TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting December 28, 2022 – 1:00 PM

Seabrook Island Town Hall, Council Chambers 2001 Seabrook Island Road Watch Live Stream (YouTube)

Submit a Written Comment: Individuals who wish to submit a comment in advance of the Public Hearing may do so in writing by 12:00 pm on the day prior to the meeting using one of the following options:

- Online: Variance 179
- Email: tnewman@townofseabrookisland.org
- Mail or Hand Deliver: 2001 Seabrook Island Road, Seabrook Island, SC 29455

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: September 6, 2022

PUBLIC HEARING ITEMS

1. Variance # 179

APPLICANT:	The Club at Seabrook Island
ADDRESS:	1701 Long Bend Drive
TAX MAP NUMBER:	149-01-00-001
ZONING DISTRICT:	RC (Recreation)
CODE SECTION(s):	§ 2.5.B.1.c, Fence Material
	§ 2.5.B.1.g, Fence Height



[Pages 7–50]

[*Pages* 3–6]

VARIANCE1) To allow the use of chain link material for the construction of
fencing associated with four proposed pickleball courts.

2) To allow the construction of 8' tall fences to surround four proposed pickleball courts.

ITEMS FOR INFORMATION / DISCUSSION

ADJOURN

TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting September 6, 2022



MINUTES

CALL TO ORDER

Present: Fox, Pickney, Williams Absent: Gorski, Leggett Staff Present: Zoning Administrator Newman, Town Clerk/Treasurer Watkins

The meeting was called to order at 9:30AM.

ELECTION OF CHAIR AND VICE CHAIR

Mr. Pickney moved to appoint John Fox as Chair of the Board of Zoning Appeals; Mr. Williams seconded. All voted in favor.

Mr. Fox was appointed Chair of the Board of Zoning Appeals.

Mr. Pickney moved to appoint Bob Leggett as Vice Chair of the Board of Zoning Appeals; Mr. Williams second. All voted in favor.

Mr. Leggett was appointed Vice Chair of the Board of Zoning Appeals.

APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: October 7th, 2021

Mr. Pickney noted some scrivener's errors for staff prior to posting. Ms. Watkins noted these errors will be corrected prior to posting the approved minutes.

Mr. Pickney moved to approve the previous meeting minutes of October 7th, 2021; Mr. Williams seconded. All voted in favor.

The previous meeting minutes of October 7th, 2021 were approved.

PUBLIC HEARING ITEMS

1. Variance #178

APPLICANT:

Bill Senst (Applicant) Frank Randazzo & Anna Moca (Owners) 2931 Deer Point Drive 149-14-00-024

ADDRESS: TAX MAP NUMBER:

ZONING DISTRICT:	R-SF2 (Residential Single Family)
CODE SECTION:	§ 10.5.A.1, Critical Area Setback
VARIANCE REQUEST:	1) To reduce the required 25' critical area setback to
	22'-5 ¼" to allow for a staircase and elevator.
	2) To reduce the required 25' critical area setback to
	15'-2 ¼" to allow for a first-floor open deck, outdoor
	shower, and HVAC stand.

Zoning Administrator Newman presented the request made by Bill Senst, Frank Randazzo, and Anna Moca at 2931 Deer Point Drive for the following:

1) To reduce the required 25' critical area setback to 22'-5 ¼" to allow for a staircase and elevator. 2) To reduce the required 25' critical area setback to 15'-2 ¼" to allow for a first-floor open deck, outdoor shower, and HVAC stand.

Mr. Senst, applicant, summarized the request for the variance in two separate sections (stairs & open setback) and would like clarification on the open space rear requirements are within the new Development Standards Ordinance (DSO).

The Board clarified the square footage of the home.

Ms. Moca, owner, commented on the variance as the owner and would like to comply with the regulations of Seabrook Island.

Zoning Administrator Newman clarified the open setback encroachments to the open deck with regards to the current DSO as of July 1, 2022, and the previous DSO, and the definition of open space within the DSO.

Mr. Randazzo, owner, noted to the board that he is handicaped which is the need for the encroachment into the critical area with regards to the staircase and elevator. Mr. Randazzo added the open deck will add to the character of the home and fit within the character of the neighborhood.

The Board discussed with the applicant the type of disability the applicant has.

The Board discussed where the elevator and staircase are proposed on the property and how far it is from the garage.

Zoning Administrator Newman reviewed the review criteria the Board should consider when voting on the variance according to State Law and the new DSO.

Katrina Burrell, Director of Administration & Architectural Review at the Seabrook Island Property Owners Association (SIPOA), summarized the review process by SIPOA and added they reviewed the proposed variance and noted the applicants and owners would not need another review by SIPOA if the variance is approved.

The Board clarified the decks and which ones are open vs. covered.

Ms. Moca described the location of the lot with regards to Marsh Gate and how the proposal will go with the aesthetics of the community.

The Board discussed some of the public comments received from Old Forrest Road and asked the applicants if they discussed the variance with the neighboring properties.

Joan Carney, 2938 Deer Point Drive, questioned the type of materials being used under the proposed two decks. Mr. Senst clarified that the material that will be used will be pervious materials.

Leo Marien, 2927 Deer Point Drive, noted the owners that have requested the variance have not discussed what has been proposed, and summarized the photos he submitted for the board to consider.

The Board clarified the encroachment area and asked Zoning Administrator if this will add to water issues as described by the neighboring properties. Zoning Administrator Newman noted what staff takes into consideration when reviewing a variance.

Zoning Administrator Newman noted the section of the DSO with regards to the Town's regulations for the elevator.

Mr. Fox commented in approval on the request by the criterion set by State Law as follows:

- The proposed variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by granting the variance.
- There are extraordinary and exceptional conditions to the property.
- The conditions do not generally apply to other properties in the vicinity
- The application of the ordinance to the property would effectively prohibit or unreasonably restrict the utilization of the property.

The Board discussed the criterion as set by State Law to see if the variance falls into the categories as specified by Mr. Fox.

John Lassiter, 2928 Deer Point Dr, clarified when he met with the applicants and the applicants did not attempt to discuss the proposal with the neighbors. Mr. Lassiter commented on the location on the placement of the elevator and discussions had with Zoning Administrator Newman. Mr. Lassiter further commented on the vacant lots on the street and the water levels along Deer Point Drive.

The Board had a discussion with Mr. Lassiter with regards to his comments.

Joan Carney clarified what the next steps of the variance process if this approved. Zoning Administrator Newman summarized the required steps if the variance is approved.

Mr. Senst responded to comments made by the audience and by members of the board.

Mr. Pickney moved to approve the variance; Mr. Williams seconded. All voted in favor.

The variance was approved.

Zoning Administrator Newman reviewed how the variance request is applicable to the criterion according to State Law and the new DSO, and the additional criterion as staff recommended.

Mr. Pickney moved to approve with the criteria with regards to staff recommendations and the State

criteria as noted by Mr. Fox previously in the meeting; Mr. Williams seconded. All voted in favor.

The criteria to the variance were approved.

ITEMS FOR INFORMATION / DISCUSSION

1. Discussion of staff proposal to have regularly scheduled Board of Zoning Appeals meeting dates.

Zoning Administrator Newman noted with the new regulations of the DSO and proposed having a set meeting date on the 4th Wednesday of every month.

Mr. Pickney prior to leaving at 11:00AM that he was in favor of having a set meeting date.

Mr. Fox noted the previous procedures for the Board of Zoning Appeals with a second meeting with a site visit. Zoning Administrator Newman noted the process moving forward.

ADJOURN

Mr. Fox adjourned the meeting at 11:01AM.

Date: December 14th, 2022

Prepared by: *Katharine E. Watkins* Town Clerk/Treasurer



MEMORANDUM

TO:	Town of Seabrook Island Board of Zoning Appeals Members
FROM:	Tyler Newman, Zoning Administrator
SUBJECT:	Variance Application # 179 – 1701 Long Bend Drive
MEETING DATE:	December 28, 2022

Variance Application #1	79
Applicant:	The Club at Seabrook Island (owner)
Location:	1701 Long Bend Drive
Tax Map Number:	149-01-00-001
Zoning District:	RC (Recreation)
Code Section:	§ 2.5.B.1.c, Fence Material § 2.5.B.1.g, Fence Height
Purpose:	 To allow the use of chain link material for the construction of fencing associated with four proposed pickleball courts. To allow the construction of 8' tall fences to surround four proposed pickleball courts.

Overview

The town has received a variance application (variance #179) from The Club at Seabrook Island (the "Applicant"). The Applicant is requesting two variances related to fence height and material in association with the construction of four new pickleball courts at the Seabrook Island Racquet Club located at 1701 Long Bend Drive.

