APPLICANT:
Stephanie & Raymond Hamilton
LOCATION:
2959 Seabrook Island Road
TAX MAP #: 149-10-00-036 (LT 12-B, BLK 42)
ZONING DISTRICT: SR Single-Family Residential
VARIANCE(S) REQUESTED: To exceed the 36-foot maximum height requirement for a single-family residential structure by 1.2 feet (\$ 7.90.20)
The meeting will be open to the public. Documents relating to the variance request may be viewed at Town Hall during regular business hours. For more information, please call (843) 768-9121.
AD# 1756338





ATTACHMENT #18

Public Hearing Notice:
Property Posting



NOTICE
Board of Zoning Appeals Hearing

The Board of Zoning Appeals of the Town of Seabrook Island, SC will hold a public hearing at 2:30 PM on 1/28/19 at Town Hall

PUBLIC INVITED

Property Owner is seeking variance front Section 7.08 of the Zoning Ordinance

VARIANCE IS TO ALLOW Height of structure to exceed 36'
Above Base Flood Elevation (BFE) + 2' Freeboard (FB) by
1.2 feet (Max height = 37.2' above BFE+FB)

Documents related to this appeal may be viewed at the Town of Seabrook Town Hall

**THIS NOTICE SHALL NOT BE REMOVED OR DEFACTED
UNDER PENALTY OF LAW**



ATTACHMENT #19

Communication from License & Permit Specialist Lynda Stearns to Galloway Homes

TOWN OF SEABROOK ISLAND

2001 Seabrook Island Road • Seabrook Island, SC 29455
Phone: (843) 768-9121 • Fax: (843) 768-9830

Mayor:
Ronald J. Ciancio
Council:
Skip Crane
Jeri Finke
John W. Gregg
John B. Wells
Town Administrator:
Joseph M. Cronin
Clerk:
Faye Allbritton
Administrative Assistant:
Lynda Whitworth
Municipal Judge:
Dennis E. O'Neill

October 30, 2018

Galloway Family Homes
Mr. Clint Galloway
Post Office Box 1483
Irmo, SC 29063

Dear Mr. Galloway,

As a part of permitting for new construction, the construction plans must be provided digitally on a flash drive stick or a disk. The digital plans were not received for your project at 2959 Seabrook Island Road.

When the Seabrook Island zoning permit is issued a list of the required surveys is provided to the contractor after it is signed by the applicant. Those surveys include:

1. First Elevation Certificate
2. Foundation Survey
3. Certification of Height Survey (a Seabrook form that is provided to the contractor)
4. Final Elevation Certificate
5. As Built Survey

As of the date of this letter none of the surveys have been received. Understand that when a survey is received after the construction has proceeded and there is an encroachment of the setback or violation of the height restriction, construction will stop and the violation must be corrected immediately. The certificate of occupancy will not be released until the violation is corrected.

Considering your project started during the summer months it may be understandable the project was delayed and some of the surveys are not yet needed. If you feel that you have received this warning in error, please contact either Town Hall or Code Enforcement.

Sincerely,



Lynda Stearns
Permit and Business License Specialist

NEW CONSTRUCTION PERMIT REQUIREMENTS

Building Permit Time Limits – A building permit will be considered abandoned if construction is not begun within six (6) months after issuance or if construction is discontinued for a period of six (6) months. All building permits shall allow one year for construction from the date of issuance by Charleston County. (DSO Section 13.70.20)

Building Permit Extensions – The Zoning Administrator may grant a building permit extension for up to six (6) months as long as active construction is underway. All extensions must be requested from the Town at least thirty (30) days before the expiration of the permit. Town Council must approve an extension, beyond the six months. An extension request must be made in writing giving the reason for the delay and the amount of time required to finish the project, along with a fee of \$100. Remember that the contractor must have a final inspection, submit an As Built Survey to the Town and the Certificate of Completion must be issued by Charleston County to the Town before the expiration date of the permit. (DSO Section 13.70.20)

✓ *PLANS ON DISK!*

Foundation Survey – The Town must receive a survey performed by a SC Registered Land Surveyor for each new structure immediately upon completion of the foundation before any further construction can proceed. (DSO Section 13.70.3)

* *Under Construction Elevation Certificate*

Certification of Height of Structure – Construction of any structure shall not proceed beyond the establishment of the roof peak without certifying to the Zoning Administrator in writing by a certified surveyor the height of the roof peak above the FEMA flood level for the site. A form will be provided by the Town Hall for this submission. The Town must have the original, not a faxed copy.

