

TOWN OF SEABROOK ISLAND

Planning Commission Regular Meeting

February 6, 2019 – 1:30 PM

Town Hall, Council Chambers

2001 Seabrook Island Road



AGENDA

CALL TO ORDER

ELECTION OF CHAIR & VICE-CHAIR FOR 2019

APPOINTMENT OF SECRETARY FOR 2019

APPROVAL OF MINUTES

1. Regular Meeting: December 5, 2018

[Pages 3–5]

OLD BUSINESS ITEMS

There are no Old Business Items

NEW BUSINESS ITEMS

1. Rezoning Request: 1146 Ocean Forest Lane

[Pages 6–17]

An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-13-00-008, containing approximately 0.49 +/- acres located at 1146 Ocean Forest Lane, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District

2. Rezoning Request: 2906 Seabrook Island Road

[Pages 18–29]

An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-041, containing approximately 0.31 +/- acres located at 2906 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District

3. Rezoning Request: 2326 Cat Tail Pond Road

[Pages 30–41]

An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-12-00-068, containing approximately 0.83 +/- acres located at 2326 Cat Tail Pond Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District

4. **2019 Meeting Dates & Times**

[Page 42]

ITEMS FOR INFORMATION / DISCUSSION

1. **Seabrook Island Club Parking Lot Expansion Update**
2. **Zoning Map Update**
3. **Comprehensive Plan Workshop Date & Time**

EXECUTIVE SESSION

1. **Mediation Update: Kiawah Senior Living Project Encroachment Permit**

ADJOURN

TOWN OF SEABROOK ISLAND

Planning Commission Regular Meeting

November 7, 2018 – 1:30 PM

Town Hall, Council Chambers
2001 Seabrook Island Road



MINUTES

Present: Robert Driscoll (Chair), Lori Leary, Ken Otstot, Cathy Patterson, Wayne Billian, Joe Cronin (Town Administrator)

Absent: None

Guests: Don Romano (Seabrook Island Club), Larry Buchman (Seabrook Island Club), Dan Frazier (Charleston County), Robin Lewis (Charleston County), Heather Paton (SIPOA)

Chairman Driscoll called the meeting to order at 1:30 pm and welcomed everyone in attendance. Town Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled, and the meeting agenda was properly posted.

APPROVAL OF MINUTES

1. **Regular Meeting: November 7, 2018:** Mr. Otstot made a motion to approve the minutes from the November 7, 2018, meeting as submitted. Mr. Billian seconded the motion. The motion was approved by a vote of 4-0.

OLD BUSINESS ITEMS

1. **Commercial Site Plan Review: Seabrook Island Club Parking Expansion:** Town Administrator Cronin provided a brief overview of the Seabrook Island Club's request to construct a parking lot addition adjacent to its existing parking area. He reminded members that the Planning Commission deferred consideration of this request at the November meeting so that several non-conforming elements could be addressed. He stated that those elements have been addressed in the revised plans and, therefore, staff now recommended in favor of approval.

Chairman Driscoll asked Mr. Don Romano if he had any additional comments. Mr. Romano responded that the Club has revised its lighting plans to conform with the zoning ordinance, but he felt that locating the light poles outside the 50' setback would result in dark spots in the new parking lot, which could cause a safety hazard. A discussion took place regarding possible alternatives, including the use of bollard lights. Mr. Romano responded that poles would be preferable. He added that the proposed fixtures would be dark sky rates and would be aimed downward.

Mr. Billian asked if the new parking area would be higher than the existing parking lot. Mr. Romano responded that the contractor will be removing dirt, and that the new lot will be on the same level as the existing parking lot.

Mr. Romano stated that if the plans were approved today, the contractor was expected to begin work next week; however, he asked if the Club could install the electrical conduit based on the current plans but bring back a subsequent request to change the lighting plans at a later date. Town Administrator Cronin responded that this would certainly be a possibility; however, any request to modify the setback requirements will require a 30-day notification to neighboring property owners as well as a public hearing. Chairman Driscoll recommended that the commission vote on the request, as revised by the Club, and if the Club wants to modify the location of the light poles, then they can submit a request for consideration at a later date. Mr. Romano responded that they wouldn't be parking cars on the new lot until at least March, so there was still time in which to consider revisions.

Mr. Otstot made a motion to approve the request, as revised. Mr. Billian seconded the motion. The motion was approved by a vote of 4-0.

NEW BUSINESS ITEMS

There were no New Business Items.

ITEMS FOR INFORMATION / DISCUSSION

- 1. Status of Kiawah Senior Living Project Encroachment Permit:** Chairman Driscoll provided a brief update on the status of the Kiawah Senior Living Project Encroachment Permit appeal and mediation request. He stated that the parties have settled on a mediator, who from his discussion appears to be a reasonable and knowledgeable mediator. He also discussed an email he sent to members the previous week in which he discussed Planning Commission representation during the mediation session. Ms. Patterson asked if Chairman Driscoll would be representing the Commission, adding that she was originally concerned the Commission would not be represented. Chairman Driscoll responded that that would be up to members of the Commission. Chairman Driscoll also stated that nothing is expected to happen on the mediation until after the first of the year. Mr. Otstot asked if a motion was required to designate a representative. Chairman Driscoll responded that that would be up to members of the Commission. Ms. Patterson stated that she would prefer to be represented by a lawyer in a room full of lawyers. While no formal vote was taken, there was consensus among members that Chairman Driscoll should represent the Commission during the mediation session.

Ms. Leary joined the meeting at 2:15 pm.

COMPREHENSIVE PLAN WORK SESSION

- 1. Review of Changes from November 7, 2018 meeting:** Mr. Dan Frazier from Charleston County reviewed the recommended changes to the Community Facilities and Natural Resources

elements, which were previously discussed during the November 7th work session. There were no additional comments or recommendations provided. Mr. Frazier stated that members may continue to submit comments on these elements, as well as any other element, until the draft document is finalized in early 2019.

- 2. Review and Discussion of Comprehensive Plan Elements:** Members of the Planning Commission, town staff and county staff reviewed and provided comments on the draft Cultural Resources element, as well as an outline for the Economic Development element. County staff will incorporate all comments and suggestions into an updated version of these elements. The updated drafts will be reviewed and discussed at the beginning of the next work session. The remaining elements will also be reviewed and discussed during the next meeting.

Prior to adjourning the meeting, Chairman Driscoll recognized Lori Leary for her years of service on the Planning Commission. Ms. Leary has elected not to seek reappointment for an additional term and will roll off the Planning Commission at the end of the year. Chairman Driscoll and members of the Commission thanked Ms. Leary for her service. Ms. Leary stated that it has been a pleasure to serve on the Commission for the last four years.

There being no further business, Chairman Driscoll asked for a motion to adjourn. Mr. Billian made a motion to adjourn the meeting. Ms. Leary seconded the motion. The motion was approved by a vote of 5-0, and the meeting was adjourned at 4:04 pm.

Minutes Approved:



Joseph M. Cronin
Town Administrator



MEMORANDUM

TO: Planning Commission Members
FROM: Joseph M. Cronin, Town Administrator
SUBJECT: Rezoning Request for 1146 Ocean Forest Lane
MEETING DATE: February 6, 2019

The Planning Commission is asked to review and provide a recommendation on a rezoning request from the Seabrook Island Property Owners Association (SIPOA) for Charleston County Tax Map Number 149-13-00-008, containing approximately 0.49 +/- acres located at 1146 Ocean Forest Lane (Block 53, Lot 14). The applicant is seeking to rezone the property from the SR Single-Family Residential District to the AGC Agricultural-Conservation District.

The property is surrounded on all sides by parcels zoned SR Single-Family Residential. The property also backs up to a marsh/open space area.

Subject to rezoning approval, this property is intended to remain as an undeveloped "open space" lot. Uses permitted within the AGC district are limited to the following:

- (a) Open air recreation uses including swimming areas, fishing, beaches, boat ramp, dock, pier, lifeguard station, restrooms, boardwalks and natural preserve.
- (b) Bulkhead and erosion control devices.

A copy of the draft rezoning ordinance is attached for review.

Staff Recommendation

Staff recommends in favor of **APPROVAL** of the rezoning request.

