Consistent with recommendations from the U.S. Centers for Disease Control and Prevention related to “social distancing,” this meeting will be conducted virtually via Zoom.

**Participate in the Virtual Public Hearing:** Individuals who wish to participate in the virtual Public Hearing via Zoom may access the meeting as follows:

- Instructions for Joining & Participating in the Virtual Public Hearing
- To join by computer, tablet or mobile device: Click here to access Zoom Meeting
- To join by phone: Call (646) 558-8656 *Please note that long distance rates may apply*
- Meeting ID: 894 0063 4207  Passcode: 888171

**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 options:

- Online: Variance #171 | Variance #172
- Email: jcronin@townofseabrookisland.org
- Mail or Hand Deliver: 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 2:30 pm:

- Watch Live: Live Stream Video (YouTube)

---

**AGENDA**

**CALL TO ORDER**

**APPROVAL OF MINUTES**


**PUBLIC HEARING ITEMS**

1. **Variance # 171**  [Pages 5–69]

   **APPLICANT:** Robert & Cheryl Schuldt (Owners), Ron Welch (Applicant)
   **ADDRESS:** 2730 Gnarled Pine
TAX MAP NUMBER: 147-08-00-080
ZONING DISTRICT: SR Single-Family Residential
CODE SECTION: 7.60.20.30 / 7.60.60 – 25-foot rear yard setback required for residential structures
PURPOSE: To reduce the required rear yard setback from 25 feet to approximately 19.5 feet to allow for construction of a screened porch addition

2. Variance # 172

APPLICANT: Ashton Holloway (Owner)
ADDRESS: 3016 Seabrook Village Drive
TAX MAP NUMBER: 147-00-00-059
ZONING DISTRICT: MF Multi-Family Residential
CODE SECTION: 6.80 (Village at Seabrook PUD, as amended by Ord. 2020-01) – 30-foot front yard setback required from both street frontages on corner lots
PURPOSE: To reduce the required front yard setback on the secondary street frontage from 30 feet to twenty 20 feet to allow for construction of a detached single-family home

ITEMS FOR INFORMATION / DISCUSSION

There are no Items for Information / Discussion

ADJOURN
MINUTES

Present: Walter Sewell (Chair), John Fox (Vice Chair), Bob Leggett, Janet Gorski, Tom Pinckney, Joe Cronin (Zoning Administrator)

Absent: None

Guests: None

Chairman Sewell called the meeting of the Board of Zoning Appeals to order at 2:35 PM. Zoning Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled, and the meeting was properly posted.

Chairman Sewell then welcomed Mr. Tom Pinckney to the Board of Zoning Appeals. Mr. Pinckney was appointed by council to fill the position formerly held by Ms. Ava Kleinman.

ELECTION OF CHAIR & VICE CHAIR FOR 2020

Chairman Sewell opened the floor for nominations for the position of chair. Ms. Gorski nominated Walter Sewell to serve as chair for 2021. Mr. Fox seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to elect Mr. Sewell as chair was APPROVED by a vote of 5-0.

Chairman Sewell then opened the floor for nominations for the position of vice chair. Chairman Sewell nominated John Fox to serve as vice chair for 2021. Ms. Gorski seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to elect Mr. Fox as vice chair was APPROVED by a vote of 5-0.

APPOINTMENT OF SECRETARY FOR 2019

Chairman Sewell nominated Zoning Administrator Cronin to serve as Secretary to the Board for 2021. Mr. Leggett seconded the nomination. There being no further nominations, Chairman Sewell called for a vote on the nomination. The motion to appoint Zoning Administrator Cronin as secretary was APPROVED by a vote of 5-0.

APPROVAL OF MINUTES
1. **Board of Zoning Appeals Meeting: November 2, 2020:** Ms. Gorski noted a typo on page 9 ("district" should be "distract.") Ms. Gorski made a motion to approve the minutes from the November 2, 2020, meeting as corrected. Mr. Fox seconded the motion. The motion was **APPROVED** by a vote of 4-0. Mr. Pinckney abstained from voting because he was not a member of the Board at that time.

PENDING VARIANCE REQUESTS

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

- **Variance #171 (2730 Gnarled Pine):** Request to allow a proposed screened porch addition to encroach approximately 5.5 feet into the required 25-foot rear yard setback.
- **Variance #172 (3016 Seabrook Village Drive):** Request to allow a new single-family home to encroach up to 10 feet into the required 30-foot front yard setback. A brief discussion took place regarding “cul-de-sacs,” which is not a defined term in the DSO.

Zoning Administrator Cronin noted that the public hearing for each of these variances would be held “virtually” due to the ongoing COVID-19 pandemic. He stated that the Board will be able to receive verbal comments via the Zoom platform, similar to a traditional public hearing. In addition, the town will continue to accept written comments in advance of the meeting via the following options:

- **ONLINE:** www.townofseabrookisland.org
- **EMAIL:** jcronin@townofseabrookisland.org
- **MAIL:** Town of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

Zoning Administrator Cronin added that all written comments would be read into the public record during the hearing on January 21st.

ITEMS FOR INFORMATION / DISCUSSION

*There were no Items for Information / Discussion.*

Chairman Sewell noted that the next meeting was scheduled for Thursday, January 21, 2021, at 2:30 PM. He requested that members make arrangements to visit each location prior to the next meeting. He also encouraged members to wear a mask when interacting with others during the site visits.

There being no further business, Ms. Gorski made a motion to adjourn the meeting. Mr. Leggett seconded the motion. The motion to adjourn the meeting was **APPROVED** by a vote of 5-0 and the meeting was adjourned at 3:03 PM.

Minutes Approved: ____________________________
Joseph M. Cronin
Zoning Administrator
MEMORANDUM

TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Application # 171 – 2730 Gnarled Pine
MEETING DATE: January 21, 2021

**Variance Application #166**

<table>
<thead>
<tr>
<th><strong>Applicants:</strong></th>
<th>Robert and Cheryl Schuldt (Owners), Ron Welch (Applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location:</strong></td>
<td>2730 Gnarled Pine</td>
</tr>
<tr>
<td><strong>Tax Map Number:</strong></td>
<td>147-08-00-080</td>
</tr>
<tr>
<td><strong>Zoning District:</strong></td>
<td>SR Single-Family Residential</td>
</tr>
<tr>
<td><strong>Code Section(s):</strong></td>
<td>§ 7.60.20.30 / § 7.60.60 – 25-foot rear yard setback required for residential structures</td>
</tr>
<tr>
<td><strong>Purpose:</strong></td>
<td>To reduce the required rear yard setback from 25 feet to approximately 19.5 feet to allow for construction of a screened porch addition</td>
</tr>
</tbody>
</table>

**Overview**

The Town has received a variance application from Robert and Cheryl Schuldt, the owners of Charleston County Tax Map # 147-08-00-080, as well as their contractor, Ron Welch (collectively, the “Applicants”). The Applicants are requesting a reduction in the 25-foot rear yard setback requirement to allow for construction of a screened porch addition at the rear of an existing single-family residence located at 2730 Gnarled Pine (Block 9, Lot 14).

According to Charleston County tax records, the existing home was built after the incorporation of the town (1994) and, therefore, was built under the town’s zoning requirements. Mr. and Mrs. Schuldt purchased the property in April 2017.

The DSO requires a minimum rear yard setback of 25 feet from the rear property line for all structures other than open decks, including a screened porch. At its closest point, the proposed porch will be located approximately 19.5 feet from the rear property line.

**Code Reference:**

a. § 7.60.20.30. **Minimum Rear Yard Setback.** Twenty-five (25) feet.

b. § 7.60.60. **Open Space Lots—Rear Setback.** On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Open decks may extend into the setback, but may not be less than fifteen (15) feet from the rear lot line.
The property is currently zoned SR Single-Family Residential, and a single-family residence is a permitted use by-right.

The existing home complies with the 30-foot front yard setback, 15-foot side yard setback on both sides, and 25-foot rear yard setback for the principal dwelling. The existing deck conforms to the 15-foot setback requirement for open decks; however, based on the survey of existing conditions, the steps and walkway coming off the rear deck appear to be non-conforming.

In order to allow for construction of the proposed screened porch, the Applicants are requesting the following variance from the requirements of the DSO:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>VARIANCE (REQUESTED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear Yard Setback</td>
<td>25 feet (§ 7.60.20.30 &amp; § 7.60.60)</td>
<td>Reduce the rear yard setback requirement from 25 feet to approximately 19.5 feet (5.5-foot encroachment)</td>
</tr>
</tbody>
</table>

In their application, the Applicants are requesting relief from the rear yard setback requirement for the following reasons:

a) The existing home was constructed under different setback requirements than exist today;  
   _Staff Note: The town’s 25-foot rear yard setback requirement is the same today as it was when the home was constructed, and the enclosed portion of the existing structure currently conforms to that requirement._

b) The Applicants were unaware of the 25-foot setback requirement due to a labeling error on their survey;

c) The neighboring property at 2740 has an enclosed back porch that that is assumed to sit over the setback line;  
   _Staff Note: 2740 Gnarled Pine appears to encroach 1-2 feet into the required 25-foot rear yard setback. It should be noted that 2740 Gnarled Pine was completed prior to the town’s incorporation and, therefore, was built under Charleston County’s setback requirements._

d) Strict application of the rear yard setback requirement would prohibit the Applicants from constructing a screened porch and enjoying their property; and  
   _Staff Note: The existing residence is located approximately 40 feet from the left side property line, leaving ample space for a screened porch that meets the 25-foot rear yard setback requirement; however, interior considerations may exist which were not addressed in the variance application._

e) The property to the rear of the Applicants’ property is owned by the Seabrook Island Club (golf course) and the proposed porch will be located more than 60 feet away from playing grounds of the golf course. The proposed porch will not extend any closer to the rear property line than the existing deck, and the porch will not affect the views of the golf course from neighboring properties.
As a matter of practice, the town’s Zoning Administrator does not typically provide a recommendation in favor of, or in opposition to, a variance application. In our opinion, these requests are best left to the Board of Zoning Appeals following a thorough review of the relevant facts, including the receipt of testimony from interested parties during the required public hearing.

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

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

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the Applicants and reviewed by the Board on January 21, 2021. 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 Applicants 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.

- The variance shall expire on January 21, 2023 (two years from the date of approval) if the Applicants fail to obtain a building permit on or before that date.