If the height of a structure is not in conformance with the Town's ordinances, the peak height must be altered. If due to extenuating circumstances a contractor or owner wishes to place sheathing on the roof before a height survey has been completed, they may do so provided that the Zoning Administrator approves such action in writing. The Zoning Administrator's approval shall be subject to the following mandatory provisions:

- (1) The contractor and/or owner must certify that if the height of the roof exceeds that allowed, they will not attempt to seek a variance,
- (2) The contractor and/or owner will take immediate action to bring the height of the structure into compliance with the maximum height allowed by the Town.

(DSO Section 7.70.40)

* *Finished Construction Elevation Certificate*

As Built Survey – An As Built Survey must be furnished to the Zoning Administrator before the Certificate of Occupancy is issued, showing the location of all permanent improvements and changes (DSO Section 13.70.60)

Certificate of Occupancy – No new structure or addition to an existing structure may be used or occupied until a Certificate of Occupancy has been issued. A contractor shall be held liable for allowing a structure to be used or occupied before the CO is issued. (DSO Section 13.70.70)

Penalties and Fines – Any person violating the provisions of the Development Standards Ordinance shall be guilty of a misdemeanor and can be fined not more than \$500 for each day of violation. (DSO Section 18.20)

Development Standards Ordinance – The DSO contains the Town's ordinances for lot coverage, setbacks, permit requirements, etc. It is suggested that developers, contractors, architects, surveyors, etc., purchase a copy of the DSO to ensure that they are in compliance with these ordinances.

Received by: *C. E.*

Date: 3/22/2018

**The items listed above are not all the ordinance sections that apply to new construction. The contractor/homeowner should consult with the Town's Development Standards Ordinance to ensure compliance with all applicable ordinances.

Lynda Stearns

From: Lynda Stearns
Sent: Wednesday, December 5, 2018 11:36 AM
To: 'spencer@gallowayfamilyhomes.com'
Subject: Surveys Required
Attachments: 0391_001.pdf

Spencer,

I have included the letter I sent back in October, the Height Certification form and the acknowledgement of the surveys that are required.

Please remember, as the main builder, Galloway Family Homes is responsible for ALL contractors on the project, this includes sub contractors. The hiring of unlicensed sub contractors may result in the issuance of a municipal fine.

Please contact me or Tom Strehle, our Code Officer is you have any other questions.

Lynda

From: scanning@townofseabrookisland.org <scanning@townofseabrookisland.org>
Sent: Wednesday, December 5, 2018 11:22 AM
To: Lynda Stearns <Lstearns@townofseabrookisland.org>
Subject: Attached Image



ATTACHMENT #20

Communication from Zoning Administrator Joe Cronin
to Galloway Homes

Joe Cronin

From: Joe Cronin
Sent: Thursday, December 20, 2018 3:29 PM
To: Clint Galloway
Cc: Lynda Stearns
Subject: 2959 Seabrook Island Road
Attachments: 2959 Seabrook Island Road.pdf

Clint,

I tried calling but wasn't able to get through to you. We received a certificate of height form for 2959 Seabrook Island Road. The certificate lists the height of the roof peak as 39.2' above the FEMA Base Flood Elevation (BFE), which would be 37.2' above BFE + 2' Freeboard.