On August 30, 2022, the town received a zoning permit application (permit #19287) for "Phase 1B Improvements" at the Seabrook Island Racquet Club which included construction of four pickleball courts, two bocce ball courts, concrete sidewalks, a fire pit area with seating, and associated landscape and irrigation. While reviewing the submittal, on August 31, 2022, the town's Zoning Administrator noted that the proposed 8' tall chain link fencing associated with the proposed pickleball courts was in violation of the Development Standards Ordinance (DSO) requirements related to fence height and material.

DSO § 2.5.B.1.c states, "Fences must be made of stucco, cypress, pressure-treated wood, wood composite, iron, powder coated aluminum, or similar materials. Barbed wire, concertina wire, razor wire, chain link, poultry wire and vinyl are strictly prohibited.". Additionally, DSO § 2.5.B.1.g states, "No wall or fence shall be taller than six (6) feet in height, measured from the finished elevation at its base to the highest point of the wall or fence.".

The property is currently zoned RC, Recreation, and open-air recreation is an approved conditional use. Per DSO § 9.4.1.1 the condition associated with an unlighted athletic court is that

"unlighted athletic courts shall provide a level "B" buffer adjacent to any residential zoning boundary". It should be noted that this condition is not applicable to the approval in question because the proposed pickleball courts are not directly adjacent to a residential zoning district boundary therefore the buffer isn't required.

Based on the site plan submitted with the variance application, the proposed pickleball courts and associated improvements will comply with the 20' front setback from Seabrook Island Road and Long Bend Drive. Per the Applicant's parking summary, the addition of the four pickleball courts and two bocce ball courts will not result in the need for any additional parking on site. Additionally, based on the plans provided with the submittal the Applicant is not proposing to remove any grand or heritage trees and the tree protection details outlined in the plans meet DSO requirements. Furthermore, there are no lot coverage requirements in the RC zoning district (*See Attachment 4, Plans*).

To allow for construction of the proposed 8' tall chain link fencing surrounding the four proposed pickleball courts, the Applicant is requesting the following variances from the requirements of the DSO:

ТҮРЕ	REQUIRED PER DSO	VARIANCE (REQUESTED)		
Fence Material	Fences must be made of stucco, cypress, pressure- treated wood, wood composite, iron, powder coated aluminum, or similar materials. Barbed wire, concertina wire, razor wire, chain link, poultry wire and vinyl are strictly prohibited (§ 2.5.B.1.c)	Allow the use of chain link material for the construction of fencing associated with four proposed pickleball courts		
Fence Height	No wall or fence shall be taller than six (6) feet in height, measured from the finished elevation at its base to the highest point of the wall or fence (§ 2.5.B.1.g)	Allow the construction of 8' tall fences to surround four proposed pickleball courts		

In their application, the Applicant is requesting relief from the DSO requirements related to fence height and material for the following reasons (*See Attachment 1, Variance Application*):

- a) The property is the only racquet sports facility for the Club of Seabrook Island. Currently there are 15 tennis courts and two pickleball courts which each have 10' tall black vinyl chain link fencing and black wind screens. Additionally, the tennis and pickleball industries recommend fence height for tennis and pickleball courts of 10' or 12', with 10' being the most common height. The applicant also notes that chain link fencing allows for air flow across all courts.
- b) There are no other properties in the vicinity of the subject property that have court facilities like those located at the Seabrook Island Racquet Club.
- c) The application of the maximum fence height of 6' and the inability to use chain link fence material with screens would unreasonably restrict the Applicant's ability to construct the courts to pickleball industry standards.
- d) The addition of the courts to the Racquet Club will not be a detriment to adjacent property owners as the proposed improvements match the existing property use and add opportunities for increased member activity.
- e) The adoption of the current Development Standards Ordinance by the Town of Seabrook Island, which does not address the height or materiality of pickleball & tennis industry standards, limits the ability of the Racquet Club to construct additional courts that meet industry standards. This hardship was not created by the Racquet Club.
- f) A variance for the height and material of the fence will not allow the property to be used more profitably but will allow the Racquet Club to provide additional facilities to members.

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 site layout as shown on the site-specific plan prepared by the Applicant and reviewed by the Board on December 28, 2022. 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 Applicant shall prepare and submit to the Zoning Administrator an as-built survey prior to the issuance of a Certificate of Occupancy (or within 30 days of passing the final inspection if no Certificate of Occupancy is required). The as-built survey shall be prepared and stamped by a professional land surveyor who is qualified to perform such services in the State of South Carolina.

Respectfully submitted,

5h

Tyler Newman 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:

1	Variance Application	р. 13 - 16
2	Aerial Image	p. 17
3	Property Zoning Report & Dimensional Requirements	р. 18
4	Plans	p. 19 - 33
5	Site Photos	p. 34 - 42
6	Public Hearing Notice – Letter to Neighboring Property Owners	p. 43
7	Public Hearing Notice – Post & Courier Legal Ad	p. 44 - 46
8	Public Hearing Notice – Property Posting	p. 47
9	Public Hearing Notice – List of Neighboring Properties	p. 48
10	Public Hearing Notice – List of Property Management Companies	р. 49
11	Public Comment	р. 50



TOWN OF SEABROOK ISLAND

2001 Seabrook Island Road Seabrook Island, SC 29455 (843) 768-9121

APPLICATION FOR VARIANCE Board of Zoning Appeals

Any applicant seeking a variance from the zoning requirements of the Town of Seabrook Island's Development Standards Ordinance (hereafter, the "DSO") must submit a written application, along with a \$300.00 application fee and all required supplemental information. Applications must be typed or written legibly in ink. Please attach an additional sheet of paper if more space is needed. If you need assistance filling out this application form, please contact the Zoning Administrator by phone at (843) 768-9121 or by email at tnewman@townofseabrookisland.org.

1. PROPERTY INFORMATIO	N					
Please provide information	regarding the prope	erty which is subject to the variance	request.			
Property Address	1701 Long Bend Driv	/e				**********************
Tax Map Number	1490100001	Block	Lo	ot	~~~~~~~	*******
Lot Size (Square Feet)	6.88 Ac				*****************	
Is this property subject to a	n OCRM critical line	? (eg. Marsh or Beachfront Lots)		Yes	\checkmark	No
Is this property subject to p	rivate restrictions or	r covenants? (eg. SIPOA or regime)		Yes	1	No

2. APPLICANT(S)

	And a start when a start of the start of t
Please provide information	regarding the individual(s) who is (are) submitting the variance request.
Applicant Name(s)	John Fitzpatrick
Applicant Address	2890 Seabrook Island Road
Applicant Phone Number	620-762-3489
Applicant Email Address	jfitzpatrick@seabrookisland.com
If the Applicant is <u>NOT</u> an o	Head of Engineering
is the relationship to the Pr	operty Owner(s)?

3. PROPERTY OWNER(S)					
If the Applicant(s) is (are) N	<u>IOT</u> the property owner(s), please provide information fo	r the property	owner(s).		
Owner Name(s)	The Club at Seabrook Island				
Owner Mailing Address	1002 Landfall Way				
Owner Phone Number	843-768-2500				
Owner Email Address	mlaskowitz@seabrookisland.com				
	<u>uired if the Applicant(s) is(are) NOT a Property Owner)</u> : I Applicant(s) as my (our) agent(s) to represent me (us) in t	the second second second second second second	· · · · · · · · · · · · · · · · · · ·		
Owner Signature(s)	Jan Silli	Date	11/9/22		
	U TRESIDENT, SEABROOK ISLAND CLUB	Date			

4. CERTIFICATION Under penalty of perjury, I (we) hereby certify that the in supplemental materials, is true and accurate to the best of	그는 것은 사람들이 하는 것은 것을 하는 것을 다 많은 것을 많이 많다. 것은 것은 것은 것은 것은 것을 것을 못했다. 것은 것은 것을 가지 않는 것을 하는 것은 것을 하는 것을 가 있다. 것은 것을 것을 하는 것은 것을 못했다. 것은 것을 하는 것을 수 있다. 것을 하는 것을 하는 것을 하는 것을 하는 것을 하는 것을 수 있다. 것은 것을 하는 것을 하는 것을 수 있다. 것은 것을 하는 것을 수 있다. 것은 것을 하는 것을 수 있다. 것은 것을 하는 것은 것을 하는 것을 수 있다. 것은 것을 하는 것을 수 있다. 것은 것을 수 있다. 것은 것을 하는 것을 수 있다. 것은 것을 수 있다. 것은 것을 수 있다. 것은 것을 수 있다. 것은 것을 수 있다. 것을 수 있다. 것은 것을 하는 것은 것을 수 있다. 것을 수 있다. 것은 것은 것을 수 있다. 것은 것을 것을 수 있다. 것은 것은 것을 것을 수 있다. 것은 것을 수 있다. 것은 것을 수 있다. 것은 것을 수 있다. 것은 것을 것을 수 있다. 것은 것을 것은 것을 수 있다. 것은 것을 것은 것을 수 있다. 것은 것을 것을 수 있다. 것은 것을 것을 것을 수 있다. 것은 것을 것을 것을 수 있다. 것은 것을 것을 것을 것을 것을 것을 수 있다. 것은 것을
	Date
Applicant Signature(S)	Date
Applicant Signature(s)	Date

OFFICE USE ONLY	
Date Filed: Variance Application #: He	earing Date:

5. VARIANCE REQUEST

A. Please provide a brief description of the proposed scope of work:

Construction of 4 pickleball courts, two bocce ball courts, concrete sidewalks, fire pit area with seating, associated landscape and irrigation

- B. In order to complete the proposed scope of work, the Applicant(s) is (are) requesting a variance from the following requirement(s) of the town's DSO:
 - 1) DSO Section Reference(s):

2.5.B.1.c. and 2.5.B.1.g.