Respectfully submitted,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Criteria for Review

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

(a) there are **extraordinary and exceptional conditions** pertaining to the particular piece of property;

(b) these **conditions do not generally apply to other property** in the vicinity;

(c) because of these conditions, the application of the ordinance to the particular piece of property would **effectively prohibit or unreasonably restrict** the utilization of the property; and

(d) the authorization of a variance **will not be of substantial detriment** to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

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

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.
### Attachments

The following supplemental items have been attached for review:

<table>
<thead>
<tr>
<th><strong>Application &amp; Property Information</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1    Variance Application</td>
<td>p. 10-16</td>
</tr>
<tr>
<td>2    Existing Conditions</td>
<td>p. 17-18</td>
</tr>
<tr>
<td>3    Site Plan &amp; Architectural Drawings</td>
<td>p. 19-24</td>
</tr>
<tr>
<td>4    Subdivision Plat (1974)</td>
<td>p. 25-26</td>
</tr>
<tr>
<td>5    Property Photos</td>
<td>p. 27-33</td>
</tr>
<tr>
<td>6    Zoning Map</td>
<td>p. 34-35</td>
</tr>
<tr>
<td>7    Aerial Image</td>
<td>p. 36-37</td>
</tr>
<tr>
<td>8    FEMA Base Flood Elevations</td>
<td>p. 38-39</td>
</tr>
<tr>
<td>9    Title to Real Estate</td>
<td>p. 40-45</td>
</tr>
<tr>
<td>10   Property Information Card</td>
<td>p. 46-50</td>
</tr>
<tr>
<td>12   Public Hearing Notice – List of Neighboring Property Owners</td>
<td>p. 54-55</td>
</tr>
<tr>
<td>13   Public Hearing Notice – U.S.P.S. Certified Mail Receipts</td>
<td>p. 56-57</td>
</tr>
<tr>
<td>14   Public Hearing Notice – Post and Courier Legal Ad</td>
<td>p. 58-59</td>
</tr>
<tr>
<td>15   Public Hearing Notice – Property Posting</td>
<td>p. 60-61</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Other Information</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>16   SIPOA Approval (10-05-2020)</td>
<td>p. 62-64</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Written Correspondence Regarding the Proposed Variance Request</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18a      Letter from Jeffrey Noel (01-08-2020)</td>
<td>p. 68-69</td>
</tr>
</tbody>
</table>
Variance Application
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 $150.00 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 cronin@townofseabrookisland.org.

<table>
<thead>
<tr>
<th>1. PROPERTY INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please provide information regarding the property which is subject to the variance request.</td>
</tr>
<tr>
<td>Property Address: 2790 Guarlan Drive</td>
</tr>
<tr>
<td>Tax Map Number: 147-08-00-080 Block 9 Lot 14</td>
</tr>
<tr>
<td>Lot Size (Square Feet): 22,814</td>
</tr>
<tr>
<td>Is this property subject to an OCRM critical line? (eg. Marsh or Beachfront Lots): Yes No</td>
</tr>
<tr>
<td>Is this property subject to private restrictions or covenants? (eg. SIPOA or regime): Yes No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. APPLICANT(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please provide information regarding the individual(s) who is (are) submitting the variance request.</td>
</tr>
<tr>
<td>Applicant Name(s): RON WELCH</td>
</tr>
<tr>
<td>Applicant Address: 1881-A Andell Bluff Bluff Johns Island SC 29455</td>
</tr>
<tr>
<td>Applicant Phone Number: 843 847 1903</td>
</tr>
<tr>
<td>Applicant Email Address: <a href="mailto:RONWELCH@GMAIL.COM">RONWELCH@GMAIL.COM</a></td>
</tr>
<tr>
<td>If the Applicant is NOT an owner of the property, what is the relationship to the Property Owner(s): CONTRACTOR</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. PROPERTY OWNER(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the Applicant(s) is (are) NOT the property owner(s), please provide information for the property owner(s).</td>
</tr>
<tr>
<td>Owner Name(s): ROBERT &amp; CHERYL SCHULITZ</td>
</tr>
<tr>
<td>Owner Mailing Address: 847 26th 3483</td>
</tr>
<tr>
<td>Owner Phone Number: 847 26th 3483</td>
</tr>
<tr>
<td>Owner Email Address: <a href="mailto:CSCHULITZ@CSMBIAINC.COM">CSCHULITZ@CSMBIAINC.COM</a></td>
</tr>
</tbody>
</table>

**Designation of Agent (Required if the Applicant(s) is(are) NOT a Property Owner):** I (we) hereby designate and appoint the above named Applicant(s) as my (our) agent(s) to represent me (us) in this application.

<table>
<thead>
<tr>
<th>Owner Signature(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date 1/1/2020</td>
</tr>
<tr>
<td>Date 1/1/20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. CERTIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge.</td>
</tr>
<tr>
<td>Applicant Signature(s): Ron Welch</td>
</tr>
<tr>
<td>Date 1/1/20</td>
</tr>
<tr>
<td>Date 1/1/20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OFFICE USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Filed:</td>
</tr>
<tr>
<td>Variance Application #:</td>
</tr>
<tr>
<td>Hearing Date:</td>
</tr>
</tbody>
</table>

Variance Application (Rev. 07/2019)
5. VARIANCE REQUEST

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

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) DSO Requirement(s): SEE ATTACHED

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

☑ Completed & Signed Variance Application Form (Paper Required; PDF Optional)
  - Please submit one completed paper application. All signatures must be original.

☑ $150.00 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  
Board of Zoning Appeals  
2001 Seabrook Island Road  
Seabrook Island, SC 29455  

RE: Notice Of Appeal (Pursuant to § 19.40 of the DSO)  
2730-Gnarled Pine  
Charleston County Tax ID 147-08-00-080  

Date: 11/13/2020  

Dear Board,  

I am writing on behalf of my clients, Robert and Cheryl Schuldt (owners), requesting appeal of the denial of zoning permit for construction of a screened porch at the rear of an existing residence located at: 2730 Gnarled Pine (Charleston County Tax ID 147-08-00-080).  

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

- The proposed addition will encroach approximately 5.4 feet into the required 25-foot rear yard setback.  

- Note: The property survey incorrectly shows a 15-foot rear yard setback. The minimum rear yard setback requirement is 25 feet. On lots abutting open space (such as a golf course) open decks may be located 15 feet from the property line; however, all other structures must be set back at least 25 feet from the rear property line.  

- DSO Code References:  


  - § 7.60.60. Open Space Lots – Rear Setback. On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Open decks may extend into the setback, but may not be less than fifteen (15) feet from the rear lot line.
Please review owner Cheryl Scheldt’s appeal as follows:

It appears our current deck was built with the original house under different setback codes. We are not looking to expand any deeper toward the golf course, but rather lengthen it to have an enclosed screened in section to enjoy eating outside without insects (no-see-ums, mosquitoes, etc.).

With existing setbacks, we’d never be able to have a screened in deck of any kind, this is the best place to add it without any further encroachment to setbacks with direct neighbors and we will have 60+ feet before the playing grounds of the golf course. It will enhance the look of the house from the view of the golf course.

- Our proposed screened deck doesn’t extend any further than our open deck—it aligns 100%. However, it is the furthest distance from the golf course as our lot is a bit of a “triangle” shape in the backyard with the furthest point of the triangle from where we are hoping to have the enclosed deck.
- Our direct neighbors at 2740 Gnarled Pine have an enclosed back porch that sits extremely close to the golf course. I’m guessing it’s well over the setback, as it appears to be close to the actual playing greens of the golf course. Our back yard has 60+ feet from where we are proposing the enclosed porch would end, with additional feet before the greens.
- There will not be any detriment to the adjacent properties or the public good or the character of Seabrook Island. A variance in the case of this property is the only real way to continue to honor the character of the property and not to deter other from owning adjacent properties. The impact on the property is at the rear of the property and does not impair the golf course or the enjoyment to the golfers. This would still be 60+ feet away from the currently maintained area of the golf course.

We are quite shocked that it appears we have this large back yard property that we maintain, yet with the setbacks given, we don’t have the options to use it even for an extended covered deck. I wonder if someone could come look at the property so we can show how this area is truly the furthest from the golf course greens.

Licensed Contractor, Ron Welch submits the following on behalf of owners as follows:

- The screened porch design was based on assumption that the rear setback was 15’ as shown on recent survey (attached)
- Survey does not show 25’ setback line
- Approval would not be detrimental to the neighboring homeowners, as it does not affect view of the golf course.
- As new owners, my clients should be allowed to enjoy their back yard insect free.
- There appears to be ample buffer from the rear line to the groomed area of the golf course.
We respectfully request that you consider the appeal and allow the screen porch to be constructed as originally submitted.

Respectfully,

Ron Welch/ Ron Welch Contracting, LLC.

843.847.1903 /ronawelch@gmail.com

On behalf of:

Robert and Cheryl Schuldt
Existing Conditions
ATTACHMENT #3

Site Plan & Architectural Drawings
Schuldt Residence - Deck Addition
2730 Gnarled Pine, Seabrook Island, SC 29455

ADD 10' X 14' SCREEN PORCH W/ LOUVERS BELOW
REAR ELEVATION
Scale: 1" = 1' 

LEFT ELEVATION
Scale: 1" = 1'

RIGHT ELEVATION
Scale: 1" = 1'

NEW 12' X 14' SCREEN PORCH & LOUVERS
EXISTING HOME AND DECK
ATTACHMENT #4

Subdivision Plat (1974)
ATTACHMENT #5

Property Photos
ATTACHMENT #6

Zoning Map
ATTACHMENT #7

Aerial Image
ATTACHMENT #8

FEMA Base Flood Elevation
Title to Real Estate
STATE OF SOUTH CAROLINA )
COUNTY OF CHARLESTON )

KNOW ALL MEN BY THESE PRESENTS, that Mark J. Schindler and Cynthia B. Schindler ("Grantor"), in the State aforesaid, for/and in consideration of the sum of SIX HUNDRED SIXTY SIX THOUSAND THREE HUNDRED AND 00/100 DOLLARS ($666,300.00), to us in hand paid at and before the sealing of these Presents by Robert F. Schuldts, II and Cheryl L. Schuldts, in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said Robert F. Schuldts, II and Cheryl L. Schuldts as joint tenants with right of survivorship and not as tenants in common, the following described property, to-wit:

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

TMS Number: 147-08-00-080

Address of Grantee(s):

1117 Ashland Ave
Wilmette, IL 60091

This is the same property conveyed to Grantor by deed from John Miechkowski and Tiara M. Chovance, recorded October 12, 2012 in Book 0284, page 384, Charleston County Recording Office.

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

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Robert F. Schuldts, II and Cheryl L. Schuldts as joint tenants with right of survivorship and not as tenants in common, their heirs and assigns, forever.

AND subject to the exceptions set forth above, Grantor do bind myself/ourselves and our heirs, executors, and administrators, to warrant and forever defend, all and singular, the premises before mentioned unto the said Robert F. Schuldts, II and Cheryl L. Schuldts, their heirs and assigns, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.
WITNESS our hand and seal this 21 day of April, in the year of our Lord Two Thousand Seventeen and in the Two Hundred and Forty-First year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Linda Bamberger
Witness #1

Mark J. Schindler

Witness #2

Cynthia B. Schindler

STATE OF South Carolina
COUNTY OF Hurry

The foregoing instrument was acknowledged before me by Mark J. Schindler and Cynthia B. Schindler, this 21 day of April, 2017.

ASHTON C. JORDAN
Notary Public, State of South Carolina
My Commission Expires 7/19/2024 (SEAL)

Notary Public for State of South Carolina
My commission expires: 7/18/2024
EXHIBIT A

ALL that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being on Seabrook Island, Charleston County, South Carolina, and known and designated as LOT 14, BLOCK 9, on a plat by E.M. Seabrook, Jr., CE & LS, dated November 30, 1973, and recorded in the RMC Office for Charleston County, South Carolina in Plat Book AC at Page 128; and as more recently shown on a Plat recorded in Plat Book AE at Page 111, said RMC Office. Said lot having the size, shape, dimensions, buttins and boundings, more or less, as are shown on said plat, which is specifically incorporated herein by reference.