The approved plan set shows the highest point of the roof (excluding the chimney) as 37' 6.5" above the BFE, or 35' 6.5" above BFE + 2' Freeboard. The maximum allowable height per the DSO is 36' above BFE + 2' Freeboard, or 38' above BFE.

If the roof tops out at 39.2' above the BFE, then it is currently non-conforming. Can you please have your surveyor verify that the actual height from BFE to the top of the roof (excluding the chimney) is in fact 39.2'?

Joseph M. Cronin
Town Administrator
Town of Seabrook Island
2001 Seabrook Island Road
Seabrook Island, SC 29455
Office: (843) 768-5321
Cell: (843) 637-9832
www.townofseabrookisland.org

Joe Cronin

From: Joe Cronin
Sent: Thursday, December 27, 2018 11:55 AM
To: Clint Galloway
Subject: Height Ordinance

Clint,

I had a chance to further review the town code, as well as previous history with non-conforming construction errors. Unfortunately, I have come to the conclusion that there is no administrative "wiggle room" regarding the non-conforming height at 2959 Seabrook Island Road.

§ 13.70.60.20. of the DSO, which allows for administrative discretion in the case of "Building Errors," applies only to "yards" (ie. setback) requirements.

At this time, I see only two options:

- 1) Revise the roof to bring it into conformity with the maximum height requirement; or
- 2) Apply for a variance from the Board of Zoning Appeals.

Joseph M. Cronin
Town Administrator
Town of Seabrook Island
2001 Seabrook Island Road
Seabrook Island, SC 29455
Office: (843) 768-5321
Cell: (843) 637-9832
www.townofseabrookisland.org



ATTACHMENT #21

Communication between
BOZA Chairman Walter Sewell,
Zoning Administrator Joe Cronin &
SIPOA ARC Administrator Katrina Burrell

Joe Cronin

From: Katrina Burrell <kburrell@sipoa.org>
Sent: Wednesday, January 23, 2019 11:24 AM
To: Joe Cronin; Heather Paton
Cc: Walter Sewell
Subject: RE: Variance #158

I am planning on attending and I will have some documentation to share with you and the Committee prior to the hearing.

At some point during the review process, the ARC Committee may have mentioned increasing the height of the slab due to drainage, etc., but that was never a requirement and was not included as conditions in any of the review process approvals. As such, the permitting plans that were stamped and approved indicate the ARC approved height of the slab, the first floor and the roof ridge were all at a lower elevation than is shown on the elevation certificate as the existing heights.

~Katrina

Katrina Burrell, CMCA, AMS
Architectural Review Administrator
Seabrook Island POA

1202 Landfall Way
Johns Island, SC 29455
843-768-0061
843-725-1560 Direct
843-768-4317 Fax



From: Joe Cronin <jcronin@townofseabrookisland.org>
Sent: Wednesday, January 23, 2019 11:19 AM
To: Heather Paton <hpaton@sipoa.org>; Katrina Burrell <kburrell@sipoa.org>
Cc: Walter Sewell <wsecondwind@yahoo.com>
Subject: FW: Variance #158

Heather & Katrina,

Chairman Sewell has asked if someone from SIPOA/ARC will be able to attend the Board of Zoning Appeals meeting on 01/22/2019 at 2:30 PM. In the height variance application for 2959 Seabrook Island Road, the applicants have stated that the pad height for the structure was increased at the request of the ARC due to drainage concerns. If one or both of you will be available to attend, it is likely that the Board will wish to hear information from SIPOA/ARC in regards to this variance request.

Joseph M. Cronin

Town Administrator
Town of Seabrook Island
2001 Seabrook Island Road
Seabrook Island, SC 29455
Office: (843) 768-5321
Cell: (843) 637-9832
www.townofseabrookisland.org

From: Walter Sewell <wsecondwind@yahoo.com>
Sent: Wednesday, January 23, 2019 10:26 AM
To: Joe Cronin <jcronin@townofseabrookisland.org>
Cc: Ava Kleinman <ava.kleinman@gmail.com>; Bob Leggett <rmlegg8@gmail.com>; John Fox <johnfox8624@gmail.com>; Richard Finkelstein <finkelstein@ameritech.net>
Subject: Variance #158

Joe,

I have finished going through all of the material that was furnished to each Board Member on Friday, January 18th and I can't find anything that shows the actual elevations of the various elements as compared to the design elevations for those elements. Maybe if I understood the various items on the ELEVATION CERTIFICATE and how to relate each to the Architect's Front Elevation drawing, I could figure it out but I haven't been able to do that.