2) DSO Requirement(s):

2.5.B.1.c. - Chain link fence is prohibited 2.5.B.1.g. - Fence shall be no taller than 6'

- C. The application of the zoning requirements of the town's DSO will result in unnecessary hardship, and the standards for a variance set by State Law and the DSO are met by the following facts:
 - 1) There are extraordinary and exceptional conditions pertaining to this particular piece of property as follows:

The property is the only racquet sports facility for the Club of Seabrook Island. Currently, 15 tennis courts and 2 pickleball courts have 10' tall black vinyl chain-link fence and black wind screens.

The tennis and pickleball industries recommend fence height for tennis and pickleball courts is **10' or 12'**, with 10' high being the most common height.

Chain link fence allows for air flow across the court. The black screen lessens the visibility of the chain link and allows for adequate ball visibility.

2) These conditions do not generally apply to other property in the vicinity as shown by:

There is no other property in the vicinity with these existing court facilities.

3) Because of these conditions, the application of the zoning requirements to this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

The application of a maximum fence height of four feet and inability to use chain link fence with screens would unreasonably restrict the property's courts to be constructed to tennis and pickleball industry standards.

4) 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 addition of courts to the Racquet Club will not be a detriment to adjacent property owners as the proposed improvement match the existing property use and add opportunities for increased member activity.

The owner shall not be entitled to relief from a self -created or self-inflicted hardship. A claim of unnecessary hardship shall not be based on conditions created by the owner.

The adoption of the current DSO by the Town of Seabrook Island, which does not address the height or materiality of industry standards, limits the ability of the owner to add additional courts to meet those industry standards. This hardship was not created by the owner.

4) The fact that the property may be used more profitably, if a VARIANCE is granted, may not be considered grounds for a VARIANCE.

A variance for the height and material of the fence will not allow the property to be used more profitably but will allow the Club to provide additional facilities to existing members.

6. APPLICATION MATERIALS

In addition to the completed Variance Application Form, all requests for variance must be accompanied by the supplemental materials listed below. An application is not considered "complete" until all required documentation has been received by the Zoning Administrator. Below is a checklist of the required materials:

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Completed & Signed Variance Application Form (Paper Required; PDF Optional)

• Please submit one *completed* paper application. All signatures must be original.

- \$300.00 Application Fee
 - The application fee may be paid by cash or check only.

As-Built Survey / Survey of Existing Conditions (Paper Required; PDF Optional)

• All applications must be accompanied by an as-built survey which accurately illustrates the existing conditions on the property, including setback measurements for all structures.

Proposed Site Plan (Paper & PDF Required)

- Required for all new structures and/or exterior modifications which will change the footprint of one or more existing structures.
- For lots abutting a marsh or beachfront jurisdictional line, the location of the critical line must be certified by OCRM within the previous five (5) years.

Scaled Architectural Drawings: (Paper & PDF Required)

- Required for all new structures and/or exterior modifications to existing structures.
- Architectural drawings must show, at a minimum:
 - A detailed floor plan or plan view; and
 - Front, side and rear elevations, as appropriate.

Letter of Approval from Property Owners Association and/or Regime: (Paper Required; PDF Optional)

- Required for all properties which are subject to private restrictions and/or covenants.
- If approval is pending, please attach a Letter of Acknowledgement from the POA and/or Regime.

Letters of support, petitions, photographs, and any other documentation which an Applicant feels may support his or her request may be attached but are not required. (Paper & Digital Files Optional)

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.



Town of Seabrook Island

Property Zoning Report

13 Dec 2022



Parcels

Parcel ID:
Owner:
Owner Street Address:
Owner City State ZIP Code:
Parcel Street Address:

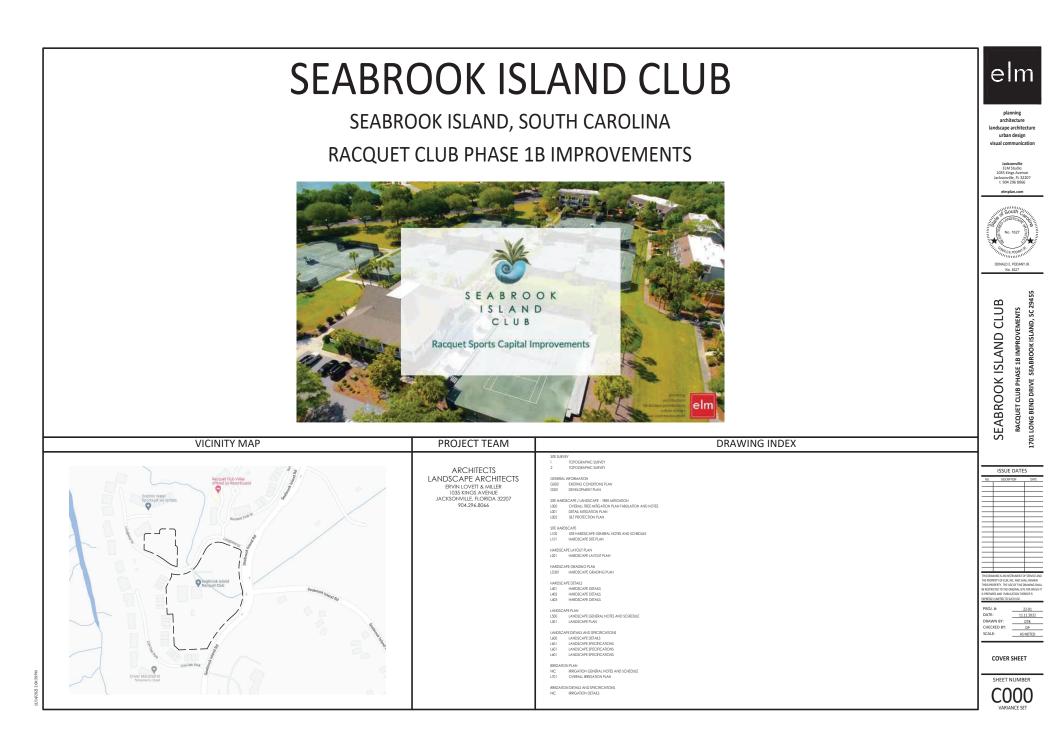
1490100001 THE CLUB AT SEABROOK ISLAND 1002 LANDFALL WAY SEABROOK ISLAND , SC 29455 1701 LONG BEND DR