This conveyance is subject to the Restrictions and Protective Covenants dated November 13, 1972, and duly recorded in the RMC Office for Charleston County in Book N100, Page 296; as amended by instrument recorded in Book Y100 at Page 143; and Second Modification thereto dated March 26, 1985 and recorded in Book J144, Page 67; Third Amendment of Protective Covenants dated April 24, 1987 and recorded in the RMC Office for Charleston County in Book J164 at Page 487; Also, Second restated and amended ByLaws dated October 18, 1984 and recorded in Book E141 at Page 267; as amended by instrumrnt dated March 26, 1985 and recorded in the RMC Office for Charleston County in J144, Page 59, and as further amended from time to time.

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 2730 Gnarled Pine, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 147-08-00-080, was transferred by Mark J. Schindler and Cynthia B. Schindler to Robert F. Schuld, II and Cheryl L. Schuld on April 25, 2017.

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

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

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
   (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $666,300.00
   (b) _____ The fee is computed on the fair market value of the realty which is $ ________________
   (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is $ ________________

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

6. The deed recording fee is computed as follows:
   (a) Place the amount listed in item 4 above here: 666,300.00
   (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: 666,300.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: ___2,466.05___

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

Sworn to before me this 25th day of _______________ 2017.

Notary Public for
My Commission Expires: _______________

Notary Public, South Carolina
My Commission Expires: August 19, 2024
RECORDED

Date: April 27, 2017
Time: 1:02:32 PM

Book: 0633
Page: 575
DocType: Deed

Charlie Lybrand, Register
Charleston County, SC

# of Pages: 5
Recording Fee: $10.00
State Fee: $1,732.90
County Fee: $733.15
Extra Pages: -
Postage: -
Chattel: -
TOTAL: $2,476.05

RECORDED

RECEIVED From RMC
Apr 28, 2017
Peter J. Tackenburg
Charleston County Auditor

AUDITOR STAMP HERE

SUCCESS

RECORDED

RECEIVED From RMC
Apr 28, 2017
Peter J. Tackenburg
Charleston County Auditor

AUDITOR STAMP HERE

SUCCESS
ATTACHMENT #10

Property Information Card
Property Information

Current Owner:
SCHULDT ROBERT F II
SCHULDT CHERYL L
1117 ASHLAND AVE
WILMETTE IL 60091

Property ID: 1470800080

Physical Address: 2730 GNARLED PINE

Property Class: 101 - RESID-SFR

Plat Book/Page: /

Neighborhood: 111403 AD03 Chateau by the Greens

Deed Acres: 0.0000

Legal Description
Subdivision Name -SEABROOK ISLAND Description -LT 14 BLK 9 Description -LT 14 BLK 9
PlatSuffix AE-48 PolTwp 009

Sales History

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<th>Date</th>
<th>Grantor</th>
<th>Grantee</th>
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<td>MIECHKOWSKI JOHN</td>
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PIN: 1470800080
This data is as of 12-17-2020

The information on this page is for Tax Year 2020 and reflects the status of the property for that tax year. This includes building information, values and information on exemptions, discounts and special assessments. Any changes for Tax Year 2021 will not be displayed until later in 2021.

Value Info

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Value History

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* Capped Value: At County-wide reassessments the increase in the value of a property for tax purposes is limited (capped) at no more than 15%.

** Taxable/Use Value: The Capped Value and Taxable/Use Value are usually the same. If the property has been approved for Agricultural Use the values will be different.

Dwelling Info

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<th>Extension</th>
<th>House Type</th>
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Additional Improvements

No data available
Sketches

Municipalities
City of Charleston
City of Folly Beach
City of North Charleston
City of Isle of Palms

Additional Resources
Arts & Entertainment
CARTA Transit System
Sex Offenders Search
Identity Theft Info
Traffic Cam

Social Media

https://www.charlestoncounty.org/assessorsearch.php?is=1470800080
ATTACHMENT #11

Public Hearing Notice:
Letter to Neighboring Property Owners
TO: Neighboring Property Owners
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Request for 2730 Gnarled Pine (Variance #171)
DATE: December 18, 2020

Dear Property Owner,

The purpose of this letter is to notify you that the owners of 2730 GNARLED PINE have requested a VARIANCE from the zoning requirements of the Town’s Development Standards Ordinance (DSO). The purpose of the variance request is TO REDUCE THE REQUIRED REAR YARD SETBACK FROM 25 FEET TO APPROXIMATELY 19.5 FEET TO ALLOW FOR CONSTRUCTION OF A SCREENED PORCH ADDITION AT THE REAR OF THE EXISTING HOME. A copy of the variance application is enclosed for your information.

The Town’s Board of Zoning Appeals has scheduled a VIRTUAL PUBLIC HEARING, during which time the Board will receive testimony from any individual who wishes to provide a comment regarding the variance request. This notification is being provided to you pursuant to Section § 19.30.20.30 of the DSO.

PUBLIC HEARING DATE: Thu. January 21, 2021
PUBLIC HEARING TIME: 2:30 PM
PUBLIC HEARING LOCATION: Virtual Meeting via Zoom

Participate in the Virtual Public Hearing: Individuals who wish to participate in the Virtual Public Hearing via Zoom may access the meeting as follows:

- To join by computer, tablet or mobile device: https://us02web.zoom.us/j/89400634207?pwd=bDVXY0JBBm15dmRQajhSVkJ94bF8tZz09
- To join by phone: Call (646) 558-8656 *Please note that long distance rates may apply*
- Meeting ID: 894 0063 4207   Passcode: 888171

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 options:

- ONLINE: www.townofseabrookisland.org/variance-171.html
- EMAIL: jcronin@townofseabrookisland.org
- MAIL: Town of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

The meeting will be live streamed on the town’s YouTube channel beginning at 2:30 PM at the following address: https://www.youtube.com/channel/UC1kF87knEA9HD1q0kGlGZg

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 jcronin@townofseabrookisland.org.
Sincerely,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Public Hearing Notice:
List of Neighboring Property Owners
<table>
<thead>
<tr>
<th>Property Address</th>
<th>Owner(s) of Record</th>
<th>Mailing Address</th>
<th>City</th>
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<td>2704 Gnarled Pine</td>
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<td>1109 Lodge Hill Road</td>
<td>Louisville</td>
<td>KY</td>
<td>40223</td>
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<td>Belmont</td>
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<td>28012</td>
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<td>166 Timberleaf Drive</td>
<td>Duncan</td>
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<td>93 Papelye Street Apt 3H</td>
<td>Brooklyn</td>
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<td>Property Owners Association</td>
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**Regime** Not Applicable
Public Hearing Notice:
U.S.P.S. Certified Mail Receipts
Public Hearing Notice:
Post & Courier Legal Ad
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

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

12/21/20 Mon PC
12/21/20 Mon CNW

at a cost of $240.62
Account# 108294
Order# 1913776
P.O. Number:

Subscribed and sworn to before me this 23rd day of December, 2020

A.D. 2020

NOTARY PUBLIC, SC
My commission expires
09/24/2023

Shelly Dubert
My Comm. Exp. 09/24/2023

(Handwritten signature)

NOTARY PUBLIC, SC
My commission expires
09/24/2023

Shelly Dubert
My Comm. Exp. 09/24/2023

(Handwritten signature)
Public Hearing Notice:
Property Posting
ATTACHMENT #16

SIPOA Approval
(10-05-2020)
Seabrook Island Property Owners Association
1202 Landfall Way • Johns Island, SC 29455
Tel. (843) 768-0061
www.discoverseabrook.com

Architectural Review • arc@siopoa.org

Request for Exterior Alteration/Maintenance
Proposed or Existing Dwelling, Appurtenant Structure, or Hardscape

☐ Change/Update to Existing Approval  ☐ Property is in Regime ________________

The following is to be completed and signed by the Property Owner. This form must be accompanied by all information as outlined in the Review Process for Exterior Alterations to Existing Dwellings procedure (see SIPOA Policies and Procedures §III.A).

Construction Location:
Block: 09 Lot: 14 TMS #: 1417-08-00-080

Property Address: 2780 Granville Pine

Property Owner: Rob & Cheryl Schacht  Contractor: Run Welch

Address: 511 Midne  Address: 1881-A Andell Bluff Blvd

Johns Island SC 29455

Telephone #: 843-251-3483  Telephone #: 843-843-1908

Email: CSHLDTO@CS.NET  Email: Runawelch@gmail.com

Proposed Work & Information Required (check all that apply)

☐ Deck (site plan & material information)  ☐ Recreational Equipment (location & photo)
☐ Demolition (completion timetable)  ☐ Roofing (brand & color)
☐ Dock Construction (site plan & dock plan)  ☐ Room Addition (site plan & elevations)
☐ Driveways/Walks (site plan & material)  ☐ Rot Repair (location & material information)
☐ Handicap Access (site plan & description)  ☐ Screened Porch (site plan & description)
☐ Lighting (locations & cut sheets of fixtures)  ☐ Siding (type & material, color)
☐ Paint (brand name, product #, & color)  ☐ Swimming Pool (site plan, product, fencing)
☐ Patio (site plan & material information)  ☐ Window Replacement (window details)
☐ Porch Enclosure (window details)  ☐ Other (describe below)

Description: SCREEN PORCH PER PLAN SUBMITTED

Estimated Cost of Project: $ 28,600

v.2018.0 – December 10, 2018

RECEIVED
SEP 01 2020

63
Request for Exterior Alteration Proposed or Existing Dwelling, Appurtenant Structure, or Hardscape, page 2 of 2:

As the Property Owner of the above referenced Property, I hereby request that the SIPOA Architectural Review Staff review this application and any attached drawings for exterior alteration/improvement.

AUTHORIZATION TO ENTER PROPERTY: I/we hereby authorize ARC members and SIPOA and/or ARC agents and employees to enter upon the Property from time to time during the entire course of the Design Review Process.

DESIGNATION OF AGENT: I/we, the Owner(s) of the above referenced property, designate the following individual(s) to act for me/us during the Architectural Review Committee application and/or construction process.

Contractor/Agent Name: RON WELCH

Address: 1881-A ANDREW BLUFF RD

City/State: JAMES ISLAND, S.C. 29412

Telephone#: 843-849-1903 Email: RONWELCH808GMAIL.COM

Property Owner

Date

Property Owner's Contractor/Agent

Date

Review Fee: $250 Date: 9/1/20 Check #: 2447

Submitted By: Ron Welch

Approved by Architectural Review Administrator

Date

Conditions: Per plan w/ finishes to match existing.