What we do have is the explanation that was provided at the meeting on the 18th at which time we were told that the 1.2 feet of over height was solely attributable to the top surface of the foundation (concrete footing) being set 1.2 feet higher than designed and that this higher elevation was carried through further construction such that all succeeding elements were 1.2 feet higher than designed. As such, the cause of the over height would have been entirely in the footing and there was no cumulative effect from subsequent vertical elements.

A reading of the hand written responses on each of the items on Variance Application – Form 3, dated 12-27-18, does not say anything about the foundation that I can find. Rather, it makes vague statements about “drainage” and “water flow” among other things and then says the ARC “recommended increased pad” but does indicate whether that the role of the ARC was associated with the cause or the cure.

What was stated last Friday sounds plausible, what was provided with the application I find puzzling at best, but of greater concern is that the two explanations are totally different.

I believe that in reaching a decision in this matter, the Board needs to be confident that we have found what the facts were (are) and that our determination was based on those facts.

Given that much of the applicant's “case” is being attributed to the ARC, I believe that it is crucial that the ARC attend the hearing of Variance #158, hear the testimony provided by the applicant and be afforded the opportunity to present the ARC's position and respond to any questions that the Board might have in this matter.

Walter



ATTACHMENT #22-A

Height Certificates & Photos of Neighboring Properties:
2962 Seabrook Island Road (Lot 3, Block 38)
Built 2000



TOWN OF SEABROOK ISLAND

Certification of Height

(Must be completed by a registered, certified land surveyor)

TOWN'S DEVELOPMENT STANDARD ORDINANCE SECTION 6.100.0

construction of any structure shall not proceed beyond the establishment of the peak line during construction without first certifying to the Town Zoning Administrator in writing by a certified surveyor the height of said peak above the FEMA flood level for that site

PROPERTY LOCATION: Lot 3 Block 38

Street Address 2962 SEABROOK ISLAND RD.

TMS # 149 - 05 - 00 - 161

CONTRACTOR (TYPE OR PRINT) DENNIS PATE

PROPERTY OWNER (TYPE OR PRINT) Mc DERMOTT

SURVEYOR (TYPE OR PRINT) THOMAS V. BESSENT

ORIGINAL COPY OF THIS CERTIFICATION MUST BE FILED WITH THE
TOWN OF SEABROOK ISLAND (FAXED COPIES UNACCEPTABLE)

ZONE AB BASE FLOOD ELEVATION 13

HEIGHT OF PEAK ROOF ABOVE
FEMA BASE FLOOD ELEVATION IS 31.5
FEET

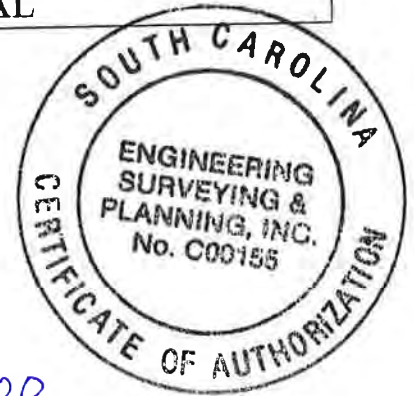
SURVEYORS STAMP AND SEAL



Thomas Besseant

SURVEYOR'S SIGNATURE

DATE 3/1/00



DOUG

CERT1 9/14/95



ATTACHMENT #22-B

Height Certificates & Photos of Neighboring Properties:
2960 Seabrook Island Road (Lot 4, Block 38)
Built 2000



GEOMETRIC SURVEYING CO., INC.