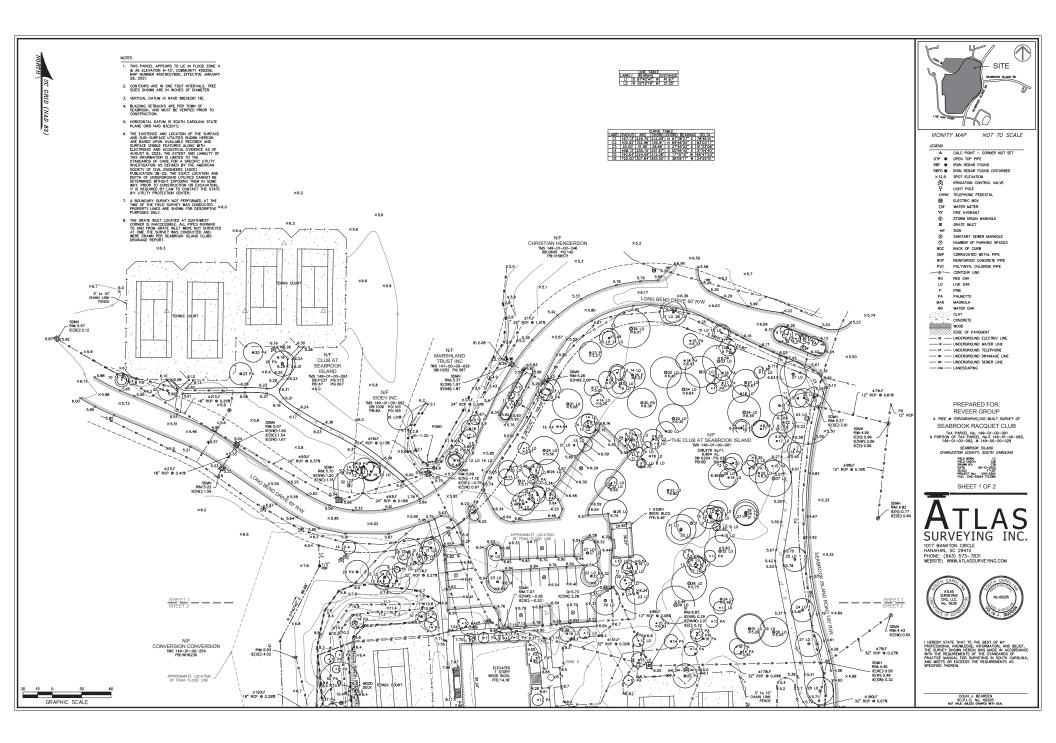
Zoning

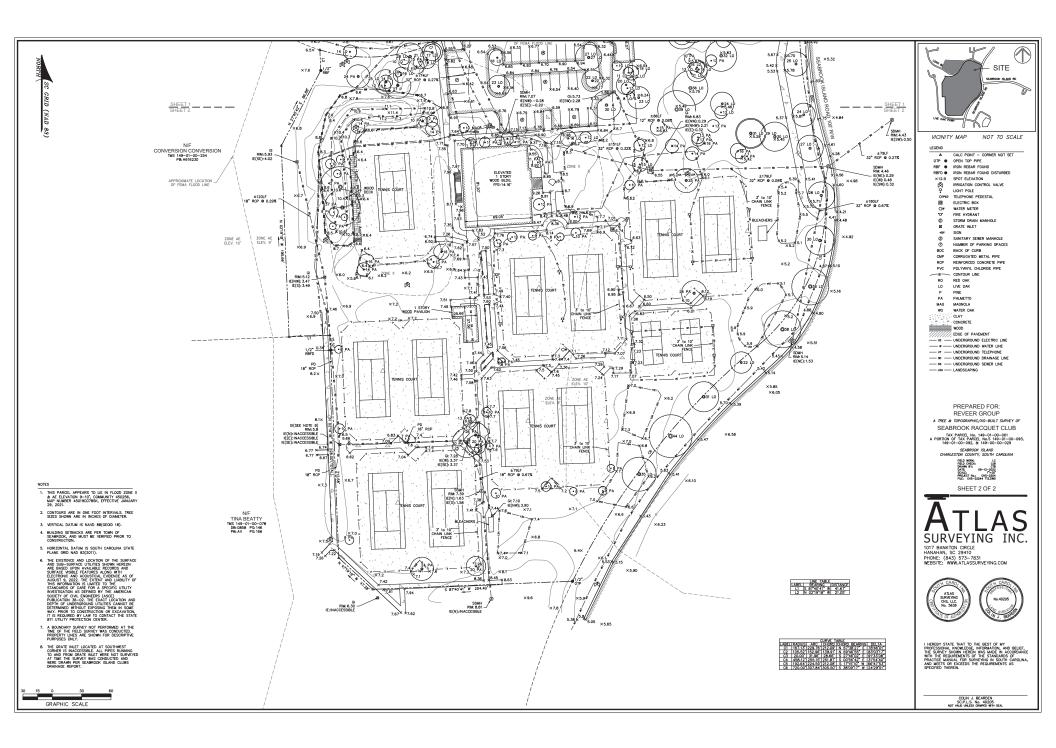
CountZoning Code and Description1.1RC - Recreation

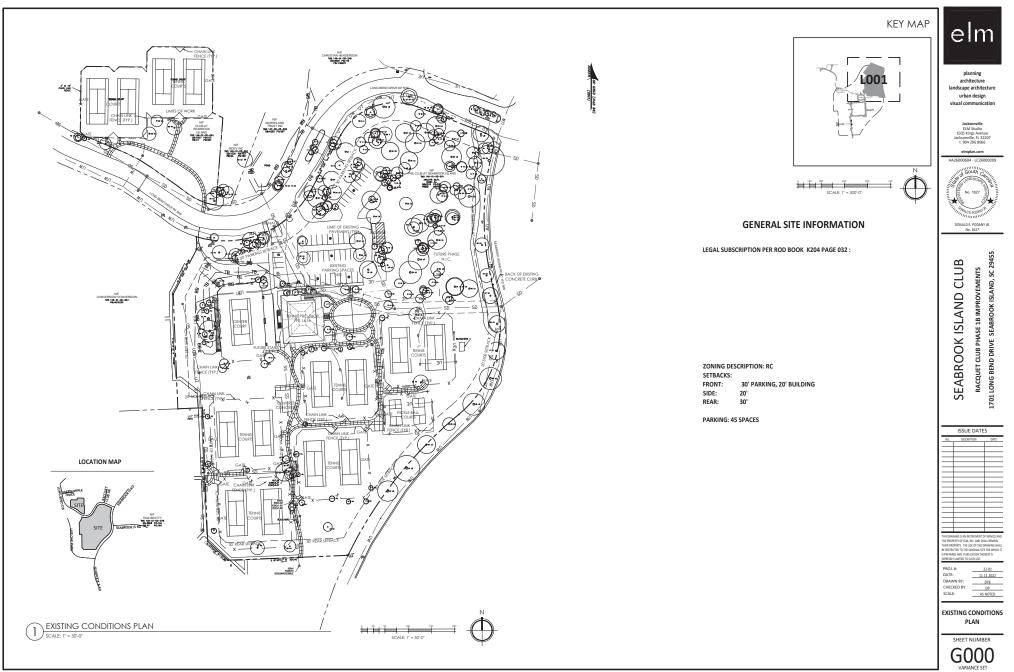
Overlapping Quantities 288,587.55sf (6.63acres)

Table 4-3a. Dimensional Requirements, Conservation/Recreation Districts											
	Maximum	Minimum Yard SETBACKs (ft.)									
Zoning District	BUILDING HEIGHT	Fr	ont	Side	Rear						
	(ft./stories)	Parking	BUILDING	Side	Rear						
СР	36	50	50	30	50						
	No max. for farm										
AGR	buildings; 36 for all	100	100	50	50						
	other uses										
RC	36	30	20	20	30						
CSC	36	30⁵	30 ⁵	5	5						