Respectfully submitted,


 Joseph M. Cronin
 Town Administrator

TOWN OF SEABROOK ISLAND
2001 SEABROOK ISLAND ROAD
SEABROOK ISLAND, SC 29455
Phone (843) 768-9121 Fax (843) 768-9830

REZONING APPLICATION NO. 76

DATE 1/21/19

PROPERTY INFORMATION:

1. Present Zoning SFR
2. Proposed Zoning AGRICONS
3. Tax Map Number (s) 149 13 00 00 8
4. Address 1146 Ocean Forest
5. Lot Dimensions .49 acres
6. Deed Recorded: Book 0768 Page 988 Date 12/28/18
7. Plat Recorded: Book EB Page 457 Date 10/15/96

APPLICANT/OWNER/REPRESENTATIVE:

8. Applicant SIPA
Address 1202 Landfall Way
Phone No. (Home) _____ (Business) 843-768 0061
9. Owner(s) (if different from applicant) _____
Address _____
Phone No. (Home) _____ (Business) _____
10. Representative (if different from applicant) Weather Paton
11. I (We) certify that _____ is my (our) authorized representative for this zoning change.

Signature of Owner(s)/Date

Weather Paton

Signature of Applicant/Date
and/or representative if different from owner

**A copy of an approved recorded plat showing present boundaries of the property to be rezoned and the appropriate fee is required upon application.

ROBERT FRANK SURVEYING
 1923 MAYBANK HWY. - CHARLESTON, S.C. 29412
 Phone: 843-762-4608 Fax 843-795-5970
 E-mail - robertfrankandsurveying@comcast.net
 WEB ADDRESS: www.robertfranksurveying.com



DHEC-OCRM CRITICAL LINE STATEMENT

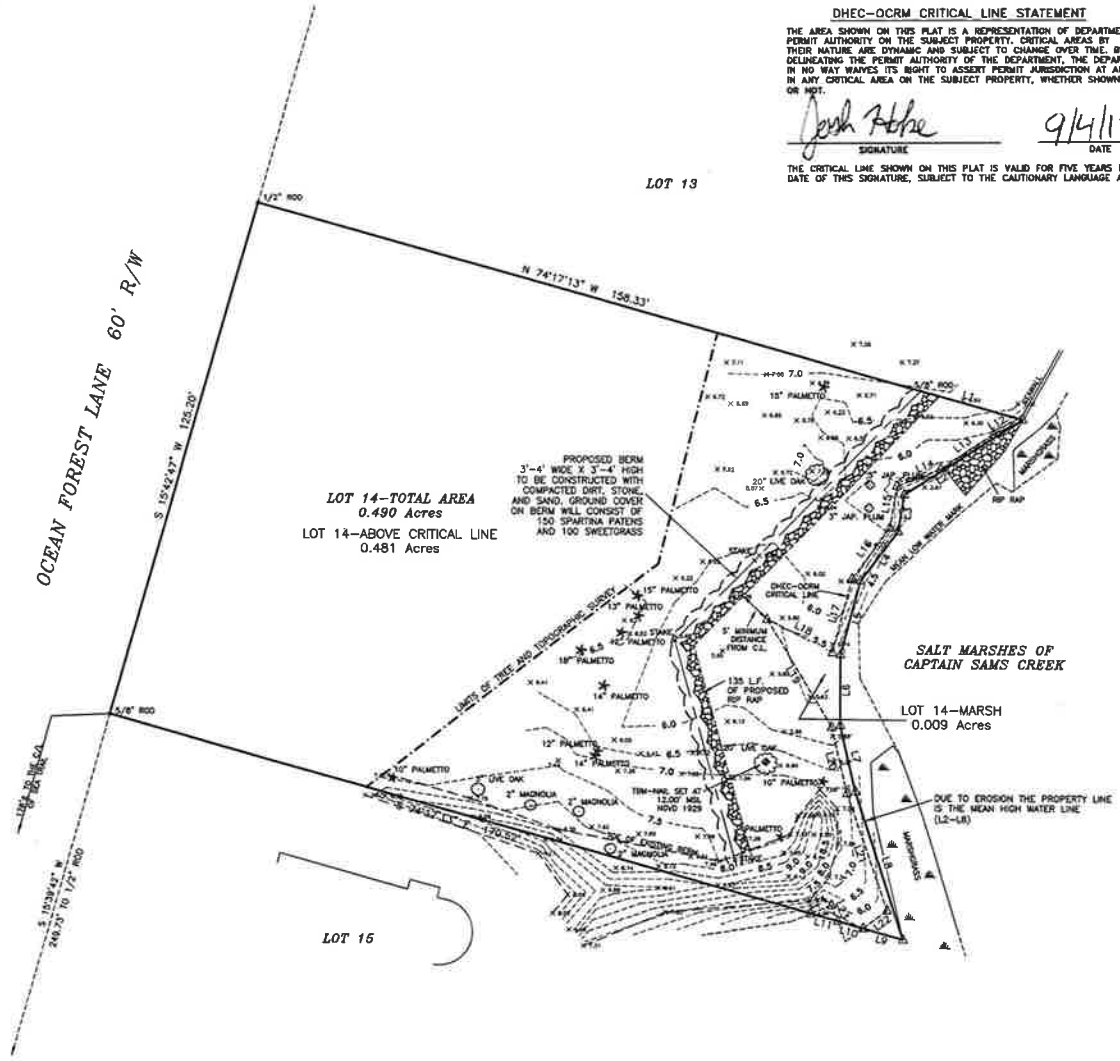
THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION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

Joseph P. Fike 9/4/18
 SIGNATURE DATE

THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.



LOCATION SKETCH (N.T.S.)



LINE	BEARING	DISTANCE
L1	N 74°17'13\"/>	27.81'
L2	N 57°35'48\"/>	32.72'
L3	N 09°04'16\"/>	8.74'
L4	N 36°39'21\"/>	14.60'
L5	N 14°28'58\"/>	18.16'
L6	N 00°06'26\"/>	16.55'
L7	N 13°11'57\"/>	15.94'
L8	N 19°01'37\"/>	36.58'
L9	S 74°17'13\"/>	9.23'
L10	S 74°17'13\"/>	6.17'
L11	S 74°17'13\"/>	6.56'
L12	N 63°29'17\"/>	7.65'
L13	N 56°31'21\"/>	14.71'
L14	N 68°23'56\"/>	11.01'
L15	N 09°04'16\"/>	9.91'
L16	N 36°06'12\"/>	14.85'
L17	N 14°28'58\"/>	18.16'
L18	S 62°52'31\"/>	17.22'
L19	N 31°02'14\"/>	29.64'
L20	N 13°11'57\"/>	15.96'
L21	N 19°05'22\"/>	29.05'
L22	N 52°52'40\"/>	7.02'
L23	S 21°20'59\"/>	4.04'
L24	N 67°41'45\"/>	5.23'

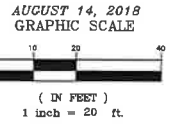
LOT 14-TOTAL AREA
 0.490 Acres
 LOT 14-ABOVE CRITICAL LINE
 0.481 Acres

LOT 14-MARSH
 0.009 Acres

LOT 15

A TREE AND TOPOGRAPHIC SURVEY OF A PORTION OF 1146 OCEAN FOREST LANE, LOT 14 OF THE OCEAN POINTE SUBDIVISION, SHOWING A PROPOSED EARTHEN BERM, LOCATED IN THE TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SC

- NOTES: 1. TMS #149-13-00-008
 2. IRON PIPES FOUND AT ALL CORNERS UNLESS OTHERWISE SHOWN.
 3. IPS = IRON PIPE SET. (1/2\"/>



TOPOGRAPHIC/SPECIALTY SURVEY

NOTE:
 THIS PLAT DOES NOT CONSTITUTE AN OFFICIAL SURVEY OF THIS PROPERTY UNLESS STAMPED WITH THE EMBOSSED SEAL OF THE SURVEYOR. THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH OF THIS PROPERTY AND IS BASED SOLELY ON THE REFERENCES LISTED. AREA IS DETERMINED BY COORDINATE METHOD. THIS PROPERTY MAY CONTAIN WETLANDS NOT DELINEATED HEREON UNLESS SPECIFICALLY STATED ON THE SURVEY. DECLARATION IS MADE TO THOSE PERSONS FOR WHICH THIS PLAT IS PREPARED AND IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS. THIS DRAWING/PLAT IS AN INSTRUMENT OF SERVICE AND IS THE SOLE PROPERTY OF ROBERT FRANK LAND SURVEYING. IT SHALL NOT BE REPRODUCED OR USED IN ANY WAY, WHATSOEVER, WITHOUT THE WRITTEN PERMISSION OF ROBERT L. FRANK, PLS, SC REG. NO. 4177. COPYRIGHT ©2018, ROBERT L. FRANK.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS AS SPECIFIED THEREIN.