ELEVATION CERTIFICATE

Building Permit Number: _____ Date: 7/25/94

I, CHARLIE B. AYCOCK III, a professional surveyor of the State of South Carolina do hereby certify that levels were run from established Bench Marks in accordance with the "Minimum Standards Manual for the Practice of Land Surveying in South Carolina" and the following results were obtained for the structure located at LOT 4, BLOCK 42 SEABROOK ISLAND, S.C. TMS

For "V" Zone: The elevation of the lowest portion of the lowest horizontal floor structural member is N/A feet, N.G.V.D., 1929.

For "A" Zone: The elevation of the top of the ~~lowest floor~~ ROOF is 22.6 feet, N.G.V.D., 1929. ABOVE B.F.E.

The average grade at the building site is at an elevation of N/A feet, N.G.V.D., 1929.

Reference Bench Mark S.C.G.S. - NAD 29
Reference F.I.R.M. 455413 0440 G
Flood Zone A-8 Base Flood Elevation 13

The Flood Zone information shown hereon was obtained as follows: FROM FIRM

NOTE: N/A means not applicable.

Charlie B Aycock III
CHARLIE B. AYCOCK III, PLS
REG. NO. 9543





ATTACHMENT #22-C

Height Certificates & Photos of Neighboring Properties:
2958 Seabrook Island Road (Lot 5, Block 38)
Built 2008



TOWN OF SEABROOK ISLAND

CERTIFICATION OF HEIGHT

(Must be Completed by a Registered, Certified Land Surveyor)

Town of Seabrook Island Development Standards Ordinance
Section 13.70.40 Certification of Height of Structure
Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.

Lot: 5 Block: 38 TMS # 149 - 10 - 00-038

Street Address: 2958 SEABROOK ISLAND RD.

Contractor: ALDRICH, INC.

Property Owner: MR. & MRS. KINDLEY

Surveyor: GEOMETRIC SURVEYING CO., INC.

Flood Zone: AE Base Flood Elevation: 13

Height of Roof Peak Above FEMA Base Flood Elevation is 35.0
(Feet)

SURVEYOR'S STAMP AND SEAL



Charlie B. Aycock
Surveyor's Signature

March 25, 2008
Date

RP

The original copy of this certification must be filed with the Town of Seabrook Island. Faxed copies are unacceptable.



ATTACHMENT #22-D

Height Certificates & Photos of Neighboring Properties:
2956 Seabrook Island Road (Lot 6, Block 38)
Built 2000



TOWN OF SEABROOK ISLAND

Certification of Height

(Must be completed by a registered, certified land surveyor)

TOWN'S DEVELOPMENT STANDARD ORDINANCE SECTION 6.100.0

construction of any structure shall not proceed beyond the establishment of the peak line during construction without first certifying to the Town Zoning Administrator in writing by a certified surveyor the height of said peak above the FEMA flood level for that site

PROPERTY LOCATION: Lot 6 Block 38

Street Address 2956 SEABROOK ISLAND RD.

TMS # 149 - 10 - 00 - 039

CONTRACTOR (TYPE OR PRINT) DOLPHIN ARCHITECTS & BUILDERS

PROPERTY OWNER (TYPE OR PRINT) MR. & MRS. ROB TESTANI

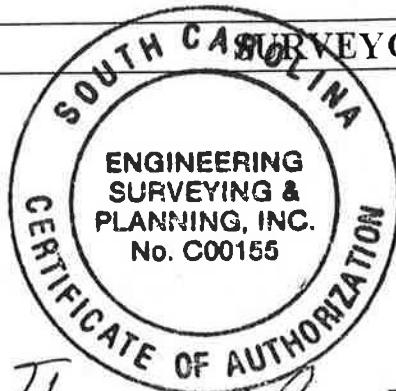
SURVEYOR (TYPE OR PRINT) THOMAS V. BESSENT