Deposit Required: $ Date: Check #

Submitted By: SS#/EIN:

NOTE: Approval by the Architectural Review Committee (ARC) certifies that the plan meets the ARC requirements regarding appearance and in no way certifies the quality, strength, accuracy, etc., of the building design. All improvements must also comply with the applicable version of the SIPOA ARC Policies and Procedures. Alterations to multi-family dwellings must be approved by the Property Manager prior to requesting ARC approval. Application must be made to the Town of Charleston for any required permits prior to commencing construction or other activity. The omission of any stipulation or requirement of the Policies and Procedures is not a waiver of said requirement. This approval is valid for 6 months from date of ARC approval.

v.2018.0 – December 10, 2018

64
ATTACHMENT #17

Zoning Denial Letter
(10-13-2020)
October 13, 2020

Ron Welch Contracting Inc.
1881-A Andell Bluff Boulevard
Seabrook Island, SC 29455

RE: 2730 Gnarled Pine

Dear Mr. Welch:

I have reviewed your zoning permit application, submitted on behalf of Robert and Cheryl Schuldt (owners), for construction of a screened porch at the rear of an existing residence located at 2730 Gnarled Pine (Charleston County Tax ID 147-08-00-080).

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

- **The proposed addition will encroach approximately 5.4 feet into the required 25-foot rear yard setback.**

- **Note: The property survey incorrectly shows a 15-foot rear yard setback. The minimum rear yard setback requirement is 25 feet. On lots abutting open space (such as a golf course) open decks may be located 15 feet from the property line; however, all other structures must be setback at least 25 feet from the rear property line.**

- **DSO Code References:**
  - § 7.60.20.30. *Single Family Setbacks (Rear).* Twenty-five (25) feet.
  - § 7.60.60. *Open Space Lots – Rear Setback.* On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Open decks may extend into the setback, but may not be less than fifteen (15) feet from the rear lot line.
**Right to Appeal**

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

**Variance Applications**

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

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

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

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

Respectfully,

Joseph M. Cronin  
Town Administrator / Zoning Administrator  
Town of Seabrook Island
Letter from Jeffrey Noel
(01-08-2021)
You've just received a new submission to your Public Comments - Variance #171.

Mark as Spam

<table>
<thead>
<tr>
<th>Submitted Information:</th>
</tr>
</thead>
</table>

**Name**  
Jeffrey Noel

**Address**  
2740 Gnarled Pine

**Email Address**  
crab3730@gmail.com

**Do you support the approval of Variance #171**  
Yes - In Favor

**Comment**  
Enjoy the screened in porch! Jeff and Kathy Noel
TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Application # 172 – 3016 Seabrook Village Drive
MEETING DATE: January 21, 2021

Variance Application #166

<table>
<thead>
<tr>
<th>Applicant</th>
<th>M. Ashton Holloway (Owner)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>3016 Seabrook Village Drive</td>
</tr>
<tr>
<td>Tax Map Number</td>
<td>147-00-00-059</td>
</tr>
<tr>
<td>Zoning District</td>
<td>MF Multi-Family Residential</td>
</tr>
<tr>
<td>Code Section(s)</td>
<td>§ 6.80 (Village at Seabrook PUD, amended by Ord. 2020-01) – 30-foot front yard setback required from both street frontages on corner lots</td>
</tr>
<tr>
<td>Purpose</td>
<td>To reduce the required front yard setback on the secondary street frontage from 30 feet to twenty 20 feet to allow for construction of a detached single-family home</td>
</tr>
</tbody>
</table>

Overview

The Town has received a variance application from M. Ashton Holloway, the owner of Charleston County Tax Map # 147-00-00-059 (hereafter, the “Applicant”). The Applicant is requesting a reduction in the 30-foot secondary front yard setback requirement to allow for construction of a new detached single-family home located at 3016 Seabrook Village Drive (Block 58, Lot B-01). The property, which is currently vacant, was purchased by Mr. Holloway in October 2020.

The Planned Unit Development (PUD) Ordinance for the Village at Seabrook, which was last amended on February 25, 2020 (Ord. 2020-01), requires a minimum front yard setback of 30 from the front property line (20 feet for uncovered steps). Because this is a corner lot wherein one street is not a cul-de-sac, the 30-foot front yard setback would apply to both Seabrook Village Drive (primary) and Seabrook Island Road (secondary) street frontages. At its closest point, the principal structure will be located approximately 23.5 feet from the front property line. The uncovered steps will be set back more than 20 feet from the street and, therefore, would not require a variance.

Code References:

a. § 7.60.10.10. Corner Lots. Where a lot abuts two intersecting streets (corner lot) both front setbacks shall be observed. In applying these measurements to a corner lot, the lot shall be deemed to have two (2) front yards and two (2) side yards.

b. § 6.80.10. Governing Master Plan and Requirements. The Village at Seabrook PUD (Application #1739 as amended) (Exhibit A) is hereby approved and adopted. The
approved amendments to the application which shall constitute the PUD for this property are shown on the map attached as Exhibit B and incorporated herein by reference. The Lake Entry Tract PUD is subject to all of the requirements of the Town Code and DSO; provided, however, all detached residential units within the Village at Seabrook shall be treated as “single-family detached residential units” and, therefore, shall not be subject to the architectural review requirements for multi-family development, as outlined in Section 14 of the DSO, as long as the architectural plans have been reviewed and approved by a duly constituted architectural review board prior to the issuance of a zoning permit by the town. In the event of conflict between this ordinance and the Town Code and/or DSO, the provisions of this ordinance shall prevail. The applicant further agrees that all roads within the PUD as well as the six-acre lake shall be deeded to the Seabrook Island Property Owner’s Association.

c. **Ord. 2020-01 – Exhibit B: Land Use Summary.**

Front Yard Setbacks: The minimum front yard setback shall be 30 feet from the street right-of-way; provided, however:

- For corner lots wherein one street frontage is a cul-de-sac street, the minimum front yard setbacks shall be 30 feet from the cul-de-sac street right-of-way and 20 feet from the intersecting street right-of-way; and

  *Staff Note: Neither the DSO nor the Village PUD define the term “cul-de-sac.” A cul-de-sac is generally defined as a dead-end street with a vehicular turnaround. The American Planning Association’s “Planners Dictionary” includes the following examples:*

  **Street, cul-de-sac (See also turning circle)**
  
  - A street with a single common ingress and egress and with a turnaround at the end. (Henderson, Nevada)
  - A local street having one end open to vehicular traffic and the other end permanently closed with a vehicular turnaround. (Tallmadge, Ohio)
  - A local street of relatively short length with one end open to traffic and the other end permanently terminating in a vehicular turnaround. (Trenton Township, Ohio)
  - A dead-end street providing at the closed end special enlarged turning and maneuvering space for vehicular traffic as specified in the engineering regulations. (Golden, Colorado)
  - A street having one open end and being permanently terminated by a vehicle turnaround. (Mishawaka, Indiana)

  *Under these definitions, none of the streets within the Village would be considered “true” cul-de-sac streets. However, previous*
Zoning Administrators, as well as the original subdivision plat of the Village, identified lots A-01, A-06, A-07, A-14, A-15 and A-20 as corner lots on a cul-de-sac street. To date, only these lots have been eligible for a reduced setback from the secondary street frontage. All other corner lots within the Village (including the subject property) are considered to be located on non cul-de-sac streets and subject to a 30-foot front yard setback from both street frontages.

- Uncovered front steps may extend into a front yard setback, but must be set back at least 20 feet from the street right-of-way.

The property is currently zoned PUD/MF Multi-Family, and a single-family detached residence is a permitted use by-right.

In order to allow for construction of the proposed residence, the Applicant is requesting a variance from the following requirements of the DSO:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>VARIANCE (REQUESTED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback</td>
<td>30 feet (§ 6.80.10 &amp; Ordinance 2020-01)</td>
<td>Reduce the front yard setback requirement along the secondary street frontage (Seabrook Island Road) from 30 feet to 20 feet (10-foot encroachment)</td>
</tr>
</tbody>
</table>

In his application, the Applicant stated that he is requesting relief from the secondary front yard setback requirement for the following reasons:

- a) Other corner lots on the same side of Seabrook Island Road can take advantage of a reduced 20-foot front yard setback along the secondary street frontage due to those lots being classified as fronting a “cul-de-sac” street;

- b) The Applicant contends that Seabrook Village Drive should be considered a cul-de-sac street because it is closed at one end and, therefore, a reduced 20-foot setback from the secondary street frontage should be allowed;

- c) The Applicant is attempting to maintain consistency with other corner lots on the same side of Seabrook Island Road; and

- d) Strict application of the 30-foot front yard setback requirement from the secondary street frontage will restrict the Applicant’s ability to construct a home of similar size and orientation as other homes on Seabrook Island Road.

**Staff Comments**

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

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

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

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the Applicant and reviewed by the Board on January 21, 2021. 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.

- The variance shall expire on January 21, 2023 (two years from the date of approval) if the Applicant fail to obtain a building permit on or before that date.

Respectfully submitted,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Criteria for Review

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

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;

(b) these conditions do not generally apply to other property in the vicinity;

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

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

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.
The following supplemental items have been attached for review:

### Application & Property Information

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Variance Application</td>
<td>p. 76-80</td>
</tr>
<tr>
<td>2</td>
<td>Existing Conditions</td>
<td>p. 81-82</td>
</tr>
<tr>
<td>3</td>
<td>Site Plan &amp; Architectural Drawings</td>
<td>p. 83-92</td>
</tr>
<tr>
<td>4</td>
<td>Subdivision Plat (2001)</td>
<td>p. 93-94</td>
</tr>
<tr>
<td>5</td>
<td>Property Photos</td>
<td>p. 95-103</td>
</tr>
<tr>
<td>6</td>
<td>Zoning Map</td>
<td>p. 104-105</td>
</tr>
<tr>
<td>7</td>
<td>Aerial Image</td>
<td>p. 106-107</td>
</tr>
<tr>
<td>8</td>
<td>FEMA Base Flood Elevation</td>
<td>p. 108-109</td>
</tr>
<tr>
<td>9</td>
<td>Title to Real Estate</td>
<td>p. 110-115</td>
</tr>
<tr>
<td>10</td>
<td>Property Information Card</td>
<td>p. 116-119</td>
</tr>
<tr>
<td>11</td>
<td>Public Hearing Notice – Letter to Neighboring Property Owners</td>
<td>p. 120-122</td>
</tr>
<tr>
<td>12</td>
<td>Public Hearing Notice – List of Neighboring Property Owners</td>
<td>p. 123-124</td>
</tr>
<tr>
<td>13</td>
<td>Public Hearing Notice – U.S.P.S. Certified Mail Receipts</td>
<td>p. 125-126</td>
</tr>
<tr>
<td>14</td>
<td>Public Hearing Notice – Post and Courier Legal Ad</td>
<td>p. 127-128</td>
</tr>
<tr>
<td>15</td>
<td>Public Hearing Notice – Property Posting</td>
<td>p. 129-130</td>
</tr>
</tbody>
</table>

### Other Information

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Ordinance 2020-01: Village PUD Amendment (02-25-2020)</td>
<td>p. 131-139</td>
</tr>
<tr>
<td>17</td>
<td>Village at Seabrook Corner Lots</td>
<td>p. 140-161</td>
</tr>
</tbody>
</table>

### Written Correspondence Regarding the Proposed Variance Request

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>None Received</td>
<td>---</td>
</tr>
</tbody>
</table>
ATTACHMENT #1

Variance Application
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 $150.00 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 jcronin@townofseabrookisland.org.

### 1. PROPERTY INFORMATION

Please provide information regarding the property which is subject to the variance request.