ROBERT L. FRANK PLS NO. 4177 *Robert L. Frank*



BP0768988

PGS:

5

After recording, please return to:

Buist Byars & Taylor, LLC
130 Gardeners Circle, PMB #138
Johns Island, SC 29455
File No. 3624.0009

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

QUIT CLAIM DEED
(Title Not Examined)

KNOW ALL MEN BY THESE PRESENTS, that **Seabrook Island Green Space Conservancy, Inc.**, (“Grantor”), for and in consideration of the sum of **FIVE AND NO/100 DOLLARS (\$5.00)**, being the true and complete consideration, to them in hand paid at and before the sealing of these presents by **Seabrook Island Property Owners Association**, (a South Carolina Corporation), (“Grantee”), in the State aforesaid, the receipt of which is hereby acknowledged, have, remised, released and forever quitclaimed, and by these presents do remise, release and forever quitclaim unto the said **Seabrook Island Property Owners Association**, all of their interest in and to the following described property, to-wit (the “Premises” or the “Property”):

SEE EXHIBIT “A” ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE FOR LEGAL DESCRIPTION

SUBJECT to all covenants, conditions, restrictions, limitations, obligations, encumbrances, easements and rights of way of record affecting subject property.

BEING the same property conveyed to the Grantor by deed from Michael Dougherty, Sue Ann Dougherty, Patrick Higgins, and Julianne Bigelli recorded December 19, 2018 in Book 0767 at Page 479 in the Recording Office for Charleston County, South Carolina.

TMS No.: 149-13-00-008

Address of Grantee: 1202 Landfall Way


 Seabrook Island, SC 29455

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

TO HAVE AND TO HOLD, all and singular, the Premises unto said Grantee, its successors and assigns, forever.

WITNESS my hand and seal this 27 day of December, in the year of our Lord Two Thousand Eighteen 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

Seabrook Island Green Space Conservancy,
Inc.




 By: Lori Leary
 Its: President



 Witness #2

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me, this 27 day of December, 2018, by Seabrook Island Green Space Conservancy, Inc., by Lori Leary, its President.

 (SEAL)

 Notary Public for South Carolina
 My Commission Expires: _____



Exhibit A

ALL that certain lot, piece, parcel or tract of land situate, lying and being on Seabrook Island, Charleston County, South Carolina, shown as LOT 14, on a plat by Charles F. Dawley, Jr., R.L.S., entitled "FINAL PLAT OF OCEAN POINTE, TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA" dated October 15, 1996 and recorded in Plat Book EB, Pages 457-458, in the RMC Office for Charleston County, South Carolina, said property having such location, metes, butts, bounds, courses and distances as will by reference to said plat more fully appear.

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.

Said property shall be held, transferred, sold and conveyed subject to the restriction that, except as may otherwise be provided herein, its use shall be limited to use as a Green Space (as defined herein), with no construction of any kind whatsoever permitted, provided however that removal of dead trees or dead animals is permitted and maintenance and improvements in the Seabrook Island storm water drainage system is authorized. In no event shall said property be used as an area for parking vehicles; domestic animal pens; boat, vehicle, or equipment storage; or any other use inconsistent with preserving the natural environment of said property. This restriction shall run with the property and be binding on all parties having any right, title or interest in said property of any part thereof and their respective heirs, successors, and assigns.

"Green Space" is defined as that gift of land or perpetual conservation easement which cannot be subdivided, sold or otherwise disposed of under conditions which would permit its use for erection or any structure whatsoever. Land and/or a perpetual conservation easement purchased by or donated to Grantor, its predecessor, or its successors, is required to remain in its natural state (i.e. - for the protection of flora, fauna, open spaces, and scenic vistas) and may be used only as agreed to by Grantor and the donor. Either the Grantor or the Grantee may remove dead or dying trees or animals from land and/or conservation easements as part of its management responsibilities.

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

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 1146 Ocean Forest Lane, Seabrook Island, Charleston County, South Carolina, bearing Tax Map Number 149-13-00-008, was transferred by **Seabrook Island Green Space Conservancy, Inc.** to **Seabrook Island Property Owners Association** on December 27, 2018.
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 distribution to a trust beneficiary.
 - (c) **XX** exempt from the deed recording fee because (See Information section of affidavit): **Exemption No. 1 – CONSIDERATION PAID LESS THAN \$100.00** (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 ___

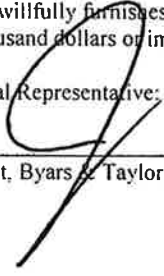
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
 - (a) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____
 - (b) ___ The fee is computed on the fair market 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 ___ 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 \$ _____
6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: 0.00
 - (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: 0.00

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

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:



Buist, Byars & Taylor, LLC

(Signature)

Sworn to before me this 27
day of December, 2018.


Katherine E. Johnston
Notary Public for South Carolina
My Commission Expires: _____



RECORDER'S PAGE



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

Filed By:

BUIST BYARS & TAYLOR, LLC
 FRESHFIELDS VILLAGE
 130 GARDNER'S CR PMB 138
 JOHNS ISLAND SC 29455 (BOX)

RECORDED		
Date:	December 28, 2018	
Time:	10:52:51 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0768	988	Q/Claim
Elaine H. Bozman, Register Charleston County, SC		

MAKER:

SEABROOK ISLD GREEN ETC

of Pages: 5

RECIPIENT:

SEABROOK ISLD POA

Note:

Recording Fee	\$ 10.00
State Fee	<EXEMPT>
County Fee	<EXEMPT>
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 10.00

Original Book:

Original Page:

DRAWER Drawer 1
CLERK KLH

AUDITOR STAMP HERE
 RECEIVED From ROD
 Jan 08, 2019
 Peter J. Tecklenburg
 Charleston County Auditor

PID VERIFIED BY ASSESSOR
 REP MKD
 DATE 01/09/2019
 31



0768
Book



988
Page



12/28/2018
Recorded Date



5
Pgs



Original Book



Original Page



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Doc Type

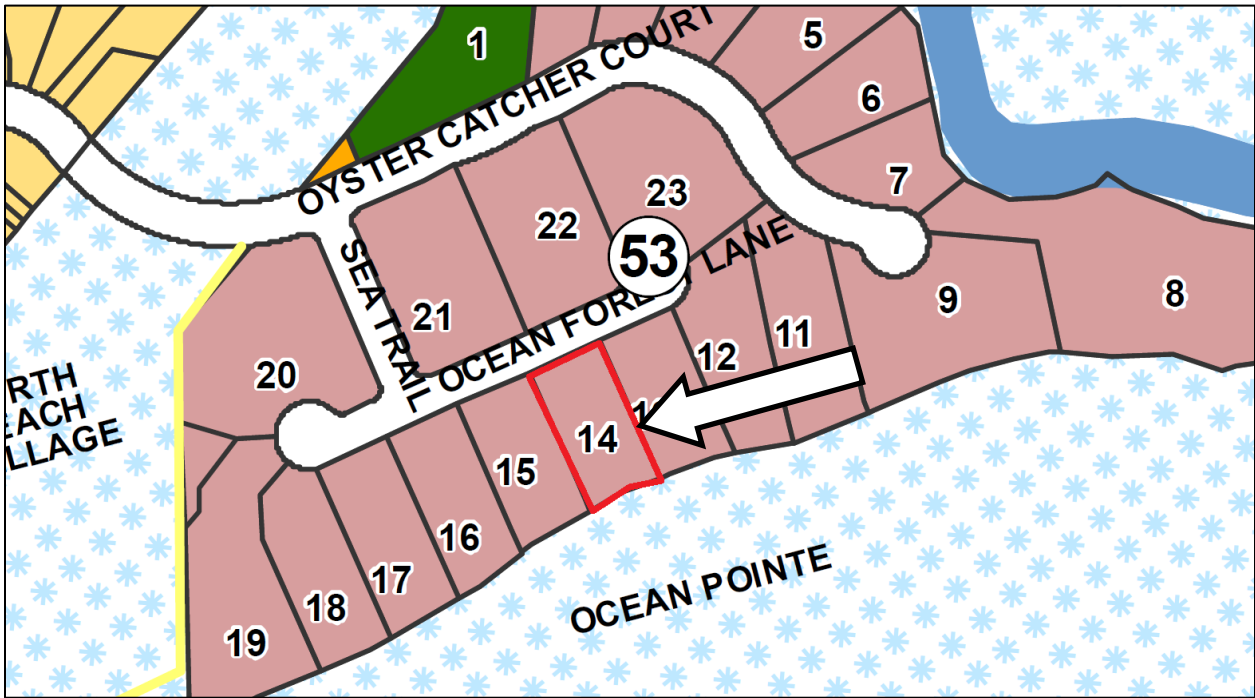


10:52:51
Recorded Time

Aerial Image



Zoning Map



TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2019-__

ADOPTED _____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 149-13-00-008, CONTAINING APPROXIMATELY 0.49 +/- ACRES LOCATED AT 1146 OCEAN FOREST LANE, FROM THE SR SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE AGC AGRICULTURAL-CONSERVATION DISTRICT

WHEREAS, on or about January 21, 2019, the Seabrook Island Property Owners Association filed Rezoning Application #76 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 149-13-00-008, containing approximately 0.49 +/- acres located at 1146 Ocean Forest Lane, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District; and

WHEREAS, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on February 6, 2019, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was held on the above referenced rezoning application on March 26, 2019;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Zoning Map Amendment. The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 149-13-00-008, containing approximately 0.49 +/- acres located at 1146 Ocean Forest Lane, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

SECTION 2. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2019, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2019.