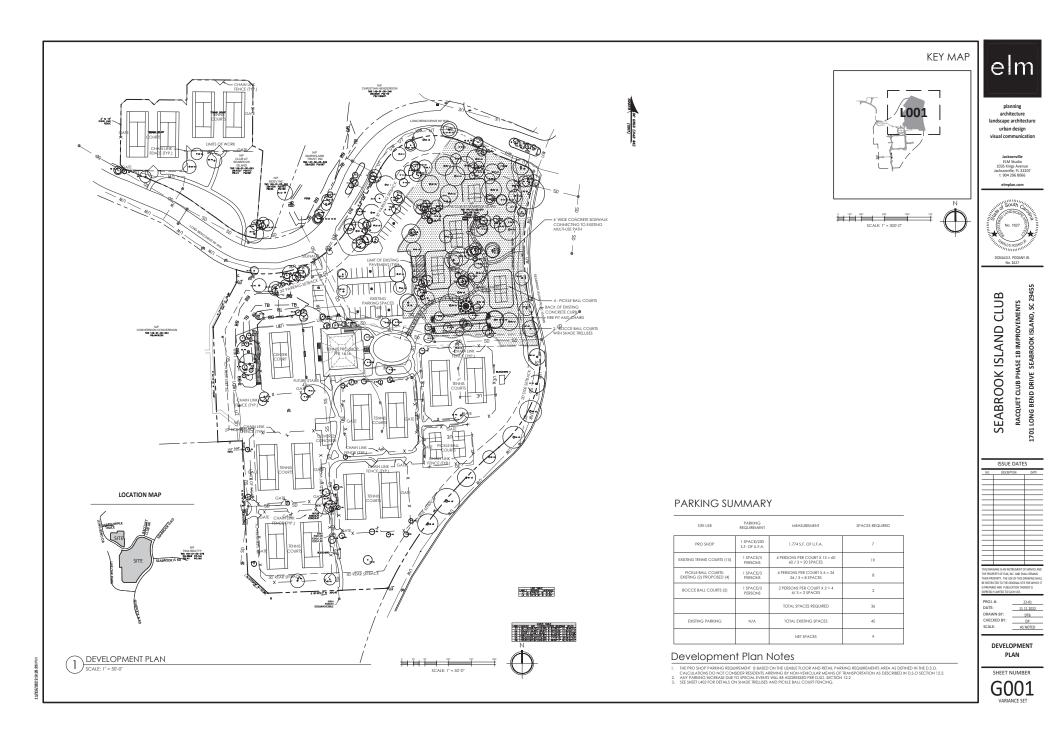


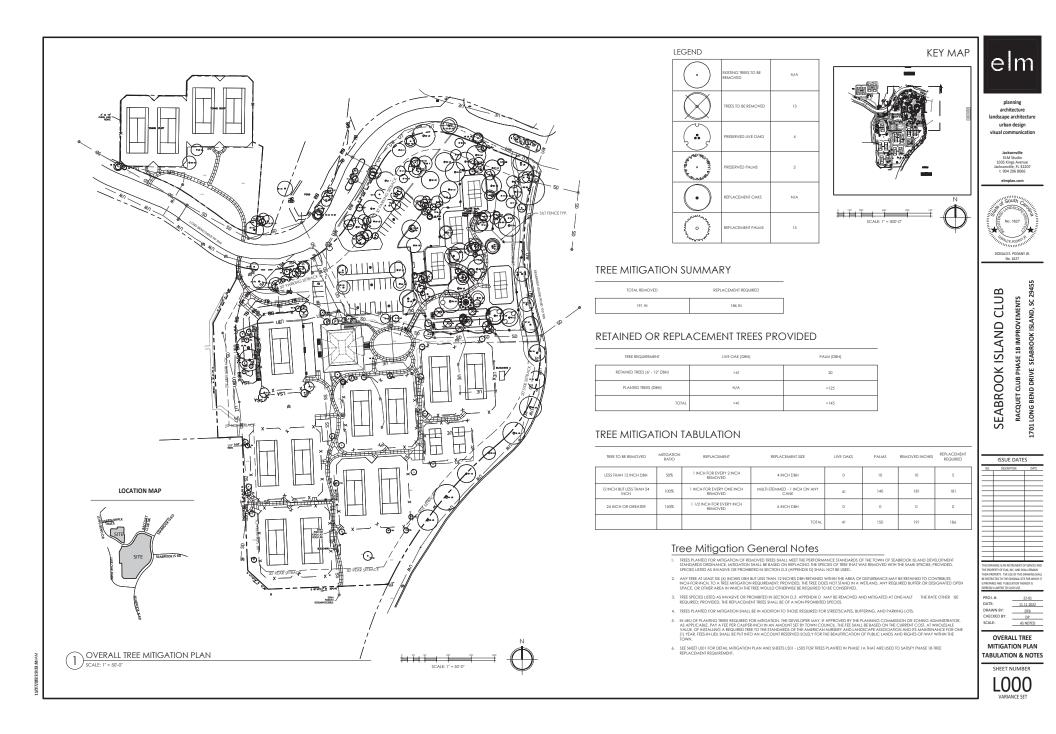


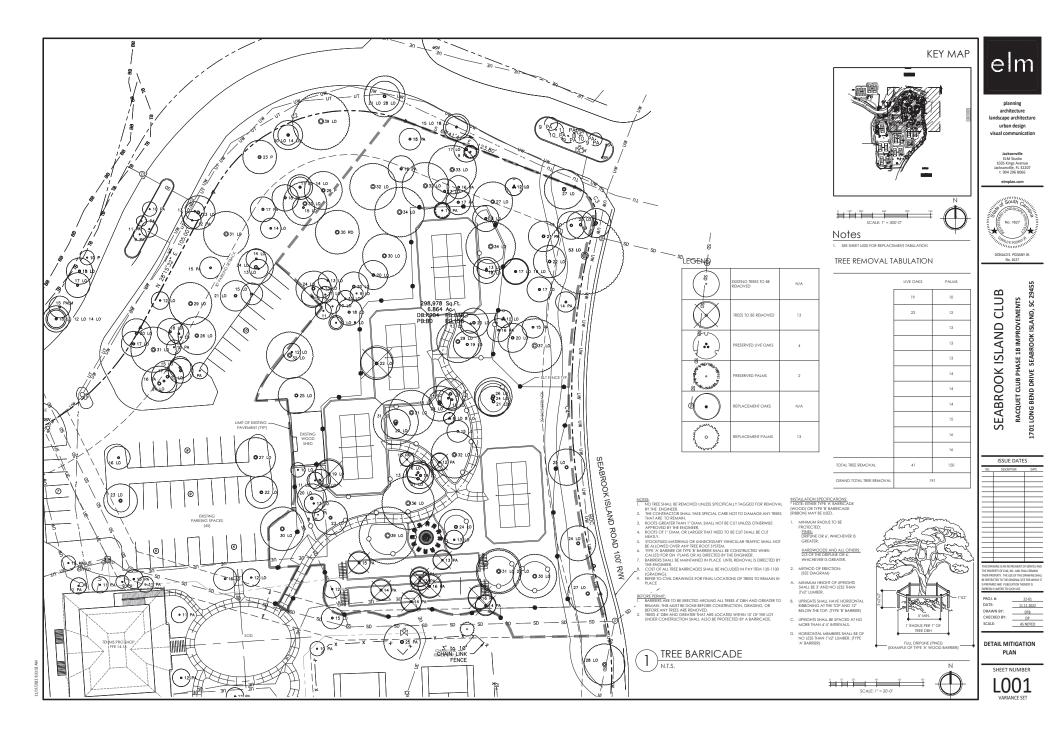


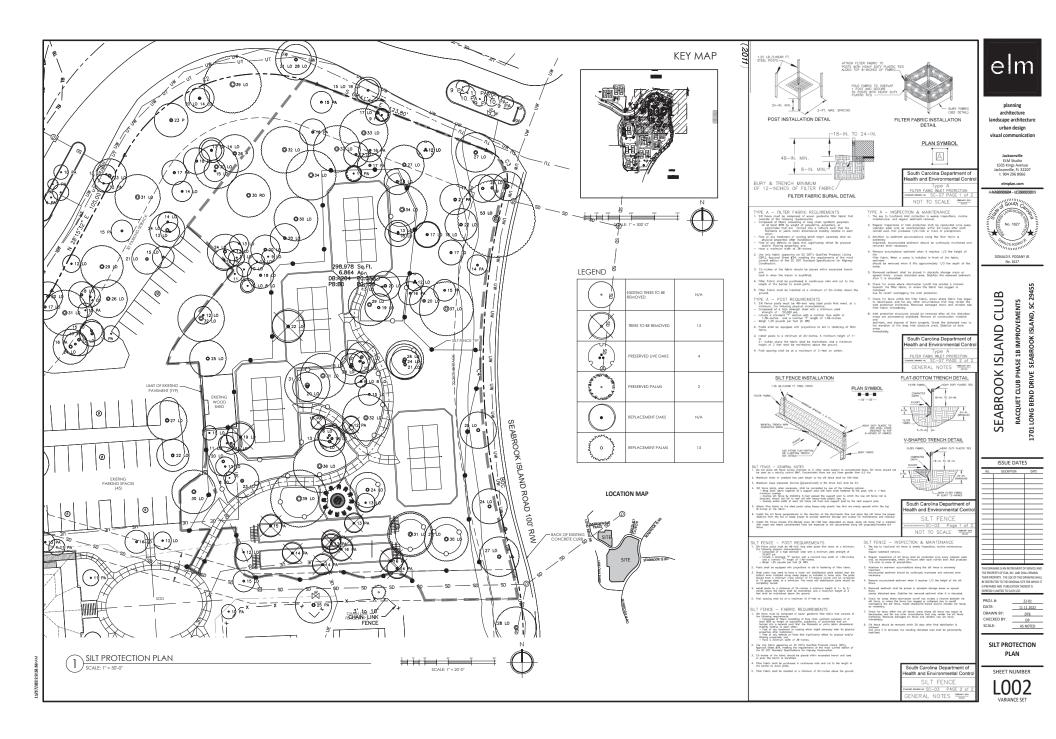


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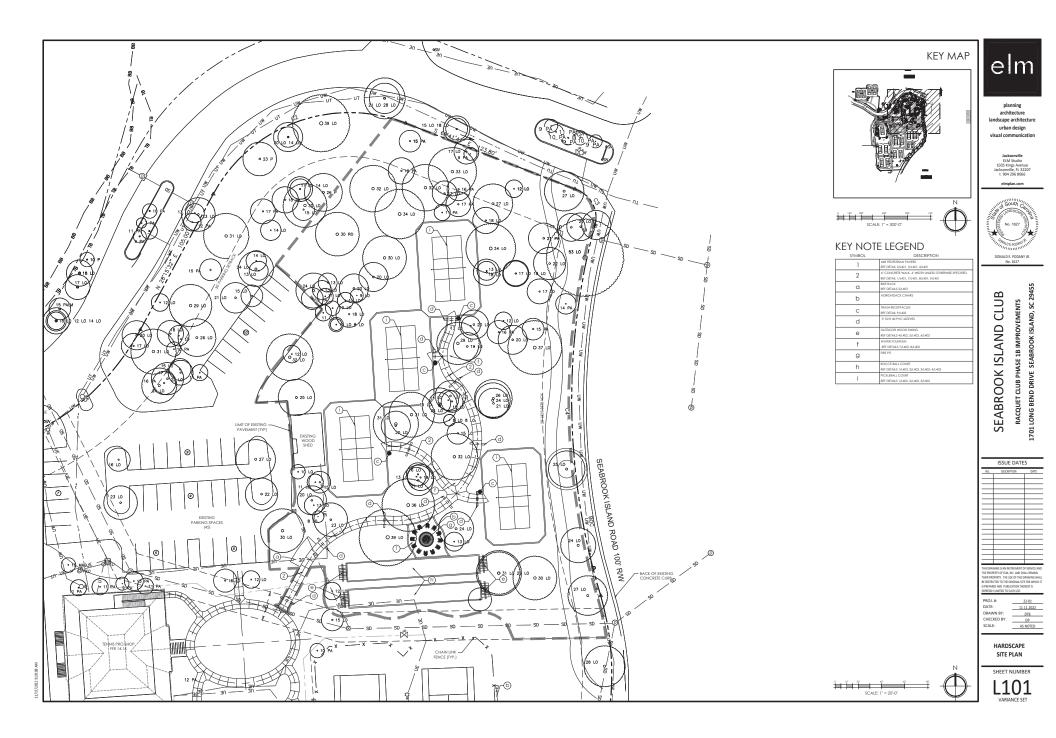