<table>
<thead>
<tr>
<th>Property Address</th>
<th>3016 Seabrook Village Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Map Number</td>
<td>1470000059</td>
</tr>
<tr>
<td>Lot Size (Square Feet)</td>
<td>0.15</td>
</tr>
<tr>
<td>Is this property subject to an OCRM critical line? (eg. Marsh or Beachfront Lots)</td>
<td>Yes</td>
</tr>
<tr>
<td>Is this property subject to private restrictions or covenants? (eg. SIPOA or regime)</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### 2. APPLICANT(S)

Please provide information regarding the individual(s) who is (are) submitting the variance request.

<table>
<thead>
<tr>
<th>Applicant Name(s)</th>
<th>M. Ashton Holloway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant Address</td>
<td>101 High Hammock Village, Seabrook Island, SC 29455</td>
</tr>
<tr>
<td>Applicant Phone Number</td>
<td>912 531 6355</td>
</tr>
<tr>
<td>Applicant Email Address</td>
<td><a href="mailto:ashtonholloway@hotmail.com">ashtonholloway@hotmail.com</a></td>
</tr>
</tbody>
</table>

If the Applicant is NOT an owner of the property, what is the relationship to the Property Owner(s)?

### 3. PROPERTY OWNER(S)

If the Applicant(s) is (are) NOT the property owner(s), please provide information for the property owner(s).

<table>
<thead>
<tr>
<th>Owner Name(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Mailing Address</td>
<td></td>
</tr>
<tr>
<td>Owner Phone Number</td>
<td></td>
</tr>
<tr>
<td>Owner Email Address</td>
<td></td>
</tr>
</tbody>
</table>

**Designation of Agent (Required if the Applicant(s) is(are) NOT a Property Owner):** I (we) hereby designate and appoint the above named Applicant(s) as my (our) agent(s) to represent me (us) in this application.

<table>
<thead>
<tr>
<th>Owner Signature(s)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 4. CERTIFICATION

Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge.

<table>
<thead>
<tr>
<th>Applicant Signature(s)</th>
<th>Date</th>
<th>12/15/20</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>
5. VARIANCE REQUEST

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

- Construction on a corner lot of the Village at Seabrook.
- Determination of the corner cul-de-sac, secondary front yard set back (20 feet)
- Continuance of the community character along the cul-de-sac road.

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): 6.80 Ordinance #2020-01
2) DSO Requirement(s): Secondary Front yard set back for corner lot of cul-de-sac

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 lot has been mis-classified as a corner lot, and not a cul-de-sac corner lot. Seeking to correct the classification, via the definition of a cul-de-sac. With the 30 foot Secondary front yard set back, the lot is limited on its ability to contribute community character by the mis-classified cul-de-sac lot.

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

Other lots that are determined a cul-de-sac along Seabrook Island Road, have a 20 foot secondary front yard setback. Lot B1 meets the qualifications of a cul-de-sac lot, more so than the other lots along Seabrook Island Road. The definition of a Cul-de-sac: "a street, lane, etc., closed at one end", "The turnaround area at the end of a dead-end street or an egress."

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:

We are attempting to keep the same consistancy of the character and frontage of the cul-de-sac corner lots. An inability to address both primary and secondary street frontage at this lot to allow for porches and character along the Seabrook Island Road frontage.

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:

We are seeking to properly define lot B1 as a cul-de-sac corner lot, by definition a cul-de-sac is a road closed at one end, and the turn around at the end of a dead end road. Seabrook Village drive fits this definition, more so than the "cul-de-sacs" along seabrook island road. It is a road that only has one access. The mis-classified 30 foot secondary setback does not allow for community character within the design, and allowable setbacks of the lot.
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:

- **Completed & Signed Variance Application Form (Paper Required; PDF Optional)**
  - Please submit one completed paper application. All signatures must be original.

- **$150.00 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.
12.15.20

RE: 3016 Seabrook Village Drive

Board of Zoning Appeals,

I am seeking to find a variance of the hardship placed upon Lot B1 in the Village at Seabrook. In an effort to remain consistent with the previously set requirements, lot B1 has a secondary side setback (Seabrook Island Road frontage) that does not conform to the benefit of the character of the community.

Cul-de-sac is defined as a road with a dead end, Seabrook Village Drive fits this definition. It has one access, which has a dead end. It is more so a cul-de-sac, than the (2) small “diversions” in the village that are classified as Seabrook Island Road, with a Seabrook Island Road address, which is not a dead end street.

Having Lot B1 as a cul-de-sac corner lot, there is more of a hardship placed on this lot with the current secondary 30’ (Seabrook Island road frontage). We are attempting to keep the character of the village, with street facing porches at a corner lot, as to keep the porch scale and feel, vs a solid wall with windows, and no porch to soften the hard corner edge lot.

The other cul-de-sac lots on the corners are granted the 20’ secondary setback, and trying to keep consistent with the development, we are seeking to have the same standards applied to Lot B1.

Thank you for your time in consideration of the correction of the classification of a cul-de-sac within the Village development.

Sincerely,

[Signature]

Ashton Holloway
ATTACHMENT #2

Existing Conditions
ATTACHMENT #3

Site Plan & Architectural Drawings
DESCRIPTION

1,580 SF
PERMIT SET 7.24.2020
6,362.0 SF

GENERAL NOTES
A. Lot information: T.M.S. #147-00-00-059

FLOOD ZONE AE (EL 12'-0")

B. All dimensions to face of block or stud unless noted otherwise.

REAR:   25' from property boundary
SIDES:   7.5' from property boundary, 15' between houses

OCRM CRITICAL LINE:   12' buffer, 50' building setback
HEIGHT RESTRICTION:  36' from Base Flood Elevation (B.F.E.)

SEABROOK ISLAND ROAD (60' R/W)

AREA CALCULATIONS (PROPOSED)
LOT COVERAGE:
Maximum Lot Coverage of Structure: (25%)
Maximum Lot Coverage of Hardscape: (10%)

LOT AREA:
20'-0"  SETBACK

TOTAL BLDG. FOOTPRINT:

TOTAL LOT COVERAGE OF STRUCTURE:
1,580 / 6,362.0  =   24.8%

IMPERVIOUS PAVING (DRIVEWAY): 305 SF
PERVIOUS PAVING / DECKING: 290 SF
WALK WAY: 40 SF

TOTAL LOT COVERAGE OF HARDSCAPE:

MARK
DATE

SEABROOK ISLAND PROPERTY OWNERS ASSOCIATION

TMS No. 147-00-00-058

LOT A22
CARL W KERN

TMS No. 147-00-00-058

LOT A22
CARL W KERN

TMS No. 147-00-00-145
LAKE PERIMETER COMMON AREA

LOT B2/B2
TIMOTHY & SHELLY LEAVITT

TMS No. 147-00-00-061

TMS No. 147-00-00-061

TIMOTHY & SHELLY LEAVITT

SEABROOK VILLAGE DRIVE (50' R/W)

SEABROOK VILLAGE DRIVE (50' R/W)

2-STORY FRAMERIDGE=44.68'

CHIMNEY

CONCRETE DRIVE

WOOD DECK

ARCHITECTS
Charleston, SC

STATE OF CAROLINA
REGISTERED ARCHITECTS
100260

ARCHITECT
Kevan Hoertdoerfer Architects

2020 All Rights Reserved, Kevan Hoertdoerfer Architects
FIRST FLOOR PLAN

Building Footprint: 1,975 SF
Heated: 1,335 SF
Open / Deck: 692 SF

1. Contractor to coordinate fire place clean out.
2. Foundation vents as required per code. Contractor to submit proposed locations to architect for approval.
3. Contractor to coordinate fire place clean out.
4. Foundation vents as required per code. Contractor to submit proposed locations to architect for approval.

Indicates existing walls
Indicates new walls
Indicates room name & number
Indicates wall type, see details on A110
Indicates door number, see schedule on A110
Indicates window number, see schedule on A110

DATE: 7/24/20
ISSUE: 3
SEALS: 3

DESIGN DEVELOPMENT

2020 All Rights Reserved, Kevan Hoertdoerfer Architects

KHH 2020.7.24 1904

3120 SEABROOK VILLAGE DRIVE
SEABROOK ISLAND, SOUTH CAROLINA

STATE OF SOUTH CAROLINA
REGISTERED ARCHITECT
KEVAN H. HOERTDOERFER
Charleston, SC
6485

KEVAN HOERTDOERFER
ARCHITECTS
Charleston, SC
100260

REGISTERED ARCHITECTS

STATE OF SOUTH CAROLINA
REGISTERED ARCHITECT
KEVAN H. HOERTDOERFER
Charleston, SC
6485

KEVAN HOERTDOERFER
ARCHITECTS
Charleston, SC
100260

SCALE: 1/4" = 1'-0"
EAST ELEVATION - PROPOSED

Cement board siding, painted
Wood trim, painted
Aluminum clad wood windows
Wood column, painted
Wood railing, painted
Stucco
Standing seam metal roof

SECOND FLOOR @ MASTER BEDROOM
CEILING HEIGHT @ MASTER BEDROOM
41'-1"
CUT LINE

DATE
MARK
DESCRIPTION
PROJECT
GENERAL NOTES

2020 All Rights Reserved, Kevan Hoertdoerfer Architects

ISSUE
SEALS
DESIGN DEVELOPMENT

2020 SEABROOK VILLAGE DRIVE
SEABROOK ISLAND, SOUTH CAROLINA

STATE OF SOUTH CAROLINA
REGISTERED ARCHITECT
KEVAN H. HOERTDOERFER
Charleston, SC
6485
REGISTERED ARCHITECTS

A202
BUILDING ELEVATIONS - PROPOSED

SCALE: 1/4" = 1'-0"

SOUTH ELEVATION - PROPOSED

CONCRETE SLAB 9' A.M.S.L.
BFE (12' A.M.S.L.)
MAX HEIGHT (47' A.M.S.L.)
(MAX HEIGHT = 35' Above B.F.E.)
35'-0"
1'-0"
7'-0"

DFE 14' A.M.S.L.
SECOND FLOOR (29' A.M.S.L.)
CLG. HEIGHT (28' A.M.S.L.)
FIRST FLOOR (18' A.M.S.L.)
20'-11"
8'-2"
1'-0"
8'-0"
10'-0"
1'-0"
7'-0"

THIRD FLOOR (40' A.M.S.L.)
CLG. HEIGHT (39' A.M.S.L.)
RIDGE HEIGHT
CHIMNEY HEIGHT
SECOND FLOOR @ MASTER BEDROOM
CEILING HEIGHT @ MASTER BEDROOM
41'-1"
3'-0"
3'-0"

Cement board siding, painted
Wood trim, painted
Aluminum clad wood windows
Wood column, painted

Standing seam metal roof
Cement boarding, painted
Aluminum clad wood windows
Wood column, painted

A1
SOUTH ELEVATION - PROPOSED

A202
BUILDING ELEVATIONS - PROPOSED

91
ATTACHMENT #4

Subdivision Plat (2001)
ATTACHMENT #5

Property Photos
Zoning Map
Aerial Image
ATTACHMENT #8

FEMA Base Flood Elevation
Title to Real Estate
STATE OF SOUTH CAROLINA  )
COUNTY OF CHARLESTON   )
GENERAL WARRANTY DEED

KNOW ALL BY THESE PRESENTS THAT, HAROLD T. SEABROOK, hereinafter referred to as the "Grantor", in the State aforesaid, in consideration of the sum of Thirty Two Thousand Five Hundred Dollars and no/100 ($32,500.00), to Grantor well and truly paid by MORRIS ASHTON HOLLOWAY, hereinafter referred as "Grantee", at and before the sealing and delivery hereof, the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said Grantee, all of their interest in and to the following:

DESCRIPTION: For a legal description of the premises being conveyed herein, see Exhibit A, attached hereto and incorporated herein by reference.