First Reading: February 26, 2019
Public Hearing: March 26, 2019
Second Reading: March 26, 2019

TOWN OF SEABROOK ISLAND

Ronald J. Ciancio, Mayor

ATTEST

Faye Allbritton, Town Clerk

EXHIBIT A

Property Map
Charleston County Tax Map Number 149-13-00-008





MEMORANDUM

TO: Planning Commission Members
FROM: Joseph M. Cronin, Town Administrator
SUBJECT: Rezoning Request for 2906 Seabrook Island Road
MEETING DATE: February 6, 2019

The Planning Commission is asked to review and provide a recommendation on a rezoning request from the Seabrook Island Property Owners Association (SIPOA) for Charleston County Tax Map Number 149-06-00-041, containing approximately 0.31 +/- acres located at 2906 Seabrook Island Road (Block 45, Lot 7). The applicant is seeking to rezone the property from the SR Single-Family Residential District to the AGC Agricultural-Conservation District.

The property is surrounded on three sides by parcels zoned SR Single-Family Residential. The property also backs up to the SIPOA Maintenance Facility, which is zoned Commercial.

Subject to rezoning approval, this property is intended to remain as an undeveloped "open space" lot. Uses permitted within the AGC district are limited to the following:

- (a) Open air recreation uses including swimming areas, fishing, beaches, boat ramp, dock, pier, lifeguard station, restrooms, boardwalks and natural preserve.
- (b) Bulkhead and erosion control devices.

A copy of the draft rezoning ordinance is attached for review.

Staff Recommendation

Staff recommends in favor of **APPROVAL** of the rezoning request.

Respectfully submitted,


 Joseph M. Cronin
 Town Administrator

TOWN OF SEABROOK ISLAND
2001 SEABROOK ISLAND ROAD
SEABROOK ISLAND, SC 29455
Phone (843) 768-9121 Fax (843) 768-9830

REZONING APPLICATION NO. 77
DATE 1/21/19

PROPERTY INFORMATION:

1. Present Zoning SFR
2. Proposed Zoning AGR/CONS.
3. Tax Map Number (s) 1490600041
4. Address 2906 Seabrook Island Rd.
5. Lot Dimensions .31 acres
6. Deed Recorded: Book 0766 Page 462 Date 12/14/18
7. Plat Recorded: Book BD Page 22 Date 1/14/85

APPLICANT/OWNER/REPRESENTATIVE:

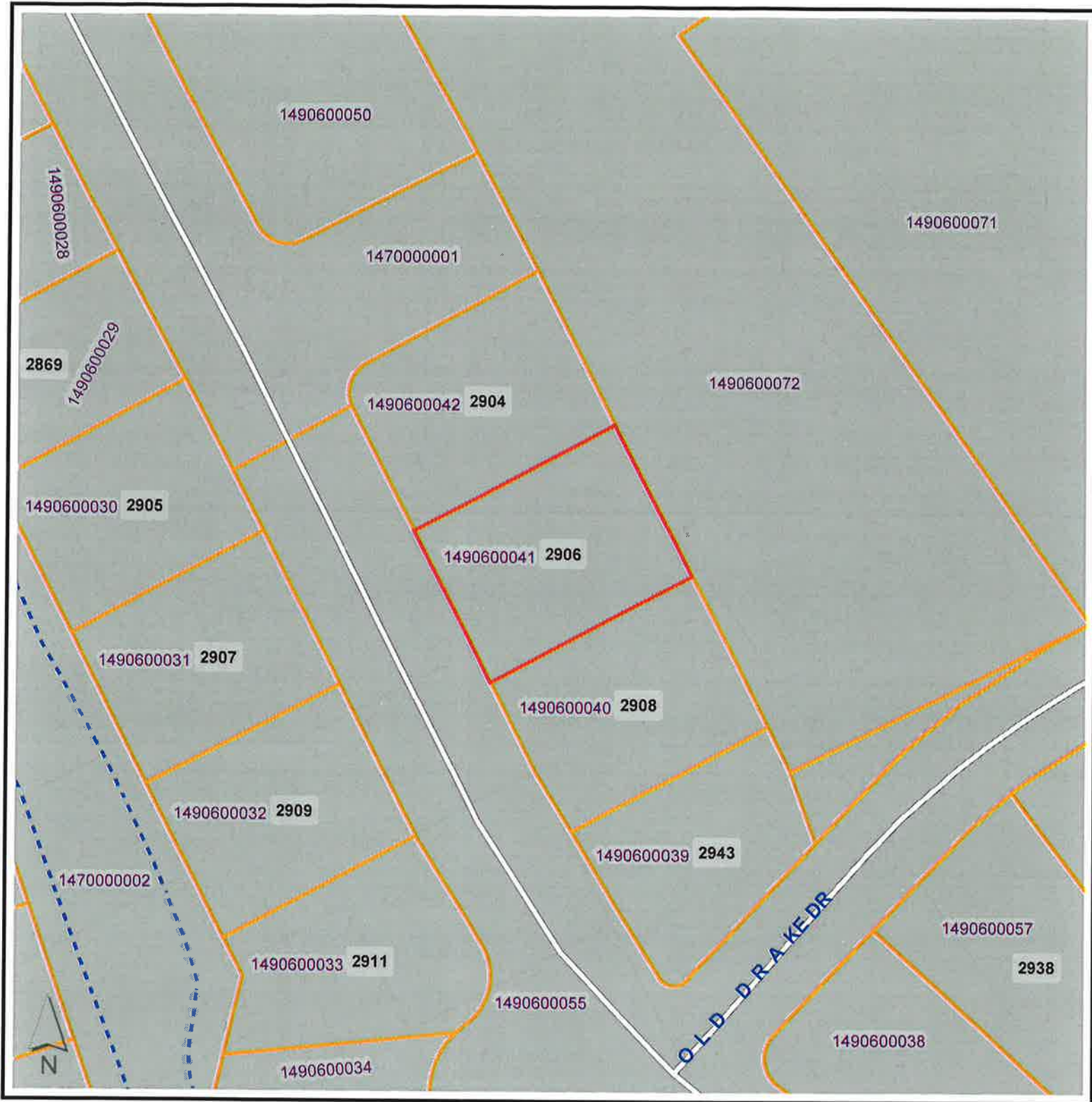
8. Applicant SIPDA
Address 1202 Landfall Way
Phone No. (Home) _____ (Business) 843 768 0061
9. Owner(s) (if different from applicant) _____
Address _____
Phone No. (Home) _____ (Business) _____
10. Representative (if different from applicant) Heather Paton
11. I (We) certify that Heather Paton is my (our) authorized representative for this zoning change.

Signature of Owner(s)/Date

Heather Paton

Signature of Applicant/Date
and/or representative if different from owner

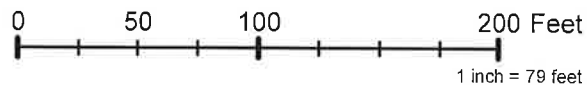
**A copy of an approved recorded plat showing present boundaries of the property to be rezoned and the appropriate fee is required upon application.



Charleston County SC

Parcel ID: 1490600041
 OWNER1: SEABROOK ISLAND
 GREEN SPACE CONSERVANCY INC
 ACREAGE: 0.31
 PLAT_BOOK_PAGE: BD-22
 DEED_BOOK_PAGE: 0758-117
 Jurisdiction: TOWN OF SEABROOK

ISLAND



45107

Note: The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County explicitly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.