ORIGINAL COPY OF THIS CERTIFICATION MUST BE FILED WITH THE
TOWN OF SEABROOK ISLAND (FAXED COPIES UNACCEPTABLE)

ZONE A8 BASE FLOOD ELEVATION 12

HEIGHT OF PEAK ROOF ABOVE
FEMA BASE FLOOD ELEVATION IS 31.3
FEET

SURVEYORS STAMP AND SEAL



Thomas V. Besseant

SURVEYOR'S SIGNATURE

DATE 8/23/99

DOUG
CERT1 9/14/95



ATTACHMENT #22-E

Height Certificates & Photos of Neighboring Properties:
2963 Seabrook Island Road (Lot 12, Block 42)
Built 1988





ATTACHMENT #22-F

Height Certificates & Photos of Neighboring Properties:
2961 Seabrook Island Road (Lot 12-A, Block 42)
Built 2014



TOWN OF SEABROOK ISLAND

CERTIFICATION OF HEIGHT

(Must be Completed by a Registered, Certified Land Surveyor)

Town of Seabrook Island Development Standards Ordinance
Section 13.70.40 Certification of Height of Structure
 Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.

Lot: 12A Block: 42 TMS # 149-05-00-156
 Street Address: 2961 SEABROOK ISLAND RD.
 Contractor: JOHN GLYDER
 Property Owner: LONG ISLAND WEISS AGENCY
 Surveyor: PHILIP R. BRYAN, JR. (SCLPS #28597)
 Flood Zone: AE Base Flood Elevation: 13'
 Height of Roof Peak Above FEMA Base Flood Elevation is 31.55'
 (Feet)

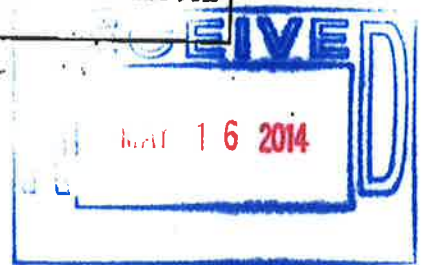
SURVEYOR'S STAMP AND SEAL



Philip R. Bryan Jr. Surveyor's Signature 5/15/14 Date

[Handwritten signature]

The original copy of this certification must be filed with the Town of Seabrook Island. Faxed copies are unacceptable.





ATTACHMENT #22-G

Height Certificates & Photos of Neighboring Properties:
2957 Seabrook Island Road (Lot 12-C, Block 42)
Built 2001



TOWN OF SEABROOK ISLAND

Certification of Height

(Must be completed by a registered, certified land surveyor)

TOWN'S DEVELOPMENT STANDARD ORDINANCE SECTION 6.100.0

construction of any structure shall not proceed beyond the establishment of the peak line during construction without first certifying to the Town Zoning Administrator in writing by a certified surveyor the height of said peak above the FEMA flood level for that site

PROPERTY LOCATION: Lot 12C Block 42

Street Address 2957 SEABROOK ISLAND RD.

TMS # _____

CONTRACTOR (TYPE OR PRINT) SURFSIDE

PROPERTY OWNER (TYPE OR PRINT) URBAN

SURVEYOR (TYPE OR PRINT) CHARLIE B. AYCOCK III

ORIGINAL COPY OF THIS CERTIFICATION MUST BE FILED WITH THE
TOWN OF SEABROOK ISLAND (FAXED COPIES UNACCEPTABLE)

ZONE A8 BASE FLOOD ELEVATION 12

HEIGHT OF PEAK ROOF ABOVE
FEMA BASE FLOOD ELEVATION IS 309
FEET

SURVEYORS STAMP AND SEAL



Charlie B. Aycock III DATE 5/31/2000
SURVEYOR'S SIGNATURE

DOUG
CERT 9/14/95



ATTACHMENT #22-H

Height Certificates & Photos of Neighboring Properties:
2955 Seabrook Island Road (Lot 12-D, Block 42)
Built 2017



TOWN OF SEABROOK ISLAND

CERTIFICATION OF HEIGHT

(Must be Completed by a Registered, Certified Land Surveyor)

Town of Seabrook Island Development Standards Ordinance
Section 13.70.40 Certification of Height of Structure
Construction of any structure shall not proceed beyond the establishment of the roof peak line during construction without certifying to the Zoning Administrator in writing by a certified surveyor the height of said roof peak above the FEMA flood level for that site.