ASSESSOR’S TAX MAP REFERENCE: 147-00-00-059

THIS CONVEYANCE IS MADE SUBJECT TO: All conditions, covenants, easements, restrictions and rights-of-way indicated by instruments, including plats, of record, and to all applicable zoning or other land use regulations or restrictions of any political subdivision in which the subject property is situate.

GRANTEE’S MAILING ADDRESS: For the purposes of this instrument, the Grantee’s mailing address is:

101 High Hammock Village, Seabrook Island, SC 29455

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

TO HAVE AND TO HOLD, all singular the premises before mentioned unto Grantee, Grantee’s successors, heirs and/or assigns forever.

AND Grantor does hereby bind Grantor’s and Grantor’s successors, heirs and/or assigns to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee’s
successors, heirs and/or assigns, against Grantor and Grantor's successors, heirs and/or assigns
and against every person whomsoever lawfully claiming, or to claim, the same or any part
thereof.

WITNESS the Grantor's hand and seal this October ___, in the year of our Lord two
thousand twenty, and in the two hundred forty-fourth year of the Sovereignty and Independence
of the United States of America.

SIGNED, SEALED, AND
DELIVERED IN THE PRESENCE OF:

[Signature]

WITNESS

[Signature]

WITNESS/NOTARY

STATE OF SOUTH CAROLINA )
COUNTY OF CHARLESTON )

ACKNOWLEDGEMENT

I, a Notary Public for the State of South Carolina, do hereby certify that the above-named
Grantor's, personally appeared before me this October ___, 2020 and acknowledged the due
execution of the foregoing instrument.

SWORN to before me this ___/___/2020.

Notary Public for the State of South Carolina
My Commission Expires: ___/___/2023
EXHIBIT A

ALL that certain piece, parcel or lot of land, situate, lying and being in the Town of Seabrook Island, Charleston County, South Carolina, known and designated as Lot B-1 as shown on the plat entitled, "PLAT SHOWING THE SUBDIVISION OF THE VILLAGE AT SEABROOK, CONTAINING 42,328 ACRE TRACT, LOCATED IN THE TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA, PREPARED FOR SEABROOK ISLAND, I, LLC," made by G. Robert Georps;e and Associates, Inc., dated November 13, 2001, and recorded on December 19, 2011 in Plat Book EF at Page 245 and246 in the RMC Office for Charleston County, which said plat is incorporated herein by reference thereto. Said lots have such size, shape, dimensions, butttings and boundings as will by reference to said plat more fully and at large appear.

SUBJECT TO all matters of public record.

BEING the same property conveyed to Harold T. Seabrook by Deed of William L. Watkins, III, July 25, 2018 and recorded on August 2, 2018 in the Charleston County Register of Deeds, Charleston County, South Carolina in Deed Book 0737, Page 745.

TMS 147-00-00-059
STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) AFFIDAVIT
) Date of Transfer: October 6, 2020

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

1. I have read the information on this Affidavit and I understand such information.

2. The property is being conveyed by Harold T. Seabrook to Morris Ashton Holloway by Deed dated October 6, 2020.

3. Check one of the following: The deed is:
   (a) xx  subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money’s worth.
   (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   (c)____ EXEMPT from the deed recording fee because Exemption # _____ (Explanation, if required If exempt, please skip items 4-6 and go to Item #7 of this affidavit.)

4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
   (a)xx  fee is computed on the consideration paid or to be paid in money or money’s worth in the amount of $32,500.00
   (b)_____ The fee is computed on the fair market value of the realty, which is _____ 0.00 _______.
   (c)_____ The fee is computed on the fair market value of the realty as established for property tax purposes which is ___0.00_______________.

5. Check YES _____ or NO xx _____ 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 _______ 0.00 _____________.

6. The DEED Recording Fee is computed as follows:
   (a)$ 32,500.00 _____the amount listed in Item #4 above
   (b)$0.00 ______the amount listed on Item #5 above (no amount, please zero)
   (c)$ 32,500.00 _____subtract Line 6(b) from Line 6(a) and place the result here.

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

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

SWORN to before me this October 6, 2020.

Notary Public for South Carolina
My Commission expires: April 18, 2023

Print name: JENNIFER J. SMITH
RECORDED

Date: October 12, 2020
Time: 11:26:32 AM

Book 0924  Page 277  DocType Deed

# of Pages: 5
Recording Fee $15.00
State Fee $84.50
County Fee $35.75
Extra Pages $-
Postage $-
Chattel $-
TOTAL $135.25

DRAWER CLERK Drawer 4 SLW

RECORDED

NOTE: This page MUST remain with the original document

Filed By:
JENNIFER S SMITH
260 W COLEMAN BLVD
STE B
MT PLEASANT SC 29464

MAKER:
SEABROOK HAROLD T

RECIPIENT:
HOLLOWAY MORRIS A

Original Book: Original Page:

AUDITOR STAMP HERE
RECEIVED From ROD
Oct 15, 2020
Peter J. Tecklenburg
Charleston County Auditor

PID VERIFIED BY ASSESSOR
RUB
REP 10/16/2020
DATE 4

843-958-4800  101 MEETING STREET  CHARLESTON, SC 29401  www.charlestoncounty.org
ATTACHMENT #10

Property Information Card
Property Information

Current Owner:
HOLLOWAY MORRIS ASHTON
101 HIGH HAMMOCK VILLAGE
SEABROOK ISLAND SC 29455

<table>
<thead>
<tr>
<th>Property ID</th>
<th>1470000059</th>
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<tbody>
<tr>
<td>Physical Address</td>
<td>3016 SEABROOK VILLAGE DR</td>
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<tr>
<td>Property Class</td>
<td>905 - VAC-RES-LOT</td>
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<tr>
<td>Plat Book/Page</td>
<td>/</td>
</tr>
<tr>
<td>Neighborhood</td>
<td>1114 AD13 The Village at Seabrook</td>
</tr>
<tr>
<td>Deed Acres</td>
<td>0.1500</td>
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Legal Description
Subdivision Name - THE VILLAGE AT SEABROOK Description -LOT B1
PlatSuffix EF-245 PoITwp 009

Sales History

<table>
<thead>
<tr>
<th>Book</th>
<th>Page</th>
<th>Date</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Type</th>
<th>Deed</th>
<th>Deed Price</th>
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<tbody>
<tr>
<td>0924</td>
<td>277</td>
<td>10/6/2020</td>
<td>SEABROOK HAROLD T</td>
<td>HOLLOWAY MORRIS ASHTON</td>
<td>S</td>
<td>Ge</td>
<td>$32,500</td>
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<td>0737</td>
<td>745</td>
<td>7/27/2018</td>
<td>WATKINS WILLIAM L III</td>
<td>SEABROOK HAROLD T</td>
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<td>0624</td>
<td>793</td>
<td>3/17/2017</td>
<td>LEWIS STEVEN G</td>
<td>WATKINS WILLIAM L III</td>
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<td>0205</td>
<td>760</td>
<td>9/2/2011</td>
<td>WILKES RONALD W</td>
<td>LEWIS STEVEN G</td>
<td>S</td>
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<tr>
<td>0115</td>
<td>900</td>
<td>4/5/2010</td>
<td>FIRST CITIZENS BANK AND</td>
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<tr>
<td>0045</td>
<td>099</td>
<td>3/31/2009</td>
<td>DUFFY JOHN L</td>
<td>FIRST CITIZENS BANK AND</td>
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<td>W565</td>
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<td>F279</td>
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<td>EE</td>
<td>42</td>
<td>1/1/1900</td>
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<td>NOT SUPPLIED</td>
<td>Ma</td>
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PIN: 1470000059

This data is as-of 12-17-2020

The information on this page is for Tax Year 2020 and reflects the status of the property for that tax year. This includes building information, values and information on exemptions, discounts and special assessments. Any changes for Tax Year 2021 will not be displayed until later in 2021.

Value Info

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<tr>
<th>Legal Residence</th>
<th>LR Pct</th>
<th>AgUse</th>
<th>ATI 25Pct Exemption</th>
<th>Assessed Value</th>
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<td>N</td>
<td>N</td>
<td>$2,400</td>
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<th>Land</th>
<th>Improvement</th>
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<td>$0</td>
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<tr>
<td>Capped Value *</td>
<td>$40,000</td>
<td>$0</td>
<td>$40,000</td>
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<tr>
<td>Taxable/Use Value **</td>
<td>$40,000</td>
<td>$0</td>
<td>$40,000</td>
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Value History

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Market Value</td>
<td>$40,000</td>
<td>$40,000</td>
<td>$59,200</td>
<td>$59,200</td>
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<tr>
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<td>$40,000</td>
<td>$40,000</td>
<td>$59,200</td>
<td>$59,200</td>
</tr>
<tr>
<td>Taxable/Use Value **</td>
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<td>$40,000</td>
<td>$59,200</td>
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</tr>
<tr>
<td>Assessed Value</td>
<td>$2,400</td>
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<td>$3,550</td>
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</table>

* Capped Value: At County-wide reassessments the increase in the value of a property for tax purposes is limited (capped) at no more than 15%.

** Taxable/Use Value: The Capped Value and Taxable/Use Value are usually the same. If the property has been approved for Agricultural Use the values will be different.

Dwelling Info

No data available

Additional Improvements

No data available

Sketches

No sketches available
Public Hearing Notice:
Letter to Neighboring Property Owners
Dear Property Owner,

The purpose of this letter is to notify you that the owner of 3016 SEABROOK VILLAGE DRIVE has requested a VARIANCE from the zoning requirements of the Town’s Development Standards Ordinance (DSO). The purpose of the variance request is TO REDUCE THE REQUIRED FRONT YARD SETBACK ON THE SECONDARY STREET FRONTAGE (SEABROOK ISLAND ROAD SIDE) FROM 30 FEET TO TWENTY 20 FEET TO ALLOW FOR CONSTRUCTION OF A DETACHED SINGLE-FAMILY HOME. A copy of the variance application is enclosed for your information.

The Town’s Board of Zoning Appeals has scheduled a VIRTUAL PUBLIC HEARING, during which time the Board will receive testimony from any individual who wishes to provide a comment regarding the variance request. This notification is being provided to you pursuant to Section § 19.30.20.30 of the DSO.