Author: Charleston County SC
 Date: 11/26/2018

Affix recording, please return to:

Buist Byars & Taylor, LLC
130 Gardeners Circle, PMB #138
Johns Island, SC 29455
File No. 2024.0007



BP0766462

PGS:

5

STATE OF SOUTH CAROLINA)	
)	
COUNTY OF CHARLESTON)	QUIT CLAIM DEED
		(Title Not Examined)

KNOW ALL MEN BY THESE PRESENTS, that **Seabrook Island Green Space Conservancy, Inc.**, (“Grantor”), for and in consideration of the sum of FIVE AND NO/100 DOLLARS (\$5.00), being the true and complete consideration, to them in hand paid at and before the sealing of these presents by **Seabrook Island Property Owners Association**, (a South Carolina Corporation), (“Grantee”), in the State aforesaid, the receipt of which is hereby acknowledged, have, remised, released and forever quitclaimed, and by these presents do remise, release and forever quitclaim unto the said **Seabrook Island Property Owners Association**, all of their interest in and to the following described property, to-wit (the “Premises” or the “Property”):

SEE EXHIBIT “A” ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE FOR LEGAL DESCRIPTION

SUBJECT to all covenants, conditions, restrictions, limitations, obligations, encumbrances, easements and rights of way of record affecting subject property.

BEING the same property conveyed to the Grantor by deed from William P. Baker and Theresa Lynn Baker recorded November 5, 2018 in Book 0758 at Page 117 in the Recording Office for Charleston County, South Carolina.

TMS No.: 149-06-00-041
Address of Grantee: 1202 Landfall Way
Seabrook Island, SC 29455

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

TO HAVE AND TO HOLD, all and singular, the Premises unto said Grantee, its successors and assigns, forever.

Exhibit A

ALL that certain lot, piece or parcel of land situate, lying and being on Seabrook Island, Charleston County, SC and known and designated as Lot 7, Block 45 on a Plat by E.M. Seabrook, Jr., CE and LS dated August 25, 1982 revised January 14, 1985 and recorded in the RMC Office for Charleston County in Plat Book BD at page 22.

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

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property. Said property shall be held, transferred, sold and conveyed subject to the restriction that, except as may otherwise be provided herein, its use shall be limited to use as a Green Space (as defined herein), with no construction of any kind whatsoever permitted, provided however that removal of dead trees or dead animals is permitted and maintenance and improvements in the Seabrook Island storm water drainage system is authorized. In no event shall said property be used as an area for parking vehicles; domestic animal pens; boat, vehicle, or equipment storage; or any other use inconsistent with preserving the natural environment of said property. This restriction shall run with the property and be binding on all parties having any right, title or interest in said property of any part thereof and their respective heirs, successors, and assigns.

“Green Space” is defined as that gift of land or perpetual conservation easement which cannot be subdivided, sold or otherwise disposed of under conditions which would permit its use for erection or any structure whatsoever. Land and/or a perpetual conservation easement purchased by or donated to Grantor, its predecessor, or its successors, is required to remain in its natural state (i.e. - for the protection of flora, fauna, open spaces, and scenic vistas) and may be used only as agreed to by Grantor and the donor. Either the Grantor or the Grantee may remove dead or dying trees or animals from land and/or conservation easements as part of its management responsibilities.

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

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 2906 Seabrook Island Road, Seabrook Island, Charleston County, South Carolina, bearing Tax Map Number 149-06-00-041, was transferred by **Seabrook Island Green Space Conservancy, Inc.** to **Seabrook Island Property Owners Association** on December 13 2018.
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 distribution to a trust beneficiary.
 - (c) **XX** exempt from the deed recording fee because (See Information section of affidavit): **Exemption No. 1 – CONSIDERATION PAID LESS THAN \$100.00** (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 ___

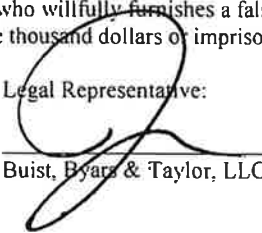
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit):
 - (a) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____
 - (b) ___ The fee is computed on the fair market 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 ___ 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 \$ _____.
6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: 0.00
 - (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: 0.00

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

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:



Buist, Byars & Taylor, LLC (Signature)

Sworn to before me this 13th
day of December, 2018.


Notary Public for South Carolina
My Commission Expires: _____

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

RECORDER'S PAGE



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

Filed By:

BUIST BYARS & TAYLOR, LLC
 FRESHFIELDS VILLAGE
 130 GARDNER'S CR PMB 138
 JOHNS ISLAND SC 29455 (BOX)

RECORDED		
Date:	December 14, 2018	
Time:	1:19:40 PM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0766	462	Q/Claim
Elaine H. Bozman, Register Charleston County, SC		

MAKER:

SEABROOK ISLD GREEN SPACE

of Pages: 5

Note:

RECIPIENT:

SEABROOK ISLD POA

Recording Fee	\$ 10.00
State Fee	<EXEMPT>
County Fee	<EXEMPT>
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 10.00

Original Book:

Original Page:

DRAWER **Drawer 3**
 CLERK **ECP**

AUDITOR STAMP HERE
 RECEIVED From ROD
 Dec 21, 2018
 Peter J. Tecklenburg
 Charleston County Auditor