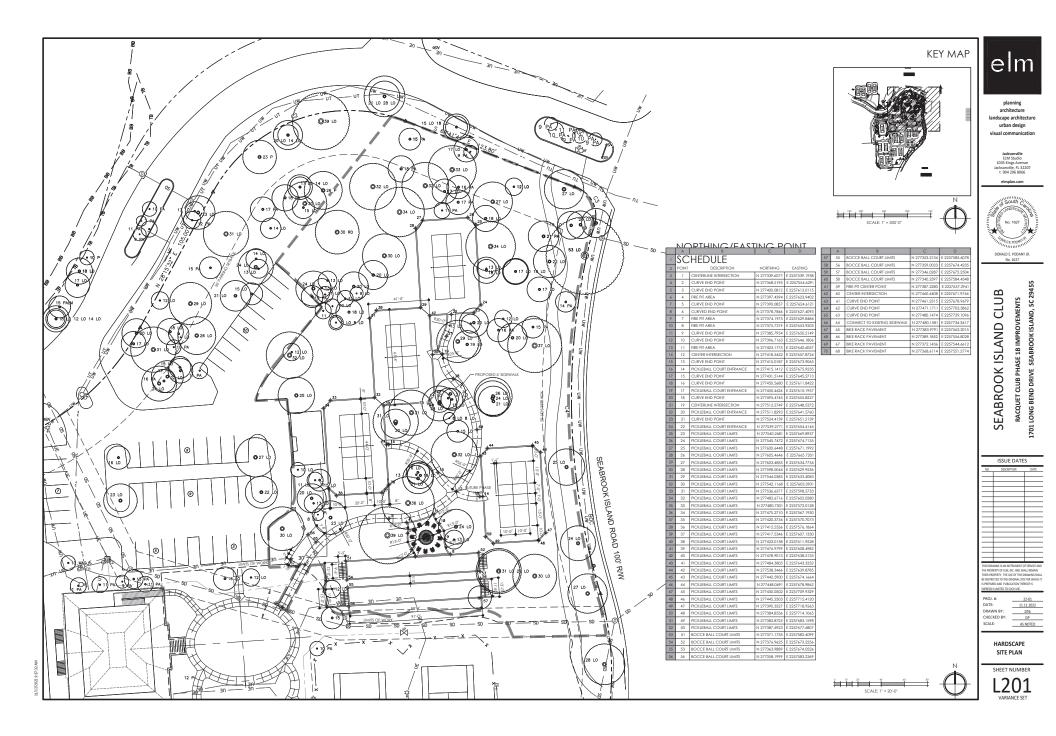


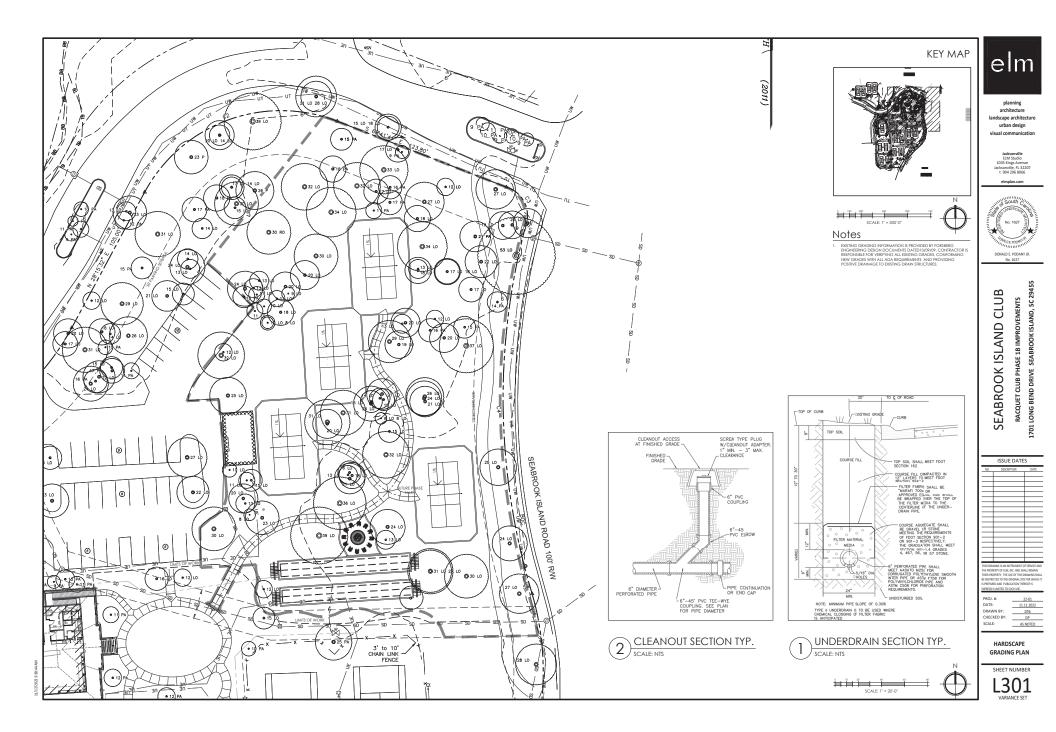


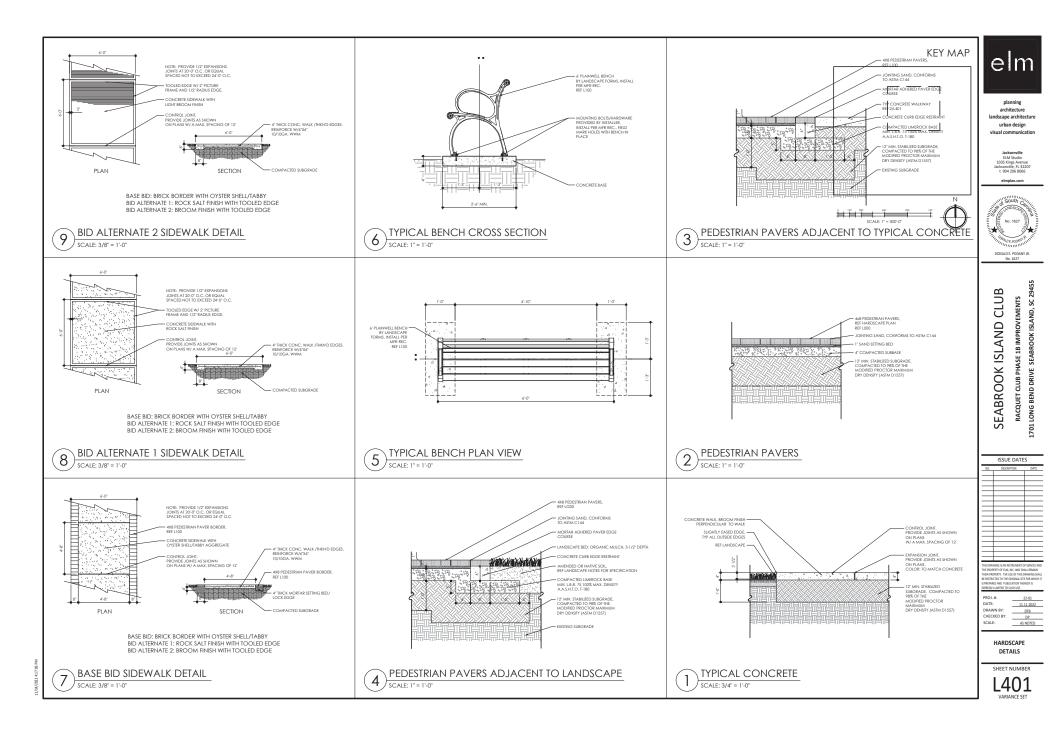


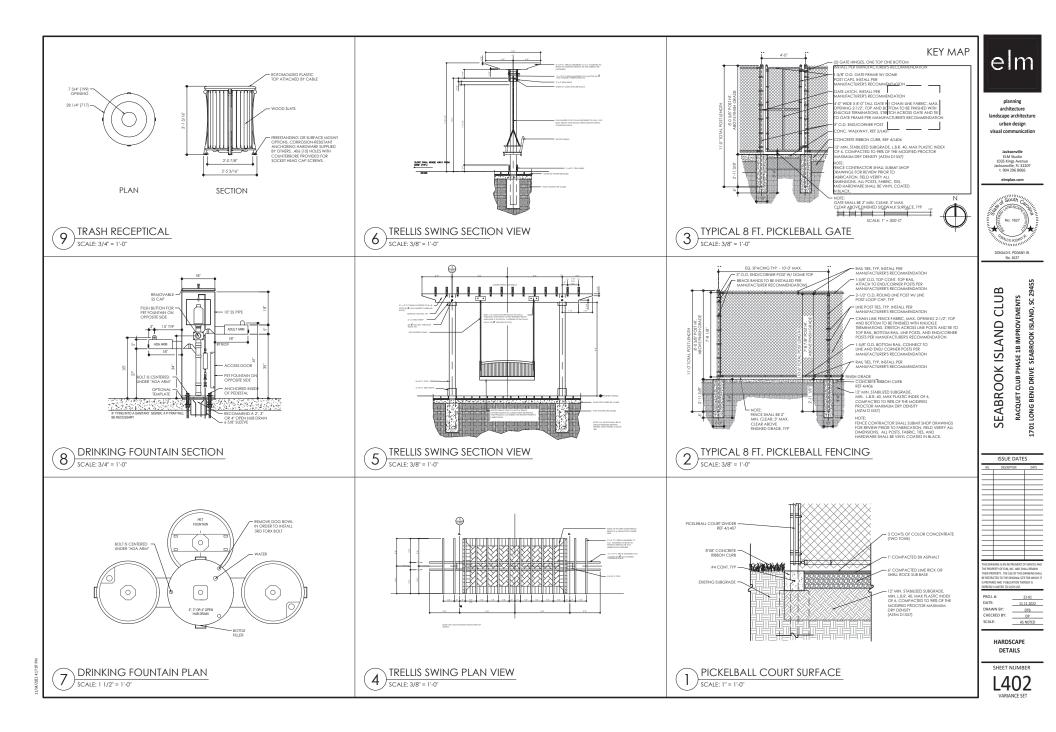
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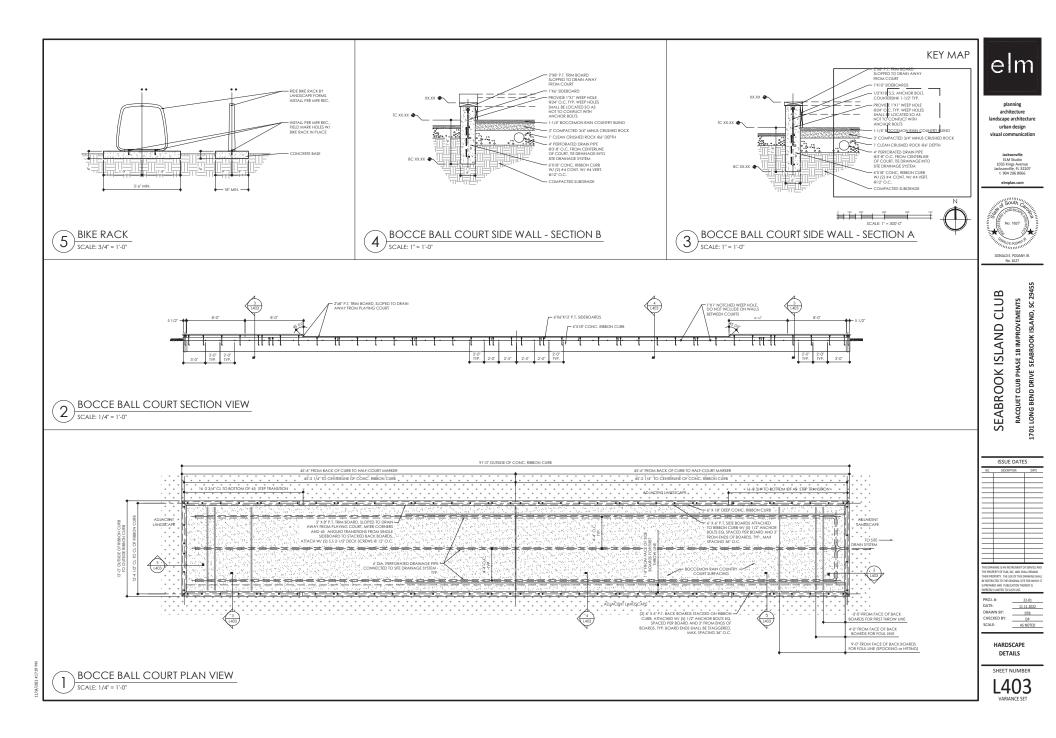
































PUBLIC HEARING NOTICE

то:	Neighboring Property Owners & Property Management Companies
FROM:	Tyler Newman, Zoning Administrator
SUBJECT:	Variance Request for 1701 Long Bend Drive (Variance #179)
DATE:	November 18, 2022

Dear Property Owner or Property Manager:

The purpose of this letter is to notify you that the owners of **1701 LONG BEND DRIVE** have requested a **VARIANCE** from the zoning requirements of the Town's Development Standards Ordinance (DSO). The purpose of the variance request is to:

• 1) A VARIANCE FROM DSO SECTION 2.5.B.1.C, FENCE MATERIAL, TO ALLOW THE USE OF CHAIN LINK MATERIAL FOR THE CONSTRUCTION OF FENCING ASSOCIATED WITH FOUR PROPOSED PICKLEBALL COURTS, 2) A VARIANCE FROM DSO SECTION 2.5.B.1.G, FENCE HEIGHT, TO ALLOW THE CONSTRUCTION OF 10' TALL FENCES TO SURROUND FOUR PROPOSED PICKLEBALL COURTS

A copy of the variance application is enclosed for your information.

The Seabrook Island Board of Zoning Appeals will hold a **PUBLIC HEARING** on the variance request at the date and time listed below. This notification is being provided to you pursuant to Section § 20.2.B.2 of the DSO.

PUBLIC HEARING DATE:	Wednesday December 28, 2022
PUBLIC HEARING TIME:	1:00 PM
PUBLIC HEARING LOCATION:	TOWN HALL (2001 SEABROOK ISLAND ROAD)

For information on how to submit a public comment during (or prior to) the Public Hearing, please refer to the attached Public Hearing Notice.

The Public Hearing will be live streamed on the town's YouTube channel beginning at 10:00 AM at the following address: <u>https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg</u>.

If you have any questions about the contents of this letter, please feel free to contact me by phone at (843) 768-9121 or by email at <u>tnewman@townofseabrookisland.org</u>.