Lot: 12 D Block: 42 TMS# 149 -10 -00-034

Street Address: 2955 SEABROOK ISLAND ROAD

Contractor: PALMER CONSTRUCTION CO.

Property Owner: HUNTER G. HARDWOOD

Surveyor: F. J. ANDERSON

Flood Zone: AE Base Flood Elevation: 12

Height of Roof Peak Above FEMA Base Flood Elevation is 33.4 (Feet)

SURVEYOR'S STAMP AND SEAL



Handwritten signature of F. J. Anderson over a horizontal line, with the text 'Surveyor's Signature' below it.

Handwritten date '4/20/17' over a horizontal line, with the text 'Date' below it.

The original copy of this certification must be filed with the Town of Seabrook Island. Faxed copies are unacceptable.



ATTACHMENT #23

Letter from Jean & Kevin Dunn (Jan. 08, 2019)

Joe Cronin

From: Jean Dunn <jeandunn100@bellsouth.net>
Sent: Tuesday, January 8, 2019 1:41 PM
To: Joe Cronin
Cc: 'Jean Dunn'
Subject: 2959 Seabrook Island Road - Variance

We received the public hearing notice regarding the requested variance for 2959 Seabrook Island Road. Since we will be out of town on the hearing date, we would like to submit these comments and questions:

1. According to the variance request, the SIPOA ARC recommended increasing the pod to mitigate drainage issues. Wasn't the maximum building height also discussed at that time? Why didn't the architect and builder know the maximum height?
2. Why wasn't this discovered earlier, before the house framing was completed? We live across the street and as the house was being built we thought the house seemed very high.
3. What recourse is available now that the house is framed?
4. How will the higher pod affect drainage onto the neighbors' properties and into the street? Will our street be flooded when there are heavy rains?

Thank you,
Jean and Kevin Dunn
2956 Seabrook Island Road



ATTACHMENT #24

Letter from Julie McCulloch (Jan. 22, 2019)

Joe Cronin

From: Julie McCulloch <juliemcculloch3075@gmail.com>
Sent: Tuesday, January 22, 2019 12:22 PM
To: Joe Cronin
Subject: Zoning Board Appeals Hearing 1/29/19: 2959 Seabrook Island Road

Dear Joe:

I'm writing to you on the above-matter as a Seabrook Island property owner, not in my capacity as SIPOA President. As I don't have the email addresses of the other Board members, I would ask that you route this communication to them.

It is my understanding that this property is coming before the Board at an upcoming meeting to request a Zoning Variance regarding the structure height. Specifically, to grant a variance to allow the height of the structure to exceed the 36' Base Flood Elevation (BFE) + 2' Free Board (FB) by 1.2'.

I strongly urge the Board to deny this variance request. This height requirement is well known to architects and contractors. It is a hard-and-fast number...in other words, not open to interpretation or "judgement." 36 feet is 36 feet!

When we were building our house a few years ago, we had to design our roof structure specifically to ensure that our home stayed within the height requirement. I also know of others who have built homes and were required to modify their roof design — during construction — to be within the height tolerance.

Granting this property a height variance would set an unfortunate precedent that will be hard to "undo" when future circumstances arise. In other words, property owners could say, "Hey, you approved 1.2'...mine's only 1' or 1.6'!" Where would it stop?

There is no reason why you should permit these property owners and their builder to circumvent rules that have been applied to every other property owner who has built/remodeled homes on this island.

Thank you for your consideration,

Julie McCulloch

Sent from Julie's iPad