PID VERIFIED BY ASSESSOR
 REP MKD
DATE 12/27/2018
 31



0766
Book



462
Page



12/14/2018
Recorded Date



5
Pgs



Original Book



Original Page

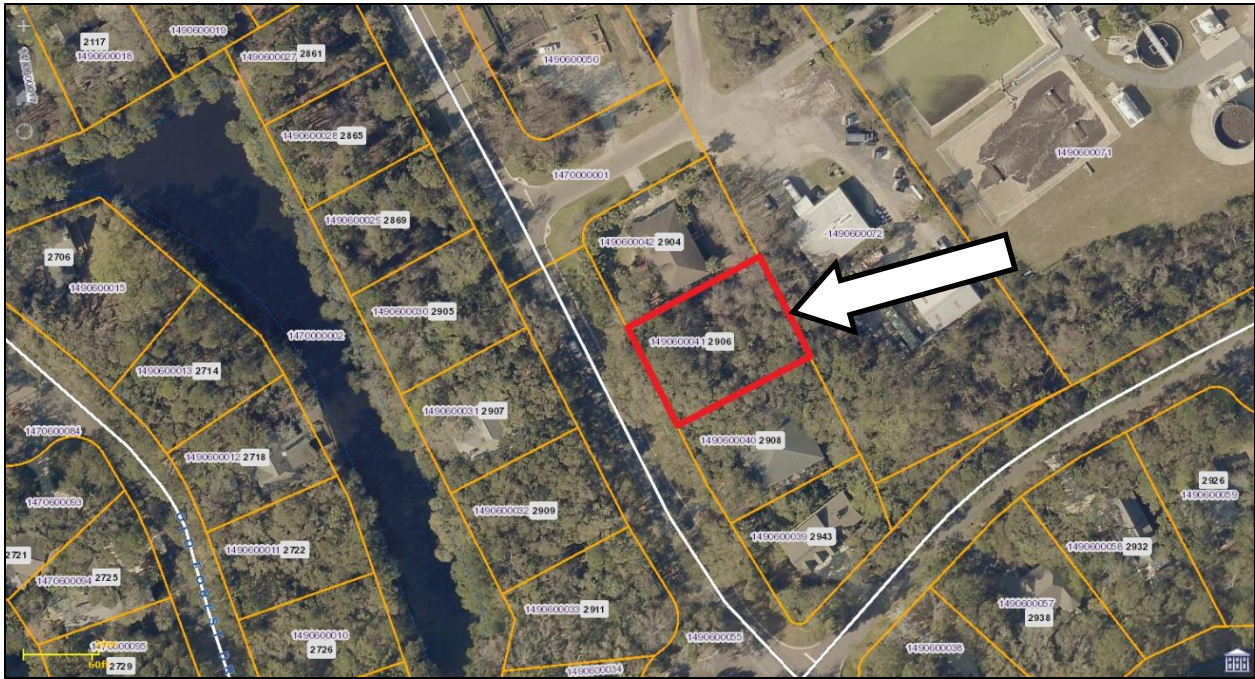


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Doc Type

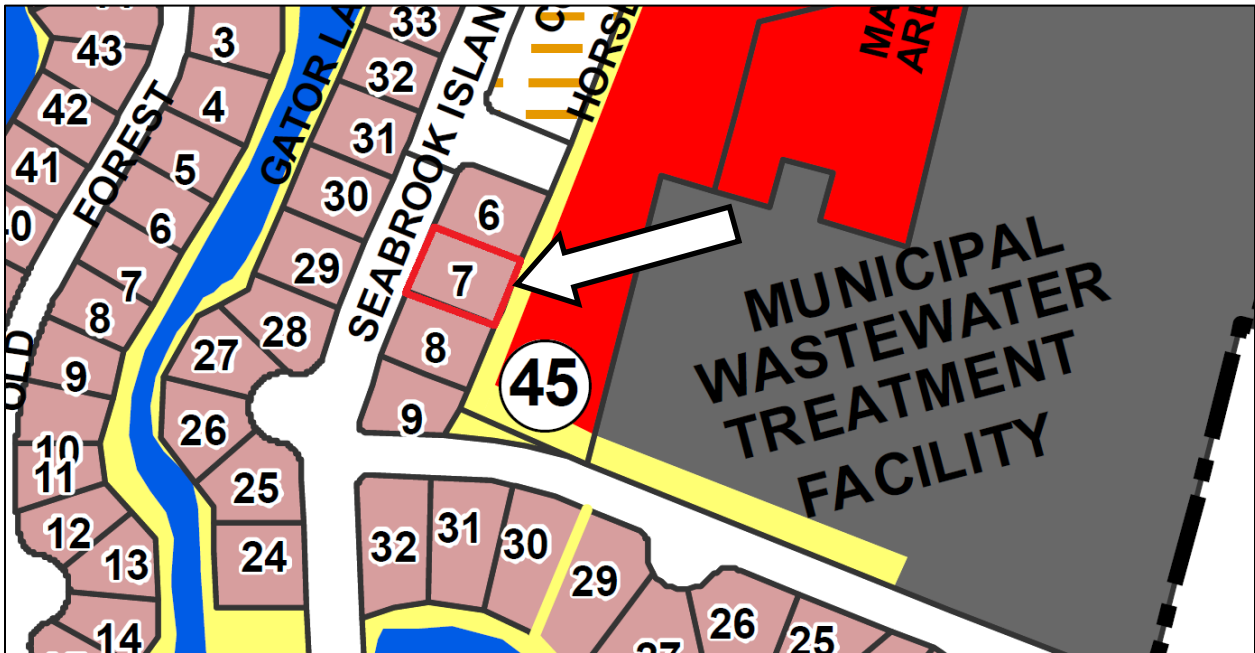


13:19:40
Recorded Time

Aerial Image



Zoning Map



TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2019-__

ADOPTED _____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 149-06-00-041, CONTAINING APPROXIMATELY 0.31 +/- ACRES LOCATED AT 2906 SEABROOK ISLAND ROAD, FROM THE SR SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE AGC AGRICULTURAL-CONSERVATION DISTRICT

WHEREAS, on or about January 21, 2019, the Seabrook Island Property Owners Association filed Rezoning Application #77 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 149-06-00-041, containing approximately 0.31 +/- acres located at 2906 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District; and

WHEREAS, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on February 6, 2019, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was held on the above referenced rezoning application on March 26, 2019;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Zoning Map Amendment. The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 149-06-00-041, containing approximately 0.31 +/- acres located at 2906 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

SECTION 2. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2019, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2019.

First Reading: February 26, 2019
Public Hearing: March 26, 2019
Second Reading: March 26, 2019

TOWN OF SEABROOK ISLAND

Ronald J. Ciancio, Mayor

ATTEST

Faye Allbritton, Town Clerk

EXHIBIT A

Property Map
Charleston County Tax Map Number 149-06-00-041





MEMORANDUM

TO: Planning Commission Members
FROM: Joseph M. Cronin, Town Administrator
SUBJECT: Rezoning Request for 2326 Cat Tail Pond Road
MEETING DATE: February 6, 2019

The Planning Commission is asked to review and provide a recommendation on a rezoning request from the Seabrook Island Property Owners Association (SIPOA) for Charleston County Tax Map Number 147-12-00-068, containing approximately 0.83 +/- acres located at 2326 Cat Tail Pond Road (Block 33, Lot 21). The applicant is seeking to rezone the property from the SR Single-Family Residential District to the AGC Agricultural-Conservation District.

The property is surrounded on three sides by parcels zoned SR Single-Family Residential. The property also backs up to the Crooked Oaks Golf Course (hole #7), which is zoned Parks & Recreation.

Subject to rezoning approval, this property is intended to remain as an undeveloped "open space" lot. Uses permitted within the AGC district are limited to the following:

- (a) Open air recreation uses including swimming areas, fishing, beaches, boat ramp, dock, pier, lifeguard station, restrooms, boardwalks and natural preserve.
- (b) Bulkhead and erosion control devices.

A copy of the draft rezoning ordinance is attached for review.

Staff Recommendation

Staff recommends in favor of **APPROVAL** of the rezoning request.

Respectfully submitted,


 Joseph M. Cronin
 Town Administrator

TOWN OF SEABROOK ISLAND
2001 SEABROOK ISLAND ROAD
SEABROOK ISLAND, SC 29455
Phone (843) 768-9121 Fax (843) 768-9830

REZONING APPLICATION NO. 78
DATE 1/21/19

PROPERTY INFORMATION:

- 1. Present Zoning SFR
- 2. Proposed Zoning AGR/CONS
- 3. Tax Map Number (s) 14712 00 068
- 4. Address 2326 Cattail Pond
- 5. Lot Dimensions .83 acres
- 6. Deed Recorded: Book 0768 Page 992 Date 12/28/18
- 7. Plat Recorded: Book AN Page 77 Date 12/13/78

APPLICANT/OWNER/REPRESENTATIVE:

- 8. Applicant SIPA
Address 1202 Landfall Way
Phone No. (Home) _____ (Business) 843 768 0061
- 9. Owner(s) (if different from applicant) _____
Address _____
Phone No. (Home) _____ (Business) _____
- 10. Representative (if different from applicant) Heather Pata
- 11. I (We) certify that _____ is my (our) authorized representative for this zoning change.

Signature of Owner(s)/Date

Heather Pata

Signature of Applicant/Date
and/or representative if different from owner

**A copy of an approved recorded plat showing present boundaries of the property to be rezoned and the appropriate fee is required upon application.



SINCE 1991
A.H. SCHWACKE & ASSOCIATES
 LAND SURVEYING • CONSTRUCTION LAYOUT
 1975 FRAMPTON AVE. PH: 843-782-7005 FAX 843-782-0109
 P.O. BOX 13077, CHARLESTON, SOUTH CAROLINA 29422-3077

CURVE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	300.00'	78.63'	39.48'	78.49'	N 79°15'37" E

LINE	BEARING	DISTANCE
L1	N 12°08'58" E	5.38'

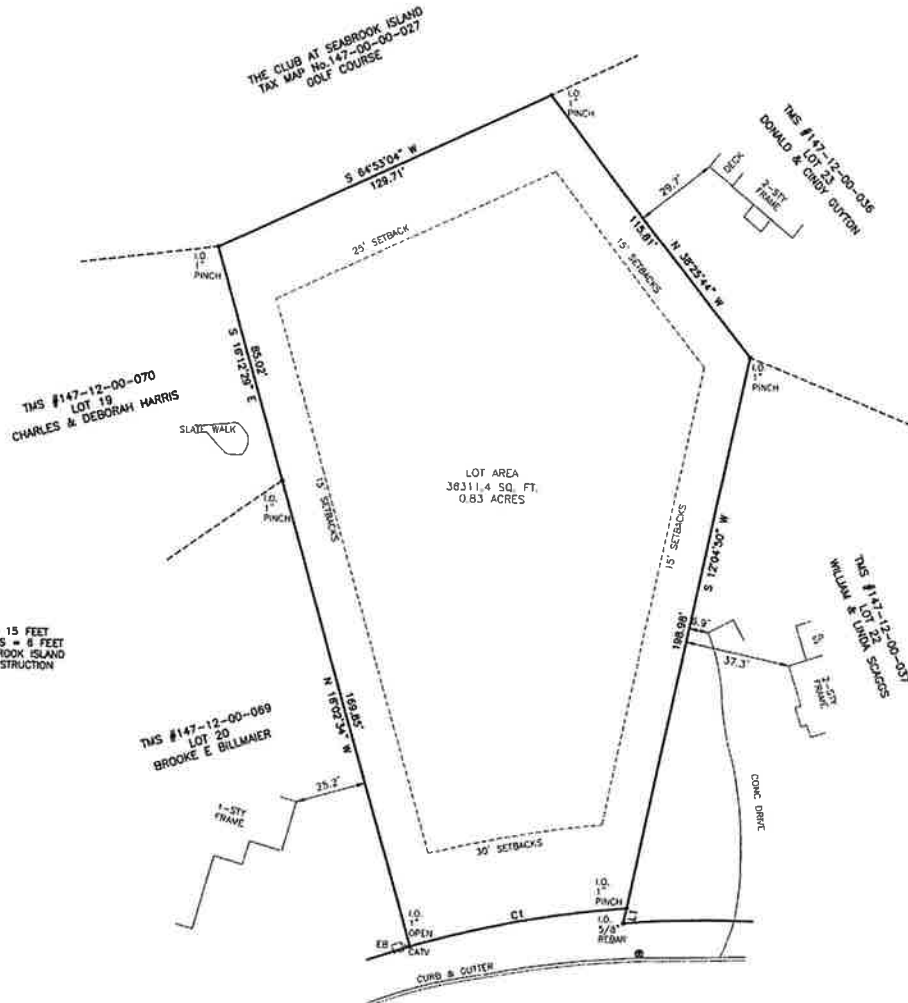
REFERENCE:

PLAT BY E.M. SEABROOK JR.
 DATED DECEMBER 13, 1978
 BOOK AN PAGE 77
 RMC CHAS. CO.