Sincerely,

Tyler Newman Zoning Administrator

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 issue of said newspaper on the following day(s):

Subscribed and sworn to Before me this dav Of NOVember A.D. 20

ertising Clerk

My Comm. E

Notary Public, SC My Commission expires May 24, 2028

Manic

A6: Friday, November 25, 2022

NATION/WORLD

Gay club owner: Shooting comes amid a new 'type of hate'

BY JESSE BEDAYN Associated Press COLOR ADD SPRINGS, COLOR – These owner drift chybywhere a dworfer turned a drag queer hiving sey right with where a dworfer turned a drag queer hiving sey right hubywhere a dworfer turned a drag queer hiving sey right hubywhere a dworfer turned a drag queer hiving sey right hubywhere a dworfer turned a trig queer hiving sey right huby where a dworfer turned a trig queer hiving sey right huby where a dworfer turned a trig queer hiving sey right huby where a dworfer turned a trig queer hiving sey right huby drift we poople and injured 17 othere is a reflection of anti-LGBTQ sentiment dra has evolved from pregulacies. Thi different is walk down turned with a dwarf of the drift and a drift prist with sentance with the drift and and getting spick with The Associated horsen and the LGBTQ community in comervity that sustaided be LGBTC community in comervity

the hate get as bad as where helped build into an enclave that sustained the LGBTG. Earlier this year, Florida's community in conservatives learning CoroadoSprings. Authorities haven't said why the sustainest operation of the second trainer fired at the club before being subduel latics submission by nate crime submission by restorm, but they are facing inclaim to LGBTG. A month later, references to patrons, but they are facing inclaim to LGBT operating of the club before being subduel at the club before being subduel at the submission by rest, Anderson Lee Allrich, spoken about the incident, operations, but the incident, spoken about the incident, but the incident, but the second second second spoken about the incident, but the incident, but the second second second second construction of the second second second second spoken about the incident, but the incident, but the second second second second second construction of the second second second second second second second construction of the second construction second secon



Nic Grzecka (right), co-owner of Club Q, bugs A supporter after a 25-foot historic pride flag was unforded Nov. 23 to cover the extenior of Club y Hall to mark the weekend mass shooting at the gay nightclub in Colorado Springs, Colo.

ment to fighting back against hat and gun violence. Grzecka suid Club Q opened after the only other gay bar in Colorado Spring at hat time shuttered. Hede scribed that era as an evolu-tion of go bars. Docades ago dingy, hole in the welling Anding a hookup or date, said firzecka. But here all more black internet offered anonymous way in find here all more hang out with friends. Club Quas the standards welling ago ut with friends. Club Quas the shources for Dock he became co-way.

Quesa at the vanguard of that transition. Once he became co-own-cover in 2014, Graecka helped mold Club Qinto not merely a nightiff wenne but a com-munity center - a platform to create a "hoese family" for LGBTQ people, especially for birth family. Drag quere bin-go night, freends yring adu Christmas dinners, birthiday Christmas dinners, birthiday of Club Q which was open 365 days ayer. Typing about our community material of the support network. The material of the support network material of the support netw

Witness: Va. store shooter seemed to target certain people

Associated Press

A socialed Press CHESAPEAKE, VA. — The Warland supervisor two doct and Killed size on-vorkers in Virginia a seemed to trajec-tion of the second size on the second Virginia a seemed to trajec-tion of the second size on the second virginia a seemed to trajec-tion of the second size on the second size of the second size on the second trajectory of the second size on the second trajectory of the second size on the second size of the second size on the second size of the second size on the second size of th

she said that the observed him shoot al people who were already on the ground "What J do know is that he made sure who he wanted dead, was lead," she said. "He went back and shot dead bod

She said that she observed

TOWN OF SEABROOK ISLAND, SC NOTICE OF PUBLIC HEARING

The Town of Seabrook Island Board of Zoning Appeals will conduct a Public Hearing at 1:00 p.m. on December 28, 2022, 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 # 179

APPLICANT: The Club at Seabrook Island ADDRESS: 1701 Long Bend Drive TAX MAP NUMBER: 149-01-00-001 ZONING DISTRICT: RC (Recreation) §2.5.8.1.c (Fence Material) & §2.5.8.1.q CODE SECTION: (Fence Height)

VARIANCE REQUEST: 1) a variance from DSO Section 2.5.B.1.c, Fence Material, to allow the use of chain link material for the construction of fencing associated with four proposed pickleball courts, 2) a variance from DSO Section 2.5.8.1.g, Fence Height, to allow the construction of 10' tall fences to surround four proposed pickleball courts.

The meeting will be open to the public. Documents relating to the variance request may be viewed at Town Hall during regular business hours or on the town's website at www.townofseabrookisland.org.

Submit a Written Comment Individuals who wish to submit a comment in advance of the Public Hearing may do so in writing by 12:00 pm on the day of the meeting using one of the following 0D

- ONLINE: https://www.townofseabrookisland.org
- EMAIL: tnewman@townofseabrookisland.org MAIL: Town of Seabrook Island, 2001 Seabrook Island Road,
- Seabrook Island, SC 29455

Watch Live Stream Video: The meeting will be live streamed on the town's YouTube channel beginning at 1:00 p.m. at https://www. youlube.com/channel/UCIkF87knEApHD1q0kGlaGZg

More Information: For more information, please call (843) 768-9121.





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Parcel ID	Owner	Owner	Street Number	PROP_ST_NAME	Street Type	City	State
1470000037	WILKES RONALD W TRUST	WILKES VANIA C TRUST	2191	SEABROOK ISLAND	RD	SEABROOK ISLAND	SC
1470000035	SEABROOK ISLAND PROPERTY OWNERS	ASSOCIATION	C	SEABROOK ISLAND	RD	SEABROOK ISLAND	SC
1490100012	FIDDLERS COVE OWNERS ASSOCIATION		C	LIVE OAK PK		SEABROOK ISLAND	SC
1490100055	SHELTER COVE VILLAS OWNERS	ASSOCIATION	C	LIVE OAK PK		SEABROOK ISLAND	SC
1490100250	FIDDLERS COVE II TOWNHOUSE	OWNERS ASSOCIATION	1737	LIVE OAK PK		SEABROOK ISLAND	SC
1470200079	GARMON JOHNNIE B II		2240	BOHICKET CREEK	PL	SEABROOK ISLAND	SC
1490100093	CLUB AT SEABROOK ISLAND INC THE		C	LONG BEND	DR	SEABROOK ISLAND	SC
1490100001	THE CLUB AT SEABROOK ISLAND		1701	LONG BEND	DR	SEABROOK ISLAND	SC
1490100168	CHARLES TOWNE PLACE HOA INC			SEABROOK ISLAND	RD	SEABROOK ISLAND	SC
1470000022	THE CLUB AT SEABROOK ISLAND		2313	SEABROOK ISLAND	RD	SEABROOK ISLAND	SC
1490100092	SIDEV LLC		C	MARSHWALK ACE	TR	SEABROOK ISLAND	SC

REGIME	c/o	Company	Street #	Street Name	Suite	City	State	Zip
Charles Towne Place	Kristin Mizzell	Reliable Home Management	3714	Betsy Kerrison Pkwy.	Suite I	Johns Island	SC	29455
Courtside I (1601 - 1632)	Leeann Miller	Ravenel Associates	960	Morrison Drive	Suite 100	Charleston	SC	29403
Courtside II (1633 - 1648)	Cuyler Applegate	Applegate Real Estate	5	Warren Street		Charleston	SC	29403
Fiddlers Cove I	Kristin Mizzell	Reliable Home Management	3714	Betsy Kerrison Pkwy.	Suite I	Johns Island	SC	29455
Fiddlers Cove II	Kristin Mizzell	Reliable Home Management	3714	Betsy Kerrison Pkwy.	Suite I	Johns Island	SC	29455
Golf Shore	Owen Gudridge	Ravenel Associates	960	Morrison Drive	Suite 100	Charleston	SC	29403
Heron Point	Cuyler Applegate	Applegate Real Estate	5	Warren Street		Charleston	SC	29403
Horseshoe Cove	Kristin Mizzell	Reliable Home Management	3714	Betsy Kerrison Pkwy.	Suite I	Johns Island	SC	29455
Live Oak	Kristin Mizzell	Reliable Home Management	3714	Betsy Kerrison Pkwy.	Suite I	Johns Island	SC	29455
Marsh Walk	Cameron Leyh	Ravenel Associates	960	Morrison Drive	Suite 100	Charleston	SC	29403
Racquet Club	Ashley Fitch	Ravenel Associates	960	Morrison Drive	Suite 100	Charleston	SC	29403
Shelter Cove	Ashley Fitch	Ravenel Associates	960	Morrison Drive	Suite 100	Charleston	SC	29403

From:	<u>Milum Livesay</u>
То:	Tyler Newman
Cc:	psn1001aol.com
Subject:	Comment on Zoning Variance Submitted by Seabrook Island Club (#179)
Date:	Thursday, December 1, 2022 8:44:57 AM

Dear Mr. Newman:

We <u>strongly support</u> the zoning variance (#179) of the TOSI Development Standards Ordinance (DSO) submitted by The Club at Seabrook Island to add the proposed chain link fencing for the planned expansion of pickleball courts. The proposed fencing have the precedent of the existing fencing on numerous other tennis and pickleball courts at the Seabrook Racquet Club. We are residents of Seabrook Island, live in close proximity to the racquet club, Club members, and frequent users of the Racquet Club facilities, in addition to biking and walking along that stretch of Seabrook Island Road. We view the expanded facilities and required fencing as positive impacts for Seabrook Island residents quality of life.

Thank you,

Milum Livesay and Pam Nelson 1704 Live Oak Park Seabrook Island, SC 29455 804-335-4571