PUBLIC HEARING DATE: Thu. January 21, 2021
PUBLIC HEARING TIME: 2:30 PM
PUBLIC HEARING LOCATION: Virtual Meeting via Zoom

Participate in the Virtual Public Hearing: Individuals who wish to participate in the Virtual Public Hearing via Zoom may access the meeting as follows:

- To join by computer, tablet or mobile device: https://us02web.zoom.us/j/89400634207?pwd=bDVXY0JBbm15dmRQajhSVk94bFbtZz09
- To join by phone: Call (646) 558-8656 *Please note that long distance rates may apply*
- Meeting ID: 894 0063 4207  Passcode: 888171

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 options:

- ONLINE: www.townofseabrookisland.org/variance-172.html
- EMAIL: jcronin@townofseabrookisland.org
- MAIL: Town of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

The meeting will be live streamed on the town’s YouTube channel beginning at 2:30 PM at the following address: https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg

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 jcronin@townofseabrookisland.org.
Sincerely,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Public Hearing Notice:
List of Neighboring Property Owners
<table>
<thead>
<tr>
<th>Property Address</th>
<th>Owner(s) of Record</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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<tbody>
<tr>
<td>3020 Seabrook Village Drive</td>
<td>Steffen Fry &amp; Rebecca Post</td>
<td>3361 Rittenhouse Street</td>
<td>Washington DC</td>
<td>20015</td>
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</tr>
<tr>
<td>3024 Seabrook Village Drive</td>
<td>Ramon &amp; Nancy Sanchez</td>
<td>3024 Seabrook Village Drive</td>
<td>Seabrook Island SC</td>
<td>29455</td>
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<tr>
<td>3009 Seabrook Village Drive</td>
<td>Timothy &amp; Maria Tenero</td>
<td>31 Devine Road</td>
<td>Suffield</td>
<td>CT</td>
<td>6078</td>
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<tr>
<td>3013 Seabrook Village Drive</td>
<td>Thomas &amp; Carol Kilianski</td>
<td>10433 Stream Park Court</td>
<td>Dayton OH</td>
<td>45458</td>
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<td>2283 Seabrook Island Road</td>
<td>Sea of Love LLC</td>
<td>156 Greycliff Drive</td>
<td>Mooresville NC</td>
<td>28117</td>
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<tr>
<td>2287 Seabrook Island Road</td>
<td>Terri Wyatt</td>
<td>2307 Iris Lane</td>
<td>New Market TN</td>
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<td>Carl &amp; Donna Kern</td>
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<tr>
<td>2271 Seabrook Island Road</td>
<td>Howard Mintz Rev Trust / Stephanie Mintz Rev Trust</td>
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<td>Wade &amp; Karen Ballard</td>
<td>201 Muirfield Drive</td>
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<td>Gerald &amp; Jacqueline Singer</td>
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<tr>
<td>3017 Seabrook Village Drive</td>
<td>Elizabeth Bayer Rev Trust / Douglas Bayer Rev Trust</td>
<td>7912 Jansen Drive</td>
<td>Springfield VA</td>
<td>22152</td>
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<tr>
<td>3007 Seabrook Village Drive</td>
<td>Lilly Family 2016 Trust / Christine Flaiz</td>
<td>3007 Seabrook Village Drive</td>
<td>Seabrook Island SC</td>
<td>29455</td>
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<tr>
<td>Property Owners Association</td>
<td>Seabrook Island Property Owners Association</td>
<td>1202 Landfall Way</td>
<td>Seabrook Island SC</td>
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<tr>
<td>Regime</td>
<td>Village at Seabrook Property Owners Association</td>
<td>3690 Bohicket Road, Ste 1-A</td>
<td>Johns Island SC</td>
<td>29455</td>
<td></td>
</tr>
</tbody>
</table>
Public Hearing Notice:
U.S.P.S. Certified Mail Receipts
Public Hearing Notice:
Post & Courier Legal Ad
NOTARY PUBLIC, SC
My commission expires 09/24/2023

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

ATTN: Faye Allbritton

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

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

12/21/20 Mon PC
12/21/20 Mon CNW

at a cost of $240.62
Account# 108294
Order# 1913776
P.O. Number:

Subscribed and sworn to before me this 23rd day of December, 2020

SHELLY DUBERT
NOTARY PUBLIC, MY COMM. EXP. 09/24/2023

Seabrook Island, SC

TOWN OF SEABROOK ISLAND, SC
NOTICE OF PUBLIC HEARING

The Town of Seabrook Island Board of Zoning Appeals will conduct a Virtual Public Hearing at 7:00 pm on January 21, 2021. During the meeting, the Board will consider the following requests for variance from the Development Standards Ordinance for the Town of Seabrook Island:

APPLICATION # 171
APPLICANT: Robert & Donna Perigo (Owners), Ron Webb (Applicant)
LOCATION: 7376 Gold Rush Rd
TAX MAP #: 14-78-09-006
ZONING DISTRICT: SR Single-Family Detached
CODE SECTIONS: 7.66.050 & 7.66.060, 20’ front yard setback required for residential structures
VARIANCE(S) REQUESTED: to reduce the required rear yard setback from 23 feet to approximately 15.5 feet to allow for construction of a detached garage addition

APPLICATION # 172
APPLICANT: Joseph K. and Steven G. Clay (Owners)
LOCATION: 20130 Seabrook Village Drive
TAX MAP #: 14-78-09-006
ZONING DISTRICT: MF Multi-Family Residential
CODE SECTIONS: 6.48 (Village of Seabrook PUD), as amended by Ord. 2009-01)
30-foot front yard setback required from both street frontages on corner lots
VARIANCE(S) REQUESTED: to reduce the required front yard setback on the secondary street frontage from 30 feet to twenty (20) feet to allow for construction of a detached single-family home

Documents relating to the variance requests may be viewed on the town’s website at www.townofseabrookisland.org.

Participate in the Virtual Public Hearing: Individuals who wish to participate in the Virtual Public Hearing via Zoom may access the meeting as follows:
• To join by computer, tablet or mobile device: https://us02web.zoom.us/j/99999999999
• To join by phone: Call 664-938-9484. Please note that long distance rates may apply.
• Meeting ID: 999 063 4307
• Passcode: 9377

Submit a Written Comment: Individuals who wish to submit a comment in advance of the Public Hearing may do so by writing by 12:00 pm on the day of the meeting using one of the following options:
• ONLINE: https://www.townofseabrookisland.org
E-MAIL: TownofSeabrookIsland@gmail.com
MAIL: Towns of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

The meeting will be live streamed on the town’s YouTube channel at the following address: https://www.youtube.com/user/TownofSeabrookIsland
Public Hearing Notice:
Property Posting
ATTACHMENT #16

Ordinance 2020-01: Village PUD Amendment
(Adopted 02-25-2020)
TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2020-01

ADOPTED FEBRUARY 25, 2020

AN ORDINANCE ADOPTING A SECOND AMENDMENT TO THE PLANNED UNIT DEVELOPMENT FOR THE VILLAGE AT SEABROOK (FORMERLY KNOWN AS “AREA SIX” AND THE “LAKE ENTRY TRACT”)

WHEREAS, on February 22, 2000, the Mayor and Council for the Town of Seabrook Island adopted Ordinance 2000-01, entitled “An Ordinance to Adopt a Planned Unit Development Within Area Six (Lake Entry Tract)”;

WHEREAS, on June 5, 2000, the Mayor and Council for the Town of Seabrook Island adopted Ordinance 2000-08, entitled “An Ordinance to Amend the Planned Unit Development Within Area Six for the Lake Entry Tract (Developed as the Village at Seabrook)”;

WHEREAS, the Mayor and Council for the Town of Seabrook Island now wish to amend the Planned Unit Development ordinance for Lake Entry Tract, now known as the “Village at Seabrook,” so as to modify the setback requirements and other development standards related to the Village at Seabrook; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island believe it is fitting and proper to amend the requirements of the Planned Unit Development for the Village at Seabrook so as to clarify and standardize the requirements for future development; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island advertised and held a public hearing on the proposed amendments during a duly called meeting on February 25, 2020, with public comments duly noted;

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. Purpose

This ordinance is adopted to amend the Planned Unit Development for the Village at Seabrook (formerly known as “Area Six” and the “Lake Entry Tract”), which was established by Ordinance 2000-01 on February 22, 2000, and amended by Ordinance 2000-08 on June 5, 2000.

SECTION 2. PUD Amended

The Village at Seabrook PUD (Application #1739 as amended) (Exhibit A) is hereby approved and adopted. The approved amendments to the application which shall constitute the PUD for this property are shown on the map attached as Exhibit B and incorporated herein by reference; provided, however, the Land Use Summary contained within the attached Exhibit B is hereby amended to read as follows:
LAND USE SUMMARY

TMS #: Formerly known as 147-00-00-009

Total Area (Including Lake): 42.219 AC
  o Common Area and Lake: 8.33 AC
  o Seabrook Island Road: 2.5 AC
  o Residential: 22.84 AC
  o Buffers: 3.0 AC
  o Residual Tract (Ground Lease): 5.54 AC

Proposed Land Use: Detached Multi-Family Residential

Minimum Lot Size: 6,000 S.F.

Maximum Lot Coverage: 40%

Setbacks:
  o Front Yard Setbacks: The minimum front yard setback shall be 30 feet from the street right-of-way; provided, however:
    - For corner lots wherein one street frontage is a cul-de-sac street, the minimum front yard setbacks shall be 30 feet from the cul-de-sac street right-of-way and 20 feet from the intersecting street right-of-way; and
    - Uncovered front steps may extend into a front yard setback, but must be setback at least 20 feet from the street right-of-way.
  o Side Yard Setbacks: The minimum side yard setback shall be 7.5 feet from all side property lines; provided, however:
    - In instances where an existing structure on a neighboring lot is situated less than 7.5 feet from the shared property line, a larger setback shall be required in order to ensure a minimum separation of at least 15 feet between structures; and
    - Accessory structures, including but not limited to HVAC and generator equipment and associated stands, which were lawfully in existence as of February 25, 2020, may be replaced; provided, no part of the new equipment and/or stand may be situated any closer to the side property line than the equipment and/or stand which it will replace; and provided, the replacement equipment and/or stand is installed no more than ninety (90) days following removal of the equipment and/or stand which it will replace.
Rear Yard Setbacks: The minimum rear yard setback requirement shall be 25 feet from the rear property line; provided, however:

- For lots abutting an open space area (lake, lagoon, golf course, trail, etc.), an uncovered deck may encroach no more than 10 feet into the required rear yard setback;

- For pie-shaped lots that do not have a defined rear property line from which to apply a rear yard setback, the rear yard setback shall be measured from the point where the side property lines intersect at the rear of the property; and

- Pursuant to Section 7.60.10.10 of the DSO, corner lots are defined to have two front yards and two side yards. Therefore, a rear yard setback shall not be required for any corner lot.

The Lake Entry Tract PUD is subject to all of the requirements of the Town Code and DSO; provided, however, all detached residential units within the Village at Seabrook shall be treated as “single-family detached residential units” and, therefore, shall not be subject to the architectural review requirements for multi-family development, as outlined in Section 14 of the DSO, as long as the architectural plans have been reviewed and approved by a duly constituted architectural review board prior to the issuance of a zoning permit by the town. In the event of conflict between this ordinance and the Town Code and/or DSO, the provisions of this ordinance shall prevail. The applicant further agrees that all roads within the PUD as well as the six-acre lake shall be deeded to the Seabrook Island Property Owner’s Association.