TAX MAP No. 147-12-00-068
 No. 2326 CAT TAIL POND ROAD
 Requested by CHARLES HARRIS



LEGEND:
 I.O. IRON OLD (FOUND)
 I.N. IRON NEW (SET)
 CMO CONCRETE MONUMENT OLD
 CATV CABLE TV BOX
 EB ELECTRIC BOX
 PP POWER POLE
 SP SCREEN PORCH



SETBACKS:
 FRONT/STREETSIDE = 30 FEET
 SIDE = 15 FEET
 REAR = 25 FEET
 REAR (UNCOVERED/OPEN DECKS) = 15 FEET
 REAR & SIDE DRIVEWAYS, WALKWAYS = 8 FEET
 SETBACKS TO BE VERIFIED BY SEABROOK ISLAND
 ARB PRIOR TO DESIGN AND/OR CONSTRUCTION

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 SEABROOK 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.
- NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
- PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (EL. 13) AS CPER 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 herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Close Survey as specified therein. Also there are no visible encroachments or projections other than shown. This Survey is not valid unless it bears the original signature and has an embossed seal.

[Handwritten Signature]

A.H. Schwacke, III, P.L.S.
 S.C. Registration Number 13858



PLAT OF
 LOT 21 BLOCK S1
 SEABROOK ISLAND
 TOWN OF SEABROOK ISLAND
 CHARLESTON COUNTY SOUTH CAROLINA



DATE: MAY 24, 2017 SCALE: 1" = 30'



BP0768992

PGS:

5

After recording, please return to:

Buist Byars & Taylor, LLC
130 Gardeners Circle, PMB #138
Johns Island, SC 29455
File No. 3624.0008

STATE OF SOUTH CAROLINA)	
)	
COUNTY OF CHARLESTON)	QUIT CLAIM DEED (Title Not Examined)

KNOW ALL MEN BY THESE PRESENTS, that **Seabrook Island Green Space Conservancy, Inc.**, ("Grantor"), for and in consideration of the sum of **FIVE AND NO/100 DOLLARS (\$5.00)**, being the true and complete consideration, to them in hand paid at and before the sealing of these presents by **Seabrook Island Property Owners Association**, (a South Carolina Corporation), ("Grantee"), in the State aforesaid, the receipt of which is hereby acknowledged, have, remised, released and forever quitclaimed, and by these presents do remise, release and forever quitclaim unto the said **Seabrook Island Property Owners Association**, all of their interest in and to the following described property, to-wit (the "Premises" or the "Property"):

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

SUBJECT to all covenants, conditions, restrictions, limitations, obligations, encumbrances, easements and rights of way of record affecting subject property.

BEING the same property conveyed to the Grantor by deed from Charles Harris and Deborah Harris recorded December 19, 2018 in Book 0767 at Page 480 in the Recording Office for Charleston County, South Carolina.

TMS No.: 147-12-00-068

Address of Grantee: 1202 Landfall Way
Seabrook Island, SC 29455

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

TO HAVE AND TO HOLD, all and singular, the Premises unto said Grantee, its successors and assigns, forever.

WITNESS my hand and seal this 27 day of December, in the year of our Lord Two Thousand Eighteen 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:

Seabrook Island Green Space Conservancy,
Inc.



Witness #1




Witness #2



By: Lori Leary
Its: President

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me, this 27 day of December, 2018, by Seabrook Island Green Space Conservancy, Inc., by Lori Leary, its President.



(SEAL)
Notary Public for South Carolina
My Commission Expires: _____



Exhibit A

ALL that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Charleston, State of South Carolina and being more particularly shown as Lot 21, Block 31 on a plat by E.M. Seabrook dated December 13, 1978 and recorded in the RMC Office for Charleston County in Plat Book AN, Page 77.

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.

Said property shall be held, transferred, sold and conveyed subject to the restriction that, except as may otherwise be provided herein, its use shall be limited to use as a Green Space (as defined herein), with no construction of any kind whatsoever permitted, provided however that removal of dead trees or dead animals is permitted and maintenance and improvements in the Seabrook Island storm water drainage system is authorized. In no event shall said property be used as an area for parking vehicles; domestic animal funs; boat, vehicle, or equipment storage; or any other use inconsistent with preserving the natural environment of said property. This restriction shall run with the property and be binding on all parties having any right, title or interest in said property of any part thereof and their respective heirs, successors, and assigns.

"Green Space" is defined as that gift of land or perpetual conservation easement which cannot be subdivided, sold or otherwise disposed of under conditions which would permit its use for erection or any structure whatsoever. Land and/or a perpetual conservation easement purchased by of donated to Grantor, its predecessor, or its successors, is required to remain in its natural state (i.e. - for the protection of flora, fauna, open spaces, and scenic vistas) and may be used only as agreed to by Grantor and the donor. Either the Grantor or the Grantee may remove dead or dying trees or animals from land and/or conservation easements as part of its management responsibilities.

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

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 2326 Cat Tail Pond Road, Seabrook Island, Charleston County, South Carolina, bearing Tax Map Number 147-12-00-068, was transferred by Seabrook Island Green Space Conservancy, Inc. to Seabrook Island Property Owners Association on December 27, 2018.
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 distribution to a trust beneficiary.
 - (c) **XX** exempt from the deed recording fee because (See Information section of affidavit): Exemption No. 1 - CONSIDERATION PAID LESS THAN \$100.00 (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) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - (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 ___ 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 \$ _____.

6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: 0.00
 - (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: 0.00

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

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:

[Signature] (Signature)
Buist, Byars & Taylor, LLC

Sworn to before me this 27
day of December, 2018.

[Signature]
Notary Public for South Carolina
My Commission Expires: _____



RECORDER'S PAGE



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

Filed By:

BUIST BYARS & TAYLOR, LLC
 FRESHFIELDS VILLAGE
 130 GARDNER'S CR PMB 138
 JOHNS ISLAND SC 29455 (BOX)

RECORDED		
Date:	December 28, 2018	
Time:	10:54:00 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0768	992	Q/Claim
Elaine H. Bozman, Register Charleston County, SC		

MAKER:

SEABROOK ISLD GREEN ETC

of Pages: 5

RECIPIENT:

SEABROOK ISLD POA

Note:

Recording Fee	\$ 10.00
State Fee	<EXEMPT>
County Fee	<EXEMPT>
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 10.00

Original Book:

Original Page:

DRAWER Drawer 1
CLERK KLH

AUDITOR STAMP HERE
 RECEIVED From ROD
 Jan 08, 2019
 Peter J. Tecklenburg
 Charleston County Auditor

PID VERIFIED BY ASSESSOR
 REP MKD
 DATE 01/09/2019
 31



0768
Book



992
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12/28/2018
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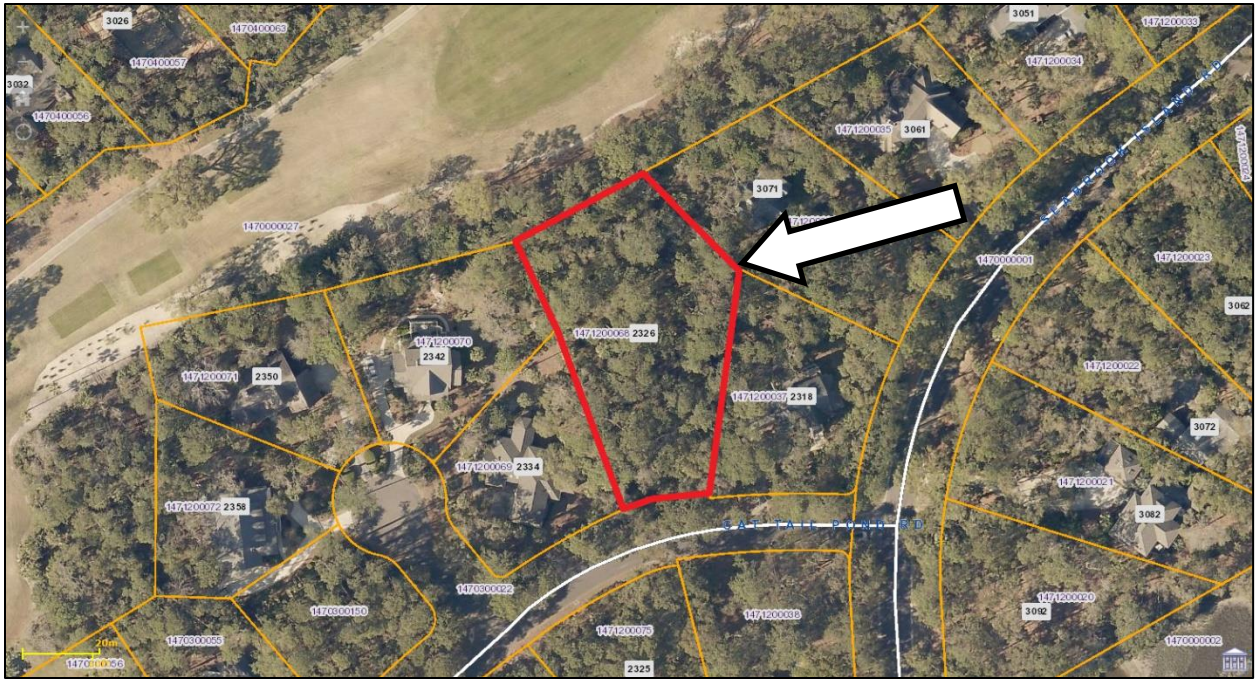


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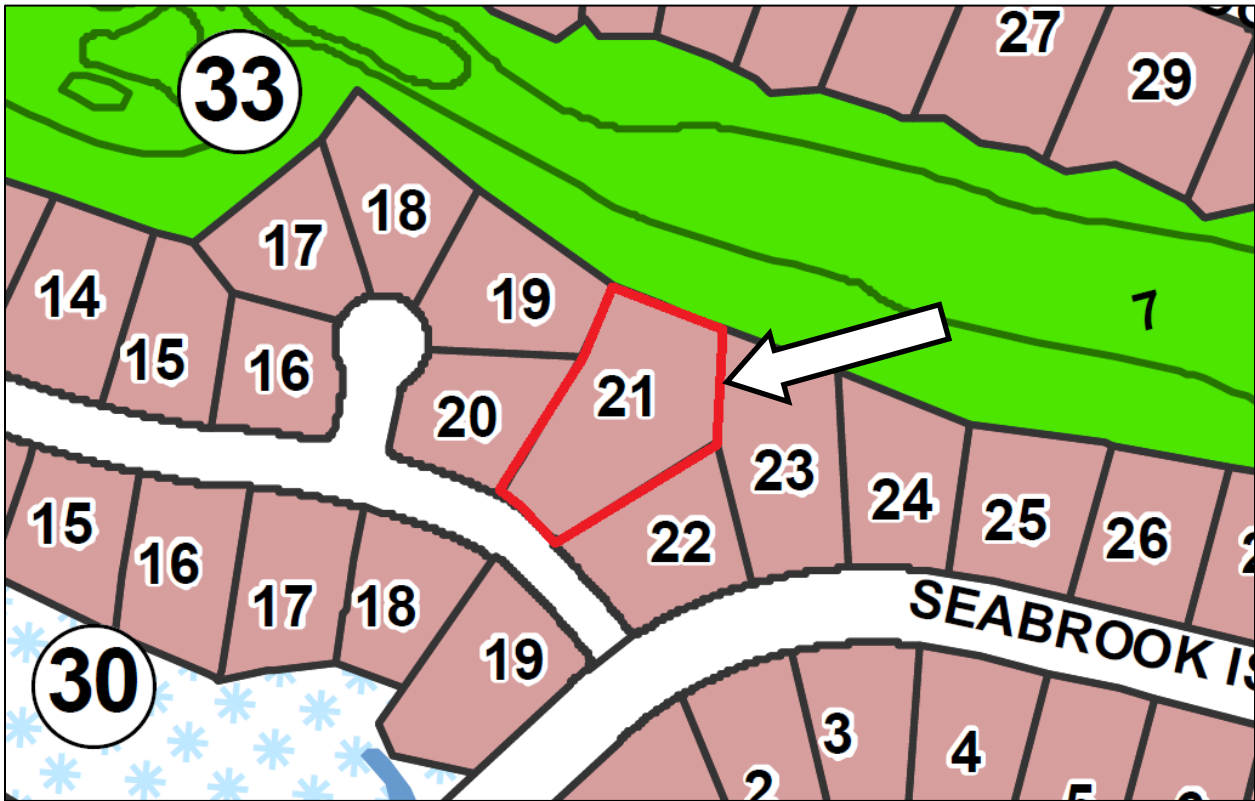


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Zoning Map



TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2019-__

ADOPTED _____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 147-12-00-068, CONTAINING APPROXIMATELY 0.83 +/- ACRES LOCATED AT 2326 CAT TAIL POND ROAD, FROM THE SR SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE AGC AGRICULTURAL-CONSERVATION DISTRICT

WHEREAS, on or about January 21, 2019, the Seabrook Island Property Owners Association filed Rezoning Application #78 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 147-12-00-068, containing approximately 0.83 +/- acres located at 2326 Cat Tail Pond Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District; and

WHEREAS, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on February 6, 2019, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was held on the above referenced rezoning application on March 26, 2019;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Zoning Map Amendment. The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 147-12-00-068, containing approximately 0.83 +/- acres located at 2326 Cat Tail Pond Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

SECTION 2. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2019, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2019.

First Reading: February 26, 2019
Public Hearing: March 26, 2019
Second Reading: March 26, 2019

TOWN OF SEABROOK ISLAND

Ronald J. Ciancio, Mayor

ATTEST

Faye Allbritton, Town Clerk

EXHIBIT A

Property Map
Charleston County Tax Map Number 147-12-00-068



Town of Seabrook Island Meeting Dates for 2019

	4 th Tue. @ 2:30 PM	3 rd Tue. @ 2:30 PM	1 st Wed. @ 1:30 PM	3 rd Wed. @ 9:30 AM
Month	Town Council	Ways & Means	Planning Commission	Utility Commission
January	Jan. 22, 2019	Jan. 15, 2019	Jan. 3, 2019*	Jan. 16, 2019
February	Feb. 26, 2019	Feb. 19, 2019	Feb. 6, 2019	Feb. 20, 2019
March	Mar. 26, 2019	Mar. 19, 2019	Mar. 6, 2019	Mar. 20, 2019
April	Apr. 23, 2019	Apr. 16, 2019	Apr. 3, 2019	Apr. 17, 2019
May	May 28, 2019	May 21, 2019	May 1, 2019	May 15, 2019
June	Jun. 25, 2019	Jun. 18, 2019	Jun. 5, 2019	Jun. 19, 2019
July	Jul. 23, 2019	Jul. 16, 2019	Jul. 10, 2019*	Jul. 17, 2019
August	Aug. 27, 2019	Aug. 20, 2019	Aug. 7, 2019	Aug. 21, 2019
September	Sep. 24, 2019	Sep. 17, 2019	Sep. 11, 2019*	Sep. 18, 2019
October	Oct. 22, 2019	Oct. 15, 2019	Oct. 2, 2019	Oct. 16, 2019
November	Nov. 19, 2019*	Nov. 12, 2019*	Nov. 6, 2019	Nov. 13, 2019*
December	Dec. 17, 2019*	Dec. 10, 2019*	Dec. 4, 2019	Dec. 11, 2019*

* Denotes a date change due to proximity to a town holiday

Accommodations Tax Committee	Board of Zoning Appeals	Public Safety Committee
Meetings dates will be scheduled by the Chair as needed.	Meetings dates will be scheduled by the Chair as needed.	Meetings dates will be scheduled by the Chair as needed.

Meeting agendas will be posted on the town's website (www.townofseabrookisland.org) at least 24 hours prior to each meeting. All meetings will take place in Town Council Chambers, 2001 Seabrook Island Road, Seabrook Island, SC 29455, unless otherwise noted.

For more information, or to be added to the Town of Seabrook Island's agenda distribution list, please contact: Faye Allbritton (Town Clerk/Treasurer) by phone at (843) 768-9121 or by email at fallbritton@townofseabrookisland.org.