SECTION 3. Codification

The Development Standards Ordinance of the Town of Seabrook Island, South Carolina; Article 6, Approved Planned Developments; Section 6.80, The Village at Seabrook, a/k/a Lake Entry Tract, PDD, is hereby amended so as to replace the existing language in Section 6.80 with the language contained in Section 2 of this ordinance.

SECTION 4. 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 5. Conflicting Ordinances Repealed.
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. Effective Date.

This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this 28th day of February, 2020, having been duly adopted by the Town Council for the Town of Seabrook Island on the 25th day of February, 2020.

First Reading: January 28, 2020
Public Hearing: February 25, 2020
Second Reading: February 25, 2020

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Faye Allbritton, Town Clerk
TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2020-01

Exhibit A

PUD Application (As Amended)
Town of Seabrook Island - Zoning Permit

| Permit Date: | 03/27/1997 | Permit #: Town: | 1739 | License #: | 0 |
| TMS Number: | 147-00-00-009 | Thru: | And: | Paid Date: | 03/27/1997 |
| App Fee: | $820.00 | Cash: | No | Check #: | 1008 |

Applicant Name: Seabrook Island L.L.C.
Contact Name: Hank Hoffman or Dave Savitz
App Address1: 17 Lockwood Dr. The Rice Mill
App Address2: 
App City: Charleston
St: SC
Zip: 29402

Property Owner: Seabrook Island L.L.C
Owner Address1: P.O. Box 1707
Owner Address2: 
Owner City: Charleston
St: SC
Zip: 29455

Property Location: Lot: 
Block: 55 acre lake entry tract
Purpose: Submittal of a Planned Unit Development for property presently known as the Lake Entry Site. This property is just past the gate on the left leading into the Island.
Work Value: $0.00
Const Cost: $0.00
Flood Elev: 13
Zone: A8

Architectural Review Board:

Comments: Requires recommendation of Planning Commission and approval of Town Council.

The Town Council voted on June 24, 1997 to accept the Planning Commission recommendation that this application be denied because it did not meet sec 9-10.0.*** March 22, 2000, The Town Council voted to approve the amended PUD which changes the development from a Health Care Facility to a development of 106 Multi-Family Lots.*** Amendment: 2/4/2000 to amend this application for a planned development of a health care facility to a planned multi-family development of 106 units.

This Zoning Permit is valid for six (6) months. The action for which this permit was obtained must be taken within that time period.
If this zoning permit is for issuance of a building permit, such building permit is valid for a period of one (1) year as described in the town code.

Any extensions, alterations, or amendments must be approved in writing by the Town of Seabrook Island Zoning Administrator.

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

Owner/Applicant's Signature
Wednesday, January 12, 2000

Zoning Administrator
Wednesday, January 12, 2000

APPROVED by TOWN COUNCIL

Exhibit "A"
TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2020-01

Exhibit B

Village at Seabrook Project Map (As Amended)
Village at Seabrook Corner Lots
Village at Seabrook

Corner Lot Setbacks

- **Lots fronting a cul-de-sac street**
  - 30’ from cul-de-sac street
  - 20’ from secondary street

- **All other corner lots**
  - 30’ from both streets

- **Built Lot**
NOTES:
1) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
2) AREA DETERMINED BY COORDINATE METHOD.
3) THE BEARINGS SHOWN HEREIN ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.
4) THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WATERWAYS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
5) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.
6) THESE SPECIES SHOWN HEREIN ARE OUR OPINION ONLY AND HAVE NOT BEEN VERIFIED BY A CERTIFIED ARBORIST.
7) THIS PROPERTY IS LOCATED IN FLOOD ZONE AELEV. 1.5, AS PER FEMA MAP, TERMINAL No. 14, DATED 11/17/04.
8) IT IS THE OWNERS/BUILDERS RESPONSIBILITY TO VERIFY THIS FLOOD ZONE WITH LOCAL AUTHORITIES PRIOR TO BUILDING.
9) DECLARATION IS MADE TO THOSE PERSONS FOR WHOM THIS PLAT WAS PREPARED; IT IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS.
10) USE OF UNSCALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL OR LAND TRANSACTION, OR WITH ANY PUBLIC AGENCY OR OFFICE IS UNAUTHORIZED USE AND IS A VIOLATION OF FEDERAL COPYRIGHT LAW.
11) "SURVEY INSPECTIONS" OR "UPDATES" OF THIS MAP ARE PROHIBITED.
12) THESE CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

LEGEND:
- I.O. IRON PIN
- I.N. IRON PIN NEW (Y/R PEBBLES)
- CONCRETE MONUMENT FOUND
- C.P. CALCULATED POINT
- POWER POLE
- PROPERTY LINE
- ADJACENT LINE
- SETBACK LINE

REFERENCES:

1) T.M.S. 147-00-00-037
   - PLAT BY C. ROBERT GEORGE
   - DATED NOVEMBER 15, 2009
   - PLAT BOOK EF PAGE 243, 246
   - JAS CHARLESTON COUNTY

2) T.M.S. 147-00-00-037
   - PLAT BY C. ROBERT GEORGE
   - DATED NOVEMBER 15, 2009
   - PLAT BOOK EF PAGE 243, 246
   - JAS CHARLESTON COUNTY

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Seabrook Island
60' Right-of-Way

Property of
Seabrook Island Property
Owners Association
T.M.S. 147-00-00-035

Property of
Daniel J. Dugan, Trust
T.M.S. 147-00-00-038

No. 2191 SEABROOK ISLAND ROAD
LOT A1, THE VILLAGE AT SEABROOK
TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY
SOUTH CAROLINA
T.M.S. 147-00-00-037

I hereby certify that the owner(s) shown heron to the best of my knowledge, information and belief, the survey shown heron was made in accordance with the Minimum Standards Enumerated in the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also that there are no visible encroachments or projections other than shown.

OWNED BY:
DR. RON & VANIA WILKES

FINAL ASBUILT SURVEY

J.M. 3552 FIN F.R. 919
DATE: 6/14/12
MEASUREMENT SCALE: 1" = 20'

GEORGE A.Z. JOHNSON, JR., INC.
ENGINEERS - PLANNERS - LAND SURVEYORS
6171 SAVANNAH HIGHWAY
RANEFIELD, SOUTH CAROLINA 29470
(843) 399-1492 Charleston No. 722-3698 Edisto No. 869-1485
Fax No. (843) 399-1004

Copyright 2012, George A.Z. Johnson, Jr., Inc. All rights reserved.

F. Steven Johnson, B.S.
S.C. No. 10038
This plat not a valid, true copy unless bearing the raised, embossed seal of the surveyor.
FILE THIS

SURVEY NOTES

1. Reference Tax Map Number 147-00-00-051
2. Reference Plat Book EF Page 245 & 246
3. Survey Requested By: Saltwater Homes
4. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that on accurate and current title search may disclose.
5. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge, said lot is located in Flood Zone AE(13'). Ref. Map No. 4501900785 J dated 11-17-2004

As-Built Survey
LOT A15, THE VILLAGE AT SEABROOK
LOCATED IN THE
Town of Seabrook Island
CHARLESTON COUNTY, SOUTH CAROLINA

SURVEYOR'S STATEMENT

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 Class A survey as specified therein, also there are no visible encroachments or projections other than shown.

James G. Pennington, P.L.S. No. 11201
Date

PREPARED EXCLUSIVELY FOR:
Saltwater Homes

2247 Seabrook Island Road
Seabrook Island, SC 29455

PALETO LAND SURVEYING, INC.
2063 SAVANNAH HWY
SUITE 2
CHARLESTON, SC 29407
PHONE(843)957-6191
EMAIL: Palmetto@bellsouth.net

GRAPHIC SCALE: 1"=20'
PLAT OF LOT B25
THE VILLAGE AT SEABROOK
3041 SEABROOK VILLAGE DRIVE
TMS 147-00-00-091
TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY, S.C.

OWNED BY:
FIRST SOUTHERN NATIONAL BANK
DATE: APRIL 19, 2011
SCALE: 1" = 20'

1. Randolph J. Grice, a Professional Land Surveyor of the State of South Carolina, do hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a survey as specified therein, save there are no visible encroachments or exceptions other than shown.

Randolph J. Grice, P.L.S.
S.C. Registration Number 14163
NOTES:
1) REFERENCE PLAT RECORDED BY TIMOTHY D. ELMER
DATED 5-21-03
2) REFERENCE PLAT BOOK EQ PAGE 425
3) TMD 147-00-00-119
4) ALL CORNERS FOUND ARE AS DESCRIBED
5) PROPERTY IS LOCATED IN FLOOD ZONE "AE"
6) ELEV 13 FRM PANEL 45019C-078S-3
DATED NOVEMBER 17, 2004
A BOUNDARY SURVEY WAS NOT PERFORMED SHOWN
FOR INFORMATION ONLY.

LINE LEGEND
P/L W/ PROPERTY CORNER FOUND
P/L W/ PROPERTY CORNER SET
ADJACENT PROPERTY LINE
RIGHT-OF-WAY LINE
CENTER LINE
EASEMENT LINE
BUILDING SETBACK LINE

FINAL SURVEY
LOT C-1 BRIDLE TRAIL DRIVE
LOCATED IN
THE TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA

EDM: EAD
RECEIVED: MEL
DATE: 1-20
SIZE: 30 x 30
RECORD: R/A
SUMMERVILLE, SC 29483
TOLL: (843) 225-8083
FAX: (843) 225-8083
"DATA YOU CAN DEPEND ON"
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### Notes:
2. Reference Plat Book EF Page 246.
3. TMS# 1.47-00-00-142.
4. All corners found are as described.
5. Property is located in flood zone 'A2'.


Secondary information taken from note 1. A boundary survey was not performed shown for information only.

---

### Final Survey

Lot C-33 Bridle Trail
Located in
The Town of Seabrook Island
Charleston County, South Carolina
NOTES:
1) REFERENCE PLAT PREPARED BY O. ROBERT GRUNOR
DATED 11-17-89
2) REFERENCE PLAT BOOK EG PAGE 720
3) TRT 1147.00-120
4) ALL CONCERNS FOUND ARE AS DESCRIBED
5) PROPERTY IS LOCATED IN FLOOD ZONE "AL"
   ZEV 13 HMS PANEL 4501-00-0765-J
DATED NOVEMBER 17, 2004
6) BOUNDARY INFORMATION TAKEN FROM NOTE 1
   A BOUNDARY SURVEY WAS NOT PERFORMED SHOWN
   FOR INFORMATION ONLY.

GRAPHIC SCALE

(1 INCH = 20 FT)

FINAL SURVEY
LOT C-26 BRIDLE TRAIL
LOCATED IN
THE TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY
SOUTH CAROLINA

LAND SURVEYING, INC.
MARK MILLER LAND, INC. SCPLMR 220020
N/A
N/A
N/A
N/A
N/A
N/A
N/A
N/A
N/A

ARGIS LAND SURVEYING, INC.
POST OFFICE BOX 5840
SUMMERSVILLE, SC 29485
TOLL: (843) 225-8083
FAX: (843) 225-8035

"DATA YOU CAN DEPEND ON"